

Convivencia under Muslim rule: the Island of Cyprus after the Ottoman Conquest (1571-1640)

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ABSTRACT

This contribution examines the conditions of the religious communities in Cyprus since 1571, when the Ottoman Empire conquered the island from its former sovereign, the Republic of Venice. Thanks to extensive research in the archives of local district courts, whose judges were named *kadis*, it has been found that there prevailed for a long time – up to 1640, but in fact up to the end of the Ottoman Empire – a relatively easy coexistence between the religious majority on the island – Orthodox Greeks – and a tiny but growing Muslim minority, partly forcibly transferred from Turkey. Islam was the official religion of the Ottoman Empire; but Muslim tradition admitted limited tolerance for Jews and Christians, as monotheistic religions based on a written revelation (the “Peoples of the Book”), which was thought to anticipate the true and final revelation by God to its Prophet Muhammad. Therefore, toleration of Jews and Christians in the Muslim world recognized these as self-governed religious communities (*millet*), tolerated on the basis of the payment of a tax and subject to conditions of political exclusion and to some other conditions of inferiority. In Cyprus after the Ottoman conquest, however, Muslims were a minority group; but *Kadi* court registers show that they lived peacefully side by side with the majority of Orthodox Greeks and with smaller groups of Jews and Catholics. The end of this *convivencia* came after the 19th century and the fall of the Ottoman Empire as a multiconfessional, multiethnic political system. Combined with a new consciousness of differences in language, culture and ethnicity, the idea of nation and the goal of national independence put an end to religious coexistence in Cyprus, and after a bloody war “Christian Greeks” and “Turkish Muslims” divided, and remain blocked today in a condition of reciprocal opposition and hatred.

Questo saggio considera le relazioni tra le comunità religiose esistenti a Cipro dopo la conquista Ottomana, che sottrasse l'isola alla Repubblica di Venezia nel 1571. La chiesa greco-ortodossa era maggioritaria sull'isola, ma era stata sottomessa dall'Islam, la religione ufficiale dell'Impero ottomano, che provvide anche a trasferimenti forzati di musulmani a

Cipro per aumentarne la popolazione. Tuttavia, lo studio dei registri delle corti dei giudici distrettuali, i kadi, ha mostrato che le due comunità religiose coesistero senza tensioni, anche se nell'Impero ottomano le religioni monoteiste (ebrei e cristiani, i "Popoli del Libro") erano tollerati come precedenti dell'Islam, ma a condizione di pagare una tassa e di accettare diverse inferiorità politiche e religiose. Questo regime di mescolanza e coesistenza venne progressivamente distrutto dall'affermarsi, sulla base di elementi di comunità linguistica, etnica e culturale, sommati a quella religiosa, dell'idea di nazione e degli opposti nazionalisimi dei Greci e dei Turchi. Dopo una dura guerra, ancor oggi le due comunità politico-religiose sono politicamente divise e reciprocamente ostili.

Historical research in the Ottoman archives since the 1960s and 1970s, especially by Andrew C. Hess¹, has deeply altered Western views of the balance between Christian and Muslim forces in the Mediterranean in the 16th century. The significance of the battle of Lepanto (1570), as a turning point in favour of the Christian States, in the history of the military and religious clash between Europe and the Ottoman Empire in the Mediterranean, has been profoundly revised and has shown that there was not such a great victory over the Turkish enemy as was celebrated and exalted by the Catholic League and all Catholic Europe. Hess has shown that, on the basis of Ottoman sources and history, the balance was much more even, and that considerable progress was still made by Istanbul. To prove this, it will be enough to mention the quick and easy rebuilding of the Turkish fleet, the advances made after 1571 by the Ottoman Empire in North Africa, such as the conquest of the key Spanish fortress of La Goletta near Tunis (1574), the defeat of Portugal at Alcazar in Morocco (1578), and, most of all, the successful occupation since 1571 of the very island of Cyprus, for whose possession the war had begun the year before. Venice was compelled to accept the loss of this strategic outpost, and in 1573 retired from the Holy League to strike a separate peace with the Sultan, even agreeing to pay a heavy tribute in order to protect its still extant commercial positions and naval routes within the territories under Ottoman control.

Thus, after 1571, Cyprus became a Christian island under Muslim rule, after having been colonized by Frankish and Venetian elites which had come to the island, respectively, following the Crusader Kingdom of the House of Lusignano in 1192, and the Venetian takeover in 1489. We shall try here to show how, under Islamic law, the Christian, specifically Greek Orthodox, majority of the population, joined by a few other tiny confessional groups (Jews, Armenians, Maronites) gained the status of *zimmis* (Arab *dhimmi*), that is, of tolerated, if inferior, religious minorities, which were allowed to live peacefully alongside the growing Muslim population that came to occupy the vacant spaces in this new Ottoman possession.

A historian from the University of Illinois, Ronald C. Jennings, has explored extensively the judicial archives and registers (*sicil*) of the *kadis*, the local judges whose courts applied

the *sharia* (Islamic law) in Cyprus², as everywhere else in the Ottoman Empire. Each *kadi* court had its territorial district or *kaza*; the districts in the island had their centres in Lefkoşa (Greek Nicosia, in the interior), Girniye, Mesariye, Magosa (Greek Famagusta), Karpas, Tuzla-Larnaka, Morfo (Greek Morphou, in the interior), Pendaye, Baf (Greek Paphos). Jennings' study of these judicial records from the main *sharia* court of Lefkoşa and other minor courts, from 1571 to 1640 (that is, up to the death of the powerful Sultan Murad II), shows in fine detail not only what the social and economic conditions of the island were under Turkish rule, but also, and most importantly in our perspective, how both Christians Greeks and Muslims used the same Islamic courts of the *kadis* to settle their differences. These records show that Orthodox and Muslim inhabitants lived in close proximity in the same neighbourhoods, and that there was none of the nationalist hatred between Greeks and Turks that has plagued the island since the 20th century.

Data about the population of Cyprus, before and after the Ottoman conquest of 1571, are hard to come by. Only the non-Muslim population which survived on the island after the devastating 1570-1571 war and the flight of the former Venetian rulers and Latin (Catholic) clergy³, are partially accounted for, due, as we shall see, to the special personal and fiscal status of confessional minorities under Islamic law. That is to say, they had the status of *zimmis*, evolved since the reforms by Suleyman the Magnificent into the statute of separate confessional communities, according to the so-called *millet* system (*millet*, plural of *millah*, meaning religious communities)⁴.

According to Braudel⁵, Cyprus just before the Turkish conquest had been an almost "empty" island. Only around 180,000 inhabitants are presumed to have lived there in 1570, 140,000 of whom seem to have been rural serfs and poor peasants in scattered villages. Only 40,000 dwellers lived in the two main Venetian fortified urban centres, namely the capital and main city of Nicosia (perhaps the only one worthy of the name, and also the only town to be located in the interior of the island, which came to be called Lefkoşa under Ottoman rule) and the fortress of Famagusta (which became known by its Turkish name as Magosa). To these could be added some minor towns and harbours along the coasts, such as Limassol (Limosa)⁶, Girniye (Kyrenia), Tuzla-Larnaka (Larnaca) and Baf (Paphos).

The Latin clergy had abandoned the island with the defeated Venetian lords; but a traveller, Jean Baptiste Tavernier, still testified around 1650 that "everybody, men and women, dressed in the Italian style"⁷. The majority of the population, however, belonged to the Greek Orthodox Church, even if many of the inhabitants may have converted to Islam, as we shall see, to avoid the taxes imposed on the tolerated religious minorities, or *dhimmi* (Turkish *zimmi*). These were the poll tax or *gizyia* (Turkish *cizyie*) and the tithe on land or *karaë* (Turkish *harac*).

Soon after the conquest, fortifications which had been destroyed during the war were restored, and Ottoman rule was imposed through the location of garrisons in all the

strategic places. Military corps of Janissaries (chosen slave infantry, conscripted and converted from the conquered Christian populations in the Balkans and drilled in the royal palace in Istanbul) and *Spahis* (noble Turkish cavalymen, paid, through the *ti-mar* system, with the agricultural revenues of villages allotted to their maintenance in the island) were located in the castles, all of them on the coast except Lefkoşa (Nicosia). Almost four thousand men were involved, about a thousand soldiers from the military elite of the Janissaries and *Spahis*, and a small force of almost 2800 cannons to garrison the castles⁸, especially the three main fortresses of Tuzla (or Larnaka), Lefkoşa and Magosa (Famagusta), and also for Baf (Paphos), Girniye (Kyrenia), Limosa, for a total expenditure of almost 9 million *akce*.

In 1571-72 the Istanbul government (effectively led by the famous Grand Vizier Mehmed Sokollu, 1506-1579) ordered the governor of the island (*emir, begler begi*) to conduct one of the characteristically thorough and extensive Ottoman surveys of the 16th century, in this case to evaluate the tax-paying population of the newly-conquered island. This first estimate of the prospective revenues and budget from Cyprus gave a total of 23,000 male adult payers of the poll tax or *cizye*, corresponding with their families to a total population of between 70,000 and 80,000 non-Muslims on the island⁹.

Even taking into account the flight of most Venetian lords and inhabitants, and of the Latin or Catholic clergy, the non-Muslim population seems to have shrunk drastically from the numbers proposed by Braudel for the end of the Muslim rule. This drop cannot be explained by an early and massive conversion of Orthodox Christians to Islam to avoid the taxes imposed on non-believers in the protected condition of *zimmi*, since the very same survey accounts for only 25 Muslim adult males, or *re'aya*, scattered in the villages throughout the island.

Either Braudel's numbers were inflated, or one must take into account not only the flights from the island, but also the numbers killed or enslaved during the sieges of Lefkoşa and especially Magosa. In both cases, it must be concluded that the population, soon after the Cyprus war of 1570-1571, was far below normal. Some thirty years later, the non-Muslim population had grown again, reaching a level of between 93,000 and 110,000.

At the same time, by 1606 a substantial Muslim minority had appeared in Cyprus¹⁰. It is unfortunately impossible to evaluate the relative proportions of Muslims and *zimmis* on the island in the period under consideration. However, some guesses can be made. Even without accounting for the military corps, a Muslim population was formed both by conversions of former Christians and by the traditional Ottoman policies of forced population transfers or immigration. Although the records do not give information on the Muslim inhabitants, we may surmise some rough proportions on the basis of information by travellers¹¹. In 1598 a Venetian cleric named Cotovicus¹² left an account of his visit which includes a good deal of authentic-sounding data: he estimated that there were roughly

28,000 non-Muslims, which (if we interpret his numbers as referring only to heads of family and not to the whole population) is remarkably close to the 27,500 *cizye* non-Muslim taxpayers accounted for by Ottoman sources for 1604. Thus we may also credit his figure of 6,000 adult male Muslims for the same date. The proportion could then be inferred to be between 1 Muslim to 4 to 6 non-Muslims, or around 20% of Muslim in the whole population (Jennings surmises an even more precise proportion of 18%¹³).

The non-Muslim population probably grew steadily from 1571 to 1607, in keeping with the general trend of the whole Mediterranean and European population in 16th century¹⁴. It must have grown especially in the thirty years after the conquest: the highest numbers were probably reached around 1604-1607, when the *zimmis* accounted for by the population and tax registers (*defter*) reached 30,000 adult taxpayers, corresponding to a minimum total non-Muslim population of 93,000 (on the hypothesis of 3-3.5 members per family) or a maximum non-Muslim population of 110,000 (corresponding to 4-5 members for family). A peak in demographic recovery may have been reached around 1600-1610, when between 36,000 and 42,000 *zimmi* taxpayers were counted.

But even taking account of such numbers, the island seems to have been under-populated. Moreover, during the years 1620-1650, severe setbacks affected the number of inhabitants: three powerful negative factors were locusts, plague and malaria. These series of disasters again reduced the non-Turkish population to around 20,000 adults in 1626, meaning a total population reduced to half its late 16th-century level; thousands of *re'aya* (tax-paying subjects) were said to have fled or died on account of excessive taxation or oppression on the part of the governor; the number of taxpayers was reduced to 17,000 in 1636¹⁵, and to the minimum level of 12,000 in 1656.

The Turks tried to respond to this demographic crisis by transferring peasants from Anatolia to Cyprus; indeed, forced population transfers were an important part of Ottoman social and economic policy, particularly from the times of Mehmed the Conqueror¹⁶. Thereafter, all peasants could be confused under the general category of Turkish subjects, *re'aya*.

Even just after the conquest, it seems that the island had been severely under-populated, not only because of the ravages of the Cyprus war, but also because of more ancient and permanent causes. The Venetian regime had already tried to encourage immigration; but the peasants, according to the testimony of widespread sources, Venetian and otherwise, had the status of *parici*, who accounted for almost 80% of the population and whose condition was virtually that of slaves. With the Ottoman conquest, agricultural slavery all but disappeared among *zimmis*; but it was a well consolidated custom by the Turkish government to provide for the colonization of its new and under-populated conquests by forced movements of population or "banishments" (*surgun*). For instance, Rumelia had been steadily populated, by imperial decree, by Anatolian peasants, especially by the previously nomadic Yuruk tribes.

The same kind of deportations were ordered to fill Cyprus. Adding to the one thousand Janissaries and the almost 3,000 cannoners stationed in the main castles, as mentioned above, and who were all converted to Islam or born Muslims, the government tried to increase the Muslim population of the newly-conquered island by various kinds of deportations, not always along coherent political lines. From some districts of the mainland, governors were ordered to send to Cyprus one in ten families; in some others the immigrants seem to have been chosen from amongst the destitute and criminals. However, the magnitude of the population movements thus envisaged was matched by great resistance, desertion, and flight from the island, even after the forced immigrants had arrived there. Results are however uncertain, for, without meting out penalties for disobedience (since this was forbidden by the *Sharia* law¹⁷) the problem of forcing the banished and deported people to stay in their new destination was impossible to solve. According to an order to the governor of Cyprus in 1581¹⁸, twelve thousand families (*hane*) had been “banished” to the island, but the *emir* later claimed that he had been able to locate only 800 in the related register (*defter-i cedid*) and that even half of those had escaped soon after. If this is to be believed, only 7% of the transferred population had remained. But on other considerations, this total failure seems highly unlikely, although it does confirm that Muslims remained a minority in the island even after their increase through conversion and deportation¹⁹.

An analytical survey has been conducted of all the papers, notarial acts, decrees and registers still extant in the archives of the courts of the *kadis* (by Ronald Jennings, as has already been said) for three groups during the sample years of 1580 and 1640. Almost three thousand (2975) cases²⁰ were consulted, concerning a whole gamut of cases registered or discussed in the *kadi* courts from the profound to the trivial, listed in a series of record books (called *sicil*). The *kadi* courts acted both as an official registry office for questions of identity and legitimation (such as marriage, separations, property transfers and other voluntary registrations of the kind that would have been dealt with by notaries in Italy or Spain, or by seigneurial courts in northern France or England) and also as a court of justice, for both civil and criminal procedures.

Of these 2975 cases nearly a quarter involved at least one woman; and in this smaller sample, more than 73% of the registered or decreed cases involved at least one Muslim²¹. The *kadi* courts were used by all social strata, including Janissaries and *Spahis*²², and by members of all confessions, both Muslims and *zimmis*, including in principle all the “People of the Book” (Jews, Christians, Zoroastrians, as we shall explain later). But in the specific conditions of Cyprus after the Ottoman conquest, a massive majority of those addressing the *kadi* courts as *zimmis* (confessional non-Muslims) were Orthodox Christians²³. The *sicil* of the *kadi* courts offer therefore an exceptionally vivid and direct testimony of the day-to-day lives and relations prevailing on the island between Muslim overlords and inhabitants, and the religious minorities called *zimmis*. They present an almost unique picture of the *convivencia* [coexistence] prevailing in Cyprus, in the late

16th and the first half of the 17th century, of members of the dominant Islamic religion and the tolerated confessional groups of Orthodox Christians (a minority in terms of confessional ascription, but a majority of the population of the island), together with tiny groups of Jews and “Latins” (Catholics or Maronites).

These confessional minorities appear to have had free recourse to the *kadi* courts, where the Islamic law or *sharia* (Turkish *shariat*) was fully applied. It is therefore time to delve into the special juridical and fiscal status accorded to non-Muslims by Muslim law: this had its origins in the laws revealed to the Prophet in the *Quran*, and applied to subjected peoples during the expansion of the Arab Empire since the early Middle Ages²⁴; but the same conditions were meted out to most religious minorities, according to the same *shariat* law, by the Ottoman Empire.

Pre-Ottoman Islamic empires had extended over a vast territory, where followers of monotheistic religions had been accorded a special legal status. The *Quran* and the religious tradition stemming from it (*hadith*, *sharia*) recognized the Hebrew Torah (Arab *Tawrâth*) and the Christian *Injil* (*Evangelium*, New Testament) as Revealed Books which contained authentic, although partial, revelations from Allah to minor prophets who had come before the last and supreme Prophet Muhammad. Materials derived from these Books is contained in the *Quran*, and Adam, Ibrahim, Moses, Jesus are recognized as predecessors to Muhammad, although minor and partial in their knowledge of divine law.

Jews and Christians followed monotheism, as preached by Allah to his true and supreme Prophet; like Islam, Jewish and Christian religions were monotheistic (although some doubt could be thrown at the Christian Trinity), and so was Zoroastrianism. Moreover, Jews and Christians were “scriptuaries”, that is, as they were commonly called, they were “People of the Book” (*ahl al-kitab*), whose faith was based on a written revelation by the one and only God. In the course of the holy war (*jihad*)²⁵ to bring the one and only true religion of Islam to the whole world, idolatrous and polytheistic tribes were given the choice of death or conversion; apostasy from Islam was punished by death; and no faith but Islam was (and still is) tolerated in the Arab peninsula, from whence all Jewish and Christian tribes were banished. However, since the “People of the Book” were partial precursors of the true religion, the Arab conquerors followed a different course with regard to them during their conquests, establishing a pact or contract, *dhimma*, whose most famous version is the “Covenant of Umar” (636/38)²⁶.

This covenant stipulated that monotheistic religions were to be tolerated under the conditions of *dhimmi*. They were not given just two, but three choices by the conquering armies: to convert, or to submit and pay tribute, and only if they chose to resist, war and possibly death. The term *dhimmi* was therefore used to designate non-Muslims living in an Islamic state. They were subject to a compact of “protection”²⁷, on condition that they paid a personal tribute or poll tax, called *gizyia* (Turkish *cizye*), and that they

be kept in a subordinate or inferior position: that they be “humiliated”, according to a famous Quranic verse, 9:29.

In various versions and periods, therefore, diverse monotheistic religions were tolerated; but their members were subjected to a series of stigmata of inferiority and discrimination. They could not carry arms, nor ride horses, but only donkeys or mules; they could not give testimony against Muslims, nor marry Muslim women, while the contrary was allowed; they could not wear green, the colour of the Prophet, and sometimes they had to wear special robes, or signs on their robes, indicating their condition of *dhimmis*; they could not build new churches or synagogues, but only repair the old ones; they could not make themselves heard publicly and loudly in their religious prayers or singing, nor make use of bells or other public means to call to prayer. Moreover, the *dhimmis* had only a few old churches for their use, as the Ottoman conquerors, faithful to tradition, converted most Latin churches in Cyprus into mosques, though they also handed over several of them to the large Greek Orthodox community, and at least one to the Armenians²⁸.

In fact, these restrictions clearly recall the restrictions imposed on religious minorities under a public, State or “universal” Christian church, such as those meted out to Calvinists or Baptists by the peace of Augusta (1555) or the later peace of Westphalia in Germany (1648): their churches were tolerated but did not have the exalted status of “public” churches, their members had to abstain from all exhibition of public ritual, and had to limit themselves, modestly, only to forms of “private” worship; their civil rights were recognized, but they were excluded from public office.

Within analogous limits, however, the status of *zimmis* was relatively acceptable, if compared, for instance, to the policies used against Jews and Muslims in Spain from the end of the 15th century. Conditions varied accordingly to the political and religious status of Islam: waves of persecution characterized, for instance, the Almohad Medieval kingdoms of Spain and Morocco, or followed, in reaction, the period of the Christian Crusades. The Seljuk Turks, while converting to Islam and building the Ottoman Empire, did not alter the Islamic tradition regarding *zimmis*: it is well known, for instance, that Jews under persecution in Spain found help and refuge in the Ottoman Empire under Suleyman the Magnificent (1520-1566), and built flourishing colonies in many cities, and especially harbours, such as Salonica²⁹. The *zimmi* pact was confirmed by the reforms carried out by Suleyman, who recognized confessional minorities as communities or *millet* (sing. *millah*), regulated their ecclesiastical hierarchy, especially the Patriarchs of the Orthodox and Maronite Churches, and made them responsible for self-government and the payment of the poll-tax due by the “People of the Book”: the *gizya* or (Turkish) *cizye*, and the land tax, *karaë* or (Turkish) *harac*³⁰. However, in Cyprus there was no trace of an organized Orthodox Church, and many priests (*pope*, *papas*), as we shall see, used the *sharia* courts just as other *zimmis*.

Cyprus then offers a case in point (thanks to the patient research conducted by Ronald Jennings in the judicial archives of the *kadis*) of how the *zimmi* or *millet* system operating under Ottoman rule did not put any strain on the lives of the differing religious communities. On the contrary, there seems to have been an easy *convivencia*, after the Ottoman conquest, between the Muslim population and the religious *millet*, the Greek Orthodox Christians³¹, and also lesser minorities of Jews, Armenians and “Latin” (*Nasari*). In Cyprus confessional groups coexisted: no *ghettos*, no discriminations have surfaced from the *kadis* files, although the basic Islamic law must have prevailed, as in the prohibition of Muslim women to marry non-Muslims, and in the punishment of apostates by death³².

In some respects, however, Cyprus was a special case, and for this reason an even more remarkable one. The Orthodox Greeks were not only the main religious minority, but also represented the majority of the population, while Islam was the dominant religion but accounted for a minority of the inhabitants. There is no doubt, however, that the *kadis* meted out equal justice, under the protection of the same *shariat* law, both to Muslims and “infidels” belonging to the “People of the Book” (*ahl al-kitab*). The conditions, however, seem to have been quite exceptional, due to the recent Ottoman conquest of the island. The Orthodox Greeks were unquestionably a majority: unfortunately, as we have seen, Jennings cannot give us the precise proportions of Christians and Muslims who went for redress or registration to the *kadi* court, as compared to the general proportion of the two confessions in the whole of the population. Islamic tolerance, moreover, was *not* religious freedom³³. There is no doubt, however, that the conquering minority did not feel threatened by the subjected majority. The governor, the military corps, the judges were part of a solid network of control: under their care and surveillance (there was also a police corps, accountable to the governor of the island and the *kadis*), the Christian and Muslim populations seem to have intermingled freely, and even the tiny minorities of Armenians, Catholics and Jews did not enter the *kadi* court but for common or trivial questions of property and debt, small litigation and insults. They do not seem to have had any problems of religious identity. All were included in one of the two great classes into which Ottoman society was divided: they were *re'aya*, subjects who paid taxes, as opposed to the noble authorities or *askeris*, serving the state as governors or *kadis*, Jannissaries or *Spahis*.

Ottoman *kadis* were obliged to apply the same *shariat* law and the same standards of justice to both *zimmis* and Muslims. A measure of discrimination was applied to the “inferior” religion: the law did not suppose the same level of integrity of *zimmis* as of Muslims, so that Christians’ testimony against Muslims was suspect. But if they came to court, they could perform the same acts and do the same things: they could produce witnesses (but they had to be Muslims if testifying against other Muslims), present written evidence, and have their oath accepted, “by God who sent down the Gospel

(*Incil*) by means of Jesus (*'ala 'Isa*), just as Muslims took their oath by Allah, who sent down the *Quran* by means of Muhammad.

The *kadi* courts assured the same wide range of legal services to all communities. Broadly speaking, as we have already pointed out, they exercised at least three functions that are normally separated in the European judicial systems: the registration of acts of private law (transfers and registrations of land and property, deeds of credit and debt, identity declarations, quittances), as performed by public notaries (but also by seigniorial courts, as in England); the issue of decrees or sentences, always on the basis of written evidence, in civil law litigation (marriage and dowry cases, divorce and maintenance allowances, property and goods litigation, claims by peasants against *Spahis* and landlords, regulation of prices according to the information by the officials, or *muhtesib*, charged to keep order in the markets); and also criminal cases, from small fights and curses up to the attribution of blood money (*dem* and *diyey*) in cases of violent death; and also the mediation, or registration, of voluntary accords or “reconciliations” (*sulh*).

In addition to these strictly judicial functions, *kadis* could be called upon to appoint overseers of pious foundations (*Vafk* or *Evkaf*), guardians for orphans and minors; to generally supervise tax collection and to see that population and fiscal records were kept accurately and safely. They heard complaints against minor officials, and also against Janissaries and *Spahis*, and could receive government orders to carry out a detailed inspection of their diligence in service³⁴. They also investigated cases brought before them by local police officers (*su basis*, accountable to the governor of the Cyprus province, or *eyalet*)³⁵, especially responsible for order at night, taverns, drinking and moral misconduct. No legal profession was involved in the *kadi* courts’ judicial decisions: public attorneys were unknown, and legal representatives (*vekil*) were not professionals, but relatives or friends of the parties appearing before the court: they are present in only 13% of the almost 3,000 legal cases studied by Jennings³⁶.

Zimmis used the *sharia* courts with considerable frequency. Of 2800 cases out of 2975 (excluding the 175 of 1607-1610) in samples from *sicil* going from 1580 to 1637, more than one third involved at least one *zimmi*; no less than 15% involved only *zimmis*, suggesting that there was then in Cyprus, so recently conquered, no Orthodox ecclesiastical or self-governing court, as in more self-reliant and organized Orthodox *millet* or communities; and another 19% were interfaith, or intercommunal, indicating some economic and social interaction. Around 60% of the intercommunal actions were initiated by Muslims, and 40% by *zimmis*; but this is not a good indicator, since it does not distinguish between hard litigation, innocuous civil cases and notary registrations. Surprisingly, the highest level of recourse by *zimmis* to the *kadi* was in 1580, with 43% of cases. Thereafter, a more regular trend followed, with lower levels of recourse, and a slight but steady increase in *zimmi* participation between 1593 and 1637.

Muslims and *zimmi* went to court for the same reasons, mostly transfers of land and moveable property. 20% of transfers involved only *zimmis* (whose holdings surely far exceeded those of Muslims) but another 23% were mixed. Muslims went to court for this reason more than *zimmis*: out of the total of all land and property transfers found, 81% involved Muslims, 43% involved *zimmis*. Sometimes, the act was a concession of land in a *timar* by a *Spahi* to one or more of his Christian tributary peasants³⁷. But in any case, such a frequency of exchange seems to point to a pattern of living, both in the capital and outside, which excluded segregation, or even self-inflicted isolation in confessional neighbourhoods³⁸.

Although the *sharia* could require a different style or colour of dress by members of different confessional groups, the court records give little evidence of such cases. In fact, there is more to distinguish between different Muslim classes than between Muslims and non-Muslims. The courts also record registrations of membership to Islam³⁹; as it is well known, apostasy was punished by death. But there were also many Christian conversions to Islam in the decades following the conquest; without entering into the disputed question of the economic and social pressures for conversion (coercion was denounced by Christian travellers, but, at least in theory, was prohibited by Islamic law), it is possible to glean some indications of the trend. In 1593-1595, 66 out of 225 of the adult male Muslims (whose names are registered, either because they acted as legal representatives [*vekil*] or witnesses) were converts, something more than a quarter; 58 out of 143, not much less than half, were converts among witnesses to notarial acts. This is the highest proportion that results from the registers. Afterwards, the proportion declined to 17-30% in 1609-1610, and to 6-18% in 1633-1637.

Strictly speaking, conversion to Islam required only a statement of faith (*shahada*, *shehadet*), but converts had to register their change of religion at court to adjust their tax status. In the surviving registers, Jennings has found no instance of mass conversion, but only individual cases of voluntary registration. The Ottoman bureaucracy needed accurate records of Muslims and *zimmis* for tax purposes, and the court was to ascertain that the conversion was voluntary. The records for Nikolo v. Yorgi read:

Until now I have been an infidel in error (*zalat*). I have become a Muslim. When I said the words of faith (*kelime'-i shehadet*): "There is no God but God; Muhammed is his messenger", I confessed clearly and eloquently. I turned from the false religion (*batile din*).

It is hereby ordered that he has entered Islam. When he turned from the tax obligations of the infidels (*tekalif-i kefere*) this document was drawn up⁴⁰.

Conversions were registered also for children and women, the latter sometimes through a *vekil* for modesty, and frequently in the wake of a marriage with a Muslim. Obviously, exemption from the poll and land tax on the *zimmis* (*cizye/harac*) must also have worked as an incentive. But in the later years of the period here considered, there is also some indication that Latin (*Nasara*) friars, perhaps in contrast with Greek Orthodox *papas*,

tried to act more forcefully, if still surreptitiously, to discourage too strict relations with Muslims, and especially intermarriage⁴¹. Milu bint Andoni of the Tuzla district says:

Until now, like my ancestors, I have belonged to the Christian millet (*millet-i Nasara*). I have not become a Muslim. I am an infidel (*kafire*). When I wished to perform our false rites at our church, the monks who were our priests prevented me from entering saying: “You married a Muslim”. It is probable that when I perish they will not bury me in accordance with infidel rites (*ayin-i kefere*). I want a memorandum showing that I am an infidel⁴².

One could hardly find a clearer testimony of the impartiality of the *kadi* court, neutrally registering such individual declarations. In 1596, Friar Girolamo Dandini spent over three months *incognito* in Cyprus, sent by the general of the Franciscan order to the Patriarch of the Maronites in the Levant, and reported thousands of converts, “who become Mahometans, to render their lives more easy and supportable”⁴³; he believed they would easily return to the old faith in case of Christian reconquest, a theme quite common among Christian travellers, such as Catovicus, mentioned above.

There are no obvious signs, however, of an uncomfortable relation between converts and “old Muslims”, as was the case in early modern Spain, with its tragic history of persecution against *marranos* and *moriscos*, Jews and Muslims who were forcibly converted. On the contrary, the Orthodox clergy can be found coming frequently to the *kadi* courts, since they had to care for extensive properties⁴⁴. They are among the few *zimmis* who can be easily identified in the records; they were partially exempt, like the Muslim clergy of the *ulema*, but they registered sales of their agricultural products, payments and credits, more often in the role of borrowers than lenders – perhaps a sign of some economic discomfort. Their business also involved disputes over donkeys, oxen, water rights, a further confirmation of their living on **income from the land**. However, quite a few cases are also found of *zimmis* claiming debts from *papas*, or even accusing them of crimes such as theft, one of rape, and one of murder. Only seldom, inversely, did the *papas* pass information on to the court, acting ostensibly as communal or *millet* leaders.

Prior to the Ottoman conquest, 25 families of Levantine, Sicilian and Portuguese Jews already lived in Magosa (Famagusta); *kadi* records bear some more traces of a small Jewish community⁴⁵ living in Lefkoşa (Nicosia), or in other court districts (*kaza*) in the island. For example, there was a tax farmer, but also a family in which, after the death of the father, the mother became the legal guardian of her minor daughters; or landed Jews who registered some property, including a house, arable fields and a garden near one of the harbours on the coast. Although the numbers are tiny, Jennings also detected six Armenians; a whole community of Maronites (known as *Suryani*) living in 19 villages according to the expert Dandini, (though very few must have used the *kadi* court), and an equally tiny Latin community (*millet – i Nasara*, surviving Roman Catholics), who may also have been in fact Maronites, confused because of their common obedience to the Pope.

All these minorities lived intermingled with Muslims, in the same villages and neighbourhoods; they do not seem to have been bearers of any controversial or confrontational religious identity. To complete this overview of confessional minorities under Ottoman rule in Cyprus, one must end by mentioning the well-known special status conferred upon consuls and merchants from foreign nations, a class of protected people called *muste'min*. Although little is known of Latin and Venetian properties abandoned after the Ottoman conquest, it stands to reason that they were confiscated as booty, and went to accrue the land assignments to constitute new *timars* for the *Spahis*; many of the Latin nobility themselves became *Spahis*, first as Christians and then being gradually Islamicized⁴⁶. But Friar Dandini could still report, in 1596, the presence of a Franciscan convent at Larnaka, serving Italian merchants; consuls and merchants were represented in Cyprus from three Christian countries: Venice, France and Holland. The name given to the consuls (*balyos*) was the same given to the Venice ambassador to the Porte; their main interests were in Cyprus' well known "industrial" products, cotton and sugar.

Studies such as this one by Jennings (confirmed by parallel studies elsewhere⁴⁷) into the conditions prevailing in Cyprus in the period 1571-1640 – that is, in the first seventy years the island spent under Ottoman rule – have shown that different religious communities could live peacefully side by side, without tensions, thanks to the *millet* or *zimmi* system protecting religious minorities in Islam, under the *pax ottomanica*⁴⁸. This contrasts starkly with the contemporary hatred and warfare between the Turk and the Greek Orthodox communities in Cyprus. It must be underlined, however, that the *zimmi* "protected state" was addressed to confessional *minorities*, considered as such only on religious and not on national and linguistic grounds; and in fact the Greek Orthodox population in Cyprus, while superior in numbers to the Muslim population on the island, remained a minority within the larger unity of the vast Ottoman Empire.

The *zimmi* status of Orthodox Christians was valid in a context in which they were a religious minority. However, this changed dramatically when they came into the foreground as a political, linguistic and ethnic majority, that is, when a "nation-island" of Cyprus began to develop a new identity and self-assurance, seeking emancipation from Ottoman rule. Under Islam, Orthodox Christians were not called by the ethnic or confessional name, *rum*: they were simply *zimmis*. For the first time, in the 19th century, the emergence of the idea of the "nation State" added language and ethnic origin to confessional identity, to forge the new and more complex sense of a "nation"⁴⁹: thus, the Greek Orthodox population of Cyprus began to think of themselves as *rum*, belonging to the "Greek" nation of Cyprus, and as sharing their origins, language and religion with the continental Greeks of the nation of Greece. As Greece was born as a nation state in the 19th century through its wars of independence, this also moved the Greek Orthodox Cypriots to want to bring about an end to almost 250 years of Ottoman rule, and to unite Cyprus with Greece. This aim was called *enosis* [union], and it was typical of the "patriotic" movements and national wars of the 19th century. New political and confes-

sional conditions, quite different to those existing for the Greek Orthodox people, as *zimmi*s or *millet* under the Ottoman Empire, emerged under British colonial rule, which operated from 1878 (Congress of Berlin) until 1914, when Turkey entered World War I on the side of the Central Powers, and Great Britain declared Cyprus a British colony.

We do not know if we can trust information from secondary sources⁵⁰ asserting that British colonial rule favoured the separation of the ethnic, Greek Christian Orthodox majority, who had inhabited the island since ancient times, and the Muslim and Turkish-speaking minority, partly, as we have seen, forcibly transferred on the island by Ottoman rulers, and partly heir to the Frankish and Venetian pre-conquest populations, which had not abandoned the island after the Ottoman conquest. However, it has been claimed that the two communities (now more commonly known, in national rather than in religious terms, as “Greek Cypriots” and “Turkish Cypriots”) continued to live much as before all over the island, although there gradually emerged, alongside the mixed villages, separate villages containing only one or the other of the two communities, and that in the capital, Nicosia-Lefkoşa, specifically “Turkish” and “Greek” neighbourhoods developed. As we have seen, these were not the conditions under the Ottoman Empire, when there seems to have been no segregation of ethnic or religious minorities (which were a majority on the island) from the Muslim (Ottoman) majority (demographically in the minority).

It may be concluded, then, that the easy relations between the “religious communities” of Christians and Muslims, living in peaceful *convivencia* under Ottoman rule in Cyprus in early modern times, could not last when the more complex and powerful idea of “nation” emerged in the 19th century, and came to reinforce confessional identity by linking it with other closely-connected factors, such as language and ethnic origin. Moreover, it should be emphasised that the coexistence between *zimmi*s and Muslims was based on a kind of limited tolerance, conditional to the status of *subjected* minority, and linked with the concept of communal or group identity: this still had nothing to do with the modern concept of individual freedom of worship or conscience. In fact the *zimmi* pact, or *millet* system, was obtained only as long as Islam was the *dominant* religion; and therefore it remained valid, in Cyprus as elsewhere, only as long as the island was subjected to an Islamic Empire, which provided the overarching identity of the *universal* Muslim religion. Later, as Bernard Lewis has underlined in more general terms, this peculiar combination of religious superiority and tolerance gave way to new conflicts, because of two concomitant factors: the emergence the “nation-States”, with their “multiple identities”⁵¹, and the collapse, after World War I, of former multiethnic and multinational empires. Cyprus is a particularly dramatic case in point, since *convivencia* began to fail there after the formation of the Greek nation-state, and after the decline and fall of the multi-ethnic multi-confessional Ottoman Empire. Coexistence gave way to increasing enmity between two “national” communities, the Greeks and the Turks, which are now divided in hatred by their different language and ethnic origins, as well as by their different faiths or creeds⁵².

NOTES

- ¹ A. Hess, *The Battle of Lepanto and its Place in Mediterranean History*, in "Past and Present", 57, 1972, pp. 53-73. And more generally B. Lewis, *The Ottoman Archives as a Source for the History of Arab Lands (1951)*, in Id., *Studies in Classical and Ottoman Islam (7th-16th Centuries)*, London 1976.
- ² R. Jennings, *Christians and Muslims in Ottoman Cyprus and the Mediterranean World, 1571-1640*, in "New York University Studies in Near Eastern Civilization", XVIII, New York - London 1993.
- ³ Latin emigration from Cyprus seems to have peaked in the first decade after the conquest (Jennings, *Christians and Muslims* cit., p. 214); some Orthodox Greeks too may have emigrated to Venice or elsewhere.
- ⁴ See note 30.
- ⁵ F. Braudel, *Civiltà e Imperi del Mediterraneo nell'età di Filippo II*, vol. I, Turin 1976, pp. 153-154.
- ⁶ Jennings, *Christians and Muslims* cit., p. 193. The main "cities" were Famagusta or Magosa and Nicosia or Lefkoşa. At the conquest in 1571, Famagusta-Magosa had 1741 registered adult males, of whom only 113 were taxpayers: it must therefore have been mainly manned by Muslim Janissaries and other soldiers, and this may be confirmed by the fact that 27% were unmarried. An estimate of the total population would be around 6,000 or 6,600 people. The capital, Lefkoşa-Nicosia, was in fact tiny and run-down, with 235 paying males, almost all married, and thus probably Christian Orthodox *zimmis*, with a population hardly reaching a thousand people. In the smaller urban centres of Tuzla/Larnaka, Girniye or Limosa and Baf, numbers must have ranged from 600-700 to 1200-1300. However, often villages and rural districts were larger in population, matching or even doubling the city dwellers.
- ⁷ J. Tavernier, *Les six voyages qu'il a fait en Turquie, en Perse et aux Indes*, vol. I, Paris 1681, p. 180.
- ⁸ Jennings, *Christians and Muslims* cit., p. 214.
- ⁹ *Ibid.*, pp. 191-203 (with detailed data in Tables).
- ¹⁰ *Ibid.*, p. 193.
- ¹¹ *Ibid.*, p. 197.
- ¹² J. Cotovicus (Ioanne Cootwujk), *Itinerarium Hierosolimitanum et Syriacum*, Antwerp 1619.
- ¹³ Jennings, *Christians and Muslims* cit., p. 197.
- ¹⁴ *Ibid.*, p. 192.
- ¹⁵ *Ibid.*, p. 192, also for the data above.
- ¹⁶ *Ibid.*, p. 212.
- ¹⁷ *Ibid.*, p. 227.
- ¹⁸ *Ibid.*, pp. 226, 239 (quoting Orholu).
- ¹⁹ *Ibid.*, pp. 222-236.
- ²⁰ *Ibid.*, p. 17. 130 cases from 1580; 958 cases from the years 1593-1595 (a.E. 1002-1003); 175 cases in 1607-1610 (1016-1018); 1184 cases in 1609-1611 (1018-1019); 528 cases 1633-1637 (1043-1046).
- ²¹ *Ibid.*, pp. 31-32.
- ²² *Ibid.*, pp. 110-121.
- ²³ *Ibid.*, pp. 31-32.
- ²⁴ Y. Courbage, P. Fargues, *Christians and Jews under Islam*, London - New York 1997; Id., *Christians and Jews in the Ottoman Empire. The Functioning of a Plural Society*, eds. B. Braude, B. Lewis, New York - London 1982.
- ²⁵ P. Partner, *God of Battles: Holy Wars of Christianity and Islam*, HarperCollins, London 1997; M. Bonner, *Jihad in Islamic History. Doctrines and Practice*, Princeton University Press, Princeton - Oxford 2006; D. Cook, *Storia del Jihad*, Turin 2007; Id., *Understanding Jihad*, Berkeley - Los Angeles 2005.

- ²⁶ The “Covenant of Umar” is commonly attributed to Umar I (634-644), but some Islamic scholars think it more likely that it may have developed after the first four caliphs under Umar II (717-720), or even under early Abbasid rule (after 750).
- ²⁷ Some militant scholars object to this term, interpreting the *dhimmi* status as active discrimination. It is in fact true that *dhimmi* status meant that religious minorities were discriminated against, since they were excluded from political and even part of their civil rights; it is no wonder that European powers, during the pre-colonial period, pressurized the Ottoman Empire for abrogation of *zimmi* status, which on their insistence, was inserted in the Hatti Humayan Edict of 1856. It may be pointed out, however, that a recent anti-Arab, militant movement has interpreted *dhimmi* conditions, under the neologism of *dhimmitude*, as a degrading inferiority status, actively discriminating against Christians and especially Jews, and accompanied by occasional but frequent persecutions; this movement denounces every positive interpretation of *dhimmi* status as dangerously yielding to Arab intolerance, and is best represented by the highly polemical writings of Bat Ye’Or (a pseudonym), such as: *The Dhimmi. Jews and Christians under Islam*, (transl. from the French), Rutherford 1985; and by the same author the more recent, stridently militant *Islam and Dhimmitude: Where Civilizations Collide*, Madison 2002; *Eurabia: The Euro-Arab Axis*, Madison 2005. Also see the author’s website, http://www.dhimmitude.org/d_history_dhimmitude.html. For an exhaustive, much more balanced analysis of the relations between tolerance and coercion, *dhimma* and *jihad* in Islamic exegesis see Y. Friedmann, *Tolerance and Coercion in Islam. Interfaith Relations in the Muslim Tradition*, Cambridge 2006, which is however strictly limited to the theoretical Islamic tradition as represented by the *sunna*.
- ²⁸ Jennings, *Christians and Muslims* cit., p. 156.
- ²⁹ E. Benbassa, A. Rodrige, *Storia degli Ebrei sefarditi. Da Toledo a Salonico*, Turin 2004.
- ³⁰ On the *millet* system see S.J. Shaw, *The Ottoman Millet System: an Evaluation*, in *Tolerance and Movements of Religious Dissent in Eastern Europe*, ed. B.K. Kiraly, New York - London 1975, pp.183-184; for differences of opinion, M. Kunt, *Transformation of Zimmi into Askeri*; B. Braude, *Foundation Myths of the Millet System*, in Courbage, *Fargues, Christians and Jews in the Ottoman Empire* cit., pp. 55-67, p. 69ff.
- ³¹ In the files (*sicil*) of the *kadi* archives, however, the Orthodox Greeks are never designated by their confessional name, *Rum*; they are always called *zimmi*.
- ³² For instance, see Jennings, *Christians and Muslims* cit., p. 141.
- ³³ G. Veinstein, *Retour sur la question de la tolérance ottomane*, in B. Bennassar, R. Sauzet (dir.), *Chrétiens et musulmans à la Renaissance*, Actes du 37ème Colloque international du CESR (1994), Paris 1998, pp. 415-426, where it is argued that Muslims, however tolerant against *zimmi* infidels, were not tolerant of internal dissent.
- ³⁴ 1611 (a.E.1016), Jennings, *Christians and Muslims* cit., p. 74.
- ³⁵ *Ibid.*, pp. 121-130 (also for other types of moral police).
- ³⁶ *Ibid.*, p. 82.
- ³⁷ *Ibid.*, p. 119.
- ³⁸ *Ibid.*, pp. 135-136.
- ³⁹ *Ibid.*, p. 126.
- ⁴⁰ *Ibid.*, p.139 (a.E. 1044).
- ⁴¹ It must be remembered that Muslims could marry Christian women, but Christians could not marry Muslim women. For a more pessimistic view of the pressures for conversion to Islam, see C.P. Kyrris, *Symbiotic Elements in the History of the Two Communities of Cyprus*, in “Kipriakos Logos”, 8 (1976), pp. 243-282, commented upon by Jennings, *Christians and Muslims* cit., notes, pp. 170-171.

- ⁴² Jennings, *Christians and Muslims* cit., p. 142 (a.E. 1046). A Franciscan convent was mentioned by the Franciscan friar Girolamo Dandini in Larnaka in 1596 (see note 43). On this point, I do not follow Jenning's suggestion that the Church in question may have been Greek Orthodox: the term *Nasara* and the attitude are much more congruent for Catholic friars ("monks").
- ⁴³ Fr. Jerome Dandini, *A Voyage to Mount Libanus; wherein is an account of the Customs and Manners &c. Of the Turks; A Description of Candia, Nicosia, Tripoli, Alexandretta, &c.* (1596, originally written in Italian), in J. Pinkerton, *A General Collection of the best and Most Interesting Voyages and Travels in all parts of the world*, vol. X, London 1811, pp. 222-304.
- ⁴⁴ Jennings, *Christians and Muslims* cit., pp. 150-155.
- ⁴⁵ *Ibid.*, pp. 143-146.
- ⁴⁶ *Ibid.*, p. 157.
- ⁴⁷ Id., *Urban Population in Anatolia in the Sixteenth Century: A Study of Kayseri, Karaman, Amasya, Trabzon, and Erzurum*, in "International Journal for Middle Eastern Studies", 18, 1975, pp. 21-57; Id., *Zimmis (non-Muslims) in Early 17th Century Ottoman Judicial Records – the Sharia Court of Anatolian Kayseri*, in "Journal of the Economic and Social History of the Orient", 21, 1978, pp. 225-293. I was unable to consult R. Jennings, *Studies on Ottoman Social History in the Sixteenth and Seventeenth Centuries. Women, Zimmis and Sharia Courts in Kayseri, Cyprus and Trabzon*, Istanbul 1999.
- ⁴⁸ E.K. Shaw, *The Ottoman Aspects of the Pax Ottomanica*, in B.K. Kiraly ed., *Tolerance ad Movements of Religious Dissent in Eastern Europe, ? 1976 (or 1975)*, pp. 165-182.
- ⁴⁹ K. Karpat, *Millets and Nationality: The Roots of the Incongruity of Nation and State in the Post-Ottoman Era*, in *Christians and Jews in the Ottoman Empire. The Functioning of a Plural Society*, pp. 141-170. Also, for the more general problem N. Biggar, J. Scott, W. Schweiker (eds.), *Cities of God. Faith, Politics and Pluralism in Judaism, Christianity and Islam*, New York - Westport Conn. - London 1986 ("Contributions to the study of religion", 16).
- ⁵⁰ http://it.wikipedia.org/wiki/Problema_di_Cipro#Origini
- ⁵¹ B. Lewis, *The Multiple Identities of the Middle East*, London 1998. Also, on more general terms, M. Ignatieff, *Blood and Belonging. Journeys into the New Nationalism*, London 1994; B. Lewis, *Nationalism and Toleration*, in S. Mendus (ed.), *The Politics of Toleration. Tolerance and Intolerance in Modern Life*, Edinburgh 1999, pp. 77-106.
- ⁵² Useful insights, from an open religious point of view, in R. Neville, *Political Tolerance in an Age of Renewed Religious Warfare*, in M. Razavi, D. Ambuel (eds.), *Philosophy, Religion and the Question of Intolerance*, New York 1997, pp. 28-40; Mendus, *The Politics of Toleration* cit.

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