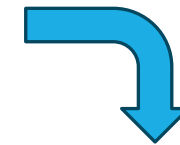


# MANIFESTATIONS OF JUSTICE IN THE OTTOMAN CALIPHATE

Dr Yakoob Ahmed

# CIRCLE OF JUSTICE

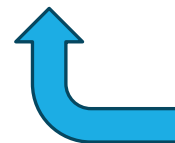
No power without troops



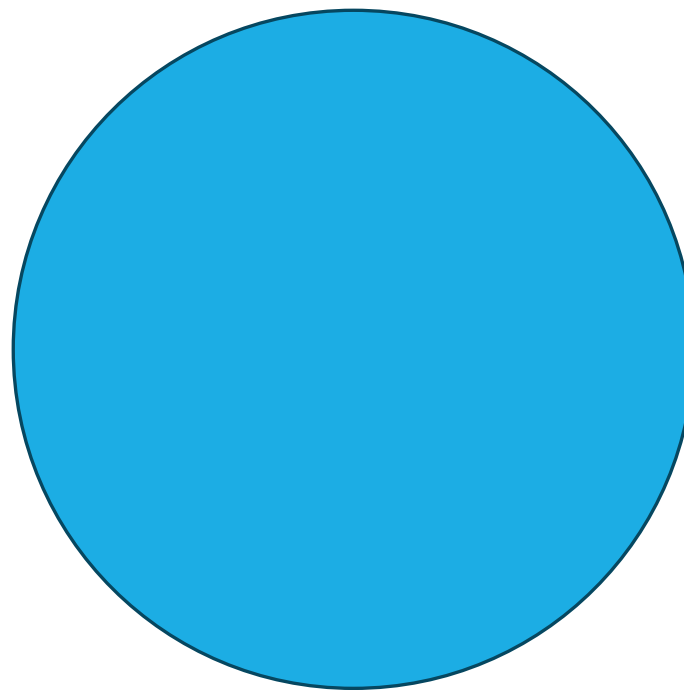
No troops without money



No money without prosperity



No prosperity without justice and good administration.





# DETAILED EXPLANATION

The world is a garden, hedged in by sovereignty

Sovereignty is lordship, preserved by law

Law is administration, governed by the king

The king is a shepherd, supported by the army

The army are soldiers, fed by money

Money is revenue, gathered by the people

The people are servants, subjected by justice

Justice is happiness, the well-being of the world.

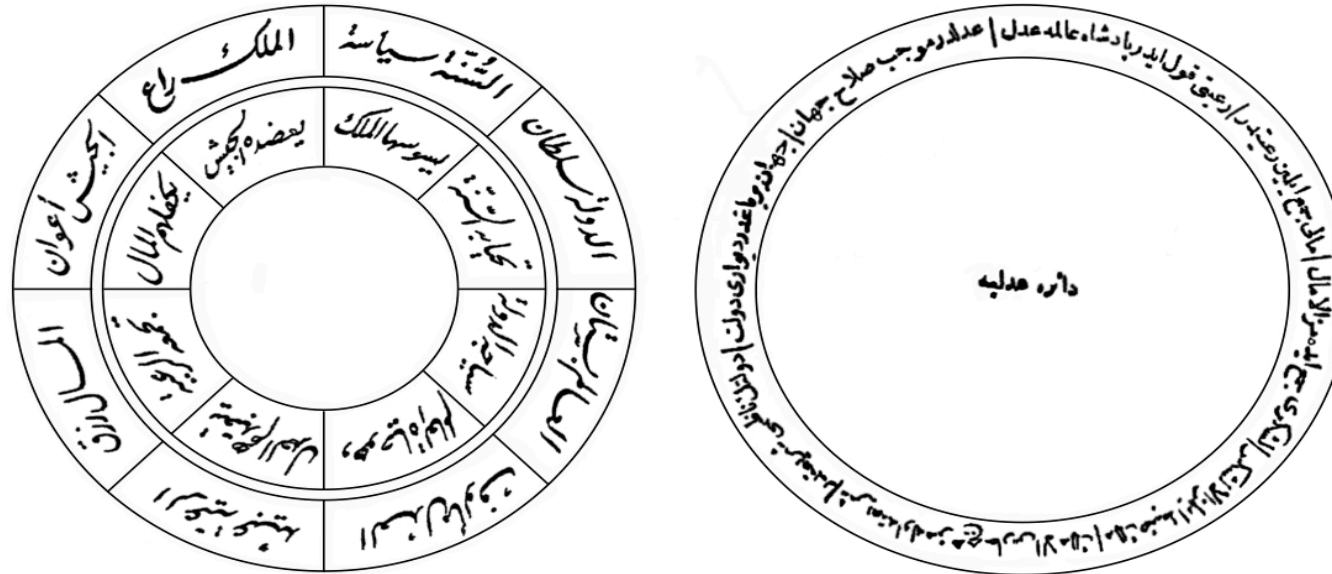


Figure 1 The Circle of Justice: Left circle – Arabic, after ‘Abdurrahman Badawi (ed.), *Fontes Graecae Doctrinarum Politicarum Islamicarum*, 1954. Right circle – Ottoman Turkish, after Kinalızade ‘Ali Çelebi, *Ahlāk-i ‘Alā’ī*, 1228/1832–3.

A History of Social Justice and Political Power in the Middle East  
 The Circle of Justice from Mesopotamia to Globalization – Linda Darling

# KINALIZADE ALI EFENDI (D. 979/1572)

Ottoman scholar, statesman and poet known for his work titled *Ahlâk-ı Alâî* - (1564)

<https://islamansiklopedisi.org.tr/kinalizade-ali-efendi>

*Sulayman al-Kanuni dies in 1566 – Moving away from a charismatic leadership modal perhaps.*

*Hikmet-i Ameliyye – (Philosophy of ethics) – Work is broken down into three sections, with a detailed introduction.*

*The work was not simply abstract ideas, but rather examples from Islamic and Ottoman history were used to help the reader understand the manifestation of the notions of morals, ethics and justice.*



# AHLÂK-I ALÂÎ -(1564)

*Introduction* - The introduction focuses on topics in the field of moral philosophy, terms related to the science of ethics, the benefits of the science of ethics, practical and theoretical ethics, the soul and issues of education. This section ends with a discussion on the human being being “the most honorable of creatures”.

*The first section*, devoted to the science of morality, deals with individual moral issues and covers the types of character, virtues, mental illnesses (disgraces) that prevent the acquisition of virtues, their treatment methods, language training and speaking etiquette.

*The second section* is devoted to family ethics (ilm-i tedbîr-i menşen). In this section, Kinalizade provides information about the establishment of the Muslim Turkish family, the duties of the head of the family, the rights, duties and responsibilities of the family members from the youngest to the oldest, and explains the methods of family education with examples.

*The third section* is about state administration and political ethics (ilm-i tedbîr-i medîne). In this section, the author describes the state model in which the Turkish nation has lived and maintained for centuries. The protection of property and the dominance of justice, the qualifications and duties of the head of state and the rules to be followed in the selection of statesmen

# POST SULAYMAN AL-KANUNI

*Mustafa Ali (d1600) complained about upsetting the balance of Ottoman officialdom.*

*He was critical that the elite political class that within their political culture had embodied a value system of ethics and morals, which made them diligent and accountable regarding their duties, were instead replaced by a new emerging political class that represented a different type of social class as well. The complaint was this new social class who had attained much material wealth due to the wide distribution of resources, lacked however the culture of good governance. With this new uncultured class entering governmental service they were upsetting the balance of good governance, hence facilitating the possibilities of administrative injustice.*

*Taxation for Mustafa Ali was not simply a matter of distributing wealth to the various segments of society, but was also a mechanism that kept the elites honest. The prosperity gained by the new elites, where tax breaks were offered to them needed re-examination, as proper taxation was part of the balance of Ottoman state and society.*

*The balance between not increasing taxation to the weak (unjust to them) but not reducing taxation, that the troops and statemen could not be paid enough to do their duties (unjust to the strong)- **Taxation and sadaqah are different***

*Ali turned to Islamic history to show when this wasn't followed it led to disarray.*

*Ali called for a return to the tradition – but conditions had changed.*

# THE KÖPRÜLÜ ERA AND POST (17<sup>TH</sup> CENT)

Mehmed (Muhammad) Köprülü, an Albanian and part of the Enduran tradition used strong -arm tactics to remove many state administrators and crushed the Jelali revolts in order to restore “Nizam” (order) and subsequently justice back within the Ottoman system.

While Köprülü was Grand Vizier for only 5 years, his family and lineage were responsible for a reviving a system in which the elites were of a particular culture regarding their duties of statecraft and supporting the Sultan.

It was during this period that the works of the famous Muslim scholar Ibn Khaldun were revived. Not to examine an inevitable fall of power, but rather how to reverse it. It was felt that “justice” could restore balance, as it was a main pillar.

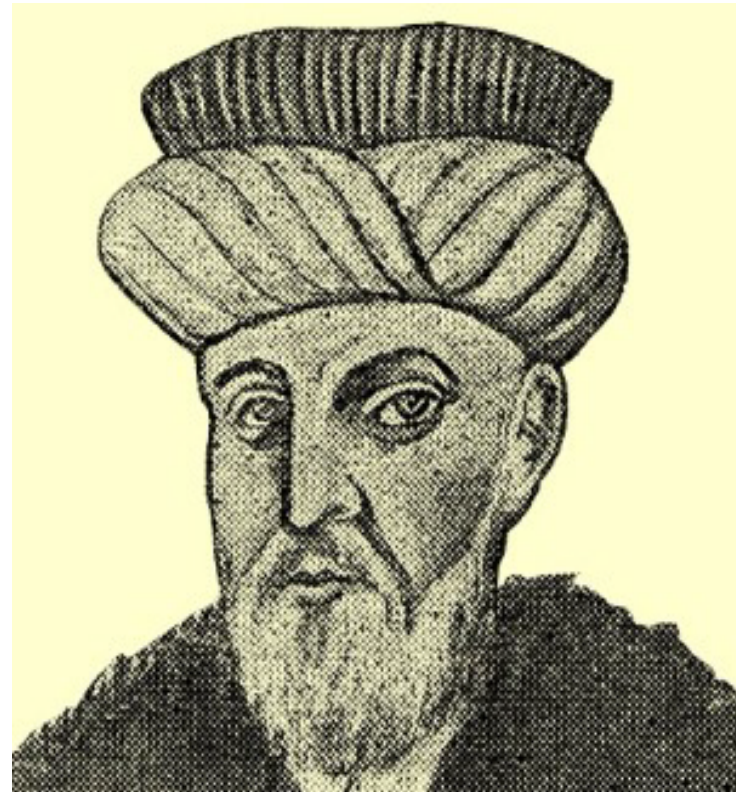


# NAÎMA (MUSTAFA NAIM) (1716)

Naîma was an official chronicler of the Ottoman Empire. But he didn't simply document, but through his history works offered advice to the authorities.

He attempted to re-introduce a simplified version of the circle of justice and offered it to the GV Amjazade Huseyin Köprülü.

In the time of Naîma however, the circle of justice was not being presented as a guide to follow but rather as a standard to hold authority to account.



# THE LONG NINETEENTH CENTURY (1774-1909)

The notion of justice was now being spoken off more in relation to it being embodied in the Sultan and the law itself. Sometimes the term *adalet* and *Sharia* became interchangeable.

When the Ottomans attempted to reform their empire, in matters to do with taxation and military, it was often argued that tax collectors and the Janissary had become corrupted, and thus moved away from justice. It was argued that a strong Sultan was required to be just and restore balance.

Mahmud II was projected as that Sultan but also became controversial as he used what was deemed authoritarian methods, which upset the balance of power. As a result, while he declared himself the “Just” Sultan, because it was deemed he operated outside of the law and the ethics of what the law represented, he was accused by his detractors as “the Unjust Sultan”.

# THE GÜLHANE EDICT (1839) — JUSTICE AT THE CORE

Justice is one of the most central themes of the **Gülhane Edict (1839)**.

**Protection of Life and Property:** One of the most significant aspects of the Gülhane Edict was its promise to protect **individual lives** and **property**. This was a direct challenge to the previous system, where the power of local rulers or elites could often lead to arbitrary violence or confiscation of wealth without any recourse. The edict sought to prevent the abuse of power by local officials and protect subjects from wrongful detention or seizure of their property.

**Equality Before the Law:** The edict introduced the idea that **all Ottoman citizens**, regardless of religion or ethnicity, should be equal before the law. This concept of legal equality was a radical shift, moving away from the earlier **millet system**, where different religious communities had their own laws. The edict, in essence, promised justice for all.

**Transparency and Fairness in Justice:** The Edict also outlined that **trials should be fair and public**, and punishments would be meted out based on clear and established laws, rather than arbitrary decisions by rulers. In a sense, it called for a more **systematic and organized legal process**, where decisions could be challenged and where justice would be more predictable.

**Limiting Corruption:** A major part of the reform effort was aimed at **reducing corruption** within the judicial and administrative systems. It was a response to the widespread perception that justice could be bought or influenced by those with wealth or power. The edict suggested reforms to ensure a fairer, less corrupt system.

# FRENCH REVOLUTIONARY IDEALS

Mahmud was not the only one of course. The Muslim world was experiencing a transition, as was the world, in which many works around the Muslim world were criticizing authoritarian rule and wanted more constitutional practices as a way of restoring “order” and “balance”, hence justice.

This came to an apex in 1876 when the Ottomans introduced their first constitutional experiment. One camp pushed for a more constitutional process, suggesting that if their elites were given an increased role to support the Sultan this would restore balance, while others argued, that in fact what is required is a strong Sultan.

# NEDIM PASHA'S AYINE-YI DEVLET (THE MIRROR OF THE STATE)

His book , which he wrote while in exile, was a political treaty work dealt with political theory.

Nedim argued that a strong ruler was required. That he was pious and religious. Nedim argued that the success of Ottoman Sultan in the past was that they were strong Sultans. He had no problem with the Sultan being an autocrat.

It is worth noting that rather than using the word istibdat which became popular for authoritarian he used the word mustakil.

Nedim felt the person of the Caliph was more important than the idea of constitutionalism.

He argued that the tariqats should encourage the love for the Sultan and loyalty to him. Build the image of Ottoman authority around the personality cult of the Sultan.

# ADÂLET AS PART OF THE SLOGANS OR REGULATOR OF IT?

