# ABSTRACT


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| Title of Thesis: | THE ECUMENICAL PATRIARCHATE OF CONSTANTINOPLE IN THE SECOND HALF OF THE SEVENTEENTH CENTURY |
| | Angelo Sfondiles, Master of Arts, 2019 |
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This study focuses on changes that occurred within the Orthodox Patriarchate of Constantinople in the second half of the seventeenth century in response to the difficulties and challenges the Ottoman Empire faced. The intent of the thesis is that the Patriarchate was an integral part of the Empire and that its institutional vagaries can only be understood as a result of the close relationship between it and the Ottoman Empire. The focus is on the legal, financial, and administrative relations between the Patriarchate and the Ottoman Empire in the second half of the seventeenth century.

# THE ECUMENICAL PATRIARCHATE OF CONSTANTINOPLE IN THE SECOND HALF OF THE SEVENTEENTH CENTURY

by

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Thesis submitted to the Faculty of the Graduate School of the
University of Maryland, College Park, in partial fulfillment
of the requirements for the degree of
Master of Arts
2019

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## Acknowledgements

Foremost I wish to thank Dr. Madeline Zilfi, my thesis advisor and teacher of Ottoman history and Islamic law. Her insightful questions and comments helped me understand the place of the Ecumenical Patriarchate within the wider context of the Ottoman Empire. Hopefully, her high standards of scholarship and critical thinking have made me a better student of history.

Second, I would like to thank Dr. Ahmed Karamustafa who, through numerous classes and casual conversations, has helped me gain a deeper understand and appreciation of Islam.

Last, but not least, I wish to thank Dr. Nomikos Vaporis for introducing me to the fascinating field of Ottoman history and Tourkokratia. May his memory be eternal.

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## Note on Names and Transliteration

For Turkish names, I have chosen to use the most common spelling in English, thus “Mehmed” instead of “Mehmet.” Turkish terms have been spelled according to New Redhouse Turkish-English Dictionary, 1968 edition.

For Greek names, I have transliterated all of them in accordance with the table below including common names found in English, such as “Alexandros” for “Alexander,” except where an author’s name appears in English.

As for place names, especially those referred to by original Greek sources, I use the Greek name but give the current Turkish name in brackets, for example, Larissa (Yeni-Şehir). The only exception is Constantinople. I use this name in two ways, first in reference to the city prior to 1453. After that date, I use Istanbul. Second, I use Constantinople when it refers to the Patriarch of Constantinople because it appears in his official title in Greek.

**Greek Transliteration**

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|---|---|---|---|
| A α a | H η i | N ν n | T τ t |
| B β b | Θ θ th | Ξ ξ x | Y υ y |
| Γ γ g | I ι i | O o o | Φ φ f |
| Δ δ d | K κ k | Π π p | X χ h |
| E ε e | Λ λ l | P ρ r | Ψ ψ ps |
| Z ζ z | M μ m | Σ σ s | Ω ω o |

# Introduction

My first exposure to Ottoman history was as an undergraduate in courses known in modern Greek history as the period of *Tourkokratia,* Turkish rule. At that time, the general presentation of that period of history was of Turkish oppression, for example, the child tribute (*devşirme*), economic exploitation, and religious discrimination. The historical presentation included the Ottoman establishment of the patriarch of Constantinople as the religious and political head of the Greek Christian community, who was provided by the Ottomans with certain immutable rights and privileges. Through the patriarch, the Ottomans were able to govern the subjugated Greeks. The one redeeming aspect of Ottoman rule was that the Ottomans did not interfere with Orthodox religious doctrine as previous Latin (Roman Catholic) rulers did. This Ottoman system of governance was known as the *millet* system. The main achievement of the *millet* system was that it functioned as an incubator of the Greek nation until such time in the nineteenth century when it liberated itself from Ottoman rule.

Since those undergraduate days, the above paradigm has been questioned by contemporary historians and is now deemphasized or used with qualifications as to time, place, and historical circumstances. Thus, the purpose of this study is to trace the reasons for the change in the paradigm and new perspectives that scholars are proffering for the experience of Orthodox peoples and the patriarchate under Ottoman rule. To accomplish this purpose, the study begins with an overview of the historiographical problem of the *millet* paradigm and the objections contemporary scholars have raised against it.

The study then concentrates on the relationship between the Ottoman state and the patriarch during the second half of the seventeenth century. The relationship is viewed

from a number of perspectives: the legal status of the patriarchate under the Ottoman state; the increased lay influence on the organization and administration of the patriarchate; law and justice for the Orthodox community; the financial status of the patriarchate; and the effect of Western missionary activity upon the patriarchate.

The general conclusion reached in the study is that far from being an incubator of Greek nationalism, the patriarchate and the Orthodox community were an integrated part of the Ottoman state. Because of the fiscal, social and diplomatic challenges the Ottoman Empire faced in the seventeenth century, it relied on the patriarchate for increased revenues, for maintaining the social stability of the Orthodox community and for diplomatic support against enemies such as Poland and Venice or placating potential allies such as Russia and France. The patriarchate, in responding and adjusting to the challenges faced by the Ottomans, grew stronger and more centralized. This trajectory set the stage for major changes that took place in the patriarchate beginning in the mid-eighteenth century on. This trend further increased the integration of the patriarchate to the Ottoman state.

I hope that this study will add to the growing literature of the past five decades that has given us a new understanding of the historical evolution of the Ottoman Empire. More importantly, I hope that it will provide us a richer and more nuanced understanding of the life of the patriarchate of Constantinople as a constituent element in the Ottoman Empire. One welcoming sign of the changing scholarly attitude towards the Ottoman Empire and the Orthodox community is the willingness of contemporary scholars, regardless of their religious and ethnic affiliations, to work collaboratively and use each other's sources and archives in numerous languages to arrive at a more balanced and

more historically accurate presentation. Unfortunately, my lack of knowledge of Turkish, both modern and Ottoman, prevents me from using much valuable material for this study. I have had to rely upon my knowledge of Greek for primary and secondary material relevant to this study. Where possible, I have consulted materials translated from Turkish and/or written by Ottomanist scholars of various ethnic and national backgrounds.

## Overview

The traditional historical narrative of the Ecumenical Patriarchate during the Ottoman period begins with the story of Mehmed II's installation of Gennadios Scholarios in 1454 as patriarch after the fall of Constantinople to the Ottomans the year before. Mehmed's model of governance for non-Muslims within an Islamic state rested on traditional Islamic precedents stretching back to the early days of the Arab conquests. Thus, the narrative continues, Orthodox Christians were organized into a non-Muslim community, *millet,* under the authority of their religious leader, the patriarch. In Ottoman Turkish, he was referred to as the *Rum Millet Başı*, head of the Roman nation. In Greek, he was the *Ethnarch,* head of the nation. This model was in continuous use throughout the Ottoman period.[1] In order to govern effectively, the patriarch was given wide-ranging authority. Arnakis enumerates them as: (1) freedom of conscience; (2) the administration and the authority to discipline members of the Church without state interference as long as taxes and dues were paid and there was no question of treason; (3) the property of churches, monasteries, and charitable endowments to be held by the patriarch and his bishops; and (4) the personal status of Orthodox Christians, i.e., marriage, divorce, and inheritance, to remain under the sole jurisdiction of the patriarchate.[2] A good summary of Mehmed's dispensation is given by Papadopoullos:

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[1] A summary of the traditional presentation by a Greek scholar of Mehmed II's foundation of the patriarchate and the *millet* is G. Georgiades Arnakis, "The Greek Church of Constantinople and the Ottoman Empire," *The Journal of Modern History* 24, no. 3 (September 1952): 235–50. Also see Theodōros Papadopoullos, *Studies and Documents Relating to the History of the Greek Church and People under Turkish Domination* (New York: AMS Press, 1973), 1–26 and Steven Runciman, *The Great Church in Captivity: A Study of the Patriarchate of Constantinople from the Eve of the Turkish Conquest to the Greek War of Independence* (Cambridge: Cambridge University Press, 1968), 165–8.

[2] Arnakis, "Greek Church of Constantinople," 242–3.

> This is what authorizes us to make a quite distinct case of the period of Church history beginning with the installation on the Patriarchal See of Gennadios, viz. the fact that in the new order of things the Patriarch assumes a part, of a temporal character, which he had not officially in former times; this is the distinctive but essential characteristic that accounts for the difference between the two ecclesiastical regimes, the Byzantine and the new…The basic principles underlying the autonomy of the Church may be said to have remained intact throughout the period.[3]

Older historians labelled this model of Ottoman governance over non-Muslim communities as the *millet* system. The traditional use of *millet* is not just a matter of terminology but has become a concept which formally and consistently segregated non-Muslims into their own autonomous institution. Moreover, the religious leader, i.e., the patriarch, was made the focal point for the interface between the Ottoman state and the Orthodox subjects. Contemporary historians have questioned this narrative and model of governance for the Christian communities under Ottoman rule. Among the first was Benjamin Braude.[4] After examining the Ottoman usage of the term *millet* and analyzing the foundational stories related to the establishment of the Greek, Jewish, and Armenian *millets,* he concludes, "As for the so-called *millet* system, or, perhaps better, 'the communal system,' it was not an institution or even a group of institutions, but rather it was a set of arrangements, largely local, with considerable variation over time and place."[5] Michael Ursinus agreed that the term *millet,* meaning a non-Muslim religious community, was by no means used exclusively or at all consistently before the nineteenth century.[6] He concludes that the term may have come into use in the seventeenth century

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[3] Papadopoullos, *History of the Greek Church,* 10.

[4] Benjamin Braude and Bernard Lewis, eds., *Christians and Jews in the Ottoman Empire: The Functioning of a Plural Society* (New York: Holmes & Meier Publishers, 1982), 1:69–88.

[5] Braude and Lewis, *Christians and Jews,* 1:74.

[6] Michael O. H. Ursinus. "Millet." In *Encyclopaedia of Islam,* 2nd ed., edited by P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, and W.P. Heinrichs (Leiden: Brill, 1960–2005). Hereafter,

to identify religious communities as a result of Western missionary activities which threatened the religious regulations of the Ottoman Empire and to protect these communities.[7]

More recently, Paraskevas Konortas also pointed out the rare usage of *millet* prior to the eighteenth century to designate the Orthodox religious community.[8] The preferred terms were *tâ'ife* (group) or *kefere* (unbelievers). Furthermore, he argues that the concept of *millet* as propounded by earlier historians can only be applied from the eighteenth century on.

In "Ottoman Millets in the Early Seventeenth Century," Daniel Goffman argues for a more moderate approach.[9] The concept of *millet,* like other nineteenth century and twentieth century historiographic concepts such as *nationalism, capitalism* or *socialism*, has been overstretched and anachronistically applied. First, per Goffman, it fails to encompass the evolution of the historical process that took centuries to crystallize the concept. Second, it treats the various religious communities as segregated and separate entities within the Ottoman system. Too often, these communities and their internal development have been studied as self-contained units with little reference to the Ottoman state or the dominant Islamic society. With these reservations in mind and with a well-defined and circumscribed use of time and place, Goffman believes that the use of *millet* can be salvaged and applied to Ottoman history as long as the fluidity of the term

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*Encyclopaedia of Islam,* 2nd ed. will be referred to as "*EI2." An individual reference will be cited only when entries are discussed in detail in the body of the text, as here.*

[7] Ursinus, "Millet."

[8] Paraskevas Konortas, "From Tâ'ife to Millet: Ottoman Terms for the Greek Orthodox Community," in *Ottoman Greeks in the Age of Nationalism: Politics, Economy and Society in the Nineteenth Century,* eds. Dimitri Gondicas and Charles Issawi (Princeton: Darwin Press, 1999), 169–79.

[9] Daniel Goffman, "Ottoman Millets in the Early Seventeenth Century," *New Perspectives on Turkey* 11, (1994): 135–58.

and its context are recognized. It can also yield insight into the society it was meant to represent.[10]

Halil Inalcik, the noted Ottoman historian, also had problems with the *millet* theory. In an insightful article, he demonstrates the history of the Orthodox Christians under the Ottomans should be seen in four distinct periods.[11] The first was the period prior to the conquest of Constantinople in 1453, during which the Ottomans followed the precedents set by previous Islamic states that ruled large Christian communities. The second period was from 1453 until the end of the sixteenth century. This was the classical period of the Ottoman Empire. Because of the large number of non-Muslim subjects, Mehmed II took the opportunity to reorganize these communities (Orthodox, Armenian, and Jewish). The third period began with the seventeenth century and witnessed the first signs of decentralization and led to the rise of the *a'yâns* (provincial notables). Inalcik contends that the Orthodox Church took advantage of this decentralization to establish autonomous organizations in the capital and the provinces.[12] The last period began with the *Tanzimat* in the mid-nineteenth century and lasted until 1923. This last period is where the use of the traditional concept of *millet* is most applicable.

I agree with the criticisms that the term *millet* should be used with caution and a more neutral term such as 'communal system' should be adopted. *Millet* carries too many

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[10] Goffman, "Ottoman Millets," 154.

[11] Halil Inalcik, "The Status of the Greek Orthodox Patriarch under the Ottomans," *Turcica* 21, no. 23 (1991): 407–36.

[12] For the patriarchate and the Orthodox community, these changes became apparent in the eighteenth century, most of which is outside the scope of this thesis. A good summary of this process is in Molly Greene, *The Edinburgh History of the Greeks, 1453 to 1768* (Edinburgh: Edinburgh University Press, 2015), 163–91. For Ottoman institutionalization and recognition of the patriarchate as a corporate entity in the second half of the eighteenth century see Elif Bayraktar Tellan, "The Patriarch and the Sultan: The Struggle for Authority and the Quest for Order in the Eighteenth-Century Ottoman Empire" (PhD diss., İhsan Doğramaci Bilkent University, 2011), 222–34.

connotations, especially outside the scholarly world, of rigidity in the relations between the Ottoman state and its non-Muslim subjects. The Ottoman Empire was not monolithic; rather it was a multi-ethnic, multi-religious society reacting to internal and external strains, pressures and opportunities. The Ottomans preferred to change loose arrangements rather than reforming institutions. Neither was the patriarchate monolithic. It also adjusted to a changing environment which permitted it to survive. To understand any one period, we have to take into consideration the political, social and economic circumstances that shaped that period and explain the motivations of its participants, to move away from clichés such as "avaricious Turks" or "degenerate Greeks" and see the actors as complex, living human beings responding to their changing environment.

Following Inalcik's periodization, the period at the center of this thesis is the second half of the seventeenth century. Beginning in the last quarter of the sixteenth century, the Ottoman Empire was transformed from a patrimonial state to a more bureaucratic one.[13] It reached its greatest territorial expansion and then suffered some of its most serious military defeats. From the last part of the sixteenth century, the Ottoman Empire faced hyper-inflation and a debased currency.[14] By the end of the seventeenth century, the empire had moved to a new tax system and a new more stable currency.[15]

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[13] I am following here Baki Tezcan's argument of the transformation of the Ottoman Empire in this period. "I argue that the Ottoman polity underwent a major socioeconomic transformation in the late sixteenth and seventeenth centuries. This transformation is so profound that one is justified in arguing that a Second Empire replaced the patrimonial empire, the perfect form of which is associated so closely with the reign of Süleyman the Magnificent (1520–66)." Baki Tezcan, *The Second Ottoman Empire Political and Social Transformation in the Early Modern World* (New York: Cambridge University Press, 2010), 10. For a summary of the changes that occurred by the end of the seventeenth, see Caroline Finkel, *Osman's Dream, The Story of the Ottoman Empire 1300–1923* (New York: Basic Books, 2006), 321–8.

[14] Şevket Pamuk, *A Monetary History of the Ottoman Empire* (Cambridge: Cambridge University Press, 2000), xx. The economic and fiscal changes of the seventeenth century will be discussed in detail in a separate section of this study.

[15] K. Kivanç Karaman and Şevket Pamuk, "Ottoman State Finances in European Perspective, 1500–1914," *The Journal of Economic History*, 70, no. 3 (September 2010): 607.

During this century, the problem of Western missionary activity, especially Catholic, affected not only the religious communities under the Ottoman Empire, but also the empire itself in that it threatened its social stability and was perceived as a means by which foreign states could undermine its authority.[16] At the same time, the empire frequently relied upon French assistance to diplomatically counterbalance other states such as the Habsburgs.

The patriarchate was affected by and adjusted to all of these dynamics. As this study will demonstrate, the second half of the seventeenth century was a period when both the patriarchate and the Orthodox community became more closely integrated with the Ottoman state and society. Specifically, the Ottoman Treasury established an office dedicated to managing and accounting for fiscal affairs with the patriarchate (*Piskopos Mukata'asi Kalemi)*, the patriarchate was granted additional authority to expedite the collection of taxes and the Church's judicial responsibility for the maintenance of order and stability among Orthodox Christians expanded beyond the traditional family law to include mediation in financial and business transactions. As for social transformation and integration, the most visible manifestation of this change was the emergence of the Phanariots Greeks of Istanbul as exemplified by the appointment of Panagiotis Nikousios in 1666 as Grand Dragoman (*başterjüman*: chief interpreter or translator) of the Porte.[17] The Phanariots were wealthy Greek families who either held official positions or close business connections with the Ottoman government. The name Phanariot is derived from Phanar (Fener), the district in Istanbul in which they resided. However, a larger portion of

[16] Bruce Masters, *Christians and Jews in the Ottoman Arab World* (Cambridge: Cambridge University Press, 2001), 81.

[17] Greene, *History of the Greeks*, 131.

the Orthodox community took advantage of the changes in the Ottoman Empire. This included merchants, traders, money lenders, and guild members (some combined several of these professions). They used their wealth, expertise and influence to finance the Church's debt and staff the patriarchal bureaucracy and, thus, increase their wealth and patronage. They are most visible in the capital, Istanbul. But they are to be found in most urban centers, for example, İzmir and Selanik (Thessalonica). These individuals became the leaders, *varoş*, of the local urban Christian communities superimposed on the *mahalles* (town quarters) and were responsible for the assessment and collection of taxes.[18] In performing this function, they interfaced with Ottoman officials who depended upon them for the efficient collection of taxes and to perform other civic tasks. As an example, we can cite George Wheler's observations of the governance of Athens which he visited during his voyage to Greece in 1675.[19] He states that the Christian residents of Athens are under the protection of the *Kızlar Ağası*, the Chief Black Eunuch,

> who thereupon is become their Patron, and whom they appeal to upon any Difficulty, or Abuse put upon them by the Turks…. The Christians indeed endeavor to avoid the severe Tribunal of the Turks, as much as in them lies; and to that purpose have composed a little body politick among themselves. For having divided the Town into Eight Quarters, as I said, out of every one of these, one of the most substantial, and reverent ancient Men is chosen, whom they call Epitropi (Commissioners). These eight moderate all Concerns in a friendly manner between Christians and Christians; and to these they commit all their Publick Affairs of moment.[20]

As Wheler explains, these commissioners interfaced with the local Ottoman officials and, if need be, would appeal directly to the Porte or palace (the *Kızlar Ağası*

[18] On the *varoş,* see Greene, *History of the Greeks*, 170–3.
[19] George Wheler, *A Journey into Greece* (London: Printed for William Cademan, Robert Kettlewell and Awnsham Churchill, 1682).
[20] Wheler, *A Journey*, 348.

was a palace official) if they felt they were being wronged. The result was that the elite of the Orthodox community became stakeholders of the Ottoman state. As for the patriarchate, it reached its political nadir in the 1650s when two ruling patriarchs were hanged for treason (Parthenios II in 1651 and Parthenios III in 1657). A retired patriarch, Gabriel III, was hanged in 1659 for supposedly baptizing a Muslim.[21] By the end of the seventeenth century and the beginning of the eighteenth century, the Ottoman perception of the patriarchate was as an integral element of Ottoman political, fiscal and diplomatic governance. This was due to a number of factors. First, there was the growth of an Orthodox elite which was incorporated into the Ottoman state and society. Second, the Church provided support to the Ottomans during the wars with the Holy League (1683–1718). The patriarchate represented not only the largest Christian community in the Balkans but was generally, or at least in its highest ranks, supportive of the Ottoman state against the Catholic Habsburgs and Venetians.[22] Finally, a major influence on the Ottoman state during these difficult years was the wealth of the Church which it could tap. The result was that the importance of the patriarchate rose in Ottoman eyes.

[21]Athanasios Komninos Ypsilantis, *Ta Meta tin Alosin (1453–1789)* [After the Fall (of Constantinople)] (Archimandrite Germanos Afthonidou of the Sinai: Constantinople, 1870), 1: 152, 158, 160. Ypsilantis wrongly attributes the hanging of Parthenios II to 1650. For the correct date, see Manuel I. Gedeon, *Patriarchiki Pinakes* [Patriarchal Portraits] (Constantinople: Lorenz and Keil, 1884; repr. Athens: Syllogos Pros Diadosin Ofelimon Biblion, 1996), 454. The issue seems to have been that all three may have been involved with suspicious acts with the Ukrainians and Muscovy, which the Ottomans perceived as treason. These will be discussed in detail in the section on Catholic missionary activities.

[22] Greene, *History of the Greeks*, 160–1.

## Legal Status of the Patriarch According to Ottoman Law

The Ottomans were the inheritors of a long legal tradition which went back to the origins of Islam and, in some cases, predated Islam. Non-Muslim subjects of an Islamic state, *zimmis* (derived from Arabic *dhimmi* and meaning "protected person"), were legally allowed to exist and to govern themselves in their personal affairs in accordance with their religious law.[23] *Zimmis* were organized into religious communities—Jews, Christians, Zoroastrians, and so on—under the leadership of their religious leaders. As long as they did not commit treason against the Islamic state and paid the *cizye*, a poll tax, they were free to conduct their internal affairs without interference from Muslim authorities. Over the centuries, this framework became more detailed and structured. This chapter will provide the legal framework within which the Orthodox Church functioned under the Ottoman Empire in the latter part of the seventeenth century as revealed through Ottoman *berats*. A *berat* was an official document, usually translated as diploma or patent, issued by the sultan to all Ottoman officials appointing them to their official position.[24]

### *Berats* as Ottoman Legal Basis of Patriarchal Authority

The traditional view of the legal basis for the patriarchate and its privileges was of a *berat* purportedly issued by Mehmed II (1451–1481) to the first patriarch whom he appointed after the fall of Istanbul, Gennadios Scholarios, in 1454. The patriarchal *berats* followed a specific formula beginning with a preamble, followed by payments due to the state and ending with the enumeration of the privileges granted to the official. The same

[23] *EI2*, s.v. "Dhimma."
[24] *EI2*, s.v. "Berat."

formula was followed during the historical course of the Ottoman Empire, thus allowing researchers to track changes made to the legal status of the patriarchate from one period to another.[25] Papadopoullos characterizes the *berat* Mehmed II reportedly gave to Gennadios as the constitutional chart of the Orthodox Church, in its legal aspect, under the Ottoman regime.[26] For Papadopoullos, the general principles of the system remained constant until the middle of the nineteenth century, when reforms radically modified the system.

The privileges it presumably contained were summarized by Arnakis as follows:[27]

- Freedom of conscience was respected.
- The administration and discipline of the Church were safe from interference as long as taxes and dues were paid and there was no question of treason against the state.
- The property of churches, monasteries and charitable endowments was held and administered by the patriarch and his bishops.
- The personal status of Orthodox Christians remained under the sole jurisdiction of the patriarchate.

Papadopoullos added that the patriarchal office was conferred for life.[28]

Unfortunately, the *berat* supposedly issued to Gennadios has not survived. Moreover, there is some controversy questioning whether a written document ever existed or was only an oral agreement.[29] The only surviving *berat*s relevant to this study and whose existence is currently known are those of 1483, 1525, 1662 and 1671. The first

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[25] Paraskevas Konortas, *Othomanikes Theoriseis gia to Oikoumeniko Patriarcheio* [Ottoman Theories on the Ecumenical Patriarchate] (Athens: Ekdoseis Alexandria, 1998). He tracks fourteen patriarchal *berats* from 1483 to 1901. In addition, he analyses eighty metropolitan *berats* beginning with one of unknown date from the fifteenth century until 1912 to compare with the patriarchal documents.

[26] Papadopoullos, *History of the Greek Church,* 7.

[27] Arnakis, *Greek Church of Constantinople,* 242–3.

[28] Papadopoullos, *History of the Greek Church,* 31. Papadopoullos used the *berat* of 1789 granted to Patriarch Neofytos VII, but the implication is that it was a long-standing practice. In actuality, lifetime tenure was granted in 1714 as will be discussed under the taxation of the patriarch.

[29] Tellan, "The Patriarch," 7, n. 21.

two are in Ottoman Turkish and were translated into Greek by Zachariadou.[30] The 1662 *berat* exists only in Greek.[31] The 1671 *berat* is a summary of an Arabic version translated into French by Aymon,[32] which was then translated into Greek by Gedeon.[33]

**The *Berat* of 1662**

For the purposes of this study, the 1662 document will be used as explained below. Its authenticity is questioned. Since it only exists in Greek, it cannot be compared to an original Ottoman document. It could be a forgery, or it could have been reconstituted at a later date but interpolated elements which were current at the time. Tellan has compared it with the previous *berats* and with eighteenth century ones and concluded that the Greek document contains elements from later *berats* that could not have been in force in 1662.[34] There are four of these elements. First, article 4 prohibits the seizure by the *birun* [the Outside Service, the outer departments and services of the imperial household concerned with military, administrative and religious affairs], without imperial permission, of churches and the repair of churches.[35] Any interference had to take into consideration *şeriat* laws and practices.[36] Second, the right of clerics to bequeath to the poor, article 7. The third is article 14 which prohibits monks from wandering away from their monasteries. The last is article 15 which prohibits state

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[30] Elizabeth A. Zachariadou, *Deka Tourkika Eggrafa gia tin Megali Ekklisia (1483–1520)* [Ten Turkish Writings on the Great Church (1483–1520)] (Athens: Ethniko Idryma Ereunon, Institouto Byzantinon Ereunon, 1996), 157–62, 174–7.

[31] Manuel I. Gedeon, *Episima Grammata Tourkika* [Official Turkish Writings] (Constantinople: Patriarcheikou Typografeiou, 1910), 9–14.

[32] Jean Aymon, ed., *Monumens Authentiques de la Religion des Grecs, et de la Faussetée de Plusieurs Confessions de foi de Chrétiens Orientaux* (La Haye: 1708), 486–9.

[33] Gedeon, *Episima Grammata,* 98–100.

[34] Tellan, "The Patriarch," 32–3.

[35] See English translation of the *berat* at Appendix B.

[36] The *berat* of 1754 reads, "Without an order [*ferman*], no one should take from them churches and monasteries which they previously possessed. Nor should repairs made to them, in accordance with their original design, be interfered with without judicial approval." Gedeon, *Episima Grammata,* 79.

officials from interfering with armed agents appointed by the patriarch to collect taxes. Because of what Tellan regards as anachronisms, she admonishes that the *berat* be handled with some suspicion.

On the other hand, Konortas accepts the legitimacy of the 1662 document.[37] He argues that, since 137 years intervene between the *berats* of 1525 and 1662, the 1662 document reflects the changes that took place in Ottoman governance between the two periods. Moreover, he sees the arrangement of the *berats* of 1754 and 1757 to be derived from the 1662 *berat*. He bolsters his argument by comparing the 1662 *berat* with *fermans* and *berats* issued to various metropolitans. For example, the *berat* of Leontios, Metropolitan of Larissa, in 1604 mirrors the use of armed agents for the collection of taxes.[38] Article 14, which prohibits monks from wandering about and stipulated that they be returned to their monasteries, was probably intended to stop monks from swindling people by asking for alms. There are two examples of this practice, one from 1698 and one from 1699, when two different monks paraded themselves as bishops.[39]

Notwithstanding Tellan's reservations questioning the authenticity of the 1662 *berat,* I plan to use it to outline its major provisions. This *berat* provides us with a snapshot of how the Ottoman central government viewed the patriarch during the second half of the seventeenth century. Moreover, it enables us to compare some of the changes that had occurred since the sixteenth century.

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[37] Konortas, *Othomanikes Theoreseis*, 97.
[38] Gedeon, *Episima Grammata,* 92, article 17.
[39] Nomikos M. Vaporis, *Codex Gamma of the Ecumenical Patriarchate of Constantinople* (Brookline, MA: Holy Cross Theological School Press, 1974), 65, 91.

### *Selection and Appointment of the Patriarch*

Article 1 provides, in summary form, the process by which the patriarch was selected and officially appointed by the sultan. The first step was election by the holy synod (in Greek, the *endimousa synodos*) composed of metropolitans[40] in accordance with Orthodox tradition.[41] The Synod was composed of an indeterminate number of metropolitans from the vicinity of Istanbul. Metropolitans close enough to Istanbul likely to have participated in the synod were from the cities of Iraklia, Kyzikos (Balkiz), Nikomidia (İzmit), Nikaias (İznik), and Chalkidon (Kadıköy).[42] Those metropolitans who were in Istanbul for official purposes could also participate in the Synod.[43] Other patriarchs, for example, from Alexandria, Antioch and Jerusalem, could attend if they were visiting.[44] While I cannot find any reference as to what the actual procedure was for the election, it is most likely that the lay and clerical representatives submitted three names to the metropolitans whom the synod elected one as patriarch.[45] The nominee

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[40] A metropolitan was the equivalent of a Roman Catholic archbishop. In the tradition of Constantinople, archbishops are bishops without subordinate bishops and report directly to the patriarch. In protocol, the archbishops rank after the metropolitans. Papadopoullos, *History of the Greek Church,* 48, n. 1.

[41] In addition to the hierarchs, the leading members of the community were present at the election. Gedeon refers to two such assemblies. The first was in 1688 at the house of Manolakis of Kastoria, a prominent fur merchant, which elected Kallinikos II. The second reference was in 1707 at the house of Alexandros Mavrokordatos in the Phanar when Neofytos V was elected. Gedeon, *Patriarchikoi Pinakes,* 484, 495–6.

[42] It would be safe to assume that these five metropolitans constituted the core of the synod. Beginning in 1741, these five metropolitans were able to gain recognition from the Porte to share in the power of the patriarch to administer the Church. The system instituted is known as the *gerontismos*, literally "the rule of the elders." It lasted until approximately 1860–1862. On *gerontismos*, see Papadopoullos, *History of the Greek Church,* 51–3; Konortas, *Othomanikes Theoreseis,* 131–4; Tellan, "The Patriarch," 237–9.

[43] Papadopoullos, *History of the Greek Church,* 41, 46.

[44] Tellan, "The Patriarch," 223. Dositheos II, Patriarch of Jerusalem (1669–1707) spent most of his time in Istanbul instead of Jerusalem to guard against Latin encroachment on the Holy Places in his see.

[45] We do not have the names for all the candidates. However, Gedeon is careful to name them when he has them, e.g., Paisios in 1652. Gedeon, *Patriarchikoi Pinakes,* 457. The use of the three-person nomination practice is a common one in the Orthodox Church even today.

would be submitted to the Porte for approval. The Porte could reject the nominee as happened to the aforementioned Neofytos (1707).

After election, an imperial *ferman* was requested of the sultan appointing the candidate as patriarch. Before granting the *berat*, the candidate had to pay the government treasury (*hazine*) the required *peşkeş* or gift tax required from Ottoman officials, Muslin and non-Muslims, appointed to office. This was not a bribe to the sultan or a personal gift to him but a tax which was deposited with the public treasury as indicated by article 2.[46] Inalcik believes this was a disguised tax on the clergy who, like other public officials, were exempt from taxation but paid a *peşkeş*.[47] Thereupon, the sultan granted the *berat* which made the position official. In addition, the Grand Vizier would give him a robe of honor as a sign of his high office as was done for all Ottoman officials. Methodios III (1668–1671) was given a red velvet robe with white and gold crosses which he enjoyed displaying.[48]

Article 3 describes the geographical span of the patriarch's jurisdiction. It included territories both within the Ottoman Empire and outside of it. Within the empire it stretched over what are today modern Greece, parts of Bulgaria, and Turkey (with the exception of parts of southern Turkey which were under the jurisdiction of the Patriarch of Antioch). Outside of the empire, patriarchal jurisdiction included Moldavia and Wallachia (vassal states of the Ottomans), Ukraine (which was under the Crimean Khans and vassals of the Ottomans), and Muscovy (which was an independent kingdom). It is

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[46] Konortas, *Othomanikes Theoreseis,* 168.

[47] Inalcik, "Greek Orthodox Patriarch", 408.

[48] Meletios of Athens, *Ekklisiastiki Istoria* [Ecclesiastical History] (Vienna: Iosepos Vaoumeistero, 1784), 3:465. Meletios adds that from that time the patriarch was also given a parasol.

curious why Muscovy is included—the patriarch of Constantinople had recognized its autocephaly in 1589.[49] It could be a carryover from previous *berats*.[50] Excluded from Constantinople's jurisdiction were the three historical patriarchates of Alexandria, Antioch and Jerusalem and the Churches of Cyprus, Ohrid and Peć.[51] Therefore, the vast majority but not all Orthodox subjects of the sultan were subject to the patriarchate.

The patriarch was responsible for providing the daily quota of meat to the Gardeners' Regiment (*Bostancı Orta*), which is equivalent to 300,000 *akçes* per year, of which seventy-five thousand would be deposited with the treasury every quarter (art. 3). It is noteworthy that the Orthodox faithful are named as "unbelievers" (*kefere*) in this article.

What follows are specific provisions of the *berat*. The possible interpolation of articles from succeeding *berats* are discussed above. The differences from those of 1483 and 1525 remain to be pointed out. The one of 1483 specifically states that, "The Patriarch, until he dies, shall be the valid Patriarch. But if he performs contrary to his religious practices, if the synod of metropolitans agrees, they shall investigate [the

[49] I need to clarify the terms *autocephaly* and *autonomy* in Orthodox ecclesiology, as they will reoccur in this study. The former means that the head of a church, patriarch, archbishop, etc. is elected by the bishops constituting that church and the church is self-governing and independent of any other church. *Autonomy*, on the other hand, means that a church is self-governing in its internal workings, but the primate of that church is consecrated by the church which granted it autonomy. Thus, *autonomy* implies a certain subordination of one church to another. For an insightful historical and theological discussion of these two terms see John H. Erickson, "Autocephaly and Autonomy," *St. Vladimir's Theological Quarterly* 60, nos. 1–2 (2016): 91–110.

[50] Russia is mentioned in the two *berats* of 1483 and 1525. Zachariadou, *Deka Tourkika*, 157, 174.

[51] Cyprus was made autocephalous by the Ecumenical Council of Ephesus in 431. Paul Rycaut, *The Present State of the Greek and Armenian Churches, Anno Christi, 1678* (London: Printed for John Starkey, 1679), 89–90. Ohrid was the remnant of the Patriarchate of Trnovo after its conquest by the Ottomans. Peć was the reestablishment by Mehmed Sokolu in 1557 of the medieval Serbian patriarchate. Erickson, "Autocephaly," 97; Runciman, *Great Church,* 203–4, 379.

charges]. If they are true, he shall stop [being the Patriarch], another shall be appointed Patriarch, whom they elect."[52] The two other *berats* do not mention this provision.

***Length of Patriarchal Term***

No specific mention is made in the 1662 document as to the length of the patriarchal term of office. Of the 42 patriarchal tenures in the period 1646–1714, only four lasted three or more years: those of Parthenios II (1651), Parthenios IV (1662), Kallinikos II (1702), and Gabriel III (1707).[53] Of the remaining terms, the incumbents either were deposed or retired. This was not unusual. From 1599 until 1646, thirteen separate individuals served as patriarchs for an average of 3.6 years. However, many of these served multiple terms, twenty-one in all. Kyrillos Loukaris served six separate times. Thus, the average term would be 2.2 years. Seven terms were three or more years. As Appendix A indicates, there was an increase in turnover from the later sixteenth century to the seventeenth century.

Two points should be noted in discussing patriarchal tenures. First, in Orthodox practice, appointment to an episcopal office is considered a tenure for life, the bishop (or metropolitan or patriarch), being "wedded" to his see. The only reasons for him to vacate his see are death, retirement, election to a higher ranking see, for example, from metropolitan to patriarch, or removal for abuse of office. Second, while there was a large turnover of patriarchs, this was not the case with metropolitans. For example, Adrianople (Edirne) had six metropolitans from 1601 to 1658; Iraklia had fifteen from 1610 to 1711;

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[52] Zachariadou, *Deka Tourkika*, 157–8.

[53] Appendix A, List of Patriarchs. The values given are derived from Gedeon, *Patriarchikoi Pinakes*, appendix a, Catalog of patriarchs with chronology, 773–4. With the exception of the Köprülü viziers 1655–1683, the same pattern of rapid turnover of grand viziers is reflected in the Ottoman state from the late sixteenth century on.

Nikaia (İznik) had twelve from 1606 to 1712; Prusa (Bursa) had eleven from 1605 to 1724; and Smyrna (İzmir) had eleven from 1618 to 1717.[54]

Historians have proffered various explanations for the increase in turnover during the seventeenth century. Papadopoullos states that the patriarchal term was for life.[55] He assigns the turbulence of the seventeenth century to the conflict between the higher lay officials and the metropolitans for control of the administration of the patriarchate.[56] However, contemporary historians have questioned this. Konortas states that the office became a lifetime one in 1714 when the patriarch became a possessor of a *malikane*, a lifetime tax farmer.[57]

The seventeenth century and beyond saw an increased turnover of personnel in the Ottoman government, especially in the ulema.[58] According to Zilfi, the inflation of ulema numbers was due to aggressive recruitment. The increased numbers resulted in shorter tenures for incumbents through forced inter-grade retirement. I do not believe a similar increase of Orthodox clergy was responsible for the increased turnover of patriarchs in the seventeenth century. Tellan states that patriarchal *berats* were to be renewed *de jure* every three years as the patriarch was considered a tax farmer, *mültezim.*[59] However, the turnover of patriarchs continued into the eighteenth and nineteenth centuries when the patriarch became a *malikane holder*. Greene sees the

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[54] Demetrios Kiminas, *The Ecumenical Patriarchate: A History of its Metropolitanates with Annotated Hierarch Catalogs* (Rockville, MD: Wildside Press, 2009), 169–95.

[55] Papadopoullos, *History of the Greek Church,* 31.

[56] Papadopoullos, *History of the Greek Church,* 46–8.

[57] Konortas, *Othomanikes Theoreseis,* 349. This change will be discussed in greater detail in the section on patriarchal finances.

[58] Madeline Zilfi, *The Politics of Piety: The Ottoman Ulema in the Postclassical Age (1600–1800)* (Minneapolis: Bibliotheca Islamica, 1988), 71–2; Rossitsa Gradeva, *Rumeli under the Ottomans, 15th–18th Centuries, Institutions and Communities* (Istanbul: The Isis Press, 2004), 88.

[59] Tellan, "The Patriarch," 132 and n. 252.

instability of the Orthodox community as a reflection of the instability of the Ottoman state and society during the long seventeenth century.[60] I agree with Greene. Unfortunately, as she points out, this period is obscure and we do not have the material to track the changes that occurred.[61] The answer that Ypsilantis, the preeminent chronicler of the eighteenth century, gives summarizes best the problems of this era.

> That the total debt of the Ecumenical throne was paid off by the ruler of Moldavia, Basil, I mentioned under the year 1641. Within a period of thirteen years [1655], the patriarchate was loaded up with so much debt that Athanasios III Patelarios [in 1652] and Ioannikios II [in 1654] resigned, and Paisios I [in 1653] fled from this debt. Let the reader reach his own conclusions and let whoever wants to describe the reasons for it [the debt]. I am surprised that these fruits should not have been thrown out by this system. Three reasons that the foundations of the apostolic throne were undermined. The first is the vehemence of the abusers, [i.e., the increase of taxes by the Ottomans]. Second, from the behavior of the endimousa metropolitans in Constantinople. Third, from some of the brotherhood of archons who worked in consonance with the metropolitans towards the same ends, their venal desires and odious ends. Frequently, they pressured and tyrannized the patriarchs to accomplish their profiteering ends.[62]

Going beyond Ypsilantis' vitriol, the passage reveals the tensions that existed within the patriarchate and the vested interests within it, the Ottoman government that wished to maximize its tax revenue, the metropolitans who ultimately had to come up with the money, and the lay leadership that funded the operation and profited from it. One actor not named, but whose significance increased during the seventeenth century, was the Catholic missionaries led by the French ambassador, who made serious attempts to unite the Orthodox with Roman Catholicism. They used their influence to defame

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[60] Greene, *History of the Greeks,* 113–6. It is interesting to notice that there was also a rapid turnover of ulema in the seventeen and eighteen centuries. According to Zilfi, the inflation of ulema numbers was due to aggressive recruitment. The increased numbers resulted in shorter tenures for incumbents through forced inter-grade "retirement".

[61] Greene, *History of the Greeks,* 115. This is what makes the late sixteenth and seventeenth centuries fascinating for historical research.

[62] Ypsilantis, *Ta Meta,* 1:155.

incumbents or candidates to the patriarchal office to the Porte and bribe patriarchal officials.[63]

While the rapid turnover of patriarchs was in the interest of the Ottoman government since each new incumbent would have to pay the *peşkeş,* this was not the case with the metropolitans and bishops, who also had to pay the *peşkeş* to obtain their office. It seems that the large amount of resources and patronage the patriarchate wielded was sufficient cause for factions and ambitious individuals within the Church to assure a constant turnover of incumbents. As for Ottoman officials, the Christians could be relied on to create a rapid turnover and generate more revenues for the state.

***Inheritance from Clerics***

One other difference between the three *berats* is noteworthy. The two earliest ones stipulate that if a cleric dies without a will, then anything above five thousand *akçes* reverts to the state.[64] No such article is included in the 1662 document (art. 5). On the contrary, the patriarch is the sole inheritor of clerics without heirs. Konortas examined the *berats* issued to metropolitans from 1649 to 1722: they all included the article making metropolitans the inheritors of their subordinate clergy if no other heirs existed.[65] He is of the opinion that the change from partial inheritance to full inheritance occurred sometime in the middle of the seventeenth century.[66] All the patriarchal *berats* from 1662 forward include this proviso.

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[63] Runciman, *Great Church*, pp. 270-1.
[64] Zachariadou, *Deka Tourkika,* 158, 176.
[65] Konortas, *Othomanikes Theoreseis,* 106.
[66] Konortas, *Othomanikes Theoreseis,* 95 and n. 30.

### *Authority of the Patriarch*

In general, the *berat* gives the patriarch sweeping authority. The assets of all clerics are subject to him and their assets are considered his possessions (art. 5).[67] He has disciplinary power over them (art. 8). He appoints all clerics (art. 11). He has taxing authority over individuals and church assets (arts. 13 and 21). In terms of personal law involving Orthodox Christians, he has authority over inheritance, marriage, and divorce (art. 5, 6, and 9). In addition, the *berat* explicitly limits the authority of the state bureaucracy and the *ulema* in interfering with the exercise of his authority, especially in tax collection (arts. 4, 5, 6, 7, 15, 16, 17, 19 and 20). However, *berats* recognize the role of the synod in electing and removing the patriarch from office.

### *Ottoman's Legal View of the Patriarch*

What the document does reveal is the Ottoman government's legal view of the patriarch. The patriarch is a government official who is personally appointed by the sultan (art. 1).[68] The authority was a personal one. This is proven by the fact that when a new sovereign ascended the throne, all *berats*, including the patriarch's, had to be renewed in the name of the new sultan, a new personal bond being established and a new *peşkeş* paid. In essence, the sultan was delegating some of his personal authority to

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[67] According to Konortas, Orthodox believers, clergy or laity, who will property to members of the higher clergy or their establishments, e.g., monasteries, as long as they are in conformity with ecclesiastical practice, are recognized as valid by the state. Konortas, *Othomanikes Theoreseis*, 80. A cleric or a layman could donate up to one third of his property to the church. Anything over one third, his heirs could reclaim from the *kadı* court. According to Islamic law, a person may give one third of his wealth to whomever he wants as a testamentary bequest (*waṣīya*). Tellan, "The Patriarch," 143–4; Knut S. Vikør, *Between God and the Sultan: A History of Islamic Law* (Oxford: Oxford University Press, 2005), 318.

[68] In the *berat* of 1525, this is made explicit. "Ieremias…was appointed by me in the place of Ioannikios who died." Zachariadou, *Deka Tourkika*, 174.

another. According to the traditional interpretation of the patriarch as *Ethnarch*, he was independent and outside of the Ottoman establishment. What the *berats* show is that the patriarch was inside the Ottoman establishment, integrated in a personal relationship with the sovereign. This relationship extended to all the higher clergy (arts. 11 and 12).

The *berats* recognize three functions of the patriarch. First, he is a religious leader, the head of Orthodox Christians within the geographical limits set by the *berat*. Second, he is a tax farmer responsible for collecting the *harac,* the annual agricultural tax levied on land belonging to the state (*miri)*.[69] Third, he has judicial powers to discipline his subordinate clergy and administer personal law on all members of his flock. Because of their judicial authority, the higher clergy were integrated with the Ottoman legal system and performed judicial functions.[70] Konortas cites a chronicler who referred to them as "offikialoi ragiades, reaya officials."[71] As members of the Ottoman ruling class, the patriarch and the higher clergy were not liable to the *cizye,* the poll tax, they were given a robe of honor upon their appointment and held a defined place in royal protocol.

To illustrate the official standing of the patriarch in the Ottoman ruling hierarchy, there is an amusing incident that occurred in 1699. The royal *ferman* that relates the details of the incident was published in Greek and is summarized as follows.[72] When the

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[69] For the *harac* see Hamilton A. R. Gibb and Harold Bowen, *Islamic Society and the West: A Study of the Impact of Western Civilization on Moslem Culture in the Near East,* vol. 1, part 1 (London: Oxford University Press, 1950), 236–7. The *cizye,* poll tax paid by non-Muslims, was collected by *kadıs* or other Ottoman officials. Ronald C. Jennings, "Zimmis (Non-Muslims) in Early 17th Century Ottoman Judicial Records: The Sharia Court of Anatolian Kayseri," *Journal of the Economic and Social History of the Orient* 21, no. 3 (October 1978): 236.

[70] Konortas, *Othomanikes Theoreseis*, 344.

[71] Konortas, *Othomanikes Theoreseis*, 344.

[72] Gennadios M. Arabatzoglou, ed., *Fotieios Bibliothiki, itoi Episima kai Idiotika Eggrafa kai alla Mnimia schetika pros tin Istorian tou Oikoumenikou Patriarcheiou meta Gennikon kai Eidikon Prolegomenon* [Foteios Library, Official and Personal Writings and other Memorials Relative to the History of the Ecumenical Patriarchate with a General and a Specific Introduction] (Constantinople: Typis Fazilet, 1935), 2:66.

sultan would leave Edirne and go to Istanbul, the dignitaries of the capital would be on hand and officially greet the sovereign. The sultan would first receive the Muslim officials, then the patriarch and metropolitans. Last would be the officials of the Jewish community. Some in the Jewish community complained that in previous years they preceded the Christians. The sultan asked the *kadı* of Istanbul to decide the matter. The *kadı* determined and issued a *hüccet,* legal verdict, in support of the precedence of the patriarch. On the basis of the verdict, the sultan issued a *ferman* confirming the patriarch's right. The Jews, however, were able to obtain a *tezkere,* an official certificate, from the Master of Protocol in support of their complaint. As a result, a new royal *ferman* was issued reaffirming the patriarchal precedence and ordering the Jews to stop causing disturbances.

***Ottoman Governance of the Patriarch***

If *berats* provided a theoretical legal framework between the Ottoman state and the patriarch, the question arises to what degree did the stipulations in the *berats* reflect the reality of Ottoman governance of the patriarch. That a disparity between theory and practice existed is revealed by the *berats* themselves. Several articles in the 1662 *berat* admonish government employees from interfering with patriarchal authority. For example, article 4 prohibits government officials from seizing churches or monasteries without due process, that is, imperial permission had to be granted to seize the properties and had to be done in accordance with *şeriat* laws. Article 5 prohibits treasury officials from interfering and improperly taxing Church assets. Article 16 prohibits government officials from interfering with armed patriarchal agents responsible for tax collection. Article 21 prohibits officials, especially Ottoman treasury officials, of levying taxes on

goods given by Christians for charitable purposes. The fact that these articles specifically prohibited and limited the actions of government officials indicates that local officials did interfere and attempted to extract additional revenues from the Church. In such cases, the patriarchate had the right to appeal to the central government and have a *ferman* issued to prevent the abuse. Through this study, numerous *fermans* requested by the patriarchate will be cited.

In addition to government employees, the patriarchate had to contend with the *ulema*, who interpreted and executed the *şeriat,* the fundamental legal system of the Ottoman Empire, which was based on Islamic principles. Theoretically, the *şeriat* and the *ulema* who applied it were independent from the government.[73] *Şeriat* courts were open to all Ottoman subjects, Muslims and non-Muslims. The patriarch, like any other Ottoman subject, could appeal to the *şeriat* establishment and try to obtain a favorable ruling. The availability of Islamic justice to all subjects quite often brought Christian law into conflict with Islamic law. This conflict between the two systems is discussed in detail in the chapter, Law and Justice Under the Patriarchate.

Finally, government exigencies overruled theoretical considerations. For example, during times of financial emergencies when the government did not have sufficient revenue to pay the military, it would levy extraordinary taxes, *avarız,* which over time tended to become permanent. In such cases, the patriarchate was treated as any other taxpayer and had to pay the additional levies. Also, during tumultuous times, the mere suspicion of collaboration between the patriarch and a foreign entity was sufficient cause

[73] Zilfi, *Politics of Piety,* 13.

for the patriarch to be executed for treason. The executions followed a formal government enquiry to which even the Greek chroniclers of the time attest.[74]

In general, one can say that the Ottoman state tried to govern in accordance with the ideal principles manifested by the *berats.* However, this ideal picture needs to be tempered by actual events, conflicting authorities, and exigencies which altered the ideal in practice. The objective observer needs to see the conflict between ideal and real within the context of time and place and understand the motivation of the actors involved.

[74] Ypsilantis, *Ta Meta*, 1:158.

## Organization of the Patriarchate

The jurisdiction of the patriarchate of Constantinople covered a vast area from the southern border of today's Turkey, the Aegean and Ionian islands, most of the southern Balkans and Ukraine. Orthodox Christians constituted the majority of the population in the Balkan territories. The impression given by the *berats* is that the patriarch had total control over these areas and peoples. This impression has to be tempered by the ecclesiastical tradition within which the patriarch ruled. In addition, the patriarch required a large establishment with which to administer such a large organization. During the seventeenth century, this administrative establishment underwent significant changes that mirror the socio-economic transformation that was taking place in the Ottoman Empire and the Orthodox community. Therefore, this chapter has a number of goals. First, to describe the ecclesiastical milieu within which the patriarch had to function; second, to describe the bureaucracy with which the patriarch carried out his duties; third, the changes that occurred in the bureaucracy as a result of wider social-economic changes within the Ottoman Empire.

### Ecclesiastical Status of the Patriarchate

The official title of the patriarch in Greek was "Archbishop of Constantinople, New Rome and Ecumenical Patriarch."[75] To understand the structure of the patriarchate, we need to go back to the early church, whose organizational structure followed that of the Roman Empire.[76] The bishops of a particular province would meet under the

[75] The Ottoman title of "patrik-i Rum" did not come into usage until the eighteenth century. Prior to that a number of appellations were used including "patriarch of Istanbul" in the 1483 *berat* and "patriarch of the unbelievers" in the 1525 and 1662 *berats.* As a result, I have chosen to use the Greek title. For the problems involved in choosing the appropriate title see Tellan, "The Patriarch," 16.

[76] Erickson, "Autocephaly," 95–6.

presidency of the bishop of the provincial capital, the metropolis (hence the title metropolitan given to that bishop), to discuss and resolve matters of common concern. Over time, a new system evolved known as the *pentarchy.* Codified by the Fourth Ecumenical Council of Chalcedon in 451, five preeminent sees were recognized. In order of prestige, they were: Rome, the first capital of the empire; Constantinople, the New Rome and second capital of the empire—its head was given the title of ecumenical patriarch to signify that he was co-equal with Rome; Alexandria; Antioch; and Jerusalem. The primate of each of these Churches, along with the synod of metropolitans, constituted the governing body of each of these ecclesiastical provinces. It needs to be emphasized that in accordance with the ancient ecclesiastical tradition and order, the patriarch was first and foremost a bishop. His primary duty was to oversee his diocese, for example, Constantinople. He was also responsible for administering the ecclesiastical affairs of the religious province over which he was the primate, for example, the patriarchate of Constantinople. He did this in a collegial manner with the metropolitans within that province.

The patriarch, along with the holy synod (usually referred to as the *endimousa synodos* in the sources), governed the patriarchate. A more apt name for the synod would be "standing synod" since most of its members were from the close environs of Istanbul. The patriarch did have certain advantages over the metropolitans who constituted the synod. First of all, he was the highest-ranking bishop of the patriarchate and dealt directly with the Ottoman government, usually called "the Porte" in the seventeenth century in reference to the Grand Vizier's residence. Second, he had taxing authority within the Church in order to pay the taxes due to the Ottoman treasury. This authority was

recognized by article 13 of the 1662 *berat.* His was also the highest court of appeal within the patriarchate. Finally, he possessed a seal without which official acts of the patriarchate were invalid, per article 6 of the *berat*.

On the other hand, the synod had its own advantages. It elected the patriarch and it could depose him or force him to retire. The appointment to metropolitan vacancies and removal of sitting metropolitans had to be approved by the synod. The metropolitans could circumvent the patriarch by exercising the right of petitioning (*arz*) the government directly. A major bone of contention between the patriarch and the other hierarchs was the annual apportionment among the metropolitans of the *harac,* the annual tax payment due to the Treasury. This is the way Ypsilantis describes the apportionment of 1716.

> Every year when the hierarchs sat in order to apportion the amount each of them would pay for the newly established *miri* [tax, the new term for the *harac* under the *malikane*], they would murmur against it. The year before he was ejected, the anger of the patriarch grew against them and they grumbled against him as if he was the cause of this mess. Finally, with a common voice they expelled him after he had been patriarch for two years and five months.[77]

**The Patriarchal Staff**

In order to execute his duties, the patriarch was assisted by officials who were organized in hierarchal rank into groups of five (*pentas*). There were nine *pentas.*[78] The first *pentas* consisted of the most important officials and is described as follows:[79]

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[77] Ypsilantis, *Ta Meta,* 2:301.

[78] A detailed list of all the officials and their duties is in Papadopoullos, *History of the Greek Church,* 61–78. The primary source from which Papadopoullos derives his information on the *pentas* is Chrysanthos Notaras, Patriarch of Jerusalem, *Syntagmation peri ton Offikion, Klirikaton kai Archontikion tis Agias tou Christou Ekklisias* [Constitution of the Officials, Clerical and Noble, of the Holy Church of Christ] (Tergevizt, Moldavia, 1715) (referred to as Chrysanthos, as was the custom for patriarchs).

[79] Papadopoullos, *History of the Greek Church,* 61–70; Chrysanthos, *Syntagmation peri ton Offikion,* 3.

1. **Grand Economos:** Managed the property of the Church and its income, temporarily acted as a trustee of a bishopric lacking a bishop or metropolitan until one was appointed and assisted in all judicial sessions.[80]
2. **Grand Sakellarios:** Managed the income and properties of monasteries.[81]
3. **Grand Skevofylax:** Responsible for the sacristy, i.e., the liturgical objects and icons used for liturgical purposes.[82]
4. **Grand Chartophylax:** General secretary for the patriarch with a variety of duties. In addition to his responsibility as an archivist, he was a judicial officer responsible for registering all matrimonial affairs and notified priests to confirm a marriage. He was responsible for the ordinations and punishments of priests and deacons. He kept the patriarchal seal.[83]
5. **Sakellios:** Maintained a small treasury for sundry expenditures and probably was responsible for the patriarchal prison.[84]
6. **Protekdikos:** Although each *pentas* has five officials in it, this secondary official was moved into the top *pentas* in the twelfth century. His function was judicial and philanthropic. He looked after refugees and the poor who were being oppressed by the rich and sued their oppressors on their behalf.[85]

What is of interest is that this *pentas* was increased from five to six during the Byzantine times, then to nine in the seventeenth century, but was still referred to as *exokatakoiloi* (group of six).[86] Previously all the officials were clergymen, but by the seventeenth century only three of the nine were clergymen.[87] They were all *ex officio* members of the synod by virtue of their office. The nine positions in rank order were:

1. **Grand Logothete:** Acted as the patriarch's liaison to the Porte.[88]
2. **Grand Skevofylax.**

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[80] Papadopoullos, *History of the Greek Church,* 61–2.
[81] Papadopoullos, *History of the Greek Church,* 62–4.
[82] Papadopoullos, *History of the Greek Church,* 64.
[83] Papadopoullos, *History of the Greek Church,* 65–6.
[84] Papadopoullos, *History of the Greek Church,* 66–7.
[85] Papadopoullos, *History of the Greek Church,* 67–70.
[86] Papadopoullos, *History of the Greek Church,* 85, n. 1. Chrysanthos, *Syntagmation peri ton Offikion*, 64. Chrysanthos gives a long excursus on the history of the term and how it referred to the first *pentas* starting in Byzantine times. It was used to distinguish the most important officials of the patriarchate. Chrysanthos, *Syntagmation peri ton Offikion*, 12–4.
[87] Papadopoullos, *History of the Greek Church,* 80–2.
[88] Chrysanthos states that the first person to receive this position in 1575 was Dimitrios Ioulichnos, an *archon*. Chrysanthos, *Syntagmation peri ton Offikion*, 63. According to Ypsilantis, after the execution of Parthenios III in 1657, patriarchs were not allowed to present themselves before the sultan as was the custom from the fall of Istanbul until that time. Ypsilantis, *Ta Meta*, 1:158.

3. **Grand Ekklesiarch:** The sacristan responsible for supervising the ceremonies.[89]
4. **Grand Economos** (clergyman).
5. **Grand Chartofylax.**
6. **Sakellios** (clergyman).
7. **Grand Sakellarios** (clergyman).
8. **Grand Orator:** A general preacher.[90]
9. **Protekdikos.**

The positions of "Logothete," "Ekklesiarch," and "Orator" belonged to lower *pentas* but were moved to the highest level by prefixing "Grand" (*Megas*) to them. The process of appointing laymen in lieu of clergymen to these offices began in the second half of the sixteenth century and culminated in the eighteenth century.[91] It is interesting that the three offices dealing directly with church funds and properties—the Economos, Sakellios, and Sakellarios—remained in the hands of clergymen. One possible reason for placing clergymen in these positions was to prevent the alienation of Church assets, whether movable or immovable, which canon law forbids.[92]

The increased influence of the laity in the patriarchate will be discussed later in this study. With the appointment of laymen to high ecclesiastical positions, there arose the practice of granting these laymen *exarchies* as compensation.[93] They could be granted for a specified period or as a lifetime term. They were not comparable to Ottoman *arpaliks*, "the right to oversee juridico-religious affairs of a lesser magistrature (*kaza*) in return for the compensations due to the judge's office."[94] Most commonly, *arpaliks*

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[89] Papadopoullos, *History of the Greek Church,* 77.
[90] Papadopoullos, *History of the Greek Church,* 74.
[91] Papadopoullos, *History of the Greek Church,* 81.
[92] Michael Kaplanoglou, "Contribution to the Economic History of the Ecumenical Patriarchate of Constantinople Under Ottoman Rule (Fifteenth to Nineteenth Century)" (MPhil thesis, University of London, 2004), 31–3.
[93] Apostolos E. Vacalopoulos, *The Greek Nation, 1453–1669* (New Brunswick, NJ: Princeton University Press, 1976), 117.
[94] Zilfi, *Politics of Piety,* 66; Gibb and Bowen, *Islamic Society*, 1:1:188.

provided a living for Great Mollas who were out of office. The institution most similar to an *arpalik* in the Orthodox church was *proedros* (president, chairman) of a vacant metropolis, which was given to a patriarch who retired or was removed from office. For example, when Parthenios IV retired as patriarch in 1662, he exercised all the functions of a metropolitan of Bursa as *proedros.*[95]

The term *exarchy,* literally *dependency,* was applied to various circumstances. Chrysanthos provides the numerous applications of the term.[96] Several examples follow to indicate the usage of the word. In 1647, the Archdiocese of Platza (in southwestern Peloponnese) was reduced to a diocese under the Metropolitan of Monemvasia and given as an exarchy to Manuel Mouselimis, an *archon,* for the remainder of his life.[97] In 1651, the exarchy was dissolved and Platza was returned to the Metropolitan of Monemvasia.[98] In 1652, the patriarchal exarchy of Kavarna, near the Metropolis of Varna, provided the patriarchate 5,000 *akçe* in income annually.[99] In 1653, Ioannikios II affirmed that the villages of Dadia belonged under the Metropolis of Didymoteicho (Dimetoka), although previously they were an exarchy. Patriarchal officials had seized them and were taxing them.[100] As this example shows, exarchies were open to abuse. In 1655, Neofytos, Metropolitan of Crete, gifted to the Patriarch Ioannikios II (1655–1656) seven

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[95] Gedeon, *Patriarchikoi Pinakes,* 463.

[96] Chrysanthos, *Syntagmation peri ton Offikion*, 44–9. Thomas Smith, the chaplain to the English ambassador in 1668 describes them as follows, "To collect these sums, or honorable presents, he [the patriarch] deputes one of his Legate, whom they call *Exarchos*, and sometime upon occasion he goes himself in person to visit for the same purpose." Thomas Smith, *An Account of the Greek Church, as to its Doctrine and Rites of Worship with Several Historicall Remarks Interspersed, Relating Thereunto: To Which is Added an Account of the State of the Greek Church Under Cyrillus Lucaris, Patriarch of Constantinople, with a Relation of His Sufferings and Death* (London: Miles Flesher for Richard Davis, 1653), 76.

[97] Gedeon, *Patriarchikoi Pinakes,* 453.

[98] Gedeon, *Patriarchikoi Pinakes,* 455.

[99] Gedeon, *Patriarchikoi Pinakes,* 458.

[100] Gedeon, *Patriarchikoi Pinakes,* 459.

monasteries and five villages on Crete as an exarchate.[101] The income from these monasteries and villages would go to the patriarch, not to the Metropolitan of Crete. Neofytos' gift was probably in gratitude for Ioannikios' appointment of Neofytos as Metropolitan of Crete in 1651 and the support Ioannikios gave him against the monks of Mt. Sinai who were attempting to make Sinai and Crete an autocephalous archdiocese.[102]

Some of the officials of the patriarchal bureaucracy served on the patriarchal court which dispensed justice to Orthodox Christians. This will be discussed in the following chapter which examines law and justice.

[101] Gedeon, *Patriarchikoi Pinakes,* 460.

[102] Hasan Çolak, "Relations between the Ottoman Central Administration and the Greek Orthodox Patriarchates of Antioch, Jerusalem and Alexandria: 16th–18th Centuries" (PhD diss., University of Birmingham, 2012), 86–7.

## Law and Justice under the Patriarchate

According to his legal status under the Ottomans, a major function of the patriarch was to dispense justice to Orthodox Christians under his care. At the beginning of Ottoman rule, this function encompassed personal law, that is to say, marriage, divorce, inheritance and disciplining clergy under his authority. This chapter will trace how this judicial function evolved during the seventeenth century and became broader and more complex, setting the trajectory for the eighteenth century when greater patriarchal judicial authority was formally recognized by the Ottoman government. The older historiography presents patriarchal legal authority as all-encompassing:

> He was no longer merely the supreme spiritual and political leader of Orthodoxy but also the protector of all Christians and arbiter in all matters not falling specifically within the jurisdiction of the Porte. Marriages, divorces, and devices, as well as a multitude of other concerns, such as petty theft and other offenses, all came within his purview.[103]

This chapter will provide evidence that nothing could be further from the truth. The problem with this kind of presentation is that it casts circumstances from later centuries, specifically the period of the Tanzimat and afterwards, onto the earliest centuries of Ottoman rule.[104] The expansion of patriarchal authority was a slow, arduous process that reflects the changes within the Ottoman state and society.

As for the pre-conquest Ottoman period, Inalcik identified this period as the first phase of Ottoman rule over the Orthodox Church. He names the policy the Ottomans pursued towards the conquered peoples as *istimālet* (accommodation). Under this policy,

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[103] Vacalopoulos, *Greek Nation,* 125.

[104] Carter Vaughn Findley, "Tanzimat," in *The Cambridge History of Turkey Volume 4: Turkey in the Modern World,* ed. Reşat Kasaba (Cambridge: Cambridge University Press, 2008), 27–30; Finkel, *Osman's Dream,* 458–62.

"The Ottomans did not merely extend the protection stipulated by Islamic Law and practice to the Church, but they integrated it into their administrative system."[105] Thus, there was a continuity between the pre- and post-conquest phases of church history.

This section will first describe how the judicial system functioned. Second, it will track changes that occurred in the seventeenth century as a result of changes in the Ottoman Empire and how the judicial system evolved in subsequent centuries into the solidified *millet* system that many historians contend to have existed throughout the whole period of Ottoman rule. When seeking justice, Orthodox Christians had three alternatives: ecclesiastical courts, communal justice, and the *şeriat* courts. Each of these will be discussed in turn.

**Orthodox Canon Law**

The laws the Church applied during the Ottoman period were derived from the Roman (Byzantine) tradition. To assist judges and officials, the emperors would issue handbooks known as *nomocanon*, that is they combined the civil laws (*nomos*) with the relevant canons.[106] As Orthodoxy spread into the Balkans and Russia beginning in the ninth century, Roman law was introduced into these lands. The rulers of these lands in Serbia, Bulgaria and Russia would include their own legislation into the handbooks.[107]

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[105] Inalcik, "Greek Orthodox Patriarch", 409. For how this policy worked in practice, see Heath W. Lowry, *The Nature of the Early Ottoman State*, (Albany: State University of New York Press, 2003), 95–114. In the cases Lowry cites, the policy continued into the early sixteenth century.

[106] Mark Merlino, "The Post-Byzantine Legal Tradition: In Theory and Practice" (MA thesis, Bilkent University, 2004), 16–7.

[107] Nikolaos J. Pantazopoulos, *Church and Law in the Balkan Peninsula during the Ottoman Rule* (Thessaloniki: Council of the Institute for Balkan Studies, 1967; repr., Amsterdam: Adolf M. Hakkert, 1984), 48–52.

Even later in the eighteenth century, the Phanariot rulers of Wallachia and Moldavia, who were vassals of the Ottoman Empire, issued law books, written in Greek.[108]

As for the patriarchate, the upper clergy used the *Hexabiblos*. This was a legal handbook drawn up by Konstantinos Harmenopoulos, the general judge of Thessalonica in 1345.[109] More commonly used once it came into existence was the *Nomokanon* of Manuel Malaxos of Thebes published in 1561 and based largely on the *Hexabiblos*.[110] Malaxos' manual was preferred because it was written in spoken Greek, in contrast to the formal Greek of the *Hexabiblos.* Also, Malaxos' manual contained extensive provisions relevant to ecclesiastical family law but excluded much civil law that dealt with contracts and lawsuits.[111] The *Hexabiblos* returned to general use in the middle of the eighteenth century when the demand for civil law increased.[112] The reemergence of the *Hexabiblos* with its extensive provisions for business and finance illustrates the growth of the business and merchant class within the Orthodox community, much of it related to increased Ottoman trade with Europe and changes to the Ottoman tax system, the change of tax farming to *malikane*.

***Structure of the Courts***

Under the patriarch's overall administration, there were two courts. The first was under the metropolitans and bishops and functioned as courts of first instance. These

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[108] Pantazopoulos, *Church and Law,* 52.

[109] For example, the book on business transactions included chapters on loans and pawns, interest, contractors and deposits. Kōnstantinos Harmenopoulos, *Manuale Legum Sive Hexabiblos* (Leipzig: T. O. Weigel, 1851), 14–5; Pantazopoulos, p. 45; Vacalopoulos, p. 205.

[110] Eugenia Kermeli, "The Right to Choice: Ottoman Justice vis-à-vis Ecclesiastical and Communal Justice in the Balkans, Seventeenth-Nineteenth Centuries," in *Studies in Islamic Law: A Festschrift for Colin Imber,* eds. by Andreas Christmann and Robert Gleave (Oxford: Oxford University Press, 2007), 192–3.

[111] Pantazopoulos, *Church and Law,* 45; Merlino, "Post-Byzantine Legal Tradition," 36–7.

[112] Pantazopoulos, *Church and Law,* 45–7; Kermeli "Right to Choice, " p. 192.

courts could consist of the bishop alone, or with other clergy and laymen assisting the bishops.[113] The second court was the patriarchal court, which functioned as an appeals court. The membership of the patriarchal court consisted of hierarchs and officials of the patriarch and was presided over by the patriarch.[114] Among the officials who assisted the patriarch in the performance of his judicial function were:

- **Grand Logothete:** Sat on the bench of the patriarchal court.[115]
- **Grand Economos:** Assisted in all judicial sessions. There is a question as to whether he was the first judge in matters pertaining to the jurisdiction of a bishop or metropolitan.[116]
- **Grand Chartophylax:** Responsible for registering all matrimonial affairs and notifying priests to confirm a marriage. He was responsible for the ordinations and punishments of priests and deacons.[117]
- **Sakellios:** Probably responsible for the patriarchal prison.[118]
- **Protekdikos:** Judicial and philanthropic functions. He looked after refugees and the poor who were being oppressed by the rich and sued their oppressors on their behalf.[119]

Except for the Grand Economos and Sakellios, they were all laymen. The metropolitans and bishops had similar staff to assist them.

***Enforcement of Decisions***

As Kermeli says, "The extension of the right to punish in the seventeenth century is an important development."[120] To enforce its decisions, the Church had several means at its disposal. It could fine individuals. It could turn them over to the Ottoman state. It

[113] Pantazopoulos, p. 53.
[114] Pantazopoulos, p. 53. In ordinary cases, e.g. divorces, the patriarch did not preside in person. However, his signature was affixed to all decisions.
[115] Vacalopoulos, p. 117.
[116] Papadopoulos, p. 62.
[117] Papadopoulos, pp. 65-6.
[118] Papadopoulos, pp. 66-7.
[119] Papadopoulos, pp. 67- 68.
[120] Kermeli, "Right to Choice," 175.

could consign them to the galleys.[121] It could excommunicate them.[122] In a society in which an individual's communal and legal status was defined by one's religious affiliation, excommunication from the community left one without any standing in the state. Another means was aphorism, a severe form of excommunication by which an individual was not only cutoff from the ecclesiastical community but was also refused burial and damned in the afterlife.[123] Although outside of the chronological limits of this study, Ottomans accepted the efficacy of aphorisms and would call upon the patriarch to impose Church punishment. An example of this is the following:

> In 1784, Şah Sultan sent her tax collector Ysuf Ağa to Andros to collect her dues. He asked for a new evaluation of taxation and requested an aphorism from the local bishop in case the Christian estimators did not do their job fairly.[124]

***Expansion of Authority***

An important change that took place in the seventeenth century was the increased authority of the Church beyond family law, with regards to items such as contracts, business disputes and so on. The means by which the Church was able to expand its judicial authority was by acting as an arbitrator in such disputes.[125] One example

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[121] Smith, *Account of the Greek Church,* 77–8.

[122] Kermeli, "Right to Choice," 174; Antonis Anastasopoulos, "Non-Muslims and Ottoman Justice(s)?," in *Law and Empire: Ideas, Practices Actors,* eds. Jeroen Duindam, Jill Harries, Caroline Humfress, and Nimrod Hurvitz (Leiden & Boston: Brill, 2013), 284.

[123] Pantazopoulos, *Church and Law,* 54.

[124] Kermeli, "Right to Choice," 210.

[125] On the use of arbitration as a means of settling disputes in the Ottoman judicial system, see Ronald C. Jennings, *Christians and Muslims in Ottoman Cyprus and the Mediterranean World, 1571–1640* (New York: NYU Press, 1993), 83–4. For the legal theory and practice of arbitration, see, Baudouin Dupret and Yazid Ben Hounet, "Arbitration," in *Encyclopaedia of Islam, Three*, eds. Kate Fleet, Gudrun Krämer, Denis Matringe, John Nawas, and Everett Rowson (accessed October 16, 2016, https://referenceworks.brillonline.com/entries/encyclopaedia-of-islam-3/arbitration-COM_24950?s.num=0&s.rows=20&s.f.s2_parent=s.f.book.encyclopaedia-of-islam-3&s.q=sulh). The 1704 *berat* of the Metropolitan of Crete permitted him to act as an arbitrator between lay Christians. Kermeli, "Right to Choice," 175–6.

involved the payment of a promissory note by a metropolitan to a layman.[126] This case is interesting for two reasons. First, the metropolitan was willing to pay what was considered a large amount to record the settlement in an official church register. According to Kermeli, in 1735 the fee for such registration was five *aslan guruş* or 600 *akçes,* which was considered a high payment given that the daily wage of a skilled worker was only forty-five *akçes*.[127] Perhaps the amount of the loan settled, 1,550 *guruş* (186,000 *akçes*), justified it. Second, the signed witnesses, who presumably made up the tribunal, included both metropolitans and lay officials.

The Ottoman state did not grant the extension of patriarchal authority into non-family legal areas formally via *berats*. Rather, it allowed non-Muslims to settle their differences through arbitration outside of the *kadı* courts.[128] Towards the middle and end of the eighteenth century, the Ottoman government recognized business settlements, such as debts and contracts, binding if they were registered with the *kadı* court.[129] What had started as a *de facto* process evolved into a *de jure* one. This blanket authority was conferred in the patriarch's appointment document. For example, the renewal of Kyrillos V's *berat* in 1754 states, "The whole Christian congregation, both low and high, should recognize Kyrillos as their patriarch and submit to him affairs that concern them and not reject or transgress his reasonable decision"[130] As Anastasopoulos summarizes it,

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[126] Vaporis, *Codex Gamma*, 89.

[127] Kermeli, "Right to Choice," 178. The *guruş* was worth 120 *akçe*s. In 1735, the nominal daily wage for a skilled worker was 44.8 *akçe*s. Thus, the metropolitan, paid 600 *akçe*s for the registration, or thirteen times the wage of a skilled worker. For wages, see Süleyman Özmucur and Şevket Pamuk, "Standards of Living in the Ottoman Empire, *The Journal of Economic History,* 62, no. 2 (June 2002): 301.

[128] Anastasopoulos, "Non-Muslims," 281; Pantazopoulos, *History of the Greek Church,* 45–7; Rossitsa Gradeva, "Orthodox Christians in the Kadi Courts: The Practice of the Sofia Sheriat Court, Seventeenth Century," *Islamic Law and Society* 4, no. 1 (1997): 45.

[129] Kermeli, "Right to Choice," 181.

[130] Manuel I. Gedeon, Gedeon, *Episima Grammata* , p. 78.

> However, the right to out-of-court settlements and the obligation of the Christians to obey their religious leadership allowed the prelates some space to formally or informally expand their jurisdiction without interference from the Ottoman authorities. In other words, it may be argued that, in areas other than family law (where the jurisdiction of the Church was unquestionable), court sessions and judicial decisions which were formal procedures and formal verdicts or penalties, respectively, for the Christian community, were, in the view of the Ottoman state and the kadı courts, instances of out-of-court settlements among Christians performed by the clergy, and thus acceptable.[131]

Thus, the *Hexabiblos* made a reappearance in the middle of the eighteenth century because it addressed the out-of-court settlements among Christians.

**Customary Law**

The second recourse for justice that Orthodox Christians had was communal courts. In Balkan villages, local Christian notables and elders (*kocabaşı, knez, çorbaci,* etc.) administered justice on the basis of customary law on issues of minor importance, such as calumny, petty larceny, and transgression of private property.[132] Although they were not officially authorized to do so, the village community represented by its elders resolved disputes between spouses, parents, and children and saw to the observance of public morality.

Many of the Aegean islands were not conquered by the Ottomans until the sixteenth and seventeenth centuries. When they were conquered, the Ottomans permitted the non-Muslim inhabitants to administer their own affairs in their customary manner. The result was a heterogeneous system of laws and courts. Many of the islands had been ruled by Venetians, Genoese or other Western Europeans. Their laws and judicial

[131] Anastasopoulos, p. 283.
[132] Gradeva, "Kadi Courts," 57.

procedures were incorporated into customary law. This heterogeneity is illustrated in the following example, where all the actors were laymen.

> A committee known as *Dodekada* [The Twelve] in Thessalonica had precise numerical counterparts in Serrai in 1614 and in Tsamanta [Epirus] (the *Dodekara*). But in other cities and islands, for example, Athens Aegina, and in most of the Aegean, four *epitropoi* (commissioners) were elected annually. Chios combined both systems with four governors (*governatori*) at the head of a committee of twelve members.[133]

In the more populated islands, the Ottomans installed permanent *kadıs* (Muslim judges) in addition to the communal courts. In the less populated ones, visiting *kadıs* were appointed.[134] In the petitions (*ahdnames*) to the Porte of several islands incorporated into the Ottoman Empire in the late sixteenth century, it was established that judicial cases would be heard by *sancakbeys* (governors) and *naibs* (substitute judges), not *kadıs*.[135]

> They [the *kadıs*] were instructed not to judge cases heard before [i.e., not to serve as an appeal court] and to accept previously held documentation. The *kadı* would be paid a fee for his services. However, he was not to exceed the rates given for a *hüccet* [title deed] and a *sicil* [judicial record]. If one appealed a previous decision, the *kadı* would not be allowed to interfere. The islanders were allowed to solve the dispute amongst themselves.[136]

The communal courts had several means to enforce their decisions. They would apply social pressure: In a society where community is important, and one relies upon neighbors' help, non-compliant members could be deprived of communal protection. Fines could be imposed. Or, as a last recourse, the recalcitrant could be turned over to the state. The following case involved all three.

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[133] Vacalopoulos, *Greek Nation*, 191.

[134] Kermeli, "Right to Choice," 185; Anastasopoulos, "Non-Muslims," 285.

[135] Kermeli, "Right to Choice," 185.

[136] Kermeli, "Right to Choice," 185. "And if for any affair, if they [the Christian islanders] quarrel among themselves, and an aggrieved person tries to force them to acquiesce [in his favor], the *kadıs* should not for this reason become involved." Gedeon, *"Episima Grammata,"* 103.

> In a case from Syros, dated 27 September 1761, the elders signed a document stating that although they had tried to be fair by proclaiming their verdict in the dispute between Margarita and her neighbor, Margarita had been uncooperative. She refused to comply with the urgings of the castellano (clerk of the court, It. Castellano), advising her to remove stones from the front yard of her neighbor's house. They decided to hand her over to the Ottoman officials who were visiting the island, so that she could be punished and forced to pay a fine (tzereme, Tr. Cereme). She was also condemned to pay indemnities to her neighbor for his losses. Finally, she would not be defended by any epitropos or proestos in the Ottoman court, and she would have to pay a fine of twenty gurus to the representative of the Ağa regardless of the case's result.[137]

**Islamic Law**

The third recourse for justice was the *kadı* courts, the Muslim religious courts of the Ottoman Empire that enforced *şeriat* law. It is a well-established fact that non-Muslims in the Ottoman Empire were given equal access with Muslims to the imperial council and the *kadı* court although their testimony, in conflict with Muslims, did not carry equal weight until after the Tanzimat reforms.[138] The question is why Christians would turn to Muslim courts for justice. There are numerous answers. The first and simplest is that the *kadı* courts were the official courts of the Empire. As such, Christians would request certification, in the form of a written *hüccet* or *sicil,* of arbitration agreements, wills, and so on in order to avoid future litigation or interference from state officials, especially tax authorities.[139] The following case illustrates this point.

> Manuel b. Angel and his two brothers and two sisters, villagers from the *kaza* of Vârdâr-i Seğîr, delivered a declaration before the kadı and in the presence of other *zimmis* from their village. They told the kadı that the *zimmis* had grabbed their

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[137] Kermeli, "Right to Choice," 196.

[138] Jennings, *Christians and Muslims,* 69, 132–5; Gradeva, "Kadi Courts," 41; Sophia Laiou, "Christian Women in an Ottoman World: Interpersonal and Family Cases Brought Before the *Shari'a* Courts during the Seventeenth and Eighteenth Centuries (Cases Involving the Greek Community)," in *Women in the Ottoman Balkans: Gender, Culture and History,* eds. Amila Buturović and İrvin Cemil Schick (London: I. B. Tauris, 2007), 244–5; Eugenia Kermeli, "Ebussuud Efendi." In *Christian-Muslim Relations 1500–1900,* edited by David Thomas. Leiden: Brill, 2015. http://dx.doi.org/10.1163/2451-9537_cmrii_COM_26143.

[139] Gradeva, "Kadi Courts", 47; Kermeli, "Right to Choice," 181.

> mother and had taken her forcibly to the local treasurer (*hazinedar*). She was then severely beaten, and as a direct consequence she fell ill and died. The brothers had sued the *zimmis* for the death of their mother, but then mediators stepped in to secure a compromise. The brothers were now asking the court to register the compromise and its mutual acceptance. Their request was fulfilled by the kadı.[140]

A second reason is that the *kadı* courts enforced their decisions much more effectively than communal or ecclesiastical courts. The case cited above of Margarita from Syros, who was threatened with referral to secular officials, is one example. Another example is cited by Ginio.

> A Christian villager, a man from Harman Koyu named Niko, claimed in court that even though he was only minding his own affairs, those who held the office of *zabit* [police] in his village, were looking for an opportunity to impugn him with false accusations of theft, in order to bind him over to pay a fine. The villager asked the court to inquire among the elders of the local village about his behavior and to issue a notary deed that would serve him in the future so as to prevent any further molestation.[141]

Access to different court systems provided non-Muslims with the ability to choose the system that best benefited them. Gradeva points out that village elders in communal courts did not consider beating a wife as grounds for divorce.[142] While the Church did recognize physical abuse as grounds for divorce, other grounds were more restrictive than Islamic law since the Church frowned upon divorce and was reluctant to grant it, preferring reconciliation instead. However, a spouse could obtain a divorce before the *kadı.* The following case encapsulates many of these circumstances.

> In 1704, Eirene (a young lady) presented her case in front of the metropolitan and the clergymen, and requested separation from her husband Triantafyllos, claiming that he was cruel to her and beat her daily. She persistently begged to be divorced. Therefore, upon being summoned to the court, her husband was reprimanded, but to no avail. Given that the wife realized that going to the Church had not saved

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[140] Eyal Ginio, "The Administration of Criminal Justice in Ottoman Selânik (Salonica) during the Eighteenth Century," *Turcica* 30 (1998): 191.

[141] Ginio, "Criminal Justice," 204.

[142] Gradeva, "Kadi Courts," 57.

> her, 'she decided to betray her belief in church, and although she would be punished by God, she went to an external court, i.e., Ottomans, and she was separated from his [husband's] tyrannical hand.' She claimed that her husband was forcing her to have intercourse with her neighbor and that he had forced her to become an adulteress twice. The woman, unable to tolerate this anymore, requested the examination of the husband, who subsequently admitted his guilt. Following the decision, the bishop made the following remarks:
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> Although this is an obvious crime and a valid reason for divorcing them, we many times unsuccessfully advised them to avoid separating. The woman, though, did not at all consent to continue cohabiting with such a vile man. Seeing the real danger and her inalterable mind we decided to separate them. They have reached a settlement and Triantafyllos promised to return to the woman her dowry and half of the pre-nuptial gifts.[143]

Under ecclesiastic law, if the woman was at fault for the divorce, by committing adultery for example, she was not allowed to claim her dowry.[144] In the case above, Eirene was not at fault and she was able to obtain it. If a woman—Christian or Muslim—initiated a divorce in a *kadı* court, she was not entitled to *mehr,* the dowry paid by the husband in case of divorce or widowhood, as well as other assets.[145]

> Toruncha bt. Andrusha, zimmiye, from the Sofia mahalle of Papuci Dragan, came to the holy sheriat court and declared in the presence of her divorced husband Jovan v. Avram: "My divorced husband, the above-mentioned Jovan, owes me 1,000 akçe as mehr-müeccel, maintenance allowance [for the term of iddet] (nafaka-iddet), and 2,400 akçe for a debt owed to Osman Beğ." In return for all these [i.e. in return for Toruncha renouncing all these claims], her husband agreed to give her hul' (divorce initiated by the wife), and from that moment she was to consider herself irrevocably divorced (talâk-i bain). (20 Şaban 1026/23 August 1617).[146]

Other considerations affecting the choice of court were degrees of kinship allowed for marriage, permission for subsequent marriages, and the tax payable for marriage, which was cheaper in the *kadı* court than the ecclesiastical court. In 1609, the

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[143] Kermeli, "Right to Choice," 190.
[144] Laiou "Christian Women," 247.
[145] Gradeva, "Kadi Courts,", 55.
[146] Gradeva, "Kadi Courts," 56.

tax for registering a first marriage by a *kadı* was twenty-five *akçe*. In 1633, the same tax to a bishop was eighty *akçe* for a first marriage, 160 for a second and 240 for a third.[147] According to a patriarchal act of the mid-seventeenth century, the cost was 200, 400, or 600 *akçe* for the first, second and third divorce respectively.[148]

Living in a pluralistic society with multiple legal recourses, the Church could not prevent its adherents from appealing to *kadı* courts. Therefore, reluctantly it accepted these divorces by issuing letters of separation by indulgence and permitted spouses to remarry. The purpose of these letters was to legitimatize a fait accompli by *şeriat* law.[149] One such letter by Patriarch Dionysios IV in the late seventeenth century reads,

> For reasons of foresight we are inclined, and in confirming the separation, we write, so that they should be separated ecclesiastically from each other and divorced…and Kalousa [the wife] has permission to receive another husband, if she so desires, and marry him in accordance with ecclesiastical order.[150]

It should also be noted that in 1717 Patriarch Jeremiah III officially accepted divorce by mutual consent, which was contrary to Byzantine jurisprudence which specifically forbade it.[151] By such means, the Church reconciled itself to actual practice within the Orthodox community and forestalled Orthodox recourse to Islamic courts and, thus, prevented possible conversions to Islam.

Another area where non-Muslims could "game" the system was regarding wills. Under ecclesiastical law, a woman was entitled to an equal share with men whereas, under *şeriat* law, male heirs received twice the share of a female of equal relationship to

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[147] Gradeva, "Kadi Courts," 58.
[148] Laiou, "Christian Women," 248.
[149] Pantazopoulos, *Church and Law,* 103.
[150] Arabatzoglou, *Fotieios Bibliothiki,* 2:149, no. 58.
[151] Laiou, "Christian Women," 246.

the deceased.[152] By registering wills with the *kadı*, non-Muslim wives could prevent male relatives and the fiscal authorities from contesting the will.

> Mustafa Beşe, *doğancıbaşı* (chief falconer of the Sultan) entered a claim against Milka bt. Zhivko, *zimmiye*, the wife of the deceased Kuyumcu (goldsmith) Mancho, from the Sofia *mahalle* of Kalojan: "The aforementioned [Kuyumcu Mancho] had no other heirs and the estate belonged to the *beytülmal*. The house [its boundaries and premises are described] in which the above-mentioned Milka is now living belongs to the Public Treasury." Milka denied this and replied: "This is my property, inherited from my father." At the invitation of the court officials, she provided the testimony of [the names of two Muslims are recorded] who confirmed her statement. After their testimony and integrity were examined, the official was advised to withdraw his claim. (second decade of Ramazan 1028/22–31 August 1619).[153]

***Marriages Performed by the Kadı***

A problem which bedeviled the Church was the differences in marriage laws between Muslims and Christians. In Orthodox Christianity, marriage is a sacrament whereas in Islam it is a contractual agreement between a man and a woman that is validated in front of witnesses and often a *kadı.*[154] Christian marriage is monogamous whereas Muslims can have up to four wives. Marriages between a Christian woman and a Muslim man or between two Christians performed by a *kadı* were known as *kepinion*.[155] The Church considered such unions illegal and any children resulting from such a marriage as illegitimate. The invalidity of such marriages and divorces granted by the *kadı* had been addressed by the Byzantine canonist Theodōros Balsamōn in the twelfth century.[156] The Church would appeal to the Ottoman authorities to stop *kadıs* from

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[152] Gradeva, "Kadi Courts," 63.

[153] Gradeva, "Kadi Courts," 63–4.

[154] Joseph Schacht, *An Introduction to Islamic Law* (1964; rept., Oxford: Clarendon Press, 1991), 161–3. Citations refer to the reprint edition; Knut S. Vikør, *Between God* , 300–4.

[155] *Kâbin* or *kebin* is Turkish for the marriage portion contracted to be paid by the husband to his wife if he divorces her without sufficient cause. *New Redhouse Turkish-English Dictionary*, s.v. "kâbin.".

[156] Patrick Demetrios Viscuso, *Guide for a church under Islām: The Sixty-Six Canonical Questions Attributed to Theodōros Balsamōn* (Brookline, MA: Holy Cross Orthodox Press, 2014), 110, no. 36.

performing such marriages and granting divorces to Christian couples.[157] The *ahdname* of 1621 for the Cyclades islands included the clause "If a Christian woman married a Muslim and then repented, nobody should force her to draw up a *kepini* (this is the term used for the marriage contract in the *kadı* court), unless she had become Muslim (*tourkisa*)."[158] In 1671, Patriarch Parthenios IV appealed to the *şeyhülislâm* [the supreme juris consul of the Ottoman Empire] for a legal opinion on interfaith marriages. The Patriarch was successful in obtaining a *ferman* in support of his request to restrict them.[159] Rycaut reports it as follows:

> However, of late years the Patriarch of Constantinople, complaining of these Marriages to the Muftee, proposed this Query, viz. whether it might be lawful for a Turk to unite himself to the Body of a Woman which was nourished with Swine's flesh and Wine? For such were the Christian Women: and whether the Children born to Turks, partaking of those abominable nourishments from which they were produced, were not in their Births polluted and unfit to be made Musselmen? The Muftee, startled for a while by the novelty of the question, and considering furiously thereon, replied, That these marriages were not lawful for Turks. "Then, said the Patriarch, such marriages as these, which are frequent amongst you in Roumelia, ought to be forbidden; to which the Muftee assented, and represented the Case to the Vizier, who concurring in the same Opinion, ordered, that for the future no Turk should marry a Christian Woman, unless she first renounced the Christian Faith, and embraced the Mahometan.…[160]

At first sight, what is interesting about this passage is that the Church was as willing to intercede with the Muslim justice system to affirm its interests and privileges as its members were willing to use it to avoid ecclesiastical justice. Second, the state was willing to support the Church and enforce the *şeyhülislâm's* opinion. As to how

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[157] Jennings, "Zimmis," 275.

[158] Kermeli, "Right to Choice," 185–6.

[159] Gedeon, in *Patriarchikoi Pinakes* at page 471, says, "I guess it was during this patriarchate of Parthenios that he was successful of having published an edict [*ferman*] by the Turkish government preventing the usual marriages between Ottomans and Orthodox Greeks." The success was having the Ottoman government publish a *ferman* against mixed marriages not in actually preventing them from happening.

[160] Rycaut, *Greek and Armenian Churches*, 315–6; see also, Arabadjoglou, 2: 62 and n. 103.

successful this edict was is dubious considering how frequently *fermans* had to be issued prohibiting *kadıs* from involving themselves in Christian family law.

That Christians continued to appeal to *kadı* courts is illustrated by a codex of the ecclesiastical court of Galata for the period 1662–1685 published by Arabatzoglou.[161] The codex contains the ecclesiastical decisions on one hundred marriages. Arabatzoglou's review of the cases reveals that twenty-seven divorce cases were first resolved in a *kadı* court.[162]

Some Greek scholars equate *kepinion* with a temporary marriage (*nikâ mut'a* or just *mut'a*).[163] In Islam, the question of *mut'a* is controversial.[164] The Sunnis officially reject it, but the Shi'i recognize it.[165] For the Shi'i,

> *Mut'a* is an irrevocable (*lāzim*) contract which, like every contract, comes into existence through *ḳabūl* and *īd̲jāb*. It may be concluded with the words *nikāḥ*, *tazwīd̲j* or *tamattuʿ*, but must always contain a precise statement of the period (*ad̲jal*) and a definite recompense (*ad̲jr* or *mehr*). This recompense may be the dowry usual in other marriages or a handful of corn, a *dirham* or such-like. The period may vary from a day to months or even years. Witnesses are not necessary; nor need it be concluded before the *ḳāḍī*, if the partners are capable of using the formulae correctly. If the *mehr* is not given, the contract is invalid; if the period is not given, according to some it is a regular marriage provided that the word *tamattuʿ* was not used at the end of the ceremony; in the latter case, the contract is again invalid.[166]

While a *mut'a* marriage was illegal in Sunni Islam, it could be circumvented by excluding the statement of the marriage period. As Schacht puts it, "But in spite of their refusal to recognize *mut'a*, the Sunnis made concessions by which *mut'a* gained a footing in another form. It became the practice not to insert a definite period in the contract; any

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[161] Arabadjoglou, 2:124-65.
[162] Arabadjoglou, 2: 35.
[163] Pantazopoulos, pp. 93-4 and n. 9; Laiou, p. 246.
[164] *IE2*, s.v. "*mut'a,*" by W. Heffening.
[165] Schacht, 163; Vikør, *Between God,* 137.
[166] Heffening. "Mut'a."

agreement made outside the contract was not affected by the law."[167] Unfortunately, this is not an arrangement that would be recorded and, thus, we have no evidence of it. In addition, none of these resulted in a payment from a temporary marriage and, if an arrangement had been made outside of the marriage contract, it would be out of the purview of the *kadı.* I believe that it is safe to say that *kepinion* refers not to temporary marriage but to a marriage contracted by Christian couples in a *kadı* court.

For the Christian women in these marriages, the Church took as tolerant an attitude as possible. They were permitted to attend church and receive *antidoron* (piece of unconsecrated bread distributed to each congregant at the end of the liturgy), but they could not receive communion.[168] An echo of one of these marriages is found in one of the Greek chroniclers of the time.

> In those days [c. 1680], there was a Turk by the name of Patburun Mehmed Efendi, an educated man in the office of the Reis Efendi [Head of the Chancellery]. He had a Russian slave girl as a concubine, who held on to her faith and would go to church with her master's permission. One day he asked her what the reason was that certain days her mouth exuded a sweet aroma. She would pretend that she did not know. Sometime later he forced her to tell him. She told him, "We have the custom that when we go to church and are ready to leave, the priest gives us a piece of blessed bread and for this reason my breath is sweet."[169]

Why did Christian couples enter into a *kepinion* marriage and divorce by the same means? For men, it was a means to evade the Church's prohibition against polygamy and concubinage. Even Muslim jurisconsults disapproved of these practices among

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[167] Schacht, *Islamic Law*, 163; Even Laiou concedes, "It should be stressed that since the specific duration of the marriage was not included in the marriage contract, one cannot be sure if these marriages were always *kebin*, that is temporary." Laiou "Christian Women," 247.

[168] Gedeon, *Patriarchikoi Pinakes*, 471.

[169] Kaisarios Dapontes, "Chronographos (1648–1704), [The Chronicle]" in *Mesaioniki Bibliothiki* [Medieval Library], ed. Kontsantinos N. Sathas, (Venice: Chronos Printers, 1872): 3:26.

Christians.[170] The following case before the patriarchal ecclesiastical council is an example.

> Soultana, the daughter of Dimitrios, from the parish of Christ the Savior in the neighborhood of the bostancıs in Galata, appeared before the council with her husband Rales, who is called Baba. She declared her repugnance for him and his unsuitableness. For the past four years, he has been heedless and unmindful of her and rejected her. She has not been considered his spouse at all. He has consumed and squandered all of her possessions so that she has been left destitute and naked. The worst of it is that through kepinion he has an existing and poor wife and in no way does he wish to abandon her and live with his pure wife. With his own lips, in a hushed voice and without abuse, he said [to the court] there was no use visiting his wife [Soultana]. Because of his incorrigible attitude, we separated them, according to the law, and henceforth they are divorced, alienated and strangers. Nor should Baba be called the husband of Soultana. Since he has distanced himself from her, we have given Soultana permission and liberty to receive another man and marry him incontrovertibly and without any impediment. As proof, we have provided her this letter of divorce. 1674. [signed] Dionysios IV.[171]

For both men and women, *kepinion* was a means of sidestepping the Church's prohibition of more than three marriages and marriage of relatives up to the seventh degree.[172] Since the *kadı* courts recognized *kepinion* marriages as legal, the offspring were legitimate and could inherit from their parents. It became more noticeable in the seventeenth century and lasted into the nineteenth century and was widespread in the Balkans and the Aegean Islands.[173] It must have been common enough that a monk-priest was accused of having entered into a *kepinion* marriage in 1699 and was suspended by

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[170] "Foreseeing the social problems occurring from the adaptation of Muslim marital practices to Christian family life, Ebussuud, when he is asked about Christians keeping concubines and thus in effect becoming bigamous, resorts to traditional punishments to maintain order. He suggests corporal punishment and long imprisonment for culprits." Kermeli, "Ebussuud Efendi," 720.

[171] Arabatzoglou, *Fotieios Bibliothiki,* 2:143, no. 42.

[172] Pantazopoulos, *Church and Law,* 95.

[173] Laiou, "Christian Women," 247.

the Metropolitan of Chios.[174] He appealed to the patriarchal court and was exonerated as the accusations against him proved to be rumors only.

The Church tried various means to combat *kepinion*. It used the threats of excommunication and aphorism. The *berats* granted to patriarchs granted them exclusive privilege over marriages and divorces, for example, article 7 of the *berat* of 1662. On that basis, the Church appealed to the government to issue *fermans* against *kepinion* and to restrain *kadıs* from interfering in the Church's rights in matters of personal law.[175] However, it was all to no avail. The practice was reported as being practiced in Macedonia as late as 1838.[176]

**Primacy of the *Kadı* Courts**

For the ordinary Orthodox Christian as well as the hierarchy of the Church, the multiplicity of justice systems offered both benefits and challenges. The individual was not bound by one legal authority but had recourse to several authorities to which one could appeal for his or her benefit. We have no way of knowing what percentage of the non-Muslim population appealed to the *kadı* courts. However, of the cases we do know about, non-Muslims were sufficiently knowledgeable of Muslim law and court procedures, and this knowledge was not restricted only to urban dwellers. For the Church, the use of arbitration was an opportunity to expand its authority into business and commercial areas which previously were not under its purview. It is true that in the seventeenth century and a good portion of the eighteenth the process of extending

[174] Vaporis, *Codex Gamma,* 87–8. The patriarchal letter includes some interesting instructions on court procedures, such as witnesses and prosecutors cannot be one and the same person.
[175] Pantazopoulos, *Church and Law,* 99–100; Anastasopoulos, "Non-Muslims," 291.
[176] Pantazopoulos, *Church and Law,* 100.

ecclesiastical jurisdiction was an informal and ad hoc one, but eventually it was recognized officially by the state. Likewise, the Church was able to expand its authority over the traditional communal justice. On the other hand, the Church had to compete with the *şeriat* system. It was not strictly a matter of professional interest. As Anastasopoulos points out, both hierarchs and Christian notables were willing to use *kadı* courts against each other.[177] Rather, the *kadı* courts were the official courts of the state and open to all and the *kadıs* were only exercising their legal responsibilities even if it benefited them in terms of prestige, authority, and income.

[177] Anastasopoulos, "Non-Muslims," 289.

## The Financial Status of the Patriarchate

Besides dispensing justice, the second major function of the patriarch was financial. As we have seen in the *berats*, the patriarch was responsible to the Ottoman treasury for payment of taxes, *peşkeş* and *harac*. In many ways, the two functions, justice and finance, were intertwined. For the patriarch to levy, collect, and meet his obligations to the treasury, he needed legal authority to perform these tasks. Articles 12, 14, 16, 17, 20, 21, and 22 of the *berat* of 1662 explicitly interrelate the two functions and provide the patriarch the authority to fulfill his fiscal responsibilities.

Because of the social and financial challenges which the Ottoman Empire faced in the seventeenth century, the patriarchate's financial status was directly affected. As a result, the patriarchate became a different institution by the beginning of the eighteenth century than it was at the beginning of the seventeenth century. The purpose of this chapter is to explain what these challenges were and how they transformed the patriarchate.

### Ottoman Financial Problems in the Seventeenth Century

To understand the financial changes of the patriarchate in the seventeenth century, one needs to understand the impact of Ottoman fiscal challenges of the same period, inasmuch the latter directly impacted the former. As Phokion Kotzageorgis, who investigated the financial changes of the patriarchate and Mt. Athos in this century, puts it, "The analysis will reveal that similar developments had happened to both religious foundations and that these developments depended on the general financial situation of

the Ottoman state."[178] Therefore, this section will first begin with a background of the Ottoman financial issues in the seventeenth century and then proceed to present and analyze their impact upon the patriarchate.

Starting with the depreciation of the silver *akçe* in 1585/86 until the end of the seventeenth century, the Ottoman Empire entered a period of financial and fiscal difficulties and stringencies, as reflected by the increasing rate of inflation. The inflation had two components. The first was the Price Revolution of the sixteenth century which affected most of the world, including the Ottoman Empire.[179] The second component was the government policy of debasing the currency in order to alleviate budget shortfalls caused by a number of factors. The Ottomans engaged in several unprofitable wars with the Safavids, the Habsburgs, the Venetians in Crete and the Holy Alliance.[180] Another major factor in the budget shortfall was the transformation of the military establishment. Until the mid-sixteenth century, the predominant military force was the cavalry (*sipahis*) which was funded with non-hereditary land grants, *timars.* Around the middle of the sixteenth century, approximately thirty to forty percent of the military expenses were met by revenues collected in rural areas by the *sipahi timar* holders.[181] The *timar* holder would receive the produce from the land grant and a small amount in cash to equip and support himself and any subordinates attached to him. After the mid-sixteenth century, infantry armed with firearms began to predominate. Thus, the janissary corps, the

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[178] Phokion P. Kotzageorgis, "About the Fiscal Status of the Greek Orthodox Church in the 17th Century," *Turcica* 40 (December 2008): 67.

[179] For a detailed discussion on the Price Revolution and various explanations for it, see Şevket Pamuk, "The Price Revolution in the Ottoman Empire Reconsidered," *International Journal of Middle East Studies* 33, no. 1 (February 2001): 69–89.

[180] Finkel, *Osman's Dream,* 67; Pamuk, *Monetary History,* 128–9.

[181] Pamuk, *Monetary History,* 132.

primary standing infantry force in the Ottoman Empire, increased from 13,500 in the 1574 to almost 40,000 by 1609.[182] The infantry was paid in cash and this cost fell upon the central treasury.

Table 1 shows the increase of inflation in the Ottoman Empire, between 1570 and 1719. Pamuk provides two indices, total inflation in *akçes* and prices in terms of grams of silver. "The changes in the index measuring prices in grams of silver may be taken as an indicator for the price level in the absence of debasements."[183] The second index (column "CPI, 1496 = 100%) shows the total inflation caused by the Price Revolution and the effects of budget shortfalls.

Table 1. Summary of price indexes (decennial averages)[184]

| Years | CPI[a] 1469 = 100% (%) | Silver content of the *akçe* (grams) | CPI[a] in grams of silver 1469 = 100% (%) |
|---|---|---|---|
| 1570–79 | 199 | 0.61 | 141 |
| 1580–89 | 335 | 0.39 | 147 |
| 1590–99 | 445 | 0.30 | 146 |
| 1600–09 | 543 | 0.29 | 181 |
| 1610–19 | 444 | 0.29 | 147 |
| 1620–29 | 556 | 0.25 | 154 |
| 1630–39 | 549 | 0.20 | 124 |
| 1640–49 | 437 | 0.27 | 134 |
| 1650–59 | 492 | 0.27 | 156 |
| 1660–69 | 582 | 0.23 | 156 |
| 1670–79 | 706 | 0.21 | 169 |
| 1680–89 | 746 | 0.21 | 179 |
| 1690–99 | 796 | 0.13 | 121 |
| 1700–09 | 605 | 0.13 | 92 |
| 1710–19 | 687 | 0.13 | 103 |

[a] Consumer Price Index

[182] Finkel, *Osman's Dream*, 178.
[183] Pamuk, "Price Revolution," 79.
[184] Adapted from Şevket Pamuk, "Prices in the Ottoman Empire, 1469–1914," *International Journal of Middle East Studies*, 36 (2004): 455.

Table 2 illustrates the relationship between inflation and budget deficits. Prior to 1582–1583, the Ottoman Empire ran budget surpluses. For the years from 1592–1593 to 1654 for which we have records, the deficits were 451.7 million *akçe.* At the same time, constant (non-inflated) revenues decreased by 7.2% whereas expenditures increased by 27.4%.

Table 2. Compilation of Available Budgets of the Ottoman Central Government, 1524–1688[185]

| | Revenue | | Expenditure | | Balance |
|---|---|---|---|---|---|
| Year | Current *akçes* (millions) | Index in constant *akçes* (%) | Current *akçes* (millions) | Index in constant *akçes* (%) | Current *akçes* (millions) |
| 1524–25 | 141.3 | 100.0 | 126.6 | 100.0 | 14.7 |
| 1527–28 | 221.6 | | 150.2 | | 71.4 |
| 1546–47 | 241.7 | | 171.9 | | 69.8 |
| 1547–48 | 198.9 | 128.4 | 112.0 | 111.3 | 86.9 |
| 1565–66 | 183.1 | | 189.7 | | −6.6 |
| 1567–68 | 348.5 | | 221.5 | | 127 |
| 1582–83 | 313.7 | | 277.6 | | 36.1 |
| 1592–93 | 293.4 | 70.4 | 363.4 | 95.4 | −70.0 |
| 1608 | 503.7 | | 599.2 | | −95.5 |
| 1643–44 | 514.5 | | 513.8 | | 0.7 |
| 1650 | 532.9 | | 687.2 | | −154.3 |
| 1652–53 | 517.3 | | 528.9 | | −11.6 |
| 1654 | 537.4 | 92.8 | 658.4 | 127.4 | −121.0 |
| 1661–62 | 581.3 | | 593.6 | | −12.3 |
| 1666–67 | 553.4 | | 631.9 | | −78.5 |
| 1669–70 | 612.5 | | 637.2 | | −24.7 |
| 1687–88 | 700.4 | | 901.0 | | −200.6 |

The persistent deficits beginning in 1592–1593 can be accounted for by the increased costs to pay the firearms-bearing infantry. These costs included not only the janissaries but also the mercenary militia, *sekban,* recruited from Anatolian Muslim peasantry.[186] Deficits confronted the central government with lack of funds with which to

[185] Adapted from Pamuk, *Monetary History,* 133.

[186] On the *sekban,* see Suraiya Faroqhi et al., *An Economic and Social History of the Ottoman Empire: Volume 2, 1600–1914,* edited by Halíl Ínalcik with Donald Quataert (Cambridge: Cambridge University Press, 1997) 436; Finkel, *Osman's Dream,* 178.

pay the military. Devaluations were an attempted to reduce the salary costs of the military. Both had deleterious effects. The debasement of 1585–1586 resulted in a fifty percent reduction of janissary salaries. As a result, in 1589 the janissaries rose up and demanded the removal of the governor of Rumeli and the director of the treasury. Sultan Murad III (1574–1595) sacrificed these two officials in order to safeguard his throne.[187] Continued financial instability provided the basis for the palace cavalry to rise up and blame Mehmed III's (1595–1603) mother Safiye Sultan's lady in waiting for the financial problems. In 1600, several of the cavalrymen murdered Safiye Sultan's lady in waiting.[188] In 1622, Osman II (1618–1622) returned from a failed campaign against Poland. The janissaries revolted in part because they felt they were not adequately compensated for the campaign and in part because rumor had it that Osman was planning to replace them with *sekbans*.[189] The rebels assassinated Osman II, the first case of Ottoman regicide, and replaced him with his brother Mustafa I (1622–1623). Military disturbances and revolts continued throughout the seventeenth century, except for the period of the Köprülü viziers (1656–1683), who were able to restore stability to the finances. However, the defeat of the Ottoman army at Vienna in 1683 resulted in lost territories, further fiscal deficits, and a renewal of military unrest and revolts until stability was finally restored at the beginning of the eighteenth century.

The standing troops, the janissaries and the palace cavalry, were not the only source of unrest. The *sekban* fueled other unrest. As was previously mentioned, they served and were paid when mobilized and on campaign. During periods when there was

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[187] Finkel, *Osman's Dream,* 176–7; Faroqhi et al., *Economic and Social History,* 414.
[188] Finkel, *Osman's Dream,* 177.
[189] Finkel, *Osman's Dream,* 199.

no war, they were demobilized, not paid, and returned to the ranks of tax paying subjects, *reaya*. Discharged with their firearms, the *sekban* turned to banditry. The local governors would hire them as personal retainers and used them for their own personal political goals. The failure of the *sekban* to become permanent members of the *askeri*, the non-tax paying ruling class, fueled what became known as the *celali* rebellions.[190] From late in the sixteenth century until 1656, these rebellions laid waste to much of Anatolia, caused peasants to flee the land, and deprived the central government of much-needed revenue. When Köprülü Mehmed became grand vizier in 1656, he was able to defeat rebellious governors and restore peace and stability. After the failure of the siege of Vienna in 1683, the *sekban*, in alliance with the janissaries, forced Sultan Mehmed IV (1648–1687) to abdicate and replaced him with Süleyman II (1687–1691). Among the reasons for the rebellion was the demand by the janissaries and *sekban* for arrears in salaries due to them.[191]

By the 1640s, the *akçe* practically disappeared from circulation and was used only as a unit of account.[192] A unit of account is one of the functions of money: currency is stipulated by which financial transactions are valued but not necessarily settled in that currency. Thus, by the 1640s, transactions were still being valued in *akçes*, but they were actually being paid in other currencies such as the Venetian *ducat* or Spanish *pieces of eight.*[193] The Ottoman government would quite often demand tax payments to be made in

[190] Finkel, *Osman's Dream,* 180–7.
[191] Finkel, *Osman's Dream,* 292–300.
[192] Pamuk, *Monetary History,* 142.
[193] Pamuk, *Monetary History,* 147.

either non-debased *akçes* or in foreign coins.[194] Table 3 illustrates how the value of the *akçe* had declined relative to foreign coins.

Table 3. The exchange rates of European coins expressed in *akçes*, 1584–1708[195]

| Year | Venetian *Ducat* | Spanish eight-real *(riyal gurush*) | Dutch lion thaler (*esedi gurush*) |
|---|---|---|---|
| 1584 | 65–70 | | |
| 1588 | 120 | 80 | 70 |
| 1600 | 125 | 78 | 68 |
| 1618 | 150 | 100 | |
| 1622 | 180–210 | 120–150 | |
| 1624 | 330–420 | 170–320 | |
| 1625 | 120 | 80 | 70 |
| 1628 | 190 | 100–110 | |
| 1632 | 220 | 110 | 100 |
| 1640 | 270 | 125 | |
| 1641 | 168 | 80 | 70 |
| 1646 | 170 | 80 | 80 |
| 1650 | 175 | 90 | 80 |
| 1655 | 175 | 90 | 90 |
| 1659 | 190 | 88 | 78 |
| 1668 | 250 | 110 | 100 |
| 1672 | 300 | 110 | 100 |
| 1676 | 300 | 125 | 120 |
| 1683 | 300 | 130 | 120 |
| 1691 | 300–400 | 120–160 | 120–160 |
| 1698 | 300–400 | 120–160 | |
| 1708 | 360 | | |

In addition to debasement, the government took steps to increase revenues. It increasingly turned to tax farming. Tax farming was a long established practice in the Ottoman Empire, but its use was limited.[196] One famous tax farmer was Michael Kantakouzinos, who made a fortune tax farming the salt works of Anchialos (Ahiolu) and

[194] Jennings, *"Zimmis,"* 237; Pamuk, *Monetary History*, 147.
[195] Adapted from Pamuk, *Monetary History*, 144.
[196] Pamuk, *Monetary History*, 85.

the customs of Istanbul.[197] What was new was that *timars* had begun to lose their military and fiscal significance.[198] Therefore, the central government began to auction them off as tax farms. The tax farmer paid the government an amount promised, less expenses to collect the taxes.[199] When the revenue from tax farms was insufficient to meet fiscal demands, the government levied emergency taxes called *avarız,* which over time became permanent. Two of these were the meat tax (*zarar-i kassabiye*) and the house tax (*avarızhane*). The first was a tax paid in cash to cover the difference between the government's fixed price and the market price for meat supplied to soldiers. It was paid by all the peasants.[200] The latter was applied on a fiscal unit called *hane* and consisted of a number of houses or fractions thereof, each of which was liable for an equal portion of the whole levy.[201] The levy was exacted from all non-*askeris.*

The end of the Cretan war (1644–1669), the absence of major wars and the policies of the Köprülü grand viziers (1656–1683) brought about a relative stability. However, this stability ended with the defeat at Vienna in 1683, which led to subsequent defeats against the Holy Alliance and major loss of territories. To counter these effects, the government enacted major financial reforms such as the *malikane*, lifetime tenure for tax farms in return for a larger down payment by the tax farmers. Likewise, the *cizye* or poll tax paid by non-Muslims was applied not to tax units but to individuals at a varying

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[197]Halil Inalcik, *An Economic and Social History of the Ottoman Empire: Volume 1, 1300–1600,* edited by Halil Inalcik with Donald Quataert (Cambridge: Cambridge University Press, 1997), 211–2.

[198] Pamuk, *Monetary History,* 86.

[199] "A large part, more than half according to most observers, of the gross tax receipts were retained by various intermediaries, most importantly the urban elites in the provinces." Karaman and Pamuk, "State Finances," 597; Pamuk, *Monetary History,* 138 and n. 18.

[200] Inalcik, "Greek Orthodox Patriarch," 424; Greene, *History of the Greeks,* 117.

[201] Faroqhi et al., *Economic and Social History,* 532–3; Gibb and Bowen, *Islamic Society,* 2:3.

rate depending on one's financial status, high, medium or low.[202] The result was an increase in the tax. A new currency was introduced, the *guruş*, which allowed the government to dispense with the need of foreign currency for financial management.[203] As a result of these reforms and relatively peaceful times, the Ottoman Empire was able to revive and begin a period of economic growth at the beginning of the eighteenth century.[204]

**Patriarchal Finances**

One of the roles which the patriarch had within the Ottoman state was that of tax collector. In the *berats* of 1483, 1525, and 1662, the patriarch was responsible for the annual *harac*. The Ottoman state viewed him in part as a tax farmer (*mültezim)*.[205] According to the *berat* of 1662, the patriarch paid a one-time *peşkeş* of 930,000 *akçes* and an annual donation (*harac)* of 290,300 *akçes* to the *bostancıs* as a subsidy for 105 *okka* of meat per day (1 *okka* equals 2.8lbs, so approximately 294lbs in total).[206] In the

[202] For details on the reform and its implementation, see Marinos Sariyannis, "Notes on the Ottoman Poll-Tax Reforms of the Late Seventeenth Century: The Case for Crete," *Journal of the Economic and Social History of the Orient* 54, no. 1 (January 2011) 39–61.

[203] Pamuk, *Monetary History*, 159–61.

[204] Pamuk, *Monetary History*, 269.

[205] Inalcik, "Greek Orthodox Patriarch," 423. Contemporary historians have emphasized the tax-farmer role of the patriarch and have tended to displace the "*millet* theory" of the patriarchate with a "*mültezim* theory." I believe that this emphasis on the *mültezim* role of the patriarch is due, in part, to the bias of the sources, both Turkish and Greek, which emphasize the patriarch as a source for cash to the Ottoman government. I do not believe either theory encompasses the various roles the patriarch had, nor does it capture the historical nuances and fluidity of the place of the patriarch within the Ottoman Empire. For the *mültezim* theory see Tellan "The Patriarch," 4–5; Anastasios G. Papademetriou, "Ottoman Tax farming and the Greek Patriarchate: An examination of State and church in Ottoman Society (15–16th century)," (PhD diss., Princeton University, 2001).

[206] In addition to the patriarchate, the monks of Mt. Athos paid 200,000 *akçe* meat tax annually. Kotzageorgis, "Fiscal Status," 73–4.

*berats* of 1483 and 1525, the *peşkeş* was 500 *ducats* and the *harac* was 2,000 and 3,500 *ducats* respectively.[207]

The frequent debasements of Ottoman currency and lack of fixed exchange rates for each year make comparisons difficult. However, I have tried to obtain some comparison by using the following methodology. We have some known quantities: the amount of *peşkeş* and *harac* in *ducat*s for the *berats* of 1483 and 1525 and the amounts in *akçes* for the 1661 *berat*. From Table 3, we have the ratio of *akçes* to *ducats* for 1659, 190. By multiplying the 1483 and 1525 amounts by 190, we can compare the three amounts on a common basis and eliminate the distorting effects of inflation. Table 4 illustrates the results. The results, being notional not absolute, are indicative of how the three years compare with each other.

Table 4. Comparison of *peşkeş* and *harac* in patriarchal *berats* 1483, 1525, and 1662

| Year | Type | Currency | Amount | *Ducat* to *akçe* exchange rate, 1659 | Total amount in *akçes,* 1659 |
|---|---|---|---|---|---|
| 1483 | | | | | |
| | *Peşkeş* | *Ducat* | 500 | 190 | 95,000 |
| | *Harac* | *Ducat* | 2,000 | 190 | 380,000 |
| 1525 | | | | | |
| | *Peşkeş* | *Ducat* | 500 | 190 | 95,000 |
| | *Harac* | *Ducat* | 3,500 | 190 | 665,000 |
| 1661 | | | | | |
| | *Peşkeş* | *Akçe* | 930,000 | | 930,000 |
| | *Harac* | *Akçe* | 290,300 | | 290,300 |

There are two items that stand out in these amounts. First, the government increased the *peşkeş* by almost nine times but the *harac* decreased by more than half from

[207] According to Zachariadou, the 500 ducats *peşkeş* was not mentioned in the *berat* of 1483 as it was a fairly new practice, whereas by the 1525 *berat* it had become customary. Also, she believes that the 2,000 and 3,500 *ducats* represented the annual *harac* the Patriarch owed to the government. Zachariadou, *Deka Tourkika,* 84–5.

1525 to 1661 and by a quarter from 1483 to 1661.[208] In essence, the government was borrowing against a future tax liability. This became a common Ottoman practice in the seventeenth century.[209] Whereas European states, specifically England and France, developed national banks through which they created a perpetual debt mechanism to fund government borrowing, the Ottomans used the tax farming mechanism to facilitate government borrowing.

The second item to note is the change of the *harac* from a land tax to a meat tax. The meat tax (*zarar-i kassabiye*) was originally an emergency tax, but at some point it became permanent and replaced the *harac.* There is some controversy as to when this change occurred. Kotzageorgis believes that it happened in the early part of the seventeenth century when Mt. Athos also had to start paying a meat tax to the *bostancıs.*[210] On the other hand, Konortas believes that it occurred as a result of fiscal reforms that were undertaken in 1640/41. Specifically, the Ottoman treasury was reorganized and an Office of Episcopal Administration (*Piskopos Mukata'asi Kalemi*) was established to oversee the collection of episcopal taxes due to the government.[211] In

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[208] See Kotzageorgis's analysis of the increase of the Mount Athos *harac* by 200% from 1568 to 1640/41. Kotzageorgis "Fiscal Status," 78.

[209] Pamuk, *Monetary History*, 86, 190; Karaman and Pamuk, "Ottoman State Finances," 602.

[210] Kotzageorgis, "Fiscal Status," 78.

[211] Konortas, *Othomanikes Theoreseis*, 173. For the registers of this office, see Tellan, "The Patriarch," 19 and n. 57. Phokion P. Kotzageorgis' paper, "Socio-Economic Aspects of a Tax," concentrates on a register of the economic department of the Ottoman state (*şıkkı-ısani*) of the second half of the seventeenth century. The register consists of the appointments of metropolitans and bishops. It contains many details on the appointees and demonstrates how close and knowledgeable the Ottoman bureaucracy was of the patriarchate's organization. The latter part of the article includes a transcription of the register in Arabic script. Phokion P. Kotzageorgis, "Socio-Economic Aspects of a Tax: The Metropolitans' and Bishops' *Pişkeş* (Second Half of the Seventeenth Century)," in *New Trends in Ottoman Studies: Papers presented at the 20th CIÉPO Symposium, Rethymnon, Greece, 27 June – 1 July 2012*, eds. Marinos Sariyannis, Gülsün Aksoy-Aivali, Marina Demetriadou, Yannis Spyropoulos, Katerina Stathi, Yorgos Vidras, Antonis Anastasopoulos, and Elias Kolovos (Rethymnon, Greece: University of Crete, Department of History and Archaeology, & Foundation for Research and Technology-Hellas, Institute for Mediterranean Studies, 2014), 207–22.

either case, the earmarking of a tax for a food subsidy paid in cash was in line with Ottoman practice "to meet the enormous State expenditures covering the difference of the fixed state and market prices of meat supplied for the divisions of the standing army in the capital."[212]

In 1686 an amendment was made to the patriarchal tax. Instead of the *peşkeş* of one million *akçes*, the Patriarch had to provide the *bostancıs* an additional meat subsidy of one hundred *okka* per day at the rate of four hundred thousand *akçes* per year.[213] The *peşkeş* due at the time of a patriarchal accession was abolished and replaced by an additional annual meat tax. In both meat tax subsidies, the motive was the need to subsidize the rations of the troops.

With the elimination of part of the *peşkeş,* it would seem that the Patriarch had lowered his tax liability.[214] However, a shortfall resulted (1,000,000 *akçes* for *peşkeş* minus 400,000 *akçes* for the new meat tax, equaling 600,000 *akçes*).[215] Thus, the patriarch was made liable for two extraordinary taxes, *köprü hakkı* (bridge-toll) and *avaid* (fees) to cover the shortfall.[216] These taxes were annulled in 1714.[217] In other words, a portion of the one-time *peşkeş* was changed into a new annual meat tax. By either an oversight or confusion on the part of the tax authorities, only the new meat tax was

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[212] Inalcik, "Greek Orthodox Patriarch," 424.

[213] Tellan, "The Patriarch," 164; Kotzageorgis, "Fiscal Status," 71–2.

[214] Kotzageorgis, "Fiscal Status," 72.

[215] The increased cost of the meat tax was probably due to inflation caused by the defeat at Vienna and consequent loss of territory. See Table 2. As for the price of the tax see Tellan, "The Patriarch," 165 and n. 414.

[216] *New Redhouse Turkish-English Dictionary*, s.v., "*köprü and hakkı."* I have not been able to locate any information on *avaid.*

[217] Tellan, "The Patriarch," 166.

collected but not the old one.[218] When the error was detected in 1694, the treasury asked for arrears of 600,000 *akçes* per year that had not been paid.[219]

A major change occurred in the patriarchate's financial status when it became a *malikane* in 1714. Starting in 1695, the Ottoman government began a system of lifetime tax farms instead of one, three- or five-year terms.[220] A large sum was required from the purchaser as a down payment (*muaccele*), but the annual payments due from the incumbent were both low and constant for the life of the tax farmer. Because of the large down payment, the major beneficiaries of the new system were people with wealth and government connections (*askeri*) in Istanbul.[221] After winning the contract, they would sub-contract the actual collection of the tax. Other prominent beneficiaries were the moneychangers (*sarraf*) who would arrange the financing of the down payment, sub-contract the tax collection, and make the annual payments to the treasury.[222] It has been estimated that between the profits shared by the contractors, sub-contractors, and *sarraf*, the government received only about one third of the net or about one quarter of the gross tax receipts.[223]

The first attempt to make the patriarchate into a *malikane* was in 1697. The prime mover of this effort was the deposed and defrocked Metropolitan Methodios of Thessaloniki.[224] In the Synodical Declaration of Deposition, Methodios and a group of

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[218] Tellan, "The Patriarch," 165.

[219] It should have been 420,000 *akçes* but the treasury added 600,000 instead. Tellan, "The Patriarch," 165–6.

[220] Pamuk, *Monetary History,* 190–1. Faroqhi et al., *Economic and Social History,* 567.

[221] Faroqhi et al., *Economic and Social History,* 567. *EI2*, s.v. "Mālikāne."

[222] Pamuk, *Monetary History,* 200.

[223] Pamuk, *Monetary History,* 200–1, Faroqhi et al., *Economic and Social History,* 714.

[224] Among other crimes, the Synodical Declaration announcing his deposition and defrocking accused him of seizing the possessions of the nun Zenovia. When she complained to the civil authorities, he had her strangled. Vaporis, *Codex Gamma,* 38–9.

others, who remained unnamed but were referred to as "certain disciples of the devil," proposed to the grand vizier to "sell to them the ecclesiastical offices of the Church in the same manner that land was farmed out.[225] They in turn would offer the offices to the highest bidder."[226] Although the group Methodios represented is not identified, it can be assumed that well-connected wealthy Orthodox merchants and bankers would have benefited if the patriarchate became a *malikane*.[227] Patriarch Kallinikos II (1694–1702) was forced to ask the financial assistance of all the other autocephalous churches to pay off Ottoman officials to prevent the patriarchate being made into a *malikane*.[228]

The next attempt to make the patriarchate into a *malikane* was under the reign of Patriarch Kyrillos IV (1711–1713). As in 1694, it was probably done at the instigation of Orthodox laymen with the collaboration of the grand vizier. According to two chroniclers, the main instigators were Manuel Ypsilantis and Manolakis the furrier.[229] In 1712, Kyrillos IV wrote to Patriarch Chrysanthos of Jerusalem asking his assistance to ward off a request from the grand vizier who had asked Kyrillos to make a payment (*mukarrer*) to convert the patriarchal office into a lifetime tenure.[230] As a justification for refusing the grand vizier, Kyrillos protested that this would be contrary to the royal decision of making the term of the *berat* three years. Because of the mounting debt of the

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[225] The words used in the text are *mukataa* and *malikane.*

[226] Vaporis, *Codex Gamma,* 54.

[227] Meletios writes that Methodios "found someone else from the outside to work with him on this." He does not specify who this was. My guess is that it was either Manuel Ypsilantis or Manolakis the furrier, both of whom were instrumental in making the patriarchate a *malikane* in 1714. Meletios, *Ekklisiastiki Istoria,* 3:485–6.

[228] Vaporis, *Codex Gamma,* 54.

[229] Manuel belonged to a prominent Phanariot family while Manolakis was the chief provider of furs to the grand vizier. Meletios, *Ekklisiastiki Istoria,* 4:6; Ypsilantis, *Ta Meta,* 294–5.

[230] Excerpts of the letter are in Gedeon, *Patriarchikoi Pinakes,* 501–2. Meletios writes, "Some who saw this, wanted to befriend the Patriarch through several powerful men. He refused completely. Thus, he stepped down from the throne, having governed for eighteen months." Meletios, *Ekklisiastiki Istoria,* 4:6.

Church and various demands, Kyrillos retired and was replaced by Kyprianos (1713).[231] The grand vizier saddled Kyprianos with a new annual tax (in Turkish, *miri*): "The *miri* which the grand vizier was asking to burden him with was an annual one consisting of forty purses and another ten purses for office fees (*kalemiye*). The total *miri* would now amount to 25,000 *grosia* [*guruş*]."[232] Kyprianos refused the grand vizier's offer and stepped down after four months.[233] The next candidate to become Patriarch was Kosmas III (1714–1716), the former Patriarch of Alexandria. He agreed to pay the *miri,* the new term for the *harac,* and was granted lifetime tenure (*malikane*). However, this did not assure stability to the patriarchal office. Within two years he retired from office.[234]

**Patriarchal Income and Expenses**

In order to operate as an institution, the patriarchate needed to have income to meet its expenses. Unfortunately, we do not have a complete record of the amount of

[231] Gedeon, *Patriarchikoi Pinakes,* 503.

[232] Ypsilantis, *Ta Meta,* 294. According to Konortas, in 1714 one purse equaled 500 *guruş*, thus 20,000 *guruş.* The remaining 10 purses, or 5,000 *guruş,* would be split, 2,000 to the *kalemiye* and 3,000 to *aklam avayidleri*, the calligraphers' office that prepared the *berats*. Konortas, *Othomanikes Theoreseis,* 175–6. According to Tellan, the holder of a *malikane* paid fees of five to twenty percent above the down payment. Tellan, "The Patriarch," 84. Presumably at this time the *köprü hakkı* (bridge toll) and *avaid* (fees) were rescinded, as previously stated. Also, the original meat tax of 105 *okkas* continued to be paid. Tellan, "The Patriarch," 165.

[233] Meletios, *Ekklisiastiki Istoria,* 4:6; Ypsilantis, *Ta Meta,* 294.

[234] According to Gedeon, despite the strong support of his sponsor Manuel Ypsilantis, he resigned because of the wretched financial situation of the patriarchate. Gedeon, *Patriarchikoi Pinakes,* 505. Ypsilantis says that the hierarchs were in an uproar as a result of the increase they had to pay for the new taxes and forced his resignation. Ypsilantis, *Ta Meta,* 301. On the other hand, Meletios blames Manuel and his brother who collected money that supposedly had been paid to the grand vizier and other officials as bribes to secure Kosmas' office; he implies that the two brothers embezzled it. Meletios, *Ekklisiastiki Istoria,* 4:6.

income and expenses prior to the mid-eighteenth century. The major income sources of the patriarchate were:

- Annually, each household would pay twelve *akçes* and each priest one gold coin to the patriarch. The same amounts were paid to each metropolitan and bishop.[235]
- *Zitia* ("alm," Greek): Initially a voluntary donation but became a mandatory tax in the seventeenth century. Used primarily to pay off the patriarchal debt.[236]
- *Tasadduk* ("alm," Turkish): The tray passed around on Sundays. Not to be confused with *zitia*.[237]
- *Agiasmos* ("blessing," Greek): Tax on springs and wells that were considered holy and therapeutic.[238]
- *Panayir* ("fair," Greek): Many fairs or local markets were held on church or monastic grounds. The establishment would collect a fee for the use of the property.[239]
- *Pangarion* or *banka*/*panka* ("table," Greek and Turkish respectively): Funds from the table in the entrance of a church from which the faithful would purchase candles.[240]
- Wedding fees for first, second, and third marriages.

An important source of revenue for the patriarchate was the monasteries. Every monastery paid dues to the metropolitan or bishop in whose territory it was located. A special class of monasteries fell under the authority of the patriarch and could be located anywhere. These were called *stavropigion* (cross foundation) and paid dues such as:

> August 1699, the monastery of St. John the Forerunner is declared a *stavropigion*. It is to pay 3 liters of wax annually.[241]
>
> January 1700, the monastery of the Transfiguration on the Strofades Islands (on the western coast of Greece) is granted *stavropigion* rank. The monastery is to send 90 liters of raisins annually to the Patriarchate.[242]

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[235] Tellan, "The Patriarch," 160; Inalcik, "Greek Orthodox Patriarch," 424. Inalcik believes that this *Patriklik* tax was to cover the contribution to the Patriarch's annual payment to the *fisc*.
[236] Tellan, "The Patriarch," 159 and n. 390; Inalcik, "Greek Orthodox Patriarch," 424
[237] Tellan, "The Patriarch," 159 and n. 391.
[238] Inalcik, "Greek Orthodox Patriarch," 425.
[239] Inalcik, "Greek Orthodox Patriarch," 425.
[240] Inalcik, "Greek Orthodox Patriarch," 425.
[241] Vaporis, *Codex Gamma*, 82.
[242] Vaporis, *Codex Gamma*, 92.

> April 1700, the nunnery of St. Nicholas on Santorini is confirmed as a *stavropigion*. The nuns are required to provide one dozen napkins annually and commemorate the Patriarch in all its services. Neither the Archbishop of Santorini, the patriarchal exarch or anyone else may interfere with the convent's affairs. The clergy of the convent, the head priest, the *oikonomos* (priest of the second rank), the *efimerios* (curate) are not required to pay the clerical dues or anything else. The monastery and its properties are free from all financial obligations to anyone.[243]
>
> Denial of *stavropigion* to the village of St. Stephanos in the province of Derkos [Durusu] and Neochorion. However, the exarch was to receive 25 grossia for life.[244]

Almost every patriarchal term included the adjudication of the status of monasteries. For the patriarch to reaffirm or declare a monastery as *stavropigion*, it meant additional revenue. For the metropolitan or bishop who lost it, it meant a reduction in revenue. As for the monasteries granted *stavropigion* status it could mean lower dues and less interference, as the example of St. Nicholas Convent above, shows.

As for expenses, we know of several. The largest was taxes due to the state. These included:

- *Miri*: Annual taxes due to the Ottoman treasury.[245] This would include any extraordinary taxes (*avarız*) due to the treasury, the aforementioned *köprü hakkı* (bridge toll), and *avaid* (fees).
- *Zara-i kassabiye*: The meat tax.
- Patriarchal debt (see below).
- Salaries to patriarchal staff.
- Repair of churches.

The largest expenses were the levies to the Ottoman state, the *miri*, and the meat tax, all of which, or most of which, were from government exactions. The third largest was most likely the debt.

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[243] Vaporis, *Codex Gamma*, 95.
[244] Vaporis, *Codex Gamma*, 77.
[245] Tellan, "The Patriarch," 159; Inalcik, "Greek Orthodox Patriarch," 424.

**Patriarchal Debt**

In addition to taxes due to the Ottoman government and their other expenses, the patriarch had debts to pay. There were two types of debts. The first was to the Ottoman government when the patriarch could not meet his annual fiscal obligations. Usually, the patriarch would ask for a *zitia* to pay for it. The second was to private individuals for payment of the *peşkeş* and any outstanding taxes due to the treasury. The patriarch borrowed at ten percent interest from lenders such as *sarraf*, merchants, and guilds, both Muslims and non-Muslims.[246] There were numerous reasons for the debts. When hierarchs were not able to meet their obligations to the state, the patriarch would issue a promissory note and assume the debt.[247] The constant turnover of patriarchal incumbents required each to pay the *peşkeş* in order to obtain a *berat* for his office.

Some patriarchs had the financial resources to assume the throne.[248] Since most candidates did not have the resources to pay it, they resorted to sponsors. Among these persons were the rulers of Moldavia and Wallachia, Phanariots, and other rich Orthodox businessmen. Once in office, the incumbent would apportion the payment among the metropolitans and repay his sponsors.

In addition, the patriarch would dispense patronage to his sponsors. He would grant exarchies to laymen of Church lands from which the appointee would receive the revenue. For example, Ioannikios II (1646–1648) constituted the Archdiocese of Platzas

[246] Tellan, "The Patriarch," 110.
[247] See article 17 of the *berat* of 1662.
[248] For example, Dionysios III came from the Vardaleos family and his father and brother were bankers of great standing in Istanbul. Dionysos IV, who served five terms, came from the Komnenos family who had strong ties to the Ottoman government. Gedeon, *Patriarchikoi Pinakes,* 466, 471.

in the south of Morea and granted it to the archon Manuel Mouselimis as an exarchate.[249] The patriarchal establishment had more than forty-five positions to which the patriarch could appoint individuals, mostly laymen.[250] Added to this cost was malfeasance among some of the metropolitans. The most notorious was Methodios of Thessaloniki, whom we met previously when he tried to turn the patriarchate into a *malikane.*[251] He was deposed in 1696 for financial mismanagement. In 1680 the Bishop of Stagon in Thessaly was removed because he would not pay the demanded alms.[252] In 1697, two metropolitans were deposed and defrocked for refusing to meet their financial obligations.[253] Two other metropolitans were forced to resign in 1701 because they were not able to meet their financial obligations.[254]

Ypsilantis places most of the blame for the debt on some of the synodical metropolitans and the officials of the patriarchate who dishonestly preferred "pseudo-patriarchs" instead of true shepherds.[255] Certainly, the conciliar system of governance between the patriarch and the metropolitans who elected and removed him opened the way for abuse among rivals. It was complicated by powerful and rich lay sponsors who sought to benefit by supporting different rivals to the patriarchal office. Thus, different factions vied for control of the patriarchate for their own material benefit.

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[249] Gedeon, *Patriarchikoi Pinakes,* 453; Tellan, "The Patriarch," 114.

[250] Papadopoullos names more than forty-five separate official positions that made up the administrative staff of the patriarch. In addition, there were others that are not named. Papadopoullos, *History of the Greek Church,* 61–78.

[251] Vaporis, *Codex Gamma*, 38–9

[252] Gedeon, *Patriarchikoi Pinakes,* 478–9.

[253] Vaporis, *Codex Gamma*, 46, 50.

[254] Vaporis, *Codex Gamma*, 112–4.

[255] Ypsilantis, *Ta Meta,* 194, 238–9; Konortas, *Othomanikes Theoreseis,* 144.

As with the taxes due to the Porte, it is impossible to calculate the amount of debt, nor whether it was official debt to the Ottoman government or to private sources. Nevertheless, the debt was a real burden. The patriarchate found it necessary to establish financial committees to deal with it. In 1635, Patriarch Kyrillos II (1635–1636) established such a committee composed of four hierarchs and three lay officials for a one-year period during which it had complete control over all revenues and expenses.[256] Three items of interest in the Appointment Letter to the committee were:

1. No exarch or representative of any kind may be sent to the provinces to collect any church related money without the permission and introductory letters of the hierarchs of the committee.
2. Patriarchal officials may not transfer their office to another person without exercising sound judgment and without good reason.
3. The committee is to investigate the situation at the Patriarchate and determine whether or not there are too many people there for its actual needs.[257]

These items suggest malfeasance, especially among the lay officials. Item 1 may also refer to wandering monks who would seek alms and defraud people. Also, it may refer to lay officials, such as exarchs, who would try to line their own pockets. Item 2 suggests that officials were either selling their offices or transferring them to others as a form of patronage. Finally, item 3 indicates the age-old practice of padding the payroll with favorites.

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[256] Nomikos M. Vaporis, *Codex Beta of the Ecumenical Patriarchate of Constantinople* (Brookline, MA: Holy Cross Orthodox Press, 1975), 95–7; Gedeon, *Patriarchikoi Pinakes,* 439–40. It would seem that the debt crisis was due to the deposed Patriarch Athanasios III (1634) who had incurred debts of 60 loads. Vaporis, *Codex Beta,* 91. Gedeon, *Patriarchikoi Pinakes,* 439. A load, *yük,* was equal to 100,000 *akçes. New Redhouse Turkish-English Dictionary* , s.v. "yük."

[257] Vaporis, *Codex Beta,* 96.

Evidently, the results of this committee were not effective because, in 1641, Prince Basil of Moldavia paid off the patriarchal debt.[258] In return, the patriarch and hierarchs issued a synodical tome (official decree issued by the patriarch and synod) stating that no more financial assistance (*zitia*) would be asked from the provinces to pay off new debts. Nevertheless, the Patriarchate was again deep in debt by 1655 and had to seek financial assistance from the provinces.[259] Between 1648 and 1655, there were eight changes of patriarchs. Ypsilantis places the blame on some of the synodical metropolitans and a fraternity of powerful men who echoed the hierarchs' sentiments against the incumbent patriarchs.[260] From some of the remarks that Gedeon makes about several patriarchs feuding over patronage and favors to patrons, it would seem that Ypsilantis' comment is correct.[261] For example, Parthenios II (1648–1651) wanted to replace the Patriarch of Jerusalem with his candidate.[262] In 1648, he recognized the rights of the private church of the Mavrokordatos family in Chios from which the family would retain its revenues.[263] His successor, Kyrillos III (1652), who, according to Gedeon, was associated with certain lay *archons* who financed his succession to the patriarchate, was in office for only eight days.[264] Ioannikios II (1653–1654) was put in jail by the Ottoman *defterdar* (treasurer) for sixteen days for being tardy in paying his debts.[265]

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[258] Meletios, *Ekklisiastiki Istoria,* 50; Ypsilantis, *Ta Meta,* 145. Meletios, writing in about 1710, says the debt was more than 20 loads. Ypsilantis, writing in 1782, put the debt at 300 loads. These differing amounts illustrate the problem of trying to compare figures from two different time periods.

[259] Meletios, *Ekklisiastiki Istoria,* 469; Ypsilantis, *Ta Meta,* 155.

[260] Ypsilantis, *Ta Meta,* 155.

[261] For example, he says that Kyrillos III (1652) came to the throne indebted to lay *archon*s. Gedeon, *Patriarchikoi Pinakes,* 456.

[262] Gedeon, *Patriarchikoi Pinakes,* 454.

[263] Gedeon, *Patriarchikoi Pinakes,* 454.

[264] Gedeon, *Patriarchikoi Pinakes,* 456.

[265] Meletios, *Ekklisiastiki Istoria,* 465; Ypsilantis, *Deka Tourkika,*155. Ypsilantis adds that the metropolitans sent a special appeal for alms to the Cyclades Islands.

Patriarch Kallinikos II established the next financial committee in 1688, probably because of increased Ottoman financial demands due to the defeat of 1683. The new meat subsidy of 1686 was one of these financial demands. One interesting aspect of this new committee was that all of its eleven members were laymen.[266] Kaplanoglou cannot provide a reason as to the all-lay committee, but he assumes "that the rising Greek middle class with its increasing economic and political influence was regarded as a great asset to the Church."[267] It should be noted that this was the first term of office for Kallinikos II and it lasted for only nine months (March to November 1688).[268]

The financial needs of the Ottoman Empire directly impacted the patriarchate and its financial and institutional status. In the sixteenth century, the *peşkeş* had been a relatively small amount in comparison with the annual *harac*. In the seventeenth century the reverse was true, with the *peşkeş* growing into a large down payment for assuming office while the *harac* was reduced to a cash subsidy to feed the *bostancıs*. Moreover, in 1686 the *peşkeş* was supposedly abolished but it was replaced with an additional annual meat subsidy and other taxes which equated to its former monetary value. Indeed, the terms *peşkeş* and *harac*, the latter term used for the land tax, had lost their original meaning. When in 1714 the financial status of the patriarchate was changed into a *malikane*, the appropriate term was used, *miri*, a tax owed to the treasury by a tax farmer.

Institutionally, the Patriarch was tied more closely to the Ottoman establishment, first by the establishment of the Office of Episcopal Administration but, more importantly, by the change of the patriarchate into a *malikane*. Since this was a lifetime

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[266] Kaplanoglou, "Contribution to the Economic History," 41–2.
[267] Kaplanoglou, "Contribution to the Economic History," 42.
[268] Gedeon, *Patriarchikoi Pinakes*, 484.

tax farm for which the tax farmer paid a large down payment, he was granted additional administrative authority and security to assure the collection of revenue from his farm.[269] This latter change laid the groundwork for provincial *archons* to expand their control and power over the countryside.[270] Likewise, it allowed the patriarch to expand his authority over the Orthodox flock in the eighteenth century and move into areas of civil law, such as contracts, with which he previously was not involved.[271]

Concomitant with the importance of the patriarch as a tax farmer through the seventeenth century, the rise of lay influence over church finances grew, as the composition of the financial committees indicates. The laity provided loans for fiscal shortfalls or the promotion of candidates to the patriarchal throne. In return, they received patronage, which opened up more and more positions within the patriarchal bureaucracy from which they could benefit. They probably also got contracts for provisioning, supplies, transport and access to Ottoman government largesse. It was not only the *archons* in Istanbul who benefited but also local merchants looking to make money on sales, contracts and providing other services. The *malikane* system further broadened their opportunities for advancement and enrichment as bankers and tax collectors.

[269] Tellan, "The Patriarch," 84.
[270] Faroqhi et al., *Economic and Social History,* 567–8.
[271] Pantazopoulos, *Church and Law,* 43–6.

## Orthodoxy and Western Missionaries in the Seventeenth Century

As was previously mentioned, some contemporary historians have stressed the financial role of the patriarch, the so-called *mültezim* theory. Yet there is another facet of the patriarchate in its relations with the Ottoman state, that is, the role the patriarch had with the Ottomans in their diplomatic dealings with European states. This role was as a result of European, specifically Roman Catholic, missionary activities aimed at the Orthodox community.

A major Western movement in the sixteenth century was the Catholic Counter-Reformation. This movement had repercussions on the Ottoman Empire as both Protestants and Catholics attempted to gain the allegiance of the Orthodox Church against each other. Moreover, in the sixteenth century, the Roman Catholic Church began serious missionary efforts against the Orthodox Church.[272] The goal of these missionary efforts was to unite the Orthodox to the Roman Catholic Church and subordinate the Orthodox hierarchy to the Papacy. These missionary efforts of the Catholic Church were on two fronts, Eastern Europe and the Near East.

These missionary efforts also affected the Ottoman Empire. In Eastern Europe, Catholic missionary efforts were encouraged and supported by the rise of the Polish Commonwealth. The extension of Poland into Ukraine brought them in conflict with the Ottomans, who considered this area as under their sphere of influence. Thus, the patriarch of Constantinople had a shared interest with the Ottoman government in limiting Polish influence in Ukraine.

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[272] The Protestant churches had contacts and dialogue with the Orthodox Church but did not engage in proselytizing or missionary activities against the Eastern Churches until the nineteenth century. I shall address these contacts as they become relevant to this narrative.

As for the Near East, the main Orthodox adversary was France, which took the lead in supporting Catholic missionaries in this area as a means of burnishing its pro-Catholic credentials while at the same time negotiating with an "infidel" state. The mutual adversary for the Ottomans and the French was the Habsburgs. Thus, a diplomatic alliance between the French and the Ottomans was of mutual interest. As with the threat emanating from Poland, the patriarchate looked to the Ottomans for assistance in countering the French missionary effort. In both instances, Eastern Europe and the Near East, the patriarchate and Ottomans drew closer to each other in order to defend their interests. Each geographical area will be discussed in turn.

**Eastern Europe**

Orthodoxy was introduced into the east Slavic lands in the tenth century when Great Prince Vladimir of Kiev (980–1015) accepted Christianity from Constantinople in 988. From Kiev, Orthodoxy spread throughout Ukraine, modern Belorussia, Galicia and Muscovy. In 1569, the kingdoms of Poland and Lithuania were formally united by the Treaty of Lublin into a Commonwealth. The Commonwealth stretched from the Baltic to the Black Sea. A large proportion of the population of the Commonwealth consisted of Orthodox Christians especially in Galicia, Lithuania, and Ukraine. At first, the Commonwealth was tolerant of the various religious groups within it: Catholics, Orthodox, Protestants, Muslims, and Jews.

### *Sigismund III*

This toleration lasted until Sigismund III (1587–1632) ascended the throne of the Commonwealth.[273] Sigismund's commitment to religious toleration eroded as he was a staunch Catholic and ardent supporter of the Counter-Reformation. [274] He began to favor Catholics over Orthodox and Protestant magnates in political appointments and patronage.[275] The Protestant and Orthodox magnates could overcome these disabilities by converting to Catholicism, which many did. Orthodox burghers were also discriminated against. They were not allowed to practice certain crafts, were subject to taxes collected to support Catholic institutions, and were ineligible to become guild masters.[276] As for the peasantry, regardless of their religious affiliation, they were subjected to enserfment by the magnates, who were predominantly Polish and Catholic.

Sigismund allowed Jesuits to open schools and aggressively propagate Catholicism among the Commonwealth's non-Catholics. For the Orthodox, the Counter-Reformation was a cultural invasion expressed in religious terms. For example, the Slavic Orthodox had maintained their cultural and religious traditions from the tenth century. The liturgical language was Church Slavonic, which had originated in the ninth century when Orthodox missionaries from Constantinople spread to Bulgaria and Bohemia. There were no eastern Slavic printing presses, a communications medium that was as revolutionary in the sixteenth century as the internet in the late twentieth and twenty-first

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[273] For Sigismund's religious policy see Daniel Stone, *The Polish-Lithuanian State, 1386–1795,* (Seattle: University of Washington Press, 2001), 136–7; Runciman, *Great Church,* 262–3.

[274] Frank E. Sysyn, *Between Poland and the Ukraine: The Dilemma of Adam Kysil.* (Cambridge: Harvard Ukrainian Research Institute, 1985), 8.

[275] Sysyn, *Between Poland,* 18–9.

[276] Borys A. Gudziak, *Crisis and Reform: The Kyivan Metropolitanate, the Patriarchate of Constantinople, and the Genesis of the Union of Brest* (Cambridge: Harvard Ukrainian Research Institute, 1998), 72–4.

centuries and, what few schools there were, were behind on the latest curricula. Therefore, eastern Slavs had not experienced the philosophical and scientific advances made by Europe. Sysyn summarizes the Polish Catholic attitude towards Rus' or Ruthenians, as Orthodox Slavs were called, as follows:

> Beginning in the 1570s, largely as a part of the attempt to convert Rus' to Catholicism, attacks against various aspects of the traditional culture of the Ukraine became common. Not only were the Orthodox church's dogmatic differences with Catholicism held up as errors, but also the Ruthenian Orthodox clergy were described as "barbarous" and the Ruthenian and Slavonic languages as incapable of conveying learning.[277]

Returning from a visit to Moscow in 1589, Patriarch Ieremias II stayed in Ukraine in order to shore up the Orthodox position against Catholic missionary activities.[278] The Orthodox in the Commonwealth fell under the Patriarch's jurisdiction and the senior bishop of the church was the metropolitan of Kiev who was nominally the Patriarch's appointee. Ieremias proceeded to initiate some reforms that would bring the Ukraine church in line with current Orthodox canonical tradition. He defrocked a number of Ukrainian clerics who had married more than once (digamy),[279] among them the metropolitan of Kiev.[280] Prior to departing from Vilnius where he held a synod of Ukrainian bishops, Ieremias appointed one of the bishops as his *exarch,* who had authority to oversee the churches, including the metropolitan of Kiev.

Nevertheless, Sigismund persisted in his efforts to bring the Orthodox under Catholic control. With the Synod of Brest in 1595–1596, he was successful in convincing

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[277] Sysyn, *Between Poland,* 34. The verbatim attacks against the Ruthenian language and culture by Piotr Skarga, a leading Jesuit scholar of the period, can be found in Gudziak, *Crisis and Reform,* 83–4.

[278] Gudziak, *Crisis and Reform,* 190–207; Runciman, *Great Church,* 263.

[279] In Orthodox practice, a clergyman can marry prior to ordination but only once: if the clergyman is divorced by his wife or becomes a widower, he cannot remarry. Under canon law, such a second marriage is considered bigamy or concubinage. Gudziak, *Crisis and Reform,* 198.

[280] Gedeon, *Patriarchikoi Pinakes,* 408.

the majority of Orthodox bishops to recognize Rome's authority.[281] The Orthodox were allowed to keep their ritual and traditions, such as married priests, as members of the Greek Catholic rite. Patriarch Ieremias attempted to participate in this Synod by sending the archimandrite Nikiforos; the Patriarch of Alexandria, Meletios, sent Kyrillos Loukaris. However, they both were stopped by Polish authorities during which Nikiforos was strangled and Loukaris fled back to Istanbul.[282]

The Orthodox resistance to Sigismund was led by Prince Konstantin Ostrozky (1526–1608), an Orthodox magnate. He defended the rights of Orthodox nobles and, with the help of city guilds, was successful in establishing numerous Orthodox schools on the pattern of Jesuit ones.[283] On his own lands, he established a printing press and a center of Ruthenian linguists who published works on the Ruthenian tradition, including a modern translation of the Gospels and the Psalms.[284]

***Cossack Resistance***

The decisive resistance to Poland and Roman Catholicism came from the Cossacks residing in Ukraine. The Cossacks were freebooters who lived in the lower Ukraine bounded by the Crimean Tatars and the Poles.[285] When not raiding the Tatars, they engaged in agricultural pursuits such as fishing, keeping bees, and hunting. The Poles found them very useful as a militia and engaged them in numerous wars. When not

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[281] Runciman, *Great Church,* 263–64. Most of the Orthodox bishops were predisposed to support faraway Rome as a response to Ieremias' attempts to bring them under stricter Constantinopolitan canonical control.

[282] Smith, *Account of the Greek Church,* 244; Gedeon, *Patriarchikoi Pinakes,* 408. For Kyrillos' stay in the Commonwealth, see Runciman, *Great Church,* 264–66. While in the Commonwealth, Kyrillos established a school in Lvov and reformed an existing one in Vilna.

[283] Stone, *Polish-Lithuanian State,* 147.

[284] Gudziak, *Crisis and Reform,* 121–28.

[285] Most of the information on the Cossacks is taken from Stone, *Polish-Lithuanian State,* 145–47; Tellan "The Patriarch," 55–57.

in combat, the Poles tried to force them into the peasantry. The Cossacks refused this status and often revolted. Added to this socioeconomic mix was their staunch Orthodoxy and an unwillingness to be converted.

When he became patriarch of Constantinople, Kyrillos Loukaris (1620–1623), advocated to Sultan Osman II (1618–1622) a war against Poland.[286] Loukaris was aided in this effort by the Dutch ambassador Cornelius van Haag, who was interested in an alliance between the Ottomans and the Dutch against Spain.[287] Osman wanted to be seen as a warrior-king and accepted the plan to attack Poland despite the advice of some of his officials.[288] He sent to Muscovy Thomas Kantakouzinos, a member of a distinguished Orthodox family and fur trader who had frequent contacts with the Russians, an archbishop, and two Ottoman *çavuşes* (messengers) to obtain an alliance with Muscovy against the Poles. Failing that, they were to obtain Russian neutrality.[289] They were able to obtain the latter.

In 1621, Osman led an army to Khotin, a fortress in southwest Ukraine on the border with Poland and besieged it. He failed to capture the fortress and in the middle of winter he and the army retreated to Istanbul. Because of this failure and because he was suspected of planning to replace the janissaries with Anatolian militiamen, the janissaries rose in rebellion and executed Osman in 1622.[290] Loukaris continued sending secret correspondence to the Russians, including intelligence on the Ottoman Empire. As for

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[286] Suraiya Faroqhi, *The Ottoman Empire and the World Around It* (New York: I. B. Tauris, 2004), 7.

[287] Gunnar Hering, *Oikoumeniko Patriarcheio kai Eyrōpaikē politikē, 1620–1638* [The Ecumenical Patriarchate and European Politics], trans. Dēmosthenēs Kourtovik (Athens: Morphōtiko Idryma Ethnikēs Trapezēs, 1992), 49–80.

[288] Finkel, *Osman's Dream,* 198–99; Greene, *History of the Greeks,* 116.

[289] Hering, *Oikoumeniko Patriarcheio,* 66.

[290] Finkel, *Osman's Dream,* 201–02.

Kantakouzinos, he continued acting as the intermediary with Muscovy. In 1635, the Tsar awarded him one hundred and twenty sable furs for his services.[291]

From the 1590s to the 1630s, the Cossacks arose in a number of revolts fed by Polish social and religious discrimination and Polish failure to keep to agreements between the two parties. In 1648, the Cossack Hetman Khmelnitsky rose in a great revolt against Poland.[292] The Cossacks were joined in this revolt by disaffected elements among Orthodox Ruthenians: "Peasants revolted against their lords, Orthodox clergymen called for vengeance against the triumphant Latins, and Ruthenian burghers plotted against oppressive patriciates."[293] At first, Khmelnitsky allied himself to the Tatars and became their vassal. After several military reversals, the Tatars abandoned him. At this point, Khmelnitsky changed alliances and pledged himself to Muscovy in 1654 and thus Ukraine was incorporated as an autonomous region within the Russian Empire.[294] After Khmelnitsky's death in 1657, Ukraine descended into civil war as various factions sided with external powers—Poland, the Ottomans, and Russia—in order to defeat their opponents. In 1669, Hetman Petro Doroshenko, the leader of the Cossacks, wished to be free from Polish and Russian attempts to control Ukraine, and submitted to the Ottomans as a vassal.[295]

### *Fallout from the Chaos in Ukraine*

The chaos in Ukraine contributed to the execution of two patriarchs and one former patriarch. The first was in 1650 when Parthenios II was slandered to the sultan as

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[291] Hering, *Oikoumeniko Patriarcheio,* 72.
[292] Stone, *Polish-Lithuanian State,* 164–65.
[293] Sysyn, *Between Poland,* 146.
[294] Stone, *Polish-Lithuanian State,* 165–66; Tellan, "The Patriarch," 58.
[295] Finkel, *Osman's Dream,* 273.

a political traitor and was executed and thrown into the sea.[296] Ypsilantis, writing about one hundred years after the event, states that someone named Pavlaki falsely accused—to the grand vizier—the patriarch of conspiring with Russia and hence was executed.[297] According to Tellan, there is mention in the Ottoman chronicler Naima that a certain Pavlaki was also killed in 1650.[298] Pavlaki was supposed to have transported the daughter of the Moldavian ruler to the king of Hungary for marriage. Instead, Pavlaki submitted to the Tatar Khan and around forty thousand Cossacks roaming the area took the girl from Pavlaki. When Pavlaki returned to Moldavia, the ruler of Moldavia turned him over to the grand vizier and demanded Pavlaki's execution, which was carried out. Tellan concludes that the patriarch was accused of being the link between Pavlaki and the Cossacks and, thus posed a political threat.[299]

The second patriarch to be executed was Parthenios III in 1657. According to the chronicler Meletios of Athens, the Crimean Khan had intercepted letters from the patriarch to Moscow in which he urged the Russians to attack the Ottomans.[300] Despite an enquiry which showed Parthenios III to be innocent, Köprülü Mehmed Paşa did not want to offend the Khan by doubting him so had the patriarch executed. This account is essentially repeated by Ypsilantis.[301] Tellan adds some notes reported by Ottoman chroniclers, who report basically the same scenario as the Greek chroniclers, that is, the patriarch had correspondence with external powers and some of his passages were

[296] Tellan, "The Patriarch," 72–73.
[297] Ypsilantis, *Ta Meta,* 152.
[298] Tellan, "The Patriarch," 73.
[299] Tellan, "The Patriarch," 73.
[300] Meletios, *Ekklisiastiki Istoria,* 465.
[301] Ypsilantis, *Ta Meta,* 158.

misunderstood.[302] According to his defenders, the patriarch was actually pleading for financial aid not for military aid to overthrow the Ottoman Empire. Tellan provides possible ulterior motives for the execution: the Swedish ambassador Ralamb noted the piracy of the Don Cossacks in the Black Sea which brought the Russians and the Ottomans in confrontation with each other.[303] Adding this to the already turbulent times—the continual war with Venice over Crete, the unsettled conditions in Ukraine, the move of Russia closer to the Black Sea, and the need to defend his Crimean vassal—Köprülü Mehmed was not about to take any chances and had the patriarch executed.

The third to be executed was Gabriel II (1657). He was an illiterate man who was totally unfit to be patriarch.[304] Consequently, he was removed from office after thirty days and made the Metropolitan of Bursa. In 1659, the sultan and Köprülü Mehmed were in Bursa. Gabriel had baptized a Jew, but the Jews insisted that he had baptized a Muslim. Consequently, he was executed.

There were several events that preceded this execution. In 1657, the former Ottoman vassal and leader of Hungarian Protestants, George Rákóczi, invaded Poland and persuaded the Orthodox rulers of Moldavia and Wallachia to join him in the expedition. Rákóczi was unsuccessful in his effort to topple the Polish state. The Ottomans were dissatisfied with their vassal's actions as they threatened to upend the balance in their northern border. The Ottomans preferred a weak Commonwealth instead of conflict which risked the Habsburgs joining the Polish side.[305] To take care of Rákóczi,

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[302] Tellan, "The Patriarch," 75–77.
[303] Tellan, "The Patriarch," 74.
[304] Gedeon, *Patriarchikoi Pinakes,* 462.
[305] Finkel, *Osman's Dream,* 257.

Köprülü Mehmed had launched a campaign against Transylvania in 1658 and planned to attack again in 1659 when he was instead called to move into Anatolia to suppress Abaza Hasan's rebellion.[306] After the defeat of Abaza Hasan, Mehmed planned to return to Transylvania and dispose of Rákóczi. Against a backdrop of instability on his northern border and the fact that Rákóczi had persuaded the leaders of Moldavia and Wallachia to follow him in his anti-Polish campaign, it is plausible that Mehmed would have believed the accusation against Gabriel II.

In response to Hetman Doroshenko's submission to the Ottomans in 1669, Poland responded by invading Ukraine in 1671. The Ottomans, in turn, entered the war in support of Doroshenko.[307] The conflict dragged on until a treaty was signed between the Commonwealth and the Ottomans in 1676. A major gain for the Ottomans was the province of Podolia in southwestern Ukraine with the fortress of Kamenetz as its capital.

The Ottomans proceeded to incorporate this province (*eyalet*) into their empire. An interesting aspect of the process of integration of the province was that the Orthodox, who formed the majority of the population, were separated from the diocese of L'viv in western Ukraine. In 1681, Patriarch Iakovos (1679–1682) declared the province an eparchy directly under the jurisdiction of Constantinople and appointed its first metropolitan.[308] This action enlarged the patriarch's direct jurisdiction and undermined Catholic missionary activity among Orthodox Christians. By supporting the patriarch, the Ottomans had an ally in the integration of the province into their empire.

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[306] Finkel, *Osman's Dream,* 260–63,

[307] Finkel, *Osman's Dream,* 273; Stone, *Polish-Lithuanian State,* 235–6.

[308] Dariusz Kołodziejczyk, "The Orthodox Exarchate of Little Rus': A Few Remarks on the Ottoman Confessional Policy in the Late Seventeenth Century," *Archivum Ottomanicum* 33 (2016): 252.

The status of Podolia and Ukraine under Constantinopolitan jurisdiction did not last long. In the Russian–Ottoman negotiations of 1686 to dissuade Russia from joining the Holy League, the Russians requested jurisdiction over the Orthodox church in Ukraine under the patriarch of Moscow. Grand Vizier Sarı Süleyman Paşa forwarded the request to Patriarch Dionysios IV (1686–1687).[309] Dionysios issued the documents in June 1686.[310] Thus, Constantinople's jurisdiction over Ukraine ended. Despite this concession to the Russians, Russia joined to the Holy League in 1687 and invaded Crimea.[311] As for the Ottomans, the losses incurred against the Holy League ended their attempts to influence Ukraine.

**The Eastern Mediterranean**

The Roman Catholic effort to proselytize the Orthodox in the Near East began in the sixteenth century. Lacking temporal support within the Ottoman Empire such as it had in Poland, the Papacy looked to the French for assistance. In the capitulations of 1568 between the Ottomans and the French, the latter received authority to represent all Catholic clergy within the empire. This meant the French ambassador obtained *berats* for the bishops, provided the money for fees for the clergy to transmit grievances to the Porte and monitored the behavior of Ottoman officials in permitting freedom of worship and holding religious services.[312] The French had various reasons in sponsoring the

[309] Kołodziejczyk "Orthodox Exarchate," 254.

[310] Kołodziejczyk "Orthodox Exarchate," 254. An English translation of the relevant document can be found at "The Ecumenical Throne and the Church of Ukraine – The Documents Speak," Ecumenical Patriarchate of Constantinople, last modified October 18, 2018, https://www.patriarchate.org/theological-and-other-studies/-/asset_publisher/GovONi6kIiut/content/o-oikoumenikos-thronos-kai-e-ekklesia-tes-oukranias-omiloun-ta-keimena?_101_INSTANCE_GovONi6kIiut_languageId=en_US.

[311] Finkel, *Osman's Dream,* 320–1.

[312] Charles A. Frazee, *Catholics and Sultans: The Church and the Ottoman Empire 1453–1923* (Cambridge: Cambridge University Press, 1983), 68; Tellan, "The Patriarch," 48.

missionaries.[313] The seventeenth century was punctuated by the rivalry between the French and the Hapsburgs; from the sixteenth century, the French used an alliance with the Ottomans to counter the Habsburgs. Likewise, the Ottomans saw an alliance with the French as a counterbalance to the Hapsburgs in the Mediterranean and northwest Balkans. Also, it was a means for the French to safeguard their commercial interests. Finally, protection of Catholic missionaries in the Near East appealed to a certain segment of French Catholics and was used as a counterargument for those who condemned an alliance with Muslims.[314]

The Catholic missionary effort accelerated in the early seventeenth century. French Jesuits permanently arrived in the Ottoman Empire in 1609. They were followed by the Capuchins in 1626.[315] To coordinate the efforts of the missionaries, the Papacy established the Congregation for the Propagation of Faith (*Propaganda Fide*). The aims of the Papacy were several. First, it wanted to defend the Franciscans' control over the Holy Places—the Church of the Holy Sepulcher in Jerusalem and the Church of the Nativity in Bethlehem—from Orthodox and Armenian encroachment.[316] Second, they would try to have Eastern Christian prelates sign professions of faith to the Catholic

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[313] Hering, *Oikoumeniko Patriarcheio,* 81–2; Frazee, *Catholics and Sultans,* 79–80. The Habsburgs concluded their own capitulations with the Ottomans in 1616. However, because of frequent clashes between the two empires, the Ottomans preferred the French as representatives of Catholic interests within the Ottoman Empire. Tellan, "The Patriarch," 48.

[314] Hering, *Oikoumeniko Patriarcheio,* 82–3.

[315] Tellan, p. 46.

[316] In 1516 when Selim I conquered Syria from the Mamluks, the two sites were under the Franciscans. Selim recognized the precedent and left the Franciscans in control. However, the Orthodox and the Armenians were asserting their rights to possess them. By 1637, the Orthodox were successful in obtaining control of the major portion of the Church of the Nativity and in 1675 the major portion of the Church of the Holy Sepulcher. For the inter-church struggles to control the Holy Places, see Oded Peri, *Christianity under Islam in Jerusalem,* (Leiden: Brill, 2001).

Church and recognize the primacy of the Pope.[317] The third aim was to convert the laity by opening schools, hospitals, and preaching.

***Patriarch Kyrillos Loukaris***

At first, the reception of Catholic missionaries was not unwelcomed by the Orthodox hierarchy. The Catholics opened many schools that were attended by the Orthodox as well as Catholics.[318] For example, the Orthodox clergy in Athens welcomed the Jesuits to open a school there in 1645.[319] Several patriarchs in the early seventeenth century were in contact with Rome and looked favorably towards the union of the two churches. However, others totally opposed any relations with the Papacy. The most vociferous of these was the aforementioned Kyrillos Loukaris.[320] Born on the island of Crete in 1572, his father sent him to Venice to study at the Greek school in that city. Later, he attended the University of Padua from which he graduated. In addition to Greek, he knew Latin, Spanish, Ottoman Turkish, and Arabic. While in Italy, he traveled to Germany and possibly Geneva. As was mentioned above, he traveled to Poland and Lithuania. It was probably during these trips that he met Calvinist theologians and developed a favorable view towards them.[321] In 1601, his uncle, the Patriarch of Alexandria Meletios Pegas, another graduate from the University of Padua, invited Loukaris to Alexandria where he was made an abbot of a monastery. Pegas died in 1601

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[317] Frazee, *Catholics and Sultans,* 76–7, 87; Masters, *Christians and Jews,* 81–3; Runciman, *Great Church,* 232.

[318] Runciman, *Great Church,* 231–2; Greene, *History of the Greeks,* 140.

[319] Frazee, *Catholics and Sultans.*

[320] On the life and career of Loukaris, see Runciman, *Great Church,* 259–88; Hering, *Oikoumeniko Patriarcheio,* 30–42; Gedeon, *Patriarchikoi Pinakes,* 424–6.

[321] The theological views of Loukaris have inspired numerous controversies, both during his lifetime and later. For a summary of his views, see Runciman, *Great Church,* 276–82; Hering, *Oikoumeniko Patriarcheio,* 35–42; Vaporis, *Codex Beta,* 56–7.

and Loukaris was elected patriarch of Alexandria (1602–1620). In 1612, he served his first term as patriarch of Constantinople. He served an additional five terms: 1621–1623, 1623–1630, 1630–1634, 1634–1635 and 1637–1638. Loukaris' staunch anti-Catholic stance, based on his experience in Lithuania and Ukraine, motivated the Catholic embassies, French and Habsburg, to conspire against him and remove him from office. For his part, Loukaris had the support of the Dutch ambassador, Cornelius von Haag.

During his terms of office, Loukaris undertook to reform the patriarchate and to combat Catholic influence against Orthodoxy. His first concern was education. He reformed the Patriarchal Academy by introducing a neo-Aristotelian and scientific curriculum. As head of the Academy, he placed a fellow student from Padua, Theofilos Korydallious.[322] He had the Bible translated from the first century Koine Greek into modern Greek. When he was opposed by conservatives for tempering with Holy Writ, he published it with the original Koine text and a modern Greek translation in parallel columns.[323] He sent promising students to Holland, Germany and England to receive a modern education. In 1627, he established the first Greek printing press in Istanbul. He was assisted by the English ambassador to obtain the permission of the grand vizier to operate it. It published anti-Catholic material. The French were so threatened by it that they went to the grand vizier and convinced him that Loukaris was printing anti-Muslim works. The grand vizier sent janissaries to destroy the press.[324] After further

[322] Runciman, *Great Church,* 271.
[323] Runciman, *Great Church,* 275.
[324] Hering, *Oikoumeniko Patriarcheio,* 196–203; Greene, *History of the Greeks,* 141.

investigation, the grand vizier found that the Jesuits had lied to him and he expelled them from the Sultan's dominions.[325]

The French ambassador, Comte de Cési, worked assiduously to undermine and thwart Loukaris. He accused him of being a Calvinist and appealed to hierarchs who sympathized with Catholicism and/or had personal interest to oust him. In 1633, Kyrillos II Kontaris was able to replace Loukaris for eight days. Kontaris had been educated in the Jesuit school of Galata and was pro-Catholic. He obtained the support of the Habsburg ambassador, who assisted him in ousting Loukaris.[326] Loukaris found refuge in the Dutch embassy and was able to quickly replace Kontaris, especially when the latter could not come up with the funds for his accession. However, Kontaris was a persistent enemy of Loukaris. He returned as patriarch in 1635 with the assistance of the Habsburg ambassador and ruled for sixteen months.[327] The result of these frequent changes was that the Church was deeply in debt in order to pay for each *peşkeş*.[328] To placate his opponents, Kontaris made a public declaration swearing to the hierarchs that he would contribute to the peace of the Church and assist to pay off the debt by a new *zitia*.[329] He also established the aforementioned financial committee in 1635 to resolve the debt issue. However, Kontaris persecuted Loukaris' adherents and was ousted in August of 1636. After the death of Kyrillos Loukaris, Kontaris was able to return as patriarch for a third time for thirteen months (June 1638–June 1639).[330] Kontaris assembled a synod which

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[325] Runciman, *Great Church*, 273–4.
[326] Hering, *Oikoumeniko Patriarcheio,* 310–5; Gedeon, *Patriarchikoi Pinakes,* 437.
[327] Hering, *Oikoumeniko Patriarcheio,* 332–9; Gedeon, *Patriarchikoi Pinakes,* 438–40.
[328] In order to pay the *peşkeş* of his first term of office, Kontaris had to borrow one thousand reals from the Venetian ambassador at eighteen percent interest. Herring, *Oikoumeniko Patriarcheio,* 314.
[329] Vaporis, *Codex Beta*, 94, 103–4.
[330] Gedeon, *Patriarchikoi Pinakes,* 445–6.

declared the writings of Kyrillos Loukaris as heretical.[331] He signed a paper giving his allegiance to Pope Urban VIII.[332] The paper was leaked and it served as the cause of his deposition and exile to North Africa, where he died. The letter of deposition referred to him as "depraved and dissolute organ of Satan," and "the wolf of Verroia (his former metropolitanate)."[333] It accused him of tyrannizing clergy and laity, squandering the Church's money and exiling numerous hierarchs who opposed him.

The animosity and partisanship that Loukaris' anti-Catholicism engendered is best summarized by Hering.

> Because of the interference of political powers, the faceoff between the friends and adversaries of the patriarch [Loukaris] had hardened so much that a relatively peaceful and dignified agreement between the two parties was impossible, even if in the two camps there were moderate personalities who wanted to calm the spirits. Neither Loukaris nor his opponents hesitated to involve in their quarrel the Muslim authority. The ease with which both sides used the Turks against heterodox Christians is explained by the estrangement and hatred between Orthodox and Catholics. The two camps had experience of many years in the tactics of attacking their "unbelieving" adversaries as "false" Christian teachers. Even Loukaris had thought in 1612 of reminding the Porte of old debts owed by the pro-Unionist Patriarch Neofytos [1607–1612] so that he (Loukaris) could create problems for the highest Orthodox shepherd. In the years that followed, the consequences of such tactics would become more manifest.[334]

### *Partisanship Disguising Personal Motives*

Another consequence of this partisanship was that it disguised the personal motives of the actors. Nothing better illustrates the conflict and the conflicting motives than the events which culminated in 1671–1672.

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[331] Vaporis, *Codex Beta*, 105.
[332] Runciman, *Great Church,* 286; Hering, *Oikoumeniko Patriarcheio,* 373.
[333] Vaporis, *Codex Beta*, 105–6.
[334] Hering, *Oikoumeniko Patriarcheio,* 118–9.

Unlike the Ottoman state which witnessed a period of stability—two grand viziers and one sultan—the years 1657 to 1673 were turbulent for the patriarchate. There were no fewer than eight patriarchal terms during this period. As discussed above, Parthenios III was executed by Köprülü Mehmed in 1657 for conspiring with the Russians. He was succeeded by Gabriel III who ruled for thirty days in April 1657 and was removed by the hierarchs because of incompetence.[335] He was followed by Theofanis II who served for only three days.[336] The next incumbent was Parthenios IV (1657–1662).[337] It would seem that he was a good administrator as the hierarchs invited him to take the patriarchal office, which he governed for five years. His successor was Dionysios III Spanos (1662–1665). He was of the Bardalis family who were bankers and well-connected with the Ottoman government.[338] Thus, he could finance his *peşkeş* from either his own or his family's resources. Also, the family connections with the Ottoman government gave him access to the place and the Porte. After he retired, he endowed the Church of the Holy Sepulcher with one thousand *guruş* and made numerous contributions to the monasteries of Mt. Athos. Most likely because of his political influence, the Ottomans gave their consent to return to the Orthodox all the churches in Chios that the Latins had previously seized.[339]

After Dionysios' retirement, Parthenios IV returned for a second term and governed from 1665 until 1667. In 1667, he consecrated Theofanis Mavrokordatos, the

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[335] Gedeon, *Patriarchikoi Pinakes,* 462.
[336] Gedeon, *Patriarchikoi Pinakes,* 462–3.
[337] Meletios, *Ekklisiastiki Istoria*, 467–8, Gedeon, *Patriarchikoi Pinakes,* 463–4.
[338] Gedeon, *Patriarchikoi Pinakes,* 464.
[339] Gedeon, *Patriarchikoi Pinakes,* 466; Frazee, *Catholics and Sultans,* 117–9. The Ottomans had conquered Chios from the Genoese in 1566. The churches were returned to the Orthodox in 1664.

protosynkellos (deputy to a hierarch) of İzmir, as Metropolitan of Paranaxos, part of the Cyclades islands in the Aegean.[340] More will be said about Theofanis below. Parthenios was merciless in collecting taxes and, consequently, many of the hierarchs despised him. He was deposed and exiled to the island of Tenedos (Bozcaada).[341] Later, he moved to Wallachia, where he schemed to return as patriarch. Upon Parthenios' removal, the Metropolitan of Iconion Klimis succeeded to the patriarchal office, probably through the influence of lay leaders. Parthenios IV seems to have been a rather strict administrator, which would not sit well with lay leadership.[342] However, none of the hierarchs wanted Klimis and he was removed within days.[343]

The patriarchal office remained vacant for three months and twenty days when Methodios III Moronis (1668–1671) was installed. Methodios was from Crete and, prior to his election to patriarchal office, had served as Metropolitan of Iraklia where he was known as a reasonable man.[344] In 1671, he and Nektarios, Patriarch of Jerusalem, anathematized Paisios Leigardis of Chios for a tract he wrote called *The Interpretation of the Divine Liturgy,* which supported the liturgical innovations of the Catholic Church and the primacy of the Pope.[345] Methodios seems to have been a good administrator, but he had his differences with Nikousios, the Grand Dragoman. After the fall of Crete, the Ottomans granted Nikousios a church on the island which he, in turn, granted as a

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[340] Gedeon, *Patriarchikoi Pinakes,* 467.

[341] Peter Szabó and Véghseő Tamás, *Theophanes Mavrogordatos (1626–1688), Metropolitan of Paronaxia and Administrator of Munkács* (Nyíregyháza: Nemzeti Kulturális Alap, 2012), 105.

[342] During this short tenure, Parthenios was able to establish a hospital in Zakynthos (Zante) and reorganized the finances of an orphanage in the same island and the treasury of the Ionian Islands for the manumission of captives. Gedeon, *Patriarchikoi Pinakes,* 467–8.

[343] Gedeon, *Patriarchikoi Pinakes,* 467.

[344] Gedeon, *Patriarchikoi Pinakes,* 467.

[345] Ypsilantis, *Ta Meta,* 165.

*metochion* to the monks in the Sinai.[346] Methodios disagreed with this decision and reversed it.[347] As was noted previously, the patriarch and the monks of Mt. Sinai were in conflict over the control of Crete.[348] Many of the monks had emigrated to Mt. Sinai which was under the jurisdiction of the patriarch of Jerusalem. The monks wished to establish their own autocephalous jurisdiction that would be comprised of Crete and Mt. Sinai. The patriarch appointed a metropolitan of Crete in 1651. However, the Sinaitics prevented the installment of a patriarchal appointee until 1735.[349] Consequently, Methodios would have considered Nikousios' gifting of the Cretan church to the Sinaitics as an infringement of patriarchal authority.

In March 1671, Methodios resigned and Parthenios IV returned for a third term which lasted until August 1671.[350] Because of his differences with Parthenios, Methodios felt to be in danger from Parthenios and, thus, sought sanctuary at the English ambassador's house.[351] Because the hierarchs disliked Parthenios IV, he was removed from office after eight months.[352] His successor was Dionysios IV Komnenos (1671–1673). A member of a distinguished family from Istanbul, he was praised for being an educated man, having strong ties to the Ottoman government, and being conscientious

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[346] Ypsilantis, *Ta Meta,* 163.
[347] Ypsilantis, *Ta Meta,* 165.
[348] Çolak, "Relations," 87.
[349] Çolak, "Relations," 146.
[350] Gedeon, *Patriarchikoi Pinakes,* 470.
[351] John Covel, *Some Account of the Present Greek Church, with Reflections on their Present Doctrine and Discipline; Particularly in the Eucharist, and the Rest of their Seven Pretended Sacraments, Compared with Jac. Goar's Notes Upon the Greek Ritual, or Euchologion* (Cambridge: C. Crownfield, 1722), xx, 137.
[352] Ypsilantis relates a story that Parthenios sent a letter to the sultan in which he accused some hierarchs of plotting against the state. Parthenios implicated Nikousios among the plotters. The sultan sent the letter to Fazıl Ahmed Köprülü, the grand vizier. Fazıl Ahmed disbelieved the story and removed Parthenios from office and exiled him to Cyprus. Ypsilantis, *Ta Meta,* 166. The story seems improbable. However, it does point out the close involvement of laymen and Ottoman officials in the Church. Covel says that Nikousios assisted in Parthenios' removal. Also, he says that the French ambassador supported these hierarchs. Covel, *Some Account,* xx, 137.

and a zealot for properly administering the affairs of the Church.[353] However, he seems to have had differences with Nikousios which led to his ouster. According to Rycaut, the wife of Panagiotis Nikousios, "who being a high-spirited Dame, and elevated with the thoughts of her husband's riches and preferment, comported herself in the church, towards the Patriarch, with an arrogance indecent and mis-becoming the gravity of a principal Matron, which caused Dionysios sometimes to resent her carriage and to discourse contemptibly of her."[354] She complained to her husband and, when an opportunity arose, he had him ousted. Perhaps there was a rivalry between two proud and arrogant individuals. Perhaps there was a conflict in social status: on the one hand, the Patriarch being a descendant of an old established family of Istanbul and, on the other, the Grand Dragoman, born in Chios the son of a fur trader,[355] who occupied a senior position within the Ottoman administration and who freely funded Church projects. If there was a policy difference, the sources do not mention one.

***Theofanis's Plan to Submit to the Pope***

This turbulence at the top had repercussions further down in the Church. With each change of incumbent, the *peşkeş* had to be paid in order to obtain a *berat.* The new incumbent would need to borrow the money. The metropolitans and other hierarchs would then be taxed to pay off the debt. The dissatisfaction of the metropolitans would have given an opportunity to the Papacy to interfere with the patriarchate through metropolitans favorably disposed to Catholicism. Under these circumstances, a group of

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[353] Meletios, *Ekklisiastiki Istoria,* 468; Gedeon, *Patriarchikoi Pinakes,* 471. Dionysios' family traced its name to the pre-Ottoman rulers of Trebizond (Trabzon). Runciman, *Great Church,* 197; Vacalopoulos, *Greek Nation,* 241. The chronicler Ypsilantis shared in this lineage.

[354] Rycaut, *Greek and Armenian Churches,* 104–5.

[355] Greene, *History of the Greeks,* 131, 137, n. 7.

eight metropolitans coordinated by Theofanis of Paranaxos hatched a plan in 1668 to remove the sitting patriarch, install a Catholic or Latinophile as patriarch and submit to the Pope.[356] The plotters agreed that for the plot to succeed they needed the cooperation of the Vatican and the Catholic ambassadors in Istanbul. After receiving a positive response from local Catholic representatives, they decided to pursue their plan. In 1671, Theofanis went to Rome where he pledged obedience to Rome and received the assistance of the secretary of the Congregation for the Propagation of the Faith for his plan.[357] He was sent back to Istanbul to gather more information and prepare to execute the plan. Theofanis arrived in late 1671 when Dionysos IV had been made patriarch. Unfortunately, one of his conspirators, a Greek monk named Hilarion Bubuli, contacted Dr. Covel, the chaplain of the English ambassador. Mistaking him for a Catholic, Bubuli gave all of the details of the plot to Dr. Covel.[358] According to Covel, Theofanis was to assume the patriarchal office. Furthermore, Bubuli stated that the Jesuits and Capuchins were aware of the plot. With the plot revealed, Theofanis first hid in the house of the Genoese ambassador and eventually sailed with a French warship back to Rome in July 1672.[359] Patriarch Dionysios IV excommunicated him. According to Theofanis, of the other seven conspirators one was hanged, another was consigned to the galleys, the rest fled to Spain or Russia and one returned to the patriarchate. Thus, the plot to unite the patriarchate to Rome ended.

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[356] Szabó and Tamás, *Theophanes Mavrogordatos,* 89. The Curia's negotiations of the plan and its details are on pages 90–104.

[357] Szabó and Tamás, *Theophanes Mavrogordatos,* 89.

[358] Covel, *Some Account,* i-ii; Szabó and Tamás, *Theophanes Mavrogordatos,* 110.

[359] Szabó and Tamás, *Theophanes Mavrogordatos,* 111–2.

The plot was unrealistic for a number of reasons including the fact that it ran counter to French interests. France had long commercial interests in the Ottoman Empire. As far back as 1536, the French and the Ottomans had signed a commercial treaty. Underlying the treaty was a mutual opposition of both parties to the Habsburgs.[360] Over the next century, the relationship waxed and waned. During the early years of Louis XIV's reign, France provided some military assistance to the Habsburgs against the Ottomans. At the Battle of Szentgotthárd (located in western Hungary near the Austrian border) in 1664, a French contingent was part of the Habsburg army that defeated the Ottomans.[361] After the Battle of Szentgotthárd, there was a revival of the crusading spirit that saw French volunteers going to Crete to fight the Ottomans.[362] After the Treaty of Vasvár in 1664 between the Habsburgs and the Ottomans, both France and the Ottoman Empire were interested in improving their relationship.[363] Both had an interest in restricting the Habsburgs. The French also wanted improved access to commerce within the Ottoman Empire.[364] Negotiations were opened between the two states and the Ottomans sent envoys to France to determine Louis XIV's intentions for a treaty.[365] The two sides agreed to open negotiations and a new French ambassador was dispatched, Charles Olier, marquis de Nointel. In addition to negotiating political and commercial

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[360] Finkel, *Osman's Dream,* 127.

[361] Thomas M. Barker, *Double Eagle and Crescent: Vienna's Second Turkish Siege and Its Historical Setting* (Albany, NY: State University of New York Press, 1967), 25. The battle was one of a series of battles between the Habsburgs and the Ottomans over control of Hungary. Following its defeat, the Ottoman Empire signed the Treaty of Vasvár in 1664 that resulted in a twenty-year peace between the two adversaries. Finkel, *Osman's Dream,* 269. Antoine Galland, *Journal d'Antoine Galland son séjour à Constantinople: 1672–1673* (Paris: Libraire de la Societe Asiatique, 1881), vi.

[362] Barker, *Double Eagle,* 66–7. Some of these volunteers were veterans of Szentgotthárd.

[363] The Treaty of Vasvár ended the war between the Habsburgs and the Ottomans over control of Transylvania. The treaty called for a truce of twenty years which was broken by the Ottomans when they launched their second siege of Vienna in 1683. Finkel, *Osman's Dream,* 269.

[364] Faroqhi, *Ottoman Empire,* 145–6; Barker, *Double Eagle,* 67; Frazee, *Catholics and Sultans,* 101.

[365] Galland, *Journal d'Antoine Galland,* vii-viii; Barker, *Double Eagle,* 67.

matters, he was responsible for obtaining confessions of faith from the Orthodox patriarchs and other information.[366] In France at that time, French Huguenots, led by Jean Claude, and the Catholic Port-Royal school were disputing doctrinal differences, especially transubstantiation.[367] To burnish his Catholic credentials and to counter any criticism that he was negotiating with the infidel Muslims, Louis XIV wanted to demonstrate to the Protestants that the Orthodox supported the Catholic position.

***The Ottoman–French Treaty***

The Ottoman negotiator was Panagiotis Nikousios. Aware of the Porte's interest in successfully negotiating a treaty, he acted as the mediator between the French and the patriarchs. As a result, Parthenios IV, Klimis, Methodios III, and Dionysios IV provided signed confessions of faith to Nointel. On January 3, 1672, Dionysios commanded the parish clergy to announce and instruct the faithful on the true presence of Christ and the transubstantiation (in Greek, *metousiosis*) of the Eucharist.[368] In addition, Nikousios provided Nointel with numerous writings on Orthodox theology which supported the Port-Royal school and contradicted Jean Claude.[369] Having satisfied Nointel's religious objective, the French and the Ottomans successfully negotiated the commercial and diplomatic objectives of the treaty, which was signed August 17, 1673.[370]

Despite Nointel's success of obtaining confessions of faith and documents for Orthodox politics, the conflict between pro- and anti-Catholics continued. In 1691, Patriarch Kallinikos II called a synod that was attended by Dositheos II, Patriarch of

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[366] Szabó and Tamás, *Theophanes Mavrogordatos,* 105.
[367] Runciman, *Great Church,* 306.
[368] Galland, *Journal d'Antoine Galland,* 20; Covel, p.137.
[369] Galland, *Journal d'Antoine Galland,* 18–9, 55–6.
[370] Galland, *Journal d'Antoine Galland,* xiii.

Jerusalem, a large number of clergy and laymen, including Alexandros Mavrokordatos, Nikousios' successor as Grand Dragoman.[371] The decision of the synod reaffirmed the use of the term *metousiosis*. Nevertheless, suspicions of pro-Catholic sympathies persisted, and were used as a political tool. For example, the hierarchs disliked Patriarch Athanasios V (1709-1711) because of his stern rule.[372] Thus, they accused him to the grand vizier as introducing Frankish innovations. The innovation they cited was the patriarch's translation of Franciscus à Mesgnien Meninski's *Thesaurus Linguarum Orientalium*, a dictionary of Turkish, Arabic and Persian translated into Latin and published in 1680.[373]

**The Ottoman Position on Missionaries**

The Ottoman response to Western missionary efforts towards the Orthodox was conditioned by three factors: the theological controversies, the diplomatic consequences of missionary activities and the effects of social stability within the Ottoman Empire.

According to Hering, "The Porte was indifferent to theological problems. It would intervene in matters of the Church for political expedience. In most of these interventions, it did not show respect to governmental or legal rights."[374] Hering is correct in his first statement. The Ottomans, as Muslims, considered all infidels as infidels regardless of theological nuances.[375] As for the second part of the statement,

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[371] Vaporis, *Codex Gamma*, 19–20, n. 2.

[372] Meletios, *Ekklisiastiki Istoria*, 5.

[373] "Franciscus a Mesgnien Meninski," Wikipedia, last modified September 19, 2019, https://en.wikipedia.org/wiki/Franciscus_a_Mesgnien_Meninski.

[374] Hering, *Oikoumeniko Patriarcheio*, 27.

[375] This is not to say that dialogue between Christians and Muslims did not exist. Over the centuries, formal debates were held between the two parties. In the mid-seventeenth century, the chroniclers do not give a date, Fazıl Ahmed, the grand vizier, organized a formal debate in the presence of Sultan Mehmed IV between Panagiotis Nikousios and Vanli Efendi, the Kadizadeli preacher. The aim of the debate was to convince Nikousios to convert to Islam. However, Nikousios held his ground against his rhetorical

Hering is expressing the view of the Ottoman Empire that was prevalent among Western scholars until recently. These scholars saw Ottoman policy as being capricious and motivated by the corruption and intrigue of officials.[376]

Recent scholarship has questioned the assumptions upon which these views were based. Linda Darling states that the West has little understanding of Middle Eastern political culture.[377] This is because Middle Eastern political culture does not fit into Western conceptions or paradigms of political organization. Therefore, Western scholars categorized Middle Eastern government as absolute monarchy and, thus, as personal rule and capricious. Darling argues that there was a model which preceded Islam and is known as the Circle of Justice. The model is encapsulated in a simple mnemonic.

- No power without troops.
- No troops without money.
- No money without prosperity.
- No prosperity without justice and good administration.[378]

Justice was defined as the maintenance of social balance, the provision of whatever was necessary to maintain taxpayer's productivity and ability and willingness to support the state.[379] In order to identify injustice, whether from landlords, local lords, or government officials, subjects always had the right to go over their head and petition (*arzuhal*) the ruler, whether about their needs, against their overlords, or even the ruler

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opponent. A description of the debate is in Sieur De la Croix, *Etat Present des Nations et Eglises Greque, Armenienne et Maronite en Turquie* (Paris: Pierre Herissant, 1741), 247–60; Ypsilantis, *Ta Meta,* 164.

[376] Arnakis, Greek Church of Constantinople, 235.

[377] Linda T. Darling, *A History of Social Justice and Political Power in the Middle East: The Circle of Justice from Mesopotamia to Globalization* (New York: Routledge, 2013), 2.

[378] Darling, *Social Justice,* 3.

[379] Darling, *Social Justice,* 5.

himself.[380] Several examples of these petitions are referred to in the section on law and justice.

Oded Peri focused on the possession of Christian Holy Places in Jerusalem, which were a major issue between the Orthodox, the Armenians, and the Catholics whom the French were keen to support. Peri provides some indicators for Ottoman responses to inter-Christian conflict for possession of the Holy Places that may be applicable to the Orthodox–Catholic rivalry within the Ottoman Empire.[381] As general principles in shaping Ottoman policy in these rivalries, Peri points out that the Ottomans were inheritors of a long Muslim tradition which recognized the right of non-Muslim communities to exist and to worship.[382] Second, there was the Islamic indifference towards doctrinal differences among non-Muslims as previously mentioned.

He goes on to investigate specific factors that may have influenced the Ottomans. First, there is the question of bribes and payoffs.[383] His conclusion is that to the extent that they existed, they were a minor factor in determining which sect possessed the Holy Sites and that local officials were involved rather than the central government.[384] The second element was local pressures.[385] By this he means that the central government would depend on the information and advice of local notables, such as ulema, Sufi sheikhs, descendants of the Prophet (*eşraf*), and others. These individuals made up the

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[380] Darling, *Social Justice*, 7. It is interesting that the first amendment to the U.S. constitution includes the freedom to petition the government for a redress of grievances.

[381] Oded Peri, *Christianity Under Islam in Jerusalem: The Question of the Holy Sites in Early Ottoman Times* (Leiden: Brill, 2001).

[382] Peri, *Christianity Under Islam,* 154–5.

[383] Peri, *Christianity Under Islam,* 138–45.

[384] Peri, *Christianity Under Islam,* 144–5. Two other points should be kept in mind. First, the *peşkeş*, as has already been discussed, was not a personal "gift" to the sultan but a tax that was paid directly to the treasury. Second, gift giving by subordinates to superiors in order to curry favor was a common practice.

[385] Peri, *Christianity Under Islam,* 145–9.

elite of the Muslim community and could influence or be the expression of public opinion. It is not much of a stretch to imagine that the Ottomans would do likewise with Christian leaders when it came to inter-Christian conflicts. We have seen how influential Nikousios was within the Porte and how involved he was with ecclesiastical affairs. Also, there were the ruling patriarch, ex-patriarchs, and others such as Nektarios (1661–1668) and Dositheos (1669–1707), patriarchs of Jerusalem, who frequently visited Istanbul to assert and defend their claim to the Porte. In accordance with the theory of the Circle of Justice, the Ottomans were concerned with maintaining a balance between rival interest groups. However, there were contingencies that influenced the policy and actions of Ottoman officials. For example, as was previously discussed, Köprülü Mehmed's execution of the three patriarchs in the 1650s was motivated by concerns over Russia's expanding influence over Ukraine and possible connivance between the patriarchs and the Russians. What I found interesting in these episodes was that the three chroniclers I have been using—Meletios of Athens, Kaisarios Dapontes, and Ypsilantis—placed the blame for the executions not on Mehmed, but on third parties: the Khans of Crimea or Jews.

The third specific factor Peri identifies is foreign pressures. In regard to ownership of the Holy Places, by 1675 the Orthodox were successful in securing majority control from the Catholics over them.[386] They accomplished this by means of petitions and legal appeals to *şeriat* courts as Peri exhaustively describes in his book. However, under pressure from the defeats resulting from the failure of the siege of Vienna in 1683, the Ottomans were anxious to secure French diplomatic support against the Holy

[386] Peri, *Christianity Under Islam*, 109.

Alliance. To gain French support, "the Ottoman government indicated its willingness to intervene in the inter-church conflict over the Holy Sites and impose an arrangement congenial to France-cum-Catholic church."[387] In 1686, a commission was established to look into the conflict, and it determined that Roman Catholics should have majority control of the Sites. Preparing for his campaign to retake Belgrade in 1690, Köprülü Fazıl Mustafa, the grand vizier, issued a *ferman* returning ownership to the Catholics in order to secure stronger backing from France.[388] As was pointed out earlier, the Ottomans had given support to the Russian request for Podolia and Ukraine to be transferred to Moscow's ecclesiastical control. Under the extreme pressure of military defeat, the Ottomans had opened a door for foreign powers to interfere in what were internal Ottoman affairs.

***The Orthodox Response to Missionary Activities***

By the end of the seventeenth century, the patriarchate had met the challenge of missionary activities in a number of ways. The first was ideological. Through a number of synods, it defined Orthodox doctrine in ways that were neither Protestant or Catholic.[389] The church relied on laymen, such as Nikousios and Mavrokordatos, who had studied in the West and were knowledgeable of Western philosophical and theological trends. Second, the patriarchs and other hierarchs began establishing or reforming existing schools in competition with schools the Catholics were establishing. Here again, it relied on laymen to fund these institutions. For example, Manolakis the

[387] Peri, *Christianity Under Islam*, 152.
[388] Peri, *Christianity Under Islam*, 153.
[389] For a summary on the attempts of the Orthodox to respond to non-Orthodox doctrinal questions, see Runciman, *Great Church*, 339-354.

furrier funded schools in Istanbul, Chios, Arta, and İzmir.[390] In 1691, Kallinikos II reformed the patriarchal academy to incorporate secular subjects in the European manner.[391]

The third way was by appealing to the Ottoman state. While the Orthodox community had always been close to the Ottoman state and society, the relationship intensified in the second half of the seventeenth century. From the time of Mehmed II, the Ottomans had recognized the Orthodox as a bulwark against Western military threats. Therefore, it was no surprise when the Venetians attacked the Morea and Chios in 1687 and 1694 respectively, the Orthodox populations resisted them and supported the Ottomans.[392] The Phanariots and other lay members of the Orthodox elite had been integrated into the Ottoman system, but now they held official positions within the Ottoman bureaucracy and had direct access to the highest Ottoman officials.[393] As a *malikane*, the patriarchate provided increased funds to the Ottoman treasury. All of these factors made the Orthodox community more valuable to the Ottomans.

The patriarchs were able to use their increased status in the eyes of the Porte to appeal directly to it in order to discipline members of the clergy who had expressed interest in the French community and Catholicism. In the period 1710–1713, the patriarchate petitioned the Porte on three separate occasions to discipline members of the clergy.[394] The clergy involved were accused of disorder (*ihtilâl*). The imperial divan

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[390] Meletios, *Ekklisiastiki Istoria*, 468–9; Greene, *History of the Greeks*, 208–9. For other schools established primarily in the seventeenth century, see Runciman, *Great Church*, 215–8.

[391] Ypsilantis, *Ta Meta*, 204–8.

[392] Ypsilantis, *Ta Meta*, 221–2

[393] For a perceptive connection between the Greek enlightenment of the late seventeenth and early eighteenth centuries and the Ottoman enlightenment, see Greene, *History of the Greeks*, 192–215.

[394] Karen Alexandra Leal, "The Ottoman State and the Greek Orthodox of Istanbul: Sovereignty and Identity at the Turn of the Eighteenth Century" (PhD diss., Harvard University, 2003), 375–6.

banished some, one was condemned to the galleys and a metropolitan was removed from his see but was eventually reinstated. These actions were recorded in *mühimme* registers, a record of important events referred to the Imperial Divan for action. The *mühimme* registers were used to process and resolve petitions from subjects discussed under the Circle of Justice.[395]

In another move in 1722, the patriarchate was granted a *ferman* which forbade all further conversions to Catholicism from among the laity.[396] Missionaries would henceforth be required to minister only to fellow Catholics residing in the empire. Of course, these petitions and *fermans* did not stop Catholic influence among non-Catholic laity. What these actions indicate is the Ottoman state's interest to preserve the status of the patriarchate and prevent what was considered the disorder resulting from inter-communal conflict. For the patriarchate it resulted in an enhanced status in the eyes of the Ottomans and another means by which to confront missionary activity towards its flock.

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[395] Leal, " Ottoman State," 375, n. 44, n. 45; *New Redhouse Turkish-English Dictionary*, s.v. "mühimme."

[396] Leal, " Ottoman State," 375; Masters, *Christians and Jews*, 85.

# Conclusion

> With a foundation in the Roman-Byzantine [legal] tradition, but also with the strong assistance of the Ottoman central authority…., the Great Church [the patriarchate] was able to pull itself together after the fall of Byzantium. It was able to devote itself to Ottoman rule as an economic, social and political factor. Moreover, it was able to act in a meaningful manner in the international political area.[397]

The thesis of this paper has been to refute the older nationalist paradigm of the patriarchate and the Ottoman state as constant and essentially unchanging during its endurance over four centuries. The paper has surveyed the relationship between the Ottoman state and the patriarchate in the seventeenth century from different perspectives: legal, fiscal, and diplomatic. The history of the patriarchate cannot be understood apart from the changes that occurred within the Ottoman Empire. What stands out is that the relationship between the Ottoman state and the patriarchate was not static but rather fluid and dynamic. Moreover, the patriarchate was not just a passive agent within the Empire, but rather it actively strived to define and enhance its position within the Ottoman milieu.

A major challenge faced by the Ottoman state was financial turmoil and the need for increased revenues. As a result, the fiscal importance of the patriarchate grew. The annual *miri* tax in 1714, when the patriarchate became a *malikane*, increased to 20,000 *guruş* or 2.4 million *akçe*.[398] The 2.4 million *akçe* of 1714 represents a 250% increase over the *peşkeş* of 930,000 *akçe* of 1662. The patriarchate was able to meet the challenge of increased taxation by tapping into the increased wealth of the emerging Orthodox middle class, not just in Istanbul but also in other cities and provinces. In previous centuries, rich laymen, many descendants of the pre-conquest Byzantine nobility and

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[397] Konortas, *Othomanikes Theoreseis*, 42.
[398] The *guruş* was valued at 120 *akçe.* Pamuk, *Monetary History*, 163.

connected to the Ottoman court such as Michael Kantakouzinos, had played a major role within the patriarchate. What was new in the seventeenth century was the emergence of a class of self-made men from diverse backgrounds: traders, merchants, moneylenders, guilds, and so on. Among those cited in this work were Manolakis the furrier from Kastoria in western Macedonia and Panagiotis Nikousios and Alexandros Mavrokordatos from the island of Chios. The latter's father was a merchant.[399] They all vied to gain the influence and patronage of the patriarchate. They and the lesser known were willing to finance the patriarchate and use their connections with the Ottoman government on its behalf. In return, they benefited from the patronage of the church and a share of the tax collections and patronage of Ottoman officials.

To assure the efficient collection of revenues and the orderly stability of the Orthodox community, the state increased the legal authority of the patriarchate over its members. The patriarchate, in turn, tried to expand its own legal control of its subjects and limit their access to other legal authorities such as the *şeriat* courts. In trying to limit the access of its flock to other legal authorities, the success of the patriarchate was limited and, thus, it had to rely on compromise. The irony is that the patriarchate itself would reach out to *şeriat* courts when it served its purposes. Nevertheless, it was able to extend its reach, not *de jure* but *de facto*, by acting as an arbitrator in areas such as commercial and business law that were outside the scope of the *berats.* These changes, fiscal and legal, set the trajectory for the eighteenth century during which the patriarchate became a more centralized and bureaucratized institution.

[399] On the origins of the Mavrokordatos family, see Runciman, *Great Church*, 367.

The major challenge the patriarchate faced was from Western missionaries. The patriarchate responded in numerous ways both in Ukraine and the eastern Mediterranean. It defined and clarified its position between Protestantism and Catholicism and set firmer boundaries between itself and the two other confessions. It met the cultural and religious challenge from the West by establishing its own schools, establishing its own printing presses outside of the Ottoman Empire (the only printing press established within the Ottoman empire was the short-lived one of Kyrillos Loukaris), and accepting Western learning and ideas, such as neo-Aristotelianism.[400] In rising to this challenge, the patriarchate relied upon the same lay elements that it did to assist it in fiscal matters and dealing with the Ottoman state. Laymen undertook the responsibility to fund existing schools or establish new ones. European-educated individuals, such as Pegas, Loukaris, Nikousios and Mavrokordatos, transmitted Western learning and thinking to Orthodoxy during the Ottoman period. They also acted as intermediaries with the Ottoman government to present the interests of the patriarchate to the Porte and, conversely, the Porte's interests to the patriarchate, for example, Nikousios during the negotiations with Nointel. Certainly, the Ottomans were willing to sacrifice the patriarchate's interest for *raison d'état*. Thus, the Porte had the patriarchate surrender ecclesiastical jurisdiction of Podolia to the Russians whose neutrality they needed. Likewise, the Ottomans reversed their policy of favoring the Orthodox for possession of the Holy Places and gave them back to Catholics because they needed French diplomatic support against the Holy Alliance.

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[400] Greek printing presses were well established in Italy by the sixteenth century. Vacalopoulos, *Greek Nation,* 160–1.

Despite these setbacks and the execution of four patriarchs in the seventeenth century, one can agree with Konortas's statement at the beginning of this section that the patriarchate showed itself as an integral factor within the Ottoman system.

# Appendix A: List of Patriarchs of Constantinople, 1646–1714

| Name | Term | Date of term | Remarks |
|---|---|---|---|
| Ioannikios II | 1st | 1646–48 | Retired |
| Parthenios II | 2nd | 1648–51 | Hanged |
| Ioannikios II | 2nd | 1651–52 | Retired |
| Kyrillos III | 1st | 1652 | Retired |
| Athanasios III | 2nd | 1652 | Retired |
| Paisios I | 1st | 1652–53 | Retired |
| Ioannikios II | 3rd | 1653–54 | Retired |
| Kyrillos III | 2nd | 1654 | Deposed |
| Paisios I | 2nd | 1654–55 | Retired |
| Ioannikios II | 4th | 1655–56 | Retired |
| Parthenios III | | 1656–57 | Hanged |
| Gabriel II | | 1657 | Deposed; hanged in 1659 |
| Theofanis II | | 1657 | Deposed; in office for three days |
| Parthenios IV | 1st | 1657–62 | Retired |
| Dionysios III | | 1662–65 | Deposed |
| Parthenios IV | 2nd | 1665–67 | Deposed |
| Klimis | | 1667 | Deposed; exiled |
| Methodios III | | 1668–71 | Retired |
| Parthenios IV | 3rd | 1671 | Deposed |
| Dionysios IV | 1st | 1671–73 | Deposed |
| Gerasimos II | | 1673–75 | Deposed |
| Parthenios IV | 4th | 1675–76 | Deposed |
| Dionysios IV | 2nd | 1676–79 | Deposed |
| Athanasios IV | | 1679 | Deposed; exiled |
| Iakovos | 1st | 1679–82 | Deposed |
| Dionysios IV | 3rd | 1682–84 | Retired |
| Parthenios IV | 5th | 1684–85 | Retired |
| Iakovos | 2nd | 1685–86 | Deposed |
| Dionysios IV | 4th | 1686–87 | Retired |
| Iakovos | 3rd | 1687–88 | Retired |
| Kallinikos II | 1st | 1688 | Deposed |
| Neofytos IV | | 1688–89 | Deposed |
| Kallinikos II | 2nd | 1689–93 | Deposed |
| Dionysios IV | 4th | 1693 or 94 | Retired |
| Kallinikos II | 3rd | 1694–1702 | Died in office |
| Gabriel III | | 1702–07 | Died in office |
| Neofytos V | | 1707 | Deposed |
| Kyprianos | 1st | 1702–09 | Deposed |
| Athanasios V | | 1709–11 | Retired |
| Kyrillos IV | | 1711–13 | Deposed |
| Kyprianos | 2nd | 1713–14 | Retired |
| Kosmas III | | 1714–16 | Resigned |

## Appendix B: The *Berat* of Patriarch Dionysios III Bardalis, 1662

Art. 1 – The bearer of my royal *ferman,* Dionysios, a model of the community of the Messiah and the leader of a proud race, as has been said about him, has been appointed patriarch in place of Parthenios [IV] according to prevailing laws. In accordance with my royal *berat*, he is the patriarch of the unbelievers in Constantinople and its environs. Anyone else ceases [to be in that office].

Art. 2 – According to the prevailing system, the aforementioned Patriarch Dionysios has deposited with the treasury (*hazine*), at various times, nine loads and sixty purses of *akçes* of the traditional gift (*peşkeş*) of ten loads of *akçes*. Thus, the first day in the month of Muharrem, 1073 [5 August 1662] I have given him my royal *berat* and order:

Art. 3 – The metropolitans, priests, monks, abbots, nuns and others of the unbelieving community, great and small, who are found in Constantinople and the environs of Galata, Hasilar [?],….. Silybria [Silivri], Irakleia [Barakli Cuma], Raidestos [Tekirdağ], Kallipolis [Gelibolu], Ainos [Enez], Maroneia [Maronya], Serres [Siroz], Drama, Thessaloniki [Selanik], Larissa [Yeni-şehir-i Fenari], Verroia [Veria Karaferye],…..Egrippos [Eğriboz], Agia Maura [Ayamavra], Rhodes [Rodos], ……Inepolis [Inebolu], Zichni [Zihne], Didymoteicho [Dimetoka], Sofia, Filippopolis [Filibe], Tornobo [Tarnovo], Anchialos [Ahyolu], Varna, Sozopolis [Sizebolu], Iambolis [Yambol], Tservenois [Chevernic]……Nikopolis [Niğbolu], Ipraila [Ibrail], Ismaila [Izmail]…Theodosopolis [Erzurum], Artaki [Erdek], Marmara, Smyrna [İzmir], Magnesia [Manisa], Ephesos [Efes], Iconion [Konya], Amaseia [Amasya], Filadelfia in Kaisareia [Alaşehir], Neokaisareia [Niksar], Rizaion [Rizıe], Kerasounta [Girezun],

Trapezounta [Trabzon], Tokateion [Tokat], Ankyra [Ankara], Kotyaio [Kütahya], Gangra [Çankırı], Attaleia [Antalya], Kamahio [?], Elmalion [Elmalı], Chios [Sakız], Rhodes [Rodos], Crete [Girit], Tenedos [Bozcaada], Samos [Sisam], Lemnos [Limni], Kos [İstanköy], Mytilini [Midilli], ……Naxos [Nakşa], Kiordois [?], Andros [? ], and in the principalities of Wallachia and Moldavia, Russia [Ukraine] and Muscovy, recognize the aforementioned Dionysios as their patriarch. They should refer to him their affairs and subordinate themselves to his authority. They should not put aside, according to their usual custom, his words, and fail to offer him their respect and treat him well.

And as previous patriarchs of the unbelievers of Constantinople and its environs who have held dominion and authority over them, the aforementioned patriarch will have the same. He shall undertake the patriarchal fruitful duties, as before, to (*ocaklik*) provision the *bostancıs* the defined amount of two hundred ninety thousand and three hundred *akçe* (*peşkeş*) as a donation. Every three months, without interruption, he shall deposit into the treasury seventy five thousand *akçe,* and in return he shall receive a receipt with a seal showing full payment.

Art. 4 – Let no one from the outside [*birun*] interfere with the exercise of his patriarchal authority. If any churches or monasteries are found within my realm, let no one take them from him without my sacred permission. Further, let no one interfere with repair of these without taking into consideration the sacred law (*şeriat*) in accordance with ancient custom.

Art. 5 – The properties of metropolitans, priests, monks and nuns who are subject to patriarchal authority shall be the possessions of the aforementioned patriarch. With

certain other properties belonging to his person [the patriarch], let not the *kassams* [inheritance law officials] or the *mütevellis* [administrators] of the treasury (*beytülmal*) peremptorily interfere with them.

Art. 6 – Without the written and sealed approval of the patriarch, let no one give away a metropolitan or episcopal see, authority or possession.

Art. 7 – If any unbeliever subject to his authority intends to marry or divorce a woman, no one shall come between them except the aforementioned cleric or by my sacred order and with a letter from his [the patriarch's] appointed agent.

Art. 8 – When clerics die (*mürd oğlan*) and in accordance with their void religious custom they bequeath whatever for the poor of their Church, the testimony of Greek (*Rum*) witnesses shall be valid and executable.

Art. 9 – Let no one interfere or prevent the patriarch from disciplining, according to their religion and under his authority, those who err, be they metropolitans, bishops, abbots, monks or priests.

Art. 10 – If priests conduct illegal marriages, in the absence the patriarch's or his representatives' knowledge, they shall be tried in accordance with divine law [*şeriat*] in my own divan.

Art. 11 – Let no one interfere in the [proper] appointment of a priest.

Art. 12 – According to their religion, the aforementioned patriarch may stop the appointment of candidates as metropolitans, bishops, priests, monks and abbots. The new

incumbents, according to ancient custom, shall be examined in my capital city and then they shall deposit in the treasury the customary donation, in accordance with my sacred *berat.* Then I shall provide them possession and authority [of their office]. Without a sealed petition from the patriarch, no metropolitan or episcopal see shall be given [to anyone].

Art. 13 – If privileges of the aforementioned patriarch are provided to metropolitans, bishops, monks, priests, abbots and whoever else of the unbelievers in accordance with the law and their *berats*, when they are in Istanbul, shall come with my sacred command and his letter [of appointment] and pay that which is to be paid.

Art. 14 – The unbelievers shall pay the annually required taxes, alms, collections at fairs, weddings, donations from monasteries and similar patriarchal privileges. They shall maintain an account of each item as well as of their *berats*. They shall not be negligent in delivering to the aforementioned patriarch what is due to him.

Art. 15 – The monks under the authority of the aforementioned patriarch, who have renounced the world, are not allowed to wander about but must be returned to their monasteries.

Art. 16 – As for the aforementioned patriarch, according to my command to collect taxes, he shall appoint agents who have guides to guide them through dangerous places. When they change clothing and carry arms, no one should peremptorily interfere with them from the *mirlivâs* [provincial governor], *vayvodas*, *şubaşıs,* or others in according with regulation.

Art. 17 – The written promissory notes that he uses for the metropolitans and bishops for settling taxes are considered valid and should not be interfered with.

Art. 18 – No one can forcibly convert to Islam an unbeliever without his consent.

Art. 19 – Patriarchs from other lands who come to my capital for their own purposes shall work together with the aforementioned patriarch without the interference of any outsider.

Art. 20 – If some metropolitans and bishops lack the resources to pay their taxes, instead of money they offer to the aforementioned patriarch textiles, clothing, other things and *akçes,* when their agents and the people transporting the items go in and out of stations called *bac* [toll], they should not be interfered with by any employees or pay tolls and taxes.

Art. 21 – When the agents and employees of the aforementioned patriarch collect the fruits from fields which have been given by unbelievers for charitable purposes, whether it is honey, oil, wheat or must, the tax employees and the *yasakcis* [prohibitors] of wine will not interfere with them. Also, these men of the patriarch and their subordinates shall not be subjected to governmental burdens, capitation taxes (*cizye*) and arbitrary taxes.

Art. 22 – As the previous patriarchs of Constantinople held possessions and power according to their ancient *berats,* the aforesaid patriarch also has them. And as the previous patriarchs had possession and authority, likewise the aforesaid patriarch exercises power and authority over the belongings of the church, vineyards, gardens, *çiftliks* [farms], fields and meadows, and the fairs, and the monasteries, and the blessings, and the mills, and other things donated to the church. Let him thus rule over all and let no

outsider intervene and disturb him. Thus, having witnessed this [*berat*], all should have trust in my sacred seal.

## Glossary

**Agiasmos** Tax on springs and wells that were considered holy and therapeutic. Visitors would normally make a donation.

**Archbishop** In the Church of Constantinople, a bishop without subordinate bishops and directly under the jurisdiction of Patriarch of Constantinople.

**Archon** Laymen of prominence, recognized leaders of the community. Status was due to wealth and/or influence with the Sublime Porte. (pl. archontes)

**Autocephalous** Self-governing jurisdiction within the Orthodox Church whose head is chosen by a synod and consecrated by the bishops of that jurisdiction, e.g. Patriarchate of Moscow.

**Autonomous** Self-governing church but the head of which is consecrated by an autocephalous primate, e.g. the autonomous Church of Crete under the autocephalous Patriarchate of Constantinople.

**Embatikion** Fee paid to the hierarch by clergymen at the time of their appointment.

**Exarchate** Assets of an ecclesiastical see that were separated from it and given to someone else, usually laymen, as compensation for services rendered.

**Filotimon** Fee paid to a newly elected patriarch and metropolitan by hierarchs subject to them. The fee would extend to clergymen and laymen, payable to the hierarch.

**Hierarch(s)** One of episcopal rank; bishop, archbishop or metropolitan.

**Kanonikon** Annual fee paid by each family and clergyman to the hierarch.

**Metochion** Ecclesiastical property (church, monastery, fields, etc.) separated geographically from its owner.

**Panagir** Local market or fair usually held on church or monastic properties. Vendors would pay a fee to the establishment.

**Pangarion** Table at the entrance to a church from which a worshiper would purchase a candle.

**Stavropigion** A monastery in whose foundations a cross has been set. Such monasteries were under the direct authority of the patriarch of Constantinople and free from the jurisdiction of another hierarch.

**Synoikisia** Fee paid to the hierarch for a wedding contract.

**Zitia** Irregular fee imposed by the Patriarch on the hierarchs to help pay the general indebtedness of the Church.

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