

The Conversion of Hagia Sophia: A Historical Background

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TRT WORLD RESEARCH CENTRE

July 2020

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PHOTO CREDIT

ANADOLU AGENCY

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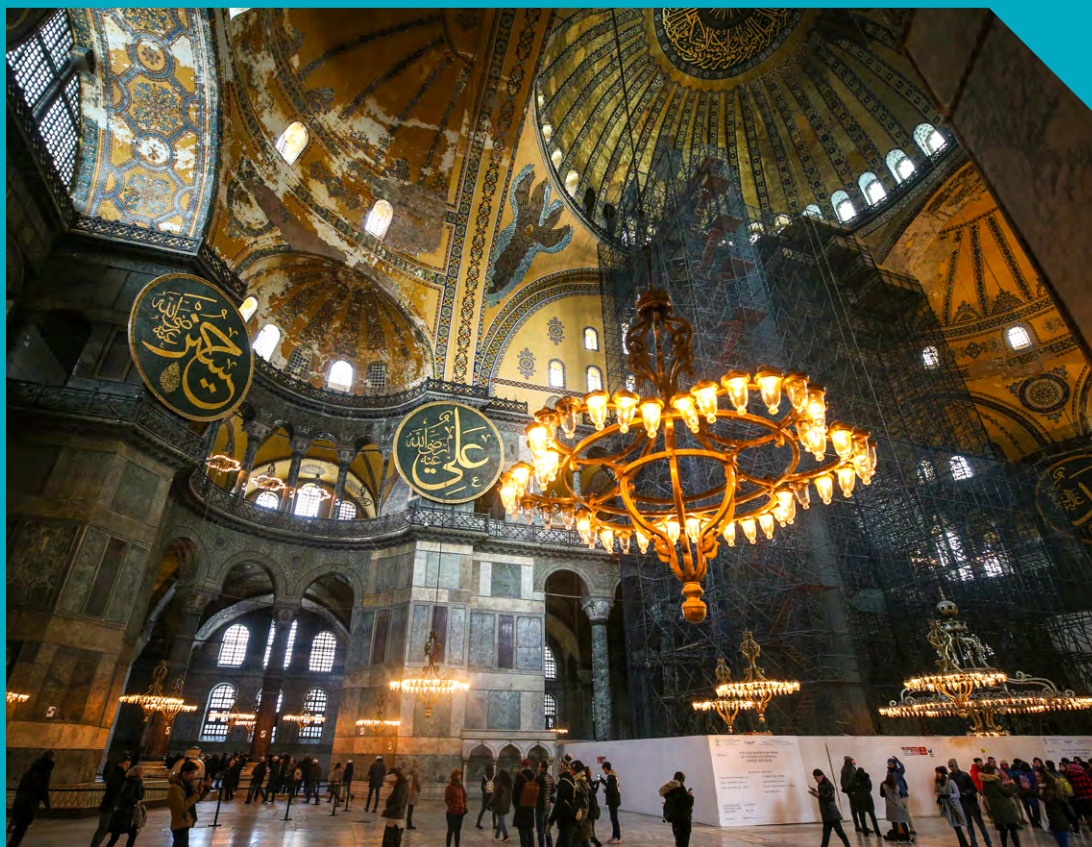
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Introduction

On July 10, 2020, Turkey's top administrative court, the Council of State, cancelled a 1934 government decree that had transformed the Hagia Sophia from a mosque into a museum, paving the way for the opening of the iconic building for worship after 85 years. As per the decision issued by the court, it was ruled that the Hagia Sophia remains property of a foundation (vakf) established by Sultan Mehmet II after the conquest of Constantinople in 1453. Under the terms attached to its consecration as a mosque over 500 years ago, the court ruled that it should be used as per the will of the foundational endowment document, namely as a mosque. In light of the court's annulment the 1934 decision, Turkey's president Erdoğan signed a presi-

dential decree permitting that the structure be used as a mosque and announced that the first Friday prayer would be held on July 24, 2020. Turkish officials noted that the world heritage site would be preserved as the Christian icons and mosaics inside the structure will remain untouched and the site would remain open to all people regardless of religious affiliation.

This info-pack aims to present a brief history of the Hagia Sophia. It focuses on its transformations over time. It will also outline the judicial processes that finally resulted in the reconversion decision. The info-pack will also present international reactions to the change in the Hagia Sophia's status and Turkey's response to these reactions.



(Muhammed Enes Yıldırım - Anadolu Agency)

A Brief History of Hagia Sophia

Hagia Sophia was rebuilt [three times](#) before taking its current form. The first building was established in 360 CE during the reign of [Emperor Constantius II](#) and served as one of the two principal churches during the Byzantine period. This first church was demolished during riots leaving no historical ruins from that time. Following its destruction, the second church was built on the same location in 415 CE during the time of [Emperor Theodosius II](#). It was then destroyed in 532 CE following another revolt. Some of the remains, such as marble blocks and reliefs, from the second Hagia Sophia have survived until today.

The Hagia Sophia's current structure began to be constructed during the reign of [Emperor Justinian](#) and was completed in approximately six years. The third Hagia Sophia was designed with completely different architecture, being much larger than its previous iterations. Mosaics inside the building were completed later on during the time of Emperor Justin II (565–578 CE). Its columns and marble were brought from all over the empire. After its main dome was demolished by earthquakes in 558 CE, a new type of dome, with a higher interior height, was built in 562 CE, giving the current shape of the Hagia Sophia. During this period, the Hagia Sophia became the central place for imperial ceremonies and the Patriarchate of Constantinople.

During the [Fourth Crusade](#), Constantinople was seized by crusaders who established the Latin Empire between 1204–1261 CE. During this period, Hagia Sophia was transformed from an Orthodox church to a Roman Catholic church until it was recaptured by the Byzantines.

After the Ottoman seizure of Constantinople under the reign of [Sultan Mehmet II](#) in 1453, Hagia Sophia was converted into a mosque, and the first Friday prayer was held on June 1, 1453. The structure would subsequently serve as the principal mosque of the Ottoman Empire until the 1934 decision converting it to a museum. Following its conversion to a mosque, Mehmet II initiated renovations as the building was in a dilapidated state. As part of this process, he formed a foundation (known in Turkish as a vakf) in order to ensure the maintenance of the Hagia Sophia. In subsequent periods, the mosque saw many [renovations](#) and repairs, as well as the addition of four minarets, the sultan's lodge, the minbar (pulpit) and the mihrab (niche showing the direction of Mecca). Subsequently, it became a complex with the addition of a madrasa (religious school), a library, an imaret (soup kitchen), and a public fountain. Additionally, the mosque was decorated with Islamic art and calligraphy. Moreover, frescoes and mosaics inside



(Emrah Yorulmaz - Anadolu Agency)

the buildings were covered by white plaster that ultimately served to preserve them to present. The most important restoration came in [1847 during the reign of](#) Sultan Abdülmecid, which strengthened the dome, vaults, and columns while the interior and exterior decorations were repaired.

In November 1934, the Hagia Sophia was converted into a [museum](#) by the Republic of Turkey and added to UNESCO's official World Heritage List in 1985. Between 1997 and 2002, an extensive restoration was completed. During this period, the Hagia Sophia became one of the most attractive tourist destinations in Turkey.

During the late 2010s, the move to reconvert the Hagia Sophia into a mosque started to be discussed openly in Turkey by NGOs, political parties and the government. In the context of these discussions, a decision was taken in 2013 to allow the Muslim call to prayer (adhan) to sound from the site's four minarets.

In 2016, the call to prayer was authorised [inside the building](#) for the first time since 1934. In 2017, Quran recitation was held in a programme organised by the Presidency of Religious Affairs during the month of Ramadan. In 2019, President Erdoğan [stated](#) on a television programme that the Hagia Sophia would be converted into a mosque.

Upon Turkey's top administrative court's July 11 ruling that revoked the 1934 conversion of Hagia Sophia into a museum, the path for the monument to be reopened for worship was opened. Following the ruling, Turkey's president Erdoğan signed a decree opening Hagia Sophia for prayers and announced that the first prayer would be held on July 24.

Timeline: Transformation of Hagia Sophia

360 Under the Roman Empire, Emperor Constantine II -- son of Constantine I, who converted the Roman Empire to Christianity-- the first iteration of the structure was built and was named Hagia Sophia (Holy Wisdom)

404 The first Hagia Sophia was largely destroyed 44 years after its construction during an uprising when a silver-plated statue of Empress Eudoxia, the wife of Emperor Arcadius, was erected in front of the iconic building

415 Emperor Theodosius II rebuilt Hagia Sophia.

532 The second Hagia Sophia was destroyed in the Nika riots during the reign of Emperor Justinian.

532-537 The construction of Hagia Sophia -- the one we know today -- was led by two famous scholars of the era: physicist Isidore of Miletus and mathematician Anthemius of Tralles.

1204 During the Fourth Crusade, Hagia Sophia was transformed into a cathedral affiliated with the Roman Catholic Church.

1261 Hagia Sophia returned to Byzantine control.

1453-1481 Hagia Sofia was converted into a mosque following the conquest of the city by Mehmet II, the seventh sultan of the Ottoman Empire. Having received the title "conqueror," Mehmet II performed a Friday prayer in Hagia Sophia on June 1, 1453, the first Friday prayer after the conquest. After converting Hagia Sophia into a mosque, Mehmet the Conqueror founded the Hagia Sophia Mosque Foundation. He subsequently ordered the construction of a minbar (pulpit), a mihrab (niche showing the direction of Mecca), a madrasa (religious school), and a library.

1481-1512 Sultan Bayezid II (1481-1512) ordered the addition of a mihrab made of white marble to the mosque as well as a minaret at the north-eastern corner.

1520-1566 Sultan Suleiman the Magnificent donated two lamps he brought from Hungary, a territory he had conquered in 1526, to the Hagia Sofia.

1566-1574 During the reign of Selim II (1566-1574), Hagia Sophia was reinforced with external retaining structures added by famed Ottoman architect Mimar Sinan.

of two cubes made of Bektashi stone from Bergama dating from the Hellenistic era (4th century BC) in the main hall of Hagia Sophia.

1603-1617 During the reign of Ahmed I, extensive repair and maintenance work was carried out, and the 'basmala' (a key phrase from the Quran) was inscribed on the mihrab.

1623-1640 Sultan Murad IV ordered the interior of Hagia Sophia to be decorated with calligraphy plates.

1703-1730 During the reign of Ahmed III, the sultan's throne in Hagia Sophia was renovated, a huge oil lamp was hung in the middle of the mosque, and maintenance was carried out.

1739 Sultan Mahmud I ordered the building to be restored and also ordered the construction of a library, a madrasa, an imaret (soup kitchen), and a fountain next to the building.

1789-1807 Selim III ordered the upgrading of all the carpets of Hagia Sophia.

1808-1839 During the reign of Mahmud II, the mosque saw extensive repair and maintenance work.

1847- 1849 One of the best-known restorations of Hagia Sophia from the Ottoman era was carried out on the orders of Sultan Abdulmecid I.

1930-1935 Hagia Sophia closed to the public for a series of restorations.

1934 Under a Cabinet decree dated Nov. 24, 1934, Hagia Sophia was converted into a museum.

1985 Hagia Sophia was added to UNESCO's official World Heritage List.

2015 The Quran was recited inside the building for the first time in 85 years.

2016 The Muslim call to prayer (Ezan) was recited inside the building for the first time since being converted into a museum.

July 10, 2020 Turkish court annuls the 1934 Cabinet decree that had converted Hagia Sophia into a museum, opening the way for its return to be used as a mosque.

(Source: Anadolu Agency)

Judicial Process

Hagia Sophia was subjected to a long judicial process before the recent decision of the administrative court, as there had previously been similar attempts to open the site for prayer. However, the previous attempts failed.

The first case was [opened](#) by an association called The Association of Foundations and Service to Historical Artefacts and the Environment in 2005. They demanded the annulment of the 1934 Council of Minister's decision, however, the Council of State rejected the request.

Another attempt took place in 2008 and was also rejected on by the Council of State, who stated that there was no violation in the use of the Hagia Sophia as a museum.

In 2016, the same association once again filed a lawsuit with the Council of State. This time, it made an individual application to the Constitutional Court on the basis of what they claimed was a "violation of freedom of religion and conscience". In 2018, the Constitutional Court [rejected](#) the request citing that the application as being inadmissible due of the lack of jurisdiction without actually examining the issue.

On July 2, 2020, the Council of State once again examined the request for the annulment of the 1934 cabinet decision. Lawyers claimed that 1934 decree was a violation of the private property law and, therefore, should be repealed. They substantiated their claims on the ground that the Hagia Sofia was endowed by Sultan Mehmet II as a founda-

tion (vakf) to be used exclusively as a mosque. Therefore, as per its endowment deed, which lawyers argued was violated by the 1934 decree, it should remain as a mosque. Any other use of the site was deemed to be against the will of the endower. They also argued that Hagia Sophia is registered as a mosque, not a museum, in the land registration records.

On July 10, 2020, the Council of State [ruled](#) in favour of the annulment of the 1934 cabinet decision, paving the way for the re-conversion of Hagia Sophia into a mosque. The top administrative court reasoned that the Fatih Sultan Mehmet Han Foundation remains the rightful owner of the property and the Hagia Sophia was offered to the community to be used as a mosque without any entrance fees or otherwise. According to the court, this status cannot be changed by the decision of the Council of Ministers. The court also stressed that the state has a positive obligation to ensure that the foundation asset is used in accordance with the will of the foundation and that it has a negative obligation not to intervene in a way that will eliminate the will of the foundation concerning the foundation's property and rights.

Following the court's ruling, President Erdoğan released a presidential decree transferring the Hagia Sophia to the Presidency of Religious Affairs. He later announced that the first Friday prayer would be held on July 24.

Timeline: Judicial Process over Hagia Sophia

2005 The Association of Foundations and Service to Historical Artefacts and the Environment brought a lawsuit to the Council of State over Hagia Sophia.

The Association demanded that the 1934 cabinet decree be annulled. The 10th Chamber of Council of State rejected the request.

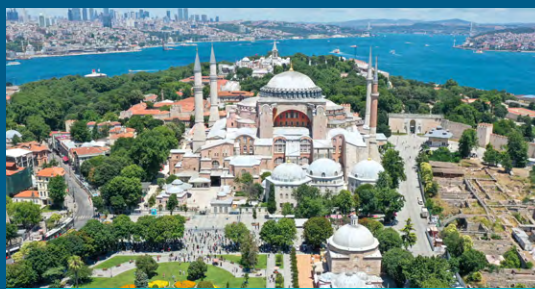
2008 Another case was opened. It was rejected by the same judiciary department on the grounds that there was no contradiction in the law that transformed the Hagia Sophia into a museum.

2016 The association again filed a lawsuit with the State Council and made an individual application to the Constitutional Court arguing a violation of religious freedom.

2018 The Constitutional Court rejected the application citing the lack of jurisdiction.

July 2, 2020 A hearing was held in the 10th Chamber of the Council of State over the Hagia Sophia application.

July 10, 2020 The Council of State repealed the 1934 Cabinet decision that turned the mosque into a museum.



(Muhammed Enes Yıldırım - Anadolu Agency)

International Reactions and Turkey's Responses

The decision to reconvert the Hagia Sophia into a mosque has led to various reactions from around the world. The debate currently taking place owes its place to the great importance of the site for both Muslims and Christians. As a symbol of the conquest of Constantinople and the most important mosque for the Ottomans, it is a site of great reverence for Muslims in Turkey and from around the world. For Christians, particularly those of Orthodox persuasion, the site holds great importance as a holy site and a symbol of Orthodox Christianity. Hence, while many voices within the Muslim world welcomed the decision, other international actors, such as Greece, Russia, the US, the EU, UNESCO and various church leaders expressed concern. The Turkish government views the decision as being solely an internal matter and considers any external opposition as an encroachment on its sovereign rights.

Greek Prime Minister Kyriakos Miçotakis [said](#) that this decision would affect bilateral relations between Greece and Turkey and the latter's EU accession process. The Russian Orthodox Church [expressed](#) their dismay, saying that the concern of millions of Christians has not been heard. Additionally, the US State Department [stated](#): "We understand the Turkish Government remains committed to maintaining access to the Hagia Sophia for all visitors and look forward to hearing its plans for continued stewardship of the Hagia Sophia to ensure it remains accessible without

impediment for all." Moreover, UNESCO also [expressed](#) their regrets on Turkey taking this decision without prior discussion and called for the universal value of World Heritage to be preserved.

In response to these international reactions, President Erdoğan stated that the Hagia Sophia would be open to all people regardless of religious affiliation. He [added](#), "with its new status, Hagia Sophia, the shared heritage of humanity, will continue to embrace all". He noted that Turkey welcomes all sorts of opinions about the Hagia Sophia from the international community. However, the status of Hagia Sophia is a domestic matter. Hence, the decision is merely an exercise of Turkey's sovereign rights, which should be respected by other countries. Erdoğan also added that "just as Turkey does not interfere in decisions on places of worship in other countries, Turkey expects the same understanding about protecting historical and legal rights." Presidential spokesman Ibrahim Kalin also [highlighted](#) that any claim that the conversion decision will undermine world heritage is not true. He pledged that Hagia Sophia will continue to be a UNESCO World Heritage site and will be opened to local and foreign tourists as is the case in Parisian churches Sacré-Cœur and Notre-Dame. Additionally, Kalin noted that Christian icons and mosaics within the structure would continue to be protected.

Erdoğan's Statement on Hagia Sophia Decision

Hagia Sophia's doors will be, as is the case with all our mosques, open to all, whether they be foreign or local, Muslim or non-Muslim.

With its new status, Hagia Sophia, the shared heritage of humanity, will continue to embrace all in a much more inclusive and sincere way. I call on everyone to respect our country's judicial and executive bodies' decision on Hagia Sophia.

Surely, we will welcome all kinds of views voiced on this matter in the international arena. However, to what purpose Hagia Sophia will be utilised is a matter of Turkey's sovereign rights.

Opening Hagia Sophia for worship is merely an exercise of our country's sovereign rights. The right

to convert Hagia Sophia into a mosque is in line with its foundation charter. The same right applies for its [Turkey's] flag, its capital, its adhan, its language, its borders and its 81 provinces.

We will accept all attitudes and statements regarding this matter other than those voicing views that represent a violation of our independence. Just as we [Turkey] do not interfere in decisions on places of worship in other countries, we expect the same understanding about us protecting our historical and legal rights.

Turkey's decision is solely related to its own domestic laws and historical rights.

(Source: Presidency of the Republic of Turkey)

What is next?

The decision of Turkey's top administrative court is only the latest in historical transformations of the site. Hagia Sophia was built as a church in 360 CE, converted into a Catholic cathedral in 1204 CE during the fourth crusade, transformed into a mosque in 1453, and then converted into a museum in 1934. According to a Presidential Decree following the court's decision to annul the 1934 cabinet decree, it has now been reconverted into a mosque open for worship. The court reasoned that, since the site was the private property of Sultan Mehmet II who endowed it to a foundation to be used as a mosque, it cannot be used against the will of the endower. As announced by President Erdoğan, the first Friday prayer will be held on July 24, 2020. According to Turkish officials, the Hagia Sophia will

be open to local and foreign tourists regardless of their religious affiliation as are all other historical religious sites in Istanbul such as the Blue Mosque, Fatih and Suleymaniye Mosques. Since the court ruled that the Hagia Sophia was endowed as a mosque, there will be no entrance fees for visitors who want to see this architectural monument that combines features of Byzantium and Ottoman cultures. The change in status from a museum to a mosque will not affect the Christian icons and mosaics as they will be preserved and will be able to be seen by visitors. In a similar vein, Turkey's Culture and Tourism Minister Mehmet Nuri Ersoy said that "the Hagia Sophia mosque, a world heritage site, will continue to be protected meticulously."



(Emrah Yorulmaz / Anadolu Agency)

