Socio-political changes, confessionalization, and inter-confessional relations in Ottoman Damascus from 1760 to 1860
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CHAPTER 6: THE TRANSFORMATION OF THE ḎIMMĀ STATUS AND STATE-SOCIETY RELATIONS

The reforms which followed the Crimean war upset social hierarchies and transformed the place of non-Muslims in the Ottoman Empire. Central to this transformation is the legal status of the *ḏimma*, which was gradually abolished from the 1856 decree onwards. This status was central to the governmentality of the Ottoman and Islamic empires in general. Yet, the *ḏimma* was a social contract which underlined not only non-Muslims interactions with the state but also with their Muslims neighbors. The abolition of this status thus entailed a complete re-imagination of society and the relation between religious groups. It also led to an important legislation effort on the part of *fuqahāʾ*, or jurists, to adapt to this new context. The transformation of the *ḏimma* also had dire consequences for the legitimacy of the state and is referred to in the accounts of the violence of 1860.[1] This chapter will displace the debate on the *ḏimma* as a tool of either oppression or accommodation by rather looking at it as a dynamic status. It will point to its transformation rather than evaluate its performance in managing a plural society. The various interpretations of the *ḏimma* will be explored as well as their interaction with the *Tanzimat* reforms.

This chapter will delve into the status of the *ḏimma* and the consequences of its transformation for inter-confessional relations. First, we will explore the nature of the *ḏimma* and its central place in the legitimacy of the state. Then, we will look at various jurists' discussions regarding the abolition of the conditions of the *ḏimma*. Subsequently, we will analyse the influence of the *ṭarīqā* Naqšbandīya on the interpretations of these reforms in

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[1] *Aḥwāl al-naṣārā*, 5; *Kitāb al-āḥzān*, 24.

Damascus. Finally, we will look at the role of the *ṭarīqā* in challenging the legitimacy of Sultan Abülmecid.

1. The *Ḏimma* as a Dynamic Status

The political role and social position of non-Muslims in the Ottoman empire was quite variable, depending on the region, the time period, patron-client relationships and the composition of the political and economic elite. A common conceptual framework which created a certain continuity across space and time is the notion of the *ḏimma,* a juridical status that regulated the belonging of non-Muslims in a Muslim polity. It had implications for the relationship between the Ottoman government and its non-Muslim subjects but also for inter-confessional relations between Muslims and non-Muslims. It was often mentioned in the accounts of inter-confessional relations as a factor either of coexistence or persecutions. Yet, the nature of the *ḏimma* is rarely discussed and often presented as unchangeable. Chronicles, administrative and consular archives consulted for this research however present a more dynamic picture of the *ḏimma,* pointing to the evolution in this status, the various degrees of its applications and the diversity of interpretations regarding its purpose. Non-Muslims also had various visions of the *ḏimma*, from restrictive to protective. They either used it as a tool of negotiation or rejected the restrictions associated with this status.

The *ğizya,* or special tax applied to non-Muslims, was abolished by the Islahat Fermanı of 1856. It was the main condition of the *ḏimma.* This abolition created what James Fearon and David Latin, in their work on ethnic conflict, define as a 'commitment problem'. This problem arises whenever the balance of ethnic power shifts and the system of checks and balance is challenged. The existing social contract is thus no longer effective to regulate inter-confessional relations, leading to violence.[2]

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[2] James Fearon and David Latin, "Violence and the Social Construction of Ethnic Identity," *International Organization* 54, vol. 4 (Autumn 2000): 845-877; See also David A. Lake and Donald S. Rothchild, *The International Spread of Ethnic Conflict : Fear, Diffusion, and Escalation* (Princeton, N.J.: Princeton University Press, 1998), 51.

Interestingly, the abolition of the *ğizya* seldom appeared among the political demands of non-Muslims in Damascus. Rather the 1831-1854 period was underlined by disputes regarding the distribution of taxes among the different societal groups.[3] Before the decree of 1856, Christians in Damascus did not try to avoid the *ğizya*, but rather used their payment of this tax as a proof of their loyalty and as a basis to demand justice and protection. For example, in an outline of demands presented to the Austrian diplomats in 1840 regarding the organization of Mount Lebanon, the representative of the Maronite church demanded the abolition of all taxes except the *miri* and the *ğizya* which he described as part of custom.[4] Taxes established by custom were seen as fairer than new ones, perceived as innovations.

Another example is the Greek Catholic patriarch Maksīmūs Maẓlūm's use of the logic of the *ḏimma* to obtain redress. In 1847, he complained to the central government about the decision of the *mağlīs* of Aleppo to forbid Christians to buy property from Muslims. He argued that according to *šarīʿa*, Christians belong to the *āhl i-ḏimma*, and that according to this contract, they are to be treated as equal to Muslims once they paid the *ğizya*. According to him, this contract was reinforced by the *Tanzimat* reforms. He then stated that since the Islamic conquest no such law of forbidding purchases had been passed and that religious groups always purchased from each other.[5] According to Maẓlūm, the reforms just came to remind the policy-makers of the social contract bounding Muslims to non-Muslims. His main reference in making this complaint was the *šarīʿa*, not the reforms. Maẓlūm also cited the Pact of ʿUmar in various occasions as a basis to prevent the oppression of Greek Orthodox towards Greek Catholics.[6] The use of the *ğizya* to demand equality contrasted with the discussions that took place after the Islahat Fermanı of 1856. In this later period, non-Muslims no longer pointed to their payment of the *ğizya* as a ground to demand justice, but rather demanded

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[3] On this subject see Chapter 7.
[4] Makdisi, *Culture of Sectarianism*, 62.
[5] BOA, A.DVN.21.12, September 1st 1847.
[6] Maẓlūm, *Nubḏa tārīḫīya,* 323.

equal treatment with Muslims or other *milel*[7] just by virtue of being subjects.[8] This epistemologic shift demonstrates the adaptation of non-Muslim's strategies to the state discourse.

The *ḏimma* contract was embedded in the highly hierarchical Ottoman system of rule and perception of the world. According to Pierre Bourdieu, law is a representation of reality but also a tool of reproduction of social hierarchies. It is thus a dynamic discourse and a tool of institutionalization of values.[9] The *ḏimma* was underlined by Islamic conceptions of the common good (*maṣlaḥa*), justice (*'adl*), morality (*taqwā*) and the relationship between humans and God.[10]

2. Abolition of the *Ḏimma*?

How did jurists react to these transformations of the hierarchies and the social order? Did they try to legitimize the reforms through the use of *iǧtihād*,[11] or did they instead voice their criticism against these changes? What arguments were put forward? The *ḏimma* status, as a central aspect of the state-society relations, was intrinsically linked to notions of justice, social order, and state legitimacy. Societal developments affected how jurists perceived the *ḏimma* and the legal decisions they took accordingly. This status is often presented as a side issue of Islamic polities. However, the *ḏimma* is at the heart of the state-society relationship as it is a basis of state legitimacy.[12] The question whether the *ḏimma* had been abolished or not by the reforms of the *Tanzimat* was present in accounts of the violence of 1860. According to some, the reforms abolished the *ḏimma*, thus non-Muslims lost their *'iṣma* and were no longer to be protected by the state.[13] This argument was used to justify violence or at least to prevent its punishment. A pamphlet distributed before the violence of 1860 promoted the idea that

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[7] Plural of *millet*.
[8] Mishāqah, *Murder, Mayhem*, 226.
[9] See Pierre Bourdieu, "La force du droit. Éléments pour une sociologie du champ juridique," *Actes de la recherche en sciences sociales* 64 (September 1986): 13.
[10] Emon, *Religious Pluralism*, 140, note 131.
[11] Legal innovation
[12] Ibid, 18.
[13] *Aḥwāl al-naṣārā*, 5; *Kitāb al-āḥzān*, 24.

Christians had overstepped their limits, had broken the *ḏimma* contract. This pamphlet argued that, as a consequence, Christians were no longer to be protected and could be targets of violence.[14] The author of *Kitāb al-āḥzān* mentioned that Bedouins who came to attack Christians said that they could be attacked because they did not pay the *ǧizya*.[15] The author of *Aḥwāl al-Naṣārā* mentioned that some argued that as Christians didn't pay the *ǧizya* and could carry weapons, they were no longer to be protected.[16]

The call to violence pointed to the interpretation that the *ḏimma* contract could be broken by the breaching of its conditions by individuals. Inter-confessional tensions were high in this period when a non-Muslim broke one of the conditions of the *ḏimma,* for example when a Christian killed a Muslim or committed unlawful sexual intercourse with a Muslim, or insulted Islam. In some cases it led to uprisings and popular demands for the execution of the guilty party.[17]

The idea that breaching the conditions of the *ḏimma* abolished the status altogether was not a new conception. It is found in *fiqh* books of ʿAlāʾ al-dīn al-Haṣkafī and Ḫayr al-dīn al-Ramlī (17th century).[18] Yet, it was not a notion supported by the Ḥanafī *fiqh* manuals of the 19th century, the official *fiqh* school of the Ottoman Empire. The aforementioned pamphlet distributed in 1860 also pointed to legal opinions originating from abroad, in this case Central Asia and India, which gave Muslims the right to attack non-Muslims.[19] The chronicler Mīḫāʾīl Mišāqa mentioned that the emir 'Abd al-Qādir al-Ǧazāʾirī, an influential Algerian ʿalim resident in Damascus, attempted to stop the outburst of violence by discussing with the members. He argued that according to the Qur'an the killing of Christians was not allowed,

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[14] See this pamphlet in *Les Massacres du Mont Liban 1860 : souvenirs de Syrie par un témoin oculaire* (Paris: Asmar, 2007), 114, 115.

[15] *Kitāb al-āḥzān,* 24.

[16] Aḥwāl al-naṣārā, 5.

[17] A.E, 18/PO/A, vol. 9, Outrey-Walewski, August 11th 1858.

[18] ʿAlā'-ad-Dīn al-Haṣkafī, *al-Durar al-muḫtār fī šarḥ Tanwīr al-abṣār*, edited by ʿAbd al Monʿam Ḫalīl Ibrāhīm (Beirut: Dar al Kitāb al-ʿilmīyā, 2002), 343; Ḫayr al-dīn al-Ramlī, *Al-Fatāwā al-Ḫayrīyā li-nafʿa al-barīyā ʿalā maḏhab al-imām al-ʿaẓīm abī Ḥanīfā al-Nuʿmān* (Maṭbaʿā al Kubrā al Mīrīyā, 1882), 101.

[19] *Les Massacres du Mont Liban,* 114.

and that those who rose against them were to be considered as rebels to the state and thus the government had a responsibility to kill them, even if they were Muslims. According to Mishāqa, the *Ḥanafī* mufti Ṭahir effendi helped him to prove this argument to the governor on religious grounds.[20] There were thus different opinions regarding the question of the abolition of the *ḏimma.* It corresponded to a difference of opinion between the *Ḥanafī* and *Šāfiʿī fiqh.* In Damascus, the elite ulema was usually *Ḥanafī* and the neighborhood shaykhs or *ṭarīqa* leaders tended to follow *Šāfiʿī fiqh,* explaining the various interpretations of the *ḏimma.*

These two opinions were developed based on the political context in which *fiqh* schools were formed. The main scholars in the Iraqi *fiqh* school of the 8th century argued that the *ḏimma* was *bil-ādamiya* (universal): it was a contract between God and all humans. Later on, the Transoxian school which developed in the 11th and 12th century in Central Asia rather argued that humans benefited from the *ḏimma* (protection) of God *bil imān aw al-āmān*, either by being Muslim or by making a contract with Muslims who had this *ḏimma*. The *ḏimma bil-ādamiya* could not be broken, while the *ḏimma bil imān aw al-āmān* could be broken if the intermediary contract with Muslims was broken.[21]

These two opinions bore important consequences for the place of non-Muslims in Muslims societies. *Fuqahāʾ* which succeeded the Transoxian school both in the *Šāfiʿī* and Ḥanafī schools, including Ibn al-Humām[22] (15th century), al-Ramlī,[23] and al-Haṣkafī (17th century) built on the second opinion of the *ḏimma bil imān aw al-āmān*. However, in the 19th century, some *Ḥanafī fuqahāʾ* perceived the need to return to the opinions presented by the Iraqi school, and saw the notion of *ḏimma bil ādamiya* as a solution to the issues facing the

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[20] Mishāqa, *Mašhad*, 174. The author of *Kitāb al-āḥzān,* however mentioned that he then made a fatwa legitimizing the killing of Christians because they did not pay taxes. This account however is not mentioned in other sources, which tend rather to put the blame on the *Šāfiʿī* mufti. It could be argued that he confused the two individuals; Elias N. Saad, "The Damascus Crisis of 1860 in Light of Kitab Al Ahzan, an Unpublished Eye-Witness Account," (Beirut: American Univeristy of Beirut, 2007), 420.

[21] Recep Senturk, "Minority Rights in Islam: From Dhimmi to Citizen," in *Islam and Human Rights: Advancing a U.S. - Muslim Dialogue*, eds. S, Hunter and H Malik (Washington D.C.: Center for Strategic and International Studies, 2005), 73, 75.

[22] Kamāl al Dīn ibn al-Humām, *Fatḥ al Qāḏīr*, 52.

[23] Ḫayr al-dīn al-Ramlī, *Al-Fatāwā,* 101.

Ottoman Empire.[24] Among *Šāfiʿīs* however the Transoxian approach continued to dominate. In the 19th century, the question of the *ḏimma* also increased in importance in the works of scholars, visible in the number of pages dedicated to this issue, showing a growing concern about this status.[25]

The question of the possible abolition of the *ḏimma was* a point of disagreement among scholars. Al-Ramlī and al-Haṣkafī in the 17th century argued that if non-Muslims broke a condition of the *ḏimma* contract, the protection was to be abolished.[26] For the 19th century, we will focus on the opinions of two scholars. First, the *āmīn al-fatwā* of Damascus, Muḥammad Āmīn ibn ʿĀbidīn wrote a *fiqh* manual called *Radd al-Muḥtār ʿala al-Dur al-Muḥtār*. He was one of the assistants of the mufti Ḥussayn al-Murādī.[27] The second work under consideration is *al-Lubāb fī Sharḥ al-Kitāb* written by ʿAbd al-Ġānī al-Ġunaymī al-Maydānī in the 1850's and published it in 1858.[28] Al-Maydānī did not hold any official post but was one of the Maydān's most influential man. He was of a middle status and was close to 'Abd al-Qādir al-Ǧazāʾirī and his circle of study.[29] He protected the Christians of the neighborhood in 1860.[30]

Ibn ʿĀbidīn and Al-Maydānī considered not only the opinions of their predecessors, but also the opinions of the Ottoman *Šayḫ al-Islām* and the context of the empire. They sought to find a way to preserve the *ḏimma* contract even in the new imperial context and in the face of the gradual abolition of all its conditions. They argued that the *ḏimma* continued even if its

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[24] ʿAbd al-Ġanī al-Ġunaymī al-Maydānī, *al-Lubāb fī šarḥḥ al-Kitāb, 4th edition* (Beirut: al-Maktabā al-ʿIlmīyā, 1980), vol. 4, 147.

[25] For example, while the aforementioned ulema had spent a few paragraphs on the issue, Muḥammad Āmīn ibn ʿĀbidīn, the main scholar of the *Ḥanafī maḏhab* in 19th century Damascus, wrote forty pages on this subject; Muḥammad Āmin ibn ʿĀbidīn, *Radd al-muḥtār ʿala al-dar al-muḥtār šarāḥ tanwīr al-ābṣār* (Riyadh: Dār al-Kutub al-ʿIlmīyya, 2003),vol. 6, 312-353.

[26] Alā'-ad-Dīn al-Haṣkafī, *al-Durar*, 343; Ḫayr al-dīn al-Ramlī, *Al-Fatāwā*, 101.

[27] He died during the Egyptian rule of Syria in 1836. His work is a gloss on the *Ḥanafī fiqh* manual of the scholar ʿAlāʾ al-dīn al-Haṣkafī (d. 1677) *Al-Durar al-muḥtār fī šarḥ tanwīr al-ābṣār*.

[28] It was a commentary on the *Muḥtaṣar* of the scholar al-Qudūrī.

[29] Weismann, *Taste of modernity,* 208.

[30] Commins, *Islamic Reform,* 41.

conditions were not respected.[31] They discussed the role of the *ǧizya*, which had previously been considered as the main condition of the *ḏimma*. Ibn ʿĀbidīn argued that the *ǧizya* had been agreed upon beforehand and thus had caused the contract. This initial engagement continued even if the *ǧizya* was no longer paid. According to the jurist, the only thing that could break the *ḏimma* was if non-Muslims declared war on Muslims or left the Islamic lands.[32] Thus, according to Ibn ʿĀbidīn, Christians and Jews' lives and properties were to be protected by the government even in the absence of the *ǧizya*. This opinion was quite a break with the approach to the *ḏimma* by his *Ḥanafī* predecessors in the 17th and 18th century.

Al-Maydānī argued that rather than breaking the *ḏimma*, the transgressions of its conditions should be punished as it would be for a Muslims. For example, if a non-Muslim committed unlawful sexual intercourse with a Muslim, or if a non-Muslim killed a Muslim, he should receive the same punishment than a Muslim who engaged in the same crimes.[33] These actions, rather than being political issues having consequences for the whole community, should be treated as individual criminal issues. Al-Maydānī, who wrote during the *Tanzimat*, attempted to find solutions to the new conditions of the empire.

In the works of Ibn ʿĀbidīn and al-Maydānī a new notion is emphasized, that of majority/minority. This notion was not present in the work of their predecessors. For example, the Central Asian school had argued that non-Muslims could only live in villages.[34] Ibn ʿĀbidīn disagreed and rather emphasized that they could live in cities as long as it did not reduce the number of Muslims who have to remain a majority.[35] He was worried by the fact that Christians were buying more and more houses around mosques, thus turning the forsaken mosques into ruins.[36] Other legal opinions provided by Ibn ʿĀbidīn point to this concern for

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[31] al-Maydānī, *al-Lubāb*, vol. 4, 147; Ibn ʿĀbidīn, *Radd al-muḥtār,* vol. 6, 342.
[32] Ibn ʿĀbidīn, *Radd al-muḥtār,*vol. 6, 342.
[33] al-Maydānī, *al-Lubāb, vol.* 4, 147, 148.
[34] Ibn ʿĀbidīn, *Radd al-muḥtār,* vol. 6, 339.
[35] Ibid.
[36] Ibid.

the balance of power between communities, reflecting the changing dynamics of the city of Damascus. For example, he criticized the mufti of Damascus for allowing Christians to buy a synagogue from the Jewish community. Jews had complained to him that Christians bought it through corruption, thanks to their relationship with Ibrāhīm ʿAlī and that their aim was to purchase the whole neighborhood. Ibn ʿĀbidīn argued that this construction of a church instead of the synagogue was contrary to the *ḏimma*, and decries the fact that Greek Catholics had already bought all the houses around it.[37]

The context of the Egyptian rule under which Ibn ʿĀbidīn was writing clearly underlies many of his concerns. He insisted that Christians should not be given important positions and treated with too much reverence,[38] while the Greek Catholic Ḥannā Baḥrī was seen by the population as the real governor, receiving all the state honors and orienting policy.[39] Then, the fear of a collusion between Christians and foreign powers was emphasized in his work. He pointed to the fact that non-Muslims had allied against Muslims in *Bilād al-Šām*, referring to the role of Christians in the Egyptian rule.[40] He also mentioned that Christians had already betrayed Muslims during the Mongol conquest.[41] In conclusion, these *fuqahāʾ* adapted their legal reasoning to the problems of the time and reinterpreted notions of the *ḏimma* in a new context. They were trying to find a way to maintain the *ḏimma* under these new circumstances but at the same time resented the increasing power of Christians and foreign powers in the Empire.[42]

While the elite and *Ḥanafī* ulema argued that non-Muslims still had to be protected by the *ḏimma*,[43] the public opinion tended to rely on the interpretation that protection could be

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[37] Ibid, 330.
[38] Ibn ʿĀbidīn, *Radd al-muḥtār,* vol. 336.
[39] *Muḏakkirāt tārīḫiyya*, 59.
[40] Ibn ʿĀbidīn, *Radd al-muḥtār,* vol. 336.
[41] Ibid, vol. 6, 329.
[42] See similar attempts at legitimizing the reforms through *fiqh*, Senturk, "Intellectual Dependency," 284; Samy Ayoub, *Law, empire, and the sultan : Ottoman imperial authority and late Hanafi jurisprudence (*New York, NY : Oxford University Press, 2019), 130.
[43] Mishāqa, *Mašhad,* 174.

lifted by breaking a condition of the contract. The *Šāfiʿī* mufti, ʿUmar al-Ġazzī, is suspected of providing opinions that went in this direction and was sent in exile after the violence of 1860.[44] The French consul argued that while he could not prove his direct implication in the violence, his ideas regarding non-Muslims were to blame.[45] This accusation is corroborated by the British consul James Brant, who mentions that ʿUmar al-Ġazzī is thought to have encouraged violence towards Christians.[46]

According to *Šāfiʿī fiqh* as thought by contemporary jurists, one could argue that if non-Muslims lost the *ḏimma* through the non-payment of the *ǧizya*, they would loose their *ʿiṣma*, their juridical personality. In this case, there could be no punishment for the attacks against non-Muslims' lives and possessions, for a Muslim could not be punished for the murder of theft of someone who did not hold a juridical personality.[47] In this case, they were not *ḏimmī*, not even *mustaʾmīn*, their presence on the Ottoman soil was not legitimate. Thus, according to this line of thought, violence could not be encouraged but it would not be punished. It could thus encourage violent action.

This argument was quite popular in Damascus and is found in the chronicles and accounts of the violence. For example, Mīḫāʾīl Mišāqa in his chronicle regretted that Christians rebelled against the *ǧizya* or *bedel-i askeri* because it was a religious principle for Muslims and that the non-payment would put an end to pact of the *ḏimma* and legally oblige Muslims to declare war on Christians.[48]

How can we explain this disconnect between developments in *Ḥanafī fiqh* and popular conceptions of the *ḏimma?* One might wonder why *Šāfiʿī* conceptions dominated in the public discourses while the *Ḥanafī fiqh* school was dominant in the empire. Why did the *Ḥanafī* ulema fail to impose the *fiqh* transformations regarding the *ḏimma*?

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[44] al-Ustwānī, *Masāhid*, 184; Schilcher, *Families in Politics,* 173.
[45] A.E. 18/PO/A, vol. 10 , Outrey-Lavallete, August 22nd 1860.
[46] F.O. 195/601, Brant-Bulwer, September 25th 1860.
[47] Emon, *Religious Pluralism*, 237-238.
[48] Mishāqah, *Murder, Mayhem*, 226.

On the one hand, this failure was rooted in the loss of power of elite ulema. Although they were co-opted in the *maǧlis* or the other newly created religious institutions, they could no longer assume the role of intermediaries to explain the socio-political transformations through the religious prism. Non-official ulema increasingly criticized them as corrupted because of their co-optation by the government and financial malpractice.[49] Instead of the *Ḥanafī* mufti, neighborhood shaykhs and *ṭarīqa* leaders shaped the comprehension of the socio-political changes in the empire. As they were the ones who suffered the most from the reforms of the waqf and of the ulema, they saw the reforms through a less favorable light than the official ulema who gained in power through their institutionalization and participation in the *maǧlis*.

3. The Naqšbandīya's influence on Damascenes' Understandings of the Reforms

The lack of influence of the *Ḥanafī* elite ulema was also a consequence of the important role of the *ṭarīqa* Naqšbandīya in the city, which favored the *Šāfiʿī fiqh* interpretation of the *ḏimma*. The Naqšbandīya contributed to upsetting the power dynamics of the city of Damascus. Its criticism of the elite ulema contributed to delegitimizing the latter in the eyes of the population, favoring instead ulema of secondary mosques and madrasa.[50] In addition, the *ṭarīqa* was a tool of social mobility for the newcomers and inhabitants of peripheral neighborhoods who were struggling to gain access to the resources and positions of the elite of the city.

Members of the *ṭarīqa* had a voice in shaping how the reforms were understood by the local population. As Olivier Bouquet argues, the dichotomy between reformers and conservatives does not hold when looking at individual political trajectories. Supporters of

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[49] Weismann, *Taste of Modernity,* 201; The same process was at play in Istanbul, the elite ulema was delegitimized because of its support for the reforms, see M. Alper. Yalçinkaya, *Learned Patriots: Debating Science,* state*, and Society in the Nineteenth Century Ottoman Empire* (Chicago: University of Chicago Press, 2015), 34; Khoury, *Urban notables*, 16.
[50] Weismann, *Taste of Modernity,* 201.

reforms can easily turn against them when new currents emerge. Bouquet rather proposes to shift from the analysis of modernizers and conservatives to the exploration of sociogenesis, the role individuals endorse vis-a-vis their ascribed and assigned statuses and their successive and overlapping loyalties to ideologies and relationships to modernity.[51]

The city of Damascus was composed of a variety of status groups, which were often geographically mapped. Existing works have emphasized a binary factionalism in the city.[52] There were indeed two largely defined groups who often competed for political power in the city. On the one hand, there was a faction well-embedded into the Ottoman state structure, the center city notables gravitating around the ʿAẓm family, former governors of the city. They were traditionally allied with the Kurdish *āġāwāt* of Ṣālḥīya.[53] This faction was also closely linked to the Murādī *Ḥanafī* mufti position, which was monopolized in the family since the 18th century. They often had official positions and used their networks in Istanbul to obtain appointments.[54] In one word, the ʿAẓm-Murādī faction was the elite of the city, residing in the most prestigious neighborhood, the Qanawāt, and enjoying numerous privileges. Its members often were large property owners in the areas around Damascus. Many of them sat on the *maǧlis.*[55]

On the other hand, there was the faction of 'locals', *baladī,* who lived in the peripheral quarter of the Maydān, or in 'Amara, in merchants neighborhoods. They came from families which more recently arrived in the city. Many of them were linked to the *āġāwāt* of the Maydān neighborhood, former Janissaries who immersed themselves in civil life.[56] As inhabitants of the Maydān, they were often related to the grain trade or to sheep commerce.

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[51] Bouquet, "Is it time?", 61.
[52] For example in Schilcher, *Families in Politics.*
[53] See map in Annex 1.
[54] Khoury, *Urban Notables,* 14.
[55] Schilcher, *Families in Politics,* 16.
[56] Brigite Marino, *Le faubourg du Mīdān à Damas à l'époque ottomane : Espace urbain, société et habitat (1742-1830)*, P I F D (Damascus: Institut français de Damas, 1997), 23; Schilcher, *Families in Politics*, 16; Johann Büssow, "Street politics in Damascus: Kinship and other social categories as bases of political action, 1830–1841," *History of the Family* 16 (2011): 110.

They gravitated around the Ġazzī family, who represented the *Šāfiʿī maḏhab*.[57] The *Šāfiʿī maḏhab* was a secondary *maḏhab* in the Ottoman Empire as the state relied on *Ḥanafī* jurisprudence while recognizing legally the other *fiqh* schools. In *Bilād al-Šām* however, before the Ottoman conquest, the *Šāfiʿī maḏhab* had been dominant. The Ottoman rule had given precedence to the *Ḥanafī maḏhab* in the province through reserving various religious positions to its followers but many subjects continued to follow the *Šāfiʿī maḏhab*.[58] In most cities there was thus a *Ḥanafī*, *Šāfiʿī* and *Ḥanbalī* mufti, who all offered their *iftāʾ*, or legal opinion, to the population.[59] The *Šāfiʿī* mufti often benefited from more leeway in his legal opinions.

While the *Ḥanafī* ulema enjoyed the official positions of the state, the *Šāfiʿī* ulema were left with positions in the secondary mosques or Quranic schools.[60] Many of the newcomer ulema to the city were also *Šāfiʿī*, this *fiqh* school was therefore prominent among non-elites.[61] The ulema of these neighborhoods were also often involved in trade beside their positions in the secondary mosques and madrasas which did not allow them to make a living. They were found among the guilds, and in local trade networks.[62] Ulema of important families such as the al-Ḫānī and al-Bayṭār resided in the Maydān. The Maydān was also home to a Druze population and a large North African population, which increased with the arrival of the famous Algerian exile ʿAbd al-Qāḍīr al Ġazāʾirī. The Naqšbandī *ṭarīqa* was quite present in the Maydān neighborhood, and its main shaykhs originated from it.

The division between these two factions was exacerbated by the nature of political power in the 19th century. There was a huge turnover of governors in the city, they were often

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[57] al-Usṭwānī, *Mašāhid,* 142.
[58] A certain number of ulema however changed their *maḏhab.* See Abdul-Karim Rafeq, "Relations between the Syrian '"Ulamā"' and the Ottoman State in the Eighteenth Century," *Oriente Moderno* 18, 79, no. 1 (1999): 67-95.
[59] Khoury, *Urban Notables,* 14.
[60] Schilcher, *Families in Politics*, 14-15; Weissman, *Taste of Modernity*, 59.
[61] Abu Manneh, *Studies of Islam,* 66.
[62] Naʿīsa, *Muǧtamaʿ,* 412.

appointed for a year only.[63] In order to build their power base, governors often chose to rely on one faction only, thus deepening the competition between the two groups.[64]

There were adepts of the *ṭarīqa* Naqšbandīya both in the city center and the Maydān factions. Among the ʿAẓm faction, the most notables Naqšbandī were Ḥassan ibn 'Umar al-Shaṭī (*Ḥanbalī*) and Ḥussaīn al-Murādī (*Ḥanafī*). However, it seems that the Naqšbandīya-Ḫalidiyya was most popular among the Maydānīs and *Šāfiʿīs*, represented by their ulema Ḥassan al-Bayṭār, the representative of Shaykh Ḫalid in the Maydān.[65] Ḥassan al-Bayṭār had considerable power in the neighborhood and benefited from the patronage of the Ġazzī family.[66]

Shaykh Ḫalid created strong links with the Ġazzī family, both through marriage and through ordering a *ḫalīfa* from the family. He also married into the Kurdish Maydānī Ḫānī family, and named Muḥammad al-Ḫānī as his *ḫalīfa*.[67] Kurdish families who arrived recently to the city and followed the Šāfiʿī *maḏhab* seem to have been predominant among the Naqšbandīs.

The division of the Naqšbandī *ṭarīqa* into an ʿAẓm-associated faction and a Maydān-associated faction is observable in the revolt against taxation in 1831. The Ġazzī family and Naqšbandī inhabitants of the Maydān led the revolt against the governor.[68] The revolt started in 'Amara from the madrasa which had been the Naqšbandī center under Shaykh Ḫalid.[69] It spread to another Naqšbandī stronghold in Sūwayqa. However, the Ottoman troops took refuge in the Muʿalaq mosque in the 'Amāra, which was led by the

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[63] See this turnover in the history of the city by al-Usṭwānī, *Mašāhid.*
[64] Leila Hudson, "Reading Al-Sha'arani: The Sufi Genealogy of Islamic Modernism in Late Ottoman Damascus," *Journal of Islamic Studies* 15, no. 1 (2004): 59.
[65] Weismann, *Taste of Modernity,* 119.
[66] Ibid, 207.
[67] Abu Manneh, Studies on Islam, 8; F. de Jong, *Sufi orders in Ottoman and post-Ottoman Egypt and the Middle East : collected studies*, Analecta Isisiana (Istanbul: Isis Press, 2000), 57.
[68] Schilcher, *Families in Politics*, 172.
[69] Hudson, *"Reading Al-Sha'arani,"* 57.

Naqšbandīs close to the ʿAẓm faction.[70] Naqšbandīs were thus found as important political actors on both sides of the revolt.

The arrival of Shaykh Ḫalid and the patronage of the Ottoman government threatened the monopoly of the *Ḥanafī* ʿAẓm faction over the official positions. Shaykh Ḫalid and his *ḫulafāʾ* were quite critical of the official ulema whom they accused of monopolizing resources and exploiting the peasantry. They also accused them of taking fees illegally for interventions in disputes or other cases in which their expertise was called upon. Shaykh Ḫalid was adamant that the ulema needed to be reformed, because they owed their present positions to their family or social origin not to their merit. He called upon a recruitment of the high ulema based upon knowledge rather than inherited status. This criticism, continued by his *ḫulafāʾ*, contributed to delegitimize the official *Ḥanafī* ulema.[71] It was part of a larger transformation of Ottoman society characterized by increasing challenges to inherited status.

The elite ulema also suffered from the arrival of the Algerian *ʿalim* ʿAbd al-Qāḏīr al Ǧazāʾirī in 1855. He had led the insurrection against the French in Algeria, had been captured and eventually sent to the Ottoman Empire. He chose to settle in Damascus with his family. He created a learning circle which studied the work of Ibn ʿArabi. Many disciples of Muḥammad al-Ḫānī joined this circle. ʿAbd al-Qāḏīr al Ǧazāʾirī was quite critical of the elite ulema and accused them of corruption.[72]

Therefore, because of the delegitimization of the elite ulema, the shaykhs of secondary mosques or *ṭuruq* obtained more intellectual influence and were the ones who guided the population through the transformations of the society. Some of them were quite vocal against foreign imperialism, the Islahat Fermanı and other reforms. Indeed, because these ulema often

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[70] Ibid, 58.
[71] Weismann, *Sufism on the Eve of Reform,* 72; Abu-Manneh, *The Sultan and the Bureaucracy*, 261.
[72] Weismann, *Taste of Modernity,* 203.

engaged in regional trade or handicrafts, they were more likely to suffer from the competition with Christians merchants and from the transformation of the economy.[73]

The city center notables and the elite ulema during the *Tanzimat* were losing in status and were being replaced by newcomers who recently gained access to positions that had previously been reserved for their faction. Indeed, the new positions created in the city during the process of centralization, such as the *nāẓir al-āwqāf* and positions in the newly created *maǧlis,* were increasingly awarded to members of the local faction. It was often Kurds or North-Africans who had access to these positions, they were *Šāfiʿī* or *Mālikī*.[74] Among them were numerous Naqšbandīs associated with the Ġazzī faction.

Upon his death in 1827, Shaykh Ḫalid was harshly criticized by various opponents. Wahābī-s took advantage of his passing to accuse him of asking his followers to worship him as a saint in order to obtain political power.[75] The Damascene ulema at first refuted these accusations. Yet, many of his initial supporters among the city center elite gradually moved away from the Naqšbandīya. They must have been relieved to get rid of an individual who limited their exercise of power and was eager to criticize their actions as opposed to Islamic law. The *Ḥanafī* mufti however wrote letters to defend Shaykh Ḫalid against those accusations.[76]

The Maydānī Naqšbandī ulema thus bore the legacy of Shaykh Ḫalid. It was not a coincidence that Muḥammad al-Ḫānī, a Kurdish Maydānī ʿalim, was chosen as the successor of Ḫalid. Yet, the latter's succession did not go smoothly. Shaykh Ḫalid before his death chose Ismāʿīl al Šīrwānī to be his successor. However, he soon left for Daghestan, where he eventually was instrumental in supporting the war effort against the Russian army, similarly

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[73] Naʿīsa, *Muǧtamaʿ,* 412.
[74] Kamal S. Salibi, "The 1860 Upheaval in Damascus as Seen by Al- Sayyid Muhammad Abu'l-Su'ud Al-Hasibi, Notable and Later *Naqib Al-Ashraf* of the City" in *Beginnings of Modernization in the Middle East : The Nineteenth Century*, ed.William Roe Polk and Richard L. Chambers (Chicago: University of Chicago Press, 1968), 189.
[75] Weismann, *The Naqshbandiyya*, 90.
[76] BOA, HAT.892.39387, July 12th 1828.

to another Naqšbandī-Ḫalidi shaykh, the famous Imam Šāmil. In Damascus, Šīrwānī was replaced by Muḥammad al-Ḫānī, who settled his headquarters in the Murādīyya mosque in the Maydān. He led the order from 1832 to 1860.[77]

After the death of Shaykh Ḫalid, various decisions-makers in Istanbul attempted to either co-opt his successors or use a divide and rule policy to contain the influence of the *ṭarīqā*. During the Egyptian period, some Naqšbandīs were invited to Istanbul by the Sultan in order to win their support.[78] However, the central government seems not to have been pleased by the Maydānī domination of the Naqšbandīya, notably because of the role of the Maydān in the rebellion against the governor which favored the Egyptian takeover in 1831. The Maydān was also a critical neighborhood where rebellions against taxation and conscription often started, and its relationship with Bedouin tribes through commerce also threatened to turn the Naqšbandīya into a tool of opposition rather than support of the Ottoman reforms. Thus, the government attempted to diffuse the authority of al-Ḫānī by sending the brother of Shaykh Ḫalid, Maḥmūd al-Ṣaḥīb, from Kurdistan to Damascus in 1843. He was instructed to take control of the *ṭarīqa* and was named by the governor Mehmet Reşid Paşa as the leader of the Takīya Sulaymānīya.[79] It was an attempt to prevent Muḥammad al-Ḫānī from enjoying the same popularity and influence than Shaykh Ḫalid. Governors also saw the Naqšbandīya as a tool of power, and some attempted to gain control of it to further their careers. For example, the governor Necip Pasha built a *zāwīya* on the tomb of Shaykh Ḫalid in Ṣālḥīya in 1842 and named at his head another deputy of Shaykh Ḫalid, Muḥammad al Faraqī.[80]

Albeit these attempts at limiting the influence of Maydānī Naqšbandīs, they managed to weave links of reciprocity with important actors in Istanbul which allowed them to retain power. First of all, they obtained the support of the *Šayḫ al-Islām* Arif Hikmet Bey

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[77] Ibid, 96.
[78] Na'īsa, *Muǧtama'*, 413.
[79] Weismann, *Taste of Modernity,* 82; Abu-Manneh, *Studies on Islam,* 57.
[80] Abu-Manneh, *Studies on Islam,* 57, 108.

(1846-1854). His father was a Naqšbandī and wrote a panegyric of Shaykh Ḫalid.[81] Arif Hikmet Bey studied with the Egyptian alim Ḥassan al-ʿAṭṭār as did the important Naqšbandīs of the Maydān.[82] He asked a diploma from the Damascene *āmīn al-fatwā*, Muḥammad Āmin ibn ʿĀbidīn.[83] In 1847, Arif Hikmet Bey invited Damascene Naqšbandīs such as Muḥammad Āmin ibn ʿĀbidīn, 'Abd al-Raḥman al-Ṭībī and Ḥassan al-Bayṭār to Istanbul and gave them a stipend.[84]

The Damascene Naqšbandīs also created links with Naqšbandī members of the Palace who were sent to Damascus as governors. For example, Gurcu Necip Paşa was the governor of the city in 1841-1842. Necip Pasha's wife was a favorite of the mother of the Sultan Abdülmecid.[85] He was close to Hüsrev Paşa, who had just been fired in 1840 for opposing the reforms promulgated by Mehmed Reşid Paşa.[86] It was probably for this reason that Necip Paşa was sent as governor of Damascus, to keep him away from Istanbul. He built a mausoleum on the tomb of Shaykh Ḫalid.[87] He was then named to Baghdad where he stayed until 1849 and contributed to revive the Naqšbandīya and fought the spread of Wahhabi ideas in the city.[88]

Then, another member of the Palace was Musa Safveti Pasha, named governor of Damascus from 1845 to 1848. Originally from Crimea, his father Rifat Ebbubekir Effendi had been the secretary of the aforementioned Gürcu Necip Pasha.[89] His brother Mustafa Efendi was already the *defterdar* of the Damascus.[90] During his stay in the city, he was introduced to the *ṭarīqa* Naqšbandīya-Ḫalidiyya by Muḥammad al-Ḫānī, the successor of Shaykh Ḫalid.

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[81] Ibid, 106.
[82] Abu-Manneh, "Four Letters of Cheikh Hasan al-'Attar to Cheikh Tahir al- Husayni of Jerusalem," *Arabica,* vol. 50, no. 1 (2003): 83 ; Commins, *Islamic Reform*, 31-33.
[83] Weismann, *Taste of Modernity,* 67.
[84] Schilcher, *Families in Politics,* 166.
[85] F.O. 195/196, Wood-Canning, June 22nd 1842.
[86] Abu-Manneh, *Studies on Islam*, 108.
[87] Ibid, 108.
[88] Abu-Manneh, "The Khâlidiyya and the Salafiyya in Baghdad after Cheikh Khâlid," *Journal of the History of Sufism* 5 (2007): 32.
[89] Christoph Herzog, *Osmanische Herrschaft und Modernisierung im Irak* (Bamberg: University of Bamberg Press, 2012), 97.
[90] F.O. 78/660, Wood- Aberdeen, April 10th 1846.

When he returned to Istanbul, he became involved in the *tekke* Naqšbandīya-Ḫalidiyya in Eminönü. Other statesmen such as Pertev Paş and Hüsrev Paşa were linked to this *tekke*.[91]

In addition to governors, military leaders in charge of the army were also influenced by the *ṭarīqa*. For example, the *mušīr* in 1848, Namik Paşa did not take decisions without his Naqšbandī shaykh. In 1848, the cholera was on its way to reach Damascus. Namik Paşa held a council to discuss how to deal with the matter medically. He invited his Naqšbandī shaykh and a dervish together with doctors and members of the *maǧlis* to assist the council. The shaykh said that there was no need to take measures against cholera for the dervish had seen a dream in which Damascus was protected from the plague and cholera because it was a holy ground. The commander in chief was relieved, they prayed together, and he dismissed the council. However, the disease did enter the city, contrary to the predictions of the shaykh and ended up killing more than 21 000 individuals. 1/5th of the troops succumbed to the decease.[92]

These links with the Palace members proved useful when this faction obtained important positions which had been monopolized by bureaucrats. We have seen that the bureaucrats had come to power around the redaction of the Gülhane decree in 1839. Yet in 1848, the members of the Palace tilted the balance of power in their favor, albeit temporarily. Riza Hassan Paşa, the protector of Musa Safveti Paşa came back to power after being initially sidelined by the success of bureaucrats and especially his enemy Mustafa Reşid Paşa. Musa Safveti Paşa benefited from this favorable turn and became minister of finances in 1853. He gave a subvention to Muhammad al-Ḫānī and invited him to Istanbul. In 1859, he also brought his son of to the capital.[93]

Riza Hassan Paşa, his protégé Musa Safveti Paşa, and Mehmed Said Paşa Damad, the brother in law of the sultan Abdülmecid who had been serasker and later minister of

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91 Abu-Manneh, *Studies on Islam*, 109.
92 F.O. 195/291, Wood-Canning, September 28th 1848.
93 Commins, *Islamic Reform*. 36.

commerce,[94] attempted to get rid of the Grand Vizier Mustafa Reşid Paşa. They managed to convince the sultan to demote him of his position. Yet, he soon was able to regain his post. When he came back to power, Mustafa Reşid Paşa punished Mehmed Said Paşa Damad and sent him to Damascus as a governor to keep him at bay from political developments in Istanbul.[95] The French consul of Damascus, Mr. de Ségur, mentioned that Mehmed Said Paşa Damad had been sent to Damascus because he opposed all the reforms of the Grand Vizier.[96] There is a pattern of appointments as governors of Damascus of individuals who opposed the reforms, especially regarding the place of non-Muslims. Some of them were members of the Naqšbandīya and created links of solidarity and patronage with Damascene ulema. These appointments also contributed to shaping the population's opinion regarding the reforms. Mehmed Said Damad saw in the bureaucracy a threat to the power of the Sultan. He criticized reforms others than in the military field. These new laws, as the Civil code of 1843, limited his freedom of action as governor and as member of the military. He was quite critical of the intervention of foreign powers in the empire, that he saw as feeding the power of Christian patriarchs. He blamed Mustafa Reşid Paşa for supporting ideologies that threatened the sultanate.[97] Al-Ustwānī also mentioned that Mehmed Said Damad, because of his religious beliefs made things difficult for patriarchs and consuls in the city.[98]

Even if this group of officials failed to get rid of Mustafa Reşid Paşa, the balance of power between bureaucrats and the Palace members reached an equilibrium in the early 1850's. Damad Mehmed Ali, another Naqšbandī member of the Palace and a relative of Abdülmecid, obtained the position of Grand Vizier in 1852. He attempted to retrograde on the

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[94] Butrus Abu-Manneh, "The Sultan and the Bureaucracy: The Anti-*Tanzimat* Concepts of Grand Vizier Mahmud Nedim Pasa," *International Journal of Middle East Studies* 22, no. 3 (August 1990): 258.
[95] A.E. 67/CPC, vol.2, Vallegue-de la Hitte, January 2nd 1850.
[96] A.E. CCC, vol. 3, De Segur, January 2nd 1850.
[97] Abu-Manneh, *The Sultan and the Bureaucracy,* 260.
[98] al-Ustwānī, *Mašāhid,* 153.

previous reforms of the administration.[99] Musa Safveti Paşa, Damad Mehmed Ali, Mehmed Said Damad and Riza Hassan Paşa, who had links to the Naqšbandīya in Damascus thus benefited from a position of influence in the 1850's. In Damascus, this turn of events favored Muḥammad al-Ḫānī who enjoyed Musa Safveti Paşa's protection.

At the same time the transformations of the relationship between the *maǧlis* and governors seemed to have favored the local faction in this period. The *maǧlis* formed in 1850 by the governor included mostly Maydāni Damascenes and various elements of the Ġazzī faction. The elite ulema and notables as well as important *āšrāf* were not chosen for the *maǧlis*, which created an outrage in the city.[100] Then, the Ġazzī family managed to get important positions in the administration of *waqf*, such as *mutawalī* of the Omayyad mosque, by accusing their rivals of corruption. In addition, in 1850 the *Ḥanafī* mufti from the Murādī family passed away. It benefited the *Šāfiʿī* mufti who gained in influence.[101]

Thanks to their links with the Palace faction, the Naqšbandīs in Damascus did not initially suffer from the power grab of Ali and Fuad Paşa in 1856. While the bureaucrats close to the *ṭarīqa* Naqšbandīya were sidelined, the Palace had initially allied with Ali and Fuad Paşa with whom they had a common opponent, Mustafa Reşid Paşa. In addition, while the Naqšbandīs had lost some power in Istanbul, especially in the bureaucracy, they were still quite popular in the provinces. In Damascus, those hostile towards the taxation reforms and the conscription as well as against the equality between Muslims and non-Muslim found in the Naqšbandīya a medium to challenge the reforms.

While Naqšbandīs had been strong supporters of the sultan after the decree of 1839, many of its important members were quite opposed to the measures taken after the Crimean War. The sultan had been stripped of his legitimacy by not adhering to Islamic legislation. In

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[99] Abu Manneh, "The Later *Tanzimat* and the Ottoman Legacy in the Near Eastern Successor states," in *Transformed Landscapes: Essays on Palestine and the Middle East in Honor of Walid Khalidi,* ed. Camille Mansour and Leila Fawaz (Cairo: American University of Cairo Press, 2009), 68.
[100] al-Usṭwānī, *Mašāhid,* 149, 150.
[101] Ibid, 142.

the eyes of many, the decree of 1856 turned him into an apostate because it contradicted *fiqh* precepts.[102] In Damascus, even the emir ʿAbd al-Qāḍīr al Ǧazāʾirī, who received multiple awards for his role in saving Christians during the violence of 1860 in Damascus, was very critical of the decree of 1856 which he saw as contravening Islamic law.[103]

The strategy of legitimization used by the sultans in the first part of the 19th century, based on a reference to the concept of the caliphate, was a double-sided sword. As long as the sultans in appearance adhered to Islamic law it was a strong tool of loyalty building. Yet, in case these precepts were not respected, this strategy turned against them, for Islamic law was used as a tool of delegitimization. Naqšbandīs emphasized this conception of power as a contract between the caliph and the population on the condition of the respect of Islamic precepts. It was also underlined later on by the Young Ottomans who opposed Ali and Fuad Paşa's legislation which contradicted Islamic law.[104]

In Damascus, members of the Naqšbandīya also became very critical of the new reforms. Among others, Ḥassan al-Bayṭār, the representative of Shaykh Ḫalid in the Maydān, was especially critical of foreign intervention and resented the place of non-Muslims in the empire which he saw as a threat to the *umma*.[105] The *Šāfiʿī* mufti ʿUmar al Ġazzī also opposed numerous government policies when it came to the status of non-Muslims and foreigners.[106] Opposition to the changes introduced by the Islahat Fermanı regarding the position of non-Muslims was encouraged by some governors who were members of *ṭarīqā* Naqšbandīya. They strengthened the role of the Naqšbandīya and the *Šāfiʿī* understanding of the *ḍimma* in Damascus. Damascene Naqšbandīs continued to benefit from the support of various governors after the Crimean War. For example, the son of the aforementioned Gürcü

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[102] Farah, *The Politics of Interventionism,* 729.
[103] A.E. 67/CPC, vol. 5/6, Bullar-Walewski, January 21st 1857.
[104] Mardin, *Genesis,* 294, 313.
[105] Ibid, 207.
[106] al-Usṭwānī, *Mašāhid,* 142.

Necip Pasha, Mahmud Nedim Paşa was named governor of Damascus in 1855.[107] He was a member of the *ṭarīqā* Naqšbandīya. He read the Islahat Fermanı to the *maǧlis*, although he was personally opposed to this reform.[108] Mahmud Nedim was governor of Damascus when the *bedel i-askeri* was asked from Christians and saw the opposition of the Greek Orthodox and Greek Catholics to the payment of this tax. He wrote a letter to Istanbul regarding this rebellion blaming the consuls.[109] In 1861, he wrote a treaty to Sultan Abdulaziz in which he criticized the reforms which contradict religious law which he saw as a threat to the sultan.[110] He criticized the elite ulema for spreading corruption. He was very critical of Sutlan Abdülmecid for his lavish spending and for his lack of independence.[111] These governors' relationship with foreign consuls was quite conflictual. As they opposed the reforms and foreign intervention in the empire, they usually supported local interests against foreign claims and tended to slow down the application of reforms.[112] The numerous conflicts they had with consuls polarized the population.[113]

4. The Naqšbandīya against the Sultan

In Istanbul, opposition to the reforms in the post-Crimean War period was also widespread and even led to an attempted coup against the sultan, inspired in part by Naqšbandī shaykhs. The claims of the actors of this attempted coup resonated with the discourses against the reforms in Damascus. In 1859, a diverse group of individuals called the society of Martyrs (Fida'ilar cemiyeti), including adepts of the Naqšbandīya-Ḫalidiyya and military officers of the Tophane regiment, attempted to assassinate Sultan Abülmecid. This group was resentful of the decree of reform of 1856, seen as the cause of the ills of the

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[107] According to al-Usṭwānī he had previously been the governor of Beirut, al-Usṭwānī, *Mašāhid*, 161.
[108] BOA, A.MKT. 229. 23, March 19th 1856; Before that he was the serasker of the aforementioned Said Damad Paşa the brother in law of the Sultan, from 1837 to 1839. He was then named Minister of commerce from 1839 to 1840, and assistant of Mustafa Reşid Paşa from 1842 to 1854. Finally he was named governor of Damascus from 1855 to 1856.
[109] BOA, HR.MKT.161/6, May 20th 1857.
[110] Abu-Manneh, *The Sultan and the Bureaucracy*, 261.
[111] Ibid, 262.
[112] A.E. 67/CPC/vol.2, Vallegue-de la Hitte, September 6th 1850.
[113] See for example, A.E, 166/PO-Serie D/20, vol. 3, , Vallegue-Bouqueney. August 18th 1850.

empire.[114] They targeted Ali and Fuad Paşa as well as the sultan. One of its leaders was Ahmad al-Sulaymani, a member of the *ṭarīqa* Naqšbandīya-Khālidīyya.[115] Ahmad al-Sulaymani was the son of a Naqšbandī-Ḫalidi shaykh and originated from Sulaymaniyah, just as Shaykh Ḫalīd. Imam Šāmil was also a strong reference for Shaykh Ahmad al-Sulaymani.[116] According to Florian Riedler he might have studied with Mahmud al-Sahib, the brother in law of Shaykh Ḫalid, and joined him when he came to Damascus in 1832. He then went to Istanbul in 1846.[117] During the Crimean War, Ahmad al-Sulaymani had joined the army of Anatolia and Batum as a *ġāzī*, a voluntary recruit, with 3000 volunteers. He was put under the command of Husayn Daim. It was with him that he later planned the assassination of the sultan.[118] He demanded the abolition of the *Tanzimat* and the application of the *šarīʿa*.[119] Fear of foreign intervention also featured among the resentments of the society of Martyrs.[120] They demanded the abdication of Abdülmecid, who was to be replaced by his brother Abdülhamid.[121] The aims of the organization however were soon exposed and Ali and Fuad Paşa took the necessary measures by firing a main Naqšbandī member of the Palace faction, the aforementioned Mahmud Nedim, who had been governor of Damascus. Yet, his implication had not been proven. He was later on Grand Vizier multiple times from 1871 to 1876 under the sultan Abdülhamid.[122]

Abdülmecid was targeted by the group for having promulgated the reform of 1856. In Damascus, there were also strong resentments towards the sultan. For example, in 1839, the French consul in Damascus reports that a few days after Abdülmecid came to the throne,

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[114] About the Kuleli incident see Florian Riedler, "Opposition to the *Tanzimat* state : conspiracy and legitimacy in the Ottoman Empire, 1859-1878." PhD diss. (SOAS, 2003), 15; Burak Onaran, *Détrôner le sultan, Deux Conjurations a l'époque des réformes ottomanes: Kuleli (1859) et Meslek (1867),* (Leuven: Peeters, 2013).
[115] Abu-Manneh, *Studies on Islam,* 126.
[116] Onaran, *Détrôner le sultan*, p 226.
[117] Riedler,"Opposition", 37.
[118] Ibid, 39, 40.
[119] Onaran, *Détrôner le sultan*, 117.
[120] Ibid, 120.
[121] Ibid, 139.
[122] Riedler, "Opposition," 43.

there was a rumour that the French had killed the Sultan Mahmud to put Abdülmecid, a child, to the throne so that they could control him and destroy the empire.[123] Then, there was a rumour that actually Abdülmecid had been killed by 'real believers' and his brother, who was a real defender of Muslims, had been put to the throne. According to the consul, these rumors alone led to the plundering of Christian villages in the Ḥaurān.[124] In July 1861, when the news of the death of the sultan Abdülmecid reached Damascus, the consuls mention the joy of the Muslims and their celebration. They also threatened Christians and declared that they will not pay the reparation demanded from them. Again Abdülmecid was described as an unbeliever and the massacres were described as initiated by the opposition and the supporters of Abdülaziz. They expected that Abdülaziz would annul the reforms and go back to the previous state of things. To counter this narratives, Fuad Paşa announced that the change of sultan did not modify the demands made on the population. He arrested some troublemakers and set up a curfew.[125]

In Damascus, before the violence, a pamphlet circulated which repeated some of these claims against Sultan Abülmecid. The authenticity of these writings cannot be verified, and neither can their authors be identified. However, the attested circulation of such materials had an impact on the population. These pamphlets, short and polemic in nature, could be read out-loud in coffee-shops and thus transmitted even to those who could not read among the population. One pamphlet is mentioned in the eyewitness account of a consular agent.[126] It is also mentioned in similar yet in slightly different version in *La verité sur la Syrie* de Baptistin Poujoulat.[127] Both presented this pamphlet as a letter from Muslim(s) of Damascus to Muslims of Homs. Poujoulat added that it is directed to Muslims in Aleppo and Hama as

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[123] A.E, 166/PO-Serie D/20, vol. 2, Beaudin-Roussin, July 25th 1839.
[124] Ibid.
[125] A.E. 166/PO-Serie D/20, vol. 5, Outrey-Lavalette, July 3rd 1861 and July 10th 1861.
[126] *Les Massacres du Mont Liban,* 114-115.
[127] Baptistin Poujoulat, *La vérité sur la Syrie et l'expédition française* (Paris, Gaume Frères et J. Duprey Editeurs, 1861), 230.

well.[128] According to Poujoulat, this letter was circulating in Sidon and came into the hands of the French consul there.[129]

The anonymous consular agent's copy of the letter emphasized the illegitimacy of Abdülmecid because of his departing from the *šarīʿa*, his use of paintings depicting human beings and self-portraits and his displaying of European crosses and decorations. The letter called for the overthrow of Abdülmecid and his replacement with his son Murad. He referred to a secret meeting that took place in the capital two years before composed of ulema, viziers and ulema, in which a decision was taken to get rid of the sultan. The author surely referred to the Kuleli affair which took place in 1859. He claimed that Christians started to despise the holy law and to transgress their limits and obligations, which had been instituted at the time of ʿUmar ibn al-Ḫaṭāb. They started to behave as if they were superior to Muslims, by asking them to stand in front of them, to let them pass first in meetings, etc. The author then listed the ground on which an attack against Christians would be considered legitimate. First, Christians no longer paid the *ǧizya*, and thus could be attacked in their life, property and honor, their houses and churches no longer have to be protected. Interestingly he cited *fiqh* juridical opinions from India and Bukhara stating that Christians should not become strong, and thus all means should be used to prevent it. He also mentioned that the Naqšbandī order is not opposed to the destruction of Christians.

Finally the author found in the current context, with foreign powers weakened by the Crimean war, an auspicious opportunity to attack Christians. He presented the killing of Christians as a preemptive defense against Christians who had the intention to appropriate all of Muslims possessions and to destroy them, with the help of their foreign allies. Then, he considered necessary to destroy them to prevent them acting as a fifth column for Europeans

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[128] Ibid, 230.
[129] The letter copied in Poujoulat follows the same lines and the same references, almost line by line, yet it demands for the enthronement of the brother of the Sultan, Abdülaziz and not his son Murad. Poujoulat, *La vérité sur la Syrie,* 230.

in the region in times of war. Especially the Christians of Mount Lebanon were described as intriguing and as acting in favor of Europeans. The decision was thus taken to get rid of all the Christians of Syria.[130]

Similar alarmist letters were found by the government in 1861. They were written by the Naqšbandī Shaykh Mehmed in Istanbul from the family of Imadiye (Amedi, Kurdistan) which warned the Kurdish chiefs of Kurdistan that Syria and Mount Lebanon had been given by the Ottoman government to foreign countries and demanded help. The government attempted to put an end to these rumors which damaged the legitimacy of the state.[131] Foreign intervention in *Bilād al-Šām* was an important basis of political mobilization among the Naqšbandīs.

In conclusion, the discussions around the *ḍimma* in learned circles and among the population point to its dynamic status and its intrinsic link to state legitimacy. The question of whether or not the *ḍimma* was abolished by the reforms had important consequences for inter-confessional relations. While within the official *Ḥanafī fiqh* school, some solutions were brought forward to uphold this social contract in the face of legal equality, the *Ḥanafī* ulema had gradually lost their influence locally and thus failed to explain the reforms to the population. The *Šāfiʿī* understanding of the *ḍimma* thus dominated, encouraged by the Naqšbandī ulema who increasingly voiced their opposition to the reforms of the society in the post-Crimean war period. Membership in the Naqšbandīya created links of solidarity and patronage between Damascene ulema and important political actors in Istanbul who opposed the reforms wished by Fuad and Ali Paşa. The abolition of the *ḍimma* came to symbolically represent the loss of the Islamic nature of the state and was thus a strong basis of political

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[130] *Les Massacres du Mont Liban,* 114, 115.
[131] BOA, A.MKT.UM.460.100, March 10th 1861.

opposition. It featured extensively in the discourses which surrounded the attack against Christians in Damascus in 1860.