

Ibn Taymiyya, *al-Siyāsa al-Shar‘iyya*, and the Early Modern Ottomans

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The Hanbali scholar Taqī l-Dīn Ibn Taymiyya (d. 728/1328) would not be among the first names to come to mind when one thinks of the pre-Ottoman Muslim scholars whose oeuvres were influential in the making of Ottoman Sunnism. There are many reasons for this. The Hanbali legal school (*madhhab*) to which Ibn Taymiyya belonged was not only the smallest of the four “Sunni” legal schools but also arguably the furthest removed from the Hanafi legal school, to which the vast majority of the Muslims of the lands of Rum (Anatolia and the Balkans) belonged and which the Ottoman administration promoted as the “default *madhhab*” throughout its provinces.¹ Besides, Ibn Taymiyya was, both in his own time and in later periods, a sharply divisive figure, who had provoked controversy even among his fellow Hanbalis for deviating from the *madhhab* consensus on such issues as divorce oaths.² Outside Hanbali circles, he was also widely condemned for his anthropomorphic interpretation of God’s attributes and for his attacks against the visitations of the tombs of prophets and saints. To many Rumi Muslims, whose understanding of Islam was strongly colored by Sufism, Ibn Taymiyya’s rejection of a wide variety of Sufi beliefs and practices and his anathematization of the Andalusian mystic Muḥyī l-Dīn Ibn ‘Arabī (d. 638/1240) as “Shaykh Akfar” (the most blasphemous master) would have seemed deeply objectionable as well.³

1 For a view of the Hanafi legal school as the “default” or “semidefault” legal school in Ottoman Egypt, see Ibrahim, *Pragmatism*, esp. 139, 149–161; for a discussion of the same as the “state *madhhab*” in the Ottoman lands, see Burak, *The second formation* and Peters, What does it mean.

2 Bori, Ibn Taymiyya *wa-jamā‘atuhu* esp. 23–36; al-Matroudi, *The Hanbali school*; Melchert, The relation of Ibn Taymiyya 146–161.

3 For a study that has argued for the marginality of Ibn Taymiyya among non-Hanbali scholars of the Ottoman period on the grounds summarized above, see el-Rouayheb, From Ibn Ḥajar al-Haytamī; for a study that has qualified this picture with new evidence for Ottoman scholarly awareness of Ibn Taymiyya, see Bori, Ibn Taymiyya (14th to 17th century) 112–120.

Notwithstanding these differences between the kind of Sunni Islam that Ibn Taymiyya upheld and the kind of Sunni Islam to which the vast majority of the Ottoman learned elites adhered, however, Ibn Taymiyya was not entirely unappreciated in the Ottoman lands. In fact, since the 1980s, scholars such as Ahmet Yaşar Ocak and, more recently, Yahya Michot and Mustapha Sheikh have argued that there was even an Ottoman “school of Ibn Taymiyya,” whose adherents included the famous tenth/sixteenth century Hanafi jurist Birgili/Birgivi Mehmed Efendi (d. 981/1573) and his eleventh/seventeenth-century followers, known in the secondary literature and in some Ottoman sources as the Kadızadelis. Some of these scholars have further placed the Kadızadelis in a specific genealogy of “Islamic revivalism,” or “Salafi Islam,” extending from Ibn Taymiyya to the Wahhabis.⁴ However, other scholars have (in my opinion, rightly) objected to this genealogy on grounds that both Birgivi and the Kadızadelis were firmly rooted in the Hanafi-Maturidi tradition and that the evidence for their use of Taymiyyan ideas is both questionable and limited.⁵

This paper argues that the most concrete evidence we have at hand of Taymiyyan influences among the Ottoman men of letters in the early modern era points to a rather different, much more imperial, context for the reception of Taymiyyan ideas. The work of Ibn Taymiyya that most resonated with the Ottoman learned elites from the mid-tenth/sixteenth century onward was a juristic treatise on governance titled *al-Siyāsa al-shar‘iyya fī iṣlāḥ al-rā‘ī wa-l-ra‘iyya* (*Shar‘i* governance for the betterment of the ruler and the ruled). Significantly, the Ottoman men of letters who took an interest in this text did not necessarily represent the “more stringent” or “more traditionalist” among their peers. Rather, what attracted them to this treatise was its authorization of a strong state for a stable society founded on *shar‘i* principles, for this was also how they saw, or at least wished to see, their state. Just as importantly, the notion of *siyāsa shar‘iyya* (governance based on the principles of Islamic law) offered a useful conceptual framework to reconcile the Ottoman dynastic law known as *ḵānūn* with the universalizing norms of the sharia. Of course,

4 Ocak, xvii. Yüzyılda 208–225; Şimşek, Les controverses; Öztürk, Islamic orthodoxy; Çavuşoğlu, The Qādizādeli, esp. 39–47, 93–100; Lekesiz, xvi. Yüzyıl; Michot, Introduction 1–4, 18–19, 37–39; Sheikh, Taymiyyan influences 1–20; Sheikh, *Ottoman puritanism*, 93; Sheikh, Taymiyyan *taşawwuf*; Evstatiev, The Qādizādeli movement and the spread 3–34; Evstatiev, The Qādizādeli movement and the revival 213–243; Currie, Kadızadeli 1–25. Note that Michot and Sheikh reject the “Salafi” label as anachronistic and inappropriate for both Ibn Taymiyya and the Kadızadelis.

5 Radtke, Birgiwīs *Ṭarīqa Muḥammadīyya*, 159–174; el-Rouayheb, From Ibn Hajar al-Haytamī 303–304; Marti, *Birgivi* 65–68; Ivanyi, Virtue, esp. 76–82.

Ibn Taymiyya had developed his thoughts on *siyāsa sharʿiyya* in the significantly different legal and administrative context of the Mamluk sultanate, and in transplanting his teachings to their own context, the Ottoman writers had to rethink aspects of those teachings in view of their own legal and administrative practices.

In this paper, I examine the Ottoman Rumi scholars' engagement with Ibn Taymiyya's *al-Siyāsa al-sharʿiyya* in the context of the transformation of Ottoman imperial ideology under the impact of both multifaceted changes in the political arena and growing Sunni confessionalism. While Ottoman Sunnism had multiple sources of inspiration, this paper assesses in particular the impact of a certain corpus of juristic literature that came out of the Mamluk lands on some of the later Ottoman scholarly discussions and trends (a concern shared with the contributions by Helen Pfeifer, Nabil Al-Tikriti, and Guy Burak in this volume). With this aim in mind, the next two sections shall introduce Ibn Taymiyya's *al-Siyāsa al-sharʿiyya* and the broader corpus of *siyāsa sharʿiyya* texts as they took shape in the Mamluk context and discuss how and why this text, along with some other texts in this corpus, attracted the attention of Rumi scholars first around the mid-tenth/sixteenth century. Then, in the third and fourth sections, I shall examine how two rather different Rumi scholars, the mufti and *mudarris* Dede Cöngī (d. 975/1567) and the belle-lettrist and kadi ʿĀşık Çelebi (d. 979/1572) engaged with the ideas expressed in this corpus. These more textually grounded sections of the paper shall highlight not just what the Ottoman scholars took from the earlier scholarly discussions but also what they brought to them that was new (an emphasis shared with the papers by Tijana Krstić, Nir Shafir, and Evren Sünnetçiöglü in this volume). At the same time, this discussion will bring out the complexity and contradictions in the Ottoman reflections on their own religiopolitical order and emphasize the interplay of religious ideology and political expediency in this regard. This theme is continued in the fifth and last section, which examines the afterlives of the works of Cöngī and ʿĀşık Çelebi during the eleventh/seventeenth century, when the aforementioned Kadızadeli preachers became ascendant in the Ottoman capital. We shall see that notwithstanding the intensification of intra-Sunni debates and the occasional use of Ibn Taymiyya's name by Sufis to cast aspersions on their critics, both Ibn Taymiyya's *al-Siyāsa al-sharʿiyya* and its Ottoman offshoots appealed to the Kadızadeli and non-Kadızadeli alike and found a more enthusiastic audience than before, during the eleventh/seventeenth century. I will argue that this was due less to a "Salafi" (or proto-Salafi) turn among the Hanafi scholars of Rum and more to the fact that the notion of *siyāsa sharʿiyya* answered well the practical and ideological needs of the Ottoman ruling elites in a time of social and political transformation.

1 Ibn Taymiyya and the Development of the Idea of *Siyāsa Shar‘iyya* under the Mamluk Sultanate

Just as the Ottomans were one of the most successful states to be formed by a Muslim dynasty in the aftermath of the Mongol invasion, Ibn Taymiyya was one of the most novel Muslim thinkers to reflect upon and respond to the realities of the post-Mongol era. He was born in 661/1263 to a scholarly family in Harran, a town that had to surrender to Mongol rule a few years previously. When Ibn Taymiyya was six years old, his family relocated to Damascus, where they would spend the rest of their lives under the rule of the newly formed sultanate of the Mamluks. Even though the Mamluks successfully checked the Mongol advance, the early decades of their rule were also marked by political instability and infighting, and a sense of crisis among the civilian elites. It was in this environment that Ibn Taymiyya developed a close, if also fraught, relationship with the Mamluk authorities. On the one hand, he ran to their aide by preaching jihad against the sultanate’s Mongol, Christian, and Shi‘ite enemies, and by providing the Mamluk rulers with religious and political counsel. On the other hand, he also angered the Mamluk officials by entering into heated polemics with fellow scholars and was periodically imprisoned.⁶

It was mainly Ibn Taymiyya’s theological and juridical views that landed him in trouble with the Mamluk authorities. By contrast, no such controversy surrounded his political tract, *al-Siyāsa al-shar‘iyya fī islāḥ al-rā‘ī wa-l-ra‘iyya*, written between 711/1311 and 714/1315.⁷ This treatise is widely accepted to be a milestone in the history of Islamic political thought even though the nature of its significance has been construed differently by different scholars. In 1939, Henri Laoust famously argued that with this treatise Ibn Taymiyya had replaced the classical juristic discourse, centered on the institution of the caliphate, with another, centered on the implementation of the sharia.⁸ Recently, Mona Hassan has successfully challenged this view by showing that Ibn Taymiyya continued to refer to the caliphate as both an ideal form of government and a historical institution in various writings.⁹ Ovamir Anjum, on the other hand, has maintained that Ibn Taymiyya did indeed break with classical juristic thought but by rejecting the formalism and quietism of the classical jurists and by advocating a return to the unified religiopolitical authority and political activism of

6 Laoust, Ibn Taymiyya 951–955.

7 Ibid. 952.

8 Laoust, *Essai* 278–315.

9 Hassan, Modern interpretations 338–366; Hassan, *Longing* 111–115.

the Muslim polity in its earliest years.¹⁰ Whereas Anjum and Caterina Bori have read Ibn Taymiyya as reconceptualizing “Islamic politics” as a more inclusive realm that was of relevance to rulers and ruled alike, Abdessamed Belhaj has seen him instead as a social conservative whose fear of instability and disorder led him to support an expanded role for the state.¹¹

Arguably, there are insights to be gained from all these approaches to Ibn Taymiyya’s *al-Siyāsa al-sharʿiyya*. Even if the Hanbali scholar did not proclaim the caliphate to be moribund in his time, he still de-emphasizes it in this particular treatise, using such terms as “caliph” and “imam” exceedingly rarely and omitting altogether any references to the juristic debates about the conditions for accession to the office of the caliph. The sole criterion that Ibn Taymiyya articulates for legitimate rulership is that rulers service the Muslim community by upholding the sharia and protecting public order. He defines “the exercise of authority for the benefit of the people” (*wilāyata amr al-nās*) as “one of the greatest religious duties,” and he identifies princes and jurists as the two primary groups of people entrusted with this responsibility.¹² Ibn Taymiyya’s authoritarian and collectivist tendencies are especially evident in his conceptualization of *siyāsa* and its relationship to the sharia. A term with a range of meanings, *siyāsa* connoted before the modern era: 1) statecraft and the management of the subject people (*raʿiyya*); 2) “the discretionary authority of the ruler and his officials, one which they exercise outside the framework of the Shari’a”; and by extension, 3) punishment, particularly punishment that exceeds the *ḥadd* punishments prescribed by Islamic law.¹³ While some jurists had viewed *siyāsa* in the second and third senses with a great deal of misgiving and even opposition, Ibn Taymiyya saw a meaningful role for the legal authority of the ruler as long as it did not violate the precepts of the sharia but rather helped to reinforce them and to maintain and protect public order. Because he regarded the exercise of authority and coercion to be indispensable for fulfilling the Quranic injunction to “command the right and forbid the wrong” (*amr bi-l-maʿrūf wa-nahy ʿan al-munkar*), he particularly supported measures that enhanced the coercive power of the state and protected the collective interests

10 Anjum, *Politics*.

11 Ibid.; Belhaj, *Law and order* 401, 409, 420–421; Bori, *One or two versions* 6–7.

12 Ibn Taymiyya, *al-Siyāsa* 163; for the English translation, see *Ibn Taymiyya on public* 187. Henceforth, references will be given to both versions, separated by a slash. Note that there is also a longer version of this epistle, which remains in manuscript form, but it was far less widely circulated and was not the one to be translated into Turkish, so it will not be referenced here. For a discussion of the differences between the two versions, see Bori, *One or two versions*.

13 Bosworth, Netton and Vogel, *Siyāsa* 693–696; see also Belhaj, *Law and order* 401–402.

of the Muslim community.¹⁴ It was for similar reasons that he condoned the use of judicial torture and circumstantial evidence in the conviction of suspected criminals, something that had been opposed by the majority of earlier jurists.¹⁵

It must be pointed out that the notion of *siyāsa sharʿiyya* was not solely the brainchild of Ibn Taymiyya. Several other Shafiʿi, Maliki, and Hanbali jurists had also discussed the concept of *siyāsa* from the viewpoint of “*sharʿi* normativity” before him, but the corpus truly developed in the late seventh/thirteenth and early eighth/fourteenth centuries, when scholars such as Shihāb al-Dīn al-Qarāfī (d. 684/1285) as well as Ibn Taymiyya and his student Ibn Qayyim al-Jawziyya (d. 751/1350) gave it its distinctive form.¹⁶ Significantly, all these jurists lived in the Mamluk sultanate, where there was a high degree of “symbiosis” between the ulama and military officials, and where norms of *fiqh* and practical considerations of governance were closely conjoined in the actual practice of law.¹⁷ A novel feature of the Mamluk legal system was that they appointed to each major town four chief judges (*qādī l-quḍāt*), one from each of the four Sunni legal schools; this was a set up that allowed the legal mechanism to be both predictable and flexible and enabled the political authorities to obtain the results that they considered to be the most conducive to social order. It was also in the Mamluk period that the *mazālim* or *siyāsa* courts proliferated and expanded their jurisdiction to encompass such matters as marriage, even though the most radical developments in this regard would come in the second half of the eighth/fourteenth and, especially, the ninth/fifteenth centuries.¹⁸ Even if the early eighth/fourteenth-century proponents of *siyāsa sharʿiyya* could not have anticipated these later developments (much less condoned them), they can be said to have unwittingly opened the way for them by translating into political discourse what must have been a wider societal demand for law and order.

However, not all Mamluk-era jurists were as positive about the expansion of administrative justice; nor were they all convinced of its compatibility with *sharʿi* norms. In the ninth/fifteenth century, scholars critical of the excesses

14 For a discussion of Ibn Taymiyya's views on *amr bi-l-ma'rūf* and its connection to his political thought, see Cook, *Commanding right* 151–157.

15 Johansen, Signs as evidence 168–193.

16 On the earlier history of the corpus, see Massud, The doctrine of *siyāsa*; Belhaj, Law and order 402–403. Even though *siyāsa sharʿiyya* as a juridical concept was given full force by Ibn Taymiyya, Belhaj points out that the concept was already being used by Muḥyi l-Dīn Ibn ʿArabī a century earlier.

17 Lev, Symbiotic relations; Stilt, *Islamic law*.

18 Rapoport, Royal justice 71–102; Rapoport, Legal diversity 210–228; see also Nielsen, *Secular justice*.

of the Mamluk *siyāsa* tradition sought to discredit it by associating it with the *yasa* of Chinggis Khan. Some, like Maqrizī (d. 845/1442) and Ibn Taghribirdī (d. 874/1470), even proposed that the word *siyāsa* comes from the Persian word *se*, meaning “three,” and the Mongol word *yasa*, because Chinggis Khan had divided his realms between his three sons, turning his *yasa*, in effect, into “*se yāsa*,” or three *yasas* prevalent in three different realms.¹⁹ Tellingly, however, even these more critical commentators found it difficult to reject the *siyāsa* tradition completely and often distinguished between “just” and “unjust” *siyāsa*, following a formulation first articulated by Ibn Qayyim al-Jawziyya and repeated in many other works afterwards.²⁰

2 Transplanting the Notion of *Siyāsa Sharʿiyya* to the Ottoman Context

Siyāsa had also been a part of the Ottoman legal and administrative vocabulary from at least the ninth/fifteenth century onward. However, as Guy Burak has noted, the “Ottoman *siyāset*” did not have the same meaning as the “Mamluk *siyāsa*,” since the Ottomans had been, well into the tenth/sixteenth century, much more in tune with the juristic and administrative traditions of the “post-Mongol” East (Iran and Central Asia) than with those of Egypt and Syria under the Mamluks. In the Ottoman *ḳānūnnāmes*, or lawbooks, the term “*siyāsa*” was used in the narrower sense of administrative punishment and drew its power not just from the reigning sultan, as in the Mamluk context, but also from the cumulative legal tradition of the Ottoman dynasty, as in the case of the Chinggisid *yasa*.²¹

The “Ottoman *siyāset*” did, nevertheless, have a broader meaning, that of “governance,” when it was used in the Ottoman ethics (*ahlāk*) literature, which was modeled on the Persian “ethico-philosophical” literature.²² This broader definition of *siyāset* also informed the famous discursus of Ṭursun Beg (d. after 896/1491) on law and governance in the preamble to his history of Meḫmed II (r. 848–850/1444–1446, 855–886/1451–1481). There, citing the authority of “philosophical works” (*kütüb-i hikemîyye*), the madrasa-trained bureaucrat distinguishes between two types of *siyāset*, both of which can potentially lead to

19 Rapoport, *Royal justice* 95–96. For a debunking of the claim of Chinggisid influence over Mamluk *siyāsa*, see Ayalon, *The great yāsa* 107–156.

20 Rapoport, *Royal justice* 95–96.

21 Burak, *Between the ḳānūn* esp. 20–23.

22 Sariyannis, *A history* 433–434.

an ordered state of affairs in human society: “that which the philosophers (*ehl-i hikmet*) call divine governance (*siyâset-i İllâhî*), and which the people of sharia call sharia,” and that which is issued by rulers using their reason, like the laws of Chinggis Khan, “which is called royal governance and law (*siyâset-i sultânî ve yasağ-ı padişâhî*) and according to our custom (*örf*), customary law (*örf*).”²³ It is noteworthy that Tursun Beg considered both the sharia and ruler’s law, including the laws of Chinggis Khan, to be legitimate, even as he emphasized the superiority of the first over the second. Interestingly, Tursun does not mention the Ottoman *kānūn* in this passage, even though some of his readers would probably have also thought of it in the same connection, judging by the fact that *kānūn* and *yasa* (or *yasağ*) were sometimes used interchangeably in the Ottoman sources of the period.²⁴

Yet the fact that the Ottoman legal tradition had more in common with that in other post-Mongol polities to their east does not mean that Rumi scholars were completely unaware of the Mamluk legal and administrative traditions or of the Mamluk *siyāsa* literature before the tenth/sixteenth century. An important conduit of ideas in this regard would have been the students and scholars who traveled between the two realms already during the ninth/fifteenth century.²⁵ One of the early scholars who might have been instrumental in bringing to the lands of Rum knowledge of the juristic literature of Mamluk Syria was ‘Alā l-dīn ‘Alī Ṭarābulusī (d. after 849/1445), who was a kadi of Jerusalem and one of the earliest Hanafi scholars to draw on the concept of *siyāsa shar‘iyya* in his manual for kadis entitled *Mu‘īn al-ḥukkām*. Ṭarābulusī traveled to the then-Ottoman capital Edirne and presented some works to Murād II (r. 824–848/1421–1444, 848–855/1446–1451), but not, it seems, *Mu‘īn al-ḥukkām*. The text, which would be much cited by later Ottoman writers, is notable by its absence from the Ottoman palace library inventory of 908–909/1502–1504.²⁶ Another scholar whose works dealt with issues of *siyāsa* and traversed the Mamluk and Ottoman realms was Muḥyī l-Din Ḳāfiyeci (d. 879/1474). Interestingly, Ḳāfiyeci was Rumi in origin. Born in Bergama in western Anatolia, he had acquired his education during his travels in Anatolia, Iran, and Syria before

23 Tursun Bey, *Târîh-i Ebü'l-Feth* 10–12.

24 For examples of the interchangeable use of *kānūn* and *yasa* in the Rumi/Ottoman context, see Burak, *The second formation* 595–597.

25 For preliminary findings on scholarly mobility in the Ottoman realms, see Ökten, *Scholarly mobility*; Burak, *The second formation*, ch. 4; Karamustafa, *Saraydan* 55–56; Taşkömür, *Books* 395–396. On the roles played by scholars in Mamluk-Ottoman diplomatic relations, see Muslu, *The Ottomans* esp. 25–28.

26 Taşkömür, *Books* 397; on Ṭarābulusī’s life and career, see Karaman, *Trablusî*. *Mu‘īn al-ḥukkām* will be discussed further below as one of the primary sources of Cöngī’s epistle.

settling in Cairo, where he gained renown as a versatile scholar and authored, among other works, two epistles, entitled *Sayf al-mulūk* (The sword of rulers) and *Sayf al-quḍāt* (The sword of kadis). Even though Kāfiyeci never returned to the lands of Rum, he maintained a connection with the Ottoman court, or at least with the grand vizier Maḥmūd Pasha (d. 878/1474), and dedicated to him several of his works, including *Sayf al-mulūk*.²⁷

Despite these early points of contact, nevertheless, it was not until the tenth/sixteenth century that the Hanafi scholars who were based in Rum began to take a greater interest in the Mamluk *siyāsa* literature in general and in Ibn Taymiyya's *al-Siyāsa al-sharʿiyya* in particular. This interest developed in the wake of three major developments. First, the rise of the Safavids in 906/1501 as a rival Shiʿitizing dynasty and the flaring up of a full-fledged ideological and military conflict between the Ottomans and the Safavids a decade later infused Ottoman religious and political culture with an unprecedented degree of Sunni confessionalism. It also impressed upon the imperial elites the need to eradicate or at least limit the "heterodox" forms of Islam in the Ottoman lands and to address and correct the divergences between the established Ottoman practices and the universalizing norms of the sharia.²⁸ In their effort to formulate a stronger response to the "heresies" of their time, the overwhelmingly Hanafi-Maturidi scholars of Rum also began to look beyond their own legal and theological traditions and to selectively utilize the arguments of some Shafīʿi, Maliki, and, to a lesser extent, Hanbali jurists alongside those of the Hanafi authorities.²⁹

27 For a study of the life and scholarly contributions of Kāfiyeci and the Arabic edition and Turkish translation of his two aforementioned works, see el-Kāfiyeci, *Seyfū'l-mülūk*; for a discussion of these works, see also Köksal, *Fıkıh ve siyaset* 159–168. *Sayf al-mulūk* must have entered the Ottoman palace library after 908–909/1502–1504, since the text does not appear in the inventory made by the librarian Hayre'd-din Hızır 'Aṭūfī then. On Kāfiyeci's relation to Maḥmūd Pasha and the works he devoted to the latter, which were also transferred to the palace library, see Taşkömür, *Books* 398. In the mid-tenth/sixteenth century, Kāfiyeci's ties with the Ottoman world were deemed sufficient for Taşköprüzâde to include him in his biographical dictionary of the scholars of Rum; see Taşköprüzâde, *eş-Şakâ'ik* 118–122.

28 On the impact of the rise of the Safavids on Ottoman imperial ideology and on Ottoman religious and political culture more generally, see Sohrweide, *Der Sieg*; Eberhard, *Osmanische Polemik*; Üstün, *Heresy*; Fleischer, *The Lawgiver*; Dressler, *Inventing*; Al-Tikriti, *Kalam*; Krstić, *Illuminated*; Krstić, *Contested conversions*; Krstić, *From shahāda*; Krstić, *State and religion*; Terzioğlu, *Where 'ilm-i hāl meets*; Terzioğlu, *How to conceptualize*; Burak, *Faith*; Şahin, *Empire* 205–213; Çıpa, *The making*; Atçıl, *The Safavid threat*.

29 It seems that the Ottoman *seyhü'l-islāms* Kemālpaşazâde and Ebū's-su'ūd drew especially on Maliki and Shafīʿi works and only secondarily on Hanbali ones in this context. On the

A second development that was perhaps even more consequential for the beginning of the Ottoman engagement with the *siyāsa al-sharʿiyya* corpus was the incorporation of Egypt and Syria into the Ottoman realms following the Ottoman victories against the Mamluks in 922–923/1516–1517. In the aftermath of the conquest, prominent Rumi scholars were appointed as kadīs, *mudarrisēs*, and surveyors to such cities as Aleppo, Damascus, and Cairo, where they fraternized, competed, and sometimes clashed with local scholars of different *madhhab* affiliations. This experience also exposed the Rumi scholars to the debates among the Syrian and Egyptian scholars about the Ottoman *kānūn*, or as the latter scholars often preferred to call it, by way of association with the Chinggisid *yasa*, “the Ottoman *yasağ*.”³⁰ Evidence of Rumi familiarity with the anti-*yasa/yasağ* discourse of some Egyptian and Syrian scholars crops up in a variety of texts from this period. For instance, the eminent scholar Kemālpaşazāde, also known as Ibn Kemāl (d. 940/1534), who, as military justice (*kādīasker*) of Anatolia, had accompanied the Ottoman sultan Selīm I during his Egyptian campaign and taken part in Egypt’s first land survey, recycled the Mamluk-era pseudoetymology that derived the word *siyāsa* from the “three *yasas*” of Chinggis Khan’s three sons.³¹ Since Kemālpaşazāde mentioned this etymology in a treatise on the “Arabicization of foreign words” rather than in a juristic treatise, it is not clear what greater significance, if any, he assigned to this supposed etymological connection between the *yasa* and *siyāsa*, but some other Rumi scholars who had spent time in the former Mamluk lands differentiated much more sharply between divinely originated and human-made laws and came out clearly against the *yasa*. Such was, for instance, the case with Kınalızāde ‘Alī Efendi (d. 979/1572), who condemned the Chinggisid *yasa* unequivocally in his *Ahlāk-ı ‘Alāʾī*, which he wrote circa 972/1564–1565 while serving as kadi of Dam-

verifiable instances of borrowing, see Üstün, Heresy 240–268; Al-Tikriti, Kalam; for inconclusive evidence about the use of a work by Ibn Taymiyya by the Ottoman scholar and letrist ‘Abdu’r-raḥmān al-Biṣṭāmī (d. 858/1454), see Gril, Éso-térisme 192.

- 30 On the scholarly exchanges between Rumi and Egyptian and Syrian scholars during the tenth/sixteenth century, see Winter, *Society and religion* 185–188; Meshal, Antagonistic sharīʿas; Burak, Faith, law and empire; Burak, *The second formation* esp. chs. 2–4; Pfeifer, Encounter; see also Pfeifer’s essay in this volume. On the anti-*yasa/yasağ* discourse of the Syrian and Egyptian scholars in this period, see Burak, Between the *kānūn* 15–20; for a more nuanced (albeit still critical) assessment of the Ottoman legal system by the Egyptian scholar Zayn al-Dīn Ibn Nujaym (d. 970/1563), see Ayoub, *Law, empire, and the sultan* 31–63.
- 31 Interestingly, a later copyist found it appropriate to excerpt this passage right before a copy of Cöngī’s *Risāla fī l-siyāsa al-sharʿiyya*. The excerpt is titled, “*Siyāsa* from the *Risāla al-Taʾrīb* by Ibn Kemālpaşa,” in MS Süleymaniye Kütüphanesi (hereafter SK), MS Esad Efendi 924, 166a.

ascus. Baki Tezcan has argued that Kınalızāde's strong condemnation of the *yasa* also bespoke his ambivalence about the Ottoman *kānūn*, which, however, is not explicitly mentioned in this text.³² Another contemporary Rumi writer who had taken part in the Ottoman conquest of Egypt and who had also spent some time in that province and, subsequently, was more explicit in his criticism of, if not *kānūn*, then of those who invested binding power in it. In his book of advice, written sometime between 962/1555 and 974/1566, and addressed to the grand vizier, the anonymous author of the *Kitābu Meşāliḥü'l-Müslimîn* repeatedly emphasizes that *kānūns* are made by administrators to meet the needs of their time; they are not "from the time of the Prophet, hence it cannot be a sin (*günāh*) to change them." Clearly, however, the same writer was not oblivious to the reputation of the Ottoman laws; hence, he urged the grand vizier not only to issue new laws (*yasak*, *yasag*) but also to do his utmost to enforce them "so that people will not say that the Ottoman *yasag* lasts until the forenoon" (*Osmanlunun yasağı hod kuşluğa deęindir dimeyeler*).³³

Third and last, the growing anxiety among the scholars of Rum about the compatibility of the Ottoman *kānūn* with the sharia during the first half of the tenth/sixteenth century prompted efforts on the part of the leading Ottoman jurists to try to address and reduce these points of tension. Some high-ranking jurists, like Çivizāde Muḥyī'd-dīn Meḥmed (d. 954/1547), tried to accomplish this by undertaking a sustained critique of those Ottoman institutions and practices that they deemed problematic, such as cash *waqfs*, but met stiff resistance on the part of the Ottoman imperial establishment in this regard.³⁴ Far more successful, in comparison, were the efforts of Kemālpaşazāde and Ebū's-su'ūd (d. 982/1574), who tried to harmonize the *kānūn* with the sharia by working out a comprehensive legal framework for what had been until then ad hoc administrative and fiscal arrangements and by rearticulating the principles of the Ottoman land regime in the language of Islamic jurisprudence.³⁵

32 Tezcan, Ethics 118–120.

33 For the anonymous author's references to his participation in the Egyptian campaign, see Yücel (ed.), *Osmanlı devlet*, 125; for the other references to Egypt or "the Arab lands" (*Arabistan*), see Ibid., 94–95, 110, 123, 124; for the polemics against *kānūn*-minded conservatism, see Ibid., 93–94, 111, 118, 120–121; for references to (Ottoman) *yasag*, see Ibid., 98, 101–104, 109, 114. Note that Yücel misdates the text to ca. 1046–1050/1637–40; for the correct dating, see Tezcan, The "Kānūnnāme of Mehmed II" 658–659. The grand vizier addressed in the treatise must have been Rüstem Pasha (d. 968/1561), Semiz 'Alī Pasha (d. 972/1565), or Soğullu Meḥmed Pasha (d. 987/1579).

34 Gel, xvi. Yüzyılın; Mandaville, Usurious piety.

35 İnalçık, Islamization; Akgündüz (ed.), *Osmanlı kanunnâmeleri* iv, 29–121; Imber, *Ebu's-su'ud* esp. chs. 2 and 5; Buzov, The Lawgiver; on the relationship of *kānūn* and sharia more

As we shall see below, all three of these trends were relevant to the growth of an Ottoman corpus of *siyāsa sharʿiyya* literature in the tenth/sixteenth century and informed the views expressed in this corpus. Still, of the first two texts to be written by Ottoman scholars on the topic, Cöngī's *Risāla fī l-Siyāsa al-sharʿiyya* (also known as *Siyāsetnāme*) was perhaps a more direct response to the challenges presented to the Ottoman officialdom by Syrian and Egyptian scholars, while ʿAşık Çelebi's *Miʿrācü'l-eyāle ve minhācü'l-ʿadāle* was concerned more exclusively with the debates among the Ottoman Rumi elites. In line with their particular concerns, both also highlighted different strands of the earlier *siyāsa sharʿiyya* corpus.

3 Dede Cöngī and His *Risāla fī l-Siyāsa al-Sharʿiyya*

The career of Kemālū'd-dīn İbrāhīm b. Bahşī b. İbrāhīm, known variously as Dede Efendi, Dede Halife, Kara Dede, or Dede Cöngī (on account of his popular commentary on a work on Arabic grammar written in *cönk* form) is a striking illustration of the high social mobility in the lands of Rum during the heyday of Ottoman expansion. Born to a modest family in Sonusa near Amasya in Anatolia, Cöngī had worked as a tanner before belatedly acquiring a madrasa education. Despite his modest background and late start, he subsequently had a rather successful career, serving as *mudarris* and mufti in different parts of the empire, including Bursa, Tire, Merzifon, Diyarbakır, Aleppo, İznik, and Kefe (Caffa).³⁶ Since in both Diyarbakır and Aleppo Cöngī taught in a madrasa founded by Deli Hüsrev Pasha (d. 951/1544), it is reasonable to think that this vizier of Bosnian *devşirme* origin had been among his patrons.³⁷ Another patron might have been Sultan Süleymān's eldest son,

generally, see also Barkan, *xv ve xviüncü asırlarda*; Barkan, *Kanun-nāme*; Heyd, *Studies*; Repp, R., *Qānūn* and *sharīʿa*; Peirce, *Morality tales*; Ergene, *Qanun* and *sharia*; Peters, *Crime and punishment*.

36 On Cöngī's biography, see Akgündüz, *Dede Cöngī*; Ali b. Bâlî, *El-İkdü'l-manzûm* 232–235; Atâyi, *Hadâik* i, 503–505.

37 Admittedly, Hüsrev Pasha had died a year before Dede Cöngī was appointed *mudarris* in the Hüsrev Paşa madrasa in Aleppo, but it is possible that the pasha's family remembered and honored the ties of clientage that had been formed between the two men after his death. While Hüsrev Pasha had served in numerous positions throughout his eventful career, it is noteworthy that his tenure as governor-general of Rumeli and then vizier (943–951/1537–1544) overlapped in time with the tenure of Ebū's-su'ūd as military justice (*kādīr'asker*) of Rumeli (944–952/1537–1545). On the pasha's life, see Özcan, *Hüsrev Paşa*, Deli.

Prince Muṣṭafā (d. 960/1553), to whom Cöngī dedicated another treatise on fiscal matters. In other words, Cöngī was not just any provincial *mudarris* and mufti, but one with significant connections to the Ottoman military administrative elite. Cöngī's commitment to the Ottoman religiopolitical order comes across clearly in the treatise he dedicated to Prince Muṣṭafā, whom he addresses as "Sultan Prince Muṣṭafā" and as "the inheritor of the office of caliph,"³⁸ but it is more obliquely demonstrated in his *Risāla fī l-Siyāsa al-sharʿiyya* for reasons that will be discussed below.

Unfortunately, we do not know at what point in his career Dede Cöngī penned his *Risāla fī l-Siyāsa al-sharʿiyya*; the text provides no autobiographical information, and the earliest extant manuscript dates from 1054/1644–1645, that is to say, almost 80 years after the author's death.³⁹ It is tempt-

38 Dede Cöngī, *Risāla fī Amwālī bayti-l-māl* 1b–2a; for a modern Turkish translation in slightly abbreviated form and the facsimile respectively, see Akgündüz (ed.), *Osmanlı kanun-nâmeleri* iv, 217–218, 236–237. This treatise will not be discussed here, as there is no reference in it to either *al-Siyāsa al-sharʿiyya* or to any other work that draws on the latter text.

39 Dede Cöngī, *Siyāsetnâme/Risāla fī l-Siyāsa al-sharʿiyya* SK, MS Esad Efendi 3610/6, 156b–164b (copied in 1054/1644–1645). Because the author does not mention his name within the text, the attribution to Cöngī has been based on the attribution of the vast majority of the later copyists and readers as well as the first translator of the work into Turkish. A minority of Ottoman readers and copyists, however, ascribed the work to other scholars. While most of these other attributions can be discarded as unfounded, one deserves further investigation. This is the attribution to the Egyptian Hanafi jurist Zayn al-Dīn Ibn Nujaym (d. 970/1563). Ibn Nujaym is identified as the author of *Risāla fī l-Siyāsa al-sharʿiyya* in three manuscripts preserved in Süleymaniye library (MS Hacı Mahmud Efendi 1097/1, 14a; MS Hüsrev Paşa 758/3, 29a and MS, Reşid Ef 1027/13, 128a), while in two others in the same library (MS Carullah 2120/2 and MS Laleli 961/4), he is identified as the author in the online library catalogue, but not in the manuscripts themselves. None of these manuscript copies are dated. Apparently, the text is attributed to Ibn Nujaym also in an undated manuscript preserved in Al-kutubkhāna al-Khidwiyya al-Miṣriyya, MS Fiqh Ḥanafī 1160; for a description, see Dede Efendi, *al-Siyāsa al-sharʿiyya* 18–19. What makes Ibn Nujaym an intriguing possibility is the fact that he was a contemporary of Cöngī and had a more nuanced view of the Ottoman imperial order than some other Egyptian scholars of the period. According to Samy A. Ayoub, Ibn Nujaym accepted Ottoman rule to be legitimate, but criticized "the corruption and abuse of power within it." He also engaged with the concept of *siyāsa* in his *Bahr al-rāʾiq* (The clear sea), albeit in a different manner from the *Risāla fī l-Siyāsa al-sharʿiyya*. Whereas the treatment of *siyāsa* in *Risāla fī l-Siyāsa al-sharʿiyya* bears a strong imprint of the thought of the Mamluk-era Hanafi jurist ʿArabūlusi and, to a lesser extent, of the Hanbali jurist Ibn Qayyim al-Jawziyya, Ibn Nujaym took his definition of *siyāsa* from Maqrizī. Ibn Nujaym also vehemently rejected the roles played by kadīs in the application of *siyāsa* in direct contrast to the author of the *Risāla fī l-Siyāsa al-sharʿiyya*. On Ibn Nujaym's views on *siyāsa* and the Ottoman imperial authority, see Ayoub, *Law, empire, and the sultan* 54–64; for Cöngī's views, see below.

ing to think, nevertheless, that Cöngī composed his text sometime during or after his stay in Aleppo (952–957/1545–1550), where he must have had many more opportunities to familiarize himself with the Mamluk-era *siyāsa* literature. Besides, from an article by T.J. Fitzgerald we learn that while he was serving as *mudarris* and mufti in Aleppo, Cöngī became involved in a major dispute that had the local scholars up in arms about the legitimacy of the fiscal practices that the Ottomans had been trying to establish there. In a fatwa he issued on the dispute, Cöngī had firmly defended the legitimacy of the Ottoman practice, and the imperial administration had responded to the complaints in accordance with this fatwa.⁴⁰ Even though there is no direct connection between this controversy, which was about fiscal matters, and Cöngī's *Risāla fi l-Siyāsa al-shar'īyya*, which is about criminal law, the wider resentment about the Ottoman *ḵānūn* that the controversy revealed may well have provided an important motivation behind Cöngī's decision to pen this treatise.

Since Cöngī wrote his text in Arabic, and made little or no attempt to correlate the terms of Islamic juristic discourse with Ottoman administrative terminology, it seems safe to conclude that he was writing primarily for a scholarly audience, comprised of both Rumi and Arab scholars. If Cöngī intended with his text to reach out to the Syrian and Egyptian scholars in particular, his decision to frame the discussion around *siyāsa shar'īyya* makes a great deal of sense: *Siyāsa shar'īyya*, after all, was a juristic concept that was well known to these scholars; it was also a concept well suited to the *madhhab* plurality that still prevailed in their circles; in fact, the proponents of the concept had downplayed *madhhab* differences in promoting *siyāsa* justice, and especially valued the ability of the political authorities to rise above the confines of the *madhhab* system.⁴¹

At the same time, however, it could also be said that Cöngī did not do enough to reach out to the non-Hanafi Muslims. The vast majority of the sources he cites in his treatise (a total of 42 works) are by medieval Hanafi-Maturidi writers, many of them from Transoxania.⁴² As for those of his non-Hanafi sources that he identifies by name, there are no more than three. These are *Aḥkām al-sultāniyya* by Māwardī (d. 450/1058), who was a Shafi'i, *al-Dhakhīra* by Qarāfi, who was a Maliki, and an unidentified work (probably *al-Turuq al-ḥukmiyya*) by Ibn Qayyim al-Jawziyya, who was, like his teacher Ibn Taymiyya, a Hanbali. It could of course be symbolic that Cöngī chose a text each from the remain-

40 Fitzgerald, *Murder in Aleppo* 185, 188, 195–197.

41 Yılmaz, *Caliphate* 85.

42 For the complete list of the sources cited by Dede Cöngī, see Köksal, *Fıkıh ve siyaset* 197–200.

ing Sunni *madhhabs*, but his reasons for choosing them might also have been simply the fact that they all dealt with the concept of *siyāsa sharʿiyya*.

Strangely, however, Ibn Taymiyya's *al-Siyāsa al-sharʿiyya*, generally assumed to have been among the sources of Cöngī, is actually nowhere referenced.⁴³ Perhaps Cöngī found it more prudent to bypass this text because of the controversial nature of its author among the Arab and Rumi scholars he wished to reach. But it is also possible that Cöngī had simply not read Ibn Taymiyya's work, which was not as widely known in the lands of Rum at the time.⁴⁴ In either case, there is no denying the presence of Taymiyyan ideas in Cöngī's epistle, but these ideas were transmitted via other Mamluk-era writers who had read and utilized Ibn Taymiyya rather than through Ibn Taymiyya's own works directly. An important connection in this regard was Ibn Qayyim al-Jawziyya, but even more important than him, as far as Dede Cöngī was concerned, was the aforementioned Hanafī jurist, Ṭarābulusī. Indeed, almost the entire introductory section of Cöngī's *Risāla*, in which he defines *siyāsa*, distinguishes between "just" and "unjust" *siyāsa*, and introduces the concept of *al-siyāsa al-sharʿiyya*, was taken from the introduction to the third section of Ṭarābulusī's *Muʿīn al-ḥukkām*.⁴⁵

Differently from Ibn Taymiyya, and in keeping with the Hanafī tradition, in this treatise Dede Cöngī uses *siyāsa* mainly in the narrower sense of administrative punishment. As the opening quotations from Bābartī (d. 786/1384) and Ṭarābulusī make clear, administrative punishments were understood to be harsher than the punishments prescribed by the sharia, as they were introduced with the aim of stamping out "corruption" (*fasād*).⁴⁶ Citing Ṭarābulusī, Cöngī points out that the topic of *siyāsa* is complicated and that Muslims fall into three groups in their position on the topic. One group rejects *siyāsa* categorically because they mistakenly believe it to be against the sharia, while

43 Heyd, *Studies in old Ottoman* 199; Köksal, *Fıkıh ve siyaset* 225; Sariyannis, *A history* 105. Differently from the other scholars, Köksal acknowledges that Ibn Taymiyya is not mentioned by name, but still assumes that Dede Cöngī utilized his text particularly in the early sections of the treatise.

44 To give an idea, no copy of Ibn Taymiyya's *al-Siyāsa al-sharʿiyya* is mentioned in the 908–909/1502–1504 inventory of the Ottoman palace library; for the facsimile and transliteration of the inventory, see Necipoğlu et al. (eds.), *Treasures* ii. Moreover, a preliminary codicological investigation of eleven of the twelve manuscript copies of Ibn Taymiyya's *al-Siyāsa al-sharʿiyya* in Istanbul libraries suggest that none of these texts had come into the possession of Rumi readers before the mid-tenth/sixteenth century. See footnotes 125–128.

45 Dede Efendi, *al-Siyāsa al-sharʿiyya* 74–76; cf. Ṭarābulusī, *Muʿīn al-ḥukkām* 138a–b.

46 Dede Efendi, *al-Siyāsa al-sharʿiyya* 73.

another group applies it too liberally and transgresses the punishments prescribed by God (*ḥudūd*), perpetrating “injustice” (*ẓulm*) and “blameworthy innovations” (*bidaʿ*). Only a third group embraces the golden mean by combining *siyāsa* and sharia and practicing *siyāsa sharʿiyya*, defined as the kind of *siyāsa* that serves “*sharʿi* ends” (*al-maqāṣid al-sharʿi*) and safeguards public order.⁴⁷

Cöngī next sets out to establish the legitimacy of *siyāsa sharʿiyya* on the grounds of evidence from the Quran and hadiths (*nuṣuṣ al-sharʿiyya*) as well as with reference to the legislative deliberations of the four “rightly guided caliphs.” Here, Cöngī furnishes textual proofs for the permissibility of specific *siyāsa* punishments. He also provides several more general explanations for why it had been necessary for later rulers to stipulate harsher punishments than what the sharia prescribed. He stresses in particular the mutability of *sharʿi* judgments in connection with the idea of the “corruption of the times” (*fasād al-zamān*), alluding to the pessimistic view of human history that had also informed Ibn Taymiyya’s views on *siyāsa*. Accordingly, the further away Muslims are from the time of the Prophet, the more corrupt they become, thus necessitating the adoption of harsher measures to preserve public order.⁴⁸ A second general principle that Cöngī evokes is *al-maṣāliḥ al-mursala*, or social benefit, that he says had guided the first four caliphs when they introduced practices that the sharia neither permits nor prohibits, such as writing down the Quran.⁴⁹ As Hüseyin Yılmaz has pointed out, this concept was particularly important in the Maliki school of law, but its close cognate in the Hanafi legal school, *maṣlaḥa*, had also been of central importance to the efforts of Ottoman jurists like Ebū’s-suʿūd to legitimate controversial practices such as cash *waqfs*.⁵⁰

While modern scholars are in consensus that Dede Cöngī was writing all this to legitimate Ottoman *kānūns*, they have struggled to explain why he chose nonetheless not to reference either the Ottomans or their *kānūns*. The word *qānūn* and its plural *qawānin* are used several times in the text, but always in the sense of “principle” or “standard” (as in the principle of sharia or *qānūn al-sharʿ*), which was the prevalent meaning of the word in the Mamluk con-

47 Ibid. 74–76.

48 Ibid. 83. On the views of Ibn Taymiyya and Ibn Qayyim al-Jawziyya on *fasād*, see Belhaj, Law and order 409–412; for near contemporary Hanafi jurists’ use of the same concept to accommodate legal change, see Reinhart, When women went to mosques 119–122; Terzioğlu, *Bidʿat*, custom; for Shafiʿi examples, see Katz, The “corruption of the times.”

49 Dede Efendi, *al-Siyāsa al-sharʿiyya* 84, 86.

50 Yılmaz, *Caliphate* 86; Khadduri, *Maṣlaḥa* 738–740; Mandaville, Usurious piety.

text.⁵¹ Uriel Heyd has attributed the absence of pointed references to the Ottoman context in the treatise to Cöngī's authorial modesty and reluctance to go beyond the role of compiler.⁵² Perhaps, however, Cöngī wanted to write about administrative justice in the abstract language of jurisprudence, precisely because he thought this was a more effective way of winning over those of his readers who remained skeptical about the legitimacy of the *yasa/ḵānūn* tradition. In any case, many of the specific examples of *siyāsa* justice that Cöngī discusses and condones in this text—for instance, execution by strangling, the use of torture to extract confessions, the consideration of the criminal record or of the social reputation of the accused as well as the admission of circumstantial evidence in determining guilt, “the acceptance of the killing of a few to avert harm to the many” (a principle referenced in “the *ḵānūnnāme* of Meḥmed 11” to justify royal fratricide), the execution of “perpetrators of discord (*fasād*) on earth,” and the punishment of “sodomy” as a capital crime—had their place in one fashion or another in the Ottoman *ḵānūn* tradition as it had evolved until the time of Süleymān 1 (r. 926–974/1520–1566). In the Ottoman context, the criminalization of “sodomy” was a new development, initiated in the reign of Süleymān, which might explain why Cöngī mentions it multiple times in his treatise.⁵³ Even in those instances in which the specific *siyāsa* punishment discussed was not part of the Ottoman penal code, its inclusion in the text could have contemporary relevance. For instance, considering that Cöngī was writing in a time of ongoing conflict with the Safavids, as well as of sporadic persecution of Anatolian “Kızılbaş,” it must not be coincidental that the very first example of *siyāsa* punishment that he gives from the beginning of Islamic history is the burning of a group of heretics (*zanādiqa*) by the fourth caliph ʿAlī b. Abū Ṭālib (d. 40/661) on grounds that they believed him to be divine.⁵⁴ It must also be significant that Dede Cöngī does not go into the details of what kinds

51 Dede Efendi, *al-Siyāsa al-sharʿiyya* 75, 84, 86. On the use of “*qānūn*” in the sense of “principle,” or “standard,” see Burak, Between the *ḵānūn* 7–8 and Ferguson, *The proper order* 72–74.

52 Heyd, *Studies* 202.

53 Dede Efendi, *al-Siyāsa al-sharʿiyya* 77 (death by strangling), 78, 81–82 (punishment of “sodomites”), 90–92 (admission of circumstantial evidence), 92–94 (use of torture to force a culprit to admit crime), 103–104 (killing a few in order to avert harm to the many). For the relevant practices in the Ottoman *ḵānūnnāmes*, see Heyd, *Studies* 30, 64, 77–80, 102–103, 116–118; Akgündüz (ed.), *Osmanlı kanunnāmeleri* i, 328; iv, 296–298, 302, 369–370; for a comparison of the punishments prescribed for “sodomites” by jurists of different *madh-habs* as well as by *ḵānūn*, see el-Rouayheb, *Before homosexuality* 118–128.

54 Dede Efendi, *al-Siyāsa al-sharʿiyya* 77–78. On this anti-*ghulāt* report, see Anthony, *The caliph and the heretic* 161–194.

of *siyāsa* punishments he considered “unjust” or “un-*sharʿī*,” as this could have brought up controversial aspects of the Ottoman penal code—for instance, the substitution of some of the corporal punishments with fines—as examples of “unjust” or “un-*sharʿī*” punishments.⁵⁵

After having legitimated law making by the political authorities, Cöngī turns in the next section of his treatise to the question of whether it is legitimate for kadis to practice *siyāsa*, namely, to apply the laws and regulations introduced by rulers. This, too, was a critical question, since in the Ottoman legal system kadis were responsible for applying *kānūn* as well as sharia and since notwithstanding the alternative venues of justice distribution, such as the Imperial Court and courts of governors-general, where kadis (or *kāḍīʿaskers*) also presided, the Ottoman rulers actively promoted the kadi courts as the principal venue of justice distribution throughout their realms.⁵⁶ In this context, it should not be surprising that Cöngī answers the question of whether kadis can practice *siyāsa* with an overwhelming yes, albeit a yes uttered by citing others. First, he cites a passage from Ibn Qayyim al-Jawziyya to the effect that the sharia has not determined limits for how *siyāsa* is to be practiced; because rulers will introduce laws and regulations in response to the specific conditions of the time, when those conditions change, so can the rules. Hence, in some periods and places kadis may be delegated the functions of military governors, while in other periods and places they may not. Next, Cöngī gives us the contrary view upheld by Māwardī and Qarāfī that kadis should not meddle in *siyāsa*, and he lists nine reasons why these two jurists considered military governors to be equipped with greater powers than kadis to practice *siyāsa* and deliver effective justice. In the end, Cöngī gives his own view, based on the authority of “the principal Hanafi sources,” that kadis have also been granted most of these powers.⁵⁷ Once again, Cöngī was tacitly approving of the ways in which the Ottomans administered justice.

To recapitulate, Cöngī’s *Risāla fī l-Siyāsa al-sharʿiyya* was an attempt on the part of a devoted member of the Ottoman learned establishment and a Rumi Hanafi scholar to intervene in the debates that were ongoing among both Syrian and Egyptian, and to a lesser extent Rumi, scholars about the legitimacy of

55 For a different interpretation, see Midilli, Dede Cöngi’nin 241, 244–255.

56 For a nuanced discussion of the Ottoman justice distribution and promotion of kadi courts as its principal venue in the tenth/sixteenth century, see Peirce, *Morality tales* 86–125, 311–348. On the place of kadi courts versus other venues of justice distribution in the early modern Ottoman Empire, which reflect a different, twelfth/eighteenth-century perspective, see Ergene, *Local court*, ch. 9, Aykan, *Rendre la justice* 52–86, Tuğ, *Politics of honor* 185–244 and Baldwin, *Islamic law*, chs. 2, 3, and 5.

57 Dede Efendi, *al-Siyāsa al-sharʿiyya* 105–120.

the Ottoman *kānūn*. I have argued above that it was probably in an effort to win over his colleagues opposed to the “Ottoman *yasağ*” that Cöngī defended the Ottoman *kānūn* through the juristic framework of *siyāsa sharʿiyya* and avoided making direct references to specific Ottoman institutions. Possibly, it was also his desire to “play safe” and avoid unneeded controversy that led him to bypass Ibn Taymiyya’s *al-Siyāsa al-sharʿiyya* while making his arguments. Interestingly, a second Ottoman Rumi writer to take an interest in the *siyāsa sharʿiyya* literature slightly later in the same century would opt for a very different strategy, translating Ibn Taymiyya’s *al-Siyāsa al-sharʿiyya* into Turkish and adding extensive (and critical) commentary about the contemporary Ottoman context.

4 ‘Āşık Çelebi and His *Miʿrācūʾl-eyāle ve Minhācūʾl-ʾAdāle*

Es-Seyyid Pīr Meḥmed b. Seyyid ʿAlī, better known as ʿĀşık Çelebi, represents a rather different social and intellectual profile from his older colleague, Cöngī. To begin with, ʿĀşık was a Rumelian, born in Prizren (in present-day Kosovo) to a distinguished ulema and *seyyid* family with distant Baghdadi roots, and received his education from the leading scholars of Istanbul. Partly because he made his career in a time of increasing congestion in the Ottoman learned establishment and partly because of his own circumstances, however, ʿĀşık had a rather undistinguished career, having to work for many years as a court clerk, a trustee for pious endowments, and a secretary to the *şeyhūʾl-islām* before eventually settling for an equally frustrating career as a small-town kadi. As ʿĀşık makes clear in the *Miʿrācūʾl-eyāle*, he took greater pride in his accomplishments as a belle-lettrist, “a poet and a prose-stylist,” than as a kadi.⁵⁸ In keeping with his penname ʿĀşık (meaning, literally, lover), his literary oeuvres included a *Dīvān*, a *şehrengīz* (“city thriller”), devoted to the beautiful young men of Bursa, and several biographical dictionaries, the most famous of which is his *Meşāʾirüʾş-şuʾarā*, a lively tribute to the empire’s poetic scene as well as to its urban culture of predominantly male lovers and beloveds. He also translated into Turkish a number of religious, political, and literary works from Arabic and Persian.⁵⁹

58 ʿĀşık Çelebi, *Miʿrācūʾl-eyāle* 55–56.

59 In addition to Ibn Taymiyya’s *siyāsa al-sharʿiyya*, ʿĀşık Çelebi translated into Turkish the Arabic version of Abū Ḥāmid al-Ghazalī’s (d. 505/1111) *al-Tibr al-masbūk fī naṣīhat al-mulūk* and Muḥyīd-dīn Ḥaṭībzāde’s (d. 940/1534) *Rawḍ al-akhyār*, which was an abridged compilation of those chapters of Zamakhsharī’s (d. 538/1144) *Rabīʿ l-abrār* that deal with rulership. Probably ʿĀşık chose to translate these works because of their popularity with Ottoman readers.

There is no indication that ‘Āşîk ever read Cöngî’s epistle, so it is impossible to say whether it was that work that first piqued his interest in the *siyāsa al-shar‘iyya* literature. Unlike Cöngî, ‘Āşîk had not spent time in the former Mamluk lands, but he had studied with at least one traditionalist scholar from Egypt, and it has been speculated that he might have gained familiarity with the works of Ibn Taymiyya through him.⁶⁰ In the preface to his translation, ‘Āşîk describes *al-Siyāsa al-shar‘iyya* as a “book that is small in volume but great in benefit,” and he explains that he decided to translate it to fulfill the Quranic injunction to “command the right and forbid the wrong” and to petition for a more desirable post for himself. ‘Āşîk was writing in 977/1569–1570, one year after he had been dismissed from his office as kadi of Karatova (Kratovo, today in the Republic of North Macedonia), and he was clearly very disillusioned with his career in the Ottoman judiciary. He expresses hope that if Selīm II (r. 974–982/1566–1574) is pleased with his translation, he may free him from all administrative duties to devote his time entirely to the composition of literary works, but ‘Āşîk was also willing to be examined with the prospect of employment at either the land registry or in the department for the inspection of tax farms.⁶¹ Perhaps because he was not sure of a favorable reception by Selīm II, ‘Āşîk also addresses the grand vizier Soğollu Mehmed Pasha in the conclusion to his translation.⁶² Soğollu, to whom ‘Āşîk had also devoted other works, was the most powerful Ottoman statesman at the time, as well as an active patron of literature and the arts, and a pious Muslim, whose brand of Sunni religiosity combined a high respect for the sharia with devotion to sharia-abiding Sufism. Soğollu and his royal wife İsmihân Sultan (d. 993/1585) were ardent admirers and patrons of the Rumelian Halveti master, Muşlihu’d-dîn Nüre’d-dinzâde (d. 981/1574), who was (as discussed in Grigor Boykov’s paper in this volume) a vocal advocate of the state-sponsored version of Sunni Islam.⁶³ Around the years ‘Āşîk translated *al-Siyāsa al-shar‘iyya*, Soğollu had also invited to Istanbul Birgivi Mehmed Efendi, whose works would later inspire the Kadızadelis, to solicit his words of advice

60 His teacher, ‘Abd al-Rahîm al-‘Abbâsî (d. 963/1556), of the ‘Abbasid family, was a hadith scholar who had come to Istanbul from Cairo following the Ottoman conquest. He was, by lineage, a Hanbali, but had switched over to the Shafi‘i school at a later point in his life. On this scholar, see Öznurhan, Abbâsî, Abdürrrahîm 5–6 and Pfeifer’s essay in this volume; for the argument that ‘Abbâsî may have been the conduit by which both Çivizâde and ‘Āşîk discovered Ibn Taymiyya, see Gel, xvi. Yüzyılın 182.

61 ‘Āşîk Çelebi, *Mîrâcü’l-eyâle* 56–57; for the date of composition, see *ibid.* 203–204.

62 *Ibid.* 232. For another work ‘Āşîk presented to Soğollu, see ‘Āşîk Çelebi, *Dhayl*. For another eulogistic mention of the grand vizier, see ‘Āşîk Çelebi, *Meşâ’irü’ş-şu‘arâ* iii, 1179.

63 On Soğollu and İsmihân’s patronage of Nüre’d-dinzâde, see Necipoğlu, *The age* 345–368 and Yürekli, A building 159–185.

about “how to eliminate injustices” (*defʿ-i mezālim*) in the Ottoman realms.⁶⁴ Given Soḳollu’s interest in a range of sharia-minded interlocutors, it is not surprising that ʿĀşık Çelebi thought the grand vizier might also be interested in his translation of Ibn Taymiyya’s *al-Siyāsa al-sharʿiyya*.

The text that ʿĀşık presented to Selīm and Soḳollu for approval, however, was more than a simple translation. In the early modern Ottoman world of letters, translators played a role more akin to that of an author, replacing the original preface, and often also the original title of the work, with one of their own, and depending on their target audience, their own intentions, and the conventions of the genre, they could translate the source text in markedly different ways.⁶⁵ ʿĀşık claims that he translated Ibn Taymiyya’s epistle “word for word” (*bi-ʿibâretihi*) and without embellishing it with verses or rhymed prose.⁶⁶ In fact, his was not a literal translation but rather a transadaptation, which enriched the content with additional material. The sections added by ʿĀşık, including his introduction and conclusion, as well as the excursuses on kadis and kadiship, the land regime, fiscal practices, and the art of warfare, are almost as long as the original text, and significantly alter the overall impression of the work.

The introduction is revealing of both similarities and differences between the author and the “translator” in religious and political outlook. Even though ʿĀşık was, in his personal life and cultural sensibility, quite different from the stringent Hanbali scholar, he agreed with Ibn Taymiyya that the proper functioning of society required religion and law, the upholding of which in turn required a strong state. To drive home this point, Ibn Taymiyya had begun his treatise with the famous “authority verse,” “O you who believe, obey God and the Messenger, if you believe in God, and those in authority among you” (Q 4: 58–59), and ʿĀşık also incorporates this section into his own introduction. For both men, figures of authority comprised both the military ruling elites and scholars, even though in the introduction to his transadaptation ʿĀşık puts the stress more squarely on rulers as the deputies of the prophets in the post-prophetic age.⁶⁷

Differently from Ibn Taymiyya, ʿĀşık tailored his discourse to a distinctly royal audience and devoted a good chunk of his introduction to the eulogy of the Ottoman rulers. After praising God, the Prophet, the four “rightly guided”

64 Atâyi, *Hadâik* i, 633.

65 Hagen, *Translations* 95–134.

66 ʿĀşık Çelebi, *Miʿrâcüʿl-eyâle* 57.

67 Ibn Taymiyya, *al-Siyāsa* 18–19, 161/*Ibn Taimiyya* 12–13, 183; cf. ʿĀşık Çelebi, *Miʿrâcüʿl-eyâle* 40–41, 183.

caliphs, and the Companions, he provides a brief account of human history from Creation until the time of the Ottomans with the aim to highlight the unique place of the latter within world and Islamic history. Therein the various Muslim dynasties are listed without any distinction being made between those that claimed the universal caliphate, such as the Umayyads and the ‘Abbasids, and those that were mere regional emirates or sultanates, like the Ghaznavids, Buyids, or Seljuks. The Buyids, who were Shi‘ites, are listed among the Muslim rulers who occupied themselves with matters of “justice and sharia,” whereas “Chinggis from among the infidels (*kefereden*) and Timur from among the oppressors (*zalemeden*)” are mentioned separately as rulers who were sent by God to punish the wrongdoers, but on account of whom many innocents also suffered.⁶⁸ The Ottomans are introduced as having inherited “the office of the caliphate and the protection of the seal of prophecy” (*emr-i hilâfet ve hıfz-ı hatm-i nübüvvet*).⁶⁹ ‘Âşık was evoking here a Sufi-inflected definition of the caliphate and casting the Ottoman rulers as “caliphs of God,” who, like the first four caliphs, took their authority directly from God and who united in their person spiritual and temporal power.⁷⁰ In clear contrast to Ibn Taymiyya, albeit in good company among his Ottoman contemporaries, ‘Âşık even attributes quasi-mystical qualities to the Ottoman rulers. The recently deceased Süleymân I is eulogized as a ruler who had “won with his sword not just the sultanate of this world but also the sultanate of the other world and in whose sainthood (*vilâyet*) and ability to perform marvels (*kerâmet*) the people have great faith.”⁷¹ Esoteric themes also predominate in ‘Âşık’s eulogy for Selîm II. Possibly in order to assuage popular misgivings about Selîm, who had acceded to the throne after his father had controversially ordered the execution of two of his brothers, ‘Âşık writes for several folios about the esoteric properties of the name “Selîm” and (wrongly) prophesies that the latter would remain on the throne for 40 years.⁷²

The emphasis on the Ottoman dynastic pedigree in ‘Âşık’s text also stands in contrast with the inconsequential place of the dynastic principle in Ibn Taymiyya’s original epistle as well as in Mamluk political culture at large.⁷³ Actually, genealogy was not one of the strong points of the Ottomans in their

68 ‘Âşık Çelebi, *Mîrâci’l-eyâle* 41.

69 Ibid. 42.

70 On the importance of Sufi themes in tenth/sixteenth-century Ottoman political thought and culture, see Yılmaz, *Caliphate*.

71 ‘Âşık Çelebi, *Mîrâci’l-eyâle* 46.

72 Ibid. 46–55.

73 On the limited role of dynasticism under the Mamluks, see Ayalon, Mamlük military aristocracy 205–210; Holt, The position; Levanoni, The Mamluk conception; Richards, Mamluk amirs 36–37; Yosef, Mamluks and their relatives.

claims to preeminence in the Islamic world, either. Notwithstanding, ʿĀşık asserts categorically, if vaguely, that the Ottomans come from a line of prophets and do not have any fire-worshippers among their ancestors, whereas all the other “sultans of the past” were either Chinggisids or Circassians (a reference to the Mamluks), and even the best of them were at the end of the day descendants of Chosroes (Nûşînrevan), who was a follower of Zoroaster and a fire-worshiper.⁷⁴ The underlying message was that the Ottomans are and have always been better, purer Muslims than other dynasties. Even though the Safavids are not directly referenced, given their rule over Iran, and given Iran’s history as the original homeland of Zoroastrianism, ʿĀşık’s division of royal houses into those that descended from the monotheistic prophets and those that descended from the followers of Zoroaster and fire-worshippers must have been colored, to a large degree, by the ongoing Ottoman-Safavid rivalry.

Otherwise, however, ʿĀşık does not stress the Ottoman claim to be champions of Sunni Islam in his eulogy, or at least not as much as did some other contemporaries.⁷⁵ In fact, he downplays the importance of religious motivations when extolling the Ottoman military victories in general. This is interesting, because the long-standing Ottoman claim to be *gāzīs*, waging war in the name of Islam, would have fit well into a Taymiyyan framework, in which jihad is one of the primary duties of a Muslim ruler.⁷⁶ Instead, ʿĀşık builds his narrative around the Ottoman quest for world dominion. This ideal arguably had its heyday somewhat earlier, in the first three to four decades of the tenth/sixteenth century, when the Ottomans were expanding rapidly, and is thought to have died a slow death thereafter.⁷⁷ Nevertheless, when ʿĀşık was writing, the Ottomans were still actively trying to extend their influence over distant territories by using the instruments of diplomacy and trade, and Soğollu was

74 ʿĀşık Çelebi, *Mîrâcü'l-eyâle* 42. For broader perspectives on Ottoman royal genealogies in the tenth/sixteenth century, see Flemming, Political genealogies.

75 For a slightly later Ottoman text that mentions the Ottoman sultans’ devotion to Sunni Islam and the Hanafi *madhhab* as the first of the 20 qualities that made them superior to other dynasties, see Ta’lîkizâde, *Ta’lîkî-zâde’s Şehnâme* 116.

76 *Gazâ* does, nevertheless, surface as a theme in the treatise of advice ʿĀşık appended to the very end of his supplements. This treatise, presented as a text that was written by Aristotle for Alexander the Great, is a Turkish translation of an Arabic text with some references to contemporary Ottoman practices. For the references to *gazâ*, see ʿĀşık Çelebi, *Mîrâcü'l-eyâle* 211, 213; for the complete treatise, see 211–231; for the original Arabic text and another Turkish translation made in the reign of Mehmed III (1003–1012/1595–1603), see İhsanoğlu, *Osmanlı askerlik literatürü* ii, 686–687.

77 On the Ottoman aspirations for world conquest during the early part of the long reign of Süleymân, see Fleischer, *The Lawgiver*; Necipoğlu, *Süleyman the Magnificent*; Turan, *The sultan’s favorite*; Şahin, *Empire*, ch. 6.

contemplating such ambitious projects as building a canal between the Don and Volga Rivers and over the Suez to connect with the Muslim communities that lived in the steppes north of the Black Sea and in the Indian Ocean.⁷⁸ ‘Āşık stresses the continuing Ottoman claims to world dominion by hyperbolically writing of the Ottoman arrows reaching as far east as Eastern Turkistan (*Mâçîn*) and the Indus valley (*Sind*) and as far west as Rome. It is only at the end of a long list of victories and conquests that he signals the Ottoman championship of Islam with a reference to the (fancied) destruction of the “great church” in Rome.⁷⁹

‘Āşık’s eulogy of the Ottomans comes closer to the Taymiyyan line when he praises the Ottomans for their devotion to justice and the sharia. Even here, however, there is an important difference between the two writers. Whereas Ibn Taymiyya categorically rejects the possibility of justice outside the bounds of the sharia, ‘Āşık does not. Rather, he uses Sufi metaphors, as he eulogizes the Ottoman rulers for being the “meeting place of the two seas” (*mecma‘ü’l-bahreyn*) and for uniting the “two lights” of justice and sharia. He also praises them for having issued “well-respected *kânuns* like the *resm-i Osmâni*.”⁸⁰ All this indicates that, like the Arab jurists of the tenth/sixteenth century, ‘Āşık saw the Ottoman *kânûn* as representing a form of justice beyond the sharia, but he differed from them in that he saw this in a positive light.

As we read the later sections of the text, however, it becomes apparent that ‘Āşık did not actually consider the Ottoman administrative and legal system of his time either as just or as *shar‘î* as he makes them out to be in his introduction. This critical streak becomes apparent already in ‘Āşık’s translation of the first chapter of Ibn Taymiyya regarding the appointment of the right people to public offices. After a fairly conventional discussion of what Hanafi jurists have said about the permissibility of serving as kadi,⁸¹ ‘Āşık provides a sharply critical account of the Ottoman judiciary of his time. According to him, some of the kadis of his time lacked the requisite “knowledge and understanding” to perform their duties properly, while some others were learned, but did not act in accordance with their learning, disregarded what their “reason and religion” dictated in return for monetary gain, and justified their unlawful decisions by saying that this is what “the grandees” (*ekâbir*) demand. Though a kadi himself, ‘Āşık mocks the false pretensions of corrupt kadis to piety with almost anti-clerical overtones. He describes how kadis give themselves airs with their long

78 Casale, *The Ottoman age*, ch. 5.

79 ‘Āşık Çelebi, *Mi‘râci’l-eyâle* 44.

80 Ibid. 42.

81 Ibid. 69–79.

gowns and unkempt beards in supposed imitation of the Prophet (who, ʿĀṣiḳ assures us, looked nothing like them) and how they use this aura of respectability to have their way with male and female beloveds. In keeping with his *celebi* sensibility, ʿĀṣiḳ ends this discussion on a humorous note with a couplet about how he would like the same treatment but is always passed over because he has a sparse beard.⁸²

Perhaps because he was hoping to be given a job in the fiscal bureaucracy and wanted to prove his competency, ʿĀṣiḳ makes the most extensive interpolations on the subject of the public treasury (*beytü'l-mâl*). These interpolations, which are mostly in the “supplements” (*ilhâkât*), can be seen as serving two different, and to some degree even contradictory, purposes. On the one hand, a principal concern of ʿĀṣiḳ seems to have been to demonstrate the *sharʿî* basis of the Ottoman system of land tenure and taxation, and he does so by reproducing the fatwas issued on the topic by Ebū's-su'ūd. As the latter's one-time student and secretary, ʿĀṣiḳ is profuse in his words of praise for Ebū's-su'ūd and hails the latter as “the imam of our time, the chief mufti of the ulama and the general public (*âmmeh*), the seal of the *müctehids* and remnant of the righteous *selef*.”⁸³ On the other hand, ʿĀṣiḳ also includes in his text three documents that he takes to be from the earliest days of Islam and that inform the critique he provides of the actual working of the Ottoman fiscal system further down in the text.⁸⁴ In addition, ʿĀṣiḳ draws on his professional experience as a midranking

82 Ibid. 84–88.

83 Ibid. 198–201.

84 Ibid. 192–198. The documents in question are 1) an “*ahidnâme*” sent by the Prophet Muḥammad to the generality of Christians, 2) an “*ahidnâme*” sent by the Christians of Damascus and Aleppo to ʿUmar b. al-Ḥaṭṭāb (d. 23/644), and 3) a letter sent by the Prophet Muḥammad to Bahraan of Yemen. The first of these documents is actually identical to the charter that had been preserved by the monks of St. Catherine in Mt. Sinai and which would be used by them multiple times to defend their foundations against state encroachment. Since in the charter in question Muḥammad promises to Christians that Muslims would not interfere with the appointments of church officials, destroy or confiscate church properties, or use them to build mosques, this document relates directly to ʿĀṣiḳ's critique of the Ottoman confiscation of Christian endowments, discussed below. For differing perspectives on the “charter” and its authenticity, see Moritz, *Beiträge*; Atiya, *The Arabic manuscripts*; Morrow, *The covenants*. For other contemporary Ottoman documents that cite the “charter,” see Acun, *Osmanlı İmparatorluğu'nda* and Feridün Bey, *Münşe'âtü's-selâtin*, SK, MS Ragıp Paşa 1521, 20b–21a. The second document included by ʿĀṣiḳ is a version of the so-called “pact of ʿUmar.” On the complex history of this document and its multiple versions, see Cohen, *What was the Pact of ʿUmar? As for the third document, ʿĀṣiḳ says he took it from Abū Yūsuf's* (d. 182/798) *Kitāb al-kharāj*, a text that would become progressively more important for the way the Ottomans understood their land regime in the eleventh/seventeenth century.

kadi in the Balkans both to explain the particularities of the complex system of land tenure in that region and to critique a wide variety of “abuses” he witnessed during his tenure in Rumeli.⁸⁵ While some of these “abuses” must have been the result of officials taking advantage of a monetizing economy to enrich themselves at the expense of the *re‘āyā*, as ‘Āşık suggests, others were clearly connected to the central administration’s attempt to alleviate fiscal tensions in a time of rising expenses. A recurring theme in ‘Āşık’s criticisms is the overtaxation of the subject population. In this, the *şeyhü’l-islām* Ebū’s-su‘ūd himself was complicit, having ruled all arable lands in the Ottoman Empire to be “royal demesne” (*arāziyü’l-memleke*) and having legitimated on that basis the imposition of “tithing rates higher than the customary 10%.”⁸⁶ Evidently, however, ‘Āşık did not find it in himself to challenge these rulings and instead puts the blame squarely on the tax collectors for abusing their privileges. By dispossessing the *re‘āyā* of their *baştinas* and by overtaxing the Christian peasants until they are forced to flee, avaricious officials are both violating *şar‘ī* norms and causing damage to the public treasury, he argues.⁸⁷

Another practice that ‘Āşık blames on greedy officials is the sale of properties belonging to Christian ecclesiastical foundations (*kilise evkāfi*). Even though ‘Āşık accuses the superintendents (*nâzir*) who sold such *waqfs* of proceeding without proper authorization, actually, the practices that he criticized were also the result of state action.⁸⁸ In 1568, shortly before ‘Āşık penned his transadaptation, the Ottoman government, citing a number of fatwas by Ebū’s-su‘ūd, had declared all Christian *waqfs* to be null and void. Subsequently, however, after some hard negotiation with the monastic authorities, and again with Ebū’s-su‘ūd’s help, the government had softened its position. Christian *waqfs* would once again be allowed to function, but under the legal fiction that they were benefiting Christian communities rather than Christian places of worship (which the *şeyhü’l-islām* had earlier ruled to be impermissible). Following this revised formula, churches and monasteries would also be permitted to “buy back” their properties, albeit at considerable cost to these foundations.⁸⁹ Around the time ‘Āşık was writing (977/1569–1570), the imperial authorities had already revised their stance, but in various parts of the empire the complex

85 ‘Āşık Çelebi, *Mi‘râcü’l-eyâle* 201–211.

86 Imber, *Ebū’s-su‘ūd* 124–125; Greene, *The Edinburgh* 68.

87 ‘Āşık Çelebi, *Mi‘râcü’l-eyâle* 202–204.

88 *Ibid.* 206.

89 On the “crisis of the monasteries,” see Fotić, *The official*; Alexander, *The Lord giveth*; Kermeli, *Ebū’s-su‘ūd’s*; Kermeli, *Central administration*; Kolovos, *Christian vakıfs*. For the fatwas issued on this issue, see Ebū’s-su‘ūd, *Şeyhülislām* 163–164, 168–169.

processes of confiscation and resale were still dragging on.⁹⁰ It was probably this fluctuating state of affairs that enabled ʿĀṣīq to present the sale of Christian *waqfs* as an “abuse” by individual officials rather than as concerted state action. Even though ʿĀṣīq would not necessarily have known of this, Ibn Taymiyya had also played a role similar to Ebū’s-suʿūd in the confiscation of Christian monastic foundations in the Mamluk sultanate two and a half centuries earlier.⁹¹ Hence, there is a delicious irony in the fact that ʿĀṣīq presents his criticism of the sale of church *waqfs* in a translation of a work of Ibn Taymiyya’s as well as after praising Ebū’s-suʿūd. ʿĀṣīq’s remarks on the sale of church *waqfs* are, nevertheless, important as a rare piece of evidence of the critique of this affair by a Muslim.

In comparison to the matter of the public treasury, ʿĀṣīq did not have much to add to Ibn Taymiyya’s discussion of penal law. He does, however, make a few omissions in the original text, presumably out of consideration for the sensibility of his high-placed readers. One of the omitted passages concerns the question of whether the murder of a sovereign ruler should be considered a crime against “the rights of God,” that is to say, a public crime whose punishment is incumbent on the political authorities. Even though ʿĀṣīq was writing half a century before the first instance of regicide in the Ottoman lands, he must have found the topic too distasteful to include in a text submitted to the Ottoman sultan.⁹² A second omitted paragraph deals with the question, “If one Muslim ruler enters the territory of another, and kills that land’s people, is it incumbent on that country’s people to resist or should they submit?” As the question exposed the power grab behind conflicts between rival Muslim sovereigns, even the otherwise outspoken Ibn Taymiyya had found it prudent not to venture an answer and simply noted that Hanbali jurists have differed on the matter. The Hanbali reference would, of course, have been irrelevant to ʿĀṣīq’s overwhelmingly Hanafi audience, but more consequential was the possibility of legitimate resistance to an invading Muslim power that the question raised. Since the Ottomans had repeatedly been in the position of the invading power in their recent history, the question was not one they would have wished to entertain, hence the omission by ʿĀṣīq.⁹³

90 Kermeli, Central administration.

91 Sariyannis, *A history* 104–105; on Ibn Taymiyya’s fatwa on church *waqfs*, see Welle, The status.

92 This omission was first pointed out by Köksal, *Fıkıh ve siyaset* 171; for the original text, see Ibn Taymiyya, *al-Siyāsa* 90/*Ibn Taimiyya* 98.

93 This omission was first pointed out by Köksal, *Fıkıh ve siyaset* 171; Ibn Taymiyya, *al-Siyāsa* 93/*Ibn Taimiyya* 102.

A third omission of ‘Āşîk’s is seemingly minor but nevertheless illustrative of the difference of outlook between him and Ibn Taymiyya. Ibn Taymiyya begins the section on the punishment of wine-drinking with a hadith, which has the Prophet say that if someone is caught drinking wine once, twice, or three times, he should be flogged, but if he is caught drinking a fourth time, then he should be killed. In his commentary on the hadith, Ibn Taymiyya says that most scholars consider the Prophet’s reference to the execution of the habitual wine-drinker to be “abrogated” (*mansûkh*), some other scholars consider the punishment to be still valid, and yet others hold it to be a discretionary punishment to be decided upon by the ruler (*ta’zîr*). ‘Āşîk translates the passage as is, except he omits the opinion of those scholars who held the punishment of execution to be still valid. Presumably he considered this opinion to be too extreme.⁹⁴ Otherwise, however, ‘Āşîk translates Ibn Taymiyya’s harsh prescriptions for the punishment of wine-drinkers, adulterers, and “sodomites” without any mitigating commentary, despite the fact that he himself was an aficionado of wine parties and beautiful youths and makes no secret of it in his literary writings and, to some degree, even in this transadaptation.⁹⁵ His reticence in this regard is of course not surprising, since it was a far more serious crime to question *shar‘î* regulations than to break them. What is perhaps more interesting is that ‘Āşîk also translates faithfully Ibn Taymiyya’s strongly worded condemnation of the conversion of *ḥadd* punishments into monetary fines, even though this was a common practice in the Ottoman lands. In fact, where Ibn Taymiyya likens the people who collect fines for *ḥadd* offenses to whores, pimps, and fortunetellers, the Ottoman writer not only translates these insults as they are but also volunteers both the Turkish and Arabic words for “pimp.”⁹⁶ It would seem that ‘Āşîk translated these sections approvingly, because they meshed well with his own dislike of the pecuniary concerns of the Ottoman officials of his time.

There is finally one passage in which ‘Āşîk indicates, in a fascinating aside, that the Hanbali scholar was not always harsher than the Ottoman learned establishment on questions of penal law. The passage in question concerns the punishment of the perpetrators of religious innovation (*bid‘a*). In the original passage, Ibn Taymiyya first cites the opinions of Shāfi‘î, Aḥmad, and Mālik, that “the initiator of innovations which are contrary to (the precepts in) the Book and the Sunna be put to death”; he then adds that “Mālik and some other jurists

94 This omission was first pointed out by Furat, Selefiliğin 221; compare Ibn Taymiyya, *al-Siyāsa* 109–110/*Ibn Taimiyya* 120 and ‘Āşîk Çelebi, *Mi‘râcü’l-eyâle* 145–146.

95 ‘Āşîk Çelebi, *Mi‘râcü’l-eyâle* 144–149.

96 Ibid. 125–126; cf. Ibn Taymiyya, *al-Siyāsa* 76–80/*Ibn Taimiyya* 79–82.

allowed that the Qadariyya be put to death, for fear that mischief might spread in the land and not because they are apostates." After translating this passage, ʿĀşık comments, "It is the same with the Kharijites and *Revâfız* (a derogatory term for Shiʿites); [their persecution] is not on account of their apostasy (*riddetlerinden*) but because they might perpetrate mischief, but it is understood from the fatwa issued by the current mufti of the believers, the imam of the Muslims, the chief mufti, the prop of the religion of the Prophet ... the remainder of the *müctehids* ... Ebū's-suʿūd, which rules it permissible to enslave the Kızılbaş women, that the latter are murdered on account of their apostasy."⁹⁷ With this interjection, ʿĀşık not only confirms that in the tenth/sixteenth century some members of the Ottoman learned establishment considered the Kızılbaş to constitute a different category of "heretics" than Shiʿites,⁹⁸ but also that the official Ottoman position on the Kızılbaş was even harsher than that taken by Ibn Taymiyya on other "misbelievers." The latter point is striking, because the Hanafi school, to which the Ottomans belonged, had previously been the most lenient of the Sunni legal schools when it came to the persecution of heretics and misbelievers. As such, ʿĀşık's commentary reveals how much the Hanafi position on the matter had hardened by his time, due in part to the polarizing effect of the Ottoman-Safavid conflict and in part to the fact that in the Ottoman lands Hanafism had become a veritable "state *madhhab*."⁹⁹ Even though ʿĀşık himself was not particularly confessionally minded,¹⁰⁰ as a member of the Ottoman learned establishment he could hardly avoid the obligatory anti-Kızılbaş rhetoric of his time. In fact, the reference to Ebū's-suʿūd's fatwa is not the only instance in which ʿĀşık bows down to anti-Kızılbaş rhetoric in this text. In his "supplements," he also includes a letter purported to have been written by ʿAlī b. Abū Ṭālib, in which the latter praises the second "rightly guided" caliph, ʿUmar, to critique the "Kızılbaş," who accept ʿAlī to be their imam but who reject ʿUmar as caliph.¹⁰¹

97 ʿĀşık Çelebi, *Miʿrâcül-eyâle* 150–151; cf. Ibn Taymiyya, *al-Siyāsa* 119/*Ibn Taimiyya* 130–131. For a foray into the genealogy of the notion of "perpetrators of mischief in the land" (*sāʾi bi-l-fasād fi l-ʿarż*), see Aykan, A legal concept.

98 Ebū's-suʿūd actually states this explicitly in one of his fatwas; see Ebū's-suʿūd, *Şeyhülislâm* 174–175. Other jurists in other contexts, however, made the Shiʿite-Kızılbaş distinction differently, as did the political authorities; see Winter, *The Shiites* 12–20; cf. Imber, *The persecution* 245.

99 Burak, *The second formation*.

100 Cases in point would be his views on the Buyids, discussed above, and his views on anti-nomian dervish poets, discussed in Anetshofer, *Meşâʾirüʿ-Şuʿarâ*.

101 ʿĀşık Çelebi, *Miʿrâcül-eyâle* 208.

Clearly, Āşık's *Mi'rācū'l-eyāle* was less a programmatic endorsement of Ibn Taymiyya's vision of *siyāsa al-shar'īyya* than a somewhat idiosyncratic engagement with it in the early modern Ottoman context. Ultimately, Āşık's "constitutional" views (his endorsement of a realm of justice beyond the sharia, and his more mystical conception of royal authority) were more "Ottoman" than "Taymiyyan"; it was more in his critique of specific Ottoman practices that Āşık turned "Taymiyyan." Both of these strains of Āşık's thought had something to do with the shifting social, political, and cultural currents in the late tenth/sixteenth century. For Āşık was, on the one hand, a vivacious chronicler of an "age of beloveds," in which the elites of an expanding Ottoman Empire embraced the ideals of world conquest, charismatic authority, and spiritualized love, and could transition seemingly effortlessly between the prescriptive language of religious law and the ambiguous idiom of Neoplatonic Sufism.¹⁰² On the other hand, this age was already slowly withering when Āşık was writing, and in the new age of "crisis and transformation," of diminishing opportunities and rising competition, and we might add, of deepening rifts in approaches to religion and piety, the Ottoman elites would also feel the need for a new approach to law and governance.

5 Afterlives of the Sixteenth-Century Ottoman *Siyāsa Shar'īyya* Texts during the Seventeenth Century

A full discussion of the Ottoman engagement with the *siyāsa shar'īyya* corpus after the tenth/sixteenth century exceeds the scope of this paper. In what follows below, I will instead wrap up the previous discussion by considering the afterlives of Āşık's *Mi'rācū'l-eyāle* and Cöngi's *Risāla fī l-Siyāsa al-shar'īyya* in the core lands of the Ottoman Empire during the eleventh/seventeenth and early twelfth/eighteenth centuries. This discussion is necessary, because certain changes in the social and political dynamics ended up making the *siyāsa shar'īyya* literature more relevant to the Ottomans in this period. But there is also another reason for extending the discussion into the eleventh/seventeenth century, and this is the need to speak to a line of scholarship that has persistently argued for the emergence of a distinctive "school of Ibn Taymiyya" in the Ottoman lands during this period. According to this scholarship, the primary carriers of Taymiyyan ideas in the Ottoman lands were the Kadızadeli, who were a group of Sunni revivalist preachers, and their followers, who were

¹⁰² Andrews and Kalpaklı, *The age of beloveds* 307, 351–352.

active in and around Istanbul from the early 1040s/1630s until at least the 1100s/1690s, and who wanted to restore to Ottoman Islam the purity of Islam of the age of the Prophet and his Companions.¹⁰³ As we shall see, nevertheless, the literature actually overestimates both the importance of Taymiyyan ideas for the Kadızadelis and the importance of the Kadızadelis for the spread of Taymiyyan ideas in the core Ottoman lands during the eleventh/seventeenth century. Far more important agents in this regard were people higher up in the imperial administration, who found in the *siyāsa sharʿiyya* literature possibly some inspiration for, and definitely justification of, the changes they began to introduce into the Ottoman state tradition during the second half of the eleventh/seventeenth century.

The dynamics, nevertheless, were somewhat different in the early decades of the eleventh/seventeenth century, when crisis seemed the order of the day, and when literate men of different walks of life, from military administrators to kadis and from members of the scribal service to preachers, were competing with one another to advise the rulers about how to get out of this crisis. It was also in this context that the preacher and namesake of the Kadızadeli movement, Kāḏizāde Meḥmed (d. 1045/1635), hit upon ʿAṣīq’s transadaptation of Ibn Taymiyya’s *al-Siyāsa al-sharʿiyya* and, after lightly reworking its introduction, submitted it as his own work to Murād IV (r. 1032–1049/1623–40).¹⁰⁴

The son of a kadi, and the grandson of a *devşirme*, Kāḏizāde Meḥmed had received his early education from a student of the famous tenth/sixteenth-century scholar Birgivi Meḥmed Efendi in Balıkesir but then continued his studies with various other scholars in Istanbul and Cairo. Kāḏizāde first took up preaching during his brief stint as a disciple of the Halveti Shaykh ʿÖmer of the Tercüman lodge and persisted in that vocation, also after switching his *tariqa* affiliation from the Halveti to the Naqshbandi order.¹⁰⁵ His position as

103 See footnote 4. For broader perspectives on the Kadızadelis, see Zilfi, *The Kadızadeli* 262–265; Zilfi, *Politics of piety* 146–159; Baer, *Honored*; Sariyannis, *The Kadızadeli movement*; Terzioğlu, *Sunna-minded*; Tuşalp Atiyas, *Sunna-minded trends*; Tezcan, *The portrait*; Shafir, *Moral revolutions*.

104 For a detailed discussion of the relationship between the two texts, see Terzioğlu, *Bir tercüme* 264–268. For the correction of the identity of Kāḏizāde Meḥmed who claimed the work (and several other works of political advice), see Tezcan, *The portrait* 215–229.

105 *Ibid.* 197–215, 241–244; for Kāḏizāde Meḥmed’s Naqshbandi affiliation, see also his poem recorded in SK, MS *Yazma Bağışlar* 5563, 47a. Until Tezcan’s article, the biography of Kāḏizāde Meḥmed was based largely on the information provided by Katib Çelebi, *The balance* 132–136.

preacher and “advice giver” also allowed Kāḏizāde to cultivate contacts in the Ottoman court. In one of his treatises of advice, the preacher claims that he first wrote a treatise of advice for the grand vizier Kuyucu Murād Paşa (d. 1020/1611) and Aḥmed I (r. 1012–1026/1603–17) and was gratified to see his text received by both with great favor.¹⁰⁶ Later, Kāḏizāde also courted ‘Osmān II (r. 1027–1031/1618–22) and submitted to him a tract on horses and horsemanship.¹⁰⁷ Still, none of these engagements can compare to the persistence with which Kāḏizāde courted Murād IV, dedicating to him a versified prayer of good wishes (*du‘ānāme*) on the occasion of his accession to the throne, a versified creed, an anti-Safavid/Kızılbaş tract, and at least five texts of political advice.¹⁰⁸ One of these five tracts of political advice was *Tācür-resā’il ve minhācūl-vesā’il*, an expanded translation of Ibn Taymiyya’s *al-Siyāsa al-shar‘iyya*.

Kāḏizāde Meḥmed’s *Tācür-resā’il* is of particular importance to the debate about the influence of Ibn Taymiyya over the Kadızadelis, as it is the one and only “Kadızedeli” text that we know so far that explicitly references Ibn Taymiyya. The problem is, however, that as mentioned above, this was not actually Kāḏizāde’s own translation but ‘Aşık’s. It could be argued that Kāḏizāde must have held Ibn Taymiyya in high esteem to want to assume ownership of a translation of the latter’s text, but it should also be remembered that the text Kāḏizāde appropriated was at least one-third ‘Aşık’s and incorporated various features that were at odds with the original Taymiyyan vision. There is no indication that Kāḏizāde wanted to strip the text of these later additions; in fact, he left all the “supplements” and digressions of ‘Aşık intact, and he contented himself with merely changing parts of the introduction to cover up the fact that he was claiming another person’s work. Interestingly, in the process, he ended up omitting not only ‘Aşık’s but also Ibn Taymiyya’s name, and instead presented himself (“Shaykh Meḥmed b. Muştafā known as Kāḏizāde”) as the author of the text.¹⁰⁹ Patient readers could still find out that the text was in part a translation

106 Kāḏizāde Meḥmed, *Nuşhūl-ḥükkām sebebū’n-nizām* 2b–3a.

107 Tezcan, *The second Ottoman Empire* 118–119.

108 Kāḏizāde Meḥmed, *Du‘ānāme* 114b–118b (written on the occasion of Murād’s accession to the throne in 1032/1623); *Naẓm fi ‘ilmīl-‘aḳā’id* 4b–67a (composed in 1037/1627–1628); *Naşīhatnāme* 119a–136a; *Pādişāh-ı ‘ālempenāh ḥāzretlerine neşāyih-i keşīre* 140a–145a; *Naşru’l-aşḥāb ve kahru’s-sebbāb* 1a–48b; *Nuşhūl-ḥükkām sebebū’n-nizām* 2b–70a (composed in 1040/1630–1631); *Mesmū’atūl-neḳāyih mecmū’atū’n-neşāyih* (composed in 1041/1631–1632); *Tācür-resā’il ve minhācūl-vesā’il*. For a critical edition of the *Du‘ānāme*, see Deniz, Kadızade; for a critical edition of *Naẓm fi ‘ilmīl-‘aḳā’id*, see Karaca, Kadızāde and Büyükköçeci, Kadızāde; for a modern Turkish publication of another version of the *kaşīde*, see Ürekli, Dördüncü Murad.

109 Kāḏizāde Meḥmed, *Tācür-resā’il* 12a.

of Ibn Taymiyya's *al-Siyāsa al-sharʿiyya* when they got to the part in which ʿĀşīk announces the end of his translation of the said work and the beginning of the "supplements."¹¹⁰

Moreover, with a single exception, discussed below, the changes that Kāḏizāde introduced to his version of the text were not any more indicative of a hardcore Taymiyyan than ʿĀşīk's transadaptation. For instance, while Kāḏizāde replaced ʿĀşīk's eulogy of Süleymān and Selīm II with a eulogy of Murād IV, the new eulogy also played on number mysticism and the esoteric properties of the sultan's name, just like ʿĀşīk's.¹¹¹ More remarkable still, Kāḏizāde inserted into the text a "letter of invitation" to Islam by an Islamized Alexander the Great. Evidently, Kāḏizāde was not a stranger to the eclectic universalism that had characterized the outlook of earlier generations of Ottoman imperial elites.¹¹² Lest we think that these are anomalies limited to this text, it is worth pointing out that the other works Kāḏizāde submitted to Murād IV also exhibit a similar diversity of sources of inspiration, from Quranic verses to Sufi poetry to excerpts from a Turkish rendition of the pseudo-Aristotelian *Kitāb Sırr al-asrār*.¹¹³ It is only in the texts that he authored for ordinary Muslims that Kāḏizāde restricted himself to verses from the Quran and excerpts from jurisprudential texts.¹¹⁴ It would seem that the socially bifurcated cultural codes of early modern Ottoman polite society also held for this early eleventh/seventeenth-century preacher: he spoke to the elites in one discursive register and to the commoners in another.

In short, Kāḏizāde Meḥmed was not quite the uncompromisingly "puritanical," "antisyncretistic," and "anti-elitist" Muslim reformist that modern scholars have imagined him to be; nor was he any more Taymiyyan in his disposition than, say, ʿĀşīk had been. This having been said, he did insert into his revised

110 Ibid. 121a.

111 Ibid. 11a–b.

112 Ibid. 8a–b. Even though the Ottoman fascination with Alexander the Great has been said to be more a phenomenon of the ninth/fifteenth and early tenth/sixteenth centuries, there are also other eleventh/seventeenth-century Ottoman texts featuring Alexander as an ideal ruler. For explorations of the Ottoman Alexander corpus, listed in the order of their chronological focus, see Kastritsis, *The Alexander romance*; Beaudoen, *Mirrors*; Krstić, *Of translation 134–136*; Şen, *The dream*; on the Ottoman versions of the book of advice supposed to have been written by Aristotle for Alexander, see Yılmaz, *Caliphate* 63–64.

113 For excerpts from the pseudo-Aristotelian *Kitāb Sırr al-asrār*, see Kāḏizāde Meḥmed, *Mesmūʿatü'l-neḳāyih* 8b–12b.

114 See, for instance, Kāḏizāde Meḥmed, *Risāle-i Kāḏizāde Meḥmed* 94b–103a; *Risāle-i Īmān ve İslām* 103b–107b; *Risāle-i Şalāt* 44b–47a. For an analysis of Kāḏizāde Meḥmed's religious writings aimed at a wider audience, see Tezcan, *A canon of disenchantment*.

version of the transadaptation one passage that would be of interest to scholars looking for Taymiyyan influences in the Kadızadeli milieu. The passage in question discusses the different types of idolatry (*şirk*) and is taken from Ibn Qayyim al-Jawziyya's *Ighāthat al-lahfān min maşā'id al-shaytān* (Rescuing the distressed from the snares of the devil). Interestingly, Kāḏizāde does not reveal his source but simply says that he took the text from works of *kelām*. He does, however, cite the same passage on idolatry in another work of political advice, where he gives the correct title of the source but misattributes it to another Hanbali scholar, Abū 'l-Faraj Ibn al-Jawzī (d. 597/1201).¹¹⁵

The reference to Ibn Qayyim al-Jawziyya's *Ighāthat al-lahfān* is noteworthy, because this Hanbali writer was the most important student of Ibn Taymiyya and because modern scholars who have been convinced of the Kadızadeli's Taymiyyan convictions have rested their case in recent years mainly on the fact that the Ottoman writers who were or who fit the profile of Kadızadeli cited Ibn Qayyim al-Jawziyya, and especially his *Ighāthat al-lahfān*.¹¹⁶ One of these scholars, Sheikh, has further argued that the Kadızadeli were far more immersed in the writings of Ibn Taymiyya than they let on, but that because of the controversy surrounding the latter's name, they preferred to give reference to his less controversial student, Ibn Qayyim al-Jawziyya, instead.¹¹⁷ This view, however, is rather speculative and is open to critique on several grounds. First, while Sheikh has identified in the works of two key thinkers who inspired the Kadızadeli movement, Birgivi and Aḥmed Rūmī el-Akḫişārī (d. ca. 1041/1632), two passages that seem to be taken from Ibn Taymiyya's *Iqtidā l-şirāt al-mustaqīm* (The necessity of the straight path),¹¹⁸ this would hardly suffice to identify these otherwise solidly Hanafi-Maturidi scholars as crypto-Taymiyyans.¹¹⁹ Secondly, the supposition that Ibn Taymiyya was considered too controversial a name to be explicitly mentioned in the Rumi context also needs to be qualified: it is true that some works and ideas of Ibn

115 Kāḏizāde Meḥmed, *Tāci'r-resā'il* 10a–11a; *Mesmū'atü'l-nekâyiḥ* 110a–111b; Kāḏizāde Meḥmed also praises the same work in a letter he wrote to the *şeyhü'l-islām* Hocazāde Meḥmed, see Tezcan, *The portrait* 207, 214.

116 Michot, *Introduction*; Sheikh, *Ottoman puritanism*; Sheikh, *Taymiyyan influences*; Sheikh, *Taymiyyan taşawwuf*.

117 Sheikh, *Taymiyyan influences* 17–19; *Ottoman puritanism* 128–131.

118 Sheikh, *Taymiyyan influences* 12–17; *Ottoman puritanism* 118–128.

119 For the relevant scholarship, see footnote 6. Other than the passages identified by Sheikh, the arguments that Birgivi was a crypto-Taymiyyan have been based largely on the misattribution to him of works that were authored by Akḫişārī; for the correction of these misattributions and a discussion of their implications, see Kaylı, *A critical study* 52–81, 119–125, 137–139, 141–142.

Taymiyya, such as his rejection of tomb visitations, were considered by some (perhaps many) Ottoman scholars to be deeply objectionable, but some other works and ideas were not, as evidenced by the translation(s) of his *al-Siyāsa al-sharʿiyya* into Turkish.¹²⁰ It could be argued that the Kadızadelis felt more vulnerable than other more “mainstream” Ottoman scholars when citing Ibn Taymiyya, because they, too, targeted such popular practices as tomb visitations as *bidʿats*, but it has to be said that even in the highly polarized environment of eleventh/seventeenth-century Istanbul, where their critics referred to the Kadızadelis regularly as “fanatics” (*mutaʿaṣṣibīn*), “hypocrites” (*mūrāṭī*), and “deniers” (*mūnkirīn*), no one associated them with Ibn Taymiyya, except perhaps indirectly in the context of the debates on tomb visitations and the congregational performance of supererogatory prayers.¹²¹ Thirdly, Sheikh’s claim that the Kadızadelis may have cited Ibn Qayyim al-Jawziyya as a safer choice than his teacher is based on the assumption that the writings of the two men were otherwise equally well known to eleventh/seventeenth-century Ottoman scholars. This was not actually the case, however, since as Caterina Bori has recently shown, even an unusually well-read bibliophile like Kātib Çelebi (d. 1067/1657) was far more familiar with the contents of the works of Ibn Qayyim al-Jawziyya than with those of Ibn Taymiyya.¹²²

In short, even if the Kadızadelis were more familiar with Ibn Taymiyya than they let on, the evidence at hand does not support the view that they represented on the whole a “school of Ibn Taymiyya” or even a distinctively “Taymiyyan” subcurrent of Hanafi-Maturidi Islam in the lands of Rum. Neither is it possible to say that they played an especially significant role in spreading

120 It seems that Sheikh is not aware of the existence of either the *Mīrāciʿl-eyāle* or *Tāciʿr-resāʿil*, or for that matter, the *Risāla fi l-Siyāsa al-sharʿiyya*, for he lists the “theology of liberation” that he finds in Ibn Taymiyya’s *al-Siyāsa al-sharʿiyya* among the factors that would have made the Hanbali scholar an anathema among the Ottomans; see Sheikh, *Ottoman puritanism* 129–130.

121 For references to Ibn Taymiyya in the context of the eleventh/seventeenth-century Ottoman debate on tomb visitations, see ‘Abdū’l-mecīd Sivāsī, *Dürer-i ‘akā’id* 81a–82a; Katib Çelebi, *The balance* 93. Of these commentators, Sivāsī (d. 1049/1639) was a learned Halveti shaykh, an ardent supporter of Ottoman Sunnism, and, in the last decade of his life, a vocal adversary of Kaḏızāde Mehmed, while Kātib Çelebi stood equidistant to both the Kadızadelis and their critics. Notwithstanding their differences, both of these writers agreed that Ibn Taymiyya had been an indisputably errant figure and had erred also in taking a radical stance against tomb visitations. Both also discounted his views by noting how he had been branded an unbeliever “by the generality of the ulema of Egypt” and died in jail. It was in a very similar manner that the Celveti Sufi master İsmāʿil Haḳḳī Bursevī (d. 1137/1725) brought up the name of Ibn Taymiyya to delegitimize the attack against the Regāʿib and Berāt prayers in his own time. On this, see Cengiz, İsmail Hakkı Bursevî 135.

122 Bori, Ibn Taymiyya (14th to 17th century) 115–117; see also 112–115 for observations about knowledge of Ibn Taymiyya in other parts of the Ottoman Empire in this period.

the knowledge of Ibn Taymiyya's *al-Siyāsa al-shar'īyya* in the eleventh/seventeenth century. Today we know of only three manuscript copies of Ḳāḏizāde Meḥmed's *Tāci'r-resā'il* anywhere, as opposed to ten manuscript copies of 'Āṣiḳ's *Mi'rāci'l-eyāle* in Turkey alone.¹²³ It was also only the latter version that was mentioned in Kātib Çelebi's bibliographical compendium *Kashf al-zunūn*.¹²⁴ It is telling, too, that *Tāci'r-resā'il* was not copied together with other, more popular, works that were written by Ḳāḏizāde Meḥmed for the benefit of Muslims in general. It seems that both versions of the translation ultimately catered to high-ranking members of the imperial administration than to either a more exclusively scholarly or a more popular readership.

Much the same observations can be made about the circulation of the Arabic originals of Ibn Taymiyya's *al-Siyāsa al-shar'īyya* in Istanbul in this period. Currently, Istanbul's manuscript libraries contain twelve manuscript copies of the original Arabic epistle, roughly equal to the total number of copies of both versions of the Turkish transadaptations in the same collections. Judging by the codicological evidence, most, if not all, of these copies of the Arabic original had come into the possession of Istanbuli readers either in the late eleventh/seventeenth or in the early twelfth/eighteenth centuries. In fact, there may even have been something of a competition among the top-ranking Ottoman grandees to obtain precious copies of this work in this period. The *ṣeyhü'l-islām* Feyzullāh Efendi (d. 1115/1703), who was a former student and son-in-law of the "third-generation Kadızadeli leader" and preacher Vānī Meḥmed Efendi (d. 1096/1685), as well as one of the most well-read, most politically active (and most controversial) scholars of his time, evidently cared enough about the work to obtain an early and precious copy, one that had been copied in 850/1446–1447 to be presented to a high-placed Mamluk official.¹²⁵ The grand

123 Ḳāḏizāde Meḥmed, *Tāci'r-resā'il*, SK, MS Hacı Mahmud Efendi 1926; Topkapı Sarayı Müzesi Kütüphanesi (hereafter TSMK), MS Hazine 371/1, 1a–48a; Staatsbibliothek zu Berlin, MS Diez A quart 46. This last copy bears a reader's note dated 1047/1637–1638 (ia), indicating that the work must have been copied before that date. The other copies are undated. Cf. 'Āṣiḳ, *Mi'rāci'l-eyāle* TSMK, MS Revan 1610 (copied in 1005/1596–1597); SK, MS Reisülküt-tab 1006 (copied in 1008/1600); Nuruosmaniye MS 2315 (copied in 1009/1600); SK, MS Esad Efendi 1901 (copied in 1011/1602); SK, MS Esad Efendi 1803/1, 1b–94b (copied in 1054/1644); TSMK, MS Hazine 1768/1, 1b–117a (copied in 1088/1677–1678); Milli Kütüphane, MS A. 8112; SK, MS Şehid Ali Paşa 1556; SK, MS Çelebi Abdullah Efendi 51/2, 38b–217b; Yapı Kredi Sermet Çifter Araştırma Kütüphanesi, MS Türkçe Yazmalar 466/1.

124 Kātib Çelebi, *Keşf el-zünun* ii, 1011.

125 For the copy, see Ibn Taymiyya, *al-Siyāsa al-shar'īyya*, Millet Kütüphanesi, MS Feyzullah 1290 (copied by 'Ali b. Süleymān in 850/1446–1447); the text is also listed in Feyzullāh's endowment deed; *Feyzullah Efendi Vakfiyesi*, Millet Kütüphanesi, MS Feyzullah 2189, 223a; on Feyzullāh, see Meservey, *Feyzullah*; Abou-el-haj, *The 1703 rebellion*; Nizri, *Ottoman high politics*, esp. ch. 1.

vizier Şehîd ʿAlî Paşa (d. 1128/1716), who was also a known bibliophile, but who had nothing to do with the Kadızadelis and was in fact a Sufi sympathizer and even reputed to be a Bayrami-Melami *kuṭb*, also owned three copies of the work, one of which had been copied very early, in 780/1378–1379.¹²⁶ It is evident that the interest in the tract (and its earliest copies) continued at the highest levels of the imperial hierarchy also in the twelfth/eighteenth century. We find two other Mamluk-era copies of the work in the library of Aḥmed III (r. 1115–1143/1703–30), dated 766/1363 and 797/1395, and four copies of the work in the library established by Maḥmūd I (r. 1143–1168/1730–54); two of the copies in Maḥmūd’s library also dated from the Mamluk era, from 744/1343 and 893/1488 specifically.¹²⁷ The head of the scribal bureaucracy, Reʿīsül-küttâb Muştafâ Efendi (d. 1162/1749), too, owned a copy, which bears the endowment date of 1154/1741–1742.¹²⁸

Considering that all these individuals were known bibliophiles and founders of *waqf* libraries, it is reasonable to think that their demand for precious copies of *al-Siyāsa al-sharʿiyya* was fueled in part by their bibliophilia.¹²⁹ But it cannot have been just the antiquarian appeal of the Mamluk-era *Siyāsa al-sharʿiyya* copies that recommended the text to the Ottoman readers. The latter must also have been interested in the subject matter, *siyāsa sharʿiyya*. What suggests this is the even greater popularity of Dede Cöngî’s *Risāla fî l-Siyāsa al-sharʿiyya* starting slightly earlier. In fact, this decidedly more recent epistle dwarfs Ibn Taymiyya’s famous work in terms of its popularity with eleventh/seventeenth- and twelfth/eighteenth-century readers in the Ottoman capital. My prelimi-

126 Ibn Taymiyya, *al-Siyāsa al-sharʿiyya*, SK, MS Şehid Ali Paşa 1553/1, 1–76 (copied in 780/1378–1379); SK, MS Şehid Ali Paşa 1544 (copied by Muşliḥu’l-din Ebū’l-hayr Aḥmed in Istanbul in Z11-ḥicce 1109/1698); SK MS Şehid Ali Paşa 1543 (previously owned by a certain Hüseyin in 1011/1602–1603). On the first of these manuscripts, see Bori, One or two versions; on Şehîd ʿAlî Pasha, see Özcan, Şehid Ali Paşa; Gölpınarlı, *Melâmîlik* 165–166.

127 For manuscripts of Ibn Taymiyya’s *al-Siyāsa al-sharʿiyya* in the collection of Aḥmed III, see TSMK, MS Ahmet III 118 (copied in 797/1395) and TSMK, MS Ahmet III 117 (copied in 766/1363), and Karatay, *Topkapı Sarayı Müzesi Kütüphanesi Araçça yazmalar* ii, #4660, #4661. For manuscripts of the same work in the collection of Maḥmūd I, see SK, MS Ayasofya 2886/1 (copied in 893/1488); SK, MS Ayasofya 2887 (copied in 999/1591); SK, MS Ayasofya 2888; 2889 (copied in 744/1343).

128 Ibn Taymiyya, *al-Siyāsa al-sharʿiyya*, SK, MS Reisülküttap 528. This seems to be a twelfth/eighteenth-century manuscript. Other manuscript copies of the work preserved in Istanbul libraries are SK, MS Yahya Tevfik 270, which is undated but has an owner’s note dated 1186/1772–1773 and Bayezid, MS 1987, which was inaccessible at the time of research for this paper.

129 Erünsal, *Osmanlılarda kütüphaneler*; Sezer, The architecture of bibliophilia.

nary research in the database of the Süleymaniye library in Istanbul in the summer of 2019 has revealed over 60 manuscript copies of Cöngî's text, as compared to 12 manuscript copies of Ibn Taymiyya's *al-Siyāsa al-shar'īyya*.¹³⁰ Of course, Cöngî's text did not just circulate in Istanbul but also in other intellectual and administrative centers in the Ottoman lands, including the Arab provinces, but my point is that the text had a particular relevance for the Turcophone Rumi ruling cadres.¹³¹ This is also indicated by the fact that the *Risāla fî l-Siyāsa al-shar'īyya* was translated into Turkish no less than three times between the late eleventh/seventeenth and early thirteenth/nineteenth centuries. The earliest of these was a rather faithful translation made by Sebzî Seyyid Mehmed Efendi (d. 1091/1680) sometime in the second half of the eleventh/seventeenth century and represented in Süleymaniye's database with some ten manuscript copies, the earliest of which dates from 1121/1709.¹³²

What is interesting is that Dede Cöngî's text received all this attention after having hardly received any during the first 80 to 100 years of its existence. The earliest known extant manuscript copy of the work is dated 1054/1644–1645, followed by two other copies, dated 1067/1657 and 1069/1658.¹³³ These were the years when Cöngî's famous progeny, Minḳārîzāde Yahyâ (d. 1088/1678), was climbing up the ranks of the Ottoman learned hierarchy to become eventually one of the longest serving *şeyhül-islâm*s of the eleventh/seventeenth century. This raises the possibility that the text was brought to the attention of the wider public by either Minḳārîzāde or someone else who knew of the family connection between the two men. This possibility is also supported by the fact

130 For a partial list, see Bibliography.

131 For some copies of the text preserved in libraries in such cities as Cairo and Riyad, see Dede Efendi, *al-Siyāsa al-shar'īyya* 5–20.

132 For the Latinized transcription of Sebzî Efendi's translation, see Açıık, Dede Cöngî'nin; for manuscript copies, see MS SK, Hacı Mahmud Efendi 1914; MS Millet K, A.E. Şeriyye 398 (copied in 1199/1784–1785); MS SK, Hüsrev Paşa 639/4, 195–244; MS Milli Ktp, A 9124; MS Nuruosmaniye, 203/2; MS Beyazıt Devlet K, Bayezıt 4790; MS Beyazıt Devlet K, Bayezıt 4890 (copied in 1150/1737–1738); MS SK, Hacı Mahmud Efendi 1914; MS Nuruosmaniye 4982/1, 1b–35b (copied in 1121/1709); MS Nuruosmaniye 4892/3, 71–105. For the translations made by İsmâ'îl Müfid Efendi (d. 1217/1802) and by the *şeyhül-islâm* Meşrebzāde 'Arif Efendi (d. 1275/1858), see Akgündüz (ed.), *Osmanlı kanunnameleri* iv, 122–212; Erten, *Tercüme-i Siyasetnâme*'nin tahlili and Erel, Dede Cöngî's.

133 Dede Cöngî, *Siyasetnâme/Risāla fî l-Siyāsa al-shar'īyya*, SK, MS Şehid Ali Paşa 2725/55, 254–262 (copied in Zî'l-ka'de 1054/December 1644–January 1645); SK, MS Ragıp Paşa 639/3, 130b–142a (copied in 1067/1656–1657); Diyarbakır İl Halk Kütüphanesi, MS 104/2, 24b–37a (copied in 1069/1658); SK, MS Esad Efendi 924/4, 166b–187a (copied in 1083/1672–1673).

that the text's first Turkish translator, Sebzī, introduces Cöngī as "the ancestor of Minḳārīzāde" (*cedd-i Minḳārīzāde*) in the preface to his translation of the text.¹³⁴

Whatever the role of Minḳārīzāde was behind the rise of Cöngī's *Risāla fī l-siyāsa al-sharʿiyya* from obscurity to fame, there was certainly a broader context to the interest that high-level Ottomans took in the *siyāsa sharʿiyya* literature, and more broadly, juristic works on rulership, in this period. From the appointment of Köprülü Mehmed as grand vizier (1066/1656) to the Ottoman defeat at Vienna (1094/1683), a succession of viziers from the Köprülü household worked hard to restore the control of the imperial government over the myriad restless power groups, both in the capital and in the provinces, and while doing so, they leaned heavily on religiously inspired measures of social disciplining.¹³⁵ It was also in this period that they introduced to the recently conquered island of Crete (1081/1670) and the resubdued Basra (1080/1669) a system of land tenure and taxation that was decidedly more "Islamic" than earlier Ottoman practices and that allowed for private ownership of land as well as heavier rates of taxation.¹³⁶ Significantly, Ottoman experimentations with "sharī governance"

134 Until now, the main source of the claim about the family relationship between the two men was the preface to the first Turkish translation of Cöngī's *Risāla fī l-Siyāsa al-sharʿiyya*; for the reference, see Açıık, Dede Cöngī'nin 8. A recent discovery by Özgün Deniz Yoldaşlar, who is currently writing his PhD thesis on Minḳārīzāde, has thrown up new evidence in strong support of this conclusion. The evidence in question is a note made by Minḳārīzāde Yahyā in his copy of Dede Cöngī's supercommentary on Taftāzānī's commentary on 'Izz al-dīn al-Zanjānī's *al-'Izzī fī l-taṣrīf*, and reads: "This is the supercommentary of the maternal ancestor of this poor slave on the commentary on Zanjānī by Sa'dū'l-mille ve'd-dīn and I am the sinner, Yahyā, son of 'Ömer (May He forgive both)." See Dede Cöngī, *Hāshīyya 'alā sharḥ al-'Izzī fī l-taṣrīf*, SK, MS Murad Molla 1734, 1a. I thank Yoldaşlar for allowing me to share this important finding.

135 Among the measures of "social disciplining" deployed in this period were the bans on wine taverns, coffeehouses, and alehouses, and even on the trade in coffee and tobacco; the prohibition of the Sufi *devrān* and the Mevlevi *semā'*, and the banishment of Sufi shaykhs who did not abide by this prohibition. The Köprülü's also revived the early eleventh/seventeenth-century project of reclaiming Eminönü for the Muslims and pushing the Jews and Christians residing there to the outer skirts of the city. For differing perspectives on these policies, see Baer, *Honored*; Thys-Şenocak, The Yeni Valide complex; Yıldız, 1660. For an aborted attempt to reform the religious beliefs and practices of Ottoman Muslims circa 1113/1702, see Abou-el-Haj, *Formation* 51–52, 91–97.

136 For differing perspectives on the land tenure and taxation system implemented in Crete, see Veinstein, On the *çiftlik* debate; Veinstein, Le législateur ottoman; Veinstein, Les règlements fiscaux; Greene, An Islamic experiment; Greene, *A shared world* 25–29; Kermeli, Caught in between faith and cash; Kolovos, Beyond "classical" Ottoman defterology; on the system implemented in Basra, see Khoury, Administrative practice.

continued also in the late eleventh/seventeenth and early twelfth/eighteenth centuries. The Ottoman poll-tax reforms and the short-lived attempt to abolish price ceilings (*narh*), both of which were instituted by the grand vizier Köprülüzâde Muşafâ in 1102/1691, and the abolition of some taxes and fines as *bid'ats* in the *ḵānūnnāme* of Midilli (Mytileni) in 1121/1709 can be mentioned as some pertinent examples.¹³⁷ As Ekin Tuşalp Atiyas has pointed out, the Ottoman officials did not name specific texts but rather evoked the authority of either “the sharia” or “the books of Islamic jurisprudence” when they wanted to explain why they were breaking ways with some of the old Ottoman state traditions.¹³⁸

A new disinclination to use the word *ḵānūn* on the part of the Ottoman imperial administration at the turn of the eleventh/seventeenth century went hand in hand with this development. This trend culminated in the famous decree of Muşafâ II in 1108/1696 that all Ottoman imperial orders from that point on reference only “the noble sharia” and not “couple the [terms] noble sharia and *ḵānūn*.”¹³⁹ Of course, not all Ottoman men of letters and statesmen shared this aversion to the use of the word *ḵānūn*, as indicated by the continued references to *ḵānūn* in Ottoman political and historical literature throughout the eleventh/seventeenth century.¹⁴⁰ Nor was the decree of 1108/1696 the end of the legislative functions of the Ottoman sultans. Quite to the contrary, in the twelfth/eighteenth century, the Ottoman rulers continued to make laws just as—if not more vigorously—and Muslim jurists referenced royal edicts even to a greater degree than before in their juridical rulings.¹⁴¹ However, now, the Ottoman rulers justified their lawmaking with reference to *shar'ī* norms first and foremost, and only secondarily with reference to their cumulative dynastic

137 On the 1102/1691 reforms, see Sariyannis, Notes on the Ottoman poll-tax reforms; Tuşalp Atiyas, The Sunna-minded trend 272–276. On Köprülüzâde Muşafâ's justification of the reforms on *shar'ī* grounds, see Defterdar Sarı Mehmed Paşa, *Zübde-i vekayiât* 387–389. On the *ḵānūnnāme* of Mytileni (Midilli), see the studies cited in footnote 136.

138 Tuşalp Atiyas, The sunna-minded trend, esp. 238–239, 265–272.

139 Heyd, *Studies in old Ottoman*, 154–155.

140 Abou-El-Haj, Power and social order; Tezcan, *The second Ottoman Empire* esp. 49–58; Darling, *A history of social justice*, 146–148; Ferguson, *The proper order*, ch. 6; Sariyannis, *A history*, chs. 4–8.

141 On the continued relevance of *ḵānūn* during the twelfth/eighteenth century, see Tuğ, *Politics of honor* 55–67; on the progressive incorporation of royal edicts into the fatwa texts of Ottoman ulama, see Ayoub, The sultān says. On the role of state authorities in law enforcement and social and moral regulation in the twelfth/eighteenth century, see also Ergene, *Local court*; Semerdjian, “Off the straight path”; Zarinebaf, *Crime and punishment*; Zilfi, *Women and slavery*; Aykan, *Rendre le justice*; Baldwin, *Islamic law*; Başaran, *Selim III*.

traditions. It was precisely this shift, I would argue, that also explains the main attraction of Cöngī's modest treatise on *siyāsa sharʿiyya* to the later Ottomans. Cöngī had legitimated the Ottoman *ḵānūn* under the rubric of the Mamluk *siyāsa* and without so much as a reference to the Ottoman dynasty, styling it as the kind of *siyāsa* that serves "*sharʿi* ends" and safeguards public order. Even if Cöngī's original concern had been to intervene in a debate centered in the empire's newly annexed provinces of Egypt and Syria during the tenth/sixteenth century, his solution to that debate turned out to be just as relevant to the needs of the empire's overwhelmingly Rumi ruling elites in the following century. It seems that this particular definition of *ḵānūn*, as ruler's law in service of the divine law, which could be adjusted to the changing needs of the time, rather than as accretive dynastic custom, had won the day.

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Bibliography

Primary Sources

- ʿAbdü'l-mecīd Sivāsī, *Dürer-i ʿaḳāʿid*, Süleymaniye Kütüphanesi, MS Mihrişah 300/1, 1a–116b.
- Akgündüz, A. (ed.) *Osmanlı kanunnâmeleri ve hukuki tahlilleri*, 9 vols., Istanbul 1992.
- Ali b. Bâlî, *El-Ikdü'l-manzûm fî zikri efâzili'r-Rûm: Ali b. Bâlî'nin Şakâ'ik Zeyli*, ed. S. Donuk, Istanbul 2018.
- ʿĀşık Çelebi, *Dhayl al-shaqāʿiq al-nu'māniyya fî ʿulamāʾi dawlati'l-ʿuthmāniyya*, ed. ʿA. Rāziq Barakāt, Cairo 2007.
- Āşık Çelebi, *Meşâʿirü'ş-şu'arâ: İnceleme—metin*, ed. F. Kılıç, Istanbul 2010.

‘Āşık Çelebi, *Mi‘râcü’l-eyâle ve minhâcü’l-‘adâle*.

- 1) Milli Kütüphane, MS A. 8112.
- 2) Süleymaniye Kütüphanesi, MS Şehid Ali Paşa 1556
- 3) Süleymaniye Kütüphanesi, MS Reisülküttab 1006
- 4) Süleymaniye Kütüphanesi, MS Esad Efendi 1901
- 5) Süleymaniye Kütüphanesi, MS Esad Efendi 1803/1, 1b–94b
- 6) Süleymaniye Kütüphanesi, MS Çelebi Abdullah Efendi 51/2, 38b–217b
- 7) Nuruosmaniye Kütüphanesi, MS 2315
- 8) Topkapı Sarayı Müzesi Kütüphanesi, MS Hazine 1768/1, 1b–117a
- 9) Topkapı Sarayı Müzesi Kütüphanesi, MS Revan 1610
- 10) Yapı Kredi Sermet Çifter Araştırma Kütüphanesi, MS Türkçe Yazmalar 466/1

‘Āşık Çelebi, *Mi‘râcü’l-eyâle ve minhâcü’l-‘adâle: ‘Āşık Çelebi’nin siyâsetnâmesi*, ed. U. Onuş et al., İstanbul 2018.

Atâyî, Nev‘izâde, *Hadâikü’l-hakâik fî tekmlleti’ş-şakâik*, ed. S. Donuk, 2 vols., İstanbul 2017.

Cengiz, M., İsmail Hakkı Bursevî’nin *Tuhfe-i hasekiye*’sinin birinci bölümü (Metin ve tahlil), MA thesis, Marmara Üniversitesi, 2007.

Dede Cöngî, *Hâşhiyya ‘alâ sharh al-‘İzzî fî l-taşrif*, Süleymaniye Kütüphanesi, MS Murad Molla 1734.

Dede Cöngî, *Siyâsetnâme/Risâla fî l-Siyâsa al-shar‘iyya* (Partial list given only).

- 1) Süleymaniye Kütüphanesi, MS Ağa Efendi Tanacan 41/8, 90b–107a
- 2) Süleymaniye Kütüphanesi, MS Esad Efendi 924/4, 166b–187a
- 3) Süleymaniye Kütüphanesi, MS Esad Efendi 3610/6, 156b–164b
- 4) Süleymaniye Kütüphanesi, MS Şehid Ali Paşa 2725/55, 254–262
- 5) Süleymaniye Kütüphanesi, MS Ragıp Paşa 639/3, 130b–142a
- 6) Diyarbakır İl Halk Kütüphanesi MS 104/2, 24b–37a
- 7) Süleymaniye Kütüphanesi, MS Reşid Efendi 182/8
- 8) Süleymaniye Kütüphanesi, MS Esad Efendi 3754/1, 1b–17a

Dede Cöngî, *Şer‘î siyaset*, ed. A.C. Köksal, İstanbul 2019.

Dede Cöngî, *Risâla fî amwâli bayti-l-mâl wa-aqsâmihâ wa-aḥkâmihâ wa-maşâriḥihâ*, Süleymaniye Kütüphanesi, MS Esad Efendi 3560, 1b–20a.

Dede Efendi, *al-Siyâsa al-shar‘iyya*, ed. F. ‘Abd al-Mun‘im, Alexandria n.d.

Defterdar Sarı Mehmed Paşa, *Zübde-i vekayiât*, ed. A. Özcan, Ankara 1995.

[Ebû’s-su‘ûd], *Şeyhülislâm Ebussu‘ûd Efendî’nin fetvalarına göre Kanunî devrinde Osmanlı hayatı: Fetâvâ-yı Ebussu‘ûd Efendi*, ed. M.E. Düzdağ, İstanbul 1998.

Feridün Bey, *Münşe‘âtü’s-selâtin*, Süleymaniye Kütüphanesi, MS Ragıp Paşa 1521.

Ibn Nujaym, *Risâla fî l-Siyâsa al-shar‘iyya*.

- 1) Süleymaniye Kütüphanesi, MS Carullah 2120/2, 39b–53b
- 2) Süleymaniye Kütüphanesi, MS Hacı Mahmud Efendi 1097/1, 1a–14a
- 3) Süleymaniye Kütüphanesi, MS Hüsrev Paşa 758/3, 29a–38a

4) Süleymaniye Kütüphanesi, MS Laleli 961/4, 411b–423b

5) Süleymaniye Kütüphanesi, MS Reşid Efendi 1027/13, 128a–143a

Ibn Taymiyya, *al-Siyāsa al-shar‘iyya fī iṣlāḥ al-rā’i wa-al-ra‘iyya*, ed. ‘A. al-Gharīb, Damam 2000.

Ibn Taymiyya, *al-Siyāsa al-shar‘iyya fī iṣlāḥ al-rā’i wa-al-ra‘iyya*.

- 1) Millet Kütüphanesi, MS Feyzullah 1290
- 2) Süleymaniye Kütüphanesi, MS Şehid Ali Paşa 1553/1, 1–76
- 3) Süleymaniye Kütüphanesi, MS Şehid Ali Paşa 1543
- 4) Süleymaniye Kütüphanesi, MS Şehid Ali Paşa 1544
- 5) Topkapı Sarayı Müzesi Kütüphanesi, MS Ahmed 1118
- 6) Topkapı Sarayı Müzesi Kütüphanesi, MS Ahmed 117
- 7) Süleymaniye Kütüphanesi, MS Ayasofya 2886/1
- 8) Süleymaniye Kütüphanesi, MS Ayasofya 2887
- 9) Süleymaniye Kütüphanesi, MS Ayasofya 2888
- 10) Süleymaniye Kütüphanesi, MS Ayasofya 2889
- 11) Süleymaniye Kütüphanesi, MS Reisülküttab 528
- 12) Süleymaniye Kütüphanesi, MS Yahya Tevfik 270

Ibn Taymiyya, *Ibn Taimiyya on public and private law in Islam, or public policy in Islamic jurisprudence*, trans. O.A. Farrukh, Beirut 1966.

Ḳāḏizāde Meḥmed, *Du‘ānāme*, Topkapı Sarayı Müzesi Kütüphanesi, MS Emanet Hazine 1739/8, 114b–118b.

Ḳāḏizāde Meḥmed, *Mesmū‘atü’l-neḳāyih mecmū‘atü’n-neşāyih*, Süleymaniye Kütüphanesi, MS Hüsrev Paşa 629.

Ḳāḏizāde Meḥmed, *Naşihatnāme*, Topkapı Sarayı Müzesi Kütüphanesi, MS Emanet Hazine 1739/9, 119a–136a.

Ḳāḏizāde Meḥmed, *Naşru’l-aşḫāb ḳahru’s-sebbāb*, İstanbul Üniversitesi Nadir Eserler Kütüphanesi, MS Türkçe Yazmalar 3529/1, 1a–48b.

Ḳāḏizāde Meḥmed, *Nazm fī ‘ilm’l-‘akā’id*, Topkapı Sarayı Müzesi Kütüphanesi, MS Emanet Hazine 1739/1, 4b–67a.

Ḳāḏizāde Meḥmed, *Nuşḫü’l-ḥükkām sebebü’n-nizām*, İstanbul Üniversitesi Nadir Eserler Kütüphanesi, MS Türkçe Yazmalar 6966/1, 2b–70a.

Ḳāḏizāde Meḥmed, *Pādişāh-ı ‘ālempenāh ḫazretlerine neşāyih-i keşreyi ... i‘lām ider bir ḳaşıde*, Topkapı Sarayı Müzesi Kütüphanesi, MS Emanet Hazine 1739/11, 140a–145a.

Ḳāḏizāde Meḥmed, *Risāle-i İmān ve İslām*, Topkapı Sarayı Müzesi Kütüphanesi, MS Emanet Hazine 1739, 103b–107b.

Ḳāḏizāde Meḥmed, *Risāle-i Ḳāḏizāde Meḥmed*, Topkapı Sarayı Müzesi Kütüphanesi, MS Emanet Hazine 1739, 94b–103a.

Ḳāḏizāde Meḥmed, *Risāle-i Şalāt*, Süleymaniye Kütüphanesi, MS Yazma Bağışlar 5563, 44b–47a.

Ḳādīzāde Meḥmed, *Tācū'r-resā'il ve minhācū'l-vesā'il*.

- 1) Süleymaniye Kütüphanesi, MS Hacı Mahmud Efendi 1926
- 2) Topkapı Sarayı Müzesi Kütüphanesi, MS Hazine 371/1, 1a–48a
- 3) Staatsbibliothek zu Berlin, MS Diez A quart 46

El-Kāfiyeci, Muhyiddin, *Seyfū'l-mülūk, Seyfū'l-kudāt: Kāfiyeci'nin siyâsetnâmeleri*, ed. N. Okuyucu, Istanbul 2018.

Katib Çelebi, *The balance of truth*, trans. G.L. Lewis, London 1957.

Katib Çelebi, *Keşf el-zünun*, eds. Ş. Yaltkaya and K.R. Bilge, 2 vols., Istanbul 1941.

Ta'likizāde, *Ta'likī-zāde's Şehnâme-i hümayün: A history of the Ottoman campaign into Hungary*, 1593–1594, ed. and trans. C. Woodhead, (IU 82), Berlin 1983.

Tarābulusī, A., *Mu'in al-ḥukkām*, Ann Arbor, University of Michigan, Special Collections Library, Isl. Ms. 58 (Accessible online via the Hathi Trust digital library, <http://hdl.handle.net/2027/mdp.39015079105733>).

Taşköprülüzāde, A., *eş-Şakâ'iku'n-nu'mâniye fî ulemâ'id-devleti Osmâniyye*, ed. M. Hekimoğlu, Istanbul 2019.

Tursun Bey, *Târîh-i Ebû'l-Feth*, ed. M. Tulum, Istanbul 1977.

Yücel, Y. (ed.), *Osmanlı devlet teşkilâtına dair kaynaklar: Kitâb-ı Müstetâb, Kitabu Me-sâlihi'l-müslimîn ve menâfi il-mü'minîn, Hırzû'l-mülūk*, Ankara 1988.

Secondary Sources

Abou-El-Haj, R.A., *Formation of the modern state: The Ottoman Empire, sixteenth to eighteenth centuries*, Albany 1991.

Abou-El-Haj, R.A., Power and social order: The uses of the *kanun*, in D. Preziosi and R.A. Abou-El-Haj (eds.), *The Ottoman city and its parts: Urban structure and social order*, New Rochelle and Caratzas 1991, 77–99.

Abou-El-Haj, R.A., *The 1703 rebellion and the structure of Ottoman politics*, Leiden 1984.

Acun, F., Osmanlı İmparatorluğu'nda gayrimüslim din adamlarına verilen imtiyazlar: 16. yüzyılda Tur-ı Sina manastırı, in *XIV. Türk tarih kongresi, 9–13 Eylül 2002 Ankara*, ii, part 2, Ankara 2005, 1403–1411.

Açık, T., Dede Cöngü'nin *Siyâsetü'ş-şer'iyye*'sinin Mehmed Sebzi Efendi tercümesi, in *Lit-tera Turca: Journal of Turkish language and literature* 2 (2016), 1–24.

Akgündüz, A., Dede Cöngü, in *TDVİA*, ix, 76–77.

Alexander, J.C., The lord giveth and the lord taketh away: Athos and the confiscation affair of 1568–1569, Mount Athos in the 14th–16th centuries, in *Athonika Symmeikta* 4 (1997), 168–169.

Andrews, W. and M. Kalpaklı, *The age of beloveds: Love and the beloved in early-modern Ottoman and European culture and society*, Durham and London 2005.

Anjum, O., *Politics, law and community in Islamic thought: The Taymiyyan moment*, Cambridge 2012.

Anthony, S.W., *The caliph and the heretic: Ibn Saba' and the origins of Shi'ism* (IHC 91), Leiden 2012.

- Atiya, A.S., *The Arabic manuscripts of Mount Sinai*, Baltimore 1955.
- Atçıl, A., The Safavid threat and juristic authority in the Ottoman Empire during the sixteenth century, in *IJMES* 49 (2017), 295–314.
- Ayalon, D., The great Yāsa of Chinggis Khān: A reexamination, in *SI* 33 (1971): 97–140; 34 (1971): 151–180; 36 (1972), 113–158; 38 (1973), 107–156.
- Ayalon, D., The Mamlūk military aristocracy: A non-hereditary nobility, in *JSAI* 10 (1987), 209–210.
- Aykan, Y., *Rendre le justice à Amid: Procédures, acteurs et doctrines dans le contexte ottoman du XVIII^{ème} siècle* (OEH 60), Leiden 2016.
- Aykan, Y., A legal concept in motion: The “spreader of corruption” (*sāʿī bil-fesād*) from Qarakhanid to Ottoman jurisprudence, in *Islamic law and society* 26 (2019), 252–271.
- Ayoub, S., “The sulṭān says”: State authority in the late Ḥanafī tradition, in *Islamic law and society* 23 (2016), 239–278.
- Ayoub, S.A., *Law, empire, and the sultan: Ottoman imperial authority and late Ḥanafī jurisprudence*, Oxford 2020.
- Baer, M.D., *Honored by the glory of Islam: Conversion and conquest in the Ottoman Empire*, Oxford 2008.
- Baldwin, J.E., *Islamic law and empire in Ottoman Cairo*, Edinburgh 2017.
- Barkan, Ö.L., *XV ve XVI'ncı asırlarda Osmanlı İmparatorluğunda zirai ekonominin hukuki ve mali esasları*, Istanbul 1943.
- Barkan, Ö.L., Kanun-nâme, in *IA*, vi, 185–196.
- Beaudoen, L.A., *Mirrors of the world: Alexander romances and the fifteenth-century Ottoman sultanate*, PhD diss., University of California, Los Angeles 2017.
- Belhaj, A., Law and order according to Ibn Taymiyya and Ibn Qayyim al-Jawziyya: A re-examination of *siyāsa sharʿiyya*, in B. Krawietz and G. Tamer (eds.), *Islamic theology, philosophy and law: Debating Ibn Taymiyya and Ibn Qayyim al-Jawziyya*, in collaboration with Alina Kokoschka (SGK10 27), Berlin and Boston 2013, 400–421.
- Bori, C., One or two versions of *al-Siyāsa al-Sharʿiyya*? And what do they tell us? in *ASK working papers* 26 (2016), 1–27.
- Bori, C., Ibn Taymiyya (14th to 17th century): Transregional spaces of reading and reception, in *MW* 108 (2018), Special issue: C. Bori (ed.), *Ibn Taymiyya: Receptions (14th to 17th century)*, 87–123.
- Bosworth, C.E.I.R. Netton and F.E. Vogel, *Siyāsa*, in *EI²*, ix, 693–696.
- Burak, G., Between the *kānūn* of Qāyṭbāy and Ottoman *yasaq*: A note on the Ottoman's dynastic law, in *JIS* 26 (2015), 1–23.
- Burak, G., Faith, law and empire in the Ottoman “age of confessionalization” (fifteenth-seventeenth centuries): The case of “renewal of faith,” in *Mediterranean historical review* 28 (2013), 1–23.
- Burak, G., *The second formation of Islamic law: The Ḥanafī legal school in the Ottoman Empire*, Cambridge 2015.

- Burak, G., The second formation of Islamic law: The post-Mongol context of the Ottoman adoption of a school of law, *Comparative studies in society and history* 55 (2013), 579–602.
- Buzov, S., The Lawgiver and his lawmakers: The role of legal discourse in the change of imperial culture, PhD diss., University of Chicago 2005.
- Büyükkeçeci, B., Kadızâde İlmî Efendi'nin "İtmâmü'l-merâm min nazmî'l-kelam" adlı eserinin tahlil, çeviri ve değerlendirilmesi, MA thesis, Erciyes Üniversitesi 2005.
- Cohen, M.R., What was the pact of 'Umar? A literary-historical study, in *JSAI* 23 (1999), 100–157.
- Cook, M. *Commanding right and forbidding wrong in Islamic thought*, Cambridge 2004.
- Coşgel M. et al., Crime and punishment in Ottoman times: Corruption and fines, in *Journal of interdisciplinary history* 43 (2013), 353–376.
- Currie, J.M.D., Kadızadeli Ottoman scholarship, Muḥammad ibn Abd al-Wahhâb, and the rise of the Saudi state, in *JIS* 26 (2015), 1–25.
- Çavuşoğlu, S., The *Kādizâdeli* movement: An attempt of *şer'at*-minded reform in the Ottoman Empire, PhD diss., Princeton University 1990.
- Çıpa, E., *The making of Selim: Succession, legitimacy, and memory in the early modern Ottoman world*, Bloomington 2017.
- Darling, L.T., *A history of social justice and political power in the Middle East: The circle of justice from Mesopotamia to globalization*, Abingdon 2013.
- Deniz, S., Kadızâde Mehmed İlmî'nin Sultan İv. Murad için yazdığı manzum duâ-nâmesi, in *Divan edebiyatı araştırmaları dergisi* 1 (2008), 9–40.
- Dressler, M., Inventing orthodoxy: Competing claims for authority and legitimacy in the Ottoman Safavid conflict, in H.T. Karateke and M. Reinkowski (eds.), *Legitimizing the order: The Ottoman rhetoric of state power* (OEH 34), Leiden and Boston 2005, 151–176.
- Eberhard, E. *Osmanische Polemik gegen die Safawiden im 16. Jahrhundert nach arabischen Handschriften*, Freiburg im Breisgau, 1970.
- Erel, Z.G., Dede Cöngî's *Risâletü Siyâsetü'ş-şer'îyye*: A context analysis through its translations in the sixteenth and nineteenth centuries, MA thesis, Bilkent University 2012.
- Ergene, B., *Local court, provincial society and justice in the Ottoman Empire: Legal practice and dispute resolution in Çankırı and Kastamonu (1652–1744)* (SILS 17), Leiden 2003.
- Ergene, B., Qanun and sharia, in R. Peters and P.J. Bearman (eds.), *The Ashgate research companion to Islamic Law*, London and New York 2014.
- Erten, M., *Tercüme-i siyâsetnâme*'nin tahlili ve değerlendirmesi, PhD diss., Ankara Üniversitesi 2011.
- Evstatiev, S., The Qādizâdeli movement and the spread of Islamic revivalism in the seventeenth- and eighteenth-century Ottoman Empire: Preliminary notes, in *CAS working papers series* 5 (2013), 3–34.

- Evstatiev, S., The Qāḍīzādeli movement and the revival of *takfīr* in the Ottoman age, in C. Adang et al. (eds.), *Accusations of unbelief in Islam: Diachronic perspectives on takfīr* (IHC 123) Leiden and Boston 2016, 213–243.
- Ferguson, H., *The proper order of things: Language, power and law in Ottoman administrative discourses*, Palo Alto 2018.
- Fitzgerald, T.J., Murder in Aleppo: Ottoman conquest and the struggle for justice in the early sixteenth century, in *JIS* 27 (2016), 176–215.
- Fleischer, C.H., The Lawgiver as Messiah: Messianic dimensions in the development of Ottoman imperial ideology, in G. Veinstein (ed.), *Soliman le Magnifique et son temps*, Paris 1992, 159–179.
- Flemming, B., Political genealogies in the sixteenth century, in *JOS* 7–8 (1988), 123–137.
- Fotić, A., The official explanations for the confiscation and sale of monasteries (churches) and their estates at the time of Selim II, in *Turcica* 26 (1994), 33–54.
- Furat, A.H., Selefiliğin Osmanlıya etkisi bağlamında kullanılan bir argüman: İbn Taymiyye'nin *es-Siyâsetü'ş-şerʿiyye* adlı eserinin Osmanlı dünyasında xvi. ve xvii. asırlardaki tercümelemleri, in *Marife dergisi* 3 (2009), 215–226.
- Gel, M., xvi. yüzyılın ilk yarısında Osmanlı toplumunun dinî meselelerine muhalif bir yaklaşım: Şeyhülislam Çivizade Muhyiddin Mehmed Efendi ve fikirleri üzerine bir inceleme, PhD diss., Gazi Üniversitesi 2010.
- Greene, M., *A shared world: Christians and Muslims in the early modern Mediterranean*, Princeton 2000.
- Greene, M., An Islamic experiment? Ottoman land policy on Crete, in *Mediterranean historical review* 11, 1 (1996), 60–78.
- Greene, M., *The Edinburgh history of the Greeks, 1453–1768: The Ottoman Empire*, Edinburgh 2015.
- Gril, D., Ésotérisme contre hérésie: Abd al-Rahman al-Bistami, un représentant de la science des lettres à Bursa dans la première moitié du xve siècle, in G. Veinstein (ed.), *Syncrétismes et hérésies dans l'orient seldjoukide et ottoman (xive-xviiiè siècle)*, 183–195.
- Hagen, G., Translations and translators in a multilingual society: A case study of Persian-Ottoman translations, late fifteenth to early seventeenth century, in *Eurasian studies* 2 (2003), 95–134.
- Hassan, M., Modern interpretations and misinterpretations of a medieval scholar: Apprehending the political thought of Ibn Taymiyya, in Rapoport and Ahmed (eds.), *Ibn Taymiyya and his times*, 338–366.
- Hassan, M., *Longing for the lost caliphate: A transregional history*, Princeton and Oxford 2016.
- Heyd, U., *Studies in old Ottoman criminal law*, Oxford 1973.
- Heyd, U., Kānūn and shariʿa in old Ottoman criminal justice, in *Proceedings of the Israel academy of sciences and humanities* 3 (1967), 1–18.

- Holt, P.M., The position and power of the Mamlūk sultan, in *BSOAS* 38 (1975), 237–249.
- Ibrahim, A.F., *Pragmatism in Islamic law: A social and intellectual history*, Syracuse 2015.
- İhsanoğlu, E. (ed.), *Osmanlı askerlik literatürü tarihi/History of military art and science literature during the Ottoman period*, 2 vols., Istanbul 2004.
- Imber, C., *Ebu's-su'ud: The Islamic legal tradition*, Palo Alto 1997.
- Imber, C., The persecution of the Ottoman Shī'ites according to the *Mühimme defterleri*, 1565–1585, in *Der Islam* 56 (1979), 245–273.
- İnalçık, H., Islamization of Ottoman laws on land and land tax, in C. Fragner and K. Schwarz (eds.), *Festgabe an Josef Matuz: Osmanistik-Turkologie-Diplomatik*, Berlin 1992, 101–118.
- İnalçık, H., *Ḳānūn*, iii. Financial and public administration, in *EI²*, iv, 558–562.
- İnalçık, H., *Ḳānūnnāme*, in *EI²*, iv, 562–566.
- İpşirli, M., *Minkārizāde Yahyâ Efendi*, in *TDVİA*, xxx, 114–115.
- İvanyi, K., Virtue, piety and the law: A study of Birgivi Meḥmed Efendi's *al-Ṭarīqa al-Muḥammadiyya*, PhD diss., Princeton University 2012.
- Johansen, B., Signs as evidence: The doctrine of Ibn Taymiyya (1263–1328) and Ibn Qayyim al-Jawziyya (d. 1351) on proof, in *Islamic law and society* 9 (2002), 168–193.
- Johansen, B., *The Islamic law on land tax and rent: The peasants' loss of property rights as interpreted in the Hanafite legal literature of the Mamluk and Ottoman periods*, London, New York, Sydney 1988.
- Karaca, S., Kadızāde Mehmed Efendi, *Manzume-i akāid* (inceleme-tenkitli metin-sözlük-dizin), MA thesis, Recep Tayyip Erdoğan Üniversitesi 2012.
- Karaman, A., Trablusî, Alâaddin, in *TDVİA*, xli, 291–292.
- Karamustafa, A.T., Saraydan tasavvuf manzaraları: Atûfî'nin *Defter-i Kütüb*'ündeki tasavvufî eserlerin bir tasavvuf tarihçisine düşündürdükleri, in E. Alkan and O.S. Arı (eds.), *Osmanlı'da ilm-i tasavvuf*, Istanbul 2018, 49–58.
- Karatay, F.E., *Topkapı Sarayı Müzesi Kütüphanesi Arapça yazmalar*, Istanbul 1966.
- Kastritsis, D. The Alexander romance and the rise of the Ottoman Empire, in A.C.S. Peacock and S.N. Yıldız (eds.), *Islamic literature and intellectual life in fourteenth- and fifteenth-century Anatolia* (ITS 34), Würzburg 2016, 243–283.
- Katz, M.H., The “corruption of the times” and the mutability of the shari'a, in *Cardozo law review* 28 (2006), 171–185.
- Kaylı, A., A critical study of Birgivi Mehmed Efendi's (d. H. 981/1573) works and their dissemination in manuscript form, MA thesis, Boğaziçi University 2010.
- Kermeli, E., Caught in between faith and cash: The Ottoman land system of Crete, 1645–1670, in A. Anastasopoulos (ed.), *The eastern Mediterranean under Ottoman rule: Crete, 1645–1840*, Rethymno 2008, 17–48.
- Kermeli, E., Central administration versus provincial arbitrary governance: Patmos and Mount Athos monasteries in the 16th century, in *Byzantine and modern Greek studies* 32 (2008), 189–202.

- Kermeli, E., Ebū's-su'ūd's definitions of church *vakfs*: Theory and practice in Ottoman law, in R. Gleave and E. Kermeli (eds.), *Islamic law: Theory and practice*, London and New York 1997, 141–156.
- Khadduri, M., Maşlaha, in *EI²*, vi, 738–740.
- Khoury, D.R., Administrative practice between religious law (shari'a) and state law (*kanun*) on the eastern frontiers of the Ottoman Empire, in *Journal of early modern history* 5/4 (2001), 182–212.
- Kolovos, E., Beyond “classical” *defterology*: A preliminary assessment of the *tahrir* registers of 1670/71 concerning Crete and the Aegean islands, in E. Kolovos et al. (ed.), *The Ottoman Empire, the Balkans, the Greek lands: Toward a social and economic history: Studies in honor of John C. Alexander*, Istanbul 2007, 201–235.
- Kolovos, E., Christian *vakıfs* of monasteries in the Ottoman Greek lands from the fourteenth to eighteenth centuries, in S.M. Saliba (ed.), *Les fondations pieuses waqfs chez les chrétiens et les juifs du Moyen Âge à nos jours*, Paris 2016, 103–127.
- Köksal, A.C., *Fıkıh ve siyaset: Osmanlılarda siyaset-i şer'îyye*, Istanbul 2016.
- Krstić, T., *Contested conversions to Islam: Narratives of religious change in the early modern Ottoman Empire*, Cambridge 2011.
- Krstić, T., Illuminated by the light of Islam and the glory of the Ottoman sultanate: Self-narratives of conversion to Islam in the age of confessionalization, *Comparative studies in society and history* 51 (2009), 35–63.
- Krstić, T., From *shahāda* to *'aqīda*: Conversion to Islam, catechisation and Sunnitisation in A.C.S. Peacock (ed.), *Islamisation: Comparative perspectives from history*, Edinburgh 2017, 296–314.
- Krstić, T., Of translation and empire: Sixteenth-century Ottoman imperial interpreters as Renaissance go-betweens, in C. Woodhead (ed.), *The Ottoman world*, Abingdon 2012, 130–142.
- Krstić, T., State and religion, “Sunnitisation” and “confessionalism” in Süleyman's time, in P. Fodor (ed.), *The battle for Central Europe: The siege of Szigetvár and the death of Süleyman the Magnificent and Miklos Zrinyi (1566)*, Leiden, Boston, Budapest 2019, 65–91.
- Laoust, H., *Essai sur les doctrines sociales et politiques de Taḳī-d-dīn Aḥmad b. Taimīya*, Cairo 1939.
- Laoust, H., Ibn Taymiyya, in *EI²*, iii, 951–955.
- Laoust, H., *Le traité du droit d'Ibn Taimīya*, Beirut 1948.
- Lekesiz, M.H., xvi. Yüzyıl Osmanlı düzenindeki değişimin tasfiyeci (püritanist) bir eleştirisi: Birgivi Mehmet Efendi ve fikirleri, PhD diss., Hacettepe Üniversitesi 2007.
- Lev, Y., Symbiotic relations: ulama and the Mamluk sultan, in *MSR* 13 (2009), 1–26.
- Levanoni, A., The Mamluk conception of the sultanate, in *IJMES* 26 (1994), 373–392.
- Mandaville, J.E., Usurious piety: The cash waqf controversy in the Ottoman Empire, in *IJMES* 10 (1979), 280–308.

- Marti, H., *Birgîvî Mehmed Efendi*, Ankara 2008.
- Massud, M.K., The doctrine of *siyāsa* in Islamic law, in *Recht van de Islam* 18 (2001), 1–29.
- al-Matroudi, A.H.I., *The Ḥanbalī school of law: Conflict or conciliation*, London 2006.
- Melchert, C., The relation of Ibn Taymiyya and Ibn Qayyim al-Jawziyya to the Ḥanbalī school of law, in B. Krawietz and G. Tamer (eds), *Islamic theology, philosophy and law: Debating Ibn Taymiyya and Ibn Qayyim al-Jawziyya*, in collaboration with Alina Kokoschka (SGKIO 27), Berlin and Boston 2013, 146–161.
- Meshal, R., Antagonistic sharī'as and the construction of orthodoxy in sixteenth-century Ottoman Cairo, in *JIS* 21 (2010), 183–212.
- Michot, Y., Introduction, in A.R. al-Aqḥiṣārī, *An Ottoman manifesto against smoking: An introduction, editio princeps and translation*, ed. Y. Michot, Leicestershire 2010.
- Midilli, M., Dede Cöngi'nin *Siyāsetü'ş-şer'iyye'si* Osmanlı ceza kanunlarının hukukî temellendirmesi midir?, in *Osmanlı'da ilm-i fikh: Âlimler, eserler, meseleler*, İstanbul 2017.
- Moritz, B., *Beiträge zur Geschichte des Sinaiklosters im Mittelalter nach arabischen Quellen*, Berlin 1918.
- Morrow, J.A., *The covenants of the prophet Muhammad with the Christians of the world*, New York 2013.
- Mundy, M. and R.S. Smith, *Governing property, making the modern state: Law, administration, and production in Ottoman Syria*, London 2007.
- Muslu, C. Yüksel, *The Ottomans and the Mamluks: Imperial diplomacy and warfare in the Islamic world*, London and New York 2014.
- Necipoğlu, G., *The age of Sinan: Architectural culture in the Ottoman Empire*, Princeton 2005.
- Necipoğlu, G., Süleyman the Magnificent and the representation of power in the Ottoman-Habsburg-Papal rivalry, in *The art bulletin* 71 (1989), 401–427.
- Necipoğlu, G. et al. (ed.), *Treasures of the palace: An inventory of the Ottoman palace library (1502/3–1503/4)*, 2 vols., Leiden and Boston 2019.
- Nielsen, J.S., *Secular justice in an Islamic state: Maẓālīm under the Bahrī Mamlūks, 662/1264–789/1387*, Leiden 1985.
- Nizri, M., *Ottoman high politics and the ulema households*, New York 2014.
- Ocak, A.Y. XVII. yüzyılda Osmanlı İmparatorluğu'nda dinde tasfiye (püritanizm) teşebbüslerine bir bakış: Kadızadeliler hareketi, in *Türk kültürü araştırmaları* 1–2 (1983), 208–225.
- Ökten, E., Scholars and mobility: A preliminary assessment from the perspective of *al-Shaqāyiq al-Nu'māniyya*, in *JOS* 41 (2013), 55–70.
- Özcan, A., Hüsrev Paşa, Deli, in *TDVİA*, xix, 40–41.
- Özer, A., İslam hukuk literatüründe ta'zîr risaleleri ve şeyhülislam Muhyiddin Mehmed bin İlyas Çivizâde'nin *Risale müteallika bi't-teâzîr* adlı eseri, MA thesis, Marmara Üniversitesi 2000.

- Öznurhan, H., Abbāsī, Abdürrahîm, in *TDVİA*, ek-1, 5–6.
- Öztürk, N., Islamic orthodoxy among the Ottomans in the seventeenth century with special reference to the Qāḍī-zāde movement, PhD diss., University of Edinburgh 1981.
- Peirce, L., *Morality tales: Law and gender in the Ottoman court of Aintab*, Berkeley, Los Angeles, London 2003.
- Peters, R., *Crime and punishment in Islamic law: Theory and practice from the sixteenth to the twenty-first century*, Cambridge 2006.
- Peters, R., 'What does it mean to be an official madhhab?: Ḥanafism and the Ottoman Empire, in P. Bierman et al. (eds.), in *The Islamic school of law: Evolution, devolution and progress*, Cambridge, MA 2005, 147–158.
- Pfeifer, H., Encounter after the conquest: Literary salons in 16th-century Ottoman Damascus, in *IJMES* 47 (2015), 219–239.
- Radtke, B., Birgiwīs *Ṭarīqa Muḥammadiyya*: Einige Bemerkungen und Überlegungen, in *Journal of Turkish studies* 26 (2002), 159–174.
- Rapoport, Y., Royal justice and religious law: *Siyāsah* and shariʿah under the Mamluks, in *MSR* 16 (2012), 71–102.
- Rapoport, Y., Legal diversity in the age of *taqlīd*: The four chief qāḍīs under the Mamluks, *Islamic law and society* 10 (2003), 210–228.
- Reinhart, A.K., When women went to mosques: al-Aydini on the duration of assessments, in M.K. Masud et al. (eds.), *Islamic legal interpretation: Muftis and their fatwas*, Cambridge, MA and London 1996, 116–128.
- Repp, R., *Qānūn* and shariʿa in the Ottoman context, in A. al-Azmeh (ed.), *Islamic law: Social and historical contexts*, London 1988, 124–145.
- Richards, D.S., Mamlūk amirs and their families and households, in T. Philipp and U. Haarmann (eds.), *The Mamlūks in Egyptian politics and society*, Cambridge 1998, 32–54.
- el-Rouayheb, Kh., *Before homosexuality in the Arab-Islamic world, 1500–1800*, Chicago and London 2005.
- el-Rouayheb, Kh., From Ibn Ḥajar al-Haytamī (d. 1566) to Khayr al-Dīn al-Ālūsī (d. 1899): Changing views of Ibn Taymiyya amongst Sunni Islamic scholars, in Y. Rapoport and S. Ahmed (eds.) *Ibn Taymiyya and his times*, Oxford 2010, 269–318.
- Sariyannis, M., *A history of Ottoman political thought up to the early nineteenth century*, with a chapter by E.E. Tuşalp Atiyas (HO 125), Leiden and Boston 2019.
- Sariyannis, M., Notes on the Ottoman poll-tax reforms of the late seventeenth century: The case of Crete, in *JESHO* 54 (2011), 39–61.
- Sariyannis, M., The Kadızadeli movement as a social and political phenomenon: The rise of a "mercantile ethic"? in A. Anastasopoulos (ed.), *Political initiatives from the bottom-up in the Ottoman Empire (Halcyon days in Crete VII. A symposium held in Rethymno, 9–11 January 2009)*, Rethymno 2012, 263–289.

- Semerdjian, E., *“Off the straight path”: Illicit sex, law, and community in Ottoman Aleppo*, Syracuse 2008.
- Sezer, Y., *The architecture of bibliophilia: Eighteenth-century Ottoman libraries*, PhD diss., Massachusetts Institute of Technology 2016.
- Shafir, N., *Moral revolutions: The politics of piety in the Ottoman Empire reimaged*, in *Comparative studies in society and history* 61 (2019), 595–623.
- Sheikh, M., *Ottoman puritanism and its discontents: Aḥmad al-Rumī al-Aqḥiṣārī and the Qādizādelis*, Oxford 2016.
- Sheikh, M., *Taymiyyan influences in an Ottoman-Ḥanafī milieu: The case of Aḥmad al-Rumī al-Aqḥiṣārī*, in *The royal Asiatic society* 3 (2014), 1–20.
- Sheikh, M., *Taymiyyan taṣawwuf meets Ottoman orthodoxy: Reformed Sufism in the thought of Aḥmad al-Rumī al-Aqḥiṣārī*, in *MW* 108 (2018), Special issue: C. Bori (ed.), *Ibn Taymiyya: Receptions (14th to 17th century)*, 186–206.
- Stilt, K., *Islamic law in action: Authority, discretion, and everyday experiences in Mamluk Egypt*, Oxford 2011.
- Şahin, İ.K., *Empire and power in the reign of Süleyman: Narrating the sixteenth-century Ottoman world*, New York and Cambridge 2013.
- Şen, T.A., *The dream of a 17th-century Ottoman intellectual: Veysi and his Habname*, MA thesis, Sabancı University 2008.
- Şimşek, M., *Les controverses sur la Bid‘a en Turquie (de Selim I à Mehmed IV)*, PhD diss., Université de Paris-Sorbonne 1977.
- Taşkömür, H., *Books on Islamic jurisprudence, schools of law, and biographies of imams from the Hanafi school*, in Necipoğlu et al. (ed.), *Treasures of the palace*, 389–422.
- Terzioğlu, D., *Bid‘at, custom and the mutability of shar‘ī judgments: The debate on the congregational performance of supererogatory prayers in the seventeenth-century Ottoman Empire*, in A. Somel and S. Kenan (eds.), *Dimensions of transformation in the Ottoman world: Essays in honor of Metin Kunt*, Leiden, forthcoming.
- Terzioğlu, D., *Bir tercüme ve bir intihal vakası: Ya da İbn Teymiyye'nin Siyasetü'ş-şer‘iyye'sini Osmanlıcaya kim(ler) nasıl aktardı?*, in *Journal of Turkish studies* 31 (2007), 247–275.
- Terzioğlu, D., *How to conceptualize Ottoman Sunnization: A historiographical discussion*, in *Turcica* 44 (2012–2013), 301–338.
- Terzioğlu, D., *Sunna-minded Sufi preachers in service of the Ottoman state: The naṣiḥatnāme of Hasan addressed to Murad IV*, in *Archivum Ottomanicum* 27 (2010), 241–312.
- Terzioğlu, D., *Where ‘ilm-i ḥāl meets catechism: Islamic manuals of religious instruction in the Ottoman Empire in the age of confessionalization*, in *Past and present* 220 (2013), 79–114.
- Tezcan, B., *A canon of disenchantment: Birgivi, Rumi and Kadızade*, in B. Tezcan, *A Gift*

- for the Turks: Studies on Islam and its Early Modern Transformation in the Ottoman Empire*, Istanbul, forthcoming in 2020.
- Tezcan, B., Ethics as a domain to discuss the political: Kınalızâde Ali Efendi's *Ahlâk-ı Alâî*, in A. Çaksu (ed.), *International congress on learning and education in the Ottoman world, Istanbul 12–15 April 1999*, Istanbul 2001, 109–120.
- Tezcan, B., The 'Kânûnnâme of Mehmed II': A different perspective, in K. Çiçek (ed.), *The great Ottoman Turkish civilization*, iii, Ankara 2000, 657–665.
- Tezcan, B., The portrait of the preacher as a young man: Two autobiographical letters by Kadızade Mehmed from the early seventeenth century, in M. Sariyannis (ed.), *Political thought and practice in the Ottoman Empire (Halcyon days in Crete IX, A symposium held in Rethymno 9–11 January 2015)*, Rethymno 2019, 187–250.
- Tezcan, B., *The second Ottoman Empire: Political and social transformation in the early modern world*, Cambridge 2010.
- Thys-Şenocak, L., The Yeni Valide complex at Eminönü, in *Muqarnas* 15 (1998), 58–70.
- Al-Tikriti, N., *Kalam* in the service of the state: Apostasy and the defining of Ottoman Islamic identity, in H.T. Karateke and M. Reinkowski (eds.), *Legitimizing the order: The Ottoman rhetoric of state power* (OEH 34), Leiden and Boston 2005, 131–149.
- Tuğ, B., *Politics of honor in Ottoman Anatolia: Sexual violence and socio-legal surveillance in the eighteenth century* (OEH 62), Leiden and Boston 2017.
- Turan, E., The sultan's favorite: İbrahim Pasha and the making of the Ottoman universal sovereignty in the reign of Sultan Süleyman I (1516–1526), PhD diss., University of Chicago 2007.
- Tuşalp Atiyas, E.E., The "sunna-minded" trend, in M. Sariyannis, *A history of Ottoman political thought*, 233–278.
- Ürekli, B., Dördüncü Murad devrine dâir Kadı-zâde'nin bir manzûmesi, in *Selçuk Üniversitesi fen-edebiyat fakültesi dergisi* 11 (1997), 277–300.
- Üstün, İ.S., Heresy and legitimacy in the Ottoman Empire in the sixteenth century, PhD diss., University of Manchester, 1991.
- Veinstein, G., Le législateur ottoman face à l'insularité: L'enseignement des *Kânûnnâme*, in N. Vatin and G. Veinstein (ed.), *Insularités ottomanes*, Paris 2004, 91–110.
- Veinstein, G., Les règlements fiscaux ottomans de Crète, in A. Anastasopoulos (ed.), *The Eastern Mediterranean under Ottoman rule: Crete, 1645–1840*, Rethymno 2008, 3–16.
- Veinstein, G., On the *çiftlik* debate, in Ç. Keyder and F. Tabak (eds.), *Landholding and commercial agriculture in the Middle East*, Albany 1991.
- Welle, J., The status of monks in Egypt under early Mamlük rule: The case of Ibn Taymiyya (with an annotated translation of Ibn Taymiyya's *fatwā* on the status of monks), in *Logos: A journal of eastern Christian studies* 55 (2014), 41–67.
- Winter, M., *Society and religion in early Ottoman Egypt: Studies in the writings of 'Abd al-Wahhāb al-Sha'rānī*, New Brunswick 2017.
- Winter, S., *The Shiites of Lebanon under Ottoman rule, 1516–1788*, Cambridge 2010.

- Yıldız, K., *1660 İstanbul yangını ve etkileri: Vakıflar, toplum ve ekonomi*, Ankara 2017.
- Yılmaz, H., *Caliphate redefined: The mystical turn in Ottoman political thought*, Princeton 2018.
- Yosef, K., Mamluks and their relatives in the period of the Mamluk Sultanate (1250–1517), in *MSR* 16 (2012), 55–69.
- Yürekli, Z., A building between the public and private realms of the Ottoman ruling elite: The Sufi convent of Sokollu Mehmed Paşa in Istanbul, in *Muqarnas* 20 (2003), 159–185.
- Zarinebaf, F., *Crime and punishment in Istanbul, 1700–1800*, Berkeley, Los Angeles, London 2010.
- Zilfi, M., The Kadızadeli: Discordant revivalism in seventeenth-century Istanbul, in *JNES* 4 (1986), 251–271.
- Zilfi, M., *The politics of piety: The Ottoman ulema in the postclassical age (1600–1800)*, Minneapolis 1988.
- Zilfi, M., *Women and slavery in the late Ottoman Empire*, Cambridge 2010.