
Supreme Ottoman Decrees on Sacred Sites of Palestine: An Imperial Model of Administration

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Abstract. *This article examines the Ottoman system of administering Palestinian sacred sites between 1517 and 1917, which reveals a sophisticated imperial strategy where controlling the sacred landscape was fundamental to governing a multidenominational province. The aim is to highlight that the Ottomans did not merely preserve a pre-existing status quo but actively engineered the spatial and legal boundaries of the sacred sites, thereby directly influencing state-communal relations, intercommunal hierarchies, and local self-identification. Drawing upon imperial decrees from published Ottoman archives, this paper investigates Ottoman policy of administering sanctuaries through the lens of imperial diversity, international agency and ultimate legitimacy of the Sharia law. The Sublime Porte legitimized its power by positioning itself as an ultimate arbiter of sacred boundaries, reinforcing Muslim supremacy while competitively allocating rights among Christian denominations. This process solidified the communal identities of powerful groups but often marginalized indigenous, smaller communities. This study is actualized by the ongoing conflict between Israel and Palestine and the persisting interest to its historical background. It offers a historically grounded framework for understanding how imperial model continues to inform contemporary disputes over access and representation at the sacred sites.*

Key words: Palestine, Jerusalem, Ottoman Empire, sacred sites, sacralization of space, intercommunal relations

Верховные указы османских властей о святых местах Палестины: имперская модель управления

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Аннотация. В настоящей статье анализируется система управления палестинскими святынями в Османской империи в период с 1517 по 1917 год. Управление святыми местами рассматривается как комплексная имперская стратегия, игравшая фундаментальную роль в регулировании жизни многоконфессиональной провинции. Цель статьи — показать, что османские власти не просто сохраняли существовавший до их появления в провинции status quo, но и активно формировали пространственные и правовые границы святых мест, тем самым оказывая непосредственное влияние на отношения между государством и общинами, межобщинные иерархии и самоидентификацию местных жителей. Источниковой базой исследования выступили имперские указы из опубликованных османских архивов. Османская политика управления святынями рассматривается через призму имперского многообразия, международного вмешательства и высшей легитимности законов шариата. Высокая Порта легитимировала свою власть, позиционируя себя в качестве высшего арбитра священных границ, укрепляя превосходство мусульман и одновременно распределяя привилегии между христианскими конфессиями на конкурентной основе. Подобная политика способствовала консолидации влиятельных конфессиональных общин, однако нередко вела к маргинализации коренных, малочисленных групп населения. Актуальность данного исследования обусловлена текущим конфликтом между Израилем и Палестиной и неизменным научным интересом к его историческим корням. В статье предлагается исторически обоснованная концептуальная рамка для понимания того, как имперская модель продолжает влиять на современные споры о доступе общин к священным местам и представительстве в них.

Ключевые слова: Палестина, Иерусалим, Османская империя, святые места, сакрализация пространства, межобщинные отношения

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Introduction

FOR Ottomans' predecessors in Palestine¹, the Mamluks, Jerusalem was of high importance both spiritually and politically, as their power was centered in close proximity to it, in Egypt. Jerusalem's location on the route to Damascus and Aleppo made the city an integral part of a compact, coherent Mamluk Sultanate. After the Ottoman conquest in 1517² the city retained only its symbolic value. With an empire spanning from the Balkans to North Africa and a distant capital in Istanbul, the Ottomans possessed vastly wider horizons. In this immense geopolitical context, and given the slow communications of the age, Jerusalem inevitably diminished in its political importance, becoming a remote provincial outpost. Still, bearing in mind the Crusader invasions of the previous period, Ottomans rebuild and fortified the walls of Jerusalem at the behest of Suleiman the Magnificent in 1537–1541³.

The Ottoman conquest of Jerusalem, however, exemplifies one particular difference from the previous ones. This time the city was captured from Muslims (Mamluk Sultanate) by other Muslims (Ottomans), therefore remaining in the scope of the 'House of Islam' (*dār al-Islām*). This very fact defined not only the basis of the state-communal relations in the province, but also the way the sanctuaries of the Holy Land were treated by new authorities.

Unlike the Crusaders, who converted major Islamic sanctuaries of Jerusalem — the al-Aqsa Mosque and the Dome of the Rock — into king's Palace and Christian church accordingly, or their Muslim counterparts, the Ayyubids, who reconsecrated these sites as mosques after recapturing the city; Ottomans did not manifest their power in the province by re-sacralization of Christian places of worship, as they did, for instance, by conversion of Hagia Sophia into mosque after the conquest of the Byzantine capital in 1453.

Besides, Ottoman conquest of Istanbul in 1453 inaugurated their political interest in sanctuaries of the Holy Land almost 50 years be-

- 1 When referring to Palestine in this article, we imply Palestine as a historical area, for there never was an Ottoman province with such name.
- 2 According to Turkish historical sources, these events could be dated both as 1516 (December) or 1517. Most likely, such inconsistency is a result of an erroneous translation from Hijra to Gregorian calendar, as both December 1516 and January 1517 are referred to as Ḍū al-Qa'dah 922.
- 3 Sokolov, O. A. (2025) "Memory of the Crusades in the Architecture of the Medieval Levant and Egypt", *Manuscripta Orientalia* 31 (1): 155.

fore it became a part of the empire. For Sultan Mehmed II (1432–1481) had not only captured the capital of the Byzantine Empire, but also assumed the functions of the Byzantine Emperor, who was the head of the Greek Orthodox Church. Subsequently, the Greek Patriarch of Jerusalem, Athanasios (who was however the subject to the Mamluk Sultan), visited Mehmed the Conqueror in 1458 and obtained an imperial edict⁴, ensuring the right of Orthodox Christians to freely use their places of worship⁵. This edict in fact reinforced an earlier decree⁶, issued by Caliph Umar (592–644) right after the conquest of Jerusalem in 636, and largely shaped *ad hoc* Ottoman policy in the region afterwards⁷.

Still, while the Crusader invasions to the Holy City were significantly imprinted in the cultural memory of Muslims, being depicted in literature, historical narratives and architecture, the Ottoman conquest of Jerusalem had not left such an impact, even for the Ottoman culture itself. As M. Öztürk puts it, the image of Jerusalem in Ottoman literature is merely reduced to its appearance in travelogues (*seyahât-nâme*), official diplomatic letters about Ottoman victories (*fetihnâme*), and literary writings dedicated to ascent of the Prophet Muhammed to Heaven from al-Aqsa Mosque (*mîrâcnâme*)⁸.

Despite such a modest cultural impact of the Ottoman presence in the region, this period of Palestinian history draws particular attention of modern scholars, not least because it represents a crucial background for current processes⁹. Indeed, the ongoing conflict between Israel and Palestine, including tensions across sanctuaries of the Holy Land, enhances great scientific interest in many respects from inter-

4 Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*, pp. 60–61. İstanbul: TC Cumhurbaşkanlığı Devlet Arşivleri Başkanlığı.

5 Avcı, Y., Yazıcı Özdemir, Ö. (2018) “Kudüs Kamame Kilisesi: Hristiyanlığın Merkezinde Osmanlı Mirası ve Statüko Meselesi”, *CTAD* 15 (29): 40.

6 Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*, pp. 58–59.

7 Sultan Selim I, the Conqueror of Jerusalem, in his imperial edict to Orthodox Christians of Jerusalem in 1517, once more re-enforced previous decrees of Caliph Umar and Mehmed II. See: Ibid., pp. 62–63.

8 Öztürk, M. (2017) “Türk edebiyatında Kudüs teması”, *Journal of Islamic Jerusalem Studies* 17 (2): 42.

9 Auld, S., Hillenbrant, R. (eds) (2000) *Jerusalem. The Living City: 1517–1917*. London: St Edmundsbury Press; Caruso, C. (2007) “Sixteenth Century Jerusalem: A Model of Coexistence?”, *The Jerusalem Quarterly* 29: 33–52; etc.

communal relations to practices of sharing sacred sites under Ottoman rule¹⁰.

In this sense, modern Türkiye, as a successor state, puts great efforts to maintain the image of the Ottoman empire as a just ruler of a Holy Land, utilizing its privilege to possess rich archives, which were inherited from predecessors. Apart from occasional cases, when Turkish government openly politicized aforementioned archival sources in the scope of Palestine-Israel conflict¹¹, significant works are undertaken in Türkiye at governmental level to preserve and promote archival materials on the Ottoman administration in Palestine.

Two comprehensive collections of such Ottoman archival documents on Palestine are used as a primary source of this paper¹². To better contextualize the findings obtained from published archival materials, we additionally consulted several travelogues, selected among thousands of others based on their relevance to the research topic¹³.

As these collections were published by Directorate of Turkish Archives with the support of the official authorities, in our research we take into account potential political bias, which is implied by selectivity during the process of their compilation. We intentionally engage only with the documents, issued by supreme Ottoman authorities in Istanbul, not the local ones, as our main focus here is on the imperial dimension. Besides, Palestinian studies are abound with accounts from local juridical archives¹⁴.

- 10 Anisimov, O. V. (2014) *Russia and Napoleon III: Struggle for the Holy Places of Palestine*. Moscow: Indrik. (in Russian); Jong, de F. (1983) "The Sufi Orders in Nineteenth and Twentieth-Century Palestine: A Preliminary Survey Concerning Their Identity, Organizational Characteristics and Continuity", *Studia Islamica* 58: 149–181; Barkan, E., Barkey, K. (eds) (2014) *Choreographies of Shared Sacred Sites: Religion, Politics, and Conflict Resolution*. New York: Columbia University Press; Dolu, A. (2025) "Intersecting Identities in 18th Century Jerusalem: Conversion to Islam", *Religions* 16 (11): 14–60; etc.
- 11 See: "İsraili tedirgin eden Osmanlı arşivleri: Filistinlilerin en güçlü silahı" ["Ottoman Archives, which Disturb Israel: The Most Powerful Weapon of Palestinians"], *Anadolu Ajansı*. 03.02.2020 [https://www.aa.com.tr/tr/dunya/israili-tedirgin-eden-osmanli-arshivleri-filistinlilerin-en-guclu-silahi/1722463#, accessed on 01.05.2026].
- 12 Sarıнай, Y., Özdemir, H. (eds) (2009) *Osmanlı belgelerinde Filistin*. İstanbul: T. C. Başbakanlık Devlet Arşivleri Genel Müdürlüğü; Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*.
- 13 Çelebi, E. (1935) *Evliya Çelebi Seyahatnamesi: Anadolu, Suriye, Hicaz (1671–1672)*. İstanbul: Devlet Matbaası; Burckhardt, J. L. (1822) *Travels to Syria and the Holy Lands*. London: J. Murray.
- 14 See: Cohen, A. (1994). *A World Within: Jewish Life as Reflected in Muslim Court Documents from the Sijill of Jerusalem (XVIth century)*, 2 vols. Philadelphia: University of Pennsylvania, Center for Judaic Studies; Caruso, C. (2007) "Sixteenth Century Jerusalem: A Model of Coexistence?"; Öksüz, M. (2018) "XVI. Yüzyıl Kudüs'ünde Yahudi

Meanwhile, the sacred sites of Palestine, which, for their historical and religious importance, have drawn so much attention in many other respects, such as cultural history of Holy Land and everyday religious practices¹⁵, or legal aspects of their regulation¹⁶, are understudied in sense of their role in shaping identities of the local population. At the same time, the scholarship on Palestinian identity almost entirely lacks attention to communal attitudes towards possession of sacred sites and consequences of their loss¹⁷. The study, which could be set apart in this respect, is a seminal work *The Middle Eastern Greek Orthodox Community under the Ottoman Domination. The first three centuries. 1516–1831* by K. A. Panchenko¹⁸. Dealing with the issue of the Arab-Christian identity in the context of the Ottoman policy towards the most prominent Christian sacred sites in Palestine, the author draws on multiple memoirs of Russian pilgrims and clergymen to the Holy Land. Still, as he appeals to the official Ottoman documents indirectly, some of his conclusions could be qualified as misleading¹⁹.

When the Ottomans came to Palestine with the pre-existing demarcation of its sacred landscape, there was no need for new conquerors to “reinvent the wheel”. Still, as we will later explain through a *discourse analysis*, the Ottoman conquest gradually brought new insights into state-communal and intercommunal relations across the holy sites, by introducing such new practices as accommodation of *imperial diversity*, *international agency*, and *ultimate legitimacy* of Sharia Law. Drawing on theoretical framework of Mircea Eliade in

Mabetleri ve Osmanlı Devleti”, *İsrailiyat: İsrail ve Yahudi Çalışmaları Dergisi* 2 (Yaz): 9–32.

- 15 Peri, O. (2001) *Christianity under Islam in Jerusalem — The Question of the Holy Sites in Early Ottoman Times*. Leiden: Brill; Grehan, J. (2016) *Twilight of the Saints: Everyday Religion in Ottoman Syria and Palestine*. Oxford: Oxford University Press; etc.
- 16 Heyd, U. (1960). *Ottoman Documents on Palestine, 1552–1615: A Study of the Firman according to the Mühimme Defter*. Oxford: Clarendon Press; İzgöer, A. Z. (2023) “Başkanlık Osmanlı Arşivi Belge ve Defter Kayıtlarında Kudüs”, *Türkiye Diyanet Vakfı Yayınları* 1210: 338–366; etc.
- 17 Litvak, M. (2009) *Palestinian Collective Memory and National Identity*. London: Palgrave Macmillan; Khalidi, R. (2011) *Palestinian Identity*. New York: Columbia University Press.
- 18 Panchenko, K. A. (2012) *The Middle Eastern Greek Orthodox Community under the Ottoman Domination. The First Three Centuries. 1516–1831*. Moscow: Indrik. (in Russian)
- 19 For example, drawing on observations of other researchers, who found some factual mistakes in certain Sultans’ decrees, K. A. Panchenko implies that they were fabricated by Greek Orthodox or Armenian functionaries, not counting that Ottoman archives usually consist of several copies of the same document, some of which include false data, while the others don’t. See more: Ibid., pp. 319–321.

how we understand “sacred space” and sociocultural importance of spatial manifestation of “sacredness”²⁰, we move along and argue here that Palestinian sacred sites functioned as fundamental arenas for the formation of communal identity through establishing group boundaries and asserting rights to possess a certain place.

Thus, our main aim is to explore how Ottoman authorities instrumentalized sacred geography of Palestine, and, therefore, how this process influenced state-communal relations, intercommunal hierarchies, and self-identification of local population.

Managing sacred sites in the scope of imperial diversity

In the light of their late arrival to Jerusalem, which at the time had already been under Muslim rule for almost 900 years (not counting the short periods of Crusader conquests), Ottomans did not leave any significant religious architecture in the city, except for charity buildings like *Haseki Sultan imaret*²¹.

They even proceeded with extreme circumspection in their development of the Temple Mount (*al-Haram al-Sharif*), not least because of the high prestige of the Umayyad monuments inside the sacred area. Among minor exceptions was a refurbishment of the exterior of the Dome of the Rock, executed by the order of Sultan Suleiman the Magnificent (1494–1566), which, by the way, was a perfect way to establish the Ottoman dominion of the city in visual terms²².

Therefore, initially, the Ottoman conquest of the city did not affect significantly the established boundaries of the sacred geography of neither Muslims, nor Christians or Jews alike. Given that the Sublime Porte was interested in intercommunal peace and order while administering its immense multi-ethnic and multi-denominational domain, it is not surprising that the imperial authorities, at first, has chosen to maintain *long durée* stability by accommodating *imperial diversity* and recognizing status quo inside the most significant sacred sites of the province.

20 Eliade, M. (1980) *The Sacred and The Profane: The Nature of Religion*, pp. 20–65, New York: A Harvest Book; Harcourt, Brace & World, Inc.

21 Haseki Sultan imaret — public soup kitchen in the Old city of Jerusalem, established in the mid-16th century in frames of the charity activities of Hürrem Sultan (wife of Suleiman the Magnificent).

22 Hillenbrand, R. (2000) “Introduction. Structure, Style and Context in The Monuments of Ottoman Jerusalem”, in S. Auld, R. Hillenbrand (eds) *Ottoman Jerusalem: The Living City (1517–1917)*, p. 8. London: St Edmundsbury Press.

Thus, the Temple Mount (*al-Haram al-Sharīf*) maintained its customarily division between representatives of four major schools of Islamic law (*madhhabs*), what could be testified by accounts of Muslim travelers of the time. As was mentioned by Ibrahim al-Khiyari²³, the *miḥrāb* of the al-Aqsa Mosque was reserved for the use of the Shafi'i imam, the *miḥrāb* of the Dome of the Rock was reserved for the Hanafi imam, the Maliki imam was assigned a place in the corner of al-Aqsa Mosque, and the Hanbali imam prayed in the Sultaniyya school²⁴.

The dominance of Hanafi school of Islamic law in the Ottoman empire notwithstanding, the Ottoman authorities secured rights for the representatives of the three other schools, acknowledging a right of the Shafi'i imam to lead prayer in the most significant mosque of the city. Given that the Shafi'i madhhab prevailed in the province, Ottomans recognized the customarily practices of local Muslims (read, "Arabs") who maintained their "otherness" in the scope of the imperial diversity.

Since the Ottoman system of governance was based on religious affiliation, Muslims were privileged to affect demarcation of sacred landscape in the province. Indeed, such factor as "distress to the Muslims" could serve as a legitimate reason for starting official investigation on growth in number of non-Muslim places of worship, as we can witness from the following quote from a 1584 Ottoman decree:

The Judge of Safed sent a letter to my blessed abode, stating that Safed has only seven mosques, while the Jewish community has thirty-two synagogues, despite having only three ancient synagogues. They have built many more synagogues, acquired numerous properties, and endowed them to their synagogues, causing great distress to the Muslims²⁵.

This decree authorizing local administration to investigate reasons for the multiplication of Jewish synagogues in the city, apparently referred to the fact that the Jews had violated the pre-established *status quo*.

23 Ibrahim al-Khiyari (1037–1083/1628–1672) — Shafi'i scholar from Madina.

24 Rafeq, A.-K. (2000) "Ottoman Jerusalem in the Writings of Arab Travellers", in S. Auld, R. Hillenbrand (eds) *Ottoman Jerusalem: The Living City (1517–1917)*, pp. 64–65. London: St Edmundsbury Press.

25 Sarıınay, Y., Özdemir, H. (eds) (2009) *Osmanlı belgelerinde Filistin*, p. 219.

Although Ottomans applied the provisions of a pact called *dhimma* ('pact of Umar')²⁶ while regulating relationship between the Muslim state and the subject non-Muslim communities to which the former extended its tolerance and protection, in Jerusalem this pact initially was addressed solely to Christians, as the Jews were not a city population at the time, following the restriction existed under Byzantine rule. As was argued by M. Öksüz, Jewish places of worship in Palestine were often deemed as illegal even under Ottoman rule, for the Jews didn't constitute a party of the aforementioned pact²⁷. In this sense, the early Sublime Porte tended to maintain well-established practices of spatial demarcation of sacred space, even though in other respects it was the state, where "Jews were able to preserve some status and dignity, and even to enter on a new age of efflorescence"²⁸.

Furthermore, at first, the Ottoman authorities has chosen not to violate some kind of a pre-existing *status quo* among Christian sacred sites as well, which was initially established by the decree of Caliph Umar in 636²⁹ and then confirmed by the edict of Mehmed the Conqueror in 1458³⁰. Accordingly, main Christian sanctities of Jerusalem and surroundings (Church of the Holy Sepulchre, Church of the Nativity in Bethlehem, etc.) were under supervision of the Greek Orthodox Patriarch with regards of managing pilgrimage, repairs and general maintaining. Representatives of other Christian denominations (Catholics/Franciscans, Armenians, Copts, Assyrians, etc.) were permitted to visit and use these places under auspices of the Greek Patriarch.

This tradition was maintained by the conqueror of Palestine, Sultan Selim I (1465–1520), who reiterated previously established conditions in his imperial edict, and re-acknowledged the supreme status of Greek Orthodox upon their Christian counterparts in the scope of the sacred sites: "So as not to offend the other millets, let the Greek Patriarch take precedence"³¹. Such a dominant position of Greeks in

26 The Muslim historiographic tradition ascribes the first formulation of these regulations, which were addressed to Christians of Syria, to the pious caliph Umar.

27 Öksüz, M. (2018) "XVI. Yüzyıl Kudüs'ünde Yahudi Mabetleri ve Osmanlı Devleti", p. 29.

28 Lewis, B. (1984). *The Jews of Islam*, p. 106. Princeton: Princeton University Press.

29 Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*, pp. 60–61.

30 Ibid., pp. 58–59.

31 Ibid., pp. 62–63 ("Rencide eylememek sâir milletden Rum Patriği olan mukaddem ola").

Jerusalem at the time happily coincided with their quantitative predominance and social supremacy among non-Muslims of the empire.

Initially, the descendants of Selim I, up to Suleiman II (1687–1691), continued to maintain the *status quo* among Christians, supporting Greek Orthodox Church. Situation started to differ crucially along with the extension of influence of bilateral diplomatic affairs of the Sublime Porte, particularly with France, after signing Capitulations³², which gradually expanded the rights of French subjects in the Ottoman domain, including Palestine.

Thus, in the period between 1690 and 1757 the Italian and French Franciscans challenged the ritual preeminence of Greek Orthodox in the Church of Holy Sepulchre. This situation led to precedent of 1757, when “a crowd of local and pilgrim Orthodox attacked the church and threw the Catholics out”³³. Subsequently, in the same year, Osman III (1754–1757) issued a decree, re-establishing Greek Orthodox dominion in the Church. Further political bargaining around the Holy Sepulchre and other major Christian sanctuaries in Palestine continued in accordance with the current political climate in and outside the empire, alternately giving ground to one or another party³⁴.

As it was noticed by European traveler and orientalist Jacob Christian Burckhardt, who visited Jerusalem and surroundings in the first decades of the 19th century, “The intrigues carried on at Jerusalem between the Greek and Latin monks contribute to increase these disputes, which would have long ago led to a Christian civil war in these countries, did not the iron rod of the Turkish government repress their religious fury”³⁵.

Indeed, the mediatory role of the Ottomans could be testified by multiple official recordings on direct state interference into tensions between different Christian denominations over their assertion of

32 Capitulations — bilateral commercial agreements between the Ottoman empire and some European states (Genoa, Venice, France, etc.) that granted subjects of these states with the rights of residence and trade under the protection of their sovereign and extended to Europeans residents in the empire the protection of that state's extraterritorial jurisdiction.

33 Bowman, G. (2014) “The Politics of Ownership: State, Governance and the Status Quo in the Church of the Anastasis (Holy Sepulchre)”, in E. Barkan, K. Barkey (eds) *Choreographies of Shared Sacred Sites: Religion, Politics, and Conflict Resolution*, p. 205. New York: Columbia University Press.

34 See more: Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*, pp. 66–263.

35 Burckhardt, J. L. (1822) *Travels to Syria and the Holy Lands*, p. 29.

rights to a certain sacred site, such as appointments of special commissions for investigation³⁶.

Still, in the light of gradual economic decrease and loss of their political and military influence, the Ottomans introduced local Christians with the new realities, by permitting international interference into the process of demarcating the sacred sites of Jerusalem. Such cases could be exemplified by official documents like “Minutes Signed among the Ministry of Foreign Affairs of the Ottoman State, Russian and French Ambassadors Regarding Renewal of the Dome of the Church of Holy Sepulchre in Jerusalem” (1862)³⁷.

As could be assumed, at first, the Ottomans reiterated the *status quo*, assuring predominant position of Greek Church and giving some ground for Franks and Armenians. Consequently though, by permitting the participation of international agency, they allowed external actors to participate in such a crucial process for inter-communal relations as demarcation of sacred space.

As it is widely known, the gradual internationalization of the struggle for property rights over the Holy Places in Palestine led to the Crimean War (1853–1856). Subsequently, the Treaty of Berlin (1878) solidified, at the international level, the *status quo* across the most significant Christian sanctuaries³⁸.

Diving into details of the international impact on the conflict between most powerful Christian denominations would bring us too far afield, given that the comprehensive research on the topic has already been undertaken elsewhere³⁹. What should be mentioned, though, is the result of this continuous struggle for hegemony, which ended up with the indigenous Christians being increasingly sidelined, as foreign churches and international interests started to dominate the governance of the site, often through property sales⁴⁰ and political bargaining.

36 See more: Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*, pp. 223–229.

37 Ibid., pp. 288–291.

38 Bowman, G. (2014) “The Politics of Ownership: State, Governance and the Status Quo in the Church of the Anastasis (Holy Sepulchre)”, p. 206.

39 Peri, O. (2001) *Christianity under Islam in Jerusalem – The Question of the Holy Sites in Early Ottoman Times*; Bowman, G. (2014) “The Politics of Ownership: State, Governance and the Status Quo in the Church of the Anastasis (Holy Sepulchre)”, pp. 202–240.

40 The attitude of the Supreme authorities in Istanbul towards property sales in Jerusalem and surroundings was ambiguous, though. They prevented this process to some ex-

As Glenn Bowman puts it, “many of the churches which had shared the Anastasis and the Holy Places either withdrew altogether (the Nestorians in 1614 and the Georgians in 1644), substantially reduced their holdings (the Abyssinians retreating to the Dar es-Sultan in around 1670), or took shelter under the dominion of the more powerful churches (as did, for instance, the Maronites and other ‘Uniate’ churches under the Latins and the Syrian Orthodox under the Armenians)”⁴¹.

Meanwhile, continuous intra-Christian tensions across the possession of sacred sites were framed with the competitive proselytism among local Christians, who were obliged to seek patronage of more powerful Churches, either Greek Orthodox or Catholic. As J. L. Burckhardt mentions in his travelogue,

The principal hatred subsists between the Catholics and the Greeks; of the latter, many thousands have been converted to Catholicism, so that in the northern parts of Syria all Catholics, the Maronites excepted, were formerly of the Greek church: this is the case in Aleppo, Damascus, and in all the intermediate country; communities of original Latin Christians being found only around Jerusalem and Nablous⁴².

Given that Christian proselytism among Muslims was punished with the death penalty, the Ottomans deliberately overlooked similar actions towards local Christians, therefore, allowing self-regulation of intercommunal hierarchy and preventing any of the two communities from becoming too powerful.

Subsequently, as a result of this process, some local groups of Christians, who had to seek protection under the shelter of stronger churches, were deprived of full recognition, and thus of some of their rights. E.g., communal claim for building of a Maronite church was rejected, “since the local government did not officially recognize the spiritual leaders of Maronite community”⁴³. This case of 1896, though, was transmitted to State Council in Istanbul for further investigation,

tent, especially for Jews of foreign subjecthood, still allowing property purchasing for German emperor and others. See more: Sarıay, Y., Özdemir, H. (eds) (2009) *Osmanlı belgelerinde Filistin*, pp. 257–260.

41 Bowman, G. (2014) “The Politics of Ownership: State, Governance and the Status Quo in the Church of the Anastasis (Holy Sepulchre)”, p. 203.

42 Burckhardt, J. L. (1822) *Travels to Syria and the Holy Lands*, p. 28.

43 Sarıay, Y., Özdemir, H. (eds) (2009) *Osmanlı belgelerinde Filistin*, pp. 43–45.

where the supreme authorities of the Ottoman state acted as a regulatory arbiter not only in inter-communal disputes, but also between provincial authorities and local communities.

Despite local Christians were significantly sidelined in terms of possession of sacred spaces, changed circumstances of the long 19th century brought them new opportunities, such as they could exercise their right to apply to the Council of Ministers (*Meclis-i Vükela*) for protection and recognition of their localities, including language diversity. Corresponding decision of the authorities ordered:

In cities and towns belonging to Jerusalem and the surrounding area, just as the liturgy has been performed in Arabic since ancient times in the churches belonging to the locals, in shared places of worship and pilgrimage sites during special ceremonies held for the locals, except for specific times and designated periods, Arabic is also used for chanting, therefore, as it is stated by the authorized commission of the Patriarchate, it is necessary that the current situation remain unchanged⁴⁴.

In the 19th century onward, the Ottoman empire faced such global challenges as modernization and nationalisms, which demanded that imperial authorities mobilize efforts to create a decorative system of equality for their subjects and further embed practice of accommodating diversity.

Moreover, even a formal recognition of the equality of Ottoman subjects introduced locals with the new realities, including permission for non-Muslims to erect their religious buildings in places, where this had previously been unimaginable. For example, even though the Ottoman subjects of Jewish origin were initially sidelined in the ‘pact of Umar’, and gradually lost their social and political influence as functionaries of the Ottoman empire, which they possessed in the previous periods⁴⁵, there are official accounts of the 19th century, that testify that local Jews had been protected by the state in many respects⁴⁶, and so did their places of worship, such as Rabbi Yehuda Hehassid

44 Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*, p. 318.

45 See more: Lewis, B. (1984) *The Jews of Islam*, p. 140.

46 See more: Sarıınay, Y., Özdemir, H. (eds) (2009) *Osmanlı belgelerinde Filistin*, pp. 141–142 (“Protecting Jews of Tiberia from thieves” (1884)).

(Hurva)⁴⁷ synagogue in Jerusalem, which was reconstructed by the state order in 1865⁴⁸.

Considering enormous influence that diplomatic relations of the Ottoman Empire acquired over time on intercommunal administration in Palestine, it is worth noting that even in giving permission to build a Christian church and hospital on Palestinian lands purchased by German Emperor Wilhelm II, the Ottoman authorities retained an important restriction that protected the interests of local Muslims⁴⁹.

Namely, the permission was given on the condition that those buildings shall be away from the holy places for the Muslims. So, despite the formal equalization of rights for all denominations of the Ottoman Empire in the famous *Hatt-i Hümayun*⁵⁰ edict of 1856 and high priority of Ottoman international affairs in the process of spatial demarcation of sacred sites, privileges for Muslims continued to be maintained in the form of moral privilege regarding the defining place for construction of non-Muslim religious buildings. Although non-Muslims were gradually allowed to build new places of worship in the Holy Lands, they were restricted by the presence of such Muslim sites in close proximity. So, Muslims retained their privileged status, as even after the adoption of the overall “equality” they were not prepared to relinquish their position.

A “moral superiority” of Muslims was also envisaged in the internationally recognized *status quo* inside the Holy Sepulchre, by still-maintained practice of having the keys to the door of the Anastasis kept by members of prestigious Muslim families, the Joudehs, who protect the keys, and the Nuseibehs, who open and shut the church in the morning and at night.

Still, as was explicated earlier on the basis of inter-Christian tensions across their most prominent sanctuaries, local Muslims were not the only religious community able to affect state policies towards sacred sites. Nor were they always a prevailing party in intercommu-

47 In the Ottoman documents this synangogue is called ‘Hasidim’. Modern name of the reconstructed synagogue is ‘Hurva’.

48 Ünal, U., Yekeler, N. (eds) (2019) *Kudüs’te Hristiyan Mezhep ve Milletlerin İdaresi*, pp. 479–481.

49 Sarıncay, Y., Özdemir, H. (eds) (2009) *Osmanlı belgelerinde Filistin*, pp. 395–397.

50 Hatt-ı Hümayun of 1856 (Imperial Reform Edict) — an imperial edict by Sultan Abdül-mecid I, that de jure guaranteed full legal and social equality for all subjects, regardless of their religion, therefore, granted non-Muslim communities a wide range of new privileges. It was issued to reaffirm and expand upon the Tanzimat reforms (1839–1876), partly in response to pressure from European powers following the Crimean War.

nal disputes, as there have been certain legal cases between Muslims and non-Muslims over possession of sacred sites, which have been resolved in favor of the latter. For instance, an imperial decree of 1613, issued by Ahmed I (1603–1617), had ordered to Jerusalem judge (*qadi*) to prevent Muslims from settling around and interfere into reparations of the Chapel of the Ascension, as this site was customarily under maintenance and patronage of the Armenians⁵¹.

Overall, the Ottomans were initially eager to maintain existing *status quo* across spatial demarcation of sacred landscape of the Holy Land, even at the expense of sporadic sidelining of the privileged community, Muslims. In this sense, Ottomans applied pragmatic regulatory arbitrage, being interested in preserving well-established intercommunal boundaries, not least because the city was poor, and, as R. Hillenbrand puts it, “in the 16th century the two major sources of government revenue in the city were the toll levied on visitors to the Holy Sepulchre and the poll-tax imposed on Christians and Jews”⁵².

Subsequently, though, the attempts of the Sublime Porte to maintain intercommunal balance in the Holy Land were significantly thrilled by intensification of what we call *international agency*, which affected not only the decisions of Ottoman authorities concerning the communal rights of possession of sanctuaries, but also the way local communities perceived each other.

Defining the legal frames for spiritual practices

If the spatial demarcation of sacred landscape gave certain moral privileges to Muslims, who could, in particular, protest against the growth in the number of churches or synagogues in the neighborhood or obtain protection for their sacred sites by official restrictions for construction of Christian or Jewish places of worship near the mosques, the legal framework for the spiritual practices inside the sanctuaries was equally applicable to all subjects of the Ottoman Empire, regardless of their religious affiliation. That is, any religiously improper action on Muslim part was equally subjected to condemnation by Ottoman authorities, as will be shown further in this section.

51 Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*, p. 53.

52 Hillenbrand, R. (2000) “Introduction. Structure, Style and Context in The Monuments of Ottoman Jerusalem”, p. 5.

Thus, a seminal edict, issued by Sultan Suleiman the Magnificent in 1565, commanded local judges to ensure cleanliness and prohibit violations of Sharia at sacred sites like the Temple Mount, the Tomb of the Virgin Mary and the Ascension Rock:

...and on the tomb of the blessed Virgin Mary, may Allah be pleased with her, and across the Footprint of Jesus, peace be upon him, as well as in other sacred sites and sanctuaries, the [Arab] women and infidel women along with the rest of infidel community gather together, and there is no end to their actions contrary to Sharia⁵³.

This edict was inspired by certain complaints — from public nuisances during Friday and holiday prayers inside the *al-Haram al-Sharîf* to “paganish” funeral rituals involving Arab women wailing and smearing dirt on their faces, demonstrating a clash between popular practice and official Islam: “They are causing trouble for Muslims on holiday and Friday prayers and in other periods by easing themselves without leaving the Harem”⁵⁴.

As could be assumed accordingly, a party affected by aforementioned nuisances was addressed simply as “Muslims”, while clear ethno-social (*Arab, Hindu, fellah*⁵⁵), religious (*kefere*⁵⁶) and gender (*kadın/avret*⁵⁷) markers were applied to define those who acted improperly. Thus, such orders served to establish a clear demarcation line between “us” (faithful Muslims) and “them” (non-Muslims or non-compliant Muslims), as such “otherness” became tangible once the boundaries of a legitimate action inside the sanctuaries are violated.

Apparently, in the officially recognized sacred sites like the Temple Mount, Tomb of the Virgin Mary and the Ascension Rock, all visitors were compelled to follow Sharia, thereby recognizing a legal priority for Islamic norms. Non-Muslims could worship, but in accordance with these rules, making their compliance a marker of subordination to the Muslim-dominated political order.

53 Sarıınay, Y., Özdemir, H. (eds) (2009) *Osmanlı belgelerinde Filistin*, pp. 31 (“...ve mezar-i Hazret-i Meryem radiyallâhu anhâ ve Kadem-i Hazret-i İsâ aleyhi's-salâtu ve's-selâmı ve sair mevâzi'-i mübâreke ve müteberrikede kezâlik avretler ve kefare avretleri ile kefare taifesi gelip cem' olup şer'a muhalif vaz'larının nihayeti olmayıp”).

54 Ibid., p. 31 (“Tebevül ve takâzaları için Harem'den taşra varmayıp bayram ve Cuma namazlarında ve gayri vaktinde Müsülmanlara müzâyaka verip”).

55 *Fellah* (Ottoman Turkish) — farmer; Ethiopian; black Arab.

56 *Kefere* (Ottoman Turkish, sing. *kâfir*) — infidels, non-believers.

57 *Kadın/avret* (Ottoman Turkish) — women.

Therefore, when the Ottoman authorities imposed certain moral and ethical rules to their Muslim subjects (whether of Turk, Arab, or other origin), it was an act of defining and accommodating their version of official Islam. At the same time, claiming non-Muslims to comply with the similar moral criteria in such places as Tomb of the Virgin Mary or the Ascension Rock shows that the Ottomans were directly involved in the process of sacralization, through expanding sphere of legal protection not only to purely Muslim sanctuaries but also the shared ones.

Moreover, aside from interfering in spatial demarcation of Christian sacred sites, Ottoman authorities could also establish some rules for spiritual practices inside them. Thus, for instance, Sultan Murad IV (1612–1640) reiterated privileged position of the Greeks during the ceremony of Descent of the Holy Fire, explicitly ordering: “Let the Greeks enter first”⁵⁸.

In this sense the Ottomans, acting as external arbiter, were able not only to determine certain spheres of influence (*who* was allowed to conduct ceremonies and rituals, *when*, and *where*), but imply Sharia as a legal frame for officially recognized norms even inside Christian sanctuaries.

What should be mentioned particularly is the language used in the corresponding official documents. While seeking for external arbitrage from the Ottoman side, religious leaders adopted such terms of Islamic Law as *bid'ah* (‘innovation’). In so doing, they implied that the actions of their opponents should be condemned as illegal. Thus, for instance, in 1688 Greeks assured that interference of Franciscan monks in their Holy places would have been prevented by the Ottomans⁵⁹.

What is more, the Ottoman legal frame of Sharia allowed Christians to perform their annual large-scale public ceremonies. As prominent Ottoman traveler and historian Evliya Çelebi (1611–1682) puts it in his *Seyahatname*:

Every year, during the days of Beyzai Ahmer also known as the days of the Red Egg [the Easter], tens of thousands of infidels, deserving the hell, gather together. The days when Greeks and Armenians from seven provinces and even Franks from eighteen kingdoms gather together, the

58 Ünal, U., Yekeler, N. (eds) (2019) *Kudüs'te Hristiyan Mezhep ve Milletlerin İdaresi*, pp. 66–67.

59 Ibid., pp. 81–83.

pasha, the mullah, the Sheikh al-Islam, the religious leaders of the province, and all the soldiers of Sultan gather round in the neighborhood of the Holy Sepulchre, ready to prevent five or ten thousand infidels, who gathered together, from invading⁶⁰.

Even though such ceremonies were authorized, i.e. tolerated, the Ottoman authorities and local Muslims perceived them as a potential political menace, likely informed by the historical memory of the Crusades. Thus, officially recognizing the right of Christians to perform such rites in public, the Ottomans manifested their power without direct interference, but making precautions and mobilizing all sorts of military and religious officials of the city.

Thus, the Ottoman authorities both enforced a hierarchical Islamic order within sacred spaces and arbitrated the intercommunal coexistence, actively shaping the spiritual landscape to assert political dominance. By imposing the Sharia compliance on all visitors to shared sanctuaries while simultaneously regulating and even safeguarding non-Muslim ceremonies, the Ottomans manifested their sovereignty through a measured balance of legal prescription and prudent tolerance.

Still, there were such sacred sites in Palestine, as shrines of local “saints” (usually, Sufi sheikhs), which customarily were managed by “certain families, who could claim the saints buried there as their ancestors”⁶¹, therefore, staying outside the purview of the official control.

As it was argued by Karen Barkey, drawing on multiple examples inside the Ottoman empire, including Palestine, such shared spaces as shrines of saints can be negotiated between two or more potentially antagonistic groups without tangible conflicts⁶².

60 Çelebi, E. (1935) *Evliya Çelebi Seyahatnamesi: Anadolu, Suriye, Hicaz (1671–1672)*, pp. 489–490 (“Hâlâ her sene keferenin Beyzai Ahmer günleri yani Kızıl Yumurta bednamlarında beş on bin küffarı feccarı duzahkarar cem olub. ekalîmi seb’adan Urum ve Ermeni ve on sekiz kırallıktan Firengi bedrenk dahi cem olduğu günler paşa ve mol-la ve şeyhülislâmî dîn ve ayânî vilâyet ve cümle askeri sultanî pürsilâh bu Kamame mahallinde hazır olurlar kim beş on bin küffar ziyaret tarikile cem olub istilâ etmiyeler deyu”).

61 Jong, de F. (1983) “The Sufi Orders in Nineteenth and Twentieth-Century Palestine: A Preliminary Survey Concerning Their Identity, Organizational Characteristics and Continuity”, p. 156.

62 Barkey, K. (2014) “Religious Pluralism, Shared Sacred Sites, and the Ottoman Empire”, in E. Barkan, K. Barkey (eds) *Choreographies of Shared Sacred Sites: Religion, Politics, and Conflict Resolution*, p. 34. New York: Columbia University Press.

One can find descriptions of such practices in the travel accounts of the E. Çelebi in the 17th-century Palestine:

Even we, the lowly, accepted this advice, and we prayed thus and sought intercession. And beyond these, in the garden of heaven, on a rocky outcrop, a lofty dome was erected — the shrine of Hazrat Is ibn Ishaq (peace be upon him) [...] and the Greeks are among his descendants (followers), but Jewish people visit it strangely (rarely)⁶³.

That is, while performing their rites in the same very space, the Muslims, Christians, and Jews could peacefully coexist and view each other without sufficient suspicion, even staying outside the purview of the official control.

Conclusions

The Ottoman administration of Palestinian sacred sites presents a distinctive imperial model of managing religious diversity. Moving beyond the binary opposition of pure tolerance and oppression, the Ottoman approach was characterized by a pragmatic, layered system of control that actively shaped the intercommunal landscape.

The Ottomans enforced physical and legal boundaries within sanctuaries, from maintaining intra-Muslim divisions inside the Temple Mount to accepting internationally recognized *Status Quo* within the Church of the Holy Sepulchre, therefore, solidifying group identities. This approach reinforced the supremacy of Muslims and powerful *millet*s like Greek Orthodox or Catholics, often at the expense of marginalizing smaller, indigenous Christian groups. Even in shared sacred sites, the imposition of Sharia-compliant behavior as a condition for access maintained a hierarchical structure of state-communal and intercommunal relations.

The period of Ottoman rule in Palestine demonstrates that long-term stability was sought not through homogenization but through the state regulation of difference, which incidentally could have unexpected outcome. Thus, at the beginning of the 20th century the Otto-

63 See: Çelebi, E. (1935) *Evliya Çelebi Seyahatnamesi: Anadolu, Suriye, Hicaz (1671–1672)*, pp. 458 (“Hakir dahi bu pendî kabul idüp öyle dua etdik ve şefaatlerin reca eyledik ve bunlardan taşra ol bağı İremde bir kaya dameninde bir kubbe-i âli icre Ziyareti Hazret-i Is ibni Ishak (aleykum al-Salam) [...] ve Rum kavmi bunun zürriyetindendir amma kavm-i Yehud acib ziyaret iderler”).

mans officially recognized customarily practice of local Christians to maintain liturgy in Arabic inside the churches, thereby not only consolidating group identity of the latter but also affording them ground to compete for precedence with Muslim Arabs, who traditionally perceived themselves as the main protectors of the Arabic as the language of the Holy Quran⁶⁴.

As it was argued in this study, the Ottoman state did not merely observe the process of solidifying group boundaries inside the sacred sites but became its chief architect and arbiter. By assuming the authority to authorize, demarcate, and regulate, the Sublime Porte engaged itself into the very heart of the process of sacralization of space. The policy of recognizing *imperial diversity*, by accepting and institutionalizing differences between and within religious communities, served as a primary tool of governance.

Gradually, though, this policy was complemented by the sanctioned practice of *international agency*, allowing foreign powers to influence such important process as spatial demarcation of sanctuaries, which further complicated the local dynamics of power and possession and, therefore, sufficiently affected intercommunal relations and mutual perceptions of different groups.

Ultimately, this study offers insights for understanding the enduring legacy of spatially anchored identities in Palestine and highlights that imperial model can profoundly shape the sacred geography of a contested land, therefore, giving historically grounded framework for contemporary scientific discourses, which imply a decisive role of political interests and struggle for socioeconomic resources in the process of spatial demarcation of the Holy Land⁶⁵.

Future research could further explore the agency of local communities in negotiating these imperial dictates and the long-term impact of the Ottoman system of governance on modern Palestinian social and religious identities.

64 See more: Masters, B. (2013) *Arabs of the Ottoman Empire (1516–1918). A Social and Cultural History*. New York: Cambridge University Press.

65 See more: Barkan, E. (2014) "Choreographing Upheaval: The Politics of Sacred Sites in the West Bank", in E. Barkan, K. Barkey (eds) *Choreographies of Shared Sacred Sites: Religion, Politics, and Conflict Resolution*, pp. 235–269. New York: Columbia University Press; Khamaisi, R. (2014) "The Impact of Conflict over Holy Sites on City Images and Landscapes: The Case of Nazareth", in E. Barkan, K. Barkey (eds) *Choreographies of Shared Sacred Sites: Religion, Politics, and Conflict Resolution*, pp. 270–289. New York: Columbia University Press.

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