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Franciscan Province of Bosna Srebrena as an Imagined Millet?

During the four centuries of Ottoman rule, the Franciscan Province of Bosna Srebrena was the only institutional structure of the Catholic Church permanently present there. According to tradition, their legal status and security were guaranteed by a document issued by Sultan Mehmed II in 1463, known as the Fojnica Ahdname. Franciscan sources show that they had been constantly using documents of Ottoman provenance to resolve their legal and economic issues since at least the seventeenth century and continued this practise even when Bosnia came under the Austro-Hungarian administration in 1878. In the twentieth century, this led to an overemphasis on the importance of the Ahdname and its placement in an anachronistic framework that corresponded to the image of a “better past.” The paper aims to show the historical context in which this narrative pattern developed in the Franciscan sources. The findings suggest that the Bosnian Franciscans also used their incorporation into the Ottoman legal system for relations with the Catholic West.

Keywords: Eighteenth and nineteenth centuries, Franciscan Province of Bosna Srebrena, Fojnica Ahdname, millet, chronicles, bishop Rafo Barišić.



In 1886, eight years after the Austro-Hungarian occupation of Bosnia and Herzegovina, the imperial-royal government in Sarajevo issued a decision obliging the Franciscans to pay a certain tax on part of their buildings. As expected, the Franciscan Province of Bosna Srebrena filed a complaint.¹ Their argumentation was quite interesting. The Franciscans claimed that Sultan Mehmed II had personally exempted them from the obligation to pay a property tax. Today it may seem strange that the members of the Catholic Church Order claimed the privilege of a Muslim ruler (who was known as The Conqueror – of Christian land). From a purely legal point of view, they were not wrong. At that time, Bosnia and Herzegovina was still under Ottoman sovereignty, so their laws were still valid. The Bosnian Franciscans had long awaited the Habsburg rule with great hopes, but as soon as it arrived, these hopes turned into a series of disappointments. In the same year, Franjo Cvjetko

¹ BALTIĆ 2003, p. 429–432.

Nedić published *Privilegia Provinciae Bosnensis*, a compilation of various papal decrees that he had collected and edited to emphasise that the Franciscan Province in Bosnia occupied a position different from the other Franciscan provinces.² The Bosnian Franciscans were more than dissatisfied with the introduction of the regular diocesan hierarchy, as well as with the arrival of members of other religious orders. This simmering discontent from time to time grew into bitter conflicts, the consequences of which are still being felt today. A large group among the Bosnian Franciscans could not come to terms with the fact that their province had lost its exclusive role as the sole representative of Catholics. The zeal with which some of their opponents constantly reminded them that their time was over only intensified their resentment. Regardless of the fact that the odds were against them, the Franciscans continuously tried to defend their position even to the point of invoking Ottoman laws.

This actually reflects the social situation of Bosnian Catholicism up to that point. Unlike the other two confessional communities (i.e., Muslim and Orthodox), there was no significant social stratification among Bosnian Catholics after the great migrations in the last years of the Great Ottoman War. The Catholic community consisted almost exclusively of peasants and some miners, artisans and minor merchants.³ The Franciscans played a special role as spiritual leaders, but also as political representatives within the Ottoman legal system. The situation in which the clergy also had the role of political representation was called the millet system.

The millet system, long disputed, was based on a fairly simple premise: each religious group within the Ottoman Empire formed its own millet, whose religious leaders also functioned as political leaders. The founder of this system was Sultan Mehmed II, who placed its beginnings in the fifteenth century. According to this version, the millet system lasted until the last phase of the Ottoman Empire. It ended when the Young Turks tried to unite all the subjects of the empire on the basis of their national, rather than religious affiliation. Recent research has shown that this version lacks any basis. The main problem is that the Turkish word *millet* can mean both a confessional and national affiliation. A thorough analysis of documents has shown that meaning and usage were not consistent until the nineteenth century. A *millet* could denote groups both inside and outside the empire. Sometimes it referred to confessional groups and sometimes to national groups. Finally, in most cases, the word *millet* referred to the non-Muslim population, but there were cases where it was also used for Muslims. The first millet in the traditional sense was the Armenian Millet, established in 1746, followed by the *Millet-i Rum* in 1757, which included members of the Orthodox Church. Jewish and Catholic millet were both established as late as 1839. But even then, *millet* could mean a nation. In Ottoman sources, Serbs and Greeks were each referred to as a

² NEDIĆ 1886.

³ BARIŠIĆ 2021a. p. 25–26.

separate millet, even though both groups were Orthodox.⁴ On the other hand, there are also strong detractors of the millet system as a whole. Kenanoğlu claims that the Ottoman legal system categorized its subjects as taxpayers. Their status had its roots in their confessional affiliation, but these groups lacked any legal authority which remained preserved for the Ottoman courts.⁵

Nevertheless, it is hard to deny that society in the Ottoman Empire was organised along confessional lines. This is also true for the period after various Balkan states gained their independence, especially in the phase immediately after the liberation. In Serbia, Greece and Montenegro, Muslims within their borders were disenfranchised and gradually forced to leave, even if they shared language and origin with their Orthodox neighbours. On the other hand, members of the Orthodox Church were quickly assimilated regardless of the language they spoke at home.⁶ The case was similar in Bulgaria, but the Muslim minority managed to maintain its presence there. Only Albania and Bosnia maintained a multiconfessional framework, but in a somewhat different way. The Albanians succeeded in building a nation based on a common language and overcoming confessional differences, which in the Bosnian case turned into national identities.

The case of the Bosnian Catholics is a perfect example of how the idea of millets as separate legal entities with religious leaders bearing political responsibility could develop. Its version is set within the next narrative frame: after the Bosnian Kingdom fell in 1463, Sultan Mehmed II faced the problem of mass emigration of the Bosnian population. Following the advice of one of his advisors, he met with Anđeo Zvezdović, the Franciscan vicar⁷ at Milodraž.⁸ Zvezdović pointed out that people would be willing to stay if they were granted religious freedom. The sultan issued the Fojnica Ahdname – a document that guaranteed the Franciscans the right to carry out their pastoral activities. History says that the situation of the Franciscans deteriorated from time to time, but they always managed to reclaim their rights with the help of the Ahdname. For their part, the Ottomans held the Franciscans responsible for the leadership of *raya*. The Ahdname was also instrumental in keeping the Franciscan Province safe from the pretensions of the Orthodox Church in the seventeenth and eighteenth centuries. But does this image correspond to the reality of the four centuries that Franciscans spent under Ottoman rule? Or is it just a narrative built after the fact? Who created it and when and under what circumstances?

⁴ URSINUS 1993, p. 61–64.

⁵ KENANOĞLU 2011, p. 17–38.

⁶ ROUDOMETOF 2001, p. 101–129 and 179–201. ANČIĆ 2008, p. 182–186.

⁷ According to the tradition, Franciscans first came to Bosnia in 1291. In 1339–1340 they were organised as a Franciscan Vicariate. It was elevated to the rank of the province in 1517.

⁸ During the Middle Ages, there was a settlement under this name. In the later centuries, the place is described as a field (*polje*) and connected with another settlement (usually Fojnica, Visoko, Kiseljak or Busovača). Today there is a village called Pobrđe Milodraž in the municipality of Kiseljak, but it is not a direct continuation.

It has been often claimed that the case of the Genoese community in Galata ten years earlier served as the model by which Sultan Mehmed II dealt with the Bosnian Franciscans. The Ahdname given to the Genoese in Galata is often cited as a model for the Ahdname of Fojnica.⁹ Therefore, it is worth briefly discussing the position of the Genoese community. Although the Genoese constituted a significant part of the Latin defence contingent during the siege of Constantinople in 1453, their colony in Galata remained formally neutral and was spared Ottoman attacks and looting. Sultan Mehmed II entered into negotiations with Genoa's representatives, which ended with the expected result.¹⁰ Galata acknowledged his sovereignty and undertook to pay tribute. In return, he confirmed their trade privileges, the right to practice religion (with the restriction that they could not ring church bells), spared them from *devşirme*, and even granted them the right to elect a person with the title of "primato". In her analysis, Dauverd places great emphasis on the construction of the identity of the Galatian Genoese on the basis of economic and urban conditions. She describes them as "hybrids" or possessing multiple identities based on dual loyalty: to the Muslim ruler, but also to the Catholic faith.¹¹ However, although she states that the Ahdname granted the Genoese the status of *rayassi*, she describes it as a legal identity rather than a religious one. She also said that the Ahdname had provided the Genoese with economic relations with the Ottomans, not with cultural ones.

It seems that the author's suppression of the religious image should be considered partly within the idea of multiculturalism and tolerance of the Ottoman era. According to Dauverd, Mehmed wanted the Genoese to stay in Galata – and later granted similar privileges to the Jews and Armenians – because of their commercial prestige, as he wanted his new capital to recover from the devastation.¹² It is worth comparing the two texts depending on the context and certain interpretations.

The Galatian Ahdname was originally issued in Greek, and there are later copies written in Turkish. The historical context of the events emerges from the text: the representatives of Galata handed over the keys to the sultan, thus acknowledging his sovereignty, whereupon he reciprocated by guaranteeing religious tolerance as well as personal and property security, confirming

⁹ Srećko Džaja points out that the Fojnica Ahdname could have been modelled after similar documents that the sultans had already issued for the Ragusans in 1442 and 1458. DŽAJA 2009. p. 155. He even leaves an open hypothesis that the Franciscans themselves were conscious of these arrangements and thus motivated not to leave Bosnia, confident that the same would eventually happen to them. Besides, there was also an Ahdname issued in 1462 in Srebrenica. Its original was soon lost, so its copy was issued in 1499. It was kept at the Franciscan Monastery and was last time mentioned in 1624, but it probably perished when the Franciscans abandoned Srebrenica in 1688. DŽAJA 2009. p. 159.

¹⁰ DAUVERD 2015. p. 91–124.

¹¹ DAUVERD 2015. p. 98–99.

¹² DAUVERD 2015. p. 103–106. It should be borne in mind that the author makes the wrong claim that Constantinople had a million inhabitants on the eve of May 1453 and that just after the conquest this number fell to 50.000. In reality, the latter figure corresponded to the situation found by the Ottomans at the beginning of the siege.

earlier trading privileges and introducing *haraç*. Open questions might be who exactly was meant by the Ahdname. Namely, three representatives whose surnames (Babylon Pallavicino, Marchisio de Franchi and Nicola Pagliuzzi who served as an interpreter) in all three cases suggest an affiliation to the Genoese community although a significant part of the population of Galata consisted of both Greeks and Jews. According to Dauverd, Jews were covered by the term *Latin-Rayassi*.¹³ In one of the points, the text speaks of “the people of Galata”, while later the Genoese merchants were highlighted separately. Based on the current state of research, the conclusion is justified that the Ahdname referred to all the inhabitants of Galata, but also that it guaranteed at least a temporary maintenance of the *status quo*, in which the Genoese played a leading role. After all, in the following decades, continuous and unhindered migration between Genoa and Galata can be traced in both directions.¹⁴

The text of the Fojnica Ahdname¹⁵ has long been the subject of debates as to whether it is an original, a forgery, or a subsequent reconstruction, because until recently the prevailing opinion was that the document dates to the seventeenth century.¹⁶ Radiocarbon analysis revealed that the document consists of two parts glued together.¹⁷ The upper one is younger and according to the analysis dates back to the period 1665–1808, while the lower one is older and can be dated to 1430–1465, suggesting that it is an original or a copy that was created at the same time. The bottom part is also the one that contains the main text. It is explicitly addressed to the Bosnian Franciscans and indeed allows them to worship unhindered and guarantees them personal security. The question is whether these privileges can automatically apply to Bosnian Catholics. This is where the discussion on the existence of millet comes into play.

As already said, the records stemming from the sources present a more complex picture of how the Fojnica Ahdname gained its significance. In the Bosnian Franciscan Province, the genre of chronicles experienced a boom in the eighteenth century.¹⁸ The same period is also the beginning of historiography. Writers did not usually begin in their own time. They recorded events from the past that they believed posterity should remember, thus showing what they considered valuable and significant. As one would expect, they devoted much space to the Ottoman occupation of Bosnia in 1463. They put emphasis on the military aspects of the whole event. They also wrote about the execution of the last Bosnian King and the counterattack that King Matthias Corvinus undertook in the fall of 1463. Surprisingly, there is no mention of a

¹³ DAUVERD 2015. p. 100.

¹⁴ DAUVERD 2015. p. 102–103. The author describes the status achieved by the Genoese as follows: “The ahdname conferred special status on the Genoese, who became foreign subjects of the Ottoman sultan.” See the previous footnote.

¹⁵ The Ahdname was not issued in Fojnica or was intended only for the Fojnica Monastery, but since it was kept there, it is often called *Fojnica Ahdname (Fojnička ahdnama)*.

¹⁶ DŽAJA 2009. p. 160–166.

¹⁷ HORVATINČIĆ – SIRONIĆ – BAREŠIĆ – KOZJAK 2017. p. 1359–1368.

¹⁸ BARIŠIĆ 2021b. p. 65–68.

meeting between the sultan and the Franciscan vicar. The earliest among the chroniclers, Nikola Lašvanin, did not mention the Ahdname at all, and only noted Zvezdović's death and the place of his burial.¹⁹ Marijan Bogdanović, a chronicler of the Kreševno monastery who would later become a bishop, called the Ahdname a "little Hatisherif".²⁰ He added that there was a tradition according to which the Franciscans obtained it during the Ottoman conquest, but he did not note anything about a meeting between Mehmed and Zvezdović. The most comprehensive chronicle comes from the Sutjeska monastery, and its author was Bono Benić. He also associated the Ahdname with the period around the middle of the fifteenth century, but again without details about the entire event.²¹ Filip Lastrić, the author of the first history of the Bosnian Franciscan Province, even included a translation of the Ahdname, but he also recorded nothing about Zvezdović and his role.²² Taking everything into consideration, it becomes clear that the Franciscans of the eighteenth century did not neglect the existence of the Ahdname, but they did not insist on its importance. So far, it has not been possible to indicate when or how a story about the meeting at Milodraž entered the Franciscan tradition, but one of the first descriptions appeared in the *Enchiridion*, written by Mato Kristićević in the first half of the nineteenth century.²³ Nevertheless, his account must be taken with caution. Kristićević did not think much of the Ahdname and wrote that it deserved "the utmost contempt and trampling". Soon the situation was reversed, and the Ahdname took an increasingly important place in the Franciscan tradition. Still, in 1854 Martin Nedić, at the time provincial of the Bosnian Franciscans, submitted a memorial to the Sublime Porte describing the Ahdname. His description contains already a standardised story, yet Nedić omitted Zvezdović and his alleged role.²⁴ Thirty years later he wrote a comprehensive overview of the history of the Franciscans under Ottoman rule. Nedić thought that the Ahdname was issued in 1464 when Sultan Mehmed II returned to Bosnia to face the army of King Matthias Corvinus. Nedić wrote that the Ottoman army retreated to Milodraž, where the Franciscans also came and the sultan issued them – as Nedić denotes it – a contract.²⁵ Nevertheless, Nedić did not question the idea that this contract represented guarantees to the Franciscan position. At the beginning of the twentieth century, Julijan Jelenić called the Ahdname the "Magna Charta libertatum for Bosnian Franciscans",²⁶ and another Franciscan, Luka Markešić, on the occasion of the five hundred and fiftieth anniversary of the Ahdname, said that it "represents a part of me".²⁷

¹⁹ LAŠVANIN 2003, p. 266.

²⁰ BOGDANOVIĆ 2003, p. 79.

²¹ BENIĆ 2003, p. 213.

²² LASTRIĆ 2003, p. 128–129. The text of the Ahdname can be found on p. 166–168.

²³ KRISTIĆEVIĆ 2019, p. 310–313.

²⁴ The complete text can be found in DRUJIĆ 1940, p. 147–148.

²⁵ NEDIĆ 2011, p. 7.

²⁶ JELENIĆ 1912, p. 116.

²⁷ MARKEŠIĆ 2004, p. 345–357.

In the case of the Bosnian Franciscans, it seems to have been the establishment of Ottoman rule that led to the final “Bosanization” of the province, since from that point on there were no provincials born outside Bosnia. Both Matthias Corvinus and Mehmed II played the card of the formal restoration of the Bosnian Kingdom after the Hungarian counter-offensive in the fall of 1463, but both attempts failed to get much response. When the Ottoman rule was finally consolidated sixty years later, many monasteries, including the one in Fojnica, fell victim to arson, probably as a kind of punishment for disloyalty.²⁸

The Bosnian Franciscans followed the paths of the Ottoman conquests and expanded the boundaries of their pastoral activity, which was recognised in Rome and Vienna, albeit often reluctantly. They also followed Bosnian trade, on which the Catholics had a dominant influence and share in the sixteenth and seventeenth centuries. Paradoxically, the spillover of competition between different Catholic groups also brought the Franciscans into conflict with other representatives of the Catholic Church. Thus, for much of the seventeenth century, the conflict between the Bosnian and Ragusan merchant communities in Belgrade also took on the contours of the conflict between the Franciscans and the Jesuits.²⁹ Even at a time when the Ottoman Empire was constantly expanding, the Bosnian Franciscans often got into friction with representatives of the Church from the West. These disputes were of course settled in Rome, and in the process, the Franciscans often remained short-sleeved. Also, in the West quite bold ideas were often forged without a proper appreciation of the actual situation within Bosnia itself. One such example is the attempt to lure the Orthodox into union with the Catholic Church. The Franciscans initially declared such plans impossible and did not go along with them.³⁰ All this led to the development of a mentality that they thought they knew best how to treat the Ottoman authorities. Certainly, a strong argument was the fact the Ottomans often blamed the Franciscans for the behaviour of other Catholic envoys.

If we return to Kenanoğlu’s arguments about the absence of a millet system, they are important precisely because of their legal aspect. Kenanoğlu argues that non-Muslims had no legal autonomy or courts of their own. Islamic law also played a role in shaping the social and legal status of non-Muslims, with Kenanoğlu pointing out that there was only one legislative power – the State itself. Laws and ordinances applied to all subjects, and if it was desired to emphasize that something was special to non-Muslims, it was pointed out. Non-Muslim religious leaders did not possess the independent legislative authority to regulate their own communities. On the other hand, chroniclers frequently used the word *millet* as a term for each non-Muslim group, including their own. Moreover, in the 1850s when Omer pasha Latas finally broke the

²⁸ NEDIĆ 2011, p. 10–11 claims that the Ottomans burned the monasteries as an act of revenge for the defeat of their army in 1525.

²⁹ DŽAJA 1999, p. 168–169.

³⁰ DŽAJA 1999, p. 207–208.

resistance of the local Muslims towards central government, he tasked the Franciscans and the Orthodox clergy to collect taxes each from the members of their own community.³¹

It seems that the use of the Ahdname should be seen precisely in this context. Its importance grew during the period of competition with representatives of the Orthodox hierarchy. These disputes were settled in front of the Ottoman courts and according to their legislation, with the Catholic side prevailing each time.³² From the Ottoman point of view, siding with Catholics on this issue perhaps had a more pragmatic reason – by maintaining Franciscans out of the Orthodox jurisdiction they secured that the dispute would take place again and that the relations between the two Christian groups would remain hostile.³³ BeniĆ, himself a representative of the Catholic side during litigation that occurred in 1760, noticed this in his chronicle,³⁴ nevertheless, it is hard to deny that the change in the Franciscan attitude towards the Ahdname at least partly had its roots in their successful use of the documents issued by the Ottomans.

However, there are clear indications that the Franciscans were already familiar with the work of the Ottoman courts. An event from the eighteenth century can illustrate this. In 1757, after the foundation of the Province of St. John of Capistrano, the remaining part of the Bosnian Province was downgraded to the rank of custody and all privileges from earlier times were revoked. Filip Lastrić was tasked with regaining the previous status. As a result of his efforts, the *Epitome vetustatis*, the first historiographical work in Bosnia and Herzegovina was produced. In the introduction to the *Epitome*, Lastrić complains that he could find almost no important documents in the Bosnian archives to substantiate his efforts. Lastrić does not talk about it, but the archives in Fojnica were already very well supplied with various Ottoman documents in his time.³⁵ None of them has the potential of the Ahdname in the sense of becoming a kind of “charter of human rights”, but their number and Franciscan preservation indicate that they had practical application. The memorial written by Nedić (see above) primarily deals with the right of the Franciscan monasteries to own and purchase land, and the Ahdname is presented as a starting point for all the rights and privileges enjoyed by the

³¹ BA-AFSF, X. “Chronologica” 183. Kopija BeniĆa ljetopisa i nastavak Perišića. After BeniĆ died in 1785, there were few attempts for the continuation of the chronicle of the Sutjeska monastery, but with mixed results. Therefore, these parts were omitted from the version published in 2003. In 1876, Bono Perišić, a friar from Fojnica, made a transcription of all parts for his personal use. He also wrote down several events that he personally witnessed. His transcription has yet to be edited and published.

³² BARIŠIĆ 2021b, p. 74–76.

³³ DŽAJA 1999, p. 209.

³⁴ BENIĆ 2003, p. 207–217.

³⁵ SEKULIĆ 2019, p. 933–934 shows that between the Council of Trent and Lastrić’s time the Fojnica monastery gained around 3000 documents issued by the Ottomans. On the other hand, documents of Catholic provenance were much more scarce, mostly registries containing baptismal and matrimonial records. Fojnica Monastery kept a number of documents of the Bosnian Kingdom, but they perished in a fire in 1665. DŽAJA 2009, p. 213, footnote nr. 210.

Franciscans.³⁶ As presented by Ana Sekulić, even the documents of a lesser rank could have been successfully used for the same practical purpose.³⁷ Similarly related to patronage relations and integration into the Ottoman system is the wearing of caftans, which the Ottomans awarded when they wanted to single out individual non-Muslims.³⁸ It is also interesting that Bono Benić, one of the Bosnian chroniclers and the recipient of some type of kaftan himself, claims that this custom was introduced only in 1758, while on the other hand, the Bosnian Franciscan tradition paid great attention to the story that Sultan Mehmed II, in addition to the Ahdname, gave Zvezdović his own mantel, which is also kept in the monastery in Fojnica.³⁹

A turning point in the revaluation of the Ahdname is to be sought in the ever-increasing tensions between the Province and the Apostolic Vicariate of Bosnia after its later foundation in 1735. Inspired by the ideas of the Council of Trent, the apostolic vicars, though themselves Bosnian Franciscans, constantly sought to establish their authority over the province. The Apostolic Vicariate of Bosnia was somehow different from other vicariates organised in areas of Europe where Catholics lived as an often untolerated minority. Rome organised two vicariates: in 1667 Apostolic Vicariate for the Nordic Missions covering Scandinavia and protestant areas of Germany, followed by the Apostolic Vicariate of Scotland in 1694.⁴⁰ The main goal was to make the vicariates self-sustainable in a matter of clergy, but this did not represent an easy task. Scottish vicars mostly stayed within the area of their jurisdiction albeit forced to keep their profile low. In the Nordic case, the title of the vicar was often held by some German bishop from the Catholic parts thus the vicar mostly was not present. During the eighteenth century, the number of Catholics in Scotland was constantly declining, but the majority of the clergy was nevertheless native-born.⁴¹ In the northern parts of Europe, this role was more than often taken by foreign-born missionaries. None of the clerical institutions from the pre-Reformation era survived. On the other hand, Bosnian Franciscans – regardless of some shortcomings – still provided a solid base thus leaving the Holy See “only” with the task of selecting a suitable candidate.

Each of the Bosnian apostolic vicars came into disagreements with the province at some point during his tenure, but tensions erupted into open conflict on two occasions. The first time occurred during the tenure of Grgo

³⁶ DRJIĆ 1940. p. 147–149. In 1867. Nedić sent a letter to Mijo Gujić, then an actual provincial, reminding him of the similar content. DRJIĆ 1940. p. 149–151.

³⁷ SEKULIĆ 2019. p. 925–962.

³⁸ KURSAR 2022. p. 143–166.

³⁹ The mantel was also subjected to radiocarbon analysis. The results showed that it also contained two layers. The younger one originates from the approximately same period as the younger part of the Ahdname. On the other hand, the older layer has a possible timespan of production between 1492 and 1641, and therefore probably did not belong to the Sultan Mehmed II. HORVATINČIĆ – SIRONIĆ – BAREŠIĆ – KOZJAK 2017. p. 1359–1368.

⁴⁰ Both were eventually partitioned to smaller ones.

⁴¹ LYNCH 1991. p. 365–367.

Ilijić (1798–1813),⁴² and the tenure of Rafo Barišić (1831–1846) developed into a major conflict with significant consequences for both parties. As mentioned earlier, the Bosnian Franciscans were no strangers to disagreements within their own ranks or with members of the clergy from other Catholic areas. What was new in these two cases was the greater involvement of foreign policy. Both Ilijić and his predecessor Augustin Botoš Okić owed their election to the strong Habsburg influence.⁴³ Botoš Okić returned the favour by enabling an officer in the Habsburg army to conduct a spy mission throughout parts of Bosnia populated by Catholics in 1785.⁴⁴ Ilijić strongly opposed French efforts to spread their influence on the Franciscans. During this period the majority, if not all of the Franciscans in Bosnia held a pro-Habsburg political orientation and hoped for liberation.⁴⁵ Nevertheless, Habsburg meddling in the election of the vicars met some opposition. Barišić was elected as a suitable candidate for various groups interested in Bosnian affairs, but very quickly he came into open conflict with a significant part of the province. Barišić held some support both among the Franciscans and the common folk but was unable to break the resistance among the others, so he decided to strengthen his position by involving foreign factors, especially in Rome and Vienna. The Congregation for the Propagation of the Faith made several decisions in favour of Barišić, and Vienna in a way also turned its back on Barišić's opponents and in 1843 even banned Bosnian Franciscans from coming to the Monarchy.⁴⁶ Unwilling to give in, they sought help elsewhere and found it on the Ottoman side. Instead of exploiting these intra-Catholic tensions, the local dignitaries were suspicious of Barišić's connections and interested in maintaining the status quo. Barišić himself took the whole matter to the vizier's court in Travnik but failed. Undeterred, he moved on to Constantinople, with the same result. Although this was anything but a defeat, Barišić soon gave up and resigned. Instead, he took over the newly established vicariate in Herzegovina.⁴⁷

In the eyes of the province, the struggle against Barišić was strongly reminiscent of the events of 1757, when it was confronted with the loss of its history. But this time they were better prepared. Both during and after the 'Barišić's Affair', his opponents actively wrote various texts – mainly pamphlets (called *gravamina*) – to prove that the apostolic vicar was acting against the "good old customs." The past – or its version as they saw it – became their main argument. Comments such as "never heard of it" and "nobody remembers it" are almost always used to describe the effect Barišić's ideas supposedly caused. The idea that the Franciscans played an exclusive role throughout Bosnian history was gaining ground. This idea itself was not new, for it had existed since

⁴² DŽAJA 1971. p. 189–223.

⁴³ DŽAJA 1971. p. 112–114.

⁴⁴ BARIŠIĆ 2021a. p. 44, 52, 64.

⁴⁵ DŽAJA 1971. p. 90–93.

⁴⁶ BARIŠIĆ 2021a. p. 272–274.

⁴⁷ The 'Barišić's Affair' has represented a heated topic ever since. Among the number of books and papers written about it, the most balanced view can be found in: VRANKIĆ 1984.

at least the sixteenth century. The core idea remained the same, but the description was adapted to current circumstances. The main focus was always on the Bosnian Kingdom and the Franciscans as its preservers until the moment of liberation. Before the beginning of the eighteenth century, there was a rather vague idea of the re-establishment of the Kingdom as an independent state, but this was abandoned in favour of the more realistic version, which considered Bosnia as part of the *Archiregnum Hungariae* and therefore granted the Habsburgs the inheritance and the right to liberate it.⁴⁸ These two ideas were in stark contrast to the Ottomans. However, the reality of life put the Franciscans in a position where they found their niche within the Ottoman legal system. As already shown, they were successful in using documents given to them by the Ottoman authorities. Also, earlier experience in dealing with visitors from the West taught them that the Ottomans would always hold Franciscans responsible, even if they did not make any action themselves. Although this caused many nuisances and troubles, it also gradually strengthened their belief that the legal contracts with their Muslim rulers guaranteed them an exclusive position. The struggle against Orthodox dignitaries had already shown that the documents provided to them by the Ottomans can serve the purpose desirable to the Franciscans. The events of the 'Barišić's Affair' further strengthened it, especially as they could have felt that it was exactly their position within the Ottoman legal frame that enabled them to achieve victory. Another important factor was that Rome and Vienna, whom they earlier regarded as their protectors, in a way let them down by siding with Barišić.

A narrative paradigm of this can be found in the short description of the court hearing in Travnik mentioned above, which was written down in the chronicle of the Sutjeska monastery. According to its author, Barišić came to Travnik very confident that he would come as a victor, but things quickly took an unfavourable turn for him. It is worth quoting a short excerpt:

“The bishop endeavoured that the Vizier and the pashas should compel the friars to submit to his rule, but they had nice firmans who would not allow it. And when he was asked if he had a firman that would allow him to do what he wished, he produced the letter of the Prefect of Propaganda and said: « This is the letter of the Pope's Representative. » The Vizier and the pashas were astonished and asked: « How can the Pope interfere with ancient customs and allow you to rule over the Emperor's firmans even if they date from the time of the conquest? »”⁴⁹

⁴⁸ DŽAJA 1999. p. 197–198 and 213–214, especially in the footnotes.

⁴⁹ BA-AFSF, X. “Chronologica” 183. Kopija Beniča ljetopisa i nastavak Perišića. The chronicler uses the term *Emperor* for the sultan. Franciscans used this term for both the sultan and the Habsburg ruler, but in Croatian these terms were different: the sultan was *car* and the Emperor *cesar*. *Firman* is a royal decree issued by a sovereign in an Islamic state. In the English language it is common to use spelling based on Perisan origin of the word. In Turkish it is spelled as *ferman*, and that is a version used by the Franciscan chroniclers.

The story continues how the Ottoman court advised both parties to agree not to interfere with each other's authority – “as it has always been” – which the Franciscans were willing to do, but Barišić refused and declared his intention to take the dispute to Constantinople (as mentioned). Baltić describes the scene in his *Yearbook* in an even more unfavourable way for Barišić: “The Vizier became angry, grabbed the firman and said: « This is what commands here, and not the Pope, Vienna or Muscovite. »”⁵⁰ As it can be noticed, Adhname itself is not particularly mentioned. The vizier and the other members of the court favoured the Franciscans as the owners of the sultan's firmans, which Barišić himself did not own.⁵¹ It was a nineteenth century social climate with a strong emphasis on the past, in a way that combined antiquity with value, that produced the Ahdname as a source for all other documents. This is also evident in other places in Baltić's *Yearbook*. Shortly before the Travnik trial, the province wrote a memorial with six points addressed to both Rome and the sultan. Two of these six points refer to relations with the Ottoman authorities. In the second point, the Franciscans declare their intention to remain loyal to the sultan, as they have done since 1463. In the fourth point, they promise to keep, preserve and defend all the firmans and berats that have been granted to them over the last four centuries.⁵² They addressed another request to the court itself, asking whether it was possible for a bishop to subjugate the Franciscans, since they bear the Ahdname “even if he had received a mandate from Rome.”⁵³ According to Baltić, the greatest fear among Barišić's opponents was caused by the possibility that he would somehow obtain a firman for himself.

In a sense, this was not unjustified. The Franciscans had already experienced what it meant to be left without prior guarantees. Technically, each time the new sultan ascended the throne, he had to confirm the rights, privileges and guarantees of his predecessor. In 1765, Sultan Mustafa III revoked all privileges, including those of the Franciscans. In 1774, he was succeeded by his brother Abdul Hamid I and the province decided to send an envoy to obtain confirmation of the previous rights. In 1775, Petar Alović came to Constantinople, but left again without having fulfilled his mission. In 1779, two friars travelled to Vienna to try to obtain confirmation through the mediation of the Habsburg Court but had to return with the same result. Finally, Josip Tomić travelled to the Holy Land in 1781 and managed to reclaim old privileges on his way back in 1784. He was supported in this by Ragusan, Habsburg and British ambassadors.⁵⁴ Nedić wrote his work according to a

⁵⁰ BALTĀIĆ 2003. p. 169.

⁵¹ “*The turks said to the bishop: « Bring us a firman, and we will act according to it. »*” BALTĀIĆ 2003. p. 169. The author does not use capital letters when speaking of *turks* because he understands them as a religious (i.e. Muslim) and not a national group.

⁵² BALTĀIĆ 2003. p. 154–155.

⁵³ BALTĀIĆ 2003. p. 156–157.

⁵⁴ DŽAJA 1971. p. 124–125. BARIŠIĆ 2021a. p. 46–47. Baltić gives a concise but vivid description of the whole scene. BALTĀIĆ 2003. p. 94–95. Because of his pilgrimage, Tomić received the nickname *Hadžija*, by which he later became known.

narrative pattern according to which the Franciscans always had to restore the validity of the received firmans.⁵⁵

So, did the Franciscan province of Bosna Srebrena constitute a separate millet? Or is it more appropriate to speak of the millet mentality? As shown, this is a narrative pattern that can be placed within the framework of *post hoc ergo propter hoc*. Just as the millet system was not established in the fifteenth century, the decision of the Franciscans to remain in Bosnia after the 1463 catastrophe should not be seen as an endorsement of such relations. Finally, the question arises to what extent they might have thought of a possible Islamisation of Bosnian territory at that moment. But that is exactly what happened, and furthermore, the shift of the border of the Ottoman conquests far to the west led to the immigration of large groups of Orthodox Christians. The Bosnian Catholics soon found themselves in a situation where they enjoyed tolerance but not full religious freedom. After the great migratory movements in the 1690s, their social structure also changed. Now the Franciscans remained as the only social elite of their denominational group. Although they shared the same space, the members of the three confessional communities lived in a kind of voluntary isolation from each other. The most pronounced area of mutual contact was economic affairs. The Franciscans also participated in this, for their monasteries were also economic subjects. They tried to expand their possessions and secure as many rights and privileges as possible. It seems that the archival activity in the seventeenth and eighteenth centuries was mainly aimed at preserving and conserving documents of Ottoman provenance. The Franciscans used them in numerous lawsuits and were thus able to maintain their position, often at a great financial sacrifice. Traditionally, religious leaders were considered to play the role of legal and political representatives in the millet system. The Bosnian Franciscans fit into such a picture. Their prominent position is also reflected in some other symbolic gestures by the Ottoman authorities, such as giving away caftans. Sometime in the seventeenth century, the “repair” of the Ahdname and the mantle with which Sultan Mehmed II allegedly gifted the Franciscan vicar Anđeo Zvezdović happened. However, the story of their meeting does not appear in the chronicles of the eighteenth century. The chroniclers acknowledge the existence of the Ahdname, but do not yet attached any particular importance to it, and some even expressed a negative attitude. The challenges facing the province, however, placed more emphasis on the past.

These challenges did not come from the Ottomans, but from the Orthodox and also from the Catholic West. In the seventeenth and eighteenth centuries, the Orthodox bishops repeatedly tried to obtain from the Ottoman authorities the right to place the Franciscans (and Bosnian Catholics) under their jurisdiction. For this reason, bitter lawsuits ensued, from which the Catholics always emerged victorious. The first challenge from the western side was the temporary abolition of the province and its downgrading to a lower rank. In

⁵⁵ NEDIĆ, 2011.

both cases, the Franciscans won the victory by arguing with their historical right. Although the Orthodox also received firmans as permission for their trials, the Ottomans decided in court – after a large amount of bribes – in favour of the Franciscans because their firmans were older. It is, therefore, not unusual that the Ahdname was perceived as the source of all others, as the beginning and the main guarantee. This was particularly evident in the events of the ‘Barišić’s Affair’. International factors also interfered in this essentially internal Franciscan conflict. The province felt abandoned by its previous protectors in Rome and Vienna and therefore turned to the Ottomans – relying on conservatism. It could consider Barišić’s resignation from the office of apostolic vicar as a victory and believed that it owed it to the fact that it had firmans but Barišić did not. In the following decades, the tide turned and the province began to lose its exclusive position. The arrival of the Austro-Hungarian occupation was the logical end, but one that many found difficult to come to terms with. The view of the “better past”, so typical of the nineteenth century, already had contours based on experience and became the backbone of the construction of the narrative described. The development of national ideas and movements also led to the need to create an image of the Bosnian past as a story of mutual respect and tolerance, in which the Ahdname could again serve as a solid basis for such arguments.

In the end, the question remains, why “Franciscan” and not “Catholic” millet? Because it is primarily a narrative form, and although they were not the only literate persons within their confessional community, only the Franciscans managed to leave written sources in this period. Already in their writings it is noticeable that they did not always succeed in conveying their image of relations with the faithful, which is expressed above all in the already mentioned pervasiveness of national ideas, which primarily follow denominational boundaries. Croats in Bosnia and Herzegovina became confronted with concepts and narratives that originate outside Bosnia itself, which is another point on which they would often differ from the Franciscans. However, the presentation of these movements would require a separate article.

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