Şeyhülislam Musa Kazım (1858–1920)

Life

Şeyhülislam Musa Kazım Efendi was born in 1858 in Tortum, Erzurum, where he received his earliest education. Later, the young Musa went to his grandfather’s hometown of Balıkesir, where he studied under famous Islamic scholars such as Salahaddin Ali Es Shuuri. Musa Kazım pursued his higher education in Istanbul, continuing his studies under well-established authorities in Islamic law such as Kadi-Askér Eşref Efendi and Hoca Şakir Efendi. In 1888–89, he earned his degree in Ulum-u Aliyye (Islamic studies), and in that same year, after successfully passing the professional exam of Ruus (teaching qualification exam), he was awarded the title of müderris (professor) and was appointed to Fatih Mosque as an instructor. During his academic career, he taught several courses on Islamic law and Quranic exegesis, and his students included many well-known intellectuals of the time, including Muallim Naci and Ahmed Mithat Efendi. In 1896, Musa Kazım was promoted to the rank of Ruus-u Humayun (a high academic title in theological studies) of Istanbul. In 1900–01, he was appointed to the professorship of Mejelle law (Islamic law codified by Ahmed Cevdet Pasha). Later, he also taught at several other institutions, including Mekteb-i Sultani, Darülfünûn, Dar-ul Muallimin, and Mekteb-i Hukuk (law school). Meanwhile, Musa Kazım was further promoted, obtaining the academic title of Mahrec. On 14 February 1907, he was bestowed with the title of Haleb Mevleviyyeti (a rank in Ottoman religious administration). That same year, Musa Kazım became the general secretary of the Editorial Board for Religious Affairs (Bab-i Meşihat Tedkik-i Müellifat Heyeti Başkitabeti).

In 1908, after the proclamation of the Ottoman Constitution, Musa Kazım was elected to the Meclis-i Ayan (Senate). On 12 July 1910, he was appointed as Şeyhülislam to the cabinet of İbrahim Hakki Pasha (1863–1918). Kazım’s first tenure as a Şeyhülislam lasted for one year, two months and eighteen days, ending on 29 September 1911, when İbrahim Hakki Pasha’s cabinet tendered its resignation. On 30 September 1911, Musa Kazım was again nominated to the office of Chief Mufti, this time in the cabinet of Said Pasha. His second term lasted until 30 December 1911, ending with the resignation of Said Pasha’s cabinet. On 8 May 1916, Musa Kazım was appointed as Şeyhülislam for a third term, this time in the cabinet of Said Halim Pasha. This third term ended on 3 February 1917, with Said Halim Pasha’s resignation from the Grand Vizierate. Never-
theless, one day later, on 4 February, Musa Kazım was again appointed to the Şeyhülislamate in the newly formed cabinet of Talat Pasha. This was the fourth and final tenure of Musa Kazım as Şeyhülislam, ending on 8 October 1918, when Talat Pasha tendered his resignation.

In March 1919, the government of Damad Ferid Pasha established a court-martial in order to bring to trial former Ottoman officials who had served in the Unionist governments. On 10 March 1919, Musa Kazım Efendi was arrested by the collaborationist government and incarcerated in the Bekir Ağa Bölüğü Prison along with other Unionist politicians. On 13 July 1919, the court condemned the former Şeyhülislam to fifteen years of hard labor. Without doubt this unjustifiably severe punishment was given to Musa Kazım because the regime was anxious to demonstrate its subservience to the Occupation authorities. Later, Sultan Mehmed VI (Vahideddin) (r. 1918–1922) commuted the heavy sentence to three years of exile. Musa Kazım Efendi was exiled to the city of Edirne, where he died on 10 January 1920.1

**Ideas**

The following writings are taken from Musa Kazım’s work entitled Külliyat, published in Istanbul in 1336 AH. It was also published in Latin transcription by Ferhat Koca in Şeyhülislam Musa Kazım Efendi: Külliyat Dini ve İctimai Makaleler, Ankara: Ankara Okulu Yayınları, 2002.

*The Consultative System and Liberty in Islam*

The divine commandments revealed by the Prophet Muhammad to humankind are divided into two sections: principal [ahkam-i asliye] and secondary [ahkam-i feriye]. These two sections are further divided into those that pertain to the afterworld [uhreviye] and those that deal with worldly affairs [dünyeviye]. The principal commandments concern the afterworld; the secondary ones are about faith. The principal commandments on worldly matters are concerned with general public law; the secondary ones are concerned with specific legal fields such as criminal and commercial laws.

To apply the secondary commandments without considering the principal ones would be useless. For example, for someone who does not believe in the

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