

MİNKÂRİZÂDE YAHYÂ AND THE OTTOMAN SCHOLARLY
BUREAUCRACY IN THE SEVENTEENTH CENTURY



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2021

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BUREAUCRACY IN THE SEVENTEENTH CENTURY

Thesis submitted to the
Institute for Graduate Studies in Social Sciences
in partial fulfillment of the requirements for the degree of

Doctor of Philosophy
in
History

by
Özgün Deniz Yoldaşlar

Boğaziçi University

2021

Minkārīzāde Yahyā and the Ottoman Scholarly Bureaucracy
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ABSTRACT

Minkārīzāde Yahyā and the Ottoman Scholarly Bureaucracy in the Seventeenth Century

This dissertation examines the life and career of Minkārīzāde Yahyā (1609–1678) in the context of wider religious, administrative, political, and intellectual developments of the seventeenth century. It contends that Minkārīzāde actively involved in redefining critical aspects of Ottoman religio-legal dynamics on both institutional and intellectual levels as a scholar-bureaucrat.

This study is composed of an introductory and four main chapters dealing with distinct aspects of Minkārīzāde’s bureaucratic career and scholarly works. While the introductory chapter lays out the dissertation’s main arguments and analyzes the relevant literature, Chapter 2 explores the hitherto neglected early stages of Minkārīzāde’s life, the scholars who taught him during his youth, and his scholarly and bureaucratic career to trace the trajectory that advanced him to the highest level of the Ottoman learned hierarchy. Chapter 3, on the other hand, concentrates on Minkārīzāde’s scholarly works and scrutinizes his active involvement in the religio-legal debates of the seventeenth century. Looking closely at Minkārīzāde’s tenure in the office of chief jurist and examining a number of administrative developments he promoted, Chapter 4 discusses the new land regime applied in Crete after its final conquest in 1669 in light of his fatwas. Lastly, Chapter 5 demonstrates that a wide range of scholars from different corners of the empire established a close relationship with Minkārīzāde and benefitted from his scholarly and intellectual patronage, resulting in the recognition of his seat as the “Threshold of Minkārīzāde” (Minkārīzāde *Āsitānesi*).

ÖZET

Minkārīzāde Yahyā ve Onyedinci Yüzyıl

Osmanlı İlmiyesi

Bu tez Minkārīzāde Yahyā'nın (1609–1678) yaşamını ve kariyerini, onyedinci yüzyılın daha geniş dini, idari, politik ve entelektüel gelişmeleri bağlamında incelemektedir. Bu çalışma, bir alim-bürokrat olarak Minkārīzāde'nin, on yedinci yüzyıl Osmanlı dini-hukuki dinamiklerinin kritik yönlerinin hem kurumsal hem de entelektüel düzeyde yeniden tanımlanmasında güçlü ve aktif bir katılım gösterdiğini iddia etmektedir.

Bu çalışma, Minkārīzāde'nin bürokratik kariyerini ve ilmi faaliyetlerinin farklı yönlerini ele alan bir giriş ve dört ana bölümden oluşmaktadır. Giriş bölümü, tezin ana argümanlarını ortaya koyup ilgili literatürü analiz ederken; 2. Bölüm, Minkārīzāde'nin gençliği boyunca eğitim aldığı çeşitli alimlere ve onu Osmanlı ilmiyesinin en tepesine taşıyan gidişatın izini sürmek adına ilmi ve bürokratik kariyerine odaklanarak, hayatının şimdiye kadar ihmal edilmiş erken dönemlerini araştırmaktadır. Öte yandan 3. Bölüm, Minkārīzāde'nin ilmi çalışmalarına yoğunlaşarak, kendisinin 17. yüzyıl dini-hukuki tartışmalarına aktif katılımını irdelemektedir. 4. Bölüm, şeyhülislamlığına genel bir bakış sağladıktan ve uygulamada esas olarak kendisinin sorumlu olduğu bir dizi idari gelişmeyi inceledikten sonra, 1669'daki son fethinin ardından Girit'te uygulanan yeni arazi rejimini Minkārīzāde'nin fetvaları ışığı altında tartışmaktadır. Son olarak 5. Bölüm, imparatorluğun farklı yerlerinden çok sayıda alimin Minkārīzāde ile yakın bir ilişki kurup, makamının Minkārīzāde *Āsitānesi* olarak nitelenmesini sağlayan ilmi ve entelektüel himayesinden faydalandığını ortaya koymaktadır.

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ACKNOWLEDGMENTS

This dissertation was completed with the exceptional help of several individuals whom I would like to thank. First and foremost, I would like to thank my advisor Derin Terzioğlu, who has been an invaluable source of inspiration and generous guidance during the process of writing this dissertation. I have always felt her support in every stage of this study. Her scholarly erudition and nuanced understanding of very complicated issues will always be instructive for my scholarship in the future. I would also like to thank my committee members Çiğdem Kafescioğlu, Abdurrahman Atçıl, Yavuz Aykan, and Akif Ercihan Yerlioğlu for giving me extensive and insightful feedback and helping me improve my work. I learned extensively from Çiğdem Kafescioğlu in her seminar and during the dissertation writing process; her critical thinking expanded my vision and supported my intellectual development. I am also indebted to Abdurrahman Atçıl for his company and amicable conversations over the years. His works also helped me to formulate my questions and crystalize my ideas more effectively. I have always felt the support of Yavuz Aykan from the very beginning, which gave me invaluable moral support throughout this process. I thank Akif Ercihan Yerlioğlu for his comments on my draft and constructive contributions to my work. Lastly, I would like to thank Meltem Toksöz for her generous help with the preparation of the draft of my thesis proposal.

One of the most enjoyable parts of the dissertation process was my time at the Center for Middle Eastern Studies at Harvard University during the 2018–2019 academic year as a visiting student. I owe lasting gratitude to Cemal Kafadar for giving me this opportunity. I am grateful for the interest he showed in my research

and for his guidance. He was also kind enough to let me audit his graduate seminar. Although they were not directly involved in my dissertation research and writing, I should also mention several former professors and mentors who have imbued me with the necessary qualifications to understand better the different periods of Ottoman history: Tülay Artan, Hülya Canbakal, Y. Hakan Erdem, Metin Kunt, Özlem Çaykent, Aziz Nazmi Shakir, Zeynep Nevin Yelçe, Güçlü Tülüveli, Kayhan Orbay, Selçuk Dursun, Ferdan Ergut, Yunus Emre Gürbüz, Birten Çelik, and Akile Zorlu Durukan. I would also like to acknowledge the help of following scholars and professors: Zeynep Altok, Muhammet Zahit Atçıl, Ayşe Tek Başaran, Yaşar Tolga Cora, Çetin Çelik, Ramazan Ekinci, Boğaç Ergene, Ertuğrul Ökten, Himmet Taşkömür, Kenan Yıldız, and Gülay Yılmaz.

I would never have been able to finish this dissertation without the financial support of various institutions. I gratefully acknowledge the fellowships I received from TÜBİTAK-BİDEB (2228-B National PhD Scholarship Programme for Senior Graduate Students and 2214-A International Research Fellowship Programme for PhD students) and BÜVAK (Boğaziçi University Foundation).

I have also enjoyed the company of friends who helped and supported me in the past eight years in various ways. First of all, I would like to sincerely thank Ahmet Kaylı who offered critical comments on various parts of this study. He also helped me resolve a number of ambiguities in the text and refine the critical edition; I cannot thank him enough. Abdullah Vahdi Kanatsız listened to me for hours and restored my confidence in myself, for which I am grateful to him. I also would like to thank Ali Atabey, who witnessed every stage of this long journey. He has contributed to this dissertation much more than he is probably aware of. I would like to especially thank Ramiz Üzümçeker and Damla Gürkan Anar for their friendships

in the most difficult times that we all shared during this process. I would like to thank Sinan Kaya and Anıl Aşkın for their unforgettable friendship, especially in the early stages of this journey. I have always felt the support of Cumhuriyet. I greatly appreciate his sincere friendship and unconditional support whenever needed. Özkan Karabulut, Damla Özakay, Tuğrul Acar, and Hacı Osman “Ozzy” Gündüz deserve special thanks for their warm friendship and company in Cambridge. I would also like to extend my thanks here to Mehmet Yılmaz Akbulut, Ahmet Tahir Nur, Mahmut Halef Cevrioğlu, Evren Sünnetçioğlu, Mustafa Oğuzhan Doğar, Mustafa Altuğ Yayla, Sümeyye Hoşgör Büke, Mustafa Akay, Nihad Dostovic, Erdal Bilgiç, Berna Kamay, İsa Uğurlu, Murat Yolun, Aykut Mustak, Güven Erten, Eyüp Murat Kurt, Aytek Sever, and Ahmet Yusuf Yüksek. I would also like to especially thank Uygur Aydemir, who provided me with moral support in the last phase of this dissertation, which enabled me to finish it earlier. Lastly, I would like to thank Michael Douglas Sheridan for his support in proofreading, which saved me from many inexcusable mistakes. My gratitude for his assistance with the final version of this dissertation is indeed beyond expression.

My family, Ayla, Kenan, and Can, and extended family always have supported my education; I am deeply grateful for the love and support that they have shown throughout this journey. Last, but certainly not least, I am forever grateful to my wife Çilem for being a fellow traveler in my life. Without her continuing belief in me and her unconditional support, patience, and tolerance, I could have never made it this far. I lovingly dedicate this dissertation to her constant presence.

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ABBREVIATIONS

<i>Atâyî</i>	<i>Hadâ'iku'l-Hakâ'ik fî Tekmileti'ş-Şakâ'ik</i>
<i>Keşfü'z-zunûn</i>	<i>Keşfü'z-Zunûn 'an Esâmi'l-Kütübi ve'l-Fünûn</i>
<i>Mîzânü'l-Hakk</i>	<i>Mîzânü'l-Hakk fî İhtiyâri'l-Ehakk</i>
<i>Şakâ'ik</i>	<i>Eş-Şakâ'iku'n-Nu'mâniyye fî Ulemâi'd-Devleti'l-Osmâniyye</i>
<i>Şeyhî</i>	<i>Vekâyi'u'l-Fuzalâ</i>
<i>Târih-i Na'imâ</i>	<i>Ravzatü'l-Hüseyn fî Hulâsati Ahbâri'l-Hâfikayn</i>
<i>TDVİA</i>	<i>Türkiye Diyanet Vakfı İslam Ansiklopedisi</i>
<i>Uşşâkîzâde</i>	<i>Zeyl-i Şakâ'ik</i>
<i>YEK</i>	<i>Yazma Eser Kütüphanesi</i>

NOTES ON SPELLING AND TRANSLATION

In this dissertation, a slightly modified version of the *IJMES* transliteration system is followed for the Arabic texts and personal names. Macrons are included for vowels, but diacritics are not used for consonants (eg., al-Baydāwī is preferred to al-Bayḍāwī or *ādāb al-baḥth* is used instead of *ādāb al-baḥṭh*). The texts and names of individuals whose lives predominantly unfolded in an Ottoman context are rendered using the Ottoman Turkish principles applied to Turkish words. Again, Macrons are included for vowels, but diacritics are not used for consonants (eg., Minkārīzāde Yahyā is preferred to Minḡārīzāde Yaḥyā or *et-Tarīkatü 'l-Muhammediye* is used instead of *al-Ṭarīqa al-muḡammadiyya*). Terms that have entered regular English usage are translated (madrasa, ulama, fatwa), but more technical terms are maintained in transliterated and italicized forms (*mülāzemet*, *mümeyyiz*, *āsītāne*). Major toponyms are rendered in their established anglicized form whenever possible. All names and titles of works are fully translated with macrons and diacritics in the footnotes and bibliography according to the transliteration principles governing the language of that work. Dates are given in the Common Era unless the Hijri date is essential for the particular discussion.

CHRONOLOGY

The dates of important events in the 17th century Ottoman History

1603–1617: The reign of Ahmed I

1609: a) The appointment of Sheikh ‘Ömer as preceptor to the two sons of Ahmed I, namely Osman and Mehmed; b) The execution of Yūsuf Pasha, the end of the first Celali rebellions; c) The beginning of the construction of Sultan Ahmed Mosque

1622: The execution of Osman II

1623–1640: The reign of Murad IV

1623–1639: The Ottoman–Safavid War

1640–1648: The reign of İbrāhīm I

1645–1669: The siege of Crete

1648: The execution of İbrāhīm I

1648–1687: The reign of Mehmed IV

1651: The execution of Kösem Sultān

1655: Military Rebellion

1656: *Vak‘a-i Vakvakiyye* (plane-tree incident)

1656–1661: The tenure of Köprülü Mehmed

1656: The procession of Mehmed IV to Edirne

1658–1659: The rebellion of Abaza Hasan Pasha

1661–1676: The tenure of Fāzıl Ahmed Pasha

1663–1665: Military campaign against the Habsburgs

1665: The inauguration of New Mosque

1669: The conquest of Candia

1672–1673: Military campaign against Poland-Lithuania

1676: The death of Fāzıl Ahmed Pasha

1676–1683: The tenure of Merzifonlu Kara Mustafā Pasha

The dates of important events in Minkārīzāde’s life

1567: The death of Dede Cöngī

1609: The birth of Minkārīzāde

1624: The death of Minkārī ‘Ömer

1625: The death of Hoca zāde Es‘ad

1628: The death of Mahmūd Hüdāyī

1647–1649: The tenure of Hoca ‘Abdu’r-rahīm at the office of chief jurist

1648: Kürd Mollā completes his commentary on Birgivi’s *et-Tarīkatü’l-Muhammediye*

1649–1652: The tenure of Minkārīzāde in the judgeships of Mecca

1658: Minkārīzāde’s appointment as examiner (*mümeyyiz*)

1662–1674: The tenure of Minkārīzāde at the office of chief jurist

1663: Vānī Mehmed’s coming to Istanbul

1674: Minkārīzāde’s withdrawal from the office of chief jurist

1678: The death of Minkārīzāde

CHAPTER 1

INTRODUCTION

This dissertation examines the life and career of Minkārīzāde Yahyā (1609–1678) in the context of the wider religio-legal, administrative, political, and intellectual processes that shaped seventeenth-century Ottoman history. The main framework to be followed throughout this dissertation is to investigate Minkārīzāde as a seventeenth-century scholar-bureaucrat, who served in the Ottoman learned hierarchy as a professor, judge, and chief jurist. In tandem with this, the focus throughout this dissertation will be upon Minkārīzāde’s dual roles as scholar on the one hand and bureaucrat on the other in shaping principal religious, administrative, and intellectual trends of the Ottoman Empire during much of the seventeenth century.¹ More precisely, this dissertation presents a detailed examination of the career of Minkārīzāde, whose impact and legacy in Ottoman learned hierarchy has generally been ignored or downplayed and provides a critical analysis of the general trends of seventeenth-century Ottoman history from various aspects by putting Minkārīzāde at the center.

¹ For an early use of the term “scholar-bureaucrat,” see Kafadar, *Between Two Worlds*, 16, 18. More recently, Abdurrahman Atçıl has offered a more extensive discussion of this term by indicating its distinctive character as it evolved through the sixteenth century. His key arguments are summarized in the following excerpt: “Scholar-bureaucrats received education on the Qur’an and the Sunna and the traditional knowledge derived from them. They served as professors, judges, or jurists. In other words, they acquired the traditional qualifications of and fulfilled the usual functions of scholars. Thus, there is nothing wrong in calling them scholars. At the same time, however, scholar-bureaucrats became affiliated with the Ottoman government through an institutional framework that was protected by laws and by established precedents. They pursued a lifetime career, accepting regular promotions to progressively better hierarchically organized positions. As legal experts, they fulfilled judicial, scribal, financial, and military tasks for the Ottoman government. This framework was not temporary but well established and durable, making it possible for a large group of men in every generation to professionally affiliate with the Ottoman government. Insofar as the nature of the relationship of these scholars with the government was concerned, they differed from their predecessors and contemporary nonbureaucratic scholars. As such, they appeared to be bureaucrats.” Atçıl, *Scholars and Sultans*, 6.

Minkārīzāde's life, as well as his scholarly and bureaucratic career, make it possible to investigate two different facets of seventeenth-century Ottoman history. On the one hand, during the time period that he served as professor and judge, the Ottoman state was witnessing institutional and structural transformations alongside processes of rapid social, economic, and political change defined by, among other things, intense power struggles between different social, political, and professional groups and factions. On the other hand, Minkārīzāde's tenure as chief jurist coincided with the rule of the Köprülü viziers, which brought considerable stability to the political scene between the years 1656 and 1683. It has been argued that one of the developments that tied together these two periods—the first a period of crisis, and the second a period of restoration—was the temporary undermining of the dominance of top-ranking Ottoman ulama in religious and political life. Yet Minkārīzāde's illustrious career as a scholar and a bureaucrat puts this assumption into question. As a scholar, Minkārīzāde participated in a number of the key religious and legal debates of his time, while as a bureaucrat he helped rewrite the rules of entry into and promotion within the Ottoman scholarly establishment in such a way as to open it to elements beyond the “quasi-aristocracy” of the old Istanbul ulama families.

Tracing careers of individuals like Minkārīzāde by exploring their lives and works in a detailed way offer an opportunity to reveal the ways in which individual scholarly trajectories interacted with broader political, religious, and intellectual developments across time and space.² A study on Minkārīzāde proves to be important in terms of its ability to shed light on the general processes and trends that dominated the seventeenth-century Ottoman social and intellectual world. Through

² For Pierre Bourdieu's critical remarks on the issue, see Bourdieu, “L'illusion Biographique,” 69–72.

an examination of the scholarly and bureaucratic career of Minkārīzāde and the multiple roles he played in the religious, political, institutional, and intellectual developments of the period, this dissertation sketches an *in vivo*³ panorama of seventeenth-century Ottoman history.

1.1 The Ottoman world during Minkārīzāde's age

Minkārīzāde was born in 1609, at a time when the Ottoman state was experiencing intense change and transformation. It was such a turbulent period in the history of the Ottoman state that, in addition to the state of the Ottoman ulama to which Minkārīzāde and his father belonged, it might be useful to also briefly touch upon other areas such as political, socio-economic, administrative, and intellectual life, in order to better understand the level of change in these fields and situate Minkārīzāde within a broader plane of the seventeenth-century Ottoman world.

There seems to be a consensus in the literature that the conquest of Istanbul by the Ottomans in 1453 marked their transformation from an Anatolian principality into an early modern empire. One of the distinctive characteristics of this new political structure that distinguished it from its predecessor was the gradual emergence of military-administrative and educational-judicial institutions, organized around the central position of the Ottoman sultans as the locus of political power.

This institutional structure continued to evolve through the sixteenth and seventeenth

³ I borrow this term from Cornell Fleischer's study on Mustafā Āli. The following passage from this study is beneficial for revealing what is meant by this term: "The breadth of Ali's experience and acquaintance with the leading cultural and political figures of this crucial era, as well as the scope and volume of his literary activity, make him at once a unique source for the history of the late sixteenth century and an ideal subject for a study of the human realities of the Ottoman Empire. We shall study the Empire from within, as an educated Ottoman experienced it. Furthermore, we shall study why he experienced and described it as he did. My object is to create an *in vivo* portrait of Ottoman intellectual and political life in the sixteenth century against which theory might be tested." Fleischer, *Bureaucrat and Intellectual*, 4.

centuries, and it stood out as a political organization mainly distinguished by its patrimonial-bureaucratic features.

Where these concepts are concerned, the first thing that must come to mind is Max Weber's tripartite classification of authority into the rational, the traditional, and the charismatic.⁴ Weber developed these concepts as ideal types and anticipated that bureaucracy would historically prevail over patrimonial administration and charismatic leadership. In other words, by presenting historical change from the perspective of an evolutionary process, he asserted that traditional authority would historically evolve into rational authority and patrimonial administration into bureaucratic administration.⁵ Regarding these concepts, it can be briefly said that, while the basic features of patrimonialism are "administration based on personal ties to or dependence on rulers (kin, slaves, patronage), privatization of offices (sale of offices and tax farming), and extreme forms of decentralization (local notables, feudalism, and prebendalism)," ⁶ bureaucracy is distinguished by hierarchical organization, rational and written rules and regulations, and trained officials.⁷

Weber specifically utilized the extreme case of patrimonialism as the *sultanism* operating in the Near East,⁸ but he also used the concept of "patrimonial bureaucracy" (*Patrimonialbürokratie*), which can be regarded as a mixture of rational and irrational types of domination containing elements of both bureaucracy

⁴ Weber, *Economy and Society*, 212–301.

⁵ Rudolph and Rudolph, "Revisionist Interpretation," 196 and Weber, *Economy and Society*, 1014.

⁶ Kiser and Sacks, "African Patrimonialism," 130. Also see Delany, "Development and Decline," 466–468.

⁷ Whimster, "Empires and Bureaucracy," 437–441.

⁸ Weber, *Economy and Society*, 231, 1020. Halil İnalcık summarized the concept of sultanism as follows; "Sultanism is characterized by complete reliance on *military force and arbitrary power, or despotism*. There occurs a complete 'differentiation between military and civil subjects,' and increasing professionalization of the army. The janissary and Mamluk armies, consisting of slaves, were typical examples of such professional armies. They were made part and parcel of the ruler's household and served him with absolute loyalty." İnalcık, "Comments on 'Sultanism,'" 49–50.

and patrimonialism.⁹ In this context, although contending arguments have been put forward by different historians on the question of whether the bureaucratic character of the Ottoman state prevailed over the patrimonial, the fact is that Ottoman administration can be said to have carried both concepts within its administrative structure, with these two characteristics co-existing through the early modern era, albeit with some tension.¹⁰ On the other hand, whether it was the depersonalized bureaucratic functions of state affairs or artificial ties of kinship that took on the dominant character in defining the Ottoman state, the most distinct change in the Ottoman political system in the sixteenth and seventeenth centuries took place as part of a process that made a clear-cut separation between the state and ruler more apparent.¹¹

As a matter of fact, this political change went hand in hand with socio-economic transformation in the late sixteenth and seventeenth centuries. In this regard, the increasing application of tax farming (*iltizām*) as compared to fiefs (*tīmār*) can be regarded as one of the most distinct changes in the Ottoman socio-economic structure.¹² Whether the gradual transition from *tīmār* to *iltizām* resulted from the military needs of the state¹³ or from competition for local political power in a monetized economy,¹⁴ the most visible consequence of this process was that the Ottoman state and provincial governors had to feed more infantry at the expense of

⁹ Weber generally utilized this term to depict the nature of China's administrative system. For more information on this topic, see Lai, "Chinese Law," 40–58.

¹⁰ Karen Barkey analyzes this issue from a broader perspective and describes this process as "the bureaucratization of patrimonial authority." See Barkey, "Bureaucratization of Patrimonial Authority," 102–126.

¹¹ İnalcık, "Comments on 'Sultanism,'" 49–73; Sariyannis, "Ruler and State," 92–126; Abou-el-Haj, *Ottoman Empire*; Cornell Fleischer, "The Lawgiver," 159–177; Tezcan, "Second Ottoman Empire," 556–572; and Tezcan, *Second Ottoman Empire*.

¹² For more information on this topic, see Rahman and Nagata, "İltizâm System," 169–94 and Darling, *Revenue-Raising*.

¹³ İnalcık, "Military and Fiscal Transformation," 283–337.

¹⁴ Tezcan, *Second Ottoman Empire*, 141–145.

cavalry, which inevitably increased the employment of soldiers in standing armies both in the capital and provinces. This process was one of the most decisive factors giving considerable power to janissaries, as well as to provincial governors (*ümerā*) and their irregular troops (*sekbāns*), who became actively involved in Ottoman politics.¹⁵

While these political changes and socio-economic transformations were taking place towards the end of the sixteenth century, the Ottomans were waging military campaigns against the Safavids (1578–1590) in the east and the Habsburgs (1593–1606) in the west, during which period they also had to deal with a series of rebellions in the provinces, which were collectively known as the Celali rebellions or revolts.¹⁶ This simultaneous struggle with states on both frontiers and rural rebellions in Anatolia compelled state officials to keep a considerable number of soldiers ready, which created a financial burden on the state treasury.¹⁷ In addition to these financial problems, certain other socio-economic and demographic developments in the late sixteenth century—such as population growth, a subsistence crisis, and climatic change—also contributed to the worsening of an already turbulent situation in the provinces.¹⁸

When Minkārīzāde was born in 1609, the first phase of the Celali rebellions was coming to an end. A critical development in this regard was the suppression of the rebellions of Karayazıcı ‘Abdü’l-halīm and his brother Deli Hasan by the grand

¹⁵ Kunt, *Sultans’ Servants*; Abou-El-Haj, *Ottoman Empire*; İnalcık, “Comments on ‘Sultanism,’” 49–73; Sariyannis, “Ruler and State,” 92–126; Cornell Fleischer, “The Lawgiver,” 159–177; Tezcan, “Second Ottoman Empire,” 556–572; and Tezcan, *Second Ottoman Empire*.

¹⁶ Akdağ, *Celâli İsyânları*; Griswold, *Great Anatolian Rebellion*; Barkey, *Bandits and Bureaucrats*; Özel, “Population Changes,” 183–205; Özel, “Reign of Violence,” 184–202; and Özel, *Collapse of Rural Order*.

¹⁷ Barkan, “Price Revolution,” 3–28; Pamuk, “Reconsidered,” 69–89; Tezcan, “Ottoman Monetary Crisis,” 460–504; and Kafadar, “Prelude to Ottoman Decline,” 265–295.

¹⁸ White, *Climate of Rebellion*; İslamoğlu-İnan, *State and Peasant*; Cook, *Population Pressure*; Jennings, “Urban Population,” 21–57; Erder and Faroqi, “Population Rise and Fall,” 328–345; and Özel, “Demographic Crisis Reconsidered,” 183–205.

vizier Kuyucu Murad Paşa in 1608. This came after a period called the Great Flight (*Büyük Kaçgun*) between the years 1603 and 1606, during which time people left their lands and migrated to cities or moved to places where they felt safe.¹⁹ The suppression of these revolts, however, did not mean that banditry by Celali bands was completely over. They continued their activities in the provinces and a number of rebellions took place in subsequent years as well, the most serious of which was led by Abaza Mehmed, who rebelled while serving as governor of Erzurum, ostensibly to seek vengeance for the murder of Osman II in 1623.²⁰

The increasing political tension in the countryside coincided with urban revolts in major cities, especially Istanbul. The growing number of janissaries in the cities and the financial difficulties that they faced prompted them to become more involved in politics than ever before and to start to express their discontent in public spaces.²¹ However, the seventeenth-century revolts were not all janissary rebellions. Rebels could come from diverse backgrounds, and included among them cavalry soldiers, artisans, religious figures, and common Istanbulites. It was to characterize this unprecedentedly broad spectrum of participants in Ottoman politics that Baki Tezcan wrote of “the expansion of the Ottoman political nation.”²²

It was within this context that the office of chief jurist grew more influential in politics and legal culture as a whole, which brings us to briefly look at developments in the Ottoman ulama hierarchy throughout the sixteenth century. Abdurrahman Atçıl has called the years 1530–1600 a period of consolidation for the Ottoman ulama.²³ Here, the term “consolidation” covers a number of developments

¹⁹ Akdağ, “Büyük Kaçgunluk,” 1–50; also see Andreasyan, “Celâlilerden Kaçan,” 45–53.

²⁰ For more information on his rebellion, see Piterberg, “Alleged Rebellion,” 13–24 and Piterberg, *Ottoman Tragedy*, 165–176.

²¹ Kafadar, “Rebels Without a Cause,” 113–134 and Yılmaz, “Economic and Social Roles.”

²² Tezcan, *Second Ottoman Empire*, 30, 48.

²³ Atçıl, *Scholars and Sultans*, 117–211.

that became more apparent between these years. First of all, the establishment of new madrasas and growing numbers of judicial posts across the empire throughout the sixteenth century increased the number of positions scholar-bureaucrats could attain, which in turn made it possible for them to become more specialized in educational and judicial positions. This in turn brought about a bureaucratic specialization in the Ottoman ulama hierarchy, which came to be conceptualized as a distinctive branch of the imperial administration, the *‘ilmīye*, alongside the *seyfiyye* (the military administration), and the *kalemiyye* (the civil bureaucracy). This specialization contributed to the formulation of relatively well-defined rules for the regulation of the Ottoman ulama with the purpose of controlling appointments, promotions, and entrance into the ulama hierarchy through the granting of *mülâzemet*.²⁴ Taken together, the bureaucratization of scholar-bureaucrats reached an unprecedented level in the Ottoman Empire in the early modern period, and the career tracks of scholar-bureaucrats became more predictable. As a consequence of these developments, scholar-bureaucrats’ overall influence over state affairs increased, and they came to play an increasingly important role in the formation of new rules and regulations.

Even though the organization of the Ottoman learned hierarchy reached maturity towards the end of the sixteenth century, it was also heavily impacted by certain socio-economic and demographic developments that emerged in the late sixteenth century, such as population growth, a subsistence crisis, and climatic change, all of which created difficulties for provincial madrasa graduates coming from non-scholarly families with little opportunity to acquire employment in the

²⁴ For additional information on *mülâzemet*, see Uzunçarşılı, *İlmiye Teşkilâtı*, 45–53; İpşirli, “Mülâzemet,” 537–539; Klein, “Mülâzemet,” 83–105; İpşirli “Rumeli Kazaskeri,” 221–31; İpşirli, “Osmanlı Devleti’nde Kazaskerlik,” 641–660; Beyazıt, “Şeyhülislamlığın Değişen Rolü,” 423–441; Beyazıt, *İlmiyye Mesleğinde İstihdam*, 27–105; and Atçıl, *Scholars and Sultans*, 74–81, 102–113, 134–145.

Ottoman ulama, since there was a discrepancy between the available educational and judicial posts and the growing number of eligible candidates for these posts across the empire.²⁵ This soon led to banditry by madrasa students (*sūhte*), which can be regarded as the forerunner of the Celali rebellions.²⁶ To put it differently, both the unemployment of the increasing number of madrasa students and the economic deterioration in rural areas led to widespread banditry and brigandage in the countryside.²⁷

It was within this context that the Ottoman writers of political advice complained about certain problems with regard to the current situation of the Ottoman ulama in accordance with the overall historical context of the late sixteenth and early seventeenth centuries by concentrating on a wide range of relevant topics, such as the lack of competence among members of Ottoman ulama, corruption in the ranks of the *‘ilmīye* and in appointment procedures, instability in high-ranking offices, bribery, nepotism, poverty at the lower levels of the hierarchy, and problems in the procedure for granting *mülāzemet*.²⁸ In addition to these administrative problems faced by the Ottoman ulama, some contemporary writers also criticized the members of the *‘ilmīye* on the ground that they failed to carry out the Quranic injunction to enjoin the good and forbid the wrong.²⁹ Other writers in both the

²⁵ For various precautions, such as the limitation of tenure periods, the rotation system (*nevbet*), and the introduction of a waiting period that made it possible to employ more officials in the ulama hierarchy, see Atçıl, “Route to the Top,” 489–512.

²⁶ Akdağ, *Celali İsyanları*, 153–282 and Koç, “Suhte Olayları,” 147–159.

²⁷ One of the leading scholars of socio-economic developments in the late sixteenth and early seventeenth centuries is Mustafa Akdağ, who asserts two fundamental problems in his work: 1) population growth, which led to an increase in the number of landless unmarried peasants in the countryside, and 2) deterioration of economic conditions due to the monetary crisis and decrease in agricultural production. See, especially, Akdağ, *Celali İsyanları*.

²⁸ For more information on these topics, see Majer, “Die Kritik,” 147–55 and İpşirli, “Osmanlı İlmiye Mesleği,” 273–285. An atypical example, due to his ulama background, among these political writers is Hasan Kâfi Akhisârî, who defended the Ottoman ulama within the overall structure of Ottoman politics by saying that the rulers did not follow the words of the ulama and that this was not good for the future of the state. See İpşirli, “Hasan Kâfi el-Akhisârî,” 239–278, at 256–259.

²⁹ İpşirli, “Mustafa Selânîkî,” 460–463. It should be recalled here that the Kadızadeli also criticized the members of the Ottoman ulama on the same ground. See Zilfi, *Politics of Piety*.

sixteenth and seventeenth centuries complained of a supposed decline of interest in the rational sciences.³⁰ Still others claimed that many outsiders (*ecnebīs*)³¹ were trying to be involved in the Ottoman ulama. This can be seen as a direct indication of the process that increased chances at upward mobility for diverse groups and individuals in a highly fluid political environment.³²

Although historians no longer take the comments, criticisms, and complaints of contemporary Ottoman political writers at face value by accepting their views as a direct indication of the so-called “decline” of the Ottoman state,³³ these views are still fruitful for contemplating the common sentiments shared by Ottoman writers about the current situation of the Ottoman ulama in the late sixteenth and early seventeenth centuries.

While the Ottoman ulama were experiencing such problems in the late sixteenth century, their ranks were continuing to expand thanks to territorial expansion in both the east and the west and the incorporation of new judgeships from these lands into the Ottoman system throughout the sixteenth century, which was a critical development for the process that ultimately enabled scholar-bureaucrats to potentially find more and more available positions in the hierarchy. At the same

³⁰ This kind of notion was propounded by Taşköprizāde (d. 1560) and Kātib Çelebī (d. 1657). For more information on this topic, see El-Rouayheb, “Triumph of Fanaticism,” 196–221.

³¹ Baki Tezcan provides a more extended definition of this term. According to him, *ecnebīs* “were not themselves descendants of the emperor’s slaves but had bought their way into the imperial administration from the ranks of commoners.” See Tezcan, *Second Ottoman Empire*, 193. Here, I use the term in a narrower sense, as Atāyī did in his biographical dictionary, referring to those who had not received *mülāzemet* but tried to find a position in the Ottoman learned hierarchy nevertheless. See Atāyī, 641. Also see Atçıl, *Scholars and Sultans*, 140.

³² Although the term “infiltration of outsiders” was frequently used by contemporary writers, it might be misleading to take it at face value because there were only a few scholars who did not receive *mülāzemet* but still achieved employment in the Ottoman *ulama* hierarchy in the late sixteenth century, when one can indeed talk about such progress, which, in fact, shows a countertrend that someone who did not receive *mülāzemet* could hardly find a position in the Ottoman ulama. For this point, see Atçıl, *Scholars and Sultans*, 139–144.

³³ For some critics of this paradigm, see Owen, “Middle East,” 110–117; Kunt, *Sultan’s Servants*; Abou-El-Haj, *Ottoman Empire*; Salzmann, “Ancien Régime Revisited,” 393–423; Hathaway, “Problems of Periodization,” 25–31; Darling, *Revenue-Raising*; and Kafadar, “Question of Ottoman Decline,” 30–75.

time, this process also accelerated the interaction between the Rum and Arab lands. Although the relationship of Rumi scholars with scholars of other regions dates back to earlier times, the Ottoman conquest of the Arab lands and the integration of the judgeships of major cities like Cairo, Mecca, Medina, Baghdad, Aleppo, Damascus, and Jerusalem into the Ottoman system considerably intensified intellectual, religious, and social exchange between Rumi and Arab lands.³⁴ As a corollary to this, a considerable number of Ottoman jurists were employed in these regions, and likewise many Arab scholars came to Istanbul.³⁵

In such an intellectual environment, where interaction and exchanges were intense, there was also much room for new forms of reading and teaching practices. In this regard, the increase in the circulation of texts and a yet-to-be quantified increase in literacy in the early modern period is another important topic that should be emphasized. Briefly, it can be said that major Ottoman cities like Istanbul, Cairo, and Damascus witnessed the appearance of a new reading public composed of people from many segments of society, including soldiers, merchants, and craftsmen.³⁶ This process—which was fueled by such developments as urbanization, the growing number of available madrasas, and an increase in the transmission of knowledge between different regions—also encouraged the proliferation of texts written in vernacular languages such as Turkish.³⁷

³⁴ Petry, “Travel Patterns,” 53–87; Ökten, “Scholars and Mobility,” 55–70; and Yıldız, “From Cairo to Ayasuluk,” 263–297.

³⁵ For different aspects of the relationships between Arab and Rumi scholars, see Pfeifer, “To Gather Together”; Pfeifer, “Encounter after the Conquest,” 219–239; Burak, *Second Formation*; El-Rouayheb, *Islamic Intellectual History*; and Şafır “Road from Damascus.”

³⁶ Kafadar, “Self and Others,” 121–150; Kafadar, “Mütereddid bi Mutasavvıf,” 168–222; Terzioğlu, “Man in the image of God,” 139–165; Terzioğlu, “Mecmûa-yı Şeyh Mısrî,” 291–321; Terzioğlu, “Autobiography in Fragments,” 83–100; Terzioğlu, “Catechism,” 79–114; Hanna, *In Praise of Books*; Hanna, “Literacy Among Artisans,” 319–331; Sajdi, *Barber of Damascus*; Neumann, “Üç Tarz-ı Mütalaa,” 51–76; Değirmenci, “Osmanlı’da Okurlar,” 7–43; Değirmenci, “Söz Bir Nesnedir,” 634–649; Quinn, “Ucuza Okumalar,” 146–169; Quinn, “Books and Their Readers”; and Aydınlı, “Unusual Readers,” 109–31.

³⁷ Terzioğlu, “Catechism,” 84–85 and Quinn, “Books and Their Readers,” 11–15, 149–151. Also see Pollock, “Cosmopolitan Vernacular,” 6–37.

In other respects, this emergence of a new reading public is closely associated with the learning process as well. Although informal educational practices in Muslim societies had a much longer history than formal study in madrasas,³⁸ the existing channels of informal learning circles were expanded, multiplied, and formalized during this period. Accordingly, through the active involvement of Sufi sheikhs, mosque preachers (*vāizān*), and public lecturers (*ders-i 'ām*) in the teaching and learning process, informal circles of learning gained prominence in seventeenth-century Ottoman society.³⁹ One of the direct consequences of this development was the increasing prominence of self-educated intellectuals in Ottoman cities in the seventeenth century.⁴⁰ Such contemporary figures as Kātib Çelebi (d. 1657), Evliyā Çelebi (d. 1685), Eremya Çelebi (d. 1695), and Hezār fen Hüseyin Çelebi (d. 1691) all produced work in similar fields of learning, such as geography, history, and languages.⁴¹ It was in such an intellectual atmosphere, between the years 1609 and 1678, that Minkārīzāde lived and carried out important tasks as a bureaucrat while also writing a number of important treatises as a scholar.

1.2 A synopsis of the seventeenth-century Ottoman ulama

Until fairly recently, the institutional approach dominated studies of the Ottoman ulama. One of the earliest studies in this regard was İsmail Hakkı Uzunçarşılı's *Osmanlı Devletinin İlmiye Teşkilatı*.⁴² This study used biographical dictionaries, chronicles, legal documents and other related sources to provide an institutional

³⁸ Tibawi, "Origin and Character," 225–238; Lapidus, *Muslim Cities*, 107–115; Berkey, *Transmission of Knowledge*, esp. 21–43; Chamberlain, *Knowledge and Social Practice*, 69–90; and Ephrat, *Learned Society*.

³⁹ For a recent treatment of this topic, see Gürbüz, "Teachers of the Public."

⁴⁰ One of the important aspects of this process was private reading (*mütala'a*). For more information on this topic, see El-Rouayheb "Deep Reading," 201–224.

⁴¹ For a preliminary treatment of this topic, see Kafadar, "Sohbete Çelebi," 43–52.

⁴² Uzunçarşılı, *İlmiye Teşkilatı*.

history specifically of the Ottoman *‘ilmīye*, the learned establishment, rather than of the ulama who filled its ranks. After Uzunçarşılı, many scholars continued to examine the development of the Ottoman learned establishment, but limited their focus to a specific institution or office. Richard Repp examined the development of the office of the chief jurist from the early fifteenth century to the late sixteenth century, while Mehmet İpşirli and Yasemin Beyazıt examined the new regulations governing candidacy and promotion that were introduced into the religious establishment during the sixteenth century.⁴³ Other historians—among them Cahid Baltacı, Mustafa Bilge, Fahri Unan, Mefail Hızlı, Yekta Demiralp, Ahmet Gül, Selahattin Yıldırım, and Mehdin Çiftci—examined Ottoman educational institutions like the madrasa, *Dāru’l-hadīth*, and *mekteb*.⁴⁴

Since the rise of Ottoman social history as a dynamic sub-field within Ottoman studies, however, another group of historians have begun to examine the Ottoman ulama as a social group using the approaches of prosopography. These studies have relied mainly on Ottoman biographical dictionaries, and have used the information found in these sources to try to provide a collective portrait of the Ottoman ulama. They have also provided additional insights about the common characteristics of the Ottoman ulama by taking into consideration the changing social and political dynamics of the time.

An early, pioneering example of this kind of prosopographical study was done by Suraiya Faroqhi.⁴⁵ In an article published in the 1970s, Faroqhi investigated social

⁴³ İpşirli “Rumeli Kazaskeri Mehmed,” 221–31; İpşirli, “İlmiye Mesleği Hakkında Gözlemler,” 273–85; İpşirli, “Kazaskerlik,” 641–660; Beyazıt, “Efforts to Reform,” 201–218; and Beyazıt, *İlmiye Mesleğinde İstihdam*.

⁴⁴ Repp, “Some Observations,” 17–32; Repp, *Müfti of Istanbul*; Baltacı, *Osmanlı Medreseleri*; Bilge, *İlk Osmanlı Medreseleri*; Unan, *Fâtih Külliyesi*; Hızlı, *Bursa Medreseleri*; Demiralp, *Erken Dönem Osmanlı Medreseleri*; Gül, *Daru’l-Hadislerin Yeri*; Yıldırım, *Edirne Darulhadisi*; and Çiftci, *Süleymaniye Darülhadisî*.

⁴⁵ Faroqhi, “Social Mobility,” 204–218. More information on this subject will be given in Chapter 5, but suffice it to say here that prosopographical studies on members of Ottoman ulama have flourished

mobility among the Ottoman ulama in the last quarter of the sixteenth century by focusing on patronage and family relationships. After a hiatus of more than a decade, two subsequent studies applied the prosopographical approach to the seventeenth and eighteenth centuries. One of these, by Ali Uğur, was a largely descriptive study tabulating the information provided on members of the seventeenth-century Ottoman ulama in Şeyhî's *Vekāyi 'u'l-Fuzalā* and re-organizing the biographical data found therein.⁴⁶ The second study, Madeline Zilfi's *The Politics of Piety*, was by far the most ambitious of these studies, and has proven very influential.⁴⁷ Apart from being one of the earliest attempts at prosopographical study of the Ottoman ulama, Zilfi's study shifted attention away from the so-called "classical" period of the Ottoman Empire, the fifteenth and sixteenth centuries, to the seventeenth and eighteenth centuries. Moreover, Zilfi organized her study according to an overarching argument about the transformation of the Ottoman ulama during this time period. Specifically, she argued that while, by the end of the sixteenth century, the top ranks of the Ottoman learned establishment had come to be dominated by a small number of families, in the seventeenth century this quasi-aristocratic group came under attack from a number of different directions, but was eventually able to recover and even further consolidate its primacy in the eighteenth century.

Because Zilfi's study is central for this dissertation, it is worth going over her arguments about the seventeenth-century challenge to the top-ranking Ottoman ulama aristocracy, or *mevali*, as they were called at the time. According to Zilfi, the crises that the Ottoman state experienced in the late sixteenth and early seventeenth

in recent years thanks to works by Baki Tezcan, Denise Klein, Ertuğrul Ökten, and Abdurrahman Atçıl. For these works, see Tezcan, "Ottoman Mevali," 383–407; Klein, *Die osmanischen*; Ökten, "Scholars and Mobility," 55–70; Atçıl, "Route to the Top," 489–512; and Atçıl, "Mobility of Scholars," 315–333.

⁴⁶ Uğur, *Ottoman 'Ulemā*.

⁴⁷ Zilfi, *Politics of Piety* and Zilfi, "Elite Circulation," 318–64.

centuries intensely affected the ulama hierarchy and led to corruption, frequent dismissals, infiltration of “outsiders,” and sycophancy. All these factors, in addition to career-related issues concerning privilege and rank, prevented seventeenth-century members of the Ottoman ulama from involving in politics and taking collective action. Besides these factors, Zilfi mentioned another possible obstacle preventing members of the ulama from acting collectively and getting involved in politics in the second half of the seventeenth century, stating that “the very heterogeneity of the late seventeenth-century ulama militated against their ability to act as a cohesive body even though the political climate and economic pressures would seem to have pushed them in that direction.”⁴⁸ Unfortunately, however, she presented this observation in a generic sense, without specifying who these members of “the late seventeenth-century ulama” were, a point to which I will return later. Another difficulty that the Ottoman ulama of the seventeenth century faced, in Zilfi’s view, was the ideological challenge posed by the Kadızadelis.⁴⁹ She argued that while, on the surface, the target of the Kadızadelis was Sufi sheikhs, their ultimate opposition was against the top-ranking ulama, whom they accused of having failed to protect Islamic orthodoxy. Interestingly, again more than a decade passed before Zilfi’s arguments about the Ottoman ulama were picked up, debated, and modified by subsequent scholars. Some of these scholars responded to Zilfi’s arguments about the ideological conflict between the ulama and the Kadızadelis by presenting a more nuanced understanding of the religio-legal debates of the seventeenth century in general.

Among these scholars, Derin Terzioğlu appreciated Zilfi’s attempt to put the Kadızadelis into a social context from a wider perspective, but objected to Zilfi’s ahistorical representation of the relationship between the members of the Ottoman

⁴⁸ Zilfi, *Politics of Piety*, 100.

⁴⁹ Zilfi, *Politics of Piety*, 81–129, 129–183. Also see Zilfi, “Discordant Revivalism,” 251–269.

ulama and the Sufi orders.⁵⁰ By examining fatwas issued by Ottoman chief jurists from the early sixteenth to the late seventeenth centuries on issues related to Sufis and Sufism, Terzioğlu showed that the relationship between Sufis and the Ottoman ulama elite underwent important changes from the time of Zenbilli ‘Alī (d. 1525) to that of Minkārīzāde.⁵¹ On this subject, she reached the following conclusion:

[I]n the late sixteenth and in the first half of the seventeenth century, top-ranking members of the Ottoman learned establishment were not able to articulate a full-fledged defense of the controversial Sufi beliefs and practices, but tried in the main to restrict the religiolegal, and political, grounds on which they could be attacked. Finally, after nearly half a century of confrontation, the gap between the learned establishment and the *salafī* reformists was considerably narrowed during the period of ascendancy of Vānī.⁵²

Some other studies have addressed more general and problematic observations presented in Zilfi’s work, such as the abstention of the ulama from politics and the Kadızadeli challenge. One of the leading figures in this regard is Baki Tezcan, who posed a direct challenge to Zilfi’s stance concerning the supposed lack of interest of the Ottoman ulama in politics. Although the primary focus of Tezcan’s study was Ottoman politics rather than the ulama in particular, the latter still play a very important role in his arguments.⁵³ Specifically, Tezcan argued that after 1580, the Ottoman “political nation” expanded significantly, and this expansion led to a significant ideological and political struggle between two camps that he labeled as “absolutists” and “constitutionalists.” In this scheme, the top-ranking ulama, or the *mevali*—whom Tezcan calls “lords of the law”—were one of the foremost contributors to the “constitutionalist” camp, while their main point of reference, the *sharia* (which he renders as “jurists’s law”), served as the main ideological tool for

⁵⁰ Terzioğlu, “Sufi and Dissident,” 220–234.

⁵¹ Terzioğlu, “Sufi and Dissident,” 220–234. Terzioğlu benefitted from two fatwa compilations of Minkārīzāde: Süleymaniye YEK, MS Aşir Efendi 137 and MS Şehid Ali Paşa 1055.

⁵² Terzioğlu, “Sufi and Dissident,” 233.

⁵³ Tezcan, *Second Ottoman Empire*.

constraining royal authority. In this respect, he notes that the consolidation of the political power of jurists coincided with the process whereby the *mevali* evolved into a kind of aristocracy, which enabled them to extend their networks and obtain a great degree of power, and to use the political capital they thereby gained for the interest of the camp they represented. According to Tezcan, the culmination of jurists' political power at the end of the sixteenth and the beginning of the seventeenth centuries made itself apparent especially in the case of Mustafā I's enthronement by the chief jurist of the time, Hocaẓāde Es'ad, in 1617.

While Tezcan specifically focuses on the first quarter of the seventeenth century in detailing his argument, he also makes some observations about the rest of the seventeenth century. On this matter, Tezcan tended to see seventeenth-century Ottoman history as a struggle between absolutists and constitutionalists which, in his view, continued until the mid-1650s. However, the autocratic rule of the Köprülü family in the years 1656–1683 brought considerable stability to the Ottoman polity, and this left no room for potential opposition. In other words, the Köprülüs' close ties with the palace and strong alliance with the court kept the two camps silent on the political scene during the period in question.⁵⁴

Considering another point in Tezcan's study—namely, the fact that the *mevali* were closely involved in politics and, in most cases, were representatives of the “constitutionalist” camp during much of the seventeenth century—it is legitimate to ask the following question: Can one extend the involvement of the *mevali* in politics to the rest of the seventeenth century? In order to properly answer this question, however, another striking argument of Tezcan must first be mentioned. Tezcan argues that Vānī Mehmed, together with Seyyid Feyzu'llāh, entered the

⁵⁴ Tezcan, *Second Ottoman Empire*, 213–224.

domain of jurists' law and yet both belonged to the absolutist camp.⁵⁵ The position of the high-ranking ulama during the ascendancy of Vānī Mehmed within the scheme of Tezcan's narrative, on the other hand, becomes of secondary importance. As a corollary to this, he tends to link the long tenures as chief jurist of Minkārîzâde Yahyâ and Çatalcalı 'Alî in the years 1662–1686 to the absolutism of the Köprülü viziers, which was strengthened by the puritanism of Mehmed Vānî, and he represents these two chief jurists as “the last pillar of the Köprülü autocracy.”⁵⁶ It would be also beneficial to mention Zilfi's comments in this context, as she stated that “the very heterogeneity of the late seventeenth-century ulama militated against their ability to act as a cohesive body even though the political climate and economic pressures would seem to have pushed them in that direction.”⁵⁷ Briefly, then, Tezcan and Zilfi have similar stances regarding the role played by the high-ranking members of the Ottoman ulama in the second half of the seventeenth century. In line with their convictions, I also argue that Minkārîzâde mostly directed his attention to the affairs of the learned hierarchy rather than becoming directly involved in politics and policymaking.

1.3 The secondary literature on Minkārîzâde

Until very recently, the most cited works regarding Minkārîzâde and his works were two brief entries in the *Türkiye Diyanet Vakfı İslam Ansiklopedisi*, written by Mehmet İpşirli and Mustafa Yayla, as well as an article by İpşirli.⁵⁸ In addition to these studies, there are also a couple of works which made partial use of

⁵⁵ Tezcan, *Second Ottoman Empire*, 28–30.

⁵⁶ Tezcan, *Second Ottoman Empire*, 216.

⁵⁷ Zilfi, *Politics of Piety*, 100.

⁵⁸ İpşirli, “Minkārîzâde Yahyâ Efendi,” 114–115; Yayla, “Fetâvâ-yı Minkārîzâde,” 444–445; and İpşirli, “Şeyhülislam Minkarîzade Yahya,” 229–249.

Minkārīzāde's fatwas. Abdurrahman Atçıl, for example, utilized several of Minkārīzāde's fatwas in his study on the duties of judges in court procedures.⁵⁹ Cengiz Şişman used a number of Minkārīzāde's fatwas in discussing the conversion of Sabbatai Sevi.⁶⁰ Hülya Canbakal revealed, in the light of Minkārīzāde's fatwas, that the appearance of public oaths or vows (*nezir*) in Ottoman records first dated to the second half of the seventeenth century.⁶¹ Kenan Yıldız is another scholar who used a number of Minkārīzāde's fatwas, which he did while examining the legal status of churches and synagogues after the great fire of the 1660s.⁶² Similarly, Joshua White benefitted from Minkārīzāde's fatwa compilation in his investigation of the legal dimension of piracy in the Ottoman Mediterranean.⁶³ Some other studies have also transliterated certain sections of Minkārīzāde's fatwa compilation.⁶⁴

The lack of scholarly attention to Minkārīzāde reflects the general state of scholarship on the leading political, religious, and intellectual figures of Ottoman society. There are only a few individuals whose lives and careers have been examined in significant detail in the relevant secondary literature.⁶⁵ Thankfully,

⁵⁹ Atçıl, "Procedure." He used the following compilation: MS Milli Kütüphane YZ A 3242.

⁶⁰ Şişman, "Jewish Messiah," 199–200. He depends on the fatwa compilation found in Süleymaniye YEK, MS Hamidiye 610.

⁶¹ Canbakal, "Vows as Contract," 85–115. Canbakal benefitted from both fatwa compilations prepared by 'Atā'ullah Mehmed and Menteşzāde 'Abdu'r-rahīm. For these compilations, see Süleymaniye YEK, MS H. Hüsnü Paşa 427 and Harvard Law School Library, HLS MS 1402.

⁶² Yıldız, *1660 İstanbul Yangını*, 99, 225–226. Yıldız benefitted from the fatwa compilation found in Süleymaniye YEK, MS Hamidiye 610, the content of which is exactly the same as the compilation prepared by Menteşzāde 'Abdu'r-rahīm.

⁶³ White, *Piracy and Law*, 183–220. He benefitted from two compilations of Minkārīzāde prepared by 'Atā'l-lāh Mehmed. For these compilations, see Süleymaniye YEK, MS Pertevniyal 341; MS Esad Efendi 1095.

⁶⁴ Karadöl, "Şeyhü'l-İslām Minkarîzâde Yahya"; Koç, "Şeyhu'l-İslām Minkarîzâde Yahya." Both of these studies use the following compilation: Süleymaniye YEK, MS Hamidiye 601. More recently, Çelik has compared the *siyar* sections of the fatwa compilations of Minkārīzāde prepared by Menteşzāde 'Abdu'r-rahīm and Hayr al-Dīn al-Ramlī. See Çelik, "Kitabü's-Siyer." He benefitted from the following compilation: Nuruosmaniye YEK, MS Nuruosmaniye 2003.

⁶⁵ Babinger, *Mehmed the Conqueror*; Meserve, "Feyzullah Efendi"; Imber, *Ebu's-Su'ud*; Gel, "Çivizâde Muhyiddin"; Nizri, *Ottoman High*; Fleischer, *Bureaucrat and Intellectual*; Dankoff, *Intimate Life*; Stravridies, *Sultan of the Viziers*; Al-Tikriti, "Şehzade Korkud"; Atçıl, "State and Government"; Ökten, "Jāmī"; Menchinger, *Intellectual History*; Markiewicz, *Crisis of Kingship*; Terzioğlu, "Sufi and Dissident"; Sirriyeh, *Sufi Visionary*; Akkach, *Abd al-Ghani al-Nabulusi*; Emre, *Ibrahim-i Gulshani*; Akbulut, "Hekimoğlu Ali Paşa"; Arıcı and Arıkan, *Taşradan Merkeze*; and

interest in Minkārīzāde has grown in recent years and provided additional information about Minkārīzāde and his works from various perspectives. The first study that can be mentioned in this regard is Guy Burak's *The Second Formation of Islamic Law*, which situates Ottoman legal innovations within the broader context of the transformation of Islamic law in the post-Mongol period. His study is important insofar as, compared to previous literature which mainly concentrated on the tensions between the Rumi and Arab ulama,⁶⁶ Burak accords importance to the reciprocal relationship between the scholars of these different regions.

However, the most distinctive feature of Burak's work is that he brings the doctrinal features of muftiship to the fore by examining imperial jurisprudential texts, the *tabaqāt* literature, and mufti's fatwas, all types of documents that had been handled together by only a few studies. Especially significant for our study is the chapter of Burak's book entitled "Books of High Repute," where he compares the jurisprudential canons of two muftis, Minkārīzāde and Khayr al-Dīn al-Ramlī, the latter of whom was one of the non-appointed Palestinian muftis of the seventeenth century.⁶⁷ In their fatwa compilations, Burak detected more than one hundred jurisprudential texts that were consulted by both jurists. Specifying the similarities and differences in their bibliographies, he also shows the exchanges that took place between officially appointed muftis and their colleagues who did not hold a state appointment.⁶⁸ Burak's inquiry is noteworthy for showing the different canonization processes of jurisprudential texts among two muftis from quite different

Kalaycı and Tan, "Zeyrekzāde Emrullāh," 1–90. For a general overview of the genre of biography and its echoes in Ottoman historical writing, see Terzioğlu, "Tarihi İnsanlı Yazmak," 284–296.

⁶⁶ Rafeq, "Syrian 'Ulamā,'" 9–32; Rafeq, "Opposition of the Azhar 'Ulamā,'" 43–54; Winter "Ottoman Qadis in Damascus," 87–109; and Meshal, "Antagonistic Sharī'as," 183–212.

⁶⁷ Burak, *Second Formation*, 147–155.

⁶⁸ The correspondence between Minkārīzāde and Khayr al-Dīn al-Ramlī will be examined in Chapter 3.

backgrounds, and for revealing different voices within the scholarly community that operated in the empire's multi-centered legal landscapes.⁶⁹

In more recent years, several other historians have continued to investigate the intellectual and religious exchanges between scholars of different regions in the early modern Ottoman Empire, in which Minkārīzāde stood out as an important scholar. Nir Shafir's doctoral dissertation, for example, moves beyond the traditional understanding of the integration of Arab provinces into the Ottoman Empire by focusing on the reciprocal relationships between these two regions. He examines the changing tenor of Islamic religiosity in the years 1620–1720 from the perspective of material interactions, emphasizing continuous exchange, connectivity, and encounter between the lands of the Rumi and Arabs. Shafir addresses Minkārīzāde's treatise about the *millet-i İbrāhīm* in two different parts of his dissertation. First, he discusses Minkārīzāde's treatise in the context of the materiality of pamphlets in the early modern period. Second, he explores the phrase "*millet-i İbrāhīm*" with reference to confessional Muslim identity.⁷⁰ Shafir has also recently written a separate article on the topic of Minkārīzāde's treatise on *millet-i İbrāhīm*.⁷¹

Another notable example in this area is Khaled El-Rouayheb's recent book, in which he extends his previous arguments, which had provided preliminary findings opposing the view that Ottoman scholars lost interest in the rational sciences after the 1600s.⁷² In his study, El-Rouayheb examines the intellectual productions of scholars in a text-centered narrative in such a way as to reveal exchanges of ideas

⁶⁹ For a comparison of the bibliographies of Minkārīzāde and al-Ramlī, see Burak, *Second Formation*, 231–244.

⁷⁰ Shafir, "Road from Damascus," 76–82, 120–137.

⁷¹ Shafir, "Vernacular Legalism," 32–75. Cengiz Şişman is another scholar who has recently written about the treatise on *millet-i İbrāhīm*. See Şişman, "Minkārīzāde Yahya," 404–410. Apart from these two studies, the shorter version of the treatise has recently been translated into modern Turkish by Mehmed Akif Alpaydın. See Alpaydın, *Şeyhülislām Minkārīzāde*, 58–71.

⁷² El-Rouayheb, "Myth of the Triumph," 196–221.

and transmission of knowledge in the Ottoman Empire and North Africa in the seventeenth century.⁷³ In doing this, he looks at three interrelated developments in the scholarly currents of these regions: 1) the westward movement of Kurdish and Azeri scholars working on the science of dialectics, in which El-Rouayheb emphasizes the notion of “deep reading”; 2) the eastward movement of scholars from Maghreb to Egypt and Hejaz, where emphasis is placed on “verification” and the study of rational theology and logic; and 3) the spread of Sufi orders from India and Azerbaijan into the Arabic-speaking world, which led to the consolidation of the influence of the idea of “the unity of existence.” Like other intellectual histories on this topic, El-Rouayheb’s study widens our perspective by adopting a more inclusive approach that goes beyond the traditional framework, which focuses solely on the center at the expense of the provinces and provincial scholarly circles. What is interesting and particularly relevant for our discussion here is that El-Rouayheb traces Minkārīzāde’s scholarly genealogy and provides a firm ground for situating him within the intellectual currents of the seventeenth century.⁷⁴ The recent works of these three historians—Burak, Shafir, and El-Rouayheb—are significant for this study because they not only provide additional insights regarding Minkārīzāde, but also show that Minkārīzāde was one of the most important religious figures of his time and was actively involved in the main contemporary debates.

All this increasing interest in Minkārīzāde, however, has not yet produced comprehensive analyses of his scholarly career in relation to the wider changes and transformations occurring in the Ottoman learned hierarchy and to the shifting religious dynamics of Ottoman society on the ground. As such, despite their important contributions, some of which have greatly inspired the current study, the

⁷³ El-Rouayheb, *Islamic Intellectual History*.

⁷⁴ El-Rouayheb, *Islamic Intellectual History*, 43.

aforementioned works leave numerous questions about Minkārīzāde's life unanswered. In this respect, building upon the existing literature but with a keen awareness of its problems and gaps, this dissertation proposes to examine Minkārīzāde's scholarly and bureaucratic career in such a way as to provide fresh insights into seventeenth-century Ottoman religious and intellectual history. With this general objective in mind, I seek to analyze Minkārīzāde as a seventeenth-century scholar-bureaucrat in relation to the broader political, religious, and intellectual processes of his time.

1.4 Sources

Since this study attempts to examine Minkārīzāde's life and writings in the light of political, religious, and intellectual trends of the seventeenth century, it would be beneficial to begin by introducing the writings of Minkārīzāde. Putting aside for the moment his fatwa compilations, Minkārīzāde's most popular work is the *Risāle-i Millet-i İbrāhīm* ("The Treatise on the Religion of Abraham"), which was written in two versions, one long and the other short.⁷⁵ Although there is no indication in any copies of this treatise regarding its exact date of composition, it is clear that Minkārīzāde wrote it before 1656, since the treatise was discussed in Kātib Çelebi's *Mizānū'l-Hakk*, which was written in that year.⁷⁶ The treatise concerns itself with the question of whether or not it is permissible for a Muslim to identify himself as a member of the *millet-i İbrāhīm*. Making reference to several Quran commentaries

⁷⁵ For the extant copies of these treatises, see Süleymaniye YEK, MS Fatih, 5379/18, ff. 265–271; 5435/12, ff. 118–123; MS Hacı Hayri Abdi Efendi, 147/2, ff. 265–267; MS Hacı Mahmud Efendi, 4685/2, ff. 1–25; 1349; 1168-2, ff. 123–126; MS Halet Efendi, 404/2, ff. 38–40; MS İbrahim Efendi, 871/8, ff. 216–220; 860-38, ff. 133–135; MS M Arif M Murad, 23; MS Mihrişah Sultan, 440/8, ff. 79–80; MS Yazma Bağışlar, 1438/16, ff. 103–116; 1438/17, ff. 117–119; 7354/3, ff. 129–137; MS Ali Emiri, 282, ff. 2–4; 1291, ff. 35–38; MS Sütluçe Dergahı, 111, ff. 71–73; MS A Tekelioğlu, 810/3, ff. 10–12; and Nuruosmaniye YEK, MS Nuruosmaniye 4952/3, ff. 35–55.

⁷⁶ Kātib Çelebi, *Balance of Truth*, 110–123.

and theological works, Minkārīzāde proposed that such an identification is not permissible.

Another work of Minkārīzāde is his rebuttal to Kürd Mollā's commentary on Birgivī's *et-Tarīkatü 'l-Muhammediye*. This work was also written during the 1650s. During the Kadızadelis' "second burst of influence," there was a religious polemic between the Kadızadelis and Kürd Mollā, who came to Istanbul in the mid-seventeenth century and contacted 'Abdu'l-ahad Nūrī, one of the leading Halveti sheikhs of the time. This polemic arose from Kürd Mollā's commentary (*şerh*) on Birgivī's *et-Tarīkatü 'l-Muhammediye*, which aimed to clarify the ambiguous meanings of certain issues in Birgivī's magnum opus.⁷⁷ In doing so, Kürd Mollā also targeted some members of the Ottoman ulama and Sufis on the ground that both sides accepted Birgivī's text according to their own stances.⁷⁸ The interesting point here is that some ulama wrote rebuttals (*reddiye*) of Kürd Mollā's commentary, with one of those texts being authored by Minkārīzāde. In his rebuttal, Minkārīzāde argues that, since Kürd Mollā's commentary was a worthless work, detailed criticism of it would only make it more valuable in the eyes of the people.⁷⁹ For this reason, he preferred to compose a very short rebuttal aiming simply to refute certain points advanced in Kürd Mollā's commentary.

Another treatise in which Minkārīzāde discusses a popular but contested practice of the time is the *Risāle fī Vücübī İstimā 'i 'l-Kur'ān ve 'l-Hutbe* ("The Necessity of Listening to the Quran and the Khutba").⁸⁰ The main issue in this

⁷⁷ *Târih-i Na'imâ*, III, 1434–37 and Çavuşoğlu, "Kādizâdeli Movement," 134–42.

⁷⁸ Martı, *Et-Tarīkatü 'l-Muhammediye*, 109–110.

⁷⁹ Minkārīzāde, *Suretu ma ketebehu fī ibtali şerhi't-Tarīkatü 'l-Muhammediye*, Köprülü YEK, MS Hafız Ahmed 152/3, ff. 77a–79a; Kayseri Raşit Efendi YEK, MS Raşit Efendi 350, ff. 66b–68a; and Ankara Üniversitesi İlahiyat Fakültesi 980 ff. 1b–2b.

⁸⁰ For the extant copies of this treatise, see Süleymaniye YEK, MS İbrahim Efendi, 872/2, ff. 18–20; MS Mihrişah Sultan, 439/7, ff. 54–62; MS Serez, 3876/3, ff. 7–9; MS Şehid Ali Paşa, 2834/17, ff. 119–134; MS Fazıl Ahmed Paşa, 216/2, ff. 106–108; and MS Esad Efendi, 3645/3, ff. 20–44.

treatise is the question of whether or not it is preferable for the Muslim community, during the Friday sermon, to collectively utter the formulae “God bless him” or “God be pleased with him” whenever the name of the Prophet is uttered. Minkārīzāde’s position on this issue is that silence is obligatory during the Friday sermon, and that all people must say these formulae silently to themselves.

The last work of Minkārīzāde that should be mentioned here is his *Hāṣiye ‘alā Hāṣiye Mīr Ebū’l-Feth li Şerhi’l-Hanefti ‘alā’l-ādābu’l-adudiyye*.⁸¹ As compared to his other works, this work is not related to the religio-legal debates of the 1650s. Rather, it is on the science of dialectics (*ādāb al-baḥth*), and as such, it can be considered part of a wider scholarly tradition that underwent an efflorescence among Ottoman scholars over the course of the seventeenth and eighteenth centuries. The most common handbooks regarding *ādāb al-baḥth* until the mid-seventeenth century had been al-Samarkanqī (d. 1303)’s treatise and al-Shirwānī (d. 1499)’s commentary on it. From that time onwards, however, the treatise of ‘Adud al-Dīn al-Ījī (d. 1355), together with the commentary of Mullā Hanafī al-Tabrīzī (d. 1516) and the gloss of Mīr Abū al-Fath (d. 1568), began to circulate in scholarly circles. Many additional glosses and superglosses were written during the period in question. One such work was Minkārīzāde’s supergloss on Mīr Abū al-Fath’s gloss on the commentary of Mullā Hanafī al-Tabrīzī on ‘Adud al-Dīn al-Ījī’s *Risāla fī ādāb al-baḥth*. This is the only work Minkārīzāde wrote in a field categorized under the rational sciences.⁸²

⁸¹ The earliest extant copy of this work bears the date 1092 (1681/1682), Beyazıd YEK, MS Beyazıd 10697. For the extant copies of this work, see MSS Süleymaniye YEK, MS Hacı Beşir Ağa, 578; MS Hamidiye, 1449/3, ff. 97–131; MS Laleli, 3044/3, ff. 31–70; 3047/1, ff. 1–34; 2944; 3028/4, ff. 123–133; 3051/8, ff. 57–94; MS Nafiz Paşa, 1351; MS Şehid Ali Paşa, 2311/3, 99–126; MS Yazma Bağışlar, 1846/6, ff. 47–77; Beyazıd YEK, MS Beyazıd, 5946, ff. 34b–72a; Atıf Efendi YEK, MS Atıf Efendi, 2797/11, ff. 82–101; Nuruosmaniye YEK, MS Nuruosmaniye 4484/1, ff. 1–60; and Hacı Selim Ağa YEK, MS Kemankeş, 318/8, ff. 97–139.

⁸² Minkārīzāde also had a Qur’anic commentary on al-Baydāwī’s *Anwār al-Tanzīl*, which will not be addressed within the scope of this study. See Süleymaniye YEK, MS Laleli 318 and Beyazıd YEK, MS Beyazıd 643.

Apart from all these aforementioned works, however, Minkārīzāde's most widely consulted work was the compilation of his fatwas. 'Atāu'llāh Mehmed's introductory note in his compilation provides invaluable information about these fatwas. From him we learn that Minkārīzāde's fatwas were collected in a *mecmū'a* during his tenure as chief jurist, but this compilation was later damaged by water and became unreadable. Subsequently, one of 'Atāu'llāh Mehmed's fellows found many fatwas carrying the signature of Minkārīzāde and compiled them anew. However, 'Atāu'llāh Mehmed decided to re-compile these fatwas due to the possibility that the copyist might have made mistakes in writing Minkārīzāde's responses. Then, upon encountering one of the descendants of Minkārīzāde, Çelebi Efendi, and receiving his help, 'Atāu'llāh Mehmed compiled a *mecmū'a* of Minkārīzāde's fatwas.⁸³ Since this compilation was made by 'Atāu'llāh Mehmed, it is also recorded as *Fetāvā-yı 'Atāu'llāh* in some catalogues.⁸⁴

There are two main difficulties in the study of the fatwa compilations of Minkārīzāde. The first is that the fatwa compilation hitherto known as *Fetāvā-yı Abdurrahīm* was recorded under this title in some library catalogues but as *Fetāvā-yı*

⁸³ 'Atāu'llāh Mehmed Efendi, *Fetāvā-yı 'Atāu'llāh*. Süleymaniye YEK, Esad Efendi MS 1095, 1b–2a. “Emmā ba'd, bu fakīr Atāullah Muhammed el-hakīr nice sāl-i ferhunde-fāl zīb-efzā-yı sadr-ı fetvā ve zīnet-bahşā-yı makām-ı iftā olan meşāyih-i islām –eskenehumullāhu fī dārisselām—hazerātının, fetāvā-yı şerīfe hizmetleriyle şerefyāb ve güzārende-i evkāt olup, siyyemā bu mecmūa hāviye olduğu es'ileye cevāb-fermā olan, āric-i ma'āric-i menzilet ve dāric-i medāric-i mağfīret Minkārīzāde Yahyā Efendi merhūmun zamān-ı şerīflerinde tesvīd-i suāl-i sāl ve tetebbu'-i mesāilde şeb u rüz sa'y u gūşış olunub merhūmun fetāvā-yı müşkilesi bir cerīdede rakamzede olmuş idi. Kazā-i ilāhī ile cerīde āb-zede olub kabūl-nākerde-i intifā' olmuş idi. Bazı hademe-i fetvānın mecmūalarına dahi bi-emrillah-i teālā dayā' el virmekle merhūmun fetāvāsı ve asılların akāsī-i merātīb-i nisyān olub bu ma'nā gusse-endāz-ı bāl-i pürmelāl olmağla merhūmun fetāvāsını cem'in tarafında tekāpūy vādī-i hayret-mebādī-i fikret iken, ihvān-ı nādirü'l-akrāndan biri merhūmun imzā-yı savāb-ihtivāsı ile mümdāt fetāvā-yı vāfire ve mesāl-i mütেকāsireye zafer bulmağla bir cerīdeye fetāvā-yı sāire gibi tertīb-i kütüb ü evbāb ile cem' idüüb lākin nāsihin bazı ecvibede hatāsı ihtimali cevelān-gīr-i bazı havātūr olmağla bu vāhime rağbet-şiken-i talebe-i fetāvā olmağın merhūmun hafīdi ve emsālının vahīdi Çelebī Efendi bu ma'nāyı fakīre işrāb ve bu vāhimeyi ref'e ilhāh u ishāb idüüb bu esnāda leyālīnin birinde pister-nişīn-i hāb iken merhūm ālem-i misāilde izhār-ı cemāl ve bu cem'a işāret u gūşimāl itmekle müsta'nen billahiteāla şurū' ü āğāz olındı.”

⁸⁴ For some copies of his compilation, see İstanbul Müftülüğü 144; Süleymaniye YEK, MS Hekimoğlu 421; MS Laleli, 1264; MS Fatih, 2386; and MS Esad Efendi, 1095.

Minkārīzāde in others, though both have the same content. This confusion in the library catalogues is presumably due to the first fatwa, which can be found in all these compilations.⁸⁵ The main problem here, however, is that it is clearly stated in some compilations attributed to *Minkārīzāde* in library catalogues that this first fatwa was issued by *Minkārīzāde*.⁸⁶ This very likely led both the library cataloguers and modern historians not to notice the equivalence of these compilations. This is why the same compilations could be recorded under two different titles.⁸⁷

However, this attribution is not completely groundless, because, even if we set aside the compilations' equivalence, the high degree of overlap between the two compilations prepared by 'Atāu'llāh Mehmed and Menteşzāde 'Abdu'r-rahīm shows more than just a simple circulation of some fatwas in both compilations. Rather, the majority of the fatwas in *Fetāvā-yı 'Atāu'llāh* can also be found in *Fetāvā-yı 'Abdu'r-rahīm*. Taking into consideration this high degree of overlap, it is legitimate to ask the following question: Could it be that the fatwas of *Minkārīzāde* were also edited by Menteşzāde 'Abdu'r-rahīm, and his name was inscribed in the compilation as the author? Bearing in mind 'Atāu'llāh Mehmed's introductory note, where it is implied that there was another compilation of *Minkārīzāde*'s fatwas, this question seems like one that needs to be asked. In any case, there is always a possibility that

⁸⁵ This first fatwa reads as follows: *Zeyd-i mü'min bir emr-i zī-bāle şurū' ettikde ne ile bed' etmek gerekdir ki mübārek ve kāmīl ola? El-cevab: Bismillahirrahmānirrahīm ile bed' edip, ba'dehū bilā fasl El-hamdü li'llāhi Rabbi'l-ālemin ile bed' etmek gerektir. (El-mevlā el-'allāmetü'l-merhūm şeyhülislam Yahyā Efendi eş-şehīr bi-Minkārīzāde tayyeballāhu serāhu ve ce'ale'l cennete mesvāhu.)*

⁸⁶ For these compilations, see *Minkārīzāde Yahyā. Fetāvā. Süleymaniye YEK, MS Aşir Efendi MS 137; MS Hamidiye 610; Nuruosmaniye YEK, MS Nuruosmaniye 2001, 2002, 2003; and Harvard Law School Library, HLS MS 1402.*

⁸⁷ For example, in an entry written by Mustafa Yayla regarding the *Fetāvā-yı Minkārīzāde* in the *Türkiye Diyanet Vakfı İslam Ansiklopedisi*, there is a photo on the first page of *Minkārīzāde*'s fatwa compilation found in Süleymaniye YEK, MS Hamidiye 610, which is exactly the same as that of the compilations prepared by Menteşzāde 'Abdu'r-rahīm. See Yayla, "Fetāvā-yı Minkārīzāde," 444–445. In his master's thesis, Çelik also noticed this equivalence; see Çelik, "Kitabu's-Siyer Örneği," 5–6.

both ‘Atāu‘llāh Mehmed and Menteşzāde ‘Abdu’r-rahīm benefitted from the same common source.

Accordingly, considering that Menteşzāde ‘Abdu’r-rahīm served as chief jurist for only one and a half years, but his fatwa compilation contains more than eleven thousand fatwas,⁸⁸ it would be highly unlikely that he issued all the fatwas in this compilation. Likewise, bearing in mind that there was a high degree of overlap between the fatwa compilations prepared by ‘Atāu‘llāh Mehmed and Menteşzāde ‘Abdu’r-rahīm, it would be more plausible to suggest that Menteşzāde ‘Abdu’r-rahīm compiled the fatwas belonging to Minkārīzāde.

Related to this, the most obvious problem regarding these two compilations is this: What should we do about the fatwas that were not included in the compilation of ‘Atāu‘llāh Mehmed, but can be found in the compilation of Menteşzāde ‘Abdu’r-rahīm? As we will see in the fatwas related to Crete in Chapter 4, it seems that, while the fatwas compiled by Menteşzāde ‘Abdu’r-rahīm contain the original fatwas of Minkārīzāde, the compilation prepared by ‘Atāu‘llāh Mehmed includes the fatwas of Minkārīzāde in abstract forms. In other words, ‘Atāu‘llāh Mehmed’s fatwa compilation seems to have gone through an editing process, which might be the main reason why ‘Atāu‘llāh Mehmed did not include all the fatwas in Menteşzāde ‘Abdu’r-rahīm’s compilation. In light of all this, however, as far as the available knowledge regarding both fatwa compilations is concerned, we can come to the following conclusion: Minkārīzāde’s fatwas were compiled in two different fatwa compilations, with one being compiled by ‘Atāu‘llāh Mehmed and the other by Menteşzāde ‘Abdu’r-rahīm.⁸⁹

⁸⁸ Kallek, “Fetâvâ-yı Abdurrahîm,” 437.

⁸⁹ Despite this, however, Menteşzāde ‘Abdu’r-rahīm’s compilation seems to be more organized in terms of content.

The second difficulty is that some compilations of the fatwas of Zekeriyyāzāde Yahyā are misattributed to Minkārīzāde in library catalogues. This probably resulted from copyists' confusion of the names of these two chief jurists, or else from misreading by the cataloguers.⁹⁰ On the other hand, if we take into account another fact that the compilation of Menteşzāde 'Abdu'r-rahīm also contains the fatwas of Zekeriyyāzāde Yahyā, a more complicated picture appeared.⁹¹ A detailed examination of these aforementioned fatwa compilations exceeds the limit of this study, but in the light of available knowledge regarding both fatwa compilations, we can come to the following conclusion: Minkārīzāde's fatwas were compiled in two different fatwa compilations, one compiled by 'Atāu'llāh Mehmed and the other by Menteşzāde 'Abdu'r-rahīm. However, a very legitimate question of whether each fatwa in *Fetāvā-yı 'Abdu'r-rahīm* belonged to Minkārīzāde is beyond the scope of this study.⁹² However, the most reasonable way to judge the authenticity of

⁹⁰ For example, see Konya YEK, MS Burdur İl Halk Kütüphanesi, 1980; Nuruosmaniye YEK, MS Nuruosmaniye 2056; Süleymaniye YEK, MS Esad Efendi 1088; and Hacı Selim Ağa YEK, MS Hacı Selim Ağa 449.

⁹¹ A possible reason why *Fetāvā-yı 'Abdu'r-rahīm* included the fatwas of both Minkārīzāde Yahyā and Zekeriyyāzāde Yahyā might have resulted from the fact that both chief jurists signed their fatwas with the same signature as *Ketebehū Yahyā el-fakīr ufiye anh*, which might have led Menteşzāde 'Abdu'r-rahīm not to identify which fatwa belongs to whom. For the comparison of their signatures, see *Şeyhülislam Fetvaları*, 26–37; 50–63. For the comparison of *Fetāvā-yı 'Abdu'r-rahīm* and *Fetāvā-yı Yahyā Efendi*, I benefitted from Zekeriyyāzāde Yahyā's fatwa compilation that can be found in Süleymaniye YEK, MS Serez 1116.

⁹² There are some copyists' note that might lead us to think that the fatwas that can be found in Menteşzāde 'Abdu'r-rahīm's compilation only belongs to Minkārīzāde. For this point, see Çelik, "Minkārīzāde Yahya," 67–71. Despite these notes, however, there is another later note that has a possibility to query this assumption which was written at the beginning of a specific fatwa compilation found in Nuruosmaniye YEK, MS Nuruosmaniye 2037. Whoever wrote this critical note asserts that those who can penetrate into the books of *fikh* by carefully examining them will realize that this compilation also contains the fatwas signed by others. In light of this, one must be careful to recall that not all the fatwas in the compilation of Menteşzāde 'Abdu'r-rahīm actually belonged to Minkārīzāde. However, this specific compilation is not complete, with many sub-sections missing. Similarly, the number of fatwas varies in each section. Therefore, it is almost impossible to compare which fatwas belong to Minkārīzāde and which to Menteşzāde 'Abdu'r-rahīm based on this copy alone. See Nuruosmaniye YEK, MS Nuruosmaniye 2037: "Bu nüsha-i celīle-i mu'tebere 'allāme-i Rūm Minkārīzāde merhūm zamān-ı şerīflerinde imzā ve yed-i müsteftiye i'tā buyurdıkları tercüme-i mesā'il-i fikhīyyeyi hāvi mecmū'a-i ğarrādır ki ba'deh yine sadr-ı fetvā zāt-ı sūtūde-sıfātlarına tefvīz buyurulan fuhūl-ı 'ulemā-yı 'izām-nevverellāhu merkadehum—hazerātu zamān-ı sa'ādetlerinde ba'de't-tetebbu' ve't-tedkik imzā buyurdıkları fetāvā-yı şerīfe zamm ve ilhāk olunduğı ba'de'n-nazar ve't-te'emmūli'l-enik müteneffizān-ı sahāyif-i fikh-ı şerīf olanlara hüveydādır. Allahumme Fakkihnī

Minkārīzāde's fatwas is to trace every specific fatwa in each compilation and then decide which fatwa belongs to him, a method that I will follow in Chapter 4.

In addition to Minkārīzāde's writings, biographical works are also indispensable sources for examining the Ottoman ulama in general. Although the genre of biographical compendia (*tabāqāt*) was widely known in medieval Islam, it emerged in Ottoman lands only in the middle of the sixteenth century, with the works of Kemalpaşazāde and Kınalızāde 'Alī Çelebi.⁹³ At around the same time, a new kind of biographical dictionary tradition also began to emerge: by including the biographies of high-ranking scholars in the Ottoman learned establishment and organizing their names according to the reign of Ottoman sultans, Taşköprizāde's *eş-Şakā'iku'n-Nu'māniyye* became the first example of its kind.⁹⁴ In subsequent years, several supplements (*zeyl*) were written on this text, three of which will be used in this study to shed light on the biographies of the members of the seventeenth-century Ottoman learned establishment in general and Minkārīzāde in particular. The first of these is *Hadā'iku'l-Hakā'ik fī Tekmiletī's-Şakā'ik* by Nev'īzāde Atāyī, which consists of the biographies of more than one thousand scholars who lived between the years 1557 and 1633.⁹⁵ The *Zeyl-i Şakā'ik*⁹⁶ and *Vekāyi'u'l-Fuzalā*,⁹⁷ written by Uşşākīzāde es-Seyyid İbrāhīm Hasīb and Şeyhī Mehmed respectively, are supplements to the *Hadā'iku'l-Hakā'ik*. While Uşşākīzāde's work includes the

fī'd-dīn ve veffiknī fī'l-icrā'i 'ale'l-yakīn, bi-hurmeti seyyidil-evvelīn ve'l-āhirīn, āmīn yā rabbe'l-ālemīn."

⁹³ For a detailed examination of the *tabāqāt* genre in the Ottoman context, see Burak, *Second Formation*, 65–94.

⁹⁴ For a new attempt at recontextualizing Taşköprizāde's *eş-Şakā'iku'n-Nu'māniyye*, see Burak, *Second Formation*, 94–100; for another study on the same work, see Anooshahr, "Writing, Speech," 43–62.

⁹⁵ *Atāyī*. For a study of this work, see Niyazioğlu, "Ottoman Sufi Sheikhs" and Niyazioğlu, *Dreams and Lives*.

⁹⁶ For a transliteration of this work, see Uşşākīzāde. For another of his works, see Uşşākīzāde es-Seyyid İbrāhīm Hasīb Efendi, *Uşşākīzāde Tārīhi*.

⁹⁷ *Şeyhī*. Ali Uğur's study of Şeyhī's *Vekāyi'u'l-Fuzalā* tabulated the biographies of the Ottoman ulama; see his Ali Uğur, *Ottoman 'Ulemā*.

biographies of more than 500 sheikhs and ulama who lived between the years 1634 and 1695, Şeyhî's work covers the period between 1633 and 1731 and incorporates the biographies of more than 2000 such figures.⁹⁸ As far as the biography of Minkārîzâde is concerned, Şeyhî Mehmed's *Vekâyi 'u'l-Fuzalâ* will be preferred throughout this study, as Şeyhî Mehmed composed his supplement more carefully and provided more details about Minkārîzâde.⁹⁹ Lastly, for identifying the works of various scholars, Kâtib Çelebi's bibliographical *Keşfü 'z-zunûn* is also an indispensable source.¹⁰⁰

In addition to biographical dictionaries and bibliographical work, Ottoman chronicles and travel accounts also represent important sources for producing a coherent narrative of the seventeenth century. In this regard, Mustafâ Naîmâ's history, the *Ravzatü 'l-Hüseyn fî hulâsati ahhâri 'l-hâfîkayn*, is the most comprehensive account for the first half of the seventeenth century.¹⁰¹ In addition to this, Kâtib Çelebi's two works, the *Fezleke* and *Mizânü 'l-Hakk*,¹⁰² as well as some other chronicles,¹⁰³ provide invaluable information about the period in question. There are also a wide range of Ottoman chronicles depicting the second half of the seventeenth century from different perspectives.¹⁰⁴

⁹⁸ For a comparison of these two works, see Ekinci, "Mukayesesi," 25–48.

⁹⁹ For a detailed biography of Minkārîzâde in these works, see Uşşâkizâde, 687–690; Şeyhî, II, 1128–1132. A less detailed biography of Minkārîzâde can be found in these works: Muhibbî, *Khulâsat al-athar*, IV, 477–478; Mehmed Süreyyâ, *Sicill-i Osmânî*, V, 1673–1674 (IV–637); and Yıldırım, "Müstakimzade," 161–162.

¹⁰⁰ Kâtib Çelebi, *Keşfü 'z-zunûn*.

¹⁰¹ *Târih-i Na'îmâ*.

¹⁰² Aycibin, *Fezleke* and Kâtib Çelebi, *Balance of Truth*.

¹⁰³ Oral, "Tarih-i Gilmanî"; Akkaya, "Vecihî"; Karaçelebizade Abdül'aziz, *Ravzatü'l Ebrar*; and Lokmacı, "Solakzâde."

¹⁰⁴ Abdurrahman Abdi Paşa, *Vekâyi 'nâme*; Defterdar, *Zübde-i Vekayiât*; Raşid & Çelebizâde, *Târih-i Râşid*; Yılmaz, *İsâzâde Târîhi*; Mühürdar Hasan Ağa, *Mühürdar*; Arslantürk & Kocaaslan, *Risale-i Kürd Hatib*; Türkal, "Zey-i Fezleke"; Konuk, "Vânî Mehmed"; Gökçek, "Behcetü Seyyid"; Boyraz, "Köprülüzâde Ahmet"; Yüksel, "Fetih-nâme-i Kamaniçe"; Taçkın, "Tarih-i Kamaniçe"; Özkasap, "Tarih-i Nihâdî." This period also witnessed an increase in the number of European travelers who visited Ottoman lands. For these works, see Rychaut, *History of the Turkish*; Rychaut, *Present State*; D'Arvieux, *Mémoires*; Croix, *Mémoires*; Vandal, *Marquis de*

1.5 Structure of the dissertation

This dissertation has four main chapters, each of which deals with a distinct aspect of Minkārīzāde's life, bureaucratic career, and scholarly output. Chapter 2 examines his early life and professional career and sets the stage for the subsequent chapters.

Although Minkārīzāde's tenure as chief jurist overshadowed his earlier career, it is vital to have a good understanding of that early career in order to better situate him within the wider context of the Ottoman ulama of the seventeenth century. With this aim in mind, the first part of the chapter deals with Minkārīzāde's family background and his early education, paying special attention to the Sufi sheikhs, preachers, and public lecturers (*ders-i 'ām*) with whom Minkārīzāde studied. The second part of the chapter analyzes the bureaucratic career of Minkārīzāde from the mid-1620s to the beginning of his term in the office of chief jurist in 1662. It examines his teaching career beginning with his obtaining *mülāzemet* from Hocaẓāde Es'ad, and looks at the madrasas where he taught. The remainder of the chapter then focuses on Minkārīzāde's somewhat unstable judicial career between 1649 and 1662, a period strongly affected by the turbulent political situation of the mid-seventeenth century. One of the main points that this chapter will emphasize is that Minkārīzāde's overall stance in the 1650s paved the way for his appointment as chief jurist in 1662 and his ability to remain in that position for an exceptionally long time by seventeenth-century Ottoman standards.

Chapter 3 focuses on Minkārīzāde's scholarly output and his involvement in the religio-legal debates of the mid-seventeenth century. By examining Minkārīzāde's three treatises—the *Risāle-i Millet-i İbrāhīm*, his rebuttal to Kürd

Nointel; Bent, *Early Voyages*; Abbott, *Under the Turk*; Chardin, *Journal*; and Galland, *Günlik Hâtıralar*.

Mollā's commentary on Birgivī's *et-Tarīkatü'l-Muhammediye*, and the *Risāle fī Vücübī İstimā'i'l-Kur'ān ve'l-Hutbe*—as well as his two fatwas regarding the impermissibility of *raks*, *devrān*, and Mevlevi *semā'*, this chapter questions the commonly held view that the *mevali* were largely absent from these debates.

Through a discussion of Minkārīzāde's involvement in these debates, I show that high-ranking ulama not only took part, but even played leading roles in the religious legal debates of the seventeenth century. Even though Minkārīzāde's stance in his treatises seems to be largely in line with the views of the Kadızadelis, I argue in this chapter that a scholar and bureaucrat of Minkārīzāde's stature should be seen as a proponent of a stricter interpretation of the Hanafī school of law, rather than as a follower of the Kadızadelis.

Chapter 4 contextualizes Minkārīzāde's role as the empire's chief jurist and situates him within the political and religious processes of the 1660s and 1670s. After providing historical background for Minkārīzāde's tenure and drawing attention to the multiple centers of decision-making that existed during this period, the chapter examines a number of the administrative and bureaucratic tasks for which Minkārīzāde was responsible during his tenure as chief jurist; namely, the reorganization of the judgeships in Rumelia and the elevation of the rank of the judgeship of Mecca in the hierarchy. The last section of this chapter is devoted to Minkārīzāde's fatwas concerning the new land code that was implemented in Crete after its conquest by the Ottomans in 1669, a land code which resembled earlier Islamic fiscal practices more than it did the classical Ottoman land regime. As will be discussed in detail, several historians have offered differing explanations regarding the changes in the land system of Crete after its conquest: some have emphasized the socio-economic dynamics particular to the place and time, while

others point to the purported “influence of the Kadızadelis,” without providing concrete textual evidence. Remarkably, the role of the learned establishment, and especially that of the chief jurist Minkārīzāde, in this process has not been examined so far. This section also shows that the fatwa compilation hitherto known as *Fetāvā-yı Abdurrahīm* contains the fatwas belonging to Minkārīzāde.

Chapter 5, the last chapter of the dissertation, has two aims. In the first part of the chapter, the practice of *mülāzemet* throughout the seventeenth century is discussed in light of Minkārīzāde’s appointment as examiner (*mümeyyiz*) in 1658. The second part investigates the scholars who were patronized by Minkārīzāde. By focusing on the scholarly networks that formed around Minkārīzāde, the primary purpose of this part is to reveal that he was a powerful patron who intervened and used his influence in favor of a considerable number of scholars throughout his lifetime. Since the majority of these scholars received *mülāzemet* from him, special emphasis will be placed on them. It will be shown that Minkārīzāde granted *mülāzemet* to candidates of diverse familial and regional backgrounds, and did not exclusively privilege the sons of prominent scholars. It seems that what mattered for Minkārīzāde in granting someone *mülāzemet* was their knowledge and competence. Related to this, another argument advanced in this chapter is that the practice of *mülāzemet* was not just a bureaucratic tool for entering the Ottoman ulama, but also facilitated the transmission of knowledge among scholars and across scholarly networks. Despite this, however, *mülāzemet* was not the only intellectual channel that enabled scholars to become part of Minkārīzāde’s intellectual circle. Minkārīzāde’s long tenure as chief jurist (1662–1674) was nearly coterminous with the tenure in the grand vizierate of Fāzıl Ahmed (1661–1676), who was an ex-professor and a leading patron of the period, and it was the combination of these two

factors that attracted scholars from all parts of the Islamic world to “the threshold of Minkārīzāde” (*Minkārīzāde āsitānesi*).



CHAPTER 2

THE CAREER OF A SEVENTEENTH-CENTURY BUREAUCRAT

2.1 Introduction

Minkārīzāde owes much of his fame to his tenure in the office of chief jurist between the years 1662 and 1674. His twelve-year tenure in the highest office of the Ottoman learned hierarchy was one of the longest in the seventeenth century. While Minkārīzāde's years in this office have received some scholarly attention, his early life and bureaucratic career have largely been ignored or overlooked.

Notwithstanding this negligence, Minkārīzāde's biography from his birth in 1609 to his accession to the office of chief jurist in 1662 is crucial for the purposes of this study, as it helps us better situate him within the framework of the political, social, religious, and intellectual realities of his time. Equally, examining Minkārīzāde's earlier career is essential to understanding and tracing the trajectory that eventually took him to the highest level of the Ottoman learned hierarchy.

The primary aim of this chapter is to give a detailed account of Minkārīzāde's early life and bureaucratic career to fill this gap in the relevant literature. In the first part of the chapter, I will conduct an examination of his social milieu in order to unveil a concrete portrait of his general position within the Ottoman learned hierarchy and the networks of the esteemed scholars of his time, both of which had a substantial influence on his subsequent career. In doing this, a special emphasis will be placed on his family background and the scholars, pious men, and sheikhs from whom he received his education during his youth. In this context, it is important to note that while Minkārīzāde received formal education, who had served as a professor and judge in the Ottoman learned hierarchy, he also participated in

informal learning circles where he took lessons from scholars of diverse backgrounds. In addition, he entered into a common educational network and shared similar teaching and learning practices with two important intellectual figures of seventeenth-century Ottoman society; namely, Kâtib Çelebi and Evliyâ Çelebi. In the second part of the chapter, Minkârîzâde's bureaucratic career will be examined in depth, with a specific focus on his teaching and judicial career.

With the above aims in mind, I will first provide a brief survey of Minkârîzâde's family background and his father Minkârî 'Ömer's bureaucratic career, which will allow for a better evaluation of what Minkârîzâde inherited from his predecessors and how this set the stage for his future career in the Ottoman learned hierarchy.

2.2 Family background

Biographical dictionaries do not allow us to trace the family genealogy of Minkârîzâde retrospectively, but there is still a prevalent story narrated in the secondary literature. According to this, the ancestors of Minkârîzâde came from Khorasan to the region known as *Minkâr* in Basra.¹⁰⁵ In the early sixteenth century, the male members of this family were recruited into the Ottoman army during Sultân Selîm I's Egyptian campaign, and for their good service and success on the battlefield were given as *dirlik* the region in 'Alâ'iyye (Alanya) known as İbradı.¹⁰⁶ It must be noted, however, that this story cannot be taken at face value, since it comes

¹⁰⁵ The fact that there was a scholar by the name of Minkârî Yahyâ living in these regions indicates that there might be a strong connection between these regions and the name itself. See Özkan, "Yahyâ el-Minkârî," 269–270.

¹⁰⁶ For these works, see Özkaynak, *Akseki Kazası*, 100–101; Selekler, *Yarımşarın Arkasından*, 82–83; Sümbül, *Evliyâ Çelebi gibi*; Tuş, "Seyyahların Gözüyle Alanya," 606; and Özdemir, *Derebucak*, 77.

mainly from oral testimonies of the descendants of the family rather than from archival registers or documents.

However, there is another source that cannot be so summarily dismissed.¹⁰⁷ In his memoirs published in 1993, Tarık Minkari, a ninth-generation descendant of the Minkārīzāde family, provided a detailed family tree going back to the sixteenth century.¹⁰⁸ Minkari's account not only confirms the story mentioned above but also gives additional information about his ancestors. According to this genealogy, Minkārīzāde's grandfather was Minkārī Oruç 'Alī, who was born in Khorasan and then migrated to Teke in southwestern Anatolia, where he finally settled in İbradı. He had four sons: Kādī Mehmed (Fındık Kādī), Zekerıyyā Emīn Bayram, Minkārī 'Alī, and Minkārī (zāde) 'Ömer. Minkārī 'Alī seems to have been the ancestor of Tarık Minkari, while Kādī Mehmed had apparently been a judge and was buried in Akşehir. There is, however, no specific information about Zekerıyyā Emīn Bayram.

The available evidence coincides with the information given in this family tree for some of the family members. For instance, the appointment of Minkārī 'Ömer to the judgeship of Mecca and his death in 1624, as well as the name of Minkārīzāde Yahyā's son 'Abdul-lāh Efendī, were correctly recorded as confirmed by the contemporary biographical sources. Similarly, the son of Minkārīzāde's cousin 'Osmān Efendī, Minkārī Hācī 'Alī wrote a book titled *Şifā'ül-mu'minīn* (The Remedy of the Faithful) in 1654, presenting it to Mehmed IV.¹⁰⁹ Also, this genealogy recorded Kādī Abdu'r-rahmān, who was an important state official at the end of the eighteenth and beginning of the nineteenth centuries.¹¹⁰

¹⁰⁷ Minkari, *Bir Cerrahın Anıları*, 13–19.

¹⁰⁸ For the family tree of the Minkārīzādes, see Appendix A.

¹⁰⁹ For his work, see Minkārī 'Alī Halīfe, *Şifā'ül-mu'min*. Antalya Tekelioğlu İl Halk Kütüphanesi 397. For a brief evaluation of this work, see Şafir, "Moral Revolutions," 606, 610–611. For another work of Minkārī 'Alī's, see Bahadır, "Risale-i Sa'adet," 622–636.

¹¹⁰ For additional information about him, see Uzunçarşılı, "Kadı Abdurrahman," 369–451.

However, Atāyī's description of Minkārī 'Ömer in *Hadā'iku'l-Hakā'ik* suggests another explanation for the origin of the nickname "Minkārī."¹¹¹ Atāyī introduces Minkārī 'Ömer with the following words: "He came from the rock-strewn land of 'Alā'iyye and became known by the nickname of "Minkārī" on account of the beaky (aquiline) nose of the stone-cutter's pick" ('Alā'iyye sengistānından kŭlŭng-i kŭlengī ile āşikār ve "Minḡārī" laḡabı ile şöhret-şi 'ār olmuş idi). The word *minkār* (منقار) has a double meaning: the first is "a bird's bill or beak," and the second is "a stone-cutter's pick," both of which meanings are also echoed in the words *kŭlŭng* and *kŭleng*.¹¹² Hence, it seems plausible that Atāyī used the technique of paronomasia (*tevriye*) to connect the nickname "Minkārī" to Minkārī 'Ömer's physical appearance on the one hand and to his birthplace of 'Alā'iyye on the other. In light of the information given above, one can speculate that the nickname "Minkārī" was first used for Minkārī 'Ömer, but since over time this nickname came to be most closely associated with him and his son Minkārīzāde Yahyā, it is also possible that it was used retrospectively to refer to other members of the family as well.

In relation to this, there is another point that should be clarified. Ahmet Akgündüz has proposed that Minkārīzāde was the grandson of Dede Cöngī (d. 1567), an Ottoman scholar who is best known for his Arabic work *es-Siyāsetü'ş-şer'iyye*, one of the best-known examples of the Ottoman *siyāsetnāme* tradition.¹¹³ Akgündüz

¹¹¹ Atāyī, 1709–1710.

¹¹² For the definition of the term *minkārī*, see Meniški, *Thesaurus*, 2010 and Sāmi, *Kāmūs-ı Türkî*, 1421.

¹¹³ For the biography of Dede Cöngī, see Atāyī, 503–505; Akgündüz, *Osmanlı Kanunnameleri*, IV, 122–126; and Akgündüz, "Dede Cöngī," 76–77. Meşrebzade Mehmed Arif (d. 1858)'s Turkish translation of *es-Siyāsetü'ş-şer'iyye* can be found in Akgündüz's study; Akgündüz, *Osmanlı Kanunnameleri*, IV: 127–173. For modern studies on Dede Cöngī and his *es-Siyāsetü'ş-şer'iyye*, see Heyd, *Studies in Old*, 198–204; Terzioğlu, "Bir Tercüme," 247–275; Yılmaz, *Caliphate Redefined*, 84–86; Aykan, "A Legal Concept," 1–19; Sariyannis, *Ottoman Political Thought*, 104–109; and Terzioğlu, "İbn Taymiyya," 101–154.

reached this conclusion based on the introductory passage of Seyyid Sebzî Mehmed's late seventeenth-century Turkish translation of the aforementioned text by Dede Cöngî.¹¹⁴ Considering the fact that Seyyid Sebzî Mehmed (d. 1680) was a contemporary of Minkārîzâde, his statement regarding the latter's genealogy must be taken seriously. Apart from that, in some manuscript catalogues Dede Cöngî's full name is registered as Kemale'd-dîn İbrâhîm b. Bahşî Minkārîzâde Kara Dede, thus raising the possibility that Dede Cöngî was the grandfather of Minkārîzâde in the paternal line.¹¹⁵ However, given the fact that Dede Cöngî and Minkārî 'Ömer had never been in the same region in any period of their lives, it would be almost impossible to assume such a father-son relationship between them. Fortunately, this mystery is solved by a note Minkārîzâde himself made in another work of Dede Cöngî's, the *Hâşiye alâ Şerhi'l-İzzî fi't-tasrîf li't-Teftâzânî*. In his note, Minkārîzâde reveals that he was actually the grandson of Dede Cöngî in the maternal line.¹¹⁶

Having thus provided a brief overview of Minkārîzâde's family background, we can now turn our attention to the bureaucratic career of his father Minkārî 'Ömer.¹¹⁷ As stated, Minkārî 'Ömer was born in 'Alâ'iyye, most probably around the mid-sixteenth century, which we can speculate based on the 1557 date of death of el-Mevlâ Mehmed bin 'Abdu'l-kerîm known as Zülfinigâr, who was Minkārî 'Ömer's first teacher at the madrasa of Hâce Hayre'd-dîn in İstanbul.¹¹⁸ While this shows that

¹¹⁴ “*merhûm Dede Efendi eş-şehir cedd-i Minkarizâde*” Quoted in Açık, “Mehmed Sebzî,” 8.

¹¹⁵ Kemale'd-dîn İbrâhîm b. Bahşî Minkārîzâde Kara Dede, *Tercüme-i risale-i siyâset-i şer'iyye*, Nuruosmaniye YEK, Nuruosmaniye MS 4982/1; Kemaleddin İbrahim b. Bahşî Minkārîzâde Kara Dede, *Dede Cöngî*, Nuruosmaniye YEK, Nuruosmaniye MS 4651.

¹¹⁶ Kara Dede Kemale'd-dîn, Dede Cönki. Murad Molla, 1734.

هذه حاشية جد العبد الفقير من طرف الأم على حاشية شرح الزنجاني لسعد الملة والدين، وأنا المذنب يحيى بن عم عفي عنهما

¹¹⁷ All information regarding the bureaucratic career of Minkārî 'Ömer is based on his biography in *Atâyî*, 1709–1710.

¹¹⁸ *Atâyî*, 274–275. Atâyî states that the biography of his father can be found in Taşköprizade's *eş-Şakâ'ik-i Nu'māniyye*. Accordingly, there are two possible scholars by the name of Abdu'l-kerîm. One is Abdu'l-kerîm Efendi, who was a close friend of the vizier Mahmud Pasha and of İyas Efendi. While the former had held the grand vizierate during the reign of Mehmed II, the latter was the teacher of Mehmed II in his early years. For the biography of Abdu'l-kerîm Efendi, see *Şakâ'ik*, 262–

Minkārī ‘Ömer was already in Istanbul by the mid-sixteenth century, it is not clear when he decided to enter the Ottoman learned hierarchy. However, two more pieces of information help us to shed some further light on the career timeline of Minkārī ‘Ömer. First, we know that he received the status of novice (*mülāzemet*) from Kara Çelebizāde Hüsām, who served as the chief judge of Rumelia in 1590 and died in 1598.¹¹⁹ Second, Minkārī ‘Ömer reached to the *hāric* level with his appointment to the madrasa of Yūsuf Paşa in Istanbul in 1604. Based on this information, we can safely assume that he began his teaching career towards the end of the sixteenth century.

In 1607, Minkārī ‘Ömer was appointed as the mufti of Agrus (present-day Atabey, near Lake Eğirdir in southwestern Anatolia) but he declined the appointment.¹²⁰ Within the same year, he was granted the madrasa of İbrāhīm Paşa-yı Atık in Üsküdar. He taught at this madrasa for nearly four years before being appointed to the Mehmed Paşa madrasa in Üsküdar in 1611. For the next four years, he continued his teaching career in the madrasas of Gazanfer Ağa and Sahn-ı Semāniyye. Following his appointment at the Sahn, he next became a professor at the Sultān Bāyezīd madrasa in Edirne before coming back to Istanbul with an appointment to the Eyüp Madrasa in 1616. The last madrasa where he served as a professor was the madrasa of Hākāniyye-i Vefā. With regards to Minkārī ‘Ömer’s judicial career, it could have started with his assignment to the judgeship of Eyüp in 1618, but he declined this offer so that his judicial career did not start until 1619, when he was appointed as the judge of Jerusalem, where he stayed nearly for two

265. For the biography of İyas Efendi, see *Şakā’ik*, 284–286. The other possible person was the Abdu’l-kerīm nicknamed el-Vizevī. For his biography, see *Şakā’ik*, 794.

¹¹⁹ *Atāyī*, 1129–1131.

¹²⁰ Sezen, *Osmanlı Yer Adları*, 62.

years. In 1623, he advanced to the judgeship of Mecca, a position which he held for only for one year before dying in 1624.

Minkārī ‘Ömer’s judicial career was short compared to his teaching career, but it would not be wrong to assert that he proceeded very quickly in judicial positions. Although he declined his first assignment to the judgeship of Eyüp, Minkārī ‘Ömer still managed to land one of the more prestigious judgeships in the empire, Jerusalem, as his first formal judicial post. Similarly, considering that from the 1540s onwards the judges of Mecca would be chosen from among high-level scholar-bureaucrats, the speed of his advancement in the hierarchy is clear.¹²¹

How was it possible for a person from a provincial background like Minkārī ‘Ömer to enter the learned hierarchy and proceed to one of the more prestigious posts in the judicial hierarchy? Of course, Minkārī ‘Ömer’s professional career and his advancement in the learned hierarchy cannot be understood solely by looking at his personal story. Instead, his professional career might best be regarded as a part of, or rather the consequence of, the centuries-long process of consolidation of the Ottoman scholarly bureaucracy. As Abdurrahman Atçıl’s recent work has revealed, the massive territorial expansion of the sixteenth century meant, among other things, the construction of new madrasas and the incorporation of new judgeships into the empire, which in turn necessitated more and more scholars to fill educational and judicial posts.¹²² For this reason, the centripetal movement of scholars to the Ottoman center was also welcomed by the authorities. As a result of these processes, by the end of the sixteenth century the scholarly bureaucracy had nearly completed its consolidation and become self-sufficient.

¹²¹ Atçıl, *Scholars and Sultans*, 205.

¹²² Atçıl, *Scholars and Sultans*, 145–169.

One should emphasize, however, that there were also many other factors influencing the migration of scholars to the Ottoman center. A lifelong career in the scholarly bureaucracy, with its predictable and regular promotions, must have been very attractive for those coming from provinces where job opportunities were very limited and security concerns were paramount due to the Celali rebellions of the second half of the sixteenth and the early decades of the seventeenth century.¹²³

Whatever the factors that led Minkārī ‘Ömer to migrate to the Ottoman center, he was certainly not alone: a brief overview of biographies in Nev‘izāde Atāyī’s *Hadā’iku’l-Hakā’ik* reveals that there were at least twenty-three scholars from the region of ‘Alā’iyye and Manavgat, all of whom served in educational and judicial positions in the learned hierarchy between the years 1557 and 1633.¹²⁴ While most of these scholars were unable to rise to top positions in the hierarchy, there were some who managed to receive promotions and advance to the top.¹²⁵ Each of these scholars no doubt had a particular story that should be examined separately in order to properly contextualize their degree of acceptance into the religious bureaucracy; nevertheless, the relatively high level of representation of scholars from this region and the fact that a few among them were able to rise to top positions in

¹²³ Even after the suppression of the Celali revolts in the first decade of the seventeenth century, their devastating impact continued to be felt; see Andreasyan, “Celâlilerden Kaçan,” 45–53.

¹²⁴ The names and page numbers of their biographies in Atāyī’s work are as follows: ‘Alā’e’-d-dīn ‘Alī el-Manavī (Ebū’l-ley ‘Alīsi), 479–481; Tāce’d-dīn İbrāhīm el-Manavī (Zervā Tāce’d-dīn, Hāfiz-ı Muhīt), 481–482; Seyyidī bin Halīl (Manav Seyyidī), 572–575; İhtiyār (Manav İhtiyār), 795; Bālī (Manav Şems), 822; Seyfu’llāh (Manav Seyfī), 859–860; ‘İvaz (‘İvaz Efendi), 865–867; Tāce’d-dīn (Manav Tāce’d-dīn), 1199–1200; Hasan (Manav Hasan), 1236; Mehmed (Seyyidizāde), 1318; ‘Alā’e’-d-dīn (Hevāncı ‘Alī el-Manavī), 1354–1355; Muslihi’d-dīn (Kātibzāde Mu’idī Manav Muslihi’d-dīn), 1355; Halīl (Manav Halīl), 1457–1458; ‘Abdu’llāh (Manav Hasan Oğlu ‘Abdu’llāh Çelebi), 1593–1594; Manav Hasan, 1594; ‘Abdu’l-bākī (Manav ‘Abdu’l-bākī), 1655; Mehmed Sādık (Sıdkī Çelebi) {Sıdkī}, 1771–1772; Hidāyetu’llāh (Manav Hidāyet), 1786–1788; Halīl (Manav Halīl), 1797–1798; Süleymān (‘İvaz Efendi Süleymān), 1106–1107; ‘Ubūdī (‘Ubūdī), 1189–1190; Bayram (‘İydī Efendi), 1316–1317; Mustafā (Bī-endām Muslihi’d-dīn), 1619–1620.

¹²⁵ For example, ‘İvaz Efendi became the chief judge of Rumelia in 1581. For his biography, see *Şeyhī*, I, 865–867.

the hierarchy suggest that Minkārī ‘Ömer’s advancement in the religious bureaucracy owed something to his network.

The first thing worth noting this regard is that being a son-in-law of Dede Cöngī must have helped Minkārī ‘Ömer to establish relatively close relations with certain groups in learned circles. In addition, Minkārī ‘Ömer surely expanded his network even further during his teaching career of more than fifteen years in Istanbul. More importantly, though, Minkārī ‘Ömer seems to have been closely affiliated with the chief jurist Hocaẓāde Es‘ad. In fact, it was during Hocaẓāde Es‘ad’s tenure as chief jurist that Minkārī ‘Ömer’s appointments to the judgeships of Jerusalem and Mecca took place. Last but not least, we learn from Atāyī’s account that Minkārī ‘Ömer was also affiliated with pious men and sheikhs (*sulehā vü meṣā’ihe mā’il*), a factor that enlarged his network and must have had an effect on Minkārīẓāde Yahyā’s early years, a point to which I will return later.

2.3 Early education

Minkārīẓāde Yahyā was born in 1609, when his father Minkārī ‘Ömer was professor at the madrasa of İbrāhīm Paşa-yı Atık in Üsküdar. Being the son of a scholar serving within the learned hierarchy as a professor, Minkārīẓāde received a religious education as well. After receiving a proper madrasa education and obtaining the status of novice, he entered the learned hierarchy and taught at a number of madrasas in subsequent years. However, this should not mislead us into thinking that his education was limited to the formal education that he received in Ottoman madrasas: the intellectual life of the Ottoman world in the seventeenth century was rich and diverse, and there were other sources that contributed to his intellectual development as well. As has been mentioned before, one of the striking developments in the

social, religious, and political life of Ottoman society during the late sixteenth and early seventeenth centuries was the increasing visibility and growing importance of Sufi sheikhs, preachers, and public lecturers (*ders-i 'ām*).

A prototypical example of this development can be seen in the fact that, when Minkārīzāde was born in 1609, Sheikh 'Ömer became the tutor of Sultan Ahmed I's sons Osman and Mehmed, after which the imam of the sultans and preachers seem to have come to dominate the position of royal tutorage in the seventeenth century.¹²⁶ In light of this, it would be very unlikely that a phenomenon that played a crucial role even in the education of Ottoman princes would not have influenced Minkārīzāde's educational background. As a matter of fact, Minkārīzāde did indeed benefit from learning circles outside the learned hierarchy, receiving an education from a number of scholars, pious men, and sheikhs of diverse backgrounds. The main figures identified by biographers as having a role in Minkārīzāde's education include Mahmūd Hüdāyī, Kiçi Mehmed, Semīn Velī, and Hoca 'Abdu'r-rahīm, although the biographers do not mention what specific roles they played. In any case, these figures deserve a detailed examination in order to try to reconstruct and contextualize their roles in shaping Minkārīzāde's education as well as his religio-legal and intellectual position.

The first person who can be named in this regard is Mahmūd Hüdāyī (d. 1628), a well-known Sufi sheikh of the late sixteenth and early seventeenth centuries.¹²⁷ Born in Şereflikoçhisar in 1541, he received his initial training in

¹²⁶ Although the sheikh 'Ömer had held a teaching position in Ottoman madrasas, he was better known as a preacher. For more information about him, see Tezcan, "Searching for Osman," 186–194 and Tezcan, *Second Ottoman Empire*, 118–128. For the lists of royal preceptors, see Tezcan, "Searching for Osman," 373–374, footnotes 77 and 78.

¹²⁷ For his life, see Tezeren, *Seyyid Azîz Mahmūd*; Beldiceanu, "Hüdâ'î," 538–539; Yılmaz, *Azîz Mahmūd Hüdâ'î* and Baskıcı, "Life between Piety and Politics." It should be noted here that, thanks to a recent finding by Derin Terzioğlu, we now know that some biographical information about Hüdāyī is wrong. For example, his attendance at the conversations of the Halveti sheikh Nûre'd-dīnzāde Muslihu'd-dīn at Küçük Ayasofya Mosque and his appointment to the post of sheikh of the

Sivrihisar, where he spent his childhood. After coming to Istanbul, Mahmūd Hüdâyî came under the patronage of Nāzırzāde Ramazan, from whom he received the status of novice in 1570/71 and whom he accompanied on his tenure in the judgeships of Egypt and Damascus. After completing this apprenticeship, Mahmūd Hüdâyî formally entered the learned hierarchy himself, being appointed simultaneously to the madrasa of Ferhādiye in Bursa as professor and to the court of Cāmi-i Atīk as *nā'ib* (deputy judge). After his teacher Nāzırzāde died, however, Mahmūd Hüdâyî left these official assignments and moved out of the learned hierarchy, attaching himself to Muhyī'd-dīn Üftāde, who played an important part in the process of the establishment of the Celveti Sufi order.

During this time, Mahmūd Hüdâyî also served as a preacher in the Fatih Mosque, where he gave lessons in hadith and Qur'anic commentary (*tafsīr*). After the construction of his Sufi lodge in Üsküdar in 1595, he left his position at Fatih Mosque and began to give Thursday sermons in the Mihrimah Sultan Mosque in Üsküdar.¹²⁸ However, even though he gave sermons in several mosques in Istanbul, it was the lodge he established in Üsküdar that truly made it possible for him to reach large masses of people.

To be more precise, the popularity of Mahmūd Hüdâyî in the social and political life of Ottoman Istanbul in the late sixteenth and early seventeenth centuries was, to a great extent, an outcome of the growing influence of Sufi sheikhs and preachers in Ottoman society. This influence emerged as a consequence of the long historical process of the institutionalization and domestication of Sufi groups in

same mosque are wrongly attributed to him when in fact this person was the Halveti sheikh known as İbrāhīm-i Kırīmī (d. 1593); see Terzioğlu, "Power, Patronage," 154–164.

¹²⁸ Yılmaz, *Azîz Mahmūd Hüdâyî*, 53 and Tezeren, *Aziz Mahmud Hüdâyî*, 15–16.

Ottoman society over the centuries.¹²⁹ In the fourteenth and fifteenth centuries, the Ottoman state and Sufis had had a very complicated relationship: while an esteemed scholar and Sufi sheikh like Bedrū'd-dīn was executed for his revolt against the nascent empire, several Sufi orders—among them the Zeynis, Bayramis, Halvetis, and Naqshbandis—gained a considerable degree of autonomy in Ottoman lands during the same period. In the sixteenth century, however, such orders' already intricate relationship with the state became even more convoluted as a result of the latter's institution of a more supervisory policy over Sufi orders, some of whose beliefs and practices were seen as possibly antithetical to the state's understanding of the Sunni Hanafi tradition at that time. As a corollary of this, even though state officials and learned men neither directly targeted nor outright forbade Sufi practices, they did carefully inspect the controversial practices of some Sufi groups and distanced themselves from these groups to a certain extent.¹³⁰

This process overlapped with a period when a series of construction projects, mainly educational and religious complexes, was becoming more visible across the empire.¹³¹ More specifically, as far as seventeenth-century Istanbul is concerned, in addition to the congregational mosques built by the sultans, members of the dynasty, Ottoman royal women, and state officials, many neighborhood and congregational mosques were also founded by wealthy individuals and supported by local residents, each of which provided posts for a preacher (*vā'iz*), prayer leader (*imām*), orator (*khatib*), Sufi sheikhs, and public lecturers (*ders-i 'ām*), to the extent permitted by the endowment deeds of these complexes.¹³² The existence of this wide variety of

¹²⁹ Derin Terzioğlu has meticulously examined this intricate process in her article, "Sufis in the Age," 86–99.

¹³⁰ Terzioğlu, "Sufis in the Age," 95–96.

¹³¹ Necipoğlu, *Age of Sinan*, 47–59.

¹³² For state officials' attempt to control and incorporate many professorships into the official learned hierarchy, see Atçıl, *Scholars and Sultans*, 155–161.

positions could help learned men secure a considerable degree of moral and religious legitimacy and thus widespread social and political power.¹³³ At the same time, these learned men's ability to reach wider audiences provided a very convenient ground for state officials to benefit from their growing role in society. As a result, a kind of rapprochement took place towards the end of the century among state officials, learned men, and Sufi groups.¹³⁴

Mahmūd Hūdayī was one of the leading Sufi sheikhs and preachers who emerged within this context, with his spiritual guidance attracting various social groups and individuals over several generations, including everyone from Ottoman sultans and state officials to ordinary Muslims. Two significant examples show the particular sway he held over Ottoman sultans. First, when the Sultan Ahmed Mosque was opened in 1616, it was Hūdayī who gave the first sermon there, and he went on to read sermons on the first Monday of every month.¹³⁵ Second, and more importantly, it was Hūdayī who girded Murad IV's sword during his enthronement ceremony.¹³⁶

It was probably in the 1610s, when the Celveti order had already begun to flourish under the direction of Mahmūd Hūdayī, that Minkārīzāde attended his Qur'an recitation sessions (*'ilm al-qirā'at*) and learned from him how to read and recite the Qur'an. Where the science of Qur'anic recitation is concerned, there are three basic methods of receiving it: *semā'* (learning Qur'anic recitation by hearing the teacher), *müşāfehe* (learning Qur'anic recitation by conversing face-to-face with

¹³³ For the roles of preachers in medieval Mamluk Cairo, see Berkey, *Popular Preaching*.

¹³⁴ For the growing importance of Sufis in Ottoman political thought in the sixteenth century, see Yılmaz, *Caliphate Redefined*.

¹³⁵ Considering that the Sultan Ahmed Mosque was regarded as illegitimate by the religious authorities of the time due to the fact that Ahmed had gained no victory against the Christians, the importance of Hūdayī's agreeing to give sermons there can be more easily appreciated. See Necipoğlu, *Age of Sinan*, 515.

¹³⁶ Kafadar, "Eyüp'te Kılıç Kuşanma," 59.

the teacher in close proximity), and *arza* (reciprocatively learning and uttering the Qur’anic recitation along with a teacher); however, it is not known by which method Minkārīzāde learned recitation from Hüdayī.¹³⁷ Nonetheless, as indicated by the word *ibtidā* (“as a beginning”) used by Şeyhī in his biographical dictionary, Minkārīzāde seems more likely to have learned Qur’anic recitation by hearing.¹³⁸ At first glance, this variety of Qur’anic recitation can be regarded as the first step in Minkārīzāde’s education. However, the fact that phonetic, phonological, morphological, syntactic, and stylistic differences in the science of Qur’anic recitation necessitate that it be studied in conjunction with several other fields—such as the Arabic language, jurisprudence (*fiqh*), Qur’anic commentary (*tafsīr*), hadith, theology (*kalām*), and Sufism—indicate that Minkārīzāde’s learning recitation from such an esteemed Sufi sheikh should not be underestimated, because the variants of Qur’anic recitation given by Hüdayī would be seminal knowledge that Minkārīzāde might have utilized in subsequent years.

As has been mentioned, Minkārīzāde’s father Minkārī ‘Ömer was inclined to sheikhs and pious men. This might be one main reason why Minkārīzāde himself leaned toward learning Qur’anic recitation from the famed Celveti Sufi master in his early years. Needless to say, as an esteemed public figure, Hüdayī’s recitations attracted people from a variety of backgrounds, but it is likely that Minkārīzāde, as the son of a professor, had an advantage when it came to actually entering the circles of this well-connected and esteemed master. In light of all this, it is clear that Sufi sheikhs and preachers, such as Hüdayī in this case, played a leading role not only by delivering sermons in mosques, but also by providing informal education.

¹³⁷ Birişik, “Kıraat,” 430–431.

¹³⁸ “Üsküdarî Şeyh Mahmūd Efendi hâzretlerinden kıra’at-ı Kur’ân-ı ‘azîmü’ş-şâna ibtidâ müyesser olmuş idi.” Quoted in Şeyhî, II, 1128.

In addition to Mahmūd Hüdāyī, another figure from whom Minkārīzāde received informal education was Kiçi Mehmed (d. 1644).¹³⁹ Born in Albania, Kiçi Mehmed was recruited into the palace school (*Enderun-ı Humayun*) as a *devşirme*, most likely at the end of the sixteenth century or in the early of the seventeenth century. He received his initial training in the palace, where he attended the lessons of the preceptor at the Palace School (*Saray Hācesī*) Karamanī Efendī, after which he left the palace to serve as a cavalry soldier (*sipāhī*) in the provinces. Although we do not know where or how long he was assigned to this post, his subsequent career took an unorthodox turn when he left his military career to become a public lecturer (*ders-i ām*) at Süleymaniye Mosque. It was also likely around this time that he was appointed as a teacher of the small chamber (*Küçük Oda Hacesī*) at Topkapı Palace, teaching the science of syntax using Ibn al-Hājib's *Al-Qāfiya*.¹⁴⁰ Kiçi Mehmed served as a public lecturer for many years without entering the learned hierarchy, and it was only toward the end of his life in the 1640s that he was appointed to the madrasa that had been founded by Kemankeş Mustafā.

Kiçi Mehmed seems to have taught a considerable number of scholars throughout his lifetime, two prominent figures among them being Evliyā Çelebi and Kātib Çelebi. Evliyā Çelebi mentioned in his *Seyāhatname*, for instance, that Kiçi Mehmed was the teacher of his Arabic lessons in the year 1634, when he was at Topkapı Palace.¹⁴¹ Similarly, we learn from Kātib Çelebi's *Mizānū'l-Hakk* that he attended Kiçi Mehmed's lectures at Süleymaniye Mosque in the year 1640/41.¹⁴² While biographical dictionaries provide little information regarding Minkārīzāde's relationship with Kiçi Mehmed, it is quite likely that Minkārīzāde attended Kiçi

¹³⁹ *Şeyhī*, I, 529–530.

¹⁴⁰ For a brief information about this work, see Kılıç, "El-Kāfiye," 153–154.

¹⁴¹ Evliyā Çelebi, *Evliyā Çelebi Seyahatnâmesi*, I, 178.

¹⁴² Kātib Çelebi, *Balance of Truth*, 139.

Mehmed's lectures when the latter was a public lecturer at Süleymāniyye Mosque. Considering that Minkārīzāde is thought to have received a formal madrasa education, the importance of public lecturers in informal learning circles within Ottoman society is an important issue that needs to be addressed.¹⁴³

Public lecturers were given in mosques and madrasas across the empire.¹⁴⁴ Although it is not known when the practice first appeared, references to the term in sixteenth-century sources indicate that it had been in use for some time.¹⁴⁵ The existence of a considerable number of scholars serving as public lecturers in both Atāyī and Şeyhī's biographical dictionaries makes it evident that their roles in Ottoman society increased throughout the course of the sixteenth and seventeenth centuries. What is even more telling in this regard is that there are five scholars recorded in Şeyhī's *Vekāyi 'u'l-Fuzalā* in connection with the term *ders-i 'ām*.¹⁴⁶

One of the important points to be emphasized about these lecturers is what lessons they taught, but unfortunately not much is known about these lessons. Even so, several pieces of information in contemporary sources provide some clues about the content of these lectures. In addition to Kiçi Mehmed—who was an expert on Arabic grammar, which he probably taught at Süleymaniye Mosque,¹⁴⁷—there was also for instance Kürd Abdullah, a public lecturer who was a master in transmitted

¹⁴³ Despite public lecturers' growing role in Ottoman society in the sixteenth and seventeenth centuries, however, this topic has not attracted a good deal of attention from Ottomanists. There are only two relevant works can be named in this regard: İpşirli, "Dersiâm," 185–186 and Akgündüz, *Osmanlı Dersiâmları*.

¹⁴⁴ It should be noted here that, while most of these public instructors gave their lectures at mosques and madrasas, they were also occasionally assigned to libraries, lodges, and tombs. For example, Şeyhü'l-Kurrā 'Alī el-Mansūrī was appointed as public lecturer to the tomb of Köprülü Mehmed Paşa; see Şeyhī, IV, 3280–3281.

¹⁴⁵ For example, Selānikī referred to this term in his work; see Selānikī, "*Tarih-i Selānikī*," II, 748.

¹⁴⁶ These scholars are: Ders-i 'ām Mehmed Efendi (Ferā'izci Mehmed), I, 843; Ders-i 'ām Sālih Efendi (Zihnī), II 1208–1210; Ders-i 'ām Bıçakçı Mehmed Efendi, II, 1261; Ders-i 'ām Çelebi (Mehmed), II, 1405–1406; Ders-i 'ām Benli Efendi (Mustafā), III, 2087–2088.

¹⁴⁷ Kātib Çelebi's comment on Kiçi Mehmed is interesting: "Mehmed Efendi was a consummate Arabic scholar. Whenever he touched on the profane sciences, he would always say fairly, 'If I don't know a thing and someone else does, let him speak up.' Unlike Qadizade, he did not disparage and reject what he did not know." Quoted in Kātib Çelebi, *Balance of Truth*, 139.

and rational sciences.¹⁴⁸ Evliyâ Çelebi also informs us that there were public lecturers teaching the science of hadith in the city of Van.¹⁴⁹ More examples can be given in this regard,¹⁵⁰ but what becomes clear in light of these examples is that these scholars gave lectures in whatever topics they were experts in. In other words, they did not follow an imperial or sultanîc “syllabus” such as that thought to have been followed by those who were employed as professors in Ottoman madrasas.¹⁵¹ From this point of view, the public lecturer position can be regarded as a semi-official scholarly post, which then raises the question of what their relationship with the Ottoman learned hierarchy was.

At this point, one might start to ask where we can place their employments within the learned hierarchy: were they employed in hierarchically organized positions like professors at madrasas, or did they follow different career paths existing outside the official hierarchy? Based on their biographies in Şeyhî’s *Vekāyi’u l-Fuzalā*, they seem not to have had established career paths of the kinds followed by professors employed in Ottoman madrasas. After receiving a proper education and proving their knowledge and competence, some of them did indeed begin to teach in madrasas as public lecturers before passing into the hierarchy as professors, but others remained in madrasas or mosques as public lecturers without going on to enter the hierarchy.¹⁵²

¹⁴⁸ Kātib Çelebi, *Balance of Truth*, 139.

¹⁴⁹ Evliyâ Çelebi, *Evliyâ Çelebi Seyahatnâmesi*, IV, 121.

¹⁵⁰ For more examples, see Akgündüz, *Osmanlı Dersîâmları*, 50–52.

¹⁵¹ For this topic, see Ahmed and Filipovic, “Sultan’s Syllabus,” 183–218. Tunç Şen has recently redressed this topic and come to the conclusion that “there were similar contemporary book lists drawn up concerning the makeup of imperial madrasa collections that involve references to numerous other texts not cited in the more famous 1565-6 register. Thus, it is no more tenable to view it or any of these other registers as an imperial or sultanîc ‘syllabus.’” Quoted in Şen “Sultan’s Syllabus Revisited,” 220–221.

¹⁵² While, for example, Ders-i ‘âm Mehmed, Ders-i ‘âm Sâlih and Ders-i ‘âm Çelebi entered the Ottoman ulama after first serving as *ders-i ‘âm*, Ders-i ‘âm Bıçakcı did not enter the hierarchy after serving in that capacity. Ders-i ‘âm Benli, on the other hand, first entered the hierarchy as a professor, but subsequently left the standard career path of the Ottoman ulama and became *ders-i ‘âm* in a number of mosques. For their biographies, see footnote 147.

More important than all this, however, is the fact that their period of employment usually lasted longer than those who were employed in official positions as professors, as well as the fact that the attendees of their lectures was not necessarily limited to students of Ottoman madrasas. To put it differently, they had a greater opportunity to reach a wider audience. These two special features are in fact the most important characteristics of these public lecturers: it was what distinguished them from other professors employed in the official hierarchy while also enabling them to establish closer contact with the public, just as in the case of preachers.¹⁵³ In this regard, while it would be very wrong to claim that a person receiving a formal education in Ottoman madrasas was limited to a formal education only, it would be equally wrong to assert that someone who did not receive a formal madrasa education lacked any opportunity to take lessons taught in Ottoman madrasas. It was precisely these public lecturers who had a chance to instruct members of the public, be they madrasa students or ordinary Muslims of diverse backgrounds.

In the end, it can be argued that Minkārīzāde's teacher-student relationship with both Mahmūd Hüdāyī and Kiçi Mehmed was made possible by the growing importance of Sufi sheikhs, preachers, and public lecturers (*ders-i 'ām*) in Ottoman society at the end of the sixteenth and on into the seventeenth century. The fact that Minkārīzāde received lessons from such figures also serves to highlight the growing importance of informal educational opportunities beyond formal ones, a phenomenon which considerably blurred the lines between institutional and public learning.

In addition to Mahmūd Hüdāyī and Kiçi Mehmed, another learned man from whom Minkārīzāde received education was his brother-in-law, Semīn Velī (d.

¹⁵³ It should be noted here that, although the topics of the informal transmission of knowledge and informal learning circles have been well addressed in a recent study mainly focused on the growing importance of preachers in the political public sphere in seventeenth-century Istanbul, references to *ders-i 'ām* is almost absent; see Gürbüz, "Teachers of the Public," 144.

1650).¹⁵⁴ Originally from Bazarköyi in Maraş, Semîn Velî received *mülâzemet* from Hâcezâde ‘Abdu’l-lâh.¹⁵⁵ After serving in a number of madrasas of 40-*akçe* level and below, he reached the *haric* level in 1633, and in subsequent years served as professor in several other madrasas, including one of those associated with the Süleymaniye Mosque. He later entered the judicial branch and was appointed to the judgeships of İzmir and Üsküdar in turn.

Biographical dictionaries are silent on when Minkārîzâde took lessons from Semîn Velî. Considering, however, that Semîn Velî reached the *haric* level with his appointment to the madrasa of Cezerî Kâsım Paşa in 1633, it is likely that Minkārîzâde received some variety of informal education from him at an early age, as was also the case with Mahmud Hüdayî and Kiçi Mehmed. The fact that Semîn Velî was Minkārîzâde’s brother-in-law also indicates another crucial way of gaining access to learning; namely, by way of immediate family members.

Another notable scholar who had a particular influence on Minkārîzâde’s scholarly genealogy, and a particular role in linking his intellectual tradition to Persian scholars of the fifteenth and sixteenth centuries, is Hoca ‘Abdu’r-rahîm (d. 1656).¹⁵⁶ He was born and raised in Adana, where he was educated by a number of religious notables of the city; namely, Ahmad al-Munjalî, Husayn Khalkhâlî, and Sadru’d-Dîn Şîrvânî. He likely came to Istanbul in the first quarter of the seventeenth century and came under the patronage of Hocaîzâde ‘Abdü’l’azîz, one of Sa’de’-dîn’s sons.¹⁵⁷ In turn, he became the teacher of Hocaîzâde ‘Abdü’l’azîz’s son Bahâyî Mehmed, who would go on to become the chief jurist in 1649–1651 and 1652–1654.

¹⁵⁴ *Şeyhî*, I, 649–650.

¹⁵⁵ *Şeyhî*, I, 251–253.

¹⁵⁶ *Şeyhî*, I, 738–740.

¹⁵⁷ More information about Sa’de’-d-dîn’s family will be given later. For his biography, see *Atâyî*, 1582–1584.

After receiving *mülāzemet* from Hocaẓāde ‘Abdü’l‘azīz, Hoca ‘Abdu’r-rahīm started his teaching career, serving in a number of madrasas between 1620 and 1634; namely, Siyāvuş Paşa, Hāfız Paşa, Mustafā Ağa, the Sahn, Gevher Hān Sultān, Ayasofya-i Kadīm, and Süleymāniyye between the years 1620–1634. He then passed on to a judicial career with an appointment to the judgeship of Yenişehir in 1634. He was appointed to a number of judgeships in subsequent years and rose to the position of chief jurist between the years 1647 and 1649.

The most significant incident during his tenure in this office was the legal opinion he gave regarding the dethronement and the execution of Sultān İbrahim in 1648.¹⁵⁸ Although he had enough clout to issue such a momentous legal opinion, his subsequent career seems to have taken a turn for the worse, as he was dismissed from the office of chief jurist in 1649 and subsequently appointed to a number of judgeships, including the judgeship of Belgrade, where he died in 1656. The most prevalent and prominent aspect of his scholarly career is the large number of students he educated, which resulted in his being termed *Hāce/Hoca* (master/teacher) ‘Abdu’r-rahīm.’¹⁵⁹ Unfortunately, we lack information regarding when exactly Minkārīzāde became Hoca ‘Abdu’r-rahīm’s student. Considering, however, that Hoca ‘Abdu’r-rahīm held professorships throughout the 1620s, it is likely that Minkārīzāde received a formal education from him.

Until recently, what we knew about Hoca ‘Abdu’r-rahīm was mainly limited to the career described above. However, thanks to the recent work of Khaled El-Rouayheb, we have learned from a little-known treatise of Hoca ‘Abdu’r-rahīm’s

¹⁵⁸ Elmas, “Hal’ Fetvaları,” 111–119. It is interesting to note here that Hoca ‘Abdu’r-rahīm’s son Mehmed and Mehmed’s son Yahyā also played important roles in the depositions of Mehmed IV in 1687 and Mustafā II in 1703. See Abou-El-Haj, *1703 Rebellion*, 28. Also see Tezcan, *Second Ottoman Empire*, 220.

¹⁵⁹ In addition to Minkārīzāde and Bahāyī Mehmed, another student of Hoca ‘Abdu’r-rahīm who became the chief jurist was Bolevī Mustafā (d. 1675).

that he traced his own scholarly genealogy back to Persian scholars of the fifteenth and sixteenth centuries who had written about the rational sciences, logic, grammar, dialectic, rational theology, semantics, and rhetoric. This intellectual genealogy can be seen in the Figure 1.¹⁶⁰

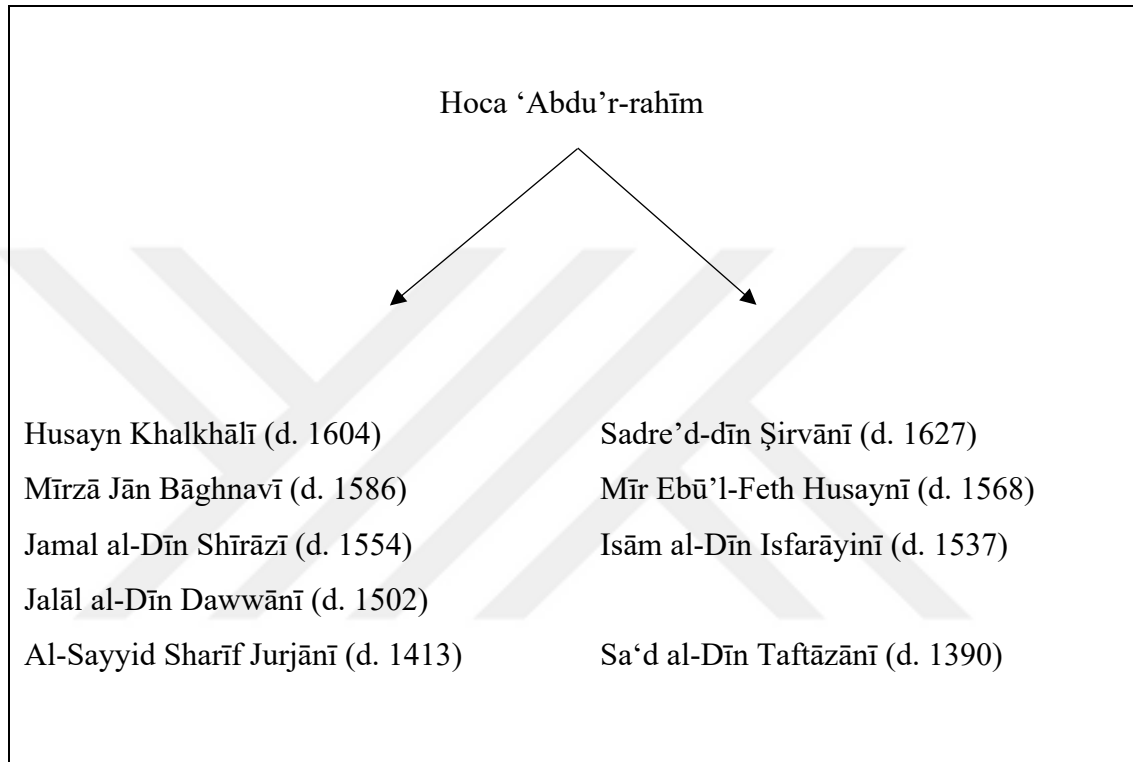


Fig. 1 The scholarly genealogy of Hoca 'Abdu'rahīm

Although El-Rouayheb claimed that Minkārīzāde gave the same genealogy to the Medinan scholar Ibrāhīm al-Khiyārī (d. 1672), who travelled from Medina to Istanbul in 1669–1670,¹⁶¹ there is, in fact, a slight difference in his account. The scholars in this version are as follows: Ahmed Mīnjal, Husayn al-Khalkhālī, Sadre'd-dīn Šīrvānī, Sa'd al-Dīn al-Taftāzānī, and al-Sayyid Sharīf al-Jurjānī.¹⁶² A quite

¹⁶⁰ El-Rouayheb, *Islamic Intellectual History*, 42–44, at 43.

¹⁶¹ El-Rouayheb, *Islamic Intellectual History*, 43. For more information about him and his work, see Alfaify, "Image of Turkey" and Masters, *Arabs of the Ottoman Empire*, passim.

¹⁶² Ibrāhīm al-Khiyārī, *Riḥlat al-Khiyārī*, I, 310–311.

similar genealogy of Minkārīzāde is also given by the eighteenth-century scholar Bandırmalı Küçük Hâmid Efendi (d. 1758/59), who had Minkārīzāde's scholarly lineage as follows: Hoca 'Abdu'r-rahīm, Ahmed Minjal, Husayn al-Khalkhālī, Mīrzā Jān al-Shīrāzī, Jamal al-Dīn Mahmūd al-Shīrāzī, Jalāl al-Dīn al-Dawwānī, and al-Sayyid al-Sharīf al-Jurjānī.¹⁶³ It would be also beneficial to remind in this context that the renowned chief jurist of the late seventeenth century Feyzu'l-lāh (d. 1703) gave a quite similar scholarly genealogy of his father-in-law Vānī Mehmed (d. 1685) as follows; Sayyid Nure'd-dīn Şīrvānī, Sheikh Mehmed Refi' Şīrvānī, Husayn al-Khalkhālī, and Mīrzā Jān al-Shīrāzī.¹⁶⁴ Although there was slight differences between these lineages, the importance of this genealogy, according to El-Rouayheb, lies in the fact that both Hoca 'Abdu'r-rahīm and Minkārīzāde traced their scholarly genealogies to the Persian scholars of the fifteenth and sixteenth centuries rather than linking themselves to highly esteemed Ottoman scholars like Mollā Fenarī, Ahmed Hayalī, Kemalpaşazāde, Taşköprizāde, or Ebu's-su'ūd. In a sense, this finding supports the conclusion of Ertuğrul Ökten, who examined the mobility of scholars from the reign of Osman to that of Süleyman I by specifically emphasizing the role of the students of Sa'd al-Dīn al-Taftāzānī and Sayyid al-Sharīf al-Jurjānī in the formation of the Ottoman learned hierarchy.¹⁶⁵

In another respect, this scholarly genealogy also lends support to Khaled El-Rouayheb's own objections against the view that there was a decline in interest in the rational sciences in the seventeenth-century Ottoman world.¹⁶⁶ Contrary to the prevalent views in the relevant literature, he argued instead that there was a group of

¹⁶³ Bandırmalı Küçük Hâmid Efendi, *Fehāris*, 528–530.

¹⁶⁴ Türek and Derin, "Hal Tercümesi, I," 207.

¹⁶⁵ Ökten, "Scholars and Mobility," 55–70. See also Arıcı, "Seyyid Şerif Cürcânî," 61–95.

¹⁶⁶ El-Rouayheb, "Triumph of Fanaticism," 196–221 and El-Rouayheb, *Islamic Intellectual History*, 13–59.

scholars in the seventeenth century who specialized in the rational sciences; namely, logic, philosophy, dialectic, and rational theology. These scholars not only produced a considerable number of related works, but also gained a reputation as influential teachers in those sciences. Hoca ‘Abdu’r-rahīm, for instance, was among those scholars who hailed from the Kurdish regions of the Ottoman Empire.¹⁶⁷

One of the direct outcomes of this concentration on rational sciences among Ottoman scholars over the course of the seventeenth and eighteenth centuries was a growing interest in the field of *ādāb al-baḥth* (the science of dialectics or disputation). One example of such a work that has not attracted much attention in the relevant literature is Minkārīzāde’s *Hāṣiye ‘alā Hāṣiye Mīr Ebū’l-Feth li Şerhi’l-Haneḫī ‘alā’l-ādābu’l-adudiyye*.¹⁶⁸ While a detailed examination of this work exceeds the limitations of this author and this study, it may nonetheless be useful in this context to say a few words about the development of the field of dialectics in the Islamic world.

The discipline of *ādāb al-baḥth* derived from two methods used by early Islamic theologians—namely, *‘ilm al-khilāf* (the science of juristic differences) and *jadāl* (theological dialectic)—which in turn were based on the Aristotelian dialectics set forth in Aristotle’s *Topics*.¹⁶⁹ Whereas *khilāf* referred to differences of opinion among scholars belonging either to one particular school of law or to different

¹⁶⁷ Other scholars who can be named in this regard are Mullā Çelebī Āmidī (d. 1656), ‘Umar Çillī, Muhammad Sharīf al-Kūrānī (d. 1676), and Haydar Husaynābādī (d. 1717). See El-Rouayheb, “Triumph of Fanaticism,” 213–216. The relationship between Hoca ‘Abdu’r-rahīm and Mulla Çelebī Āmidī was recently examined by Hüseyin Örs. See Örs, “Taşradan Merkeze Sorular,” 257–298. See also Kalaycı, “Bir Osmanlı Kelâmcısı,” 53–146.

¹⁶⁸ Süleymaniye YEK; Hacı Beşir Ağa MS, 578; Hamidiye MS, 1449/3, ff. 97-131; Laleli MS, 3044/3, ff. 31-70; 3047/1, ff. 1-34; 2944; 3028/4, ff. 123-133; 3051/8, ff. 57-94; Nafiz Paşa MS, 1351; Şehid Ali Paşa MS, 2311/3, 99-126; Yazma Bağışlar MS, 1846/6, ff. 47-77. Beyazid YEK, Beyazid MS, 5946, ff. 34b-72a; Atıf Efendi YEK, Atıf Efendi MS, 2797/11, ff. 82-101. Nuruosmaniye YEK, Nuruosmaniye MS 4484/1, ff. 1-60. Hacı Selim Ağa YEK, Kemankuş MS, 318/8, ff. 97-139.

¹⁶⁹ For more information about this topic, see Miller, “Islamic Disputation Theory”; Young, *Dialectical Forge*, passim; Young, “Mulâzama,” 332–385; and Young, “Concomitance to Causation,” 205–282. For Aristotle’s *Topics*, see Aristotle and Smith, *Topics*. Also see Hill and Kagan, “Aristotelian Dialectic,” 25–42.

schools of law, *jadāl* was formalistically used in the process of analogy in the verification of legal cause, demonstrating its consistency (*tard*) and convertibility (*'aks*).¹⁷⁰ These two methods were early on regarded as essential components for Islamic theology and jurisprudence, as well as for the teaching of legal sciences.

It was not until Shams al-Dīn Samarqandī's (d. 1303) *Risāla fī ādāb al-baḥth* that previous rules of disputation were combined into a general theory of argumentation that was applicable to all fields of knowledge as opposed to just theology and jurisprudence.¹⁷¹ Samarqandī's seminal work was so influential among Muslim scholars that it became the point of reference for subsequent works, and a number of glosses, super-glosses, and commentaries were written on it. The best-known scholars to write about *ādāb al-baḥth* were 'Adud al-Dīn al-Ījī (d. 1355), Sayyid al-Sharīf al-Jurjānī (d. 1413), Kamāl al-Dīn Mas'ūd al-Rūmī al-Shirwānī (d. 1499), Mullā al-Tabrīzī (d. 1494), Tāṣköpürzāde (d. 1561),¹⁷² Mīr Abū al-Fath al-Ardabīlī (d. 1567), Saçaklızāde (d. 1737), and Ismā'īl Gelenbevī (d. 1791).¹⁷³

Among these works, Minkārīzāde's aforementioned treatise was a super-gloss on Mīr Abū al-Fath al-Ardabīlī's gloss, which itself was written upon the commentary of Mullā Hanafī al-Tabrīzī on 'Adud al-Dīn al-Ījī's *Risāla fī ādāb al-baḥth*.¹⁷⁴ Unfortunately, the extant copies of this work do not allow us to specify its exact date of composition,¹⁷⁵ but it can be speculated upon by taking into account the fact that Hoca 'Abdu'r-rahīm had a distinct role in Minkārīzāde's own inclination to

¹⁷⁰ Makdisi, *Rise of Colleges*, 107–111 and El-Shamsy, "Wisdom of God's Law," 29–30. Also see Makdisi, "Scholastic Method," 640–61.

¹⁷¹ For more information about this work and its place in the post-classical period, see Karabela, "Development of Dialectic," 118–189. Also see Young, "Juridical Dialectic," 62–128.

¹⁷²

¹⁷³ For more information about these scholars and their works, see Karabela, "Development of Dialectic," 139–189. Also see Belhaj, "Neglected Art," 291–307.

¹⁷⁴ Brockelman, *Arabic Written Tradition*, II, 231 (2/268). For information about 'Adud al-Dīn al-Ījī, see Altaş, *Adudiiddin el-İcî*.

¹⁷⁵ The earliest copy that I have found bears the date 1681/1682. See Beyazıt YEK, Beyazıt MS 10697.

the rational sciences. Given this, it is most likely the case that Minkārīzāde penned his treatise as an extension of his interest in this field in the early stages of his life. Although not thoroughly examined in this study, Minkārīzāde's work on *ādāb al-baḥth* is crucial in acknowledging him as taking part in the larger intellectual trends of the seventeenth-century Islamic world.¹⁷⁶

Now that I have examined the scholars of various backgrounds from whom Minkārīzāde received some variety of education in his early years, it is time to move on to the years he spent as a bureaucrat in the Ottoman learned hierarchy.

2.4 Minkārīzāde's professional career

As a member of the Ottoman learned hierarchy, Minkārīzāde can be perfectly fitted into the category of scholar-bureaucrats, a topic that was previously addressed. Although this term highlights the dual roles of the members of the Ottoman ulama, these scholar-bureaucrats, as Tezcan rightly argues, “seem to have been legal bureaucrats first and scholars second, as the ultimate aim of most of them seem to have been the attainment of a judicial position.”¹⁷⁷ This inference is also valid for Minkārīzāde to an extent, as he was assigned to different teaching positions and appointed to different Ottoman cities as a judge before coming to occupy the highest level of the hierarchy. That is to say, Minkārīzāde spent much of his life as a bureaucrat serving in various teaching and judicial positions.¹⁷⁸ For this reason, his

¹⁷⁶ We should not forget another important feature of Minkārīzāde: Several prominent late seventeenth-century scholars—namely Fāzıl Kara Halīl, Tefsīrī Mehmed, Müneccimbaşı Ahmed, and Fāzıl Süleymān, who had a teacher-student interaction with Minkārīzāde—wrote similar works in the field of *ādāb al-baḥth*. This topic will be further examined in the last part of this study. For the biographies of these two scholars, see *Şeyhî*, III, 2506–2510 and 2124–2125. For Kara Halīl, see also El-Rouayheb, *Islamic Intellectual History*,” 23–24, 122–125.

¹⁷⁷ Tezcan, “Law School,” 252.

¹⁷⁸ Rather than using the concept of bureaucracy in the Weberian sense, I tend to give more credibility to its loose definition, which was eligibly defined by Crooks and Parsons as “routine administrative activity delegated to office holders (who are often, but not always, professional career administrators), conducted on the basis of records (though not always written records), with some differentiation and

bureaucratic career in both educational and judicial positions deserves special consideration for the purposes of this study, and will now be examined in detail.

In general terms, the Ottoman learned hierarchy provided two main career routes for those who constituted its membership. After their graduation from a madrasa and attainment of the status of novice (*mülāzemet*), scholar-bureaucrats would either follow the career track of ulama dignitaries (*mevali*) or become town judges (*kasabat kadı*).¹⁷⁹ In order to follow the former career path, however, one first had to teach at various madrasas before moving onto a career in the judicial branch. As the son of a high-ranking scholar, Minkārīzāde was expected to follow a career pattern similar to that which his father had followed. Indeed, after attaining the status of novice, Minkārīzāde taught at various madrasas before passing into the judicial track, which was an indispensable step for him in order to follow the career path of an *mevali* in his later career.

As the Ottoman learned hierarchy reached its maturity at the end of the sixteenth century, it became almost impossible to enter the hierarchy without the status of novice, a topic that will be examined in depth in the final chapter of this study. Here it is sufficient to remember that obtaining novice status from a highly esteemed scholar increased one's chances of advancing within the hierarchy as compared to those who did not. In this regard, since Minkārīzāde received the status

specialization of offices that are organized hierarchically and are reliant on systems of communications." Quoted in Crooks and Parsons, "Paradox of Power," 17–18.

¹⁷⁹ Atçıl meticulously summarized the different career paths in the Ottoman learned hierarchy as follows: "Generally speaking, there were two broad avenues in the official hierarchy: the career track of dignitaries (*mevali*) and that of town judges (*kasabat kadıs*). It is possible to identify four different paths that led to, or were lanes within, these two broad avenues: (1) judgeships only, without the status of dignitary, (2) professorships followed by judgeships but with no status of dignitary, (3) the lower career track of dignitaries: professorships followed by judgeships with the status of dignitary but the loss of the chance to reach the top, and (4) the upper career track of dignitaries: professorships followed by judgeships with the status of dignitary and the opportunity to reach the hierarchy's upper echelons." Quoted in Atçıl, *Scholars and Sultans*, 188–189.

of novice from Hocaẓāde Es'ad (d. 1625), attention should first be paid to the latter's family background and role in Ottoman politics in the early seventeenth century.¹⁸⁰

Hocaẓāde Es'ad came from the family of Sa'ded-dīn, one of the prominent ulama families of the sixteenth and seventeenth centuries. Originally from Persia, Sa'ded-dīn's father Hasan Can became a courtier of Selim I before becoming *müteferrika* (a kind of elite officer in the Ottoman palace) during the reign of Süleyman I. Due to the networks that his father had built, Sa'ded-dīn was able to attain novice status from the chief jurist of the time, Ebu's-su'ūd, in 1555/56. After serving in a number of madrasas in different cities, he became the preceptor (*hāce*) of Prince Murad in 1573, a position that he retained after Murad's enthronement the next year. Sa'ded-dīn maintained his power during the reign of the next sultan, Mehmed III, and in 1598 he rose to the position of chief jurist.

Although he occupied this office for only one year, he established a *mevali* dynasty of sorts during the years that he was an active figure in Ottoman politics. One strong indicator of his power is the fact that all five of his sons received the status of novice from him, with one of his sons, Hocaẓāde Es'ad, becoming the judge of Istanbul at only twenty-eight years old. Even more important is that two of his sons— Hocaẓāde Mehmed (t. 1608–1615) and Hocaẓāde Es'ad (t. 1615–1622, 1623–1625)—would go on to occupy the highest position in the Ottoman learned hierarchy for much of the first quarter of the seventeenth century. This rise of the *mevali*, or “lords of the law,” is one of the most important developments on which Baki Tezcan based his *The Second Ottoman Empire*.¹⁸¹

In light of Tezcan's arguments, it would not be wrong to argue that Hocaẓāde Es'ad's power, together with that of his brother, stemmed from the political influence

¹⁸⁰ For his biography, see *Atâyî*, 1704–1709.

¹⁸¹ Tezcan, *Second Ottoman Empire*, 30–47.

that their father had accumulated, something which only became possible with the increasing political importance of the law that they represented in Ottoman politics over the years. In other words, Hocaẓāde Es‘ad’s power arose from both his familial background and the political influence of his office as an ultimate outcome of the political empowerment of jurists’ law and its practitioners during the late sixteenth and early seventeenth centuries. More specifically, Hocaẓāde Es‘ad also became involved in a number of controversial issues as both judge of Istanbul and chief jurist, among them the vital role he played in the enthronement of Mustafā I.¹⁸² All of these facts demonstrate that Hocaẓāde Es‘ad was no ordinary member of the upper ranks of the Ottoman learned hierarchy, but rather the most important figure of the period in which he lived.

How, then, was it possible for Minkārīẓāde to receive novice status from such a figure? In the absence of any affiliations with powerful figures, it was rare for a candidate to receive novice status from the hierarchy’s upper echelons. As has been mentioned, Minkārī ‘Ömer died in 1624 as the judge of Mecca, which makes it possible to deem him a dignitary (*mevali*). It is therefore safe to argue that Minkārīẓāde’s father’s networks made it feasible for him to obtain his license from such an important figure as Hocaẓāde Es‘ad. In this context, it should be recalled that Minkārī ‘Ömer’s appointments to the prestigious judgeships of the empire—namely, Jerusalem and Mecca—materialized during Hocaẓāde Es‘ad’s tenure as chief jurist. Similarly, it is also worth remembering that Minkārī ‘Ömer was inclined to pious men and sheikhs, and that Hocaẓāde Es‘ad was himself a disciple of Mahmūd Hüdayī, which provides a possible ground for Minkārīẓāde’s receiving the status of

¹⁸² For these issues, see Tezcan, “Ottoman Mewali,” 404–407. Tezcan treats this enthronement a kind of constitutional act within the context of what he calls “The Second Empire.” See Tezcan, *Second Ottoman Empire*, 76.

novice from Hocaẓāde Es‘ad. In short, Minkārī ‘Ömer’s networks and standing in the learned hierarchy opened a path for Minkārīẓāde to contact high-ranking officials in Istanbul and made it possible for him to attain novice status from Hocaẓāde Es‘ad, which in turn can be presumed to have given him a considerable advantage in his subsequent career.¹⁸³

Although we know that Minkārīẓāde attained *mülāzemet* from Hocaẓāde Es‘ad, we do not know when he received this status. Unfortunately, in general, biographical dictionaries are silent about the exact date when the status of novice is received. Neither Uṣṣākīẓāde’s nor Şeyhī’s account of Minkārīẓāde are informative on this issue, nor have I come across any indications of the exact date of Minkārīẓāde’s reception of novice status from Hocaẓāde Es‘ad during my research into the regular day registers (*ruẓnamçe*).¹⁸⁴

Additionally, it is possible that Minkārīẓāde did not receive the status of novice from Hocaẓāde Es‘ad during the latter’s tenures in the office of chief jurist in 1615–22 or 1623–25, but considering that Minkārīẓāde was born in 1609, it is likely that he received this status towards Hocaẓāde Es‘ad’s final years. Either way, it seems that Minkārīẓāde must have completed his madrasa education by the mid-1620s and received novice status by May 1625 at the latest, before Hocaẓāde Es‘ad’s death.

Regarding the teaching career of Minkārīẓāde, it would be beneficial to first start with a list of the madrasas to which he was assigned and the length of his tenures, which can be seen in the Table 1.

¹⁸³ For the relationship between ulama dignitaries and their novices (*mülazıms*), see Atçıl, *Scholars and Sultans*, 181–186.

¹⁸⁴ For the list and brief information about the *kazasker rûznâmçeleri*, see Baltacı, “Kadî-asker Rûznâmçelerinin,” 55–100 and Erünsal, “Kazasker Ruznamçeleri,” 401–447.

Table. 1 The list of madrasas to which Minkārīzāde was assigned

Madrasas	Term of office ¹⁸⁵
Kürkcübaşı	1046 Şevvāl–1049 Şevvāl / February 1637–February 1640
Emre Hâce	1049 Şevvāl–1050 Zi'l-ka'de / February 1640–March 1641
Hādım Hasan Paşa	1050 Zi'l-ka'de–1051 Rebū'īl-Evvel / March 1641–June 1641
Zekerıyyā Efendi Üläsı	1051 Rebū'īl-Evvel–1053 Zi'l-ka'de / June 1641–February 1644
Sahn-ı Semāniye	1053 Zi'l-ka'de–1054 Safer / February 1644–May 1644
Pīrī Paşa	1054 Safer–1055 Receb / May 1644–August 1645
Siyāvuş Paşa Sultānı	1055 Receb–1056 Receb / August 1645–August 1646
Sultān Selīm-i Kadīm	1056 Receb–1058 Muharrem / August 1646–January 1648
Medāris-i Süleymāniyye	1058 Muharrem–1058 Zi'l-Hicce / January 1648–December 1648

Given that Minkārīzāde reached the *haric* level in 1637 with his appointment to the professorship at Kürkcübaşı Madrasa,¹⁸⁶ his teaching career must have begun a few years earlier, as it was usual for a scholar to spend time in a waiting period after receiving novice status and to teach in madrasas below the 40-*akçe* level (madrasas were hierarchically organized according to the textbooks taught in them; namely, the *Tecrid*, the *Miftah*, and the *Telviḥ*).¹⁸⁷ This means Minkārīzāde must have spent at least a couple of years in these madrasas before reaching the *haric* level.

However, since biographical dictionaries usually only introduce scholars' teaching careers after they have reached the *haric* level, it is very difficult to use such

¹⁸⁵ Since Şeyhī, in his biographical dictionary, did not specify on which day Minkārīzāde was assigned to these madrasas, the equivalent dates of his appointments are given roughly in the Gregorian calendar.

¹⁸⁶ It should be noted here that Uşşākīzāde dated the appointment of Minkārīzāde to the Kürkcübaşı Madrasa to the year 1634 instead of 1637. Given, however, that one of Şeyhī's objectives in writing his *Vekāyi 'u'l-Fuzalā* was to correct the mistakes and shortcomings of an earlier book (with Şeyhī presumably implying Uşşākīzāde's *Zeyl-i Şakā'ik*), I have tended to regard the information given by Şeyhī as more reliable. For a comparison of these two works, see Ekinci, "Mukayyesesi," 25–48.

¹⁸⁷ For more information about the ranks of Ottoman madrasas, see Uzunçarşılı, *İlmiye Teşkilatı*, 11–32. For the textbooks in question, see Topaloğlu, "Tecridü'l-i'tikād," 250–251; Benli, "Miftāhu'l-Ulūm," 20–21; and Özen, "Tenkīhu'l-Usūl," 454–458.

sources to obtain sufficient information about a scholar's teaching positions below the *haric* level. As already mentioned, we lack information about the exact date when Minkārīzāde received novice status, and even if Minkārīzāde obtained this status from Hocaẓāde Es'ad during the latter's second tenure as chief jurist (1623–1625), there is still a considerable time period between that date and Minkārīzāde's appointment to the *haric* level. In the absence of concrete evidence regarding Minkārīzāde's early teaching career, then, we can only speculate that after the deaths of both his father and Hocaẓāde Es'ad in 1624 and 1625 respectively, Minkārīzāde may have lost access to important networks of patronage, resulting in his having to wait for a significant period of time before an initial appointment as professor to one of the lower madrasas.¹⁸⁸

An interesting detail supporting the possibility that Minkārīzāde had difficulties in finding an available position in the educational institutions is a note that he recorded at the beginning of a short treatise, in which he wrote two super-glosses 1) on a specific verse (Al-Isra 17: 88) in al-Baydāwī's *Anwār al-Tanzīl* and 2) on the chapter *Kitāb al-Aymān* of Sadr al-Sharī'a's *Sharh al-Wiqāya*.¹⁸⁹

Accordingly, Minkārīzāde asserted that he composed this treatise to present it to the chief jurist of the time, who came from the great warfare (*cihad-ı ekber*) to Istanbul, asking him to be appointed to a madrasa, so that he can be saved from the abyss of pondering and gloom. Although he did not specify the name of the chief jurist, it is a high possibility that Minkārīzāde penned these two treatises during the 1620s and 1630s.

¹⁸⁸ Interestingly enough, the biographies of Hocaẓāde Es'ad and Minkārī 'Ömer were given one after another in Atāyī's *Hadā'iku'l-Hakā'ik*. See Atāyī, 1704–1709; 1709–1710.

¹⁸⁹ Süleymaniye YEK, Reşid Efendi MS 215, ff: 176b–185b.

The limited evidence in primary sources about the madrasas where Minkārīzāde taught makes it quite difficult to fully contextualize these appointments within his teaching career. However, based on what we do know, there are still certain inferences that can be drawn. In this regard, Baki Tezcan's recent survey provides a convenient ground for better contextualizing Minkārīzāde's teaching career. In his study, Tezcan draws two important conclusions about the careers of members of the Ottoman learned hierarchy, which he does by focusing on 159 scholars appointed to Sahn madrasas during the reigns of two sultans, Murad III (r. 1574–95) and Mehmed III (r. 1595–1603).¹⁹⁰ First, Tezcan highlights how socially privileged professors were able to attain professorships at Sahn madrasas at an earlier age because they had started their teaching careers earlier as compared to those lacking such privilege. Secondly, he emphasizes the tendency that enabled scholars to be appointed to higher-ranking colleges after they had occupied a professorship at the Sahn madrasas, which is in line with Abdurrahman Atçıl's argument maintaining that "teaching at the Sahn constituted a kind of threshold for the highest positions."¹⁹¹

In light of these findings, it can be inferred that as compared to his father, who was probably not appointed to the Sahn madrasas until he was in his fifties, Minkārīzāde seems to have reached a Sahn professorship relatively earlier in life, at the age of 35. Considering, however, that Minkārīzāde received the status of novice from a member of a very prominent ulama family, his appointment to the Sahn cannot be considered as such. Tezcan's findings, for instance, show that among the scholars that he studied, six scholars who would eventually become chief jurist had

¹⁹⁰ Tezcan, "Law School," 237–282.

¹⁹¹ Atçıl, "Route to the Top," 499.

been appointed to the Sahn at the ages of 20, 22, 28, 30, 31, and 46. The last among these, Ebulmeyamin Mustafā, was the least privileged one.¹⁹²

As previously mentioned, we have no knowledge about how many years Minkārīzāde spent before reaching the *haric* level, which he attained in 1637 with his appointment to the madrasa of Kürkcibaşı. We do know, however, that his remaining teaching career lasted nearly twelve years, between 1637 and 1649. Of especial note here is that, while it took seven years to be appointed to the Sahn madrasas, Minkārīzāde was assigned to four different madrasas in the following years and was promoted up through the hierarchy. In other words, just four years after his appointment to the Sahn, Minkārīzāde would attain one of the highest-ranking and most prestigious teaching positions in the hierarchy with his 1648 appointment to professorship at one of the Süleymāniyye madrasas. In this regard, when we look at Minkārīzāde's later teaching career in the light of Tezcan's second inference, we see that he was appointed in turn to the madrasas of Pīrī Paşa, Siyāvuş Paşa Sultānı, Sultān Selīm-i Kadīm, and Süleymāniyye, all of which ranked higher than the Sahn in the hierarchy. This allows us to conclude that Minkārīzāde received regular promotions and advanced steadily in the hierarchy in his later teaching career.¹⁹³ Overall, it can be concluded that Minkārīzāde seemed to have initial difficulties in reaching the Sahn madrasas as compared to his later teaching career, which would take him to a top teaching position in a comparatively short span of time.

¹⁹² Tezcan, "Law School," 246.

¹⁹³ Şeyhī described Minkārīzāde's appointment as follows; "*Kürkcibaşı Medresesi hāricine 'āric...*; *Emre H'āce Medresesi 'ne revnağ -bahşā...*; *Hādım Hasan Paşa Medresesi 'ne zīnet-efzā...*; *Şeyhü'l-İslām Zekerıyyā Efendi Medresesi Ülāsi 'na müderris ve bünyān-ı fezā 'ili mü'essis...*; *Şahın-ı Semāniyye 'nüñ birine sāye şalup...*; *...Pīrī Paşa...* ve *Siyāvuş Paşa Sultānı Medreseleri 'nde gevher-nişār-ı faẓl u efdāl...*; *Sultān Selīm-i Kadīm Medresesi ile tekrīm...*; *Medāris-i Süleymāniyye 'den birinde murabba'-nişān-i mesned-i ta'ẓīm olup...*" Quoted in Şeyhī, II, 1129.

Another important detail regarding Minkārīzāde’s teaching career is the geographical location of the madrasas where he taught. The following Figure 2 reveals these madrasas’ spatial distribution in Istanbul in a concrete way.

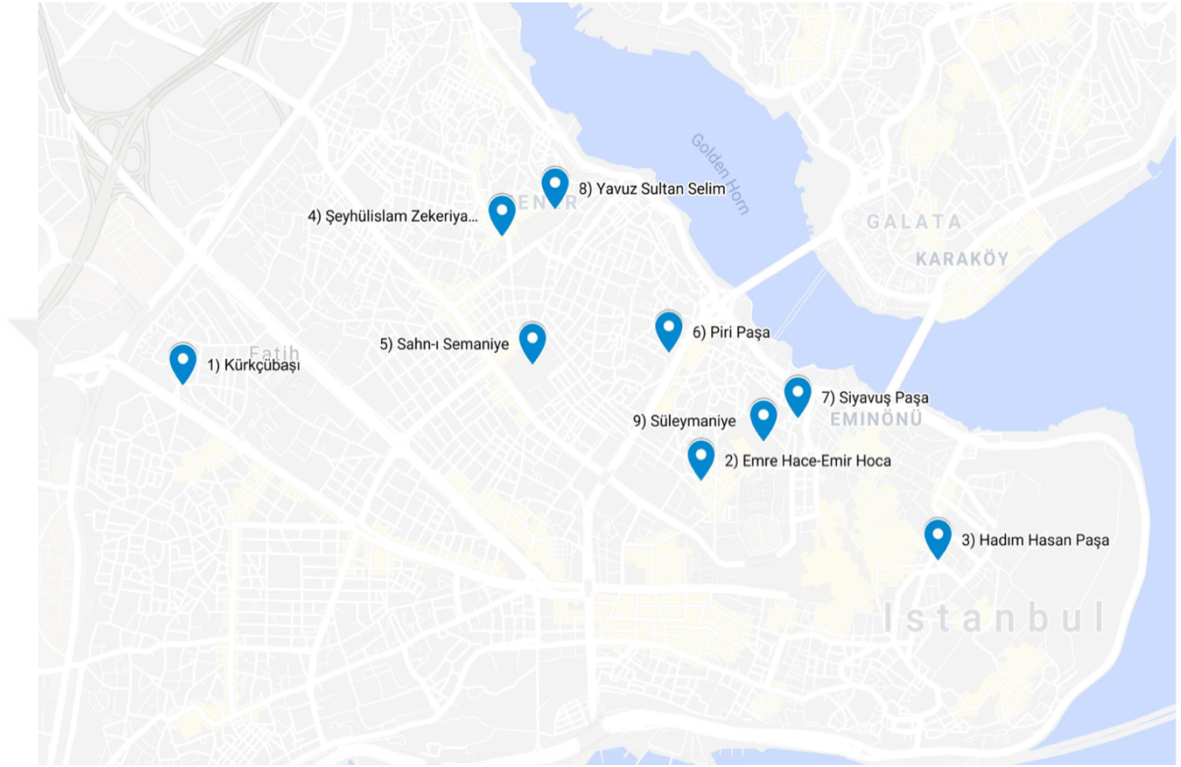


Fig. 2 The geographical location of the madrasas where Minkārīzāde taught

As the map makes apparent, all of Minkārīzāde’s appointments were to madrasas located inside Istanbul’s city walls.¹⁹⁴ Furthermore, except for the madrasas of Kürkcübaşı and Hadım Hasan Paşa, all of the madrasas in question were situated within a fairly small area. Given that there were also high-ranking madrasas located in other major cities, with some professors receiving appointments to these

¹⁹⁴ For more information about these madrasas, see Baltacı, *Osmanlı Medreseleri*; Kürkcübaşı; II, 540–542; Emre Hacı; I, 185–186; Hadım Hasan Paşa; I, 444–447, Şeyhü’l-İslām Zekeriyyā Efendi Medresesi; II, 858; Sahn-ı Semāniyye; II, 611–672; Piri Paşa; II, 595–598; Siyāvūş Paşa; II, 685–687. Sultān Selīm-i Qādīm; II, 816–822; Süleymaniye; II, 792–810. For detailed information about the Sahn madrasas, see Unan, *Fâtih Külliyesi*.

madrasas, the significance of these particularly localized appointments in the teaching career of Minkārīzāde can be more easily appreciated. Minkārīzāde's subsequent judicial career, however, would not progress as smoothly as his teaching career did.

After spending nearly twelve years in professorships in madrasas that paid more than 40 *akçes*, in 1649 Minkārīzāde moved into a career in judgeship. From this point until his assignment to the office of chief jurist in 1662, he would not receive regular promotions but instead faced frequent dismissals, and more than once he had to wait for a significant period of time to be appointed to another post. More importantly, after leaving the judgeship of Istanbul in 1659 he even retired and had to sustain his life through several benefices (*arpalık*) until his appointment as the chief judge of Rumelia in 1662. His judicial career thus witnessed both ups and downs.

Minkārīzāde's unstable career during the 1650s was by no means atypical. From the execution of Sultan Ibrahim I in 1648 until Minkārīzāde's appointment as chief jurist in 1662, twelve different individuals held the office of chief jurist.¹⁹⁵ In the same period, 18 and 17 different appointments were made to each office of the chief judges of Rumelia and Anatolia.¹⁹⁶ Similarly, there were 29 different

¹⁹⁵ *Şeyhî*, II, 1456–1457. The chief jurists are as follows; 'Abdü'r-rahîm Efendi, Bahâyî Mehmed, Kara Çelebizāde 'Abdü'l-'azîz, Ebû Sa'îd Mehmed (2nd time), Bahâyî Mehmed (2nd time), Ebû Sa'îd Mehmed (3rd time), Hüsâmzāde 'Abdu'r-rahmân, Memekzāde Mustafâ, Hâcezāde Mes'ûd, Hanefî Mehmed, Bâlîzāde Mustafâ, Bolevî Mustafâ, Esîrî Mehmed, Sun'îzāde Mehmed Emîn.

¹⁹⁶ *Şeyhî*, II, 1457–1461. The chief judges of Rumelia are as follows: Mülakkab Mustafâ, Kara Çelebizāde 'Abdü'l-'azîz, Memekzāde Mustafâ, Kabakulakzāde Ebu'l-irşād Mehmed, Kudsîzāde Şeyh Mehmed, Hanefî Mehmed, Hüsâmzāde 'Abdu'r-rahmân, Memekzāde Mustafâ (2nd time), Kudsîzāde Şeyh Mehmed (2nd time), Kemâl Efendizāde İbrâhîm, Şa'bân Efendi, Bolevî Mustafâ, Sun'îzāde Seyyid Mehmed Emîn, Bustânzāde Mehmed 'Abdü'l-kerîm, 'İsmetî Mehmed, Sun'îzāde Seyyid Mehmed Emîn (2nd time), Minkārīzāde Yahyâ. The chief judges of Anatolia are as follows: Memekzāde Mustafâ, Kabakulakzāde Ebu'l-irşād Mehmed, Hüsâmzāde 'Abdu'r-rahmân, Kudsîzāde Şeyh Mehmed, Şa'bân Efendi, Hâcezāde Mes'ûd, Bâlîzāde Mustafâ, Kemâl Efendizāde İbrâhîm, İmâmzāde Şeyh Mehmed, Sun'îzāde Seyyid Mehmed Emîn, Ankaravî Es'ad, Bolevî Mustafâ, 'İsmetî Mehmed, Esîrî Mehmed, 'Abdü'r-rahîmzāde mihteri Mehmed, 'Abdü'l-kâdir Efendi, Şeyhîzāde 'Abdu'r-rahmân.

appointments to the position of judge of Istanbul.¹⁹⁷ Nonetheless, it would be wrong to assume that frequent dismissals and long waiting periods were limited to scholars in the higher ranks of the learned hierarchy. Although it is difficult to show the extent of this phenomenon within the lower ranks, one figure active in the mid-seventeenth century, Kürd Mustafâ, can provide additional insight into this matter. Kürd Mustafâ complained in a treatise that he had been waiting for twelve years to be appointed as the judge of Bursa. Given that his treatise was probably written around the mid-1660s, it allows us to see the difficulty of gaining appointments more easily to judicial positions on the lower ranks of the hierarchy during the mid-seventeenth century.¹⁹⁸

Minkârîzâde received his own first judicial appointment with the position of judge of Mecca in February 1649, just six months after the execution of Ibrahim I, which sparked the first phase of the three revolts that took place in Istanbul between the years 1648 and 1656.¹⁹⁹ Considering the teacher-student relationship between Minkârîzâde and the chief jurist of the time, Hoca ‘Abdu’r-rahîm, it is reasonable to think that the former owed his Mecca appointment to the latter. After serving as judge of Mecca for nearly three years, a fairly long period of time by contemporary

¹⁹⁷ *Şeyhî*, II, 1463–1465. The judges of İstanbul are as follows; Muslihü’l-dînzâde es-Seyyid ‘Abdu’llâh, Kemâl Efendizâde İbrâhîm, Sun’îzâde Seyyid Mehmed, Hâcezâde ‘Alî, Ankaravî Es’ad, Bustânzâde Mehmed ‘Abdü’l-kerîm, Beyâzî Hasan, ‘İsmetî Mehmed, Sa’dîzâde Seyyid Seyfu’llâh, Rahmetu’llâh Efendi, Fetvâ-emîni Şeyh Mehmed, Bolevî Mustafâ, Ebû Sa’îdzâde Feyzu’llâh, Necâtîzâde Mehmed, Şeyhîzâde ‘Abdu’r-rahmân, Hasan Efendizâde Şeyh Mehmed, Esîrî Mehmed, ‘Abdü’r-rahîmzâde mihteri Mehmed, Kadrîzâde Seyyid Mehmed, Muharremzâde Ahmed, Şa’rânîzâde Ebu’s-su’ûd, Altıbarmak ‘Abdü’l-fettâh, ‘Abdü’l-kâdir Efendi, Minkârîzâde Yahyâ, Sadrî’l-dînzâde Rûhu’llâh, Dîhkî Mustafâ, ‘Abdü’l-kâdir Efendi, Şeyhîzâde ‘Abdu’r-rahmân, Kec-dehân Dâmâdî ‘Abdu’llâh.

¹⁹⁸ Arslantürk and Kocaaslan, *Risâle-i Kürd Hatîb*, 51–53. The growing use of the term *ziham-ı mülâzımîn* (“the crowd of novices”) in official documents also supports this point. For this term, see Alan, “Kadılık Müessesesi,” 54. For more information about the material conditions of scholarship in Istanbul, see Küçük, *Science without Leisure*, 55–107.

¹⁹⁹ These revolts can be summarized as follows: 1a) the dethronement and the execution of Ibrahim I, 1b) the revolts of the *iç oğlanları* and *sipâhîs* (1648); 2a) the revolt of guildsmen, 2b) the execution of Kösem Sultan (1651); 3) the revolt against the grand vizier İbşîr Mustafâ Pasha (1655); and 4) *Çınar Vak’ası*, known as *Vaka-i Vakvakiye* (1656).

standards, Minkārīzāde left the position and had to wait for six months before his next appointment, to the judgeship of Cairo in July 1652. This appointment, however, led to objections from certain high-ranking scholars.

After the execution of Ibrahim I in 1648, Mehmed IV became the new sultan at the age of only seven. The first three years of the new sultan's reign were marked by the power struggle between the senior queen mother, Kösem Sultān, and Mehmed IV's mother, Hatice Turhan, as well as the circles of power that developed around them in state affairs. Although Kösem Sultān dominated the political scene during this time, in 1651 she was assassinated by factions supported by Hatice Turhan. Kösem Sultān's death led to Hatice Turhan eliminating Kösem's harem factions and becoming a powerful political figure up until the appointment of Köprülü Mehmed as Grand Vizier in 1656.²⁰⁰

Aware of her political power, some religious and political figures of the time tried to ingratiate themselves with Hatice Turhan and her circles. One such figure was Hocaẓāde Mes'ud (d. 1656), who was appointed as the chief judge of Anatolia in September 1651, just a week after Kösem Sultān's death. By siding with Hatice Turhan, he began to gain political strength, and soon became one of the more significant religious figures of the mid-seventeenth century.²⁰¹ Hatice Turhan's confidence in Hocaẓāde Mes'ud was so high that she even rebuked Grand Vizier Gürcü Mehmed for not acting in accordance with Hocaẓāde Mes'ud's advice. Subsequently, the judgeship appointments of 1652 were planned according to Hocaẓāde Mes'ud's consideration, but certain members of the learned hierarchy raised objections against these assignments, which forced chief jurist Ebū Sa'īd Mehmed to delay the appointments to a later time. This postponement, however,

²⁰⁰ For the struggle between the two queen mothers, see Peirce, *Imperial Harem*.

²⁰¹ For more information about him, see İpşirli, "Hocaẓāde," 345–346.

provoked Hocazāde Mes'ud to pen a report about bribery among certain scholars in higher positions in the hierarchy.

In reaction to Hocazāde Mes'ud's report, Ebū Sa'īd Mehmed introduced the 1652 *silsile* with some important changes. Minkārīzāde and Emīnī Mehmed²⁰² were appointed to the judgeships of Cairo and Filibe/Plovdiv respectively, while the judgeships of Mecca and Bursa went to Hanımzāde Efendi and Kadrizāde Efendi. Kasımpaşalı Abdullah Çelebi immediately opposed these appointments to complain about his twenty-eight-month period of waiting for an appointment to an available position. He also complained about Minkārīzāde's appointment to the Cairo judgeship by asking, "Why was Yahya, the son of Minkārī, who is like my son, appointed to the judgeship of Egypt at the age of forty-four, after a waiting period of only eight/nine months?"²⁰³ The complaints among the members of the learned hierarchy were not limited to Abdullah Çelebi. For instance, İsmetī Mehmed, who had been dismissed from the judgeship of Galata nearly two years earlier, demanded the judgeship of Istanbul.²⁰⁴

While this controversy continued among high-ranking scholars, Hocazāde Mes'ud expressed his discontent about the aforementioned appointments of Minkārīzāde and Emīnī Mehmed, saying that, because some others had been waiting for a new post for nearly two years, these appointments to these posts would be inappropriate. In response to Hocazāde Mes'ud's criticism about the appointments, the chief jurist Ebū Sa'īd Mehmed affirmed his confidence in Minkārīzāde on

²⁰² *Atâyî*, 552–553.

²⁰³ "Kasım Paşalı Abdullah Çelebi, 'Ben Yenişehir'den ma'zul Mekke pâyesiyle yirmi sekiz aydır azl çekerim. Cemî'-i pâyelerde mukaddem iken üç ay bana Süleymaniye'de bana takaddüm etmekle Bursa niçin Kadri'ye verildi. Çün anın üç ay zamanı adâlete evfak düştü, ya niçin sekiz dokuz ay azille Minkārî-oğlu Yahya ki, benim oğlum yerinedir, ben dururken kırk dört yaşında adam Mısır'a oldu' deyü muftî ile azîm bahs ü cidâl edip haddinden ziyâde itâle-i lisân ile küstahlık etti." Quoted in *Târih-i Na'îmâ*, III, 1409.

²⁰⁴ *Târih-i Na'îmâ*, III, 1411.

account of his competence and knowledge. Despite this affirmation, however, we should also not forget that he was the son of Hocaẓāde Es'ad, who had granted novice status to Minkārīzāde.²⁰⁵ There is thus a strong possibility that Minkārīzāde's Cairo appointment was at least partly the result of chief jurist's acquaintance with Minkārīzāde through his father.²⁰⁶

Contemporary sources do not indicate whether Minkārīzāde was personally involved in these debates, but as the aforementioned evidence reveals, some members of the learned hierarchy did not welcome Minkārīzāde's appointment to a prestigious judgeship. Although it is hard to determine any solid polarization among high-ranking scholars during this period, two opposing views seem to have appeared among them. The first view, supported by chief jurist Ebū Sa'īd Mehmed, was that it was not necessary to take into consideration the waiting period of scholars when appointing them to available positions in the learned hierarchy. Instead, according to this view, appointments should be made on the basis of the candidates' knowledge and competence. The second view, which prioritized the waiting period of scholars, on the other hand, was brought forward by those who were suffering from a long waiting period and lacking the sort of strong familial ties that Ebū Sa'īd Mehmed had. In sum, it can be concluded that, although Minkārīzāde does not appear to have personally participated in the disputes about the 1652 *silsile*, he nevertheless became embroiled in them, since he had been promoted through the learned hierarchy more quickly than most other scholars.

²⁰⁵ For the biography of Ebū Sa'īd Mehmed, see *Şeyhî*, I, 850–855.

²⁰⁶ Mes'ud Efendi answered as follows: “*Evvelâ bir silsile ettiniz ekseri nâ-münâsib oldu. Hem bizimle meşrevet buyurdunuz sonra hem hilâfî zâhir oldu. Minkârîzâde'ye Mısır ve Emînî'ye Filibe bizim meşveretimiz ile mi oldu' dedi. Molla, (Ebusaid Mehmet) 'Minkârîzâde bir ehl-i ilm sâlih çelebidir, biz ana Mısır'ı verdiğimiz için Hak Te'âlâ'dan ecir ü sevab ricâsındayız' dedikte Hocaẓāde cevabında 'İkişer yıllık müstehaklar var iken bir senelik adama mansıb verilmekte sevab tasavvur olunmaz' dedi. Çün Hocaẓāde kendisi ilm ü fazîletten behre-dâr değil idi, ana binâ'en istihkâk-ı zâtî yanında mu'teber olmayıp fakat zamane i'tibârıyla eskisi takdîm olunmak gerektir' deyü zâhir-i tarîka nazar ederdi.*” Quoted in *Târih-i Na'îmâ*, III, 1411.

Minkārīzāde remained judge of Cairo for nearly a year, leaving the office in August 1653.²⁰⁷ He then had to wait for two-and-a-half years before being appointed to the same position for the second time, in December 1655, this time with the rank (*paye*) of Edirne. This waiting period would be the longest one in his entire judicial career. Not coincidentally, this appointment took place after the military rebellion of 1655.

One of the series of mid-seventeenth century revolts was the rebellion against Grand Vizier İbşîr Mustafâ Pasha that occurred in 1655.²⁰⁸ İbşîr Pasha had been raised by his maternal uncle Abaza Mehmed, one of the central political figures of the 1620s, who revolted against the Ottoman state after the execution of Osman II.²⁰⁹ After Abaza Mehmed's execution in 1634, İbşîr Pasha gained the patronage of Kemankeş Mustafâ Pasha.²¹⁰ In his subsequent career, İbşîr Pasha advanced in the state bureaucracy, holding the governorships of a number of provinces. He was the governor of Aleppo when he was called to Istanbul to be the grand vizier in December 1654.²¹¹ However, his brief tenure in the grand vizierate was perceived of as so despotic that even his previous supporters in the cavalry disapproved of his governance, rising up against him by uniting with the Janissary corps.

The participants in the revolt of 1655 not only demanded the execution of İbşîr Pasha, but also of the chief jurist Ebû Sa'îd Mehmed, who was believed to have played a key role in bringing İbşîr Pasha to the grand vizierate. The rebels were

²⁰⁷ Although it is not certain whether it took place during Minkārīzāde's tenure in Cairo, we learn from al-Shurunbulālî's *al-Tahqīqāt* that a military group was banished from Egypt in 1652 and re-entered the city upon the order of Mehmed IV. See Ayoub, "Sultān Says," 257–258.

²⁰⁸ *Târih-i Na'îmâ*, IV, 1607–1620.

²⁰⁹ For more information about Abaza Mehmed Pasha and his revolt, see Piterberg, *Ottoman Tragedy*, 165–176 and Piterberg, "Alleged Rebellion," 13–24.

²¹⁰ He occupied the grand vizierate between the years 1638 and 1644; see Özcan, "Kemankeş," 248–250.

²¹¹ When he was summoned to Istanbul, he brought nearly 20,000 cavalry (*sipāhîs*) from Anatolia to Üsküdar to secure himself against possible discontent among the Janissaries by seeking to increase the number of his supporters; see *Târih-i Na'îmâ*, IV, 1582–1585.

ultimately successful in executing İbşîr Paşa, and they had Kara Murad Pasha appointed in his place. However, the execution of Ebû Sa'îd Mehmed was prevented by the *nakibü'l-eşraf* Zeyrekzâde.²¹² Ebû Sa'îd Mehmed was instead banished from the office and sent to Gelibolu, with Hüsâm-zade 'Abdu'r-rahmân stepping in as the new chief jurist.²¹³

Even so, some of the rebels were not satisfied with the execution of the grand vizier and banishment of the chief jurist, and they demanded the execution of other officials as well. Thereupon, a kind of delegation was formed by the order of Hatice Turhan, with its members chosen from among the high-ranking scholars and including Bolevî Mustafâ, Es'ad Efendi, İsmetî Mehmed, and Minkârîzâde.²¹⁴ Although the narrator of this event, Mustafâ Naîmâ, is silent as to the content of the meeting that occurred, the delegation appears to have been successful in dispelling the crowd, and the rebellion of 1655 came to an end.

The most relevant point for our purposes here is that all of these scholars would go on to advance in their careers in subsequent years. Es'ad Efendi, Bolevî Mustafâ, and İsmetî Mehmed all succeeded each other in being appointed as military judge of Anatolia over the next three years. In addition, Bolevî Mustafâ became the chief jurist in 1657, remaining in the office for nearly two years, which, while perhaps not a long period, was still considerably longer than the combined tenures of the five chief jurists who had been appointed during the previous two years. As has already been mentioned, after the aforementioned rebellion Minkârîzâde's nearly

²¹² *Târih-i Na'îmâ*, IV, 1616.

²¹³ Ebû Sa'îd Mehmed's library was looted by Janissaries and *sipâhîs*, see *Târih-i Na'îmâ*, IV, 1612–1613.

²¹⁴ *Târih-i Na'îmâ*, IV, 1618.

two-and-a-half year waiting period ended with his appointment to the judgeship of Cairo for the second time in December 1655.²¹⁵

Just ten months after this appointment, however, in October 1656 Minkārīzāde was dismissed from the judgeship of Cairo, with Osmanzāde Mehmed being appointed in his place. Although Minkārīzāde was removed from office, he did not leave Cairo but remained in the city, staying at the home of Emīr Rıdvān, a notable figure in Egyptian politics in the seventeenth century.²¹⁶ This waiting period lasted only six months, and on Osmanzāde Mehmed's death in April 1657, Minkārīzāde was appointed to the same position for a third time. An imperial decree from this period makes it evident that this appointment was carried out upon the suggestion of the chief jurist at the time, Balīzāde Mustafā.²¹⁷ This time, Minkārīzāde's tenure lasted only eight months (April–November 1657), after which he had to wait nearly a year to be appointed as examiner (*mümeyyiz*) by an imperial decree in December 1658.²¹⁸

After performing this duty for nearly five months, Minkārīzāde was next assigned to the judgeship of Istanbul in April 1659, when Esirī Mehmed was serving as chief jurist. He remained in this post for six months before retiring, and the revenues of Menemen and Foçalar were given to him as benefice (*arpalık*) between November 1659 and July 1660.²¹⁹ For the two years following this, these benefices

²¹⁵ Uzunçarşılı, *İlmiye Teşkilâtı*, 87–103; Unan, “Pâye’li Tâyinler,” 41–64.

²¹⁶ This Rıdvān was probably the one who was active in Egypt politics between the years 1631 and 1656, holding the post of pilgrimage commander. For more information about him, see Muhibbî, *Khulāsāt al-athar*, II, 164–166; Holt, “Exalted Lineage,” 221–230; Faroqhi, *Pilgrims and Sultans*, 11, 115–19; and Raymond, *Artisans et commerçants*, 5–7, 264. According to Hathaway, Rıdvān Beg's house was in the vicinity of Birkat al-Fil, a town that was the center of elite residence at the time. See Hathaway, *Politics of Households*, 133, also see 35.

²¹⁷ Başbakanlık Osmanlı Arşivi, Hat. 1446.

²¹⁸ Minkārīzāde's appointment as *mümeyyiz* and a detailed comparison of this decree with other regulations and practices prevalent in the seventeenth and eighteenth centuries will be further examined in the last chapter of this study.

²¹⁹ For more information about retirement in Ottoman bureaucracy, see İpşirli, “Tekâüt,” 340–341.

were replaced with those of Dimetoka and Tagardı.²²⁰ Following Köprülü Ahmed's appointment as grand vizier in 1661, Minkārīzāde's fate began to change once again: he was made chief judge of Rumeli in February 1662, and in November 1662 he was appointed as chief jurist, thus rising to the top position in the learned hierarchy.

2.5 Conclusion

This chapter has provided a detailed biography of Minkārīzāde in terms of his family background, early education, and bureaucratic career as a professor and judge. As the grandson of Dede Cöngī on the maternal side and as the son of Minkārī 'Ömer, who died while serving as the judge of Mecca in 1624, Minkārīzāde was born into a religious and intellectual environment, which enabled him, among other things, to attend Mahmūd Hüdayī's Quran recitation sessions and to receive the status of novice from Hocaẓāde Es'ad in his early years.

Although Minkārīzāde received a proper madrasa education, he also attended the lessons of scholars and pious men of diverse backgrounds, among them Kiçi Mehmed, Semīn Velī, and Hoca 'Abdu'r-rahīm. Such scholars not only provided him with an opportunity to begin his career from an advantageous position within the learned hierarchy, but also allowed him to broaden his own worldview and fields of interest. Minkārīzāde's special interest in the rational sciences, for example—and especially in the field of *ādāb al-baḥth*—made him among the most important scholars of his age, and not only did he write a treatise on this topic but he also, as

²²⁰ A brief examination of Şeyhī's *Vekāyi 'u'l-Fuzalā* reveals that these revenues were given to high-ranking scholars in the learned hierarchy. For example, the *arpalıks* of Menemen and Foçalar were given to Bosnevī 'İsā, whose final post had been as chief judge of Anatolia; see *Şeyhī*, II, 1241–1242. Similarly, Bosnevī Şa'bān, whose final post had been as chief judge of Rumelia, took the *arpalıks* of Dimetoka and Tagardı after Minkārīzāde. See *Şeyhī*, I, 922–925.

will be seen in the last chapter of this study, served as a patron for many scholars interested in the same field.

Minkārīzāde's judicial career between the years 1649 and 1662 saw both ups and downs, being characterized by frequent dismissals and long waiting periods between one post and another. Minkārīzāde's unstable judicial career during the 1650s was not unique to him, as both the lower and the upper ranks of the Ottoman learned hierarchy experienced something similar. In other respects, though, his close involvement in politics by taking responsibility at a time of political turmoil and his active involvement in the religio-legal debates of the mid-seventeenth century by penning several treatises on relevant topics, contributed to his reputation as a trustworthy statesman and as a point of reference for the ruling elite of the next decade, which led to his appointment to the highest rank in the Ottoman learned hierarchy in 1662. The next chapter will examine the treatises that Minkārīzāde produced.

CHAPTER 3

MİNKÂRİZÂDE'S INVOLVEMENT IN THE RELIGIO-LEGAL DEBATES OF THE SEVENTEENTH CENTURY

3.1 Introduction

Having examined Minkârîzâde's early life and professional career in the preceding chapter, it is now time to analyze his involvement in the religious and legal debates of his time. Before getting into the details of his involvement, we first need to briefly explain the content and character of the debates in question. In the literature, these debates are handled as a series of polemical issues between the Kadızadelis and their Sufî adversaries, a majority of which have survived through the works of Mustafâ Naîmâ and Kâtib Çelebi.²²¹ Nonetheless, the utilization of the term “religio-legal debates of the seventeenth century” should not give the impression that these debates appeared for the first time in the seventeenth century. According to Mustafâ Naîmâ, for example, the contention between exoteric scholars (*ulemâ-i zâhir*) and esoteric scholars—that is to say, the practitioners of the path of Sufism (*meslek-i sûfiyyeye zâhib olan erbâb-ı tarîk*)—would surface in every period with the desire of certain people who wished to be famous.²²²

Needless to say, this contention, which can be also conceptualized as the boundary between *sunna* (accepted practice) and *bid'a* (innovation), had always been more fluid than Naîmâ presumed. As Jonathan Berkey succinctly points out, “over

²²¹ Kâtib Çelebi, *Balance of Truth* and *Târih-i Na'îmâ*, IV, 1705.

²²² “Ma'lûm ola ki, meslek-i sûfiyyeye zâhib olan erbâb-ı tarîk ile ulemâ-i zâhir beyninde olan nizâ' vü cîdâl katı eski olup Hulefâ-i Râşidîn asırlarından beri düvel-i sâbika ve Bağdad ve Mısır ve bilâd-ı sâ'irede nice def'a müşâcere ve muhâvereleri mukâtele vü muhârebeye mü'eddî olmak rütbesine eriştiği kütüb-i tevârihde mestûrdur. Ve bu iki tâ'ifenin netice-i müdde'âlarını muhakkıklar nizâ'-ı lafzîye çıkarıp kelâmlarını tevfiğ etmişken yine faysal bulmayıp her asırda baz'ı kimseler tahsîl-i şöhret ve şân için emr-i ma'rûf ve nehy-i anî'l-münker sûretiyle zuhâr edip ba'zı mesâ'il-i muhtelif ve bida'-ı meşhureye yapışıp eski kavgaları tahrîk edegelmişlerdir.” *Târih-i Na'îmâ*, IV, 1704. A similar point of view can also be seen in Niyâzî-ı Mısri; see Terzioğlu, “Sufi and Dissident,” 268.

longer periods of time, particular phenomena could, in fact, pass from one category to another, and that which was, to one generation, a popular custom, could become a recognized tradition—for after all, Hobsbawm’s point is that ‘tradition’ can be ‘invented.’”²²³ For this reason, the Ottoman religio-legal debates of the seventeenth century should be contextualized within their own historical context without neglecting the larger historical framework.

One main similarity that these debates seem to share with similar ones from previous centuries is that the parties involved in the controversies were not limited to the Ottoman ulama, but included a wider pool of people from diverse social and religious backgrounds.²²⁴ Despite this, however, modern scholarship has addressed these debates with reference mainly to the Kadızadelis and their Sufi opponents.²²⁵ Unsurprisingly, then, the members of Ottoman ulama have also been neglected in this regard, and accordingly Minkārīzāde’s involvement in these debates has not been given enough attention.²²⁶

One of the ways to challenge this inclination in the literature is to direct our attention to the scholarly outputs of individuals from diverse backgrounds. Although the scholarly negligence makes it very difficult to ascertain to what extent other members of the Ottoman ulama participated in these debates, Minkārīzāde and his

²²³ Berkey, “Tradition, Innovation,” 49. For more information about the specific genre dedicated to eradicating innovations in society, see Fierro, “Treatises against Innovations,” 204–246.

²²⁴ Bulliet, *Patricians of Nishapur*, 3–19; Berkey, *Popular Preaching*; Berkey, “Audience and Authority,” 105–120; Heller, *Islamic Piety*, 66; El Shamsy, “Social Construction,” 112; and Hirschler, “Traditions of Revivalism,” 195–214.

²²⁵ There are several exceptional studies that can be mentioned in this regard. For example, in the relevant chapter of Derin Terzioğlu’s dissertation—namely, “The larger debate: Kādīzādelis, Sufis and the debate over Sufism”—she studies the very complicated nature of the religious life of Ottoman society in the seventeenth century by examining various religious groups of the time, including the members of the ulama and the other Sufi circles in the empire. Terzioğlu, “Sufi and Dissident,” 190–276. Also see Terzioğlu, “Sunna-minded Sufi,” 241–312; El-Rouayheb, *Islamic Intellectual History*; Shafir, “Road from Damascus,”; Atiyas, “Sunna Minded Trend,” 233–278; and Gürbüz, “Teachers of the Public.”

²²⁶ As will be mentioned, only recent works of Nir Shafir and Cengiz Şişman have partially filled this lacuna in the relevant literature.

works offer a crucial opportunity to transcend the widely accepted generalization in the literature and pave the way for the investigation of new inquiries into heretofore neglected issues. Below, I will examine the stance taken by Minkārīzāde in these debates by focusing on his scholarly outputs. The works considered here are *Risāle-i Millet-i İbrāhīm*, his rebuttal to Kürd Mollā's commentary on Birgivī's *et-Tarīkatü'l-Muhammediye*, *Risāle fī Vücūbī İstimā'ı'l-Kur'ān ve'l-Hutbe*, as well as two fatwas regarding the impermissibility of *raks*, *devrān*, and Mevlevi *semā'*. Before close examination of these works, however, a brief overview of the relevant literature on the religio-legal debates of the seventeenth century is in order.

3.2 How to conceptualize the religio-legal debates of the seventeenth century

Since the relevant literature's focus has mainly been on the confrontations between the Kadızadelis and their Sufi opponents, and since a wide range of literature has already been accumulated over the decades regarding the Kadızadelis, it would be more beneficial here to begin with an overview of these works. The Kadızadelis, who took their name from the charismatic preacher Kādīzāde Mehmed (d. 1635), can be regarded as a group of religious scholars and preachers, along with their lay followers, who were active for a good part of the seventeenth century. The main emphasis of the Kadızadelis was on the purification of the religious and social practices of their time by getting rid of all "innovations" (*bid'ats*) that did not originate in the time of the Prophet. The innovations that they targeted comprised both popular pastimes of recent provenance such as smoking and the frequenting of coffeehouses, which had spread in Ottoman society in the sixteenth and early seventeenth centuries respectively, and a great number of Sufi and Sufi-affiliated

beliefs and practices, which had a much longer history going back to pre-Ottoman times.

In line with this conviction, initial scholarly analyses considered the rise of the Kadızadelis as an example of the phenomenon of the “triumph of fanaticism” and the decline of rational sciences in the Ottoman Empire after the sixteenth century, a view that was presented by Halil İnalcık in 1973 and remained influential up until the early 1980s.²²⁷ In the following decade, some of the common views of the Kadızadelis were reviewed by a new generation of scholars, providing detailed examinations of the major debates that took place between the Kadızadelis and their Sufi adversaries over the course of the seventeenth century.²²⁸

The work that really brought the Kadızadelis into the mainstream of Ottomanist scholarship, however, was Madeline Zilfi’s book *Politics of Piety*. According to her, the underlying reason behind the controversy lay in the social and professional rivalry between the Kadızadelis and their Sufi opponents, who contested with each other within an increasingly competitive religious hierarchy where available job opportunities were limited. Zilfi also argued that while, on the surface, the target of the Kadızadelis was the Sufi sheikhs, their ultimate opposition was against the top-ranking ulama, whom they accused of failing to protect Islamic orthodoxy.²²⁹

²²⁷ İnalcık, *Classical Age*, 179–185. A number of other historians had previously examined the Kadızadelis, albeit in a more limited fashion. For these works, see Uzunçarşılı, *Osmanlı Tarihi*, III, 367–433; Gölpınarlı, *Mevlânâ’dan Sonra Mevlevîlik*, 158–168; and Shaw, *Empire of the Gazis*, 207–21.

²²⁸ These studies either held the Kadızadelis responsible for introducing neo-Hanbali ideas to the Ottoman religious sphere, or considered them to be followers and representatives of the Salafî school of thought. For these works, see Şimşek, “La Bid’a en Turquie”; Ocak, “Kadızâdeliler Hareketi,” 208–226; Öztürk, “Islamic Orthodoxy”; Çavuşoğlu, “Kadızâdeli Movement”; Unan, “Dinde Tasfiyecilik,” 33–42, at 34; and Lekesiz, “Osmanlı İlmî Zihniyeti,” 20–31, at 24.

²²⁹ Zilfi, *Politics of Piety*, 81–129, 129–183. Also see Zilfi, “Discordant Revivalism,” 251–269. Some more recent studies have followed Zilfi’s example by examining the Kadızadelis within the specific social and political context of the seventeenth century and by seeing the disputes between the Kadızadelis and their adversaries as an extension of the conflict embedded in the social and political conditions of the time. The works of Marc David Baer and Marinos Sariyannis can be regarded as two

Some more recent works, though, have offered novel ways of analyzing the religio-legal debates of the seventeenth century. These revisionist works have broadened our knowledge of the religious culture of seventeenth-century Ottoman Empire considerably, not only providing a convenient ground to discuss these debates beyond the context of the religious and political confrontations of the seventeenth century, but also pointing to a larger shift in Ottoman religiosity in the early modern period. Bernd Radtke, Derin Terzioğlu, and Khaled El-Rouayheb, for example, have questioned and criticized some of the fundamental arguments and assumptions of the previous scholarship on the Kadızadelis and argued that these preachers shared many of the same ideals as both the Ottoman ulama and their own Sufi opponents. In other words, these studies propose that the Kadızadelis cannot be considered followers of the Hanbali school of thought, but were rather exponents of a stricter interpretation of the Hanafi school of law.²³⁰

In the same area, some other historians have presented a more nuanced understanding of the religio-legal debates of the seventeenth century in general and the Kadızadelis in particular. Derin Terzioğlu's more recent studies, for example, have extended the arguments proposed in her dissertation so as to examine these

notable examples of this. While Baer examines the various facets of Islamization during the reign of Mehmed IV by attributing a central role to the personality of Vānī, Sariyannis seeks to find the social base of the Kadızadelis by focusing on the case of the revolt of 1651. The shared point in these two works is that they accord central importance to the social and political context without engaging in a detailed analysis of the religio-legal literature of the seventeenth century and situating their topics within a larger framework. These two studies follow Zilfi in that they, too, view the Kadızadelis as using religion as a useful instrument to achieve their social and political objectives. For these works, see Baer, *Honored* and Sariyannis, "Mercantile Ethic," 263–289.

²³⁰ Radtke, "Birgiwīs Ṭarīqa Muḥammadiyya," 159–174; Terzioğlu, "Bir Tercüme," 261–2; Terzioğlu, "Power, Patronage," 149–186; El-Rouayheb, "From Ibn Hajar, 303–305; and El-Rouayheb, *Islamic Intellectual History*, 14–26. While the criticisms and arguments of the revisionist scholarship in question have widely been accepted, there are still studies that maintain the view that the Kadızadelis shared the religious standpoints of Ibn Taymiyya and Ibn Qayyim regarding the issue of innovations and their opposition to several religious practices. For these studies, see Michot, *Against Smoking*; Evstatiev, "Revival of Takfir," 213–43; Evstatiev, "Spread of Islamic Revivalism," 3–34; Sheikh, "Taymiyyan Influences," 1–20; and Sheikh, *Ottoman Puritanism*.

debates from a broader perspective by using the concept of confessionalization.²³¹

The concept of confessionalization in the Ottoman context elucidates a long-term alignment of the empire's religious identity with the Hanafi school of law. The initial interest in this concept focused mainly on inter-state rivalry, particularly within the context of the increasing religio-political polarization between Sunni Ottomans and Shi'i Safavids,²³² but more recent studies have concentrated on multiple agents from diverse backgrounds in order to better analyze the multidirectional process of confessionalization.²³³ In other words, these more recent scholarly efforts have tried to investigate "various agents of 'Sunnitization' and emphasize the interplay among personal, local, communal, and imperial agendas."²³⁴

Krstić's recent studies, on the other hand, put a greater emphasis on the question of what correct beliefs (*ṭīqāḍ*) constituted the Muslim community, which she summarizes as follows: "The Ottoman Muslim community graduated ... from

²³¹ This term originally appeared in the European scholarship, and was first applied to the Ottoman context by Tijana Krstić. For an overview of the historiography, see Headley, Hillerbrand, and Papalas *Confessionalization in Europe*.

²³² Krstić, *Contested Conversions*.

²³³ Derin Terzioğlu developed such an understanding from the very beginning. In one article, she examines the Ottoman sunnitization process with reference to several factors besides the Ottoman-Safavid conflicts throughout the sixteenth century. Her stance in this article is given succinctly in the following excerpt: "Rather than being simply a politically-minded response to the rise of the Safavids and their adaptation of Shiism, Ottoman sunnitization was also shaped by many other factors, among them the spread of literacy and the acculturation of the ruling elites of the lands of Rum into the norms and values of the learned elites of the Islamic heartlands, the consolidation of the Ottoman learned establishment as an integral part of the imperial apparatus, and last but not least, state-building and bureaucratization, which both created a need for and made it possible to impose a more homogenized understanding of Sunni Islam and Hanafi law." Terzioğlu, "How to Conceptualize," 337–338. Also see Terzioğlu, "Catechism," 79–114.

²³⁴ Quoted in Krstić, "Historicizing," 16. The project OTTOCONFESSION, led by Tijana Krstić and Derin Terzioğlu, aims to investigate different facets and the evolution of confessional discourses in the Ottoman Empire. A very recent study edited by these two historians has brought together several articles on the issue; see Krstić and Terzioğlu, *Historicizing Sunni Islam*. The works prepared within the scope of this project is accessible at <https://cems.ceu.edu/publications>. It can be said that the concept of confessionalization has dominated the field over the past ten years, and several other historians have come to employ the term in their studies; see Antov, *Wild West*, 255–281; Karakaya-Stump, *Kızılbaş/Alevis*, 256–319; and Şahin, *Empire and Power*, 208–210. Despite these broad interests, however, some criticisms of the term have also been raised in recent years. For these, see Yıldırım, "Re-confessionalization," 12–46; Yılmaz, "Quest for Order," 90–120; Erginbaş, "Ahl al-Baytism," 614–646; Erginbaş, "Reading Ottoman Sunnism," 451–478; and Tezcan, "Portrait of the Preacher," 187–249.

the period when a simple profession of faith (*shahāda*) was sufficient to be considered a Muslim to the era in which a more thorough knowledge of the tenets of faith (*‘aqīda*) was expected from each believer.”²³⁵ In a quite different context, by adopting the notion of a “turn to piety,”²³⁶ Nir Shafir has claimed that every Muslim subject in the empire had to practice individual morality, which, in turn, brought one’s familial and private life under greater scrutiny. He conceptualizes this process under the rubric of a “moral revolution.”²³⁷

Other recent studies on the Kadızadelis have utilized the Weberian concept of the “disenchantment of the world” in their analyses.²³⁸ Although the concept was first introduced into Ottoman scholarship by Derin Terzioğlu, she only used it in a limited sense with reference to the enchanted world of Niyāzī-ı Mısrī, saying that “...the temporal and the mundane entered Sufi personal narratives, as the Sufis became progressively more integrated into the social, political and economic structures of ‘this world.’ Significantly, however, this new tendency was not accompanied by a ‘disenchantment of the world’ such as has been posited for early modern Europe.”²³⁹ Compared to Terzioğlu’s approach, however, Sariyannis and Tezcan’s more recent works advocate a broader application of this notion in relation to the worldview of Kadızadelis in the early modern period.²⁴⁰ Both scholars share

²³⁵ Tijana Krstić, “From *Shahāda* to ‘*Aqīda*,” 297. Also see Krstić, “State and Religion,” 65–91; and Krstić, “Redefinition,” 155–195.

²³⁶ The notion of a “turn to piety” was first used by Marc David Baer in a narrow sense to depict the religious transformation of both Mehmed IV and the ruling circle’s beliefs and practices in the second half of the seventeenth century. Terzioğlu, on the other hand, has expanded the term to indicate broader religious change throughout the sixteenth and seventeenth centuries. For these works, see Baer, *Honored*; 6–7, 12, 80, 110, 187; and Terzioğlu, “Catechism,” 85 (ft. 12).

²³⁷ Shafir, “Moral Revolutions,” 595–623. In this study, he mainly focused on the advice (*nasīhat*) works of Seyyid Feyzu’llāh and Nābī.

²³⁸ For the usage of this term in the early modern period, see Gauchet, *Disenchantment of the World*; Cascardi, *Subject of Modernity*, 16–71; Scribner, “Reformation, Popular Magic,” 475–494 and Grosby, “Max Weber, Religion,” 301–310.

²³⁹ Terzioğlu, “Man in the Image,” 165.

²⁴⁰ For these studies, see Sariyannis, “Of Ottoman Ghosts,” 191–216; Tezcan, “Portrait of the Preacher,” 187–249; Sariyannis, “Limits of going global,” 1–13; and Tezcan, “Rationalization of Sunni Islam,” 67–69. Tezcan is likely to explore this notion more thoroughly in his two forthcoming

the idea that the religious understanding of Kadızadelis was based on “epistemological egalitarianism in a disenchanted world.”²⁴¹

It should be clear by now that the religio-legal debates of the seventeenth century in general, and the controversies between the Kadızadelis and their Sufi opponents in particular, have been evaluated from many different perspectives in the relevant literature, all of which have undoubtedly opened new avenues for discussing a variety of issues while offering alternative conceptualizations for comparative religious history. More recent conceptualizations in particular—such as sunnitization, confessionalism and the turn to piety—can be said to be seminal for the works of Minkārīzāde, allowing us to more precisely situate him within the wider early modern context.

The present chapter, while acknowledging the importance of the diverse approaches in the relevant literature and the benefits to be derived from them for forming a wider framework, will primarily draw attention to opportunities for examining the corpus of one individual member of the Ottoman ulama in relation to the specific historical context of his works, as well as the evolution of his personal trajectory in time and space. For this very reason, it is first necessary to ascertain the common point in each of Minkārīzāde’s works, which will allow us to better evaluate the underlying reasons behind their composition. In this regard, if there is a shared theme across these works, it is ‘objection’ or ‘disapproval,’ which largely takes a

works, “*A Canon of Disenchantment: Birgivi, Rumi, and Kadızade*” and “*The Disenchantment of Sunni Islam: A populist Muslim reformation in the early modern Ottoman Empire*.” For references to these, see Tezcan, “Portrait of the Preacher,” 234–235 (ft. 261); 244–245 (ft. 286, 287). It should be noted, however, that although Gottfried Hagen did not use this term in his study, he can be regarded as one of the earliest scholars in Ottoman context to use the terms rationality, secularization, or interiorization, which are quite close to the views evoked by the phrase “disenchantment of the world”; see Hagen, “Afterword,” 244–249.

²⁴¹ Tezcan, “Portrait of the Preacher,” 241 and Sariyannis, “Limits of going global,” 8.

reactionary form in these works.²⁴² In his scholarly outputs, Minkārīzāde raised objections to: 1) a Muslim's identification of himself as a member of the prophet Abraham's religion (*millet-i İbrāhīm*); 2) the three points suggested by Kürd Mollā in his commentary (*Kitābu 't-tahkīk ve 't-tevfīk beyne Ehli 'ş-şer' ve Ehli 't-Tarīk*) on Birgivī's *et-Tarīkatü 'l-Muhammediye*; 3) the use of the expressions 'the blessing and peace of God be upon him' (*sallallāhu 'aleyhi ve sellem*) and 'God be pleased with him' (*radīyallahu 'anh*) when any of the Prophets or Companions are mentioned during the Friday sermon (*khutba*); and 4) the permissibility of *raks*, *devrān*, and the Mevlevi *semā*.

The main question that arises from his objections is whether Minkārīzāde's writings show a tendency to narrow the scope of Islamic tradition by reducing it to a legalistic worldview—which in turn brings us to the notion of orthodoxy. Although orthodoxy is a term that can be simply defined as 'correct statements concerning what is to be learned,' it has a wide range of usages across different fields (theological, legal, political, etc.). As such, it is difficult to attribute a standard meaning to the term. Reflecting this difficulty and the rather complicated nature of the term, the use of the notion of orthodoxy for analyzing Islamic societies has been criticized on several grounds. Initial rejections took issue with the fact that the term had originally been used in reference to the ecclesiastical hierarchy in Christianity and, as such, did not correspond to any institutions in Muslim societies.²⁴³ Another criticism, proposed by Alexander Knysh, highlighted the concept's inability to capture the "variegated and polyphonic" diversity of Muslim societies in terms of

²⁴² For a proactive dimension of Ottoman sunnization, see Terzioğlu, "Ottoman Sunnization," 313 and Terzioğlu, "Catechism," 85–86.

²⁴³ I. Goldziher and W. M. Watt can be mentioned in this regard. For these works, see Goldziher, *Islamic Theology*, 162–163 and Watt, *Islamic Philosophy*, 19. For the trajectory of the term "orthodoxy" in Islamic studies, see Wilson, "Failure of Nomenclature," 169–194.

theological and practical aspects.²⁴⁴ One can also add influential works by Thomas Bauer and Shahab Ahmad to the critics of the term, as they draw attention to the ambiguous nature of Islam in pre-modern Islamic societies.²⁴⁵

Despite these criticisms, however, some historians have emphasized the heuristic value of a more comprehensive version of the concept of orthodoxy, which has led to a revival of the concept. Talal Asad's reconceptualization of orthodoxy around the notion of "discursive tradition" can be regarded as a noteworthy example of this.²⁴⁶ According to him, orthodoxy "is not a mere body of opinion but a distinctive relationship—a relationship of power to truth. Wherever Muslims have the power to regulate, uphold, require, or adjust correct practices, and to condemn, exclude, undermine, or replace incorrect ones, there is the domain of orthodoxy."²⁴⁷ Similarly, the following remarks by Ahmad El Shamsy are useful for their ability to capture the essence of the term orthodoxy:

Orthodoxy as a social phenomenon is not a "thing" but rather a process. For theological doctrines to become established as orthodox, they must find a place in the constantly changing net of social relations and institutions that constitute society. This is a two-way process: ideas can reconfigure these relations and institutions, but the social context also actively receives ideas and promotes, channels and/or suppresses them. Thus the history of orthodoxy cannot be simply a history of ideas, but a history of how, in particular situations, claims to truth came to be enshrined in social practices, such as rituals, and in institutions, such as the "community of scholars."²⁴⁸

²⁴⁴ Knysh, "'Orthodoxy' and 'Heresy,'" 64–65.

²⁴⁵ Ahmad, *What is Islam?* and Bauer, *Culture of Ambiguity*. For a detailed examination of these works on a common ground, see Griffel, "Contradictions," 1–21. Shahab Ahmad's definition of orthodoxy can also be illuminating in this context: "'Orthodoxy' connotes, most intrinsically, the prescription and restriction of truth. While one can have pluralist orthodoxies—such as Islamic law, which accepts a delimited range of differing, or even contradictory, positions on the same legal question to be equally valid and true—the meaningfulness of the term 'orthodoxy' is diminished as attitudes towards truth become less restrictive and prescriptive. Simply, the more pluralistic the attitude to truth, the less the term 'orthodoxy' can help us in understanding that attitude to truth." Ahmad, *What is Islam?*, 273–274.

²⁴⁶ According to Asad, "an Islamic discursive tradition is simply a tradition of Muslim discourse that addresses itself to conceptions of the Islamic past and future, with reference to a particular Islamic practice in the present." Asad, "Idea of anthropology," 20. For an examination of Asad's conceptualization, see Anjum, "Talal Asad," 656–672.

²⁴⁷ Quoted in Asad, "Anthropology of Islam," 22.

²⁴⁸ El-Shamsy, "Social Construction," 97.

El Shamsy's conceptualization of the term and his crucial emphasis on the place of the "community of scholars" in the process of negotiating the constituents and definition(s) of orthodoxy provides a useful analytical tool for examining Minkārīzāde's writings. In the context of seventeenth-century Ottoman religio-legal debates in particular, it is of utmost importance to pay more attention to this "community of scholars." As one of the leading figures of this "community," Minkārīzāde contributed to the theological framework of orthodoxy by narrowing the definitions of belief and popular practices, a tendency which is clearly visible in his writings.

Related to this, certain studies need to be further singled out for their importance in shaping and informing the conceptual framework of this chapter. In a recent article, for example, Terzioğlu brought to the fore how:

confessionalism in the sixteenth-century Ottoman context was less the straightforward implementation of religious 'ideology' from the top down, and more the working out of a loose set of religio-political orientations whose formulation (not to mention implementation) was mediated in practice by power relations as well as by personal and group loyalties.²⁴⁹

Terzioğlu's last point is remarkable for providing a fruitful direction for examining the writings of Minkārīzāde as a member of the Ottoman ulama, which displayed a high degree of personal and group loyalty. While the religious landscape of Anatolia during the thirteenth and fourteenth centuries seems to have been much more complex,²⁵⁰ several sixteenth-century Ottoman scholars—namely, Mollā 'Arab (d.

²⁴⁹ Terzioğlu, "Power, Patronage," 186.

²⁵⁰ In this context, Cemal Kafadar introduced the notion of "metadoxy," which refers to "a state of being beyond doxies, a combination of being doxy-naive and not being doxy-minded, as well as the absence of a state that was interested in rigorously defining and strictly enforcing an orthodoxy." Kafadar, *Between Two Worlds*, 76.

1531),²⁵¹ Ibrāhīm al-Halabī (d. 1549),²⁵² Çivizāde Muhyīd-dīn (d. 1547),²⁵³ and Birgivī Mehmed (d. 1573)²⁵⁴—can be comfortably regarded as having had an orthodox mindset. In a sense, Minkārīzāde was also one of these “interpretative actors” within the “wider indigenous tradition of Hanafi pietism.”²⁵⁵ Though Minkārīzāde can be seen as a representative of this tradition in the seventeenth century, it would be wrong to argue that he was a typical example. Other important chief jurists from the seventeenth century—such as Zekerīyyāzāde Yahyā and Bahāyī Mehmed—had more moderate stances on certain issues as compared to Minkārīzāde.²⁵⁶ Their own individual trajectories may well have pushed them to act in different ways. However, as far as the career of Minkārīzāde is concerned, he seems to have experienced “the all-pervasive perception of rapid social change and dislocation”²⁵⁷ rampant in the seventeenth century.

Accordingly, what is more important for this chapter is to locate the specific historical context in which Minkārīzāde lived and composed his scholarly output. In this regard, Shahab Ahmad offers an important conceptual framework that can be applied to the analysis at hand, a framework which he bases on the terms “Text,”

²⁵¹ *Şakâ'ik*, 652–657.

²⁵² Has, “Study of Ibrāhīm Ḥalabī,”; Has, “Use of Multaqa’l-Abḥur,” 393–418; and Kaplan, “Ibrāhīm al-Ḥalabī.”

²⁵³ Gel, “Şeyhülislam Çivizāde.”

²⁵⁴ Marti, *Birgivi Mehmed Efendi*; Arslan, *İmam Birgivi*; Lekesiz, “Birgivi Mehmed Efendi,” Kaylı, “Critical Study”; and Ivanyi, *Virtue, Piety*.

²⁵⁵ The above statements in quotation are taken from different parts of Ivanyi’s dissertation. Ivanyi, “Virtue, Piety and the Law,” 126, 287.

²⁵⁶ In this respect, the following excerpt from Karl Mannheim’s article can hardly be applicable to the whole of the Ottoman ulama: “The fact of belonging to the same class, and that of belonging to the same generation or age group, have this in common, that both endow the individuals sharing in them with a common location in the social and historical process, and thereby limit them to a specific range of potential experience, predisposing them for a certain characteristic mode of thought and experience, and a characteristic type of historically relevant action. Any given location, then, excludes a large number of possible modes of thought, experience, feeling, and action, and restricts the range of self-expression open to the individual to certain circumscribed possibilities. This *negative* delimitation, however, does not exhaust the matter. Inherent in a *positive* sense in every location is a tendency pointing towards certain definite modes of behaviour, feeling, and thought.” Mannheim, “Problem of Generations,” 276–322. For a critique of Mannheim’s generation theory, see McCourt, “Revisited,” 47–70.

²⁵⁷ Quoted in Kafadar, “Self and Others,” 125–126.

“Pre-text,” and “Con-Text.” These terminologies, in his view, are related to hermeneutical engagement with revelation.²⁵⁸ To put it concisely, while “Text” refers to the Qur’an, “Pre-Text” is the Truth beyond the Text, and refers to all attempts by Muslims, such as the Sufi tradition or Islamic philosophy, to access that Truth beyond the Text. What is more important and particularly relevant to our discussion in this chapter is the “Con-Text,” which is a combination of the first two categories; namely, a “whole lexicon of meanings that is the product and outcome of previous hermeneutical engagement with Revelation which are already present in the context of a given time and place as Islam.”²⁵⁹ Ahmad also distinguished two categories of Con-Text, which are summarized in his words like this:

[I]t is highly unlikely that the *totality* of the means and meanings of Con-Text will be present in any given time or place—that is, it is unlikely that the totality of Con-Text will be present in any given locale or context. Not all elements of Con-Text make their way (equally) to or live on (equally) in all times and places. Con-Text—the totality of meanings produced by hermeneutical engagement—is, as a historical and social matter, *differentiatedly* present in different contexts. Thus, having made the distinction between context and Con-Text, we must now go on to make the further distinction between Con-Text *in toto*, on the one hand, and such Con-Text as is actively present in any given context—what we might call Con-Text-in-context or Con-Text *in loco*, on the other hand.²⁶⁰

²⁵⁸ Ahmad, *What is Islam?*, 301–404.

²⁵⁹ Ahmad also goes on to say that Con-Text “includes the full encyclopaedia of epistemologies, interpretations, identities, persons and places, structures of authority, textualities and intertextualities, motifs, symbols, values, meaningful questions and meaningful answers, agreements and disagreements, emotions and affinities and affects, aesthetics, modes of saying, doing and being, and other truth-claims and components of existential exploration and meaning-making in terms of Islam that Muslims acting as Muslims have produced, and to which Muslims acting as Muslims have attached themselves in the process of hermeneutical engagement with Revelation.” Ahmad, *What is Islam?*, 435.

²⁶⁰ Ahmad also exemplifies this difference as follows: “For example, the ideas of Ibn Sīnā are an important element of Con-Text *in toto*. But in a historical society of Muslims where the ideas of Ibn Sīnā are not read, studied and circulated as a part of meaning-making (such as in most contemporary modern societies of Muslims), in that context, these ideas are not a part of Con-Text *in loco*. However, in a historical society of Muslims where the ideas of Ibn Sīnā are read, studied and circulated as a part of meaning-making—such as in the historical societies of the Balkans-to-Bengal complex where the writings of Ibn Sīnā constituted a foundational element of the educational canon, with the result that his ideas were a deeply-embedded part of the received and rehearsed vocabulary of concepts and values—they are here present as Con-text *in loco*. Now, the point here is that where the ideas of Ibn Sīnā are present as Con-Text *in loco*/Con-Text-in-context, these will inevitably be present, attendant and participant in the hermeneutical engagement with Revelation—that is, in determining What is Islam? in that context.” Ahmad, *What is Islam?*, 361.

In line with this, concentrating on “Con-text *in loco*” is particularly crucial for distinguishing Minkārīzāde and his writings from his predecessors and counterparts. As has been rightly argued by Burak, “certain practices that had been condoned and even actively approved by authoritative figures went on to be vociferously denounced as signs of heresy or apostasy in later decades or centuries.”²⁶¹ It is important to emphasize for our purposes here that examples of such shifting perceptions of practices can be found in the writings of Minkārīzāde, as is especially evident in his treatise on the religion of Abraham, with its condemnation of expressions widely used in Ottoman society for at least a hundred years.

Ultimately, I am inclined to believe that Minkārīzāde consciously participated in the religio-legal debates of the seventeenth century. The views of the contending groups participating in these debates were so diverse and thus showed such potential for creating disarray in society that Minkārīzāde seems to have thought that if he had not been directly involved in these debates, “the carefully constructed edifice which the ‘*ulama*’ had painstakingly developed through their consensus could be undermined.”²⁶² An examination of Minkārīzāde’s religio-legal writings will illustrate this point further.

3.3 Contextualizing Minkārīzāde’s *risāle-i millet-i ibrāhīm* within the concept of *şer’u men kablenā*

The first study to be examined in this chapter will be the treatise that Minkārīzāde wrote on *millet-i İbrāhīm* (the religion of Abraham).²⁶³ This treatise concerns itself

²⁶¹ Burak, “Faith, law and empire,” 5.

²⁶² Berkey, “Audience and Authority,” 111.

²⁶³ For the sake of clarity, it must be underlined here that the term *millet-i İbrāhīm* should be translated as “the religion of Abraham” rather than as “the people of Abraham,” because the word *millet* is different from the meaning that it denotes in the modern sense, referring to one’s belief, faith or religion in the Qur’an. See Bosworth and Buhl, “Milla”; Şentürk, “Millet,” 64–66. However, one exception that can be mentioned in this regard is al-Shahrastānī’s conceptualization of *millet*, which

with the question of whether it is permissible for a Muslim to define himself as a member of the *millet-i İbrāhīm*. Although Minkārīzāde penned the treatise in both a long and a short version, here it is the former that will be primarily taken into consideration. In doing this, special emphasis will be placed on the law of societies under the guidance of the truthful prophets (*şer‘u men kablenā*)²⁶⁴ in order to properly address the main line of argumentation that Minkārīzāde puts forward throughout the treatise.

Islamic foundation narratives emphasize how Islam superseded both Judaism and Christianity because the adherents of the latter two faiths had failed to maintain the original content of the revelation, and thus their religious traditions had become corrupted over time. Likewise, it was believed that their holy books had been subjected to textual distortion (*tahrīf*), and that Muhammad was sent to the Arabs to restore the pure form of monotheism.²⁶⁵ Although Muslim scholars agreed that Islam superseded both Judaism and Christianity, there was much dispute with regard to which laws of the previous prophets were still valid for Muslims and should be accepted as the law of Muhammad. A substantial amount of literature on this particular field of knowledge accumulated in Islamic legal theory over the centuries, and within Islamic jurisprudence (*usūl al-fiqh*) there emerged a specific branch to refer to the law of those who came before us; namely, *şer‘u men kablenā*.²⁶⁶

The general consensus among Muslim scholars was that, before the revelation came to him, Muhammed followed the laws of the earlier period. What

refers to the basic principles and path on which a society is united. See Şehristânî, *Milel ve Nihal*, 51–52.

²⁶⁴ *Şer‘u men kablenā* literally means “the law of those who came before us.”

²⁶⁵ Lazarus-Yafeh, “Tahrīf.”

²⁶⁶ For the concept of *şer‘u men kablenā*, see Ekinci, *İslâm Hukuku*; Dönmez, “Şer‘u Men Kablena,” 15–19; Hıdır, “Şer‘u Men Kablena,” 83–98; Acar, “Peygamberlik Öncesi,” 7–32; Aslan, “Şâfiî Mezhebinde,” 1035–1057; Taşkın, “Ga‘zzâlî,” 91–120; Taşkın, “Sahâbî Kavli”; Öztürk, “İlk Beş Asır”; Öztaş, “İslâm Hukuk Usulünde”; Güner, “İbrahîmî Dinlerdeki,” 155–188; and Toktaş, “Kitâbü’l-Mille,” 247–273.

was under dispute, however, was whether Muhammed followed the laws of the earlier period *after* the revelation came to him. In a nutshell, it can be said that there are three explanations in Islamic legal theory regarding the field of *ṣer'u men kahlenā*. These can be summarized as follows: 1) We must follow the laws of an earlier prophet by virtue of its being the law of an earlier prophet, unless it has been abolished; 2) We must not follow the laws of an earlier prophet unless there is proof that it still stands; and 3) We must follow the laws of an earlier prophet by virtue of its being the law of our prophet. While the proponents of the first two explanations were primarily followers of the Maliki, Shafī'i and Hanbali *madhhabs*, the last explanation was the widely accepted opinion among Hanafi scholars.²⁶⁷

Prophets were the main points of reference and the loci for those interested in studying this specific branch of Islamic jurisprudence. There are many prophets mentioned in both the Qur'an and other sacred books, but among these Abraham can be regarded as the symbol of commonality of the three monotheistic religions and the common heritage of Jews, Christians, and Muslims alike.²⁶⁸ Moreover, the presence of Abraham before the first revelation came to Moses seems to be another reason why the former was seen as the common figure of the three religions. As such, he could be easily accepted as a conventional figure by subsequent monotheistic religions of the same fundamental tradition.²⁶⁹

In recent years, in respect to the growing role of associating Abraham with the three monotheistic religions, a kind of new conceptualization has begun to appear in Western historiography aiming to give a common appellation to these three

²⁶⁷ For a detailed account of these three explanations, see Ekinici, *İslâm Hukuku*, 158–213.

²⁶⁸ Klinghoffer, *Discovery of God*.

²⁶⁹ Hughes, *Abrahamic Religions*, 15–33.

religions.²⁷⁰ Namely, the phrase “Abrahamic religions” has been employed by a number of twentieth-century scholars to either underline the historical commonality of these monotheistic religions²⁷¹ or to reinforce an interfaith dialogue between them.²⁷² Others, however, have been highly critical of the usage of this term, pointing out certain pitfalls that may mask the very real differences between these three religions.²⁷³ What is at stake is how the relevant literature has begun to use the phrase “Abrahamic religions” as an analytical and academic term to examine the commonalities among and the differences between these religions when seen from a historical perspective.

It is interesting to note, however, that although there is a growing body of literature in Western historiography exploring Abrahamic religions from different perspectives, none of these studies seems to have explored the concept of *ṣer‘u men kablenā*. However, if one wishes to examine the historical commonalities among or differences between the three monotheistic religions from the viewpoint of Muslim scholars, one must begin by examining this concept, because it enables one to systematically examine and closely track over centuries the scholarly outputs of Muslim scholars on the issue of the law of the former prophets.

Regarding the relationship between Abraham and his role in Muslim tradition, there are several topics that were widely circulated in written and oral form

²⁷⁰ Stroumsa, “From Abraham’s Religion,” 11–22; Silk, “Abrahamic Religions as a Modern Concept,” 71–87; Nasir, “From Abraham”; Bakhos, *Family of Abraham*; and Silverstein and Stroumsa, *Abrahamic Religions*.

²⁷¹ It is striking that a number of Christian writers reconciled Islam with the *millet-i İbrāhīm* in emphasizing that Islam was not actually a new religion and did not bring anything new to Christianity. For this point, see Hoyland, *Seeing Islam*, 536–537.

²⁷² Massignon, *Les trois prières*, 20–23; Gershon-Gottstein, “Abraham,” 165–183; Griffith, “Faith of Abraham,” 193–210; Kuschel, *Abraham*; Todne, Malik and Wellman, *New Directions*; Langermann, *Monotheism and Ethics*; Lovat and Crotty, *Reconciling Islam*; and Peters, *Children of Abraham*.

²⁷³ Bregue, “Problems and Pitfalls,” 88–105; Hughes, *Abrahamic Religions*; Stroumsa, *Late Antiquity*; and Levenson, *Inheriting Abraham*.

among Muslims.²⁷⁴ Yet what is more important for our purposes here is the specific reference to Abraham in the Qur'an, where he appears in various contexts and is mentioned more than twenty times. Eight of these mentions are directly or indirectly related to the phrase "the religion of Abraham," which the present chapter will primarily deal with.²⁷⁵

Before moving to the details of Minkārīzāde's treatise, it would be beneficial to first provide a brief overview of the early modern Ottoman sources that refer to Abraham. Even though it is hard to figure out exactly when historical and literary productions about Abraham emerged in the Ottoman territories, 'Abdū'l-vāsi' Çelebi's *Halilnâme* would be a good starting point for our purposes here.²⁷⁶ This text is a didactic account of Abraham written in verse during the Interregnum Period (1402–1413). It can also be read as a political struggle between a just ruler

²⁷⁴ These topics can be summarized as follows: i) Arabs as the descendants of Ishmael, the son of Abraham, who was married to a woman of the local tribe from whom Arabs were descended; ii) Ishmael as the intended victim of the sacrifice; iii) The corruption of monotheism in Arabia after the death of Ishmael's descendants; iv) That God sent Abraham and Ishmael to Mecca to re-build the Ka'ba, which had been damaged by the great flood in the time of Noah; and v) The equivalence of the religion of Abraham with the status of Hanif, who was portrayed as a monotheist, rejecting idolatrous polytheism. For a brief overview of these five points, see Hawting, "Religion of Abraham," 475–501. Also see Al-Rabghūzī, *Stories of the Prophets*, II, 92–140; Firestone, *Journeys*; Firestone, "Abraham's Association," 365–93; Firestone, *Abraham's Journey*, 5–24; Rubin, "Hanifiyya and Ka'ba," 85–112; and Athamina, "Abraham in Islamic Perspective," 184–205.

²⁷⁵ The "religion of Abraham" appears in a number of verses in the Qur'an. The following verses are just some examples: "Who but a fool would forsake the religion of Abraham? We have chosen him in this world and he will rank among the righteous in the Hereafter." (2:130); "They say, 'Become Jews or Christians, and you will be rightly guided.' Say [Prophet], 'No, [ours is] the religion of Abraham, the upright, who did not worship any god besides God.'" (2:135); "[Prophet], say, 'God speaks the truth, so follow Abraham's religion: he had true faith and he was never an idolater.'" (3:95); "Who could be better in religion than those who direct themselves wholly to God, do good, and follow the religion of Abraham, who was true in faith? God took Abraham as a friend." (4:125); "Say, 'My Lord has guided me to a straight path, an upright religion, the faith of Abraham, a man of pure faith. He was not an idolater.'" (6:161); "And I follow the faith of my forefathers Abraham, Isaac, and Jacob." (12:38); "Then We revealed to you [Muhammad], 'Follow the creed of Abraham, a man of pure faith who was not an idolater.'" (16:123); "Strive hard for God as is His due: He has chosen you and placed no hardship in your religion, the faith of your forefather Abraham. God has called you Muslims (devoted to God)—both in the past and in this [message]—so that the Messenger can bear witness about you and so that you can bear witness about other people. So keep up the prayer, give the prescribed alms, and seek refuge in God: He is your protector—an excellent protector and an excellent helper." (22:78) Quotations are taken from the following translation: Haleem, *Qur'an*. For another important study on this topic, see Moubarac, *Abraham dans le Coran*.

²⁷⁶ Abdūlvāsi Çelebi, *Halilname*.

(Abraham) and a brutal tyrant (Nimrod), which reflects the succession struggle among the Ottomans at the time to a considerable degree.²⁷⁷

Apart from this, as a recent study by Hüseyin Yılmaz shows, Sufi-inclined scholars in Ottoman society throughout the sixteenth century fabricated a number of lineages of the Ottoman dynasty that make reference to Abrahamic, Persian, and Turko-Mongolian traditions. Within this context, Ali Dede (d. 1598), a Halveti sheikh from Mostar, designated the Ottomans as the descendants of Kantura, who was believed to be the concubine of Abraham, from whom he had a son, Turk. To better understand and substantiate the perception and recognition of Abraham by Ali Dede, it is worth quoting here Hüseyin Yılmaz's comment on the matter:

[I]n Ali Dede's exposition the House of Osman is portrayed to be an Abrahamic dynasty, a close kin of Arabs, and a continuation of the Abbasids in caliphate. With this new genealogy Ali Dede establishes one divinely ordained lineage for the caliphate starting from Abraham and ending with al-Mahdi, who was prophesied to come from the descendants of the Prophet Muhammed.²⁷⁸

The initial usage of the term *millet-i İbrāhīm* in Ottoman sources can be dated to the sixteenth century. One such source is the letters of Sheikh İbrāhīm-i Kırımī (d. 1593), who was affiliated with the Halveti sheikh Muslihu'd-dīn Nūreddīnzāde at the lodge of Küçük Ayasofya. Terzioğlu has shown in a recent article that the letters written to Murad III (r. 1574–1595) and erroneously attributed to Mahmud Hüdayī (d. 1628) were actually penned by İbrāhīm-i Kırımī. One of the striking points in Kırımī's letters is his positive treatment of Judaic themes. He places special emphasis on the importance of the previous prophets and even insists that Murad III should take good care of Abraham's tomb.²⁷⁹ In this regard, the most important point of reference in these letters is the use of the Qur'anic verse al-Nahl 16/123: "Then

²⁷⁷ Yılmaz, *Caliphate Redefined*, 230.

²⁷⁸ Yılmaz, *Caliphate Redefined*, 274.

²⁷⁹ Terzioğlu, "Power, Patronage," 181.

We revealed to you [Muhammad], ‘Follow the creed of Abraham, a man of pure faith who was not an idolater.’”²⁸⁰ Kırımî interpreted this verse, one of those related to the idea of the *millet-i İbrāhīm* in the Qur’an, differently than Minkārīzāde did, as will be shown later. He equates Abraham with Muhammad, saying that the former was the origin and the ancestor of the latter.²⁸¹ Considering that Kırımî himself was named Abraham (*İbrāhīm*) and was deeply immersed in Ibn ‘Arabī’s writings, he might well have regarded himself as an inheritor of Abrahamic sainthood in accordance with Ibn ‘Arabī’s prophetological scheme, which regarded all *evliyā* (“friends of God”) as inheritors of a particular prophetic station.²⁸²

A similar passage can be found in the hagiographical work of one of the most prominent saints of Deliorman of the sixteenth century. This passage is found in the *Demir Baba Velāyetnāmesi*, which is thought to have been written down in the seventeenth century, in the following context:

The king (*kıral*) of Muscovy, having heard of Demir Baba’s exploits in Bucak, suggests that he send an envoy to “the *padişah* of the Turks” (*Türk padişahına*) to summon Demir Baba, but his advisors tell him that Demir is of a special kind and that this “*pehlivan*” should be invited personally to help “for the love of Ali” (*Ali aşkına*). When the king meets the saint and asks him about the *millet* (confessional community) he belongs to, Demir Baba proudly proclaims: “I am from the *millet* of Halil İbrahim.”²⁸³

Such references to the prophet Abraham and to the term *millet-i İbrāhīm* in the works of ‘Abdü’l-vāsi‘ Çelebi, ‘Alī Dede, the letters of Kırımî, and the *Demir Baba*

²⁸⁰ Haleem, *Qur’an*, 174.

²⁸¹ “*Sual: Rasûl-u Ekrem (s.a.) İbrahim’den (a.s.) efdal ve ekmel iken millet-i İbrâhīm’e ittiba’ ile emrolundu. Cevab: İbrahim Rasûl-i Ekrem’in aslıdır ve ceddidir. Ve fenâ-yı fillah ve bakâ-yı billah mukaddemen tekml edip, imâmü’l-kül, ebu’l-kül olmuştur. Seyr ü sülûk ve ilim ü irfân, şuhûd-ı Rahmân, onda kalmıştır.*” Quoted in Güven, “Çeşitli Yönleriyle,” 17.

²⁸² Terzioğlu, “Power, Patronage,” 181–182. For Ibn ‘Arabī’s stances on earlier prophets, see Chodkiewicz, *Seal of the Saints*, 74–88. On Niyāzī-ı Mısırī’s prophetology, see Terzioğlu, “Man in the Image of God,” 156–163.

²⁸³ Quoted in Antov, *Ottoman Wild West*, 233. The original conversation in *Demir Baba Velāyetnāmesi* is as follows: “*Safâ Geldün Pehlivân! Yol zahmetleriyle nicesün? ’ diyüp âşinâlık kesb eyledi. Eyitdi kim: ‘Pehlivân ‘ayb olmaya, ne milletdensün? Ne millet cemâlisün?’ diyü su’âl eyledi. Timur Baba Sultân eydür kim: ‘Halil İbrâhīm Milletindenem.*” Quoted in Kılıç and Bülbül, *Demir Baba Velāyetnāmesi*, 91.

Velāyetnāmesi make it evident that the Abrahamic tradition found resonance and expression over time in the early modern Ottoman context. However, what is more important and particularly relevant for our discussion here are two recent studies by Tijana Krstić, who highlights the formulation “*millet-i İbrāhīm*” in both Lütfi Paşa’s *Risāle-i Su’āl ve Cevap* (The Question and Answer Treatise) and the anonymous catechetical work known as the *Cevāhirü’l-İslām*.²⁸⁴ The appearance of the following four questions in both works is very striking in the sense that, as Tijana Krstić underlines, apart from these questions the contents of these two works are actually quite different from each other:

If they ask: Whose offspring (*zürriyet*) are you?
 Answer: I am the offspring of the Prophet Adam.
 If they ask: Of whose religion (*millet*) are you?
 Answer: I am of the Prophet Abraham’s religion.
 If they ask you: Of whose community (*ümmet*) are you?
 Answer: I am of the Prophet Muhammad’s community.
 If they ask you: Whose doctrine (*mezheb*) do you follow?
 Answer: I follow the Great Imam Abu Hanifa’s doctrine.²⁸⁵

As these formulations make evident, the expression “I am of the Prophet Abraham’s religion” had been in use from at least the mid-sixteenth century. Given also that Minkārīzāde wrote a very detailed treatise in response to the question of whether it is permissible for a Muslim to define himself as a member of the *millet-i İbrāhīm*, we have reason to assume that the usage of this term was at least in frequent circulation among certain groups of people in mid-seventeenth century Ottoman society. However, evaluating Minkārīzāde’s contention that it is not permissible to say “I am of the Prophet Abraham’s religion” in the light of those two works and Tijana Krstić’s argument, a very complicated picture emerges. While the expression of the

²⁸⁴ For more information about Lütfi Paşa’s scholarly works, see Köksal, “Bir İslām Âlimi,” 29–72.

²⁸⁵ These four questions were taken from the following works: Krstić, “From *Shahāda* to ‘*Aqīda*,” 304 and Krstić, “State and Religion,” 80. It should be noted, however, that the term *millet-i İbrāhīm* in the first work was translated as “Abraham’s people” instead of “Abraham’s religion.”

phrase *millet-i İbrāhīm*, which was used in two catechetical works in the mid-sixteenth century as one of the constituent tenets of faith that “seek to define the believer beyond the label of ‘Muslim,’”²⁸⁶ how could Minkārīzāde pen a treatise nearly a century later that puts into question this formulation and asserts that it is not permissible for Muslims to speak of themselves as belonging to the *millet-i İbrāhīm*? In other words, how can one explain the different stances Minkārīzāde and the writers of these works over a period of just a hundred years? One possible answer to this question lies mainly in the mutability of legal judgements over the years.²⁸⁷

Before moving further, it would be helpful to review the available evidence regarding the date of composition of the two versions of the treatise and the recent scholarly interest in Minkārīzāde’s treatise on the *millet-i İbrāhīm*. Unfortunately, the exact date of composition of these treatises is unknown to us. The earliest dated copy of the longer treatise that I have identified bears the date 1665.²⁸⁸ The earliest dated copy of the shorter treatise, on the other hand, is dated 1656.²⁸⁹ Based upon the fact that Minkārīzāde’s longer treatise found a place in Kātib Çelebi’s *Mizānū’l-Hakk*, it would not be wrong to assert that he must have composed this treatise at least before 1656.²⁹⁰ Since very little is known beyond this, there is much room for speculation regarding the exact date of composition of these treatises. In light of these findings, however, we can speculate that it was probably written around the mid-seventeenth century.

²⁸⁶ Krstić, “From *Shahāda* to ‘*Aqīda*,” 304.

²⁸⁷ In this context, it would be beneficial to recall Burak’s comment on the issue: “[C]ertain practices that had been condoned and even actively approved by authoritative figures went on to be vociferously denounced as signs of heresy or apostasy in later decades or centuries.” See Burak, “Faith, Law and Empire,” 5. For more studies on the topic, see Reinhart, “When Women Went,” 116–128; Hallaq, “Legal Change,” 166–235; and Katz, “Corruption of the Times,” 171–185. For a recent discussion of the mutability of legal judgments via a specific debate about the permissibility of the congregational performance of supererogatory prayers, see Terzioğlu, “*Bid‘at*, Custom,” 323–366.

²⁸⁸ Süleymaniye YEK, Nuruosmaniye MS 4952 ff. 25b–54a.

²⁸⁹ İstanbul Üniversitesi Nadir Eserleri Kütüphanesi, MS T5917.

²⁹⁰ Kātib Çelebi, *Balance of Truth*; Çelebi, *Mizānū’l-Hakk*.

At this point, an important remark should be made here regarding Minkārīzāde's treatise on this topic. At first glance, since the topic was discussed in Kātib Çelebi's *Mizānū'l-Hakk*, one might wrongly assume that it was a part of the ongoing debates between the Kadızadelis and their opponents. However, a careful examination of both contemporary accounts and the corpora of the individuals involved in these debates shows that no relevant works on the topic were written by the individuals in question. For example, Mustafā Naīmā listed sixteen topics that were hotly debated by them—but the *millet-i İbrāhīm* was not among these topics.²⁹¹ Similarly, the absence of any related works written either by the leading figures of the Kadızadelis or by their opponents also supports this point.²⁹² In other words, Minkārīzāde can be named as the first scholar in the context of the religio-legal debates of the seventeenth century who penned a treatise related to the concept of the *millet-i İbrāhīm*, and he started a new debate by opening up a new venue for subsequent works. This point is especially crucial because it allows us to question the commonly held view that the main addressees in the religio-legal debates of the seventeenth century were the Kadızadelis and their opponents.

Minkārīzāde's treatise has attracted a good deal of attention from a number of scholars in recent years. Nir Shafir, who addresses Minkārīzāde's treatise in two different parts of his dissertation,²⁹³ delves further into the topic, and in a recent article he highlights two points related to the debate around the notion of the *millet-i İbrāhīm*. First of all, Shafir relates this debate to the process of confessionalization in

²⁹¹ Naīmā *Tārih-i Na'imā*, 1705.

²⁹² Necati Öztürk and Semiramis Çavuşoğlu listed the works of the leading Kadızadelis in their dissertations, but none of them produced a treatise related to the topic of the *millet-i İbrāhīm*. Compare their table of contents, Öztürk, "Islamic Orthodoxy" and Çavuşoğlu, "Kadızadeli Movement."

²⁹³ Shafir, "Road from Damascus," 76–82, 120–137.

the early modern Ottoman Empire.²⁹⁴ Secondly and more importantly, he argued that this debate provides important insights into popular or vernacular legalism in the Ottoman Empire.²⁹⁵ Apart from making these points, Şafîr's study also examines a number of the immediate responses written against Minkârîzâde's treatise on the *millet-i İbrâhîm*.²⁹⁶

Cengiz Şişman is another scholar who has recently written about the treatise on the *millet-i İbrâhîm*.²⁹⁷ In an article, he claims that Minkârîzâde's treatise can be regarded as a rare example of the discourse developing around the status of non-Muslims in the Islamic world, asserting that "although Minkarizâde does not mention the Jews and the Christians or *ahl al-kitâb* and *dhimmîs* specifically, he preserves in this treatise the classical Islamic and Ottoman attitudes towards non-Muslims, specifically Jews and Christians."²⁹⁸ Apart from these two studies, the shorter version of the treatise has also been translated into modern Turkish by Mehmed Akif Alpaydın.²⁹⁹

One common point for all these studies is their use of the shorter version of Minkârîzâde's treatise and the lack of attention paid to the treatise's longer version. The longer version is more important in that the three explanations regarding *şer'ü men kâblenâ* mentioned above are absent in the shorter treatise, which means that the shorter treatise makes it possible to miss the main framework that Minkârîzâde had

²⁹⁴ Şafîr asserted that the debate around *millet-i İbrâhîm* "was internal to Ottoman Muslims and was about the everyday practices that signified their religious belief." Şafîr, "Vernacular Legalism," 33.

²⁹⁵ According to Şafîr, vernacular legalism "represents a social usage of the law that lies beyond its formal functions and spaces such as judges presiding in courts, jurists issuing fatwas, professors debating in madrasas, or councils reviewing appeals in divans." Şafîr, "Vernacular Legalism," 34.

²⁹⁶ Şafîr, "Vernacular Legalism," 56–57.

²⁹⁷ Şişman, "Minkarizâde Yahya," 404–410. An important point to note regarding Şişman's article is that it wrongly dates the composition of the treatise to the 1660s. If Şişman had looked at Kâtib Çelebi's *Mizânü'l-Hakk*, he could have avoided making such a mistake and seen that it must have been written before 1656.

²⁹⁸ Şişman, "Minkarizâde Yahya," 407.

²⁹⁹ Alpaydın, "Şeyhülislâm Minkârîzâde," 58–71.

in mind while writing. Indeed, since neither of the aforementioned works on Minkārīzāde's *millet-i İbrāhīm* focus on his longer treatise, they fail to actually take note of Minkārīzāde's main line of argument on the issue. For that reason, Minkārīzāde's particular mode of reasoning and argumentation in proving that it is not permissible to say "I am of the Prophet Abraham's religion" should be contextualized within the specific field of Islamic law known as *şer'u men kablenā*. On behalf of such an inquiry, the longer version of *millet-i İbrāhīm* will here be taken into consideration in order to better comprehend and evaluate Minkārīzāde's point of view. Examining this treatise from this point of view is crucial in that it can save us from the teleological explanations of contemporary historians. Needless to say, examining the longer version of the treatise will also provide additional valuable insights regarding the content of this work.

To begin with, the following excerpt by Jacob Olidort is a good starting point to begin to examine Minkārīzāde's long version of the *Risāle-i Millet-i İbrāhīm* in the proper conceptual framework:

On the one hand, as with all the Abrahamic faiths, there existed an innate need to describe Abraham as having lived according to the principles of that faith. To establish that he was indeed a pious and exemplary figure for a particular religion-based community, it was important to demonstrate that his actions and rituals were a part of that same tradition. However, once the focus shifts from historicising the figure of Abraham to historicising the religion, that religion must be characterised by certain unique features in order to distinguish it from other Abrahamic religions. In the case of Islam, the historicisation of Abraham as an Islamic prophet who followed Islamic laws naturally came into direct tension with the historicisation of Islam as an Abrahamic faith. What is it that distinguished pre-Qur'ānic Islam from "post Qur'ānic" Islam, if one may call it such?³⁰⁰

Despite the fact that a possible answer to this question was beyond the scope of Olidort's study, the difference between pre-Qur'ānic Islam and post-Qur'ānic Islam

³⁰⁰ Olidort, "Portraying Early Islam," 333.

is directly related to the main framework that Minkārīzāde followed throughout his longer treatise.³⁰¹ Considering that Minkārīzāde established his argument around the concept of *şer‘u men kablenā* (the law of those who came before us) and that the prophet Abraham was also a respected figure among the members of the other monotheistic religions, it can be argued that Minkārīzāde seems to have emphasized the unique identity of Islam among the monotheistic religions by redefining the confessional boundary between Muslims and non-Muslims through his objection to the usage of the term *millet-i İbrāhīm*.³⁰²

Minkārīzāde continues his longer treatise by explaining three possible explanations in Islamic law regarding the concept of *şer‘u men kablenā*, and he presents his way of reasoning as an example of the third approach. Here it is worth recalling that the third explanation concerns itself with the contention that Muslims must follow the laws of an earlier prophet by virtue of its being the law of our prophet (that is, Muhammad). As previously mentioned, the phrase *millet-i İbrāhīm* is mentioned several times in the Qur’an. Minkārīzāde, however, mainly pays attention to two specific passages among these; namely, فَاتَّبِعُوا مِلَّةَ إِبْرَاهِيمَ (“follows

³⁰¹ The following excerpt from Minkārīzāde’s long version of the *Risāle-i Millet-i İbrāhīm* succinctly states what it is at stake: “Meselemiz ki, ümmet-i Muhammed ‘Aleyhisselām’dan bir kimesne Millet-i İbrāhīmdenüm demek cāiz midir deyu suāldır, cevabı budur ki, cāiz değildir. Zira Millet-i İbrāhīmdenüm demek zāhiri buna delālet ider ki, millet hālā Hazret-i İbrāhīm’in olub millet ile ‘amel Hazret-i İbrāhīm’in olmak üzerine ola. Mukaddem gelen nebīnin şerī‘ati ve milleti ile ‘amel bizim nebīmizin şerī‘ati ve milleti olmak üzerine olub mukaddem gelen nebīnin şerī‘ati ve milleti olmak üzerine olmadığına bir delil dahi Allāhu Te‘ālānın لِكُلِّ جَعَلْنَا مِنْكُمْ شِرْعَةً وَمِنْهَاجًا kavlı-i şerīfidir. Bu āyet-i kerīme, her nebīnin getirdiği şerī‘at ve millet kendi ümmetine mahsūsa olmağı iktizā ider.” Nuruosmaniye YEK, Nuruosmaniye MS 4952, f. 26b–27a. For the verse in the text, see Haleem, *Qur’an*, 72 (al-Ma’idah, 5:48: “We have assigned a law and a path to each of you”).

³⁰² The following excerpt from Cemal Kafadar’s study is illuminating in this regard: “On yedinci yüzyılın ortalarında İstanbul ahalisinin yaşadığı keskin kamplaşmadaki fay hatlarından birisi, ‘ümmet-i Muhammed’den’ olan kimselerin ‘millet-i İbrahim’denim’ demesinin caiz olup olmadığı etrafında biçimlenmiştir. Kâtip Çelebi’ye göre ‘İbrahim milletindenim, halk arasında yayılmış ve kökleşmiş biz sözdür.’ Bir yandan da, Müslümanların kendilerini bu şekilde tanımlamasına şiddetle karşı çıkanlar vardır. Müslüman kimliğine sahip çıkarken, diğer semavi dinlerle bağını vurgulamayı da seçebilirsiniz, sınırları tahkim etmeyi de.” Kafadar, *Kim var imiş*, 22. It was Minkārīzāde who followed the second option.

Abraham’s religion”; 3:95) and مِلَّةَ أَبِيكُمْ إِبْرَاهِيمَ (“the faith of your forefather Abraham”; 22:78).³⁰³

By interpreting these passages apart from the literal meaning in the Qur’an, Minkārīzāde argues that it is not permissible for a Muslim to define himself as being of the prophet Abraham’s religion. He conceptualizes his particular mode of reasoning and argumentation around the concept of inheritance (*mevrūs*).³⁰⁴ According to him, when the bequest passes to an heir, the former owner loses all right over the heritage. Similarly, when Muhammad inherited the religion from Abraham, he became the only inheritor and Abraham lost all connection from the previous claims.³⁰⁵

Another important consideration in Minkārīzāde’s treatise is his stance on the relationship between *dīn*, *millet*, and *şerī‘at*. Compared to Birgivī (d. 1573), who separated *dīn* and *millet* from *şerī‘at* by claiming that *dīn* and *millet* correspond to belief (*i‘tikād*) while *şerī‘at* refers to practice, Minkārīzāde asserts that *dīn*, *millet*, and *şerī‘at* are one and the same.³⁰⁶ Interestingly, Minkārīzāde evaluates the stance of Birgivī as follows: “[K]now that the words of Birgilī Efendi are the path of

³⁰³ Nuruosmaniye YEK, Nuruosmaniye MS 4952, f. 26b and 27b.

³⁰⁴ As mentioned before, Minkārīzāde received education from a number of scholars, pious men and sheikhs of diverse backgrounds during the early stages of his life, including Mahmūd Hüdâyî, Hocaşāde Es‘ad, Kiçi Mehmed, Semîn Velî and Hoca ‘Abdu’r-rahîm. The last three of these are worth mentioning here again because Minkārīzāde received knowledge of inheritance (*mevrūs*) from these three scholars. It is quite possible that Minkārīzāde might have been influenced by these scholars. *Uşşâkizâde*, 687–690 and *Şeyhî*, II, 1128–1132.

³⁰⁵ Referring to *Sâhib-i Keşf* and *Sâhib-i Takrîr*, Minkārīzāde supports his line of argument as follows: “Bu şerī‘at hâlen Hazret-i İbrâhîm milleti olmak mümteni‘ oldu. Öyle olıcak milleti olmak ne ma‘nâyadır? Ol ma‘nâyadır ki bu şerī‘at Hazret-i İbrâhîm’in idi, hak olduğu halde bâkî kalıp bizim nebîmizin oldu, Hazret-i İbrâhîm’e izâfetten kaldı, māl-ı mevrūs gibi ki hâlen vârise muzâf olup mûrise muzâf olmaz demişlerdir.” Nuruosmaniye YEK, Nuruosmaniye MS 4952, f. 28a. *Sâhib-i Keşf* was by ‘Abd al-‘Azîz al-Buhârî (d. 1330), who wrote on a commentary on al-Pazdawî’s *al-Usûl* known as *Kaşf al-ashrâr fî sharh Usûl al-Pazdawî*. For more information on this scholar, see Attar, “Abdülazîz El-Buhârî,” 186–187 and Ayrân, “Abdülazîz Buhârî,” 141–154. *Sâhib-i Takrîr* was by Akmal al-Dîn al-Bâbartî (d. 1384), who wrote a commentary on al-Pazdawî’s *Usûl* known as *al-Taqrîr ‘alâ ‘l-Usûl al-Pazdawî*. For more information on this scholar, see Aytekin, “Bâbertî,” 377–378 and Kahraman, “Ekmelüddin El-Bâbertî,” 1–20.

³⁰⁶ Birgili, *Vasiyyet-name*, 104.

zeccâc.”³⁰⁷ Here, we do not know exactly what Minkārîzâde was trying to say with this expression. One possible explanation would be that Minkārîzâde was referring to the expert on Arabic language and grammar named Ebū Īshāk Ībrāhīm (d. 923), known as Zajjāj, in order to emphasize Birgivî’s linguistic conceptualization of these terms.³⁰⁸ To support his stance, Minkārîzâde gives references to several prominent scholars; namely, al-Rāghib al-Isfahānī, al-Baydāwī, al-Sayyid Sharīf al-Jurjānī, Hayālī Çelebi, Mollā Hüsrev, Hasan Çelebi, Sa’dī Efendi, and Ebu’s-su’ūd.³⁰⁹ As Minkārîzâde’s reference to these scholars makes evident, the equivalence of *millet*, *dīn*, and *şerī‘at* does not represent a rupture from previous understanding. However, Minkārîzâde’s conceptualization becomes all the more meaningful when one considers the changes in Islamic religiosity throughout the seventeenth century, which prioritized correct beliefs and practice, and the verbal confession of faith (*ikrār*), which directly related to one’s holding the correct position in a particular situation.³¹⁰

³⁰⁷ “Eğer suâl olunursa ki, ‘Birgilî Muhammed Efendi merhum risâlesinde dīn ve millet ile şerī‘at beynîni fark idüb, dīn ve millet birdir, hazret-i Muhammed’in Hakk te’âlâ’dan getürdüğü şeylerdir, i’tikâda müte’allik. Şerī‘at a’mâle müte’allik getürdüğüdür dimişdir. Eyle olıcak millet-i ibrahîmidenüz demek câ’iz olur, i’tikâda müte’allik olan eşyâda enbiyâ ‘aleyhimü’s-selâm muhtalif olmadıklarına binâen.’ dinilürse, evvelâ bunu bil ki Birgilî Efendinin kelâmı zeccâc mesleğidir.” Süleymaniye YEK, Yazma Bağışlar MS 1438, 11a. Nuruosmaniye YEK, Nuruosmaniye MS 4952, 46b.

³⁰⁸ İşler, “Zeccâc,” 173–174.

³⁰⁹ “Millet ve dīn ve şerī‘at biz’z-zât birdir ve bi’l-i’tibâr mugâyirdir dimişler. Bi’z-zât birdir ki cümlesi Allāhu Te’âlânın enbiyâsı lisânı üzere meşrû’a kıldığı eşyâdan ibârettir... Bi’l-i’tibâr mugâyirdir ki, millet tesmiyesi meb’ûs olan nebî kimplere ba’s olundu ise onlara imlâ etmek i’tibârıyladır. Din tesmiyesi Allāhu Te’âlâyâ anınla müdân yani itâ‘at ve inkıyâd olunduğu i’tibârıyladır. Şerī‘at tesmiyesi Allāhu Te’âlânın zülâl-i rahmetine müte’attış olanlara mevrîd olması i’tibârıyladır. Böyle olacak akâid ve ‘amel’e şümûl iktiza ider.” Nuruosmaniye YEK, Nuruosmaniye MS 4952, f. 47a.

³¹⁰ There are a considerable number of studies focused on the relationship between belief and practices in Islamic thought. For these works, see Izutsu, *Concept of Belief*; Lewinstein, “Heresiography,” 583–98; and Madelung, “Early Sunnī Doctrine,” 233–54; for the Ottoman context, see Al-Tikriti, “Kalam,” 131–49 and Krstić, “You Must Know,” 155–195.

Another important point to be addressed in Minkārīzāde's treatise is his way of perceiving *havāss* (elite men) and 'avāmm (common people).³¹¹ His ambivalent attitude towards men of learning and common people is one of the more intricate topics in his treatises. According to him, since the elite (*havāss*) are aware of how to interpret the phrase "I am of the Prophet Abraham's religion" apart from the literal meaning in the Qur'an, they are allowed to use it. On the other hand, the common people are inclined to understand it literally, so it is not permissible for them to say "I am of the Prophet Abraham's religion."³¹²

It is well known that a strong distinction between *havāss* and 'avāmm was omnipresent in the writings of prominent Muslims in pre-modern times. This understanding probably resulted from scholars' normative perception about social hierarchy in society.³¹³ Minkārīzāde, however, did not confine himself solely to indicating this distinction. By shortening the longer treatise and conveying his arguments in a simpler manner in the shorter treatise, he also aimed to directly reach the common people. It was rare for a member of the Ottoman ulama to compose a

³¹¹ For the discussion around *havāss* and 'avāmm in the medieval context, see Waldman, "Primitive Mind/Modern Mind," 91–105; Berkey, "Popular Culture," 133–146; Shoshan, *Popular Culture*; and Berkey, *Popular Preaching*.

³¹² The following excerpt from his longer treatise clearly represents his way of thinking: "*Millet-i İbrāhīm*'denüz demek zāhiri üzerine cāiz değildir. Zīrā bunun zāhiri millet hala Hazret-i İbrāhīm'in olub millet ile 'amel Hazret-i İbrāhīm'in olmak üzerine olmağa delālet ider. Böyle olacak bunu 'avāmm söylemek cāiz değildir, zīrā anlar zāhirindir, bu tarafı bilmezler, ammā havāss zāhirin değildirler. İmdi bunlar hala millet-i Muhammed olub, millet-i İbrāhīm olmayıb, ancak aslında Millet-i İbrāhīm olub, millet ile 'amel Hazret-i Muhammed milleti olmak üzerine olub, Hazret-i İbrāhīm milleti olmak üzerine olmamak mülāhazasıyla demek cāizdir. Lākin diyen kimse zāhirinden müstefād olanı i 'tikād tarīki ile dimeyub, bu mülāhazayı i 'tikād tarīkiyle dediğine karīne gerektir ki istimā' edenler ol tarīk ile demeyip bu tarīk ile dediğini bileler. Zīrā zāhiri üzerine cāiz değildir. Ve bunu bu üslūb üzerine havāss yine havāss yanında söyleyip, 'avāmm yanında söylememek gerektir. Zīrā işitmekle zāhirinden müstefād olanı i 'tikād tarīkiyle diyegiderler. Karīne ise herkese göre fāide vermez ki ondan ne i 'tikād ile denilip ne i 'tikād ile denilmediğini bileler. Hāsıl-ı kelām her söz zāhirine mahmūldür. İmdi şol söz ki onun zāhirinden müstefād olan i 'tikād bize cāiz olmaya, ol sözü söylemek bize cāiz değildir, i 'tikād cāiz olur bir hāle komadıkça." Nuruosmaniye YEK, Nuruosmaniye MS 4952, f. 45b–46a. For Kātib Çelebi: "It would mean imposition of hardship to declare 'No, these words are wrong. The educated, who know the origin of them, may use them, but the common people must not.' No one would pay any attention anyway; it would mean irritating the people and provoking them to contention, to no purpose." Kātib Çelebi, *Balance of Truth*, 121.

³¹³ Herzog, "Mamluk (Popular) Culture," 131–58.

religious treatise in plain Turkish, except for a few Quranic verses and short quotations from other scholars.³¹⁴ Bearing in mind that Minkārīzāde wrote these treatises in Turkish in response to a question posed probably by a Turkish-speaking individual, it can be presumed that the target audience of this treatise was Turkish-speaking people, allowing him to convey his message to a broader public.³¹⁵

There can be several reasons for scholars to produce abridgements (*mukhtasar*).³¹⁶ In our case, Minkārīzāde shortened his longer treatise so as to make its content more accessible to lay readers.³¹⁷ Although Minkārīzāde's main contention in his treatise is that it is not permissible for a Muslim to define himself as a member of the *millet-i İbrāhīm*, the exceptional status of men of learning in saying this phrase can only be meaningful when we understand that the purpose of Minkārīzāde in writing this treatise was to correct and refine a controversial phrase widely used in seventeenth-century Ottoman society. But the primary reason that led Minkārīzāde to give the most reasonable argument in his shorter treatise without going into the details of his argumentation, lay in the fact that lay readers, as Terzioğlu mentions, "were a liability because, with their limited intellectual capacity and educational level and their inflated self-esteem, they could easily be led into

³¹⁴ For vernacularization, see Terzioğlu, "Catechism," 84–85 and Gürbüz, "Teachers of the Public," 180–224; for a brief overview of vernacular readership, see Queen, "Books and their Readers," 11–15, 149–151.

³¹⁵ Christoph K. Neumann mentions three different types of writing aiming to reach a wider audience, a specific community, or just a couple of people. In the light of Minkārīzāde's short treatise, it can be argued that he quite likely aims to reach a broader public by writing in plain Turkish. Neumann, "Üç Tarz-ı Mütalaa," 51–76.

³¹⁶ Kilpatrick, "Abridgements," 23–24. Also see Fadel, "Social Logic of Taqlīd," 193–233.

³¹⁷ The following introductory note to his shorter treatise is illuminating in this regard: "*Bu 'abd-i fakīr Minkārīzāde aslaha'llāhu sübhānehū ve te'ālā me'ādehū hālen beyne'l-enām Millet-i İbrāhīm 'aleyhi's-selām husūsında dā'ir olan su'āl cevābında 'azizü'l-menāl nıçe vecih takrīr ve bir risāle-i bedī'a tahrīr idüb lākin kesīretü's-şi'ab olmağla mutāla'asında te'ab gelmesin diyu ihtisār olunub kadr-i hācete iktisār olundu.*" Harvard University Houghton Library, MS Arab 292 ff. 99a.

‘error and heresy.’”³¹⁸ This argument is also valid for Minkārīzāde, for he aims to redefine this widely used phrase and show the common people the right path.

Another important field of inquiry regarding Minkārīzāde’s treatise is its reception in succeeding years and centuries. First of all, it should be noted that, in terms of production and circulation, the shorter version of the treatise should be considered differently than the longer one, as the latter has only two extant copies in archives.³¹⁹ The shorter version, on the other hand, has more than 30 copies in the manuscript libraries of Istanbul alone.³²⁰ More copies of this treatise will likely come to light through further research in manuscript libraries around the world, but even considering only the extant copies of Minkārīzāde’s treatise, we can say that it was widely read. However, the extant copies of the treatise reflect only one side of the coin. To properly handle the reception of Minkārīzāde’s treatise in subsequent years, one should look also at other texts in which the phrase *millet-i İbrāhīm* in general and Minkārīzāde’s treatise in particular were mentioned.

To begin, given the fact that Kātib Çelebi allocated considerable space to Minkārīzāde’s *millet-i İbrāhīm* in his work, it is clear that this treatise found an immediate reception by one of the most important Ottoman intellectuals of the seventeenth century. The *millet-i İbrāhīm* is among the twenty-one topics in Kātib Çelebi’s *Mizānū’l-Hakk*.³²¹ As is the case in the rest of his book, in his chapter on this topic Kātib Çelebi is also very careful in considering the opinions of both contending sides. After summarizing the longer version of Minkārīzāde’s treatise and

³¹⁸ Terzioğlu, “Catechism,” 84. A similar view is also observed in Kemalpaşazāde, who argued that common people could easily misunderstand the texts and fall into heresy. See Öngören, *Osmanlılar’da Tasavvuf*, 384–390.

³¹⁹ These treatises can be found in Nuruosmaniye YEK, Nuruosmaniye MS 4952 ff. 25b–54a and Süleymaniye YEK, Yazma Bağışlar 1438 ff. 103–116.

³²⁰ Şafir, “Road from Damascus,” 135.

³²¹ Kātib Çelebi, *Balance of Truth*, 110–23 and Kātib Çelebi, *Mizānū’l-Hakk*, 77–85, 205–213.

giving the counter argument of a certain sheikh named Mūjib, Kātib Çelebi offers the most reasonable line of arguments on the issue. According to him, Minkārīzāde's argument cannot be refuted because he relates his arguments with proofs and respects the rules of discussion. As for the treatise of Sheikh Mūjib, on the other hand, no attention should be paid to it as he did not write his treatise in accordance with the rules of disputation.

Even though Kātib Çelebi was not totally against Minkārīzāde's treatise, he still seems to have been critical against his lines of argument on the ground that Minkārīzāde overlooks the widespread habits among peoples. In this regard, Kātib Çelebi says that "it has become a widespread and regular habit among the people to say simply 'I belong to the religion of Abraham.' Though eighty treatises be written and the Government ban the use of this expression, it is no good; they will still say it."³²² Kātib Çelebi's criticism of Minkārīzāde's treatise is very insightful in that it enables us to hear a contemporary voice about a well-established expression among the people of the time and also in that it reminds us of the importance of local custom for examining the religio-legal debates of the seventeenth century. In a sense, from Kātib Çelebi's point of view, we can read the phrase *millet-i İbrāhīm* as a new chapter on the conflict between custom and *sunna*.³²³

In addition to Kātib Çelebi's comment, Minkārīzāde's treatise on *millet-i İbrāhīm* also received both positive and negative treatments. On the positive side is an illuminating passage in *Üstüvānī Risālesi* (The Treatise of Üstüvānī). Although Üstüvānī Mehmed (d. 1661), who was known as the leader of the second wave of the Kadızadelis, did not write this treatise himself, it consists of his sermons as brought together by one of his pupils after his death. Referencing Minkārīzāde's treatise,

³²² Kātib Çelebi, *Balance of Truth*, 121.

³²³ For similar conflicts in the medieval Islamic context, see Berkey, "Tradition, Innovation," 38–65.

Üstüvânî propounded that it is not permissible to say that we belong to the *millet-i İbrâhîm*.³²⁴ Likewise, another important point of reference can be found in a fatwa given by chief jurist Yenişehirli ‘Abdu’llâh (d. 1743). According to him, when one is asked ‘what religion are you?’ he must say ‘I am of Muhammed’s religion’ rather than ‘I am of the religion of Abraham.’³²⁵ These two examples by two well-known scholars of different backgrounds are particularly important for showing the favorable reception of Minkârîzâde’s treatise on *millet-i İbrâhîm*.

Similarly, another important reference point is the omission of the term “I am of the Prophet Abraham’s religion” from one of the most widespread catechetical works in Ottoman society, *Mızrâklı İlmihâl*.³²⁶ While the exact date of composition of *Mızrâklı İlmihâl* is unknown, it seems that it was written after the sixteenth century, though the text’s popularization and widespread use was a later development of the eighteenth and nineteenth centuries. For that reason, a further examination of the extant copies of *Mızrâklı İlmihâl* is needed to ascertain whether the omission of the phrase “*millet-i İbrâhîm’denim*” is a later development or not. However, it is still significant for our purposes here to note the absence of this phrase from *Mızrâklı İlmihâl*, which may show the positive reception of Minkârîzâde’s reasoning to a certain degree.

On the other hand, it should also be noted that the formulation in Lütî Paşa’s treatise, which resembles the questions asked by Munkar and Nakir to each believer

³²⁴ “Minkari-zade Efendi, bu meseleden ötürü iki cüz mikdan bir risale telif itmüşdür. Anda tafsilen beyan itmüşdür ve millette Hazret-i İbrahim’e tabi’üz demek caiz değildir; zira dinde bizim peygamberimize tabi’üz, millette sair peygambere tabi’üz demek iki peygambere tabi’üz demek olur; bu ise caiz değildir.” Quoted in Yurdaydın, “Üstüvani Risalesi,” 74–75. Also see Doğmuş, “Sosyolojik bir bakış,” 121.

³²⁵ “Müslim olan Zeyd’e ‘Ne millettensin’ deyu sual olundukda ‘Millet-i Muhammed sallallahu teâla aleyhi ve sellemdenim’ demek mi gerekdir yoksa ‘Millet-i İbrâhîm aleyhi’s-selamdanım’ demek mi gerek? El-cevab: ‘Millet-i Muhammed sallallahu teâla aleyhi ve sellemdenim’ demek gerekdir.” Şeyhülislam Yenişehirli Abdullah Efendi, *Behcetü’l-Fetâvâ*, 25.

³²⁶ Kara, *Mızraklı İlmihal*.

upon death, has been so influential that it is still taught in religious pre-schools in today's Turkey. Similarly, its reminiscence among many individuals who received traditional education from these unofficial institutions is still lively today.³²⁷

Despite the aforementioned positive receptions, however, there were also a number of short treatises in which Minkārīzāde's treatise on *millet-i İbrāhīm* was criticized. Nir Shafir has meticulously examined the unfavorable reception of Minkārīzāde's treatise on *millet-i İbrāhīm*. In his view, the main point shared by the proponents of *millet-i İbrāhīm* is that, although *millet* means *dīn*, it cannot be equated with *sharia*.³²⁸ He also summarized their arguments as follows: "The critics of Minkārīzāde state that anyone who declares that he belongs to the religion of Abraham is actually saying that he belongs to the religion of Muhammad. All the prophets belong to the same *millet* and by saying they are part of Abraham's *millet*, they are only demonstrating their appreciation of Abraham."³²⁹

Last but not least, another promising field of inquiry is the method that Minkārīzāde employed throughout the treatise. As previously mentioned, Kātib Çelebi appreciated Minkārīzāde's method because it was in accordance with the rules of argumentation and disputation. Indeed, throughout the treatise Minkārīzāde employs different question-answer statements (e.g., *bu i'tibār ile millet-i İbrāhīmdenüz dimek cāiz olur dinilirse, ana cevap budur ki...*)³³⁰ to indicate possible objections and their refutations, as well as employing various ways of reasoning such as *istidlāl* (inference) and *kıyās* (analogy).

³²⁷ Kara and Birinci, *Mahalle/Sıbyan Mektepleri*, 9. Despite this, however, caution should be exercised, because we receive this piece of information from Ali Birinci and İsmail Kara. The latter scholar retrospectively added the phrase "I am of Abraham's religion" to his transliteration of the *Mızrākli İlmiḥāl* despite the fact that the phrase does not actually appear in the text.

³²⁸ Shafir detected the name of the respondents as follows: a certain Hasan Efendi, İzmirî Hāfız Efendi, 'İsmā'il Efendi, and Ni'metu'llāh Efendi. Shafir, "Vernacular Legalism," 56–57.

³²⁹ Shafir, "Vernacular Legalism," 57.

³³⁰ Nuruosmaniye YEK, Nuruosmaniye MS 4952, ff. 49a.

As we know from the works of Khaled El-Rouayheb, the supposed decline of interest in the rational sciences in the seventeenth and eighteenth centuries is a myth.³³¹ Similarly, it would be not wrong to argue that rational reasoning was not monopolized by those who opposed the views of the Kadızadelis. On the contrary, the Kadızadelis “were as prepared to support their arguments against innovation on rational grounds as they were on scriptural grounds.”³³² The same conclusion can also be drawn for Minkārīzāde’s treatise on *millet-i İbrāhīm*. By employing various instruments as means for reaching an argument rather than using them for its own sake, Minkārīzāde intended to correct the verbal confession of faith about the term the *millet-i İbrāhīm*, which had been in use in Ottoman society for at least a hundred years.³³³ In other words, as Minkārīzāde’s treatise on *millet-i İbrāhīm* makes evident, it is also possible to object to the contention that enabled a Muslim to define himself as a member of the *millet-i İbrāhīm* on rational grounds. It is very interesting, however, that we cannot follow a similar rational reasoning for Minkārīzāde’s rebuttal to Kürd Mollā’s commentary on *et-Tarīkatü’l-Muhammediye*, which will be examined in the next section.

3.4 Minkārīzāde’s rebuttal to Kürd Mollā’s commentary on *et-Tarīkatü’l-Muhammediye*

This section will examine a very short treatise of Minkārīzāde, which he wrote as a rebuttal to the commentary of Muhammed b. Mollā Ebū Bekr on Birgivī’s famous work *et-Tarīkatü’l-Muhammediye*. It would be appropriate to start this topic with

³³¹ El-Rouayheb, “Triumph of Fanaticism,” 196–221 and El-Rouayheb, *Islamic Intellectual History*, 13–59.

³³² Sheikh, *Ottoman Puritanism*, 115.

³³³ By the term “for its own sake”, I mean Minkārīzāde’s *Hāşiye ‘alā Hāşiye Mīr Ebū’l-Feth li Şerhi’l-Hanefi ‘alā’l-ādābu’l-adudiyye*, in which he presents his way of reasoning through syllogistic representations rather than using them to clarify a specific problem, as in the case of his treatise on *millet-i İbrāhīm*.

Birgivî and his work, because although it is widely accepted that the Kadızadelis took their name from the famous preacher Kādîzāde Mehmed (d. 1635), a far more important point of reference for them was the spiritual authority and the writings of the sixteenth-century Ottoman scholar Birgivî, one of whose students had been a teacher of Kādîzāde Mehmed himself. For this very reason, Birgivî's life and the reception of his works deserve special consideration for the purposes of this study.

Muhammed b. Pîr 'Alî b. İskender el-Balıkesirî el-Birgivî, better known as Birgivî Mehmed (1523–1573) was born in Balıkesir to an ulama family with Sufi affiliations. He received his initial education from his father, from whom he learned Arabic and the Qur'an, and he also took lessons in logic and the religious sciences. He also attended the lessons of Küçük Şemse'd-dîn Ahmed Efendi el-Germiyanî (d. 1550–51) and Ahîzāde Mehmed b. Nûru'llāh Efendi (d. 1581) in Istanbul.³³⁴ After receiving *mülâzemet* from Mollâ 'Abdü'l-rahmân, Birgivî taught in a number of madrasas in Istanbul, though he probably did not hold a proper teaching position but rather worked as an adjunct.³³⁵

Subsequently, with the appointment of Mollâ 'Abdü'l-rahmân as the chief judge of Rumelia in 1551, he had the chance to become an inheritance apportioner (*kassām*) in Edirne. In succeeding years, he kept himself away from bureaucratic tasks for a while and entered the service of Karamânî 'Abdu'llāh (d. 1564), who was the sheikh of the Bayrami order. It is not known how long he stayed on the Sufi path, but we know much about his subsequent career. Having established close contact with 'Atâ'u'llāh Ahmed, the tutor of Şehzade Selim between the years 1550 and

³³⁴ Ençakar, "Kifâyetü'l-Mübtedî," 14–17.

³³⁵ Ivanyi, *Virtue, Piety*, 21.

1571, and built a *Dāru 'l-hadīth* in Birgi, Birgivī became the professor of that madrasa and spent the rest of his life there.³³⁶

Birgivī was a prolific writer and highly esteemed scholar who is said to have authored more than 50 works on diverse topics, including grammar, logic, and piety. However, a considerable number of these works have been shown to be misattributions. As Ahmet Kaylı has demonstrated, there are only 35 works whose authorship by Birgivī is established beyond doubt.³³⁷ There might be various reasons behind these kinds of misattributions, but the most important among them for our purposes here is undoubtedly “the controversies he was posthumously drawn into and the authoritative position he was subsequently accorded.”³³⁸

In this regard, the reception of Birgivī’s corpus in general and the widespread popularity of his two popular works—the *Vasiyetnāme* (Testament), also known as *Risāle-i Birgivī*,³³⁹ and *et-Tarīkatü 'l-Muhammediye* (The Muhammadan Path)³⁴⁰—are the key aspects of the religio-legal debates of the seventeenth century because, as Ivanyi rightly argues, “Birgivī’s work would prove to be both inspiring and divisive.”³⁴¹

The first of the aforementioned works is generally described as a catechetical work (*ilmihāl*) written in plain Turkish and pertaining to both Islamic belief and practices, though it does not proceed in question-and-answer format. The popularity of this work owed much to its concise description and instruction of the basic Islamic

³³⁶ For the biography of Birgivī, see *Atâyî*, 631-634; Martı, *Birgivi Mehmed*; Arslan, *İmam Birgivi*; and Ivanyi, *Virtue, Piety*, 17–25.

³³⁷ Kaylı, “Critical Study,” 31–125, also see 24–30.

³³⁸ According to Kaylı, “the abundancy of misattributions to Birgivi may be explained partly by Islamic emphasis on humility, partly by the peculiarity of manuscript culture where every manuscript was uniquely produced, partly by the ‘popular’ character of Birgivi, and, no doubt, partly by the controversies he was posthumously drawn into and the authoritative position he was subsequently accorded.” Kaylı, “Critical Study,” 36.

³³⁹ Duman, *Vasiyyet-name*.

³⁴⁰ For an examination of this work, see Martı, *et-Tarīkatü 'l-Muhammediyye* and Ivanyi, *Virtue, Piety*.

³⁴¹ Ivanyi, *Virtue, Piety*, 236.

faith and tenets. The main theme of the second work, on the other hand, is related to the question of “how to achieve everyday piety” that prioritized both the Islamic law and the *Sunna* of the Prophet.³⁴² It was written in Arabic like most of Birgivī’s works, probably for a more educated audience than the *Vasiyetnāme*, and the sections on ethics, exhortation, and advice are more detailed.

It would not be wrong to argue here that the increase in the popularity of Birgivī’s works coincided with the emergence of the Kadızadelis onto the political and religious scene of the Ottoman Empire in the first half of the seventeenth century, which can be regarded as products of a piety-minded response to the crisis of the early seventeenth century. The 1620s show a significant increase in the production of manuscript copies of Birgivī’s works. For instance, while there were only 17 copies of his works produced within 41 years after his death, within the eight years after Kādizāde Mehmed’s succession of Birgivī’s son Fazlu’llāh in Bāyezīd Mosque as preacher in 1622, 26 copies of his works were copied.³⁴³ The time period in question also witnessed the first employment of the term “Birgivī followers” (*Birgivī hulefāsi*) in the fatwa compilation of Hocaẓāde Es‘ad, who held the office of chief jurist between the years 1615–22 and 1623–25.³⁴⁴ We also know from İshāk b. Hasan et-Tokadī’s *Nazmu ’l-’Ulūm* that Birgivī’s two works mentioned above were

³⁴² The following excerpt from Ivanyi’s study would be helpful for understanding the essence of the *et-Tarīkatü ’l-Muhammediye*: “The main gist of Birgivī’s exposition in *al-Tarīqa al-muhammadiyya* centers on the question of how to achieve everyday piety. For Birgivī, piety in day-today life is realized by way of the cultivation of virtue. On a fundamental level this is, of course, dependent upon strict adherence to the Law, as we have already seen. However, it also goes beyond the Law itself, involving the active training of man’s character in certain forms of behavior. Such training, directed at the heart (*qalb*), and with a heavy emphasis on the idea of moderation (*iqtisād*), is to be carried out by a number of spiritual exercises, centering on the remembrance of God and the ephemeral nature of life in this world. Its aim is to eliminate man’s inherent evils or vices (*āfāt*), leading to a corresponding ‘embellishment’ (*tahlīya*) of the heart with virtues or praiseworthy character traits instead. The sunna of God’s Prophet, as well as the Law more generally, which Birgivī devotes his attention to in both the opening and closing chapters of the work, in fact act as a framing structure and support for Birgivī’s instructions of how to establish virtue in everyday life, which lie at the core of the work in their turn.” Ivanyi, *Virtue, Piety*, 117–118.

³⁴³ Kaylı, “Critical Study,” 187.

³⁴⁴ Terzioğlu, “Sufi and Dissident” 200.

recommended to be taught in Ottoman madrasas under the subjects of Sufism and ethics.³⁴⁵ Another two examples also show that Birgivî and his works were promoted by tendencies identified with the Kadızadelis during the 1620s and 1630s. For example, Kâtib Çelebi informs us in his *Mîzānū 'l-Hakk* that one of the books taught by Kādîzāde Mehmed in his public lectures was Birgivî's *et-Tarīkatü 'l-Muhammediye*.³⁴⁶ Similarly, there are also a good number of miscellanies in which Birgivî's *Vasiyetnâme*, Kādîzāde Mehmed's *Risāle-i Kadîzāde* and Akhisārî's *Risāle* are bound together, which shows a considerable overlap in the readership of these works.³⁴⁷ All these examples show that, as the visibility of the Kadızadelis on the political and religious scene increased, there was also observable growing interest in Birgivî and his works.³⁴⁸

Nevertheless, the favorable reception of Birgivî's works also led to a number of refutations and lampoons in the mid-seventeenth century. In this regard, the ongoing disputes between the Kadızadelis and their Sufi opponents through the 1630s and 1640s played an obvious role in the appearance of such works. In 1652–53, for instance, when the Kadızadelis had built a powerful base among Istanbul's merchants and artisans as well as in palace circles,³⁴⁹ an important religious polemic took place between the Kadızadelis and the Sufis. This confrontation was driven mainly by the works of two Halveti-affiliated sheikhs—namely, Muhammed b. Mollā Ebu Bekr, known as Kürd Mollā, and Tatar İmam—each of whom wrote a commentary on Birgivî's *et-Tarīkatü 'l-Muhammediye*. Since Minkārîzāde only wrote

³⁴⁵ İzgi, *Riyazi İlimler*, 78.

³⁴⁶ Kâtib Çelebi, *Balance of Truth*, 136. Mustafâ Naîmâ also indicates that Birgivî's *et-Tarīkatü 'l-Muhammediye* was read by the majority of Kadızadelis; see *Târih-i Na'îmâ*, III, 1434.

³⁴⁷ Michot, *Against Smoking*, 2.

³⁴⁸ However, as Ivanyi rightly argues in her study, “it is important to differentiate between his ideas and the views of those who would later adopt and adapt his work for their own purposes, often under radically changed social and political conditions.” Ivanyi, *Virtue, Piety*, 235.

³⁴⁹ For more information about this topic, see Sariyannis, “Mercantile Ethic,” 263–289.

a rebuttal against the work of Kürd Mollā, particular attention will be given to this work in the following lines.³⁵⁰

Nearly all of our knowledge about Muhammed b. Mollā Ebū Bekir b. Mollā Muhammed b. Mollā Süleyman el-Kürdī es-Sehrānī el-Elmevānī, otherwise known as Kürd Mollā (d. 1673), comes from Ottoman chronicles which, unfortunately, do not present the kind of detailed information present in the biographical dictionaries of the time.³⁵¹ We still know, however, that after coming to Istanbul towards the mid-seventeenth century, Kürd Mollā established a close relationship with the personal steward (*Valide kethüdāsi*) of the queen mother Kösem Sultān, Arslan Ağa, which enabled him to acquire a position in the *Enderūn-i Hümāyūn Mektebi* (Imperial Inner School) and to make contact with Halveti sheikhs, including ‘Abdü’l-ahad Nūrī. Kürd Mollā then became *ders-i ‘ām* at the Süleymāniyye complex, where in September/October 1648, with the encouragement of ‘Abdü’l-ahad Nūrī, he completed his work entitled *Kitābu’t-tahkīk ve’t-tevfīk beyne Ehli’ş-şer’ ve Ehli’t-Tarīk*.

In penning this commentary, Kürd Mollā aimed to clarify the ambiguous meanings of certain issues presented by Birgivī Mehmed in his magnum opus, *et-Tarīkatü’l-Muhammediye*. In doing so, he also targeted some members of the ulama and Sufis on the ground that they accepted Birgivī’s text according to their own standpoints without taking into account the works of previous religious scholars. He blamed both sides on the ground that they accepted Birgivī’s book as a mainstay to

³⁵⁰ For an examination of Tatar İmam’s commentary on *et-Tarīkatü’l-Muhammediye*, see Ürkmez, “İdrāku’l-Hakika.”

³⁵¹ There are three historical accounts that narrate the debates revolving around this work, among which *Târih-i Na’imā* was the most detailed one. The following narratives will depend on these works: *Târih-i Na’imā*, III, 1434–1437; Kâtib Çelebi, *Fezleke*, II, 1057–1058; and Abdurrahman Abdi Paşa, *Vekâyi’-nâme*, 49–50. For an examination of this debate, see Çavuşoğlu, “Kādizâdeli Movement,” 134–141 and Zilfi, *Politics of Piety*, 144–146. Also see Aynî, *Türk Ahlakçıları*, 105–106 and Martı, *Et-Tarīkatü’l-Muhammediyye*, 107–114.

be either unquestionably defended or totally rejected.³⁵² So, if one looks for the reason behind the composition of the commentary from the perspective of Kürd Mollā, it can clearly be inferred that Kürd Mollā was trying to defend a “moderate way” between the two sides that had taken a position vis-à-vis *et-Tarīkatü’l-Muhammediye*.

Influenced by the political and religious atmosphere of the time, some Halvetī sheiks also contributed to the commentary’s dissemination among their followers. The Kadızadelis, on the other hand, regarded Kürd Mollā’s commentary as a sacrilegious book whose writer deserved to be punished. Some of the leading figures of the Kadızadelis even asked the chief jurist Bahāyī Mehmed for the execution of Kürd Mollā. Thereupon, Kürd Mollā appeared before Bahāyī Mehmed in order to prove his innocence by asserting that he took his ideas from the words of religious men, including Fakhr al-Dīn Rāzī, al-Ghazzālī, al-Rāghib al-Isfahānī, and Necm.³⁵³ The chief jurist Bahāyī Mehmed responded to Kürd Mollā as follows:

O Molla! Weren’t you able to find a verse pertaining to a safer subject in the *Qur’ān*? Why did you choose to interpret one of the ambiguous verses (*müteşābihāt*) which is a difficult subject? True, great men have quoted these words in their books. Profound matters which are based on *keşf* and *şühūd*

³⁵² “Faziletli bir şeyh ve ilmiyle amel eden kâmil bir insan olan Muhammed Birgili’nin *Tarīka’sını* incelediğimde, farz ve nafile ibadet çeşitlerini ve üstün ahlâk özelliklerini ihtiva eden haramlardan ve çirkinliklerden uzak durmayı gerektiren davranışları öğreten, Peygamber’in (sav) sünnetlerini açıklayan ve selefîn ahlâkını bildirmeye yeten bir kitap olduğunu gördüm. Ancak iki grup, bu kitap yüzünden doğru yoldan şaşmış, inada ve çevre düşmüşlerdir. Bunlardan birincisi; hayır ve şerri, zarar ve faydayı birbirinden ayıramayan mukallit ulemâdır ki dîn-i metîn ve şer’-i mübîn sadece bu kitaba münhasırdır zannederler. Bunun dışındakilerin, öze nispetle kabuk mesabesinde olduğunu düşünürler. Ömrüme yemin olsun ki bu, doğru yoldan uzak, apaçık bir sapıklıktır. İnat sözüdür. İkinci grup ise sûfîlerin cahillerinden meydana gelmiştir ki bu kimselerin şeriat ve Tarikat ilminden nasibi yoktur da, bu kitaptaki her şeyin bâtil olduğunu zannederler. Bu da dalâlettir ve doğru olmayan bir görüştür...*Et-Tarīkatü’l-Muhammediyye*’deki müşkil kısımları izah eden, anlaşılmayan ve rumuzla ifade edilen yerleri açıklayan, ibarelerdeki kapalılıkları zâhir kılan, özellikle de ehl-i keşf ve keramet olan sûfî, meşâyih ... ve diğer vecd ve hâl erbâbının karşı çıktığı yerleri açıklığa kavuşturan bir şerh yazmak istedim. Bu çalışmamın, kâmil kişiler dışındakilerin muttali olamayacağı meseleleri beyan eden bir şerh olmasına gayret ettim.” Quoted in Martı, *Et-Tarīkatü’l-Muhammediyye*, 109–110. Kürd Mollā also criticized Birgivi’s use of Hadith on four main grounds, all of which were taken from Tatar İmam’s commentary. For this point, see Ürkmez, “İdrâku’l-Hakîka” 20–22.

³⁵³ Unfortunately, Mustafâ Na’îmâ does not allow us to identify Necm.

however, are related to mystical pleasures. They concern the *erbāb-i hāl*, i.e., the Şūfīs. It is not permissible for the ‘*ulemā*’ to deal with such questions.³⁵⁴

After this conversation, Kürd Mollā renewed his faith, and he was pardoned by Bahāyī Mehmed. Against the demands of the Kadızadelis for a death sentence, he was sent to Bursa without any capital punishment. The Kadızadelis, however, were unwilling to be appeased, and asked Bahāyī Mehmed for the execution of Tatar Imam as well. Tatar Imam insisted on his arguments and challenged the Kadızadelis to discuss publicly the controversial issues found in his commentary. The Kadızadelis avoided open discussion with Tatar İmam and did not confront him. Then, the Kadızadelis appealed to the Imperial Harem, intending to influence palace circles. In the end, the sultan ordered the chief jurist Bahāyī Mehmed to refute the commentary of Tatar Imam. Thereupon, several leading Ottoman ulama wrote rebuttals (*reddiye*) against these commentaries, but none of them, unfortunately, seems to have survived, excepting only Minkārīzāde’s rebuttal.³⁵⁵

In the following lines, I will try to contextualize the content of Minkārīzāde’s short rebuttal from a broader historical perspective. First of all, it would be helpful to specify the date of composition of Minkārīzāde’s rebuttal. There are only three extant copies of this rebuttal in Turkish manuscript libraries, but there is no information in any of these copies regarding the date of composition.³⁵⁶ Still, a *terminus post quem* can be established for the work, since we know that Kürd Mollā completed his commentary in September/October 1648, while serving as a *ders-i ‘am* at Süleymāniyye. Interestingly, Minkārīzāde was also serving as professor at the

³⁵⁴ Quoted in Çavuşoğlu, “Kādīzādeli Movement,” 138. For the original passage, see *Tārīh-i Na‘īmā*, III, 1435–1436.

³⁵⁵ It should be noted, however, in connection the commentaries written during this period, Kātīb Çelebi and ‘Abdī Paşa only refer to the work of Kürd Mollā. Mustafā Na‘īmā, on the other hand, mentions both works.

³⁵⁶ Minkārīzāde Yahyā Efendi, *Suretu ma ketebehu fi ibtali şerhi’t-Tarīkati’l-Muhammediyye*, Köprülü YEK, Hafız Ahmed Paşa MS 152/3, ff: 77a–79a; Kayseri Raşit Efendi YEK, Raşit Efendi MS, no: 350, vr: 66b–68a; Ankara Üniversitesi İlahiyat Fakültesi 980 ff: 1b–2b.

same religious complex. It would be speculative, however, to assert that Minkārīzāde, too, penned his rebuttal while holding the professorship of the Süleymāniyye madrasas, which he left when appointed to the judgeship of Mecca at the beginning of 1649, just two months after the completion of Kürd Mollā's work. The more probable scenario regarding the date of composition of Minkārīzāde's treatise would be the year 1652–53, when a heated debate between the Kadızadelis and Kürd Mollā broke out.

As briefly mentioned before, Kürd Mollā was sent into exile at the end of this confrontation, but Mustafā Naīmā does not give the exact date of this exile. However, considering that the scholarly meeting, the participants of which reached the decision that the aforementioned two commentaries should be refuted, was held on 11 January 1653, it is likely that Kürd Mollā was exiled to Bursa after this meeting was held. During this period of time, Minkārīzāde held the judgeship of Cairo.³⁵⁷ He might have penned his rebuttal while serving as the judge of that city, or else after he lost his judgeship in August 1653. Whether Minkārīzāde composed the work shortly after this event or later, his harsh criticism of Kürd Mollā's commentary needs to be further investigated and should be evaluated by taking into account the political and religious circumstances of the mid-seventeenth century, which witnessed political turmoil and a number of successive revolts in which the social base of the Kadızadelis were active participants.³⁵⁸

In his rebuttal, Minkārīzāde proposed that, since Kürd Mollā's commentary contains many unacceptable mistakes, a detailed criticism would only make that commentary more valuable in the eyes of people. For this reason, he chose to

³⁵⁷ Minkārīzāde became the judge of Cairo in July/August 1652 and stayed in this position for nearly a year.

³⁵⁸ Sariyannis, "Mercantile Ethic," 263–289.

compose a very short rebuttal attempting to refute three points made in Kürd Mollā's commentary that he saw as exemplary for revealing the commentary's problematic nature. According to Minkārīzāde, there were also many kinds of deviations concerning Kürd Mollā and his work apart from these three points, but he found it more proper not to handle them because rebutting or answering each such problem would increase the importance of the book in the eyes of the people. The main purpose of Minkārīzāde in writing this rebuttal, though, was to warn the weak against the words of such deviant people by paying attention to the fact that "it is imperative to clean the earth by doing what is necessary,"³⁵⁹ which is what he aimed to do in his rebuttal.

The first and the most contentious point to which Minkārīzāde raised an objection in his rebuttal is broadly related to creed and concerns itself with the quiddity of divine attributes. To put it more clearly, Minkārīzāde objected to Kürd Mollā's attribution of a position to God in space. The personification of God known as *mujassima* had been the subject of intense debate among Muslim scholars for a long time.³⁶⁰ In particular, the anthropomorphic passages in the Quran created an ongoing dispute among scholars based on whether or not these verses should be interpreted literally.

Basically, there were three fundamental stances among Muslim scholars regarding the anthropomorphic description of God.³⁶¹ The first, which was the standard traditionalist viewpoint,³⁶² was to accept the anthropomorphic passages at

³⁵⁹ Köprülü YEK, Hafız Ahmed Paşa MS 152/3, ff: 78b.

³⁶⁰ Holtzman, "Anthropomorphism," 46–55 and Holtzman, *Challenge of Traditionalism*.

³⁶¹ Baljon, "Qur'anic Anthropomorphisms," 119–127, at 119–120.

³⁶² Although some Hanbalis argued that the meaning of the figurative passages in the Qur'an should be entrusted to God, radical Hanbalis, like Ibn Taymiyya, advocated the apparent (*zāhir*) meaning of these passages. See El-Rouayheb, *Islamic Intellectual History*, 276–277. Goldziher also points out the similarities between the Zāhirīs and some followers of the Hanbali school of law. See Goldziher, *Zāhirīs*, 75.

face value on the basis of the literal meaning of the relevant passages in the Qur'an.³⁶³ The second opinion, defended by the rationalists, was to give theologically and linguistically acceptable non-literal interpretations of these passages.³⁶⁴ In other words, they perceived the anthropomorphic passages in the Qur'an as a way of representing God's actions and attributes.³⁶⁵ The proponents of the third approach, however, supported the idea that spatial expressions may be used of God, but without asking how (*bi-lā kayf*), leaving knowledge of these passages to God (*tawfīd*) and thereby cementing the inconceivability of God.³⁶⁶ To put it more clearly, while the last two opinions mentioned above were the two acceptable opinions regarding the anthropomorphic passages in the Qur'an in the Sunni schools of law in the post-classical period, what was unacceptable was the first opinion, which took those passages literally.³⁶⁷

Considering Kürd Mollā's close affiliation with Sufi circles, one would expect that his stance on the matter of the personification of God might be parallel with the aforementioned two acceptable ideas within the Hanafī-Maturidi tradition, and contrary to the idea of the traditionalists, who defended the literal interpretation of these passages without making any interpretation, a stance which one would expect the Kadızadelis to embrace. However, what is interesting in Kürd Mollā's commentary is that he tried to prove the authenticity of the traditionalists' position by defending the anthropomorphic passages in the Qur'an. The following passage,

³⁶³ Swartz, *Medieval Critique*, passim and Williams, "Ahmad Ibn Hanbal," 441–463.

³⁶⁴ Lane, *Traditional Mu'tazilite*, 107–13, 141–45.

³⁶⁵ A number of standard handbooks of Ash'ari theology, such as *Sharh al-'aqā'id* by al-Taftāzānī, *Sharh al-Mawāqif* by Sayyid al-Sharīf al-Jurjānī, *Jawharat al-Tawhīd* by Ībrāhīm Laqānī, and the credal works of Sanūsī, defend this point of view. See El-Rouayheb, *Islamic Intellectual History*, 276.

³⁶⁶ Abrahamov, "Bi-Lā Kayfa," 365–379; Schmidtke, *Mu'tazilite Creed*, 16–26, at 16–18; and Abrahamov, *Anthropomorphism*, 6–7.

³⁶⁷ El-Rouayheb, "From Ibn Hajar," 275.

which was quoted by Minkārīzāde from Kürd Mollā's commentary, well reflect the latter's stance on the issue:

When it is said that "God's absence in space is proven with certain evidence," I would say: On the contrary, it is fixed with the devilish delusion that is opposed to the holy books, prophetic practices, holy discoveries and benevolent minds. Undoubtedly, the hearts of all creatures have been created on the idea that God is in heaven (*semā*), and those who say the opposite actually say the opposite of what they have in their tongues and hearts.³⁶⁸

In addition to this passage, Minkārīzāde also included another passage in his rebuttal in which Kürd Mollā equated Birgivī's stance with the position of the philosophers.

According to Kürd Mollā, Birgivī claimed that some of the ignorant Sufis did not rectify their faith, and they believed that God is in heaven and has a form. Contrary to Birgivī, Kürd Mollā defended his stance by arguing that his conviction was accurate and in line with the views of the prophets and saints, as well as matching what was found in holy books and prophetic knowledge. He also argued that the notion opposed to his view only emerged in the Muslim community after the third century, and that the proponents of this view clung to the skirts of the philosophers.

Minkārīzāde's attitude towards Kürd Mollā's interpretation was very harsh. He castigated him as one who aimed to steer people away from the right path. For this very reason, Minkārīzāde maintained that Kürd Mollā should be sentenced to death even if he repented from these views. As far as the complexity of the different positions taken by Birgivī and Kürd Mollā and Minkārīzāde's stance against the latter's commentary on the anthropomorphic passages in the Quran is concerned, further attention needs to be paid to the matter, because there is a certain need to question the stance of a scholar with Sufi affiliations, in this case Kürd Mollā, that

³⁶⁸ Köprülü YEK, Hafız Ahmed Paşa MS 152/3, ff: 77a.

was in line with the view of the traditionalists regarding the figurative interpretation of anthropomorphisms in the Qur'an.

This is, in fact, hardly surprising, given that Ibn 'Arabī and Ibn Taymiyya, who both can be regarded as the archetypical figures of opposite poles in classical Islamic thought, defended similar views on several topics, such as “the rejection of rationalistically motivated figurative interpretations of apparent anthropomorphisms in the Quran and hadith; the denigration of the discipline of rational theology; and the rejection of mainstream Ash'arī views on secondary causality and the creation of human acts.”³⁶⁹ In light of the first commonality cited above, it should not be surprising then that Kūrd Mollā's stance in his commentary regarding figurative interpretations in the Qur'an were well grounded in the Sufi milieu.

One prominent figure who attempted to reconcile the positions of Ibn 'Arabī and Ibn Taymiyya on the anthropomorphic passages in the Qur'an was a Shafī'i scholar with Sufi affiliations, İbrāhīm al-Kūrānī (d. 1697).³⁷⁰ As argued by Khaled El-Rouayheb, “al-Kūrānī reduced the position of Ibn Taymiyya and Ibn al-Qayyim on the anthropomorphic passages of the Qur'ān and Sunna to the perfectly respectable position of *tafwīd* preferred by the *salaf*.”³⁷¹ In parallel with this, Kūrd Mollā's defense of anthropomorphic interpretations can be regarded as the precursor to a wider development in Islamic intellectual history in the seventeenth and

³⁶⁹ El-Rouayheb, *Islamic Intellectual History*, 275. Also see Hoover, *Ibn Taymiyya*, 46–48 and Chittick, *Sufi Path of Knowledge*, 199–202.

³⁷⁰ For more information about İbrāhīm Kūrānī, see Guillaume, “Al-Kurānī,” 291–303; Nafi “Taṣawwuf and Reform,” 307–355; Yılmaz, *İbrahim Kūrānī*; Johns, “al-Kūrānī,” 432–433; Cici, “el-Kūrānī,” 426; and Dumairieh, “Intellectual Life.” Another scholar from the eighteenth century in this regard is the Indian Naqshbandi Walīallāh al-Dihlawī (d. 1762); see El-Rouayheb, “From Ibn Ḥajar,” 302–303.

³⁷¹ El-Rouayheb, “From Ibn Ḥajar,” 301. It should be noted that İbrāhīm Kūrānī was condemned as a heretic by a contemporary Ash'ari scholar, Yahyā al-Shāwī, because of his corporalism and his rehabilitation of Ibn Taymiyya. For this point, see El-Rouayheb, “From Ibn Ḥajar,” 302. For a general evaluation of al-Kūrānī's position on anthropomorphic attributes, see Dumairieh, “Intellectual Life,” 250–258.

eighteenth centuries. In this regard, the following excerpt from El-Rouayheb's article can be insightful for an examination of Kürd Mollā's commentary within this particular framework:

In the eighteenth century, there seems to have been a marked rise in attacks on the established tradition of jurisprudence and theology by scholars with Sufi affiliations who called for an approach that was more directly based on Hadith. Some of these Sufi critics of scholasticism found aspects of the thought of Ibn Taymiyya and Ibn al-Qayyim congenial, and adduced them in their polemical writings without abandoning their positive view of Ibn 'Arabī. It is perhaps ironic that seventeenth-and eighteenth-century Sufis should have played this role in the rehabilitation of Ibn Taymiyya, given that he has become an icon of modern movements that are aggressively opposed to Sufism and that have to some extent been successful in putting it on the defensive in the contemporary Sunni world.³⁷²

As this passage maintains, some hadith-oriented scholars with Sufi affiliations played an important role in the rehabilitation of Ibn Taymiyya in the seventeenth and eighteenth centuries. By defending the anthropomorphic passages in the Qur'an in his commentary, Kürd Mollā—together with al-Kūrānī, in fact—evokes this kind of development in the seventeenth century. Needless to say, it would be rather speculative to assert that Kürd Mollā defended the approach taken by the Hanbali school of law simply because he was a follower of this school's thought. It is more likely, however, that Kürd Mollā had his own agenda, derived from a combination of ideas originating in different traditions. This point becomes all the more meaningful given that, in the face of the criticism raised by the Kadızadelis, the Halvetis tried to base their discourses on other schools besides the Hanafis, and especially on the Shafi'is and Malikis, in order to expand the ground on which they could center their stances in a manner compatible with the concept of the *Ehl-i Sünnet* ("followers of Sunnah").³⁷³ Related to this, an important detail regarding Kürd Mollā's intellectual

³⁷² El-Rouayheb, "From Ibn Hajar," 303.

³⁷³ Kalaycı, "Birgivi Mirasının," 431–455, at 449.

background was that, before he came to Istanbul and wrote his commentary on Birgivî's *et-Tarîkatü'l-Muhammediye*, he attended the gatherings of scholars from all four Sunni schools of law from Arabia and Persia.³⁷⁴ There can be no doubt that these scholars had some influence on the approach Kürd Mollâ took in his works. As such, it can be argued that, rather than constraining himself to the doctrine of a single school of law, Kürd Mollâ must have relied upon debatable opinions within or outside the Hanafi-Maturidi tradition to protect their Sufi-affiliated ideological stance with regard to the polemical issues being debated by Muslims in the seventeenth-century Ottoman Empire.

Returning to the rebuttal written by Minkārîzâde, the second point of Kürd Mollâ's that Minkārîzâde tried to disprove occupies less space in his rebuttal. This second criticism is related to creed and concerns itself specifically with the veracity of eschatological issues (*sem'ıyyât*). Kürd Mollâ argues that not believing in Heaven and Hell, the Day of Judgement, or the book of one's worldly deeds should not be regarded as heresy. He argues that these concepts can be rejected through *ta'wîl*. The interesting point here is that while Kürd Mollâ opposed any interpretation regarding the anthropomorphic passages in the Qur'an, he preferred to use *ta'wîl* in the area of eschatology. Minkārîzâde, though, opposes Kürd Mollâ's argument on the ground that *ta'wîl* comes into question when the apparent meaning of the truth cannot be reached due to the absence of clear evidence. Just as with the first objection, Minkārîzâde again asserts that Kürd Mollâ should be sentenced to death due to his opinions.

Finally, the third point to which Minkārîzâde objected concerns jurisprudence (*fiqh*). Here, Minkārîzâde takes Kürd Mollâ's reply to Birgivî's criticism of the

³⁷⁴ Kürd Mollâ also claimed that he was mature enough to practice *ijtihād* (independent reasoning) within the Hanafi school of law; see Martı, *Et-Tarîkatü'l-Muhammediyye*, 108.

lenience of some Sufis concerning *ta'dil-i erkân* (the obligatory components and observance of the prayer) to be laxity about religious rules and deviation from the truth.³⁷⁵ According to Kürd Mollâ, the internal reward (*sevâb*) of prayer is not dependent on the duration of the prayer, but rather on whether or not it stems from obedience to God. Likewise, he argued that prayer can be performed without being compatible with the *ta'dil-i erkân*. According to Minkârîzâde, in this Kürd Mollâ tries to overthrow sound religious judgements and abandons the true path in order to mislead Muslims. Even if he recants his statements, Minkârîzâde asserts, putting him to death would be necessary because his primary intention was hypocrisy and deception.

Based on these three polemical issues, it can be seen that Minkârîzâde wholly rejected Kürd Mollâ's commentary, and even consistently argued for the latter's execution without delay.³⁷⁶ Minkârîzâde's rebuttal also reproaches learned men (*fukahâ*) for their ignorance about *imtinâ-ı zarûrî* (necessary avoidance). In this regard, one of the issues that learned men do not take into account on the matter of *imtinâ-ı zarûrî* is the voluntary or enforced temporary avoidance of those who try to foment corruption (*fesâd*) and misbelief (*fücûr*) in the world, but who keep themselves away from such actions in certain periods due to adverse conditions. According to Minkârîzâde, if these people had the opportunity, "they would only return to the very thing that was forbidden to them." (Al-An'am, 6:28)³⁷⁷ Minkârîzâde was also determined to assert that Kürd Mollâ was the most suitable

³⁷⁵ Kahraman, "Ta'dil-i Erkân," 366. For the conditions and components of *salât* (prayer), see Katz, *Prayer*, 20–28.

³⁷⁶ It is interesting to note here that Üstüvânî Mehmed, who was accepted as the leader of the Kadızadelis, demanded the execution of Kürd Mollâ as well. See *Târih-i Na'îmâ*, III, 1435.

³⁷⁷ Haleem, *Qur'an*, 82.

person to be judged in accordance with this verse, as his aim in trying to mislead Muslims was open and perceptible.³⁷⁸

We do not know the identity of the learned men or jurists (*fukahā*) to whom Minkārīzāde was referring. It can be speculated, however, that in this Minkārīzāde implied Bahāyī Mehmed, as the latter had exiled Kürd Mollā to Bursa without subjecting him to capital punishment. But whoever these learned men might have been, it is necessary to pay special attention to the difference in tone adopted by Bahāyī Mehmed and Minkārīzāde towards Kürd Mollā's commentary. Although it is difficult to provide a full and substantial explanation of the different tones they adopted, one possible explanation can be found in the diverse religious inclinations among the members of the Ottoman ulama, which were shaped by a number of factors. The first thing to consider vis-à-vis Bahāyī Mehmed's moderate stance towards Kürd Mollā's commentary might be his affiliation with the Naqshbandi order.³⁷⁹ Similarly, his fatwa declaring the permissibility of smoking can be used to support this point as well.³⁸⁰ The situation becomes more complicated, however, when one considers his fatwa ruling that *raks* and *devrān* are not permissible, which makes it very difficult to clearly understand Bahāyī Mehmed's moderate stance towards Kürd Mollā.³⁸¹ The most reasonable explanation, however, may be that Bahāyī Mehmed—as the chief jurist of the Ottoman learned hierarchy—was trying to find a middle ground between the Kadızadelis and their Sufi opponents in order to avoid further conflict. Interestingly, Minkārīzāde's longest period of waiting for a

³⁷⁸ It is interesting to observe here that, even though Minkārīzāde did not recognize Kürd Mollā as *sā'ī bi'l-fesād* (a spreader of corruption), whose execution would be valid if such acts became a perpetual habit (*ādet-i müstemirre*), it was enough for Kürd Mollā to do such an act just once, which was presented as a good reason to be executed. For this topic, see Aykan, "Legal Concept," 1–19, at 13–15.

³⁷⁹ İpşirli and Uzun, "Bahâî," 463–364. For his biography, see Şeyhî, I, 690–704.

³⁸⁰ Kâtib Chelebi, *Balance of Truth*, 52, 56.

³⁸¹ *Târih-i Na'imâ*, III, 1292.

post, which lasted nearly two and a half years between 1653 and 1655, occurred after this incident. It might then be speculated that Minkārīzāde's harsh tone in his rebuttal sparked a reaction among the members of the ulama at the time.

Even so, Minkārīzāde's harsh stance towards Kürd Mollā's commentary as compared to that of Bahāyī Mehmed needs to be further explained. Here, it would be beneficial to briefly touch upon the correspondence between Minkārīzāde and Khayr al-Din al-Ramlī (1585–1671).³⁸² This correspondence consists of a total of three letters, two of which were written by Minkārīzāde, with the other by al-Ramlī.³⁸³ In the first letter, dating to 14 January 1670 when Minkārīzāde and other state officials were traveling, Minkārīzāde posed the following question to al-Ramlī: “[If someone says,] ‘If I do this, I will become an apostate (*kāfir*),’ and he does it believing that he will become an apostate, is there any way that he would not become an apostate for doing it?” Minkārīzāde objected to the response of some previous muftis, who had asserted that if the action was performed, the person that performed it would inevitably become an apostate. Based on a passage in *Fatāwā Qādīkhān*, Minkārīzāde listed three exceptional circumstances under which someone would not

³⁸² Although it is beyond the scope of this study, one promising area would be to examine this correspondence from the perspective of “the republic of letters.” The following excerpt from İlker Evrim Binbaş's work succinctly summarizes this conception: “In modern parlance, an informal intellectual network is based on personal contact, communication, or correspondence between the participants. The members of an informal network often share similar philosophical, political, ideological, religious, and aesthetic sensibilities. The exchange of letters or pamphlets, the commitment to a methodological principle or to the bonds of friendship and family ties, the occasional attention of a particular patron, as well as not infrequent actual encounters among members kept such networks together and functioning. Participants in these networks preferred to call themselves citizens of a Republic of Letters, a term which has come to be an expression of the growing influence of informal networks in early modern Europe. Such cases of informal networks, or a Republic of Letters for that matter, are defined mainly by peer-to-peer relationships, hence displaying little or no hierarchical stratification. They were interregional and not territorially bound, a feature that made their participants true cosmopolitans. These informal networks were also important nodes for the transmission of clandestine heretical, messianic, irreligious, or radical ideas, along with various degrees of freethinking, and they often included people who openly challenged established religious and political structures.” Binbaş, *Intellectual Networks*, 8–9. For more studies on this topic, see Goodman, *Republic of Letters*; Goldgar, *Impolite Learning*; Hamilton, Boogert and Westerweel, *Republic of Letters*; Fumaroli and Vergnaud, *Republic of Letters*; and Bevilacqua, *Arabic Letters*.

³⁸³ Süleymaniye YEK, Hekimoğlu MS 322, ff. 295b–297a; 297a–303b; 303b–306b.

automatically become an apostate for performing a specific action of this type: 1) If he performed the action after learning that what he had previously said was actually an oath (*yamīn*); 2) If he performed the action by forgetting what he had previously said; and 3) If he believed in his heart when performing the action that the action was not a sign of apostasy. By following a logical formula and suggesting these three exceptions, Minkārīzāde seeks to receive an affirmation from al-Ramlī.

Adopting a different formulation than that which Minkārīzāde had employed, al-Ramlī provided a detailed response where he quoted several passages from the works of previous scholars on the issue at hand and provided nuanced explanations to Minkārīzāde's inferences. Minkārīzāde seems not to have been satisfied with al-Ramlī's response, and asked him to again elaborate on his thoughts in a still more detailed way, but he was unable to reply owing to his death in 1671.

Although a detailed analysis of this correspondence exceeds the limits of this study, Minkārīzāde's use of a flexible definition of heresy permits us to conclude that he did not advocate "for a more expansive definition of heresy."³⁸⁴ For this reason, Minkārīzāde's harsh stance becomes more meaningful when one takes into account the specific historical context in which Kürd Mollā's book was written and disseminated. The 1650s had witnessed a series of rebellions, and in this context the fact that Minkārīzāde increasingly affiliated himself with the state bureaucracy in an institutional manner by switching to a judicial career might well have led him to compose a rebuttal to a work that attempted to convey highly debatable opinions to the public.

³⁸⁴ Shafir, "Vernacular Legalism," 56. Nir Shafir misinterpreted these correspondences in his studies. Minkārīzāde, in fact, did not provide a strict definition of heresy, as Shafir assumed. On the contrary, he brought forward a more flexible definition by proposing three possible cases that would not make someone an apostate. Also see Shafir, "Road from Damascus," 62–65. I would like to sincerely thank Ahmet Kaylı for helping me clarify this point.

Related to this, one should also not underestimate the degree to which the members of the Ottoman learned hierarchy were influenced by the religious traditions of the empire's Arab provinces while serving as judges in largely Arab cities. As we also know from the correspondence, the relationship between Minkārīzāde and al-Ramlī went back to an earlier period.³⁸⁵ Similarly, as will be detailed in Chapter 5 of this study, Minkārīzāde received his license to transmit hadith (*ijāzat al-riwāya*) from a Maliki scholar, 'Alī al-Ujhūrī (d. 1656).³⁸⁶ Accordingly, given that the debate around the commentaries of Kürd Mollā and Tatar İmam coincided with Minkārīzāde's residency as judge in Mecca and Cairo for more than three years all together, we should not underestimate the degree of interaction and cross-fertilization between the well-established religious traditions in these lands and the Ottoman center as represented by scholars like Minkārīzāde.³⁸⁷

Ultimately, it can be said that Minkārīzāde's rebuttal to Kürd Mollā's commentary clearly shows that a stricter interpretation of the Hanafi school of law was not merely in the hands of a small social and religious group represented by certain notable preachers. Similarly, Minkārīzāde's rebuttal provides an opportunity to question the subtle assumptions in the literature that the canonical authority of Birgivī's works was only really credited by the Kadızadelis. Although Minkārīzāde's primary aim in writing a rebuttal to Kürd Mollā's commentary was to oppose the polemical issues in Kürd Mollā's commentary, rather than simply defending Birgivī's *et-Tarīkatü'l-Muhammediye*, it is still very interesting to see how Birgivī—who had a significant impact on Ottoman scholarly traditions and whose works were

³⁸⁵ Süleymaniye YEK, Hekimoğlu MS 322, ff. 297a.

³⁸⁶ Çavuşoğlu, "Üchürî," 274–276.

³⁸⁷ Michael Winter argued that "despite the high position of the chief Ottoman qādī in Egypt, his influence on that country's religion and society was almost non-existent." Winter, "Cultural Ties," 193. Although there is some truth in this statement, it would be wrong to say that those who went to Egypt as judges were not affected by the social, political, and religious dynamics of the region.

at the center of many important debates both during and after his time—was regarded as a scholarly authority by proponents of different religious approaches. In other words, the positive reception of this book by both the Kadızadelis and members of the Ottoman ulama contributed, albeit in their own different ways, to the “canonization” process of this book.

3.5 Seeking the correct practice: The treatise *risāle fī vūcūbī istimā ‘i ‘l-Kur’ān ve ‘l-hutbe* and the notion of Sunni orthopraxy

The next work of Minkārīzāde to be examined in this section is his treatise entitled *Risāle fī Vūcūbī İstimā ‘i ‘l-Kur’ān ve ‘l-Hutbe* (The Necessity of Listening to the Quran and the Khutba). The debate in this treatise is concerned with the use of the expressions “the blessing and peace of God be upon him” (*sallallāhu ‘aleyhi ve sellem*) and “God be pleased with him” (*radīyallahu ‘anh*)—respectively called *tasliye* and *tarziye*—whenever any of the Prophets or Companions is mentioned. More specifically, the main contention is directly related to preachers’ use of these two expressions during sermons.³⁸⁸ The main subject that Minkārīzāde tackled in this treatise also appeared in Kātib Çelebi’s *Mizānu ‘l-Hakk* in the section entitled “The Invoking of Blessings on Prophets and Companions.”³⁸⁹ Here, Kātib Çelebi asserts that being silent during sermons is preferable if one takes into account the specific hadith related to this issue: “When the Imam is delivering the Khutba, and you ask your companion to keep quiet and listen, then no doubt you have done an evil act.”³⁹⁰ However, Kātib Çelebi’s overall stance on this topic is not different from what he propounded throughout his book. Accordingly, he continues that the banning of a

³⁸⁸ For more information on *tasliye*, see Mertoğlu, “Salâtüselâm,” 23–24; Monnot, “Salât”; and Bozkurt, “Salvele,” 1725–1726.

³⁸⁹ Kātib Çelebi, *Balance of Truth*, 47–49.

³⁹⁰ Az-Zubaidi, *Translation*, 273.

practice that is widely used among people is futile, as can be explicitly seen in the following excerpt:

As this is generally agreed, whereas there is some dispute about the obligatory nature of such blessings, it is established that silence during the *Khutba* is preferable.

But although the course favoured by common usage may be based on mere partiality for one particular view, and may be wrong and sinful, yet men having grown accustomed to certain practices and having learned to regard them as obligatory will not abandon them. Most things which have become usual and customary among the generality of the people have arisen through choice, unquestioned by young or old: therefore let them stand. Though they be “innovation” and “sin,” to trouble oneself with the vain notion of stopping them results only in demonstrating one’s stupidity and ignorance, for, as the old saying goes, “He who does not recognize the usage of his contemporaries is an ignoramus.”³⁹¹

As the inclusion of this topic in Kātib Çelebi’s work shows, the invoking of blessings on Prophets and Companions was a highly debatable practice in the seventeenth century. In addition, the existence of several treatises addressing this issue reveals the importance of this practice in the Ottoman society to a considerable degree, which calls for us to briefly look at these before moving on to Minkārīzāde’s treatise.

The first work that can be named in this regard is, once again, Birgivī’s *et-Tarīkatü’l-Muhammediye*. Referring to the specific hadith mentioned above, he states in the relevant part of this work that it is wrong to utter the *tasliye* during sermons. Birgivī also supports this view with reference to several scholars, such as Ibn Abbās (d. 687), Qādīkhān (d. 1196), and Burhān al-Dīn al-Marghīnānī (d. 1197).³⁹² Beyond Birgivī, this topic remained a subject of intense and lively debate among the Kadızadelis and their Sufi opponents in the course of the seventeenth century, with the leaders of both contending sides tackling the issue in their treatises from different perspectives.

³⁹¹ Kātib Çelebi, *Balance of Truth*, 47–48.

³⁹² Birgivī, *Tarīkat-i Muhammediyye*, 379–381.

To begin with, Kādīzāde Mehmed (d. 1635), considered the leader of the Kadızadelis, discussed the topic in his work *Irshād al-‘uqūl al-salīma (al-mustaqīma) ilā ‘l-usūl al-qawīma fī-ibtāl al-bid‘a al-saqīma*.³⁹³ This work is divided into four chapters, in each of which Kadızāde embraces certain controversial issues such as *semā‘* and *raks*, the faith of Pharaoh, visiting tombs, and piety (*takwā*). He opposed the practice of invoking blessings on the Prophets and Companions by preachers during Friday sermons. In his view, there is no supporting evidence in the Qur’an, Sunna, or the works of jurists that would allow this practice. On the contrary, he asserts that the practice of invoking such blessings during Friday sermons is prohibited. To support this argument, he used the Qur’anic verse 7/204 (“So when the Qur’an is recited listen and be quiet, so that you may be given mercy”),³⁹⁴ as well as the work of several scholars, among them Mes‘ūd al-Ferrā al-Baghawī (d. 1122) and Jalāl al-Dīn al-Suyūtī (d. 1505).³⁹⁵

On the other hand, Kādīzāde Mehmed’s opponent, the Halveti-Sivasi sheikh ‘Abdū’l-mecīd Sivāsī (d. 1635), asserts in his *al-Nesāyih al-Mulūk* that the formula of the *tasliye* is a religious duty incumbent on all Muslims when the name of the Prophet is mentioned. He cites a verse from Al-Ahzab (33:56): “God and His angels bless the Prophet, so you who believe bless him too and give him greetings of peace.”³⁹⁶ He also refers to several scholars to support his argument; namely, al-Tahāwī (d. 933), al-Qurtubī (d. 1093), al-Zamakhsharī (d. 1144), Khwāharzādeh (d. 1090), and al-Sarakhsī (d. 1090). One of the interesting points in Sivāsī’s treatise is that he also consulted a considerable number of hadith scholars, and relates specific

³⁹³ Çavuşoğlu, “Kādīzādeli Movement,” 73 and Öztürk, “Islamic Orthodoxy,” 152–153.

³⁹⁴ Haleem, *Qur’an*, 108–109.

³⁹⁵ The works of these two scholars to which Kādīzāde made reference are *Ma‘alim al-Tanzil* and *Mukhtasar tafsīr al-Tanzil*.

³⁹⁶ Haleem, *Qur’an*, 270–271.

events or stories from Abū Hurayra and Husayn.³⁹⁷ Although Sivāsī considers the invoking of blessings on Prophets and Companions as *farz-ı ‘ayn*, he does not specifically discuss whether this practice should be carried out during sermons, the specific topic tackled by both Birgivī and Kādīzāde Mehmed.³⁹⁸

Another Sivasi sheikh, ‘Abdū’l-ahad Nūrī (d. 1651), mentions this issue in his work *Mev‘ize-i Hasene*. This is a collection of sermons on a variety of topics and is divided into twenty-five “assemblies” (*majālis*), in which he tries to explain a number of controversial topics and interpret several Qur’anic verses.³⁹⁹ He states in the work that invoking blessings on Prophets and Companions is necessary, but does not specify when and where this should be done. Therefore, even though it is not known exactly what ‘Abdū’l-ahad Nūrī really propounded regarding the content of this controversy, it can be assumed in light of his overall writings that he is not against this practice that had become common by his time.⁴⁰⁰

Lastly, in a treatise known as the *Üstüvānī Risālesi*, which was compiled by one of his students, Üstüvānī Mehmed (d. 1661) designated this practice as an innovation (*bid‘at*). Relating a specific event from the time of the Prophet, which he quotes from Ibn al-Bazzāz al-Kardārī (d. 1424)’s *al-Fatāwā al-Bazzāziyya*, Üstüvānī Mehmed states that this practice was a kind of innovation and against sharia, a judgment shared by *al-Fatāwā al-Tatārkhāniyya* and Ibn Melek (d. after 1418).⁴⁰¹ As can be seen, the practice of invoking blessings on the Prophets and Companions remained a subject of intense and lively debate among the Kadızadelis and their Sufi

³⁹⁷ The hadith scholars that Sivāsī cited as references in his work are as follows: Hākim al-Nīsābūrī, al-Nasafī, al-Tirmidhī, Ibn Hayyān, Ebū Dāwūd, Ibn Māja, and al-Tabarānī.

³⁹⁸ Çavuşoğlu, “Kādīzādeli Movement,” 241–244.

³⁹⁹ For brief information about ‘Abdū’l-ahad Nūrī and his works, see Öztürk, “Islamic Orthodoxy,” 232–233.

⁴⁰⁰ Öztürk, “Islamic Orthodoxy,” 390.

⁴⁰¹ Çavuşoğlu, “Kādīzādeli Movement,” 240–241.

opponents throughout the course of the seventeenth century. While the Kadızadelis expressed their concern regarding the practice of invoking such blessings, their Sufi opponents can be regarded as in favor of this practice. In a sense, the discussion around this practice may be seen as a part of the larger religio-legal debates of the seventeenth century, in which one side accorded more importance to common practice in the society while the other side opposed the practice by taking a more literalist stance. In this regard, Minkārīzāde’s approach to the subject is critical for showing his stance in the religio-legal debates of the seventeenth century.

Minkārīzāde’s position on this issue as expressed in his treatise is that being silent is obligatory during sermons, and all people must only silently say “may God bless him” or “may God be pleased with him.” The critical question raised in Minkārīzāde’s treatise is related to two verses in the Qur’an, which were also quoted by the contending sides, as mentioned above. These verses are as follows:

So when the Qur'an is recited listen and be quiet, so that you may be given mercy. (Al-A'raf, 7:204)⁴⁰²

God and His angels bless the Prophet, so you who believe bless him too and give him greetings of peace. (Al-Ahzab, 33:56)⁴⁰³

Making reference to a number of scholars who wrote on jurisprudence (*fiqh*), the prophetic tradition (*hadīth*), theology (*kalām*), and Quranic commentary (*tafsīr*), Minkārīzāde tries to outline the main topics emphasized by these scholars. The first work to which Minkārīzāde refers in his treatise to support the statement that one should be quiet while the Qur’an is recited is Qādīkhān (d. 1196)’s *al-Fatāwā al-Khāniyya*, which reported the topic in question from Abu Yūsuf, one of Abū Hanīfa’s students.⁴⁰⁴ Accordingly, it is stated as a shared opinion among Muslim

⁴⁰² Haleem, *Qur'an*, 108–109.

⁴⁰³ Haleem, *Qur'an*, 270–271.

⁴⁰⁴ Brannon, “Abū Yūsuf.” Also see Schacht, *Origins of Muhammadan Jurisprudence*, 301–306.

scholars that when the Qur'an is recited, all Muslims should be quiet, and it is only permissible for them to use the *tasliye* or *tarziye* in their soul (*nefs*), without speaking at all. In the same vein, the compiler of *al-Fatāwā 'l-Tatarkhāniyya*, Ālim b. Alā (d. 1384), also defended a similar statement; namely, that being silent is obligatory and one should avoid speaking while the Qur'an is recited, since it has a possibility to interrupt listening to the recitation.⁴⁰⁵

In parallel with these arguments, Burhān al-Dīn al-Marghīnānī (d. 1197)'s *al-Hidāya*, which is a commentary on the writer's own book *Bidāyat al-Mubtadī*, maintains that it is obligatory for Muslims to listen to the sermon, but supposing that the aforementioned verse 33:56 is read, one should express the *tasliye* and *tarziye* in his soul instead of speaking them out loud.⁴⁰⁶ This last point is shared by one of the oft-cited studies in Minkārīzāde's treatise, Ibn al-Humām's (d. 1457) renowned book *Fath al-Qādir*, which was one of the most important glosses on al-Marghīnānī's *al-Hidāya*.⁴⁰⁷ Referring to *al-Hidāya*, Ibn al-Humām asserts that the sermon must be silently listened to from beginning to end, even if the name of the Prophet is mentioned therein.⁴⁰⁸ He goes on to say that, if someone speaks during a sermon, that

⁴⁰⁵ For more information on *al-Fatāwā 'l-Tatarkhāniyya*, see Koca, "el-Fetāva't-Tatarhāniyye," 446–447; Islam, "Al-Fatāwā al-Tatarkhāniyah," 88–107; Özel, *Hanefi Fıkıh Alimleri*, 154–155; and Kâtip Çelebi, *Keşfü'z-zunûn*, I, 254–255. The writer of *al-Fatāwā 'l-Tatarkhāniyya* bases his ideas on Ebū Abdu'l-lāh er-Rūmī (d. 1220)'s *Yenābī' fī ma'rifat al-usūl wal-tafarī*, a gloss on al-Qudūrī's *al-Mukhtasar* and al-Farghānī (d. 1196)'s *al-Hāniyya*. For more information on these works and their writers, see Kâtip Çelebi, *Keşfü'z-zunûn*, IV, 1302, 1304, 1646; Özel, "Kādīhan," 121–123; and Qādī Khān, *Fatawa-ı Kазee Khan*.

⁴⁰⁶ Al-Marghīnānī, *Hedaya or Guide*. For brief information on this work, see Kallek, "el-Hidāye," 471–473. For a detailed bibliographic list on this work, see Şimşek, "Hanefi Klasığı," 279–321.

⁴⁰⁷ For more information on Ibn al-Humām and his works, see Özel, *Hanefi Fıkıh Alimleri*, 183–185; Arslan, İbnü'l-Hümâm," 9–14; Şafak, "Sivaslı Kemaleddin," 59–73; Özüdoğru, "Hadis Usûlû"; Ravza Cihan, "Kitâbü'n-Nikâh Örneği"; Gündüz, "Mezhebe Muhalif Görüşleri"; Uysal, "Hadis Metodolojisi"; and Uysal, "İbnü'l Hümâm'ın Tercihleri," 29–52.

⁴⁰⁸ In a similar manner, another work to which Minkārīzāde refers is *al-Muhīt*. Unfortunately, since he did not give the exact name of this work, it is very difficult to identify by whom this book was actually written. There are two possible books identified by this name. The first one is Burhān el-Dīn el-Bukhārī (d. 1219)'s *al-Muhīt*. Another is Serakhsī (d. 1176)'s *Muhīt al-Radawī*. For more information on these works, see Uzunpostalcı, "El-Buhārī," 435–437; Kâtip Çelebi, *Keşfü'z-zunûn*, IV, 1291–1292; Özel, *Hanefi Fıkıh Alimleri*, 78–79, 97; and Özen, "Serahsî," 542–544.

person is not only prevented from listening to the sermon, but also prevents others from listening to it. Another important consideration in Ibn al-Humām's work is that it is disapproved (*mekrūh*) to greet and receive salutations during the sermon, unless it be taken in through the soul (*nefs*), due to the fact that it is possible to greet at another time, but one cannot listen to the sermon another time.⁴⁰⁹

Another work referenced by Minkārīzāde is Bedre'd-dīn Simavī (d. 1420)'s *Cāmiu'l-Fusūleyn*.⁴¹⁰ According to Bedre'd-dīn, it is disapproved (*mekrūh*) to receive greetings during sermons. He also stresses that, if one enters the mosque while the sermon is being delivered, he should not perform one of the supererogatory prayers at that moment, but listen to the sermon instead. Related to this topic, Minkārīzāde also benefited from *Yatīmat al-Dahr fī fatāwā al-'asr*, written by 'Alā' al-Dīn al-Tarjumānī (d. 1247), who maintained that if someone has already begun this prayer before the call to prayer (*ezān*) is recited, he should interrupt himself in order to perform this supererogatory prayer and listen to the prayer.⁴¹¹ The other two scholars Minkārīzāde refers to in his treatise are al-Zayla'ī (d. 1360) and Ibn al-Esīr al-Jazarī (d. 1210), both of whom defended the idea that being silent is a necessary act and should be obeyed.⁴¹² According to al-Zayla'ī, for instance, the hadith scholars asserted that, even if someone tells his friends to stay quiet during Friday

⁴⁰⁹ In the same vein, another three works that Minkārīzāde refers to and that are in line with the stances mentioned in *Fath al-Qadīr* are *al-Nisāb*, *al-Tajnīs*, and *al-Kubrā*. *Al-Nisāb al-Faqīh* or *al-Nisāb* was probably by 'Abd al-Rashīd al-Bukhārī (1090–1147), who wrote *Khulāsat al-Fatāwā* by summarizing it from *al-Nisāb*; see Özel, *Haneḫi Fıkıh Alimleri*, 72 and Kâtip Çelebi, *Keşfü'z-zunûn*, IV, 1565. *Tajnīs wal-mazīd fī 'l-fatāwā* was written by Burhān al-Dīn Marghīnānī; for more information on this, see Koca, "Mergīnānī, 182–183; Kâtip Çelebi, *Keşfü'z-zunûn*, 1, 320; and Ahmet Özel, *Haneḫi Alimleri*, 86–88. Unfortunately, I could not exactly identify the writer of *al-Kubrā*, but it may have been written by Sadr al-Shahīd al-Bukhārī (d. 1141). For his *Kitāb al-Fatāwā 'l-Kubrā*, see Özel, "Sadrüşşehīd," 425–427.

⁴¹⁰ Bedreddin, *Cāmiu'l-Fusūleyn*.

⁴¹¹ For more information on this work, see Özel, *Haneḫi Fıkıh Alimleri*, 104 and Çelebi, *Keşfü'z-zunûn*, IV, 1644.

⁴¹² For more information on these scholars and their works, see Zeylei, *Nasbū'r Raye*; Sifil, "Zeyla'ī," 352–354; Acar, "Üç Hadisçi," 77–99; El-Cezeri, *Cāmiu'l-Usûl*; Imtiaz, "Ibn Al-Athir, 33–43; Çakan, "Cāmiu'l-Usûl," 136; Koçkuzu, "İbnü'l-Esîr," 28–29; Kâtip Çelebi, *Keşfü'z-zunûn*, II, 455–456; and Özel, *Haneḫi Fıkıh Alimleri*, 601–603.

prayer, this only becomes an empty expression. Al-Jazarī, on the other hand, divides sinful acts into the degree to which such acts can be measured. Accordingly, if someone is close to the pulpit and does not listen or remain silent, he would be performing two sinful acts. On the other hand, if someone is too far away from the pulpit to hear what is being said and does not keep himself silent, he would only be performing one sinful act.

After summarizing all these scholars' views on the subject, Minkārīzāde clearly reveals the opinion to which he is closer. According to him, all these signify that listening to the sermon (*khutba*) is a duty incumbent on every individual Muslim (*farz-ı 'ayn*), and the verse itself is evidence for this. Accordingly, the verse is absolute and general, and so whenever the Qur'an is recited during the sermon or elsewhere, it should be listened to and one must remain silent.

Finally, at the end of his treatise, Minkārīzāde asserts one of the most striking points of all. Referring to the relevant part of Birgivī's *et-Tarīkatü'l-Muhammediye*, namely "speaking during sermons,"⁴¹³ Minkārīzāde states that the significance of what Birgivī says in his *et-Tarīkatü'l-Muhammediye* about the preachers' crying in unison "God bless him" and "God be pleased with him" during the Friday sermon becomes apparent. Thus, just as in Minkārīzāde's rebuttal of Kürd Mollā's commentary on Birgivī's *et-Tarīkatü'l-Muhammediye*, Minkārīzāde firmly shows once again in this treatise that Birgivī's magnum opus was a venerable work.

In sum, it can be concluded that all the scholars to whom Minkārīzāde refers in his treatise state that remaining silent is a behavior that must be obeyed during sermons or when the Qur'an is recited.⁴¹⁴ From a different point of view,

⁴¹³ Birgivī, *Tarīkat-i Muhammediyye*, 379–381.

⁴¹⁴ Today, the view that Minkārīzāde advocates in his treatise is still accepted by the Presidency of the High Council of Religious Affairs in Turkey, which issues fatwas according to the principles of the Hanafi school; see Din İşleri, *Fetvalar*, 185–186 (Fetva no: 282).

Minkārīzāde's contention echoes Kemālpaşazāde's disciplinary stances in his fatwas about controlling the bodily and aural aspects of worship, and that "Sufis loudly performing *zīkr* while Quran reading and interpretation continued in the *masjid* were to be warned and stopped."⁴¹⁵

As can be inferred, Minkārīzāde never mentions in his treatise what the Kadızadelis or their Sufi opponents wrote about the subject at hand. This indicates that Minkārīzāde might not have wanted to directly get involved in the ongoing discussions between these two contending groups, and so tried to keep the content of the treatise limited to Qur'anic commentary. However, by referring to what Birgivī had said about the subject at the end of his work, Minkārīzāde clearly revealed to which view he was closer.

3.6 Minkārīzāde's two fatwas regarding the impermissibility of *raks*, *devrān*, and Mevlevi *semā*'

Having thoroughly examined Minkārīzāde's three treatises, now it is time to look at his two fatwas pertaining to the impermissibility of the Sufi practices of *raks*, *devrān*, and Mevlevi *semā*', which were other hotly debated topics in the seventeenth century. Although the dispute around these Sufi practices can be dated to the 3rd/9th century in early Islamic history,⁴¹⁶ the beginning of this controversy in the Ottoman context dates to the sixteenth century and was sparked partly by the emergence of the political and ideological threat of the Safavids and partly by the distant stance the Ottoman state took towards several Sufi practices.⁴¹⁷ Several treatises and fatwas

⁴¹⁵ Quoted in Kafescioğlu, "Lives and Afterlives," 91. For Kātib Çelebi's stance on the bodily dimension of Sufi rituals, see Kātib Çelebi, *Balance of Truth*, 38–46.

⁴¹⁶ Gribetz, "Samā' Controversy," 43–62.

⁴¹⁷ It is interesting to observe in Kātib Çelebi's *Mizānū'l-Hakk*, for instance, that "the real purpose of the Ulema's prohibition is to protect the State, for in the past States have suffered much from the Sufis: witness in particular the rise of the Safavids in Persia." Kātib Çelebi, *Balance of Truth*, 42.

were composed by Sufis and scholars from diverse backgrounds throughout the sixteenth and seventeenth centuries.⁴¹⁸ The topic in question also became the subject of intense and lively debates between the Kadızadelis and their Sufi opponents,⁴¹⁹ which appeared in Kâtib Çelebi's *Mizânü'l-Hakk* in the section entitled "Dancing and Whirling."⁴²⁰

Nevertheless, considering that Minkârîzâde issued his fatwas while serving as chief jurist, it is more relevant and considerably more important for us to discuss the attitudes of Ottoman chief jurists toward these Sufi practices. Numerous fatwas and treatises both for and against the practice of *raks* and *devrân* were penned by Ottoman scholars throughout the sixteenth and seventeenth centuries.⁴²¹ There are quite a few studies on this subject in the literature, but hardly any of these studies have tried to historicize the very complicated and changing attitudes of Ottoman chief jurists towards these practices over the course of time.⁴²² One exception is a study by Derin Terzioğlu.⁴²³ Examining the fatwas of several Ottoman chief jurists—Zenbilli 'Alî Cemalî (d. 1525), Kemalpaşazâde (d. 1534), Çivizâde Mehmed (d. 1547), Ebüssu'ûd (d. 1573), Sun'ullâh (d. 1612), Hocaşâde Es'ad (d. 1625), Zekeriyâzâde Yahyâ (d. 1644), Bahâyî Mehmed (d. 1654), and Minkârîzâde (d. 1678)—related to the Sufi practices of *raks*, *devrân*, and Mevlevî *semâ'* throughout the sixteenth and seventeenth centuries, Terzioğlu investigates the intricate religious

⁴¹⁸ For a general evaluation of this topic, see Koca, "Osmanlı Fakihlerinin," 25–74 and Öngören, "Semâ ve Devran," 123–132.

⁴¹⁹ Necati Öztürk and Semiramîs Çavuşoğlu examined the writings of the Kadızadelis and their Sufi opponents regarding the permissibility or impermissibility of the practice of *raks* and *devrân* in their studies. See Öztürk, "Islamic Orthodoxy," 348–361 and Çavuşoğlu, "Kâdîzâdeli Movement," 194–207.

⁴²⁰ Kâtib Çelebi, *Balance of Truth*, 42–46.

⁴²¹ For these studies, see Bozbuğa, "*Sünbül Sinan*"; Kalaycı, "Er-Risâletü't-Tahkîkiyye," 601–611; Kayaoğlu, "Raks ve Devran," 291–302; İnanır, "Fi'd-deverân ve'r-raks," 127–163; Çınar, "İsmail es-Sivâsî," 323–340; Polat, Amasya Müftüsü," 597–612; Polat, "Risâle fi Raksî'l-Mutasavvife," 131–170; and Aroğlu, "Ömer Fuâdî," 147–167.

⁴²² İnanır, "Risâle fi Hakkî'd-Devrân," 155–178; İnanır, "Semâ, Raks ve Devrân," 237–269; İnanır, "Mûsikî ve Meşrûiyeti," 573–581; and Gürer, "İki Şeyhülislam Risalesi," 1–23.

⁴²³ Terzioğlu, "Sufi and Dissident," 220–233.

attitudes of these scholars over time while also considering the changing political circumstances of the period. The following excerpt, which is a summary of her overall arguments, can be illuminating for comprehending her remarks on the issue:

From ‘Alī Cemālī in the early sixteenth century to Minkārīzāde in the late seventeenth, then, the position taken by the Ottoman ulema elite on the question of “innovations” in general and Sufi “innovations” in particular underwent important changes. In the early sixteenth century, it was the Ottoman ulema who raised their voice against such practices as *devrān* and *semā’* who were the novelty and not those who condoned them. By the third decade of the sixteenth century, however, such Ottoman jurists as Kemālpaşazāde and Ebüssu‘ūd began to articulate a new understanding of the Sunna, one which, in line with the state's needs in a changed political terrain, excluded a number of Sufi elements from within the circle of the People of Sunna and Community, while it kept others in check. While this order-centered Ottoman Sunnism came under criticism from some members of the Ottoman learned establishment already in the first half of the sixteenth century, its final dissolution was in the late sixteenth century with the rise of a *salafī* movement on the one hand and a new rapprochement between the Ottoman ulema elite and the Sufi sheikhs on the other. In the late sixteenth and in the first half of the seventeenth century, top-ranking members of the Ottoman learned establishment were not able to articulate a full-fledged defense of the controversial Sufi beliefs and practices, but tried in the main to restrict the religiolegal, and political, grounds on which they could be attacked. Finally, after nearly half a century of confrontation, the gap between the learned establishment and the *salafī* reformists was considerably narrowed during the period of ascendancy of Vānī.⁴²⁴

In reaching this conclusion, Terzioğlu benefited from Minkārīzāde’s two fatwas regarding the impermissibility of *raks*, *devrān*, and Mevlevi *semā’*.⁴²⁵ While the first fatwa simply prohibited the Sufi practice of *raks*, if it is equivalent to *devrān*,⁴²⁶ the second fatwa strictly forbade Sufi *raks* and Mevlevi *semā’* by specifying that the

⁴²⁴ Terzioğlu, “Sufi and Dissident,” 232–233.

⁴²⁵ Terzioğlu, “Sufi and Dissident,” 106–107; 231–232.

⁴²⁶ Hekimoğlu, 421, 50b: “Soru: Zamāne mutasavvıfısının devr nāmına itdikleri fi ‘l-i şenī’ helāl olur mu? El-cevab: Raks olmağla harāmdır. Fukahādan hilline zāhib yokdur. Ol fi ‘l-i şenī’ zikrullāha mukārin olmasa idenler dahi helāl diyemezler. Böyle olıcak zikrullāha mukārenet ile şenā’at dahi ziyāde olur, nice helāldir diyebilirler.” Menteşzāde ‘Abdu’r-rahīm recorded this fatwa quite similarly; see Hamidiye 610, 63a: “Soru: Zamāne mutasavvıfısının hareket-i devriyye nāmına itdikleri fi ‘l-i şenī’ helāl olur mu? El-cevab: Raks olmağla harāmdır. Fukahādan hilline zāhib yokdur. Ol fi ‘l-i şenī’ zikrullāha mukārin olmasa işleyenler helāldir diyemezler. Böyle olıcak zikrullāha mukārenet ile şenā’at dahi ziyāde olur, nice helāldir diyebilirler.”

sultan had banned these evil acts (*ef'āl-ı şenī'a*).⁴²⁷ The point to be emphasized in regard to these fatwas is that, while Menteşzāde 'Abdu'r-rahīm included both of these fatwas in his compilation, the compilation prepared by 'Atāu'llāh Mehmed incorporated only the former one. Here, it may be questioned whether or not the second fatwa was promulgated by Minkārīzāde, as it was not included in 'Atāu'llāh Mehmed's compilation. However, we learn from another account that the first fatwa was also given by Minkārīzāde.⁴²⁸ The reason why 'Atāu'llāh Mehmed did not include the second fatwa in his compilation might be that this fatwa seems to be more speculative, as Minkārīzāde gave reference to political authority, which made it very difficult for him to give an explanation (*nukūl*) for this fatwa.

Nonetheless, taking into account the different contents of the two fatwas, it can be argued that each fatwa was likely issued at different times.⁴²⁹ Indeed, Minkārīzāde seems to have issued the first fatwa just after becoming chief jurist in 1662–63. In this regard, one source that provides information about the date of Minkārīzāde's fatwa is the *Vākı 'āt-ı Niyazī-i Mısrī* of İbrahim Rākım (d. 1749–50).⁴³⁰ It is interesting to note here that, although the anti-Sufi policies prominent in

⁴²⁷ Hamidiye 610 63a–b: “*Soru: Sūfiyye'nin ef'āl u harekāt-ı müntazıme-i mevzū'a ve evzā'-ı mütenāsibe-i masnū'a ile devrān namında olan raksları ve Mevlevilerin semā' namında olan dönmeleri ve def u kudüm u ney çalmalarına mesāğ-ı şer'ī var mıdır? El-cevab: Asla yoktur ve mefāsidi gayet çoktur. Māhī'l-münker ve 'l-harām hāmī-i beyzatü 'l-islām bi bizi's samsām Padişāh-ı sāhib-i ilhām hullide hilafetehu ilā sā'atıl-kıyām hazretleri bu makūle ef'āl-ı şenī'ayı men' ve ef'āl-ı fazī'ayı kam' ile bedāyi'-i müberrāyi ve ravāyi-i mesūbātı cem' buyururlar. Tā'ife-i sūfiyyenin zikrullāh iderlerken kıyāmları evzā'-ı kabīha ve şenī'aya mü'eddi olmağla kıyāmları dahi olmayub oturdukları yerden ke-enne 'alā rūūsihimu't-tayr sālimeyn 'an cemī'i 'l-asr ve 'z-zayr ādāb-ı şerī'at-i şerīfeyi kemāl-ı riāyet ile zikrullāh idüb, taife-i mevlevīye dahi semā' namında olan devranlarını ve ālāt-ı melāhīden olan def u kudüm u ney ist'imallerin bi'l-küllīye terk idüb ādāb-ı şerī'at-ı mutahharayı kemāl-ı riāyet ile mesnevī hānın şurūtuyla hadīs-i şerīfin naklin ve sā'ir va'z u tezķirin istimā' itmek gerekdir.*”

⁴²⁸ Kemikli, “Risale-i Devran ve Sema,” 443–460.

⁴²⁹ This point also attracts Terzioğlu's attention. According to her, these two fatwas were respectively issued in 1662–63 and 1666–67. See Terzioğlu, “Sufi and Dissident,” 106–107.

⁴³⁰ In fact, this source gives two different dates regarding Minkārīzāde's fatwas: 1652–53 (h. 1063) and 1662–63 (h. 1073). However, since he writes as if Minkārīzāde was already chief jurist in 1652–53, one should be skeptical about the former date. See Beki, “İbrahim Rākım,” 18. For the original passage, see *Vākı 'āt-ı Pır-i Rūşen*, 23–24.

the 1660s and 1670s have generally been attributed to the influence of Vānī Mehmed's presence at the court, Minkārīzāde had already issued a fatwa regarding the impermissibility of these Sufi practices even before Vānī came to Istanbul. In any case, the second fatwa must have been issued after the prohibition of Mevlevi *semā'* by imperial edict in 1666/7, because in it Minkārīzāde directly refers to the sultan who previously banned these acts. Unfortunately, since there are no surviving *mühimme* registers for the years 1665–1678,⁴³¹ we do not have any official document concerning this prohibition, and all that we know about it comes from narrative sources.⁴³²

Despite the fact that Minkārīzāde issued these fatwas, however, we are also informed in Sâkīb Mustafâ Dede's *Sefîne-i Nefîse-i Mevleviyân* that at the end of his life Minkārīzāde regretted having given them.⁴³³ Minkārīzāde's changing attitude on the matter recalls that of two famous Ottoman chief jurists of the sixteenth century, Ebu's-su'ūd and Kemalpaşazāde. While the fatwas they issued in the early periods of their tenure are against *raks* and *devrân*, they developed more moderate and milder stances towards the end of their lives.⁴³⁴ Needless to say, even though these pieces of information do come from later Sufi hagiographies, they are still significant for showing that later Sufi writers might have wanted to represent these chief jurists as having undergone a change of heart.

Although the content of the fatwas issued by Minkārīzāde may show his stance towards the relevant Sufi practices to a certain degree, his overall attitude towards Sufis during his tenure as chief jurist was not limited to these fatwas.

⁴³¹ For the lists of surviving *mühimme* registers, see *Osmanlı Arşivi Rehberi*, 9–21, at 12.

⁴³² *Şeyhî*, II, 1175; Rycout, *Present State*, 138; and Sâkīb Mustafâ Dede, *Sefîne-i Nefîse-i Mevleviyân*, 921.

⁴³³ Sâkīb Mustafâ Dede, *Sefîne-i Nefîse-i Mevleviyân*, 2225.

⁴³⁴ Öngören, *Osmanlılar'da Tasavvuf*, 369–384.

Although Mevlevî *semâ* ‘ was prohibited in 1666/67 via imperial order,⁴³⁵ and Minkārîzâde’s fatwas indicate a similar stance of prohibition, what is especially interesting for our purposes here is Minkārîzâde’s summoning of a certain sheikh to the Ottoman learned hierarchy. As will be discussed later, this sheikh, Pârsâ Mehmed (Sâbir), was a Mevlevî who succeeded to Ağazâde Mehmed’s post in Gallipoli in 1652. But whatever Pârsâ Mehmed’s affiliation with the Mevlevî order was, he was appointed to the Dagî Mehmed Efendi Madrasa in that region shortly after the prohibition was enacted. As his biography in Şeyhî’s *Vekâyi ‘u’l-Fuzalâ* shows, his reliance on the “threshold” (*âsitâne*) of Minkārîzâde made it possible for him to be appointed this post.⁴³⁶ In addition to Pârsâ Mehmed, four other influential sheikhs and preachers in the second half of the seventeenth century—‘Arabzâde ‘Abdü’l-vehhâb,⁴³⁷ İspirî ‘Alî,⁴³⁸ Bolbolcızâde ‘Abdü’l-kerîm, and Fâzıl Süleymân—also attended Minkārîzâde’s lectures and benefitted from his patronage.⁴³⁹ Likewise, Minkārîzâde appointed the Halveti-Sünbûlî sheikh Seyyid Hasan, who was known for his *sohbetnâme*, to the Ferrûh Kethudâ Lodge in 1664.⁴⁴⁰

Another point that needs to be addressed when considering Minkārîzâde’s fatwas is whether or not there was general religious bias towards Sufî groups during the 1660s and 1670s.⁴⁴¹ To further examine this point, a quick look at some of the

⁴³⁵ See footnote 430.

⁴³⁶ For the biography of Pârsâ Mehmed, see Şeyhî, II, 1174–1182. Also see Yoldaş, “Sâbir Pârsâ,” 125–134. Later Mevlevî biographers criticized Pârsâ Mehmed’s entrance into the Ottoman learned hierarchy; see Esrâr Dede, *Tezkire-i Şu’arâ-yı Mevlevîyye*, 177 and ‘Alî Enver, *Semâ ‘-hâne-i Edeb*, 130.

⁴³⁷ For more information on the members of the ‘Arabzâde family, see Güldöşüren, “Arabzadeler,” 27–79.

⁴³⁸ İspirî ‘Alî’s son İspirîzâde Ahmed, who was preacher at the Ayasofya Mosque between the years 1722 and 1730, is known as one of the main organizers of the 1730 rebellion. For more information on him, see Karahasanoğlu, “Ayasofya Vaizi İspirîzâde,” 97–128.

⁴³⁹ For their biographies, see *Uşşâkizâde*, 992–993; Şeyhî, III, 1979–1980, 1988–1990; IV, 3281–3285.

⁴⁴⁰ Gökyay, “Sohbetnâme,” 56–64, at 58. For his biography, see Şeyhî, II, 1857–1860. For Cemal Kafadar’s seminal study on Seyyid Hasan’s *sohbetnâme*, see Kafadar, “Self and Others,” 121–150.

⁴⁴¹ For a recent discussion of this issue, see Çalışır, “Köprülü Sadrazamlar,” 793–802.

correspondence in the *Münşe 'āt* compiled by Vānī Mehmed can be illuminating. Since this *Münşe 'āt* also comprises the correspondence of state officials in addition to those written by Vānī Mehmed, it can provide insight into the state's attitude towards Sufi groups. The correspondence contains a number of documents sent to different Sufi sheikhs in different regions of the empire. For example, upon the request of the sultan, Seyyid Mümin, Arızkāde Mehmed, Mehmed Efendi, and Hanyelioğlu Mehmed were invited to the court from Rum, Kars, Sivas, and Diyarbakır respectively, owing to their reputation for religious knowledge.⁴⁴² In another piece of correspondence, Velī Efendi was invited to the court from Erzurum to be a teacher in the *Sarāy-ı 'Āmire*.⁴⁴³ Unfortunately, the name of the religious order with which these individuals were affiliated is not recorded, but another document allows us to discover the religious affiliation of the receiver. This document was sent to Devâtçızāde Sheikh Efendi after his previous letter, in which he had mentioned his plan to make the pilgrimage to Mecca.⁴⁴⁴ We know that he was the son of the Celveti sheikh Devati Mustafā, and replaced his father in his post in 1660.⁴⁴⁵ In addition, another letter was sent to Sheikh Muhyi'd-dīn, a Halveti sheikh in Bursa.⁴⁴⁶ And in yet another letter, the court summoned Emir Sinanzāde in order to hear a sermon from him.⁴⁴⁷

Since there was no record of authorship in these pieces of correspondence, we cannot be sure who actually wrote them. However, the most striking thing here is not the name of the authors, but rather the importance of these documents for showing

⁴⁴² Konuk, "Vânî Mehmed," 109.

⁴⁴³ Konuk, "Vânî Mehmed," 131–132.

⁴⁴⁴ Upon receiving the letter from Devâtçızāde, the court responded by asking for help from God for his pilgrimage. See Konuk, "Vânî Mehmed," 100.

⁴⁴⁵ For his biography, see *Şeyhî*, II, 1399–1401.

⁴⁴⁶ Konuk, "Vânî Mehmed," 134. For his biography, see *Şeyhî*, II, 1403–1404.

⁴⁴⁷ Konuk, "Vânî Mehmed," 134.

the attitude of certain state officials towards the diverse Sufi groups. Whether or not these documents were written by Vānī Mehmed, they explicitly show that Ottoman state officials continued to respect certain Sufi groups during the so-called “third stage” of the Kadızadelis. Apart from these, we also know that Vānī Mehmed’s harsh stance was actually not directed against all Sufi groups, who were working with a significantly narrower definition of Sufism,⁴⁴⁸ but rather to Sufis who “behaved as if they were Sufis, which in reality they were not” (*sūfî namında olan nā-sāfîler*).⁴⁴⁹ In light of Minkārîzâde’s two fatwas and his possibly milder attitude towards the relevant Sufi practices towards the end of his life, it can be argued that, while state officials did try to control some Sufi practices, they also patronized others so long as they kept themselves away from performing these practices openly.

3.7 Conclusion

This chapter has examined three treatises by Minkārîzâde—the *Risāle-i Millet-i İbrāhîm*, his rebuttal to Kürd Mollā’s commentary on Birgivî’s *et-Tarîkatü’l-Muhammediye*, and the *Risāle fî Vücûbî İstimā’i’l-Kur’ân ve’l-Hutbe*—as well as two fatwas concerning the impermissibility of *raks*, *devrân*, and Mevlevi *semâ’*, in order to demonstrate Minkārîzâde’s active participation in the religio-legal debates of the seventeenth century. I have investigated Minkārîzâde’s religio-legal writings within the wider context of changing Islamic religiosity by paying special attention to both the different motives that informed his writings and to how he articulated correct belief and practices. In doing this, emphasis has also been placed on the specific historical context in which these works were written, without however neglecting the fact that Minkārîzâde displayed a kind of personal and group loyalty

⁴⁴⁸ Terzioğlu, “Sufi and Dissident,” 213–214.

⁴⁴⁹ Köse, “Provincial Mufti,” 40, 44.

to the Ottoman learned hierarchy. As my analysis has shown, Minkārīzāde wrote the three aforementioned treatises with different motivations, despite their shared theme of “objection” or “disapproval.” An awareness of these different motivations is crucial, since they point to the multifaceted dimensions of the notion of orthodoxy on the one hand and orthopraxy on the other. Regardless of the motives that informed Minkārīzāde’s decision to compose these works, however, the importance of Minkārīzāde’s treatises lies in the fact that they provide strong evidence to counter the commonly held view that the *mevali* were largely absent from these debates.

Similarly, one initially finds the ideas presented in Minkārīzāde’s treatises to be largely along the same lines as the ideas of the Kadızādelis. This might lead one to the conclusion that there was an ideological overlap between Minkārīzāde and the Kadızādelis in the mid-seventeenth century. In fact, this would not be an incorrect or problematic observation, as long as we acknowledge that Minkārīzāde stated these views not because he was a Kadızadeli follower, but rather because he was an exponent of a strict interpretation of the Hanafi school of law. An emphasis on this latter point provides a meaningful avenue for challenging the view that the religio-legal debates of the seventeenth century were in the hands of small socio-religious groups represented by a number of notable preachers and Sufi sheikhs with the ability to influence the palace and certain sectors of Ottoman society in certain periods. Such a challenge is important, since it calls for a departure from linear and clear-cut categorization of the groups that took part in the religio-legal debates of the seventeenth century into either Kadızadeli or Sufis, in favor of an approach that pays more attention to potential points of convergence and divergen

CHAPTER 4

THE WELL-ESTABLISHED SCHOLAR:

FĀZIL-I KARĀR-DĀDE MĪNKĀRİZĀDE

4.1 Introduction

One of several points of crisis experienced by the Ottoman state took place in the mid-seventeenth century. This crisis was triggered by the Venetian blockade of the Dardanelles and the drain on the treasury caused by the extended Cretan campaign. The result was a series of rebellions and political instability in both the imperial center and the provinces.⁴⁵⁰ There were at least four urban revolts between the years 1648 and 1656, during which Sultan İbrahim I and his mother Kösem Sultān were executed, and numerous high-ranking state officials were dismissed from office, including those holding the offices of grand vizier, chief admiral (*Kapudan Paşa*), and chief jurist. These revolts were the work of not just the janissaries, but also other actors, such as members of the ulama, *sipāhīs*, palace officials, artisans, and tradesmen, and taken all together they had a more profound impact on Ottoman politics in the mid-seventeenth century than is often realized.⁴⁵¹ The last among these rebellions, the so-called *Vak'a-i Vakvakıyye* (The Plane-tree Incident) of 1656,⁴⁵² frightened the Ottoman rulers so much that, in September 1656, Queen Mother Hatice Turhan appointed Köprülü Mehmed as grand vizier on condition that nobody would interfere with his decisions.⁴⁵³

⁴⁵⁰ Finkel, *Osman's Dream*, 223–252; Kafadar, “Political and Cultural Climate,” 59–73; Yılmaz, “Economic and Social Roles”; and Sariyannis, “Mercantile Ethic,” 263–289.

⁴⁵¹ Kafadar, “Janissaries and Other Rifraff,” 113–134 and Tezcan, *Second Ottoman Empire*, 213–224.

⁴⁵² Andresyan and Derin, “Çınar Vak'ası” 57–83.

⁴⁵³ Kunt, “Köprülü Years,” 50–60; Peirce, *Imperial Harem*, 255–258; and Bekar, “Reconfiguration of Vizierial Power” 67–78.

Indeed, after he became grand vizier in 1656, Köprülü Mehmed successfully applied measures meant to crush all potential sources of opposition and reduce the burgeoning alternative foci of power in the Ottoman realms. To this end, he expelled the leading figures of the Kadızadelis—Üstüvânî Mehmed, Türk Ahmed, and Dīvâne Mustafâ—to Cyprus.⁴⁵⁴ He also had to cope with several internal and external troubles; namely, dealing with breaking the Venetians' blockade of the Dardanelles, as well as the revolts of George Rackozy II and Abaza Hasan.⁴⁵⁵ Although he had to overcome such problems in the first two years of his tenure in the office of grand vizier, Köprülü Mehmed and his successors nevertheless managed to bring considerable stability to the political scene, which lasted until at least 1683, when the siege of Vienna failed. This period, covering the years 1656–1683, has generally been called the Köprülü era in the relevant historiography. The primary reason behind such a periodization lies in the fact that three Köprülü family members—Köprülü Mehmed (t. 1656–1661), Fâzıl Ahmed (t. 1661–1676), and Kara Mustafâ (t. 1676–1683)—dominated the grand vizierate during much of the second half of the seventeenth century.

Following Fâzıl Ahmed's appointment as grand vizier in 1661, the fate of Minkârîzâde began to change. After serving as the chief judge of Rumelia from February 1662 to November 1662, Minkârîzâde became chief jurist, and the entirety of his 12-year tenure in this office, from 1662 to 1674, fell within the time when Fâzıl Ahmed held the office of grand vizier, which he did from 1661 to 1676.⁴⁵⁶ In this regard, it can be asserted that the longevity in terms of chief jurist tenures for

⁴⁵⁴ *Târih-i Na'îmâ*, IV, 1710.

⁴⁵⁵ Kunt, "Köprülü Years," 50–127 and Bekar, "Reconfiguration of Vizierial Power," 79–104.

⁴⁵⁶ Minkârîzâde was appointed chief jurist in November 1662 in place of Sun'îzâde Mehmed, who was said to have been deposed by Grand Vizier Fazıl Ahmed because he had made a hasty judgment regarding the execution of the Melami sheikh Sütçü Beşir Ağa in 1662. See Ocak, *Zındıklar ve Mülhidler*, 359.

Minkārīzāde (1662–1674) and his successor Çatalcalı ‘Alī (1674–1686) reflected the stability that the Köprülü administration brought to the political scene.⁴⁵⁷

More importantly, the overlap between Minkārīzāde’s tenure as chief jurist and the tenure of Fāzıl Ahmed as grand vizier was not just a coincidence. The appointment of Minkārīzāde as chief jurist by Fāzıl Ahmed himself seems to have been a conscious decision, as the former was considered to be a competent and knowledgeable scholar. A point that specifically supports this inference is the epithet consciously chosen by Şeyhī in his biographical dictionary to describe Minkārīzāde; namely, *fāzıl-ı karār-dāde*, which can be translated as either “the scholar who is decided on” or “the well-established scholar.”⁴⁵⁸

I have argued that Minkārīzāde’s participation in the suppression of the 1655 rebellion and his active involvement in the religio-legal debates of the mid-seventeenth century were two important factors that paved the way for his appointment as the chief jurist of the Ottoman Empire. In these, Minkārīzāde achieved two things. Firstly, by taking responsibility in a time of political turmoil, he proved himself to be a trustworthy statesman. Secondly, by supporting the more hardline and stringent side of contemporary religio-legal debates, he showed himself to be in sync with a more particular set of dispositions of the ruling elite of the next decade. Apart from these, his appointment as examiner (*mümeyyiz*) in 1658, during the tenure of Köprülü Mehmed, also contributed substantially to his image as a competent and knowledgeable scholar. Thus, it can be said that all these factors

⁴⁵⁷ Baki Tezcan summarizes the political structure during the rule of the Köprülüs as follows: “[T]he absolutist alliance between the Köprülü family and Mehmed IV’s court was supported by a charismatic puritan preacher who gathered popular support behind the Köprülü autocracy and by two jurists who were sympathetic both to the political agenda of the Köprülüs and the socioreligious agenda of their preacher.” Tezcan, *Second Ottoman Empire*, 217.

⁴⁵⁸ Şeyhī employs the expression *karār-dāde* as an epithet nineteen times in total in his work, and uses all but one of them to refer to Minkārīzāde. This shows that Şeyhī specifically and deliberately chose this term to describe Minkārīzāde. Other than Minkārīzāde, the only scholar for whom Şeyhī used this expression is Ganīzāde Nādirī Mehmed, see *Şeyhī*, II, 1143.

helped Minkārīzāde to become distinguished among his peers, such as Bolevī Mustafā, İsmetī Mehmed, and Esīrī Mehmed, who were all either dismissed from the office because of political strife or who did not advance further in the hierarchy due to a lack of patronage ties.

This chapter examines Minkārīzāde's role as the empire's chief jurist within the political and administrative environment of the 1660s and 1670s. For this purpose, three topics will be discussed in this chapter. First of all, after providing a general overview of Minkārīzāde's tenure in the office of chief jurist, emphasis will be placed upon two administrative developments for whose implementation Minkārīzāde was primarily responsible; namely, the reorganization of judgeships in Rumelia and the elevation of the rank of the judgeship of Mecca in the Ottoman learned hierarchy. Next, the new land regime implemented in Crete after its final conquest in 1669 will be examined in the light of Minkārīzāde's fatwas. The final topic will involve showing that the fatwa compilation known as *Fetāvā-yı 'Abdu'r-rahīm*, which has been thought to have belonged to Menteşzāde 'Abdu'r-rahīm, in fact contains the fatwas issued by Minkārīzāde.

4.2 An overview of Minkārīzāde's tenure in the office of chief jurist

As far as the tenure of Minkārīzāde as Ottoman chief jurist is concerned, the field has been largely dominated by two important events, which have generally been addressed in the relevant literature by two interrelated terms; namely, Islamization and conversion. One of the important events to be mentioned in this regard is the inauguration of the Yeni Valide Mosque on October 31, 1665. The construction of this mosque had already begun in 1597 on the order of Safiye Sultan, the wife of Sultan Murad III, but it was Hatice Turhan's who made this mosque's completion

possible. The second phase of this mosque is closely related to the debate that can be described as “the Islamization of the Eminönü district,” which occurred after the great fire of 1660. The conversion of churches and synagogues into mosques and the removal of non-Muslim populations from the Eminönü district were two intertwined aspects of this debate.⁴⁵⁹ In other respects, the overall change in the physical landscape of Istanbul and the relocation of the non-Muslim population were directly related on the one hand to the increasing concern to draw spatial confessional boundaries between the communities, and on the other hand to the community-building process.⁴⁶⁰

At the same time, the conversion of Sabbatai Sevi (1626–1676) can be regarded as the most striking event to occur during Minkārīzāde’s tenure in the office of chief jurist.⁴⁶¹ Born in Izmir to a wealthy Jew, Sevi claimed to be the Messiah and gathered thousands of adherents in only a very short period of time. These messianic claims created tension, and Sevi was brought from Izmir first to Istanbul and then to Edirne, where he was put on trial in 1666. As a result of the trial, he converted to Islam and adopted a Muslim name, ‘Azīz Mehmed, and so he was not executed but rather exiled to Gallipoli. While contemporary accounts featured only the role that

⁴⁵⁹ Thys-Şenocak, “Yeni Valide Mosque,” 58–70; Thys-Şenocak, *Ottoman Women Builders*, 195–203; Baer, *Honored by the Glory*, 81–104; and Baer, “Great Fire of 1660,” 159–181. Until recently, the common inclination among historians was to emphasize Vānī Mehmed’s influence over the ruling elites behind these processes. Kenan Yıldız, however, has recently shown that the relocation policy had already been put into effect earlier than Vānī’s arrival in Istanbul. See, Yıldız, *1660 İstanbul Yangını*, 180–237. In contrast to the views of Thys-Şenocak and Baer, Yıldız has also argued that the conversion of churches and synagogues into mosques after the fire of 1660 conformed with previous practice.

⁴⁶⁰ For a recent treatment of this issue in the context of seventeenth-century Galata’s physical and sociocultural landscape, see Atabey, “Ottoman Galata,” 203–328. In a similar manner, another study has meticulously examined Minkārīzāde’s fatwas pertaining to inter-confessional matters. See İdil, “Confessionalization of Space,” 128–135. İdil benefitted from a copy found in Süleymaniye YEK, MS Laleli 1264.

⁴⁶¹ Scholem, *Sabbatai Şevi*; Freely, *Lost Messiah*; Hathaway, “False Messiah,” 665–671; Afyoncu, *Sahte Mesih*; and Şişman, *Burden of Silence*.

Vānī Mehmed played in the trial, Minkārīzāde and the *kā'im-makām* Mustafā Pasha also attended the trial, and Sabbatai Sevi was interrogated by them as well.⁴⁶²

While acknowledging the importance of all these events for the second half of the seventeenth-century Ottoman Empire, certain broader political and administrative realities of the time need to be further elucidated in order to better contextualize Minkārīzāde's tenure. Related to this, special attention will be paid to the tripartite character of the state bureaucracy due to the mobility of the court and successive military campaigns, as well as to the fragmentary nature of the relevant historical sources.

In connection with this first point, it is necessary here to first focus on the pivotal changes that occurred in the Ottoman state bureaucracy in the second half of the seventeenth century. First and foremost, the most important thing to be noted in this context is the preference on the part of Sultan Mehmed IV and his successors to stay in Edirne, except for occasional visits to Istanbul, throughout the second half of the seventeenth century and up until the 1703 rebellion.⁴⁶³ An equally important development that consolidated this distinction was the successive military campaigns undertaken by Fāzıl Ahmed during his tenure as grand vizier between the years 1661 and 1676. He conducted a number of military campaigns against the Habsburgs (1663–64),⁴⁶⁴ the Venetians in Crete (1667–1669),⁴⁶⁵ and the Poles (1672 and 1673),⁴⁶⁶ all of which he himself led.⁴⁶⁷ As a result of these military campaigns, the Ottoman Empire conquered three castles—Érsekújvár, Candia, and Kamaniecz—and

⁴⁶² Abdurrahman Abdi Paşa, *Vekâyi'-nâme*, 247.

⁴⁶³ Here it should be recalled that the Ottoman sultans' preference for staying in Edirne is said to have been one of the reasons behind the 1703 rebellion. See Abou-El-Haj, *1703 Rebellion*, 4.

⁴⁶⁴ For an examination of this war from the perspective of the Military Revolution Debate, see Kolçak, "1660–64 Osmanlı–Avusturya Savaşları."

⁴⁶⁵ Gülsoy, *Girit'in Fethi* and Greene, *Shared World*, 13–45.

⁴⁶⁶ İnbaşı, *Kamanice Seferi*.

⁴⁶⁷ Fāzıl Ahmed was said to have continued his father's policy of keeping imperial soldiers in action in order to avert possible military mutinies in Istanbul. See Rycaut, *Present State*, 49.

reached the greatest extent of its territorial expansion. Although these military expeditions were important for demonstrating the capacity of the Ottoman military in the second half of the seventeenth century, they also made their presence even more distinctly felt in the Ottoman administrative structure.

Both the long sojourn of the Ottoman court in Edirne and the successive campaigns of the Ottomans led to a tripartite court and bureaucracy in the second half of the seventeenth century. The three centers of the imperial administration at this time were the offices of the grand vizierate, who led the Ottoman army on the battlefield; the Istanbul *kā'im-makām*; and the *rikāb-ı hümayun kā'im-makām* (deputy of the imperial stirrup) in Edirne.⁴⁶⁸

This division in the Ottoman administration is also well reflected in the *mühimme* registers, which explicitly show the multiplicity of administrative centers in the empire at the time. From this period onwards, these records began to be categorized according to the places where they were written. As a result, what we have in hand are three different types of *mühimme* registers: the registers for the army (*ordu mühimmesi*), for the royal court (*rikāb mühimmesi*), and for the office of the deputy grand vizier in Istanbul (*İstanbul kā'im-makāmlık mühimmesi*).⁴⁶⁹ In light of these, it can be asserted that there was no single decision-making center during the time in which Minkārīzāde served as chief jurist. In other words, the decision-

⁴⁶⁸ Rhoads Murphey summarizes this development as follows: “[T]he court and state bureaucracy was by necessity often divided into three parts, each assigned a particular function. This division of function applied with particular force during years when military campaigning led by the grand vizier was in prospect. One part accompanied the grand vizier leading the army in the field, a second part remained behind in Istanbul, where the grand vizier’s first deputy, known as the *Istanbul kaimmekamı*, took communications with the front. [...] But when the sultan undertook excursions for the hunt or for regular seasonal relocations, the royal household was further split, and it became necessary for a third official, called the *rikab-i hümayun kaim-mekamı* (deputy of the royal stirrup), to be appointed to liaise with both the grand vizier and his chief deputy, the principal *kaim-mekam*, who remained in Istanbul unless expressly summoned.” See Murphey, *Exploring Ottoman Sovereignty*, 213.

⁴⁶⁹ Soyer, “*Mühimme Defterleri*,” especially see 73–77.

making processes were shared by several state officials.

Related to this point, contemporary sources provide significant insights into the active role of these and other state officials. For example, the destruction of the shrine of the Bektashi sheikh known as Kanber Baba in 1668 has been generally attributed to Vānī Mehmed.⁴⁷⁰ However, we learn from Abdī Paşa's account that an imperial *telhīs* had already come from the *kā'im-makām* suggesting the demolishing of this tomb.⁴⁷¹ Considering this, it can be safely argued that, although the influence of Vānī on Mehmed IV's decision might be questioned, it is also clear that there was another state official who saw eye to eye with Vānī on the same issue. A similar inference is valid in the case of Lārī Mehmed, who was executed on the order of the Istanbul *kā'im-makām* and with the permission of the judge of Istanbul, Merhabāzāde Ahmed, in 1665.⁴⁷² Finally, in the *mühimme* registers dating to the first years of Fāzıl Ahmed's tenure as grand vizier, we see that a couple of restriction orders were sent to various judges by the Istanbul *kā'im-makām*.⁴⁷³ Although all of these cases seem to reflect specific cases and not necessarily general policy, they do clearly show that, due to this division in the administrative apparatus, not all orders originated from a single center. On another note, one important thing that should be kept in mind regarding the imperial prohibitions on smoking, taverns, or coffeehouses is that such imperial edicts might well have been issued upon the

⁴⁷⁰ Baer, *Honored*, 114 and Zilfī, *Politics of Piety*, 149.

⁴⁷¹ “[B]uyurdukları kelâm-ı şâhânelerinüñ tamâmında Kā'im-makām Paşa kullarından telhīs gelüp ol ziyâretgâhun tahrīb olunmas arz eylediğü manzûr-ı hümayûnları olicak buyurdılar ki: ‘Sübhâne’ allâh! Şimdi ben dahi bu husûs için ber-vech-i mahsûs bir hatt-ı şerif yazup kendüye göndersem gerek idi. Yâ Rabbi! Sen benim vükelâ-yı devletümi her umûrumda böyle ittihâd ittifâk üzre eyle!’” Abdurrahman Abdi Paşa, *Vekâyi'-nâme*, 267–268.

⁴⁷² Abdurrahman Abdi Paşa, *Vekâyi'-nâme*, 177.

⁴⁷³ Karaca, “94 Numaralı,” 15/65, 17/75, 20/87, 20/89, 21/92.

request of local scholars, virtuous people, sheikhs, and ordinary Muslims of a specific town.⁴⁷⁴

This administrative disunity in the second half of the seventeenth century is also well reflected in the primary sources.⁴⁷⁵ Leaving aside retrospective accounts for the time being,⁴⁷⁶ as all of these are unfortunately too removed in time from the events they recount,⁴⁷⁷ other historical narratives were either written as *gazavātnāme* depicting events on the battlefield, or else they only featured events occurring around or in relation to the sultan.⁴⁷⁸

Given all the above, where can we locate Minkārīzāde's overall stance within this political and administrative landscape? One of the research topics to be discussed in this context in order to better substantiate the details of Minkārīzāde's tenure as chief jurist is the question of whether or not high-ranking members of the ulama were involved in high politics, as had been the case in the first half of the seventeenth century. As mentioned in the introduction, Baki Tezcan and Madeline Zilfi have similar stances regarding the role played by high-ranking Ottoman ulama in the second half of the seventeenth century.⁴⁷⁹ In line with this, I also argue that

⁴⁷⁴ Karaca, "94 Numaralı," 44/221. There are a number of studies about "political activity from the bottom up." For these works, see Faroqhi, "Political Activity," 1–39 and Baldwin, "Petitioning," 499–524.

⁴⁷⁵ For a general evaluation of the changes in seventeenth-century Ottoman historical writing, see Baer "Manliness, Male Virtue," 128–148. The following observation by Murphey is also quite helpful in examining these sources: "One of the significant developments in seventeenth-century Ottoman historiography is the shift away from history written exclusively from the perspective of members of the outer state service, such as finance department and chancery secretaries, that is *kâtibs* of the financial (*maliye*) and chancellery (*asafiye*) branches of government service, to a new sort of history written by members of the sultan's personal household service, and intimates of the court." Murphey, "Ottoman Historical Writing," 281.

⁴⁷⁶ For these retrospective works, see Raşid and Çelebizâde, *Târîh-i Râşid*; Türkal, "Zeyl-i Fezleke"; Özcan, *Zübde-i Vekayiât*; and Yılmaz, *İsâzâde Târîhi*.

⁴⁷⁷ For these works, see *Târîh-i Na'îmâ*; Aycibin, *Fezleke*; Akkaya, "Vecihî"; and Kara Çelebizâde Abdülaziz Efendi, *Ravzatü'l-Ebrâr Zeyli*.

⁴⁷⁸ For these works, see Ünlütaş, "Tarih-i Sultan Mehmed"; Taçkın, "Ali Efendi"; Poyraz, "Köprülüzâde Ahmet"; Gökçek, "Tarih-i Sülale-i Köprülü"; Yüksel, "Gazavât-nâmeler"; Yılmaz, "Mustafa Zühdi"; and Abdurrahman Abdi Paşa, *Vekâyi'-nâme*.

⁴⁷⁹ Zilfi, *Politics of Piety*, 100 and Tezcan, *Second Ottoman Empire*, 213–224.

Minkārīzāde mostly directed his attention to the affairs of the learned hierarchy rather than being directly involved in politics and policymaking.

Having thus provided some background information about the administrative realities of the time, it is now time to analyze the specific role that Minkārīzāde played in the administrative and bureaucratic spheres for which he was responsible. In the following section, emphasis will be placed on two administrative developments that occurred during the tenure of Minkārīzāde, who was primarily responsible for implementing these regulations due to his position as a leading bureaucrat of the Ottoman learned hierarchy; the two developments in question are the reorganization of the judgeships in Rumelia and the elevation of the rank of the judgeship of Mecca in the hierarchy.

4.3 Minkārīzāde as a “fair-minded reformer”

Madeline Zilfi’s overall judgment regarding the members of the Ottoman ulama hierarchy in the second half of the seventeenth century is a good starting point for inquiry into the topic at hand. She asserts in her *Politics of Piety* that “with Vani Efendi’s emergence as the regime’s clerical cynosure, the ulama leadership was more confined to the problems of the career. The frantic politicking over security of tenure and state affairs for a time subsided.”⁴⁸⁰ In this same context, she goes on to say that Minkārīzāde “acquired a reputation as a fair-minded reformer.”⁴⁸¹ In reaching this conclusion, she refers to a study by Ahmet Refik Altınay,⁴⁸² but without examining it in detail. As far as Minkārīzāde’s tenure in the office of chief jurist is concerned, Zilfi’s inference seems to be quite accurate, as there were two important

⁴⁸⁰ Zilfi, *Politics of Piety*, 204.

⁴⁸¹ Zilfi, *Politics of Piety*, 204–205.

⁴⁸² Altınay, *Hoca Nüfuzu*, 140–141.

administrative developments regarding the Ottoman learned hierarchy that occurred during his tenure.

The most salient of these administrative developments was the reorganization of the judgeships of Rumelia. Until recently, all that was known about this development came from Kemal Özergin's article on the matter.⁴⁸³ According to a document transliterated in that article, Minkārīzāde asked the chief judge of Rumelia, 'Abdū'l-kādir Efendī, to organize the posts in the region in the year 1667–68. Accordingly, he gathered high-ranking judges (*eşraf-ı kudāt*) to revise the existing judgeships and form a new list that comprised 361 judgeships, divided into twelve categories according to the level of revenue. An important detail regarding this regulation is that the number of posts in Rumelia seems to have decreased due to the insufficient revenues of certain judgeships, and most probably these were combined in order to increase their revenue level. Furthermore, it is striking to see that this regulation was put into effect just when there was a growing use of the term "the crowd of novices" (*zihām-ı mülāzımīn*).⁴⁸⁴

Scholarly interest in the rankings of the judgeships in general and in this regulation in particular has been growing in recent years, and a number of historians have shed light on regulations relating to the seventeenth century. Ercan Alan, for example, concentrates on judge miscellanies (*kādī mecmū'aları*) and notebooks compiled by judges, and examines a number of different manuscripts related to the regulation of judgeships in Rumelia in the seventeenth century.⁴⁸⁵ Similarly, a recent study by Ahmet Önal and Levent Kuru suggests that the reorganization of judgeships during the tenure of Minkārīzāde was not limited to the judgeships of Rumelia, but

⁴⁸³ Özergin, "Rumeli Kadılıklarında," 251–309. Also see İnalçık, "Ruznamçe Registers," 262.

⁴⁸⁴ Alan, "Kadılık Müessesesi," 54.

⁴⁸⁵ Alan, "Kadılık Rütbeleri," 337–366; Alan, "Kaza Teşkilatı ve Kadılar," 53–97; Alan, "Anadolu Kadılıkları ve Rütbeleri," 59–100; and Alan, "Kadı Mecmuası," 37–96.

also affected Anatolia and Egypt as well.⁴⁸⁶ By examining a number of judge miscellanies, they come to the conclusion that the regulation of 1667–68 also regulated the judgeships in Anatolia and Egypt. However, the criticism addressed by Ercan Alan towards the work of these two historians, who came to this conclusion from a list assembled from the same judge miscellanies, seems to be quite reasonable because, as Alan rightly argues, there is no surviving original document related to these regulations, all of which have come down to us via later compilations.⁴⁸⁷

Another important administrative development during the tenure of Minkārīzāde is related to the rank of the judgeship of Mecca in the hierarchy. The judgeship of Mecca—together with the other judgeships in the Arab lands, such as Cairo, Medina, Aleppo, Damascus, and Baghdad—was ranked below the judgeships of Edirne, Bursa, and Istanbul at the end of the sixteenth century.⁴⁸⁸ However, the new arrangement, which went into force as of 1667, elevated the judgeship of Mecca to the second highest rank after Istanbul. In other words, the Mecca judgeship's place in the Ottoman learned hierarchy was ranked above the judgeships of Bursa and Edirne, and of the other prestigious judgeships in the Arab lands mentioned above.⁴⁸⁹

The available evidence makes it very difficult to answer the question of why Minkārīzāde made this arrangement. Perhaps judges were expected to fulfill the duty of pilgrimage before they reached the judgeship of Istanbul, which was often the last step before promotion to one of the chief judges of the empire. The case of Fāzıl

⁴⁸⁶ Önal and Kuru, *Osmanlı Kaza Teşkilatı*. Also see Kuru and Önal, “Değerlendirme,” 183–196.

⁴⁸⁷ Alan, “Kitabın Tanıtımı,” 119–127. Apart from this, another important development related to the Ottoman ulama should be mentioned here. Although it would be wrong to assert that the first *Anadolu Kazasker Rūznāmçesi* (day register of the *kādī-asker* of Anatolia) began to be kept in separate folios during Minkārīzāde's tenure as chief jurist, the fact is that the earliest extant example of its kind dates to 1665, and was recorded by the chief judge of Rumelia of the time, ‘Abdu’r-rahmān Efendi. For an examination of the *Anadolu Kazasker Rūznāmçeleri* of the seventeenth century, see Kılıç, *İstihdam ve Kariyer*.

⁴⁸⁸ For the status of the judgeship of Mecca in the hierarchy, see Atçıl, *Scholars and Sultans*, 200–201.

⁴⁸⁹ *Şeyhî*, I, 947. Also see Uzunçarşılı, *Mekke-i Mükەرreme Emirleri*, 63 and Atçıl, “Procedure,” 7–8.

Müfettiş Süleymân, who in January 1667 became the first judge appointed to Mecca after the new arrangement was enacted, supports this point well. Since he did not perform his pilgrimage duty, he was called to Istanbul right after his appointment, and he died in the same year.⁴⁹⁰

An interesting field of inquiry related to this topic would be how the experiences gained by judges serving in, for example, Arab lands caused them to change. In other words, to what extent did local customs and religious and scholarly traditions, or encounters with Muslims from other parts of the world, influence the opinions of the judges?⁴⁹¹ Considering that Mecca and Medina are known to have been, in the eighteenth century, considered places where renowned scholars from different parts of the Islamic world could come together to form common intellectual trends of fundamentalist or revivalist Islam,⁴⁹² in what ways and to what extent did the arrangement enacted by Minkārîzâde augment the relationship between Rumî and Arab lands in the long term? This is a promising question that needs to be paid further attention.⁴⁹³

⁴⁹⁰ “*Ol eşnâda Şeyhü’l-İslâm-ı vakt olan şadru’l-ifâde Minkârî-zâde Efendi merhûm telhîşi ile bilâd-ı Şelâşeden soñra Mekke -i Mükerreme kâdîsi olmaduğca İstanbul kazâsı tevcîh olunmamak bâbında hañt-ı şerîf şadır olduğda ber-muktezâ-yı hañt-ı hümayûn-ı sa’âdet-mağrûn yetmiş yedi Receb’inde sene-i âtiye Muḥarremü’l-ḥarâmı ğurresi tevķitiyle Kâmetî-zâde Meḥemmed Efendi yirine kazâ-yı Ümmü’l-kurrâ’ya ibtidâ bunlar naķl ü tebdîl ve yirleriyle selef-i sâliḫleri Esîrî Birâderi Muştaḫa Efendi tebcîl kıldırı. Lâkin ber-muktezâ-yı beşerîyyet neyl-i maḫlaba müsâra’at olmağın ba’de edâ’i’l-ḥac mücâveret itmeyüp yetmiş sekiz Rebî’ü’l-evvel’inde ḥuccâc-ı müslimîn ile şehir-i İstanbul’a vâşıl ve selâmet ile ḥânelerine dâḫil oldılar.*” Şeyhî, I, 946–948. Related to this arrangement, a glance at the career paths of the judges who were appointed to this city just after this arrangement was put into effect reveals the tendency for their subsequent appointments to be made to the judgeship of Istanbul, except for those who did not get that appointment due to death. For the list of judges of Mecca, see Şeyhî, II, 1468–1471.

⁴⁹¹ It is interesting to note here that Beyâzîzâde Ahmed, who is best known for his harsh punishment of an alleged case of inter-religious adultery in 1680, previously held the judgeship of Mecca in the years 1673–1674. Baer, “Death in the Hippodrome,” 61–91. For the biography of Beyâzîzâde Ahmed, see Şeyhî, II, 1305–1307.

⁴⁹² There are a number of studies related to this topic. For these works, see Voll, “Intellectual Group,” 32–39; Voll, “Sudanese Maḥdî,” 145–166; and Voll, “Hadith Scholars,” 264–273. For a treatment of pilgrimage as material landscape, see Shafir, “Road from Damascus,” 165–228. For the importance of Damascus as a gateway to the pilgrimage allowing for a set of encounters, see Shafir, “Ottoman Holy Land,” 1–36.

⁴⁹³ Voll’s approach has attracted serious criticism. The following remarks by Dallal are illuminating in this regard: “The ‘intellectual family-trees’ of students and teachers cannot serve as evidence for

Nonetheless, all the aforementioned developments should not make us think that Minkārīzāde remained completely aloof from high politics during his tenure as chief jurist. While it is true that, as compared to the chief jurists of the first half of the seventeenth century, Minkārīzāde was less involved in politics during his tenure, he nevertheless did occasionally interfere with affairs of state. One such intervention took place during the siege of Candia. The Candia campaign, led by the grand vizier Fāzıl Ahmed during the years 1667–1669, was the final stage of the war between the Ottomans and Venetians over Crete, which had been ongoing for more than twenty years. As the correspondence between different state officials during this siege makes evident, Fāzıl Ahmed constantly tried to keep diplomatic channels open with the Venetian ambassador.⁴⁹⁴ At a certain point during the siege, however, Fāzıl Ahmed lost control over the channels of negotiation, because the Venetians sent the new ambassador directly to the sultan, likely aiming at continuing the peace talks on different grounds. The indecisive attitude of Sultan Mehmed IV, who could well have put the course of the siege at risk, worried the grand vizier exceedingly, and so the latter decided to send private letters to certain high-ranking state officials; namely, the *kā'im-makām* Mustafā Pasha, Minkārīzāde, Silahdar Kız Hüseyin Ağa, Musahib Mustafā Pasha, and Mehmed Vānī. Fāzıl Ahmed probably sent these letters in the hope that these officials would help convince the sultan not to withdraw from the ongoing siege without gaining any substantial success.

common origins; education acquired from the same teacher could be, and indeed was, put to completely different uses by different students, and the commonality of the source does not prove that the outcome is identical or even similar. The only information that can be safely derived from such evidence relates to the pool of prominent teachers of the time with whom a serious student might study.” Dallal, “Origins and Objectives,” 342. Also see Dallal, *Islam without Europe*.

⁴⁹⁴ There are numerous extant correspondences conducted during the siege of Candia, a considerable amount of which can be found in the account of Mühürdar Hasan Ağa, *Cevâhirü't-Tevârih*.

It is clear from the account of Mühürdar Hasan Ağa that the Venetian ambassador met with Minkārīzāde and the *kā'im-makām* Mustafā Pasha in order to discuss (*mükāleme*) continuing the peace negotiation.⁴⁹⁵ What is more important and particularly relevant for our discussion, though, is the stance taken by Minkārīzāde during the ongoing negotiations. Abdī Paşa's account shows us that Minkārīzāde and certain other state officials sided with the party that was willing to come to an agreement with the Venetians. Minkārīzāde expressed his opinion that the Ottomans should lift the siege and come to an agreement with the Venetians.⁴⁹⁶ However, the stance of the *kā'im-makām* Mustafā Pasha prevailed over Minkārīzāde and his side, and so the siege continued.

Overall, however, neither the two administrative developments for which Minkārīzāde was responsible nor his partial involvement in high politics fully capture the significance of Minkārīzāde's role as the empire's chief jurist. Rather than simply collecting information from contemporary or retrospective accounts about Minkārīzāde's tenure, a more robust way to qualify him as "the chief source of authority in the Empire"⁴⁹⁷ is to closely examine his hitherto neglected fatwa compilations, which provide a wealth of information about his ideas and positions regarding key aspects of Ottoman administrative, fiscal, and religious policies. With this aim in mind, I will now focus in particular on the fatwas that Minkārīzāde issued regarding the new land regime implemented in Crete after its conquest by the Ottomans in 1669 as a case study, which has been claimed to resemble earlier Islamic fiscal practices more than the classical Ottoman land regime.

⁴⁹⁵ Mühürdar Hasan Ağa, *Cevāhirü't-Tevārih*, 360.

⁴⁹⁶ "Şeyhü'l-İslām Efendi ve gayrılar kal'a-i mezbûreden ferâgat ve musâlaha tarafını tasrîh ve tercîh eyledükce aslâ müsâ'ade-i hümayûn buyrul[may]up bi-eyyi vechin kân feth olunmasıçün ızhâr-ı metânet ve Kâ'im-makâm Paşa dahi re'y-i âlem-ârâ-yı Pâdişâhiye sıdk ile muvâfakat itmiş idi." Abdurrahman Abdi Paşa, *Vekâyi'-nâme*, 332.

⁴⁹⁷ Quoted in Imber, *Ebu's-su'ud*, 7.

4.4 Reconsidering the land regime of Crete in the light of Minkārīzāde's fatwas

This section provides fresh insights regarding the new land regime that was implemented in Crete after its conquest in 1669, using Minkārīzāde's fatwas as a source. Considering the fact that he was the chief jurist at that time, his fatwas in relation to this regime become all the more important for examining the issue at hand from an alternative point of view. Interestingly, although there have been many historians who have advanced various explanations regarding the changes in the land system of this island after its conquest, none of them have tried to examine the fatwa compilations of Minkārīzāde in connection thereto.⁴⁹⁸

The land regime implemented in Crete is at the very center of two particular historiographical debates, which have so far been discussed on different grounds. One of these debates revolves around the question of whether the sharia prevailed over Ottoman *kānūn* in the course of the seventeenth century. The other debate, which has been addressed in the literature on the land regime in the Arab lands during the late Mamluk and early Ottoman periods, is the discussion that can be summarized as “the death of the proprietors.” Before moving on to the relevant fatwas of Minkārīzāde, it would be beneficial to first introduce the different land regimes in Ottoman lands in order to better ground the inquiry into the topic at hand.

4.4.1 Ottoman land tenures and the literature on the land regime of Crete

Despite the fact that Ebu's-su'ūd was not the first Ottoman scholar to give an explanation of the prevailing Ottoman system of land tenure and taxation, he was

⁴⁹⁸ One noteworthy exception that can be mentioned in this regard is Eugenia Kermeli's article, in which she uses a series of fatwas issued or collected by Menteşzāde 'Abdu'r-rahīm. As we shall see, however, these fatwas had actually been issued by Minkārīzāde. See Kermeli, “Caught in between,” 1–32, at 25–29.

regarded as the leading figure attempting to outline the existing land system in a detailed way.⁴⁹⁹ In fact, Ebu's-su'ūd's first attempt to explain the existing Ottoman land systems can be dated back to the land regime that was prepared for Buda in 1542, which was later modified and came to be used as a reference for subsequent land laws and later fatwa compilations.⁵⁰⁰ The following selected passages from the register of Skopje and Salonica (1568),⁵⁰¹ prepared in consideration of several of Ebu's-su'ūd's previous fatwas, succinctly sum up the existing land system in the Ottoman Empire in the sixteenth century.⁵⁰²

At the outset it is to be explicitly stated that, in accordance with the sacred Sharī'a, there are three categories of land in the Islamic territories. The first is tithe land (*'öşrî*) which are granted to the Muslims as their private property (*mülk*). It is legally their freehold property, to dispose of as they wish in the same manner as the rest of their properties ... The second category is *harâcî* lands, those which were left in the hands of the unbelievers at the time of the conquest. They are recognized as their freehold property (*temlik*). Tithe is imposed on these lands at the rate of one-tenth, one-eighth, one-seventh or one-sixth, up to one-half, depending on the fertility of the soil. This is called *harac-ı mukâseme*. In addition, they are subject to pay annually a fixed amount of money which is called *harac-ı muvaddaf*. This category of lands, too, is considered the legal freehold property (*mülk*) of their possessors, which they may sell and purchase, or dispose of in any kind of transaction ... There is a third category of land which is neither *'öşrî* nor *harâcî* of the type explained above. This is called *ard-i memleke*. Originally it, too, was *harâcî*, but its *dominium eminens* (*rakaba*) is retained for the public treasury (*beytü'l-mâl-i müslimîn*) because, were it to be granted as private property to its possessors, it would be divided among his heirs, and since a small part would devolve on each one, it would be extremely difficult, perhaps impossible, to determine the share of *harâc* tax to be paid by each in proportion to the land in his possession. Therefore, such lands are given to the peasants on a lease (*'âriye*). It is ordered that they cultivate them as fields, or make them into vineyards,

⁴⁹⁹ In this regard, as Snjezana Buzov rightly asserts, "Ebus's-su'ūd issued a number of *fetvas* which did not revisit the historical conditions of the Ottoman conquest, but rather offered a general definition of this category of land in the context of the available legal knowledge." Buzov, "Lawgiver," 82.

⁵⁰⁰ For the transliteration of this *kânünnâme*, see Barkan, *Ziraî Ekonominin Hukukî*, 296–297.

⁵⁰¹ The transliteration of this *kânünnâme* can be found in Barkan, *Ziraî Ekonominin Hukukî*, 297–300.

⁵⁰² Similar descriptions regarding the different land tenures in Ottoman lands can also be found in the *Sivas Kânünnâmesi*; see Akgündüz, *Osmanlı Kanunnâmeleri*, VIII, 425–428. For similar passages in the *Kânünnâme-i Cedid*, see Karagöz, "Evolution of Kânünnâme," 218–219 (article 2); 219–221 (article 3); 222–223 (article 6); 224–225 (article 8); 227–230 (article 11); 333–334 (article 274). For Ebu's-su'ūd's two specific fatwas on this topic, see Akgündüz, *Osmanlı Kanunnâmeleri*, I, 141–142.

orchards or vegetable gardens, and render *harâc-ı mukâseme* and *harâc-ı muvaddaf* out of the harvest.⁵⁰³

In light of this register, it can be concluded that there were three types in the land system; namely, ‘*öşrî*, *harâcî*, and *arz-ı memleket*.⁵⁰⁴ The most distinct feature of these three types of lands within the boundaries of the Ottoman state is that, while the ‘*öşrî* and *harâcî* lands were granted as private property, the essence of the “state land” (*arz-ı memleket*) belongs to the public treasury and only the usufruct rights (*tasarruf*) were given to cultivators. Similarly, since this state land belonged to the public treasury, cultivators could not inherit it, sell it, or endow it as *waqf*.⁵⁰⁵

As far as the land tenure in the Ottoman Empire is concerned, only a small portion of lands can be regarded as having been freehold (*mülk*) assigned by the sultans to various people and groups in return for their services.⁵⁰⁶ Many more belonged to *waqf* organizations, whose revenues are devoted to charitable activities.⁵⁰⁷ The majority of lands, however, belonged to the public treasury and

⁵⁰³ Quoted in İnalçık, “Islamization of Ottoman Laws,” 157–158. The Turkish transliteration of the relevant passages is as follows: “*Bir kısmı arz-ı öşrîyedir ki hîn-i fetihde ehl-i İslama temlik olunmuşdır, sahîh mülkleridir, sâyir malları gibi nice dilerlerse tasarruf iderler.*” ... “*Bir kısmı dahi arz-ı haracıyedir ki hîn-i fetihde keferenin ellerinde mukarrer kılınub kendülere temlik oiumib üzerlerine hasıllarından öşür yahud sümün yahuds subu’ yahud südüs nısfa değin, arzın tahammülüne göre haracı mukaseme vaz’ olunub yılda bir mikdar akçe dahi haracı muvazzaf vaz’ olunmuşdur. Bu kısım dahi sahihlerinin mük-i sahihleridir Bey’a ve şirâya va sâir envâ’-ı tasarrufâta kadirlerdir.*” ... “*Bir kısım dahi vardır ki ne öşriyedir ne vech i mezbur üzerine haracıyedir. Ana arz-ı memleket dirler. Aslı haracıyedir, lâkin sahiblerine temlik olunduğı takdirce fevt olub verese-i kesîre mâbeynlerinde taksim olunub her birine bir cüz’i kat’a değüb her birinin hissesine göre haraçları tevzî’ ve ta’yin olunmakda kemâl-i su’ûbet ve işkâl olub belki ‘âdeten muhal olmağın rakabe-i arazi Beytülmal i müslimîn için alıkonulub reayaya ‘âriyet tarikiyle virilüb ziraat ve hırasat idüb ve bağ ve bağçe ve bostan idüb hasıl olandan harac-ı mukasemesin ve harac-ı muvazzafın virmek emr olunmuşdur.*” Quoted in Barkan, *Ziraî Ekonominin Hukukî*, 298–299.

⁵⁰⁴ It should be noted here, however, that in addition to these three types of land system in the Ottoman Empire, there was another called *Malikâne-Divânî*, which can be seen as a combination of both *mülk* and *mîrî* lands. Barkan, “*Malikâne-Divânî Sistemi*,” 151–208; İnalçık, “*State, Land and Peasant*,” 126–131; and Genç, “*Mâlikâne-Divânî*,” 518–519.

⁵⁰⁵ For more information on the state ownership of the land and land possession outside the *mîrî* system, see İnalçık, “*State, Land and Peasant*,” 103–131. For a succinct evaluation for “the relationship between land’s status and ownership” in the Ottoman context, see Punar, “*Kanun and Sharia*,” 23–32.

⁵⁰⁶ Barkan, “*Mülk Topraklar*,” 157–176; Barkan, “*Vakıfların Hususiyeti*,” 906–942; and İnalçık, “*State, Land and Peasant*,” 120–126.

⁵⁰⁷ Barkan, “*İstila Devirlerinin Kolonizatör*,” 279–386.

were known as *arz-ı memleket*, the revenues of which were assigned to cavalrymen. What Ebu's-su'ūd actually attempted to clarify in his fatwas was the status of these lands of the *arz-ı memleket* type.⁵⁰⁸ Here, an interesting detail regarding Ebu's-su'ūd's classification is that he categorized *arz-ı memleket* lands under the category of *harācī* by stating that the essence of these lands was originally *harācī*. This conceptualization of Ebu's-su'ūd's has led some historians to conclude that he was attempting to reconcile Ottoman and Islamic traditions on one common ground.⁵⁰⁹

Having thus briefly provided some background information concerning the different existing land regimes in Ottoman lands, now we may make an overview of the relevant literature on the status of lands on Crete. Ömer Lütfi Barkan can be regarded as the first scholar who noticed the exceptional status of the land regime that was implemented in Crete after the promulgation of its *kānūnnāme* in 1669. He proposed that the registration of the lands in Crete as *harācī* represented a significant departure from the Ottoman *mīrī* land regime, which had been formalized by Ebu's-su'ūd in the previous century. Barkan also claimed that certain taxes (*resm-i tapu* and *resm-i çift*) and terms (*otlak*, *kışlak*, *ispenç*, *kovan*, *cürüm*) were totally superseded in the *kānūnnāme* of Crete. These changes in the land law of Crete were said to have been implemented with reference to the sharia, which, in Barkan's view, can be regarded as a deviation from previous practice. In doing this, he actually questioned the sharia origins of the Ottoman *mīrī* land regime.⁵¹⁰

⁵⁰⁸ Whether the origin of the *arz-ı memleke* came from Byzantine or Seljukid practices became an important venue for discussion among historians. See Köprülü, *Bizans Müesseselerinin*, 94–130; Barkan, *Toplu Eserler*, 125–149; Barkan, *Zirai Ekonominin Hukukî*, LXIX–LXXI; İnalçık, “Raiyyet Rüsûmu,” 575–608; and Imber, *Ebu's-su'ud*, 115–138.

⁵⁰⁹ İnalçık, “Islamization of Ottoman Laws,” 159. Ömer Lütfi Barkan and Colin Imber tend to see this attempt of Ebu's-su'ūd's as legal fiction. Barkan, *Zirai Ekonominin Hukukî*, XL–XLI and Imber, *Ebu's-su'ud*, 136.

⁵¹⁰ Barkan, *Zirai Ekonominin*, XIX (fn. 5), XLI–XLII, LXIX.

Ahmed Akgündüz, however, opposed Barkan's argument by saying that the implementation of *mülk harācī* in Crete was not in contradiction with the interpretation of the *mīrī* land regime as formalized by Ebu's-su'ūd.⁵¹¹ He recalled the fact that, by Islamic law, the legal status of a specific piece of land is determined according to the method by which it was initially conquered.⁵¹² According to Akgündüz, since Crete had been taken peacefully, the lands on the island were left as *harācī* to the local people.⁵¹³ He also maintained that the lands conquered by force and formulated by Ebu's-su'ūd as *mīrī* were originally *harācī*, which depended on the views of jurists who were followers of other schools of law than the Hanafi school. Briefly, Akgündüz asserted that, since the status of *mīrī* lands was equivalent to that of *harācī* lands, both the Ottoman *mīrī* land regime and the definition of the lands of Crete as *harācī* should be evaluated within the framework of Islamic jurisprudence.⁵¹⁴

In addition to these two historians, Gilles Veinstein emphasized the Salafi influence of the Kadızadelis in the preparation of the land regime of Crete by concentrating on Vānī Mehmed's proximity to the top ruling elites of the time.⁵¹⁵

⁵¹¹ Akgündüz, *Osmanlı Kanunnâmeleri*, VIII, 425.

⁵¹² A piece of land could be acquired in four ways: "[I]t could be conquered by force, its inhabitants could capitulate on treaty terms without resistance, they could voluntarily accept Islam, or they could flee, abandoning the land." Cuno, "Was the Land," 123.

⁵¹³ It should be recalled here, however, that although the castle of Candia was taken by peaceful means in 1669, there were a number of other lands on the island which were conquered by force. Minkārīzāde's fatwas will provide us a glimpse on this topic. For this reason, it would be wrong to assume that the whole island was taken by peaceful means.

⁵¹⁴ Akgündüz's comment on the issue is as follows: "[T]he *miri* [state-owned] land [in qanun terminology] is *kharāj* [land acquired through conquest in the fiqh terminology] [...] The taxes collected from these types of lands, which were called *rüsum-ı şer'iyye* in Ottoman law, were assigned and collected according to the prescription in Islamic books of fiqh. The tax that is called *öşür* [in the Ottoman context] is [fiqh-based] *kharāj al-muqāsama* and [the tax called] *çift akçesi* is really *kharāj al-muwazzaf* [...]. All directives in Ottoman qanunnames pertaining to *öşür* and *çift akçesi* are consistent with what we find in the [fiqh] texts." The translated passage is taken from Boğaç Ergene's study. See Ergene, "Qanun and Sharia," 117. For the original passage, see Akgündüz, *Osmanlı Kanunnâmeleri*, I, 67.

⁵¹⁵ Veinstein, "Çiftlik Debate," 35–53; Veinstein, "Le Législateur Ottoman," 103–106; and Veinstein, "Les règlements fiscaux," 3–16.

Molly Greene, on the other hand, examined the underlying factors behind the changes in the land regime of Crete by adopting a more inclusive approach. In her view, the combination of certain factors—such as Islamic principles, Latin administrative practice, and general Ottoman trends of the time—played a significant role in giving final form to the 1669 *kānūnnāme* of Crete.⁵¹⁶ She also discussed the same topic in a later book where she paid special attention to the activities of the Köprülü family on the island. Here, Greene argued that the new land policy in Crete was the achievement of the Köprülü family, who owned a significant number of estates on the island.⁵¹⁷

Apart from these studies, an article by Eugenia Kermeli can be regarded as the most elaborate work on the Ottoman land system of Crete. By comparing the two land laws of Crete promulgated in 1650 and 1670, giving examples from court records, and examining a number of fatwas, she saw the Cretan example as a kind of experiment by which the Ottomans transformed the local custom of Crete in accordance with their need to increase the chances of profiting from cultivation while simultaneously adhering to their own tradition by making use of Islamic terminology.⁵¹⁸

The most relevant aspect of Kermeli's article for this study is the authenticity of the fatwas that were used. Specifically, she benefitted from the fatwa compilation of Menteşzāde 'Abdu'r-rahīm by giving credit to the possibility that he might have collected these fatwas from a previous period.⁵¹⁹ However, as will be shown later, these fatwas were actually issued by Minkārīzāde. Establishing that the fatwas related to Crete in Menteşzāde 'Abdu'r-rahīm's fatwa compilation were issued by

⁵¹⁶ Greene, "Islamic Experiment," 60–78.

⁵¹⁷ Greene, *Shared World*.

⁵¹⁸ Kermeli, "Caught in between," 1–32.

⁵¹⁹ Kermeli, "Caught in between," 25, fn. 121.

Minkārīzāde during his tenure as chief jurist is crucial for determining the specific historical context within which these fatwas were promulgated.

In the discussion regarding the fatwa compilations of Minkārīzāde in the introduction to this study, I reached the conclusion that there were two different fatwa compilations prepared by Menteşzāde ‘Abdu’r-rahīm and ‘Atāu’llāh Mehmed, both of which contain fatwas belonging to Minkārīzāde. Nonetheless, we should always keep in mind the possibility that Menteşzāde ‘Abdu’r-rahīm might have also compiled the fatwas of other chief jurists as well.⁵²⁰ Nevertheless, to the extent that is permitted by the available knowledge, the most reasonable way to judge the authenticity of Minkārīzāde’s fatwas in both compilations is to determine the specific historical context within which these fatwas were written, and then compare similar fatwas in both compilations. As far as Minkārīzāde’s fatwas relating to Crete are concerned, it is plausible to argue that the Crete-related fatwas in the compilation of Menteşzāde ‘Abdu’r-rahīm were actually issued by Minkārīzāde, and most of them can also be found in the compilation prepared by ‘Atāu’llāh Mehmed.

However, there is a striking difference in some of the fatwas included in the two compilations. It seems that while the fatwa compilation prepared by Menteşzāde ‘Abdu’r-rahīm consisted of Minkārīzāde’s original fatwas, ‘Atāu’llāh Mehmed’s compilation went through an editing process that removed the historical context and put the fatwas into an abstract form. If there is any truth in this contention, the following two exemplary fatwas from each compilation in the Table 2 would help elucidate the distinction between these two compilations.⁵²¹

⁵²⁰ See discussion on pages 26–30.

⁵²¹ Throughout this chapter, since we know that the fatwas in ‘Atāu’llāh’s compilation belong to Minkārīzāde and that the fatwas in Menteşzāde ‘Abdu’r-rahīm’s compilation were previously used by Eugenia Kermeli in her article, I prefer to make reference to the fatwas found in ‘Atāu’llāh’s compilation. For this, I have relied on a compilation copied in 1725 and found in Süleymaniye YEK, MS Hekimoğlu 421 (hereafter Hekimoğlu 421). As to Menteşzāde ‘Abdu’r-rahīm, I benefitted from a

Table. 2 Comparison of *Fetāvā-yı ‘Abdu’r-rahīm* and *Fetāvā-yı ‘Atāu’l-lāh*

<i>Fetāvā-yı ‘Abdu’r-rahīm</i>	<i>Fetāvā-yı ‘Atāu’l-lāh</i>
Question: When the island of Crete was conquered and authorized <i>serdars</i> and <i>defterdār</i> s gave some of the lands belonging to state land (<i>arz-ı memleket</i>) to some people by proxy (<i>vekāleten</i>), but if they sold them below their market price (<i>gabn-i fāhiş</i>), can the lands sold below their market price be taken from the hands of the buyers and be sold at market value (<i>semen-i misilleriyle</i>) by an imperial order? Answer: Yes, they can. ⁵²²	Question: If the <i>defterdār</i> gave some of the lands belonging to state land (<i>arz-ı memleket</i>) to some people by proxy (<i>vekāleten</i>), and if they were sold below their market price, can the lands be taken from the hands of the buyers and be sold at market value (<i>semeni misilleriyle</i>) by an imperial order? Answer: Yes, they can. ⁵²³
Question: After the conquest of the island of Crete, some lands from the state lands (<i>arz-ı memleket</i>) were prepared and given to certain people to cultivate them, who were to give the <i>harāc</i> to those entitled to it. However, although they had the usufruct rights (<i>tasarruflarına</i>) of the lands, they were not given the essence (<i>rakabe</i>) of the land. If they have been cultivating the land for many years and they have paid their <i>harāc</i> , is it still permissible to remove the land from their hands by an imperial order and give it to those who offer to pay <i>harāc-ı muvazzaf</i> and <i>harāc-ı mukāseme</i> or the amount of <i>harāc</i> as rent (<i>icāre</i>)? Answer: Yes, it is. ⁵²⁴	Question: If some lands from the state lands (<i>arz-ı memleket</i>) were prepared and given to certain people without giving the ownership of the land, to cultivate them, who were to give the <i>harāc</i> to those entitled to it, is it still permissible to remove the land from their hands by an imperial order and give it to those who offered to pay <i>harāc-ı muvazzaf</i> and <i>harāc-ı mukāseme</i> or the amount of <i>harāc</i> as rent (<i>icāre</i>)? Answer: Yes, it is. ⁵²⁵

copy found in Süleymaniye YEK, MS Hamidiye 610 (hereafter Hamidiye 610), which was recorded in the library catalogues as if it belonged to Minkārīzāde but is the same in terms of content as that of the printed edition of the *Fetāvā-yı Abdürrahīm*. Since some fatwas were only included in the copy compiled by ‘Abdu’r-rahīm, I refer to them only when necessary. For the printed edition of the *Fetāvā-yı Abdürrahīm*, see Menteşzāde Abdürrahīm Efendi, *Fetāvā-yı Abdürrahīm*.

⁵²² Hamidiye 610, 32b: “Soru: Girid ceziresi feth-u teshir olundukda beytū’l-māl için i’dād olunub *arz-ı memleket* olan arāzînin ba’zını *serdār* ve *defterdār* me’mūr olmalarıyla *vekāleten* bazı kimesnelere bey’ idüb lākin *gabn-i fāhiş* ile bey’ etmiş olsalar ol *gabn-i fāhiş* ile bey’ olan arāzî müşterî yedlerinden nez’ olunub *semen-i misilleriyle* bey’ olunmak üzere *emr-i sultānī vārid olmağla* nez’ olunub *semen-i misilleriyle* bey’ olunur mu? El-cevab: Olunur.”

⁵²³ Hekimoğlu 421, 25b: “Soru: *Arz-ı memleket*den bir mikdār arāzîyi *defterdār vekāletle* bey’ ider oldukda *semen* mislinden noksan fāhişe bey’ eylese ol arāzî müşterîlerden alunub *semen-i misilleriyle* bey’ olunmağla *emr-i sultānī vārid olmağla* *semeni misilleriyle* bey’ olunur mu? El-Cevab: Olunur.”

⁵²⁴ Hamidiye 610, 32b: “Soru: Girid Ceziresi feth-u teshir olundukda beytū’l-māl için i’dād olunub *arz-ı memleket* olan arāzîsi bazı kimesneler ekib biçüb *harācını* ta’yîn olunan *erbābına* vermeleri üzere virilüb ancak bu vech üzere *tasarruflarına* izin verilmiş olub ol arāzînin *rakabeleri* temlik olunmamış olsa ol kimesneler dahi nice sene zabt u *tasarruf* idüb eküb biçüb me’mūr oldukları üzere *harācını* vermiş olsalar hālā *emr-i sultānī* ile yedlerinden nez’ olunub *harāc-ı muvazzaf* ve *mukāseme* yāhūd *harāc* miktarı *icāre* ile taleb idenlere virilmek cā’iz olur mu? El-cevab: Olur.”

⁵²⁵ Hekimoğlu 421, 26a: “Soru: Arāzî-yi *memleket* b’azı kimesnelere ekib biçüb ta’yîn olunan *harācını* *erbābına* vermeleri üzere virilüb temlik olunmamış olsa hālā *emr-i sultānī* ile yedlerinden alunub *harāc-ı muvazzaf* ve *mukāseme* yahud *harāc* miktarı *icāre* ile tālib olanlara virilmek cā’iz olur mu? El-Cevab: Olur.”

These fatwas enable us to correct an inaccurate generalization in the literature regarding the *harācī* status of the land in Crete. This point is crucial in the sense that defining the land system of Crete as *harācī* in its *kānūnnāme* has been seen as a radical departure from the previous *kānūn*-based taxes, and thus a sort of final victory of the sharia over *kānūn*. However, as these two fatwas of Minkārīzāde's make evident, there were also some lands in Crete which were not granted as *harācī* but instead procured as state land (*arz-ı memleket*). Because it is explicitly stated in the 1670 *kānūnnāme* that "since the land which is in the possession of the infidels of this island is *harācī* land, let it stay and continue in their hands,"⁵²⁶ most historians have taken this register at face value, without elaborating on the actual practice on the island.⁵²⁷ However, the above two fatwas of Minkārīzāde's, together with the following one, which is only available in the compilation prepared by Menteşzāde 'Abdu'r-rahīm, make it clear that this assumption might be only partially true.⁵²⁸

Question: When the island of Crete was conquered, some lands were not given to the possession of anybody, but were procured as state land (*arz-ı memleket*). Some people were given permission to have the usufruct, provided that they paid a certain amount of *akçes* to the public treasury to pay their *harāc* to those entitled to it. If these people have the usufruct rights for an extended period of time, and they have paid their *akçes* to the public treasury in full, is it permissible to remove the land from their hands with an imperial order and give it to infidels who accept the duty of tribute (*zimmet*) to pay an estimated *harāc-ı mukāseme* and *harāc-ı muvazzaf*, or can public treasury give these lands to applicants by way of sharecropping (*müzāra'a*)? Answer: Yes.⁵²⁹

⁵²⁶ "Cezîre-i mezbûre keferesinin tasarrufinin bulunan arazi arazi-yi hariciye olmak üzere yedlerinde mükerrer ve ibka kalanı." Quoted in Greene, "Islamic Experiment," 64, fn. 16. This part is not legible in the text published by Barkan.

⁵²⁷ Despite the fact that Eugenia Kermeli incorporated these three fatwas into her study, she did not put much emphasis on the difference between *harācī* and *arz-ı memleket* lands as far as these fatwas are concerned. Furthermore, she tackles the coexistence of two lands regime in Crete only with reference to the Cretan court records. Kermeli, "Caught in between," 13–18.

⁵²⁸ The absence of the following fatwa in the compilation of 'Atāu'llāh Mehmed, however, might have resulted from its similarity with the previous fatwa, which probably led 'Atāu'llāh Mehmed to choose not to include it in his compilation.

⁵²⁹ Hamidiye 610, 32b: "Soru: Girid Cezîresi feth-u teshîr olundukda ba'zı arāzisi kimesneye temlîk olunmayub arz-ı memleket itihâz olunmağla ba'zı kimesnelerin beytû'l-māl için bir mikdâr akçeleri alunub ol arāzînin harâcını ta'yîn olunan yerlere virmeleri üzere tasarruflarına izin verilmiş olsa ba'dehû ol kimesneler ol arāzîyi zāman-ı medîd tasarruf idüb beytû'l-māl için verdikleri akçeyi istîfâ etmiş olsalar, ol arāzî yedlerinden emr-i sultânî ile nez' olunub zimmet kabul eden kefereye harâc-ı

In a similar vein, it is equally erroneous to assert that the land regime implemented in Crete before the promulgation of the land regime of 1669 was the only *mīrī*. Related to this point, it is necessary to indicate that the 1670 *kānūnnāme* was not, in fact, the first one of its kind promulgated on this island. Although the Ottomans conquered Crete's largest city, Candia, in 1669, the beginning of the siege of Crete goes back to 1645. Between these dates, Chania and certain castles—Rethymno, Granbosa, Kisaamos, and Apokorano—were taken from the Venetians.⁵³⁰ As a result of the capturing of these lands by the Ottomans, an earlier *kānūnnāme* had already been issued in 1650, in which the classical land system of the Ottoman Empire was followed, allocating *tīmār* and *ze'āmet* to soldiers.⁵³¹ Anyone who took this land regime as a reference might think that the classical land tenure was applied in Crete as well. However, as Kermeli has demonstrated based on court records from Crete, there were also *harācī* lands even before the promulgation of the land regime of Crete in 1669.⁵³²

The coexistence of *harācī* and *arz-ı memleket* lands both before and after the promulgation of the new land regime of Crete in 1669 puts in question the widely accepted assumption that the status of lands in Crete was only *harācī*.⁵³³ In other

muvaazaf ve mukāseme takdīri ile virilüb yāhūd beytū 'l-māl tarafından tālib olanlara muzāra 'a tarīkīyle virilmek cā'iz olur mu? El-Cevab: Olur."

⁵³⁰ Greene, *Shared World* and Gülsoy, *Girit'in Fethi*.

⁵³¹ Gülsoy, "Osmanlı Tahrir Geleneğinde," 183–203.

⁵³² Kermeli, "Caught in between," 13–18. Also see Adıyeke, "Temlik/Mülk Köyler," 97–110. The imposing of *harāc* tax on people before the promulgation of the new land regime of Crete in 1669 can also be confirmed by another contemporary source: "Anların kefereleri Venedik ile yigirmi beş seneden beri bozuşalı, hem bize birez harb öciyle harāc verirler idi ve hem kâfire harāc virüb imdād iderler idi. Şimdi bi-hamdi 'llāhi Te'ālā kal'a feth olub küffār ile sulh u salāh olalı ola da kefereleri cümle harācını berüye virüb, küffār el çekmek üzere ahz olunmuştur." Zayıf Mustafa, *Tarih-i Sefer*, 144.

⁵³³ Another important topic to be addressed regarding Minkārīzāde's fatwas is the question of to whom the revenues of *arz-ı memleket* were allocated. A tangible answer to this question can hardly be found in the fatwas themselves, but it is highly likely that these revenues were given to the commanders and guards of the forts. According to Gülsoy, the lands belonging to *tīmār* holders were abolished after the promulgation of the 1670 *kānūnnāme*. Instead, all the *tīmār*s and *ze'āmets* were given to the soldiers employed in the castles of Candia, Chania, Rethymno, Kissamos, and Lerapetra.

respects, there is also not enough reason to describe the *harācī* status of the land in Crete as unique, because the Ottomans did not change the land tenure of certain other frontier territories, such as Basra and Lesbos, allowing private ownership of land.⁵³⁴

Additionally, the coexistence of *harācī* and *arz-ı memleket* lands permits further inquiry into the space given by Minkārīzāde to dynastic law, which brings us to the relationship between *kānūn* and sharia.⁵³⁵ The following two fatwas are quite interesting for further examination of this point:

Question: If, after the infidels invade a land in the Abode of Islam and pillage the neighbouring land, those who make use of the land flee, and then, if the Muslims become victorious a couple of years later, are the previous owners of the land allowed to possess the land? Answer: If there is an imperial order, they can.⁵³⁶

Question: If, after the infidels invade a land in the Abode of Islam and the inhabitants disperse, and if then the land is included in the territory of Islam peacefully, and if the imperial treasurer wishes to give the land with a title deed, can those who previously occupied (*mutasarrıf*) the land prevent this and hold it once again? Answer: No, not unless they have an imperial order [that allows them to do this].⁵³⁷

From the same, but more detailed, fatwas found in the compilation prepared by Menteşzāde ‘Abdu’r-rahīm, we understand that the status of the lands mentioned in these fatwas was *arz-ı memleket*.⁵³⁸ Related to this, a critical point in these fatwas is

Gülsoy, *Girit’in Fethi*, 303–310. For more information about the process that enabled the commanders and guards of forts to be given military fiefs, see Kolçak, “Yeniçeriler,” 217–251, at 241–245.

⁵³⁴ Khoury, “Administrative Practice,” 318; Akgündüz, *Osmanlı Kanunnâmeleri*, XI, 515–520; and Barkan, *Zirâi Ekonominin*, 332–338.

⁵³⁵ The relationship between *kānūn* and sharia remains a subject of intense and lively debate among scholars. For a general evaluation of the topic, see Ergene, “Qanun and Sharia,” 109–120.

⁵³⁶ Hekimoğlu 421, 21a: “*Soru: Dārü’l-İslâmdan bir diyâra harbî kefare müstevlî olup nehb ü gâret itmekle kurbunde olan arâzînin mutasarrıfları perişân olub ba’dehû bir kaç seneden sonra ehl-i İslâm gâlib olmağla ashâbı gelseler ol arâzîyi zabta kâdir olur mu? El-cevab: Emr-i ‘âli öyle oluncak olurlar.*”

⁵³⁷ Hekimoğlu 421, 21a–b: “*Soru: Dārü’l-İslâm’dan bir beldeye harbî kefare müstevlî olup ahâlîsi perişân olduktan sonra ol belde sulhla havza-ı İslâma dâhil olsa emîn-i beytû’l-mâl arâzîsini tapuyla virmek murâd itdükde mukaddemâ mutasarrıflarının biz zabt iderüz deyu men’a kâdir olurlar mı? El-Cevab: Emr-i ‘âli olmadıkça olmazlar.*”

⁵³⁸ Menteşzāde ‘Abdu’r-rahīm recorded this fatwa as follows (Hekimoğlu 610, 32a): “*Soru: Dārü’l-İslâm’dan bir diyâra harbî kefare müstevlî olup nehb ü gâret itmekle kurbunde olan arâzî-yi emîrîye’nin mutasarrıfları olanlar taraf-ı memâlik perişân olub ba’dehû ol diyarda harbî kefare havfî yirmi seneden mütecâviz zamân mütemâdî olmağla ol arâzî hâliya ve mu’attala kalub asla bir tarafından zir’ât ve hirâset olunmayub, ba’dehû harbîler ehl-i İslâmla musâlaha etdüklerinde havf u*

that the lands mentioned in both fatwas were taken by peaceful means. In such cases, the political authority had limited options, because lands acquired peacefully should be given to the local people as freehold (*mülk*). However, the situation was rather different if the land was conquered by force. As such, as the following fatwas show, Minkārīzāde stated his legal opinion without reference to political authority when the land had been conquered by force and was given as *tīmār*, which left no room for freehold:

Question: Some of the lands in a region conquered by force were attached to a *tīmār* and given to Amr, who gave some part of the land to Bekr by *tapu*. Then, the enemy Bişr returned with a pardon. If he agreed to pay tribute and claimed that the land had belonged to his father before the conquest, can the enemy Bişr take the land back? Answer: No.⁵³⁹

In light of all the above fatwas, it can be argued that Minkārīzāde provided as large a space for the political authority to manoeuvre as Islamic law permitted.⁵⁴⁰ What is more, as these two fatwas make evident, there was no contention between Islamic law and Ottoman *kānūn* (or “secular law,” as some historians have called it),⁵⁴¹ which have generally been depicted in the relevant literature as two distinct spheres.⁵⁴² Instead, more recent interpretations of the relationship between Ottoman

haşyet mürtefi ‘olmağla ashābı gelüb ol arāzīyi ke’l-evvel zabt ve tasarruḫa kādir olurlar mı? El-Cevab: Emr-i ‘āli oluncak olurlar.’; Hekimoğlu 610, 32a: “Soru: Dāru’l-İslām olub arāzīsī emīriye olan bir memlekete harbī keḫere müstevlī olmağla ahālīsī bi’l küllīyye perīşān olub yirmi seneden mütecāviz hālī ve mu’attal olub ba’dehū ol memleket sulhla havza-i İslām’a dāhil olsa hālen emīn-i beytū’l-māl ol arāzī-yi mu’attalayı ibtidāen tālib olanlara virmek murād itdükde, kable’l-istilā mutasarrıfları gelüb, mukaddemen bizim tapu ile tasarrufumuzda olmağla biz zabt u tasarruf ideriz demeğe kādir olurlar mı? El-Cevab: Emr-i ‘āli olmadıkça kādir olamazlar.”

⁵³⁹ Hekimoğlu 421, 23a: “Soru: Bir diyār ‘anveten feth ba’dehū arāzīsinden bir mikdārı tīmār bağlayub ‘Amr’a tevcīh olunub ‘Amr ol arāzīden bir mikdārını tapuyla Bekr’e virdükden sonra Bişr-i harbī emān ile gelüb zimmet kabūl eylese, Bişr ‘Kable’l feth ol arāzī babamın tasarrufunda idi’ diyüb ol arāzīyi zabta kādir olur mu? El-Cevab: Olmaz.” Menteşzāde ‘Abdu’r-rahīm recorded this fatwa as follows (Hamidiye 610, 32a): “Soru: Bir diyār ‘anveten feth olunub ba’dehū arāzīsinden bir mikdārı tīmār bağlayub ‘Amr’a tevcīh olunub ‘Amr ol arāzīden bir mikdārını Bekr’e tapu ile virdükten sonra Bişr-i harbī emān ile gelüb zimmet kabul eylese, hālā Bişr-i mezbūr ‘Kable’l feth ol arāzī müteveffā babam tasarrufunda idi’ diyüb ol arāzīyi Bekr’den almağa kādir olur mu? El-Cevab: Olmaz.”

⁵⁴⁰ In this regard, Samy Ayoub’s recent study evaluates the Ottoman sultan’s legislative role in the law-making process in late Hanafi jurisprudence by challenging the view that Islamic law distanced itself from the state interference. See Ayoub, *Law, Empire*.

⁵⁴¹ İnalçık, “Kānūn,” 559–62; Repp, “Qanun and Shari’a,” 124–45, at 124; and Imber, *Ebu’s-su’ud*, 40.

⁵⁴² Heyd, *Kānūn and Shari’a*, 1–18.

kānūn and Islamic law have employed approaches indicating that “the shari‘a and the kanun were part of the same legal domain in which the main beneficiaries of the economic and political system did not necessarily consider them to work in dichotomy.”⁵⁴³ Minkārīzāde’s fatwas are important indicators in confirmation of this.

Despite all this, though there were some lands that could not be defined as *harācī*, the fact remains that some parts of the lands on Crete were granted as freehold (*mülk*), which brings us to the second topic to be discussed in this section; namely, the idea of “the death of the proprietors.”

4.4.2 The rebirth of the proprietors?

To begin with, the *locus classicus* on this topic is by Baber Johansen’s *The Islamic Law on Land Tax and Rent*, in which he meticulously examines the changing classical Hanafi view of land tenure in the Arab lands during the late Mamluk and early Ottoman periods.⁵⁴⁴ In light of the writings of Ibn al-Humām (1388–1457) and Ibn Nujaym (1520–1563), who attempted to define the land tax and rent system of their time, Johansen introduced the notion of “the death of the proprietors” to

⁵⁴³ Quoted in Tuğ, *Politics of Honor*, 59. Dror Ze’evi had previously asserted a similar approach: “[F]rom the sixteenth century onward, the *şeriat* and the *kanun* were amalgamated, or came very close to amalgamation, into one legal system in the empire. Most *kanun* experts describe the effort to make the two systems compatible, but their basic assumption is that they remained too distant from each other to form one whole. Our new understanding of the dynamic nature of law making in the Muslim world, coupled with a better comprehension of the *şeriat* as a set of premises rather than a legal code, have supplied us with sufficient contradictory evidence to doubt the veracity of the old ‘dual-system’ view. I suggest a different concept here, according to which the sultanic law and the *şeriat* did, in fact, come to form one compatible system. The *kanun* was interwoven with the *şeriat* with painstaking care within the sphere that legal experts of the time could have accepted as Islamic, inside the boundaries of *örf* and *siyāset*.” Ze’evi, *Producing Desire*, 69. For more earlier attempts to examine the judicial practice in Ottoman courts in terms of sharia, *kānūn* and *örf*, see Jennings, “Legal Procedure,” 133–172; Jennings, “Judicial Power,” 151–184; and Gerber, “*Sharia, Kanun and Custom*,” 131–147. Also see Heyd, *Studies in Old Ottoman*, 167–207; Marcus, *Aleppo in the Eighteenth Century*, 104–105; Gerber, *State, Society, and Law*; al-Qattan, “Documenting Justice,” 63–76; Khoury, “Administrative Practice,” 305–330; Ergene, *Local Court*; and Peirce, *Morality Tales*.

⁵⁴⁴ Johansen, *Islamic Law on Land*.

emphasize the loss of peasants' proprietary rights and their transformation from landowners into renters who used the land through contracts of sharecropping (*muzāra'a*) and tenancy (*ijāra*).⁵⁴⁵ The common point in the writings of these scholars regarding *harāc* is that a tribute paid by peasants was not a *harāc*, which in the classical period was a tax collected on privately owned property, but was instead a kind of rent paid for the right of usufruct of the land.⁵⁴⁶

The basis of this discussion centers around the term *ard al-hawz* (sequestered lands, or sequestered land, as Kenneth M. Cuno has called it⁵⁴⁷), which can be defined as land which has lost its status as freehold (*mülk*) and been seized by the public treasury on the ground that it had been deserted or fallen idle, or that the cultivators were unable to pay the *harāc*.⁵⁴⁸ According to most Hanafī jurists, there is a distinction between land known as *ard al-hawz* and lands belonging to the public treasury. Accordingly, while *ard al-hawz* could not be sold but could be leased, land belonging to the treasury was permitted to be given to new owners. Muhammed al-Haskafī (1616–1677), however, used these two terms interchangeably in his writings, which, according to Johansen, was a strong indication that the idea of “the death of the proprietors” was accepted by Hanafī scholars.⁵⁴⁹

Nonetheless, Johansen's contention that the devolution of peasants' lands into public treasury lands was accepted by later Hanafī scholars in Egypt and Syria has been criticized by Kenneth Cuno.⁵⁵⁰ Cuno draws a more complicated picture of the land system in Ottoman Syria from the seventeenth through the early nineteenth

⁵⁴⁵ Johansen, *Islamic Law on Land*, 80–97.

⁵⁴⁶ One of the most important reference books regarding the classical Hanafī interpretation of land tenure is Ebu Yūsuf's *Kitāb al-Kharāj*. See Ebu Yūsuf, *Kitābū 'l-Haraḥ*.

⁵⁴⁷ Cuno, “Was the Land,” 121–152.

⁵⁴⁸ Johansen, *Islamic Law on Land*, 103–107; Cuno, “Was the Land,” 124; and Joseph, “Analysis of Khayr Al-Din Al-Ramli,” 112–27.

⁵⁴⁹ Cuno, “Was the Land,” 125.

⁵⁵⁰ Cuno, “Was the Land,” 121–152.

centuries based on the writings of Khayr al-Dīn al-Ramlī (1585–1671) and Ibn ‘Ābidīn (1784–1836), who both defended the interests of the notables in their localities by opposing the mainstream Hanafī view that lands sold by the state belong to the public treasury. It would be misleading to think, however, that the objection to this understanding of land tenure came only from scholars in the Arab provinces of the Ottoman Empire. In his *et-Tarīkatü’l-Muhammediye*, for instance, Birgivī also raised a criticism against Ebu’s-su‘ūd’s conceptualization of land tenure, especially with his rejection of the *tapu* fee, which, according to him, was illegal and should be regarded as a bribe.⁵⁵¹

Johansen and Cuno were successful in interpreting scholars’ stances regarding the system of land tenure in the Mamluk and Ottoman periods, but neither of them comprehensively examined the legal status of cultivators, a gap that was later filled by studies done by Martha Mundy and Richard Saumarez Smith, and Sabrina Joseph.⁵⁵² All of these studies have contributed to our understanding of the social, economic, and political dynamics of the time periods on which they focus. What is relevant in all these studies in relation to the topic at hand is the process that witnessed the devolution of private ownership into the public treasury. This, however, seems to be in contradiction with the designation of the lands of Crete as *harācī* with the new land regime promulgated in 1669, because these lands were given as freehold (*mülk*).

As a matter of fact, the difference between *harācī* and *arz-ı memleket* lands had already been formulated by Ebu’s-su‘ūd in the previous century. However, what

⁵⁵¹ Mundy and Smith, *Governing Property*, 16–19, 24; Ivanyi, “Question of Lands,” 137–147; and Ivanyi, *Virtue, Piety*, 222–232.

⁵⁵² Mundy and Smith, *Governing Property* and Joseph, *Islamic Law on Peasant*. Also worth mentioning are two other articles of Martha Mundy in this context; see Mundy, “Ownership or Office,” 142–165 and Mundy, “Legal Status of the Cultivator,” 399–419. Also see Taylor, “Keeping Usufruct,” 429–43 and Taylor, “Forcing the Wealthy,” 35–66.

Ebu's-su'ūd was actually trying to clarify in his fatwas on this matter was the status of lands regarded as *arz-ı memleket*. For this very reason, most of the answers that he gave on this topic were related to problems in lands owned by the public treasury. However, since the land regime implemented in Crete seems to be an uncommon practice in Ottoman history, the *harācī* status of the lands appears to have needed some explanation in the eyes of the people, and this was precisely what was clarified by Minkārīzāde's fatwas. The following two fatwas issued by Minkārīzāde explicitly show that landowners were the *de facto* owners of the *harācī* lands in their possession.

Question: A land in the Abode of War was taken by force and the land in the hands of the *re'āyā* was confirmed; *cizye* was imposed on their heads and *harāc* on their lands. Is this land a valid property (*mülk-i sarīh*), like the rest of the [*re'āyā*'s] properties? Answer: Yes.⁵⁵³

Question: On this issue, if the *harāc-ı muvazzaf* and the *harāc-ı mukāseme* of this land have been assigned as fiefs (*tīmār*) to some people, and the owners of this land die, can the possessors of the fiefs not allow the heirs of these people to take possession of these lands, but [instead] give them by title deed (*tapu*)? Answer: No, they cannot.⁵⁵⁴

Considering these two fatwas, it can be asserted that the landowners on the *harācī* lands were not only guaranteed the ownership rights of their lands, but were also allowed to transmit their ownership rights from one generation to the next.

According to Minkārīzāde, even if the revenues were allocated as the source of

⁵⁵³ Hekimoğlu 421, 21a: “Soru: Dārü'l-harbden bir diyār ‘anveten feth olundukda arāzisi re'āyāsi yedlerinde takrīr olunub ru'ūslarına cizye ve arāzilerine harāc vaz' olunsa ol arāzī mezburların sār emlākı gibi mülk-i sarīhleri olur mu? El-cevab: Olur.” Menteşzāde ‘Abdu'r-rahīm recorded this fatwa as follows (Hamidiye 610, 32a): “Soru: Dārü'l-harbden bir diyār ‘anveten feth olundukda re'āyāsi yedlerinde olan arāzisinde takrīr olunub ru'ūslarına cizye arāzilere harāc vaz' olunsa ol arāzī ol re'āyānın sār emlākı gibi mülk-i sarīhleri olur mu? El-Cevab: Olur.”

⁵⁵⁴ Hekimoğlu 421, 21a: “Soru: Bu sûretde ol arāzînin harāc-ı muvazzaf ve mukāsemeleri ba'zı kimesnelere tīmār bağlanmış olsa ol arāzîye mālîk olanlar fevt olduklarından tasarruflarında bulunan arāzîyi erbāb-ı tīmār veresesine zabt etdirmeyüb tapu ile vermeğe kâdir olur mu? El-cevab: Olmazlar.” Menteşzāde ‘Abdu'r-rahīm recorded this fatwa as follows (Hamidiye 610, 32a): “Soru: Bu sûretde ol arāzînin harāc-ı muvazzaf ve mukāsemeleri ba'zı kimesnelere tīmār bağlanmış olsa ol arāzîye mālîk olanlardan ba'zı fevt oldukda tasarruflarında bulunan arāzîyi erbāb-ı tīmār veresesine zabt etdirmeyüb tapu ile vermeğe kâdir olurlar mı? El-Cevab: Olmazlar.”

livelihood for the holders of the military fiefs, these soldiers were not permitted to give these *harācī* lands to anyone other than the heirs of the landowners.

In addition to the two fatwas above, the following fatwa shows that the ownership rights of those who had a poll tax (*jizya*) imposed on themselves and *harāc* on their lands are so certainly guaranteed that Minkārīzāde gave the legal opinion that the right of usufruct granted by *sipāhīs* should be abolished and the lands given to the previous owners:

Question: A territory in the Abode of War was taken by force and the land in the hands of the *reaya* was confirmed; *cizye* was imposed on their heads and *harāc* on their lands. Afterwards, after they have died and their lands have passed to their descendants, who were scattered with the invasion of oppressors, if the *sipahi* gives the land to some people through *icāre* by *tapu*, is it permissible for those who formerly held these lands to remove those who took these lands through *icāre* subsequently? Answer: Yes, it is.⁵⁵⁵

Even putting aside the issues highlighted above, it would be plausible to argue that the main concern for the Ottoman administration in determining the status of lands in Crete was to acquire as much income as possible. In a sense, this can be explained by a principle that was conceptualized by Mehmet Genç as “fiscalism.”⁵⁵⁶ The following fatwa is a good example that supports the point that Ottoman officials did not necessarily intend to designate the lands in Crete as *harācī* even if it was conquered by force.

Question: When Crete was in the hands of the infidels, the army of Islam invaded and conquered by force (*‘anveten*) some castles. Some of the infidels

⁵⁵⁵ Hekimoğlu 421, 21a: “Soru: *Dārü’l-harbden bir diyār ‘anveten feth olundukda reāyāsı yedlerinde olan arāzīde takrīr olunub ru’ūslarına cizye ve arāzīlerine harāc vaz’ olunub bā’dehū mezbūrlar fevt olub vārislerine intikāl itdükden sonra zāleme istilāsıyla perīşān olduklarından sipāhī icāre tapusuyla virse hālā geldiklerinde mezbūrlar āhardan alub zabta kādīr olurlar mı? El-Cevab: Olurlar.*” Menteşzāde ‘Abdu’r-rahīm recorded this fatwa as follows (Hamidiye 610, 31b): “Soru: *Dārü’l-harbden bir diyār ‘anveten feth olundukda re’āyāsı yedlerinde olan arāzīlerinde takrīr olunub ru’ūslarına cizye ve arāzīlerine harāc vaz’ olunub bā’dehū murūru ‘avāmm ile ol arāzī batrīk Alārş/İlarş? hālā mutasarrıfları olan re’āyāya intikāl itdükden sonra ba’zı zāleme istilāsıyla ol re’āyā etrāfa perīşān olub üç sene zirā’at olunmamağla karyelerinin sipāhīleri tapu nāmına ehl-i islām’dan ba’zı kimesnelerin birer mikdār akçelerini alub ol arāzīyi ol kimesnelere virmiş olsalar hālā re’āyā istimālet virilmekle yerlerine geldiklerinde ol arāzīlerini mülk-i mevrūsları olmağla vāzī’ül yed olanlardan alub kel’evvel zaptı ve tasarrufa kādīr olurlar mı? El-Cevab: Olurlar.*”

⁵⁵⁶ Genç, “Dünya Görüşünün İlkeleri,” 182–185.

residing in these castles refused to agree to become *zimmis* and fled to the Abode of War. The *defterdār*, who was in charge, took their lands away and gave them, in return for a number of *akçes*, to some people on condition that they cultivate the land and pay the tax on produce (*‘öşr*) to the *sāhib-i arz*. If they [the cultivators] were not given the ownership of the lands (*temlik etmemiş olsa*), could the representative of the treasury with an imperial order still give away the aforementioned lands to those offering to pay *harāc-ı muvazzaf* and *mukāseme* or the amount of the *harāc* by *icāre*? Is it permissible? Answer: Yes.⁵⁵⁷

Ijāra (Turkish *icāre*) or “tenancy” refers to transferring the use of lands from the possessor to the tenant in return for payment of the rent. According to Baber Johansen, “the most important legal institution that contributes towards transforming the possession of arable lands into rent-yielding property is the contract of tenancy (*ijāra*).”⁵⁵⁸ What Minkārīzāde states in this fatwa is that it is legally possible to grant this land either as *harācī* or through *ijāra*. In other words, the land can be given as freehold, or it can be rented. As previously mentioned, since the land in question was taken by force, Islamic law allows the political authority to make use of it in either way.

In other respects, if there is something different from the Ottoman classical arrangements concerning Crete that might have affected subsequent developments, it concerned new registration practices. Kolovos, focusing specifically on the Ottoman surveys of 1670–71 for Crete and smaller Aegean islands, asserts that the Ottomans adopted new registration practices in the second half of the seventeenth century, transforming the classic *tahrir* registers. They developed more elaborate survey

⁵⁵⁷ Hamidiye 610 33a: “Soru: Cezīre-i Girid harbī kefare yedinde iken ‘asker-i İslām müstevlī olub ba’zı kılā’anı ‘anveten feth itdüklerinde ol kılā’a tābī’ olan keferenin ba’zı zimmet kabul itmeyüb dārü’l-harbe fīrār itmekle arāzīlerini defterdār olan kimesne me’mūr olmağla bazı kimesnelerin beytū’l-māl için bir mikdār akçelerini alub ol kimesneler ol arāzīyi eküb biçüb ‘öşr-ü mahsülünü ta’yin olunan yirlere edā’ itmek üzere ol kimesnelere virüb lākin temlik etmemiş olsa ba’dehū ol kimesneler hāla emīn-i beytū’l-māl emr-i sultānī ile ol yerleri mezbūrlarlardan alub harāc-ı muvazzaf ve mukāseme ile yāhūd harāc mikdārı icāre ile tālib olanlara virmeğe kādır olur mu? El-cevab: Olur.”

⁵⁵⁸ Johansen, *Islamic Law on Land*, 25.

practices in order to better calculate expected revenues from registered areas.⁵⁵⁹ One of the distinct features of this survey as compared to its predecessors is that Ottoman officials recorded the name of the village first, and only after that tabulated the names of the landholders.

Kolovos's inference becomes all the more meaningful when one also takes into account the fact that Ottoman officials applied the same strategy in the Edirne register of 1670,⁵⁶⁰ in the Aegean islands in 1670/1671,⁵⁶¹ in Morea in 1716, and in Smederevo in 1741, which clearly shows "the fictivity of the entries of products."⁵⁶² Related to this, the following two fatwas are a good starting point for examining the conjectural aspect of the land register in Crete.

Question: When the island of Crete was conquered and its land was registered, but the *harāc* was drawn up at a low rate, if an imperial order (*emr-i sultanī*) was issued to determine the *harāc-ı muvazzaf* according to the prescriptions of [the Caliph] Umar (may God be pleased with him) and the *harāc-ı mukāseme* was to be determined as $\frac{1}{2}$ or $\frac{1}{3}$ or $\frac{1}{4}$ or $\frac{1}{5}$ of the crop, can the taxes still be determined in the manner explained? Answer: Yes.⁵⁶³

Question: When the island of Crete was in the hands of infidels, the army of Islam invaded and conquered some castles by force. Some of the infidels in these castles did not accept *zimmet* of their lands and fled to the land of the enemy. The commander of the soldiers gave their lands as *mülk* to certain Muslims, whose annual '*öşr*' was made into a *maktu* of a certain amount of *akçes*, and they were given imperial letters patent (*berat*). However, if the revenue of the *maktu* was much less than the '*öşr*', can the trustee of the royal

⁵⁵⁹ Gülsoy, "Osmanlı Tahrir Geleneğinde," 194 and Kolovos, "Preliminary Assessment," 201–235.

⁵⁶⁰ Parveva, "Rural Agrarian," 11–60; Parveva, "Villages, Peasants," 15–34; Karagedikli, "Study on Rural Space," 53–212; and Karagedikli, "Edirne Tahriri," 7–28.

⁵⁶¹ Balta, "Ottoman Surveys of Siphnos," 51–69 and Parveva, "Agrarian Land," 61–110.

⁵⁶² Pavlovic, "Postclassical Defterology," 72. It should be noted, however, that the classical land survey also continued to be applied in some regions like Podolia; see Kołodziejczyk, *Ottoman Survey Register*.

⁵⁶³ Hekimoğlu 421, 25b: "*Soru: Girid ceziresi feth-u teshir olunub arāzisini tahrir itdükde harācını az tahrir itmekle hālā harāc-ı muvazzaf Hazret-i 'Ömer radiyallāhu anh tevzifi mikdārı ve harāc-ı mukāsemesi mahsülün ya nısfı, ya sülüsü, ya rub 'u ya humusu mikdārı vaz ' olunmak üzere emr-i sultānī sādr olsa vech-i meşrūh üzere vaz ' meşrūh olur mu? El-Cevab: Olur.*" Menteşzāde 'Abdu'r-rahīm recorded this fatwa as follows (Hamidiye 610, 32b): "*Soru: Girid ceziresi feth-u teshir olunub arāzisini muharrir tahrir itdükde harācı az tahrir etmiş olmağla hālā harāc-ı muvazzaf Hazret-i 'Ömer radiyallāhu anh tevzifi mikdārı ve harāc-ı mukāseme hāric ve hāsılın ya nısfı, ya sülüsü, ya rub 'u ya humusu mikdārı vaz ' olunmak üzere emr-i sultānī sādr olsa vech-i meşrūh üzere vaz ' olunur mu? El-Cevab: Olunur.*"

treasury refuse to take the *maktu* and demand ‘*öşr*’ by an imperial order?
Answer: Yes, he can.⁵⁶⁴

For the first fatwa, it is beneficial to recall that there were two kinds of *harāc*; namely, *harāc-ı muvazzaf* and *harāc-ı mukāseme*. While the first was collected once a year in cash, the second was imposed on yielded crop in a proportion of $\frac{1}{10}$ or $\frac{1}{8}$, to the extent that the land permitted. The rate of *harāc-ı mukāseme* was lawful to a proportion of $\frac{1}{2}$ if the supply of the land was good.⁵⁶⁵ Although the rate of *harāc* to be collected is not specified in this fatwa, we know from the *kānūnnāme* of Crete that the *harāc-ı mukāseme* was determined as $\frac{1}{5}$ of the crop.⁵⁶⁶ Despite this, however, Minkārīzāde stated that collecting the *harāc-ı mukāseme* tax up to the rate of half is lawful in accordance with Islamic principles.

An amendment made to the *kānūnnāme* of 1670 in 1675 indicated that, since the lands on Crete were unproductive and mountainous, and since people could no longer farm and the land remained vacant, the *harāc* taxes would be reduced to $\frac{1}{7}$ instead of $\frac{1}{5}$ in order to encourage people to cultivate the land.⁵⁶⁷ All these processes show that the local law was prepared with consideration of the interaction between local demands and the preferences of the central administration, as well as through a process of negotiation among the multiple parties who took part in the preparation of these laws.⁵⁶⁸

⁵⁶⁴ Hamidiye 610, 32b–33a: “*Soru: Cezire-i Girid kefare yedinde iken ‘asker-i İslām müstevlî olub bâ‘zı kılâ‘ını ‘anveten feth etdükleri ol kılâ‘a tabi’ keferenin bâ‘zı zimmet kabûl itmeyüb dârü’l-harbe firâr itmekle arâzîlerini serdâr-ı ‘asker-i İslām bazı müslümânlarla mülkiyet üzere ‘öşr-i mahsûlünden bedel senede şu kadar akçeye maktû’ mezbûr ‘öşr mahsûlünden noksan-ı fâhiş ile nâks olsa hâlâ emr-i sultânî ile emîn-i beytû’l-mâl maktû’ almayıb ol arâzîden ‘öşr-i mahsûl almağa kâdir olur mu? El-cevab: Olur.*”

⁵⁶⁵ For more information about these taxes, see Pakalın, *Osmanlı Tarih Deyimleri*, 734–736; Bilmen, *Hukuk-u İslamiyye*, IV, 75, 82–83; Akgündüz, *Osmanlı Kanunnâmeleri*, I, 169–181; Kallek, “Haraç,” 71–88; DIA, “Haraç,” 88–90; and Orhonlu, “*Kharâdj*,” 1053–1055.

⁵⁶⁶ Akgündüz, *Osmanlı Kanunnâmeleri*, X, 940; Barkan, *Zirâi Ekonominin Hukukî*, 351; and Gülsoy, “Tahrir Geleneğinde,” 201.

⁵⁶⁷ Despite this, however, this change was not actually implemented in practice. See Adıyeke and Adıyeke, “Girit’in ‘Hakk ve Adl,’” 223, appendix.

⁵⁶⁸ For a similar approach on this topic, see Atçıl, “Mısır’da Adlî Teşkilât,” 89–12.

Taking into consideration how the questions asked in these fatwas corresponded to practical implication, one might think that the Ottomans did not follow a consistent land regime policy on Crete, which has led some historians to label the Cretan case an “experiment.”⁵⁶⁹ However, rather than comparing the different land regimes implemented in Crete with previous practices, a more promising field of inquiry would be to examine how the Cretan example became the precursor to the change that occurred in Ottoman fiscal and financial administration in the following decades.⁵⁷⁰

In this regard, it is beneficial to recall that the Ottomans abolished the old system of the poll tax (*jizya*) in 1691 by imposing a standard rate according to the three classes (poor, middle, and rich), a system which had already been applied in Crete and the Aegean islands in 1670.⁵⁷¹ Likewise, to what extent the taxation method implemented in Crete contributed to the decision of Ottoman officials to initiate a new fiscal practice by introducing the lifetime revenue tax farm (*mālikāne*) in 1695 is another question that should be asked in relation to this topic.⁵⁷²

As has been rightly argued by Khaled Abou El Fadl, “the fact that Islamic law is divine in origin should not conceal the fact that it creatively responds to the socio-political dynamics of society placed within a specific historical context.”⁵⁷³ For this very reason, determining that the fatwa compilation prepared by Menteşzāde ‘Abdur-rahīm in fact includes the fatwas issued by Minkārīzāde, as has been shown in this section, is an important step in investigating his fatwa compilations in their

⁵⁶⁹ Greene, “Islamic Experiment,” 60–78 and Kermeli, “Caught in between,” 1–32.

⁵⁷⁰ It should be mentioned in this context that Abu Yusuf (d. 798)’s *Kitāb al-Khāraj* was translated by Rodosizāde Mehmed into Turkish during the tenure of Kara Mustafā Pasha. See Atiyas, “Sunna Minded Trend,” 268.

⁵⁷¹ Sariyannis, “Poll-Tax Reforms,” 39–61.

⁵⁷² For more information about Genç, “Malikāne Sistemi,” 231–296; Sucëska, “Malikāne,” 273–282; Genç, “Malikane,” 516–518; Salzmann, “Ancien R gime,” 393–423; and  zvar, *Malik ne Uygulaması*.

⁵⁷³ El Fadl, *Rebellion and Violence*, 322.

proper historical context, and opens a new purview for seventeenth-century Ottoman historians.

4.5 Conclusion

Although Minkārīzāde was one of the empire's longest-serving chief jurists in the seventeenth century, the role he played in this position has been largely neglected or downplayed in the literature. The dominance of the Kadızadelis on the seventeenth-century religious scene, as well as the portrayal of Vānī Mehmed as the leader of the third wave of this movement, undoubtedly contributed to this neglect. As a result, if the role of Vānī Mehmed in high politics is well appreciated, the position of the chief jurist seems, misleadingly, to become of secondary importance.

This chapter has contextualized Minkārīzāde's tenure in the office of chief jurist between the years 1662 and 1674 in order to better appreciate the role that he played as the head of the Ottoman learned hierarchy. For this purpose, after briefly providing some historical background and a summary of important events during the tenure of Minkārīzāde, special emphasis has been placed on the tripartite character of the state bureaucracy due to the mobility of the court and successive military campaigns, as well as the fragmentary nature of the relevant historical sources. Subsequently, the chapter examined two administrative and bureaucratic tasks for which Minkārīzāde, as chief jurist, was responsible; namely, the reorganization of judgeships in Rumelia and the elevation of the rank of the judgeship of Mecca in the hierarchy. Finally, I have closely investigated Minkārīzāde's fatwas relating to the land regimes implemented in Crete after its final conquest in 1669 in relation to two

historiographical debates; namely, the question of whether the sharia prevailed over Ottoman *kānūn* during the seventeenth century, and the issue of “the death of the proprietors.” One important contribution of this chapter to the literature is to show, using evidence, that the fatwas in the fatwa compilation of Menteşzāde ‘Abdu’r-rahīm in fact belong to Minkārīzāde. Undoubtedly, a more thorough and systematic examination of Minkārīzāde’s two fatwa compilations, prepared by Atāu’llāh Mehmed and Menteşzāde ‘Abdu’r-rahīm, would allow for further appreciation of Minkārīzāde’s overall role on Ottoman administrative, fiscal, and religious scenes in the second half of the seventeenth century.

CHAPTER 5

THE SCHOLARLY PATRONAGE OF MINKĀRİZĀDE

5.1 Introduction

Minkārīzāde's long tenure in the office of chief jurist in the years 1662–1674 gave him an enormous opportunity to offer scholarly patronage to a great number of scholars of diverse backgrounds, and indeed many scholars did cultivate a relationship with Minkārīzāde and benefit from his patronage. A close investigation of Şeyhī's *Vekāyi 'u'l-Fuzalā* reveals that more than one hundred scholars who established close contact with Minkārīzāde. Of these, nearly 85 received *mülāzemet* (novice status) from him. However, the granting of *mülāzemet* was not the only way in which scholars developed a relationship with Minkārīzāde: more than 20 scholars, though not directly granted *mülāzemet* by Minkārīzāde, had attended his lectures and served him as teaching assistants or as *fatwa emīni*. While a considerable number of the scholars associated with Minkārīzāde had a chance to reach top positions in the hierarchy, others served in various educational and judicial positions across the empire. In light of this, it can be safely argued that the presence of formal and informal scholarly networks around Minkārīzāde is a key point for understanding his tenure in the office of chief jurist, which entitled his seat to be called the “Threshold of Minkārīzāde” (Minkārīzāde *Āsitānesi*). Rather than individually examining these scholars in a limited fashion, it would be more useful to use the Minkārīzāde *Āsitānesi* to more comprehensively scrutinize a large number of scholars who established a close relationship with Minkārīzāde and benefited from his scholarly and intellectual patronage.⁵⁷⁴ The importance of Minkārīzāde's patronage lies in the

⁵⁷⁴ For the scholarly networks around Minkārīzāde, see Appendix B

fact that it points to the least studied and most neglected aspect of patronage in the early modern period; namely, scholarly patronage.⁵⁷⁵

This chapter examines the scholarly networks around Minkārīzāde by highlighting the scholars who came into contact with him in various ways throughout his lifetime. After briefly outlining the emergence and changing nature of *mülāzemet* in the Ottoman Empire through the fifteenth and sixteenth centuries, I will address Minkārīzāde's appointment as examiner (*mümeyyiz*) by imperial decree in 1658. This decree, together with other documents, will give us critical insight regarding how *mülāzemet* was viewed in the seventeenth and eighteenth centuries. In the second part of the chapter, I will examine the careers of scholars who received *mülāzemet* from Minkārīzāde in an attempt to show that what mattered for Minkārīzāde in granting *mülāzemet* was one's knowledge and competence. Lastly, in the final part of the chapter, I will show that *mülāzemet* played a crucial role in the transmission of knowledge among scholars by emphasizing how it was not just a required bureaucratic tool for entering the Ottoman learned hierarchy, but also a significant indicator of common intellectual inclinations among teachers and students.

5.2 *İjāzat* vs. *mülāzemet*

It might be useful to begin by comparing the practice of *mülāzemet* with the *ijāzat al-tadris wa'l-iftā* (authorization to teach law and issue legal opinions) in order to better comprehend the close relationship between these two terms.⁵⁷⁶ For this, George

⁵⁷⁵ For example, Peter Burke has identified five types of patronage: 1) the household system, 2) the made-to-measure system, 3) the market system, 4) the academy system, and 5) the subvention system. In his view, the last two types had not yet emerged by the time of the Italian Renaissance. See Burke, *Italian Renaissance*, 88.

⁵⁷⁶ For a recent treatment of the development and function of the *ijāzat*, see Davidson, *Carrying on the Tradition*, 108–151.

Makdisi's seminal study *The Rise of Colleges* serves as a good starting point.⁵⁷⁷

Focusing on madrasas in eleventh-century Baghdad, he meticulously examines the organization, instruction, and scholastic community of these establishments and compares them with European counterparts.⁵⁷⁸ He succinctly conceptualizes madrasas in this work in the following words: "Muslim institutionalized education was religious, privately organized, and open to all Muslims who sought it. It was based on the waqf, or charitable trust. It was in essence privately supported. A private individual, the founder, instituted as waqf his own privately owned property for a public purpose, that of educating a segment of Muslim society, which he chose, in one or more of the religious sciences and their ancillaries."⁵⁷⁹ He also emphasized the importance of *ijāzats* in granting permission to teach and issue legal opinions in these institutions.

Taking into account Makdisi's main points, we can see that institutionalized religious education and the granting of certificates were two fundamental notions in the transmission of knowledge in medieval Islam. His approach, however, has received criticism on the ground that the teacher-student relationship, rather than the formal education in madrasas, was especially important in the transmission of knowledge. In other words, by downplaying the institutionalized aspect of madrasas and questioning the supremacy of the certificates, scholars critical of Makdisi have

⁵⁷⁷ Makdisi, *Rise of Colleges*.

⁵⁷⁸ In a sense, this book can be regarded as an extension of Makdisi's previous work. For these works, see Makdisi, "Muslim Institutions of Learning in Eleventh-Century Baghdad," 1–56; Makdisi, "Madrasa and University in The Middle Ages," 255–264; Makdisi, "The Scholastic Method in Medieval Education," 640–661; and Makdisi, "On the Origin" 26–50.

⁵⁷⁹ Makdisi, *The Rise of Colleges*, 281–282. Makdisi basically assumes that madrasas were founded principally for instruction in Islamic jurisprudence. Other fields of knowledge, according to him, were taught outside of these institutions. His remark on this topic is as follows: "But Muslim education was not all there was to education in Islam. Institutionalized learning was not all the learning available. Philosophy, philosophical or rationalist kalam-theology, mathematics, medicine, and the natural sciences, that is those sciences referred to as the ancient, or foreign sciences, as well as all fields not falling under the category of the Islamic sciences and their ancillaries, were sought outside of these institutions, in the homes of scholars, in the hospitals, in the regular institutions, under the cover of other fields such as hadith or medicine."

instead emphasized the personal and informal transmission of knowledge.⁵⁸⁰ Thanks to all these works, we see that *ijāzat* as a practice long predated the madrasa, and that it could be granted both within and outside the madrasa system. Similarly, even after the rise of madrasas, *ijāzat* continued to be granted in many different contexts.

Ahmed El-Shamsy, for instance, argues that “it was also not uncommon for teachers to award *ijāzats* in response to well-phrased letters of request, or to bestow *ijāzats* on the children of friends, colleagues and notables, even if the ‘student’ was still an infant or indeed unborn.”⁵⁸¹ While *ijāzats* could show genuine intellectual affiliation, the transmission of knowledge could also signify a complex web of social and even ritual connections, a process termed “the ritualization of knowledge” by Chamberlain.⁵⁸²

Despite all these studies, however, some historians have continued to emphasize the significance of the madrasa and of certificates in the learning process. Devin Stewart, for example, meticulously and carefully questioned the relevant literature in the light of the works of Qalqashandī, Idfuwī, and Ibn Qādī Shuhbah. Confirming the findings of Makdisi, he reached the conclusion that the *ijāzat* was an actual written document and was institutionalized as part of madrasa education in Mamluk Syria and Egypt in the thirteenth and fourteenth centuries.⁵⁸³ One of the main conclusions to be drawn from this literature would be that the professors from whom one received one’s education played a significant role in the transmission of knowledge during the Islamic Middle Ages. In other words, the relationship between

⁵⁸⁰ Tibawi, “Origin and Character,” 225–238; Lapidus, *Muslim Cities*, 107–115; Berkey, *Transmission of Knowledge*, 21–43; Chamberlain, *Knowledge and Social Practice*, 69–90; and Ephrat, *Learned Society*.

⁵⁸¹ El-Shamsy, “Social Construction,” 99.

⁵⁸² Chamberlain, *Knowledge and Social Practice*, 125–130.

⁵⁸³ Stewart, “Doctorate of Islamic Law,” 45–91. Also see Gilbert, “Ulama of Medieval Damascus”; Gilbert, “Institutionalization of Muslim Scholarship,” 105–134; and Humphreys, “Politics and Architectural Patronage,” 151–174.

a professor and student was the most important means of receiving bodies of knowledge.

Although *ijāzat* has been discussed in great detail in the context of the educational institutions of the medieval Islamic world,⁵⁸⁴ it has not been properly addressed in the Ottoman context.⁵⁸⁵ Likewise, Ottoman historiography has remained silent on the extent to which certificates played a role in receiving an educational position in Ottoman lands. Apart from these, what is especially important is to examine how the *ijāzat* contributed to the transmission of knowledge among scholars, as well as to their mobility through different regions. A noteworthy exception to the general silence on these issues is Judith Pfeiffer's study focusing on the circulation of knowledge between Persia and the Ottoman Empire, specifically on the relationship between Jalāl al-Dīn al-Dawwānī and Mū'eyyadzāde 'Abdu'l-Rahmān, who studied with and received an *ijāzat* from the former and returned to Ottoman lands where he held several teaching and administrative positions.⁵⁸⁶

Other Ottoman historians have also directed their attention to this topic in recent years. Baki Tezcan, for example, uncovered new information about Kādīzāde Mehmed (d. 1635) through two autobiographies written by him, revealing that he was granted both oral and written licenses from Ebu's-su'ūd Kudsī and İbrāhīm al-Laḳānī (d. 1632).⁵⁸⁷ Helen Pfeifer has also recently evaluated the development of licenses to transmit hadith (*ijāzat al-riwāya*) in the sixteenth-century Ottoman context in the light of the *ijāzat* issued in 1570 by Badr al-Dīn al-Ghazzī (d. 1577) to

⁵⁸⁴ Schmidtke, "Source for the Twelver Shi'i," 64–85; Pourjavady and Schmidtke, "The Quṭb al-Dīn al-Shīrāzī," 15–55; Witkam, "Human Element," 89–102; and Schmidtke, "Forms and Functions," 95–127.

⁵⁸⁵ For example, while one of the oft-cited encyclopedic entries regarding *ijāzat* completely concentrates on its use in the early Islamic context, another article on the madrasas of Fatih and Süleymāniyye and their *icāzetnames* largely focuses on the nineteenth century. For these works, see Akpınar, "İcāzet," 393–400 and Atay, "Fatih-Süleymaniye Medreseleri," 171–235.

⁵⁸⁶ Pfeiffer, "Teaching the Learned," 284–332.

⁵⁸⁷ Tezcan, "Portrait of the Preacher," 202.

the Ottoman scholar Çivizāde Mehmed (d. 1587), who was the chief judge of Damascus at the time and later held the office of chief jurist between 1582 and 1587.⁵⁸⁸

What is more important and particularly relevant for the purposes of this study is that Minkārīzāde also received *ijāzat al-riwāya* from a Maliki scholar, ‘Alī al-Ujhūrī (d. 1656).⁵⁸⁹ Al-Ujhūrī was born in the 1560s in the province of Qalyūbiyya in Cairo. He received education from several scholars—among them Badr al-Dīn al-Qarāfī, Shams al-Dīn al-Ramlī, and Ibn Qāsim al-‘Abbādī in Arabic language, hadīth, Qur’anic exegesis, Islamic jurisprudence, rhetoric, logic, and Sufism. He became known with his work entitled *Mukhtasar Khalīl*, a commentary on al-Jundī (d. 1374)’s *al-Mukhtasar*. Al-Ujhūrī’s commentary opened a new avenue for subsequent works, which were collectively named *Ecāhire*.⁵⁹⁰

Although not clearly stated in the sources, al-Ujhūrī probably gave lectures at al-Azhar Mosque, where he established a learning circle and taught until the final years of his life. As a result, he trained many students coming from diverse backgrounds, such as Muhammed b. ‘Abd al-Bāqī al-Zurqānī, ‘Abd al-Bāqī b. Yūsuf al-Zurqānī, Muhammed b. ‘Abdallāh al-Khrashī, Ahmed b. Muhammed al-Hamawī, al-‘Ayyashī, al-Shabrāmallisī, and Ahmed b. Muhammed al-Bannā’. It was most probably during Minkārīzāde’s tenure in the judgeship of Cairo during the 1650s that he attended al-Ujhūrī’s lectures and received an *ijāzat* from him.⁵⁹¹ Unfortunately, we have limited information about Minkārīzāde’s relationship with al-Ujhūrī, but it

⁵⁸⁸ Pfeifer, “New Hadith Culture,” 31–61.

⁵⁸⁹ For more information about al-Ujhūrī, see Çavuşoğlu, “Üchûrî” and Muhibbî, *Khulāsāt al-athar*, III, 157–160.

⁵⁹⁰ Kaya, “el-Muhtasar,” 71–74. Al-Ujhūrī also penned a treatise about the permissibility of smoking; see Dalen, *Doubt, Scholarship*, 154–187.

⁵⁹¹ Bandırmalı Küçük Hamîd Efendi, *Fehâris*, 529.

would be promising field to examine scholars who travelled to Cairo, Damascus, and the Hejaz to receive *ijāzat al-riwāya*.⁵⁹²

There is undoubtedly a need for further studies to explore the extent of the importance of *ijāzat* in finding a position in Ottoman educational institutions and in the transmission of knowledge, but based on studies by Guy Burak and Abdurrahman Atçıl, we can speculate that it was only after the Ottoman ulama had reached a particular degree of consolidation and the self-perception of scholars had accordingly changed that members of the Ottoman dynasty began to accord importance to the construction of a well-ordered narrative of its scholars, along with biographical dictionaries and intellectual genealogies.⁵⁹³

In this regard, there seems to be a consensus among historians that certain institutional developments in the Ottoman learned establishment throughout the fifteenth and sixteenth centuries paved the way for the consolidation of the Ottoman religious establishment as a distinct bureaucratic and religious body under the Ottoman state.⁵⁹⁴ One of the most salient practices during this period was the emergence and the changing nature of *mülāzemet*.

To put it briefly, *mülāzemet* refers to the status of a candidate awaiting a judgeship or professorship in the Ottoman ulama after graduation from the madrasa system. Occasionally, the term was also used to refer to the waiting period between

⁵⁹² It is also very striking to see that several scholars—among them Ebū Bakr Ibn Bahrām, ‘Alā’ al-Dīn Haskafī, ‘Abd al-Qādir al-Baghdādī, ‘Abd al-Bāqī Ibn al-Sammān, ‘Abd al-latif Ibn Bahā’ al-Dīn al-Bahā’ī, Yahyā al-Shāwī, Muhammed Ibn Suleymān al-Rūdānī, and Ibn ‘Abd al-Hādī al-‘Umarī came to Istanbul and Edirne, where they benefitted from the patronage of Fāzıl Ahmed Pasha. In the light of this, it can be safely argued that the relationship between Rumī and Arab lands was reciprocal. For the relationship between the Köprülüs and Arab scholars, see Ayaz “İcāzet ve Kütüphane,” 307–340.

⁵⁹³ Burak, *Second Formation*, 71–72 and Atçıl, *Scholars and Sultans*.

⁵⁹⁴ For such works, see Repp, “Some Observations,” 17–32; Repp, *Müfti of Istanbul*, 27–72; İpşirli, “Osmanlı İlmiye Mesleği,” 273–85; Uzunçarşılı, *İlmiye Teşkilâtı*; Beyazıt, *İlmiyye Mesleğinde İstihdam*; and Atçıl, *Scholars and Sultans*.

two positions, whether scholarly posts or judgeships.⁵⁹⁵ The term *mülâzemet* derives from the Arabic root *l-z-m* (*lazima*, Form I of the verb), literally meaning “a being inseparable.”⁵⁹⁶ According to George Makdisi, *lazima* and its synonymous verb *sahiba* had similar connotations in the medieval Islamic context, “denoting the notion of following or adhering to a master in a constant and exclusive way, devoting themselves to working under his direction.”⁵⁹⁷ These notions, in fact, refer to more than that. According to Konrad Hirschler, for example, “...*şuḥba/mulâzama* bonds were social links between two individuals, which tended to be hierarchical, formalized, exclusive and advantageous. They constituted a central aspect of the social contexts of individuals.”⁵⁹⁸

Needless to say, the meaning of a word across time and space is too vivid and dynamic to be reduced solely to its original meaning. In this respect, the same inference will also be valid for the term *mülâzemet* and its usage in the Ottoman context, though it is obvious that the term does evoke a master-pupil relationship in that context as well.⁵⁹⁹ Despite all this, however, it is generally acknowledged that *mülâzemet* was different from *ijâzat*. Atçıl succinctly summarizes this difference:

⁵⁹⁵ Throughout this study, the former meaning will be implied unless otherwise noted. For additional information about *mülâzemet*, see Uzunçarşılı, *İlmiye Teşkilâtı*, 45–53; İpşirli, “Mülâzemet,” 537–539; Klein, “Mülâzemet,” 83–105; İpşirli “Rumeli Kazaskeri,” 221–31; İpşirli, “Osmanlı Devleti’nde Kazaskerlik,” 641–660; Beyazıt, “Şeyhülislamlığın Değişen Rolü,” 423–441; Beyazıt, *İlmiyye Mesleğinde İstihdam*, 27–105; and Atçıl, *Scholars and Sultans*, 74–81, 102–113, 134–145.

⁵⁹⁶ It also refers to “an adherent and the one to whom he is attached”; see Redhouse, *Lexicon*, 1618.

⁵⁹⁷ According to Makdisi, “Suhba, fellowship, is a concept that goes as far back in Islam as Islam’s founder, the Prophet, whose disciples were called sahib (pl. ashab, sahaba), disciple, associate, companion, fellow. As old as Islam itself, the institution of fellowship antedates the college system in Islam. The relationship between master and disciple supersedes in importance the locale where teaching took place; the master’s home, the master’s shop, some merchant’s shop, a hostel, a hospital, the outdoors—the locales changed with the changing times, but the master–disciple relationship remained. Without the institution of the suhba it would be difficult to understand how the educational activity was carried on in the early period.” See Makdisi, *Rise of Colleges*, 128. Also see Makdisi, “Suhba et riyasa,” 207–21; Berkey, *Transmission of Knowledge*, 34–35; and Chamberlain, *Knowledge and Social Practice*, 119–122.

⁵⁹⁸ Quoted in Hirschler, *Medieval Arabic Historiography*, 20.

⁵⁹⁹ İpşirli, “Osmanlı Devleti’nde Kazaskerlik,” 642. According to Madeline Zilfi, the *mülâzemet* system “reaffirmed the personalized Ottoman educational system in which the individual professor rather than his medrese acted as the certifying institution.” Quoted in Zilfi, *Politics of Piety*, 58.

Mülazemet was the status of novice conferring the right to seek employment in government-controlled positions. Although it resembled the certificate authorizing knowledge and skills (*icazet*), *mülazemet* and *icazet* differed. *Mülazemet* was official and brought rights before the government, while *icazet* was personal and depended on the authority of the scholar who gave it. In other words, not all of those who held *icazet* had the status of *mülazım*.⁶⁰⁰

That is to say, by receiving *mülāzemet*, Ottoman scholars became eligible to teach specific texts in Ottoman madrasas as professors, or were considered to have gained the legal expertise necessary to execute sharia law as judges. However, the biographical dictionaries do not note in which madrasa scholars were educated: rather, what was more important for the writers of these dictionaries was the name of the scholars from whom an individual had lessons and received *mülāzemet*. This fact directs our attention to the close ties that existed between scholars and their students around the practice of *mülāzemet*, as in the case of *ijāzat*.

It should be noted, however, that there was an important difference between *mülāzemet* and *ijāzat*. Due to this difference, *mülāzemet* could be used for controlling and restricting the entrance of candidates to the Ottoman learned hierarchy. At the same time, it allowed notable scholars to determine which students would be suitable candidates for entering into the hierarchy. For these reasons, *mülāzemet* became an increasingly important bureaucratic process for Ottoman ulama, for it brought about the procedure that closed other ways of entering the hierarchy.

While it can be safely argued that *mülāzemet* played a crucial role in controlling judicial and scholarly appointments and promotions in the hierarchy, it is difficult to ascertain when it first came into effect. The term “new novice” (*yeni mülāzım*) appears in the *Kānūnnāme* of Mehmed II, but since the earliest extant manuscript copies of this law book date from the early seventeenth century and it has

⁶⁰⁰ Quoted in Atçıl, *Scholars and Sultans*, 75.

been shown that certain alterations were made to the text after it was first composed,⁶⁰¹ it would be hasty to conclude that *mülāzemet* was already in use in the second half of the fifteenth century.⁶⁰² Even if we assume that the term “new novice” did exist already in the version of the text that was drafted during Mehmed II’s reign, it likely denoted a different meaning compared to the procedure that would come to exist during the sixteenth century, because in Mehmed II’s time the Ottoman ulama was still lacking in formal procedures and rules, and the acceptance of scholars into the hierarchy was still determined to a considerable extent by the consent of the sultan himself.⁶⁰³ Subsequently, *mülāzemet* evolved along a different path and the role of prominent scholars in the process of granting novitiate status became increasingly visible over the course of the sixteenth century.

Until recently, the beginning of the practice of registering scholars who had received *mülāzemet* was dated to Ebu’s-su’ūd’s tenure as the chief judge of Rumelia in the years 1537–1545.⁶⁰⁴ This dating likely originated from the details given in Nev’îzāde Atāyî’s *Hadā’ik’ul-Hakā’ik* regarding the biography of Ebu’s-su’ūd, that the oldest extant *Mülāzım Rūznāmçesi* dated to the last year of Ebu’s-su’ūd’s tenure as the chief judge of Rumelia (1545).⁶⁰⁵ As the anecdote given by Atāyî regarding Ebu’s-su’ūd makes evident, the main purpose of the *Mülāzım Rūznāmçesi* register

⁶⁰¹ Although some scholars, such as Ali Himmet Berkî, regard this document as a forgery, some others—namely, Konrad Dilger and Cornell Fleischer—have persuasively shown that the seventeenth-century texts contain various clauses that could not have existed in the fifteenth century, and the final or extant version of the text must have been prepared in the late sixteenth century, despite the fact that there must have been an original form of it which has not yet been found. Berkî, *İstanbul Fâtihî Sultan*, 142–148; Dilger, *Untersuchungen*, 5–37; and Fleischer, *Bureaucrat and Intellectual*, 199–200.

⁶⁰² Özcan, *Kanūnnâme-i Âl-i Osman*, 11. For a detailed discussion of the term *mülāzım* in the Fatih Kānūnnāmesi, see Atçıl, *Scholars and Sultans*, 70–74.

⁶⁰³ Atçıl, *Scholars and Sultans*, 75.

⁶⁰⁴ İpşirli “Rumeli Kazaskeri,” 221–223; İpşirli, “Osmanlı Devleti’nde Kazaskerlik,” 641–645; and Beyazıt, “Şeyhülislamlığın Değişen Rolü,” 425–430.

⁶⁰⁵ For the earliest example of the *mülāzım rūznāmçesi*, see Meşihat Arşivi, Rumeli Kazasker Ruznamçesi, 178/1.

was to control the employment of “outsiders” (*ecnebīs*) in the hierarchy by allowing prominent scholars to assign a specific number of novices.⁶⁰⁶

However, recent studies have argued that dating the emergence of *mülāzemet* to the time specified above would be misleading, for it only shows the practice that promoted scholars who granted *mülāzemet*. In other words, *mülāzemet* must have already been in force for a while, at least before the 1540s. Indeed, two documents dated to 1506 and 1523 show that *mülāzemet* was in use from at least the beginning of the sixteenth century.⁶⁰⁷ Although the majority of the scholar-bureaucrats in government service did not have *mülāzemet* in the first quarter of the sixteenth century, these documents provide strong evidence that the *mevali* gradually increased their power on granting *mülāzemets* to candidates.⁶⁰⁸

It can be argued that the consolidation of Ottoman rule over the newly conquered Arab lands during the first half of the sixteenth century, together with the building of new madrasas and the incorporation of judgeships there, considerably increased the number of both educational and judicial positions in the Ottoman ulama across the empire.⁶⁰⁹ In parallel with these developments, the growing role of high-ranking scholars in the administration of the Ottoman ulama and the beginning

⁶⁰⁶ “It is reported that until the tenure of this scholar [Ebussuud] as the chief judge [of Rumeli; 1537–45], there had been no special attention given to the registration of those with the status of novice, so that everybody could find a way to enter the hierarchy. His peer [the military judge of Anatolia] Çivizade Efendi [Mehmed bin ‘Ilyas; d. 1547] had prevented all outsiders (*ecnebis*) from attendance [in his court to request an appointment]. They came together and submitted a petition to the . . . imperial stirrup (*rikab-i sultani*) [the sultan], who gave it to this scholar [Ebussuud] and asked him to solve the problems of these outsiders. Considering that their deprivation would not be suitable to the honor of the sultanate (*şayeste-i namus-i saltanat*), he appeased each of them with a position. However, he established a special register for novices. In addition, he submitted a petition suggesting that the number of novices that scholars [dignitaries] of each rank could invest be determined and that there be a general occasion for the investment of novices (*nevbet*) every seven years. This petition was approved.” Quoted in Atçıl, *Scholars and Sultans*, 140.

⁶⁰⁷ For these documents, see Alan and Atçıl, *Ulema Defterleri*, 35–59, 119–219.

⁶⁰⁸ Atçıl’s recent book makes it apparent that among the 720 incumbents and dismissed scholars in Anatolia, Syria, and Egypt around 1523, only 264 of them were granted *mülāzemet*; see Atçıl, *Scholars and Sultans*, 107–108 (Table 5.2).

⁶⁰⁹ Atçıl, *Scholars and Sultans*, 145–169.

of the recording of scholarly appointments in the regular day registers (*rūznāmçe*) after the 1540s paved the way for prominent scholars to have a considerable degree of control over the granting of *mülāzemet*s. In this regard, it can be noted that, as Atçıl has shown via statistical analysis, nearly 56 percent of the officials who reached the highest level of the hierarchy after the 1550s received *mülāzemet* from Ebu's-su'ūd.⁶¹⁰

As it became harder to enter the Ottoman ulama without *mülāzemet* in the second half of the sixteenth century, many tried to find a way to acquire *mülāzemet*s in different ways.⁶¹¹ These people, commonly known as “outsiders” (*ecnebīs*), were frequently mentioned as a cause of concern in Ottoman *nasīhatnāmes* written at the end of the sixteenth and the beginning of the seventeenth century.⁶¹² In this regard, the decree of 1598 can be regarded as an attempt to restrict the entry of outsiders to the Ottoman ulama.⁶¹³

In summary, over the first half of the sixteenth century, receiving *mülāzemet* gradually became an advantage for those who wanted to enter the Ottoman learned hierarchy. Likewise, the role of *mevali* in granting *mülāzemet* to candidates considerably increased during the same period. By the end of the century, entering

⁶¹⁰ Regarding this point, one might wonder whether his long tenures in the offices of chief judge of Rumelia and chief jurist between the years 1537 and 1574 played a role in the emergence of this situation. According to Atçıl, however, the situation cannot be solely understood by his long tenures, because “the number of those who received *mulazemet* from other grandees must have exceeded the number of those who took *mulazemet* from Ebussuud Efendi.” See Atçıl, “Route to the Top,” 497–498.

⁶¹¹ For these loopholes, see Atçıl, *Scholars and Sultans*, 142–144.

⁶¹² Majer, “Die Kritik,” 147–55 and İpşirli, “İlmiye Mesleği,” 273–285.

⁶¹³ At this point, Yasemin Beyazıt's comment on this decree would be helpful for seeing whether or not this decree was effective in the short run. By examining the *ruznāmçe* of Hoca Mehmed Efendi covering the years 1599–1601, she reached the conclusion that, although the increased rate of entrance into the hierarchy by way of *tashrif* and tutorship shows the growing role of prominent scholars in granting *mülāzemet* to candidates, a considerable decrease in the number of candidates entering or waiting to enter the hierarchy reveals the effectiveness of the imperial decree of 1598, at least to a certain degree. Beyazıt, “Efforts to Reform,” 213–215. Also see Atçıl, *Scholars and Sultans*, 142–143, 184–185. For the transliteration of this decree, see Akgündüz, *Osmanlı Kanunnāmeleri*, VIII, 633–638.

the hierarchy without *mülâzemet* had become almost impossible, and receiving novitiate status from privileged scholars increased candidates' chances to reach top positions in the Ottoman ulama.

As the above summary of the existing literature makes clear, the scholarship on the practice of *mülâzemet* throughout the sixteenth century is vast, but historians of the field have largely neglected its implementation in the seventeenth century. Two imperial decrees recorded in *rûznâmçes* (day registers) and dating to 1636 and 1658 can provide some insight into the practice of *mülâzemet* in the seventeenth century. These decrees will be examined in detail further below, but first it would be beneficial to look at one of the most salient regulations of the eighteenth century regarding the practice of *mülâzemet*, as this regulation will provide a convenient ground for a more thorough discussion of these two decrees.⁶¹⁴

This regulation, known as the decree of 1715, consisted of two imperial decrees issued by Ahmed III.⁶¹⁵ The first decree concerns the proper implementation of *mülâzemet*. Specifically, candidates waiting to enter the hierarchy were asked to specify their age, as well as what subjects and with whom they had studied. The most interesting detail in this decree is the statement that it is enough for the sons of ulama to indicate whose sons they are.⁶¹⁶ According to Madeline Zilfi, who tends to see the Ottoman ulama of the eighteenth century as a privileged group, this regulation “singled out the worst abuses of the novitiate regulations.”⁶¹⁷

⁶¹⁴ These two imperial decrees were recently transliterated by İsmail Erünsal and Ercan Alan; see Erünsal, “Kazasker Ruznamçeleri,” 407–410 and Alan, “Kadıılık Müessesesi,” 303–306. For the original documents, see Nuruosmaniye Kütüphanesi, Rumeli Kazasker Ruznamçeleri, 5193/6, 1b and Meşihat Arşivi, Rumeli Kazasker Ruznamçeleri, 190/13, 66–69.

⁶¹⁵ For these two imperial decrees, see Râşid Mehmed Efendi and Çelebizâde Âsım İsmâil Efendi, *Târîh-i Râşid*, 901–903.

⁶¹⁶ For this statement, see Râşid Mehmed Efendi and Çelebizâde Âsım İsmâil Efendi, *Târîh-i Râşid*, 901; “...*mülâzemet* arz olunan ulemâzâdeden ise ancak kimin oğlu olduğu arz olunmak kifâyet eder, kaç yaşında olup ve ne okuduğunu i'lâma hâcet yoktur.”

⁶¹⁷ Zilfi, *Politics of Piety*, 57. Under the section entitled as “The Institutionalization of Privilege,” Zilfi highlights three developments that led to ulama privileges in the eighteenth century: “The ulema’s

The second decree in the 1715 regulation concerns the number of novices that each scholar could introduce into the hierarchy. For this task, the chief jurist Mīrzā Mustafā, who was a student of Minkārīzāde and had received *mülāzemet* from him, was charged with preparing a report that specified the quota of *mevali* in giving *mülāzemet*s to candidates.⁶¹⁸ According to this decree, the chief jurist, the chief judges of Rumelia and Anatolia, the judges of Mecca and Jerusalem, the *nakībū 'l-eşrāf*, the *hekīmbaşı*, the tutor of the sultan, and some other prominent scholars would introduce specific numbers of novices according to their ranks in the hierarchy. Ahmed III, however, found the quota too high and ordered a reduction in the number of novices that each dignitary could introduce. Thus, the quotas were decreased to about one-third of what they had originally been.

5.3 The decrees of 1636 and 1658: Changes in the recruitment of scholars?

Addressed to the chief judge of Rumelia, Nuh Efendi,⁶¹⁹ the decree was issued to appoint the judge of Istanbul Ahmed Efendi as *mümeyyiz* in 1636, with reference being made to his knowledge and fairness.⁶²⁰ The reason behind his appointment for

rise to aristocracy resulted from three interrelated and nearly simultaneous developments. One of these, making consistent headway through the seventeenth century, sorted out the kinds of rewards, as distinct from traditional emoluments, that members of the ulema would receive. Another, also a product of the seventeenth century although along a rougher course, tended to 'objectify' these rewards by establishing that they were automatically due any holder of certain ulema ranks. A third development, largely a product of the late seventeenth century and early eighteenth, served to confirm aristocracy by all but guaranteeing those ranks—and thus the set of special privileges attached to them—to the sons of leading ulema." Quoted in Zilfi, *Politics of Piety*, 55.

⁶¹⁸ For this report, see Râşid Mehmed Efendi and Çelebizāde Âsim İsmâil Efendi, *Târîh-i Râşid*, 902.
⁶¹⁹ *Şeyhî*, I, 509–511.

⁶²⁰ Even though no further information is given about Ahmed Efendi in this decree, his identification as the judge of Istanbul when this decree was issued in 1636 enables us to identify him as Mu'îd Ahmed (d. 1647). We do not know how long he maintained this duty, but we learn from biographical dictionaries that he was appointed as chief judge of Anatolia in 1637. However, he was dismissed from the office only one year later and became the judge and mufti of Belgrade. In 1640, he became chief judge of Anatolia for the second time, and was promoted to the office of chief judge of Rumelia the following year. After staying in this office for nearly three years, he retired in 1644, but the next year he returned to judicial service and was appointed as chief jurist, with his term lasting nearly one and a half years. In short, in the light of this information regarding the professional career of Mu'îd Ahmed, we can see that he became chief jurist nearly nine years after his appointment as *mümeyyiz*,

this task is that he was expected to choose which candidates would be suitable to enter the learned hierarchy. Accordingly, Ahmed Efendi was asked to examine candidates to ensure their knowledge and competence before they were accepted as *dānişmend* by scholars. According to the decree, only those who had succeeded in the exam and received a certificate from Ahmed Efendi would have a chance to be assigned to educational posts.

Similarly, Ahmed Efendi was also made responsible for determining the knowledge and competence of scholars who were waiting for an appointment from a 40-*akçe* madrasa to the *hāric* level. If they failed to prove their competence, they could only be appointed to *kenar medreseleri* (madrasas in peripheral cities). Another important detail in this imperial decree is that even the *mollāzādes* were expected to take an examination from Ahmed Efendi and verify their competence in front of him. This last point—together with the decree of 1658, as we shall see later—is the most important and distinguishing feature as compared to the regulation of 1715.

5.4 Examiner of ulama

Until recently, all that was known about the appointment of Minkārīzāde as *mümeyyiz* in 1658 was based on the limited information found in biographical dictionaries. Thankfully, the imperial decree issued in December 1658 provides significant detail about his duties in this task.⁶²¹ It was specifically with this decree that Minkārīzāde was appointed as *mümeyyiz* and tasked with investigating the eligibility of candidates to enter the hierarchy.

and his tenure in the office of chief judge ended within two years. For his biography, see *Şeyhî*, I, 509–511 and İpşirli, “Muîd Ahmed,” 87–88.

⁶²¹ For this imperial decree, see Meşihat Arşivi, Rumeli Kazaskerliği Ruznamçesi, 190/13, 67–69 and Alan, “Kadıılık Müessesesi,” 305–306.

In a sense, this decree can be regarded as a continuation of an imperial decree issued in the name of Sultan Mehmed IV to the chief judge of Rumelia, ‘Abdü’l-kerīm Mehmed, in June 1658.⁶²² The reason behind the issuing of this former decree is stated as follows. It had previously been permitted by imperial decree that the right to grant *mülāzemet* should not be given in abundance. However, this led eligible people to fail to enter the hierarchy and provided an opportunity for ignorant and uneducated people to enter the hierarchy. Similarly, outsiders (*ecnebīs*) had found a way to enter the hierarchy in the place of deceased scholars. For these reasons, the decree demands that henceforth *mülāzemet* should be in force in accordance with “ancient law” (*kānūn-ı kadīm*).

Parallel to this, the decree also specified the number of novices who could be introduced by *mevali*, with the number varying according to rank in the hierarchy. Accordingly, the chief jurist would be able to introduce four people of novitiate status every year. Additionally, he had the right to grant novitiate status to seven other people by way of fatwa *teşrīfī*.⁶²³ The two chief judges of Rumelia and Anatolia, and the judges of Mecca, Medina, and Jerusalem, could each sponsor four novices. Apart from these *mevali*, professors teaching at the madrasas of Sahn and Süleymāniyye had the right to promote one student for novitiate status. By the terms of this decree, it became impermissible to grant *mülāzemet* through services in the military administration or any other capacity. Nearly six months after this imperial decree, another decree was issued appointing Minkārīzāde as *mümeyyiz*, with Bolevī Mustafā being the chief jurist at the time.

⁶²² For this imperial decree, see Meşihat Arşivi, Rumeli Kazaskerliği Ruznamçesi, 190/13, 66–67 and Alan, “Kadılık Müessesesi,” 303–304.

⁶²³ When scholars serving in teaching and judicial positions received a promotion and were appointed to high-level positions, or also when they attended the military campaigns and when a sultan’s child was born, they were entitled to the right to give *mülāzemet* by way of *teşrīf* (exalting honor or rank).

It should be stated from the outset that there are three main reasons for addressing the appointment of Minkārīzāde as *mümeyyiz* in this study. Firstly, his appointment deserves special attention because it gives detailed information about the duty to which Minkārīzāde was appointed. Secondly, it prepares the ground for discussion of the major principles behind the practice of *mülāzemet* in the seventeenth century. Lastly, there seems to be a high degree of parallelism between the set of criteria specified in the 1658 decree and Minkārīzāde's priorities and preferences in giving *mülāzemet* to candidates.

By the terms of this decree, two important procedures—namely, the advancement of both students and professors in madrasas and the number of people given novitiate status by professors in the madrasas—were detailed and planned to be put into effect. Firstly, it was expected that candidates waiting to enter the hierarchy would take an exam in front of Minkārīzāde. If they succeeded, they would be accepted into the hierarchy and become *dānişmend*. After then studying for one year, they could reach a Sahn madrasa. After spending a year each in a Sahn madrasa and a 60-*akçe* madrasa, they could then pass on to Süleymāniyye. Then, if they wanted to enter into the service of a *mollā*, another year should pass. The most striking aspect of this decree, however, is that the *mollāzādes* were not exempted from this procedure, as had also been previously ordered by the decree of 1636: they too had to take an examination in front of Minkārīzāde, with entrance into the hierarchy disallowed unless they succeeded.⁶²⁴ Additionally, professors could assign competent students as *mu'īds* (tutors for madrasa students), and when these professors moved to higher positions in the hierarchy, these *mu'īds* would have a

⁶²⁴ “...mollazādeler dahi tarik-i ilme sülûk eyledükde evvel varub senden ders okuyub istihkāk ve isti'dādları tamām zâhir ve ma'lûm olduktan sonra kânûn-i kadîm ve nehc-i müstakîm üzere hareket idüb bu kânûn üzere hareket itmeyenler mülâzım defterine kayd olunmayub...” Quoted in Alan, “Kadılık Müessesesi,” 305.

chance to receive *mülāzemet*—but first they had to prove their knowledge and competence in front of Minkārīzāde.

The procedure that applied after a candidate received *mülāzemet* was also specified in the second decree of 1658. Novices were supposed to wait for two years after receiving novice status, and those who proved themselves competent were to be appointed to *içil medreseleri* (the madrasas in the central cities of Istanbul, Bursa, and Edirne), whereas others would be assigned only to *kenar medreseleri* (madrasas in peripheral cities). Likewise, while the professors in the *içil medreseleri* would reach the *hāric* level at the end of eight years, professors who were dismissed (*ma'zūl*) from 40-*akçe* madrasas would reach the same position within six years.

In addition to these two procedures regarding the advancement of students and professors in the madrasas, the number of novices that professors could introduce into the hierarchy was also specified. During the time that they spent advancing from *dahil* madrasas to the Süleymāniyye madrasas, professors could introduce no more than four novices. However, those who were not promoted to higher positions but stayed at the same rank did not have the chance to introduce novices. Similarly, while the judges of Mecca, Medina, and Jerusalem were allowed to introduce novices, professors at the *hāric* level and those who held positions as *arpalıks* could not initiate any novices into the hierarchy. Apart from these scholars, no other scholars in the hierarchy were allowed to grant *mülāzemet* to candidates.

Another important point regarding this imperial decree is that, considering the close relationship between the chief jurist Bolevī Mustafā and Köprülü Mehmed, the decree can be seen as one of the earliest signs of Köprülü Mehmed's involvement in the Ottoman learned bureaucracy.⁶²⁵ When Köprülü Mehmed came to power in

⁶²⁵ For the relationship between Bolevī Mustafā and Köprülü Mehmed, see İpşirli, “Bolevî,” 295–296.

1656, Istanbul had already witnessed a series of urban revolts. One of the precautionary measures he took given this situation was to remove Mehmed IV from the chaotic atmosphere of the capital.⁶²⁶ To this end, in 1656 Mehmed IV proceeded to Edirne together with the great majority of the state bureaucracy. The geographical proximity of Edirne to the Balkans should have allowed state officials to take a greater active interest in the issues of that region. Indeed, if we look at the composition date of the imperial decree appointing Minkārīzāde as *mümeyyiz*, we see that it was promulgated in December 1658, just two months after the return of the grand vizier from campaign in Transylvania. At first glance, Köprülü Mehmed's involvement may be considered speculative, but such a claim is not entirely groundless because, when we take into account the fact that 'İsmā'īl Paşa and Kudsīzāde Mehmed were appointed as imperial inspectors to distinguish true *sādāt* (descendants of the Prophet Muhammed) from impostors in Anatolia and Rumelia, respectively, in 1658–1659, then Köprülü's taking part in preparing this imperial decree appears to be a very high possibility that should not be underestimated.⁶²⁷ These attempts were very similar in content to those of a series of orders sent by the court to the Balkans in 1702/3 to examine professors, preachers, and other religious personnel in order to ensure that their knowledge and competence were enough to enable them to teach the essential knowledge of Islamic faith and practice to people in the region.⁶²⁸

If we now turn to how the imperial decrees of 1636 and 1658 shed light on the practice of *mülāzemet* in the seventeenth century, the most salient aspect of these two decrees as compared to the later regulation of 1715 is the change of privileges

⁶²⁶ For the political atmosphere of the 1650s, see Kafadar, "Râlab Visited," 58–73.

⁶²⁷ Canbakal, "Descendants of the Prophet," 549.

⁶²⁸ Göcen, "Attempt at Confessionalization," 86–150.

accorded to the *mollāzādes*. While *ulemazādes* were made exempt from examination in 1715, the decrees of 1636 and 1658 clearly state that even *mollāzādes* must take an examination from the *mümeyyiz*. Put differently, no privilege was given even to the sons of *mevali*—let alone the sons of ordinary *ulema*—and so according to these two decrees they too had to prove their knowledge and competence in front of examiners. If state officials were not careless using the terms *mollāzāde* and *ulemazāde* interchangeably in these decrees, then it is clear that the strict merit-based regulations of the seventeenth century, to the extent that these decrees make it evident, provided no privileges to the sons of ulama, with even the sons of *mevali* being subject to this regulation. Despite all these regulations, however, it remains open to question to what degree the Ottoman *kānūnnāmes* and imperial decrees were actually implemented in practice. Nevertheless, it is still important that the seventeenth-century imperial decrees prioritized merit over birth, compared to the 1715 regulation and practices prevalent in the eighteenth century.

Related to this, a direct indication of Minkārīzāde's priority in measuring the competency of scholars or candidates was his authority to test them in the examination. From contemporary biographical dictionaries, it is possible to trace a considerable number of public examinations held in the sixteenth and seventeenth centuries as tests of the competence of candidates for service in the Ottoman ulama. One such public examination was held at the Kogacı Mosque in January/February 1666, when Minkārīzāde held the office of chief jurist. We do not exactly know how many candidates attended this examination, but it is clear that several scholars were examined.

Ebū İshāk 'İsmā'īl (d. 1725), for example, who would hold the office of chief jurist in 1716–1718 and who was the founder of the 'İsmā'īlağa Mosque in Istanbul's

Fatih district, was one of those who succeeded in the Kogacı Mosque examination, after which he was granted the madrasa of Yūsuf Paşa.⁶²⁹ Another scholar who took part in the examination was Tevfikîzâde Mustafâ, who reached the *hâric* level after succeeding in the exam.⁶³⁰ The son of Şa‘rânîzâde Mehmed, Ramazân, also passed the examination.⁶³¹ Rodosî Ahmed succeeded in the examination by giving a specific lecture on Qur’anic commentary.⁶³²

In addition to this public examination, Minkârîzâde also administered individual examinations to test scholars’ knowledge and competence. For instance, Derzîzâde Mehmed petitioned Minkârîzâde to be granted novice status, whereupon Minkârîzâde gave him an examination and appointed him as teaching assistant (*mu’îd*) to Erzurûmî Mehmed, who would go on to give Derzîzâde the *mülâzemet* that allowed him to enter the hierarchy.⁶³³ Yüsri Ahmed was another scholar who took an examination before Minkârîzâde, which he did after receiving *mülâzemet* from Kara Çelebizâde Mahmûd and reaching the *hâric* level.⁶³⁴ Minkârîzâde also gave an examination on Qur’anic commentary to the *nakîbü’l-eşrâf* Nefeszâde es-Seyyid ‘Abdu’r-rahmân.⁶³⁵

A detailed examination of the practice of *mülâzemet* and its implementation in the seventeenth century is beyond the scope of the current study. However, as far as the scholars who received *mülâzemet* from Minkârîzâde are concerned, it can be safely argued that he would grant *mülâzemet* to scholars only after ensuring their knowledge and competence. In a sense, this seventeenth-century emphasis on merit

⁶²⁹ *Şeyhî*, IV, 3121–3126.

⁶³⁰ *Şeyhî*, II, 960.

⁶³¹ *Uşşâkîzâde*, 432.

⁶³² “*Hattâ Şeyhü’l-İslâm Minkârî-zâde Efendi zamânında vâkı’ imtihân-ı ‘âmmede tefsîr-i şerîfden bir ders takrîr idüp pesendide-i cumhûr olmuş idi.*” Quoted in *Uşşâkîzâde*, 793–794.

⁶³³ *Şeyhî*, III, 2070–2071.

⁶³⁴ *Şeyhî*, III, 1966–1968.

⁶³⁵ *Şeyhî*, III, 2060–2063.

can be seen as a confirmation of Zilfi's observation on the seventeenth-century Ottoman ulama, that "the presence of such 'new men' in the highest posts probably owed more to new modes of entry than to wider traditional recruitment practices or to the workings of seniority."⁶³⁶

Zilfi's observation is also important in the sense that she was one of the first scholars to argue that the higher echelons of the Ottoman ulama of the second half of the seventeenth century witnessed unusual career paths.⁶³⁷ For instance, three chief jurists—Bolevī Mustafā, Ankaravī Mehmed Emin, and Debbağzāde Mehmed—were the sons of merchants.⁶³⁸ Thus, even though their families were not affiliated with the Ottoman ulama, they were nonetheless able reach the highest rank in the hierarchy.⁶³⁹

Among those historians who have provided more precise data backing Zilfi's preliminary observations about the seventeenth century ulama, Denise Klein has examined the 994 biographies in Şeyhī's *Vekāyi 'u'l-Fuzalā* in order to investigate social and professional mobility among the low-and middle-ranking members of the Ottoman ulama between the years 1630 and 1703.⁶⁴⁰ In parallel with Zilfi's findings, she argues that, during this period, the top positions in the hierarchy were relatively more open to those coming from outside the ulama hierarchy, with the role of Istanbul-born ulama in reaching top positions less dominant as compared to the late sixteenth and the eighteenth centuries.

⁶³⁶ Madeline Zilfi, *Politics of Piety*, 97.

⁶³⁷ Zilfi, *Politics of Piety*, 51 (footnote 15, p. 76).

⁶³⁸ Zilfi, *Politics of Piety*, 76, footnote 15.

⁶³⁹ Needless to say, there are similar cases from earlier periods as well. Two examples that come to mind in this regard are Kemalpaşazāde and Ebu's-su'ūd. While the former was the son of an *askerī*, the latter was the son of a Sufi sheikh. The point to be emphasized here is that they had made their career before the consolidation of the Ottoman ulama had reached a certain level of maturity.

⁶⁴⁰ Klein, *Die Osmanischen*.

According to Klein's findings, only 28 percent of the biographies found in the first six chapters of Şeyhî's biographical dictionary came from Istanbul's ulama families.⁶⁴¹ Her observations are, in fact, quite opposite to the tendencies prevalent in members of the Ottoman ulama in the eighteenth century, which were shown by the Zilfi's studies.⁶⁴² However, there are significant differences between Klein's findings and those of Baki Tezcan, who revealed that the highest positions in the Ottoman ulama were in the hands of several families at the end of the sixteenth and beginning of the seventeenth centuries. In this respect, Tezcan asserts that the top-ranking ulama (that is, the *mevali*) constituted a privileged social and religious group between the years 1550 and 1650. Accordingly, he tends to regard these groups as a kind of nobility whose members could pass their status on to their sons.⁶⁴³

From biographical dictionaries, we cannot reach the conclusion that Minkārîzāde specifically offered patronage to scholars from a specific region. As such, it can be argued that the geographical origin of the scholars receiving *mülāzemet* from Minkārîzāde are homogeneously distributed across the empire. However, the distinctive character of Edirne in the second half of the seventeenth century, which resulted from the fact that the administrative center of the empire was settled in that city between the years 1656 and 1703, should nevertheless be emphasized: eight of the scholars who received *mülāzemet* from Minkārîzāde were originally from Edirne. These scholars are as follows: Arıkszāde Mehmed,⁶⁴⁴ Kavukcızāde 'Abdullah,⁶⁴⁵ Müsellim 'Abdurrahmān,⁶⁴⁶ Na'lburzāde Mehmed,⁶⁴⁷

⁶⁴¹ Klein, *Die Osmanischen*, 92.

⁶⁴² Zilfi, "Elite Circulation," 318–64 and Zilfi, *Politics of Piety*, 183–227.

⁶⁴³ Tezcan, "Ottoman Mevali," 383–407.

⁶⁴⁴ Şeyhî, III, 2203–2204.

⁶⁴⁵ Şeyhî, III, 2536–2537.

⁶⁴⁶ Şeyhî, III, 2594–2595.

⁶⁴⁷ Şeyhî, III, 2613–2614.

Çukacızāde İbrāhīm,⁶⁴⁸ Celeb Halīl,⁶⁴⁹ Berberzāde İbrāhīm,⁶⁵⁰ and Cerrāhzāde ‘Abdül-fettāh.⁶⁵¹ Perhaps a more interesting detail regarding these scholars is that the majority of them were the sons of craftsmen and shopkeepers, and thus came from outside of the Ottoman ulama.⁶⁵² In the light of these facts, it can be asserted that the presence of the court and of the chief jurist in Edirne in the second half of the seventeenth century enabled the inhabitants of that city to reach Minkārīzāde more easily.

5.5 Minkārīzāde as a leading scholar in patronizing high-ranking scholars

The primary aim in the rest of this section is to show that, in the second half of the seventeenth century, Minkārīzāde was the most important figure in paving the way for those who secured *mülāzemet* from him to advance to top positions in the Ottoman ulama. In other words, the chief objective is to emphasize how Minkārīzāde stood out through the patronage he offered to a considerable number of scholars of diverse backgrounds. In this regard, one must first ask how many scholars who secured *mülāzemet* from Minkārīzāde were able to reach top positions in the Ottoman ulama. Six scholars who received *mülāzemet* from Minkārīzāde went on to become chief jurist at the end of the seventeenth and in the early eighteenth centuries: Cānbolādzāde İmāmı Mehmed (t. 1695, 1703–1704), Yek-Çeşm Hüseyin (t. 1703), Ebezāde ‘Abdu’llāh (t. 1708–1710, 1712–1713), ‘Atā’u’llāh Mehmed (t.

⁶⁴⁸ *Şeyhî*, III, 2631–2632.

⁶⁴⁹ *Şeyhî*, III, 2654–2656.

⁶⁵⁰ *Şeyhî*, III, 2670–2671.

⁶⁵¹ *Şeyhî*, IV, 2992–2993.

⁶⁵² In addition to the scholars mentioned above, there are also many whose fathers came from outside ulama circles; namely, Sirkeciyāde ‘Abdu’llāh (2065–2066), Sandalcıyāde ‘Alī (2416–1427), and Debbāğzāde Sun‘u’llāh (1815–1816), the brother of the chief jurist Debbāğzāde Mehmed.

1713), Mīrzā Mustafā (t. 1714–1715) and Menteşzāde ‘Abdü’r-rahīm (t. 1715–1716).⁶⁵³

It has been argued that securing *mülāzemet* from a leading scholar might have increased one’s chance of advancing in the Ottoman ulama and reaching top positions. As Atçıl claims for the sixteenth century context, “gaining *mulazemet* from Ebussuud Efendi meant more than a simple initiation to the *ilmiye* path.”⁶⁵⁴ This inference is also valid for Minkārīzāde as an esteemed scholar of his age and one who held the office of chief jurist between 1662 and 1674. However, this should not lead us to think that receiving *mülāzemet* from an esteemed scholar was the only determining factor in one’s chance of advancing in the hierarchy. In addition to patronage networks, one’s own skills, knowledge, competence, economic resources, and geographical origins also played a fundamental role in determining one’s level of success in the Ottoman ulama.⁶⁵⁵ Likewise, considering that the six scholars listed above only became chief jurist after Minkārīzāde’s death, one can certainly raise doubt about Minkārīzāde’s direct influence on these scholars’ trajectories in their later careers. That is to say, these scholars did not reach the top position in the Ottoman ulama solely due to having received *mülāzemet* from Minkārīzāde. Nevertheless, any scholar’s intimacy with the most influential figure of the period by way of *mülāzemet* would have remained a useful privilege for him to carry for the rest of his life.⁶⁵⁶ In the following lines, I will briefly introduce the bureaucratic career of these scholars.

⁶⁵³ The other scholars who became chief jurist during the same period are the following: Debbağzāde Mehmed (t. 1687–1688, 1688–1690); Ebūsaidzāde Feyzu’llāh (t. 1690–1692, 1692–1694); Sādık Mehmed (t. 1694–1695); İmām Mahmūd (t. 1713–1714). For their biographies, see *Şeyhî*, III, 2189–2193, 2105–2111, 2473–2476, 2698–2701.

⁶⁵⁴ Atçıl, “Route to the Top,” 498.

⁶⁵⁵ For more information about this topic, see Atçıl, *Scholars and Sultans*, 170–187.

⁶⁵⁶ According to Atçıl, “It seems that *mulazemet* marked not only initiation to the *ilmiye*, but also a process of establishing strategic contacts with its powerful members. In most cases, these contacts

The first scholar who can be named in this regard is İmām-ı Sultānī Mehmed (d. 1728) from the district of Ladik, Amasya, who is known as Cānbolādzāde İmāmī because he was Cānbolādzāde Hüseyin Paşa's imam (prayer leader).⁶⁵⁷ After securing *mülāzemet* from Minkārīzāde, he was appointed as the third and second prayer leader of the sultan (*imām-ı sālīs-i sultānī* and *imām-ı sānī-i sultānī*) while continuing to teach in a number of madrasas. His subsequent judicial career went through ups and downs, as many *arpalıks* (stipends) rather than assigned judgeship posts were given to him. Nevertheless, he was appointed as chief jurist in 1695, though he was only able to stay in the position for two months. Sometime after the dismissal and subsequent execution of Seyyid Feyzu'llāh, he was again appointed to the same position for the second time, staying there for five months.

Another scholar who secured *mülāzemet* from Minkārīzāde and later became chief jurist is Yek-Çeşm Hüseyin (d. 1704).⁶⁵⁸ Originally from the province of Hamīd, he attached himself to the Minkārīzāde *Āsitānesi* and received *mülāzemet* from him, subsequently beginning his career as professor and being appointed to a number of madrasas. In 1690, when he was teaching at the Sahn, he became the judge of the army (*ordu kādīsı*) when he joined the military campaign led by the grand vizier Köprülüzāde Mustafā Paşa against the Habsburgs. After the Edirne Incident in 1703, Yek-Çeşm Hüseyin was appointed as the chief jurist to replace Seyyid Feyzu'llāh, though he remained in the post for only three days before being replaced by aforementioned İmām-ı Sultānī Mehmed. Considering the fact that these two scholars both became the chief jurist after the Edirne Incident, it is plausible to argue that the political realities of the time closely affected the appointments of high-

seem to have been very significant for advancement in the hierarchy. A prominent member of the *ilmiye* could always help his protégés to progress.” Atçıl, “Route to the Top,” 497.

⁶⁵⁷ *Şeyhī*, IV, 3231–3235 and Özcan, “İmām-ı Sultānī,” 453–454.

⁶⁵⁸ *Şeyhī*, III, 2347–2349.

ranking scholars, and both İmām-ı Sultānī Mehmed and Yek-Çeşm Hüseyin were affected by these conditions.

Another *mülāzım* of Minkārīzāde was Ebezāde ‘Abdu’llāh (d. 1714), whose father had been a judge in Anatolia but later contented himself with performing the duty of prayer leadership (*imāmet*) in the district of Balçık, Varna.⁶⁵⁹ Ebezāde ‘Abdu’llāh’s mother was a midwife who helped with the birth of Mehmed IV’s child during the Kamaniecz campaign.⁶⁶⁰ It was probably Ebezāde ‘Abdu’llāh’s acquaintance with the ruling elites in that region that allowed him to move to Istanbul, where he received *mülāzemet* from Minkārīzāde via serving as teaching assistant in the madrasa of the Sultān Bāyezīd (*medrese-i Sultān Bāyezīd i ‘ādesinden*). After teaching in a number of madrasas, he transitioned to a judicial career, serving as judge in cities such as Aleppo, Cairo, Edirne, and Mecca between the years 1685 and 1695. Even though he rose as far as the chief judgeships of Anatolia and Rumelia in the next few years, he fell into disfavor during Seyyid Feyzu’llāh’s tenure in the office of chief jurist. Nevertheless, he managed to reach the highest position in the hierarchy between 1708 and 1710 and again in 1712–1713.

Another scholar who secured *mülāzemet* from Minkārīzāde and became chief jurist was ‘Atā’u’llāh Mehmed (d. 1715). He was born in Simav when his father Eyyübī İbrāhīm was serving as the judge of that district.⁶⁶¹ He then moved to Istanbul, where he attached himself to the Minkārīzāde *Āsitānesi* and carried out the duty of *mektūbcılık* (private secretary), after which he secured *mülāzemet* from Minkārīzāde. He began his teaching career with an appointment to the madrasa of

⁶⁵⁹ *Şeyhī*, III, 2604–2607 and İpşirli, “Ebezāde,” 98.

⁶⁶⁰ This child was probably Prince Ahmed (1673–1736), who was born during the Kamaniecz campaign; see Yıldırım, “Müstakimzade Süleyman,” 174–175.

⁶⁶¹ *Şeyhī*, III, 2617–2621 and İpşirli, “Atâullah,” 46–47.

Monlā Kırımī in 1667 and received his last teaching appointment to one of the Süleymāniyye madrasas in 1685. He then switched to a judicial career and was appointed to a number of judgeships, including Yenişehir, Aleppo, and Istanbul. While carrying out these duties, he was also appointed as *fatwa emīni* three times between the years 1682 and 1692. In the following years, Atā'u'llāh Mehmed was unable to obtain regular promotions and only received temporary stipends (*arpalıks*). After being appointed as the chief judge of Rumelia on two occasions, in 1706 and 1712, he reached the top position in the hierarchy in 1713 in place of Ebezāde Abdullah, though he stayed there for only two months.

Mīrzā Mustafā (d. 1722) and Menteşzāde ‘Abdü’r-rahīm (d. 1716) are the last two scholars who can be mentioned in this context. Mīrzā Mustafā was born in the early 1630s in Batum, the son of a certain ‘Abdü’r-ra’ūf.⁶⁶² Coming to Istanbul in 1646, he entered the palace of Galata as a *gılmān* (page in the sultan’s palace), where he received education from İmām-ı Sultānī Şāmī Hüseyin and Kiçi Mehmed and attended Minkārīzāde’s lessons. During the reign of Sultan Ibrahim I, he entered the small chamber (*küçük oda*), and later became assistant (*halīfe*) in the large chamber (*büyük oda*). He even became the chief assistant (*ser-halīfe*) in the palace pantry (*kılār odası*). After receiving *mülāzemet* from Minkārīzāde independently (*müstakillen*) on the order of Mehmed IV,⁶⁶³ Mīrzā Mustafā left the palace and began his teaching career around the years 1661–1662, continuing as a teacher for nearly ten years. He received his first judicial appointment with the judgeship of Kamaniecz with the grade (*pāye*) of Aleppo. His subsequent judicial career, however, had both ups and downs. Although he was appointed as the chief judge of

⁶⁶² Şeyhī, IV, 3009–3015.

⁶⁶³ Although Şeyhī did not specifically write that Mīrzā Mustafā secured *mülāzemet* from Minkārīzāde, he stated in the preface of his *el-Fevāidü’l-Mekkiyye ale’l-Hāşiyeti’l-İsāmīyye* that he received *mülāzemet* from Minkārīzāde; see Sümertaş and Bayer, “Batumlu Mirzâ,” 67–85, at 80.

Rumelia three times—in 1695, 1698, and 1709—he was frequently dismissed. He nevertheless managed to become chief jurist at the end of the year 1714, though he stayed there for less than a year before being replaced by Menteşzāde ‘Abdü’r-rahīm. The most distinguishing feature of Mīrzā Mustafā as compared to his predecessors was that he was the first scholar educated in the palace school (*Enderūn-ı Hümāyūn*) to become the chief jurist in the history of the Ottoman Empire.

The last of the six scholars who received *mülāzemet* from Minkārīzāde and went on to serve as chief jurist was Menteşzāde ‘Abdü’r-rahīm (d. 1716), originally from Bursa.⁶⁶⁴ He was the son of Kürd Mehmed, who had died in 1653 as the scribe (*kātib*) at the court of Bursa.⁶⁶⁵ Abdü’r-rahīm’s patronym, however, came from his father-in-law, Menteşzāde Mahmūd.⁶⁶⁶ After receiving his initial education in Bursa, ‘Abdü’r-rahīm moved to Istanbul, where he “looked for good fortune” in the Minkārīzāde *Āsitānesi* (*ka ‘betü’l-ikbāl-i āsitānelerinde*) and eventually secured *mülāzemet* from him. In 1671, he reached to the *hāric* level and then proceeded to the top teaching position in the Ottoman ulama with his appointment to the *Dāru’l-hadīth* madrasa of Süleymāniyye in 1688. Although he was appointed to a number of judgeships such as Yenişehir, Edirne, Üsküdar, and Cairo at the beginning of his judicial career, he spent most of the subsequent years receiving stipends (*arpalık*) in the form of judicial offices; namely, İslimiyye, Kirmastı, Kili, Bāzārköyü, Atranos, Mar’aş, Sabanca, Bolı, Edincik, and Mihalic. In later years, however, Menteşzāde ‘Abdü’r-rahīm seems to have advanced regularly, being appointed to the judgeship of Istanbul in 1705 and the office of chief judge of Anatolia in 1708. He also served as the chief judge of Rumelia on three occasions—in 1711, 1713, and 1715—before

⁶⁶⁴ *Şeyhî*, III, 2662–2666 and İpşirli, “Menteşzāde,” 289–290.

⁶⁶⁵ *Şeyhî*, I, 681.

⁶⁶⁶ *Şeyhî*, I, 704–705.

being appointed to the office of chief jurist in 1715, where he stayed for one and a half years.

There are also a number of scholars who reached the top position in the Ottoman ulama and, though they did not receive *mülâzemet* from Minkārîzâde, were nonetheless in contact with him in various ways. These scholars are as follows; Çatalcalı ‘Alî (d. 1692), Ankaravî Mehmed (d. 1687), Ebû İshâk ‘İsmâ‘îl (d. 1725), Başmakcızâde es-Seyyid ‘Alî (d. 1712), Seyyid Feyzu’llâh (d. 1703).

The first scholar who can be named in this regard is Çatalcalı ‘Alî (d. 1692), who held the office of chief jurist between the years 1674 and 1686, after Minkārîzâde’s tenure.⁶⁶⁷ His father was Sheikh Mehmed, originally from ‘Alâ’iyye and the son of a certain Kādî Hasan. Sheikh Mehmed then migrated to Istanbul, where he became *dānişmend* of an unknown scholar, from whom he received *mülâzemet*. Later, he attached himself to the *āsitâne* of ‘Ömer Efendi, the Halvetî sheikh at the Tercemân lodge, and was appointed as deputy (*halîfe*) in a sufi lodge in Çatalca/Yenişehir in Bursa, where Çatalcalı ‘Alî was born and received his initial education.

It can be said that Çatalcalı ‘Alî’s career was, in a way, destined for success from his early years. When Hoca ‘Abdu’r-rahîm became the judge of Yenişehir in 1634, he visited Çatalcalı ‘Alî’s father’s sufi lodge in the city, where he made a promise to give *mülâzemet* to Çatalcalı ‘Alî. Indeed, when Hoca ‘Abdu’r-rahîm became the chief jurist in 1647, Çatalcalı ‘Alî received *mülâzemet* from him with honor (*teşrîfen*). Considering, however, that Çatalcalı ‘Alî was only three years old when Hoca ‘Abdu’r-rahîm initially made this promise, it can only have been ‘Alî’s father’s intimacy with Hoca ‘Abdu’r-rahîm that paved the way for this *mülâzemet*.

⁶⁶⁷ *Şeyhî*, III, 1932–1935.

Çatalcalı ‘Alī’s subsequent career, however, proceeded hand in hand with Minkārīzāde to a certain extent, as he attached himself to the Minkārīzāde *Āsītanesi* and became his *nā’ib* (regent) when the latter was appointed as the judge of Cairo in 1652. He had the same duty during Minkārīzāde’s tenure in the judgeship of Istanbul in 1659. During Minkārīzāde’s tenure in the office of chief jurist during the 1660s, on the other hand, Çatalcalı ‘Alī was holding professorships in a number of madrasas. At the same time, he was also appointed as judge of the army (*ordu kādīsı*) during two military campaigns in the 1660s—namely, the Habsburg war of 1663–1664 and the siege of Candia of 1667–1669—during which time he seems to have earned trust of Fāzıl Ahmed, who made Çatalcalı ‘Alī the next chief jurist, succeeding Minkārīzāde in 1674.⁶⁶⁸

Although there was no student-teacher relationship between Minkārīzāde and Ankaravī Mehmed, the latter should also be mentioned here due to the fact that he was the fatwa *emīni* of Minkārīzāde.⁶⁶⁹ Ankaravī Mehmed was born in Ankara in 1619, the son of a merchant named Hüseyin Efendi, and he received *mülāzemet* from Zekeriyāzāde Yahyā.⁶⁷⁰ After teaching in a number of madrasas, he served in various judicial positions during the 1660s, during which he also performed the duty of fatwa *emīni*. At the beginning of the 1670s, he was appointed in turn as the judge of Istanbul, the chief judge of Anatolia, and the chief judge of Rumelia. He even acted as regent (*nā’ib*) for Minkārīzāde for nearly eight months, during which time

⁶⁶⁸ According to Şem’dānīzāde, the reason behind Çatalcalı ‘Alī’s appointment as chief jurist in 1674 lay in Minkārīzāde’s advice to Mehmed IV; see Öksüz, “Şem’dānīzāde, 220: “...*pâdişâh* “*Yahyâ Efendi kimi münâsib görür ise müftî ol olsun*” buyurulmağla Yahyâ Efendi’den istifsâr olundukda “*bizim Molla ‘Alî münâsib*” deyecek Yahyâ Efendi yevmî bin akçe vazîfe ile mütekâ’id olup yerine mezbûr Çatalcalı ‘Alî Efendi şeyhülislâm oldu.”

⁶⁶⁹ For more information about Ankaravī and his fatwa compilation, see Şeyhî, II, 1321–1324 and Özcan, “Ankaravî,” 461–462.

⁶⁷⁰ Ankaravī Mehmed was one of the three sons of merchants among the nineteen chief jurists from the second half of the seventeenth century.

he was in charge of issuing fatwas. In 1686, he became the chief jurist after Çatalcalı ‘Alī, remaining in the post for nearly one and a half years.

Another scholar who was in contact with Minkārīzāde is Ebū İshāk ‘İsmā‘īl (d. 1725),⁶⁷¹ the son of Kara İbrāhīm from ‘Alā’iyye.⁶⁷² He was born in Çarşamba in 1645. After receiving lessons from Fāzıl Uzun ‘Alī, Sarı Osmān, Börekciizāde Hasan, and the public lecturer (*ders-i ‘ām*) Mehmed, he secured *mülāzemet* from Kadri Efendi before being appointed to a 40-*akçe* madrasa in 1663. Ebū İshāk ‘İsmā‘īl was one of the scholars who succeeded in the Koğacı Mosque examination held in 1666 under the guidance of Minkārīzāde, after which he carried out the duty of *mektūbcılık* (private secretary) before reaching the *hāric* level with an appointment to the madrasa of Yūsuf Paşa. He seems to have continued his teaching career for quite a long time, during which he taught at a number of madrasas, including the professorship of the *Dāru’l-hadīth* of Süleymāniyye. In 1692, he received his first judicial appointment as judge of Aleppo. He was later appointed as the judge of Cairo, Mecca, and Istanbul, and then in turn as the chief judge of Anatolia and that of Rumelia. Finally, he became chief jurist in 1716 in place of Menteşzāde ‘Abdū’r-rahīm, remaining in this post for one and a half years.

Another scholar who can be named in this regard is Başmakcızāde es-Seyyid ‘Alī (d. 1712), who was born in 1639.⁶⁷³ He was the son of Mehmed Efendi, who died in 1682 while serving as the judge of Üsküdar.⁶⁷⁴ At first, Başmakcızāde ‘Alī was affiliated with Hoca ‘Abdu’r-rahīm, securing *mülāzemet* from him after the latter became chief jurist in 1647. Later, he became the pupil of the public lecturer (*ders-i*

⁶⁷¹ *Şeyhī*, IV, 3121–3126 and Doğan, “Ebûishak,” 278–279.

⁶⁷² For his biography, see *Şeyhī*, I, 780.

⁶⁷³ *Şeyhī*, III, 2522–2530.

⁶⁷⁴ His father Başmakcızāde Mehmed also secured *mülāzemet* from Hocaizāde Es‘ad. For his biography, see *Şeyhī*, I, 721–723.

‘ām) Sālih and Cevherīzāde Mehmed, after which he took lessons from Minkārīzāde. He reached the *hāric* level with an appointment to the *Mehammed Ağa Dersiyyesi* in 1657, where he served for quite a long time, nearly ten years. Considering, however, that he continued to teach in a number of madrasas until 1687—meaning that, all together, he spent more than thirty years in teaching positions—it can be concluded that he remained in Istanbul voluntarily. He eventually passed on to a judicial career with an appointment to the judgeship of Jerusalem in 1687, and three years later he was appointed to as the representative of the descendants of the prophet Muhammad (*nakībū’l-eşrāf*). After being appointed as the chief judge of Rumelia twice, in 1692 and 1700, he went on to become chief jurist three times (1703, 1704–1707, and 1710–1712).

Last but not least, the most notable person among the scholars in contact with Minkārīzāde was Seyyid Feyzu’llāh (d. 1703).⁶⁷⁵ He was born in Erzurum in 1639, the son of Seyyid Mehmed, the mufti of that city. He received his initial education from a number of scholars, including his father-in-law Vānī Mehmed (d. 1685), who had been invited to Istanbul first and then to Edirne at the beginning of the 1660s by Fāzıl Ahmed Paşa, with whom Vānī Mehmed had become acquainted when Fāzıl Ahmed held the office of *beylerbeği* (governor general) of Erzurum between the years 1659 and 1661. After he had come to Edirne, Fāzıl Ahmed recommended Vānī Efendi to Sultan Mehmed IV, who was impressed by his knowledge and expertise. These connections provided him with a number of prestigious posts over a very short period of time.

In 1664, Vānī Mehmed invited his former student Feyzu’llāh to Edirne, where the sultan’s court had been relocated. Just three years later, Minkārīzāde

⁶⁷⁵ *Şeyhī*, III, 2332–2335.

encouraged Feyzu'llāh to enter the Ottoman learned hierarchy by offering him *mülāzemet* independently (*müstakillen*), permitting him to teach in a 40-*akçe* madrasa. However, this proposal was rejected by Vānī Mehmed on the ground that entering the Ottoman ulama led one to be appointed to high-ranking judgeships, which made proper application of sharia law difficult.⁶⁷⁶ After rejecting the offer, Feyzu'llāh decided to make the pilgrimage to Mecca in 1667. Upon returning to Edirne, he was appointed as tutor (*hoca*) to Prince Mustafa in 1669, a duty that he would carry out for the next 17 years. But the real turning point in Feyzu'llāh's career was his entrance into the Ottoman learned hierarchy. As mentioned above, Feyzu'llāh had rejected Minkārīzāde's offer in 1667, but now he accepted the offer made by Mehmed IV, with *mülāzemet* being given to him independently (*müstakillen*) upon the order of the sultan himself.

After securing *mülāzemet*, Feyzu'llāh was appointed to the following madrasas over the next three and a half years (1670–1673): Haydarpaşa, Mihrimāh Sultan in Üsküdar, the Sahn, Ayasofya-i Kebīr, and the *Dāru'l-hadīth* of Süleymāniyye with the honorary rank (*pāye*) of judge of Istanbul. Feyzu'llāh's quick advance to the top teaching position in the Ottoman learned hierarchy was undoubtedly related to the patronage that Mehmed IV provided to him. In addition to this, however, Minkārīzāde's critical role in Feyzu'llāh's rapid advancement up the rungs of the hierarchy should also be emphasized, as he specifically stated in his autobiography that all the madrasas to which he was appointed in these years took place when Minkārīzāde held the office of chief jurist, which clearly shows Minkārīzāde's patronage to Feyzu'llāh.⁶⁷⁷

⁶⁷⁶ According to Şeyhī, Vānī Mehmed said the following to Feyzu'llāh: “*Bu ʔarīkuñ neticesi mevleviyyete mü'eddī olur, emr-i ʔazāda ʔod şerī'at-ı muṭahharayı şıyānet bir emr-i müşkildür.*” Şeyhī, III, 2333.

⁶⁷⁷ Türek and Derin, “Hal Tercümesi,” 217.

In subsequent years, Feyzu'llāh continued his quick advancement in his judicial career. In 1678, he was appointed as tutor to Prince Ahmed III with the honorary rank (*pāye*) of chief judge of Rumelia. Then, he was given the position of representative of the descendants of the prophet Muhammad (*nakībū'l-eṣrāf*) in 1686. He became chief jurist in 1688, but only 17 days later he was dismissed from the office and sent into exile to Erzurum, where he remained for nearly seven years. His second tenure in the office of chief jurist began shortly after Sultan Mustafa II ascended to the throne in 1695, and this time Feyzu'llāh remained in the position until his execution in the Edirne Incident in 1703.⁶⁷⁸

To what extent Feyzu'llāh's power and the extensive households he founded created hostility among various social groups, all of which led to his dismissal and subsequent execution, is beyond the scope of the current study, but what is interesting for our purpose here is that Feyzu'llāh was at the very center of the high political circles of the court and primarily responsible for controlling the appointments of high-ranking officials. In this regard, it can be said that the power Feyzu'llāh accumulated during his tenure was so great that he was able to play a direct role in affecting the individual trajectories of his counterparts. As such, Menteşzāde 'Abdü'r-rahīm, 'Atā'u'llāh Mehmed, and Başmakcızāde es-Seyyid 'Alī were all considered by Michael Nizri to be clients of Feyzu'llāh, with all of them receiving appointments to high-ranking positions during his tenure as chief jurist.⁶⁷⁹ Nizri also emphasized that some of the other aforementioned scholars—namely,

⁶⁷⁸ Abou-El-Haj, *1703 Rebellion*.

⁶⁷⁹ Nizri, *Ottoman High Politics*, 96.

Cābolādzāde Īmāmī Mehmed, Ebezāde ‘Abdu’llāh, and Mīrzā Mustafā—were rivals of Feyzu’llāh trying to eliminate potential threats to his authority.⁶⁸⁰

To better comprehend to what extent the eleven scholars detailed above entered into the highest cadres of the Ottoman learned hierarchy in the late seventeenth and early eighteenth centuries, it would be helpful to make use of statistical inference. Between 1674 and 1718, from the end of Minkārīzāde’s tenure to the appointment of Yenişehirli ‘Abdu’l-lāh, 24 appointments were made to the office chief jurist, with 17 of these 24 appointments being given to the scholars mentioned above. In terms of individuals rather than appointments, 15 different scholars were appointed as chief jurist during this period, of whom 11 were scholars who had a close relationship with Minkārīzāde. In light of this, it can be argued that Minkārīzāde was the central figure in the Ottoman learned hierarchy in the second half of the seventeenth century, one whose web of patronage would go on to form the upper tier of the Ottoman ulama for almost the next 50 years.⁶⁸¹ The following Figure 3 shows these 11 scholars and the way in which how they developed a relationship with Minkārīzāde.

⁶⁸⁰ According to Nizri, another rival of Feyzu’llāh was Hekīmbaşızāde Yahyā, who also secured *mülāzemet* from Minkārīzāde. Nizri, *Ottoman High Politics*, 98–101. For the biography of Hekīmbaşızāde Yahyā, see *Şeyhī*, III, 2371–2374.

⁶⁸¹ As previously mentioned, the other scholars who became chief jurists during the same period are the following: Debbağzāde Mehmed (t. 1687–1688, 1688–1690); Ebūsaidzāde Feyzu’llāh (t. 1690–1692, 1692–1694); Sādık Mehmed (t. 1694–1695); and Īmām Mahmūd (t. 1713–1714). For their biographies, see *Şeyhī*, III, 2189–2193, 2105–2111, 2473–2476, 2698–2701.

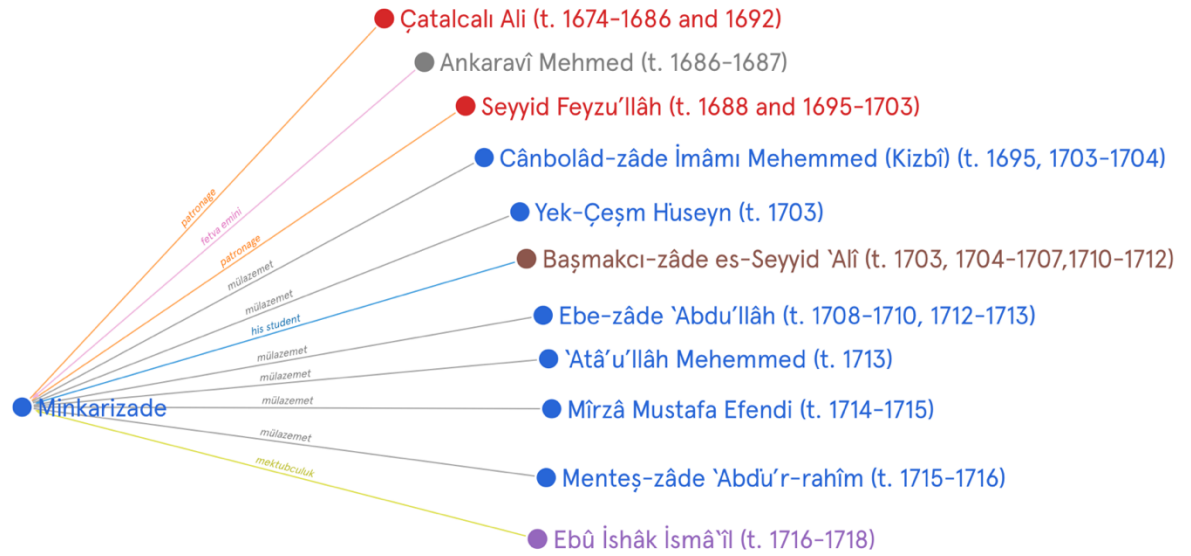


Fig. 3 The relationship of 11 scholars with Minkārîzâde

5.6 Scholarly excellence: The *dāru 'l-hadīth* of Süleymāniyye

Another important area of research regarding the scholars who secured *mülāzemet* from Minkārîzâde is how many of them reached the highest teaching position in the Ottoman learned hierarchy; namely, the professorship at the *Dāru 'l-hadīth* of Süleymāniyye.⁶⁸² Although their ranks in the hierarchy were not clear initially, the madrasas in the Süleymāniyye complex—namely, the *Hareket-i Altmışlı*, the *Mūsıla-i Süleymāniyye*, the *Hāmîse-i Süleymāniyye*, the *Süleymāniyye*, and the *Dāru 'l-hadīth*—gradually became the most prestigious teaching positions in Ottoman lands, with the *Dāru 'l-hadīth* of Süleymāniyye being the highest.

Seven scholars who secured *mülāzemet* from Minkārîzâde rose to the professorship of this madrasa between the years 1678 and 1691. These scholars are as follows: Bosnevî Kassâm Mehmed,⁶⁸³ Nakîbü'l-eşrâf Nefeszâde es-Seyyid

⁶⁸² Çiftçi, *Süleymaniye Dârülhadişi*.

⁶⁸³ *Şeyhî*, III, 1946–1947.

‘Abdu’r-rahmān,⁶⁸⁴ Kilisī Dāmādī Hıfzī Mustafā,⁶⁸⁵ Menteşzāde ‘Abdü’r-rahīm,⁶⁸⁶ Fāzıl Kara Halīl,⁶⁸⁷ Güzelhisārī Ahmed,⁶⁸⁸ and Begler Hācesī Ahmed.⁶⁸⁹ Among these scholars, only one, Menteşzāde ‘Abdü’r-rahīm, became the chief jurist, while the others advanced in the hierarchy and reached *mevleviyet* judgeships such as those of Mecca, Aleppo, Bursa, and Istanbul, as well as the chief judgeships of Rumelia and Anatolia.

Given the scholarly excellence that they achieved, there is nonetheless an important question: did these scholars reach the top teaching position in the Ottoman learned hierarchy simply because they received *mülāzemet* from Minkārīzāde, or were their knowledge and competence sufficient for Minkārīzāde to grant them *mülāzemet*? At this point, it would not be wrong to assert that these two assumptions are not mutually exclusive, as Atçıl rightly argues that “the assumption was that there existed a correspondence between the place of a scholar-bureaucrat in the hierarchy and his knowledge. For this reason, the level of knowledge that individual scholar-bureaucrats possessed could play a critical role in their preferment and promotion in the hierarchy, especially in cases when several eligible men of comparable skills competed for the same position.”⁶⁹⁰

One of the main lines of argument throughout this chapter is to acknowledge that Minkārīzāde sponsored capable scholars by giving them *mülāzemet*. Related to this, and considering the fact that all these scholars were appointed as professor of the *Dāru’l-hadīth* of Süleymāniyye after the death of Minkārīzāde and between the

⁶⁸⁴ *Şeyhî*, III, 2060–2063.

⁶⁸⁵ *Şeyhî*, II, 1816–1817.

⁶⁸⁶ *Şeyhî*, III, 2662–2666.

⁶⁸⁷ *Şeyhî*, III, 2506–2510.

⁶⁸⁸ *Şeyhî*, III, 2100–2101.

⁶⁸⁹ *Şeyhî*, III, 2398–2400.

⁶⁹⁰ Atçıl, *Scholars and Sultans*, 172.

years 1678 and 1691, their knowledge and competence seem to have also been welcomed by high-ranking officials during this period of time.

On the other hand, in order to qualify the importance of the number of scholars who secured *mülāzemet* from Minkārīzāde and reached the highest teaching position in the hierarchy, one has to compare other scholars from whom they secured *mülāzemet* throughout the years. In this regard, the number of scholars who received *mülāzemet* from Minkārīzāde and reached the professorship at the *Dāru 'l-hadīth* of Süleymāniyye can only be compared with those who had secured *mülāzemet* from Hoca Sa'deddīn. Eight scholars who received *mülāzemet* from Hoca Sa'deddīn, one of them his son Hocaẓāde 'Abdü'l-azīz, reached the highest teaching position in the hierarchy.⁶⁹¹ Considering the immense power he had and that he was known as *hāce/hoca* because he trained many students, it is not surprising to see that Hoca Sa'deddīn sponsored so many scholars. What is lacking in the current literature, though, is analysis of Minkārīzāde's role in patronizing so many scholars who reached the highest level of the teaching and judicial hierarchies.

At this point, one might wonder whether it was mainly Minkārīzāde's long tenure in the office of chief jurist that enabled him to sponsor such a large number of scholars. While there is no doubt that his twelve years of service provided him with a unique opportunity to be in contact with many scholars, Minkārīzāde did much more than that, establishing his seat as the Minkārīzāde *Āsitānesi*, which will be detailed in the following section.

5.7 The threshold (*āsītāne*) of Minkārīzāde

⁶⁹¹ For the list of the professors in that medrese, see Çiftçi, *Süleymaniye Dârülhadisi*, 206–208.

As discussed in the previous chapter, the long tenure of Minkārīzāde in the office of chief jurist between the years 1662 and 1674 was closely related to the stability that the members of the Köprülü family brought to the political scene in the second half of the seventeenth century. Related to this, one of the important reasons why Minkārīzāde was in contact with so many scholars from various parts of the empire was that the members of the Köprülü family held the most critical positions in the state government. For this reason, special attention should first be paid to the Köprülü household.

Although it cannot be strictly defined, in the Ottoman context the term “household” generally refers to a group of people well connected with each other through reciprocal ties of clientage or kinship under a founding figure.⁶⁹² There is no doubt that the sultan’s household was the most grandiose and commanding one, but high-ranking viziers and provincial governors also recruited considerable manpower into their services, and their households gradually became alternative loci of power. This was one of the significant changes that affected Ottoman political structure in the second half of the sixteenth and in the seventeenth centuries.⁶⁹³ Among these powerful new households, the Köprülü family can be regarded as one of the most potent vizier households of the seventeenth century, as they came to dominate the grand vizierate during much of the second half of the century and accumulated vast wealth and property by founding numerous waqfs across the empire.⁶⁹⁴

⁶⁹² Hathaway, *Politics of Households*, 17–27 and Hathaway, “Household,” 57–66.

⁶⁹³ For this development, see Abou-El-Haj, “Ottoman Vezir,” 438–447; Kunt, “Kulların Kulları,” 27–42; Abou-El-Haj, “Patrimonial Household,” 227–35; Kunt, *Sultan’s Servants*; Hathaway, *Politics of Households*; Findley, “Political Culture,” 65–80; Faroqhi, “Age of Political Households,” 366–410; and Kunt, “Royal and Other Households,” 103–116.

⁶⁹⁴ For studies on the Köprülü family, see Altınay, *Köprülüler*; Kunt, “Köprülü Years”; Çabuk, *Köprülüler*; Yılmaz, “Road to Vienna,”; Yılmaz, “Grand Vizieral Authority,” 21–42; Bekar, “Reconfiguration of Vizierial Power”; Kunt, “Public Policy,” 189–98; and Topçu, *Gücün Mimariye Yansıması*.

While the majority of studies have focused on the political, administrative, and economic activities of the members of this family, more recent studies have shown that the Köprülü viziers, especially Fâzıl Ahmed Paşa, were also leading patrons of the arts, scholarly translations, literary works, and the sciences, giving support to several scholars, poets, artisans, and Sufis.⁶⁹⁵ The presence of such leading patrons during Minkārîzâde's uninterrupted twelve-year tenure in the office of chief jurist provided a suitable ground for Minkārîzâde to have additional opportunities for offering patronage himself. Some scholars, for example, received *mülâzemet* from Minkārîzâde through their affiliation with the Köprülü household. These included Bosnevî Kassâm Mehmed,⁶⁹⁶ Vâlide Kethudâsı İmâmı Süleymân,⁶⁹⁷ Kara İbrâhîm Paşa İmâmı Hâfız Mustafâ,⁶⁹⁸ and Şehzâde Hâcesi Seyyid.⁶⁹⁹ What is more important than this, however, is that Minkārîzâde independently established his seat as the *Minkārîzâde Âsitânesi*, to which a considerable number of scholars attached themselves (*intisâb*) in various ways.

Âsitâne, a word of Persian origin, had a number of connotations in Ottoman usage, referring to the threshold of a door, a main dervish convent, the sultan's court, and Istanbul.⁷⁰⁰ In his biographical dictionary, Şeyhî used a variety of similar yet subtly different verb collocations with the term "*âsitâne*"—"to be connected" (*âsitânesine müntesib olmağın*), "to be included in" (*âsitânesine dâhil olup*), "being attached to" (*âsitânesine intisâb ile*), "entering into" (*âsitânesine duhûl idüp*), "leaning upon" (*âsitânesine istinâd ile*), "being in contact with" (*âsitânesine ittisâl*

⁶⁹⁵ Çalışır, "Virtuous Grand Vizier," 119–168; Ayaz "İcâzet ve Kütüphane," 307–340; and Çalışır, "Sûfî Çevreler," 793–802. For an earlier examination of the cultural and intellectual milieu during the time of Hezârfen Hüseyin, see Wurm, *Der Osmanische Historiker*.

⁶⁹⁶ Şeyhî, III, 1946–1947.

⁶⁹⁷ Şeyhî, II, 1274–1275.

⁶⁹⁸ Şeyhî, II, 1253.

⁶⁹⁹ Şeyhî, II, 982.

⁷⁰⁰ Redhouse, *Lexicon*, 88. Also see Koçu, "Âsitâne," 1108; Tanman, "Âsitâne," 485–487; and Sakaoğlu, "Âsitâne," 344.

itmekle), “arriving” (*āsītānesine vāsıl olup*)—in such a way as to attribute to the term a specific meaning referring to the place or locality of an esteemed person, to which one attached himself in many ways. Şeyhî specified twelve scholars who in one way or another attached themselves to the Minkārîzâde *Āsitānesi*.

In a sense, examining the “threshold” of Minkārîzâde is especially important in that he seems to have combined two interrelated processes that are said to be different from each other. El-Rouayheb, for example, asserts that the emergence of the practice of *mülâzemet* led to a process in which the scholar from whom students received *mülâzemet* and the scholar from whom they took lessons were no longer the same.⁷⁰¹ However, the patronage offered by Minkārîzâde to scholars via *mülâzemet* on the one hand and through teaching on the other hand leads us to conclude that these two processes were combined in the Minkārîzâde *Āsitānesi*.

In the following lines, emphasis will be placed on those scholars who attached themselves to the threshold of Minkārîzâde. Two of these scholars, namely Yekçeşm Hüseyin (t. 1703) and Menteşzâde ‘Abdü’r-rahîm (t. 1715–1716), reached the top position in the Ottoman learned hierarchy, that of chief jurist. Another is Şāmî ‘Abdü’l-latîf, who was born in Damascus and then migrated to Ba‘lbek, where he studied Arabic philology before coming to Istanbul and attaching himself to Minkārîzâde. After receiving *mülâzemet* from him, Şāmî ‘Abdü’l-latîf’s subsequent career seems to have followed an uncommon path, as he started his career with judgeship positions without first holding any teaching position. Despite this, however, both Şeyhî and Uşşâkîzâde incorporated Şāmî ‘Abdü’l-latîf’s biography into their biographical dictionaries, which was a rare case, since these authors rarely paid attention to those who had started their career with judicial positions.⁷⁰²

⁷⁰¹ El-Rouayheb, *Islamic Intellectual History*, 125–128, at 127.

⁷⁰² *Şeyhî*, II, 1019 and *Uşşâkîzâde*, 671.

A more important and interesting detail regarding Şāmī ‘Abdü’l-latīf is that he received the first two appointments to dignitary judgeships; namely, Tripoli (1664) and Belgrade (1667–1668). Considering that there were only a few scholars who started their career with judgeship positions and were then able to reach positions with a *mevleviyet*,⁷⁰³ Şāmī ‘Abdü’l-latīf’s rise in the hierarchy seems to be quite an exception, one probably related to the fact that he received *mülāzemet* from Minkārīzāde and that, when these appointments took place, Minkārīzāde held the office of chief jurist.

Another figure who attached himself to Minkārīzāde’s *Āsitāne* was the Mevlevi Pārsā Mehmed, who succeeded to Ağazāde Mehmed’s post in Gallipoli in 1652. The Mevlevi *semā* ‘ritual was prohibited in 1665/66 via imperial order, with two of Minkārīzāde’s fatwas supporting the prohibition. But no matter what Pārsā Mehmed’s affiliation with the Mevlevi order may have been, he was accepted by Minkārīzāde into the hierarchy, and the madrasa of Dağī Mehmed Efendi in Gallipoli was given to him shortly after the prohibition was put into effect. As his biography in Şeyhī’s *Vekāyi ‘u’l-Fuzalā* shows, it was Pārsā Mehmed’s reliance on Minkārīzāde’s *Āsitāne* that made it possible for him to be appointed to this post. The most striking detail regarding his acceptance into the hierarchy is that, although Minkārīzāde did not actually give *mülāzemet* to Pārsā Mehmed, he was welcomed into the hierarchy, which was a very rare practice in the seventeenth-century Ottoman learned hierarchy.

Another scholar who had personal ties with Minkārīzāde was Bursalı İlahīzāde Mehmed, whose father, İlahīzāde Ya‘kūb, was a Naqshbandi sheikh in Bursa.⁷⁰⁴ Although İlahīzāde Mehmed received *mülāzemet* from someone else in the Ottoman ulama and held professorships at a number of madrasas in Bursa, it was

⁷⁰³ Atçıl, *Scholars and Sultans*, 189–191.

⁷⁰⁴ For the biography of his father, see *Atâyi*, 1007–1008.

only in 1672, after he had attached himself to Minkārīzāde's *Āsitāne*, that he was appointed to the madrasa of Selīmiyye in Edirne, with the rank of *re'īsü'l-müderrişin* (head professor).⁷⁰⁵ Another scholar patronized by Minkārīzāde was Nāsırzāde Mehmed (d. 1687).⁷⁰⁶ The son of a sheikh from Diyārbekir, Nāsırzāde secured *mülāzemet* from Minkārīzāde and taught in a number of madrasas, including the *Dāru'l-hadīth* of Çivizāde, Koğacı Dede, and Karabaş Mustafā Ağa. His first and only service as a judge was the judgeship of Erzurum.

Another figure who attached himself to the Minkārīzāde *Āsitānesi* was Sandalcızāde 'Alī (d. 1706), who had a background as a commoner, being the son of a boatman.⁷⁰⁷ After receiving *mülāzemet* from Minkārīzāde, he taught at a number of madrasas before switching to the judiciary. In 1706, he was granted the judgeship of Baghdad, and he died in the same year. Another scholar, Arıkszāde Mehmed (d. 1703), originally from Edirne, attached himself to the Minkārīzāde *Āsitānesi* and took up the duty of *mektūbcılık* (private secretary), upon which he received *mülāzemet* from Minkārīzāde.⁷⁰⁸ The top position in Arıkszāde Mehmed's teaching career was the professorship at the *Dāru'l-hadīth* madrasa in Edirne. In subsequent years, he served in a number of judgeships, including at Medina, Bursa, and Jerusalem. Another scholar from Edirne was *Müsellim* 'Abdu'r-rahmān (d. 1714), who secured *mülāzemet* from Minkārīzāde and reached the professorship at the *Dāru'l-hadīth* in Edirne.⁷⁰⁹ His judicial career was very short, and he only served in the judgeships of Sofya and Filibe. Two other scholars, Rodosī Kūsec Ebū Bekr (d.

⁷⁰⁵ *Şeyhî*, II, 1093–1094.

⁷⁰⁶ *Şeyhî*, II, 1313.

⁷⁰⁷ *Şeyhî*, III, 2416–2417.

⁷⁰⁸ *Şeyhî*, III, 2203–2204.

⁷⁰⁹ *Şeyhî*, III, 2594–2595

1703)⁷¹⁰ and Keşfi ‘Abdu’llāh (d. 1705),⁷¹¹ attached themselves to Minkārīzāde and secured *mülāzemet* from him. Both were able to attain a teaching position at the Süleymāniyye madrasas as the highest position in their teaching career, while their highest posts in the judicial hierarchy were the judgeships of Mecca and Jerusalem, respectively. The final person to be mentioned here is Çalkandızāde ‘Abdu’lāh (d. 1713),⁷¹² from the district of Kastamonu. After receiving *mülāzemet* from Minkārīzāde, Çalkandızāde taught in a number of madrasas before transitioning to a judicial career. The last position he held before he died was the judgeship of Mecca.

In addition to the scholars who attached themselves to the Minkārīzāde *Āsitānesi*, one of the other direct indications that Minkārīzāde gave *mülāzemet* to as many scholars as he could was his assignment of *mülāzemet* via serving as teaching assistant in the madrasa of the Sultān Bāyezīd (*medrese-i Sultān Bāyezīd i ‘ādesinden*).⁷¹³ Minkārīzāde granted *mülāzemet* to nine candidates in this way. At first glance, one might think that Minkārīzāde gave these *mülāzemets* when he was teaching in that madrasa, but he was never in fact appointed there. The exceptional status of the madrasa of Sultān Bāyezīd can be found in its endowment deed.⁷¹⁴ According to this, the chief jurist of the time was supposed to occupy the professorship in this madrasa while serving in this position. This status made this madrasa unique, and provided chief jurists with additional opportunities for granting *mülāzemet*. We know, for example, that Ebu’s-su’ūd periodically gave *mülāzemet* to

⁷¹⁰ *Şeyhî*, III, 2337–2339.

⁷¹¹ *Şeyhî*, III, 2370–2371.

⁷¹² *Şeyhî*, III, 2575–2576.

⁷¹³ The words *i ‘āde* and *mu’īd* derive from the same root (عاد) and denote the following meanings: a repeating; a reiterating; a renewing; a reproducing; to give back; to return. It can be said in light of this that the term *Medrese-i Sultān Bāyezīd i ‘ādesinden* refers to one who granted *mülāzemet* because he was the *mu’īd* (tutor for madrasa students) in that madrasa. Beyazıt, *İlmiyye Mesleğinde İstihdam*, 52–53.

⁷¹⁴ Uzunçarşılı, *İlmiye Teşkilâtı*, 50–51, 176, 205 and Baltacı, *Osmanlı Medreseleri*, 165.

his teaching assistants in this madrasa.⁷¹⁵ The striking point as far as Şeyhî's biographical dictionary is concerned is that Minkārîzâde seems to have used this method of granting *mülâzemet* to an unprecedented level as compared to other Ottoman chief jurists, who rarely used this opportunity that was reserved for them.⁷¹⁶

Among the nine scholars whom Minkārîzâde gave *mülâzemet* in this manner, only Ebezâde 'Abdu'llâh managed to reach the top position in the hierarchy, holding the office of chief jurist between the years 1708 and 1710 and again in 1712–1713.⁷¹⁷ Two others, Begler Hâcesi Ahmed and Fâzıl Kara Halîl, held the professorship at the *Dâru'l-hadîth* madrasa of Süleymâniyye. 'Arabzâde Mehmed was appointed as the chief astrologer (*müneccimbaşı*) three times, in 1687, 1694, and 1706.⁷¹⁸ Five other scholars—Mincel Ahmed,⁷¹⁹ Kırımı 'Abdü'l-halîm (Tatar 'Abdü'l-halîm),⁷²⁰ Gergerî Ahmed,⁷²¹ Uzunîzâde Süleymân,⁷²² and Madrûb Yûsuf⁷²³—also secured *mülâzemet* from Minkārîzâde in this way and became part of the Ottoman learned hierarchy.

5.8 Intellectual affinity

At the beginning of this chapter, the similarity between *mülâzemet* and *ijâzat* was highlighted. The most important reason for doing this was to draw attention to the possibility of common intellectual inclinations and scholarly outputs between teachers and students. The scholarly network around Minkārîzâde provides a fertile ground to verify this inference from various perspectives. Minkārîzâde's office, as

⁷¹⁵ Atçıl, "Route to the Top," 498.

⁷¹⁶ The chief jurists who did make use of this opportunity, eleven times in total, were Hocasâde Es'ad, Bahâyî Mehmed, Çatalcalı 'Alî, Sun'îzâde es-Seyyid Mehmed, Ebezâde 'Abdu'llâh, Debbâğzâde Mehmed, and Feyzu'llâh.

⁷¹⁷ *Şeyhî*, III, 2604–2607.

⁷¹⁸ *Şeyhî*, III, 2483–2485.

⁷¹⁹ *Şeyhî*, III, 2076–2077.

⁷²⁰ *Şeyhî*, III, 2121–2122.

⁷²¹ *Şeyhî*, III, 2206–2207.

⁷²² *Şeyhî*, III, 2419–2420.

⁷²³ *Şeyhî*, III, 2479–2480.

outlined above, became a main hub of patronage and scholarly exchange for learned men from different parts of the empire, a circle where books were discussed, and from which issued a considerable number of scholarly works. In this regard, as far as Minkārīzāde's scholarly patronage is concerned, an important thing to consider is the reciprocal aspect of this relationship.⁷²⁴ Minkārīzāde and his students had very similar interests and wrote on similar topics, and these will be examined in this section. To examine this bond between Minkārīzāde and his students, it is first necessary to identify the subjects in which Minkārīzāde was interested and on which he wrote. These were as follows: the rational sciences, such as logic and *ādāb al-bahth* (the science of dialectics); Quranic exegesis; and religio-legal opinions in the form of fatwa compilations.

Beginning with the rational sciences, Minkārīzāde can be regarded as a leading figure, after Hoca 'Abdu'r-rahīm, in patronizing scholars from across the empire who dealt with these sciences, as well as in including them into the Ottoman learned hierarchy. Minkārīzāde's interest in the rational sciences was well enough known that a certain 'Umar Chillī wrote a book on *ādāb al-bahth* and dedicated it to Minkārīzāde.⁷²⁵

One interesting scholar with an intellectual affiliation with Minkārīzāde was Fāzıl Kara Halīl of Birgi.⁷²⁶ After receiving *mülāzemet* from Minkārīzāde via serving as teaching assistant in the madrasa of the Sultān Bāyezīd (*medrese-i Sultān Bāyezīd i 'ādesinden*), he reached the *hāric* level in 1680 with an appointment to the madrasa of Ken'ān Paşa. By 1690, just ten years after this initial appointment, he had already

⁷²⁴ Sharon Kettering, for example, named patron-client exchange as involving obligatory reciprocity, "which was its definitive characteristic, creating expectations, an assured alliance, gratitude, and a bond of trust and loyalty occasionally deepening into what Roland Mousnier has called 'fidelity.'" Kettering, "Patronage in Early Modern France," 839–862, at 844.

⁷²⁵ El-Rouayheb, *Islamic Intellectual History*, 75.

⁷²⁶ *Şeyhî*, III, 2506–2510.

proceeded to the post of professor at the *Dāru 'l-hadīth* of Süleymāniyye, the top teaching position in the Ottoman learned hierarchy. He then passed to a judicial career, and in 1706 and again in 1707 he rose as far as appointment to the office of chief judge of Anatolia.⁷²⁷ Fāzıl Kara Halīl can be regarded as a prolific scholar, since he produced a considerable number of works on topics ranging from dialectic to philosophy.⁷²⁸

However, as the recent work of Khaled El-Rouayheb makes evident, Kara Halīl was best known for the works he wrote on the rational sciences, such as logic and dialectic.⁷²⁹ It was probably Kara Halīl's interest in the rational sciences that attracted Minkārīzāde's attention and prompted him to grant him novice status. Kara Halīl's works in these fields include the following: 1) a supergloss on Mīr Zāhid Abu al-Fath al-Sa'īdī's gloss on al-Dawwānī's commentary on al-Taftāzānī's *Sharh 'alā Tahdhīb al-mantiq wal-kalām*;⁷³⁰ 2) a supergloss on Kul Ahmed (d.1543)'s gloss (*Hāşīye alā'l-Fevā'idī'l-Fenārīye*) on Mollā Fenārī's *el-Fevā'idü 'l-Fenārīyye*, which was written as a commentary on Athīr al-Dīn al-Abharī's *İsāghūjī*;⁷³¹ 3) a gloss on Taşköprizāde's *Şerh 'alā Risāle fī 'İlmi Ādābü'l-bahs ve 'l-münāzara*;⁷³² and 4) a supergloss on Kara Dāvud İzmitī's *Hāşīye 'alā Şerhi Metāli 'i 'l-envār*, which was

⁷²⁷ In 1708, Uzuncaova Hāsköyi was given to him as *arpalık* (stipend), with the grade of *Rūmili sadāreti pāyesi* (chief judge of Rumelia), but he did not actually hold this position.

⁷²⁸ Şeyhī listed the works of Fāzıl Kara Halīl as follows: “*Aşār-ı celīlelerinden ādābda Taşköprī üzerine hāşiyeleri ve Ādāb-ı Mīrī üzerine hāşiyeleri ve cihet-i vahdetde Şadrü'd-dīn-zāde üzerine hāşiyeleri ve mantıkda Kul Ahmed üzerine hāşiyeleri ve Kara Dāvūd üzerine hāşiyeleri ve yine mantıkda Tehzīb-i Mīrī üzerine hāşiyeleri ve Fenārī üzerine olan Burhān'a hāşiyeleri ve hikmetde Lārī üzerine hāşiyeleri ve Şerhu Hikmeti 'l-'ayn üzerine hāşiyeleri ve 'akā'idde Monlā Celāl üzerine hāşiyeleri ve İsbāt-ı Vācib üzerine hāşiyeleri ve Muhtaşar-ı Münteḥā üzerine hāşiyeleri ve Tavālī '-i İsfahānī üzerine hāşiyeleri ve tefsīr-i şerīfden Ahkām Risālesi ve تَبَارَكَ الَّذِي بِيَدِهِ الْمُلْكُ (Al-Mulk: 67/1, Blessed is the One in Whose Hands rests all authority) āyet-i kerīmesi üzerine risāleleri ve بِيَدِكَ الْخَيْرُ (Ali 'Imran: 3/26, Blessed is the One in Whose Hands rests all authority) āyet-i kerīmesine risāleleri ve fikhda Hidāye ve Dürer 'üñ ba'z-ı maḥallerine risāleleri olduğundan mā'adā tedsīs idükleri kütübü. ekşer-i maḥallerine bī-ḥad risāleleri vardır.” Quoted in Şeyhī, III, 2509–2510.*

⁷²⁹ El-Rouayheb, *Islamic Intellectual History*, 22–24, 38–39, 64, 122–125.

⁷³⁰ Tiryaki, “Tehzībü'l-mantık,” 129–167.

⁷³¹ Kuşlu, “Fenārī Hāşiyesi,” 479–491 and Akdeniz, “Molla Fenari.”

⁷³² Güzel, “‘Ādāb el-Bahs,” 203–214; Taşköprizāde, *Mantık Risaleleri*; Kepekci, “Münāzara İlmi,” 121–156; and Arif, “Art of Debate,” 187–216.

written as a gloss on Shams al-Dīn Mahmūd b. ‘Abd al-Rahmān al-Isfahānī’s commentary on Sirāj al-Dīn al-Urmawī’s *Matāli‘ al-anwār*.⁷³³ In the light of all these, it can be argued that Fāzıl Kara Halīl benefited from Minkārīzāde’s patronage, as both were intellectually inclined to the rational sciences and wrote in the same field.

Another scholar with an intellectual affinity with Minkārīzāde is Mevlevi Pārsā Mehmed, whose biography was given above and who wrote a commentary on *İsāghūjī*, a well-known book in the field of logic.⁷³⁴ This is probably why Minkārīzāde patronized Pārsā Mehmed and allowed him to teach in Ottoman madrasas.⁷³⁵ Likewise, Mīrzā Mustafā, who became chief jurist between 1714 and 1715, wrote a gloss on a work entitled *Şāh Hüseyin*, also known as *el-Risāletü’l-Hüseyniyye*, written by Şerīf Hüseyin Adanavī (d. 1640).⁷³⁶ In addition to the Turkish translation of the Qur’an which will be examined below, Tefsīrī Mehmed (d. 1699) also wrote several works related to Minkārīzāde’s interest in the rational sciences. For example, just as Minkārīzāde was writing on the same subject, Tefsīrī Mehmed also composed a similar work by writing a supergloss on Mīr Abu al-Fath’s gloss on ‘Adud al-Dīn Ījī’s *Risāla fī ādāb al-baḥth*. Similarly, he also wrote a brief treatise on logic, known as the *Risāle fī’l Mantık*. All these works of Tefsīrī Mehmed’s show a common intellectual affinity with Minkārīzāde. Similarly, one of the most renowned chief astrologers in the history of the Ottoman Empire, Müneccimbaşı Ahmed Dede (d. 1702), who attended Minkārīzāde’s lectures in the presence of the sultan (*huzūr dersleri*), penned two treatises on the rational sciences;

⁷³³ Arpaguş, “İzmitî,” 359–360.

⁷³⁴ Bingöl, “İsāgūcî,” 488–489.

⁷³⁵ For the biography of Pārsā Mehmed, see *Şeyhî*, II, 1174–1182.

⁷³⁶ El-Rouayheb, *Islamic Intellectual History*, 74–85 and Çelik, “Hüseyin Şah Çelebi,” 375–380. This work has been wrongly attributed to Hüseyin Şah Çelebi en-Niksārī el-Āmāsī; see for example, Kaya, “Şah Hüseyin Çelebi,” 363–374.

namely, *Vesīletü'l-vüsūl ilā ma'rifeti'l-hamli ve'l-mahmūl* and *Tertīb-i Akyise-i İbāre-i İsāgūcī*.⁷³⁷ Lastly, Fāzıl Süleymān, whose biography will be given below, also wrote two treatises on the rational sciences; namely, *Şerhu'l-Ādābu'l-Adudiyye* and *Şerhu (Hāşiyetü) Tehzībi'l-(mantık) ve'l-keḷām*.⁷³⁸

Secondly, if we turn to examining the relevant scholars who produced work on Qur'anic exegesis, Minkārīzāde's weekly lessons will serve as a good starting point. Lectures given in the presence of the sultan (*huzūr dersleri*) were another way by which a considerable number of scholars gained an opportunity to contact Minkārīzāde and benefit from his knowledge.⁷³⁹ At first glance, these lectures, delivered on a weekly basis in the presence of Sultan Mehmed IV and under Minkārīzāde's guidance, might not quite be *huzūr dersleri* as they were formally instituted in the eighteenth century, but they can still be regarded as the forerunner of this tradition, which had not been practiced since the time of Sultan Mehmed II. In that sense, it can be said that these lessons paved the way for the remembrance of a forgotten tradition, one which contributed to the peculiar weekly sultanic lectures that were regularly held in the eighteenth century.⁷⁴⁰ The general consensus in the relevant literature is that only al-Baydāwī's *Anwār al-Tanzīl* was followed during lessons held under the guidance of Minkārīzāde. However, a detail in Şeyhī's biographical dictionary informs us that in addition to this work by al-Baydāwī, Ibn al-Hājib's *Mukhtasar al-Muntehā* was also read during these gatherings.⁷⁴¹

⁷³⁷ Ağırakça, "Müneccimbaşı," 4–6. Ahmed Dede was appointed as chief astrologer by Minkārīzāde, see Mīrzâ-zāde, "Tezkiretū'ş-Şu'arâ," 107.

⁷³⁸ Şeyhî, IV, 3281–3285 and Hatiboğlu, "Süleyman Fâzıl," 86–87.

⁷³⁹ For more information about these lessons, see Mardin, *Huzūr Dersleri*; İpşirli, "Huzur Dersleri," 441–444; Zilfi, "Medrese for the Palace," 184–91; and Kara, *Huzur Dersleri*.

⁷⁴⁰ Abdurrahman Abdi Paşa, *Vekâyi-nâme*, 324, 344.

⁷⁴¹ Şeyhî, IV, 3282. A number of other books were also referenced in the *huzur dersleri* throughout the eighteenth century; see Arpa, "Huzur Dersleri," 91–152.

As a direct outcome of these scholarly gatherings, Minkārīzāde composed a gloss on al-Baydāwī's *Anwār al-Tanzīl*.⁷⁴² A more relevant point for the purpose of this study is that many scholars came to Istanbul to attend these lectures, which provided them with a unique opportunity to contact Minkārīzāde personally. One of the leading scholars to attend the lectures was Ayıntābī Mehmed, better known as Tefsīrī Mehmed.⁷⁴³ A prominent feature distinguishing him from other scholars is that he composed the first translation of the Qur'an⁷⁴⁴ into Turkish, on the encouragement of Mehmed IV himself.⁷⁴⁵ Likewise, Müneccimbaşı Ahmed Dede penned a Qur'an commentary entitled *Hāṣiyetü 't-Tefsīri 'l-Beyzāvī*, which was written as a gloss on Sadre'ddīnzāde Şirvānī's gloss on al-Baydāwī. Similarly, Kevākibīzāde Ahmed (d. 1712), who received *mülāzemet* from Minkārīzāde, wrote a Qur'anic commentary on al-Baydāwī's *Anwār al-Tanzīl*.⁷⁴⁶ The last scholar who can be named in this regard is Yahyā al-Shāwī, who attended Minkārīzāde's weekly lectures and penned a number of treatises on various topics.⁷⁴⁷

We also know that Minkārīzāde was closely interested in the books taught by the scholars to whom he had given *mülāzemet*. For instance, the nickname of Yūsuf bin Halīl, Karabāğī Yūsuf, was given by Minkārīzāde himself, as he, for the most

⁷⁴² Süleymaniye YEK, MS Laleli 318; Beyazıd YEK, MS Beyazıd 643. The relevant Qur'anic chapters are the following: Bakara, Āl-i İmrān, Yūnus, Hūd, Ra'd, İbrāhīm, Hicr, Kehf, İsrā, Nahl, Enbiyā, Ankebūt, Neml, Rūm, Ahzāb, Mu'minūn, Sāffāt, Sād, Zumer, Duhān, Nebe, Nāzi'āt, Abese, İnfītār, Mutaffifin, İnşikāk, Burūc, Tārık, A'lā, Gāşiye, Fecr, Beled, Leyl, Duhā, İnşirāh, Tīn, Kalem, Kadr, Beyyine. See Alpaydın, "Şeyhülislām Minkārīzāde," 58–71, at 59 (footnote 5).

⁷⁴³ For more information about him, see Arpa, "Ayıntābī"; İyibilgin, "Tercüme-i Tibyan; Arpa, "Te'lif," 55–96; and Arpa, "Muteber Kitaplar," 241–304.

⁷⁴⁴ Although Tefsiri's is the first full translation of the Qur'an into Turkish, there was also a long-standing tradition of interlinear Qur'anic translations; see Sağol, *Khwarazm Turkish*; Karabacak, *Old Anatolian Turkish*; Kök, "Karahanlı Türkçesi"; Ünlü, "İlk Türkçe Kur'an," 9–56; Küçük, *Eski Anadolu Türkçesi*; and Topaloğlu, *Satırarası Kur'an Tercümesi*.

⁷⁴⁵ Ayıntabi, *Kur'an-ı Kerim*. He also wrote a supergloss on al-Jurjānī's gloss on 'Adud al-Dīn al-İjī's commentary on Ibn al-Hājib's *Mukhtasar al-Muntehā*, which was taught by Minkārīzāde during his weekly lectures.

⁷⁴⁶ *Şeyhī*, III, 2542.

⁷⁴⁷ For more information about his life and works, see El-Rouayheb, *Islamic Intellectual History*, 157–160.

part, taught Yūsuf el-Karabāğī's gloss on Jalāl al-Dīn al-Dawwānī's commentary (*Sharh al- 'Aqā'id al- 'Adudiyya*) on 'Adud al-Dīn al-Ījī's 'Aqā'id al- 'Adudiyya.⁷⁴⁸

Another important scholar who received both *mülāzemet* and intellectual support from Minkārīzāde was Fāzıl Süleymān.⁷⁴⁹ He was born in 1650 in Istanbul, where he received his preliminary education from a number of scholars; namely, Şeyhü'l-kurrā Nişāncı Paşa İmāmı Mehmed, Kebeci Mustafā, and 'Arabzāde 'Abdū'l-vehhāb. He then undertook the pilgrimage to Mecca with Köprülüzāde Mustafā Paşa, the brother of Fāzıl Ahmed and Amcazāde Hüseyin Paşa, a nephew of Kara Mustafā Paşa, which provided him with a unique opportunity to get in contact with scholars in Arab lands studying the Qur'anic sciences, hadith, and jurisprudence, and he even received *ijāzat* from them.⁷⁵⁰ After returning to the core Ottoman lands, he attended Minkārīzāde's lessons on the *Mukhtasar al-Muntehā* and *Tafsīr al-Baydāwī* and received *mülāzemet* from him with honor (*teşrīfen*).⁷⁵¹

One striking detail regarding the teaching career of Fāzıl Süleymān is that, although he received *mülāzemet* from Minkārīzāde, he followed an uncommon path in his subsequent career, being appointed to various mosques as a preacher (*vāiz*) rather than obtaining teaching positions in Ottoman madrasas. Şeyhī specifically indicated that he obtained consent for a certificate (*izn ü icāzet*) from Minkārīzāde, allowing him to be employed in mosques as a preacher.⁷⁵² In this regard, Fāzıl

⁷⁴⁸ Şeyhī, III, 2084–2085: “*Ekşeriyā Celāl Hāşiyesi Karabāğī tadrīsiyle meşğul oldukları ecilden Minkārī-zāde Efendi 'Yūsuf Efendi, sen Karabāğī olmuştun.' buyurmalarıyla 'Karabāğī Yūsuf Efendi' dimekle şehir ve bu 'unvānla ma'lūm-ı şagīr ü kebīr olmuşlar idi.*”

⁷⁴⁹ Şeyhī, IV, 3281–3285 and Hatiboğlu, “Süleyman Fāzıl,” 86–87.

⁷⁵⁰ Şeyhī listed the scholars from whom Fāzıl Süleymān received scholarly training as follows: Sheikh Muhammed al-Balabānī, Sheikh Nūraddīn 'Alī b. 'Alī al-Shabrāmallisī, Sheikh Husayn al-'Ajamī, Sheikh 'Abd al-Qādir al-Safūrī, Sheikh Muhammed b. Süleymān al-Maghribī, Sheikh İbrāhīm al-Kurdī, Sheikh 'Abdallāh b. Sālim al-Basrī, Sheikh 'Abd al-Qādir al-Maqdisī, and Sheikh Hayr al-Dīn Ramli. See Şeyhī, IV, 3282.

⁷⁵¹ The reason why Minkārīzāde gave *mülāzemet* to Fāzıl Süleymān in this way was that Mehmed IV personally attended the campaign of Kamaniecz in 1672, which was one of the accepted ways of granting *mülāzemet* to candidates.

⁷⁵² This anecdote actually provides interesting details about the Ottoman learned hierarchy. While it was enough for scholars to have received *mülāzemet* in order to teach in madrasas, receiving a

Süleymān seems to have specialized in teaching a considerable number of canonical texts.⁷⁵³ His acquaintance with members of the Köprülü family also undoubtedly provided him with an excellent opportunity for receiving education from scholars in various fields, but it was Minkārīzāde's particular support and patronage that gave him the impetus to advance in his later career until he became the preacher at Ayasofya Mosque, the summit of a preacher's career.

Apart from works in the spheres of the rational sciences and Qur'anic commentary, another common field in which both Minkārīzāde and his students produced similar works is their legal writings in the form of fatwa collections. As previously mentioned, Minkārīzāde's fatwas were compiled by 'Atāu'llāh Mehmed and Menteşzāde 'Abdu'r-rahīm. These two scholars thus have a direct connection with the fatwas promulgated by Minkārīzāde. An important point to be noted about 'Atāu'llāh Mehmed is that, in addition to compiling the fatwas of Minkārīzāde, he also collected the opinions of several eminent Hanefī scholars into a specific fatwa compilation, the *Mecmūa-i Atāiyye* (*Fetāvā-yı Atāullah*), where he gave reference to their works, such as *al-Mabsūt*, *al-Muhīt*, *Khassāf*, *Qādīkhān*, *al-Zahīriyya*, *Muhkhtasar al-Tahāwī*, *Muhkhtasar al-Karkhī*, *al-Isbjābī*, *al-Hidāya*, *al-Badā'ī*, and *al-Ikhtiyār*.⁷⁵⁴ Although Ottoman fatwas are usually articulated as a yes/no question, the *Mecmūa-i Atāiyye* is organized in the form of a compilation of topics related to current issues and quoting from reliable texts on jurisprudence, Qur'anic

certificate in related fields seems also to have been required for those who were appointed as preacher to mosques.

⁷⁵³ Şeyhī presented these texts as follows: "Mollā Cāmī 'nüñ Kāfiye Şerh'ni on iki def'a tadrīs idüp ve Telhīs Şerhi Muṭavvel'i dahı on iki def'a ve Muhtaşar'ı dahı on def'a ve Telvīh ü Tavzīh'ı dört def'a ve Şerh-i Mevākıf ve Şerh-i Mekāşid'ı dahı defe'atle tadrīs itdüklerinden mā'adā Tefsīr-i Beyzāwī 'yi dahı bir def'a meclis-i derslerinde ve bir def'a meclis-i va'zlarında hatm müyesser olup fenn-i ḥadīs -i şerīfden Şahīh-i Buḥārī dahı bir def'a Dirāye ve bir def'a Rivāye tadrīs idüp ve Meşābih-i Şerīf 'i ve Meşārik-i Şerīf 'i ve Şifā-yı Kādī 'İyāz'ı dahı kirāren ve mirāren tadrīs itmişler idi." Quoted in Şeyhī, IV, 3284–3285.

⁷⁵⁴ For more information about this compilation, see Özen, "Fetva Literatürü," 366–367 and Erdoğan, "Mecmūa-i Atāiyye."

commentaries, and fatwa compilations.⁷⁵⁵ This compilation can therefore be categorized as *müftâ bih*, which means acknowledging a specific argument among different views within a particular madhhab or Islamic school of jurisprudence.⁷⁵⁶

In addition to these two scholars and their fatwa compilations, there are also four other fatwa compilations from the late seventeenth and early eighteenth centuries whose compilers remained in close contact with Minkārîzâde. The first scholar who can be named in this regard is Ankaravî Mehmed, whose fatwa compilation is known as the *Fetâvâ-yı Ankaravî*.⁷⁵⁷ Ankaravî was the fatwa *emîni* of Minkārîzâde and thus responsible for considering and verifying the fatwas delivered in the name of the chief jurist in the 1660s. More importantly, when Minkārîzâde suffered a stroke that left him paralyzed in 1674, Ankaravî acted as Minkārîzâde's deputy for nearly eight months, during which time he was in charge of promulgating fatwas. He therefore played a significant role in giving legal opinions even while Minkārîzâde held the office of chief jurist. As in the case of 'Atâ'illâh Mehmed's *Mecmûa-i Atâiyye*, Ankaravî's fatwa compilation can be considered under the category of *müftâ bih*.

Another scholar to be mentioned in this connection is Çatalcalı 'Alî, who became chief jurist after Minkārîzâde, serving between the years 1674 and 1686 and again in 1692.⁷⁵⁸ His fatwa compilation, known as the *Fetâvâ-yı 'Alî*, is one of the most frequently cited fatwa compilations.⁷⁵⁹ Additionally, although not as well

⁷⁵⁵ For a general evaluation of the concept of reliable books in the Ottoman context, see Burak, *Second Formation*, 122–165 and Burak, “Reliable Books,” 14–33.

⁷⁵⁶ For more information about this topic, see Düzenli, “Müftâ Bih,” 9–78 and Erdoğan, “Atâullah Mehmed,” 28–146.

⁷⁵⁷ For more information about Ankaravî and his fatwa compilation, see *Şeyhî*, II, 1321–1324; Özcan, “Ankaravî,” 461–462; and Akgündüz, “Fetâvâ-yı Ankaravî,” 438–439.

⁷⁵⁸ *Şeyhî*, III, 1932–1935; İpşirli, “Çatalcalı,” 234–235; Kallek, “Fetâvâ-yı 'Alî,” 438; Şeyhülislâm Çatalcalı Ali Efendi, *Fetâvâ-yı Ali*; and Kılavuz, “Fıkıh Düşüncesi.”

⁷⁵⁹ Here, it would be helpful to cite the comment of the eighteenth-century Ottoman historian Şem'dânîzâde Süleyman (d. 1779) concerning the importance of the *fatwa* compilations of Minkārîzâde, Çatalcalı 'Alî, and Ankaravî Mehmed: “*Meşâyih-i İslâm demekle bu zâtlar ya'nî*

known as the other compilers mentioned above, Grebneşî Mustafâ is another scholar who was connected to Minkârîzâde and who produced a fatwa compilation. After receiving *mülâzemet* from Minkârîzâde, he had been appointed to the madrasa of Bâzîrgânbaşı as professor in 1669. In the same year, he was made the mufti of Hezargrad. It must have been Grebneşî's competence in the field of giving legal opinions (*iftâ*) that brought him to the office of fatwa *emîni*, which he gained in 1670. As a result of his expertise in the field, he was able to collect fatwas, compiled under the title, *Mecmâtü 'l-fikhiyye*.⁷⁶⁰ Lastly, Seyyid Feyzu'llâh also produced a fatwa compilation, which was known by his name as the *Fetâva-yı Feyziyye*.⁷⁶¹ In his recent article, Guy Burak has drawn attention to the proliferation of the provincial fatwa compilations over the course of the eighteenth century in the Ottoman Empire.⁷⁶² As far as the aforementioned fatwa compilations are concerned, it can be argued that a similar tendency is seen at the imperial level as well and Minkârîzâde and his students were at the very center of this process.

5.9 Family Members

Needless to say, being given *mülâzemet* by Minkârîzâde and participating in his lectures do not fully explain the advancement of these scholars in their careers. Their knowledge, competence, family ties, patronage relations, affiliation with the *mevali*, and political stances were also significant factors in their advancement. As such, the professional careers of Minkârîzâde's descendants can serve as good examples to

Minkârîzâde Yahyâ Efendi ve anın yerine olan mezbûr 'Alî Efendi ve anın yerine olan iş bu Ankaravî Efendi şâyeste ve şâyandırlar. Hâlâ ulemâ vü kuzât yedlerinde mütedâvil olan Yahyâ Efendi Fetâvâsı ve 'Alî Efendi Fetâvâsı ve Arabî Ankaravî Fetvâsı bunlarındır. Velhâsıl birbirini mü[te] 'âkıb üç dâne müftî-yi fâzıl-ı bî-nazîrlerin her birinin biri birinden mu'teber te'lîfâtı diyâr-ı Rum'a münteşir olup ibâdullâhın müşkilleri anlardan hal olmağla müşârun ileyhim hayrât-ı câriye ashâbı olmalarıyla ervâhları şâd olmaktadır." Öksüz, "Şem'dânîzâde," 233–234.

⁷⁶⁰ Şeyhî, II, 1239–1241 and Özen, "Fetva Literatürü," 363–364.

⁷⁶¹ Şeyhülislam Feyzullah Efendi, *Fetâva-yı Feyziyye* and Ögüt, "Fetâva-yı Feyziyye," 443.

⁷⁶² Burak, "Rise of Provincial," 377–403, at 391–396.

show the importance of family bonds within the *mevali*. In this section, two noteworthy descendants of Minkārīzāde who served in important positions in the Ottoman ulama will be addressed. Minkārīzāde's son, Minkārīzāde 'Abdu'llāh, is the first person who deserves mention in this regard.⁷⁶³ After receiving *mülāzemet* from his father, he reached the *hāric* level with an appointment to the madrasa of Rūm Mehmed Paşa in 1668. His next two appointments were to the madrasas of Gazanfer Ağa and the Sahn, in 1668 and 1669 respectively. However, he was dismissed from these positions after only a very short time so that other members of the Ottoman ulama would not have difficulties (*erbāb-ı tarīka mezāhim olmamak için*). Instead, he was granted a pension from the public treasury (*beytü 'l-māl*). The limited information provided by biographical dictionaries makes it very difficult to grasp what the difficulties (*mezāhim*) might have been for members of the Ottoman ulama at that time, but we can speculate that Minkārīzāde 'Abdu'llāh's rapid advancement to prestigious teaching positions only a year after his appointment to the *hāric* level must have displeased some of the eligible scholars competing for the same position. In 1672, Minkārīzāde 'Abdu'llāh was appointed as professor to the madrasa of Vālide Sultān, which was the last teaching position he held.

He then transitioned to a judicial career, with the judgeship of Salonica being given to him in 1672. In the following year, he was dismissed from this office with the honorary rank of the judge of Istanbul. After only a couple of months, he was next appointed as the judge of Bursa, where he served almost a year. Between the years 1674 and 1683, no judgeship was given to him, but he did receive income as an unemployment subsidy in the form of *arpalıks* (Edremid, Bayındır, and Begbāzārı). He was appointed as the chief judge of Anatolia in 1683 but dismissed from the

⁷⁶³ For his biography, see *Şeyhî*, II, 1795–1796.

office in the next year, at which time the judgeship of Ankara was given to him as *arpalık*. In the remaining years of his life, he seems to have fallen into disfavor, and in 1687 he was exiled to Cyprus due to a dispute with a sergeant (*çāvuş*) sent to him by the *kā'im-makām* Recep Paşa. The execution of Recep Paşa put a stop to his exile to Cyprus, but he had to survive for the rest of his life on the income from a number of *arpalıks*. Minkārīzāde Abdu'llāh died in 1688 and was buried near his father in Üsküdar.

In addition to Minkārīzāde Abdu'llāh, another noteworthy scholarly relation of Minkārīzāde was his son-in-law, Mustafā Rāsīh (d. 1675). Originally from Çankırı, Mustafā Rāsīh attached himself to the *re'īsü'l-küttāb* Şāmīzāde Mehmed and secured *mülāzemet* from Kara Çelebizāde Mahmūd.⁷⁶⁴ He reached *hāric* level in 1649 and continued to teach in a number of madrasas until 1662. The subsequent beginning of Mustafā Rāsīh's judicial career corresponded to Minkārīzāde's tenure in the office of chief jurist. He therefore advanced very quickly in his subsequent career, being appointed, in succession, to the judgeships of Salonica, Bursa, Cairo, Mecca, and Istanbul; to the office of chief judge of Anatolia; and finally to the judgeship of Eyüp with the honorary rank of chief judge of Rumelia, all between the years 1662 and 1672. In the remainder of his life, he received several *arpalıks*, and died in 1675. The descendants of Mustafā Rāsīh would become renowned as the *damadzādeler* ("children of the son-in-law") in the eighteenth century. His son and the grandson of Minkārīzāde, for example, was Damadzāde Ebulhayr Ahmed (d. 1741), who became chief jurist between 1732 and 1733.⁷⁶⁵ Likewise, Damadzāde Ahmed's son Damadzāde Feyzu'llāh became chief jurist twice in the 1750s.⁷⁶⁶

⁷⁶⁴ *Şeyhī*, II, 1267–1269.

⁷⁶⁵ İpşirli, "Damadzāde Ahmed," 449–450.

⁷⁶⁶ İpşirli, "Feyzullah Efendi," 525–526.

Finally, the last person deserving of mention here is Damadzāde Feyzu'llāh's son, Damadzāde Mehmed Murad, better known as Murad Mollā.⁷⁶⁷ Although he was renowned for the library that he founded in Istanbul, he also reached the second highest position in the Ottoman ulama, becoming the chief judge of Rumelia in 1777. The relationship between the library founded by Murad Mollā and Minkārīzāde is that 425 books belonging to Minkārīzāde's son 'Abdu'llāh, which were recorded in an endowment deed (dated to 14 July 1688),⁷⁶⁸ were later annexed into the collection of the Murad Mollā library after its foundation at the end of the eighteenth century.⁷⁶⁹

5.9 Conclusion

The purpose of this chapter has been to ascertain the scholarly network surrounding Minkārīzāde. His twelve years of service as chief jurist between the years 1662 and 1674 provided him with an enormous opportunity to contact numerous scholars of diverse backgrounds, which is why his seat can rightly be labeled the Minkārīzāde *Āsitānesi* (threshold of Minkārīzāde). Detailed examination of Şeyhī's biographical dictionary makes it apparent that more than a hundred scholars were in contact with Minkārīzāde in a variety of ways. The majority of these scholars were granted *mülāzemet* by him, while the rest attended his lectures and served in various fields under his patronage. The existence of a large number of scholars affiliated with Minkārīzāde shows that he was an important patron of scholarly activities in the second half of the seventeenth century. All of this enables us to conclude not only

⁷⁶⁷ Gökman, *Murat Molla*; Gökman, *Murat Molla Kütüphanesi*; Tanman, "Murad Molla Tekkesi," 516–518; Tanman, "Murad Molla Külliyesi," 187–188; Erünsal, "Murad Molla Kütüphanesi," 188; and Özdil, "Murad Molla Tekkesi," 609–636.

⁷⁶⁸ For this document, see Evkāf-ı Hümāyun Müfettişliği Mahkemesi, 74: 185–191.

⁷⁶⁹ Gökman, *Murat Molla*, 15–16.

that Minkārīzāde shaped the upper tier of the Ottoman ulama for approximately the next 50 years after his time, but also that his office became a main hub of patronage and scholarly exchange for learned men from different parts of the empire.



CHAPTER 6

CONCLUSION

Since more detailed summaries of each chapter are given in the introduction to the dissertation, I would like to use this conclusion as an opportunity to raise several issues that my dissertation has not addressed, and to summarize the general conclusions that I have drawn throughout the study. First, it should be reminded that although this study has focused on the life and career of Minkārīzāde, it cannot be called a full-fledged biography of him as one of the indispensable parts of such an examination should include a chapter on his perception and legacy after his death. Related to this, one of the important contributions of this dissertation to the field is to ascertain that the fatwas in the compilation prepared by Menteşzāde ‘Abdu’r-rahīm, in fact, include the fatwas given by Minkārīzāde. Although there is further need to attest whether each fatwa in the compilation prepared by Menteşzāde ‘Abdu’r-rahīm belongs to Minkārīzāde, the following question is still valid: How was it possible that Minkārīzāde’s fatwas came down to the present as if they belonged to Menteşzāde ‘Abdu’r-rahīm? This is a seminal question that researchers studying, especially, Minkārīzāde’s reception after his death should definitely ask. Such an inquiry will certainly open a new avenue for the studies of the second half of the seventeenth century.

Other than this, the first conclusion relates to the growing importance of informal educational opportunities beyond formal ones in seventeenth-century Ottoman society. At first glance, Minkārīzāde can be imagined as destined to receive a formal education, being the son of Minkārī ‘Ömer, who died while serving as the judge of Mecca in 1624, thus making Minkārīzāde a second-generation member of

the Ottoman religio-legal hierarchy. Indeed, Minkārīzāde did receive a formal education in Ottoman madrasas, after which he went on to serve in several educational positions as a professor. However, Minkārīzāde's early career also makes it very evident that there were many alternative sites of learning beyond institutional ones, a phenomenon which considerably blurred the lines between institutional and public learning.

Secondly, despite some noteworthy studies on the matter, the religio-legal debates of the seventeenth century have generally been examined as if the only contending sides were the Kadızadelis and their Sufi opponents. As the writings of Minkārīzāde reveal, we also need to examine the writings of other actors actively participating in the debates of the time. Minkārīzāde's writings and active involvement in these debates provide a unique opportunity for gaining fresh insights into the more intricate aspects of these debates. Similarly, this study has also shown that examining the corpus of a scholar can reveal the multifaceted dimensions of the notion of orthodoxy on the one hand and orthopraxy on the other. In light of Minkārīzāde's writings, it would not be wrong to argue that Hanafi pietism was not only in the hands of Kadızadelis and Sunna-minded Sufis, but certain members of the Ottoman ulama also advocated a strong Hanafi traditionalism in the seventeenth century.

One of the growing fields of inquiry among historians is to examine the reciprocal relationship between Arab and Rumi lands from different perspectives as evident also in the recent scholarly interest in Minkārīzāde's life and career. In this regard, Minkārīzāde's 1) interest in rational science especially in the field of *ādāb al-bahth* (the science of dialectics or disputation), 2) his obtainment of the license to transmit hadith (*ijāzat al-riwāya*) from a Maliki scholar 'Alī al-Ujhūrī, and 3) the

correspondence between Minkārīzāde and Khayr al-Din al-Ramlī provide alternative ways to analyze and understand this relationship from different aspects. In light of these, it is safe to conclude that the degree of informal interactions between these two regions had a more substantial impact on Ottoman scholar-bureaucrats than generally assumed.

Another important topic discussed in this dissertation is the general state of the Ottoman learned hierarchy in the seventeenth century. There has been a common inclination among historians to emphasize how the top ranks of the Ottoman learned hierarchy were dominated by several *mevali* families from the late sixteenth century through to much of the eighteenth century. Of course, it would be unlikely for the overall political, economic, and administrative transformations that the Ottoman Empire underwent in the early modern period not to affect the ranks of the Ottoman learned hierarchy. In connection to this, it can be argued that the Ottoman learned hierarchy seems to have adapted itself to changing circumstances based on a process that prioritized the re-organization of the ulama ranks with reference to one's knowledge and competence. Indeed, if we look at the familial backgrounds of many high-ranking scholars in the second half of the seventeenth century, we see unusual career paths taken by individuals whose families were not affiliated with the Ottoman ulama. As the decree appointing Minkārīzāde as *mümeyyiz* in 1658 and Minkārīzāde's priorities and preferences in granting *mülāzemet* to candidates show, the seventeenth-century Ottoman ulama was redesigned on the basis of one's knowledge and competence, resulting in a meritocratic system open to more scholars not descended from the Ottoman *mevali*.

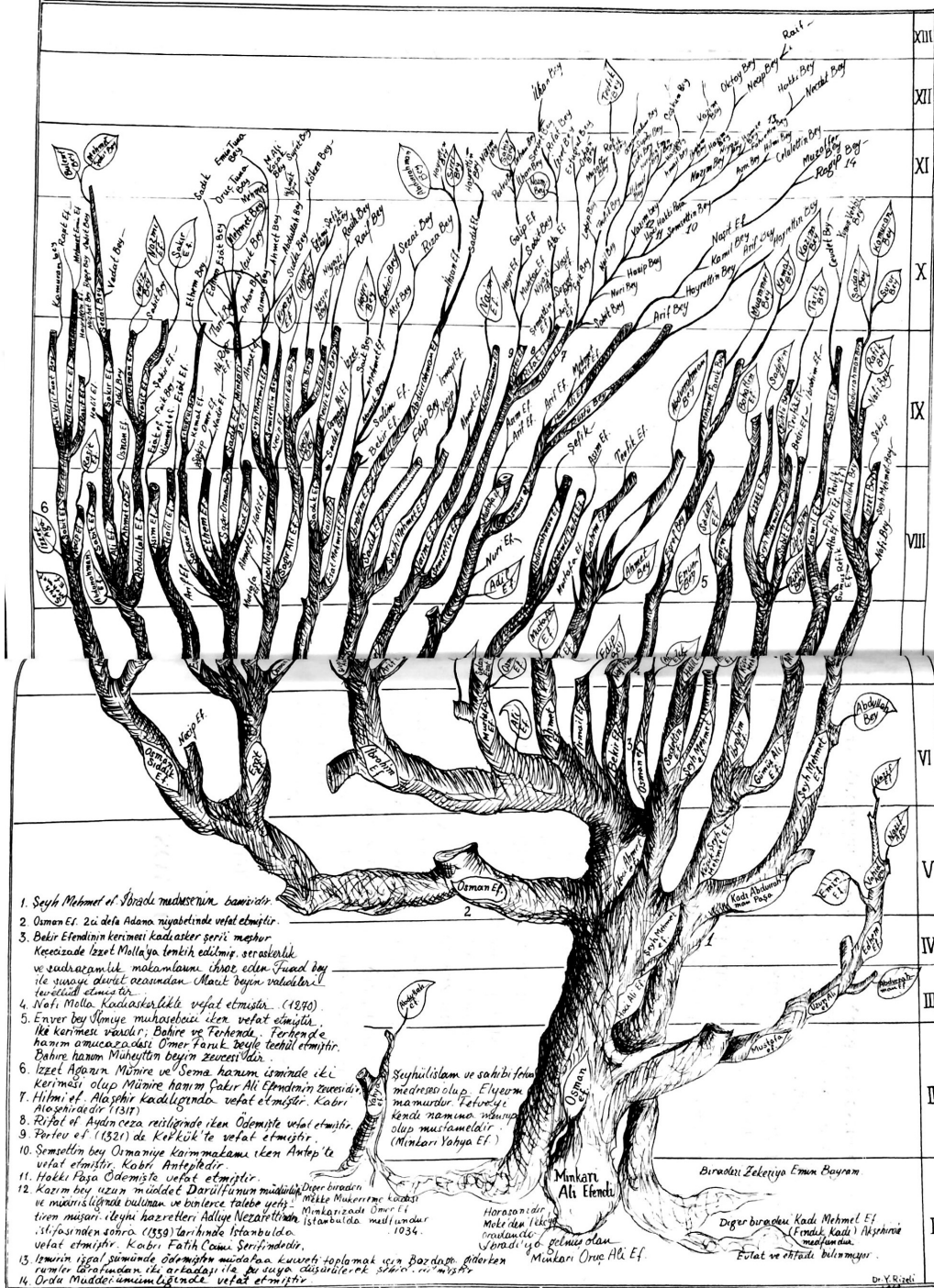
Another notable conclusion that can be drawn from this study relates to the importance of the scholarly patronage of the members of the Ottoman learned

hierarchy. Thus far, scholarly attention has been focused on the patronage offered by Ottoman sultans, high-ranking state officials, and members of the Ottoman palace. As this study reveals, more than one hundred scholars established close contact with Minkārīzāde, and his office became the main hub of patronage and scholarly exchange for learned men from different parts of the empire. Examining scholarly patronage with such facts in mind helps to reveal common intellectual inclinations and scholarly outputs on the part of teachers and students, which in turn shows the reciprocal aspect of the teacher-student relationship.

This dissertation contributes to recent scholarly attempts in examining seventeenth-century Ottoman religious and intellectual history in light of Minkārīzāde's life and career in relation to the broader political, religious, and intellectual processes of his time. As it becomes clear from the brief overview presented in this chapter and the lengthier assessment provided throughout the dissertation, Minkārīzāde as a scholar-bureaucrat was far from being a minor player of his time. On the contrary, he played an indispensable role in shaping the principal religious, administrative, and intellectual trends of the seventeenth century. By revealing that Minkārīzāde was actively involved in redefining critical aspects of seventeenth-century Ottoman history on both institutional and intellectual levels and shedding light on Minkarizade's contributions in these spheres, this dissertation seeks to fill an important lacuna in the scholarship regarding his life and career as well as to provide fresh insights into seventeenth-century Ottoman history.

APPENDIX A

MINKARİZÂDE'S FAMILY TREE



Source: Minkari, *Bir Cerrahın Anıları*, 14–15.

APPENDIX B

THE SCHOLARLY NETWORKS AROUND MINKÂRİZÂDE

	Name [his father]	Affiliation with Minkârîzâde	Birth place	Tutors/patronage	Employment in madrasas (last appointment)	Employment in judgeships (highest degree)	Additional data	Source
1	Kara Dede/Dede Cöngî (d. 1567)	His grandfather	Amâsiyye		Süleymâniyye-i İznîk		The müftî of Kefe (1558–1665)	Atâyî, 503–505
2	Minkârî ‘Ömer (d. 1624) [Minkârî ‘Alî]	His father	‘Alâ’iyye	Zülfinigâr; Kara Çelebizâde Hüsâm (<i>Mülâzemet</i>)	Hākâniyye-i Vefâ	Mecca		Atâyî, 1709–1710
3	Semîn Velî (d. 1650)	His brother in law	Maraş, Bâzârköyi		Süleymâniyye	Üsküdar		Şeyhî, I, 649–650
4	Mü’ezzinzâde Şeyh Mehmed (d. 1664) [Mü’ezzinzâde ‘Abdü’l-kâdir]	His student		A‘rec Mustafâ	Sultân Selîm-i Kadîm	Cairo		Şeyhî, II, 865–866

5	Mahdūm-ı Kemāl Efendizāde Ahmed (d. 1666) [Kemāl Efendizāde İbrāhīm]	His student			Dārü'l-hadīs-i Süleymāniyye	Aleppo		Şeyhî, II, 917–918
6	Şehzāde Hācesi Seyyid Mehmed (d. 1670)	Mülāzemet	Merzifon	Merzifonî Kara Mustafâ Paşa	Sahn-ı Semāniyye		The <i>Hāce</i> of prince Mustafâ	Şeyhî, II, 982
7	Küçük Bolevî Mustafâ (d. 1670)	His Fetva Emîni	Bolu	Kiçi Mehmed, Şeyhü'l-İslām Bolevî Mustafâ	Şāh Sultān			Şeyhî, II, 997–998
8	Hayrū'd-dīn er-Remli (d. 1671)		Remle					Şeyhî, II, 1007–1008
9	Karamanî Yūsuf (d. 1671)	His student	Karaman		Ayasofya			Şeyhî, II, 1016–1017
10	Şāmî 'Abdū'l-latīf (d. 1671)	Mülāzemet	Damascus		40 asper	Belgrade		Şeyhî, II, 1019–1020

11	Kabakulakzād e Mehmed (d. 1671) [Çavuşbaşı Nūru'llāh Ağa]	Attended his lectures			Süleymāniyye	Mecca		Şeyhî, II, 1041–1043
12	Muharremzād e 'Abdu'llāh (d. 1674) [Muharremzād e Ahmed]	Attended his lectures			Süleymāniyye	Mecca		Şeyhî, II, 1068–1070
13	Burusalı İlahizāde (d. 1675) [İlahizāde Şeyh Ya'kūb]	Āsitāne	Bursa		Edirne Selīmiyye	İzmir	re'īsü'l-müderrisîn	Şeyhî, II, 1093–1094
14	Dendānī İbrāhīm (d. 1675)	Mülāzemet			Sahn-ı Semāniyye			Şeyhî, II, 1099
15	Sahhāf Mehmed (d. 1678)	Mülāzemet	'Alā'iyye		Murād Paşa-yı 'Atık		His kethudā	Şeyhî, II, 1134–1135
16	Şeyhü'l-İslām 'Alī Efendi Birāderi Ebū Bekr (d. 1678)	Mülāzemet	Yenişehir, Çatalca		Süleymāniyye	Selanik		Şeyhî, II, 1145–1146

17	Sarāy Hācesi Celeb İbrāhīm (d. 1678)	Mülāzemet	Üsküdar		Şeyhü'l-İslām Mu'īd Ahmed		gılmānān-ı şehinşāhī	Şeyhî, II, 1146
18	Pārsā Mehmed (d. 1680)	Āsitāne	Gelibolu	Mevlevī Şeyhī Mehmed	Cāmi'-i 'Atīk			Şeyhî, II, 1174– 1182
19	Tavīl Ahmed (d. 1681)	Mülāzemet	Vilāyet-i Anatolı	Kara İbrāhīm Paşa	Sinān Paşa Dārü'l-hadisi		İmam	Şeyhî, II, 1206– 1207
20	Elmās Aga Hācesi 'Alī (d. 1681)	Mülāzemet	Vilāyet-i 'Anatolı		Siyāvuş Paşa Sultānı			Şeyhî, II, 1222– 1223
21	Resül Efendi Birāderzādesi Seyyid Mehmed Reşīd (d. 1681)	Mülāzemet	Kastamonu		Muharrem Aga			Şeyhî, II, 1223
22	Çeşmizāde Mehmed (d. 1682) [Çeşmizāde 'Abdü'r- rahīm]	Mülāzemet			Hasan Efendi			Şeyhî, II, 1236

23	Grebneşî Mustafâ (d. 1682)	Mülâzemet	Grebneş	Ders-i ‘Am Sâlih	Süleymâniyye	Cairo	Fetva emîni	Şeyhî, II, 1239– 1241
24	Kara İbrâhîm Paşa İmâmı Hâfız Mustafâ (d. 1683)	Mülâzemet	Gürciyyü’l -asl	kâ’im-makâm Kara İbrâhîm Paşa	Yarhisâr			Şeyhî, II, 1253
25	Trabzonî İbrâhîm (d. 1684) [şeyh Receb Efendi]	Attended his lectures	Trabzon	Hüsâmzâde Şeyh Mehmed, Kuds Müftîsi Seyyid ‘Abdü’r-rahîm	Mehmed Paşa (Kadırga)	İstanbul		Şeyhî, II, 1259– 1260
26	Şeyhü’l-İslâm Minkârîzâde Dâmâdı Mustafâ (d. 1684)	His son-in- law	Çankırı	Re’îsü’l-küttâb Şâmîzâde Mehmed	Medâris-i Süleymâniyye	Eyyûb (with the pâye of Rumelia)		Şeyhî, II, 1267 – 1269
27	Vâlide Kethudâsı İmâmı Süleymân (d. 1684)	Mülâzemet	Bosnia	Vâlide Sultân Kethudâsı Mustafâ	İbrâhîm Paşa- yı Cedîd			Şeyhî, II, 1274– 1275
28	Mü’minzâde İbrâhîm (d. 1686) [‘Abdü’l- mü’min Efendi]	Mülâzemet		Ders-i ‘Am Benli Mustafâ, Nefeszâde es- Seyyid ‘Abdu’r- rahmân	Fudayliyye			Şeyhî, II, 1292

29	‘Atā Efendi Birāderi ‘Abdu’r- rahmān (d. 1686)	Mülāzemet		The brother of Şeyhü’l-İslām ‘Atā’u’llāh Mehmed	Şeyhü’l-İslām Debbāgzāde Mehmed			Şeyhî, II, 1297
30	Bekrîzāde ‘Alî (d. 1687)	Mülāzemet	Damascus		İbrāhîm Paşa- yı Cedîd			Şeyhî, II, 1301– 1302
31	Dürrî Mehmed (d. 1687)	Mülāzemet	Bolu	Musāhib Mustafâ Paşa	Süleymāniyye			Şeyhî, II, 1302– 1303
32	Nāsırzāde Mehmed (d. 1687) [Şeyh Nāsır]	Mülāzemet	Diyarbakır		Karabaş Mustafâ Aga	Erzurum		Şeyhî, II, 1313
33	Vānî Dāmādı Mustafâ (d. 1687)	Mülāzemet	Erzurum		Sultāniyye Medresesi (Bursa)			Şeyhî, II, 1313– 1314
34	Esîrî Birāderi Mustafâ (d. 1687)	Attended his lectures		Mu‘îdzāde Mehmed, Şeyhü’l-İslām ‘Abdü’r-rahîm	Süleymāniyye	Rumelia		Şeyhî, II, 1314– 1316

35	Şeyhü'l-İslām Ankaravī Mehmed (d.1687) [a certain Hüseyin, Merchant)	His Fetva Emīni	Ankara		Süleymāniyye	Şeyhü'l- İslām (1686– 1687)		Şeyhî, II, 1321– 1324
36	Şeyhü'l-İslām Ebū Sa'īdzāde Mahdūmı Mehmed Reşīd (d. 1687) [Şeyhü'l-İslām Ebū Sa'īdzāde Feyzu'llāh]	Mülāzemet			Süleymāniyye			Şeyhî, II, 1788– 1789
37	Minkārīzāde 'Abdu'llāh (d.1688) [Minkārīzāde Yahyā]	His son, Mülāzemet			Vālide Sultān	Anatolia		Şeyhî, II, 1795– 1796
38	Sarı Ahmed (d. 1688)	Mülāzemet	Skopje		Rüstem Paşa			Şeyhî, II, 1797– 1798

39	Debbāgzāde Sun‘u’llāh (d. 1688) [Şeyhü’l-İslām Debbāgzāde Mehmed]	Mülāzemet			Mūsıla-i Süleymāniyye			Şeyhî, II, 1815– 1816
40	Kilisî Dāmādı Hıfzî Mustafā (d. 1688)	Mülāzemet			Dārü’l-hadīs-i Süleymāniyye	Damascus		Şeyhî, II, 1816– 1817
41	Şāmî Hüseyin (d. 1689)	Attended his lectures	Damascus		Kāsım Paşa		Evkaf müfettişi of Çatalcalı ‘Alî	Şeyhî, II, 1823– 1824
42	‘İsāzāde Mehmed ‘Azîz (d. 1689) [Bosnevî ‘İsā]	Mülāzemet			Süleymāniyye	Selanik (with pāye of Bursa)		Şeyhî, II, 1824– 1825
43	‘İmādzāde Seyyid Mehmed (d. 1689) [Seyyid ‘Abdü’l-hay]	Mülāzemet			Galata Sarāyı Medresesi Ülāsı	Ankara (with the pāye of Bursa)		Şeyhî, II, 1830– 1831
44	Dāvūdzāde Mehmed (d. 1691) [Mūsā Paşa İmāmı Ahmed]	Mülāzemet			Galata Sarāyı Medresesi Ülāsı			Şeyhî, II, 1853– 1854

45	Şeyhü'l-İslâm 'Alî (d. 1692) [Şeyh Mehmed Efendi]	Āsitāne	İstanbul, his father from 'Alā'iyye		Gazanfer Aga	Şeyhü'l- İslâm (1674– 1684, 1688)		Şeyhî, III, 1932– 1935
46	Bosnevî Kassâm Mehmed (d.1693)	Mülāzemet	Bosnia	Merzifonî Kara Mustafâ Paşa	Dārü'l-hadîs-i Süleymân iyye	Mecca	Kassâm	Şeyhî, III, 1946– 1947
47	Yüsrî Ahmed (d. 1694) [Bosnevî Mustafâ Aga]	He took examination		Kürd 'Abdu'llâh, Ders-i 'Am Sâlih	Gevher Hân Sultân	Damascus		Şeyhî, III, 1966– 1968
48	eş-Şeyh İspirî 'Alî (d. 1692)	Attended his lessons	Erzurum	Karamanî Hüseyn, Uzun Hasan, Kara Süleymân			Preacher at Ayasofya-i Kebîr Câmî'-i Şerîf	Şeyhî, III, 1979– 1980
49	Bolbolcızāde Şeyh 'Abdü'l- kerîm (d. 1694)	Attended his lessons	Karaman	Sâlih İmâm Dâmādı Mehmed, Fâzıl Süleymân, 'Abdü'l-ahad en-Nürî			Preacher at Ayasofya-i Kebîr Câmî'-i Şerîf	Şeyhî, III, 1988– 1990
50	Kadrîzāde Ahmed (d. 1695) ['Abdü'l-kādir Efendi]	Mülāzemet			Süleymāniyye	Jerusalem		Şeyhî, III, 2047– 2048

51	Nakībū'l-eşrāf Nefeszāde es- Seyyid 'Abdu'r- rahmān (d. 1696) [a certain imam]	Mülāzemet	Ankara		Dārū'l-hadīs-i Süleymāniyye	Balıkesir and Edremid as arpalıks (with the pāye of Rūmelia)	Nakībū'l- Eşrāf	Şeyhî, III, 2060– 2063
52	Konya Müftisi Seyyid Ahmed (d. 1696)	Mülāzemet	Karaman		40-akçe medrese	Sinob, with pāye of Diyarbakir		Şeyhî, III, 2064– 2065
53	Sirkeciẓāde 'Abdu'llāh (d. 1696) [a certain sirkeci]	Mülāzemet	Kasımpaşa		Ülā-yı Sarāy-ı Galata Medresesi			Şeyhî, III, 2065– 2066
54	Subhī Ahmed (d. 1696)	Mülāzemet	Tekfurdağ		Papasoglu			Şeyhî, III, 2069
55	Derzīzāde Mehmed (d. 1696) [A certain İmam called Derzīzāde]	He took examination	İstanbul		Hāce Hayrū'd-dīn dārū'l-ifādesi			Şeyhî, III, 2070– 2071
56	Mincel Ahmed (d. 1697)	Mülāzemet	Aydonat		Gazanfer Aga			Şeyhî, III, 2076– 2077

57	Karabāgī Yūsuf (d.1697)	Mülāzemet	‘Ayntāb		Bayram Paşa	Medina		Şeyhî, III, 2084– 2085
58	Güzelhisārī Ahmed (d. 1697)	Mülāzemet	Aydın, Güzelhisār	Köprilizāde Ahmed Paşa	Dārü’l-hadīs-i Süleymāniyye	Bursa		Şeyhî, III, 2100– 2101
59	Murād Paşa İmāmı Yek- Çeşm Ahmed (d. 1698/1699)	Mülāzemet	‘Alā’iyye	Sadr-ı a‘zam Murād Paşa	Pīrī Paşa	Eyyüb	Murād Paşa İmāmı	Şeyhî, III, 2114– 2115
60	Kırımī ‘Abdü’l-halīm (d. 1699)	Mülāzemet	Crimea		Süleymāniyye	Cairo	Müfettiş of Haremeynü’ş- Şerīfeyn	Şeyhî, III, 2121– 2122
61	A‘reczāde ‘Abdu’llāh (d. 1699) [A‘rec ‘Ömer]	Mülāzemet			Dāmād Efendi			Şeyhî, III, 2122
62	Tefsīrī Mehmed (d. 1699)	Attended his lessons	‘Ayntāb	Gürānī ‘Alī, Zeynü’l- ‘Ābidīn, Şeyh Ebi’z-ziyā	Şeyhü’l-İslām Debbāgzāde Mehmed, with pāye the of Süleymāniyye			Şeyhî, III, 2124– 2125
63	Erzincānī es- Seyyid ‘Alī (d. 1700)	Mülāzemet	Erzurūm, Gercanis		Medāris-i Süleymāniyye	Rumelia		Şeyhî, III, 2161– 2163

64	Minkārīzāde Efendi Tābi‘i ‘Ömer (d. 1703)	Mülāzemet	Malātiyye	Muharrem Efendi ve ‘Abdu’r-rahmān Efendi	Kalenderhane			Şeyhî, III, 2199– 2200
65	Arıkzāde Mehmed (d. 1703)	Mülāzemet	Edirne		Edrine Dārü’l- hadîsi	Bursa	mektubcu	Şeyhî, III, 2203– 2204
66	Gergerî Ahmed (d. 1703)	Mülāzemet	Gerger, Damascus		mūsıla-i Sahn	Bosnia		Şeyhî, III, 2206– 2207
67	Müneccimbaşı Şeyh Ahmed Dede (d. 1702)	Attended his lessons	Karaman	Ders-i ‘am Sâlih; Şeyh Ahmed Efendi			Müneccimbaşı	Şeyhî, III, 2229– 2331
68	Şeyhü’l-İslām es-Seyyid Feyzu’llāh (d. 1703)	Patronage	Erzurum		Dārü’l-hadîs Süleymāniyye	Şeyhü’l- İslām (1688; 1695–1703)		Şeyhî, III, 2332– 2335
69	Rodosî Küsec Ebū Bekr (d. 1703)	Mülāzemet	Rhodes		Süleymāniyye	Mecca		Şeyhî, III, 2337– 2339
70	Kellā Halîl (d. 1703)	Mülāzemet	Kütahya	Bıçakçı Mehmed, Ders-i ‘am Sâlih	Sinān Paşa			Şeyhî, III, 2339– 2340

71	Şeyhü'l-İslâm Yek-Çeşm Hüseyn (d. 1704)	Mülâzemet	Diyar-ı hamid		Sahn	Şeyhü'l- İslâm (1703)		Şeyhî, III, 2347– 2349
72	Keşfî 'Abdu'llâh (d. 1705)	Mülâzemet	Bolu		Süleymâniyye	Jerusalem		Şeyhî, III, 2370– 2371
73	Hekîmbaşızâd e Yahyâ (d. 1705) [Re'îsü'l- etibbâ Sâlih]	Mülâzemet			Süleymâniyye	Rumelia		Şeyhî, III, 2371– 2374
74	Kara Ebû Bekr (d. 1706)	Mülâzemet	Aydın, Güzelhisar		Süleymâniyye	Anatolia		Şeyhî, III, 2391– 2393
75	Ra'dî Mustafâ (d. 1706)	Mülâzemet	Iznik		Vâlîde Sultân Medresesi	Medina		Şeyhî, III, 2395– 2396
76	Begler Hâcesi Ahmed (d. 1706)	Mülâzemet	Karaman	Merzifonî Kara Mustafâ Paşa	Dârü'l-hadîs-i Süleymâniyye	Istanbul		Şeyhî, III, 2398– 2400
77	Sandalcızâde 'Alî (d. 1706)	Mülâzemet	İstanbul		Şâh Sultân	Baghdad		Şeyhî, III, 2416– 2417

78	Uzunizāde Süleymān (d. 1707)	Mülāzemet	Bosnia		Hāsekī Sultān Medresesi			Şeyhî, III, 2419–2420
79	La‘līzāde Şeyh Mehmed (d. 1707) [İbrāhīm Efendi]	Attended his lessons		Ders-i ‘Am Sālīh, Bıçakcı Mehmed, Uzun ‘Alī, Şeyhü’l-İslām ‘Abdü’r-rahīm	Süleymāniyye	Anatolia		Şeyhî, III, 2422–2425
80	İmām-ı Sultānī Kaba Halīl (d. 1708)	Mülāzemet	İznik		Süleymāniyye	Mecca		Şeyhî, III, 2438–2439
81	Kadrī Efendizāde ‘Abdu’llāh (d. 1708) [Kadrī Efendi]	Mülāzemet			Süleymāniyye	Mecca		Şeyhî, III, 2445–2446
82	Nīfī İbrāhīm (d. 1709)	Mülāzemet	Nīf, İzmir		Ūlā-yı Sarāy-ı İbrāhīm Paşa	Galata		Şeyhî, III, 2453–2455
83	Madrüb Yūsuf (d. 1709)	Mülāzemet	Kütahya		Şāh Sultān	Baghdad		Şeyhî, III, 2479–2480

84	Müneccimbaşı 'Arabzāde Mehmed (d. 1710) [Şāmī Muhyī'd-dīn]	Mülāzemet	Istanbul			Üsküdar (with pāye of Madina)	Müneccimbaşı , 3 times	Şeyhî, III, 2483- 2485
85	Resūlzāde Ahmed (d. 1710) [Sahhāf Resūl]	Mülāzemet			Süleymāniyye	Selanik (with pāye of Bursa)		Şeyhî, III, 2494- 2495
86	İmām Dāmādı Kādī Karyeli Celeb Hasan (d. 1711)	Mülāzemet	Safranbolu	İmām-ı Sultānī İbrāhīm	Sultān Selīm-i Kadīm	Cairo		Şeyhî, III, 2500- 2502
87	Fāzıl Kara Halīl (d. 1711)	Mülāzemet	Birgi		Dārü'l-hadīs-i Süleymāniyye	Rumelia		Şeyhî, III, 2506- 2510
88	Nīfī Dāmādı Hamdī Ahmed (d. 1711)	Mülāzemet	Turgutlu		Süleymāniyye			Şeyhî, III, 2510- 2511
89	Fethiyyeli Mehmed Emīn (d. 1712) [Es'ad Efendi]	Mülāzemet	Istanbul		Süleymāniyye	Mecca		Şeyhî, III, 2516- 2518

90	Şeyhü'l-İslâm Başmaccızāde es-Seyyid 'Alī (d. 1712) [Başmaccızād e Mehmed]	Attended his lessons	Istanbul	Ders-i 'am Sālih, Cevherīzāde Mehmed	Süleymāniyye	Şeyhü'l-İslām (1703; 1704–1707; 1710–1712)		Şeyhî, III, 2522–2530
91	Seyyid 'Abdü'l-mecīdzāde Seyyid Ahmed (d. 1712) [Bahā'ü'd-dīnzāde es-Seyyid 'Abdü'l-mecīd]	Mülāzemet	Kayseri		Lālā Şāhīn Paşa	Lefkoşa (with pāye of Manisa)		Şeyhî, III, 2553
92	Kavukcızāde 'Abdu'llāh (d. 1712) [Tācī İbrāhīm]	Mülāzemet	Edirne		Kādī 'Abdī	Anatolia		Şeyhî, III, 2536–2537
93	Kevākibīzāde Ahmed (d. 1712) [Kevākibīzāde Mehmed]	Mülāzemet	Aleppo		Husreviyye (with the pāye of Süleymaniyye)	Trablus-ı Şām	The müfti f Aleppo	Şeyhî, III, 2542
94	Çalkandīzāde 'Abdu'llāh (d. 1713)	Mülāzemet	Kastamonu		Sinān Paşa	Tokat (with rank of <i>mevleviyyet</i>)		Şeyhî, III, 2575–2576

95	‘Acemzāde Hācesi Mustafā (d. 1713)	Mülāzemet	Kastamonu		Kılıç ‘Alī Paşa	Damascus		Şeyhî, III, 2577– 2578
96	Müsellim ‘Abdu’r- rahmān (d. 1714)	Mülāzemet	Edirne		Edirne Dārü’l- hadîsi	Plovdiv		Şeyhî, III, 2594– 2595
97	‘Abdü’r- rahîmzāde Yahyā (d. 1714)	Mülāzemet			Süleymāniyye	Rumelia		Şeyhî, III, 2599– 2601
98	Şeyhü’l-İslām Ebezāde ‘Abdu’llāh (d. 1714)	Mülāzemet	Balçık, Varna		Süleymāniyye	Şeyhü’l- İslām (d. 1708–1710; 1710–1713)	His mother was a midwife of Mehmed IV’s children	Şeyhî, III, 2604– 2607;
99	Na‘lburzāde Mehmed (d. 1715)	Mülāzemet	Edirne		Sultān Selīm-i Cedīd			Şeyhî, III, 2613– 2614
100	Şeyhü’l-İslām ‘Atā’u’llāh Mehmed (d. 1715) [Eyyübî İbrāhīm]	Mülāzemet	Simav		Süleymāniyye	Şeyhü’l- İslām (1713)		Şeyhî, III, 2617– 2621

10 1	Pür- Kalemzāde Hācesi Mehmed (d. 1715)	Mülāzemet	Balıkesir		Hazret-i Emīr			Şeyhī, III, 2625– 2626
10 2	Edrineli Çukacızāde İbrāhīm (d. 1716) [Çukacızāde Mehmed]	Mülāzemet	Edirne		‘A’iše Sultān	Eyyüb		Şeyhī, III, 2631– 2632
10 3	Celeb Halīl (d. 1716)	Mülāzemet	Edirne		Süleymāniyye	Mecca		Şeyhī, III, 2654– 2656
10 4	Mekkīzāde Tāhir Mehmed (d. 1716) [Mekkī Mehmed]	Mülāzemet			Sultān Ahmed Hān	Jerusalem		Şeyhī, III, 2656– 2658
10 5	Menteşzāde ‘Abdü’r-rahīm (d. 1716) [Kurd Mehmed]	Mülāzemet	Bursa		Dārü’l-hadīs-i Süleymāniyye	Şeyhü’l- İslām (1715– 1716)		Şeyhī, III, 2662– 2666
10 6	Edrineli Berberzāde İbrāhīm (d. 1717)	Mülāzemet	Edirne		Taşlık (with pāye of Medīne-i Münevvere)			Şeyhī, III, 2670– 2671

10 7	Tezkireci Hüseyn Efendizāde Mustafā (d. 1721)	Mülāzemet			Süleymāniyye	Mecca		Şeyhî, IV, 2980– 2982
10 8	‘Abdü’l- kerîmzāde Refdî Mehmed (d. 1722) [Sāmi’î ‘Abdü’l- kerîm]	Mülāzemet			Süleymāniyye	Mecca		Şeyhî, IV, 2988– 2992
10 9	Edrineli Cerrāhzāde ‘Abdü’l-fettāh (d. 1722)	Mülāzemet	Edirne		Sultān Bāyezîd Hân			Şeyhî, IV, 2992– 2993
11 0	Mîrzā Mustafā (d. 1722) [‘Abdü’r- ra’ûf]	Mülāzemet (through the way of <i>müstakillen</i> , independently)	Batum	İmām-ı Sultānî Şāmî Hüseyn, Kiçi Mehmed,	Nişāncı Paşa-yı ‘Atîk	Şeyhü’l- İslām (1714– 1715)	He entered the Palace of Galata as <i>gilmân</i>	Şeyhî, IV, 3009– 3015
11 1	Ebū İshāk İsmā’îl (d. 1725) [Kara İbrāhîm from ‘Alā’iyye]	<i>mektûbcılık</i> (private secretary)	İstanbul	Fāzıl Uzun ‘Alî, Sarı Osmân, Börekciizāde Hasan, Ders-i ‘Âm Mehemmed	Dārü’l-hadîs-i Süleymāniyye	Şeyhü’l- İslām (1716– 1717)		Şeyhî, IV, 3121– 3126

11 2	Yahyāzāde Ahmed (d. 1725)	Mülāzemet	Edirne		Kalender-hāne	Anatolia		Şeyhî, IV, 3135– 3139
11 3	Şeyhü'l-İslām Mehmed (d. 1728).	Mülāzemet	Amāsiyye	Cānbolādzāde Hüseyn Paşa	Süleymāniyye	Şeyhü'l- İslām (1695; 1703–1704)		Şeyhî, IV, 3231– 3235
11 4	eş-Şeyh el- Fāzıl Süleymān (d. 1722) [Ahmed Efendi]	attended his <i>Muhtasar-ı</i> <i>Müntehā</i> and <i>Tefsīr-i</i> <i>Beyzāvī</i> lessons	İstanbul	Şeyhü'l-Kurrā Nişāncı Paşa İmāmı Mehmed, Kebeci Mustafā, Şeyh 'Arabzāde 'Abdü'l-vehhāb, Fāzıl Mustafā Paşa, Amcazāde Hüseyn Paşa	Dārü'l-hadīs-i Amcazāde Hüseyn Paşa		Teacher at Sarāy-ı Cedīd- i Sultanī, <i>vāiz</i> at Ayasofya	Şeyhî, IV, 3281– 3285

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Beyazıt YEK, MS Beyazıt 10697.

Ta’likāt ‘alā Tefsīri’l-Beydāvi

Süleymaniye YEK, MS Laleli 318.
Süleymaniye YEK, MS Şehid Ali Paşa 327.

Correspondences between Minkārîzâde and al-Ramlî

Süleymaniye YEK, Hekimoğlu MS 322, ff. 295b-297a; 297a-303b; 303b-306b.

His two super-glosses 1) on a specific verse (Al-Isra 17:88) in al-Baydāwî's Anwār al-Tanzîl and 2) on the chapter Kitāb al-Aymān of Sadr al-Sharî'a's Sharh al-Wiqāya

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