

## Virtue, Piety and the Law

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# Virtue, Piety and the Law

*A Study of Birgivi Meḥmed Efendī's  
al-Ṭarīqa al-muḥammadiyya*

*By*

Katharina A. Ivanyi



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## Abbreviations and Frequently Cited Sources

<i>EI2</i>	<i>Encyclopedia of Islam</i> , second edition
<i>GAL</i>	<i>Geschichte der Arabischen Litteratur</i> (Brockelmann)
<i>GAS</i>	<i>Geschichte des Arabischen Schrifttums</i> (Sezgin)
<i>İA</i>	<i>İslâm Ansiklopedisi</i> (Turkish translation of the <i>Encyclopedia of Islam</i> , first ed.)
<i>IJMES</i>	<i>International Journal of Middle East Studies</i>
<i>İSAM</i>	<i>TDV İslâm Araştırmalar Merkezi</i>
<i>DİA</i>	<i>Diyanet İslâm Ansiklopedisi</i>
<i>SK</i>	<i>Süleymaniye Kütüphanesi</i>
<i>TM</i>	<i>al-Ṭarīqa al-muḥammadiyya</i>
<i>TUBA</i>	<i>Türklük Bilgisi Araştırmaları</i> ( <i>Journal of Turkish Studies</i> )
<i>TÜBATOK</i>	<i>Türkiye basmaları toplu kataloğu</i>
<i>VN</i>	<i>Vaşiyyet-nâme</i>

## Note on Transliteration and Transcription

The transliteration system recommended by the *International Journal of Middle East Studies* (*IJMES*) has been adopted for both Arabic and Ottoman Turkish, with two exceptions: “*sh*” is retained for the Arabic letter *shīn*, although the modern Turkish transliteration “*ş*” is also used in a number of instances where it made more sense; “*kh*” is retained for transliterations of the Arabic letter *khā*, usually rendered as “*h*” in modern Turkish. For Modern Turkish words, this book follows *IJMES*. Place names are generally rendered according to their common English version, where one exists. If no English version of a place name exists, modern Turkish is preferred over Ottoman Turkish transliteration. Thus Istanbul rather than İstanbul, but Balıkesir instead of Bâlıkesir. For the name of the main protagonist of this monograph, see chapter one, footnote 1.



# Introduction

The question of “Islamic reform” is one that has been debated with much intensity in modern and contemporary contexts—among non-Muslims and Muslims alike. Indeed, what the term is meant to mean is often unclear. The notion has been enlisted to support a truly dizzying array of political, cultural and social agendas, usually within the framework of a heightened secular consciousness.

In the pre-modern period cognate or seemingly commensurate concepts existed. Thus, terms such as *işlāh* (“restoration,” “reform”) or *tajdīd* (“renewal”) have had a long history in Islamic thought and featured, sometimes prominently, in the works of pre-modern Muslim jurists, theologians and preachers. This has often led to the assumption of the existence of a kind of trans-historical discourse of Islamic reform—a notion that is as misleading as it is ahistorical. Indeed, a false continuity has often been posited between concepts genealogically related, no doubt, but certainly not identical—neither in meaning, value or political significance. This book tries to examine the question of what a “reform” of self and society entailed for an early modern Muslim scholar. The scholar in question is Birgivī Meḥmed Efendī (d. 981/1573)—a prominent sixteenth-century Ottoman jurist, Ḥadīth scholar and grammarian, who would rise to prominence in the centuries after his death as a “reformer” and “renewer” of the faith. Birgivī did not use the terms *işlāh* or *tajdīd* in referring to his activities or ideas. Yet, from early on, his work was understood to entail a project of pious or law-minded “purification” (*taşfiya*). In his work on “The Renewers of Islam,” ‘Abd al-Muta‘āl al-Şa‘īdī (1894–1971), professor of Arabic at al-Azhar and twentieth-century advocate of *işlāh*, included an entry on Birgivī, for instance. Şa‘īdī’s account concludes with a story on how, toward the end of his life, Birgivī travelled to Istanbul to speak truth to power.

Then, at the end of his life, he travelled to Istanbul, where he entered upon the *majlis* of [Sultan Selīm 11’s Grand] Vizier [Soḡollu] Meḥmed Pāshā [d. 987/1579]. He spoke to him about [the need] to put an end to those who commit tyranny and to remove injustices from the lands. He was severe in his exhortation to him, because he did not fear anyone when it came to commanding right and forbidding wrong. He began to preach in Istanbul and apply himself to fighting the injustices done to the tax-paying population. But his exhortation went [unheard], like a cry in the desert. It did not affect the masses, nor the elite, because the people had gotten tired of this old style of preaching. [...] Birgivī was

from among the rigid scholars (*al-‘ulamā’ al-jāmidīn*). His biography only mentions that he was against [the giving and taking of] remuneration for the recitation of the Qurʾān and for teaching the sciences, which does not allow him to be categorized as a renewer (*mujaddid*) [...] except that he was severe in his rejection of forbidden practices (*inkār al-munkarāt*) and that—in this rejection—he did not fear anyone from among those in power (*dhawī al-sulṭān*) in his age.<sup>1</sup>

Ṣaʿīdī’s verdict that “people had gotten tired of this old style of preaching” was wrong, as was his claim that Birgivi’s call went unheard. Indeed, both statements reflect the concerns of a twentieth-century Egyptian intellectual more than the sixteenth-century realities he purports to describe. The passage is, it turns out, a refutation of Rashīd Riḍā (1865–1935), the famous early twentieth-century reformer, with whom Ṣaʿīdī was at loggerheads and who had “counted Birgivi among the renewers”—a verdict Ṣaʿīdī did not share.<sup>2</sup> Nevertheless, there is a certain ambivalence in Ṣaʿīdī’s assessment of Birgivi’s project. On the one hand, he says, Birgivi was so “rigid” (*jāmid*), he cannot be categorized as a renewer. On the other hand, however, he was so fearless in his denunciation of “injustice” (*zulm*) that the reader appears to be encouraged to admire him after all.

The story of Birgivi’s journey to Istanbul, as related by Ṣaʿīdī, is critical in highlighting one of the questions this study is trying to address: how to assess Birgivi’s work, which has become the object of various conflicting interpretations into the modern and contemporary periods. What sort of translations are at work when his project is understood as one of “reform”? What image has been advanced by recent academic scholarship, as well as by Muslims of different religious and political commitments, dedicated to either defend Birgivi’s project and what it is understood to entail or to reject it as reactionary and illiberal? What sort of traditions does Birgivi in fact stand in? And how does his work fit into what we know of the historical context of the sixteenth-century, i.e. the religious, political and social landscape of the early modern Ottoman Empire?

Birgivi’s legacy would come to be contested not only among twentieth-century Muslim proponents of reform, such as Ṣaʿīdī and Riḍā. Indeed, soon after his death, Birgivi’s ideas would begin to be adopted and adapted, read and engaged by scholars and groups of various persuasions, often in direct

1 ‘Abd al-Mutaʿāl al-Ṣaʿīdī, *al-Mujaddidūn fi-l-islām min al-qarn al-awwal ilā al-rābiʿ ‘ashar* (Cairo: Maktabat al-Ādāb, 1996), pp. 377–8.

2 See *ibid.*, p. 368.

opposition to each other.<sup>3</sup> Among Muslims invested in the idea of reform along socially conservative lines, Birgivi has often been presented as a steadfast warrior, incorruptible and unrelenting in the face of injustice and moral decay, corruption and ignorance. In Turkey and Egypt, as well as the wider Islamic world, from the Arabian peninsula to the Indian subcontinent, Russian Tatarstan and Chinese Turkestan, Europe and North America, his figure has assumed a place in a trans-historically imagined line of admonishers and pietists, *sunna*-minded scholars and activists alike, from Aḥmad b. Ḥanbal to Ibn Taymiyya and Ibn ‘Abd al-Wahhāb, according to what Ahmad Dallal has termed “the argument for the continuity of the fundamentalist tradition”—an argument that has been advanced by non-Muslims and Muslims of various essentializing visions alike.<sup>4</sup>

However, Birgivi’s work was also embraced and engaged by scholars of different, more nuanced convictions, making for an exceedingly complex history of the reception of his ideas. The aim of this study is not so much to trace the history of this reception, as to provide a reading and contextualization of one of Birgivi’s best-known and most popular works: *al-Ṭarīqa al-muḥammadiyya*—Birgivi’s main work of exhortation (*wa‘z*) and advice (*naṣiḥa*).

Neither the term *tajdid* (“renewal”) nor *iṣlāḥ* (“reform”) in fact form part of Birgivi’s vocabulary in *al-Ṭarīqa al-muḥammadiyya*. Instead, Birgivi advocated a purification (*taṣfiya*) of hearts and the correction (*taṣḥiḥ*) of doctrine. A reformist attitude of sorts can therefore, no doubt, be read into his work. This

3 For some of this reception, see below.

4 Dallal’s observation was made in the context of a study of eighteenth and nineteenth century Islamic “revivalist” movements, but is likewise applicable to earlier expressions of this supposedly continuous tradition: “The argument for the continuity of the ‘fundamentalist tradition,’” Dallal argues, “is also founded on the assumption that despite the diversity in their ‘organizational styles’ the revivalist movements [...] have produced a single, more or less homogenous, body of thought which belongs to an identifiable ‘fundamentalist mode of Islam.’ This mode, which traverses Islamic history is defined in terms of such themes as the need to abide by the Qur’ān and the Sunna, return to origins, revival of *ijtihād* and *ḥadīth* studies, rejection of innovation and imitation (*taqlid*) in matters of law, and rejection of the excesses of Sufism.” See A. Dallal, “The Origins and Objectives of Islamic Revivalist Thought, 1750–1850,” in *Journal of the American Oriental Society*, vol. 113, no. 3 (1993), p. 341. For Birgivi’s reception in Russian Tatarstan and Bashkiria, see Michael Kemper, *Sufis und Gelehrte in Tatarien und Baschkirien, 1789–1889. Der islamische Diskurs unter russischer Herrschaft* (Berlin: K. Schwarz, 1998); for his reception in Uyghur Turkestan, see Leila Cherif-Chebbi, “L’Yihewani, une machine de guerre contre le soufisme en Chine?” in de Jong, F., and Radtke, B. (eds.), *Islamic mysticism contested: thirteen centuries of controversies and polemics* (Leiden: Brill, 1999), 578–602; for his reception in South-Asia, see Marc Gaborieau, “Muslim Saints, Faquirs, and Pilgrims in 1831 according to Garcin de Tassy,” in Jamal Malik (ed.), *Perspectives of Mutual Encounters in South Asian History, 1760–1860* (Leiden: Brill, 2000), pp. 128–56.

was essentially conservative, if not “rigid” or idealist, as we will see. But Birgivi’s language was legal, his concerns ethical and moral, focusing on categories such as “licit” and “illicit,” “permitted,” “reprehensible,” and “recommended” (i.e. the five *aḥkām* of Islamic Law). Thus, if “reform” is to be read into his project, it essentially entailed a strict interpretation of the Law, paired with a constant and painstaking examination of the hidden motives of one’s thoughts, feelings and actions.

In the following, I will examine several important themes in Birgivi’s thought, as articulated in *al-Ṭarīqa al-muḥammadiyya*. Contextualizing Birgivi’s views within the wider intellectual tradition of Islam, as well as within his own environment of sixteenth-century Anatolia and Rumelia, the aim of this study is to provide an *explication de texte* in the widest sense of the word—a case study in the development of Islamic ethics in the early modern Ottoman world.

Considering the great popularity of Birgivi’s works in the centuries after his death, it is surprising how little attention they have received from a scholarly perspective until recently. For, although Birgivi has been credited with inspiring a whole range of religious movements and thinkers from the seventeenth century until the nineteenth, astonishingly few studies have examined the actual contents of his work in detail. Much Birgivi-related research has thus emphasized the political and social impact of his thought on activist movements such as that of the seventeenth-century Ḳāḏizādelis, or on what Barbara Flemming has called a “pre-Wahhābite” *fitna* in early eighteenth-century Cairo.<sup>5</sup> However, this usually involves no more than a cursory mention of Birgivi’s name (to explain the conservative or militant nature of the given group or individuals in question), without much analysis of the ideas involved.

5 For Birgivi’s influence on the Ḳāḏizādelis, see Ahmet Yaşar Ocak, “XVII. Yüzyılda Osmanlı İmparatorluğunda Dinde Tasfiye (Püritanizm) Teşebbüslerine Bir Bakış: Kadızādeliler Hareketi,” in *Türk Kültürü Araştırmaları*, vols. 17–21, nos. 1–2 (1979–83), pp. 204–25; Semiramis Çavuşoğlu, *The Ḳāḏizādeli movement: An attempt of şerīat-minded reform in the Ottoman Empire* (Princeton: Princeton University, 1990), unpublished PhD dissertation, pp. 48–59; and, most recently, E. Ekin Tuşalp Atiyas, “The ‘Sunna-Minded’ Trend,” in Marinos Sariyannis, *A history of Ottoman political thought up to the early nineteenth century* (Leiden: Brill, 2019), pp. 234–41 and 245–8. For the role played by “a treatise of Birgivi” in the religious unrest in Cairo during Ramaḏān 1123/1711, see Barbara Flemming, “Die vorwahhabitische Fitna im Osmanischen Kairo 1711,” in Oktay Aslanapa et al. (ed.), *İsmail Hakkı Uzunçarşılı’ya Armağan* (Ankara: Türk Tarih Kurumu, 1976), pp. 55–65. The same incidents have also been analyzed by Rudolph Peters, “The Battered Dervishes of Bāb Zuwayla: A Religious Riot in Eighteenth-Century Cairo,” in Nehemia Levtzion and John O. Voll (ed.), *Eighteenth-Century Renewal and Reform in Islam* (Syracuse: Syracuse University Press, 1987), pp. 93–115, and in Michael Winter, *Egyptian Society under Ottoman Rule, 1517–1798* (London: Routledge, 1992), pp. 157ff. Apart from the apparent religious nature of the conflict, Winter has also emphasized its particular ethnic component (Turks against Egyptians).

A typical summary of Birgivi's "thought" thus often proceeds as follows: "[...] al-Birgawī was quite famous [...] He insisted on strict adherence to the *sharī'a* and condemned everything he considered *bid'ā*, thus becoming involved in violent polemics with high-ranking scholars [...] Because of his fundamentalist views and his consistent stand, which brought him into conflict with the religious establishment, he can be compared with someone like Ibn Taymiyya."<sup>6</sup> Disregarding the spurious association with Ibn Taymiyya for a moment (which I will discuss in more detail in chapters one and two), schematic "summaries" of Birgivi's thought such as this often seem to turn him into a one-size-fits-all fundamentalist caricature. With only a few exceptions, however, until the last couple of decades the study of Birgivi's ideas remained largely neglected.<sup>7</sup>

This changed at the end of the 1980s and the beginning of the 1990s, when scholarly communities, first in Turkey and then in Germany, began to show a renewed interest in Birgivi's work. Beginning with a number of master's theses and doctoral dissertations, and followed by a range of articles by Ahmet Turan Arslan, Sadık Cihan, Fahri Unan and others, this interest found expression in a 1991 symposium on Birgivi's life and work, organized by the Faculty of Theology of Izmir's Dokuz Eylül University and the Ödemiş sub-branch of the Turkish Ministry of Religious Affairs.<sup>8</sup> The proceedings of this conference, together

6 R. Peters, "Religious Attitudes towards Modernization in the Ottoman Empire: A Nineteenth Century Pious Text on Steamships, Factories and the Telegraph," in *Die Welt des Islams*, new series, vol. 26, no. 1 (1986), p. 85.

7 These exceptions—all of which are still valuable today—include Mehmed Ali Aynî, *Türk Ahlâkçuları* (Istanbul: 1939), vol. 1, pp. 105–51; Atsız, N., *İstanbul Kütüphanelerine göre Birgili Mehmed Efendi Bibliyografyası* (Istanbul: 1966); Emrullah Yüksel, *Les idées religieuses et politiques de Mehmed al-Birkéwî (929–981/1523–1573)* (Paris: Sorbonne, 1972), unpublished PhD dissertation; Jon E. Mandaville, "Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire," in *International Journal of Middle East Studies*, vol. 10 (1979), pp. 289–308.

8 Ödemiş is the capital of the province in which Birgivi spent the last and most productive decades of his life. The proceedings of this conference were published by Mehmed Şeker (ed.), *İmam Birgivi* (Ankara: Türkiye Diyanet Vakfı, 1994). The dissertations and articles produced at the time include: Ahmet Turan Arslan, *İmam Birgivi ve Arapça tedarisındaki yeri* (Istanbul: Marmara University, 1982), PhD thesis, published in revised form as *İmam Birgivi: Hayatı, eserleri ve Arapça tedarisındaki yeri* (Istanbul: Seha, 1992); *idem*, "İmam Birgivi'nin tasavvuf anlayışı," in *İslâm*, vol. 74 (October 1989), pp. 43–5; Yaşar Düzenli, *İmam Birgivi ve tefsirdeki metodu* (Istanbul: Marmara University, 1987), unpublished masters thesis; Sadık Cihan, "Muhammed b. Pir Ali Birgivi ve "Risâle fi Usulî'l-Hadis" in Tercümesi" in *Ondokuz Mayıs Üniversitesi İlahiyat Fakültesi Dergisi*, no. 2 (Samsun: 1987), pp. 55–76; Avni İlhan, "Birgili Mehmet Efendi ve Mezhepler Tarihi ile ilgili Risalesi (Tuhteftü'l-Müsterşidîn fi Beyâni Fırakı Mezâhibi'l-Müslimîn)," in *D. E. Ü. İlahiyat Fakültesi Dergisi*, no. 6 (Izmir: 1989), pp. 173–215; Fahri Unan, "Dinde Tasfiyecilik Yahut Osmanlı Sünniliğine Sünnî Muhâlefet: Birgivi Mehmed Efendi," in *Türk Yurdu*, vol. 10, no. 36 (Ankara: August, 1990), pp. 33–42;

with Ahmet Turan Arslan's work, would serve as the foundation for research on Birgivi in Turkey in the years to come. Arslan's monograph (on Birgivi's place in the teaching of Arabic in the Ottoman *medrese* system) also included the first revision of Nihal Atsız's 1966 bibliography, which has recently been revisited by Ahmet Kaylı in an invaluable study that remains unpublished.<sup>9</sup> Both Şeker and Arslan, as well as Yüksel's *DİA* article, are still useful starting points for any examination of Birgivi's thought. Most recently, the proceedings of a new symposium, held in October 2018 at Balıkesir University's İlahiyat Faculty, illustrate the enormous interest in Birgivi among scholars of Islamic theology and the Islamic sciences more generally—in Turkey, the Arab world and beyond.<sup>10</sup> Theologically inspired scholarship on Birgivi has thus been thriving, a fact quite noteworthy in and of itself. Within the fields of Ottoman and Islamic Studies, however, interest in the sixteenth-century scholar from Western Anatolia has remained subdued and detailed examinations of his work are still lacking.

While Birgivi has hence stayed on the sidelines of scholarly debates, one curious exception, which saw him pulled into the center of attention, must be mentioned. This was a debate among German scholars of Islam and historians of the Middle East in the 1990s over the question of whether or not there was such a thing as an independent, eighteenth-century Islamic "Enlightenment." In a 1996 special issue of *Die Welt des Islams*, the most vociferous proponent of this thesis, Reinhard Schulze, argued that Birgivi's work represented the beginnings of an early-modern indigenous (i.e. Islamic) critique of the Islamic tradition, comparable to the kinds of pietistic trends that had contributed to bringing about the Enlightenment in Christian Europe.<sup>11</sup> In particular, Schulze

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Emrullah Yüksel, "Birgivi," in *DİA*, vol. 6 (1992), pp. 191–4; Ö. Arpacı, *Birgivi'de karakter terbiyesi* (Istanbul: Marmara University, 1992), unpublished masters thesis; Mehmet Demirci, "Birgivi ve Tasavvuf," in *Kubbealtı Akademi Mecmuası*, vol. 22, no. 4 (October 1993), pp. 29–38.

9 Kaylı, A., *A Critical Study of Birgivi Mehmed Efendi's Works and their Dissemination in Manuscript Form* (Istanbul: Boğaziçi Üniversitesi, 2010), unpublished master's thesis.

10 See Mehmet Bayyigit et al. (eds.), *Balıkesirli Bir İslam Âlimi: İmam Birgivi* (Balıkesir: Balıkesir Büyükşehir Belediyesi Kültür A. Ş., 2019), 3 vols.

11 See Reinhard Schulze, "Was ist die islamische Aufklärung?" in *Die Welt des Islams*, new series, vol. 36, no. 3 (1996), pp. 276–325. The debate had, in fact, already begun in 1990 when Schulze published an article in which he called for a re-appraisal of eighteenth century Islamic history in universalist, "world-historic" terms, arguing that it was characterized by phenomena similar to those that distinguished the European enlightenment. See R. Schulze, "Das islamische 18. Jahrhundert: Versuch einer historiographischen Kritik," in *Die Welt des Islams*, vol. 30, no. 1 (1990), pp. 140–59. The article elicited immediate response, first by Rudolph Peters, "Reinhard Schulze's Quest for an Islamic Enlightenment," in the same issue, pp. 160–2. Peters agreed with Schulze on that the eighteenth century needed to be studied further, but disagreed with the use of the term "enlightenment."

claimed that Birgivi “seems to represent the most important strand of theological critique, which would lead to a vehement rejection of the tradition.”<sup>12</sup> Furthermore, Schulze argued that Birgivi was preaching a “living faith,” and that his teachings were founded on “a radical experience of the self, in which life, spirit and strength were pitted against doctrine, office and appearances.”<sup>13</sup> Comparing Birgivi and his work to that of the seventeenth-century German pietist Philipp Jacob Spener (and his main work, *Pia Desideria*), Schulze claimed that the early-modern Islamic pietism of which Birgivi was a main agent “represented an important line of the Islamic tradition through which an Enlightenment-consciousness was formed.”<sup>14</sup>

Schulze’s interest in Birgivi had first arisen from the fact that an anonymous eighteenth-century German Enlightenment critic of the Catholic Church had used a work of Birgivi’s to argue for the importance of “reason” in leading to truth (in contrast to revelation), as well as in supporting his attacks on (Catholic) “idolatry,” “saint worship” and “nefarious moral conduct.”<sup>15</sup> Indeed, the tract Schulze unearthed represents a fascinating example of the role played by representations of Islam in European Enlightenment polemics.<sup>16</sup> However,

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Likewise Ulrich Haarmann, ““Ein Mißgriff des Geschicks”: Muslimische und westlichen Standpunkte zur Geschichte der islamischen Welt im achzehnten Jahrhundert,” in Wolfgang Küttler, Jörn Rüsen and Ernst Schulin (ed.), *Anfänge modernen historischen Denkens* (Frankfurt: 1994), pp. 184–201. Stronger criticisms came from Bernd Radtke, “Erleuchtung und Aufklärung: Islamische Mystik und europäischer Rationalismus,” *Die Welt des Islams*, vol. 34, no. 1 (1994), pp. 48–66, and Tilman Nagel, “Autochthone Wurzeln des islamischen Modernismus: Bemerkungen zum Werk des Damaszeners Ibn ‘Abidin (1784–1836),” in *ZDMG* vol. 146 (1996), pp. 92–111.

12 Schulze, “Was ist die islamische Aufklärung?” p. 301.

13 *Ibid.*

14 *Ibid.*, p. 302.

15 See *ibid.*, pp. 298ff., and Gottfried Hagen and Tilman Seidenstricker, “Reinhard Schulze’s Hypothese einer islamischen Aufklärung: Kritik einer historiographischen Kritik,” *ZDMG* vol. 148 (1996), p. 95f., quoting anon., *Ist die muhammedanische Religion an sich böse und verwerflich? Hat sie Ähnlichkeiten mit der christlichen? Verdient sie nach der christlichen den ersten Rang?* (Ratiopolis: 1790). The work of Birgivi’s the critic was using was not *al-Ṭarīqa al-muḥammadiyya*, but his so-called *Vaṣīyyet-nāme* or *Risāle-i Birgivi*. See below.

16 However, neither Schulze nor his later critics realized that the “anonymous” author of the treatise in question was in fact Johann Traugott Plant, an enlightenment polyglot, who had composed a range of multi-volume works including “A description of the earth and a history of Polynesia,” “Candid letters concerning the current constitution and form of government of European states,” and “A chronological, biographical and critical outline of a history of German poetry.” See Johann Traugott Plant, *Handbuch einer vollständigen Erdbeschreibung und Geschichte Polynesiens* (Leipzig and Gera: Wilhelm Heinsius, 1793–99), 2 volumes; *idem*, *Freimüthige Briefe über die gegenwärtige Verfassung und Regierungsform, Stärke und Schwäche der europäischen Staaten* (Otaḥiti [probably

Schulze read Birgivi's ideas as "enlightened," when in fact they were, in many ways, the exact opposite.<sup>17</sup> In their refutation of Schulze's theses, Gottfried Hagen and Tilman Seidenstricker, for instance, showed that Birgivi's pietism was very different from that of European Enlightenment thinkers and that his "critique of the tradition" was not the kind Schulze had imagined.<sup>18</sup> If anything, they argued, Birgivi was a "puritan," rather than the representative of a tradition "through which an Enlightenment-consciousness was formed."<sup>19</sup>

Bernd Radtke added to this criticism by providing an analysis of selections of Birgivi's *al-Ṭarīqa al-muḥammadiyya* a few years later.<sup>20</sup> With the aim of refuting Schulze's theses, Radtke focused on passages drawn from the first part of the work in particular, to the exclusion of a detailed analysis of parts two and three. The latter had already been examined in summary fashion by Michael Kemper in a study of nineteenth-century Muslims in Tatarstan and Bashkiria, among whom Birgivi's work had risen to great popularity.<sup>21</sup> Moreover, and no longer in response to Schulze, Radtke followed his first examination of the *Ṭarīqa* with a preliminary review of its sources (at least those explicitly mentioned by Birgivi) a couple of years later.<sup>22</sup>

In addition to this, the last couple of decades have witnessed a number of other important publications relating to Birgivi and his *Ṭarīqa al-muḥammadiyya*. These include, first and foremost, a translation of the largest part of the work into English by the late Sheikh Tosun Bayrak, who for

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Leipzig]: 1790); *idem*, *Chronologisch-biographischer und kritischer Entwurf einer Geschichte der deutschen Dichtkunst* (Stettin: 1782). Alongside his much more widely disseminated "Encyclopaedia of the Turkish State," Plant also published Birgivi's *Risāle*, an 'aqīda-style primer in Islamic doctrine and practice, which I will discuss in part two of chapter one. See J. T. Plant, *Türkisches Staats-Lexicon, oder vollständige und wahre Erklärung aller türkischen Staats- und Hofbedienungen [...] nebst einer Geschichte des Propheten Muhammads, des Korans und des jetzigen Kaisers Abd-ul-Hamids* (Hamburg: Hoffmann, 1789); *idem*, *Birghilu Risale oder Elementarbuch der muhammedanischen Glaubenslehre: nach dem Arabischen des Nedschmuddin Omar Nessefy* (Genf: 1790). It is on the basis of the latter, it seems, that he composed the treatise found by Schulze.

17 This, one might add, might have been due to Plant's original misreading of Birgivi for the purposes of his own critique of the Catholic Church.

18 Hagen and Seidenstricker, "Reinhard Schulze's Hypothese einer islamischen Aufklärung," pp. 83–110.

19 *Ibid.*, p. 100.

20 See B. Radtke, *Autochthone islamische Aufklärung im 18. Jahrhundert: theoretische und filologische Bemerkungen: Fortführung einer Debatte* (Utrecht: Houtsma Stichting, 2000), pp. 42–50.

21 See Kemper, *op. cit.*, pp. 148–172.

22 *IDEM*, "Birgivi's *Ṭarīqa muḥammadiyya*: Einige Bemerkungen und Überlegungen," in *Journal of Turkish Studies/Türklük Bilgisi Araştırmaları (TUBA)*, vol. 26, no. 2 (2002), pp. 159–74.

nearly four decades had served as head of the Halveti-Jerrahi community in the United States. Produced for a popular audience, this translation led to considerable awareness of Birgivi's work in both academic circles and Muslim communities in North America.<sup>23</sup> While useful in many ways, Bayrak's translation is not a scholarly work, however. Rather, Bayrak refers to it as an "interpretation." He gives no indication as to which editions, commentaries or manuscript sources he relied on; at times great swathes of the original Arabic text are missing (the third and last part of the text is left out in its entirety, for instance); at other times Bayrak presents material from the extensive commentary tradition as part of the original. This weaving in of much disparate commentary material, and the fact that there are no critical references or explanations, at times makes it difficult for the original text to be discerned. In fact, Bayrak's "interpretation" can be misleading for readers with no recourse to the original Arabic. Nonetheless, it is of great importance and interest in terms of the reception of Birgivi's ideas in the early twenty-first century. Bayrak's text is particularly fascinating as an example of how a contemporary Turkish-American Sufi read and interpreted Birgivi—especially as a member of the Khalwatiyya, a Sufi order Birgivi seems to have particularly disliked and which, more than once, became the target of his followers' wrath.

In Turkey meanwhile, Huriye Martı has emerged as the leading scholar on Birgivi and *al-Ṭarīqa al-muḥammadiyya* over the course of the last decade and a half.<sup>24</sup> Martı's 2008 monograph on Birgivi's life and works provides an invaluable examination of some of the most pertinent primary sources in both Ottoman and modern Turkish, as does her 2012 study of the *Ṭarīqa*.

Moreover, Emrullah Yüksel's 2011 volume on Birgivi's work and thought also provides useful material on the latter's religious and political positions.<sup>25</sup> Based on Yüksel's 1972 PhD dissertation, this study, like Radtke's, is particularly concerned with the first and second parts of the *Ṭarīqa*, focusing on Birgivi's discussions of theology and heresiography, as well as his understanding of ethics and the role of the sciences.

Building on the work of above-mentioned scholars, from Martı, Yüksel and Arslan, to Radtke, my own project is intended to complement and broaden the research carried out on Birgivi up until now. In particular, the aim of this

23 Tosun Bayrak (trans.), *The Path of Muhammad: A Book on Islamic Morals and Ethics* (Bloomington: World Wisdom, 2005).

24 See Huriye Martı, *Birgivi Mehmed Efendi* (Istanbul: Türkiye Diyanet Vakfı, 2008) and *Et-tarīkatü'l-Muhammedîyye: muhteva analizi, kaynakları, kaynaklık değeri* (Cağaloğlu, İstanbul: Rağbet, 2012).

25 Emrullah Yüksel, *Mehmed Birgivi'nin (929–981–1523–1573) dinî ve siyâsî görüşleri* (Ankara: Türkiye Diyanet Vakfı, 2011).

monograph is to provide a close reading of several parts of the *Ṭarīqa*, which have been neglected so far, in order to draw attention to a number of themes and tensions in Birgivi's thought, to illustrate the intricacy of his positions within the highly politicized legal and ethical debates of his day, as well as within the wider Islamic tradition.

In paying close attention to this intricacy, to tease it out more clearly, my work also hopes to contribute to some of the larger debates that have emerged in the field of Ottoman and Islamic Studies in recent years, particularly in regard to the question of "Sunnitization," early modern Ottoman confessional politics, debates in Ḥanafī jurisprudence and the political significance of "regimes of morality," in what Nir Shafir has posited as a "pietistic turn" in the sixteenth and seventeenth centuries.<sup>26</sup>

As a key work of exhortation (*waʿz*) and advice (*naṣīḥa*), with lasting influence into modern times, Birgivi's *al-Ṭarīqa al-muḥammadiyya* must be placed

26 A large body of literature has emerged on these questions in recent years. See Tijana Krstić, *Contested Conversions to Islam: Narratives of Religious Change in the Early Modern Ottoman Empire* (Stanford: Stanford University Press, 2011); Marc David Baer, "Contested Conversions to Islam" (review), *Journal of Islamic Studies*, vol. 23, no. 3 (2012), pp. 391–4; Krstić, "From *Shahāda* to *ʿaqīda*: Conversion to Islam, Catechisation and Sunnitisation in Sixteenth-Century Ottoman Rumeli," in A. C. S. Peacock (ed.), *Islamisation: Comparative Perspectives from History* (Edinburgh: Edinburgh University Press, 2017), pp. 296–314; Krstić, "State and Religion, 'Sunnitization' and 'Confessionalism' in Süleyman's Time," in Pál Fodor (ed.), *The Battle for Central Europe: The Siege of Szigetvár and the Death of Süleyman the Magnificent and Nicholas Zrínyi (1566)* (Leiden: Brill, 2019), pp. 65–91; Derin Terzioğlu, "Sufis in the Age of State-Building and Confessionalization," in Christine Woodhead (ed.), *The Ottoman World* (Abingdon: Routledge, 2011), pp. 86–99; Terzioğlu, "How to conceptualize Ottoman Sunnitization: A Historiographical Discussion," *Turcica*, vol. 44 (2012–2013), pp. 301–338; Terzioğlu, "Where *ʿilm-i ḥāl* meets catechism: Islamic manuals of religious instruction in the Ottoman Empire in the age of confessionalization," *Past and Present*, vol. 220 (2013), pp. 79–114; Kaya Şahin, *Empire and Power in the Reign of Süleyman: Narrating the Sixteenth-Century Ottoman World* (Cambridge: Cambridge University Press, 2013); Guy Burak, "Faith, law and empire in the Ottoman 'age of confessionalization' (fifteenth-seventeenth centuries): the case of 'renewal of faith,'" *Mediterranean Historical Review*, vol. 28, no. 1, pp. 1–23; Burak, *The Second Formation of Islamic Law: the Ḥanafī School in the early modern Ottoman Empire* (New York: Cambridge University Press, 2015); Marinos Sariyannis, *A history of Ottoman political thought up to the early nineteenth century* (Leiden: Brill, 2019), with a chapter by Ekin Tuşalp Atiyas, "The 'Sunna-Minded' Trend," pp. 233–78; Vefa Erginbaş (ed.), *Ottoman Sunnism: New Perspectives* (Edinburgh: Edinburgh University Press, 2019); Nir Shafir, "Moral Revolutions: The Politics of Piety in the Ottoman Empire Reimagined," in *Comparative Studies in Society and History*, vol. 6, no. 3 (2019), pp. 595–623. Shafir's suggestion of a "turn to piety" finds earlier expression in Terzioğlu's "Where *ʿilm-i ḥāl* meets catechism," p. 12. Both, in their turn, refer to Marc Baer, *Honored by the Glory of Islam*, p. 6, but explain that a "broader range of religious orientations and attitudes" (Terzioğlu), or expanded meaning (Shafir), is intended.

in this context. Just like Nābī's *Khayriyye*, studied by Shafir, the *Ṭarīqa* in fact forms part of the "immense body of morality literature, of which scholars have only begun to scratch the surface."<sup>27</sup> This monograph represents an attempt to contribute to the study of this larger body of literature, by offering a detailed textual analysis and contextualization of the contents of the *al-Ṭarīqa al-muḥammadiyya*, to help us critically examine the theses put forth in recent scholarship. My project thus aims to contribute to our understanding of the history of moral, political and economic thought in the early modern Ottoman Empire, the development of Ḥanafī jurisprudence, debates concerning the Sufi tradition and early modern Islamic ethics.

The question of modernity looms large in this regard. Indeed, Birgivī, and his later seventeenth-century Kādīzādelī followers, have often been argued to "foreshadow trends which are characteristic of modernity in religion: rationality and interiorization, which is why Birgivism or Kadizadeli Islam became one of the most influential strains of Turkish Islam," according to Gottfried Hagen.<sup>28</sup> While this study will not engage with seventeenth-century developments as such, it might allow for a more nuanced appreciation of Birgivī's ideas, within the framework of the wider Islamic tradition. This might, in turn, help in broaching the question of what exactly we mean when we speak of "modernity in religion," "rationality" or "interiorization" in general terms, as well as with regard to the history of Islam in early modern Western Asia. Among the themes that emerge in this study are, indeed, Birgivī's blueprint for a highly interiorized individual moral reckoning. Whether his particular instructions for the examination of a believer's conscience are ultimately or necessarily modern, however, remains to be seen, considering the long pre-modern tradition of an "accounting of the soul"—a tradition Birgivī liberally draws on.

Moreover, unlike Nābī's *Khayriyye*, examined by Shafir, Birgivī's *al-Ṭarīqa al-muḥammadiyya* very much wedded the cultivation of individual morality with the establishment of public virtue. Indeed, while there are numerous similarities in their respective outlooks—from the insistence that all Muslims could, indeed should, become "objects of moral edification and reform," to the primacy of individual moral responsibility, the focus on even the most ordinary activities of daily life, the instructions to rigorously dissect one's intentions and "private thoughts," the advice for "how to eat, pray, and love," i.e. a vision in which, as Shafir points out, "all were equally responsible to behave

27 Shafir, "Moral Revolutions," p. 598.

28 Gottfried Hagen, "Afterword: Ottoman Understandings of the World in the Seventeenth Century," in R. Dankoff, *An Ottoman Mentality: the World of Evliya Çelebi* (Leiden: Brill, 2004), p. 246.

ethically and be individually responsible for their moral burdens”—Birgivi never abandons his call for the establishment of broader social, economic and political virtue.<sup>29</sup> Alongside the establishment of individual piety, public virtue was crucial. In fact, it is one of the aims of this study to show how, for Birgivi, the two were essentially and fundamentally tied together. You could not have one without the other. And while, of course, circumspection was needed in the way *naṣīḥat* was to be dispensed, this did not mean a retreat into “the private.” Indeed, matters of social and public concern were central to Birgivi’s moral project. Thus, the cultivation of individual virtue was inherently political, but it was not so to the exclusion of wider legal and public concerns, which expressed themselves, for instance, in Birgivi’s desire to influence and rectify morally unsound government practice.

In setting forth his particular vision in *al-Ṭarīqa al-muḥammadiyya*, as much as in his other works, Birgivi was positioning himself in a wider conversation over what constituted theologically, legally and spiritually “correct” belief and practice. The negotiation of orthodoxy, and orthopraxy, at the time, i.e. the process by which early modern Ottoman *‘ulamā* articulated correct belief and practice, against the backdrop of the vast and complex tradition of pre-modern Islam, and through intense engagement with it, can serve as the framework to understand *al-Ṭarīqa al-muḥammadiyya*’s significance, setting and purpose.<sup>30</sup>

29 By *broader* political virtue I here mean not that which concerns the political nature of individual moral subjectivity, but rather the political virtue that pertains to state and government policies, broadly conceived. For the concerns of Nābī’s *naṣīḥatnāme*, see Shafir, “Moral Revolutions,” pp. 603–8.

30 The category of “orthodoxy” has been much criticized and debated in recent decades. The following remarks by Ahmed El Shamsy may serve as a reminder of what is intended here: “Orthodoxy as a social phenomenon is not a “thing” but rather a process. For theological doctrines to become established as orthodox, they must find a place in the constantly changing net of social relations and institutions that constitute society. This is a two-way process: ideas can reconfigure these relations and institutions, but the social context also actively receives ideas and promotes, channels and/or suppresses them. Thus the history of orthodoxy cannot be simply a history of ideas, but a history of how, in particular situations, claims to truth came to be enshrined in social practices, such as rituals, and in institutions, such as the “community of scholars.” Ahmed El Shamsy, “The social construction of orthodoxy,” in Tim Winter (ed.), *The Cambridge Companion to Classical Islamic Theology* (2008), p. 97. In his book *What is Islam?*, the late Shahab Ahmed argued against what he called the idea of “Islam as orthodoxy,” which he saw put forth by Talal Asad. In his seminal essay on “The idea of an Anthropology of Islam,” Asad had maintained that “orthodoxy is [...] a distinctive relationship—a relationship of power. Wherever Muslims have power to regulate, uphold, require or adjust *correct* practices, and to condemn, exclude, undermine, or replace *incorrect* ones, there is the domain of orthodoxy [...] Argument and conflict over the form and significance of practices are therefore a natural part of any Islamic tradition.” See Asad, “The Idea of an Anthropology of Islam,” in *Center for Contemporary*

The aim of this monograph is to illustrate Birgivi's work in the context of this larger process, i.e. the articulation of a particular Ḥanafī-Māturīdī piety in the early modern Ottoman Empire, its moral and political implications, and the confrontations attendant upon its negotiation.

Chapter one opens with an account of Birgivi's life (part one) and work (part two), including a discussion of his social milieu and intellectual concerns. Birgivi was both a prolific and popular writer. His works cover a wide range of genres. What they all have in common though, is their decidedly practical and didactic aspect. In terms of content, Birgivi's works deal mostly with questions of "correct" faith and ritual, often providing detailed instructions on how to cultivate a pious self in everyday life. Many of his writings also address some of the most fervently debated legal problems of the day, including questions of strictly devotional concern and broader economic issues. In terms of form, they are written in easy and accessible language. Offering unambiguous advice to his fellow Muslims as to "what to believe" and "how to behave," in order to provide clear-cut instructions on how to establish virtue and piety in the Here and Now, with the aim of achieving salvation and closeness to God in the Hereafter, Birgivi was clearly engaged in a conscious project of social disciplining, on both the individual and communal level.

In order to better situate Birgivi in the legal debates that distinguished sixteenth-century Ottoman Anatolia and Rumelia, part three of the chapter will examine the specific social, political and religious context of the period. While Birgivi played a crucial part in the articulation of ideologically and spiritually acceptable beliefs and practices, he often did so against some of the most powerful representatives of the official religious hierarchy of the day. Indeed, Birgivi's case can serve as a good reminder for the fact that "confessionalizing" trends and the much asserted "Sunnitization" of the Empire at the time involved quite complex processes. Certainly not just a top-down affair, Sunnitization might in fact be understood as in large part effected by the same

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*Arab Studies: Occasional Papers* (Washington, DC: Georgetown University, 1986), pp. 1–22. Against this, Shahab Ahmed held that, "Orthodoxy" connotes, most intrinsically, the *prescription and restriction* of truth. While one can have pluralist orthodoxies—such as Islamic law, which accepts a delimited range of differing, or even contradictory, positions on the same legal question to be equally valid and true—the meaningfulness of the term "orthodoxy" is diminished as attitudes towards truth become less restrictive and prescriptive. Simply, the more pluralistic the attitude to truth, the less the term "orthodoxy" can help us in understanding that attitude to truth." See S. Ahmed, *What is Islam?: The Importance of being Islamic* (Princeton: Princeton University Press, 2016), p. 287f. For a critical assessment of the history and contemporary use of the term "orthodoxy" in Islamic Studies, see Brett Wilson, "Failure of Nomenclature: The Concept "Orthodoxy" in the Study of Islam," in *Comparative Islamic Studies*, vol. 3 (2007), pp. 169–94.

“negotiation of orthodoxy,” in which Birgivī took such an active role. It is worth keeping in mind that the early modern Ottoman scholarly community was by no means a monolith. Indeed, the Ḥanafī legal establishment witnessed vigorous internal debate. The same applied to the world of Ottoman Sufi piety. Besides, legal scholarship and Sufism were in no way mutually exclusive.

Chapter two examines the intellectual framework within which Birgivī formulated his particular vision of “correct belief” and “correct practice.” The chapter explores the various discursive traditions Birgivī enlisted in his articulation of “orthodoxy.” These included, first and foremost, the Ḥanafī legal tradition (and in particular a type of post-classical Ḥanafī *fatāwā* literature), certain strands of Sufism and the tradition of Islamic ethics (*akhlāq*) and advice (*naṣiḥa*). In the last part of the chapter Birgivī’s intellectual concerns are compared to those of some of his contemporaries—contemporaries who were tackling similar issues, albeit in often quite different ways.

Chapter three then provides an overview of the structure and contents of Birgivī’s *magnum opus*, *al-Ṭarīqa al-muḥammadiyya*. Representative of his wider project of *naṣiḥat al-muslimīn*, the *Ṭarīqa* epitomizes many of Birgivī’s most important intellectual concerns and is characterized by as great a variety of content as his *oeuvre* as a whole. While chapter three is aimed at offering an impression of this variety, it will at the same time focus on a number of key themes. These include Birgivī’s emphasis on the virtue of moderation (*iqtiṣād*), as well as his understanding of the workings of the human soul. Attention will be drawn to the essentially social aspect involved in any attempt to cultivate a godly disposition, as far as Birgivī was concerned. Furthermore, the chapter will consider the kinds of legal and ethical knowledge Birgivī deemed necessary for any individual believer to possess in his quest to establish piety (*taqwā*) in everyday life.

Chapter four then offers a close reading of Birgivī’s treatment of the vice of feigned piety or sanctimony (*riyāʿ*). Contextualizing his great concern for this “evil of the heart” in the wider Islamic tradition, the chapter will highlight Birgivī’s deep mistrust of the passions of the human soul, which he saw as constantly bound to fall prey to its “evil-commanding” faculty (*al-naḥs al-ammāra bi-l-sūʿ*) and the temptations of Satan. It was this mistrust that led him to prescribe a regime of individual self-scrutiny that turned out to be so relentless it was almost impossible for believers to ever feel truly sure of not having acted insincerely. The chapter will highlight two important tensions in Birgivī’s thought. First, there was the problem caused by his desire to provide guidance, on the one hand, and the possibly sanctimonious motives underlying it, on the other. Second, and more importantly, the chapter will reveal a predicament Birgivī’s call to believers to submit themselves to such a rigorous

regime of self-examination entailed: it was the question of whether such a regime didn't ultimately make believers judges of their own actions. Was this, however, not the prerogative of God? While Birgivi does not address these problems directly in *al-Ṭarīqa al-muḥammadiyya*, I will argue that the text can only be understood in light of these underlying tensions, which ultimately remain unresolved.

Chapter five then addresses the way Birgivi linked questions of individual piety to issues of wider social and economic concern. Examining Birgivi's understanding of both "right giving" and "right getting" (on an individual as well as a societal or state level), the chapter will focus on what could be termed Birgivi's "economic" views in the widest sense. Specifically, the chapter will examine Birgivi's attitudes toward wastefulness (an "evil of the heart" with wide-ranging consequences in the economic arena), the practice of asking and receiving payment for the performance of religious services, the institution of the cash *waqf* and contemporary Ottoman practices of land tenure and taxation. The chapter concludes that in the economic sphere, as much as in his prescriptions for a relentless examination of the motives of one's thoughts and deeds, Birgivi was setting standards that proved difficult to achieve, for both the individual believer and the Ottoman state more generally.

## Birgivi in Context

### 1 Context 1: Birgivi's Life

#### 1.1 Introduction

Meḥmed b. Pīr 'Alī, who would, in time, come to be better known as Taqīyy al-Dīn Birgivi Meḥmed Efendī, was born in the year 929 of the *hijra* (1523 CE) in the Western Anatolian town of Balıkesir.<sup>1</sup> The world Birgivi was born into was one of rapid and profound change, as Europe and Asia were entering what is commonly referred to as the “early modern” era and the Ottoman Empire its so-called “Golden Age.”<sup>2</sup> Sultan Süleymān Qānūnī (“the

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- 1 Hence his second *nisba* “al-Bālıkesrī,” see Bursalı Meḥmed Tāhir, *Osmanlı Müellifleri* (Istanbul: Maṭba'a-i 'āmiri, 1914–1928), 3 vols. in one, index (*ulema faşlının fihrisi*), no page number. There are a number of ways to render Meḥmed b. Pīr 'Alī's more common *nisba* “Birgivi,” the most popular alternative being “Birgili.” A number of scholars have argued that it makes more sense to use the latter. See Nihal Atsız, *İstanbul Kütüphanelerine göre Birgili Mehmed Efendi Bibliyografyası* (Istanbul: 1966), p. 1, as well as Huriye Martı, *Birgivi Mehmed Efendi* (Istanbul: Türkiye Diyanet Vakfı, 2008), p. 26, fn. 112 (funnily enough, she uses the form “Birgivi” in her title though). Both “Birgili” and “Birgivi” can be found in Ottoman sources, however, and—against Atsız and Martı—I have opted for “Birgivi” as it seems more commonly used. For more on the town of Balıkesir—originally “*paleion kastron*” (the “Old Castle”)—in Islamic times, see V. J. Parry, “Bālıkesrī,” in *ET2*, vol. 1, pp. 993–4. İsmail Hakkı Uzunçarşılı, famous for his study of the Ottoman learned hierarchy, spent a number of years as teacher and director of the Balıkesir High School, before joining the history department of Istanbul University in 1932. He collected material on famous Balıkesir *ulamā'* and Sufi *shaykhs*, posthumously published by Mehmet Sarı and Ahmet Karaman (ed.), *Karesi Meşāhiri* (Balıkesir: Zağnos Kültür ve Eğitim Vakfı, 1999). For Birgivi, see pp. 5–7; for Birgivi's father Pīr 'Alī, see p. 5, fn. 1, in particular.
- 2 The concept of a “Golden Age” is obviously problematic, as it involves an unwarranted romanticizing and idealization of the period in question. This idealization in fact goes back to Ottoman writers of later periods themselves and was subsequently adopted by Western writers, as Douglas Howard has shown. See his article “Ottoman historiography and the literature of ‘decline’ in of the sixteenth and seventeenth centuries,” in *Journal of Asian History*, vol. 22 (1988), pp. 52–77. For a good introduction to the political, military, economic and social history of the early sixteenth century Ottoman Empire, see Caroline Finkel, *Osman's Dream* (London: John Murray, 2005), pp. 115–151 as well as the collection of essays in H. Inalcik and Cemal Kafadar (ed.), *Süleyman the Second (i.e. First) and His Time* (Istanbul: Isis, 1993). The sixteenth century was undeniably one of great cultural achievements, in architecture and the fine arts, in poetry, *belles lettres*, and so on. For some introductory studies, see for instance Gülrü Necipoğlu, *The Age of Sinan: Architectural Culture in the Ottoman Empire* (Princeton: Princeton University Press, 2005) or Walter Andrews and Mehmet Kalpaklı, *The Age of*

Lawgiver”), a.k.a. “the Magnificent,” had come to the throne just three years earlier in 926/1520. The central Islamic lands of Syria and Egypt had been conquered less than a decade before Birgivī’s birth by Süleymān’s predecessor Selīm I Yavuz (“the Grim”) and were gradually being incorporated into the Empire at the hands of the Sultan’s administrators as well as local elites.<sup>3</sup> Having more than doubled in size over the course of just a few years (918–921/1512–1515), the Ottoman state would undergo a hitherto unprecedented process of consolidation and bureaucratization—a process that would leave no area of life untouched, including the religious sphere.

In what follows, I will give an account of Birgivī’s life (part one) and an overview of his work (part two). This will involve a discussion of his social milieu and intellectual concerns, respectively. It will be followed, in part three, by an examination of the wider historical context of Islam in the early modern Ottoman Empire, including the question of “Sunnitization,” which brought with it a concern for “boundary-setting” and the negotiation of Ottoman Sunni orthodoxy, as well as orthopraxy—negotiations Birgivī would play a not insignificant role in.

### 1.2 *Birgivī’s Life—Balıkesir, Early Years*

Meḥmed b. Pīr ‘Alī was born into a family of religious scholars and local Sufi leaders in the provincial town of Balıkesir—in today’s Marmara region, some 390 kilometers south of Istanbul by land.<sup>4</sup> Balıkesir was a regional

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*Beloveds: Love and the Beloved in Early Modern Ottoman and European Culture and Society* (Durham, NC: Duke University Press, 2005). The term “early modern” has been problematized by Jack Goldstone, “The Problem of the ‘Early Modern’ World,” in *Journal of the Economic and Social History of the Orient*, vol. 41, no. 3 (1998), pp. 249–84 and Rudolph Starn, “The Early Modern Muddle,” in *Journal of Early Modern History*, vol. 6, no. 3 (2002), pp. 296–307.

3 See Leslie Peirce’s summary in *Morality Tales: law and gender in the Ottoman court of Aintab* (Berkeley: University of California Press, 2003), p. 10.

4 See above, fn. 1. For Birgivī’s life, see ‘Alī b. Bālī Manq (d. 992/1584), *al-‘Iqd al-manzūm fī dhikr afādil al-rūm* (Beirut: Dār al-kitāb al-‘arabī, 1975), pp. 436–7; Nev’izāde ‘Aṭā’ī, *Ḥadā’iq al-ḥaqā’iq fī takmilat al-shaqā’iq*, ed. Abdülkadir Özcan (Istanbul: Çağrı Yayınları, 1989), vol. 2, pp. 179–181. Manq ‘Alī’s *‘Iqd al-manzūm* is the continuation to Taşköprüzāde’s (d. 968/1561) *al-Shaqā’iq al-nu’māniyya*, a biographical dictionary of Ottoman ‘ulamā’ (and later Sufi *shaykhs*) from the fourteenth to the sixteenth century (in Arabic). Nev’izāde ‘Aṭā’ī’s (d. 1045/1635) *Ḥadā’iq al-ḥaqā’iq* is the continuation of Mecdī’s (d. 999/1591) *Ḥadā’iq al-shaqā’iq*. While Mecdī conceived of the latter as an Ottoman “translation” of Taşköprüzāde’s *Shaqā’iq*, it must be understood as an independent work, as Repp has pointed out. See Richard C. Repp, *The Müfti of Istanbul: A Study in the Development of the Ottoman Learned Hierarchy* (London: Ithaca Press, 1986), pp. 5–6. As far as the various continuations of the *Shaqā’iq* are concerned (Ar. *dhayl*, Tr. *zeyl*), they must be regarded as separate sources, as the different entries on Birgivī show. For later, secondary material on Birgivī’s life and works, see Mu’allim Nācī (d. 1893),

center of learning, centered on two *medreses* established by Sultan Yıldırım (“Thunderbolt”) Bayezid I (d. 805/1403). These were the Kızılca Tuzla *medrese*, on the one hand, and the greater Yıldırım Bayezid *medrese*, the town’s main *medrese*, on the other.<sup>5</sup> According to Baltacı, the latter was a twenty-akçe *medrese* at the beginning of the sixteenth century CE, gradually increasing to the rank of fifty-akçe by the year 1600.<sup>6</sup> This means that, even though the Balıkesir *medrese* was a local center of learning, it must be classified as what Zilfi has called a *medrese* of the “sub-structure” or “subhierarchy.”<sup>7</sup>

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- Esāmī* (Istanbul: Maḥmūd Bey Maṭba‘ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), *Qāmūs al-a‘lām* (Istanbul: Mihrān Maṭba‘ası, 1306/1888), vol. 2, pp. 1284–5; Mehmed Süreyyā Bey (d. 1909), *Sicill-i ‘Osmanī* (Istanbul: Maṭba‘a-i ‘āmire, 1308/1890) vol. 4, p. 121; Bağdadlı İsmā‘īl Pāshā Bābānī (d. 1920), *Hadīyat al-‘arīfīn* (Istanbul: Milli Eğitim Bakanlığı, 1951–55) vol. 2, p. 252, saying Birgivi was born in 926 rather than 928 AH; Bursalı Mehmed Tāhīr (d. 1926), *Osmanlı Müellifleri* (Istanbul: Maṭba‘a-i ‘āmire, 1914–28), 3 vols. in one, *ulema faslı*, pp. 253–6, as well as the modern Turkish edition by A. Fikri Yavuz and İsmail Özen (Istanbul: Meral Yayınevi, 1975), vol. 1, pp. 284–6; Brockelmann, *GAL*, vol. ii, 440 (pp. 583–6) and supplement ii, 440 (pp. 654–8); Kahhāla, *Mu‘jam al-mu‘allifīn* (Damascus: al-Maktaba al-‘arabiyya, 1957–1961), vol. 9, pp. 123f.; Zirikli, *A‘lām: qāmūs tarājīm li-ashhar al-rijāl wa-l-nisā’ min al-‘arab wa-l-musta‘rabīn wa-l-mustashrifīn* (Beirut: Dār al-‘ilm li-l-malāyīn, 1979), vol. 6, p. 61 and pp. 286–7; Kasim Kufrevi, “Birgewi,” in *E12*, vol. 1 (Leiden: Brill, 1960), p. 1235; Emrullah Yüksel, “Birgivi,” in *DİA* (Istanbul: Türkiye Diyanet Vakfı, 1988–), vol. 6, pp. 191–4 and Huriye Martı, *Birgivi Mehmed Efendi* (Istanbul: Türkiye Diyanet Vakfı, 2008), pp. 25–56, in particular. There is, furthermore, Esat İleri, *İmam-ı Birgivi* (Izmir: 1954), which I have been unable to consult.
- 5 The Kızılca Tuzla *medrese*, also known as the Tuzla-i Behrāmiyye, was the smaller of the two. Located in the “Çay” district of town, it was sometimes also referred to as the “Çay” *medrese*, see Cāhid Baltacı, *XV–XVI Asırlar Osmanlı Medreseleri: Teşkilât, Tarih* (Istanbul: İrfan Matbaası, 1976), p. 92 and p. 120, fn. 39. For the Yıldırım Bayezid *medrese*, see *ibid.*, pp. 462–3.
- 6 *Ibid.* In the so-called ‘ilmiye hierarchy, *medreses* were classified according to how much a professor teaching there would earn. At the lowest ranks of the hierarchy were the “yirmili” *medreses*, where teachers earned 20 akçe a day. Next came the “otuzlu” schools with 30 akçe a day, the “kırklılar” with 40, the “elliler” with 50 and the “altmışlı” *medreses* with 60 akçe a day. Above that were the so-called “dākhil” *medreses*, where professors would make even more, often depending on the stipulations of the person who had originally endowed their position. For an overview of the *medrese* hierarchy, see Baltacı, pp. 1–71. For an excellent study of the formation of the ‘ilmiye and its consolidation in institutional terms over the course of the fifteenth and sixteenth century, including the gradual transformation of scholars into “scholar-bureaucrats,” see Abdurrahman Atçıl, *Scholars and Sultans in the Early Modern Ottoman Empire* (Cambridge: Cambridge University Press, 2017).
- 7 Zilfi, *The Politics of Piety*, pp. 24–6 and 62–7. Zilfi is, of course, talking about the seventeenth century and, as Repp has pointed out, one of the greatest fallacies to commit in the study of the development of the ‘ilmiye is to make misjudgments about the state of the early hierarchy on the basis of what is known about its later incarnations (Repp, *The Müfti*, p. 29). Although we do not know where exactly Balıkesir fell in terms of the hierarchy of the sixteenth century, it does—nevertheless—not seem likely to have been more than a provincial center of learning. Despite this, however, it is noteworthy that a strong network of Balıkesirlis seems to have developed in Istanbul, which needs to be investigated further.

Birgivī's father, 'Alī b. Iskender Efendī, was a respected 'ālim and Sufi *pīr* and it was under him that Birgivī began to learn Arabic, memorized the Qur'ān and received his first instruction in logic and the basics of the religious sciences.<sup>8</sup> It is unclear whether or not "Pīr 'Alī," as he is usually referred to in the sources, was a *müderriş* at either of the two Balıkesir *medreses*.<sup>9</sup> His fame seems to have rested more on his standing as a Sufi master (*pīr*) than on his work as a scholar.<sup>10</sup> Following Uzunçarşılı and İleri, Martı points out that Pīr 'Alī's grave at Balıkesir's "Çay" cemetery would, in fact, become a local site of pilgrimage after his death.<sup>11</sup> The milieu of Birgivī's childhood was thus that of the small-town *tekke*, maybe even more so than that of the *medrese*. The family's connection to the Bayrāmīyya is significant; personally acquainted with the founder of the order, Hājjī Bayram-i Velī, Birgivī's grandfather Iskender Efendī is said to have first introduced the Bayrāmī order to Balıkesir in the latter decades of the ninth/fifteenth century.<sup>12</sup>

In light of this, it is interesting that Birgivī would eventually disengage so radically from the popular practices of Sufism and appropriate a strict interpretation of "*medrese* learning" instead. As we will see, Birgivī in fact had a serious second "try" at Sufism a little later in life, when he joined the Bayrāmīyya in Istanbul, after his first stint at government service. Although it seems to have been a positive experience, Birgivī's relationship to Sufism was one of great ambivalence. While never ceasing to describe it as "the most perfect way of purging the heart of its evils and adorning it with virtues," he would just as

8 Manq 'Alī, p. 436.

9 Although several sources, such as Şemseddin Sāmī, refer to him as such, his name is not listed among the teachers of either *medrese*, see Baltacı. 'Aṭāī, p. 179, refers to him as "*müderrişin makhdūm-i faḍā'il mumārisi*."

10 Manq 'Alī, p. 436, for instance, refers to him solely as "*min aṣḥāb al-zawāyā*" ("from among the men of the Sufi lodges"). Peçevī calls him "*bir şāhib-i irşād*" ("a man endowed with guidance"), *Tarih-i Peçevī* (Istanbul: Maṭba'a-i 'āmiri, 1865), vol. 1, p. 467.

11 Children, she says, would be brought to Pīr 'Alī's grave to memorize the Qur'ān, since their minds were supposed to be "opened," by the special power of seeing lame men walk between the tombstones of the cemetery. This is also why Birgivī's father came to be popularly referred to as "Zihin Dede" (lit. "Grandpa Mind or Memory [opener]"). See Martı, *Birgivī Mehmed Efendi*, p. 26. H. İhsan Barutçu, *İmam-ı Birgivī Hazretlerinin Hayatı ve Görüşleri* (Birgi Belediyesi, 2003) p. 4, also makes this point.

12 M. Hulusi Lekesiz, *XVI. Yüzyıl Osmanlı Düzenindeki Değişim Tasfiyeci (Püritanist) bir Eleştirisi: Birgivī Mehmet Efendi ve Fikirleri* (Ankara: Hacettepe Üniversitesi, 2007), unpublished PhD dissertation, quoted in both Martı, *Birgivī Mehmed Efendi*, p. 27, and Kaylı, pp. 8–9. Birgivī's grandfather is even said to have sheltered Hājjī Bayram-i Velī for a while. For an introduction to the Bayrāmīyya, see Hans Joachim Kissling, "Zur Geschichte des Derwischordens der Bajrāmijje," in *Südostforschungen*, vol. 15 (1956), pp. 237–68, and, more recently, Fatma B. Yavuz, *The Making of a Sufi Order between Heresy and Legitimacy: Bayrami-Malāmīs in the Ottoman Empire* (Houston, TX: Rice University, 2013), unpublished PhD dissertation.

frequently come to denounce its “excesses,” as practiced, as he saw it, by the “Sufis of our age.”<sup>13</sup>

### 1.3 Further Studies, Istanbul

Having received his primary education under his father Pîr ‘Alî in Balıkesir, Birgivî was sent on to Istanbul for further studies. While we still know relatively little about what the Ottoman *medrese* program looked like in detail at the time, some curricula, in particular those of the most advanced stages of the hierarchy, have been examined.<sup>14</sup> Thus, while students would normally be introduced to the study of Ḥadîth and the basics of Islamic Law and theology, as well as Qur’ân exegesis in the intermediate stages of the *medrese* program, the advanced stages usually entailed a deepened and more intense exposure to those same subjects, in particular Ḥadîth and jurisprudence.<sup>15</sup>

In Istanbul, Birgivî’s teachers included Küçük Şemseddîn Efendî (d. 957/1550), Akhîzâde Meḥmed Efendî (d. 974/1566) and “Kızıl Mollâ” ‘Abd

13 For more on this, see chapters two and three. Cf. also Radtke, “Birgivî’s *Ṭarîqa muḥammadiyya*: Einige Bemerkungen und Überlegungen,” in *TUBA*, vol. 26, no. 2 (2002), p. 170f.; as well as Ahmet Turan Arslan, “İmam Birgivî Tasavvufa Karşı Değildi,” in *İslam Dergisi*, vol. 61 (1988).

14 See Cevat İzgi, *Osmanlı Medreselerinde İlim* (Istanbul: İz, 1997); Nenad Filipović and Shahab Ahmed, “The Sultan’s Syllabus: A Curriculum for the Ottoman Imperial *medreses* prescribed in a *ferman* of Qānūnî I, Süleymān, dated 973 (1565),” *Studia Islamica* (2004), pp. 183–218; Kenan Yakuboğlu, *Osmanlı Medrese Eğitimi ve Felsefesi* (Istanbul: Gökkuşbucağı, 2006), pp. 141–63. The material on the “Ottoman curriculum” presented by Francis Robinson, “Ottomans, Safavids and Mughals: Shared Knowledge and Connective Systems,” *Journal of Islamic Studies*, vol. 8, no. 2 (1997), pp. 151–84, has been assembled from Mustafa Bilge, *İlk Osmanlı Medreseleri* (Istanbul: Edebiyat Fakültesi, 1984), as Ahmed and Filipović have pointed out, p. 217. For the situation a century after Birgivî, see Stefan Reichmuth’s important article, “Bildungskanon und Bildungsreform aus der Sicht eines islamischen Gelehrten der Anatolischen Provinz: Muḥammad al-Sajaqlî (Saçaqlızâde, gest. um 1145/1733) und sein *tartib al-‘ulûm*,” in R. Arnzen und J. Thielmann (ed.), *Words, Texts and Concepts cruising the Mediterranean Sea* (Leuven: Peeters, 2004), pp. 493–522. In fact, it must be pointed out that Birgivî’s *Ṭarîqa* itself was recommended for inclusion in a *medrese* curriculum in the 17th century. See İzgi, p. 78.

15 Cf. Ahmed and Filipović. That is to say, as students proceeded through the successive grades of the hierarchy, they were introduced to the various religious sciences, one by one, with subjects being re-visited at later stages in a more in-depth way. Like so many other areas of life, the educational system witnessed an astonishing bureaucratization over the course of the sixteenth century. As part of the *‘ilmîye* hierarchy it was being brought ever closer under the watchful eye of the state, see Atçıl, *Scholars and Sultans*. For more background on the Ottoman education system, see also Necdet Sakaoğlu, *Osmanlı Eğitim Tarihi* (Istanbul: İletişim Yayınları, 1991) as well as his *Osmanlı’dan Günümüze Eğitim Tarihi* (Istanbul: Bilgi Üniversitesi Yayınları, 2003) and the section on pre-constitutional period *medreses* in Salih Zeki Zengin, *II. Meşrutiyette medreseler ve Din Eğitimi* (Ankara: Akçağ, 2002), pp. 15–28 (“meşrutiyet öncesi Osmanlı medreseleri”).

al-Raḥmān Efendī (d. 983/1575).<sup>16</sup> The latter is of particular importance, as he would eventually rise to become *kazasker* of Rumeli—one of the most important positions in the Ottoman religious hierarchy, second only to those of the *Sheykh’ül-islām* and the *kazasker* of Anatolia. It was under Kızıl Mollā ‘Abd al-Raḥmān that Birgivī gained his license of eligibility for a *müderriis*, position (Tr. *mülāzemet*, Ar. *mulāzama*).<sup>17</sup>

Having become a *mülāzım*, Birgivī began to teach in “some Istanbul medreses,” although none of the sources specifies exactly where, when or in what position. Indeed, the impression one gets is that Birgivī worked as an adjunct rather than as what we would today call a tenure-track professor.<sup>18</sup> It is during this period, at twenty-three years of age (i.e. in 952/1545) that Birgivī composed his first work—a commentary on pseudo-Abū Ḥanifa’s *al-Maqṣūd* (a work on *ṣarf*) entitled *Im‘ān al-anzār*.<sup>19</sup>

16 Most of the biographical sources only mention the latter two as among Birgivī’s teachers in Istanbul. In a relatively early manuscript copy of Manqā ‘Alī’s *İqd*, however, Martı has found a marginal note stating that, in Istanbul, Birgivī first studied the *Hidāya* with Küçük Şemseddin Efendī at the Maḥmūd Paşa Medrese. Without mentioning Akhizāde at all, the note continues to say that Birgivī then joined ‘Abd al-Raḥmān Efendī, who at the time was teaching at the medrese of Sultan Mehmed the Conqueror’s mother, Hümā Hātün (Martı, p. 32). For biographical information on all three of Birgivī’s Istanbul teachers, see Martı, *Birgivī Mehmed Efendī*, pp. 32–3, and the references given therein, as well as Arslan, pp. 28–30.

17 Or “candidacy for office” as Repp translates the term, cf. Repp, *The Müfti*, p. 51. In fact, the *mülāzemet* was not limited to positions in the educational hierarchy only, i.e. professorships, but included eligibility for positions in the judicial sphere, i.e. as judges. Repp explains that a *mülāzım* literally meant “one who is assiduous” or “one who is constant in attendance.” This reflected the understanding that the candidates were—at least in theory—“in constant attendance” upon the sultan (or rather upon the *kazaskers*, in whose hands lay the responsibility for nominating men for posts until end of sixteenth century). The term was used for a candidate for office at any stage in his career, for beginners as well as for those awaiting their next post. Candidates for their first post—as Birgivī in this case—were generally distinguished as “new *mülāzıms*” (*mülāzımın-i nev* or *nev mülāzımın*) as opposed to men who had already been in a post, but were temporarily out of office. For the distinction between *mülāzemet* and *icazet*, see Atçıl, *Scholars and Sultans*, p. 75; for the way in which the granting of “novitiate status” developed over time, see *idem*, pp. 102–6; for “scholar-bureaucrats without the status of novice,” see *idem*, pp. 106–13. In her recent study on professional service and employment practices in the ‘*ilmīyye*, Yasemin Beyazıt has likewise done important work on the *mülāzemet*. See Y. Beyazıt, *Osmanlı ilmīyye mesleğinde istihdam (XVI. yüzyıl)* (Ankara: Türk Tarih Kurumu, 2014).

18 Atâ’i, p. 179f.; Şemseddin Sāmī, p. 1284; Atsız, p. 1. As a junior professor, Birgivī would have been teaching auxiliary subjects first, such as Arabic, at the entry salary of twenty akçe a day. Cf. Uzunçarşılı, *İlmīye Teşkilâtı*, p. 55.

19 Martı, *Birgivī Mehmed Efendī*, p. 35 and p. 113, linking this first composition to the fact that Birgivī would have been teaching Arabic at the time. For the identification of the *Im‘ān* as Birgivī’s first work, see also Arslan, p. 140, and Ahmet Kaylı, *A Critical Study of Birgivī*

#### 1.4 *First Employment and Sufism*

When Birgivi's former teacher Kızıl Mollâ 'Abd al-Rahmân became *kazasker* of Rumeli in 958, he appointed Birgivi to his first proper job: that of *qassâm-i 'askeri* (probate official in charge of dividing the estates of deceased members of the 'askeri class) in Edirne.<sup>20</sup> Although we do not know in what year Birgivi had initially gained his *mülâzemet*, he must have had to wait at least six years, if not more, to secure an official job, and not even as a *müderris*, as he had wanted—a situation that was by no means unusual.<sup>21</sup> Birgivi would spend four years as *qassâm-i 'askeri*, during which, we are told, he continued to study on the side and also started to preach.<sup>22</sup>

What happened to end this engagement is not entirely clear, but we next find Birgivi in Istanbul as a *murîd* of his family's Sufi order of the Bayrâmiyya.<sup>23</sup> Although the accounts remain cryptic, the episode seems to have been a decisive one for the future author of *al-Ṭarîqa al-muḥammadiyya*. Under the guidance of Sheykh 'Abd Allâh al-Ḳaramânî (d. 972/1564), who had himself been initiated into the Bayrâmî order by a cousin of Birgivi's from Balıkesir, Bahâ' al-Dîn-zâde, Birgivi thus submitted himself to the Sufi path, "exerting himself," as Manq 'Ali says, "to the utmost in ascetic piety and worship."<sup>24</sup>

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*Mehmed Efendi's Works and their Dissemination in Manuscript Form* (Istanbul: Boğaziçi Üniversitesi, 2010), unpublished master's thesis, p. 39, fn. 68 and p. 96, fn. 277.

- 20 For the office of the *qassâm-i 'askeri*, whose duty it was to see to the proper recording, division and allocation of the inheritances of members of the 'askeri class, see Mehmed Zeki Pakalın, *Osmanlı Tarih Deyimleri ve Terimleri Sözlüğü*, reprint (Istanbul: Milli Eğitim Basımevi, 1971), vol. 2, p. 210; Uzunçarşılı, *İlmiye teşkilâtı*, pp. 121–5; Martı, *Birgivi Mehmed Efendi*, p. 35, fn. 161.
- 21 For how hard it was to secure posts in government service, see, for instance, Cornell Fleischer, "Between the Lines: Realities of Scribal Life in the Sixteenth Century," in Colin Heywood and Colin Imber (ed.), *Studies in Ottoman History in Honour of Professor V. L. Ménage* (Istanbul: Isis, 1994), pp. 45–62.
- 22 According to Martı, *Birgivi Mehmed Efendi*, p. 35, fn. 162, Ayyânsarâyî records that Birgivi's time as *qassâm-i 'askeri* also entailed a posting to Aleppo. This cannot be corroborated by any other source however. Moreover, the reference in Ayyânsarâyî, *Hadiqat al-jawâmi'* (Istanbul: Maṭba'a-i 'âmire, 1281), vol. 2, p. 167, does not actually contain any mention of Birgivi.
- 23 Manq 'Ali claims that "asceticism and righteousness overcame him" (*thumma ghalaba 'alayhi al-zuhd wa-l-şalâh*); the other sources, too, imply that he was disenchanted with life as a probate official; for the sake of speculation, however, it might also have been for other reasons that he joined the order (e.g. he could have been dismissed from the position of *qassâm-i 'askeri* and without a new job).
- 24 Manq 'Ali, p. 436. For the family connection, again, see Kaylı, pp. 8–9. Bahâ' al-Dîn Efendi (the father of Bahâ' al-Dîn-zâde, who initiated Birgivi's *pîr* 'Abd Allâh Ḳaramânî) was another prominent Balıkesir Bayrâmî Sufi and one of the brothers of Birgivi's father Pîr 'Ali.

A much recounted episode in the sources that dates back to this period is the occasion when, on the instructions of his *pīr*, Birgivī returned to Edirne to give back the fees he had collected in his capacity as *qassām-i ʿaskeri*. These, he now argued, were illicit, as was any money derived from acts that should be undertaken “for God alone”—a theme that would become recurrent in many of Birgivī’s works.<sup>25</sup> But while the sources portray Birgivī here as the model of righteousness and Sufi renunciation, Sheykh Ḳaramānī must have realized that his pupil’s strengths would maybe not be met fully in the pursuit of a professional Sufi career. For once Birgivī had completed his spiritual training, Ḳaramānī advised him to make use of his talents as teacher and preacher instead—a career, he argued, that was more in keeping with Birgivī’s temperament.

### 1.5 *A Patron Appears*

As fortune would have it, it was right then that a man called ‘Aṭā’ Allāh Aḥmed Efendī appeared on the scene. Where and how Birgivī met the tutor of Sultan Süleymān’s son Selīm (the later Sultan Selīm II) is not known, but the sources report that a mutual appreciation and friendship soon developed between the two men. It was a friendship that would lead the tutor of Prince Selīm to arrange for Birgivī to obtain a professorship at his newly built *darūlhadis* (*dār al-ḥadīth*), in the small town of Birgi in South Western Anatolia.<sup>26</sup>

25 The returning of fees one has acquired during one’s tenure in government or in some kind of executive position is a typical trope in Sufi literature.

26 The town of Birgi (Gk. *pyrgion*, “tower”), which—as an inhabited settlement—seems to go as far back as to the third millennium BC, first rose to fame in Islamic times as the seat of the Aydınoğlu *beylik* (one of the Turkic houses rival to the early Ottomans) in the late 13th and early 14th century CE. Ibn Baṭṭūta famously visited the town sometime in the early 1330s and recorded his experiences in the *Riḥla*. See Gibb (trans.), *Travels in Asia and Africa: 1325–54* (London: George Routledge, 1921), pp. 132–4. For a nineteenth century description of the town by (and for) European travelers, see Murray’s Guide of 1895, mentioned in Tim Mackintosh-Smith, *Travels with a Tangerine: From Morocco to Turkey in the Footsteps of Islam’s Greatest Traveler* (New York: Random House, 2001), pp. 284–288. Alfred Philippson, whom Mackintosh also cites, does not, however, include a description of Birgi. See Alfred Philippson, *Reisen und Forschungen im westlichen Kleinasien*, vol. 2 (Gotha: J. Perthes, 1911), pp. 65–71. There exists a range of works in Turkish on Birgi and its history. See, for instance, Rafet Mülazımoğlu, *Birgi: Pyrgion* (Izmir: Sobe Matbaası, 1976); Neziḥ Başgelen, *Birgi’den Gevaş’a* (Istanbul: Arkeoloji ve Sanat Yayınları, 1987); Behiç Galip Yavuz, *Birgi: Coğrafyası, Tariḥçesi, Tarihi Yerleri* (Izmir: Ayma Matbaası, 1990); Rahmi Hüseyin Ünal, *Birgi Tarihi: Tarihi, Coğrafyası ve Türk Dönemi Anıtları* (Ankara: T. C. Kültür Bakanlığı, 2001); Emin Başaranbilek and M. Halit Umar, 1308–2008: *Aydınoğlu Beyliği’nin Kuruluşunun 700. Yılında Birgi* (Ödemiş: Efe Ofset, 2008); and Firdevs Gümüšoğlu, *Birgi’de toplumsal yaşam ve değişim* (Istanbul: Bağlam Yayınları, 2008).

### 1.6 *The darülhadis at Birgi*

‘Aṭā’ Allāh (d. 979/1571) was a native of Birgi and had pursued a long and successful career as a teacher in various *medreses* throughout Anatolia and Istanbul, before becoming tutor to Prince Selīm in Manisa.<sup>27</sup> Towards the end of his career, he decided to give his home town a *darülhadis* and make his friend Meḥmed b. Pīr ‘Alī professor there. Birgi was a town already well-endowed with a famous *medrese*, built by the Aydınoğlu *emir* Meḥmed Bey sometime in the first decades of the fourteenth century CE.<sup>28</sup> Nevertheless, ‘Aṭā’ Allāh’s *darülhadis* must have represented a real addition to scholarly life in this provincial town, which in 1575 CE counted a population of 864 adult males.<sup>29</sup>

The position of the *darülhadis* in the Ottoman learned structure stills awaits proper investigation, as does the history of the institution in the Islamic world generally.<sup>30</sup> Indeed, beyond the fact that it was a place specializing in the study of Ḥadīth, we know little about the institution. Birgivī had already published a couple of works in the field—his *Arbaʿīn* (replete with commentary) and a

27 For ‘Aṭā’ Allāh’s life, see Nev’izāde ‘Aṭā’ī, pp. 149–151 and Baltacı, pp. 583–4. Before ‘Aṭā’ Allāh became tutor to the Sultan’s son, his career had involved stints at *medreses* in Mudurnu, Tokat, Birgi itself (at the Aydınoğlu *medrese*), as well as the Hājjī Ḥasanzāde *medrese* in Istanbul, the Ḥammāmīye and, finally, as the first professor appointed to the newly built *medrese* of Grand Vizier Damad (“Bridegroom”) Rüstem Paşa. For all of these and ‘Aṭā’ Allāh’s terms there, see Baltacı, pp. 94, 134, 161, 220, 229 and 345 respectively.

28 Baltacı, pp. 160–1. Ibn Baṭṭūṭa already commented on it. See Gibb, p. 132. According to Baltacı, up until 942/1535, the Aydınoğlu *medrese* was a 20 akçe *medrese*. Although by 994/1585 this amount had increased to 50 akçe, this was still less than what Birgivī would earn at ‘Aṭā’ Allāh’s *darülhadis* (namely 60 akçe a day—quite a substantial salary for a position at a provincial school!).

29 This is according to a population survey analyzed by Michael Cook, *Population Pressure in Rural Anatolia, 1450–1600* (London: Oxford University Press, 1972), p. 83. The survey is dated to approximately 1575 CE (see p. 11), i.e. five years after ‘Aṭā’ Allāh’s death and two years after Birgivī’s death.

30 Cf. Fuat Sezgin, “Dār al-ḥadīth,” *EI2*, vol. 2, p. 125. While the very first *dār al-ḥadīth*s seem to have appeared already in the 4th/10th century, the institution really took off in the 6th/12th century. The Nūr al-Dīn *dār al-ḥadīth* in Damascus—the so-called “Nūriyya”—is one of the most famous examples of this type of school and has been studied (from an architectural point of view) by Jean Sauvaget, *Les monuments ayyoubides de Damas* (Paris: E. de Boccard, 1938), vol. 1, pp. 15–25, as quoted by Sezgin. The institution of the *dār al-ḥadīth* must have been quite popular. Nu’aymī, for instance, mentions sixteen other *dār al-ḥadīth*s in Damascus alone. We know very little about the situation in the Ottoman world, unfortunately. In fact, the cursory treatment of H. Köroğlu, *Konya ve Anadolu Medreseleri* (Konya: Fen Yayınevi, 1999), p. 236, seems representative of scholarship on the topic. It would be interesting, for example, to know at what stage a student would enter a *dār al-ḥadīth*. Would he study there exclusively or still pursue other subjects in “regular” *medreses*? What was the relationship of the *dār al-ḥadīth* to “regular” *medreses*, and so on?

treatise “*fi uṣūl al-ḥadīth*,” both of which would become Ottoman “bestsellers” in the study of Ḥadīth. Having thus made a name for himself, and considering their friendship, Birgivī was an obvious choice as professor for ‘Aṭā’ Allāh’s *darūlhadis*.

The *vakfiye*, in which “Hoca-i sultānī” ‘Aṭā’ Allāh stipulated the endowment of the Birgi *darūlhadis*, is dated to 979/1571 and has been published by Kunter.<sup>31</sup> If the date is correct, it would mean that Birgivī only came to Birgi two years before his death. This poses a problem though, as the narrative sources seem to imply a much longer period of residence on Birgivī’s part in the town, where he is said to have built a circle of disciples and authored many of his works. Indeed, the *nisba* “Birgivī” would not make much sense had Meḥmed b. Pīr ‘Alī only spent two years of his life in Birgi.

In fact, we have a letter written by Birgivī to his patron, in which he complains about his ill health and weakening eyesight, stating that “it has been nine years since I have come to Birgi.”<sup>32</sup> So what to make of Kunter’s endowment deed? As it carries the same date as the year of ‘Aṭā’ Allāh’s death, it could be a form of testament, with a separate *vakfiye* possibly having been written at the time the *darūlhadis* was actually opened. Alternatively, it could be that ‘Aṭā’ Allāh supported the *darūlhadis* without an actual endowment until his deathbed, when he finally made permanent provisions for it.

Whatever the case, in his time there Birgivī made ‘Aṭā’ Allāh’s *darūlhadis* a center for Ḥadīth study, with students flocking to see him from all over the region and even from as far as Istanbul itself.<sup>33</sup> Teaching, preaching and writing, the son of Pīr ‘Alī from Balıkesir would live in Birgi until his death of the plague in 981/1573.<sup>34</sup>

31 H. Baki Kunter, *Türk Vakıfları ve Vakfiyeleri üzerine mücmel bir etüd* (Istanbul: Cumhuriyet Matbaası, 1939), pp. 27–29. Apart from the building of the *darūlhadis* itself, which was composed of seven rooms, the endowment also included the gardens adjacent to the school, as well as both a winter and a summer residence for the professor, including monies for their respective upkeep and various restorations. The income was to be derived from various lands in the greater Izmir region, as well as from real estate property and shops, mostly in Izmir itself. The endowment provided for the salaries not only of the professor, but also of two secretaries (one in Izmir, one in Birgi) and a number of other staff.

32 Martı, *Birgivî Mehmed Efendi*, p. 42. *Birgî’ye geelden* [sic] *dokuz yıldır*.

33 The endowment supported scholarships for seven students, with a stipend of four *aķçe* daily for each. Kunter, p. 28: *darūlhadisın yedi nefer talebesinden her birine dört dirhem*.

34 For an example of how Birgivī’s daily life came to be portrayed as a model for Muslims to emulate, see the short treatise by his student Aqhişārī Hocazāde ‘Abd al-Naṣīr (who also wrote the first commentary on *TM*), studied by Ahmet Turan Arslan, “İmam Birgivî ve Günlük Hayatı,” *İlim ve Sanat*, vol. 19 (May–June 1988), pp. 52–7.

## 2 Context II: Birgivi's *Oeuvre*

Birgivi was a prolific writer and a popular one, too. He is said to have produced somewhere between fifty and sixty works, although a conclusive bibliography has not been established.<sup>35</sup> In fact, as recent studies have shown, a whole range of works attributed to Birgivi for centuries were not actually authored by him. This is significant, as Ahmet Kaylı, who uncovered many of these wrongful attributions, has convincingly argued, in that it contributed to a mistaken image of Birgivi as an ultra-conservative “anti-Sufi” of “*salafî*” persuasions.<sup>36</sup>

But while it is true that Birgivi wasn't the “anti-Sufi” he has often been made out to be, he clearly was uncompromising in most of his legal and ethical stances.<sup>37</sup> Kaylı is, of course, right in arguing that the various misattributions have led to a distorted picture of Birgivi's *oeuvre* and, hence, a distortion of his thought more broadly speaking—a fact that must be taken into account in any attempt at assessing Birgivi's legacy. However, an argument can be made for Birgivi's conservative and often unyielding positions on the basis of the writings we know were undoubtedly authored by him, including those that display a decidedly Sufi influence.

In what follows, I will give a short overview of some of the most important works that can be attributed to Birgivi with certainty.<sup>38</sup> This will be intertwined with an examination of works that have been found to be misattributions—some definitely, others possibly. The implications of these misattributions for Birgivi's legacy will be considered both as I go along and at the end of the section. What should become clear is Birgivi's central concern with providing his fellow Muslims with knowledge of what constituted correct doctrine and ritual—i.e. the beliefs and practices required to secure salvation.

35 The most important analyses of Birgivi's *oeuvre* and attempts to provide a definitive list of his works have been carried out by Nihal Atsız, *İstanbul Kütüphanelerine göre Birgili Mehmed Efendi Bibliyografyası* (Istanbul: 1966); Ahmet Turan Arslan *İmam Birgivi: Hayatı, eserleri ve Arapça tedrisatındaki yeri* (Istanbul: Seha, 1992); Huriye Martı, *Birgivi Mehmed Efendi*, pp. 57–120; and, most recently, Ahmet Kaylı, *op. cit.* For printed works of Birgivi in Turkish or printed Turkish translations of his Arabic works, see Müjgan Cunbur and Dursun Kaya (ed.), *Türkiye basmaları toplu kataloğu: Arap harfle Türkçe eserler (1729–1928)* (Ankara: Milli Kütüphane Basımevi, 1990) (henceforth TÜBATOK), vol. 2, pp. 157–67.

36 Kaylı, p. iii.

37 Khaled El-Rouayheb, for instance, describes him as “uncompromisingly strict” in “The Myth of the “Triumph of Fanaticism” in the Seventeenth-Century Ottoman Empire,” in *Die Welt des Islams*, vol. 48 (2008), p. 197.

38 This is intended not as a comprehensive list, but rather to give an idea of some of Birgivi's most important intellectual concerns, as represented by his works.

Birgivī's numerous books and treatises, some of which would become veritable bestsellers in the centuries after his death, cover a wide range of genres: catechism and works of advice (*naṣīḥa*, pl. *naṣā'ih*), imbued with a sober Sufi touch, Ḥadīth scholarship (see above), legal works of different kinds, works on Arabic grammar, as well as several partial *tafsīrs*. Today, Birgivī is best known for two of his works in particular: a primer of religious knowledge in Turkish entitled *Vaṣīyyet-nāme* (*VN*), on the one hand, and *al-Ṭarīqa al-muḥammadiyya* (*TM*)—the subject of this monograph—on the other. Both rose to tremendous popularity in the centuries following Birgivī's death and, while the latter will be discussed in more detail in the chapters to come, a few words are in order with regard to the former.

### 2.1 Risāle-i Birgivī

Birgivī's *Vaṣīyyet-nāme*, often also referred to as *Risāle-i Birgivī*, is a short work laying out the basics of Islamic doctrine and practice.<sup>39</sup> In simple language and typical *'aqīda* style (i.e. following the structure and content of works of "creed," laying out the most basic articles of faith), it covers topics such as the nature of God, the reality and function of angels, the revealed scriptures, the various prophets, including a relatively long section on the life, miracles and noble character of the Prophet Muḥammad, the rightly-guided caliphs, the Day of Resurrection, the blessings of Paradise and so on. In addition to these sections on "belief," the *Vaṣīyyet-nāme* also lays out the bases of right "practice," with discussions of the profession of faith, prayer, fasting, alms-giving and the pilgrimage to Mecca, including detailed instructions on how to carry out each of these obligations.

The *Risāle* would become one of the most popular Ottoman works ever, as the wide dissemination of its manuscript copies demonstrates.<sup>40</sup> Its popular-

39 There exist a whole range of modern Turkish translations and editions of *VN*. The most detailed linguistic study, as well as the best modern edition of the work is Musa Duman (ed.), *Birgili Muhammed Efendi: Vasıyyet-name: Dil İncelemesi, Metin, Sözlük, Ekler İndeksi ve Tıpkıbasım* (Istanbul: Risale Yayınları, 2000). For a discussion of the work by Marti see *Birgivi Mehmed Efendi*, pp. 71–73. In Turkish, *VN* is usually described as an *ilmihal*, a word often translated as "catechism." However, while catechisms usually proceed in question-and-answer format, Birgivī's *VN* does not do so. For the genre, see below.

40 Atsız recorded 110 manuscript copies of the work in Istanbul alone, see pp. 6–11, as well as 8 printed editions (again, just from Istanbul), see p. 5. Among them is the 1898 edition I have used for this project. Muhamed Ždralović, "Bergivi u Bosni," *Prilozi za orijentalnu filologiju* (Sarajevo), vol. 41 (1991), p. 415, notes 88 manuscript copies of the work in Bosnian manuscript libraries, 57 of them in Sarajevo's Gazi Husrev Begova. Brockelmann, *GAL*, vol. ii, 441, has copies in Berlin and Mosul, as well as in Heidelberg (*GAL* Suppl. ii, 441). For the latter see also J. Berenbach, 'Verzeichnis der neuerworbenen orientalischen

ity lasted up until the nineteenth century, when it was first printed.<sup>41</sup> Except for a slight lull in the first decades of the twentieth century, it never seems to have lost its appeal, however, and is still being used as a religious primer in Turkey and the Balkans today. In the seventeenth and eighteenth centuries, it was not uncommon for copies of *vn* to be commissioned by women from elite households and donated to libraries around the Empire, as in the case of several copies in the Zaytūna library in Tunis, to serve the Turkish speaking community in government service there.<sup>42</sup> Pointing to *vn*'s great popularity is also the fact that it caught the attention of Europeans earlier than most other works produced by Muslim scholars at the time.<sup>43</sup> It did so as a concise representation of the Islamic faith, a manual of instruction in the basic tenets of the religion, used by Muslims themselves.

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Handschriften der Universitätsbibliothek Heidelberg,' in *ZDMG*, vol. 91, no. 2 (1937), p. 378. A note of caution is in order, however, with regard to this Arabic "*waṣīya*" (see chapter three) and the frequent confusion between *TM* and *vn*.

- 41 Ali Birinci, "Birgivi Risālesi: İlk Dinî Kitap Niçin ve Nasıl Basıldı?" in *Türk Yurdu*, vol. 112 (1996), pp. 13–14. A systematic study of nineteenth century inheritance or probate registers (*terekes*), in which the estates of deceased persons were recorded, could shed light on the presence of *vn* in private libraries and homes in the Ottoman Empire at the time, corroborating the impressionistic evidence that *vn* was, indeed, still one of the most wide-spread works during the period of the Tanzimāt and beyond. Cf. M. S. Hanioğlu, *A Brief History of the Late Ottoman Empire* (Princeton: Princeton University Press, 2008), pp. 39–40.
- 42 E. Yüksel, "Müsülman Türk Âlimi Olarak İmam Birgivi'nin Osmanlı Döneminde ve Günümüz Türkiyesinde Yeri," in M. Şeker (ed.), *İmam Birgivi* (Ankara: Türkiye Diyanet Vakfı, 1994), p. 33.
- 43 The first European translation of *vn* dates to the early eighteenth century. See Echielle Mufti, *Réligion ou théologie des turcs: avec la profession de foi de Mahomet fils de Pir Ali* (Bruxelles: Foppens, 1703). We have already discussed the late eighteenth century German translation by Johann Traugott Plant, *Birghilu Risale. Oder Elementarbuch der muhammedanischen Glaubenslehre. Nach dem Arabischen des Nedschmuddin Omar Nessefy. Nebst Kommentar von Sadeddin Teftazany* (Genf: 1790). See above, introduction. It could have been based on Echielle Mufti's French. The fact that Birgivi's *vn* was used in Christian debates of the Enlightenment over the nature and value of religion merits further investigation. Later translations include M. Garcin de Tassy, *Exposition de la Foi Musulmane, traduite du Turc de Mohammed Ben Pir-Ali Elberkevi* (Paris: Dufour & d'Ocagne, 1822), to which attention has been drawn by M. Gaborieau, "Muslim Saints, Faquirs, and Pilgrims in 1831 according to Garcin de Tassy," in Jamal Malik (ed.), *Perspectives of Mutual Encounters in South Asian History, 1760–1860* (Leiden: Brill, 2000), p. 149. In addition to *vn*, de Tassy's volume also contains translations of Sa'dī's *Pandnāme*, al-Būṣīrī's *Burda* (by Silvestre de Sacy) and the fables of Bidpai, i.e. *Anwār-i suhaylī*, also known as *Kalīla wa-dimna*, from Persian. It is indicative that Birgivi's *Risāle* was chosen as a representative introduction to the religion in this collection of "classics."

## 2.2 *Religious Primers*

In fact, like several other of Birgivī's writings, the *Vaṣṣiyet-nāme* can be understood in the context of an early modern concern with "boundary-setting"—a phenomenon Tijana Krstić, Derin Terzioğlu and others have drawn our attention to. In the wider context of "Sunnitization," evoked by these scholars, there emerged a concern with "correct belief" and "correct ritual," which would manifest itself in an increased production of religious primers (*'ilm-i ḥāls*), such as Birgivī's *vn*.<sup>44</sup> The latter, in fact, became exemplar of the trend.<sup>45</sup>

Earlier examples, discussed by Krstić, include the works of the Yazıcızāde brothers, Aḥmed (Bijān) and Meḥmed, Quṭb al-Dīn Meḥmed al-Iznikī's *Muqaddime* and Hibet Allāh b. Ibrāhīm's *Sā'atnāme*.<sup>46</sup> They share with Birgivī's *vn* not only its popularity, but also an accessibility in terms of style and content, which made them easy to be read or memorized. Yazıcızāde Meḥmed's *Muḥammedīye*, for instance, a didactic poem recounting the life of the Prophet Muḥammad, the events attendant upon the Last Judgment and basic aspects of Islamic faith is the prime example in this regard. Its literary qualities, emotional appeal and the way it was used and perceived as a quasi-sacred, divinely inspired text, militate against its categorization as an *'ilm-i ḥāl* directly, however.<sup>47</sup> Nonetheless it shared a number of aspects with "catechistical"

44 The phenomenon of Sunnitization will be discussed in more detail below. For a definition of the term *'ilm-i ḥāl*, see Şemseddin Sāmī *Kāmūs-i türki* (Istanbul: İkdam Matba'ası, 1317–8/1899–1900), 2 vols. in 1, p. 947: "a book explaining the principles of Islam." This could take different forms: from a question-and-answer format (i.e. catechisms, see above, fn. 39), to simple and straightforward prose, to didactic poetry. The question of the Ottoman *'ilm-i ḥāl* has received a fair amount of scholarly attention in recent years. See Krstić, *Contested Conversions*, pp. 26–37; *idem*, "From *Shahāda* to '*aqīda*'" and *idem*, "State and Religion, 'Sunnitization' and 'Confessionalism' in Süleyman's Time," *op. cit.* In her pioneering article, Derin Terzioğlu has pointed out that "like catechism, *'ilm-i ḥāl* was a word with multiple meanings: it denoted, on the one hand, the basic knowledge of Islamic faith and practice, that was incumbent on all Muslims and, on the other, a genre designed to impart knowledge." Terzioğlu rightly indicates that the literature of *'aqā'id* (creeds) served as a "forerunner": "Indeed, some of the earliest Turkish *'ilm-i ḥāls* were, in part, adapted translations of these late medieval Arabic and Persian creeds, but they also drew on other genres of religious and moral literature from legal manuals to books on ethics. Moreover, unlike their Arabic and Persian precursors, the Turkish *'ilm-i ḥāls* seem to have been written from the start for a lay audience unfamiliar with and unlikely to advance far in the world of religious scholarship." See Terzioğlu, "Where *'ilm-i ḥāl* meets catechism," pp. 79–83. For Birgivī's understanding of the term *'ilm al-ḥāl*, see below, pp. 156–59.

45 See Terzioğlu, "Where *'ilm-i ḥāl* meets catechism," p. 86f.; Krstić "State and Religion, 'Sunnitization' and 'Confessionalism' in Süleyman's Time," p. 69.

46 Krstić, *Contested Conversions*, pp. 26–37.

47 Indeed, most Ottomans would not have done so. As Carlos Grenier has pointed out, the *Muḥammedīye*, much like Meḥmed Yazıcıoğlu's Arabic *Maghārib al-zamān* and his

literature, as Grenier has argued, and looking at it can help us get a sense of the context in which devotional and creedal texts were deployed and functioned.

Full of graphic reminders of the end of times, works like Yazıcızâde's *Muḥammediyye* and Birgivi's *ṽN* provided simple introductions to "proper" Islam, in both doctrine and ritual, in order to help secure the salvation of those who sought it. In all cases, the question of audience is worth some consideration. Krstić has pointed to the "gendered" aspect of many of these works, arguing that they became "the favorite religious literature of women."<sup>48</sup> Indeed, catechisms and religious primers became central to female piety, not only in their commission and endowment (as in the case of the copies of *ṽN* endowed to the Zaytūna by elite Ottoman women mentioned above), but also in terms of "consumption."

Writing at the turn of the twentieth century, the Scottish Orientalist Elias Gibb informs us, for instance, that "elderly ladies of a devout turn of mind often hold meetings for the reading of the *Muḥammediyye*. On such occasions they assemble at the house of one of the wealthier of their number. After performing an ablution, each wraps a white cloth over her head [...]; a prayer or two is then repeated, and when these are over, and all present have seated themselves, the most learned among them opens the *Muḥammediyye* and intones therefrom a passage [...]."<sup>49</sup>

Catechisms and primers were, moreover, often used by those not well-catered for by the official religious establishment, including women, but also the poor and less privileged. This does not mean that they were not also held

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brother's famous *Envāri'l-Āṣiqīn* "are difficult to classify in generic terms, so it is easier to say what they are not than what they are. They possess a certain relationship and a shared Ghazālian heritage with the 'aqā'id catechistic literature and its Anatolian manifestation, the so-called 'ilm-i ḥāl texts, but they are not 'ilm-i ḥāls. The books are also not strictly about the history of the Muslim community, nor solely about the end of time, nor solely concerned with heaven and the cosmos. They are neither collections of *ḥadīth* nor of folk or Sufi argumentation. What can be said is that all three are texts of catechistics and dogmatics, outlining in terms suitable for a general—though not utterly basic—understanding of the beliefs and practices necessarily for the salvation of an ordinary Muslim." See C. Grenier, "The Yazıcıoğlu Brothers and the Textual Genealogies of Ottoman Islam," in *Turcica*, vol. 49 (2018), p. 40f. For a comprehensive study of the *Muḥammediyye*'s reception, see Tobias Heinzelmänn, *Populäre religiöse Literatur und Buchkultur im Osmanischen Reich: Eine Studie zur Nutzung der Werke der Brüder Yazıcıoğlu* (Würzburg: Ergon 2015). In terms of dissemination, Krstić has said that "the number of surviving manuscript copies of the *Muḥammediyye* in the libraries in Turkey and in the lands of the former Ottoman Empire is rivaled only by that of the Qur'ān and Birgivi's *Tarīqat al-Muḥammediyya*." Krstić, *Contested Conversions*, p. 182, fn. 35.

48 Krstić, *Contested Conversions*, p. 33.

49 E. J. W. Gibb, *A History of Ottoman Poetry* (London: Luzac, 1900), vol. 1, p. 405.

in high esteem by the *‘ulamā’*, however.<sup>50</sup> Indeed, next to the Qur’ān, primers were probably the second most important texts to be memorized. In fact, often the inverse was the case: the catechism might have been more important than the Qur’ān, which—in Arabic—was not accessible to those who had but the most basic knowledge of that language. Fascinating, in this regard, are Krstić’s remarks that “there was a genuine concern among Muslims in the Balkans about the ability to understand the questions [the angels] Münker and Nekīr will ask [during the “tortures of the grave,” immediately after burial], because according to the tradition they will speak Arabic.”<sup>51</sup>

The formal education system, too, recognized the importance of primers. In his suggested “*medrese program*” entitled *Tartīb al-‘ulūm*, the early twelfth/eighteenth-century scholar Saçaqlizāde Muḥammad al-Mar‘ashī (d. 1145/1733), for instance, says that, after the Qur’ān, a student should be instructed in *‘aqīda* and memorize Birgivī’s *Risāle*, i.e. *ṽN*.<sup>52</sup> Another such recommendation is made in the anonymous *Kawākib-i sab‘a* (composed in 1155/1741), which maintains that once a student has mastered the Qur’ān, he should read Birgivī’s *Risāle* on doctrinal matters (*‘aqā’id*).<sup>53</sup>

### 2.3 *Birgivī’s Legal Works—The Cash waqf*

The concern with correct belief and practice, which characterizes the *Vaṣīyyet-nāme*, can also be found in Birgivī’s legal works. The majority of these take the form of short treatises (*rasā’il*, sg. *risāla*) or *fatwās* and deal with a number of different topics. Most prominent among these is the question of the cash *waqf*, which will be examined in more detail in chapter five. Birgivī famously rejected the legality of this institution, on which great parts of the Ottoman economy were based. He discussed the issue in a famous treatise entitled *al-Sayf al-ṣārim fī ‘adam jawāz waqf al-manqūl wa-l-darāhim*.<sup>54</sup> In

50 Gibb cites Laṭīfī who remarks on “the esteem in which the *Muḥammedīye* was held in his time [...] by teachers of the commentaries and traditions [...]” *op. cit.*, p. 405.

51 Krstić, *Contested Conversions*, p. 35, as well as her mention on p. 33 that in Evliyā’ Çelebī’s “description of Gallipoli he emphasizes that in this area the poor and the rich, especially women, learned by heart the *Muḥammedīye* rather than the Qur’ān.”

52 İzgi, *op. cit.*, p. 83.

53 İzgi, p. 70.

54 Jon E. Mandaville, “Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire,” in *International Journal of Middle East Studies*, vol. 10 (1979), pp. 289–308 (pp. 305–6 on *al-Sayf al-ṣārim* in particular). The *Sayf* was composed in 979 AH, i.e. two years before Birgivī’s death, see Atsız, pp. 45f., who records two undated printed editions and seventeen manuscript copies of it in Istanbul. Kaylı records twenty-one manuscript copies, see p. 264 (Table 1). The printed editions mentioned by Atsız are in fact collected volumes and include a number of other works of Birgivī as well. Brockelmann attributes two works

addition to that, the cash *waqf* was also the subject of a less well-known work of Birgivi's called *al-Ajwiba al-ḥāsima li-ʿurūq al-shubha al-qāsima*.<sup>55</sup> Written before the *Sayf*, the *Ajwiba* summarize and explicitly refute the opinions of Sheykh'ül-islām Ebū's-Su'ūd Efendī, Birgivi's famous opponent in the cash *waqf* controversy. The treatises in question, as well as a number of Birgivi's *fatwās*, call for the annulment of cash *waqfs*, with all that that entailed, as we will see in more depth later.<sup>56</sup>

#### 2.4 *Payment for Religious Services*

Another question of “correct practice” that greatly occupied Birgivi was the question of whether or not it was lawful for a person to be paid for the performance of religious services. He discussed the topic in two treatises. The first was his *Inqādh al-hālikīn (IH)*; the second, sometimes appended to the first, but also often standing on its own, was called *Īqāz al-nā'imīn (IN)*.<sup>57</sup> Birgivi argues strongly against the lawfulness of receiving a salary or wage (*ujra*) for the performance of acts such as Qurʾān recitation or teaching—a practice, he claims, which has become widespread in his day, “among believers and pious people.”<sup>58</sup> Reciting the Qurʾān, teaching and praying, he says, are not “jobs,” but “acts of worship” (*ibādāt*), done for the purpose of “drawing near to God” (*al-taqarrub ilā allāh*). Whenever this is not the case, i.e. whenever acts of worship are carried out for some this-worldly purpose, like gaining one's livelihood, this amounts to sacrilege. Indeed, making them a means to earn one's living, as Qurʾān reciters and teachers do, as well as people commissioned to pray for others for money, means that whatever reward was supposed to be gained in Paradise by these acts of worship will be null and void. The question ties in closely with Birgivi's interpretation of the vice of “sanctimony” (*riyāʿ*), which will be discussed in detail in chapter three. Suffice it to say here that Birgivi connects what for us would be a moral question with a legal one, and

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on the cash-*waqf* to Birgivi, but the title he gives for the second is, in fact, the opening line of *al-Sayf al-ṣārīm* (“*risāla maʿmūla li-ibtāl waqf al-nuqūd*”), *GAL*, Suppl. ii, 441, no. 12 (p. 655), and 442, no. 33 (p. 658). See also Princeton University Library Islamic Manuscript Collection, Garrett nos. 11242H and 928H.

55 It has been translated—in part—by Mandaville, p. 305.

56 Cf. *Radd wa-ibtāl fatwā Abī al-Su'ūd*, Princeton, Garrett no. 5380Y, which is different from both the *Sayf* and the *Ajwiba*, but deals with the same topic. Atsız records a similar (possibly the same?) *fatwā* in his list, p. 13. For a more detailed discussion of Birgivi's *fatwās*, see Marti, *Birgivi Mehmed Efendi*, pp. 89–90.

57 Muḥammad b. Pīr 'Alī al-Birkilī (i.e. Birgivi), *Kitāb inqādh al-hālikīn wa-yalīhi kitāb iqāz al-nā'imīn* (Riyad: Dār al-Ṣumay'ī, 1999), ed. Ḥamdī 'Abd al-Majīd al-Salāfī. Like a number of other treatises of Birgivi, both *IN* and *IH* have recently become popular in *salafī* circles.

58 Birgivi, *Inqādh al-hālikīn*, p. 15.

ultimately with an economic one, too. This is not confined to his treatment of the question of payment for religious services, however. As we will see, it provides a good example of Birgivī's uncompromising and all-pervasive ethic—an ethic unconcerned with appeals to “established practice,” “ease” or “economic necessity.”

With regard to the remuneration of Qur'ān readers, Birgivī's solution will ultimately lie in a distinction between an actual salary and a “gift” (*hiba*) or “donation” (*ṣila*).<sup>59</sup> While acceptance of a salary invalidates the act of worship in question, Birgivī argues, acceptance of a “gift” does not, and is thus acceptable. What might seem like sophistry to modern readers, was not so to Birgivī. For language, as we will see, mattered much. In fact, for Birgivī it was much more than a matter of language, it was a matter of internal attitude—an attitude of “the heart” as it were.<sup>60</sup> If you were ready to accept a “salary” for reciting the Qur'ān, that meant you were prepared—so Birgivī—“to sell God's verses for a paltry price” and to “trade that which is most lowly for that which is best.”<sup>61</sup>

## 2.5 *Qur'ān Recitation*

It was not only remuneration and other seemingly “external” conditions of ritual that occupied Birgivī, however. His writings were also concerned with the actual performance of ritual worship, whether obligatory or supererogatory. With regard to correct Qur'ān recitation, for example, Birgivī penned a short, but well-known treatise on *tajwīd*, entitled *al-Durr al-yatīm*.<sup>62</sup> Composed in 974/1566, a copy of it has been found in a volume of manuscripts collected in Medina just four months after Birgivī's death in 981/1573, testifying to the work's early popularity and its circulation in regions far beyond his immediate environment.<sup>63</sup> It was also recommended for use as a *medrese* textbook in at least two instances in the seventeenth and eighteenth centuries CE,

59 *Ibid.* pp. 43–44.

60 *Ibid.*, p. 17.

61 *Ibid.*, p. 15.

62 Atsız, pp. 81–2; Martı, *Birgivī Mehmed Efendi*, pp. 80–1; Brockelmann, *GAL*, vol. ii, 440, no. 2 (mistakenly given as no. 3) (p. 584), and supplement ii, 440, no. 2 (p. 654). For Eस्कicizāde's Ottoman translation see also ТҮБАТОК, vol. 2, pp. 165f. Birgivī's concern with *tajwīd* is evident at several points in *al-Ṭarīqa al-Muḥammadiyya*, where he refers his readers explicitly to *al-Durr al-yatīm*, such as *TM*, p. 166. Martı mentions a 2001 edition from Dubai, which I have been unable to track down. According to the ISAM file on Birgivī, it has also been edited in Baghdad by Muḥammad 'Abd al-Qādir Khalaf.

63 Kaylı, p. 120, fn. 374, as well as p. 202f. Kaylı believes that the volume was copied by Yūsuf b. Ya'qūb al-Khalwatī, a one-time student of Birgivī's (possibly). If this is true, it complicates our conventional understanding of Birgivī's reception, as the Khalwatīs have generally been thought to have opposed Birgivī and his followers (and vice versa).

first in Ishāq b. Ḥasan al-Toqadī's (d. 1100/1689) *Nazm al-'ulūm*,<sup>64</sup> and in Nebī Efendī-zāde al-'Ushshāqī's (d. 1200/1785) *Qaṣīda fī al-kutub al-mashhūra fī al-'ulūm*.<sup>65</sup>

It is also worth mentioning that *al-Durr al-yatīm* is often found together with another of Birgivi's less polemical legal works, namely his *Dhukhr al-muta'ahhilin*, a manual on the *fiqh* of menstruation and childbirth.<sup>66</sup> We find this combination of texts in the Medinan *majmū'a* from 981 AH, as well as in a number of other collected volumes.<sup>67</sup>

Contrary to what scholars have often assumed, the commentary on *al-Durr al-yatīm* was not the work of Birgivi himself, but rather of Aḥmed al-Rūmī al-Aqḥiṣārī.<sup>68</sup> We will encounter Aqḥiṣārī again as the actual author of a number of works mistakenly attributed to Birgivi. In fact, as Kaylı has shown, a treatise on *taghannī* (lit. "singing" but generally the recitation of the Qur'an in a "sing-song"-like manner), attributed to Birgivi by Kātib Çelebī (and, following him, by many others), is also the work of Aqḥiṣārī.<sup>69</sup>

There is no doubt that Birgivi's concern with correct Qur'an recitation was real. Several passages in *al-Ṭarīqa al-muḥammadiyya* clearly illustrate this. For example, Birgivi quotes the Prophet as having declared that "whoever recites the Qur'an with *taghannī* is not from among us."<sup>70</sup> And while admitting that "scholars disagree on its legal status" (i.e. on whether *taghannī* is forbidden or just reprehensible), Birgivi recommends its "complete prohibition in this age."<sup>71</sup> Aqḥiṣārī takes this up, in both his commentary on Birgivi's *al-Durr al-yatīm* and his *Risālat al-taghannī*, where he explains the problem as follows: "The sermons and the recitations of many of the preachers [...] and the Qur'an reciters are indeed rarely free from singing. On the contrary, in their sermons and

64 See İzgi, vol. 1, pp. 78ff.

65 *Ibid.*, p. 94. Marti speculates that Birgivi in fact initially composed it to be used as a text book. See *Birgivi Mehmed Efendi*, p. 59 and p. 80: [...] *risaleyi ders kitabı olarak yazmış olduğu muhtemeldir*.

66 The work has recently received renewed attention in Ḥanafī circles and has been edited and translated by Hedayā Hartford and Ashraf Muneeb. *Dhukhr al-muta'ahhilin wa-l-nisā' fī ta'rīf al-aṭḥār wa al-dimā'* (Damascus: Dār al-fikr, 2005), with a foreword by Shaykh Muḥammad Hishām al-Burhānī. See also Hedayā Hartford and Ashraf Muneeb (ed.), *Birgivi's Manual Interpreted: Complete Fiqh of Menstruation & Related Issues* (Beltsville: Amana Publications, 2006).

67 Kaylı, p. 190f., fns. 521 and 522.

68 Brockelmann, *GAL*, Supplement, vol. ii, 442.28 (p. 658); Kaylı, p. 66, fn. 161 and p. 142, fn. 446. Aqḥiṣārī's *Sharḥ al-durr al-yatīm* has survived in over twenty manuscript copies in Istanbul.

69 Kaylı, p. 28, fn. 48 and pp. 74–5.

70 *TM*, p. 139: *laysa minnā man yataghanna bi-l-qur'an* (Bukhārī).

71 *Ibid.*: *wa-l-ṣawāb man'uhu muṭlaqan fī hādhā al-zaman*.

their recitations, they adopt the ways that they follow with poems and ghazals, to the point that one almost does not understand what they say and what they recite, because of the melodic effect and the scansion. [...] They for instance say *sūbhānā l-mālikī l-ḥannān! sūbhānā l-mālikī l-mānnān* (“Prai-ai-ai-sed be-e th-th-the Com-m-mpassionate Ki-i-ing! Prai-ai-aised be-e-e th-th-the Kind Ki-i-ing!”), by singularly lengthening the *u* following the *s*, the *a* following the *n* and the *m*, and the *i* following the *l* and *k*, etc. [...] Such things indeed have the appearance of worship but are in reality disobedience and a major sin.”<sup>72</sup> In this, Aqḥiṣārī and Birgivī certainly were of the same opinion, even though the *risāla* itself was authored by Aqḥiṣārī rather than Birgivī himself.

## 2.6 Ritual Prayer

*Tajwīd* was thus one of the areas in which Birgivī’s emphasis on “correct ritual” manifested itself in his writings. The correct performance of ritual prayer was another. An example for this is his *Mu’addil al-ṣalāt*, a manual explaining the postures and movements that characterize the correct performance of prayer.<sup>73</sup> Again, Birgivī refers to the *Mu’addil* explicitly in *al-Ṭarīqa al-muḥammadiyya*, several sections of which touch upon the topic.<sup>74</sup> Birgivī’s emphasis on the correct performance of the *ṣalāt* is clear (as was the case with correct Qur’ān recitation); but here, too, Birgivī became the victim of a number of misattributions. These include a work on *shurūṭ al-ṣalāt*, as well as a treatise on the question of *sujūd al-sahw*, both of which Kaylı has shown to be misattributions.<sup>75</sup>

72 Yahya Michot, *Aḥmad al-Rūmī al-Aqḥiṣārī (d. 1041/1631 or 1043/1634) Against Smoking: An Ottoman Manifesto, Introduction, Editio Princeps and Translation* (Markfield: Kube Publishing, 2010), pp. 13–14.

73 Atsız, pp. 34–9, records 89 manuscript copies in Istanbul alone; Kaylı, p. 265 (Table 11) counts 143. Again, this was a very popular work. Birgivī’s recent, albeit somewhat spurious association with Ibn Taymiyya might explain its 2003 edition alongside Ibn Taymiyya’s *Arkān al-ṣalāt*. See Muḥammad Raḥmat Allāh Ḥāfiẓ and Muḥammad Nāzim al-Nadwī (ed.), *Ṭama’nūna wa-l-i’tidāl fi arkān al-ṣalāt li-Ibn Taymiyya wa-Mu’addal al-ṣalāt li-Taḳī al-Dīn al-Bīrkawī* (Beirut: al-Maktab al-Islāmī, 2003). Cf. also ‘Abd al-Tawwāb al-Multānī (ed.), *Mu’addal al-ṣalāt: dirāsa shāmila li-masā’il ta’dil al-arkān fi al-ṣalāt li-l-Bīrkawī* (Riyad: Maktabat aḍwā’ al-salaf, 1998).

74 *TM*, p. 193. In the context of a discussion of “the balance of the movements and postures during prayer” (*ta’dil al-arkān*), he says: “I have written a book called *Mu’addil al-ṣalāt* on the subject of these [...] questions, which you should read.”

75 For *Sharḥ shurūṭ al-ṣalāt*, see Kaylı, p. 27, fn. 44, as well as p. 30. For *Risāla fī sujūd al-sahw*, see *ibid.* pp. 102–3. “Prostrations of absent-mindedness” or “forgetfulness” have to be carried out after the end of the prayer, if a person failed to perform any of the movements necessary for his prayer to be valid. See Ḥasan b. ‘Ammār al-Shurunbulālī, *Marāqī al-falāḥ* (Cairo: 1315 AH), pp. 33–46, *bāb shurūṭ al-ṣalāt wa-arkānihā*. Kaylı has also identified a

## 2.7 *Misattributions: Yahyā b. Nasūḥ “al-Birgivi” and Aḥmed al-Rūmī al-Aqḥiṣārī*

The treatise on *shurūṭ al-ṣalāt* seems to have been the work of a certain Yahyā b. Nasūḥ b. Isrāʾīl, a possible contemporary of Birgivi and fellow-resident of the town of Birgi.<sup>76</sup> Yahyā, although much less renowned than Meḥmed b. Pīr ‘Alī, also carried the *nisba* “Birgivi,” which lead to a confusion in the sources. In addition to his *Sharḥ shurūṭ al-ṣalāt*, Kaylı found at least two other works penned by Yahyā “al-Birgivi” that ended up being attributed to Meḥmed b. Pīr ‘Alī. These are a treatise on the question of what happens to children of Muslims in the afterlife;<sup>77</sup> and a commentary on Ibn Melek’s (d. 821/1418) famous Arabic-Turkish dictionary *Lughāt-ı Ferishte-oğlu*.<sup>78</sup>

While the mistake of confusing Birgivi with Yahyā b. Nasūḥ seems of a fairly innocent nature, the mix-up with Aḥmed al-Rūmī al-Aqḥiṣārī is more complicated. This is so both in terms of the way in which misattributions of works of Aqḥiṣārī to Birgivi may have come about and in terms of the ideological implications these misattributions have for Birgivi’s legacy.

“A forgotten puritan from Anatolia,” as Yahya Michot calls him, Aḥmed al-Rūmī al-Aqḥiṣārī was born into a Christian family on Cyprus, just before the Ottoman conquest of the island in 978/1571.<sup>79</sup> Taken to Anatolia as a child as a result of the conquest, he eventually became an *‘ālim* in the Western Anatolian town of Aqḥiṣār (“the white castle”) where, apart from some trips to Istanbul, he seems to have spent most of his life. Aqḥiṣārī’s most famous work, the *Majālis al-abrār*, is “a collection of one hundred religious reflections inspired by Prophetic traditions from [...] *Maṣābiḥ al-sunna* by [...] al-Baghawī.”<sup>80</sup> Despite his importance as a key figure of Ottoman Islam in the late 10th/16th and early 11th/17th centuries, modern studies have almost wholly neglected Aqḥiṣārī.<sup>81</sup>

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work attributed to Birgivi on instances that invalidate prayer (*risāla fi isqāṭ al-ṣalāt*). This attribution, too, however, is doubtful, see p. 28, fn. 47 and p. 126f.

76 Kaylı, pp. 43–47. The work in question is, in fact, a *sharḥ*, although it is unclear which main work it is supposed to be a commentary on.

77 *Risāla fi ahwāl atfal al-muslimin*, traditionally counted as among Birgivi’s works, cf. Atsız, p. 40, and Marti, *Birgivi Mehmed Efendi*, p. 75.

78 Kaylı, pp. 38–41.

79 Michot, *Against Smoking*, p. 1.

80 *Ibid.* For its importance as a channel of reformist teachings influencing Islamic thought in India in the nineteenth century, see Michot, p. 3, as well as Marc Gaborieau, *A Nineteenth-Century Indian ‘Wahhabi’ Tract Against the Cult of Muslim Saints: Al-Balāgh al-Mubīn* (Delhi: Oxford University Press, 1992).

81 Two important recent exceptions are Yahya Michot, *op. cit.*, and Mustapha Sheikh, *Ottoman Puritanism and its Discontents: Aḥmad al-Rūmī al-Aqḥiṣārī and the Qāḍizādelis* (Oxford: Oxford University Press, 2016). In acknowledgement of Aqḥiṣārī’s importance,

Aqḥiṣārī's works deal with some of the most debated topics of his time, such as the legal status of tobacco, the question of Sufi "dancing" (*raqṣ*) or "whirling" (*dawarān*), tomb visitations (*ziyārat al-qubūr*) and all sorts of "innovation" (*bid'a*), the question of what constitutes proper behavior in the mosque, and so on. And while many of Aqḥiṣārī's concerns, in fact, overlapped with those of Birgivī, as in the case of the correct recitation of the Qur'ān, others were absent from the works of the older scholar.

As Kaylı has shown, however, there are four works, in particular, which have been attributed to Birgivī, but of which we can say with near certainty that they were actually composed by Aqḥiṣārī. These are: (i) the famous *Risāla fī ziyārat al-qubūr*, (ii) a treatise against vocal *dhikr*, (iii) a treatise on *muṣāfaḥa* (the question of whether or not it is permissible to shake hands after the communal prayer), and (iv) a treatise on land tenure and taxation. Because of its importance in shaping the later image of "Birgivī," especially in the twentieth century, I want to discuss the misattribution of *Risāla fī ziyārat al-qubūr* in somewhat more detail than the others.<sup>82</sup>

## 2.8 *Risāla fī ziyārat al-qubūr*

A work denouncing the "un-Islamic" practices of visiting tombs, praying at them and even offering sacrifices there, which the author describes as "not befitting people of faith," the *Risāla fī ziyārat al-qubūr* has become a success among *salafī* circles over the course of the last century. Turan Arslan was the first to have expressed doubt about its authenticity as a work of Birgivī's, arguing that it is strange that the early biographical sources do not mention it among his works.<sup>83</sup> Nor does Birgivī himself refer to it in *al-Ṭarīqa al-muḥammadiyya*.<sup>84</sup> Yet, as we have seen in the cases of Qur'ān recitation and correct prayer, he was in the habit of referring his readers to separate works of his on relevant topics

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Ignaz Goldziher had already drawn attention to Aqḥiṣārī's treatise on *bid'a* as "one of the most complex of its kind." See Goldziher, "Das Patriarchengrab in Hebron nach Al-'Abd arī," in *Zeitschrift des deutschen Palästina-Vereins*, vol. 17 (Leipzig: Bädcker, 1894), p. 115, fn. 3.

82 The other three have been discussed by Kaylı, pp. 72–74 (ii), pp. 66–71 (iii) and pp. 78–80 (iv). All three of them can be found in the list of Aqḥiṣārī's works provided by Michot.

83 See Arslan, *İmam Birgivî: Hayatı, eserleri ve Arapça tecdîsâtındaki yeri* (Istanbul: Seha, 1992), pp. 92–3.

84 Except for a few passing mentions, the question of tombs in fact hardly features at all in *TM*. Birgivī says that walking on graves is forbidden; women should not be allowed to visit graveyards ("Cursed be the woman who visits graves"), p. 181; it is not allowed to burn candles on graves, p. 196; and it is forbidden for people to stipulate in their wills that "mausoleums" are to be built on their graves or to organize men in advance to mourn for them upon their death, p. 216.

where appropriate. The fact that he does not do so here, on such a seemingly important question, is thus another reason for suspicion.

In the *risāla*'s opening lines, the author clearly states that the text has been culled from Ibn Qayyim al-Jawziyya's *Ighāthat al-lahfān fī maṣā'id al-shaytān*.<sup>85</sup> With regard to this, Huriye Martı has argued that it is quite unlike Birgivi to only use a single source (he does so nowhere else); furthermore, it is strange that no reference is made in the *Risālat fī ziyārat al-qubūr* to any of the classical and post-classical Ḥanafī sources Birgivi usually quotes at length.<sup>86</sup>

Kaylı shows that the attribution of the *Ziyārat al-qubūr* to Birgivi was made on the basis of two manuscript copies, neither of which in fact mentions Birgivi's name; nor do any of the other sixteen copies of the work found in Istanbul libraries. He explains that the misattribution must have arisen from the fact most of the copies of the *Ziyāra* had been collected in manuscript volumes together with treatises by Birgivi and then, with the arrival of print, were published together with them as the work of Birgivi.<sup>87</sup> Kaylı goes on to argue that the *Ziyāra* should instead be attributed to Aḥmed al-Rūmī al-Aqḥiṣārī (d. 1043/1633). Indeed, the same opening lines that explain that the *Ziyāra* has been culled from selections from Ibn Qayyim's *Ighātha* are found in Yahya Michot's copy of Aqḥiṣārī's treatise on the topic, entitled *Radd al-qabrīyya* or *Risāla fī al-radd 'alā al-maqābirīyya*.<sup>88</sup>

While Birgivi would probably have endorsed the sentiments expressed in the *Risāla fī ziyārat al-qubūr*, it was not actually composed by him. Nor does he seem to have been aware of the work of Ibn al-Qayyim. The latter is quoted in none of the works that can be attributed to Birgivi with certainty.<sup>89</sup> Kaylı is right in arguing that the misattribution of the *Risāla*, along with various other misattributions, created a distorted image of Birgivi. However, the distortion was not necessarily one in sentiment; rather, it was one in genealogy. That is to say, the misattribution created a false link between Birgivi and Ibn al-Qayyim—a genealogical link that did not in fact exist. It did not exist any more

85 *Ziyārat al-qubūr al-shar'īyya wa-l-shirkīyya* (Cairo: Maṭba'at al-imām, n.d.), p. 2.

86 Martı, *Birgivi Mehmed Efendi*, pp. 97–8.

87 Kaylı, pp. 52–66.

88 Michot, p. if., fn. 2. "These are pages that I have selected from the *Ighāthat al-lahfān fī maṣā'id al-shaytān*, by the shaykh, the imām, the most learned, Ibn Qayyim al-Jawziyya."

89 The claim that Birgivi quoted from Ibn Qayyim al-Jawziyya, such as made by Yılmaz, *Caliphate Redefined: The Mystical Turn in Ottoman Political Thought* (Princeton: Princeton University Press, 2018), p. 301, note 291, citing Emrullah Yüksel, "Mehmet Birgivi (929–981/1523–1573)" in *Atatürk Üniversitesi İslâmî İlimler Fakültesi Dergisi* (1977), p. 184, usually relies on the mistaken assumption of Birgivi's authorship of *Radd al-qabrīyya*. No reference to Ibn al-Qayyim can be found in any of the works attributed to Birgivi with certainty, however.

than the connection implied, by extension, between Birgivī and Ibn Taymiyya. While Aqḥiṣārī was definitely aware of the works of Ibn al-Qayyim, this cannot be said for Birgivī. Indeed, what needs to be investigated first and foremost is the connection between Birgivī and Aqḥiṣārī. For the latter, it seems, was a great admirer of Birgivī's work, as well as an admirer of the so-called "Ibn Taymiyya school" of thought. Aqḥiṣārī might thus provide the link to solve the puzzle of why Birgivī has so often and persistently come to be associated with Ibn Taymiyya. Even though there is no actual basis for such an association (i.e. of Birgivī with Ibn Taymiyya) in Birgivī's works themselves, the two men often share certain "attitudes" and it might have been this intuitive resemblance of some of their thought, paired with the common link provided by Aqḥiṣārī, that led to the association.<sup>90</sup>

To avoid further confusion, another point has to be clarified. Aḥmed al-Rūmī al-Aqḥiṣārī must not be confused with the Bosnian *ʿālim* Ḥasan al-Kāfī al-Aqḥiṣārī (d. 1024/1615).<sup>91</sup> Not only did Aḥmed al-Rūmī and Ḥasan al-Kāfī share a *nisba* and a common penchant for "reformist" thought, but Ḥasan al-Kāfī also in fact composed a work that has been attributed to Birgivī. The work, entitled *Rawḍāt al-jannāt fī uṣūl al-ʿitiqād*, was shown to be a misattribution by Arslan.<sup>92</sup> But while the connection between Birgivī and Aḥmed al-Rūmī

90 For more detail, see K. Ivanyi, "Abd al-Ghanī al-Nābulusī's Commentary on Birgivī Meḥmed Efendi's *al-Ṭarīqa al-muḥammadiyya*: Early Modern Ottoman Debates on *Bid'a fī l-ʿāda*," in Lejla Demiri and Samuela Pagani (eds.), *Early Modern Trends in Islamic Theology: 'Abd al-Ghanī al-Nābulusī and His Network of Scholarship* (Tübingen: Mohr Siebeck, 2019), p. 148, fn. 48.

91 This is yet another early modern Ottoman scholar whose work remains severely understudied. For translations of his main reform treatise entitled *Uṣūl al-ḥikam fī niẓām al-ʿālam*, see Garcin de Tassy, "Principes de sagesse touchant l'art de gouverner par Rizwan-den-abd-oul-mennan Ac-hissari," in *Journal Asiatique*, first series, vol. 4 (1824), pp. 213–26; Imre Karácson, *Az egri török emlékirat a kormányzás módjáról—Eger vár elfoglalása alkalmával az 1596 évben írja Molla Haszan Elkjáfi* (Budapest: Szent-István 1909); Ludwig Thallóczy and Emmerich (Imre) Karácson, "Eine Denkschrift des bosnischen Mohammedaners Molla Hassan elkjafi über die Art und Weise des Regierens," in *Archiv für slavische Philologie*, vol. 32 (1911), pp. 139–58. For preliminary examinations of some of Ḥasan al-Kāfī's thought, see Béchir Tlili, "Aux origines de la pensée réformiste ottomane moderne: un important document du Ṣayḥ al-Aqḥiṣārī (XVII<sup>e</sup> s.)," in *Revue de l'Occident musulman et de la Méditerranée*, vol. 12 (1973), pp. 131–48, and Mustafa A. Mehmed, "La crise ottomane dans la vision de Hasan Kiafi Akhisari (1544–1616)," in *Revue des études sud-est européennes*, vol. 13 (1975), pp. 385–402; Douglas Howard, "Ottoman historiography and the literature of "decline" in of the sixteenth and seventeenth centuries," in *Journal of Asian History*, vol. 22 (1988), p. 70.

92 Arslan, p. 128. Jan Just Witkam has also, separately, identified *Rawḍāt al-jannāt* as a work of Ḥasan al-Kāfī, see, "Ḥasan Kāfī al-Aqḥiṣārī and his *Niẓām al-ʿulamāʾ ilā khatam*

al-Aqḥiṣārī is quite complex, the one between Birgivī and Ḥasan al-Kāfī seems to be limited to the misattribution of *Rawḍāt al-jannāt* alone.

### 2.9 *Birgivī as Grammarian and Beyond*

Apart from his works of advice, and his treatises on some of the most debated legal questions of his day, Birgivī was also well known as a grammarian of the Arabic language. In fact, apart from *TM* and *VN*, some of Birgivī's later fame would very much rest on the fact that his books on both morphology (*ṣarf*) and syntax (*naḥw*) would become so popular as introductory text books used in the study of Arabic in Ottoman *medreses*.

The most important of these was a work on syntax entitled *al-ʿAwāmil al-jadīda* (Tr. *ʿAwāmil-i jadīd*).<sup>93</sup> Not to be confused with ʿAbd al-Qāhir al-Jurjānī's (d. 471/1078) more famous work of a similar title, Birgivī's *ʿAwāmil* also belongs to the linguistic genre of the same name, i.e. the so-called *ʿawāmil* literature or *regentia*.<sup>94</sup> It was used in Ottoman *medreses*, up until the nineteenth century, as one of the main sources introducing students to Arabic grammar. In his entry on "Birgivī" in a nineteenth-century German encyclopedia, for instance, the Austrian diplomat and Orientalist von Hammer-Purgstall explicitly mentions the "*Awamil dschedid*" as a "school-book" used for its general accessibility and benefit.<sup>95</sup>

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*al-anbiyāʾ*, a facsimile edition of MS Bratislava TF 136, presented with an annotated index," in *Manuscripts of the Middle East*, vol. 4 (1989), p. 88.

93 Again, Atsız, pp. 64–9, counts almost 80 manuscript copies of the work in Istanbul alone; Kaylı, p. 168, has 131; Sarkis, vol. 1, p. 611, lists two printed editions: one from Istanbul from 1235 AH, one from Bülāq from 1279 AH.

94 *Regentia* are a type of grammar that introduces Arabic sentence structure to the reader by an analysis of linguistic "rection," i.e. the relationship between a word and its dependents, also often referred to as "government." In the case of Arabic, works of the *ʿawāmil* type thus center their analysis of syntax on the division of words in a sentence into *ʿāmil* ("regens") and *maʿmūl* ("rectum"), through the force of *ʿamal*, usually exercised by the verb. The first work of the type of "regentia" or *ʿawāmil* literature seems to go back to the fourth/tenth century grammarian Ibn Fāris. The genre achieved its most famous articulation a century later in Jurjānī's *Kitāb al-ʿawāmil al-mīa*. See ETZ, "Naḥw," "Ibn Fāris" and "Djurdjānī," as well as K. Versteegh, "Arabische Sprachwissenschaft (Grammatik)" in W. Fischer (ed.), *Grundriss der arabischen Philologie* (Wiesbaden: Reichert, 1987), vol. 2, pp. 148–76, and the articles by Yishai Peled, Otto Zwartjes and Aryeh Levin in Everhard Ditters and Harald Motzki (ed.), *Approaches to Arabic Linguistics: Presented to Kees Versteegh on the Occasion of his Sixtieth Birthday* (Leiden: Brill, 2007). For a comparison of Birgivī's work with that of Jurjānī, see B. A. ʿAbd al-Rahmān, "al-Munāqashāt wa-l-taʿqībāt: hādhihi hiya al-adilla al-māddiyya wa-l-maʿnawīyya ʿalā anna "al-ʿAwāmil al-jadīda" li-l-Birkiwī wa laysa li-l-Jurjānī," in *Ālam al-kutub*, vol. 8, no. 3 (Riyadh: 1987), pp. 460–5.

95 Joseph von Hammer, "Beregli [sic.]," in Johann Samuel Ersch und Johann Gottfried Gruber (ed.) *Allgemeine Encyclopädie der Wissenschaften und Künste* (Leipzig: J. F. Gleditsch)

Birgivī produced his own didactic commentary on the *ʿAwāmil*, entitled *Iḏhār al-asrār*.<sup>96</sup> Köroğlu explains that both the *ʿAwāmil* and the *Iḏhār* were studied together, usually once students had mastered the basics of morphology, and before proceeding to read more advanced works on syntax, in particular the so-called *Sharḥ Mollā Jāmī*, also known as *al-Fawā'id al-diyā'iyya*.<sup>97</sup> The latter was a commentary on Ibn Ḥājjib's *al-Kāfiya*, itself a *mukhtaṣar* of al-Qāḏī al-Bayḏāwī's treatise on syntax entitled *Lubb al-albāb fī 'ilm al-irāb*.<sup>98</sup> Birgivī composed marginal notes (*ta'liqāt*) on the *Fawā'id*;<sup>99</sup> in addition, and more importantly, he also produced his own full-fledged commentary on Ibn Ḥājjib's *al-Kāfiya*, entitled *Imtiḥān al-adhkiyā'*.<sup>100</sup> The *Imtiḥān* is referred to, for example, in a chronicle of the governors of Damascus dating to the 12th/18th century, pointing to the work's continued importance at the time.<sup>101</sup>

In the field of morphology, Birgivī produced three works worth mentioning: (i) a morphological primer dedicated to his son Faḏl Allāh entitled *al-Amthila al-faḏliyya* and modeled upon the better known work of the same name in use in Ottoman *medreses* at the time;<sup>102</sup> (ii) a commentary on “pseudo”-Abū Ḥanīfa's *al-Maqṣūd*, entitled *Im'ān al-anzār*, which we have already encountered above as the first work Birgivī ever wrote;<sup>103</sup> (iii) an independent work on *ṣarf* intended for *medrese* use, entitled *Kifāyat al-mubtadī'*.<sup>104</sup>

Both Martı and Kaylı have drawn attention to the fact that Birgivī's works on grammar were, on the whole, produced earlier in his career than most of his legal works and works of advice. In her convincing explanation, Martı has

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vol. 9 (1822), p. 80. As the founder and director of the Academy for Oriental Languages in Vienna, Hammer must have had a special interest in works of grammar and linguistics. One is left to speculate as to the effect of works such as Birgivī's *ʿAwāmil* on the teaching of Oriental languages in Europe.

96 Which was famously commented on, in turn, by Muṣṭafā b. Ḥamza al-Aṭahli (i.e. Adalı), *Natā'ij al-afkār*.

97 Köroğlu p. 194.

98 For the *Sharḥ Mollā Jāmī*, see “Jami” in *List of Grammars, Dictionaries, etc., of the Languages of Asia, Oceania, Africa in the New York Public Library* (New York: New York Public Library, 1909), p. 7. For Bayḏāwī's *Lubb al-albāb*, see J. Robson, “al-Bayḏāwī,” in *EI2*, vol. 1, p. 1129.

99 Martı, *Birgivī Mehmed Efendi*, p. 117.

100 Atsız, pp. 75–9. Martı, *Birgivī Mehmed Efendi*, p. 116.

101 Ibn Jum'a, *Wulāt dimashq fī al-ʿaṣr al-ʿuthmanī* (Damascus: 1949), ed. Ṣalāḥ al-Dīn al-Munajjid, p. 17.

102 Köroğlu, p. 193, for Birgivī's “model.” For a discussion and comparison of both, see Arslan, pp. 147–50. For manuscript copies of Birgivī's *al-Amthila al-faḏliyya*, see Atsız, p. 41.

103 See above, p. 21, fn. 19. Authorship of the *Maqṣūd* is uncertain. Although attributed to Abū Ḥanīfa, it does not seem to have actually been composed by him.

104 Atsız, pp. 63–4; for a more in depth discussion, see Arslan, pp. 142–7; for printed copies, see Sarkīs, vol. 1, p. 611.

pointed out that at the beginning of his career, Birgivi would have been teaching introductory subjects, such as Arabic grammar. It was only once his career took off in Birgi that he began to produce many of the polemical treatises he is so well known for today, as well as most of his works of advice. Unencumbered by the worries of having to make a living, and encouraged by the explicit blessing of his Sufi master ʿKaramānī to dedicate himself fully to teaching and writing, the last decade of Birgivi's life would thus see the production of works such as *VN* and *TM*, and the treatises on questions of correct ritual discussed above.

Indeed, as is the case with many scholars, the production of Birgivi's works seems intimately linked to his biography and the particular context in which he found himself at each stage of his life. A small manual he composed on the question of the distribution of the shares of an estate (*farā'id*), for example, must be connected to the four years he spent as *qassām-i 'askeri*, overseeing the division of the probates of deceased members of the 'askeri class.<sup>105</sup> Likewise, Birgivi's role as a scholar of the science of Ḥadīth has already been mentioned in connection with his position as professor at the Birgi *darūlhadis*.<sup>106</sup> Thus, in addition to his *Sharḥ al-Arba'in* (a commentary on forty traditions selected by himself, rather than on the more famous collection of al-Nawawī), Birgivi also produced a treatise on *uṣūl al-ḥadīth*, as well as a second collection of Ḥadīth entitled *Kitāb al-īmān wa-l-istiḥsān*.<sup>107</sup>

It was during the last decade of his life that Birgivi also started composing a *tafsīr*, an undertaking likely intended as a long-term prestige project. It was cut short, however, when he prematurely died of the plague in 981/1573. By the time of his death, he had reached *āya* 98 of *sūrat al-baqara*.<sup>108</sup> In addition,

105 For the work see, Martı, *Birgivi Mehmed Efendi*, pp. 98–9. It has been edited as part of Bayram Demircigil's unpublished master's thesis at Marmara University, *Birgivi'nin İslām ve Osmanlı Hukukundaki Yeri ve Ferāiz Risālesinin Edisyon Kritiği* (Istanbul: Marmara University, 2000). Ibn Jum'a also mentions it in his entry on Birgivi, p. 17: "[Birgivi] composed numerous works, among them [...] a small *aide-mémoire* on the law of inheritance." For the "science of inheritance" (*ilm al-farā'id*) subfield of Islamic Law, see T. W. Juynboll, "al-Farā'id," in *EI2*, vol. 2, p. 783.

106 See above, p. 10.

107 For Birgivi's scholarship on Ḥadīth, see Martı, *Birgivi Mehmed Efendi*, pp. 82–9. The importance of Ḥadīth to Birgivi's work and in particular *TM* was the subject of Martı's unpublished PhD dissertation, *Birgili Mehmed Efendi'nin Hadisçiliği ve Et-Tarikatü'l-Muhammediyye: Tahkik ve Tahlil* (Konya: Selçuk University, 2005). Arslan argues that both Birgivi's *Risāla fi uṣūl al-ḥadīth* and his *Kitāb al-īmān wa-l-istiḥsān* must have been written during his time in Birgi. See Arslan, p. 49.

108 Atsız, p. 81; Martı, *Birgivi Mehmed Efendi*, pp. 79–80. The work has been edited and published by 'Abd al-Rahmān b. Şālih b. Sulaymān al-Dahsh, *Muqaddimat al-mufasssīrīn* (Manchester: Majallat al-ḥikma, 2004). The composition of a *tafsīr* was often a prestige project for established Ottoman scholars; thus Sultan Süleyman commissioned such a

Birgivī is said to have composed a separate *tafsīr* on “the best of stories,” i.e. *sūrat yūsuf*, though its attribution remains doubtful.<sup>109</sup>

There is one more work Birgivī composed before his death that needs to be mentioned here. This is his *Dhukhr al-mulūk*.<sup>110</sup> Also called *Irshād al-mulūk* or *Risāla fī madh al-sultān al-ādil wa-dhamm al-sultān al-zālim*, the work has been described as a “mirror-for-princes.”<sup>111</sup> The label might be somewhat misleading, however, for as opposed to other works of the genre, it is not concerned with questions of courtly etiquette or hierarchy, nor with the types of worldly knowledge and skills a future ruler is supposed to master.<sup>112</sup> Instead, the *Dhukhr* constitutes an exhortation of the Sultan in proper financial administration, an area of the state that Birgivī saw characterized by some of the most glaring evils. Addressed to Sultan Selīm II, who had come to the throne in 974/1566, the *Dhukhr* admonishes the ruler to take seriously his duty to uphold the *sharīʿa*. As Hüseyin Yılmaz has pointed out, the *Dhukhr* “is Birgivī’s only known work on government.”<sup>113</sup> In praise of the just ruler, but laying out the necessity and legal obligation to obey even unjust political authority, it treats questions of government legitimacy and admonishes the Sultan not to commit injustice. Its final section is dedicated to the question of public revenues and expenditure, including the proper management of state finances and public wealth.<sup>114</sup>

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work from his *Sheykhūl-Islām* Ebū’s-Su’ūd, see Imber, *Ebū’s-Su’ūd: The Islamic Legal Tradition* (Edinburgh: Edinburgh University Press, 1997), pp. 18–9. Although Birgivī’s *tafsīr* might not be comparable in scope or import to that of Ebū’s-Su’ūd, it still remains to be examined in detail. The only study I have been able to track down is Yaşar Düzenli’s unpublished master’s thesis *İmam Birgivî ve Tefsirdeki Metodu* (Istanbul: Marmara University, 1987). It would be interesting, for instance, to compare Birgivī’s *tafsīr* with the same verses in the commentary of Baydāwī—the most favorite source of exegesis for the Ottomans.

109 Arslan, p. 101; Kaylı, pp. 135–6.

110 Atsız, p. 90; Marti, *Birgivî Mehmed Efendi*, pp. 108–9; and Yılmaz, *Caliphate Redefined*, pp. 88f.

111 For instance, Kaylı, p. 79.

112 Indeed, except for its exhortations to justice and godly rule, the *Dhukhr* has little in common with works of the *Fürstenspiegel* genre in its “classical” form, such as pseudo-Jāhiz’s *Kitāb al-tāj* or the *Qābūs-nāme* of Kaykāvūs. For the former, see C. Pellat (trans.), *Le Livre de la Couronne: Kitāb at-Tāj: Ouvrage attribué à Ğāhiz* (Paris: Société d’Éditions “Les Belles Lettres”, 1954) and for the latter, S. Najmabadi and W. Knauth, *Das Qābusnāme: Ein Denkmal persischer Lebensweisheit* (Wiesbaden: Ludwig Reichert, 1988). See also C. E. Bosworth, “naṣīḥat al-mulūk,” in *EI2*, vol. 7 (Leiden: Brill, 1992), p. 984.

113 Yılmaz, *Caliphate Redefined*, p. 88.

114 Much like the third part of *TM*, which dealt with similar issues, the last part of the *Dhukhr* treats the question of public money. Birgivī divides the “riches of the treasury” into three categories: (i) presents, (ii) the actual property of the treasury, (iii) unlawful acquisitions. See Kaylı, p. 79, fn. 216.

Yılmaz has placed the composition of the *Dhukhr* in the context of Birgivi's desire to "write a comprehensive book on social critique from a Sharia perspective, aimed at eliminating iniquities in government and society." In particular, he refers to an exchange between Birgivi and 'Aṭā'ullāh Efendī, his friend and patron, in which the latter had asked Birgivi to compose a work on the state's finances.<sup>115</sup> The fact that the *Dhukhr* is cloaked in conventional language, extolling the ideal sovereign and defending the legal necessity to obey the unjust ruler, does not detract from its ultimate aim as a warning against what Birgivi saw as the injustices endorsed by the treasury. As such, it stands as a pious, idealist-juristic counterpart to a line of works composed by Ottoman scholars and administrators from the late sixteenth century onwards, which focused on questions of government, financial administration and taxation—a genre of literature that decried a perceived state of corruption that was to play a pivotal role in Ottoman narratives of decline, which I will discuss in more detail below.

The composition of the *Dhukhr* may be linked to Birgivi's visit to Istanbul shortly before his death. His confrontation with Grand Vezier Soğollu Mehmed Pasha greatly contributed to the formation of Birgivi's image as a selfless defender of the cause of a strict interpretation of the Law against the entrenched interests and corruption of those in power.<sup>116</sup> Thus, while many of Birgivi's works, which we have encountered above, were intended to combat evils in ritual practice and moral behavior committed by individual Muslims, the *Dhukhr* was meant to draw attention to what Birgivi regarded as serious structural ills characterizing Ottoman state administration, the management of public wealth and government at large—evils which could only be remedied by those at the very top. As Yılmaz has pointed out, "in this concise treatise, Birgivi addressed both the ruler and the ruled," thus marrying his project of *naṣīhat al-muslimīn* to a broader, yet equally legalistic *naṣīhat al-mulūk*. The theme of individual exhortation, with its emphasis on a cultivation of personal piety and knowledge of the Law, is thus joined to a broader political, social and economic critique—a warning to take seriously God's injunctions against injustice.

115 Yılmaz, p. 88; cf. Arslan, p. 35. Although it is uncertain whether *Dhukhr al-mulūk* was the direct result of that exchange—Yılmaz himself says that "it is probably not the book referred to in the [...] exchange—Birgivi was clearly concerned with matters of state finance and the administration of public money. See his discussions in the latter part of *TM*, for instance, discussed in chapter five.

116 For the life and career of one of the greatest Ottoman Grand Veziers, see Gilles Veinstein, "Soğollu Mehmed Pasha," in *E12* (Leiden: Brill, 1997), vol. 9, pp. 702–3.

### 2.10 Conclusion

While Birgivī's *oeuvre* as a whole still awaits much more comprehensive study, the preceding section was intended to give an overview of his most important works and the intellectual concerns displayed in them. I have excluded a discussion of *al-Ṭarīqa al-muḥammadiyya*, which will be provided in detail in chapter three. As we will see, many of the concerns that characterize Birgivī's *oeuvre* as a whole can also be found in his *magnum opus*.

Michael Cook has said with regard to Birgivī's *Vaṣīyyet-nāme* that it was "popular in both senses"<sup>117</sup>—a fact that is true for many of Birgivī's works and certainly so for most of the ones discussed above. They were popular, on the one hand, in terms of dissemination, i.e. in being widely read and reproduced, as well as translated and, eventually, frequently printed. Thus, *VN* and *TM*, but also Birgivī's grammatical works, such as the *ʿAwāmil*, and several of his treatises on correct ritual, like *al-Durr al-yatīm* or *Muʿaddil al-ṣalāt* were all subject to widespread appeal and recognition.

Ironically, as Kaylı has pointed out, a number of the works that were misattributed to Birgivī ended up being more "popular" than some of his actual works. This is important to keep in mind, especially with regard to the treatises of Aqḥiṣārī and the "anti-Sufi" image of Birgivī created through their legacy. But the widespread dissemination of some of the misattributions should not distract us from the fact that a whole range of Birgivī's actual works achieved similar, if not even greater popularity.

Birgivī's works were popular also in a second sense, namely in that they were "intended for or suited to the understanding and taste of ordinary people, [...] as opposed to specialists" alone.<sup>118</sup> That is to say, many of Birgivī's works were directed at a more general readership, with the specific purpose of providing guidance, in accessible fashion. Rather than producing high-brow treatises of an essentially academic nature, Birgivī was interested in offering practical and unambiguous advice on questions of everyday concern. He wanted this advice to be unequivocal and easily comprehensible to whoever might seek it in pursuit of salvation. Many of Birgivī's works thus display a decidedly didactic bend and it is no surprise that several of them achieved fame as textbooks, used in the Ottoman *medrese* curriculum. Indeed, Birgivī was a great vulgarizer of the Islamic tradition in the early modern period. His vulgarizations, of course, were not value-free. If anything, we often find Birgivī providing quite radical and uncompromising interpretations of the tradition at hand.

117 Michael Cook, *Commanding Right and Forbidding Wrong in Islamic Thought*, p. 324, fn. 124.

118 "Popular," in *OED*, online edition, accessed 9 January, 2020.

The question of audience is crucial, yet notoriously frustrating to answer, in the case of Birgivī as much as in that of other early modern writers. Who ended up reading Birgivī's works? Who were they intended for? While a religious primer written in Ottoman Turkish, like the *Vaṣīyyet-nāme*, was most likely designed to reach as wide an audience as possible, many of Birgivī's works in Arabic will, in the first instance, have been accessible only to certain educated segments of society. That is to say, they required a modicum of formal education and were directly accessible only to men who had followed at least part of the *medrese* curriculum. But many of the ideas expressed in these works will probably have found their way to other segments of society nonetheless, by way of preachers, such as the *Ḳāḏizādelis* of eleventh/seventeenth-century Istanbul. In a trickle-down effect of sorts, those not necessarily directly affiliated with the mosque or *medrese* would still find themselves exposed to his work, albeit in more simplified form.

If, for the time being, we disregard the question of reception, the most pertinent feature to be noted in characterizing Birgivī's writings is their practical aspect. Birgivī's works are practical, first, in the subject-matter they treat. That is to say, they are generally concerned with questions of everyday piety: how to correctly perform one's ritual duties, how to cultivate a pious self in one's interactions with other human beings and so on. Furthermore, Birgivī's works are not only concerned with a reform of the self, but also with the reform of society. As such, they deal with some of the most debated problems of his age. Rather than engaging in high-minded discussions of an abstract and overly-sophisticated nature, Birgivī provides clear-cut advice, albeit highly radical, for how to remedy the evils of his day. Even his works on grammar are more concerned with practical instructions on how to master the Arabic language than with obscure discussions of intricate points of grammar.

So, although Birgivī's works cover a wide range of genres, they all provide clear and practical instructions—from how conjugate Arabic verbs, to how to perform a whole range of ritual acts (from prayer to Qur'ān recitation), to what to believe (in God, His angels, His books and prophets, as well as the Day of Judgment) and how to behave beyond the strictly delineated confines of the Law itself (how to “purify one's soul of its vices”). Birgivī believed that these instructions for achieving individual virtue had to go hand in hand with a corresponding establishment of societal virtue, however. Hence his works on the cash *waqf*, land tenure and taxation, as well as his call for the Sulṭān to embrace his role as defender and upholder of the *sharī'a*. Birgivī's emphases on correct belief and ritual, and on the cultivation of a pious self and virtuous society, must be understood in the broader context of Sunnitization of the tenth/sixteenth-century Ottoman Empire, as well as in the context of Islamic

traditions of revival and reform (of both society and the self) on which Birgivi drew heavily. It is this wider context we need to look at next.

### 3 Context III: The Bigger Picture—Early Modern Sunnitization, the Negotiation of Orthodoxy and the Pietist Turn

As the overview of his works has shown, Birgivi was quite consciously engaged in a project of “*naṣīḥat al-muslimīn*,” i.e. one of offering guidance to his fellow Muslims on how to lead a “good” life—a life that would ultimately lead to salvation and closeness to God in the Next World. This required not only knowledge of correct belief and ritual, but also a much broader cultivation of a pious self. The Law was crucial as the first and most basic framework within which such cultivation was to be achieved. Yet, ultimately, it needed to go beyond the narrow confines of the Law alone, involving a constant and effortful regime of self-observation and exercise, as we will see in the next couple of chapters.

Providing a detailed blueprint for how such a regime of self-observation and exercise was to work in practice, Birgivi’s project of *naṣīḥat al-muslimīn* was thus one of serious “social disciplining.” As such, it must be understood in light of a number of historical developments at the time, as well as in the context of the wider intellectual tradition Birgivi drew on. In order to situate his instructions for self-reform and, concomitantly, a critique and reform of society, in a more general framework, I will (in this third part of chapter one) discuss how Birgivi’s work relates to the question of early modern “confessionalization” and the “Sunnitization” of the early modern Ottoman Empire—phenomena that have risen to prominence in recent scholarly debates concerning the religious and cultural history of the Eastern Mediterranean in the early modern era.

#### 3.1 *The World Birgivi Was Born Into*

As we saw at the beginning of this chapter, the world Birgivi was born into was one of rapid and profound change. This change was evident not only in the sphere of politics and economics, but also in religion, culture and social relations. It was, in fact, a change of global dimension. The “New World” had been discovered just three decades before Birgivi’s birth, and even though the flow of its gold and silver would only begin to affect the Ottoman economy in serious ways toward the end of his life, by the time Birgivi was born the globe was starting to become a much smaller and interconnected place than it had ever been before.<sup>119</sup>

119 For a discussion of the impact of New World precious metals on the early modern Ottoman economy and scholarly debates over the so-called “price revolution,” see Şevket

In political and ideological terms, the sixteenth century saw the rise of the early modern “Empire”—from Tudor England and Habsburg Spain in Europe, to the “gunpowder empires,” as Marshall Hodgson famously termed them, in the Islamic world.<sup>120</sup> Apart from the Ottomans, this included the Safavids in Iran and the Mughals in India.<sup>121</sup> Recent scholarship on early modern imperial ideologies has found that the ruling elites of these new empires shared a language of “universal kingship”—frequently endowed with messianic overtones. Anthony Pagden, for instance, has argued that discourses of empire in early modern Spain and England appropriated the legacy of ancient Rome, as well as the concept of a “universal monarchy” in their respective colonial projects

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Pamuk, *A Monetary History of the Ottoman Empire* (Cambridge: Cambridge University Press, 2000), pp. 112–30. For a good summary overview of some of the literature, see Mehmet Bulut, *Ottoman-Dutch economic relations in the early modern period (1571–1699)* (Hilversum: Uitgeverij Verloren, 2001), pp. 64–70.

120 For Western Europe see Anthony Pagden, *Lords of all the World: Ideologies of Empire in Spain, Britain and France, ca. 1500–1850* (New Haven: Yale University Press, 1995). For the Islamic world see Marshall Hodgson, *The Venture of Islam, vol. III: The Gunpowder Empires and Modern Times* (Chicago: University of Chicago Press, 1974). The importance of gunpowder lay not only in the upper hand it gave to these emerging empires in military confrontation with external enemies, but also in an enhanced ability to control their own subject populations, within. Other early modern states with “imperial” ideologies at the time included the rising duchy (and later tsardom) of Muscovy, the Tokugawa Shogunate in Japan, and the empire of the Qing dynasty in China. For Russia see Sergei Bogatyrev, “Ivan IV” in Maureen Perrie (ed.), *The Cambridge History of Russia, vol. I: From Early Rus’ to 1689* (Cambridge: Cambridge University Press, 2006), pp. 240–63; for Japan during the early Edo period, see Asao Naohiro, “The sixteenth-century unification,” in John Whitney Hall and James L. McClain (ed.), *The Cambridge History of Japan, vol. 4: Early Modern Japan* (Cambridge: CUP, 1991), pp. 40–95; for China, see Jonathan Spence, *The Search for Modern China* (New York: W. W. Norton, 1991), chapters on “The Late Ming,” pp. 7–25 and “The Manchu Conquests,” pp. 26–48. Ottomanists, such as Kaya Şahin, have in recent years begun to place the history of the early modern Ottoman Empire in this larger, global context. See Şahin’s introduction, “Ottoman Empire Building and Early Modern Eurasia,” in *Empire and Power in the Reign of Süleyman: Narrating the Sixteenth-Century Ottoman World* (Cambridge: Cambridge University Press, 2013), pp. 6–11. For a compelling argument in favor of the concept of early modernity and “its potential for a radical historical critique,” see Corpis, Kinkela and Şahin, “Introduction: Early Modernity/Modernities: The Possibilities and Limits of the Concept for a Radical History of the Premodern Past,” in *Radical History Review*, vol. 130 (2018), pp. 1–7.

121 The Shaybānid Uzbek dynasty of sixteenth century Central Asia is also often added to this list. This is, to be precise, the dynasty of the Abū al-Khayrid branch of the Shaybānids. In the literature, as well as by their own contemporaries, the Abū al-Khayrids were often simply referred to as “Uzbeks.” See Martin Dickson, *Shāh Ṭahmāsb and the Ūzbeks: The Duel for Khurāsān with ‘Ubayd Khān: 930–940/1524–1540* (Princeton: Princeton University, 1958), unpublished PhD dissertation, p. 21.

in the Americas.<sup>122</sup> Such ideas were not limited to the world of Christendom, however. Indeed, we can witness similar phenomena in the Islamic world, including in the Ottoman Empire of Birgivi's youth and adulthood.<sup>123</sup>

Drawing on Ottoman geographic literature, for example, Tijana Krstić remarks that “by the sixteenth century the Ottomans came to consider the Mediterranean—the geographic center of the ancient Roman Empire—as central to their imperial authority and legitimacy, particularly as the sultans’ aspirations to join the two Romes (Rome and Constantinople) and establish a Universal Monarchy reached its [*sic.*] zenith in the era of Sultan Süleyman (1520–66).”<sup>124</sup> Moreover, the Ottomans’ imperial claims against the Habsburgs, but also—and even more importantly—against their newly established Safavid rival to the East, were frequently expressed in messianic language, highlighting the deeply political and ideological aspect of religion at the time. In a climate of apocalyptic expectation, Sultan Süleyman thus styled himself a “world conqueror,” whose coming was foretold, and as a messianic “renewer of the religion,” before settling for the more sober image of “defender of a normative Sunni Islam” toward the end of his life.<sup>125</sup>

122 Pagden, *Lords of All the World*, pp. 12–62 on the concepts of “imperium” and “monarchia universalis.”

123 Hüseyin Yılmaz, for instance, provides rich source material on the question of messianic kingship, as does Cornell Fleischer, who in a recent article “trace[d] the intertwining of contemporaneous Muslim and Christian millenarian beliefs and excitation from the early fifteenth to late sixteenth centuries, specifically as crystalized by the rise of the Ottoman power, the Muslim conquest of “Rome” (Constantinople) in 1453, and the sixteenth century Ottoman-Habsburg rivalry for recognition as legitimate claimants to the world empire of the last age of history.” See Cornell Fleischer, “A Mediterranean Apocalypse: Prophecies of Empire in the Fifteenth and Sixteenth Centuries,” in *Journal of the Economic and Social History of the Orient*, vol. 61 (2018), pp. 18–90. For millenarianism, sainthood and sacred kingship in the Persianate world, see Kathryn Babayan, *Mystics, Monarchs and Messiahs: Landscapes of Early Modern Iran* (Cambridge, MA: Harvard University Press, 2002); A. Azfar Moin, *The Millennial Sovereign: Sacred Kingship and Sainthood in Islam* (New York: Columbia University Press, 2012) and Matthew Melvin-Koushki, “Early Modern Islamic Empire: New Forms of Religiopolitical Legitimacy,” in Armando Salvatore (ed.), *The Wiley Blackwell History of Islam* (Hoboken, NJ: John Wiley & Sons, 2018), pp. 353–75.

124 Krstić, *Contested Conversions*, p. 7.

125 Cornell Fleischer, “The Lawgiver as Messiah: The Making of the Imperial Image of the Reign of Süleymân,” in Gilles Veinstein (ed.), *Soliman le Magnifique et son temps: Actes du colloque de Paris, Galeries Nationales du Grand Palais, 7–10 mars 1990* (Paris: Documentation française, 1992), pp. 159–77. For a description of early sixteenth century eschatological literature in Ottoman Turkish, as well as the concept of “world conqueror” or, more literally, “master of the conjunction,” see Barbara Fleming, “Şāhib-kırān und Mahdī: Türkische Endzeiterwartungen im ersten Jahrzehnt der regierung Süleymāns,” in György Kara (ed.), *Between the Danube and the Caucasus: a collection of papers concerning oriental sources*

The claims to divine legitimacy of the early Safavids were even more ambitious than those of the Ottomans. “Heterodox” Kızılbaş sympathies for the Safavid order in Anatolia were thus met with violent persecution on the part of the Ottoman state, as were a number of “extremist” revolts against central government control in the first decades of the sixteenth century—from Shāh Kulu in 917/1511 and the first “Celālī” uprising in Amasya in 925/1519, to the revolts of Bābā Dhū al-Nūn (Zūnnūn) in 921/1515 and Kalendar Çelebī in 934/1528.<sup>126</sup>

While our understanding of the religious landscape of sixteenth-century Anatolia is still sketchy, it is clear that questions of politics, ideology and religion were deeply intertwined. Thus, acknowledgement of certain religious beliefs would imply a given political allegiance and vice versa. Although Birgivī never explicitly refers to any of the above events in his writings, they were still very much “in the air,” and must have affected his childhood and youth and, in consequence, his religious and political consciousness, in one form or another.

What is more, it was not only *ghulāt*-type “deviance” of the Kızılbaş kind that was widespread in Anatolia at the time. When Birgivī was three years old, for instance, the trial and execution of Mollā Qābiḍ (Tr. Kabız) engaged the highest echelons of the religious establishment. An *‘ālim* of Iranian extraction, Kabız is said to have been a fairly uncontroversial figure, who, for reasons unclear, at some point started “wending his way toward heresy and unbelief” by publicly proclaiming that Jesus was superior to Muḥammad as a prophet.<sup>127</sup>

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*on the history of the peoples of Central and South-Eastern Europe* (Budapest: Akadémiai Kiadó, 1987), pp. 43–62. Again, this was not confined to the Ottomans alone. According to Melvin-Koushki, *op. cit.*, p. 355, “The greatest rulers of the 16th century styled themselves divine kings, millennial sovereigns, talismanic cosmocrats, their holy bodies marrying heaven and earth, their sacral, transcendent, prophetic natures bringing final meaning to human history or inaugurating a dispensation wholly new.”

126 See Hanna Sohraweide, “Der Sieg der Şafaviden in Persien und seine Rückwirkungen auf die Shiiten Anatoliens im 16. Jahrhundert,” in *Der Islam*, vol. 41 (1965), pp. 95–223; Fariba Zarinabaf-Shahr, “Qızılbaş ‘Heresy’ and Rebellion in Ottoman Anatolia during the Sixteenth Century,” in *Anatolia Moderna*, vol. 7 (1997), pp. 1–15; Colin Imber, “The Persecution of the Ottoman Shī‘ites according to the mühimmede defterleri 1565–1585,” in *Der Islam*, vol. 56, no. 2 (1979), pp. 245–73; Ayfer Karakaya-Stump, *The Kızılbaş-Alevi in Ottoman Anatolia: Sufism, Politics and Community* (Edinburgh: Edinburgh University Press 2020); for sixteenth century trials against “heretics” of all sorts, see Ahmet Yaşar Ocak, *Osmanlı Toplumunda Zındıklar ve Mülhidler (15.–17. Yüzyıllar)* (Istanbul: Tarih Vakfı, 1998).

127 See fol. 172b of the facsimile edition of Celālzāde Muştāfā’s history of the reign of Süleyman, edited by Petra Knapp, *Geschichte Sultan Süleyman Kānūnis von 1520 bis 1557 oder Ṭabaqāt ül-Memālīk ve Derecāt ül-Mesālīk von Celālzāde Muştāfā genannt Koca Nişāncı* (Wiesbaden: Steiner, 1981): *zandaqa ve ilhād tarīkhına cārī olup i’tikādına fesād gelmiş çalālet yollarına sālīk [...] gümrah olup [...] ḥaḍret ‘isāyı tafḍil edip*. The entire episode is covered in fols. 172b–175b. For a full account of the events surrounding his trial

This, he said, was clear from the Qurʾān. A battery of scholars was brought in against him, but Kabız, who seems to have been endowed with a remarkable gift for debate, was not to be proven wrong. Eventually Kemāl Pāshāzāde, who had succeeded to the position of Sheykhʾül-İslām just two years earlier, had to intervene.<sup>128</sup> Following a swift trial, the young Sheykhʾül-İslām pronounced Kabız a heretic and had him executed, upon refusal to repent.<sup>129</sup>

Like other heresy trials at the time, the affair left an imprint on Ottoman learned society, as well as on popular culture, and is illustrative, in many ways, of the religious world Birgivī was shaped by. While the fluidity of earlier periods had abated by the time Birgivī was born, debates over what constituted “true religion” and what represented appropriate expressions of spirituality and piety were very much alive.<sup>130</sup> Indeed, Birgivī himself would play an

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and execution, see Repp, *op. cit.*, pp. 234–5 and Ocak, *op. cit.*, pp. 230–8. Celālzāde was a contemporary of Birgivī's and his detailed description of the events, as well as the descriptions found in other sixteenth and later seventeenth century sources (from Peçevī and Ḥasan Beğzāde to Solakzāde and Müneccimbaşı) are evidence for the continued significance of the Kabız affair in the decades and centuries that followed the trial itself. For a recent study of Celālzāde's life and work in the context of the “New Ottoman Empire” in sixteenth-century Eurasia, see Kaya Şahin, *Empire and Power in the Reign of Süleyman: Narrating the Sixteenth-Century Ottoman World* (Cambridge: Cambridge University Press, 2013); for the trial of Molla Kabız, see pp. 72–4.

128 Kemāl Pāshāzāde or Ibn Kemāl, as he is also known, was to become one of the most important Ḥanafī scholars of the “post-classical” period. For his life and works, see Victor Ménage, “Kemāl Pasha-zāde,” *EI2*, vol. 4 (Leiden: Brill, 1976), p. 879. For a discussion of his famous *fatwā* against Shāh Ismāʿīl on the occasion of the battle of Çaldıran in 920/1514, entitled *Risāla fī takfīr al-rawāfiq* or *Fetvā-i Kemālpashazāde der haqq-ı kızılbaş*, see Repp, p. 220. Both this and his role in various heresy trials, such as that against Mollā Kabız, gave Ibn Kemāl an image as a staunch defender of an emerging Ottoman “Sunni orthodoxy.” In light of this, it is interesting to remember that it was the same Ibn Kemāl who also pronounced a *fatwā* in praise of Ibn ʿArabī, see Repp, p. 224. Ibn Kemāl remained an important figure of Ḥanafī *fiqh* into the modern period. For a somewhat critical assessment of Ibn Kemāl's “misguided” understanding of the concept of *ijtihād* by a late nineteenth/early twentieth-century Muslim scholar, for instance, see Muḥammad Bakhīt al-Muṭṭī, appendix to *Irshād ahl al-milla ilā ithbāt al-ahilla* (Beirut: Dār Ibn Ḥazm, 2000), p. 259. For Ibn Kemāl's views on rulership, its requirements and the Ottoman dynasty generally, see H. Yilmaz, *op. cit.*, pp. 164, 225–8 and 251f, which nicely illustrates the complexity of Ibn Kemāl's legal and political stances.

129 Kemāl Pāshāzāde wrote a number of treatises on the affair, summarized in İ. Parmaksizoğlu, “Kemāl Paşa-zāde,” *DİA*, vol. 6, p. 563.

130 There has been much debate over what “Ottoman Islam” looked like, if, indeed, it even makes sense to talk about it in such terms, in its “formative” period, from the fourteenth through to the early sixteenth century. Ömer Lutfi Barkan's seminal article, “Osmanlı İmparatorluğunda bir iskân ve kolonizasyon metodu olarak vakıflar ve temlikler,” in *Vakıflar Dergisi*, vol. 2 (1942), pp. 279–386, stressed the role of Sufi dervish convents in the Ottoman “colonization” of the Balkans. This has often been conceived along lines similar

important role in the articulation of the boundaries between what was acceptable and what was not and, hence, in the constitution of what could be termed an Ottoman Sunni “orthodoxy.”<sup>131</sup> What is more, Birgivî took position against many of those who would later come to be styled as paragons of Ottoman Sunnism themselves, especially Ebû’s-Su’ûd Efendî and other representatives of the Ḥanafî legal establishment. The process by which this particular tradition of Ottoman piety came to be articulated in the sixteenth century was a complex one, involving a constant back and forth between a range of interpretive actors like Birgivî. In the beliefs and practices they championed, in the process of negotiation, these actors could fall on a continuum, from the “extremes” of the Kızılbaş and Mollâ Kabız, to the more “judicious” positions of establishment *‘ulamâ’*. What they negotiated ultimately, however, was an ideal—the correct understanding of man’s place in relation to God’s will and “way” (*sharî‘a*) in the Here and Now.

### 3.2 Oğlan Sheykh

Perhaps more important than the trial of Molla Kabız, in terms of an example to illustrate the religious and political climate of Birgivî’s youth, is to consider the proceedings brought against a young man known as “Oğlan Sheykh” Ismâ’îl Ma’shûqî in 945/1539.<sup>132</sup> Fifteen years Birgivî’s elder, Oğlan Sheykh was the

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to the role ascribed to Sufis in the spread of Islam in India from the thirteenth to the sixteenth centuries CE. Questions of “syncretism” feature prominently in accounts of early Ottoman Islam. For a detailed discussion of the topic, see Krstić, *Contested Conversions*, pp. 16–18 and pp. 51–74. The types of “heterodoxy” that characterized Ottoman Islam by the time Birgivî was born were, without doubt, different from those prevalent in the fourteenth and fifteenth centuries. What is clear is that the question of what constituted “appropriate” expressions of religiosity and spirituality was still very much alive.

131 For a discussion of the question of “Sunnitization,” see below, pp. 56–62, for “orthodoxy,” see above, p. 12, fn. 30.

132 Ismâ’îl Ma’shûqî (Tr. İsmâîl Ma’sûkî), the early sixteenth-century Bayrâmî-Melâmî “heretic,” dubbed Melâmî “prince” and sentenced to death, most probably in 945/1539, is not to be confused with the seventeenth-century Bayrâmî Sufi poet, “Oğlanlar Sheykhî” İbrâhîm Efendî (d. 1065/1655). For the latter, see Fatma Betül Yavuz, *The Making of a Sufi Order*, pp. 145–152. For an example of the two being mistaken, see Mehmed Fuad Köprülü, *Early Mystics in Turkish Literature* (London: Routledge, 2006), p. 308, fn. 19. For an account of the trial and execution of Ismâ’îl Ma’shûqî, see Repp, *op. cit.*, p. 237, and, in more detail, Mahmut Ay, “Osmanlı’da İtikadi Alanda Aykırı Bir Düşünce: Şeyh İsmail Maşuki,” in *İslami Araştırmalar Dergisi*, vol. 12, no. 1 (Ankara: 1999), pp. 34–9. İsmail Erünsal has corrected the date of Ismâ’îl Ma’shûqî’s execution from 935/1529 to 945/1539 on the basis of the earliest known Bayrâmî-Melâmî hagiography, ‘Askerî’s *Mir’âtü’l-İshq*. See Erünsal “Abdurrahman el-Askerî’s *Mir’âtü’l-İşk*: A New Source for the Melâmî Movement in the Ottoman Empire during the 15th and 16th Centuries,” in *Wiener Zeitschrift für die Kunde des Morgenlandes*, vol. 84 (1994), pp. 95–115. For contemporary comparisons of Ma’shûqî

son of a *pīr* of the Bayrāmī order, just like Birgivī. Indeed, the two must have come from similar environments and both developed a particular dislike for ostentatious displays of piety. Unlike Birgivī, however, Ma'shūqī overindulged his fondness for *melāmī* beliefs and practices.<sup>133</sup> Different sources give different accounts of what his transgressions consisted of, but the issue ultimately boiled down to “whether or not he accepted the authority of the *sharī'a* and therefore its officially appointed interpreters, the Ottoman ‘*ulamā'*.”<sup>134</sup> Oğlan

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to Ḥallāj, see Paul Ballanfat, *Unité et spiritualité: le courant Hamzevī-Melāmī dans l'empire ottoman* (Paris: L'Harmattan, 2013), pp. 149–64 and 409f.

- 133 The basic doctrine of *melāmī* (Tr.) or *malāmātī* (Ar.) thought was that “all outward appearance of piety or religiosity, including good deeds, is ostentation.” See F. de Jong, H. Algar and C. Imber, “Malāmātiyya,” *EI2* (Leiden: Brill, 1987), vol. 6, p. 223. Malāmīs would thus strive to hide their good deeds, as well as their acts of ritual worship, from the eyes of others, for fear of falling into “sanctimony.” While Birgivī was very much concerned with the problem of sanctimony and, in some cases, certainly endorsed the “hiding” of one's good deeds and even acts of worship, he strongly objected to antinomian *malāmī* practices, in which people sought to actively attract the blame (*malām*) of their fellow believers, in order to remind themselves of their lowly stature—a paradoxical extension of the basic *malāmī* doctrine. For groups engaging in such antinomian practices, see Ahmet T. Karamustafa, *God's Unruly Friends: Dervish Groups in the Later Islamic Middle Period, 1200–1550* (Salt Lake City: University of Utah Press, 1994). On the Melami tradition more broadly, both in the pre-Ottoman and the Ottoman context, see Abdūlbakī Gölpınarlı, *Melāmīlik ve Melāmūler* (Istanbul: Gri Yayınları, 1992). For a more recent study of the formation of the Ottoman Bayrāmī-Melāmīyye, see F. Betül Yavuz, *op.cit.* Hüseyin Yılmaz, *op. cit.*, too, provides important pointers to the complexity of Bayrāmī-Melāmī thought and practice, including great internal heterogeneity. Following Gölpınarlı, Victoria Rowe Holbrook distinguishes three phases in the historical development of the Melāmīyye: a “first wave” that had its origins in the ninth-century “Path of Blame” of Nishapur; a “second wave” in the late-medieval, early modern Ottoman Empire, when the Melāmīyye-Bayramiyye under Emir Sikkini branched off from the Bayramiyye-Şemsiyye, following the death of Hajji Bayrām Veli; and a “third wave, originating in the nineteenth-century, in western Ottoman lands (Yugoslavia) under the influence of Seyyid Muhammed Nūr and also active today.” See V. R. Holbrook, “Ibn ‘Arabi and the Ottoman Dervish Traditions: The Melami Supra-Order (Part One),” in *Journal of the Muhyiddin Ibn ‘Arabi Society*, vol. 9 (1991). For the modern, “third wave” of the Melāmīyya in the nineteenth and twentieth century, see Cüneyd Yıldırım, *Die Melāmīyye von Rumelien: Sozial- und Ideengeschichte einer Sufi-Gemeinschaft* (Würzburg: Ergon, 2019). The three-fold division in understanding the history of the Melāmīyye seems to go back to Meḥmed Kemāleddīn Harīrīzāde (d. 1299/1882), who in his *Tibyān wasā'il al-ḥaqā'iq* accorded the order “extensive treatment,” as Fatma Betül Yavuz has pointed out. Harīrīzāde was thus the first to dedicate a separate entry to the group and “studies [it] under the comprehensive title of the Malāmātiyya, which for him includes three different, and yet interrelated phases.” See Yavuz, p. 9. For Harīrīzāde himself, see the entry by Yakup Çiçek, “Harīrīzāde (1850–1882),” in *TDV İslām Ansiklopedisi*, online edition, <https://islamansiklopedisi.org.tr/haririzade>, accessed January 11, 2020.

- 134 C. Imber, “Malāmātiyya—3. In Ottoman Turkey,” *EI2*, vol. 6, p. 225.

Sheykh is said to have won a large number of followers, especially among the soldiery, but this popularity was met with great misgivings on the part of the religious and political authorities.<sup>135</sup> Examined and sentenced to death on the basis of a *fatwā* given by Kemāl Pāshāzāde, Oğlan Sheykh was eventually executed with twelve of his disciples. According to Ebū's-Su'ūd, who was involved in the trial along with Kemāl Pāshāzāde, the decision seems to have been a difficult one to take.<sup>136</sup> What is certain is that Oğlan Sheykh's execution was accompanied and followed by a wave of public indignation, with people being split between those who said that he had been a *zindīq* and a *mulhīd*, and those who believed that he was a saint and martyr, unjustly killed.

The story is interesting for several reasons, including the various and at times contradictory accounts which have been offered for why Oğlan Sheykh was declared a heretic in the first place. They provide a nice illustration of some of the most debated religious questions at the time—issues that would also come to inform Birgivī's project of *naṣīhat al-muslimīn*. Repp claims that one of the reasons for Oğlan Sheykh's indictment was that he had begun to publicly spread Ibn 'Arabī's famous doctrine of *waḥdat al-wujūd*. This cannot, however, have been the cause of his execution in and of itself. Indeed, Kemāl Pāshāzāde himself had famously given a *fatwā* in praise of "al-Shaykh al-Akbar" on the occasion of the re-construction of the latter's mausoleum in Damascus in 923/1517.<sup>137</sup> The doctrine of *waḥdat al-wujūd* was thus accepted by the highest Ottoman authorities of the day. More than that, Ibn 'Arabī can, in many ways, be seen to have become the "patron saint" of the Ottomans.<sup>138</sup>

135 According to C. Imber, *EI2* "Malāmatiyya—3. In Ottoman Turkey," the "soldiers" 'Aṭā'ī mentions as supporters of Oğlan Sheykh were probably "*kapıkulu* troops stationed in the capital," i.e. members of the Sultan's personal elite force. The military generally, and members of the Janissary corps in particular, have often been connected to "unorthodox" religious tendencies in the Ottoman Empire. This is the case in both primary and secondary sources, although the picture we get is by no means clear. For the semi-formal link between the Bektāshīyya, often seen as an order characterized by "syncretistic" affinities, and the Janissaries, see, for instance, Suraiya Faroqhi, "Conflict, Accommodation and Long-Term Survival: The Bektashi Order and the Ottoman State (sixteenth-seventeenth centuries)," in Alexandre Popović and Gilles Veinstein (ed.), *Bektachiyya: Études sur l'ordre mystique des Bektachis et les groupes relevant de Hadji Bektach* (Istanbul: Isis, 1995), pp. 171–84. For their "syncretistic" beliefs and practices, see A. T. Karamustafa, "*Kalenders, Abdāls, Hayderīs: the Formation of the Bektāshīyye in the Sixteenth Century*," in H. Inalcik and C. Kafadar (ed.), *Süleyman the second and His Time* (Istanbul: İSİS, 1993), pp. 121–9.

136 Repp, p. 237.

137 Repp, p. 223 and Ahmed Ateş, "Ibn al-'Arabī, Muḥyi'l-Dīn," in *EI2*, vol. 3 (1968), p. 708.

138 See Ryad Atlagh, "Paradoxes d'un mausolée," in Muhammad Ali Amir-Moezzi, *Lieux d'islam: cultes et cultures de l'Afrique à Java* (Paris: Editions Autrement, 1996), pp. 132–153. Famous commentaries on Ibn 'Arabī's works had already been produced by Ottoman

What must have caused concern was thus not Oĝlan Sheykh's espousal of the ideas of Ibn 'Arabī, but what he proceeded to do with them, namely to apparently disavow the primacy of the *sharī'a*.

Another reason given for Oĝlan Sheykh's "heresy" is that he is said to have instructed his disciples to pronounce the *dhikr* by saying "Allāhım, Allāhım," rather than the more conventional "Allāh, Allāh" or simply "*huwa*."<sup>139</sup> However, the Melāmī sub-branch of the Bayrāmiyya, to which Oĝlan Sheykh belonged, does not in fact seem to have practiced vocal *dhikr*.

Finally, a third explanation given in the sources for Oĝlan Sheykh's "heresy" is that he is said to have proclaimed that the *dawarān* (i.e. the whirling "dance" or spinning movement performed in some types of Sufi ritual devotion) was not only "permissible" (*mubāh*), but constituted an *'ibāda* and was therefore obligatory (i.e. an act of worship on par with, say, ritual prayer, fasting during Ramaḍān or the pilgrimage to Mecca). Whether or not Oĝlan Sheykh actually declared it so, the idea of pronouncing a Sufi practice (such as the *dawarān*) an *'ibāda* represents a *topos*, the aim of which is to communicate an infringement on Oĝlan Sheykh's part of the clear-cut boundaries of the Law. Questions such as to the legal status of *dawarān* or *dhikr* and how they were supposed to be performed to be permissible (e.g. silent as opposed to vocal) constituted some

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scholars of the ninth/fifteenth century, such as Dā'ūd-i Qayserī, Quṭb al-Dīn al-Izṅikī and Yazıcızāde Meḥmed. Ibn 'Arabī's ideas, indeed, found a large following in Ottoman Anatolia and the Balkans, where, according to Ahmed Ateş, his works were sometimes even taught in *medreses*. It is true that the doctrine of *wahdat al-wujūd* continued to divide the minds of individual scholars. But no other period saw such popularity and widespread dissemination of Ibn 'Arabī's work in general. Famous Ottoman defenses of the doctrine include *al-Qawl al-mubīn fi-l-radd 'an muḥyī al-dīn* by Birgivi's Egyptian contemporary 'Abd al-Wahhāb b. Aḥmad al-Sha'rānī (d. 973/1565), see Ateş, p. 708; Sha'rānī also composed an epitome of Ibn 'Arabī's ideas, entitled *al-Yawāqūt wa-l-jawāhir*. For more on Sha'rānī's work and thought, see Michael Winter, *Society and Religion in Early Ottoman Egypt: Studies in the Writings of 'Abd al-Wahhāb al-Sha'rānī* (New Brunswick: Transaction Books, 1982). Another famous defense of Ibn 'Arabī from the Ottoman period is 'Abd al-Ghanī al-Nābulusī's (d. 1143/1731) *al-Radd al-matīn*. For a discussion of the reception and vulgarization of Ibn 'Arabī's ideas in the Ottoman Empire, see M. Chodkiewicz, "La réception de la doctrine d'Ibn 'Arabī dans le monde ottoman," in A. Y. Ocak (ed.), *Sufism and Sufis in Ottoman Society* (Ankara: Türk Tarih Kurumu, 2005), pp. 97–120, as well as Mustafa Tahralı, "A General Outline of the Influence of Ibn 'Arabī on the Ottoman Era," in *Journal of the Muhyiddin Ibn 'Arabi Society*, vol. 26 (1999), pp. 45–53. For Ibn 'Arabī's acceptability among Ottoman *'ulamā'* until the conquest of the Arab-speaking lands of Syria and Egypt by Selim I, see Ahmed Zildzic, *Friend and foe: The early Ottoman reception of Ibn 'Arabī* (Berkeley: University of California, 2012), unpublished PhD dissertation. For the incorporation of "Ibn 'Arabism" into Ottoman political thought after Murad II, see Hüseyin Yılmaz, *Caliphate Redefined*, in particular pp. 211–15.

139 "Allāhım" in Turkish can mean either "my God" or "I am God."

of the most contested topics of the day. They were going to occupy Birgivi just as much as they occupied the protagonists of the trial of Oğlan Sheykh. In fact, they touch on one of the cornerstones of Birgivi's work: How to maintain and cultivate appropriate expressions of piety.

### 3.3 *Birgivi, Confessionalization and Early Modern Ottoman Sunnitization*

In her work on Ottoman Muslim conversion narratives and Christian neomartyrologies of the fifteenth and sixteenth centuries CE, Tijana Krstić made the case for an early modern Mediterranean-wide “age of confessionalization.”<sup>140</sup> Borrowing a term from European and, in particular, German historiography of the Reformation, Krstić argued that a similar phenomenon of “confessionalization” could also be observed in the Ottoman Empire of the time. In its original European context, the concept had been used to describe “the interconnected nature of sixteenth-century religious and political change, especially the way the church (both Catholic and Protestant) and state cooperated for the twin-purposes of social disciplining and state building.”<sup>141</sup> A comparable phenomenon can, indeed, be observed in the Ottoman context, where establishment *‘ulamā’* and imperial elites often cooperated to further their shared interests. These interests, which involved the maintenance of both political power and spiritual authority, were articulated and justified through a discourse of avoidance of *fitna* and protection of religion.<sup>142</sup>

<sup>140</sup> Krstić, *Contested Conversions*, p. 13.

<sup>141</sup> *Ibid.* Apart from the literature cited by Krstić, *Contested Conversions*, p. 177f., fns. 52–55, the concept of “confessionalization” has also been discussed in detail in Stefan Ehrenpreis and Ute Lotz-Heuman (ed.), *Reformation und Konfessionelles Zeitalter* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2002) and Lotz-Heumann, “Confessionalization,” in David M. Whitford (ed.), *Reformation and Early Modern Europe: A Guide to Research* (Kirksville, Missouri: Truman State University Press, 2008), pp. 136–57, as cited in Nikolay Antov, *The Ottoman “Wild West”: The Balkan Frontier in the Fifteenth and Sixteenth Centuries* (Cambridge: Cambridge University Press, 2017), p. 275, fn. 64.

<sup>142</sup> In the Kabız story, for example, the Sultan is said to have personally instructed Kemāl Pāshāzāde to take critical action, after watching the official *‘ulamā’s* inability to deal with the “deviant” Mollā. The ideas Kabız propounded would have been considered “beyond the pale” in any earlier context as well, and would probably have elicited the joint action of state and religious authorities. In this sense, the “cooperation” between “worldly” authorities and religious authorities for the purpose of “social disciplining” was nothing new in Islamic history. What was new in the early modern Ottoman Empire, it seems, was a renewed preponderance of such “deviant” views expressed publicly. For discussions of the immensely intricate question of the relationship between the “state” and “religion” or “religious authorities” in pre-modern Islam, see M. Qasim Zaman, *Religion and Politics under*

While developments in the Ottoman Empire differed quite considerably from those in Europe at the time, Krstić's case for a "Sunnitization" of the Ottoman realm in the early modern period has inspired much scholarly engagement. Indeed, in recent years the Sunnitization thesis has seen substantial refinement, from its initial focus on the state to a much more nuanced appreciation of the role of a broad range of actors engaged in the process of articulating the boundaries of correct faith and practice. Thus, originally Krstić had argued that "in the sixteenth century, confession building in the Ottoman Empire was a predominantly top-down process orchestrated by the sultan and his advisers, especially in the era of Sultan Süleyman."<sup>143</sup> While this reflected a historiographical concern with the deployment of religious rhetoric and symbols of authority in state building processes, much of the early work on confessionalization and Sunnitization neglected the complex doctrinal, legal and ethical contestations of power in the debates, for instance, that took place among contemporary *'ulamā'*, in a multifaceted web of relations of authority—i.e. of individual scholars, preachers and Sufis, within the *'ilmīye* and its various ranks, on the outside, or on the margins of it, in relationships of patronage and competition, in endorsement of as much as in antagonism to imperial politics.

The social embeddedness of these manifold actors, involved in the articulation and negotiation of orthodoxy at the time, should not lead us to adopt a functionalist paradigm in our understanding of the significance of their ideas, however, as Nir Shafir has cautioned.<sup>144</sup> Close attention should thus be paid to the *substance* of different expressions and commitments, such as Birgivī's, as much as to the social relations within which these were articulated, without falling into the trap of reducing the former to facile indicators of socio-economic status, for instance, reading particular ideological stances as expressions of, say, economic grievances or increased aspirations for upward social mobility. Such can, no doubt, be the case, but the ideas in question should not be "reduced" to them.

Building on Derin Terzioğlu's interventions concerning the "pro-active" rather than merely "reactive" nature of Sunnitization in the sixteenth and seventeenth centuries (e.g. the state reacting to the Safavid threat), Krstić has recently made a case to understand Sunnitization as "a broader societal phenomenon that transcends the purview of the state but inevitably engages with

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*the Early 'Abbāsids: The Emergence of the Proto-Sunni Elite* (Leiden: Brill, 1997) and Patricia Crone, *God's Rule: Government and Islam* (New York: Columbia University Press, 2004).

143 Krstić, *Contested Conversions*, p. 14.

144 Shafir, "Moral revolutions," p. 596f.

the religious and political authorities' views on belief and worship in complex, and sometimes competitive dialogue."<sup>145</sup> Such competitive dialogue can certainly be said to be constitutive of Birgivī's work.

In aiming to provide explicit rules for "what to believe" and "how to behave" (i.e. what it was proper for a Muslim to do, say, look at and even listen to—as we will see in more detail in chapter three), Birgivī was certainly engaged in an effort of "social disciplining"—another key concept in the scholarly literature on "confessionalization" and "Sunnitization."<sup>146</sup> The question is whether or not his undertaking was *qualitatively* different from that of earlier scholars—scholars Birgivī in fact drew upon heavily, such as al-Ghazālī (d. 505/1111) and Abū al-Layth al-Samarqandī (d. 393/1002) or al-Ḥārith al-Muḥāsibī (d. 243/857). Just like Birgivī, these men provided explicit guidelines for "what to believe" and "how to behave" and how, in the process, to constitute a pious self. As such, their work, as that of most *ʿulamāʾ*—pre-modern and modern—was characterized by a conscious effort at social disciplining.

What distinguished Birgivī and his colleagues from those who came before and after them was, of course, the particular historical context in which they found themselves. The changed political, economic and social circumstances

145 Krstić, "State and Religion," p. 67f.

146 See, for instance, Krstić, *Contested Conversions*, pp. 12–16; Terzioğlu, "How to conceptualize Ottoman Sunnitization," pp. 304, 315, 318. Like "confessionalization," the concept of "social disciplining" derives from European historiography. As Sheilagh Ogilvie has pointed out, "Social disciplining" is the name that has been given to attempts by the authorities throughout early modern Europe to regulate people's private lives. In explicit contrast to "social control," the informal mechanisms by which people have always sought to put pressure on one another in traditional societies, "social disciplining" was a set of formal, legislative strategies through which the emerging early modern state sought to "civilize" and "rationalize" its subjects' behavior in order to facilitate well-ordered government and a capitalist modernization of the economy." Note that the state is the actor here. Ogilvie points to Gerhard Oestreich's work of the late 1960's for the first formulation of the concept (rather than Heinz Schilling). See S. Ogilvie, "So that Every Subject Knows How to Behave: Social Disciplining in Early Modern Bohemia," in *Comparative Studies in Society and History*, vol. 48, no. 1 (2006), p. 38. In a separate process, in the context of his work on the birth of the prison, Michel Foucault developed his own exposition of "disciplinary power." Foucault's analyses and understanding have clearly influenced contemporary scholarly uses of the concept of "social disciplining." For an early comparative study, see Stefan Breuer, "Sozialdisziplinierung: Probleme und Problemverlagerungen eines Konzepts bei Max Weber, Gerhard Oestreich und Michel Foucault," in Christoph Sachße and Florian Tenstedt (eds.), *Soziale Sicherheit und soziale Disziplinierung: Beiträge zu einer historischen Theorie der Sozialpolitik* (Frankfurt am Main: Suhrkamp, 1986), pp. 45–69. In Birgivī's case, as well as that of pre-modern and modern *ʿulamāʾ* more generally, what is intended is, indeed, the formal (and at times also legislative) aspect of their strategies to regulate people's private lives.

of early modern Western Asia and Europe did, indeed, lead to heightened competition in the religious field, between Christians and Muslims, as well as within Islam itself. “Official” religious competition was undoubtedly linked to imperial rivalries between Ottomans and Safavids, on the one hand, and the Habsburgs, as well as the Italian city-states of Venice and Genoa, on the other. New technologies, such as gunpowder, not only increased the ability of the early modern state to wage wars, but also enabled it to control its subject populations in ways in which they had never been controlled before. An increasingly bureaucratized state, which the Ottoman Empire was undoubtedly becoming over the course of the sixteenth century, was able to enlist the loyalty of its educated subjects in exchange for government positions and sinecures. This was as true in the sphere of religion as anywhere else. The unprecedented growth of the institution of the *‘ilmīye* in the sixteenth century manifested itself physically in a building boom for mosques and *medreses*, as documented by Gülrü Necipoğlu.<sup>147</sup> Attendant upon this drive to build mosques and *medreses* was an increase in *medrese* graduates and, despite the concurrent expansion in employment opportunities, also a heightened competition for posts in higher education and the judiciary.<sup>148</sup> Indeed, Birgivī more than once decries the careerism and corruption of his fellow *‘ulamā*’, the majority of whom, he says, were more concerned with securing a good position, replete with benefits and all, than with being “good” Muslims.<sup>149</sup>

147 Gülrü Necipoğlu, *The Age of Sinan*.

148 For a comprehensive study of the expansion of the *‘ilmīye* in the sixteenth century, as well as the increasing differentiation of positions and ranks, see Atçil, *Scholars and Sultans*, pp. 145–69. Atçil points to the concomitant increase in employment opportunities for scholar-bureaucrats. That the swelling of the ranks of graduates must also have led to increasing competition for positions, paired with certain expectations as to who should get what sort of job, is illustrated well by Cornell Fleischer, *Bureaucrat and Intellectual*, pp. 224–6.

149 Whether or not this was inspired by the prevalent *topos* of “decline,” which will be discussed in more detail in the next chapter, Repp nicely illustrates the point by identifying—on the basis of entries in biographical dictionaries—what he believes to be a decided change in expectations and attitudes from the fifteenth to the seventeenth century: “To put the case far too bluntly, one might argue that a fifteenth-century scholar’s chief concern—and the measure whereby he was judged—was to achieve excellence in *‘ilm* (*ilm*), that is, knowledge or learning, through teaching and writing; whereas a seventeenth-century scholar’s chief interest—and the measuring rod of *his* success—was the attainment of the high learned offices and the power, salary and perquisites that went with them. It need hardly be said, of course, that this is not a matter of absolutes: there were certainly fifteenth-century scholars ambitious for worldly power and possessions, as there were seventeenth-century scholars who aspired to excellence in *ilm*. But it is beyond question that by the seventeenth century a distinct change of emphasis had occurred both in the goals which the majority of the *‘ulema* sought and in the terms whereby their success was

In terms of intellectual concerns, Krstić had argued that the early modern Mediterranean “age of confessionalization” was characterized by debates over the nature of the one, “true” religion, as well as by calls for a return to the revealed scriptures. Debates surrounding the validity and identity of the scriptures, the nature of Jesus and his relationship to Muḥammad, as well as the consequences of the Day of Judgment, all took place within both Christian and Muslim communities of the Ottoman Empire and beyond and were similar, indeed, to the religious debates in Europe at the time.

For Birgivî, however, there was no doubt that Islam was the one and only true religion, nor that Muḥammad was the Seal of the prophets, superior to Jesus, and to be followed as the ideal model of human conduct; and while he emphasizes the importance of a return to revealed scripture, especially in Part One of *al-Ṭarīqa al-muḥammadiyya*, he is much more self-confident and assertive than most of the converts discussed by Krstić.

Birgivî was certainly articulating orthodoxy, as he saw it, but he did so, first and foremost, against some of the most powerful representatives of the established religious hierarchy of his day. Indeed, Birgivî was more concerned with Ebū’s-Su‘ūd and the practices approved and endorsed by the establishment than with the likes of Mollā Kabız, who were, in any case, “beyond the pale.” The real danger, for Birgivî, lay in two things. On the one hand, it lay in the fact that the official representatives of orthodoxy—those at the very “top”—were advocating and actively implementing policies he considered to be blatantly illicit (such as the cash *waqf*, the contemporary system of land tenure and taxation, and so on). In this case, Birgivî was articulating orthodoxy in direct and conscious opposition to those in whose interest the process of “confessionalization” was being conducted.<sup>150</sup>

Yet, on the other hand, there was also real danger for Birgivî in men such as Oğlan Sheykh—“ignorant ones,” who were blurring the lines between what was licit and what was not. These were often not men of the upper echelons of the *‘ilmiye*, such as Ebū’s-Su‘ūd, but rather individuals who derived their

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judged by themselves and by others.” Repp, *The Müfti*, p. 28. Whether this represents a too uncritical reading of the sources is to be decided. On scholarly-bureaucratic careerism and the increasing importance of bureaucratic honors rather than scholarly or religious markers of achievement, expressed in the distinction in seventeenth-century literature of “official *ulema*’ (*resmi ulema*), denoting office holding or state *ulema*, in opposition to the ‘real’ *ulema* (*ulema-ı tarik* or *hakkiki ulema*), thus the *ulema* in name versus the genuinely learned,” see Madeline Zilfi, “The Ottoman *ulema*,” in Suraiya N. Faroqhi (ed.), *The Cambridge History of Turkey*, vol. 3: *The Later Ottoman Empire, 1603–1839* (Cambridge: Cambridge University Press 2006), pp. 209–225.

150 Cf. Fahri Unan, “Dinde Tasfiyecilik Yahut Osmanlı Sünniliğine Sünnî Muhâlefet: Birgivî Mehmed Efendi,” in *Türk Yurdu* (August 1990), pp. 33–42.

spiritual authority from elsewhere (as Sufis or popular preachers, for instance). Spreading “innovations” and all sorts of blameworthy practices (such as *dawarān*, vocal *dhikr*, etc.), they were just as dangerous in the eyes of Birgivī as the *‘ilmīye* establishment, if not more so. Birgivī’s endeavor was thus twofold—battling illegal state practices and institutions endorsed by the highest authorities, on the one hand, and, on the other, attacking blameworthy practices or innovations, which were advocated as acts of piety or, worse yet, as forms of worship, by ignorant “quacks.”

The worst eventuality of all was when quackery and political authority were in cahoots. It was not difficult to declare Mollā Kabız a heretic, but it was, indeed, a struggle to go up against those in power. By definition, any articulation of orthodoxy, i.e. any process involving the formulation of what constituted “correct” belief and practice, was linked to questions of power, authority and legitimacy.<sup>151</sup> It involved a constant back and forth between various interpretative actors in a complex field of contestation. In the context of the articulation of orthodox Sunni piety in the sixteenth-century Ottoman Empire, it was not just political or imperial power that mattered. Moral and spiritual authority were equally important. Certainly, this is not to say that the two could not find expression in one and the same individual or group of people. Besides, moral authority could impart political influence, as in the case of Birgivī, who was not a representative of the upper echelons of the imperial establishment, yet certainly also not without power. A marginal figure in many ways, his “marginality” seems to have been self-chosen, as we are made to understand. And, although Birgivī was not situated at the center of imperial power, as opposed to some of the figures he was arguing against, he was not unconnected to high political players either. However, he saw himself (and came to be seen) as a moral authority, standing up to “corrupt” and “misguided” political authorities of the day and, in trying to go up against these, represented a sixteenth-century counter-trend to “confessionalization from up on top.”

To think of him as a reformer “from below” would be misleading though.<sup>152</sup> Neither of these descriptions are very productive in terms of Birgivī’s role and

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151 Cf. Ahmed, *What is Islam?*, p. 274: “Attending to questions of the social and discursive locations of power helps us to identify what and how powerful Muslims, or what and how the structures and dynamics of power in a given society, prescribe as Islam in a given society [...]” Ahmed here critiques Talal Asad, however, for the latter’s restrictive focus on authority and power in the constitution of the Islamic discursive tradition. According to Ahmed, the focus on authority limits our appreciation of equally important expressions of “being Islamic.”

152 As a note of caution, we should not conflate Birgivī’s role here with that of, say, the Kāḏizādelis a century later, who have, at times, been described in such terms. See Krstić,

the purpose of his project. Birgivi articulated orthodoxy (or what he considered as such) against those on “top,” as well as against those engaged in what has often been called “popular” Islam (and understood as “from below”).<sup>153</sup> His target were innovations and blameworthy practices, no matter where they ultimately came from. For Birgivi was just as much part of the *‘ilmiye* establishment as many of those he attacked. He just considered “blameworthy” many of the practices and institutions his opponents endorsed.

Of course, the orthodoxy Birgivi helped fashion did not come out of nowhere. Together with his sixteenth-century colleagues, Birgivi stood in a much larger tradition, the contents of which had been negotiated in much the same way that Ottoman *‘ulamā* were now negotiating the contents and limits of orthodoxy in their own time. In doing so, they drew upon this larger tradition, selectively adopting and adapting from it, in the process making their own arguments and claims.<sup>154</sup> In what follows, I will turn our attention to some of the discursive traditions within which Birgivi expressed his articulation of correct belief and practice. That is to say, we will examine the intellectual raw material the classical tradition of Islamic thought had to offer Birgivi in his articulation of what it meant to be a good Muslim in the sixteenth-century Ottoman Empire.

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*Contested Conversions*, p. 14. Indeed, it is debateable whether such labels do justice even to the *Ḳāḏizādelis*, since their relationship to imperial power was equally complex. And, although Birgivi certainly inspired them, their aims, methods and historical context were very different from his.

- 153 This is not supposed to reinforce dichotomies such as “official” versus “popular” Islam—dichotomies scholars have tried to deconstruct, and justifiably so, since they often cloud the nuances and complexities of the religious field as it was actually lived. My distinction between representatives of the official religious establishment, such as Ebū’s-Su‘ūd, and representatives of a more popular kind of outlook—*both* as targets of Birgivi’s condemnation—serves as a tool to conceptualize some of the players in the religious arena at the time and their respective beliefs and practices, in a given context.
- 154 For a good analysis of how, for instance, Ebū’s-Su‘ūd reworked the tradition of *Ḥanafī fiqh*, see Colin Imber, *op. cit.*, and Snjezana Buzov, *The Lawgiver and His Lawmakers: The Role of Legal Discourse in the Change of Ottoman Imperial Culture* (Chicago: The University of Chicago, 2005), unpublished PhD dissertation.

## The Intellectual Framework

In his articulation of orthodoxy, Birgivî drew on a number of different traditions or discursive fields. These included, first and foremost, the legal tradition of the Ḥanafî school (*fiqh*), certain strands of the Sufî tradition (*taṣawwuf*), Islamic ethics (*akhlāq*) and, in particular, a range of writings on “exhortation” (*waʿz*) and “advice” (*naṣīḥa*). Drawing on the work of Alisdair MacIntyre, Talal Asad has defined the concept of a “tradition” as follows:

A tradition consists essentially of discourses that seek to instruct practitioners regarding the correct form and purpose of a given practice that, precisely because it is established, has a history. These discourses relate conceptually to a *past* (when the practice was instituted, and from which the knowledge of its point and proper performance has been transmitted) and a *future* (how the point of that practice can best be secured in the short or long term, or why it should be modified or abandoned), through a *present* (how it is linked to other practices, institutions, and social conditions). An Islamic discursive tradition is simply a tradition of Muslim discourse that addresses itself to conceptions of the Islamic past and future, with reference to a particular Islamic practice in the present.<sup>1</sup>

Very much along the lines described by Asad, we thus find Birgivî relating both his critique of society and his instructions for personal reform to earlier authorities: at times in opposition to them, at times in agreement with them, fully or partially, at times modifying a given position through explicit or implicit re-interpretation, but always in relation to those who went before (“relating conceptually to a *past*”), and always with an eye on the *future*, through the particular juncture of his own sixteenth century Ottoman *present*.

In the first part of this chapter, I will look at the various traditions within which Birgivî articulated his particular blueprint for the cultivation of a pious self and the concomitant establishment of a virtuous society. I will begin with the Law—the bedrock of his thought—before moving on to Sufism, ethics

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<sup>1</sup> Talal Asad, “The Idea of an Anthropology of Islam,” in *Center for Contemporary Arab Studies: Occasional Papers* (Washington, DC: Georgetown University, 1986), p. 14.

and, finally, a very particular type of “advice” literature that started to flourish in the sixteenth century Ottoman Empire.

## 1 The Ḥanafī Tradition—Law and Ethics

Both in his writings of a strictly legal character and in his works dealing with broader questions of piety, it is the Ḥanafī tradition that is Birgivī’s point of departure. This is because the cultivation of a pious self and a virtuous society could only be achieved, for Birgivī, within the framework of the Law to begin with. In some of his most trenchant critiques of contemporary legal and economic practices, such as his famous denunciation of the cash *waqf*, or his critique of Ottoman practices of land tenure and taxation, which will be discussed in more detail in chapter five, Birgivī often rejects the arguments of his contemporaries or near-contemporaries as “ignorant” of the tradition. Instead, he usually presents his own—often radical—arguments as the logical continuation of the opinions of the eponymous founders of the Ḥanafī school: Abū Ḥanīfa (d. 150/767), Abū Yūsuf (d. 182/798) and Muḥammad al-Shaybānī (d. 189/805), i.e. the most authoritative juristic opinions the tradition had to offer.

But even in his treatment of more strictly ethical questions, Birgivī usually begins by laying out legal parameters. Thus, in his discussion of the evil of envy in *al-Ṭarīqa al-muḥammadiyya*, for instance, Birgivī explains that envy is not unlawful and that, at times, it can even be recommended, before devoting a long section to why it should nevertheless be avoided at most times, giving detailed instructions for how to do so.<sup>2</sup> To be sure, Birgivī’s most exhaustive engagements with the Law concern matters of concrete ritual, social or economic import. Nevertheless, the sphere of emotions is not entirely excluded from legal treatment. Indeed, for Birgivī every act (and feelings seem to be counted as such) can be classified according to the five *aḥkām* of Islamic law, depending on the given situation. Thus, envy is generally “reprehensible,” but not “forbidden,” and might in certain cases even be “recommended.”

## 2 Post-classical *fatāwā* Handbooks

In his articulation of what it was proper for a Muslim to say and do, Birgivī relied heavily (mostly by direct quotation) on a particular strand of “post-classical”

<sup>2</sup> *TM*, pp. 79–85.

Ḥanafī legal literature.<sup>3</sup> This included Ṭāhir b. Aḥmad al-Bukhārī's (d. 542/1147) *Khulāṣat al-fatāwā*;<sup>4</sup> the *Fatāwā* of Fakhr al-Dīn Qāḍikhān (d. 592/1196);<sup>5</sup>

- 3 This follows the classification of Ḥanafī doctrine into “pre-classical,” “classical” and “post-classical” periods made by Baber Johansen, *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: Croom Helm, 1988), p. 4. Ya'akov Meron had proposed a similar categorization when he distinguished between “Ancient,” “Classical” and “Decadent” (i.e. “post-classical”) Ḥanafī Law in “The development of Legal Thought in Hanafī Texts,” in *Studia Islamica*, vol. 30 (1969), pp. 73–118. The scheme goes back to Chafīk Chehata, *Etudes de droit musulman* (Paris: Presses universitaires de France, 1971), but similar classifications can also be found in the surveys of Schacht and Coulson. Colin Imber, too, explains the development of Ḥanafī legal doctrine in terms of successive stages, from “the founders” to “the classical age,” although he does not use the term “post-classical.” See Imber, *Ebū's-Su'ūd*, pp. 25–28. Following the “shadowy figures”—so Imber—of Abū Ḥanīfa (d. 150/767), Abū Yūsuf (d. 182/798) and Muḥammad al-Shaybānī (d. 189/805) in the second/eighth century, it was only really during the course of the fifth/eleventh century that Ḥanafī thought began to take definitive shape, most importantly with the production of Qudūrī's (d. 428/1037) *Mukhtaṣar* (“the first epitome”) and Sarakhsī's (d. 490/1096) *Mabsūṭ* (the first “*summa*”). These were followed in the sixth/twelfth century by Marghīnānī's (d. 593/1197) *Hidāya* (another example of the epitome type) and Kāsānī's (d. 584/1189) *Badā'ī' al-ṣanā'ī'* (another example of a *summa*, in fact a rearrangement of Sarakhsī's *Mabsūṭ*). These foundational works of the “classical” period became, in the centuries to come, subject to a succession of commentaries and super-commentaries, on the one hand, and abridgements and digests, on the other. It is this period of commentary, digest and further systematization, as well as the production of individual treatises (*risālas*) on specific legal topics and collections of juristic opinions (*fatwās*), that is usually described as the “post-classical” period, said to have lasted until the nineteenth century. For a discussion of the later period see, in particular, Haim Gerber, *Islamic Law and Culture, 1600–1840* (Leiden: Brill, 1999). Ḥanafī jurists themselves made a distinction between the works of the earlier jurists (*al-mutaqaddimūn*) and later ones (*al-muta'akhhirūn*), see Johansen, p. 117, translating the former as “classical jurists” and the latter as “modern jurists.” The question regarding which scholar belonged to what category was not always agreed upon, however. Birgivī, for instance, counted among the category of *mutaqaddimūn* scholars others would describe as *muta'akhhirūn*—a question of relative perspective, as we will see below.
- 4 As his *nisba* indicates, Iftikhār al-Dīn Ṭāhir b. Aḥmad was from Bukhārā. See Abū al-Ḥasanāt Muḥammad 'Abd al-Ḥayy al-Laknawī, *al-Fawā'id al-bahīyya fī tarājīm al-ḥanafīyya* (Karachi: Nūr Muḥammad kārkhāna-i tijārat-i kutub, 1393/1973), p. 84, and *GAL*, vol. 1, 347, p. 462 and Suppl. 1, p. 641. Princeton has four manuscript copies of the *Khulāṣa* (one partial and three whole), see Garret nos. 12Y, 294B, 2569Y, 2940Y. According to the catalogue of King Sa'ūd University Library, Riyadh, it seems to have been published in Lucknow in 1886 CE with a marginal commentary by 'Abd al-Ḥayy al-Laknawī himself.
- 5 From Ūzjand (Özkent) in the Farghāna valley, in today's Kyrgyzstan, see C. E. Bosworth, “Özkend, Ūzkend,” in *EI2* (Leiden: Brill, 1993), vol. 8, p. 236. Qāḍikhān's full name was al-Ḥasan b. Maṣūr al-Ūzjandī al-Farghānī, see al-Laknawī, pp. 64–5. For Qāḍikhān's works and manuscript sources, see *GAL*, vol. 1 (Leiden: Brill, 1943), 376 (p. 465) and *GAL* Suppl. vol. 1, pp. 643f. Together with *al-Fatāwā al-bazzāziyya* (see below), the *Fatāwā Qāḍikhān* have been printed in the margins of *al-Fatāwā al-ālamgūrīyya* (Diyarbakir: al-Maktaba al-Islāmiyya, 1973),

Ibn al-Buldajī al-Mawṣilī's (d. 683/1284) *Mukhtār al-fatāwā*;<sup>6</sup> 'Alīm b. 'Alā' al-Dīn al-Andarpatī's (d. 786/1384) *al-Fatāwā al-tātārkhāniyya*;<sup>7</sup> and Ibn Bazzāz al-Kardārī's (d. 827/1414) *al-Fatāwā al-bazzāziyya*.<sup>8</sup> Contrary to what their titles suggest, these works were not actual compendia of *fatwās*, but constituted a very specific genre of well-organized legal handbooks.<sup>9</sup> Colin Imber has thus pointed out that "the Hanafi literary corpus contains many works bearing the title "Fatwas" (*al-fatawa*), of which the "Fatwas" of the Transoxanian jurist Qadikhan [...] is probably the most famous. The title of such works usually refers to the organisation of the legal materials into sequences of logically-ordered problems, each followed by one or

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- 6 vols. The chapters on family law have been translated into English as part of the Tagore Law Lectures by Mahomed Yusoof Khan Bahadur and Wilayat Hussain, *Fatawa-i-Kazee Khan: relating to Mahomedan Law of Marriage, Dower, Divorce, legitimacy and Guardianship of Minors, according to the Soonnes* (Lahore: Law Publishing Company, 1977), 2 vols.
- 6 GAL, Supplement vol. 1, p. 657. More even than on *al-Mukhtār*, Birgivi relied on Ibn al-Buldajī's own commentary on it entitled *al-Ikhtiyār*.
- 7 See GAL, Suppl. vol. 2, p. 643, in the context of the works of Burhān al-Dīn Ibrāhīm al-Ḥalabī (d. 956/1549), a contemporary of Birgivi who wrote a commentary on *al-Fatāwā al-tātārkhāniyya*. Brockelmann explains that, according to Shams Sirāj 'Afif's *Tārīkh-i firūz shāhī*, Andarpatī was commissioned to compose *al-Fatāwā al-tātārkhāniyya* by "Khān-i A'zam" Tātār Khān, a commander first of Muḥammad b. Tughluq and later of his successor, Firūz Shāh. For some background on these two fourteenth century CE Tughluqid Sultāns of Delhi, see Peter Jackson, *The Delhi Sultanate: A Political and Military History* (Cambridge: CUP, 1999). For a printed edition of the work, see Sajjād Ḥusayn (ed.), *al-Fatāwā al-tātārkhāniyya* (Karachi: Idārat al-Qur'ān wa-l-'ulūm al-islāmiyya, 1990), 5 vols.
- 8 Originally from Sarāy on the Volga, Ḥāfiẓ al-Dīn Muḥammad al-Bazzāzī al-Kardārī moved to the Crimea, where he spent part of his life, before eventually settling in Asia Minor. See GAL, vol. 2, 225, p. 291.
- 9 In addition to Bukhārī, Qāḍikhān, Andarpatī and Kardārī, Birgivi refers to a number of other such works. These include a work entitled *Majma' al-fatāwā* by Aḥmad b. Muḥammad al-Ḥanafī (d. 522/1128), see GAL, Supplement vol. 1, p. 639. Preserved in a copy at Istanbul's Süleymaniye it might be identical with a work entitled *Khizānat al-fatāwā* of which there are two copies in Princeton's manuscript collection: Garrett no. 693Y and New Series no. 2084. Other works of the genre Birgivi draws on (albeit to a lesser extent) include: *al-Fatāwā al-ẓahīriyya* by Ẓahīr al-Marghīnānī (d. ca. 600/1203), see GAL, vol. 1, 379; *al-Fatāwā al-sirājiyya* by Sirāj al-Dīn al-Sajāwandī (ca. 700/1200), see GAL, vol. 1, 378; *al-Fatāwā al-'attābiyya* by Zayn al-Dīn al-'Attābī (d. 586/1190) from Bukhārā (al-'Attābiyya being a neighborhood thereof), see Laknawī, p. 36 and GAL, Supplement vol. 1, p. 643; and Najm al-Dīn al-Ghazmīnī (d. 658/1260), *Qunyat al-fatāwā*, see GAL, vol. 1, 382. For all of these, see Radtke, "Bemerkungen," pp. 162–5. With regard to Sajāwandī, Birgivi might have first come across him in his capacity of *qassām-i 'askeri*, when dividing up the estates of deceased members of the 'askeri class, as Sajāwandī's more famous work, *al-Farā'id al-sirājiyya*, is one of the standard Ḥanafī works on inheritance. See Nicolas P. Aghnides, *Mohammedan theories of finance* (New York: Columbia University Press, 1916), p. 180.

more solutions.”<sup>10</sup> This organization by and large followed that of the “classical” works of Ḥanafī jurisprudence, beginning with chapters on ritual (purity, prayer, fasting, alms-giving and the Ḥajj) and family law (marriage, divorce, the manumission of slaves), before moving on to commercial law (buying and selling, renting), witnessing, acting as a *wakīl*, the question of how to endow a pious foundation, and so on.

That is to say, despite their name, works such as Qāḍikhān’s *Fatāwā* were not in fact collections of *responsa*, but legal manuals intended to facilitate and assist the everyday work of jurists. And while the material itself did “not differ in essence from the contents of other genres of legal writing,” it was their practical organization which made them “especially useful to legal practitioners.”<sup>11</sup> Birgivī was thus drawing on a genre of works with a decided emphasis on practicality and day-to-day relevance, very much like the work he would go on to produce himself. The manuals he relied on most heavily were Andarpatī’s *al-Fatāwā al-tātārkhāniyya*, which he quotes by far most often, followed by the *Fatāwā* of Qāḍikhān and Ibn al-Buldajī al-Mawṣilī’s *Mukhtār*.

Birgivī was not alone among his contemporaries in his reliance on the genre. Indeed, the handbooks seem to have been very popular. Ebū’s-Su‘ūd, for instance, is reported to have greatly admired *al-Fatāwā al-bazzāziyya*, which he is said to have relied on in the formulation of many of his own legal opinions.<sup>12</sup>

### 3 Abū al-Layth al-Samarqandī

Apart from this particular genre of “post-classical” legal handbooks, Birgivī also drew directly on a range of earlier sources. One scholar who deserves special mention, as Birgivī relied on him particularly heavily, is Abū al-Layth al-Samarqandī (d. 375/983).<sup>13</sup> Not to be confused with his slightly earlier contemporary and namesake Abū al-Layth al-Ḥāfiẓ al-Samarqandī,<sup>14</sup> nor with the later ‘Alā’ al-Dīn al-Samarqandī,<sup>15</sup> Abū al-Layth Naṣr b. Muḥammad al-Samarqandī was often referred to as *Imām al-hudā*. He is known for a

10 Imber, *Ebu’s-Su‘ud*, p. 28.

11 Imber, p. 29: “Qadikhan’s aim in writing his ‘Fatwas’ was, he says, to assist working jurists in solving the day-to-day problems of the Muslim community.”

12 Imber, p. 29.

13 Schacht, “Abū al-Layth al-Samarqandī,” in *EI2* (Leiden: Brill, 1961), vol. 1; *GAL*, vol. 1, 196, pp. 210–11 and Suppl. vol. 1, pp. 347–8; Laknawī, p. 220.

14 Schacht, “Abū al-Layth al-Samarqandī”; Laknawī, p. 221.

15 Meron, p. 79.

number of works: a treatise on Ḥanafī jurisprudence entitled *Khizānat al-fiqh*, a *tafsīr* that became popular among early Ottoman ‘ulamā’, and a work of catechism (an ‘*aqīda* in the question-and-answer format) that was widely used and disseminated, especially in Southeast Asia, where it was often copied with interlinear translations in Malay or Javanese.<sup>16</sup>

Birgivi relied most heavily on a pair of paraenetic works—that is works of piteistic advice and exhortation—composed by Abū al-Layth. These are entitled *Bustān al-‘arīfīn*, on the one hand, and *Tanbīh al-ghāfilīn*, on the other. Birgivi quotes both the *Bustān* and the *Tanbīh* extensively, especially in *al-Ṭarīqa al-muḥammadiyya*, but also in his other works, and does, indeed, seem to have been truly inspired by the fourth/tenth-century Ḥanafī-Māturīdī ‘ālim of Central Asia. Many of the preoccupations and concerns of Abū al-Layth thus re-emerge as themes in the work of Birgivi. In the *Tanbīh*, for instance, Abū al-Layth emphasizes the importance of showing reverence to one’s parents, nurturing close family ties and cultivating good neighborly relations—points taken up with similar forcefulness and at times in almost identical fashion by Birgivi in *al-Ṭarīqa al-muḥammadiyya*.<sup>17</sup> The same goes for mosque etiquette,<sup>18</sup> eating manners;<sup>19</sup> how to respond to dinner invitations;<sup>20</sup> how to greet non-Muslims;<sup>21</sup> instructions for sneezing;<sup>22</sup> the etiquette of going to the toilet;<sup>23</sup> the etiquette of sexual intercourse, and so on.<sup>24</sup>

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- 16 Schacht, “Abū al-Layth al-Samarqandī.” In addition, Hans Daiber has identified Abū al-Layth as the author of a Māturīdite commentary on Abū Ḥanīfa’s *al-Fiqh al-absaṭ*. See Daiber, *The Islamic Concept of Belief in the 4th/10th Century: Abū l-Laith as-Samarqandī’s Commentary on Abū Ḥanīfa (died 150/767) al-Fiqh al-absaṭ: Introduction, Text and Commentary* (Tokyo: Tokyo University ILCAA, 1995), pp. 5–10. For more on the problem of authorship of this text, see M. Cook, *Commanding Right*, p. 310, fn. 22.
- 17 Abū al-Layth al-Samarqandī, *Tanbīh al-ghāfilīn bi-ahādīth sayyid al-anbiyā’ wa-l-mursalīn* (Beirut: Dār al-kutub al-‘ilmiyya, 1999), ed. ‘Abd al-Laṭīf Ḥasan ‘Abd al-Raḥmān, pp. 65–69, 71–75 and 75–78. Cf. *TM*, p. 152 (on being refractory to one’s parents, as part of the “evils of the tongue”), p. 167 (on not speaking to one’s parents), p. 186 (on not visiting one’s relatives), p. 188 (on not harming one’s neighbor).
- 18 al-Samarqandī, *Tanbīh*, pp. 173; *TM*, pp. 150–2 (on discussing “worldly affairs” in the mosque, raising one’s voice or tripping over people because one is trying to get a place in the front row).
- 19 al-Samarqandī, *Bustān al-‘arīfīn fī al-ādāb al-shar‘iyya* (Cairo: Dār al-Manār, 1995), ed. ‘Abd al-Fattāḥ Ḥusayn al-Zayyāt, pp. 146–153; *TM*, pp. 176–9.
- 20 al-Samarqandī, *Bustān*, pp. 233–4; *TM*, pp. 182–3.
- 21 al-Samarqandī, *Bustān*, p. 124; *TM*, p. 159.
- 22 al-Samarqandī, *Bustān*, pp. 239–40; *TM*, pp. 166–7.
- 23 al-Samarqandī, *Bustān*, pp. 212–3 and 249–50; *TM*, p. 151, p. 180 and p. 201.
- 24 al-Samarqandī, *Bustān*, pp. 200–2; *TM*, p. 151 and pp. 179–80.

In addition to these very practical matters of daily living, Birgivī also shared with Abū al-Layth a real concern for the proper performance of ritual, especially ritual prayer;<sup>25</sup> and like Abū al-Layth, he devotes much space to discussions of ritual purity.<sup>26</sup> Moreover, there are great similarities in their use of Ḥadīth, their emphasis on the importance of *ʿilm* and their exposition of basic theological concepts. Indeed, both Abū al-Layth's *Tanbīh* and his *Bustān* seem to have served as a source of inspiration and model for Birgivī's *al-Ṭarīqa al-muḥammadiyya*.

Meron also makes an interesting point regarding Abū al-Layth, in connection with the post-classical *fatāwā* literature Birgivī draws on so heavily, that is worth mentioning here. Classifying Samarqandī in the category of what he calls Ḥanafī “Ancients”—the “last Ancient,” in fact—Meron argues that, in terms of the development of Ḥanafī doctrine, Abū al-Layth's work was on par with that of men like Muḥammad al-Shaybānī (d. 189/805) or Abū Jaʿfar al-Ṭahāwī (d. 321/933). Meron claims that, “the Ancient period of Ḥanafī Law must be considered as lasting until the death of Abū al-Layth al-Samarqandī at the end of the tenth century.”<sup>27</sup> At the same time, however, Meron holds Abū al-Layth to have been the “forerunner of the phenomenon that would herald decadence,” by which he means an “*uṣūlist*” tendency in Ḥanafī jurisprudence which led to the “infiltration” of “non-juridical” elements into post-classical law.<sup>28</sup> That is to say, according to Meron, “new problems [were] no longer solved in light of a legal norm, but by means of analogy to existing solutions,” which meant that post-classical scholars like Qāḍikhān, Andarpatī, Ibn Bazzāz and so on—all of whom Birgivī relied on heavily—“hardly perceive any legal norms at all,” instead seeing “nothing but cases, [...] which they use for analogical constructions.”<sup>29</sup>

Whether or not this picture is accurate, what is relevant for us is the link created between the work of Abū al-Layth al-Samarqandī and that of the authors of the “*fatāwā*” works mentioned above—Qāḍikhān, Andarpatī, Ibn Bazzāz, and so on. Birgivī can, in many ways, be seen as a continuation and extension of both—Abū al-Layth as well as the *fatāwā* authors—merging the two already related trends in his own work and for his own purposes, in the particular context of sixteenth-century Ottoman Islam. Birgivī—it has to be remembered—was not only a jurist, but also a moralist and preacher, like Abū

25 Cf., for instance, al-Samarqandī, *Tanbīh*, pp. 155–164. Indeed, Birgivī's *Muʿaddil al-ṣalāt* is reminiscent of Abū al-Layth's *Muqaddima fī al-ṣalāt*—another of Abū al-Layth's works.

26 *Bustān*, pp. 141–4; *TM*, pp. 198–205.

27 Meron, p. 78.

28 *Ibid.*, p. 97.

29 *Ibid.*, pp. 111–12.

al-Layth, less interested in legal theory than in the practical application of the Law. Thus, while he composed treatises on a range of very specific and applied legal questions, he was not interested in legal theory as such, at least not to the extent of writing works of legal theory or commenting on other people's works in the field.

The impression one gets from Birgivī's writings, especially *al-Ṭarīqa al-muḥammadiyya*, is, indeed, of a scholar immersed in "cases," along the lines described by Meron, rather than one concerned with "legal norms." But this might not be due as much to the fact that Birgivī belonged to the "post-classical" period (as Meron would argue) as to the fact that he was concerned with concrete and hands-on advice regarding problems of everyday concern, rather than with what he would have considered abstract theorizing and high-brow conjecture.

#### 4 Other Ḥanafī Literature

In addition to Abū al-Layth and post-classical "*fatāwā*" handbooks, Birgivī also drew on a range of other Ḥanafī sources—both early and later ones. Among the former, he frequently cites Muḥammad al-Shaybānī (d. 189/804), especially *al-Amālī* and *al-Ziyādāt*;<sup>30</sup> al-Sarakhsī's (d. 544/1149) *Muḥīṭ*;<sup>31</sup> and Marghīnānī's (d. 593/1197) *al-Hidāya* and *al-Tajnis*.<sup>32</sup> In terms of later works, Birgivī is indebted to Ibn Māza's (d. 616/1219) *al-Dhakhīra*;<sup>33</sup> al-Zayla'ī's (d. 743/1342) *Tabyīn al-ḥaqā'iq*;<sup>34</sup> Ibn Humām's (d. 861/1457) *Faḥḥ al-qadīr* (a commentary on

30 Radtke believes that Birgivī quoted them "second-hand," through *al-Tātārkhānīyya*. See "Bemerkungen," p. 163 and p. 165. For Muḥammad al-Shaybānī's life and works, see E. Chaumont, "al-Shaybānī," in *EI2* (Leiden: Brill, 1996), vol. 9, p. 392; Laknawī, p. 163; *GAL*, vol. 1, 171, p. 178 and Supplement vol. 1, pp. 288–291; and Sezgin, *GAS*, vol. 1, pp. 421–3.

31 This is not the famous "Shams al-A'imma" Muḥammad b. Aḥmad b. Abī Sahl al-Sarakhsī, but Raḍīy al-Dīn Muḥammad b. Muḥammad al-Sarakhsī al-Nīsābūrī, a student of Ḥusām al-Ṣadr al-Shahīd who first taught in Aleppo and then Damascus. See *GAL*, vol. 1, 374–5, p. 463 and Supplement, vol. 1, p. 64; see also Laknawī, p. 188.

32 Among these early sources, it is the *Hidāya* that Birgivī refers to most often by far.

33 This is Burhān al-Dīn (or Burhān al-Islām) Maḥmūd b. Aḥmad b. al-Ṣadr al-Shahīd al-Bukhārī b. Māza from Marghīnān, see *GAL*, vol. 1, 375, p. 464 and Laknawī, p. 205.

34 This is a commentary on al-Nasafī's *Kanz al-daqa'iq*. Zayla'ī was a Somali theologian and jurist who travelled extensively, but eventually settled in Cairo where he joined other Somali students at the "riwāq al-zayla'ī" of al-Azhar. He wrote several books on Islamic jurisprudence, but his most important work was the *Tabyīn*. For his life and works, see Laknawī, pp. 115–16. For his importance in the history of Somali Islam, see Mohamed Haji Mukhtar, "Arabic sources on Somalia" in *History of Africa: Journal of the African Studies Association*, vol. 14 (1987), p. 149 and p. 156, fn. 22.

Marghīnānī's *Hidāya*);<sup>35</sup> and—from among Birgivī's own contemporaries—Burhān al-Dīn Ibrāhīm al-Ḥalabī's (d. 956/1549), *Multaqā al-abḥur*.<sup>36</sup>

Birgivī's efforts at discovering the Law of God in his own time and place were guided, as we have seen, by practical purposes and the clear and overarching aim of helping secure the salvation of his fellow Muslims in the changed circumstances of the tenth/sixteenth century. Far removed from the guiding model of the Prophet and the pious forefathers, it was often hard, Birgivī laments, to grasp the ideal of the Law, let alone to fulfill it. In the context of a discussion of "matters wrongfully thought to be permissible," for instance, Birgivī thus explains that, "to be hesitant and to guard against uncertainties in matters of the lawful versus the unlawful is different from being hesitant and guarding against uncertainties in matters of clean versus unclean. The former is much more important. The former is the way of the pious forefathers. But in our day and age it is not possible."<sup>37</sup> Against this, Birgivī quotes Qāḍikhān (d. 592/1196), who, he says, had stated that "Our age is not an age of doubts. A Muslim must [therefore] guard himself against the forbidden that is in plain sight," implying that there was no uncertainty as to what "things unlawful" consisted of.<sup>38</sup> But, Birgivī continues, "that was before [the year] 600 [AH]! And we are now in 980! Everybody knows that corruption and change increase the further time increases in distance from the time of the Prophet."<sup>39</sup>

## 5 The Corruption of Times

The sentiment expressed here is well-known. The unyielding and relentless progress of time removed Muslims, generation after generation, further and further from the ideal community which had existed at the time of the Prophet in first/seventh-century Arabia. It entailed an equally relentless progress of corruption, as Muslims were removed from the one point in time at which—through Muḥammad—there had been a direct connection with the divine. In the words of William Graham, we thus find "a developed and powerful consciousness of the pristine community of Medina in the time of Muhammad and his immediate successors as the prototype of, or paradigm for, human society

35 *GAL* vol. 2, 82.

36 This is, again, a source Birgivī relies on very heavily. See *GAL*, Suppl. 2, pp. 642–3.

37 *TM*, p. 211.

38 *Ibid.* "laysa zamānunā zamān al-shubahāt wa-'alā al-muslim an yattaqī al-ḥarām al-mu'āyan."

39 *Ibid.* "wa-zamānuhu [...] qabl sittimi'a wa-qad balagha al-tārīkh al-yawm tis'a mi'a wa-thamānīn wa-lā khafā' anna al-fasād wa-l-taghayyur yazīdān bi-ziyādat al-zamān li-bu'dihi 'an 'ahd al-nubuwwa."

properly ordered under God's ordained norms."<sup>40</sup> Birgivi, like other "Muslim scholars in later times developed an explicit concept of *fasād az-zamân*, or "degeneration of the times," to express the increasing temporal (and similarly, moral) distance from the time of the Prophet and the model *ummah*."<sup>41</sup>

While in the above quotation Birgivi refers to his sixth/twelfth-century colleague Qāḍīkhān, rather than the time of the Prophet itself, the idea is still the same. Indeed, Birgivi's sense of living in a time of "corruption" and "degeneration" was acute. Time and again he decries the "ignorance" of his age and its non-compliance with the Law, manifest in so many fields of life. Thus, Birgivi explains, "ignorance (*jahl*) rules supreme amongst merchants, craftsmen, day laborers and associates in commercial partnerships. They do not respect the Law and its conditions in their worldly transactions; their transactions become invalid (*bāṭil*), corrupted (*fāsid*) and reprehensible (*makrūh*). What they gain or acquire is unlawful (*ḥarām*) or repulsive (*khabīth*)."<sup>42</sup> Furthermore Birgivi warns his readers about "the spread of injustice in our society." This takes the form of "extortion, the illegal seizing of property, theft, betrayal, breach of faith or contract and forgery."<sup>43</sup>

From the standpoint of the historian, it can be difficult to assess such long lists of injustices and grievances. They represent, to be sure, literary *topoi*—commonplace motifs of *ẓulm*, *fiṣq* and *fasād* that have a long history in the Islamic tradition. Classical treatises on statecraft, for instance, often employ them in fairly standardized ways when discussing the necessity of just rule and the application of the *sharī'a*. But Birgivi's pronouncements are quite harsh—harsher, in many ways, than those found elsewhere. To dismiss them as mere commonplaces would deny them their proper meaning and importance. For the way Birgivi chose to voice his discomfort with contemporary conditions was deeply political.<sup>44</sup> Birgivi thus actively enlisted the Ḥanafī tradition in his effort to reject the "misguided" and self-serving positions, as he saw them, of

40 William Graham, "Traditionalism in Islam: An Essay in Interpretation," in *Journal of Interdisciplinary History*, vol. 23, no. 3 (1993), p. 505. The same idea has also been studied by Richard Gramlich, "Vom islamischen Glauben an die „Gute alte Zeit“,“ in *idem* (ed.), *Islamwissenschaftliche Abhandlungen Fritz Meier zum 60. Geburtstag* (Wiesbaden: Franz Steiner, 1974), 110–17; and more recently G. J. van Gelder, "Good Times, Bad Times: Opinions on *fasād al-zamān*, "the corruption of time,"" public lecture, American University of Beirut, 8 December, 2010.

41 Graham, p. 506.

42 *TM*, 212f.

43 *TM*, p. 213.

44 In this it is comparable to the way these same terms might be used today, for instance. Thus, when a word such as *ẓulm*, *fasād* or *tughyān* is employed in twenty-first century Egypt, for example, it means something very specific and usually quite political. So, while it is important to acknowledge that these terms have a history, they must also (first and

many of his contemporaries, in particular those at the top of the religious hierarchy. The attempt to (re)discover God's Law in the changed circumstances of the tenth/sixteenth century was thus not an academic enterprise, but one that, by necessity, involved serious implications for society at large.

## 6 Legal Sources beyond the Ḥanafī School

Apart from the various Ḥanafī sources Birgivī relied on in *al-Ṭarīqa al-muḥammadiyya*, he also regularly referred to representatives of other legal schools, especially in matters he considered to be of importance.<sup>45</sup> In his detailed discussion of ritual purity in the last part of *al-Ṭarīqa al-muḥammadiyya*, for instance, Birgivī includes an entire section “on the disagreement of jurists,” in which he lays out the arguments of a range of non-Ḥanafī scholars in much detail.<sup>46</sup> He argues that there are four main “positions” (*madhāhib*) regarding the matter of purity and impurity: that of the Zāhirīs (*madhhab al-zāhirīyya*); that of Mālik and his followers (*madhhab mālik wa-man tabi'ahu*); that of Shāfi'ī and his followers (*madhhab al-shāfi'ī wa-man tabi'ahu*); and, finally, the position of his own school, the Ḥanafīs.

While it is unsurprising that it is the Ḥanafī position which is discussed in most detail, ultimately winning the argument, it is nonetheless important to note Birgivī's familiarity with non-Ḥanafī positions and the comfort with which he addresses and weighs their respective advantages and disadvantages. Thus, while the Ḥanafī tradition is Birgivī's first point of reference, he is by no means confined to it, granting equal respect and consideration to the legal arguments of Mālik (d. 179/795), Shāfi'ī (d. 204/820) or Ibn Ḥazm (d. 456/1064), in this case. In this sense, Birgivī works within a broad framework of *fiqh*, well aware of the positions of representatives of other “schools” and their implications for the legal problems he is dealing with himself.<sup>47</sup>

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foremost, in fact) be understood in light of the specific historical juncture in which they are used.

45 The “porosity” of legal boundaries, especially in the early period, has been the subject of some scholarship. See for instance, Kecia Ali, *Marriage and Slavery in Early Islam* (Cambridge, MA: Harvard University Press, 2010), pp. 19–20. For the porosity of legal boundaries in later periods and in terms of legal practice in particular, see Yossef Rapoport, “Legal Diversity in the Age of Taqlīd: The Four Chief Qāḍīs under the Mamluks,” in *Islamic Law and Society*, vol. 10, no. 2 (2003), pp. 210–28.

46 *TM*, pp. 207–11.

47 It is unclear whether or not he is relying on an *ikhtilāf* work or whether he was consulting legal manuals of other schools directly. He certainly does not mention any such work explicitly.

Birgivī is probably most familiar with the work of Shāfi‘ī, whom he refers to most often, in making both specific legal points and more generally moralizing statements. In his discussion of the status of a person who asks to be made trustee over a bequest, for instance, Birgivī quotes Shāfi‘ī as saying that “Only a fool or a thief would want to become a trustee.”<sup>48</sup> He also likes to refer back to Shāfi‘ī when elucidating points of disagreement between the Shāfi‘ī school and that of the Ḥanafīs, such as the interpretation of Q 5:6 (*aw lāmastum al-nisā’*), which Shāfi‘ī argued to refer to touching (with one’s hand), whereas Abū Ḥanīfa held it to mean sexual intercourse, thus requiring the performance of a major ritual ablution before prayer.<sup>49</sup> Similarly, Birgivī refers to Shāfi‘ī in his discussion of whether or not (and under what conditions) women are allowed to travel alone;<sup>50</sup> he also does so in his elucidation of the unlawfulness of singing, dancing and musical instruments,<sup>51</sup> and in his section on the duty of *‘ilm al-ḥāl* (which I will discuss in more detail in the next chapter).<sup>52</sup>

In terms of the history of legal thought, it is also important to note that the four “*madhhabs*” Birgivī lists in his discussion of ritual purity do not in fact correspond to the four “schools” of Islamic law conventionally recognized as having survived into the modern period. Instead of the Ḥanbalīs, whom we would have expected to find in such a list, Birgivī discusses the opinion of the Zāhirīs—one of the schools that famously “did not last.”<sup>53</sup> In Birgivī’s intellectual universe, however, as in that of many of his pre-modern colleagues, Zāhirism mattered regardless of its practical demise. Indeed, Zāhirī views seem to have been invoked by later jurists, especially with regard to the question of ritual purity. Rudolf Strothmann, for instance, drew attention to how a slightly older contemporary of Birgivī from Egypt, ‘Abd al-Wahhāb al-Sha‘rānī (d. 973/1565),

48 *TM*, p. 155.

49 *TM*, p. 157.

50 *TM*, p. 192. For any distance longer than three days and nights (although there was disagreement as to the number of days, depending on the interpretation of a prophetic *ḥadīth* and its variants) the Ḥanafī tradition allowed women to travel only with a male guardian. In the Shāfi‘ī tradition, on the other hand, women were permitted to travel alone, for the purposes of the Ḥājj, as well as (sometimes) to gain livelihood, provided they were accompanied by other women and their safety was assured. Cf. Tosun Bayrak, *The Path of Muhammad: A Book on Islamic Morals and Ethics* (Bloomington: World Wisdom, 2005), p. 313.

51 *TM*, p. 183.

52 *TM*, p. 198.

53 See C. Melchert, *The Formation of the Sunni Schools of Law* (Leiden: Brill, 1997), pp. 178–90.

preserved a large number of Zāhirī opinions in his *Mizān al-kubrā* [sic], including, in particular, “a host of examples concerning purification.”<sup>54</sup>

In his approach to ritual purity, Dā’ūd al-Iṣfahānī (d. 270/884), the founder of the Zāhirī *madhhab*, subscribed to the “presumption [...] that what counts is only what the Prophet explicitly specified as invalidating ritual purity. If there is dispute [...], this presumption [...] overrides any doubtful consideration.”<sup>55</sup> Birgivī likewise prefers to keep the matter of purity as open and unrestricted as possible, frequently emphasizing that “the basic assumption is purity”<sup>56</sup> and that “impurity is not established through doubt.”<sup>57</sup> This affinity in argumentation is what must have led Birgivī to present the Zāhirī opinion in his own discussion of ritual purity, although he gives pride of place to Ibn Ḥazm rather than to Dā’ūd.

This does not, of course, answer the question of why Birgivī would ignore the Ḥanbalīs.<sup>58</sup> In all of *al-Ṭarīqa al-muḥammadiyya*, he draws on Ibn Ḥanbal’s (d. 241/855) legal opinions no more than four times. The first is in his discussion of “the evil of breaking promises,” where he presents (and seems to embrace) the position that, “according to Imām Aḥmad and his followers, honoring a promise is a duty, and going back on it is absolutely unlawful.”<sup>59</sup> The second

54 ‘Abd el-Magid Turki, “al-Zāhiriyya,” *E12* (Leiden: Brill, 2001), vol. 11, quoting R. Strothmann, “al-Zāhiriyyah,” *E11*. For Sha’rānī see above, p. 44, fn. 133. Sha’rānī’s *Mizān al-kubrā* was a work of *fiqh* which, according to M. Winter, “aim[ed] at the unification of the four *madhāhib*, or at least their equality and the need to narrow the gaps between them.” See Winter, “al-Sha’rānī,” *E12* (Leiden: Brill, 1996), vol. 9, p. 316.

55 Amr Osman, *The History and Doctrine of the Zāhirī Madhhab* (Princeton: Princeton University, 2010), unpublished PhD dissertation, p. 201.

56 *TM*, p. 209: *al-aṣḥl fi al-ashyā’ al-ṭahāra*.

57 *TM*, p. 211. The argument is connected to the notion of *al-ibāḥa al-aṣḥliyya*, i.e. that “everything is permissible unless there is a valid indicator that suggests otherwise.” See Osman, *op. cit.*, p. 201. It is also related to another point frequently made by Birgivī, namely that “[one] certainty does not cease through doubt, but only by the establishment of a [new] certainty”—a point that will be discussed in more detail in the next chapter. See *TM*, p. 206 and p. 210, among others. It is interesting to note Birgivī’s comparative laxness with regard to the matter of purity, as opposed to his strict stances elsewhere.

58 It is interesting, in this regard, to consider the existence of a number of important similarities between the Zāhirīs and Ḥanbalīs. In his seminal study on Zāhirism, Ignaz Goldziher already noted that “in the rigorous interpretation of the judicial sources, Aḥmad b. Ḥanbal’s school approaches most closely the method of the Zāhirite school.” See Goldziher, *The Zāhirīs: Their Doctrine and their History: A Contribution to the History of Islamic Theology* (Leiden: Brill, 2008), trans. Wolfgang Behn, p. 81. This is despite the fact that Aḥmad famously refused Dā’ūd al-Zāhirī admission to his house “for having engaged in clever theological talk.” See Melchert, *Aḥmad ibn Hanbal* (Oxford: Oneworld, 2006), p. 122.

59 *TM*, p. 91.

instance is found in the context of the unlawfulness of singing and dancing.<sup>60</sup> The third is regarding the legal status of a person who ceases to perform the ritual prayer, and the last concerns a person who no longer attends Friday prayer.<sup>61</sup> Other than these four short mentions, however, Birgivi disregards Aḥmad b. Ḥanbal and his school entirely from a legal point of view.

## 7 Birgivi and the Ḥanbalis

This might be surprising, since Birgivi is often understood to be a scholar whose mindset and inclinations were more in line with the perceived “strictness” and “uncompromising” nature of Ḥanbalism than anything else. There are, indeed, a number of similarities between Birgivi’s outlook and temperament and that of Aḥmad b. Ḥanbal, despite their considerable distance in time and place. These include an explicit emphasis on the imperative to follow the *sunna* of the Prophet (and his Companions);<sup>62</sup> a shared hostility to speculative theology and “disputation” (*munāẓara*);<sup>63</sup> a shared hostility to esoteric Sufism, as well as to excessive practices of asceticism and Sufi devotion, against which they both invoked the principle of “moderation” (*iqtisād*);<sup>64</sup> a shared emphasis on “seriousness;”<sup>65</sup> a powerful objection to government service and holding public office (including being a *qāḍī*);<sup>66</sup> and, finally, the conviction that a Muslim can only achieve true virtue within society. That is to say, both Birgivi and Ibn Ḥanbal argued against ascetic withdrawal and celibacy.<sup>67</sup> A man should support himself and his family through work—indeed, he should have a family to begin with, rather than not.

60 *TM*, p. 183.

61 *TM*, p. 193.

62 For Birgivi, see *TM*, pp. 7–10; for Ibn Ḥanbal, see C. Melchert, *Aḥmad ibn Ḥanbal*, p. 19. In both cases this emphasis manifested itself in a strong dedication to the transmission and study of Ḥadīth.

63 For Birgivi’s views on theology, the use of which he explicitly restricted to the defense of the religion, see *TM*, pp. 27–8; for his aversion to “debate,” which he saw as mostly a means for overly clever posing, see *TM*, p. 28; for Ibn Ḥanbal, see Melchert, *Aḥmad*, p. 83.

64 For Birgivi, see *TM*, pp. 14–19; for Ibn Ḥanbal, see Melchert, *Aḥmad*, p. 113 and *idem*, “The Piety of the Hadith Folk,” in *IJMES*, vol. 34, no. 3 (2002), p. 430.

65 For Birgivi, see *TM*, pp. 46, 108, 162, 167 (among others); for Ibn Ḥanbal, see C. Melchert, “The Piety of the Hadith Folk,” pp. 427–8. In both cases this manifested itself in a wariness of laughing.

66 For Birgivi, see *TM*, pp. 154–5; for Ibn Ḥanbal, see Melchert, *Aḥmad*, p. 4.

67 For Birgivi, see *TM*, pp. 14–19; for Ibn Ḥanbal, see Melchert, “The Piety of the Hadith Folk,” pp. 428–30 and, *idem*, *Aḥmad*, p. 114.

Despite these important convergences, which reflect the fact that, on an ethical level, Birgivî was deeply influenced by what Christopher Melchert has termed “the piety of the Hadith folk,” Birgivî would nonetheless have been at odds with the basic tenets of Ḥanbalism in both *fiqh* and *kalām*.<sup>68</sup> As a staunch Ḥanafî and Mâturîdî, he does not rely on Ibn Ḥanbal as a jurist or theologian, but rather as a traditionist. Indeed, the *Ṭarîqa* is replete with *ḥadîth* reports from the *Musnad*.<sup>69</sup>

Regarding the “strictness” and “uncompromising” nature which Birgivî displays in his work (and which we will see in more detail in the chapters to come), it must be stressed that this was not something exclusive to Ḥanbalism. There was plenty of material for Birgivî to draw on from within the Ḥanafî tradition itself.<sup>70</sup> In fact, it seems that he was unaware of the work of the one Ḥanbalî scholar best known for his “uncompromising” attitude—Ibn Taymiyya (d. 728/1328). Even though Birgivî is frequently associated with the latter, there is no indication in his works that he actually knew of him. As I have argued earlier, the spurious link between them seems to go back to Aḥmed al-Rûmî al-Aḥişârî, and his *Risâla fî ziyârat al-qubûr*, which was mistakenly attributed to Birgivî.<sup>71</sup>

We find references to Ḥanbalî scholars throughout the *Ṭarîqa*, usually either in their capacity of traditionists (as in the case of Ibn Ḥanbal himself) or to provide a given ethical or moralizing statement. In the course of his discussion

68 Even in their conception of piety we encounter significant differences between Birgivî and Ibn Ḥanbal. One of these concerns Birgivî’s reliance on al-Ḥârith al-Muḥâsibî—a man Aḥmad b. Ḥanbal and his followers famously loved to hate. See Melchert, “The Piety of the Hadith Folk,” p. 430 and *idem*, *Ahmad*, p. 80. Indeed, Birgivî would come to draw on a lot of material Ibn Ḥanbal would probably have greatly disliked.

69 I have come across at least forty-one.

70 See, for instance, his reliance on Abû al-Layth al-Samarqandî—a famously “strict” scholar—and the tradition of post-classical “*Fatâwâ*” literature, discussed above. Almost all of the “*Fatâwâ*” authors, such as Qâḍikhân, Andarpatî and Ibn Bazzâz display a strong sense of social conservatism, for example.

71 See above, pp. 36–39. Ibn Taymiyya was not unknown in sixteenth-century Anatolia, however, as Hüseyin Yılmaz and Derin Terzioğlu have shown in their respective examinations of the abridged translation of Ibn Taymiyya’s *al-Siyâsa al-shar‘iyya* made (and presented to Sultan Selim II) by Birgivî’s almost exact contemporary ‘Aşîk Çelebî (d. 979/1572), best known for his famous biography of Ottoman poets *Mashâ‘ir al-shu‘arâ’*. See Yılmaz, *Caliphate Redefined*, p. 60f. and Terzioğlu, “Bir Tercüme ve Bir İntihal Vakası: Ya da İbn Teymiyye’nin *Siyasetü’ş-şer‘iyye*’sini Kim(ler) Osmanlıcaya Nasıl Aktardı?” *Journal of Turkish Studies/Türklük Bilgisi Araştırmaları*, vol. 31, no. 2 (2007), pp. 247–275. Terzioğlu also shows that, as far as the seventeenth century is concerned, some Halveti *şeyhs*—such as Aḥişârî himself—betrayed a keen interest in the works of Ibn Taymiyya and his disciple Ibn Qayyim al-Jawziyya. See also Kayl, p. 58. However, there is no indication that Birgivî knew or read Ibn Taymiyya himself.

of “the evil of wastefulness,” for example (and whether or not a Muslim should strive to make money), Birgivi quotes Ibn al-Jawzī (d. 597/1200) as saying that, “as long as the objective is correct, it is better to gather material possessions than not to.”<sup>72</sup> Ibn Taymiyya, however, remains conspicuously absent. It seems unlikely that Birgivi would have neglected to mention this scholar, with whom he had so much in common, had he actually known his work. In a similar vein, Khaled El-Rouayheb has argued that, other than the attribution of the *Ziyāra*, “it is important to stress that [...] Birgivi showed little traces of being influenced by Ibn Taymiyya or Ibn al-Qayyim.”<sup>73</sup> El-Rouayheb likewise speculates that, “the views of Birgivi and his Kadizadeli followers may have been rooted, not in the thought of Ibn Taymiyya, but in an intolerant current within the Ḥanafī-Māturīdī school, represented by such scholars as ‘Alā’ al-Dīn al-Bukhārī (d. 1438), who famously declared both Ibn ‘Arabī and Ibn Taymiyya unbelievers.”<sup>74</sup> On the basis of the findings of Meron, too, the existence of such an indigenous Ḥanafī trend of intolerance is likely. Abū al-Layth al-Samarqandī and the *Fatāwā* authors would certainly be good candidates for further investigation.<sup>75</sup> In what follows I will provide a short excursus on Birgivi’s use of Ḥadīth (another “discursive tradition” he engaged in), before turning my attention to Sufism and Islamic ethics.

72 *TM*, p. 104. Other than this one quote, however, I have not come across Ibn al-Jawzī in either the *Tarīqa* or any of Birgivi’s other works.

73 Khaled El-Rouayheb, “From Ibn Ḥajar al-Haytamī (d. 1566) to Khayr al-Dīn al-Ālūsī (d. 1899): Changing Views of Ibn Taymiyya among non-Ḥanbalī Sunni Scholars” in Yossef Rapoport and Shahab Ahmed (ed.), *Ibn Taymiyya and His Times* (Karachi: Oxford University Press, 2010), pp. 303.

74 *Ibid.*, p. 304.

75 Related to this, another question concerns the transmission of knowledge to the heartlands of the Ottoman Empire in comparative perspective, i.e. from Central Asia as much as from the Arab-speaking Middle East and North Africa. A conventional view of scholarship has it that the incorporation of Syria and Egypt into the Ottoman Empire following the conquest of the central Arab lands by Selīm I in 1516–17 CE led to a cultural and religious “conquest of the conquerors by the conquered,” along the lines of the famous saying that “Rome conquered Greece, but Greece conquered Rome.” For recent scholarship that has touched on the issue, see Guy Burak, *The Second Formation of Islamic Law*, and Helen Pfeifer, “Encounter after the conquest: scholarly gatherings in 16th-century Ottoman Damascus,” in *IJMES*, vol. 47, no. 2 (2015), pp. 219–39. What is interesting is that Birgivi does not, in fact, draw so much on the traditions of Syria and Egypt. He seems to be ignorant of important figures, whose undertaking was similar to his own, like Ibn Taymiyya, or Ibn Ḥajar al-Haytamī. Instead he is very much indebted to the above-mentioned Ḥanafī currents from Khorasan and Central Asia.

## 8 Birgivî and Ḥadīth

The “science of traditions” (*‘ilm al-ḥadīth*) held a special place in Birgivî’s life and work. As a Ḥadīth scholar and professor of the Birgî *darülhadis*, Birgivî was intimately acquainted with the discipline, composing three works in it, at least one of which would become an Ottoman “bestseller.” The three works are: (i) *Risāla fî uṣūl al-ḥadīth*;<sup>76</sup> (ii) *Sharḥ al-aḥādīth al-Arba‘in*;<sup>77</sup> (iii) *Kitāb al-īmān wa-l-istiḥsān*.<sup>78</sup>

The first is a short primer, elucidating not so much the principles and methods of Ḥadīth scholarship itself—as its title would suggest—but rather providing short definitions of the most important technical terms of the field.<sup>79</sup> Just under seven pages long, the *Risāla* was thus a manual composed with a very specific didactic purpose in mind—to prepare *medrese* students for the study of the great canonical Ḥadīth collections, in particular Bukhārī’s *Ṣaḥīḥ*.<sup>80</sup> Like so many of Birgivî’s works, it would achieve great popularity in the centuries after his death. It was famously commented on in the eighteenth century by Dā’ūd al-Qāreṣī (Dāvūd-i Karsī) (d. 1169/1756),<sup>81</sup> and continued to enjoy great popularity into the late Ottoman period.<sup>82</sup> Together with Dā’ūd al-Qāreṣī’s commentary, the *Risāla* is still used in Turkey’s İmam Hatip schools today, as Martı—herself a Ḥadīth specialist—points out. Martı believes that Birgivî would originally have based his classes in *uṣūl al-ḥadīth* on Ibn Ḥajar al-‘Asqalānī’s (d. 852/1449) *Nukhbat al-fikar fî muṣṭalaḥ al-āthār*, but argues that he must have found it necessary to compose a new manual, shorter and more accessible to students.<sup>83</sup>

Birgivî’s second work of Ḥadīth was a collection of forty traditions, reminiscent of Nawawī’s (d. 676/1277) *Kitāb al-Arba‘in*, but selected and commented upon by Birgivî himself. The “forty” genre was popular among both Ottoman Ḥadīth scholars and the educated public at large, as Abdülkadir Karahan and,

76 Princeton University Library, Islamic Manuscripts, Garrett numbers 4441Y and 5930Y. See also Atsız, pp. 87–8.

77 Atsız, pp. 85–7.

78 Atsız, p. 33.

79 Indeed, Martı, *Birgivî Mehmed Efendi*, p. 82, has likened it to a “dictionary of Ḥadīth terms” (*hadis istulahları sözlüğü*).

80 S. Ahmed and N. Filipović, “The Sultan’s Syllabus,” p. 199.

81 See Cemil Akpınar, “Dāvūd-i Karsī,” in *DİA*, vol. 9 (1994), pp. 29–32.

82 al-Qāreṣī’s commentary was translated into Turkish in the nineteenth century and published with the marginal notes of Kharpūti Yūsuf Şükri Efendi (d. 1292/1875) and Mustafa Şevket Efendi (d. 1292/1875). See Arslan, p. 106. For the late Ottoman period, see Martı, *Birgivî Mehmed Efendi*, p. 83.

83 *Ibid.*

more recently, Selahattin Yıldırım have shown.<sup>84</sup> Sixteenth-century scholars like Kemāl Pāshāzāde (d. 940/1534) and Tāshkōprüzāde (d. 968/1566), for instance, composed “forties” (*kurklar*), and it is not surprising that Birgivī would have wanted to offer his own selection—a selection which has become one of the prime examples of the genre in the Ottoman context.<sup>85</sup> Martı has argued that the *terminus ante quem* for the work must be 967/1559, as it was then that Birgivī finished his *Inqādh al-hālīkīn*, which already mentions the *Arbaʿīn*.<sup>86</sup> This poses a problem, however, since Birgivī’s *Sharḥ* only covers the first seven *ḥadīth* of the collection. Much like his incomplete Qurʾān commentary, Birgivī must have understood the *Sharḥ* as a long-term project the broad outlines of which could certainly have been in place as early as 967/1559, but the completion of which was cut short by his untimely death in 981/1573. Unlike his Qurʾān commentary, however, the *Sharḥ* was eventually picked up in the eighteenth century, when it was completed by an Ottoman *qādī* based in the Hījāz called Muḥammad al-Āqkermānī (d. 1174/1760).<sup>87</sup> It is in this form that it has survived until today.<sup>88</sup>

In addition to the *Arbaʿīn*, Birgivī also composed a collection of traditions on the themes of *īmān* and *istiḥsān*. The work is not as widely disseminated

84 A. Karahan, *İslām-Türk Edebiyatında Kırk Hadis: Toplama, Tercüme ve Şerhler* (Istanbul: İbrahim Horoz Basımevi, 1954) and S. Yıldırım, *Osmanlı’da Kırk Hadis Çalışmaları* (Istanbul: Osmanlı Hadis Araştırmaları, 2000). Jonathan Brown, too, has drawn attention to the popularity of “Forty Ḥadīth” works over the centuries. Collecting forty *ḥadīth* was, he says, “one of the most common and enduring forms of using hadiths as a medium for scholarly or pious expression.” The practice is usually explained by reliance on a prophetic *ḥadīth* itself, albeit a “weak” one: “Whoever memorizes for my community forty hadiths from my Sunna, I will be his intercessor on the Day of Judgment.” See Brown, *Hadith: Muhammad’s legacy in the Medieval and Modern World* (Oxford: Oneworld, 2009), p. 55.

85 For a chronological list of authors of collections of forty *ḥadīth* from the second/eight to the thirteenth/nineteenth century, see Karahan, pp. 72–5.

86 Martı, *Birgivī Mehmed Efendi*, p. 85.

87 Not much is known about his life, see Sâkıb Yıldız, “Akkirmâni,” in *DİA*, vol. 2 (1989), p. 270; Bursalı Meḥmed Tâhir, *Osmanlı Müellifleri*, vol. 1, p. 214; *GAL*, vol. II, 454, p. 604 and *GAL*, Suppl. II, p. 674, no. 7, where he is mistakenly presented as a commentator on Nawawī’s *Arbaʿīn*. This must be due to the fact that both collections begin with the same well-known *ḥadīth*: *innamā al-aʿmāl bi-l-niyyāt*. In addition to the *Sharḥ al-arbaʿīn* and a couple of lexicographic works, Āqkermānī also seems to have composed a treatise on dental hygiene and the use of the toothbrush entitled *Risāla fī ḥukm al-siwāk*, which is preserved in the National Library of Washington, DC and mentioned by Sami Hamarneh, “Arabic Manuscripts of the National Library of Medicine, Washington, D.C.” in *Journal for the History of Arabic Science*, vol. 1 (Aleppo: 1977), p. 100.

88 The work was translated into Ottoman Turkish in the second half of the nineteenth century by an upper-echelon bureaucrat of the *tahvil kalemi*, Muṣṭafâ Cemʿi Efendi under the title *Burhān al-muttaqīn*. See Karahan, pp. 260–4.

as his “Forty” and deals with many of the same topics as *TM* in terms of “right belief” and “right practice.”<sup>89</sup> It deserves further investigation.

For a scholar as fervently concerned with the reform of self and society as Birgivī, the study of Ḥadīth was of crucial importance because it provided a link back to the Prophet and the ideal community of seventh-century Arabia. Steadfast adherence to the *Sunna* was, in a sense, the first and foremost condition for the attainment of piety in the present.<sup>90</sup> Birgivī’s emphasis on the emulation of the Prophet and obedience to his “way” (*al-ī’tiṣām* or *al-tamassuk bi-l-sunna*), could only be achieved through the careful study of Ḥadīth. Ḥadīth thus served, in the words of Jonathan Brown, both as “a source of guidance and as a medium of connection to the Prophet.”<sup>91</sup> It was only by following the “Muḥammadan path” (*al-ṭarīqa al-muḥammadiyya*)—the title Birgivī chose for his main work was no coincidence—that Muslims could attain virtue in the Here and Now. Ḥadīth provided the key by which not only many precepts of the Law, but also the meaning of virtue and what it was supposed to consist of in practice could be known.

Birgivī musters *ḥadīth* reports at each and every point in the *Ṭarīqa*: to give examples, to make an argument, to stress a given point, whether legal or ethical. In terms of space, almost half of the entire work consists of Ḥadīth. Birgivī draws most heavily on four of the six canonical collections: Tirmidhī’s (d. 279/892) *Jāmi’ al-ṣaḥīḥ* tops the list with roughly 130 *ḥadīth* reports; this is followed by the *Ṣaḥīḥayn* of Bukhārī (d. 256/870) and Muslim (d. 261/875), with about 125 *ḥadīth* reports each, and Abū Dā’ūd’s *Sunan* (d. 275/889) with 107. Relatively neglected, in comparison, are Nasā’ī’s *Sunan* (d. 303/915) with 21 *ḥadīth* only, and Ibn Māja’s *Sunan* (d. 273/886) with 30 *ḥadīth*. In contrast, Birgivī relies extensively on the famous Ḥanbalī traditionist Abū al-Qāsim al-Ṭabarānī (d. 360/971) and his three collections, *al-Mu’jam al-kabīr*, *al-Mu’jam al-awsaṭ* and *al-Mu’jam al-ṣaghīr* (117 *ḥadīth* reports altogether).<sup>92</sup>

89 For a survey of the contents as well as extant manuscript copies, see E. Yüksel, *Mehmed Birgivī’nin (929–981–1523–1573) dīnî ve siyâsî görüşleri* (Ankara: Türkiye Diyanet Vakfı, 2011), p. 49.

90 See *TM*, pp. 5–11.

91 J. Brown, *Hadith*, p. 184.

92 For Ṭabarānī’s place in the Ḥanbalī tradition, see Ibn Abī Ya’lā, *Ṭabaqāt al-ḥanābila* (Cairo: Maṭba’at al-sunna al-muḥammadiyya, 1952), ed. Muḥammad Ḥāmid al-Fiḳī, vol. 2, pp. 49–51; for his works and more references, see Brockelmann, *GAL*, Supplement, vol. 2, p. 279, and Maribel Fierro, “al-Ṭabarānī,” in *EI2* (Leiden: Brill, 1998), vol. 10, pp. 10–11.

Next come, in descending order of frequency: Abū Bakr al-Bayhaqī (d. 458/1066) (47 *ḥadīth*);<sup>93</sup> Ibn Abī al-Dunyā (d. 281/894) (45 *ḥadīth*);<sup>94</sup> Aḥmad b. Ḥanbal (d. 241/855) (41 *ḥadīth*);<sup>95</sup> al-Ḥākim al-Naysābūrī (d. 405/1014) (40 *ḥadīth*);<sup>96</sup> Ibn Ḥibbān al-Bustī (d. 354/965) (28 *ḥadīth*);<sup>97</sup> Abū Nu‘aym

93 It is not always clear which work Birgivi is quoting. Abū Bakr al-Bayhaqī’s most famous collection of Ḥadīth was his *Sunan al-kubrā*. See J. Brown, p. 41, describing it as “a landmark of the Shāfi‘ī legal school, supporting every detail of its law code with a myriad of reports from the Prophet and his Companions.” Cf. also J. Robson, “al-Bayhaqī, Abū Bakr,” in *EI2* (Leiden: Brill, 1961), vol. 1, p. 1130. Bayhaqī also devoted a special book to the theme of *zuhd*, entitled *Kitāb al-zuhd al-kabīr*. It is possible that at least some of Birgivi’s quotes come from there rather than from the *Sunan*. Birgivi might also have been using the *Shu‘ab al-īmān*, but is almost impossible to determine the exact provenance of a given *ḥadīth* in the *Ṭarīqa*.

94 Ibn Abī al-Dunyā wrote numerous edifying treatises and pietistic works of Ḥadīth, mostly on single subjects such as “patience,” “gratitude,” “the blameworthiness of this world,” “the merits of the month of Ramaḍān” and so on. According to A. Dietrich, Ibn Nadīm lists over 100 titles, only twenty of which are extant today, however. See A. Dietrich, “Ibn Abī al-Dunyā,” in *EI2* (Leiden: Brill, 1968), vol. 3, p. 684. Some of Ibn Abī al-Dunyā’s writings that bear on Birgivi’s work have been edited and studied, see, for instance, James Bellamy “The Makārim al-akhlāq by Ibn Abī ‘l-Dunyā (A Preliminary Study),” in *Muslim World*, vol. 53, no. 2 (1963), pp. 106–19; *idem* (ed.) *The Noble Qualities of Character by Ibn Abī d-Dunyā* (Wiesbaden: F. Steiner, 1973); Ella Almagor (ed.), *Kitāb dhamm al-dunyā: Ibn Abī al-Dunyā* (Jerusalem: The Hebrew University, 1984); Najm ‘Abd al-Raḥmān Khalaf (ed.), *Kitāb al-ṣamt wa-ādāb al-lisān* (Beirut: Dār al-gharb al-islāmī, 1986); Stefan Weninger, *Qanā‘a (Genügsamkeit) in der arabischen Literatur anhand des Kitāb al-Qanā‘a wa-t-ta‘āffuf von Ibn Abī d-Dunyā* (Berlin: Klaus Schwarz, 1992). Ibn Abī al-Dunyā enjoyed continued popularity throughout the Ottoman period. Indeed, his works were copied, translated and printed down to the nineteenth century. See, for instance, the Ottoman Turkish translation of *Sulūk al-mālik*, entitled *Nuṣretü’l-ḥamīd ‘alā siyaseti’l-‘abīd* (Istanbul: Maṭba‘a-ya ‘āmiri, 1879).

95 See above, p. 76f.

96 Best known for his *Ma‘rifat ‘ulūm al-ḥadīth* (a standard work in Ḥadīth methodology) and the *Mustadrak ‘alā al-ṣaḥīḥayn* (a work of *ilzāmāt*, that is additions of authentic *ḥadīth* reports not included in Bukhārī or Muslim), al-Ḥākim also wrote a famous history of Nishapūr and a number of smaller collections of traditions. Birgivi probably draws mostly on the *Mustadrak*. al-Ḥākim was the teacher of, among others, Abū Bakr al-Bayhaqī (see above, fn. 93) and Abū Nu‘aym al-Iṣfahānī (see below, fn. 98)—on both of whom Birgivi also relied heavily. Despite al-Ḥākim’s reputation for “carelessness” (for which he was criticized), scholars hesitated to classify him as “weak.” See Brockelmann, *GAL*, vol. 1, 166, p. 175; Sezgin, *GAS*, vol. 1, pp. 221–2; J. Robson, “al-Ḥākim al-Naysābūrī,” *EI2*, vol. 3, p. 82.

97 For Ibn Ḥibbān see *GAL*, vol. 1, 164, pp. 172–3 and Supplement, vol. 1, pp. 273–4; *GAS*, vol. 1, pp. 189–91; J. W. Fück, “Ibn Ḥibbān,” *EI2*, vol. 3, p. 799. Ibn Ḥibbān was a prolific writer, best known for *al-Musnad al-ṣaḥīḥ*, which, according to Jonathan Brown, is “considered the last instalment in the *Saḥīh* movement.” See Brown, p. 33. Birgivi might also quote his *Rawḍat al-‘uqalā*—a work of *adab*.

al-Iṣfahānī (d. 430/1038) (11 *ḥadīth*);<sup>98</sup> Abū al-Shaykh (d. 369/979) (10 *ḥadīth*);<sup>99</sup> and Dāraquṭnī (d. 385/995) (6 *ḥadīth*).<sup>100</sup> Also-rans, with 5 *ḥadīth* reports or less each are: Abū Bakr al-Bazzār (d. 292/904) (5 *ḥadīth*);<sup>101</sup> Abū Manṣūr al-Daylamī (d. 558/1163) (5 *ḥadīth*);<sup>102</sup> Abū Yaʿlā (d. 307/919) (4 *ḥadīth*);<sup>103</sup> ʿAbd al-Razzāq (d. 211/826) (4 *ḥadīth*);<sup>104</sup> al-Ṭahāwī (d. 321/933) (3 *ḥadīth*);<sup>105</sup>

- 98 It is unclear, again, which work(s) Birgivi quotes from. Abū Nuʿaym is best known as the author of *Ḥilyat al-awliyāʾ wa-ṭabaqāt al-aṣfiyāʾ*, one of the most important sources for early Sufism. He also composed a *Mustakhraj* of Muslim's *Ṣaḥīḥ* (i.e. a collection based on the *ḥadīth* reports in Muslim's *Ṣaḥīḥ*, but with Iṣfahānī's own narrations) and a work on *Dalā'il al-nubuwwa* (like his teacher al-Ḥākim, see above fn. 20). See *GAL*, vol. 1, 362, pp. 445–6 and Supplement, vol. 1, pp. 616–7; *GAS*, vol. 1, p. 415. As in the case of his teacher al-Ḥākim, a whole range of pro-ʿAlid traditions transmitted by Abū Nuʿaym can be found in Shiʿite collections, albeit with different *isnāds*. See Brown, *Hadith*, p. 140.
- 99 This is Abū Muḥammad ʿAbd Allāh b. Muḥammad b. Jaʿfar b. Ḥayyān al-Anṣārī al-Iṣbahānī, a teacher of Abū Nuʿaym (see fn. 98). See *GAL* Supplement vol. 1, p. 347 and *GAS*, vol. 1, pp. 200–1. Birgivi probably relied on his *Akhlāq al-nabi*.
- 100 Abū al-Ḥasan ʿAlī b. ʿUmar al-Dāraquṭnī, the great forth/tenth-century traditionist from Baghdad, was the teacher of al-Ḥākim al-Naysābūrī (see fn. 96). His many works on Ḥadīth include a collection of *Sunan*, which has sometimes been counted as belonging to the *ṣiḥāḥ*, alongside those of the six “canonical” collections; a work of *ilzāmāt* (like that of al-Ḥākim); a famous work on *ʿilal* (“flaws”) and a range of smaller treatises, such as his *Kitāb al-ruʿya* (a collection of *ḥadīth* reports confirming that believers will see God on the Day of Judgment). See *GAL*, vol. 1, 165, pp. 173–4 and Supplement vol. 1, p. 275; *GAS*, vol. 1, pp. 206–9; J. Robson, “al-Dāraquṭnī,” in *EI2*, vol. 2, p. 136, and J. Brown, pp. 36–42. Again, Birgivi does not specify which of Dāraquṭnī's works he quotes. We may assume, for the most part, it is the *Sunan*.
- 101 *GAL*, Supplement vol. 1, p. 258; *GAS*, vol. 1, p. 161.
- 102 Sometimes better known as Shahrḍār b. Shīrawayh, this seventh/twelfth-century scholar composed a famously unreliable collection of traditions entitled *Musnad al-firdaws*. Its contents are, in the words of Jonathan Brown, “on the whole so unreliable that later scholars devoted whole books to the forged hadiths [it contained] and assumed any hadith cited from [it] to be weak.” See Brown, p. 48 and p. 108. For biographical references, see the entry on Shahrḍār's father by Moktar Djebli, “Shirawayh, Abū Shujāʿ,” in *EI2*, vol. 9, p. 472.
- 103 This is not the famous Ḥanbalī Qāḍī, but Abū Yaʿlā Aḥmad b. ʿAlī b. al-Muthannā al-Mawṣilī—a Ḥanafī traditionist from Mosul, best known for his *Musnad al-kabīr*. See *GAL* Supplement vol. 2, 157, p. 258 and *GAS*, vol. 1, pp. 170–1. Brown classifies Abū Yaʿlā's *Musnad* alongside that of Abū Bakr al-Bazzār (see above, fn. 101), as “well-known and widely-read *musnads* of the ninth century.” See Brown, p. 30.
- 104 Abū Bakr ʿAbd al-Razzāq b. Hammām al-Ḥimyarī al-Ṣanʿānī, a Yemeni student of Mālik and Ibn Jurayj. See *GAL*, Supplement vol. 1, 190, p. 333 and *GAS*, vol. 1, p. 99. J. Brown has argued that ʿAbd al-Razzāq's *Muṣannaḥ*, much like Mālik's *Muwaṭṭaʿa*, should be seen as an early work of Islamic law rather than a hadith collection *per se*, as it contains more reports about the Prophet's Companions and Successors (and the behaviors they endorsed or condemned) than *ḥadīth* going back to the Prophet himself. See Brown, p. 27. While Birgivi generally quotes prophetic *ḥadīth* more than sayings of Companions or Successors, these are not absent either.
- 105 Abū Jaʿfar Aḥmad b. Muḥammad al-Azdī al-Ṭahāwī: a Ḥanafī Ḥadīth scholar from Egypt whose best-known works are *Sharḥ maʿānī al-āthār* (*ḥadīth* reports of legal importance

Mālik's (d. 179/796) *Muwattaʿ* (3 *ḥadīth* reports);<sup>106</sup> Ibn al-Mubārak (d. 181/797) (1 *ḥadīth*);<sup>107</sup> Ibn al-Sunnī (d. 364/975) (1 *ḥadīth*);<sup>108</sup> Ibn ʿAdī (d. 365/976) (1 *ḥadīth*);<sup>109</sup> and Baghawī (d. 516/1122) (1 *ḥadīth*).<sup>110</sup>

Making sense of these numbers, we must remember that they refer only to *al-Ṭarīqa al-muḥammadiyya*. A more thorough study is needed for Birgivī's use of traditions in other works, especially in his two Ḥadīth collections. There are two points that are noteworthy with regard to our sample, however. First, there is Birgivī's heavy reliance on Abū al-Qāsim al-Ṭabarānī. Birgivī quotes from Ṭabarānī 117 *ḥadīth* reports in total, i.e. almost as many as those from Bukhārī and Muslim, and certainly more than from Abū Dāʿūd, Nasāʾī or Ibn Māja. From among the six canonical collections it is Tirmidhī's *Jāmiʿ* that stands out; allowing for statistical variation, however, Tirmidhī, Bukhārī, Muslim and Ṭabarānī are almost on an equal footing in terms of Birgivī's reliance on them.

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to the Ḥanafīs) and *Sharḥ mushkil al-āthār* (on reconciling seemingly contradictory *ḥadīths*). See *GAL*, vol. 1, 173–4, pp. 181–2 and Supplement vol. 1, pp. 293–4; *GAS*, vol. 1, pp. 439–442.

106 For the “Imām of Medina,” the founder of the Mālikī school of law, see *GAL*, vol. 1, 175–6, pp. 184–6 and *GAS*, vol. 1, pp. 457–64.

107 Although Birgivī only quotes one prophetic *ḥadīth* from Ibn al-Mubārak (ʿAbd Allāh b. al-Mubārak al-Ḥanzalī), he relies on him for pious stories, as well as, in one instance, a legal pronouncement. The latter is in the context of the discussion of Muslims who stop performing the ritual prayer, where he refers to Ibn al-Mubārak (among others) as saying that to do so is not only “from among the worst grave sins” (*min akbar al-kabāʾir*), but in fact constitutes *kufr*. See *TM*, p. 193. Ibn al-Mubārak, a businessman with a pious penchant, is said to have composed the “first” collection of forty *ḥadīth*, in addition to his famous *Kitāb al-zuhd wa-l-raqāʾiq* and a collection of *ḥadīth* on the theme of *jihād*. See *GAL* Supplement vol. 1, p. 256; *GAS*, vol. 1, p. 95; J. Robson, “Ibn al-Mubārak,” in *EI2*, vol. 8, p. 879.

108 A student of al-Nasāʾī, Abū Bakr Aḥmad b. Muḥammad al-Dīnawarī, Ibn al-Sunnī, wrote a handful of works on Ḥadīth. Among them is a collection on the theme of prayers entitled *Kitāb ʿamal al-yawm wa-l-layla* (similar to that of his teacher), as well as a work on *qanāʾa* (reminiscent of that of Ibn Abī al-Dunyā, see above, fn. 94). Ibn al-Sunnī is said to have been a reliable transmitter. See *GAL*, vol. 1, 165, p. 173 and Supplement vol. 1, p. 274; *GAS*, vol. 1, p. 198; Brown, p. 35.

109 *GAL*, Supplement vol. 1, p. 280; *GAS*, vol. 1, pp. 198–9.

110 al-Ḥusayn b. Masʿūd b. al-Farrāʾ al-Baghawī, the “Reviver of the Sunna,” composed a popular one-volume digest of the canonical collections entitled *Maṣābīḥ al-sunna*, which was intended as a “portable, easily thumbed-through personal handbook, [digesting] the canon into 4,434 hadiths, half of them from the *Ṣaḥīḥayn*.” See Brown, pp. 57–8. Walī al-Dīn al-Khaṭīb al-Tibrizī's (fl. 8th/14th c.) expanded version and commentary was translated by James Robson, *Mishkāṭ al-Maṣābīḥ* (Lahore: S. M. Ashraf, 1960–4), 4 vols. It may seem surprising that Birgivī does not quote Baghawī more often. He might prefer to cite the canonical collections directly, however, even in instances when he first got the *ḥadīth* from Baghawī.

Secondly, with regard to the lesser quoted authors, Birgivī seems to rely heavily on several collections that contain a disproportionately large number of weak or unreliable traditions. Most striking, for a Ḥadīth scholar, is Birgivī's reliance on Abū Maṣṣūr al-Daylamī's *Musnad al-firdaws*. In its "pious unreliability" it embodied a pervasive current in Islamic history—what Jonathan Brown has referred to as "the desire for connection to the Prophet, whatever the authenticity."<sup>111</sup> This is important to keep in mind, in particular with regard to a work of exhortation such as *al-Ṭarīqa al-muḥammadiyya*. Indeed, Birgivī often seems to forgo expected criteria of academic stringency in order to make a pious point or give examples as to how a given virtue should be established in practice.

Related to this, at least in part, we can also observe in the *Ṭarīqa* the prominence of transmitters who stand in the tradition of early Islamic *zuhd*.<sup>112</sup> These include men like Ibn al-Mubārak (d. 181/797), Ibn Ḥanbal (d. 241/855) and Ibn Abī al-Dunyā (d. 281/894). That the tradition of early *zuhd* was by no means homogenous has been shown by Christopher Melchert, who has identified strictly Ḥadīth-minded transmitters versus transmitters with proclivities in *adab* and (proto-) Sufism, often less stringent in their standards of transmission.<sup>113</sup> As opposed to Ibn Ḥanbal, for example, Ibn Abī al-Dunyā was initially regarded as a pious *adīb*, rather than as a *muḥaddith* proper.<sup>114</sup> Birgivī relies on men like both Ibn Ḥanbal and Ibn Abī al-Dunyā, albeit in different contexts and for different purposes.

The traditions Birgivī quotes from Ibn Abī al-Dunyā, for instance, are mostly eschatological in nature, concerned with the inevitability and (often) unexpectedness of death, the ephemeral nature of this world, and the necessity to prepare for the Next.<sup>115</sup> As such, they do not—on the whole—comply with very high standards of transmission. The same is true for later transmitters Birgivī draws on, such as al-Ḥākim al-Naysābūrī or Abū Nu'aym al-Iṣfahānī,

<sup>111</sup> Brown, p. 48.

<sup>112</sup> For a study of the concept, see Leah Kinberg, "What is meant by *Zuhd*?" in *Studia Islamica*, vol. 61 (1985), pp. 27–44.

<sup>113</sup> See C. Melchert, "The Piety of the Hadith Folk," pp. 425–39.

<sup>114</sup> See Melchert, "The Piety of the Hadith Folk," p. 433 and p. 439, fn. 86, quoting J. Chabbi, "Remarques sur le développement historique des mouvements ascétiques et mystiques au Khurasan: III<sup>e</sup>/IX<sup>e</sup> siècle–IV<sup>e</sup>/X<sup>e</sup> siècle," in *Studia Islamica*, vol. 46 (1977), p. 24, fn. 2.

<sup>115</sup> Indeed, in her article on early Islamic conceptions of the Hereafter, Leah Kinberg shows that "Ibn Abī al-Dunyā was one of those who preserved the early material about the Afterworld, material which was used later on as a basis for further development of the subject." See L. Kinberg, "The Interaction between this world and the Afterworld in early Islamic Tradition," in *Oriens*, vols. 29–80 (1986), p. This "later development" was found, most prominently, in the last sections of Ghazālī's *Ihyā'* and, in our case, Birgivī's *Ṭarīqa*.

on both of whose authority he relates a number of *ḥadīth* on the subject of “scholars” (*‘ulamā’*). The general tenor of these is that *‘ulamā’* should strive to behave better than ordinary believers;<sup>116</sup> that they should practice what they preach;<sup>117</sup> that they should not get involved with worldly power;<sup>118</sup> and not take part in debates unless they actually know what they’re talking about.<sup>119</sup> Judging by the subject matter of these traditions, it is probable that they did not in fact originate with the Prophet himself, but express pious concerns of a somewhat later period.<sup>120</sup> In his own context, Birgivi was troubled by issues similar to those expressed in these *ḥadīth*—what he saw as the corruption of scholars by ambitions for worldly authority. It thus made sense to draw on material that would otherwise not have passed the test of “reliability.” To return to Jonathan Brown’s comment on “the desire for connection to the Prophet,” it seems that what mattered to Birgivi was not so much whether or not the Prophet actually uttered a given statement, but whether he could or would have done so. And there was no question for him that Muḥammad would have condemned the corruption of the *‘ulamā’*, as Birgivi himself would do, in the strongest terms.

Also, Birgivi’s reliance on weak traditions for the sake of exhortation did not mean that he was not otherwise sensitive to the proper standards of Ḥadīth transmission. It was just a matter of when these standards had to be applied rigorously and when they could be dropped. Asked about weak reports, Ibn al-Mubārak—a representative of the *zuhd* tradition and much quoted by Birgivi—is reported to have said that: “[...] they should not be used as proof in legal discussions. “It is still,” however, “possible to narrate from [weak transmitters] on issues like good manners (*adab*), goodly preaching (*maw‘iẓa*), pious abstemiousness (*zuhd*) and such things.”<sup>121</sup> Ibn Ḥanbal was of a similar opinion: “If we are told hadiths from the Messenger of God concerning what is permissible and forbidden [...], then we are strict with their *isnāds*. But if we are told hadiths from the Prophet about the virtues of certain acts (*faḍā’il al-a‘māl*), or what does not create a rule or remove one, then we are lax with the *isnāds*.”<sup>122</sup> Birgivi adopts the same approach in the *Ṭarīqa*. Thus, when it comes to questions of the Law (as we will see in his treatment of the cash *waqf* and the question of land tenure and taxation), he is extremely meticulous with regard to his sources. But as far as his pious “exhortations” are concerned, as

116 *TM*, p. 32.

117 *TM*, p. 72.

118 *TM*, p. 73.

119 *TM*, p. 77.

120 Birgivi does not give full *isnāds*.

121 Brown, p. 102.

122 *Ibid.*

well as his analysis of the various vices and virtues of the heart, he often has recourse to material that would be of dubious nature from a strictly “academic” Ḥadīth scholarship point of view.

One last point regarding Birgivi’s heavy reliance on Ḥadīth must be addressed. It is the question raised by Michael Cook of whether or not we can see in the *Ṭarīqa* “an indication of the persistence of a traditionalist trend in Ḥanafism, antithetical to the predominant Māturīdite theology.”<sup>123</sup> While more systematic research is necessary to answer this question with any amount of certainty, it is probable that Birgivi does represent a traditionalist trend within the Ḥanafī tradition. This was an essentially pious one, however, that did not ultimately conflict with his position as a Māturīdī. As we will see in more detail in the next chapter, Birgivi was deeply embedded in the Māturīdī tradition. The question asked by Cook seems to be connected to the question of whether or not there existed an indigenous current of illiberalism or “intolerance,” as Khaled El-Rouayheb put it, within the Ḥanafī-Māturīdī school. Following both Meron and Rouayheb, this seems likely. Meron links such a trend to Abū al-Layth al-Samarqandī—a scholar Birgivi was greatly indebted to, as we have already seen; El-Rouayheb links it to ‘Alā’ al-Dīn al-Bukhārī, whom Birgivi does not seem to have been aware of, however.<sup>124</sup>

Whatever the eventual scholarly verdict on this homegrown trend of Ḥanafī illiberalism and its relationship to the use of Ḥadīth (and possible traditionalist trends within the school), what is clear is that Birgivi’s work displays a definite traditionalist bent. It is also undeniably characterized by an “illiberal” nature. The question of whether or not the two were necessarily predicated on each other, i.e. whether there was an ultimately essential connection between the two remains to be debated. Both Birgivi’s illiberalism and his pious traditionalism did not compromise his steadfast Māturīdism, however. His reliance on the discursive tradition of Ḥadīth manifested itself not only in the manifold legal discussions he engaged in, but was frequently also for the purpose of pious illustration, often foregoing stringent criteria of authenticity to make a specific (pious) point.

123 M. Cook, *Commanding Right*, p. 324, fn. 127.

124 For ‘Alā’ al-Dīn al-Bukhārī, see A. Knysh, *Ibn ‘Arabi in the Later Islamic Tradition: the making of a polemical image in medieval Islam* (Albany: SUNY Press, 1999), pp. 207–9.

## 9 Sufism

Apart from prophetic *ḥadīth* and reports about Companions and Successors, the *Ṭarīqa* abounds with stories and quotes from early Sufis, such as al-Ḥasan al-Baṣrī (d. 110/728), Ibrāhīm b. Adham (d. 161/777) or Junayd al-Baghdādī (d. 110/728). As the son of a family of prominent Balḫesir Sufis and onetime Bayrāmī initiate himself, Birgivī was deeply embedded in the Sufi tradition. His relationship to Sufism was one of ambivalence, however, as we will see in more detail in the next chapter. In this section, I will be mostly concerned with the intellectual influences of Sufism on Birgivī. For the Sufi tradition was another discursive framework within which Birgivī formulated his articulation of “correct belief” and “correct practice.” As a discursive tradition, Sufism was incredibly diverse, ranging from the “sober” and “*sharīʿa*-minded” to the anti-nomian and esoteric, as well as from the activist and (at times) militant, to the politically accommodationist or quietist—with a wide range of permutations in between.

Birgivī embraced a type of Sufism that was focused on sobriety and strict adherence to the Law. His basic attitude is summarized in a quote from Abū Sulaymān al-Dārānī (d. 215/830)—a third/ninth-century Sufi from Syria—in the opening section of the *Ṭarīqa*: “Many a time a wise point from the stories of the Sufis enters my heart and occupies me for days. But I only accept it if it is in conformity with the two just witnesses: the Qurʾān and the Sunna.”<sup>125</sup> Birgivī likewise marshals al-Sarī al-Saqāṭī—another third/ninth-century Sufi—to explain his position further: “If you encounter a man who can perform miracles—he may even be able to sit in the air—do not be bedazzled by him, until you see how he behaves in terms of commanding [right] and forbidding [wrong], guarding the *ḥudūd* and carrying out the Law.”<sup>126</sup>

This falls, broadly, within a category of Sufism scholars have variously tried to described as “orthodox Sufism,” “*sharīʿa*-minded Sufism” or “juridical Sufism.”<sup>127</sup> Vincent Cornell, for instance, has defined the latter as “a type of

125 *TM*, p. 14. For Abū Sulaymān al-Dārānī, see Abū ‘Abd al-Raḥmān Muḥammad b. al-Ḥusayn al-Sulamī, *Ṭabaqāt al-ṣūfiyya*, ed. Nur al-Dīn Shurayba (Cairo: Maktabat al-Khānjī, 1969), pp. 75–82.

126 *TM*, p. 13. For al-Sarī al-Saqāṭī, see Sulamī, pp. 67–74.

127 See Marshall Hodgson, *The Venture of Islam*, vol. 2, pp. 218–9. Abū Ḥāmid al-Ghazālī (d. 505/1111) has been commonly associated with the “reconciliation” of Sufism and the Law. A range of studies have cast doubt on whether any such “reconciliation” was ever necessary, however. If it occurred, indeed, it must have done so at least a century and a half before Ghazālī, in the work of scholars Ghazālī himself drew on, such as Abū Ṭālib al-Makkī (d. 386/996). It is likely, however, that the stark dichotomy often presumed between Sufism and the Law has been exaggerated. Bernd Radtke has argued that by the

mysticism that is epistemologically subservient to the authority of religious law. This praxis-oriented approach, which is based on the jurisprudence of interpersonal behavior (*fiqh al-mu'āmalāt*) conceives of Sufism more as a methodology than as a school of metaphysical doctrine. For this reason, it tends to downplay metaphysical issues and reverses the normal polarity of belief and practice."<sup>128</sup>

Birgivi certainly saw Sufism as a “methodology” rather than a “school of metaphysical doctrine.” Indeed, metaphysical questions are almost completely absent in those parts of his works that show Sufi influence. Instead, he draws on Sufism as a way (i.e. a method) to purify the heart of its vices and embellish it with virtues.<sup>129</sup> For Birgivi, the aim was not to achieve mystical union with the Divine in this world, but to apply practical techniques to cultivate a pious self—a process which would lead to salvation and, depending on the efforts expended, varying degrees of closeness to God in the Hereafter. Thus, even in those works that reveal the influence of Sufi thought most clearly (such as the *Tarīqa*), Birgivi remains squarely grounded in the Here and Now. He eschews talk of the different “stages” of the Sufi path, let alone of ideas such as “unification” with the Divine (*jam'*) or the “passing away of self-consciousness” (*fanā'*).

On the contrary, Birgivi insists on the absolute necessity for a believer to focus his attention on his thoughts, deeds and emotions, i.e. the imperative of a constant surveillance of the self, and its “desires” or “passions,” in the Here and Now. Since the goal was to hone as virtuous a self as possible in this world (to increase the chances of salvation and closeness to God in the Next), Sufism becomes an instrument to complement the Law, but nothing more. For Birgivi, to go beyond the meditative exercises Sufism had to offer in the process of “chiseling” away at the self was uncalled for and, depending on the activity in question, possibly illicit. Accordingly, his espousal of Sufism does not go beyond the usually “preliminary” stages of observation (*murāqaba*), repentance (*tawba*), fear (*khawf*) and, in rare cases, hope (*rajā'*).<sup>130</sup>

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third/ninth century, and certainly in the classical didactic manuals of Sufism of the forth/tenth century, such as Sarrāj's (d. 378/988) *Luma'* or Kalabādhī's (d. 380/990) *Kitāb al-ta'arruf*; Sufism had fully embraced the *Sunna* and antinomian Sufis were, by and large, the exception to the rule. See B. Radtke, “Warum ist der Sufi orthodox?” in *Der Islam*, vol. 71 (1994), pp. 302–7.

128 Vincent Cornell, *Realm of the Saint: Power and Authority in Moroccan Sufism* (Austin: University of Texas Press, 1998), p. 67.

129 *TM*, p. 43 and p. 126.

130 For a good introduction to the different stages (*maqāmāt*) of the Sufi path, as well as the states (*aḥwāl*) experienced by those who “travel” it, see Annemarie Schimmel, *Mystical Dimensions of Islam* (Chapel Hill: The University of North Carolina Press, 1975).

In this, even within the broader category of “orthodox” or “*sharīʿa*-minded” Sufism, Birgivī falls at the conservative end of the spectrum. To engage in any sort of metaphysical speculation, beyond the narrow confines of theology, would constitute *al-khawḍ fī al-bāṭil* (lit. “wading into useless subjects or activities”)—an “evil of the tongue.”<sup>131</sup> And as far as a whole range of Sufi devotional practices were concerned, including vocal *dhikr* (*dhikr jahri*), *samāʿ* and *dawarān* (which he refers to as “*raqṣ*”), Birgivī is quite explicit in his condemnation and rejection of them as unlawful.<sup>132</sup> He allows for, even endorses, silent *dhikr* (*dhikr khafi*) and certain meditative exercises centering on the remembrance of death. But other than that, pious devotion should be channeled through supererogatory prayer and the aforementioned surveillance of the self.

In his rejection of practices such as *samāʿ* and *dawarān*, as well as in his espousal of silent *dhikr*, and the meditation of the heart, Birgivī’s approach is reminiscent of that of the Naqshbandī order.<sup>133</sup> This association is misleading, however, as Birgivī’s espousal of silent *dhikr* was firmly grounded in the tradition of the Bayrāmīyya—the order he grew up with, became a member of, and eventually would complete his spiritual training in. Indeed, the Melāmī branch of the Bayrāmīyya had established the practice of silent *dhikr* early on, and while the Şemsiyye, the other branch of the order, did adopt vocal *dhikr*, it did so in direct opposition to the Naqshbandiyya, it seems.<sup>134</sup> It was thus from within this Bayrāmī tradition, and the possible internal as well as external debates surrounding it, that Birgivī’s stance must be understood.

131 *TM*, p. 141.

132 For vocal *dhikr* see, *TM*, pp. 165–6; for *samāʿ*, see *TM*, p. 127; for *raqṣ* in mosques, see *TM*, pp. 183–4. For a discussion of some of the doctrinal debates concerning these issues, see Eric Geoffroy, *Le soufisme en Égypte et en Syrie sous les derniers Mamelouks et les premiers Ottomans* (Damascus: IFEAD, 1995), pp. 407–22. The question of *dawarān*, in particular, has been examined in a recent case study on Ismāʿīl Rūsūkhī Ankaravī (d. 1041/1631) by Alberto Fabio Ambrosio, *Vie d’un derviche tourneur: Doctrine et rituels du soufisme au XVII<sup>e</sup> siècle* (Paris: CNRS Editions, 2010).

133 See Madelain Habib, “Some notes on the Naqshbandi Order,” in *Muslim World*, vol. 59 (1969), pp. 42–45; Hamid Algar, “Silent and vocal dhikr in the Naqshbandi order,” in Albert Dietrich (ed.), *Akten des VII Kongresses für Arabistik und Islamwissenschaft: Göttingen, 15–22 August 1974* (Göttingen: Vandenhoeck & Ruprecht, 1976), pp. 39–46; Michel Chodkiewicz, “Quelques aspects des techniques spirituelles dans la ṭarīqa Naqshbandiyya,” in M. Gaborieau, A. Popović and T. Zarucone (ed.), *Naqshbandis: cheminements et situation actuelle d’un ordre mystique musulman: actes de la table ronde de Sèvres, 2–4 mai, 1985* (Istanbul: Isis, 1990), pp. 69–82.

134 Fuat Bayramoğlu and Nihat Azamat, “Bayramiyye,” *TDV İslâm Ansiklopedisi*, <https://islamansiklopedisi.org.tr/bayramiyye>, accessed January 6, 2020.

The incorrect association of Birgivî with the Naqshbandiyya has been compounded by the fact that, in the centuries after his death, a number of prominent Naqshbandîs were to become great admirers of his *oeuvre*. These include eleventh/sixteenth-century figures such as ‘Osmân Bosnevî (d. 1074/16) and other Naqshbandî supporters of the Kâdizâdeli cause.<sup>135</sup> Birgivî’s influence on the Naqshbandiyya continued until the nineteenth century and is apparent, for example, in the work of Sheykh Aḥmed Ziyâ’üd-dîn Gümüŝhânevî (d. 1310/1893).<sup>136</sup> In fact, Birgivî’s association with the Naqshbandiyya is similar to the assumed connection between him and Ḥanbalism and the work of Ibn Taymiyya. In both cases we can witness the enthusiastic posthumous reception of Birgivî’s works, by Naqshbandîs on the one hand, and Ḥanbalîs (or Ḥanafîs inspired by Ibn Taymiyya, such as al-Aqḥiŝârî) on the other. While Birgivî’s works thus inspired many Naqshbandîs, just as they inspired Ḥanbalîs, there is no evidence for an influence of either Naqshbandî or Ḥanbalî ideas and practices on Birgivî himself.

Fatma Yavuz’s invaluable study of the formation and historical development of the Bayrâmiyya-Malâmâtiyya over the course of the fifteenth, sixteenth and seventeenth centuries has given us a better sense of the order’s place in the complex religious landscape of Anatolia and Rumelia at the time, including its positions in regard to a range of established Sufi practices.<sup>137</sup> However, to

135 See Dina LeGall, “Kadizadelis, Nakshbendis, and Intra-Sufi Diatribe in Seventeenth-Century Istanbul,” in *The Turkish Studies Association Journal*, vol. 28 nos. 1–2 (2004), pp. 4–5. Derin Terzioğlu has also identified “at least two prominent Naqshbandîs, Mehmed Ma’rûf Trabzonî (d. 1002/1593) and Aḥmed Tirevî (d. 1034/1624–5), [who] upheld and defended Birgivî’s teachings long before the Kâdizâdelis emerged onto the public scene.” The latter was in fact Bosnevî’s predecessor in the Ḥekîm Çelebî lodge in Istanbul, see Terzioğlu, *Sufi and Dissident*, p. 234.

136 Like Birgivî, Gümüŝhânevî was greatly concerned with the preservation of “correct belief” and “correct ritual” and similarly composed a range of works on Ḥadîth, ethics and exhortation. See Butrus Abu-Manneh, “Shaykh Ahmed Ziyâ’üddîn el-Gümüŝhanevi and the Ziyâ’i-khâlîdî Suborder,” in F. de Jong (ed.), *Shī’a Islam, Sects and Sufism* (Utrecht: M. Th. Houtsma Stichting, 1992), pp. 105–17, and İrfan Gündüz, “Gümüŝhânevî,” in *DA*, vol. 14 (Istanbul: Türkiye Diyanet Vakfı, 1996), pp. 276–7.

137 Fatma B. Yavuz, *The Making of a Sufi Order*. For the origins of the Bayrâmiyya in the context of late fourteenth and early fifteenth-century Anatolia, when the order’s eponymous founder, Ḥâjji Bayrâm Velî (d. ca. 833/1429), first gathered a circle of disciples in his hometown of Ankara, see also H. J. Kissling, “Zur Geschichte des Derwischordens der Bajramije,” *Südost-Forschungen*, vol. 15 (1956), *op. cit.*, pp. 237–68, and Fuat Bayramoğlu, *Hacı Bayram-ı Velî: yaşanı, soyu, vakfı* (Ankara: Türk Tarih Kurumu Basımevi, 1983), 2 vols. In classical Sufi fashion, and like virtually all other Ottoman orders, the Bayrâmiyya traces its origins back to ‘Alî b. Abî Tâlib. Interestingly enough, its *silsila* also passes through İbrâhîm al-Zâhid al-Gilânî, who was the teacher of Şafî al-Dîn, the eponymous founder of the Şafaviyya from Ardabil, which was to take over Iran a century later. Indeed, the

identify the doctrines and rituals Birgivî would have subscribed to and performed as a *murîd* of the order remains difficult. The influence of Malâmatî ideas on Birgivî's worldview, seems crucial. They manifested themselves most clearly in his fixation on *riyâ'* (sanctimony), which we will examine in detail in chapter four. Indeed, many of Birgivî's ideas regarding virtue and piety are in agreement not only with those of the Bayrâmiyya-Malâmatîyya of the Ottoman Empire, but with those that can be traced back to the early Malâmatîyya in fourth/tenth-century Nishapur already. In his description of "the Path of Blame" Ahmet Karamustafa thus explains:

[The] distinguishing feature [of the Malâmatîyya] was constant and unrelenting suspicion against the lower self (*nafs*). The Malâmatîs thought that unless it was controlled, the lower self would inevitably waylay the pious believer through self-conceit (*'ujb*), pretence (*iddi'â'*), and hypocrisy (*riyâ'*) and would thus prevent the believer from reaching his true goal, which was the achievement of sincere, selfless devotion to God (*ikhhlâş*). They argued that the only effective methods of harnessing the appetitive self to the cause of *ikhhlâş* were (1) to narrow the lower self's sphere of operation by shunning all public display of piety as well as omission of praiseworthy acts, and (2) better yet, to subject the *nafs* to constant blame, *malâma*, through self-censure.<sup>138</sup>

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Bayrâmi *silsila* includes the first four great masters of the Şafaviyya—a connection the Bayrâmiyya shared with several other Ottoman Sufi orders. Together with Mevlânâ Rûmî, Hâjî Bektâsh, and Sheykh Sha'bân Velî (the eponymous founders of the Mevleviyye, Bektâshîyye and Sha'bâniyye, respectively), Hâjî Bayrâm Velî is considered one of the four Anatolian "poles" of Sufism (*aqtâb-ı erba'ası*). See Mustafa Kara, *Türk Tasavvuf Tarihi Araştırmaları* (Istanbul: Dergâh Yayınları, 2005), p. 28. Over the course of the fifteenth century, the order quickly spread from Ankara to Istanbul and into the Balkans, with Bayrâmi *tekkes* in Thrace and Macedonia and, as the Empire expanded further, Bosnia, too. Some of the most prominent members of the Bayrâmiyya in the fifteenth century include Yazıcızâde Mehmed (d. 855/1451) and Aḥmed Bîcân (d. 860/1455) (see above, pp. 34–5) and Süleymân the Magnificent's famous preacher, Âkşemseddîn (d. 863/1458), who "discovered" the tomb of Ayyûb al-Anşârî upon the conquest of Constantinople in 857/1453. A rift between Âkşemseddîn and other followers of Hâjî Bayrâm in the middle of the fifteenth century caused the order to split into two main branches: (i) the Bayrâmiyya-Shamsiyya (Şemsiyye), and (ii) the Bayrâmiyya-Malâmatîyya (Melâmiyye). See Gölpinarlı, "Bayramiye," in *İA*, vol. 2 (Istanbul: Maarif Matbaası, 1944), p. 424. The sources remain silent as to which branch Birgivî and his family were associated with, but one assumes the latter. In 1840 there were still ten Bayrâmi *tekkes* in Istanbul; the number had fallen to four by 1918. See M. Kara, *Metinlerle Osmanlılarda Tasavvuf ve Tarikatlar* (Istanbul: Sir Yayıncılık, 2004), p. 414.

138 Ahmet T. Karamustafa, *Sufism: The Formative Period* (Edinburgh: Edinburgh University Press, 2007), p. 48.

Birgivī embraced a similarly suspicious view of the self, which he argued needed to be monitored and disciplined, as it was prone to seek the attention and constant affirmation of others, rather than God. The believer therefore had to question his self's motives at each and every step, to ensure that he was not falling into the trap of *riyā'*—a central concern of Birgivī's, as we will see in the next couple of chapters. It is possible, even likely that Birgivī's concern with *riyā'* was also influenced by the mainstream pietistic tradition, rather than being specifically Bayrāmī-Malāmātī in origin. For while the early Malāmīs saw the solution to the soul's attention-seeking nature in a concerted effort at self-censure (*malāma*), Birgivī's approach was rather more nuanced. He certainly endorsed meditation on the lowliness of the self as an effective way to counteract its attention-seeking nature.<sup>139</sup> But too much attention to the self, he argued, could be counter-productive, even harmful. Indeed, Birgivī explains that “complete opposition to it [i.e. the self's drive for attention] is not possible, because it leads to extremism (*ghuluww*) and excess (*ifrāt*).”<sup>140</sup>

Indeed, Birgivī categorically rejected the antinomian practices that a number of Malāmātī groups espoused in order to actively attract blame. For Birgivī this merely represented the flip-side of wanting to attract praise: in both cases it was the attention of human beings that was sought, rather than God. The self was not worthy of any such attention, however, and should, instead, be kept in bounds by reminders of *both* (i) its lowliness and powerlessness, on the one hand, and (ii) God's power, on the other. Thus, while Birgivī shared with the Malāmātiyya their mistrust of the self, he believed that any effort at training it and honing its virtues had to involve a balance. There was the need to meditate on the self's lowliness, but there was also the need to meditate on other things, such as the inevitability and immanence of death (and the transitory nature of this world) and, most importantly, the power and majesty of God. Thus, even in his discussion on how to counteract evils such as “conceit” (*ʿujb*), where we could have expected instructions to self-censure, we find instructions to ponder God's greatness instead.<sup>141</sup>

This direction of attention *away* from the self, and toward God, is an important point of distinction—one that Birgivī in fact shared with some of the Malāmātiyya's early critics.<sup>142</sup> Another such point of divergence concerns the concealment of acts of piety and worship. While Birgivī (like the Malāmātiyya)

139 See, for instance, *TM*, p. 45.

140 *TM*, p. 47. Birgivī reminds his readers of the importance of “moderation” (*iqtiṣād*), which we will discuss in detail in the next chapter.

141 *TM*, p. 78.

142 For these critics, see Karamustafa, *Sufism*, p. 50.

believed that it was better for supererogatory acts of worship to be concealed, this was not the case with all public displays of worship. Indeed, Birgivī stresses time and again the importance of not neglecting the communal Friday prayer, an integral moment of worship, and a very public one at that. Moreover, it was sometimes necessary to display acts of worship or piety in order to provide guidance (*iqtidāʿ*) and act as a model to others. Indeed, Birgivī's project of *naṣīḥat al-muslimīn* involved just that: public exhortation and advice. In trying to show his fellow believers how to become better Muslims, Birgivī was in fact engaging in an act of "public piety" in a broad sense. Although he never addresses the dilemma directly, it makes for one of the most profound tensions in his work: the question how to reconcile the required mistrust of the self and its motives with the deeply felt need to exhort others, considering the "corruption" and "ignorance" Birgivī saw himself confronted with.

Connected to this was the question of commanding right and forbidding wrong. Quite unlike the Malāmatiyya, who adopted a lenient, if not passive interpretation of the duty, Birgivī displayed a strict and fairly activist approach. As Michael Cook has shown, "the language he uses is uncharacteristically enthusiastic," and reveals "a zealous, almost radical tone [...] antithetical to the prevailing Ḥanafī climate of accommodation."<sup>143</sup> Birgivī thus seems to combine two different, but equally strict traditions. With regard to the "internal" control of the soul and its passions, he advocates a scrupulous regime of self-surveillance, similar to that of the Malāmatiyya and other early pietistic trends. With regard to "external" control, on the other hand, he adopts an activist approach, centered on a strict interpretation of the law, to be enforced by exhortation and, if necessary, physical action. Together with the deep tension between Birgivī's commitment to *naṣīḥa* and his constant warnings against sanctimony, this is a point we will return to. Before that, however, some more Sufi influences on Birgivī need to be discussed.

## 10 Science of the Hearts

In his promotion of a surveillance of the self, Birgivī drew most heavily on the work of a third/ninth-century Sufi from Baghdad, best known for his penetrating insights into human psychology and the workings of the human conscience. As the champion of a so-called "science of hearts" (*ilm al-qulūb*), Abū 'Abd Allāh al-Ḥārith al-Muḥāsibī (d. 243/857) developed a moral

<sup>143</sup> M. A. Cook, *Commanding Right and Forbidding Wrong*, pp. 324–5.

psychology of lasting influence on the Islamic tradition generally and Sufi ethics in particular.<sup>144</sup> Muḥāsibī's influence can be detected most prominently in the works of Abū Ṭālib al-Makkī (d. 386/998), who, as Michael Sells has argued, "grounded his own synoptic view of Sufism in Muḥāsibī's unflinching exposé of the subtleties of human egoism."<sup>145</sup> From Abū Ṭālib al-Makkī, Muḥāsibī's ideas were then passed on to Ghazālī and, from him, to many later scholars, including Birgivi. Indeed, Muḥāsibī's influence is pervasive throughout the *Ṭarīqa*, especially in those parts that deal with the heart and its "evils" (*āfāt*).<sup>146</sup>

We find, for example, a range of material from Muḥāsibī's *Kitāb ri'āya li-ḥuqūq allāh* in Birgivi's discussion of the evils of "arrogance" (*kibr*);<sup>147</sup> "conceit" (*ujb*);<sup>148</sup> "envy" (*ḥasad*);<sup>149</sup> and "sanctimony" (*riyā*).<sup>150</sup> At times this is clearly mediated through Ghazālī (see below), but there are also many instances in which Birgivi seems to draw directly on Muḥāsibī, or maybe an unidentified intermediary. Despite this strong reliance on Muḥāsibī, however, including many literal citations, Birgivi does not acknowledge his source directly in either the *Ṭarīqa* or any other of his works. But it is clear that he adopts Muḥāsibī's detailed analysis of "the heart" and its vices, as well as the rigorous regime of self-examination, i.e. of "taking one's self to account" and "calculating one's actions" (*muḥāsabat al-naḥs*). Birgivi also espoused many of Muḥāsibī's suggested "treatments," including a concerted meditation on the Qur'ān and on the example of the Prophet, as well as the re-orientation of the heart to God.<sup>151</sup>

144 For Muḥāsibī's work and its influence on the later Islamic tradition, see M. Smith, *Al-Muḥāsibī A.D. 781–857: An Early Mystic of Baghdad* (London: Sheldon Press, 1935); *idem*, "The Forerunner of al-Ghazālī," in *Journal of the Royal Asiatic Society of Great Britain and Ireland*, vol. 1 (1936), pp. 65–78; and Josef van Ess, *Die Gedankenwelt des Ḥārith al-Muḥāsibī* (Bonn: Orientalisches Seminar Universität Bonn, 1961).

145 Michael Sells, *Early Islamic Mysticism* (New York: Paulist Press, 1996), p. 348, fn. 2. For Abū Ṭālib more generally, see Richard Gramlich, *Die Nahrung der Herzen* (Stuttgart: Franz Steiner, 1992), vol. 1, pp. 11–23, and more recently, Saeko Yazaki, *Islamic Mysticism and Abu Talib al-Makki: The Role of the Heart* (Abingdon: Routledge, 2013).

146 The relationship between "self/soul" (*naḥs*) and "heart" (*qalb*) is a complex one, which I will discuss in more depth in the next chapter. Birgivi often seems to equate the two.

147 Cf. *TM*, pp. 68–78 and al-Ḥārith al-Muḥāsibī (d. 243/857), *Ri'āya li-ḥuqūq allāh*. ed. 'Abd al-Ḥalīm Maḥmūd and Ṭaha 'Abd al-Bāqī Surūr (Cairo: Dār al-kutub al-ḥaditha, n.d.), pp. 320–69.

148 Cf. *TM*, pp. 78–9 and al-Muḥāsibī, *Ri'āya*, pp. 285–319.

149 Cf. *TM*, pp. 79–85 and al-Muḥāsibī, *Ri'āya*, pp. 418–44.

150 Cf. *TM*, pp. 48–68, al-Muḥāsibī, *Ri'āya*, pp. 127–208.

151 This involved a range of intellectual and meditative exercises, reminiscent of what Pierre Hadot has called "spiritual exercises" in the context of ancient Greek philosophy. See Pierre Hadot, *Exercices spirituels et philosophie antique* (Paris: Etudes augustiniennes,

Moreover, just like Muḥāsibī, Birgivī directed his most trenchant critiques not against “ordinary” sinners, but against “the people of religion” (*ahl al-dīn*), that is men of the mosque, *madrassa* or *tekke*, who “preach what they do not practice,” or “teach what they do not live by.”<sup>152</sup> Michael Sells has thus pointed out that “Muḥāsibī’s most scathing moral exposés are not directed towards those who amass fortunes or power, but towards those who by all normal accounts are living a religious life; [...] those, whose acts of prayer, generosity and self-denial are mixed with egoism.”<sup>153</sup>

In his reliance on Muḥāsibī, Birgivī also stood in the tradition of what Bernd Radtke has referred to as an Islamic “science of the soul” (*‘ilm al-nafs* or *‘ilm al-bāṭin*). “Concomitant with external asceticism,” Radtke says, “there developed in the eighth and ninth centuries a [...] science of the soul, the content of which involved a psychagogy, i.e. a method to train the soul, as well as a system to explain phenomena relating to the soul that a mystic might encounter.”<sup>154</sup> This is exactly what we find in Muḥāsibī and, by extension, Birgivī: (i) a blueprint with detailed practical instructions for how to train the soul; and (ii) an analytical framework to explain the functioning of the soul. Muḥāsibī’s “soul-training” and Birgivī’s “purification of the heart” (its equivalent) were both based on this analytical framework. Indeed, both usually explain at length the psychological “causes” (*asbāb*) for a given vice, on the basis of which they then provide “treatment” (*‘ilāj*).

But while Radtke stresses the relevance of *‘ilm al-nafs* in a specifically Sufi context (i.e. for when an adept had to face a new “state”), Birgivī is not concerned with problems involving the actual training of Sufi disciples. Rather, it was the ordinary believer, in the problems of everyday life, involving anger, envy or feelings of superiority vis-à-vis his peers, who was to benefit from a better understanding of the workings of his self. For Birgivī, it was thus in the very mundane aspects of everyday life (i.e. in cultivating virtue in the context of day-to-day living, rather than in dealing with unknown mystical states) that the soul needed to be discovered, understood and trained.

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1987). Diffused through late antique Christianity, there are a number of meditative exercises centering on the “remembrance of God” that Sufism shared with Eastern Christian traditions. See, for instance Vincent Rossi, “Presence, Participation, Performance: The Remembrance of God in the Early Hesychast Fathers,” in James S. Cutsinger (ed.), *Paths to the Heart: Sufism and the Christian East* (Bloomington, IN: World Wisdom, 2002), pp. 64–111. In Western Christianity a comparable tradition of contemplative prayer and meditation was formulated by Ignatius of Loyola (d. 1556) in his *Exercitia spiritualia*.

152 *TM*, p. 72.

153 Sells, p. 174.

154 B. Radtke, “Erleuchtung und Aufklärung: Islamische Mystik und europäischer Rationalismus,” in *Die Welt des Islam*, vol. 34, no. 1 (1994), p. 52.

## 11 Ghazālī

As we have already seen, Muḥāsibī's *'ilm al-naḥs*, or *'ilm al-qulūb*, would come to critically influence the work of one of the greatest synthesizers of the classical Islamic tradition (and one on whom Birgivī would draw on extremely heavily)—Abū Ḥāmid al-Ghazālī (d. 505/1111).<sup>155</sup> Birgivī's reliance on the latter is evident in many parts of *al-Ṭarīqa al-muḥammadiyya*, as well as in several of Birgivī's other works. Unlike in the case of Muḥāsibī, however, Birgivī quotes Ghazālī's *Iḥyā' 'ulūm al-dīn* frequently and explicitly. But the reliance goes beyond mere quotations: there are important structural parallels between the *Iḥyā'* and Birgivī's *Ṭarīqa*, as well as countless similarities in terms of themes. Indeed, Ghazālī's *Iḥyā'* must have served as an important inspiration and model for Birgivī in composing the *Ṭarīqa*. Birgivī drew especially heavily on Ghazālī's presentation of the so-called *muhlikāt*—vices that cause a believer's damnation in the Next World—in the third “quarter” of the *Iḥyā'*, as well as on that of the *munji'āt*—virtues that save him—in the fourth “quarter” of the *Iḥyā'*.<sup>156</sup> It is important to point out that much of the material in Ghazālī was itself a synthesis of earlier sources.<sup>157</sup> While it is sometimes possible to determine what Birgivī took directly from Muḥāsibī rather than from Ghazālī, or from other earlier sources he shared with the latter, it is by and large very difficult to establish exact provenance and genealogy.<sup>158</sup> What is clear, however, is that there are significant overlaps in structure, subject matter and approach (not to mention language), between Birgivī's *Ṭarīqa* and Ghazālī's *Iḥyā'*. Whatever the ultimate origin of the material, and irrespective of which earlier sources Birgivī had access to and in what form, it is undeniable that the *Iḥyā'* must have served as an important and concrete inspiration for the *Ṭarīqa*.

Birgivī—like Ghazālī—expounds at length on “the evils of the heart” and on how to train and refine the soul, with the ultimate purpose of eliminating blameworthy character traits and establishing praiseworthy ones instead.<sup>159</sup>

155 For a good introduction to the life and thought of Ghazālī, see Frank Griffel, *Al-Ghazālī's Philosophical Theology* (Oxford: Oxford University Press, 2009).

156 al-Ghazālī, *Iḥyā' 'ulūm al-dīn* (Cairo: Maṭba'at lajnat nashr al-thaqāfa al-islāmiyya, 1937), vols. 8–11.

157 Apart from Muḥāsibī and Abū Ṭālib al-Makkī (see above), this includes most notably al-Rāghib al-Iṣbahānī (d. early 5th/11th c.). See W. Madelung, “Ar-Rāghib al-Iṣbahānī und die Ethik al-Ġazālīs,” in R. Gramlich (ed.), *Islamwissenschaftliche Abhandlungen Fritz Meier zum 60. Geburtstag* (Wiesbaden: Franz Steiner), pp. 152–63.

158 This would call for a kind of textual comparison I have been unable to carry out in the course of research for this book, due to constraints of time and space.

159 For Ghazālī's discussion of the heart, see *Iḥyā'*, vol. 8, pp. 1–86 (*sharḥ 'ajā'ib al-qalb*). For the training and refinement of the soul, see *ibid.*, pp. 88–143 (*riyādat al-naḥs wa-tahdhīb*

Just like Ghazālī, Birgivi dissects the “desires” (*shahawāt*) of the concupiscent faculty of the soul.<sup>160</sup> And although he generally avoids overly philosophical language, he freely adopts ideas and concepts derived from the philosophical tradition, albeit mediated through the Sufi tradition and popular virtue ethics. Birgivi’s understanding of the soul is thus the usual tripartite one of the neo-Platonic tradition (concupiscent—irascible—rational), espoused by the main representatives of Islamic ethics, such as such as al-Kindī (d. ca. 252/866) or Miskawayh (d. 421/1030).<sup>161</sup>

Just like Ghazālī, Birgivi devotes a long section of the *Ṭarīqa* to “the evils of the tongue” (*āfāt al-lisān*), including discussions of vices such as “slander,” “gossip,” “mockery,” “two-tongued speech” (i.e. saying one thing to one person and another thing to someone else), “delving at great length into useless topics,” and so on—all found in Ghazālī’s *Ihyā’* in similar fashion.<sup>162</sup> There are, moreover, many parallels in their treatments of “the etiquette of eating;”<sup>163</sup> the question of how to best make a living;<sup>164</sup> “the etiquette of travel;”<sup>165</sup> and other such “customs” (*ādāt*), discussed in the second “quarter” of the *Ihyā’* and liberally drawn on by Birgivi in the *Ṭarīqa*. In his discussion of the legal status of the various sciences (*ulūm*), such as mathematics and medicine (both of which are classified as *fard kifāya*), Birgivi also draws directly on Ghazālī.<sup>166</sup> Indeed,

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*al-akhlāq*). Tim Winter has translated books two and three of the third part of the *Ihyā’* in the Islamic Texts Society’s Ghazālī Series. See Tim Winter, *On disciplining the soul & On breaking the two desires: Books XXII and XXIII of The revival of the religious sciences* (Cambridge: The Islamic Texts Society, 1995). For corresponding sections in Birgivi, see *TM*, pp. 40–4, but the entire middle part of *TM* constitutes, in fact, a detailed elaboration on the various “evils of the heart,” *TM* pp. 44–127.

160 The concupiscent faculty is the “appetitive” faculty of the soul, concerned with the needs of the physical body and reproduction—hence, eating and sex. For Ghazālī’s instructions on how to tame these two desires, see *Ihyā’*, vol. 8, pp. 146–95 (*āfāt al-shahwatayn*); for the corresponding sections in Birgivi, see *TM*, pp. 176–9 (*āfāt al-baṭn*) and *TM*, pp. 179–80 (*āfāt al-farj*).

161 R. Walzer, “akhlāk,” in *EI2* (Leiden: Brill, 1961), vol. 1, p. 325. For a more detailed discussion of Birgivi’s understanding of the soul, see chapter two.

162 Ghazālī, *Ihyā’*, vol. 8, pp. 198–211 and vol. 9, pp. 1–86; *TM*, pp. 127–69

163 Ghazālī, *Ihyā’*, vol. 4, pp. 62–94, cf. also Hans Kindermann, *Über die guten Sitten beim Essen und Trinken: Das n. Buch von al-Ghazzālī’s Hauptwerk* (Leiden: Brill, 1964). Birgivi discusses the etiquette of eating in a number of places: in the “evils of the belly,” see *TM*, pp. 176–9 (e.g. on how to pass food around the table, not eating in the market place and so on); some sections of the “evils of the foot,” see pp. 182–3 (on the question of which invitations one has to accept, which ones one is allowed to decline, and so on); and in some sections of the “evils of the hand,” see p. 176 (e.g. on not using one’s left hand for eating).

164 Ghazālī, *Ihyā’*, vol. 4, pp. 168–200 and vol. 5, pp. 1–17; *TM*, pp. 102–10.

165 Ghazālī, *Ihyā’*, vol. 6, pp. 94–134; *TM*, pp. 192–3.

166 Ghazālī, *Ihyā’*, vol. 1, pp. 24–91; *TM*, pp. 26–35.

he often even retains the same Qur'ān verses or *ḥadīth* Ghazālī had quoted before him.

Despite this heavy reliance, however, Birgivī's treatment of many individual vices, especially those "of the heart" and "of the tongue" is ultimately quite different from that of "the great Imām," as he likes to refer to Ghazālī. While we find Birgivī summarizing, abbreviating and rearranging material from the *Iḥyā'*, he will usually supplement it with bits and pieces from other sources, most often the "*Fatāwā*" authors or Abū al-Layth al-Samarqandī, adding his own explanations and ideas and generally molding the various parts into a new whole. Birgivī's treatment of the "evils of the tongue," for example, ends up being quite elaborate—much more so than Ghazālī's "original," with Birgivī supplementing what he found in the *Iḥyā'* with a host of material from elsewhere.

Also, Birgivī will often merge sections that had been separate in Ghazālī, such as the vice of "sanctimony" (*riyā'*), in part three of the *Iḥyā'* (in the context of the *muhlikāt*), and its corresponding virtue "sincerity" (*ikhlaṣ*), in part four (in the context of the *munjīāt*). Birgivī merges the two separate discussions, in abbreviated fashion, into a new unit, again adding extra material, such as in the discussion of how "embarrassment" (*ḥayā'*) affects the motives of human action in complex ways.<sup>167</sup>

Apart from such re-shuffling and supplementing, we also find that Birgivī does not in fact always agree with Ghazālī, or uncritically adopt everything Ghazālī says. In the question of whether or not the evil of envy is actually "unlawful" (*ḥarām*) or merely "reprehensible" (*makrūh*), for example, Birgivī explains that while Ghazālī had argued that it was "unlawful," this is not true.<sup>168</sup> Furthermore, we often encounter shifts in emphasis, such as in their respective interpretations of "fear" (*khawf*) and "hope" (*rajā'*). While Ghazālī's approach is fairly conventionally mystical, Birgivī reinterprets them in much more mundane fashion. Indeed, for him they become "states of the mind" that any believer (not just the Sufi adept) will vacillate between: (i) the fear of having sinned, and (ii) the hope of not having done so. Or—correspondingly—(i) the fear of not attaining salvation after death, as opposed to (ii) the hope of doing so.<sup>169</sup>

Overall, Birgivī is much less inclined toward "asceticism" (*zuhd*) than Ghazālī is, holding neither "poverty" (*faqr*), nor "seclusion" (*khalwa*) in very high regard. Thus, while Ghazālī considered poverty superior to wealth, Birgivī composed a treatise outlining why a rich man, who is grateful for his wealth,

167 *TM*, pp. 57–64.

168 *TM*, pp. 79–80.

169 *TM*, pp. 67–8.

is in fact superior to a poor man, who patiently endures his lot.<sup>170</sup> Likewise, with regard to “withdrawing” from society, Birgivī was much less tolerant than Ghazālī. In fact, he believed that it was impossible for man to attain true virtue by withdrawing from interaction with others and thus forgoing many of the dilemmas and difficulties life in society poses.<sup>171</sup>

Yet despite their differences, Ghazālī and Birgivī shared many concerns. In paying homage to his paragon, Birgivī at one point proclaims that “The Imām al-Ghazālī has precisely summarized and brought together the way of the earliest authorities with regard to the purification of the heart and how to make easy the external purification [of the body] in his *Iḥyāʾ*, extracting [what is most important] from all of them.”<sup>172</sup> Indeed, in their attention to purity—both literal, ritual purity, and the metaphorical “purity of the heart”—the two men shared a crucial concern.

Furthermore, Birgivī and Ghazālī engaged in similar enterprises, albeit different in scope and context. In both cases we are confronted with important works of synthesis: Ghazālī synthesizing much of the earlier tradition of Islamic ethics, Sufism and Law, and Birgivī building on that very synthesis by reviewing, abridging and adding, thus making what he found in Ghazālī accessible in vulgarized fashion in terms of his own context of the tenth/sixteenth-century Ottoman Empire.

## 12 Emulation of the Prophet

An important aspect of Birgivī’s instructions for the “purification of the heart” concerns his single-minded focus on the figure of the Prophet Muḥammad. As the ideal model of human conduct, the example of the Prophet had to be the first point of reference in any attempt at a reform of the self. For Birgivī, in order to cultivate a virtuous disposition of the heart, the believer had to imitate the Prophet in his “generosity,” “kindness,” “courage,” “wisdom,” and so on—virtues Muḥammad was said to have embodied perfectly. This was, of course, in addition to the “customary” imitation of the Prophet’s *sunna* required in external acts. In a quote from Dhū al-Nūn al-Miṣrī (d. 246/860), Birgivī emphasizes that:

170 For Ghazālī’s views on poverty and asceticism, see Mohamed Ahmed Sherif, *Ghazali’s Theory of Virtue* (Albany: SUNY Press, 1975), pp. 138–142. For Birgivī’s treatise, see *al-Mufaḍḍala bayn al-ghanī al-shākir wa-l-faqīr al-ṣābir*. ed. Muḥammad Khayr Ramaḍān Yūsuf (Beirut: Dār Ibn Ḥazm, 1994).

171 Cf., for instance, *TM*, p. 60, where the devil wants to persuade a believer to seclude himself from society to be truly pious.

172 *TM*, p. 200.

“It is a sign of love of God to follow God’s Beloved, Muḥammad, in his character traits, [as well as] in the things he did and said, and in his custom.”<sup>173</sup>

The example of Muḥammad’s deeds and character, as transmitted through *ḥadīth*, thus formed the cornerstone of Birgivī’s understanding of virtue. He would enlist it when giving instructions on how to deal with the heart’s vices, as much as when explaining a given point of Law. Since any attempt to hone a virtuous self needed to have the Prophet’s example as its guiding principle (just as the Prophet’s community had to be the first point of reference in any attempt at a reform of society), Birgivī’s focus on the figure of Muḥammad was by no means rhetorical. Rather, it played a central role in his larger project of *naṣīḥat al-muslimīn*.<sup>174</sup>

The title of Birgivī’s work, *al-Ṭarīqa al-muḥammadiyya*, was therefore no coincidence. Intimately linked to the question of the emulation of the Prophet, *al-ṭarīqa al-muḥammadiyya* denoted a concept that has—over the last few decades—been subject to some scholarly speculation. In their study of the revivalist North African Sufi Aḥmad b. Idrīs (d. 1253/1837), Rex O’Fahey and Bernd Radtke, for example, have argued that the notion of “The Muhammadan Way” has been surrounded by “the greatest uncertainty.”<sup>175</sup> In what amounts to a “confused welter,” they say, the term *al-ṭarīqa al-muḥammadiyya* has been variously used to describe “the substitution of a mystical union with the spirit of the Prophet for that with God; the claim to an exclusive authority derived from the Prophet; a summons to political activism, or a vaguely-defined following the path of the Prophet, meaning a “return” to the *sunna* and the *uṣūl al-dīn*.”<sup>176</sup>

The concept of *al-ṭarīqa al-muḥammadiyya* seems to have risen to particular prominence in the context of a range of revivalist Sufi movements in India and North Africa in the eighteenth and nineteenth centuries, i.e. more

173 *Ibid.* For Dhū al-Nūn al-Miṣrī, see Sulamī, pp. 15–26.

174 In this, he was not alone. Indeed, the figure of the Prophet as a model for believers to emulate represents a recurrent theme in pietistic literature up until the modern period. There has existed a wide range of views among jurists, theologians and Sufis, however, as to which acts and character traits of the Prophet believers were in the end supposed to imitate. For a short discussion of the question, see Leon Zolondek, *Book XX of al-Ghazālī’s Iḥyā’ ‘ulūm al-dīn* (Leiden: Brill, 1963), pp. 6–14. The idea of an “assimilation of the character of the Prophet Muḥammad” (as *imitatio muḥammadi* in loose reference to the *imitatio christi* in the Christian context) has been discussed by A. Schimmel, *Und Muhammad ist Sein Prophet: Die Verehrung des Propheten in der islamischen Frömmigkeit* (Düsseldorf: Diederichs, 1981), p. 32 and V. Cornell, *Realm of the Saint: Power and Authority in Moroccan Sufism* (Austin: University of Texas Press, 1998), p. 65.

175 O’Fahey and Radtke, “Neo-Sufism,” in *Der Islam*, vol. 70 (1993), p. 64.

176 *Ibid.*

than two of centuries after Birgivi's death, in radically different environments from that of sixteenth-century Anatolia.<sup>177</sup> In the context of these "new" Sufi movements, Radtke argued that the term *al-ṭarīqa al-muḥammadiyya* denoted a kind of spirituality, the aim of which was no longer a mystical union with God, but rather an assimilation and absorption of the figure of the Prophet (and hence closeness to God).<sup>178</sup> By continuous meditation on Muḥammad, the adept would eventually come to dissolve into *al-ḥaqīqa al-muḥammadiyya*: Muḥammad's macrocosmic being.<sup>179</sup>

This, of course, went far beyond anything Birgivi would ever have endorsed. While he did not aim at a mystical union with God, his advocacy of a renewed focus on the Prophet as the model of human virtue was squarely rooted in the desire to cultivate a sober type of piety in everyday life and human interactions, not in any mystical absorption of a supposed "Muḥammadan Truth." Indeed, the complex philosophical framework underlying the idea of *al-ḥaqīqa al-muḥammadiyya* is entirely absent from Birgivi's thought. Moreover, while meditative exercises do form part of Birgivi's overall scheme, these are not usually focused on the Prophet himself, but on God and His omnipotence—in contrast to the weakness and mortality of humans, and their transient this-worldly life. The figure of Muḥammad only features in its capacity as the model of virtuous conduct, which—if followed—will enable the believer to achieve salvation in the Hereafter.

In this, Birgivi again stands very much within the classical tradition of *sharī'a*-minded Sufism, which saw in the assimilation of Muḥammad's "beautiful example" (cf. Q 33:21) the most important and effective way of spiritual advancement. As Vincent Cornell has pointed out in reference to al-Sarrāj's (d. 378/988) *Kitāb al-luma'*, for example, "The Sufi who wishes to assimilate the Muḥammadan paradigm must imitate the Prophet as completely as possible—a task which entails not only patterning one's behavior on the

177 See, for example, Schimmel, *Und Muhammad ist sein Prophet*, pp. 192–213; Radtke, "Neo-Sufism"; and Harlan Otto Pearson, *Islamic Reform and Revival in Nineteenth Century India: The Tariqah-i Muhammadiyah* (New Delhi: Yoda Press, 2008).

178 Radtke, "Erleuchtung und Aufklärung" (1994), p. 55. For a refutation of the idea that this type of mysticism was "new," see Michel Chodkiewicz, "Le modèle prophétique de la sainteté en Islam," in *al-Masaq*, vol. 7 (1994), pp. 201–226. (p. 204 on *al-ṭarīqa al-muḥammadiyya* specifically).

179 Radtke, "Erleuchtung und Aufklärung", p. 59. The concept ultimately goes back to Ibn 'Arabī. For a discussion of the term, see, for instance, T. Izutsu, *Sufism and Taoism: A Comparative Study of Key Philosophical Concepts* (Berkeley: University of California Press, 1983), pp. 236–8.

ritualistic aspects of the Sunna but also adhering to the Prophet's etiquette, his moral and spiritual states, and, whenever possible, his inner realities."<sup>180</sup>

The road from assimilating the Prophet's "inner realities" to a perceived *ḥaqīqa al-muḥammadiyya* must—at times—have been slippery. For Birgivi, however, there existed a clear line between what was recognized *sunna*, i.e. what had been handed down in *mutawātir* fashion (including information concerning the Prophet's character traits and moral disposition, which were to be emulated), and the "fancies" and "falsehoods" of "some of the Sufis in our time."<sup>181</sup> While he does not say so explicitly, he would certainly have counted a concept such as *al-ḥaqīqa al-muḥammadiyya* among the latter.

To sum up, Birgivi's Sufism was squarely rooted in a strict adherence to the Law and the faithful emulation of the model of the Prophet as the perfect example of human virtue. In order to acquire the praiseworthy character traits embodied in this model, the believer needed to remind himself of God's greatness, as opposed to his own humbleness and the transitory nature of this world. For Birgivi this was best achieved through a number of spiritual exercises, including meditation, a kind of "self-talk," and supererogatory prayer, none of which was, however, to be practiced in "excess." Furthermore, it did not involve any attempt at mystical union, either with God or with the Prophet, but instead was aimed at shaping a virtuous subject in the Here and Now.

### 13 Birgivi in Contemporary Comparison: Shāhzāde Korkud

The Sufi tradition, within which Birgivi formulated his design for a reform of the self, also influenced one of his most important Ottoman precursors. For Birgivi's *Ṭarīqa* had an early sixteenth-century antecedent, surprisingly similar in both its critique of individual and societal vices and its proposals for reform. Composed in (or just before) 914/1508—that is a decade and a half before Birgivi's birth—and almost double the size of the *Ṭarīqa*, the work is entitled *Da'wat al-naḥs al-ṭāliḥa ilā al-a'māl al-ṣāliḥa*.<sup>182</sup> The *Da'wa* is interesting in a

180 V. Cornell, *Realm of the Saint*, p. 199.

181 *TM*, p. 13.

182 It was first drawn attention to by C. Fleischer, "From Şeyhzade [*sic.*] Korkud to Mustafa Âli: Cultural Origins of the Ottoman Nasihatname," in Heath W. Lowry and Ralph S. Hattox (ed.), *IIIrd Congress on the Social and Economic History of Turkey* (Istanbul: Isis, 1990), pp. 67–77. The most detailed survey of its contents has been made by Nabil al-Tikriti, *Şehzade Korkud (ca. 1468–1513) and the Articulation of Early 16th Century Ottoman Religious Identity* (Chicago: The University of Chicago, 2004), unpublished PhD dissertation, chapter 5 ("Every soul tastes death"), pp. 193–233.

number of ways, not least because it was composed by an Ottoman Prince—Shāhzāde Ḳorḳud (d. 919/1513), the eldest son of Sultan Bāyezīd II (d. 918/1512) and brother of Selīm I “the Grim” (who had Ḳorḳud strangled following his accession to the throne). In writing the *Daʿwa*, Ḳorḳud’s supposed aim was to have himself released from his imperial duties as potential heir to the throne. Concerned with demonstrating the incompatibilities of worldly rule and a pious life, the *Daʿwa* was much more than a royal letter of resignation, however. It in fact laid out a comprehensive critique of what Ḳorḳud saw as the “corruption” and “immorality” of Ottoman society—a critique that was astonishingly similar to that of Birgivī nearly six decades later. And just like Birgivī’s *Ṭarīqa*, it showed numerous similarities to the type of advice literature that would come to proliferate in the later decades of the sixteenth century.

What is particularly interesting about the *Daʿwa* is the decidedly religious nature of its critique, which was much more pronounced than that of its later *naṣīhat-nāme* successors. Ḳorḳud’s condemnation of Ottoman administrative practices, for example, is articulated with direct reference to their non-compliance with the *sharīʿa*, as would later be the case with Birgivī. Ḳorḳud thus denounces the fact that the wealth of the imperial treasury (*bayt al-māl*) was unlawful (*ḥarām*), both in the way it was acquired and in the way it was being spent—a point made in much the same way by Birgivī in the *Ṭarīqa*.<sup>183</sup> The largest part of the treasury’s income—so Ḳorḳud, as well as Birgivī—derived from unlawful allocation of booty, illegal expropriation and seizure, as well as the imposition and collection of taxes not sanctioned by the *sharīʿa*. Likewise, most of the treasury’s money was ultimately spent on financing “unlawful” activities, including the personal entertainment of the Sultan, bribes and “oppression.”

Moreover, Ḳorḳud argued that even money that was originally acquired by lawful means became potentially unlawful when mixed with illegally derived revenues.<sup>184</sup> Birgivī would make the very same point in the *Ṭarīqa*, in the course of a discussion of whether or not it was permissible to accept stipends from the treasury, knowing that the great majority of its income was acquired by unlawful means.<sup>185</sup> Unlike Ḳorḳud, however, Birgivī would argue that the mixing of *ḥarām* and *ḥalāl* in the treasury did not entail that *all* of its money was unlawful. Thus, in contrast to his verdict regarding the illegality of the cash *waqf*, which we will examine in more detail in chapter five, Birgivī here

183 For Ḳorḳud, see al-Tikriti, p. 201; for Birgivī, see *TM*, p. 212 and p. 214.

184 Fleischer, p. 71; al-Tikriti, p. 201.

185 *TM*, p. 212.

espoused a somewhat more moderate stance, arguing that it was lawful to accept handouts from the treasury under certain conditions.<sup>186</sup>

In any case, what is important in both Korkud's critique and that of Birgivi, is the connection they make between personal piety and issues of larger economic and political impact. It was important to hone a virtuous self, to be sure, but that was only made possible by also addressing wider societal issues. Since the believer was not isolated from the world at large (nor would it be desirable for him to be so), he had to understand the implications of his economic dealings in this world for his fate in the Next. Indeed, both Korkud and Birgivi constantly remind their readers of the fact that all of their actions would have an impact on their respective salvation or damnation after death. It was therefore crucial to determine whether or not by, say, accepting stipends from the treasury, one was implicating oneself in the sins or, indeed, crimes through which the money the stipends came from was acquired.

Korkud and Birgivi's emphasis on the imperative of keeping the state's economic and financial policies within the bounds of God's Law—with its often "impractical" standards—is a good example of what Cornell Fleischer has called "the great gap between ideal and reality that the *shar'i* perspective produced."<sup>187</sup> This is an important point to keep in mind in assessing Birgivi's legacy. For the Law often imposed "impossibly high standards," frequently in direct conflict with the exigencies of running a state; and while Korkud acknowledged this openly (and decided to resign his princely duties), Birgivi would make it his mission to fight the state's "illicit" policies by laying out their unlawful nature, point by point, from a jurist's perspective.

More so, he would proceed to indict the jurists and scholars themselves for their complicity with the system. Just like Korkud, Birgivi thus strongly condemns the corruption of judges, *muftis* and *'ulamā'* generally, for collecting fees, for example, in exchange for the performance of their duties—a practice he deemed illegal.<sup>188</sup> In addition to the greed, venality and careerism of many of their colleagues, Birgivi and Korkud also deplore the general "ignorance" (*jahl*) of the members of the learned class in sanctioning practices and beliefs that were reprehensible at best and unlawful at worst.<sup>189</sup>

186 This is a point we would have expected Korkud to embrace as well, especially since— notwithstanding his vociferous condemnation of treasury money as illicit—he would end his *Da'wa* with a plea for financial support and a raise of his royal stipend!

187 Fleischer, "Şeyhzade Korkud," p. 75.

188 As a Sufi initiate under Sheykh Karamānī, Birgivi thus himself returned to Edirne to give back the fees he had collected as *qassām-i 'askeri* (see above, p. 23).

189 Fleischer, p. 73; *TM*, p. 73.

This failure of the *‘ulamā’*, in its turn, explained the ignorance of the population at large concerning the most basic requirements of the law.<sup>190</sup> It manifested itself, for *Ḳorḳud* as much as *Birgivi*, in the neglect of prayer, laxity in the performance of ritual ablutions (due to a lack of knowledge of the laws of purity among ordinary believers), a lack of regard for fasting during the month of *Ramaḍān*, and a neglect of other such basic individual duties.<sup>191</sup> Indeed, as we have seen, widespread “ignorance” of these duties is the reason why *Birgivi* saw it necessary to compose the *Ṭarīqa* in the first place: to educate believers in what constituted “correct belief” and “correct practice.”

Apart from “public” concerns involving the state treasury or the ignorance of scholars and ordinary believers alike, *Birgivi* also shared with *Ḳorḳud* a focus on “the heart,” the ultimate *locus* of insight and knowledge.<sup>192</sup> None of the external duties meant anything, if the believer did not “see” with his heart that the *sharī’a* was his ultimate “medicine.”<sup>193</sup> Both *Birgivi* and *Ḳorḳud* emphasize the importance of sincere and persistent repentance (*tawba*), and the fact that while single transgressions were bad enough, it was persistence in sin (*al-iṣrār ‘alā al-ma’āṣi*) that constituted the real problem.<sup>194</sup>

There were also numerous overlaps in what could be called “secondary” themes between *Birgivi* and *Ḳorḳud*, such as their aversion to banquets (*walā’im*), their condemnation of slander (*ghība*) and gossip (*namīma*), as well as sanctimony (*riyā’*) (again, including the specific denunciation of the *Malāmatī* idea that justified the abandonment of ritual worship for fear of fostering hypocrisy).<sup>195</sup> In many of these, *Ḳorḳud* and *Birgivi* were drawing on a common stock of topics from Sufi ethics, such as found in *Ghazālī’s Ihyā’*, for instance.

There are, however, also a number of important differences between *Ḳorḳud* and *Birgivi*. *Ḳorḳud*, for instance, was much more ascetically inclined than *Birgivi*, giving instructions on how to “cut” one’s bodily cravings through sleep

190 Fleischer, p. 71; *TM*, p. 212.

191 Fleischer, p. 71; *TM*, p. 193 (on prayer), pp. 209–11 (on ritual purity and how to perform ablutions), p. 196 (on fasting during *Ramaḍān*). Unlike *Birgivi*, however, *Ḳorḳud* also deplores the lack of enforcement of these neglected duties on the part of the authorities.

192 al-Tikriti, p. 217.

193 *Ibid.*, p. 218.

194 al-Tikriti, pp. 220–2; *TM*, p. 66 (for the heart as being the locus of insight, while eyes and ears are no more than “funnels”), p. 132 (for the necessary stages of repentance—the exact same as in *Ḳorḳud*) and p. 122f. (for persistence in sin).

195 For “banquets” (often an example of an event where unlawful activities are bound to take place) and how to behave there, see al-Tikriti, p. 213 and *TM*, p. 181 and 191; for slander and gossip, see al-Tikriti, p. 213 and *TM*, pp. 133–5; for the abandonment of ritual worship for fear of fostering hypocrisy, see al-Tikriti, p. 222 and *TM*, p. 53.

deprivation, cold baths, continuous nighttime prayer and the like—practices Birgivi condemns as “excessive.”<sup>196</sup> And while Birgivi agrees about the incompatibility of worldly rule with a pious life, he does not emphasize it to the same extent as Korkud does.

To sum up, Shāh-zāde Korkud’s *Da’wat al-naḥs al-ṭāliha* was foreshadowing many of Birgivi’s concerns in the *Ṭarīqa*. They had in common not only a focus on unlawful state practices, corrupt ‘*ulamā*’ and a generally ignorant ‘*amma*,’ but also an emphasis on the heart as the ultimate *locus* of knowledge, with a call for its purification as the means to bring about virtue. The way in which both Korkud and Birgivi ended up linking the question of individual piety with larger societal issues is of particular significance, as is the fact that in their call for a strict implementation of the Law, they were—as Cornell Fleischer put it—“informed by legal standards of morality so high as to be virtually unattainable in the practice of government.”<sup>197</sup>

#### 14 Birgivi and the Ottoman *naṣiḥat-nāme*: Muṣṭafā ‘Alī

The concern with corrupt state practices and a general decline in morals is something Birgivi in fact shared with several other contemporaries and near-contemporaries. Indeed, beginning in the second half of the sixteenth century, and picking up speed in the seventeenth, a number of Ottoman thinkers started to show a growing concern for what they perceived as ubiquitous signs of “decline.”<sup>198</sup>

196 al-Tikriti, p. 214; *TM*, pp. 14–9.

197 Fleischer, p. 75. In this regard it is also important to note that while Korkud did assert the legitimacy of the application of *qānūn* (in some cases even to issues within the scope of the *sharī’a*) (see al-Tikriti, p. 172), Birgivi does not even mention the word *qānūn* in the entire *Ṭarīqa*.

198 The phenomenon of Ottoman “decline literature” has been the subject of a significant amount of scholarly attention and debate. See Bernard Lewis, “Ottoman Observers of Ottoman Decline,” in *Islamic Studies*, vol. 1, no. 1 (1962), pp. 71–87; Hans Georg Majer, “Die Kritik an den Ulema in den osmanischen politischen Traktaten des 16.–18. Jahrhunderts,” in Osman Okyar and Halil Inalcik (ed.), *Social and Economic History of Turkey (1071–1920): Papers presented to the First International Congress on the Social and Economic History of Turkey: Hacettepe University, 11–13 July, 1977* (Ankara: Meteksan, 1980), pp. 147–55; Douglas Howard, “Ottoman historiography and the literature of “decline” in of the sixteenth and seventeenth centuries,” in *Journal of Asian History*, vol. 22 (1988), pp. 52–77; Rifa’at Ali Abou-El-Haj, “*Fitnah, huruc ala al-sultan* and *nasihat*: political struggle and social conflict in Ottoman society, 1560’s–1770’s” in Jean-Louis Bacqué-Grammont and Emeri van Donzel (ed.), *Actes du VI<sup>e</sup> Symposium du Comité International d’études pre-ottomanes et ottomans* (Istanbul: 1987), pp. 185–91; *idem*, “The Ottoman *nasihatname* as a discourse over

In the second half of the sixteenth century, one of the most famous representatives of this new vogue of “declinism,” as Cemal Kafadar has called it, was the chronicler, poet and bureaucrat Muṣṭafā ‘Ālī of Gallipoli (d. 1008/1600).<sup>199</sup> A couple of decades younger than Birgivi, ‘Ālī had abandoned a career in the *‘ilmiye* for the chancery, serving in various capacities in the central bureaucracy, as secretary on several military campaigns, as well as in the military and financial administration of the provinces. Often disappointed in his ambitions for advancement, ‘Ālī combined his work in the *ḳalemiye* with prolific literary activity, composing a range of works that provide a fascinating view into the world of a sixteenth-century Ottoman administrator.

Most famous among these was a monumental “history of the world,” entitled *Künhü’l-akhbār*, in which ‘Ālī articulated his frustration with the “corruption” and moral “decay” of contemporary Ottoman society.<sup>200</sup> Unlike in the case of Birgivi, however, this critique was not so much framed in relation to God’s Law—the *shari‘a*—but rather in terms of a gradual falling-away from the ideal of Ottoman sovereignty as embodied, in particular, in the *ḳānūn* of Meḫmed the Conqueror (d. 886/1482).

Thus, while Birgivi’s nostalgia for the past was directed at the age of the Prophet and the ideal community of seventh-century Arabia, ‘Ālī was pining for the “golden” days of Fātiḫ Sultan Meḫmed and men like the famed Timurid ruler of Herat, Sultan Ḥusayn Bāyqarā (d. 911/1506). As Cornell Fleischer has

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morality,” in Abdel-Jelil Temimi (ed.), *Mélanges Professeur Robert Mantran* (Zaghuan, Tunis: 1988), pp. 17–30; Cemal Kafadar, “The Question of Ottoman Decline,” in *Harvard Middle Eastern and Islamic Review*, vol. 4 (1997–1998), nos. 1–2, pp. 30–75. Apart from the question of how to best assess critically the pronouncements offered in these works, what has been most intriguing is the question of why there was such a sudden preoccupation with the idea of decline (cultural, political, social) to begin with, i.e. whether the idea of decline, perceived by these authors, corresponded to an actual crisis—one that was qualitatively different from earlier crises the Empire had had to weather. On an important side-note, it is necessary to emphasize, as Douglas Howard has convincingly done, that the early modern *European* perception of Ottoman “decline” (and later Orientalist understandings thereof) was adopted from the works of Ottoman intellectuals themselves. In their depiction of Ottoman decline, observers such as Paul Rycaut, Muradgea D’Ohsson and Josef von Hammer-Purgstall, thus relied heavily on standard Ottoman accounts, such as Koçī Bey’s *Risāle*, ‘Ayn ‘Alī Efendi’s *Qavānīn-i Āl-i ‘Osmān* or Na‘īma’s *Tārīkh*. For a recent discussion of the *naṣīhatnāme* genre and its relationship to perceptions of decline, see Shafir, “Moral Revolutions,” pp. 598–600.

199 Cornell Fleischer, *Bureaucrat and Intellectual in the Ottoman Empire: The Historian Mustafā Ali, 1541–1600* (Princeton: Princeton University Press, 1986).

200 In addition to Fleischer’s seminal study, see also Jan Schmidt, *Muṣṭafā ‘Ālī’s Künhü’l-akhbār and its preface according to the Leiden Manuscript* (Istanbul: Nederlands Historisch-Archaeologisch Instituut, 1987).

pointed out, “Ali’s [...] yearning was for the more immediate past, the fourteenth and fifteenth centuries [...] which represented for him the heyday of patronage and the flowering of the cosmopolitan literary and political culture of the post-Mongol Islamic world.”<sup>201</sup> Unlike that of Birgivi, ‘Āli’s nostalgia was thus of a relatively “secular” kind, centered on Persianate court culture, imperial glory and an ideal of worldly erudition and refinement, in which men of learning and literary accomplishment, such as ‘Āli himself, would be accorded the recognition (and position) they deserved. Instead, however, all ‘Āli got—as he continuously laments—was to be passed over by the “unworthy,” “ignorant,” and “vile.”<sup>202</sup>

In this—even though he shared with Birgivi a frustration over the nepotism and venality of the official establishment—their respective stances were ultimately very different. Birgivi abhorred the world ‘Āli was moving in and would probably have seen in him a perfect example of the ambition, or “vain hope” (*amal*), and “desire for this world” (*ḥubb al-dunyā*) that pious men should strive to leave behind.<sup>203</sup>

While ‘Āli would criticize corrupt *waqf* administrators, tax officials and government agents, he was not interested in reforming the system as a whole, but simply in having more “honest” and “able” men in place.<sup>204</sup> Birgivi, on the other hand, in his call for a dismantling of the institution of the cash *waqf*, as well as in his demand for a return to the classical Ḥanafī doctrine of land ownership and taxation, envisioned a radical overhaul, with unforeseeable consequences for the economic edifice of the Empire as a whole.

Both ‘Āli and Birgivi shared a critique of the ‘*ulamā*’, but—again—the nature of that critique was very different. While ‘Āli was criticizing second-rate ‘*ilmiye* graduates flooding the ranks of the *ḵalemiye*, Birgivi’s main concern was that many of the ‘*ulamā*’ were sanctioning “illegal” practices, out of either “ignorance” or self-interest, as in the case of the cash *waqf*. Furthermore, he decried the widespread practice of payment for “religious services,” such as reciting the Qur’ān, or praying on the behalf of the dead, which invalidated, he argued, the reward that would otherwise have been gained in the Hereafter.

Both ‘Āli and Birgivi were members of the ‘*askeri*’ class, i.e. the ruling establishment, which received money for the functions it performed from the treasury or from an endowment, as in the case of Birgivi. Despite his criticism, Birgivi would not have reached his position as professor of the Birgi *dariūlhadis*,

201 Fleischer, *Bureaucrat*, p. 141.

202 Cf. *ibid.*, p. 70 and p. 224.

203 *TM*, pp. and pp. 55–7 and pp. 101–2.

204 Fleischer, *Bureaucrat*, pp. 214–31.

had it not been for the patronage of a powerful friend like ‘Atā’ Allāh. However, to actively strive for promotion within the hierarchy, as ‘Ālī did, would have been a hateful prospect for him. Time and again, Birgivī argues that to *seek* public office, or any position of leadership (*riyāsa*) for that matter, constituted a vice, if not foolishness.

“To ask to be appointed to a position of executive power” (*su’āl al-imāra*), for instance, “to ask for a judgeship” (*su’āl al-qaḍā*), or “to ask to be appointed manager of a *waqf*” (*su’āl tawliyat al-awqāf*) were all “evils of the tongue” (*āfāt al-lisān*), as Birgivī explains in the *Ṭarīqa*.<sup>205</sup> In fact, people who want to be rulers, or strive to be promoted to positions of power, he says, quoting a *ḥadīth*, will encounter only three things: (i) blame (because they will never be able to please everyone), (ii) regret, and (iii) punishment on the Day of Judgment.<sup>206</sup> For Birgivī, the kind of worldly ambition ‘Ālī displayed thus represented foolishness at best and an evil at worst that was certainly better avoided.

Even though Birgivī did not strive for high office himself, as a moralist he nevertheless saw it as his duty to bring reprehensible and potentially illegal practices to the attention of the ruler. He did so most famously—as we have seen—during his journey to Istanbul, shortly before the end of his life, when he confronted the Grand Vezir. In addition, he also composed a treatise on governance and the proper administration of the state dedicated directly to the Sultan: the *Irshād* or *Dhukhr al-mulūk*.<sup>207</sup> Indeed, Birgivī’s *Dhukhr* represented a work of *naṣīḥat* along the lines of the Ottoman mirrors-for-princes genre, of which Muṣṭafā ‘Ālī’s own *Nuṣḥatū’s-selāṭīn* was one of the first full-flung examples.<sup>208</sup>

Birgivī, like other *naṣīḥat-nāme* writers, stresses the imperative of imperial justice in the face of evils such as the collection of illegal taxes, the seizure of lands, the expropriation of livestock and other inequities—all brought about by ignorance of God’s Law, he says, as well as by greed and the love of money and material possessions (*ḥubb al-māl*). He appeals to the Sultan to beware of the mixing of *ḥalāl* and *ḥarām* in the treasury, and not to accept gifts of unlawful origin, nor to give them. Moreover, he warns against the appointment and promotion of scholars and administrators without reference to merit, learning or seniority, leading to a decline in the standards of knowledge regarding the proper running of the affairs of the Empire.

205 *TM*, pp. 154–5.

206 *Ibid.*, p. 155.

207 See above, pp. 43–4.

208 See Andreas Tietze (ed.), *Muṣṭafā ‘Ālī’s Counsel for Sultans of 1581: edition, translation, notes* (Wien: Österreichische Akademie der Wissenschaften, 1979–82), 2 vols.

In the themes evoked, Birgivi's critique is fairly standard; in some of the practical solutions suggested, however, it is quite radical, as we will see in chapter five. As opposed to the "declinism" espoused by other *naṣiḥat-nāme* writers, such as that of 'Ālī, Birgivi's account was much more in line with the classical Islamic tradition of *fasād al-zamān*, which harked back to the ideal of the Prophet, rather than that of the glory days of the early Ottomans. Birgivi does not, in fact, seem concerned with the military or political successes of the Empire at large and rarely, if ever, mentions the Ottoman dynasty itself.<sup>209</sup> What he cares about, instead, is the Law and whether or not the state and its practices are in agreement with the *sharī'a*'s precepts. Indeed, Birgivi differed from Muṣṭafā 'Ālī and other *naṣiḥat-nāme* writers in that his discourse was not guided by pragmatic considerations of successful statecraft, but by a deeply moralistic drive, rooted in the conviction that societal, as much as individual virtue (and, hence, salvation and closeness to God in the Afterlife) depended on meticulous obedience to God's Law, as it had been lived by the Prophet and his community.

While his fellow *naṣiḥat-nāme* writers were just as "idealist" in their nostalgia for a perfect world of bygone ages, their prescriptions for change were much less rigid, however, admitting of compromise, workability as well as the accommodation of customary practices into the scope of what was considered "lawful."<sup>210</sup>

## 15 Birgivi and Ottoman Jurisprudence: Ebū's-Su'ūd

With regard to the question of how to accommodate "custom" (Ar. *āda*, pl. *ādāt*), Birgivi's work stands in sharp contrast to that of Ebū's-Su'ūd (d. 982/1574)—the most famous and probably most important Ottoman jurist of the sixteenth century. Often referred to as "the second Nu'mān," according to Ottoman tradition, Ebū's-Su'ūd is the man to be credited with harmonizing Ottoman imperial *ḵānūn* with the *sharī'a*. In particular, it was his official redefinition of the laws of land tenure and taxation—one of the areas in which Birgivi would most fervently oppose him—that earned him this reputation.<sup>211</sup>

Birgivi saw Ebū's-Su'ūd's official sanctioning of pre-conquest feudal practice in terms of the Ḥanafī tradition as diametrically opposed to the precepts

209 There is not a single mention of it in the *Tarīqa*, for instance.

210 These questions will be discussed in depth in chapter five.

211 Colin Imber, *Ebu's-su'ud: The Islamic Legal Tradition* (Edinburgh: Edinburgh University Press, 1997), p. 51 and p. 82.

of the Law. Moreover, Ebū's-Su'ūd's official approval of the cash *waqf*, another practice Birgivi regarded as illegal, and his declaration that it was lawful to give and receive remuneration for religious duties, such as teaching, or reciting the Qur'an, spurred Birgivi into opposition. Convinced that Ebū's-Su'ūd's pronouncements ran directly counter to the original intent of God's Law, Birgivi would, in fact, devote much of his adult life to refuting the supposed legality of many of the practices Ebū's-Su'ūd officially endorsed.

Born in 896/1490, or shortly thereafter, and thus thirty years Birgivi's elder, Ebū's-Su'ūd would outlive the latter by a year, dying at the age of eighty-four after a long and successful career at the top of the Empire's religious hierarchy. He had already embarked upon a promising trajectory by the time Birgivi was born, and stands, in many ways, as a towering figure over the latter's life and work. Indeed, Ebū's-Su'ūd's presence can be seen as providing a frame for Birgivi's life, not only in terms of chronology, but also—and more importantly—in terms of the content of many of Birgivi's most strongly held beliefs. This is not to say that Birgivi was merely “reacting” to an agenda set by Ebū's-Su'ūd, but rather that, in sharing a great part of their professional lives, they were bound to join in the same debates—albeit on opposing sides of the table—over the most controversial political, economic and social issues of the day.

By the time Birgivi was ten years old, Ebū's-Su'ūd had left his teaching position at the *Şahn-ı Seman*—the most prestigious institution of higher learning in the Empire—to take up the judgeship of Bursa and, less than a year later, that of Istanbul.<sup>212</sup> This was no mean feat for a scholar his age. Unlike Birgivi, however, who came from a family of mostly local influence, Ebū's-Su'ūd's background was one of academic and spiritual “nobility.” As the son of Sheykh Muhyī al-Dīn Iskilībī (d. 920/1514), for whom Sultan Bāyezīd II (d. 918/1512) had built a *zāwiya* in Istanbul, and great-nephew of the Samarqandī astronomer and mathematician, ‘Alī Qūshjī (Tr. Kuşçu) (d. /1474), a disciple of Ulugh Beg, Ebū's-Su'ūd enjoyed imperial favors from early on.<sup>213</sup> While still a student under the then *kadiasker* Müeyyedzāde, he was, for example, accorded a daily stipend of thirty akçe by Sultan Bāyezīd II (a substantial sum at the time) and refused his first teaching appointment because his salary would have been lower than this imperial pension.

212 For a detailed account of Ebū's-Su'ūd's life, including discussions of the various biographical discrepancies, see Repp, *The Müfti of Istanbul*, pp. 274–95.

213 For Ebū's-Su'ūd's father, see Repp, pp. 221–2, esp. fn. 77. For ‘Alī Kuşçu, see İhsan Fazlıoğlu, “Qūshjī, Abū al-Qāsim,” in Thomas Hockey *et al.* (eds.), *The Biographical Encyclopedia of Astronomers* (New York: Springer, 2007), pp. 946–8.

At the age of forty-five, when Birgivi was fifteen years old, Ebū's-Su'ūd became *kadiasker* of Rumeli, the second most important position in the religious hierarchy. It was in this position that he began his reform of the *mülāzemet* system, regulating the way *medrese* graduates would be invested with office. Birgivi's professional career was directly influenced by this systematization, as he would spend his first years after graduation teaching in various adjunct positions, while waiting for his first formal assignment as *qassām-i 'askeri* in Edirne in 958/1551, i.e. at the age of almost thirty. At this point Ebū's-Su'ūd had already been *muftī* of Istanbul and thus the highest religious authority of the Empire for six years. He was to hold this position for the next three decades, until his death in 982/1574, a year after Birgivi.

Over the course of his long tenure as Sheykhū'l-Islām, Ebū's-Su'ūd would have a lasting impact on Ottoman Islam. His *fatwās* and the *ma'rūdāt* submitted to Süleymān, for instance, had "an important systematizing effect on Ottoman legal practice," as Richard Repp has pointed out.<sup>214</sup> Indeed, Ebū's-Su'ūd's office famously become something of an assembly-line *fatwā*-producing machine, with an entire team of clerks involved in a standardized process of formulating and drafting questions, according to templates; these were then submitted to Ebū's-Su'ūd for a simple "yes" or "no" answer and signature.<sup>215</sup> Collected in various anthologies after his death, these *fatwās*—some of which Birgivi would refute in *fatwās* of his own—were to have a lasting influence on Ottoman jurisprudence over the following centuries.<sup>216</sup> As opposed to earlier grand *muftīs*, Ebū's-Su'ūd did not confine himself to narrowly academic business, however, but participated actively in the affairs of the Empire, something that is reflected in his legal opinions, too.

In 966/1559, for instance, he declared Prince Bāyezīd, one of the sons of Süleymān, a rebel whose blood was lawful (together with that of his followers), thus securing the succession of Selīm II and involving himself in a direct and critical way in the dynastic politics at the center of Ottoman power.<sup>217</sup> Such

214 Repp, p. 282. See also Paul Horster, *Zur Anwendung des Islamischen Rechts im 16. Jhd.: Die „juristischen Darlegungen“ (Ma'rūdāt) des Scheich ül-Islam Ebū Su'ūd (gest. 1574)* (Stuttgart: W. Kohlhammer, 1935); Friedrich Selle, *Prozessrecht des 16. Jahrhunderts im osmanischen Reich: Auf Grund von Fetwas des Scheichülislame Ebüssuud* (Wiesbaden: Harrassowitz, 1962); Uriel Heyd, *Studies in Old Ottoman Criminal Law* (Oxford: Clarendon Press, 1973), ed. Victor Ménage.

215 Imber, pp. 14–5.

216 For one of his refutations, see Birgivi, *Radd wa-ibtāl fatwā abī al-Su'ūd*. Princeton University Library, Islamic Manuscripts, Garrett no. 5380Y.

217 This was just six years after Ebū's-Su'ūd had been involved in the execution of Süleymān's first son and heir to the throne, Muṣṭafā. See Repp, p. 284, quoting the Flemish diplomat and Habsburg ambassador to the Sublime Porte, Ogier Ghiselin de Busbecq: "Solyman

involvement in the power politics of the court would have been inconceivable to Birgivî, who continuously warns his readers to steer clear of involvement with rulers. In his discussion of the vice of “arrogance,” for instance, Birgivî devotes an entire section of the *Ṭarīqa* to “the arrogance of the *‘ulamā’*,” in which he cites the following *ḥadīth*: “The religious scholars are the trustees of the Messenger of God over the believers, as long as they do not mingle with worldly power, and enter into worldly affairs. For if they enter into this-worldly affairs and mingle with worldly powers, they betray the Messenger. Avoid them!”<sup>218</sup>

Irrespective of Ebū’s-Su‘ūd’s desire to “mingle with worldly power,” and what Birgivî thought of it, it is clear that, in his systematization of the imperial *kānūn* in terms of Ḥanafī doctrine, Ebū’s-Su‘ūd displayed an impressive amount of legal ingenuity—an achievement for which he is still remembered as one of the most outstanding Ottoman jurists and a prime example of the fact that Islamic law was by no means “static” or “unchanging,” let alone “unchangeable.” Moreover, it was precisely the political leverage that his desire to “mingle with worldly power” had accorded him that allowed Ebū’s-Su‘ūd to successfully implement his reforms and put his stamp on the development of Ottoman law in such a lasting way.

Birgivî’s response to Ebū’s-Su‘ūd’s “innovative” spirit, was not unoriginal or ineffective either, however. Indeed, as we will see in chapter five, in his call for the abolition of both feudal tenure and the cash *waqf*, and a return to the “true meaning” (as he understood it) of the early Ḥanafī sources, Birgivî was suggesting a truly radical solution. Moreover, in his denunciation of Ebū’s-Su‘ūd’s sanctioning of “unlawful” practices—both in his writings and in action (such as his in his visit to the Grand vezir, Soḡollu Meḥmed Pāshā)—Birgivî was accumulating the kind of moral capital that could be just as powerful as Ebū’s-Su‘ūd’s political pull.

As a result, Birgivî was able to put his own stamp on things, too. Thus, while Ebū’s-Su‘ūd’s influence on Ottoman legal practice was lasting, so, in a way, was that of Birgivî’s ideas. Appropriated and re-appropriated by generation after generation after his death, the “figure” of Birgivî and his thought would become a rallying point for opposition groups of various political inclinations and allegiances, such as the *Ḳāḏizādelis* of seventeenth century Istanbul. Birgivî’s moral authority thus continued to live on.

Finally, it must be pointed out that, despite all their differences, Birgivî and Ebū’s-Su‘ūd’s respective projects were ultimately quite similar: both were

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[...] with a view to satisfying his religious scruples, [...] had previously consulted his mufti.”

218 *TM*, p. 72.

attempting, to the best of their ability, and in line with their convictions, to discover God's Law in the changed circumstances of the tenth/sixteenth century. Both were engaged in an effort to define what constituted "correct belief" and "correct practice" in a world that was undergoing rapid change. Their disagreement is a good example of the fact that the process of defining "orthodoxy" (cf. Krstić's "Sunnitization") was a process that involved a great deal of complexity in practice, a constant toing and froing between numerous interpretative actors.

# The Fundamentals of Piety: An Overview of the Structure and Contents of *al-Ṭarīqa al-muḥammadiyya*

## 1 Introduction

Just a year before his premature death of the plague in 981/1573 Birgivī put the final touches to his latest work, *al-Ṭarīqa al-muḥammadiyya*. The entry on the year 981 in Ibn Jum‘a’s eighteenth-century biographical dictionary of the governors of Damascus provides an indication of the popularity the work would attain in the centuries after Birgivī’s death:

The Sheikh, the *imām*, the high-minded master, the esteemed and most-excellent scholar, Muḥammad Efendī al-Birgivī al-Rūmī died during the course of this year [...] Among the works he composed is a commentary on [Bayḍāwī’s *Lubb al-albāb*], a *mukhtaṣar* of [Ibn al-Ḥājjib al-Miṣrī’s work on syntax called] *al-Kāfiya*, as well as a small text on the science of *farā’id* (the distribution of the shares of an estate). He wrote glosses and treatises in the fields of Ḥadīth, Qur’ān recitation and jurisprudence. He is also the author of a work entitled *al-Ṭarīqa al-muḥammadiyya wa-l-sīra al-aḥmadiyya*. It is a fine, excellent piece of work, in which the author blends matters of legal erudition (*al-masā’il al-fiqhiyyāt*) with points of pious disposition (*bi-l-maqāmāt al-zuhdiyyāt*), bringing together the advantages of learned traditions (*al-fawā’id al-’ilmiyyāt*) and the precious pearls of doctrinal expositions (*al-farā’id al-’itiqādiyyāt*). It has been written with elegance and clarity. The work is an exhortation, addressed to the community, dispelling the heart’s anxieties. Muḥammad Efendī was a righteous man; no blame can be put before God regarding him. He worked fervently for the triumph of the *sharī’a* and died in *jumādā al-ūlā* of 981 [...].<sup>1</sup>

1 Ibn Jum‘a, *Wulāt dimashqfi al-’ahd al-’uthmānī*, ed. Ṣalāḥ al-Dīn al-Munajjid (Damascus: 1949), p. 17. Cf. also the French translation by Henri Laoust, *Les gouverneurs de Damas sous les mam-louks et les premiers ottomans (659–1156/1260–1744): Traduction des annals d’Ibn Ṭūlūn et d’Ibn Ğum‘a* (Damascus: Institut Français de Damas, 1952), p. 188. For Ibn Jum‘a (d. sometime after 1156/1744), see *ibid.*, pp. xxiff. As he states, Ibn Jum‘a obtained his information on Birgivī from his teacher ‘Abd al-Ghanī al-Nābulusī (d. 1144/1731).

The purpose of this chapter is to give an overview of the organization and contents of this “excellent piece of work,” to give the reader an idea of Birgivi’s overall approach and to see—in more detail—in what ways Birgivi “blends” legal issues with issues of piety. While a number of scholars have pointed to the importance of Birgivi’s *Ṭarīqa* for the history of early modern Islamic thought, only very few have so far engaged with the actual contents of the work.<sup>2</sup> Apart from giving a taste of Birgivi’s style, this chapter is, thus, to provide a point of departure for future research. In what follows I will pay particular attention to areas not covered in my subsequent case studies (chapter four on sanctimony, chapter five on wastefulness, the cash *waqf* and land tenure and taxation). I will argue that the formal organization of the *Ṭarīqa* represents Birgivi’s argument on a structural level. That is to say, the way Birgivi presents his material is directly and intrinsically connected to his ideological concerns.

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

2 Among these is, most recently, Huriye Martı, *et-Tarīkatü'l-Muhammediyye: Muhteva Analizi, Kaynakları ve Kaynaklık Değeri* (Istanbul: Rağbet, 2012). Apart from Martı, a number of other scholars have provided partial descriptions of the work, such as Emrullah Yüksel, *Les idées religieuses et politiques de Mehmed al-Birkéwī (929–981/1523–1573)* (Paris: Sorbonne, 1972), unpublished PhD thesis, which covers the first part of the work (*al-bāb al-awwal*); *ibid.*, *Mehmed Birgivi'nin (929–981/1523–1573) Dinî ve Siyasî Görüşleri* (Ankara: Türkiye Diyanet Vakfı, 2011), pp. 55–7; Michael Kemper, *Sufis und Gelehrte in Tatarien und Baschkirien, 1789–1889. Der islamische Diskurs unter russischer Herrschaft* (Berlin: K. Schwarz, 1998), pp. 148–58; and Bernd Radtke, “Birgivi’s *Ṭarīqa muḥammadiyya*: Einige Bemerkungen und Überlegungen,” in *TUBA*, vol. 26 (2006), pp. 159–74.

the work in their turn. Drawing attention to the *Ṭarīqa*'s structure will help us make Birgivi's concerns more explicit.

## 2 A Note on the Textual History of *al-Ṭarīqa al-muḥammadiyya*

A few words are in order regarding the textual integrity of the *Ṭarīqa*. By this I mean the question of how far the text of *TM*, as it exists in edited form today, corresponds to the text Birgivi composed in 980/1572. More than that, it also concerns broader issues of textual "authenticity." The history of the text of *TM*—almost four and a half centuries old now—has not been subject to detailed scholarly investigation yet. In fact, no serious critical edition of *TM* exists.<sup>3</sup> Manuscript copies of the work have survived in large numbers;<sup>4</sup> and there are some indications that the transmission of the text seems to have been less than straightforward.

Among these, is a curious mention on the part of Kemper, for instance, of an Arabic *Waṣīya* by Birgivi.<sup>5</sup> At first sight this seems to be a mistake for Birgivi's *Waṣīyet-nāme* (*VN*), written in Ottoman Turkish and covering, in rudimentary fashion, the fundamentals of belief and practice. The Arabic *waṣīya*

3 I am using the 1352 AH/1937 CE edition by Aḥmad Sa'd 'Alī, published in Cairo by Maṭba'a Muṣṭafā al-Bābī al-Ḥalabī. Kemper references an edition published by al-Bābī al-Ḥalabī from 1343/1924–5. I am unaware of such an edition, and wonder if it is possible that the al-Bābī publishing house would put out two different editions of the same work in such a relatively short time-span. The 1937 edition cannot be a simple reprint or second edition of an earlier one, however, due to the fact that it is presented as "*al-ṭab'a al-ūlā*" on the cover page. My edition seems to differ from the one used by Kemper in page numbers, as well as—it seems—at times even in terms of content.

4 See Brockelmann, *GAL*, vol. II, pp. 583–6 and Supplement vol. II, pp. 654–8. There are two hundred and twenty-one copies in Istanbul manuscript libraries alone, cf. N. Atsız (ed.), *İstanbul Kütüphanelerine göre Birgili Mehmet Efendi (929–982 = 1523–1573) Bibliyografyası* (Istanbul: Milli Eğitim Basımevi, 1966); cf. also F. E. Karatay (ed.) *İstanbul Üniversitesi Kütüphanesi Arapça Basmalar Alfabe Kataloğu* (Istanbul: Istanbul University, 1953), pp. 434–7 and *idem*, *Topkapı Sarayı Müzesi Kütüphanesi Türkçe Yazmalar Kataloğu* (Istanbul: Topkapı Palace Museum, 1961). For copies in the rest of Anatolia, see A. R. Karabulut, *Mu'jam al-makḥṭūṭāt al-mawjūda fī maktabāt İstānbul wa Ānāṭūlī* (Kayseri: Akabe Yayınları, n.d.), vol. iii, pp. 1291–6 and p. 1569f. The Bosnian collections, where *TM* copies also feature very heavily, have been discussed in detail by Muhamed Ždralović, "Bergivi u Bosni," *Prilozi za orijentalnu filologiju* (Sarajevo), vol. 41 (1991), pp. 409ff. For Bulgaria, see Simeon Evstatiev, "The Qāḏizādeli Movement and the Revival of *takfīr* in the Ottoman Age," in Camilla Adang *et al.*, *Accusations of Unbelief in Islam: A Diachronic Perspective on Takfīr* (Leiden: Brill, 2016), pp. 226f. Other national collections (e.g. Syria) have not been surveyed to the same extent, but likewise contain large numbers of manuscripts of the *Ṭarīqa*.

5 Kemper, p. 161.

discussed by Kemper, however, is different. Kemper states that the middle part of the work closely resembles the middle part of *TM*. If this is true, we could be dealing with either a confusion in titles, or a curious hybrid. Indeed, there seems to have been frequent confusion between *TM* and *VN*.<sup>6</sup> In conjunction with the various translations of both, which have also not been studied from a textual point of view, and that of the commentary history on both, it makes for a confusing and quite complex mass of texts. The complex history of the transmission of *TM* in manuscript form has also led to numerous variations in the printed editions of the work, which at times differ surprisingly in terms of content.

### 3 General Structure of *TM* and Overview of Contents

The *Ṭarīqa* is divided into three main parts (*abwāb*, sg. *bāb*), which are uneven in size. While the first and last are each relatively short, the middle part of the *Ṭarīqa* consists of more than two thirds of the entire work.<sup>7</sup> It covers Birgivī's discussion of "piety" (*taqwā*) and its "practical manifestations" (*majāri al-taqwā*), which—as already mentioned—thus lie "at the heart" of Birgivī's concern in more than just a symbolic sense.

In terms of content, the three chapters (*fuṣūl*, sg. *faṣl*) of part one (*al-bāb al-awwal*) cover: (i) the imperative to adhere to the Qurʾān and the Sunna (*al-i'tisām bi-l-kitāb wa-l-sunna*), (ii) the imperative to avoid "innovation" (*bid'ā*), and (iii) the importance of "moderation in deeds" (*al-iqtiṣād fī al-'amal*). Birgivī's emphasis on avoiding innovation, as well as on referring to and abiding by the Qurʾān and the *sunna* in all one's deeds, finds its most obvious expression in the frequently repeated necessity to imitate the Prophet Muḥammad and his way (*ṭarīqa*). "To be moderate" and "avoid all excess," too,

6 *Ibid.*, p. 163, fn. 283, for instance, mentions an early nineteenth century Kazan edition of Kāḏizāde's commentary *Jawharīya-i bahīya-i aḥmadiyya fī sharḥ al-waṣīya al-muḥammadiyya*. Was this *sharḥ al-waṣīya al-muḥammadiyya* a commentary on *VN* or *TM*? The title gives the hybrid *VM*. Whether or not this confusion went beyond the titles, and actually involved textual merging, mixing and muddling can only be determined by a detailed examination of the manuscripts. It is also odd that Kemper refers to Kāḏizāde as Aḥmed rather than Meḥmed.

7 The tri-partite overall division of the *Ṭarīqa* is mirrored at the level of chapters, sections and sub-sections as well. Thus, each of the three main parts of the *Ṭarīqa* is divided into three chapters (*fuṣūl*, sg. *faṣl*), which in their turn are further divided into (usually) three sections, and subsections, in a structure reminiscent of a layered onion. Numbering and enumeration seems to be of significance for Birgivī, as we will see below. For a discussion of the meaning of the number three in Islam, see F. C. Endres and A. Schimmel, *Das Mysterium der Zahl: Zahlensymbolik im Kulturvergleich*, second edition (Köln: E. Diederichs, 1984), p. 82.

represents a way of imitating the Prophet, and thus of adhering to the *sunna*. The pride of place afforded to the idea of *iqtiṣād* in the *Ṭarīqa* is significant, in fact, with Birgivi defining virtue—in classic Aristotelian fashion—as the golden mean between two extremes and thus as a point of moderation or balance.

Part two (*al-bāb al-thānī*) of *TM* is also divided into three chapters. The first of these (i) deals with questions of theology and doctrine.<sup>8</sup> The second (ii) gives a taxonomy of knowledge and the various sciences, including a discussion of their legal status.<sup>9</sup> The third (iii)—on piety (*taqwā*)—is subdivided into the following sections: (a) why is piety a virtue (*faḍīlat al-taqwā*); (b) how piety is defined, including the various meanings covered by the term (*tafsīr al-taqwā* and *maʿānī al-taqwā*); (c) the practical manifestations and applications of piety in daily life (*majāri al-taqwā*).<sup>10</sup>

Making sense of this structure, the first chapter of part two, on theology and right belief (*iʿtiqād*), presents yet another “foundation”—parallel to the foundations laid out in chapter one of part one. Birgivi here outlines the basic beliefs necessary for a Muslim to lead a good life and achieve salvation. The basis and foundation for happiness in both this life and the Hereafter is right belief, he says.<sup>11</sup> You cannot act properly unless your actions are founded on the right doctrine. And unless you act properly salvation cannot be achieved.

Two issues closely related to this are then discussed in chapters (ii) and (iii). These are *ʿilm* in chapter (ii), and *ʿamal* in chapter (iii). In order to *act* properly, Birgivi’s reasoning goes, your actions need to be based not only on right belief but also on *knowledge*. He runs through and classifies the different types of knowledge—knowledge that is enjoined, knowledge that is recommended, and knowledge that is forbidden. Action, resulting from belief and knowledge, and *pious* action in particular, is then discussed in chapter (iii), the main bulk of *TM*.<sup>12</sup>

The structure of part two, arranged around the concepts of belief (*iʿtiqād*), knowledge (*ʿilm*) and action (*ʿamal*), is reminiscent of the work of Ghazālī. While Birgivi’s exposition of doctrine reflects a conservative Māturīdism in substantial terms, as opposed to Ghazālī’s Ashʿarism, the structure of his discussion of the legal statuses of the various sciences shows a heavy dependence on the first book of the *Ihyāʾ* (*kitāb al-ʿilm*);<sup>13</sup> and his overall conception of virtue and vice, including how a particular action will—over time—become

8 *TM*, pp. 19–25.

9 *TM*, pp. 26–35.

10 *TM*, pp. 35–197.

11 *TM*, p. 39.

12 *TM*, pp. 40–187.

13 See Ghazālī, *Ihyāʾ*, vol. 1, pp. 8–49.

engrained as a habit, corresponds to that presented by Ghazālī in the *Mizān al-ʿamal*.<sup>14</sup> Thus, Birgivi’s discussions of right belief in chapter (i), *ilm* in chapter (ii), and *ʿamal* (in the form of pious action) in chapter (iii) seems to be generally dependent, albeit in unacknowledged fashion, upon Ghazālī’s discussions of these very same issues in his own works.

Part three (*al-bāb al-thālith*) of *TM* deals with two areas of concern: questions of ritual purity, on the one hand, and questions of wider economic and societal concern, on the other. This seems random at first, but Birgivi explains both as concerning “matters that are wrongly assumed to belong to piety and God-fearing” (*umūr yuḏann annahā min al-taqwā wa-l-warʿ*). That is to say, Birgivi here treats types of behavior and things people believe to be pious, when in fact they are not.<sup>15</sup> The mistaken assumption comes about, Birgivi explains, because certain “pseudo-pious” ways of acting, often resemble pious behavior. They bear, he says, an affinity and resemblance to pious acts (*bi-sabab nawʿ munāsaba wa-mushābaha lahā*).<sup>16</sup>

Just like parts one and two of *TM*, part three is divided into three chapters. First (i) Birgivi expands on the question of “over-zealousness,” or “extreme fussiness,” in the enforcement of ritual purity.<sup>17</sup> This, he argues, is a form of excessive behavior, which lies outside of the bounds of the Law and the *sunna*. More so, in some cases over-zealousness in ritual purity can even constitute *bidʿa*.

Chapter (ii) of this very last part of *TM* then covers a number of important issues relating to societal virtue. Examining the illicit nature of cash-*waqfs*, Birgivi explains that one should be on one’s guard against profiting from such an “un-Islamic” institution.<sup>18</sup> He proceeds to discussing public finances, coin clipping, inflation, including the disparity between the nominal and real value of coins, and the implications of it all on the validity of contracts of sale. Moreover, the chapter concludes with a substantial section on land ownership and taxation. Just like in the preceding section on ritual purity, Birgivi introduces these various practices as instances in which people *believe* to be acting

14 Cf. for instance, *TM*, pp. 40–1 with Ghazālī, *Mizān al-ʿamal* (Beirut: Dār wa-maktabat al-hilāl, 1995) ed. ʿAlī Bū Muḥim. Two translations of the work are available, both of which provide good introductions to Ghazālī’s psychology and virtue ethics. See Hikmat Hachem, *Critère de l’action: traité d’éthique psychologique et mystique* (Paris: G. P. Maisonneuve, 1945), with an introduction by Louis Massignon, pp. vii–viii, and ʿAbd -Elšamad ʿAbd -Elḥamīd Elschazlī, *Das Kriterium des Handelns: aus dem Arabischen übersetzt mit einer Einleitung, Anmerkungen und Indices* (Darmstadt: Wissenschaftliche Buchgesellschaft, 2006).

15 *TM*, p. 197.

16 *Ibid.*

17 *TM*, pp. 198–211.

18 *TM*, pp. 211–216.

piously—this time in the arena of economics, finance and land tenure—when, in fact, they are not.

Chapter three (iii), the very last part of *TM*, represents somewhat of a summary after-thought. In less than a page, Birgivi reiterates that there are, indeed, “many invalid acts of innovation which people devote themselves to eagerly.”<sup>19</sup> Among them, he repeats, are the establishment of cash *waqfs*, as well as *waṣīyas* (testamentary instructions) laid down for the recitation of the Qurʾān and supererogatory prayers after a person’s death for money, the building of mausoleums and so on. Birgivi exhorts his readers to study these matters carefully, referring us to specialized works of his on these topics, in particular the *Inqādh* and the *Īqāz*.<sup>20</sup>

#### 4 Detailed Summary of Contents—Introduction

After this first overview of the general outline of the work, I now want to move to a more detailed discussion of the work’s actual contents. In his introduction, Birgivi begins by saying that “felicity” (*saʿāda*), “prosperity in this world” and “the blessing and pleasures of an Afterlife in Paradise” can only be achieved by following the way of the Prophet, that is, the way the Prophet behaved in his everyday life: “[...] they are only attained by following the Seal of the prophets, our Master, and the Master of the first ones and the last ones, in beliefs, speech, character and deeds.”<sup>21</sup> He explains that his aim in composing the *Ṭarīqa* was to “expound on the blessed way [of the Prophet] so that anyone who seeks to follow it can subject his own behavior to critical examination by way of comparison, and so that he may distinguish right from wrong, and that which saves [him] from that which causes [his] destruction.”<sup>22</sup>

#### 5 Innovation

Giving copious examples from both the Qurʾān and Ḥadīth at the beginning of each new subsection, Birgivi describes the way he has arranged his work into three main parts (*abwāb*), before embarking on his first in-depth

19 *TM*, p. 216.

20 *Ibid.*

21 *TM*, p. 4.

22 *TM*, p. 5.

discussion of a topic of concern: the question of “innovation” (*bidʿa*).<sup>23</sup> Citing the well-known *ḥadīth* that “Every innovation is an error [...] and every error ends in Hell,” Birgivi proceeds to ask how the acceptance by the *fuqahāʾ* of certain kinds of *bidʿa* was supposed to agree with this tradition.<sup>24</sup> How is it, he wants to know, that certain forms of *bidʿa*, such as using a sieve (which did not exist at the time of the Prophet) are allowed (*mubāḥ*)? Some activities—he continues—like the building of minarets or schools, or the composition of books which, strictly speaking, constitute *bidʿa*, are in fact recommended (*mustaḥabb*). Indeed, at times, they may even become a duty (*wājib*). The refutation of the arguments of heretics, for instance, would constitute an example of the type of *bidʿa* that is *wājib*.<sup>25</sup>

Birgivi’s treatment here is in agreement with the conventional practice by which *bidʿa* came to be classified according to the five *aḥkām* of Islamic law.<sup>26</sup> Another way of categorizing *bidʿa* was in terms of binaries: “praiseworthy”

23 His section on the imperative of adhering to the Qurʾān and the Sunna does not in fact offer any real discussion, but consists—in somewhat circular fashion—of a long list of quotations from the Qurʾān and Ḥadīth in support of the demand to follow them. For an overview of works on the topic of *bidʿa* and their contents, see Maribel Fierro, “The treatises against innovation (*kutub al-bidʿa*)” in *Der Islam*, vol. 69 (1992), pp. 204–46. Fierro points to the fact that discussions of *bidʿa* were not confined to specialized treatises only, but can be found in heresiographies, *ʿaqāʾid* literature, *ḥisba* treatises, and *fatwā* collections. Manuals of exhortation and advice, such as Birgivi’s *Tariqa*, could be added. One of the works Radtke has suggested the *Tariqa* should in fact be compared to is Ibn al-Ḥājj al-ʿAbdarī al-Fāsī’s (d. 737/1336) *Madkhal al-sharʿ al-sharīf*, which Fierro mentions in her list of *kutub al-bidʿa*. See Radtke, “Bemerkungen,” p. 173 and Fierro, p. 208. For Ibn al-Ḥājj, see *GAL*, vol. 2, 82, p. 101 and Supplement vol. 2, p. 95; Jean Claude Vadet, “Ibn al-Ḥājj” in *EI2*, vol. 3 (Leiden: Brill, 1971), p. 779. Neither Vadet, Fierro or Radtke mention Goldziher’s examination of Ibn al-Ḥājj’s account of the “innovations” he observed to be practiced at the tomb of Abraham, see Ignaz Goldziher, “Das Patriarchengrab in Hebron nach Al-ʿAbdarī,” in *Zeitschrift des deutschen Palästina-Vereins*, vol. 17 (Leipzig: Bädeker, 1894), pp. 115–122. ʿAbdarī does indeed share many of Birgivi’s concerns, especially in his emphasis on the attitude of the heart, without which any outward performance of ritual becomes meaningless.

24 *TM*, p. 11.

25 *Ibid.*

26 See J. Robson, “Bidʿa” in *EI2* (Leiden: Brill, 1960), vol. 1, p. 199, as well as Fierro, “Treatises against innovation,” p. 206. For the problem of translating *bidʿa* as “heresy” and how it differs from, say, *zandaqa* or *ilhād*, see B. Lewis, “Some observations on the significance of heresy in the history of Islam,” in *Studia Islamica*, vol. 1 (1953), pp. 52ff. Birgivi touches on the issue of how *bidʿa* relates to *kufr* (see below), although he does not go into much depth. He also dwells on its relationship to *sunna*. While he conceives of this relationship mostly as one of opposition, this is not always necessarily the case. In fact, *bidʿa ḥasana* could often come to constitute something very much akin to *sunna*. Birgivi does not, however, elaborate on the issue.

(*bid'a maḥmūda*) versus “blameworthy” (*bid'a madhmūma*), or “good” (*bid'a ḥasana*) versus “bad” (*bid'a sayyi'a*). As we will see, Birgivi will later refer to this second way of categorizing *bid'a*, too.

Birgivi goes on to argue that the word *bid'a* has both a “general linguistic meaning,” and a “specific legal meaning.”<sup>27</sup> He defines the latter as “adding to or taking away from the religion, after the Companions, without the permission of God, in speech or deeds, explicitly or implicitly.”<sup>28</sup> He then goes on to specify this even further: “Customs (*ʿādāt*) are never part of this; rather, it is restricted to some beliefs and some forms of rituals.”<sup>29</sup> This is slightly inconsistent in light of Birgivi’s subsequent classification of *bid'a* into three categories: (i) *bid'a* in faith, (ii) *bid'a* in ritual, and (iii) *bid'a* in custom.<sup>30</sup>

With regard to the first category, “*bid'a* in faith,” the only thing worse than it, Birgivi states, is actual *kufṛ*. In fact, some kinds of *bid'a* in faith are unbelief, while others just constitute grave sins (*kabā'ir*). He does not provide any concrete examples, except for saying that even in cases where *bid'a* in faith does not actually constitute *kufṛ*, it is considered worse than a grave sin “in deed,” such as murder (*qatl*) and adultery (*zinā*).<sup>31</sup>

As far as “*bid'a* in ritual” is concerned, Birgivi goes on, “even though it is not as bad as *bid'a* in faith, it is also wrong and constitutes error.”<sup>32</sup> Again, we are not provided with any concrete illustrations. Birgivi only refers to “acts of worship” (*ibādāt*) generally. The category of *bid'a* that is of real concern to Birgivi, however, is neither “*bid'a* in faith,” nor “*bid'a* in ritual,” but “*bid'a* in custom” (*bid'a fi-l-ʿāda*).

27 *TM*, p. 11.

28 *Ibid.*

29 *Ibid.*

30 *TM*, p. 12. Here, Birgivi explicitly includes “custom” (*ʿāda*) as a type of *bid'a*, as opposed to the earlier statement that customs (*ʿādāt*) are excluded from the category of *bid'a* altogether. The term *āda* is difficult. It can mean various things in different contexts and is not always clearly defined. In a legal framework, it usually refers to areas not covered by the main sources of the law. For an introductory discussion of the term in the Ḥanafī context, see G. Libson, *Jewish and Islamic Law: A Comparative Study of Custom during the Geonic Period* (Cambridge, MA: Islamic Legal Studies Program, Harvard Law School, 2003), pp. 68–72.

31 *TM*, p. 12. For the issue of “grave sin” see “Kabīra” in *EI2*, vol. 12, p. 483 and Wensinck (Gardet), “*Khaṭī'a*” in *EI2*, vol. 4, p. 1106f. An example of “*bid'a* in faith” constituting *kufṛ* would be to say that there are prophets after Muḥammad. An example of “*bid'a* in faith” constituting a grave sin could be to deny that the questioning of Munkar and Nakīr, upon one’s death, is actual reality. These are examples of my own to illustrate the distinction Birgivi might have intended; he himself does not provide any examples.

32 *TM*, p. 12.

As we have seen above, not all types of *bid'a* were necessarily deemed “bad” (*sayyi'*) or “blameworthy” (*madhmūm*) according to the binary scheme for categorization, nor “reprehensible” (*makrūh*) or “forbidden” (*ḥarām*), according to the *aḥkām* scheme of categorization. While Birgivī indisputably considered both “*bid'a* in faith” and “*bid'a* in ritual” *ḥarām*, it is with regard to the third category that things get more complicated. Accordingly, he spends most time in this section discussing the third kind of *bid'a*: *bid'a fī-al-āda*.<sup>33</sup>

He declares that it is true that some kinds of *bid'a* in custom are permissible, such as using a sieve. To this he adds, however, that it is better not to engage in them if possible, even though there is no real harm in them.<sup>34</sup> There exist also a number of activities that help or protect Islam in one way or another, even though the earliest generation of Muslims had not yet engaged in them. These kinds of *bid'a*, as we have already seen, include the building of minarets and schools, the transmission of knowledge by way of books, and the refutation of the arguments of heretics. All of them are not only permissible, but actually enjoined.<sup>35</sup>

Birgivī draws attention to the opposition of *sunna* and *bid'a* and then embarks upon a number of legal questions. One of these is whether or not it is more harmful to commit an act of *bid'a* than to omit a *sunna*, which Birgivī says it is.<sup>36</sup> Furthermore, Birgivī asks whether it is worse to omit a duty (*wājib*) or to commit a *bid'a*.<sup>37</sup> He declares that there is confusion regarding this issue. Things get especially complicated depending on, whether or not, the person who engages in a given act is (or is not) sure of its legal status.<sup>38</sup>

## 6 *Bid'a* and Sufism

Following this legal discussion of *bid'a* in custom, Birgivī turns his attention to Sufism—an area of piety in which “innovations” could abound. Arguing that

33 *TM*, pp. 12–14.

34 *TM*, p. 12.

35 *Ibid.* Birgivī explains that the fact that they were not yet instituted as duties by the Prophet and the Companions was because, at that point, they were either not yet needed, or other things were more important. Some of them were not instituted due to material constraints. Birgivī also argues that if one were to investigate all the things that have been labeled “good *bid'as*,” one would, in fact, find them to be permitted by God, either *ishāratan* or *dalālatan*.

36 *TM*, p. 12.

37 *Ibid.*

38 Birgivī here cites Ṭāhir b. Aḥmad al-Bukhārī's (d. 542/1147) *Kitāb khulāṣat al-fatāwā*, see above, p. 65, fn. 4.

many “Sufis of our age”—a standard phrase he uses—are engaged in unlawful practices, Birgivī presents the speech of an imagined Sufi to illustrate the many things he saw wrong with what they did.<sup>39</sup>

As soon as they are criticized for what they do, he says, Sufis who engage in activities that go against the *sharīʿa* make a number of spurious claims. His stand-in Sufi thus begins by explaining that, “when something is unlawful according to the *sharīʿa*, this is based on knowledge of the external (*ʿilm al-ẓāhir*) only.”<sup>40</sup> “We, however,” the Sufi says, “are bearers of hidden knowledge. And, according to this [hidden knowledge] it [i.e. that which the *sharīʿa* says is unlawful] is lawful. You take from the Qurʾān, while we take from its bearer, Muḥammad [directly]. So, when something is ambiguous to us, we seek his [i.e. Muḥammad’s] advice. And if that does not work, we turn to God Himself and take from Him [directly]. We are in seclusion; we will reach God by the resolve of our Sufi master, and the sciences will be unveiled for us. So we do not need the Qurʾān, or studying and reading with a teacher. For the attainment of God only comes about through the rejection of external knowledge and the Law. And if we were wrong, these exalted states (*tilka al-ḥālāt al-saniyya*) would not overcome us, and these sublime miracles [would not happen], like seeing [heavenly] lights (*mushāhadat al-anwār*) and having visions of great prophets (*ruʿyat al-anbiyāʾ al-kibār*). If something reprehensible or forbidden were really to be done by us, we would be warned in a dream, and we would know, by way of that dream, what is lawful and what is unlawful [...]”<sup>41</sup>

Birgivī angrily responds that these sorts of arguments are nothing but shams (*turrahāt*), heresy (*ilhād*) and error (*dalāl*).<sup>42</sup> “It is the duty,” he says, “of anyone who hears empty prattle like this to tell those who are articulating it that they are wrong; and to be absolutely certain of the wrongness of what they say, without hesitation or even considering it. Otherwise that person [who hears what they say without opposing them] must be considered one of them and judged to be a heretic.”<sup>43</sup>

Birgivī then explains that the *ʿulamāʾ* have clearly stated that “inspiration (*ilhām*) is not a source of knowledge for the prescriptions [of the Law], nor are dreams, especially when they are in opposition to the Qurʾān or the practice

39 *TM*, pp. 12–4.

40 *TM*, p. 13.

41 *Ibid.*

42 *Ibid.*

43 *Ibid.*

of Muḥammad.”<sup>44</sup> He continues to quote a number of “respectable” Sufi authorities in support of his views: Junayd al-Baghdādī, Sarī al-Saqaṭī, Abū Yazīd al-Biṣṭāmī, Abū Sulaymān al-Dārānī, Dhū al-Nūn al-Miṣrī, Bishr al-Ḥāfi, Abū Saʿīd al-Kharrāz and Muḥammad b. al-Faḍl.<sup>45</sup>

Junayd, for example, is quoted as saying that “Whoever has not memorized the Qurʾān, and has not written Ḥadīth, is not to be followed in this matter,” i.e. the Sufi path.<sup>46</sup> This is “Because our [Sufi] knowledge and our [Sufi] *madhhab* are restricted by the Qurʾān and the *Sunna*.”<sup>47</sup> Likewise, Birgivi warns his readers, “to not let the supposedly pious deeds of ignorant ones, who pretend to lead an ascetic and devout life, deceive you, nor their corrupt roamings, which are misguided and which misguide others, after deviating from the straight path of the Law, departing from the course of the jurists and deserting the ways of the [true] Sufi *shaykhs*. Woe, all woe upon them and upon those who follow them! [...] They dress truth in falsehood. They hide the truth knowingly.”<sup>48</sup>

While we know from elsewhere that Birgivi considered a whole range of Sufi practices illicit, including vocal *dhikr*, *samāʿ* and *dawarān*, he mentions none of these here. In another passage, however, later on in the *Ṭarīqa*, Birgivi explains his position further: “Most of them pray without pausing on each posture before moving on to the next, and they do not recite the Qurʾān correctly, and despite these disgraceful acts they claim that they have reached union with God [...] But no! How wrong, how preposterous! Yes, they have reached

44 *Ibid.* The notion that “inspiration is not one of the sources of cognizance” is not new. Cf. Nasafi’s creed, where (i) sound senses, (ii) true narration, and (iii) reason are the three sources of knowledge, but explicitly *not* inspiration (*ilhām*). Cf. also Kemper’s remarks, p. 152 and fn. 237.

45 For Junayd (d. 277), often also referred to as *sayyid al-tāʾifa*, *ṭāʾūs al-fuqarāʾ* or *shaykh al-mashāyikh*, a renowned third-century Sufi, who, next to al-Ḥarīth al-Muḥāsibī, is regarded as one of the greatest exponents of “sober” Sufism, see Sulamī, pp. 155–163; his uncle and teacher Sarī al-Saqaṭī (d. 251) was an important Baghdādī Sufi of the second generation, see *ibid.*, pp. 41–48; for Abū Yazīd al-Biṣṭāmī (d. 261), another celebrated Sufi of the same generation, see *ibid.*, pp. 67–74; for Abū Sulaymān al-Dārānī (d. 215), see *ibid.*, pp. 75–82; for Dhū al-Nūn al-Miṣrī (d. 246), see *ibid.*, pp. 15–26; for Bishr al-Ḥāfi (d. 226 or 227), see *ibid.*, pp. 39–47; for Abū Saʿīd al-Kharrāz (d. 286), see *ibid.*, pp. 228–232; for Muḥammad b. al-Faḍl al-Balkhī (d. 319), see *ibid.*, pp. 212–216. All of these figures, except for Abū Yazīd al-Biṣṭāmī, were generally regarded as acceptable, sober, “orthodox” Sufis—as opposed to the more out-of-bounds, intoxicated Sufis of the kind of al-Ḥallāj; and even though al-Biṣṭāmī, with his famous exclamation, “Glory to me! How great is my majesty!” is usually counted as “intoxicated,” he was nevertheless highly regarded by sober Sufis, and many of his sayings were taken up by orthodox Sufism with great enthusiasm.

46 *TM*, p. 13.

47 *Ibid.*

48 *Ibid.*

union, but with Satan! Deceived by his wishes, acting in accordance with his whisperings [...].”<sup>49</sup>

Birgivī’s language betrays the strong feelings involved. Again, his concern is with correct ritual before anything else. These “Sufis of our time,” he says, are unable to perform even the most basic acts of ritual worship. They do not pray correctly and are unable to recite the Qur’ān properly, whether out of ignorance or neglect, we are not told. Instead, they have the audacity to claim to be able to reach “union” with God. As we have seen, Birgivī did not believe in mystical union to be something ordinary believers should strive for. In fact, he only uses the term when criticizing “misguided” Sufis. Focusing on the disciplined cultivation of virtue in the Here and Now, he does not deny the overall benefits Sufism (*taṣawwuf*) can offer, however: “The heart of a person who studies *fiqh* without considering *zuhd* or *ḥikma* is hardened,” he says.<sup>50</sup> Indeed, “Sufism (*taṣawwuf*) means ridding the heart of its vices and adorning it with virtues.”<sup>51</sup> In this, i.e. in its “ideal” form, Sufism encapsulates Birgivī’s overall project: “Sufism [means] leaving every lowly character trait behind, and embracing every character trait that is sublime.”<sup>52</sup>

While he never explicitly speaks of “good” Sufism as opposed to “bad” Sufism, a division along these lines is clearly at work in Birgivī’s thinking. On the one hand, he constantly denounces the arrogance and deviance of “some of those who have adopted the Sufi way in our age” (*ba’d al-mutaṣawwifa fī zamāninā*), while speaking of Sufism generally as the ideal way to establish virtue, on the other.

In line with his overall theological position, Birgivī does not deny the possibility of Sufi miracles either. In a comparison of saints and prophets, for instance, he clearly states that, “the miracles (*karamāt*) of the saints (*awliyā*) are true, such as traversing a far distance in a short time, the appearance of food, drink and clothes when they are needed, flying in the air, walking on water, inanimate objects speaking, animals, too, and so on.”<sup>53</sup>

Saints and their miracles are thus clearly a reality for Birgivī. But this did not mean that the “exalted states” or “visions” Sufi adepts would claim in his own time were necessarily from God. They could just as well come from the devil—the constant tempting force, which played such a decisive role in Birgivī’s understanding of human self-deception, as we will see in the next chapter. It was

49 *TM*, p. 34.

50 *Ibid.*, p. 33.

51 *TM*, p. 42.

52 *Ibid.*

53 *TM*, p. 20.

precisely because of the constant possibility of self-deception that the Law was so crucial. It provided the standard against which to measure any “vision” or “state” that seemed out of the ordinary. The Sufis Birgivī so fiercely attacked lacked legitimacy because of their inability to carry out the most basic acts of ritual worship, rather than because they were arrogating for themselves “visions” or “exalted states.”

“If you encounter a man who can perform miracles—he may even be able to sit in the air—do not be bedazzled by him, until you see how he behaves in terms of commanding [right] and forbidding [wrong], guarding the *ḥudūd* and carrying out the Law.”<sup>54</sup> Hence, it was the Law—as manifested in correct ritual—that constituted the divining line for Birgivī. The question of what, ultimately, fell within the bounds of the Law and what didn’t, however, was under constant negotiation, as Birgivī’s debates with Ebū’s-Su‘ūd and others clearly show.

## 7 Moderation

Following his treatment of the imperative to “adhere to the Qur’ān and the *sunna*” in chapter (i), and that of “avoiding *bid’a*” in chapter (ii) (including Birgivī’s excursus on Sufism), chapter three (iii) of the first *bāb* of *TM* covers the issue of “moderation in deeds” (*iqtisād fī al-‘amal*). By this Birgivī meant avoiding excessive behavior in all areas of life, including exaggerated devotional exercises.<sup>55</sup>

In a tradition Birgivī provides in his opening section to the chapter, the Prophet is reported to have entered the mosque and seen a rope strung between two columns. Upon asking what it was for, he was informed that it had been put up on Zaynab’s command. When she got tired in the performance of her supererogatory prayers, she would use the rope to pull herself up. Rather than being impressed with Zaynab’s zealous embrace of supererogatory prayer, however, the Prophet ordered the rope to be cut, explaining that instead of praying to the point of exhaustion, one should do only as much as one is capable of.<sup>56</sup>

“Moderation” (*al-iqtisād*), as Birgivī conceives of it, is thus to abstain from excessive behavior that harms body and soul. Ascetic practices that deprive the body of sleep or food, as well as spiritual exercises (*riyāḍāt*) such as non-stop

54 *TM*, p. 13.

55 *TM*, pp. 14–19.

56 *TM*, p. 16.

prayer or Qurʾān recitation, all run counter to the “right mean” in terms of religiosity. Birgivī stresses the point that one’s body does not belong to oneself alone. Rather, the believer owes it to God and to his fellow human beings to look after it and not treat it too harshly. Birgivī marshals a range of traditions to emphasize this point, arguing that “God wants you to accept His dispensations [...]”;<sup>57</sup> and that “your body has a right over you; your spouse has a right over you; and your guests have rights over you.”<sup>58</sup>

He furthermore exhorts his readers: “Do not be hard on yourselves, for God will be hard on you. He is hard on people who are hard on themselves.”<sup>59</sup> This last tradition in particular, Birgivī explains, originally referred to hermits, whom God “was hard on” since they engaged in activities that they “had invented for themselves,” in direct allusion to Q 57:27 (*rahbāniyya ibtadaʿuhā mā katabnāhā ʿalayhim*).<sup>60</sup>

Birgivī next discusses a number of legal opinions on the question of *iqtiṣād*. The move from Qurʾān quotations, to Ḥadīth and then on to “the opinions of the legal experts” (*aqwāl al-fuqahāʾ*) becomes standard procedure in almost every chapter. Birgivī quotes from Ibn al-Buldajī al-Mawṣilī’s *Ikhtiyār li-taʿlīl al-mukhtār* and al-Andarpatī’s *al-Fatāwā al-tātārkhāniyya* to underline his view that excessive worship and withdrawal from society are ills that should not be cultivated.<sup>61</sup> Living and working in the midst of society, and for its benefit, carrying out one’s religious duties, but also taking advantage of the dispensations God has given, is better than secluding oneself and engaging in excessive worship or ascetic practices. There is a right mean to how one should go about one’s life—devoted to one’s religious obligations, but at the same time mindful of one’s physical and spiritual limitations and the debts one has vis-à-vis society—that the concept of “moderation in deed” (*al-iqtiṣād fī al-ʿamal*) ultimately expresses.<sup>62</sup>

57 *TM*, p. 16.

58 *TM*, p. 17.

59 *TM*, p. 17.

60 For a discussion of this verse and a range of prophetic *ḥadīth* on the theme of *rahbāniyya*, see Sara Sviri, “*Wa-rahbāniyyatan ibtadaʿuhā*: An Analysis of Traditions concerning the Origin and Evaluation of Christian monasticism,” in *Jerusalem Studies in Arabic and Islam*, vol. 13 (1990), pp. 195–208.

61 *TM*, p. 17. For both Mawṣilī and Andarpatī, see above, pp. 79f.

62 Birgivī goes into all sorts of detail here, explaining, for instance, that he refuses to accept the reliability of traditions which portray the earliest generation (*al-salaf*) as engaged in excessively devout behavior and exaggerated spiritual practices. He furthermore argues that “excess in ritual is prohibited for two reasons”: First, because such excess leads to “the destruction of the self [...] and to not being able to give others what they are due” (e.g. a spouse, neighbor, etc.) as well as to “the abandonment of ritual worship.” Secondly, “the

## 8 Doctrine

Part two of *TM*, just like part one, is also divided into three chapters. The first of these is on “right belief,” or rather, literally, “the making correct of belief,” “the verification of doctrine” (*taṣḥīḥ al-i’tiqād*).<sup>63</sup> In true ‘aqīda-style Birgivi includes a discussion of what, in theological terms, would be referred to as the “knowledge of God.” Expounding on the very foundations of faith, he explains that: God is One, nothing resembles Him, He has no body, shape or form, He has no essence or limit, He is not to be found in any particular point in space or time, nor in any direction, and so on.<sup>64</sup> There are rudimentary discussions of anthropomorphism, free will versus predestination, the “tortures of the grave” (*‘adhāb al-qabr*), major sin (*al-kabīra*) and other essential questions of theology, in all of which Birgivi follows mainstream Māturīdī doctrine.<sup>65</sup>

In a comparison of Birgivi’s theological pronouncements with those of some later Ḥanbalī scholars, Khaled El-Rouayheb has argued, accordingly, that “Birgivi [...] followed mainstream Māturīdī tradition in recognizing eight essential attributes of God: the seven mentioned by al-Taftāzānī [...] and the attribute of “bringing into existence” (*takwīn*). [...] Birgivi denied that God’s speech consists of letters and sounds, again in contrast to Ḥanbalīs [...]. He also explicitly denied that God is in space or direction. Indeed, those who use spatial expressions of God, saying that He is in the heavens or “above” are condemned as unbelievers. Birgivi followed mainstream Sunni theologians in denying that non-eternal attributes can subsist in God, apparently ruling out the possibility that “being seated on the throne” or “descending on the night of mid-Sha‘bān” can be thought of as attributes of the divine Self. While Ash‘arī theologians held that those who believed that non-eternal attributes subsist in God were wayward but not unbelievers, Birgivi characteristically adopted the strict Māturīdī view that they are unbelievers.”<sup>66</sup> Emphasizing the

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Prophet was sent as [God’s] mercy to human beings, [so] if there were a way in worship and in getting close to God that was better and more beneficial than that which he followed, he would have taken it up or explained it, and urged people to follow it.” But he didn’t, and therefore, Birgivi argues, it is best just to follow what established *sunna* says he did, rather than to engage in “excessively” pious practices. *TM*, p. 18. The idea of a right or “golden” mean—corresponding to the *aurea mediocritas* of ancient philosophy (Gk. *mesotes*)—had a long and well-established history in the Islamic tradition. For an overview of its various manifestations, see Ignaz Goldziher, *Muhammedanische Studien*, vol. 2 (Halle a. d. Saale: Max Niemeyer, 1890), pp. 397–400.

63 *TM*, pp. 19–25.

64 *Ibid.*, p. 19.

65 *Ibid.*, p. 20.

66 Rouayheb, “Changing views of Ibn Taymiyya,” pp. 303–4.

essential distinction in theological outlook between Birgivī and Ibn Taymiyya, Rouayheb thus points out that, “Ibn Taymiyya was accused by al-Subkī and Ibn Hajar al-Haytamī of precisely that which Birgivī claimed was tantamount to *kuf̄r*, namely believing that non-eternal attributes can subsist in the divine Self, and [...] with some reason.”<sup>67</sup>

To come back to the *Ṭarīqa*, Birgivī continues his outline of “correct doctrine” by moving on to questions of political theory. He discusses the question of the Imāmate, providing a standard list of the requirements necessary for the leader of the community to hold, and a reminder of the respect that is due to him by believers.<sup>68</sup> This is followed by a summary discussion of some more theological issues, such as belief in Resurrection (*al-qiyāma*), the existence of Paradise (*al-janna*) and Hellfire (*al-nār*) and the various events and paraphernalia of the Day of Reckoning.<sup>69</sup> The question of unbelief (*kuf̄r*), leads Birgivī into something of a mini-heresiography, in which he swiftly covers a range of major and minor Muslim sects: from the Kaysāniyya, the Twelver Shi‘a and the Yazīdīs, the Najjāriyya, the followers of Mu‘ammar, the followers of “Shayṭān al-Ṭāq,” the Jahmiyya, the Qadariyya, and the Murji‘a to the Khārijites.<sup>70</sup> He ends his excursus with an exhortation that believers should follow the proper path of the *ahl al-sunna* instead.<sup>71</sup>

Birgivī next turns his attention to the question of whether it is prophets, angels or saints who are to be deemed higher.<sup>72</sup> There is no question, he says, that prophets come before saints. “Prophets (*anbiyā*) and messengers (*rusul*) have been sent down with miracles and with revealed books, from

67 *Ibid.*

68 *TM*, p. 21. For Ottoman attitudes regarding the question of the imamate, see H. Yılmaz, *Caliphate Redefined*.

69 *Ibid.*, p. 22.

70 *Ibid.*, pp. 22–24. For these, cf. Muḥammad b. ‘Abd al-Karīm al-Shahrastānī, *Kitāb al-milal wa-l-niḥal*, ed. Muḥammad b. Faṭḥ Allāh Badrān (Cairo: Maṭba‘at al-Azhar, 1951). For the Kaysāniyya, see pp. 280–301; the Twelver Shi‘a, pp. 324–362; the Najjāriyya, pp. 138–141; “the followers of Mu‘ammar,” pp. 97–101; “the followers of Shayṭān al-Ṭāq,” pp. 403–6; the Jahmiyya, pp. 135ff.; the Murji‘a, pp. 257–276; and the Khārijites, pp. 195–256. For the Yazīdiyya, see P. G. Kreyenbroek, “Yazīdī” in *EI2*, vol. 11, p. 313; and for the Qadariyya, J. van Ess, “Qadariyya,” *EI2*, vol. 4, p. 368.

71 *Ibid.*, p. 24. “So it is your duty, oh traveler on the path, to make an effort and get down to business in reaching certainty, through the path of the Sunnis, and to submit to it voluntarily, and to be on your guard to the utmost degree of wakefulness and alertness and submissiveness, and to seek help from God, without stopping and so that your belief does not cease, because of someone causing you to go astray and inducing doubt in you.” This, again, is followed by an example of the “misguided” pronouncements of a “Sufi of our age,” regarding the vision of God.

72 *TM*, p. 24.

one generation to another, to convey [God's] wisdom. They are completely free from unbelief and lying, from major sins and minor sins, [they are even free] from the intention to commit minor sins."<sup>73</sup> This, however, is not the case with saints. Angels, on the other hand, cannot be compared to either, since they are not human ("they are not characterized by being male or female, eating or drinking and that which comes with these things [...]"), fulfilling a completely different function.<sup>74</sup> Birgivī ends his examination of right belief with a discussion of the place of the four rightly-guided caliphs and a number of other Companions, as well as the question of who among them would enter Paradise.<sup>75</sup>

## 9 The Legal Status of the Various Sciences

The next chapter—chapter two of part two of the *Ṭarīqa*—consists of a taxonomy of knowledge (*ʿilm*), i.e. a classification and definition of different "sciences" and their respective legal status.<sup>76</sup> Birgivī presents three categories: kinds

73 *TM*, p. 20.

74 *Ibid.*

75 *TM*, p. 25; cf. also p. 21: "We bear witness that the following will enter Paradise: the ten, i.e. the four rightly guided caliphs, Ṭalḥa, Zubayr, ʿAbd al-Raḥmān b. ʿAwf, Saʿd b. Abī Waqqās, Saʿīd b. Zayd and Abū ʿUbayda b. al-Jarrāḥ, as well as Fāṭima, al-Ḥasan, and al-Ḥusayn, and others than them from among those to whom the Messenger of God brought his message directly, then the Followers." This was a deeply political question in the context of sixteenth-century Ottoman Sunnitization, as was, for instance, the question of "the cursing of Yazīd." See Kātib Chelebi, *The Balance of Truth*, trans. G. L. Lewis (London: George Allen and Unwin, 1957), pp. 84–88.

76 *TM*, pp. 26–35: *al-faṣl al-thānī fī al-ʿulūm al-maḥṣūda li-ghayrihā*, lit. "[...] the sciences that are sought for other than themselves." In the following I will use the terms "kinds of knowledge" and "sciences" interchangeably. Both are used to translate the Arabic plural *ʿulūm*, which denotes fields of learning (i.e. "sciences"), on the one hand, and the actual contents of these fields (i.e. "knowledge"), on the other. In the singular, the term *ʿilm* often translates as "knowledge of Ḥadīth" specifically, although Birgivī's use is much broader. For a detailed discussion of the term *ʿilm*, see Franz Rosenthal, *Knowledge Triumphant: The Concept of Knowledge in Medieval Islam* (Leiden: Brill, 1970). Birgivī also includes a discussion of the particular relationships of different kinds of knowledge to each other, such as the relationship between the religious sciences and the natural sciences. For a good discussion of the status of the non-religious sciences in the medieval Islamic world, especially philosophy and medicine, see G. Endress, "Wissenschaftliche Literatur," in H. Gätje (ed.), *Grundriß der Arabischen Philologie*, vol. 11: *Literaturwissenschaft* (Wiesbaden: Ludwig Reichert, 1987), pp. 400–506. For the religious sciences see Wilferd Madelung, Miklos Muranyi and Annemarie Schimmel, "Religiöse Literatur in arabischer Sprache," *idem*, pp. 298–383.

of knowledge that are (i) commanded (*ma'mūr bihā*), (ii) forbidden (*manhīy 'anhā*), and (iii) recommended (*mandūb ilayhā*).<sup>77</sup> Commanded, says Birgivī, are all those sciences that help a Muslim individually, or the community in general, to carry out their duties.<sup>78</sup> Along the fault lines of the division between *farḍ 'ayn*, on the one hand, and *farḍ kifāya*, on the other, Birgivī explains that while there are certain rudimentary skills every Muslim is expected to master (such as how to pray, for example), the knowledge of Ḥadīth, *fiqh*, *tafsīr*, Arabic or mathematics is not incumbent upon everyone.

Birgivī's discussion of the "sciences that are recommended" is extensive and fairly legalistic in nature, covering topics such as medicine, bloodletting, cauterization, etc. His section on "sciences that are reprehensible" is even longer. In fact, the categories are not stable and a science that might be "recommended" in one case will be "reprehensible" or even "forbidden" in another. Logic, for instance, is permitted (*mubāh*) as far as it is needed in theology, but reprehensible beyond that, while theology itself is, in fact, forbidden beyond the bound of the absolutely necessary. This is because, when practiced beyond these bounds, it "causes harm and does not benefit."<sup>79</sup> Of course, Birgivī concedes, speculative theology is necessary to "defend against the opponent" (*daḥḥ al-khaṣm*), and "to clearly establish the correct *madhhab*" (*wa ithbāt al-madhhab al-ḥaqq*).<sup>80</sup> But to indulge in anything beyond these basic functions, theology should not be allowed.

The same goes for astronomy, he says. It is necessary from a religious point of view, to calculate the times and direction of prayer. However, its use for anything beyond that is dispensable. What is interesting, in both cases, is that rather than categorizing theology and astronomy under the label of "permitted" but in some cases "reprehensible" or "forbidden," Birgivī begins by saying they are "forbidden" and subsequently qualifies the cases in which they are permitted.

## 10 The Virtue and Meaning of Piety

By far the longest, and arguably the most important chapter of *TM* is that devoted to the subject of *taqwā* or piety. Birgivī again divides his discussion into

77 In what follows, however, he also discusses sciences that are reprehensible (*makrūh*).

78 *TM*, p. 26.

79 *TM*, p. 29.

80 *Ibid.*, p. 27, quoting from Kardarī's *al-Fatāwā al-bazzāziyya*.

three sub-sections.<sup>81</sup> The first of these, replete with Qurʾān and Ḥadīth quotations, describes why piety is a virtue.<sup>82</sup> “From among all the good character traits possible,” Birgivi explains, “none is mentioned and praised more often in the Qurʾān than *taqwā*.”<sup>83</sup> As a result, he says, “there is no-one nobler, in the eyes of God, than the person who possesses this quality and acts in accordance with it.”<sup>84</sup> The degree of piety a believer is able to cultivate in the Here and Now will determine the extent of his closeness to God in Paradise. Hence, Birgivi argues, it would be foolish not to strive to be as pious as possible.<sup>85</sup>

Birgivi defines the term *taqwā* in chapter (ii), discussing in detail the various semantic fields it covers.<sup>86</sup> The word, he says, can have “a general linguistic meaning,” and a “specific, legal meaning.” Originally deriving from the verb “to protect,” and the verbal noun “protection,” the word *wiqāya* denotes almost a kind of “excess” in guarding or protecting, i.e. “really making sure that a thing is guarded.”<sup>87</sup> The eight verbal form *ittaqā* carries the reflexive meaning “to protect oneself,” “to guard oneself,” “to make sure.” In general, Birgivi explains, *taqwā* means to guard yourself, by avoiding things that will bring you harm in the Hereafter.<sup>88</sup> This, he says, admits a wide range of interpretations.<sup>89</sup> The minimum is to avoid *shirk*.<sup>90</sup> The maximum involves “steering clear of all those things that distract one’s heart and innermost thoughts from the Truth (i.e. God).”<sup>91</sup> Furthermore, it means “to devote oneself to God completely, with one’s entire soul.”<sup>92</sup>

As far as the “specific legal meaning” of piety is concerned, Birgivi explains that he means “the preservation of the soul from that which deserves punishment,” in terms of the active commission of an act or its omission.<sup>93</sup> There is an evident difference between major sins (*kabāʾir*) and minor sins (*ṣaghāʾir*), but true piety, Birgivi argues, entails avoiding minor sins, too. More than that, it involves steering clear of all matters in which there could be any legal doubt

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81 *TM*, p. 35.

82 *TM*, pp. 35–9.

83 *TM*, p. 37.

84 Cf. Q 49:13.

85 *TM*, p. 38.

86 *TM*, p. 39.

87 *Ibid.*

88 *Ibid.*

89 *Ibid.*

90 *Ibid.*

91 *Ibid.*

92 *Ibid.* This can take many forms of course, differing from person to person. How Birgivi envisions it in practice is a point that will be discussed in the next chapter.

93 *TM*, p. 39.

(*shubuhāt*). In fact, he says, the provision of “excessive guarding” that characterized the “general linguistic meaning” of piety enters here and is added to the “specific legal meaning.” Thus, piety means to guard oneself excessively in order to avoid minor sins as well as doubtful legal matters.<sup>94</sup>

Despite this, Birgivī says, “circumspection in the face of all doubtful things is not possible in this age.”<sup>95</sup> That is to say, guarding against doubtful matters, represents a pious ideal, but not one that a believer will actually ever be able to fully realize in practice. Birgivī will return to the matter of *shubuhāt* in more detail in the last part of *TM*, where he argues against over-zealousness in the enforcement of ritual purity, among other things.

## 11 The Practical Manifestations of Piety—The Core of *TM*

The most important subsection of chapter three is Birgivī’s exposition of “the ways of piety” (*majārī al-taqwā*), by which he means the realization of piety in daily life, i.e. how to actually be pious in everyday human interactions. It is this sub-section that covers about three quarters of the entirety of *TM*, thus forming the core of the work.

Piety is achieved, Birgivī argues, in a two-fold way. It involves avoiding forbidden or objectionable actions (*munkarāt*) on the one hand, and doing things that are good or commanded (*ma’rūfāt*) on the other.<sup>96</sup> Birgivī divides *munkarāt* into (i) acts of commission (*al-wujūdiyyāt*), such as adultery, or drinking wine, i.e. actively engaging in something that has been prohibited, and (ii) acts of omission (*al-‘adamiyyāt*), such as not to pray, or not to fast, i.e. abstaining from acts that have been enjoined.<sup>97</sup> It is worse, Birgivī says, to actively engage in acts that have been forbidden than to refrain from acts that have been enjoined. Therefore, he continues, he has arranged his argument by expounding in detail on acts of commission first, while discussing acts of omission in summary fashion at the end of the chapter.<sup>98</sup>

To be pious, Birgivī explains, a believer must guard his entire body, with all its parts, against forbidden acts or objectionable ways of behavior (*munkarāt*). Certain *munkarāt* correspond to certain parts of the body. That is to say, certain objectionable ways of behavior can come about because each part of the

94 *TM*, p. 40.

95 *Ibid.*

96 *Ibid.*

97 *Ibid.*

98 *Ibid.*

body has the inherent potential to specific “evils” (*āfāt*). It is these evils that then form the basis of Birgivī’s argument.<sup>99</sup> Birgivī arranges his discussion around eight body parts in particular: the heart, the tongue, the ear, the eye, the hand, the belly, the private parts and the legs. The inherent evils or vices of the heart (*āfāt al-qalb*) take up the greatest space, closely followed by those of the tongue (*āfāt al-lisān*). Together, they form the bulk of the work—three quarters of the entirety of *TM*.

Birgivī explains the special importance accorded to the heart and tongue, quoting the following *ḥadīth*: “Man is [defined] by the two smallest parts of his.”<sup>100</sup> Both heart and tongue are so important for the realization of piety, he says, because they are the seats and origin of man’s greatest faults. Thus, man is often defeated by them. Yet, at the same time they are also “the greatest channels for piety.”<sup>101</sup> In fact, it is because they are the seats of his greatest evil, they also have the potential to become the greatest channels of piety. This is why, Birgivī explains, “from among all the body parts, so much has been written about them” and why “the pious forefathers paid greatest care to them.”<sup>102</sup> It is also why Birgivī, himself, decides to devote so much space to them in the *Ṭarīqa*.

## 12 The Vices of the Heart

Birgivī begins with “the forbidden acts of the heart and its evils” (*fī munkarāt al-qalb wa āfātihī*).<sup>103</sup> Among these are, first and foremost, unbelief (*kufṛ*), sanctimony (*riyāʿ*), arrogance (*kibr*), conceit (*ʿujb*), envy (*ḥasad*), hatred (*ḥiqd*),

99 The noun *āfa* denotes a flaw or defect, the potential for which is inherent in a given thing. It is a negative characteristic or distinguishing trait that can either lie dormant or be active. It often appears as the “opposite” of the object or notion in question. Cf., for example, the well-known *ḥadīth*, “The *āfa* of knowledge is forgetting.” (*āfat al-ʿilm al-nisyān*), see Luwīs Maʿlūf, *al-Munjid fī al-luḡa wa-l-adab wa-l-ʿulūm* (Beirut: al-Maṭbaʿa al-kathūlīkiyya, 1973) 19th edition, p. 933. Or, more interestingly, “*āfat al-ḥadīth al-kidhb*,” see Murtaḍā al-Zabīdī, *Tāj al-ʿarūs min jawāhir al-qāmūs*, ed. ʿAlī Shīrī (Beirut: Dār al-fikr, 1994), vol. 12, p. 97. In what follows I will translate *āfa* as either “vice,” “evil” or “inherent defect.”

100 *TM*, p. 168.

101 *Ibid.*

102 *Ibid.*

103 Birgivī sometimes conflates the terms *āfāt* and *mukarāt*. In general, however, the term *āfa* denotes a vice (such as miserliness), while *munkar* denotes an action caused by the vice in question (such as hoarding money, which is caused by miserliness). Specific *munkarāt* are thus characteristic of specific body parts, as are *āfās*.

and anger (*ghaḍab*). In total, Birgivī enumerates and discusses sixty vices of the heart.<sup>104</sup> Birgivī typically provides a definition (*tafsīr*) for each vice listed, followed by a description of how it can be “cured” or “treated.” This “cure” or “treatment” (*‘ilāj*) usually forms the center of his discussion. In general it is structured in a threefold manner: (i) theoretical treatment (*‘ilāj ‘ilmī*), (ii) practical treatment (*‘ilāj ‘amalī*), and (iii) “radical” treatment (*‘ilāj qal‘ī*).<sup>105</sup>

The theoretical treatment of a vice, according to Birgivī, consists of knowledge (*‘ilm*) of its blameworthiness (*madhmūmīya*). That is to say, a person whose heart is affected with, say, envy has to be made aware of the fact that envy is blameworthy (*madhmūm*). This is achieved by exposing him to passages from the Qur’ān and Ḥadīth on the blameworthiness of envy, as well as to reports by early pious figures. Second, the person must be made aware of the negative consequences of the vice in question (*ghawā’il*), and the damages caused by it.

In the case of envy, for instance, this consists in realizing a number of things: it corrupts a believer’s pious deeds, it leads to sin, it deprives the believer of the intercession of the Prophet on Judgment Day and might even lead to Hell.<sup>106</sup> It can also lead believers to cause harm to those they envy.<sup>107</sup> Moreover, Birgivī explains, envy brings “tiredness and useless worry” to the one who feels it, and eventually leads to his heart turning blind.<sup>108</sup> The envious person thus becomes unable to understand God’s judgment and generally ends up disappointed.<sup>109</sup> Birgivī’s discussion of the “theoretical cure” of envy is rounded up by a reiteration of the fact that envy harms the envier in both this world and the Next, whereas it does not actually harm the one envied in either.<sup>110</sup>

The second part of the theoretical treatment consists of knowledge of the vice’s corresponding virtue. Every vice has such a corresponding virtue, which represents its “antidote” (*ḍidd*). In the case of envy, Birgivī says, this antidote is “to wish people well.” “Giving sincere advice” (*al-naṣḥ* or *al-naṣīḥa*) indicates a “wish that the blessing of God remain upon a person,” or the “wish that good things happen” to that person.<sup>111</sup> For Birgivī, knowledge of the corresponding virtue constitutes a key element in the theoretical treatment of a vice. It includes knowledge of the praiseworthiness (*maḥmūdīya*) of the virtue, as well as

104 *TM*, p. 43 and pp. 129–30 for a list.

105 “Radical” in the sense of removing the “roots,” “uprooting” (cf. the verb *qala‘a*).

106 *TM*, p. 82f.

107 *TM*, p. 83.

108 *Ibid.*

109 *Ibid.*

110 *Ibid.*

111 *TM*, p. 81.

the positive consequences and benefits (*fawā'id*) the virtue, if established, entails. This is parallel in structure to the first part of the treatment—knowledge of the blameworthiness and negative consequences of the vice in question.

Next in the overall process of eliminating a vice, comes what Birgivī calls the “practical treatment” (*‘ilāj ‘amalī*). This involves a constant watching over one’s actions, thoughts and feelings—Muḥāsibī’s famous “examination of conscience.” It requires introspection and alertness on the part of the believer, but also outside help of friends or guardians. These, Birgivī explains, should be entrusted with the task of pointing your behavior out to you. Through such internal and external measures of control, one can then attempt to actively and persistently apply oneself to change one’s habits. Specifically, this must involve forcing oneself to do the exact opposite of what the vice in question would urge one to do.<sup>112</sup>

In the case of envy, Birgivī gives a number of examples: “If the soul pushes a person to slander [the one he envies], he should make his tongue praise him instead. If he feels arrogant toward [the envied one], he should be particularly submissive to him and apologize. If he feels like taking blessings away from [the envied one], he should in fact increase them.”<sup>113</sup> Both the “theoretical” and “practical” treatments of a vice are meant to reduce it, as much as possible. Only the “radical treatment” (*al-‘ilāj al-qal‘ī*), however, will actually bring about its complete removal (*izāla*) from a person’s character. Birgivī’s “radical treatment” thus goes deeper, to the “roots” of the problem, as it were. For, according to Birgivī, in order to completely remove a vice, one requires knowledge of the causes (*asbāb*) of that vice. Without knowledge of what brings it about in the first place, the vice can never be done away with entirely. Its roots would remain.

In the case of envy, Birgivī lists six causes, awareness of which will enable “radical removal” of the vice. “To exult in one’s own power” (*al-ta‘azzuz*) is the first of them. If a person exults in his own power, Birgivī explains, it makes it difficult for him to see others higher than him, which, in its turn, causes his envy. The same goes for arrogance (*takabbur*), Birgivī says—the second cause of envy. Third, envy is generated when there is competition among peers (*bayna al-amthāl wa-l-aqrān*), such as the competition among siblings for the love of their parents, or that of wives for the love of their husband. Similarly, the competition of students for the affection of their teacher, or among those who seek positions of various kinds, all fall into this category. The fourth cause of envy,

<sup>112</sup> *TM*, p. 83.

<sup>113</sup> *Ibid.*

relatedly, is ambition or “pure love of leadership” (*mujarrad ḥubb al-riyāsa*)<sup>114</sup> Malevolence can be a motive, too—its fifth cause, as Birgivi explains. And, finally, there is rancor (*ḥiqd*)—bitter, deep-seated ill will and spite—that makes people envious of others. It is only by being aware of these potential causes of the vice that envy can be completely eliminated, or “uprooted” in a person.

### 13 Birgivi’s Conception of the Soul

Underlying Birgivi’s exposition of these “theoretical,” “practical” and “radical” treatments was a very specific conception of the structure and functioning of the human soul (*naḥs*). This conception was grounded in an essentially neo-Platonist framework, infused with ideas from Aristotelian virtue ethics, as adopted and adapted in the Islamic context by philosophers such as al-Kindī (d. ca. 252/866) and, later, Miskawayh (d. 421/1030). Mainstream Islamic ethics, which Birgivi was drawing on here, including Ghazālī, thus understood the human soul—created, but immortal—to be constituted of three faculties (*quwā*, sg. *quwwa*): (i) a “vegetative” or “concupiscent” faculty (*al-quwwa al-nabāṭiyya* or *al-quwwa al-shahwāniyya*); (ii) an “animal” or “irascible” faculty (*al-quwwa al-ḥaywāniyya* or *al-quwwa al-ghaḍabiyya*); (iii) and a “human” or “rational” faculty (*al-quwwa al-insāniyya* or *al-quwwa al-nāṭiqa*).<sup>115</sup> Birgivi refers to these three explicitly in his introduction to the “evils of the heart,” saying that “people have three faculties (*quwā al-nās thalātha*): reason (*nuṭq*) [...], anger (*ghaḍab*) [...] and appetite (*shahwa*).”<sup>116</sup>

The driving forces of these faculties were “desires” or “passions” (*ahwāʾ*, sg. *hawāʾ*), concerned with survival and procreation in the case of the vegetative soul (i.e. the desire for food and the desire for sex), and with warding off danger (another type of survival) and securing social status in the case of the irascible soul. It was the rational soul, which strove towards higher, immaterial things (including, most importantly, God) that distinguished men from other animate beings. Indeed, human “excellence” (lit. *faḍīla*, “virtue”) was seen to lie in man’s rational capacity—in being able to speak, think and reason.

<sup>114</sup> *Ibid.*

<sup>115</sup> The three faculties were often also called “souls” themselves, i.e. the concupiscent soul (*al-naḥs al-shahwāniyya*), the irascible soul (*al-naḥs al-ghaḍabiyya*) and the rational soul (*al-naḥs al-nāṭiqa*) of a person. Each of the three could be subdivided into various sub-faculties with corresponding virtues. For a detailed discussion of this scheme in Ghazālī, for example, see Mohamed Ahmed Sherif, *Ghazali’s Theory of Virtue* (Albany: SUNY Press, 1975), pp. 24–6.

<sup>116</sup> *TM*, p. 41.

Concomitant with this tripartite division of the soul was the assignment of a virtue to each of its faculties. These virtues were understood in an Aristotelian sense as a balance point (*wasat*) between a deficiency (*tafrīt*) and an excess (*ifrāt*), i.e. as the mean between two extremes—one a “too little,” the other a “too much” of a given trait.<sup>117</sup> The virtue characterizing the concupiscent faculty of the soul was “temperance” (*‘iffā*), which was understood as the mean between the vices of “debauchery” (*fujūr*) and “lack of desire” (*khumūd*).<sup>118</sup> The virtue characterizing the irascible faculty of the soul was “courage” (*shajā‘a*); it was the mean between “recklessness” (*tahawwur*) and “cowardice” (*jubn*). Finally, the virtue that characterized the rational faculty was “wisdom” (*ḥikma*, which was the mean between “cleverness” (*jarbaza*, lit. “deception”) and “stupidity” (*balāda*).

Birgivī thus explains: “The mean (*i’tidāl*) of the faculty of reason is wisdom (*ḥikma*). It is a natural disposition (*malaka*) of the soul, by which it distinguishes that which is right from that which is wrong. Its excess (*ifrāt*) is cleverness, a natural disposition of intelligence, which invites one to that which cannot be known, like doubtful things, and to inquire into questions such as free will and predestination. Through it there arise actions by which others are harmed.”<sup>119</sup> For Birgivī, excess of the rational faculty thus entailed not only deception (which is what the word *jarbaza* literally meant, i.e. using one’s reason for malicious purposes), but the kind of curiosity and overly clever inquisitiveness that could lead to doubt, heresy and unbelief. At the other end of the spectrum, Birgivī continues, “[there is] its deficiency (*tafrīt*): stupidity, which is a natural disposition by which the person falls short of being able to distinguish good and evil.”<sup>120</sup>

As far as the irascible faculty of the soul was concerned, its distinguishing feature was “anger,” which Birgivī explains as “an emotion (*ḥaraka*) of the soul, which pushes for confrontation. Its mean (*i’tidāl*) is courage (*shajā‘a*), which is a natural disposition (*malaka*) by which one proceeds to do the things one has to do. Its excess (*ifrāt*) is recklessness (*tahawwur*), which is a disposition

117 The Islamic equivalent of this is emphasized in the prophetic tradition that “the best things are in their means” (*khayr al-umūr fī awṣāṭihā*).

118 For a study of temperance in the Greek context, see Helen North, *Sophrosyne: self-knowledge and self-restraint in Greek literature* (Ithaca: Cornell University Press, 1966).

119 *TM*, p. 41.

120 *Ibid.* The scheme can already be found in the works of Ibn ‘Adī, Miskawayh or Ghazālī, for example, who says that, “wisdom is the virtue of the faculty of reason. [...] It is flanked by two vices (*taktanifuhā radhīlatān*): swindling (*khabb*) and stupidity (*balah*).” See Ghazālī, *Mīzān al-‘amal*, *op. cit.*, pp. 99–100. *al-Khabb* is generally synonymous with *jarbaza*, although Ghazālī divides it into *jarbaza*, on the one hand, and *dahā’*, on the other. See p. 107f.

by which one proceeds to do things that are not necessary to be done. Its deficiency (*tafrīṭ*) is cowardice (*jubn*), which is a character trait by which one abstains from doing what is necessary to be done.”<sup>121</sup>

Finally, the concupiscent faculty of the soul was characterized, as Birgivī explains, by “appetite.” It is, he says, “an emotion (*ḥaraka*) of the soul in pursuit of the things which are agreeable to it. Its mean is temperance (*iffā*), which is a disposition by which one is in direct contact with the things one desires (*bihā yubāshir al-mushtahayāt*), in accordance with the Law (*‘alā waḥq al-shar‘*) and with virtue (*wa-l-muruwwa*.)” That is to say, temperance is the condition by which one is able to be in contact with the things one desires, without transgressing either the Law or virtue—i.e. to indulge in them to the extent that it is sanctioned by the Law.<sup>122</sup> “Its excess (*ifrāt*),” Birgivī continues, “is gluttony (*sharah*) and debauchery (*fujūr*), which is a disposition by which one takes the things one desires, under any circumstance, without restraint. Its deficiency (*tafrīṭ*) is lack of desire (lit. *kumūd*, “motionlessness” or “extinction”), which is a disposition by which one falls short of fulfilling those desires that are necessary.”<sup>123</sup>

Human beings would never be able to fully “cut” or “break” the desires of the two lower souls, as they had to sustain their bodies, procreate and defend against danger. Thus, Birgivī explains, what was necessary was to keep a balance—to indulge in them to the extent that was necessary, but not beyond. As we have already seen, Birgivī rejected celibacy, asceticism and poverty, believing that true human virtue could only be established in full engagement with society. It was precisely in the difficult task of keeping the various desires of the soul in check, in practicing “moderation,” “courage,” and “wisdom” that man would be able to establish true piety in everyday life. Indeed, it was when the three virtues of the soul were kept in balance, i.e. when each was accorded what it demanded, without transgressing the boundaries of either the Law or common-sense, that the overarching virtue of “justice” (*‘adl*) was achieved.<sup>124</sup>

121 *TM*, p. 41. For a comparison with Ghazālī, see *Mizān al-‘amal*, p. 101; for Miskawayh on the irascible faculty, see *Tahdhīb al-akhlāq* (Cairo: Maṭba‘at al-taraqqī, 1899), pp. 13–15.

122 This double reference to both Law and “virtue” (*uruwwa*) appears frequently in Birgivī’s exposition of the “evils of the heart.”

123 *TM*, p. 41. For Ghazālī, see *Mizān al-‘amal*, pp. 102–4 and Tim Winter’s translation of book 23 of the *Iḥyā’: Breaking the Two Desires* (Cambridge: Islamic Texts Society, 1995). For Miskawayh on the concupiscent faculty, see *Tahdhīb al-akhlāq*, p. 13.

124 The four “cardinal” virtues thus formed the basis for the cultivation of other virtues, too: “Know that [piety] has four foundations. Three that stand on their own: (i) wisdom, (ii) courage and (iii) temperance; while one is constituted of the three of them together, namely (iv) justice.” See *TM*, p. 125.

Rather than proceeding from these all-embracing virtues, however, Birgivī's instructions for the cultivation of everyday piety take their starting point in an analysis of *vice*. His long discussion of the "evils of the heart," for instance, is focused on vice first, and virtue second, with the latter usually only given as an "antidote" (*didd*) to combat the former. The treatments Birgivī prescribes are elaborate, involving a scheme of continuous self-observance and adjustment, according to which virtue is never in fact fully "achieved" but only approximated.

Moreover, despite the crucial role of self-examination and "interior" discipline, what is equally important for Birgivī is a form of "outside" control. He thus stresses the importance of friends and teachers, explaining that "knowledge of the existence of these diseases (*amrād*) in your souls is by inspection (*taftīsh*) and contemplation (*ta'ammul*), [but also in] choosing honest friends (*aṣḍiqā' al-ṣidq*) who will warn you of your faults."<sup>125</sup> Moreover, even your enemies can be helpful in the process, for they observe your faults closely. Thus, Birgivī continues, "[one must also] analyze what one's enemies say, for they observe and point out one's faults."<sup>126</sup> Apart from being able to show you your faults, outsiders have another function, too, however. They can serve as role models and guides in correct and pious behavior, or—alternatively—as "mirrors" in how not to behave. In this, Birgivī's design for the cultivation of virtue had an essentially social aspect. It was not just concerned with introspection (although that did form an important part of it), but also involved the active participation of one's friends, enemies and superiors. Rather than understanding Birgivī's blueprint for the cultivation of individual virtue within an essentially autonomous setting of the self, it has to be understood in its relational aspect, i.e. in the way Birgivī stressed that individual virtue was formed through social interaction.

#### 14 The Vices of the Tongue

Following his long and detailed analysis of the "evils of the heart," Birgivī next moves to an almost equally detailed dissection of the "evils of the tongue" (*āfāt al-lisān*). These include—first and foremost—blasphemy (*kalimat al-kufr*), lying (*al-kidhb*), slander of all sorts (*al-ṭa'n*, *al-ghība*, *al-namīma*), cursing or reviling people (*al-la'n* and *al-sabb*), obscene language (*al-fuḥsh*), two-tongued speech (*kalām dhī al-lisānayn*), the swearing of oaths (*al-yamīn*), and so on.

<sup>125</sup> *TM*, p. 41. For teachers, see p. 84, for example.

<sup>126</sup> *Ibid.*

Birgivi introduces the “vices of the tongue” with a range of Prophetic traditions. In one of these, the Prophet is related to have said that, “When a human being wakes up, all the parts of the body implore the tongue to spare them from trouble, saying, “Please, fear God, for our sake! For we are [saved or doomed], depending on you. We are only upright if you are upright, and if you deviate, we do, too.”<sup>127</sup>

“To guard the tongue,” however, “is not easy,” Birgivi continues.<sup>128</sup> “It is only possible by not speaking much and keeping silent, except for things that have to be said, [but only] after they have been contemplated.” Moreover, one should “limit them to the extent to which they are necessary.”<sup>129</sup> Indeed, Birgivi’s main concern in his discussion of “the vices of the tongue” is to exhort his readers to say as little as possible, but as much as necessary. For to keep silent when one has in fact the duty to speak up also constitutes a vice. In fact, Birgivi points out that the “vices of the tongue” consist of two categories. The first concerns acts of commission, while the second (dealt with at the end of the chapter) concerns acts of omission. Thus, to not speak up for someone who is being done injustice to, even if one could, also represents a “vice of the tongue.”<sup>130</sup>

But the matter is not only about confronting injustice. In fact, Birgivi gives a whole number of “vices of the tongue” involving acts of omission of speech in daily life, such as not to pray, not to greet a fellow Muslim, or not talk to one’s parents or relatives.<sup>131</sup> Birgivi treats these “vices” in relatively short and legalistic fashion, with frequent quotes from Ḥanafī *fatāwā* literature. As opposed to the “vices of the heart,” he provides no “treatment” or “cure,” however. Rather, we typically find clear instructions as to what a good Muslim ought to do, without much explanation for the reasons why he might not have engaged in the proper way to behave to begin with.

During the course of Birgivi’s analysis of the “vices of the tongue,” we are also beginning to see certain thematic clusters emerge. These are groups of vices bearing on related topics or displaying similar features, such as a whole range of “evils of the tongue” concerning inappropriate occasions for speaking. “To speak during the call for prayer,” “to speak during prayer” (other than the prescribed utterances of the prayer itself), “to speak during the sermon,” “to speak between dawn and the morning prayer,” “to speak while the Qur’ān is being recited,” as well as “to speak about mundane things while in the mosque,” all

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127 *TM*, pp. 127f.

128 *TM*, p. 128.

129 *Ibid.*

130 *TM*, p. 167.

131 *TM*, pp. 166–9.

constitute independent “vices of the tongue,” according to Birgivī.<sup>132</sup> Typically, these vices are discussed in very brief fashion. Also, the difference between discrete vices of a given cluster in some cases seems to rest on nothing more than fairly trivial semantic variance.

In cases where it is necessary to speak up, Birgivī emphasizes the importance of thinking before speaking. He asks his readers to first ponder and weigh their options, as well as to consider the consequences and effects their words might have on those addressed. Once a person has resolved to speak, however, he should say what needs to be said clearly and concisely.<sup>133</sup> Furthermore, Birgivī stresses that one should try to avoid criticizing individuals. That is to say, if a person engages in, say, a forbidden act and you feel you must speak up, this should be done kindly and in private.<sup>134</sup> Moreover, one should focus on the act itself, rather than on the character of its perpetrator. Otherwise it might turn into slander.<sup>135</sup>

Thus, the ground rule when it comes to avoiding “the vices of the tongue,” is to say as little as possible. If it is necessary to speak, however, one should do so in a thought-through and considerate fashion, trying to minimize any potential harm, and, if possible, stressing “the positive.”<sup>136</sup>

## 15 The Vices of the Ear

Compared to his discussion of “the vices of the heart,” as well as that of “the vices of the tongue,” Birgivī’s subsequent examination of the vices of the ear, eye, hand, belly, private parts and legs, respectively, turns out relatively meager. Birgivī begins his short examination of the “vices of the ear” (*āfāt al-udhun*), by saying that it is a vice of the ear “to listen to anything about which it is not permitted to talk.”<sup>137</sup> The vices of the ear, it becomes clear, are defined by either actively listening to things that are reprehensible or forbidden, or not listening to things that have been enjoined as a duty.

132 *TM*, pp. 150f. The time between dawn and the morning prayer is a time that should be devoted to meditation, the reading of the Qur’ān, and the remembrance of God.

133 *TM*, p. 158 and p. 165.

134 *TM*, p. 90.

135 *TM*, p. 109 and p. 134.

136 Birgivī argues that it is important, in giving “sincere advice,” to stress the benefit a believer will derive from changing his behavior. See *TM*, pp. 82–3 and pp. 90–1. Cf. also the connection Birgivī draws between “giving sincere advice” (*al-naṣīḥa*) and “commanding right and forbidding wrong” (*al-amr wa-l-nahy*).

137 *TM*, p. 169. This includes slander, sinful utterances, obscenities and so on.

The greatest part of the section is covered by Birgivi's discussion of listening to musical instruments. When one is not forced to do so, this constitutes a "vice of the ear."<sup>138</sup> So does listening to singing, as well as listening to incorrect Qur'ān recitation.<sup>139</sup> When the Qur'ān is recited improperly, Birgivi says, one should either ask the reciter to stop, or leave.<sup>140</sup>

In terms of acts of omission, "vices of the ear" include not listening to the Qur'ān, to sermons, as well as when a superior (e.g. a ruler, judge, parent, teacher, market inspector) addresses you. Equally, when a judge does not listen to one or two of the parties involved in a case this represents a "vice of the ear," just as when those in authority (*ūlū 'l-amr*) do not listen to the complaints of people done injustice to or when the distinguished and rich do not listen to the weak and the poor.<sup>141</sup> It is likewise a "vice of the ear" to not listen to someone who tries to apologize to you.<sup>142</sup>

## 16 The Vices of the Eye

In the next section, on "the evils of the eye" (*āfāt al-'ayn*), Birgivi stresses the overall imperative to lower one's glance.<sup>143</sup> He explains that it is by way of the eye that the mind is distracted. It is through the eye, he argues, that thoughts are produced which divert the believer from the remembrance of God. They "make disappear" the presence or composure of the heart (*ḥuḍūr al-qalb*) and "invite to unlawful things."<sup>144</sup> When this happens, Birgivi says, "Satan finds an opportunity and a way to lead astray, and to fill the breasts with whisperings and temptations, opening the door for evils and sins."<sup>145</sup>

But what if a person glances at something unlawful without intention (*naẓar al-faj'a*), Birgivi asks? If this happens, and if the person immediately turns his eyes away, without continuing to look, the act is not considered an evil of the eye.<sup>146</sup> However, to not avert the eyes and keep looking does constitute an evil. Birgivi quotes the following *ḥadīth*: "Do not follow one glance upon another

138 *Ibid.*

139 *Ibid.* Birgivi discusses various legal opinions here. As we have seen in chapter one above, pp. 39–41, the topic of correct Qur'ān recitation was of particular interest to him.

140 *TM*, p. 169.

141 *TM*, p. 170.

142 *Ibid.* Refusing to accept the apology of a fellow Muslim is, on the other hand, a "vice of the tongue." Cf. p. 156.

143 *TM*, p. 170.

144 *Ibid.*

145 *Ibid.*

146 *TM*, p. 171.

[i.e. if you've looked once, do not look again]. The first glance is for you, but the second one isn't [allowed].<sup>147</sup>

The biggest part of the section is a long and legalistic discussion concerning the evil of "deliberately looking at someone else's private parts." As Birgivi explains, this is "the greatest of all of the evils of the eye."<sup>148</sup> Other such evils include "looking at poor and weak people in a derisive way," "witnessing sins and forbidden acts without necessity," and "looking at those higher than oneself in worldly affairs with envy and at those lower than oneself in religious affairs [with scorn]."<sup>149</sup> The evil of "looking into other people's houses" is discussed in great detail, too.<sup>150</sup>

## 17 The Vices of the Hand

As far as the hand, and its inherent and potential evils are concerned (*āfāt al-yad*), Birgivi lists the following: killing (*qatl*), the unrightful and unjustified wounding of oneself or others (*al-jarḥ li-nafsihi aw ghayrihi bi-lā ḥaqq*), taking anything that belongs to somebody else (i.e. theft), unless it is presented or permitted by the owner (a whole range of possible scenarios is given), destroying property, touching things that are unlawful and impure (e.g. carcasses, pork, blood, wine, etc.) and touching things that are forbidden to be looked at.<sup>151</sup>

"Evils of the hand" also include drawing, painting or sculpting any living being, playing musical instruments, playing games, writing things that are unlawful (because "the pen is the second tongue"), as well as more seemingly trivial acts, such as touching one's limbs without necessary cause, twiddling and cracking one's fingers or throwing nail clippings down the toilet.<sup>152</sup>

Birgivi stresses the distinction in the use of the right hand versus the left. The right hand, he explains, is for clean, honorable things, such as the Qur'ān, books, eating, dressing oneself, etc.<sup>153</sup> The left hand, in contrast, is to be used for unclean and reprehensible things, such as going to the toilet, blowing your nose, undressing, etc.<sup>154</sup>

147 *Ibid.*

148 *Ibid.*

149 *TM*, p. 172.

150 *Ibid.*

151 *TM*, pp. 172–6.

152 *Ibid.*

153 *TM*, p. 174.

154 For the cultural significance of this, see Robert Hertz's seminal essay, "The Pre-eminence of the Right Hand: A Study in Religious Polarity," in Rodney and Claudia Needham (trans.), *Death and the Right Hand* (Aberdeen: Cohen and West, 1960), pp. 89–160.

Sins of omission of the hand include to not make use of a craft one has mastered or to not prevent one's home, family and others from harm (such as the physical destruction caused by fires, for instance) or from the hands of unjust rulers.<sup>155</sup>

## 18 The Vices of the Belly

"Evils of the belly" (*āfāt al-baṭn*) comprise acts such as "to make what is unlawful enter [the belly]," "to eat when one is already satiated," or "to eat things that harm the body."<sup>156</sup> Birgivi discusses overeating and gluttony, as well as all sorts of food-related wrongdoings, table manners, pious etiquette regarding food preparation, storage and consumption. (e.g. how much food to put out on table, how to use knives, the prohibition to throw food away, the legal status of gold and silver bowls, etc.).<sup>157</sup>

Birgivi stresses that a believer should eat little and generally avoid over-satiation. By eating little, he says, one keeps one's body healthy. Doing so leads to "good memory," "purity of the heart," "generosity" and "contentment."<sup>158</sup> Also, it means that one can "give in charity from the food one has in excess."<sup>159</sup> Gluttony, on the other hand, leads to "hardness of the heart" as well as the "temptation of the limbs."<sup>160</sup> This is, Birgivi explains, "because when the stomach is hungry, the rest of the body is satiated," whereas "when the stomach is satiated, the rest of the body gets hungry," and, thus, excited and agitated.<sup>161</sup> Over-satiation also makes the mind go dull, and leads to a decrease in ritual worship. The latter, in particular, is of concern for Birgivi. He argues that people who engage in gluttony are forever busy with one of the four: (i) getting food, (ii) preparing food, (iii) eating or (iv) relieving themselves. This, he says, means that they forget their duties, both before God and before their fellow Muslims.

Sins of omission of the belly, on the other hand, include acts such as to not eat and drink at all. This leads to death or sickness, and consequently keeps people from joining the Friday congregational prayer and carry out their communal or individual duties. Both over-eating and under-eating are thus condemned as

<sup>155</sup> *TM*, p. 175.

<sup>156</sup> *TM*, p. 176. Birgivi here adds a relatively long legal discussion on whether or not it is permissible to eat impure things, as well as under which circumstances.

<sup>157</sup> Cf. Cook, *Commanding Right*, p. 444f.

<sup>158</sup> *TM*, p. 176.

<sup>159</sup> *Ibid.*

<sup>160</sup> *Ibid.*

<sup>161</sup> *Ibid.*

excesses that distract from one's duties to the community. Again, we return to the core idea of keeping the right balance with regard to food, too.

## 19 The Vices of the Private Parts

The "evils of the private parts" (*āfāt al-farj*), which Birgivi addresses next, consist of adultery and fornication (*zinā*), sodomy, bestiality, as well as sex with a menstruating woman or a woman in childbed.<sup>162</sup> Masturbation is unlawful, he explains, except if a man is single and intends to calm his lust by it.<sup>163</sup> The section also includes a thematic cluster on toilet manners. In line with Birgivi's anti-celibacy stance, "sins of omission" of the private parts include not having sexual intercourse with one's wife, not marrying and having children in the first place, not sharing the bed with one's wife, and so on.<sup>164</sup>

## 20 The Vices of the Leg

"Evils of the leg" (*āfāt al-rijl*), in their turn, comprise "going to places of sin" (either in order to commit sins or watch them being committed), "embarking on holy war (*jihād*) without the permission of one's parents," "fleeing from the plague," as well as "going to places where the plague ravages."<sup>165</sup> They also include transgressions such as "walking on someone's property without their permission," or "kicking somebody with one's foot." "To enter sacred places with the left foot," as well as "to enter lowly places with the right," likewise belong to the category.<sup>166</sup> Thus, the same rule that applies to the distinction between right hand and left, also applies to the leg.<sup>167</sup>

As far as sins of omission of the legs are concerned, these include "to stay away from the congregational prayer on Friday," "to stay away from community gatherings," from "learning and teaching," as well as from "the two duties of pilgrimage and holy war."<sup>168</sup> They also include "not visiting one's parents," and

162 *TM*, p. 179.

163 *TM*, p. 180.

164 *Ibid.*

165 *TM*, p. 180f.

166 *TM*, p. 181.

167 See above, p. 171, fn. 156.

168 *TM*, p. 182.

“not visiting family and friends when they are sick.”<sup>169</sup> Again, we see Birgivi’s emphasis on the importance of cultivating community ties and social relations.

Birgivi’s discussion of the “evils of the leg” also contains a section on pious etiquette regarding “invitations.”<sup>170</sup> The hard and fast rule is that a believer must accept invitations extended to him, but stay briefly and leave politely. If he is aware that there will be games, singing, or forbidden behavior at a gathering he has been invited to, he should refrain from going. If he has gone unwittingly, however, and is not able to change what he sees (*in lam yaqdir ‘alā taghyīrihi*), he must leave.<sup>171</sup>

## 21 Vices Unspecified by Any One Part of the Body

Next, Birgivi presents a long section on “evils of the body unspecified by any one particular part.”<sup>172</sup> Among these we find, for instance, “dancing” (*al-raḡṣ*).<sup>173</sup> For Birgivi this includes both dancing in a mundane (“secular”) context, as well as the rhythmic movement of one’s body in devotional exercise. Going into a great amount of legal detail, he elaborates on dancing as one of the innovations of the Sufis (cf. *dawarān*, “turning,” “whirling”). In parallel, he introduces a discussion of the Sufi *dhikr*, too, which he argues to be permissible as long as it is performed in silence and stillness.<sup>174</sup>

Other “evils,” unspecified by any one particular body part, are related to a number of thematic clusters on the cultivation of good family ties and community relations. Many of the ideas Birgivi presents here have already featured in previous sections, such as those of “the evils of the leg” or “of the hand.” Birgivi stresses the importance of obedience to one’s parents, as well as of the cultivation of family ties. “Cutting the family off” is a vice.<sup>175</sup> Birgivi underlines his concern with numerous prophetic traditions, which emphasize the duty to keep and preserve family relations by visiting one’s parents and other relatives, especially when they have fallen ill, to help them, greet them, write to them, and so on.<sup>176</sup>

169 *TM*, p. 183.

170 *TM*, p. 182.

171 *TM*, p. 182f. Cf. Cook, *Commanding Right*, p. 33.

172 *TM*, p. 183.

173 *Ibid.*

174 *TM*, p. 184.

175 *TM*, p. 186. He later even says that it is “unlawful.”

176 *Ibid.*

He expounds on marital duties, too. Thus, “it is a vice for a wife to annoy her husband, oppose him and not respect his rights,” i.e. to have intercourse with her.<sup>177</sup> Birgivī also points to the husband’s duties vis-à-vis his wife.<sup>178</sup> She has the right to be provided for (to be fed and clothed), to be taught the rudiments of ritual worship, not to be hit in the face, not to be “treated in a vile fashion,” and not to be abandoned.<sup>179</sup>

Birgivī also discusses the duties a believer has vis-à-vis his children and slaves. In the case of the latter, these include both alimentary and sartorial provisions, a friendly disposition and lenience, especially when the slave has done something wrong.<sup>180</sup> Moreover, a master also has the duty to instruct his slave in the rudiments of the religion, if the latter is a Muslim, at least to the extent that he may be able to carry out his ritual duties correctly.<sup>181</sup>

There is a substantial section on neighborly interaction, too. For “to harm one’s neighbor” is yet another “evil of the body unspecified by any one of its parts.”<sup>182</sup> Birgivī, as usual, provides a range of prophetic traditions, the gist of which is to think of neighbors as if they were family, to not let them go hungry, to not build one’s house so that it will cut a neighbor off from light, air or a nice view, and so on. “Do you know the right of the neighbor (*ḥaqq al-jār*)?” he asks. “When he asks you for help,” the answer goes, “you should help him. When he asks you for a loan, give it to him. When he falls into poverty, give him charity. When he is sick, visit him. When something good happens to him, congratulate him; and when something bad befalls him, console him. When he dies, follow his coffin in the funerary procession. [...] Do not bother him with the smell of your cooking pot, except if you will serve him from it. If you buy fruit, give him some as a present [...] and do not let your children go out with food so that his children’s appetite is roused, except if they will share with them.”<sup>183</sup>

In the cultivation of one’s social relations, Birgivī points to another “evil” that should be avoided, namely “to associate with bad companions.”<sup>184</sup> Indeed, this is a crucial part of his wider project, which comes back to the question of seeing those around oneself as “mirrors” that can either help or hinder one’s attempt to “purify the soul of its vices and embellish it with virtues.” In the formation of virtuous habits, as Birgivī understood the process, these “mirrors”

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177 *TM*, p. 187.

178 *Ibid.*

179 *Ibid.* Birgivī here quotes Abū Layth al-Samarqandī.

180 *TM*, p. 188.

181 *Ibid.*

182 *Ibid.*

183 *Ibid.*, p. 188f.

184 *TM*, p. 189.

were crucial as both models to imitate and tutors to guide and possibly correct. The impact of “good company”—in the form of friends, teachers and companions—thus played a crucial role in Birgivi’s understanding of character formation.

On the authority of the Prophet, Birgivi explains that “a good companion (*al-jalīs al-ṣāliḥ*) and a bad companion are like a carrier of musk and someone who is stoking a fire by blowing air into bellows, respectively. If you are close to the one who is carrying musk, he may give you some, or maybe sell you some; at least you will get a nice smell from him. If you are close to someone stoking a fire, though, he will either burn your clothes or blow a bad smell of smoke on you.”<sup>185</sup> That is to say, if you stay close to someone who is a bad influence, you will be affected by the “bad smell” he produces, and maybe even get burnt.

Association with others and friendship thus played a crucial role in a believer’s character formation, with both the “good” and the “bad” potentially rubbing off. In another tradition Birgivi refers to, he reminds his readers that “A man’s religion is like that of his intimate companion (*al-mar’ alā dīn khalīlīhi*), so watch whom you befriend.” Thus, it was not only good or bad behavior that was considered to be at stake, but right belief generally. Indeed, for Birgivi the two were intrinsically linked: by cultivating virtuous behavior you were strengthening your faith and vice versa. The positive influence of virtuous company could only increase both. Accordingly, Birgivi’s understanding of the cultivation of “correct belief” and “correct practice” was essentially social, rather than focused on the individual alone. Despite his detailed instructions for the training and discipline of a believer’s “heart,” or “tongue” and so on, he did not consider the individual an essentially bounded or autonomous subject.<sup>186</sup> Embedded in a larger social structure, a believer’s interaction with his surroundings could either enhance or diminish the individual process of “purifying the heart.” Indeed, what was at work was a dialectical process by which a believer’s acts and intentions influenced each other, under the direct impact of those around him, as well as in the framework of the wider societal make-up.

Birgivi’s final section of the “practical applications” of piety (part two of *TM*) consists of a number of thematic clusters on a variety of topics, such as the “evils” of sitting in various inappropriate places (on the road, half in the sun and half in the shade, in the middle of a circle, in someone else’s place, between two people, etc.), a thematic cluster on tattoos and body hair, amulets

<sup>185</sup> *Ibid.*

<sup>186</sup> Cf. Saba Mahmood, *Politics of Piety: The Islamic Revival and the Feminist Subject* (Princeton: Princeton University Press, 2005), p. 28.

and so on.<sup>187</sup> As we have seen, however, there was nothing “trivial” for Birgivī in any of these. Indeed, the more meticulous a believer was in adhering even to seemingly trivial rules of piety, the closer to God he would eventually find himself in the Afterlife.

The list of vices in this very last part of Birgivī’s practical applications of piety nevertheless seems somewhat lacking in coherence. Indeed, at the end of the section the reader is confronted with a hotchpotch of instructions for all sorts of conceivable contexts, mixed together in no obviously discernible logical sequence. As had been the case before, Birgivī ends his enumeration of “the evils of the body unspecified by any one particular part” with a list of “sins of omission.” These take the form of general non-compliance with religious duties, i.e. “to not do things that are definitely *sunna*,” “to not go to Friday congregational prayer,” “to stop giving *zakāt*,” “to not fast during Ramaḍān,” and so on. The chapter ends with a list of what Birgivī calls “the seven grave offenses” (*al-mūbiqāt al-sabʿ*). These are: (i) *shirk*, (ii) magic, (iii) murder, (iv) the taking of interest, (v) the appropriation of the possessions of an orphan, (vi) desertion on the day of battle, when the army advances, and (vii) to slander innocent and unaware believing women.<sup>188</sup>

## 22 Ritual Purity

In the last part of the *Ṭarīqa*, i.e. part three (*al-bāb al-thālith*), Birgivī devotes his attention to what he calls “matters [wrongly] believed to be part of piety” (*umūr yuḏann annahā min al-taqwā*). The first section of part three is on “meticulousness in ritual purity and impurity” (*al-diqqa fī amr al-ṭahāra wa-l-najāsa*). What Birgivī is really concerned with here is over-zealousness in the enforcement of ritual purity. This includes, for instance, “pouring water in great quantities,” “going over the number of prescribed ritual ablutions,” “washing things that are already ritually pure,” as well as “considering pure water impure.”<sup>189</sup> Some people, Birgivī says, busy themselves with such things to the neglect of important religious duties, such as reciting the Qurʾān or engaging in “the remembrance of God.”<sup>190</sup> Sometimes they do so even to the neglect of prayer itself.

187 *TM*, pp. 189ff.

188 *TM*, p. 194. There is also a summary list of all the “evils of the body unspecified by any one of its parts” on p. 197. They number eighty in total.

189 *TM*, p. 198.

190 *Ibid.*

In its place, he argues, they engage in reprehensible acts: their over-zealous attention to purity makes them “delay the prayer,” or even “designate a cup for the ritual ablution, so that no one would perform the ablution from the cup of another and vice versa.” Sometimes they also “designate a prayer rug and not pray on any other than it, nor let anyone else pray on [theirs].”<sup>191</sup> They might also question others as to the ritual purity of water, cups, places, carpets, clothes, “without there being any particular reason to think that they might be impure.”<sup>192</sup> All of these acts are *bid’a*, Birgivi states, and have nothing to do with real piety. Indeed, they are usually a sign of sanctimony—i.e. the desire to want to appear pious, without actually being so.

Birgivi stresses that one should not be excessive in purity, as in any other matter. In fact, even though “these people spend most of their time beautifying their exteriors, [...] their interior is decayed, laden with the evils of arrogance, conceit, sanctimony and hypocrisy.”<sup>193</sup> The most important thing to remember, he says, is that Islam is supposed to be an easy religion.<sup>194</sup> Thus, the basic assumption is one of purity, unless proven otherwise. That is to say, the basic assumption should be that things are ritually clean, except if there exists clear proof to the contrary. Furthermore, as opposed to the “diseases of the heart,” which are “ugly in themselves,” i.e. in their essence, the obligation to guard oneself against ritual impurity is not because of the impurity itself, but because of its repugnant attributes and corollaries. Impurities thus often entail bad smells, tastes or colors, and it is because of these corollaries or “attributes” that impurities were declared unlawful, not because of their “essence.”<sup>195</sup>

Birgivi embarks on a long and fairly complicated legal debate. His overall argument, however, is in agreement with what Kevin Reinhart has identified as the general “beneficence” of Islamic law of ritual purity.<sup>196</sup> Arguing that “for Muslims, the world is largely benign,” Reinhart connected the logic of ritual purity to the question of self-control. Thus “cleansedness is assumed” (very much in the way Birgivi describes) and it is only after certain involuntary (or voluntary) losses of bodily control that ritual ablution and washing are required as “acts of re-collection” and “re-appropriation.” Indeed, Reinhart has

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191 *Ibid.*

192 *Ibid.*

193 *TM*, p. 200. Birgivi calls them *badhādha*—“dirty in faith, but frivolous in terms of cleanliness.” See, p. 201.

194 *TM*, p. 201, quoting the *ḥadīth* in which the Prophet declares that he was “sent with a tolerant and easy way of being pious, not with a hard monasticism.” (*bu’ithtu bi-l-ḥanīfiyya al-samḥa al-sahla wa-lam ub’ath bi-l-rahbāniyya al-ṣa’ba*).

195 *TM*, p. 204.

196 K. Reinhart, “Impurity/No Danger,” in *History of Religions*, vol. 30, no. 1 (1990), pp. 1–24.

argued that “the *tahāra* ritual is not so much a denigration of the human body and its functions, as it is an exaltation of Islamic ritual.” This is consistent with Birgivi’s account, whose ultimate concern was for the correct performance of ritual worship, rather than with purity *per se*.

### 23 Finance, Land Tenure and Taxation

The penultimate chapter of *TM* delves into a range of economic and financial questions, including the issue of contemporary Ottoman arrangements of land tenure and taxation.<sup>197</sup> One of Birgivi’s greatest concerns lay in what he saw as the corruption of the sphere of public finance, through institutions such as the cash *waqf* as well as the unlawful taxation of lands. This corruption, he argued, had an effect on trade, the legality of commercial exchange and the (moral) economy of the Empire more generally. “The majority of the sales in our markets and contracts of rent are invalid or corrupted or reprehensible,” Birgivi laments at the beginning of the section.<sup>198</sup> This, he says, is due to the fact that “most merchants and craftsmen are ignorant of the Law.” The invalidity of their transactions, in its turn, meant that what they acquired was to be considered either unlawful or reprehensible.<sup>199</sup> This was the case most prominently with wealth obtained from the yields of a cash *waqf*, although Birgivi also discusses the problems of inflation and coin-clipping, which were to haunt the Ottoman Empire in the latter half of the sixteenth century.

Inconsistent and illegal practices of land distribution, land ownership and taxation are Birgivi’s other great concern in this last section of the *Ṭarīqa*. Birgivi criticizes the fact that, upon conquest, new lands were not automatically distributed among the Ottoman conquerors, but were allowed to remain in the hands of the unbelievers who had owned them before. Paying land tax to the Sultan (who formally owned the conquered lands), these previous owners treated the land as if it were their own property, renting it and even selling it, Birgivi explains. While this was often done according to *sharī’a* regulations, when the infidel owners of these lands died, injunctions that would normally pertain to private property, such as inheritance, testamentary stipulations and so on, were not observed, however. As far as Birgivi was concerned, this

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197 *TM*, p. 211.

198 *TM*, p. 212.

199 *Ibid.*

was unacceptable, involving the willful nit-picking of some *sharī'a* injunctions to the disregard of others—a point that will be examined in detail in chapter five.<sup>200</sup>

## 24 What Holds It All Together

As the preceding summary has shown, Birgivī's *Ṭarīqa* is a work that is characterized by a great variety and wide scope of content. Birgivī presents a truly remarkable synthesis of material, ranging from the lofty heights of doctrine in part one, to the smallest details of the evils that could potentially befall the heart, tongue and other body parts in part two, affecting the most ordinary aspects of the life of individual believers. Part three adds to this a wider economic perspective, discussing “societal” evils such as the cash *waqf* or Ottoman practices of land tenure and taxation. Although Birgivī expounds on many topics in rudimentary fashion only, this does not detract from the significance of the overall synthesis created. The *Ṭarīqa* represents a compendium of everything, and anything, a tenth/sixteenth-century Ottoman Muslim could possibly need to know in his quest to obtain salvation and closeness to God in the Afterlife—the result of a life lived in piety, in accordance with God's Law and in the constant effort to “purify one's heart.”

There are a couple of ideas that hold Birgivī's sometimes disparate analysis together, however. These are the concept of moderation (*iqtiṣād*), on the one hand, and the necessity to acquire an understanding of one's legal status, i.e. “the knowledge of the situation” (*ilm al-ḥāl*), on the other. Birgivī's emphasis on the avoidance of excess in devotional exercises, as much as in personal conduct, is first discussed formally in chapter three of part one, but resurfaces time and again throughout the course of parts two and three of the work. Instances of it include Birgivī's discussion of Sufism, on the one hand, and that of over-zealousness in the enforcement and application of ritual purity, which he says is often a sign of sanctimony, on the other. Most importantly, however, moderation (*iqtiṣād*)—in the form of trying to keep a “balance” (*i'tidāl*) and achieving a “golden mean” (*wasat*) in one's temperament and conduct—is what lay at the basis of the achievement of everyday virtue and piety.

Any attempt to “purify” or “cure” the heart of its vices had to be conducted within the confines and supporting framework of the Law, and in full awareness of the exact conditions a given situation demanded the believer to conform to. Birgivī expressed this through the idea of *ilm al-ḥāl*—a concept repeated

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<sup>200</sup> *TM*, pp. 213–5.

at several points in the *Ṭarīqa* and of crucial significance for his overall understanding of piety. While in the Ottoman context the term *‘ilm al-ḥāl* would come to refer to any book that explained the basic principles of belief and practice (a primer of religious knowledge), it meant something much more specific—and narrowly legal—for Birgivī in the *Ṭarīqa*.<sup>201</sup>

In the context of his discussion of the kinds of knowledge and skills every believer had to master, i.e. the duties incumbent upon every Muslim (*farḍ ‘ayn*), Birgivī explains *‘ilm al-ḥāl* in the following way: “The pursuit of knowledge is a duty upon every Muslim, male and female. [...] It is a duty incumbent upon every Muslim to learn about what a given situation demands of him in terms of the Law, whatever situation he may be in. Since he must pray, it is incumbent upon him to know what it entails exactly [i.e. in terms of postures, movements, words, etc.], to the extent that this helps him carry out the duty of prayer. [...] And likewise with fasting, and alms-giving, if he has money, and the pilgrimage, if it is incumbent upon him; and likewise in buying and selling, if he works as a merchant. [...] And everybody who works in the trades and crafts has to know how to guard himself against that which is unlawful in his dealings.”<sup>202</sup>

*‘ilm al-ḥāl* was thus the most important (and most basic) kind of knowledge a believer had to have, at any given moment of his life. It was an understanding of the legal definition of the particular situation he found himself in and what it required of him—in legal terms. Indeed, at some other point in the course of his discussion of the “evils of the tongue,” Birgivī in fact seems to equate *‘ilm al-fiqh* with *‘ilm al-ḥāl*. Explaining that, “in order for these types of ritual worship [prayer, fasting, etc.] to be correct [...] there exist conditions that the person who undertakes them must know and respect. [...] But if he doesn’t respect them, he becomes a sinner. [...] The place [of this kind of knowledge] is the knowledge of jurisprudence (*‘ilm al-fiqh*), which is also the knowledge of a situation (*wa-huwa ‘ilm ḥāl*).”<sup>203</sup>

Knowledge (*‘ilm*) alone was not sufficient though, as it had to be turned into action (*‘amal*) to make a difference. Without showing in concrete behavior, *‘ilm al-ḥāl* alone was inadequate. Furthermore, it was not just in the narrow confines of ritual worship and commercial transactions that *‘ilm al-ḥāl* was essential. Indeed, Birgivī continues to link *‘ilm al-ḥāl* to the less tangible “states of the heart” he deems so crucial: “And he also has to know the states of the heart (*aḥwāl al-qalb*) [...] because he can only be pious in all of them; and likewise in

201 Cf. above, p. 29, fn 44.

202 *TM*, p. 26.

203 *TM*, p. 165.

all other character traits (*akhlāq*), like generosity, stinginess, cowardice, courage, pride, humility, temperance, wastefulness, tight-fistedness and others, because pride, stinginess, cowardice and wastefulness are unlawful, and one cannot guard oneself against them, except by knowledge of them and their antidotes. So every human being must learn about them.”<sup>204</sup>

For Birgivī it was thus impossible for virtue to be established without *‘ilm al-ḥāl*, including both knowledge of the specific legal conditions of a given situation and an understanding of the possible states of a believer’s heart. Indeed, at the very end of his discussion of the practical manifestations of piety (*majārī al-taqwā*), he exhorts his readers to remember that, “the following three things are enjoined upon you: (i) the rectification of doctrine (*taṣḥīḥ al-i’tiqād*, i.e. correct belief), (ii) an understanding of the situation (*‘ilm al-ḥāl*) and (iii) piety (*taqwā*). For [these three things] bring together everything that is necessary (*fa-innahā jāmi‘a kull mā lazīma*); and they are sufficient (*kāfiya*) for [a believer to obtain] salvation [...] and God’s satisfaction and entrance to Paradise.”<sup>205</sup> He explains, further, that the three, i.e. correct belief, *‘ilm al-ḥāl* and *taqwā*, must be understood as concentric circles, contained within each other, with belief, i.e. creed or doctrine, at the center: “The rectification of doctrine (*taṣḥīḥ al-i’tiqād*) is included (*dākhil*) in the understanding of a situation (*‘ilm al-ḥāl*) [...], which in itself, is included in piety (*taqwā*).”<sup>206</sup>

Thus, *‘ilm al-ḥāl* was crucial to Birgivī’s overall understanding of piety. And in connecting the latter to wider political and economic questions, as Birgivī does in the last part of *TM*, he comes full circle. In an anecdote he relates on the authority of Muḥammad al-Shaybānī, one of the three renowned founding fathers of the Ḥanafī school, Birgivī nicely illustrates his understanding of *‘ilm al-ḥāl* and its connection to wider social issues: Asked why he had not written a book about piety (*zuhd*), Muḥammad al-Shaybānī answers: “But I did! I wrote the *Kitāb al-buyū‘* to show that piety and devoutness are only achieved through guarding oneself in mundane matters from every invalid act, corruption, hatefulness and occasion which requires knowledge of the science of jurisprudence. So everybody who engages in these matters [...] must know the conditions of the situations he engages in, because an understanding of the situation (*‘ilm al-ḥāl*) is a duty incumbent upon every single believer.”<sup>207</sup>

Birgivī may have projected his own undertaking (i.e. writing a work on piety with a heavy legalistic bend, such as the *Ṭarīqa*) onto the authority of the

<sup>204</sup> *TM*, pp. 26–7.

<sup>205</sup> *TM*, pp. 196–7.

<sup>206</sup> *TM*, p. 198.

<sup>207</sup> *TM*, p. 165.

celebrated second-century Ḥanafī jurist here. In any case, he certainly saw it as his mission to make the kind of *‘ilm al-ḥāl* that was incumbent upon every Muslim readily available to his fellow tenth/sixteenth-century believers. One point that deserves special attention, however, is the strictness he displays in insisting that every believer had to fully understand the legal and moral implications of the circumstances he found himself in. This was placing a fairly heavy burden on the ordinary Muslim, especially in terms of the complex relations that governed Ottoman commerce and finance, as well as the land system. Birgivi, however, was unyielding in his insistence on holding the individual believer responsible for his part in the overall order of society, just as much as he had to be held responsible for assuring the “purity” of his heart—no mean feat either, considering the complexity of human desires, emotions and relations.

Looking ahead to the next chapter—a case study in Birgivi’s analysis of the evil of “sanctimony”—we will encounter the same rigor, only in this case as applied to the question of how a believer was to examine his conscience. As Birgivi insisted on the same criteria of stringency even when it came to “the heart,” we will reveal a number of crucial tensions and contradictions in his overall project of providing his fellow Muslims with advice on how to lead a godly life.

# The Slippery Slope of Piety: Birgivī on Sincerity, Sanctimony and How to Determine Right Intention

## 1 Introduction

This chapter examines a complex of issues central to Birgivī's ethics. It is the question of sincerity, sanctimony and right intention. For Birgivī, one of the main criteria characterizing the proper realization of virtue was that it be performed sincerely. It was not enough to simply be generous or courageous. What counted were the driving factors behind one's generosity or courage. These were internal rather than external and boiled down to the issue of intention. If the intention was not sincere, good deeds were nothing but appearances and "sanctimony" (one of the inherent "evils of the heart").

In what follows, I will examine how Birgivī classifies, explains and connects the concepts of sincerity, sanctimony and right intention on a theoretical level. By way of a close reading and semantic analysis of his discussion of the vices of "sanctimony" and "lying," as well as their respective antidotes, "sincerity" and "truthfulness," I will elucidate Birgivī's method and arguments, as well as his overall "hermeneutics of suspicion."<sup>1</sup> By this I mean his deep mistrust of the desires of the human soul, which he saw constantly bound to fall prey to its "evil-commanding" faculty and the temptations of Satan. It was this mistrust that led Birgivī to prescribe a regime of self-scrutiny of one's thoughts, actions and feelings that turned out to be so rigorous and relentless that—in the end—it was almost impossible for a believer to ever feel (truly) sure of not having acted insincerely.

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1 The term "hermeneutics of suspicion" is most readily associated with the philosophy of Paul Ricoeur, who argued that any process of interpretation must constitute a dialectic between suspicion and trust: "Hermeneutics seems to me to be animated by this double motivation: willingness to suspect, willingness to listen; vow of rigor, vow of obedience." See P. Ricoeur, *Freud and Philosophy: An Essay on Interpretation* (New Haven: Yale University Press, 1970), p. 27. Birgivī's attempt to understand the motives of the human soul was likewise characterized by a dialectic of suspicion and trust, or "fear" (*khawf*) and "hope" (*rajā'*), as he calls it. In the *Tariqa*, however, the element of fear is emphasized to a much greater extent than that of hope.

I will contextualize Birgivi's views on sanctimony within the wider intellectual tradition of Islam and certain strands of Sufism in particular. Representing a late incarnation of a long and established discourse on feigned piety in Islamic thought, Birgivi's account was heavily influenced by al-Ḥārith al-Muḥāsibī's exposition of the vice, which—in its turn—had served as the basis for Ghazālī's classical formulation of the topic in book twenty-eight of the *Iḥyāʾ: Kitāb dhamm al-jāh wa-l-riyāʾ*. Birgivi would draw on both, as well as on a range of other representatives of the tradition, such as Abū Saʿīd al-Kharrāz al-Baghdādī (d. 286/899) and Abū Ṭālib al-Makkī (d. 386/998), two Baghdadi Sufis who had emphasized the centrality of sincere intention over external appearances. Bringing together a wide range of earlier sources, the specific articulation of Birgivi's concerns, however, was squarely rooted within a critique of the religious establishment of his own time, including the empty "show" of piety of which he accuses his colleagues and fellow believers in their pursuit of this-worldly aims.

Moreover, an examination of Birgivi's ideas on sanctimony brings to light two significant tensions in his overall project. First, there is the question of how to assess his own ardent desire to provide guidance and advice to his fellow Muslims to begin with. Birgivi might not have realized the irony, but one of the points he makes in his discussion of sanctimony is that people often like to deceive themselves into thinking that what they do is for the sake of others, when in fact what drives them is a hidden desire to be recognized. He may have considered himself free of sanctimony when it came to his own project, or maybe he did not think the *Ṭarīqa* was an appropriate place to discuss his own motivations; what is clear is that he does not comment on (and certainly nowhere puts in doubt) the fact that his own undertaking could have been motivated by anything other than a pure and sincere desire to do good. And while he often emphasizes the difficulty of giving sincere advice in general terms (i.e. including the danger of becoming self-righteous and, hence, sanctimonious), there is no questioning of his own project in the *Ṭarīqa*.

In addition, and more importantly, there is yet another tension brought to the fore in Birgivi's discussion of sanctimony and how to calculate the motives of one's actions. Centering on an essentially theological problem, it is the fact that Birgivi's call to believers to submit themselves to a rigorous regime of self-examination ultimately made them judge of their own actions, rather than God. Yet, at the same time, as Birgivi constantly reiterates, man was nothing in the face of God. Was it not pretentious for a believer to assume he could judge the sincerity of his own actions? Furthermore, what was the purpose of self-knowledge and discipline, when in the end nothing was in the hands of man?

It is a question Birgivi will address, but only in passing. However, a look at the *Tarīqa*'s treatment of sanctimony first will make things clearer.

## 2 Vocabulary and Semantics, Definitions and Classifications

Birgivi's most sustained discussion of sincerity, sanctimony and right intention takes place in his elaboration on "the ninth evil of the heart": *riyā*.<sup>2</sup> In terms of semantic range, the word encompassed the ideas of feigned piety, hypocritical or affected devoutness, as well as simulation and dissimulation generally. "Eye-service"—a literal translation of the term—renders well its primary meaning, which was derived from the third form of the Arabic verb *raʿā* "to see," namely (iii) *rāʿā* "to feign" or "make others see," "to make a show before people."<sup>3</sup> In fact, the term *riyā*' generally involved two layers: one of "seeing" and one of "looking." It implied looking at others, with the desire to be seen or noted by them; moreover, it implied the desire to find praise and approval in their eyes. By extension, *riyā*' came to be used to denote ways of behavior that would make others look at you with approval, albeit behaviors that feigned sincerity and good intention.

In English, the term "hypocrisy" translates this idea well. However, Arabic has another word that is commonly translated into English as "hypocrisy:" *nifāq*. While *riyā*' is broad in meaning, *nifāq* is more limited. Originally used with reference to those members of the community of Muḥammad who outwardly professed allegiance to the Prophet, while secretly obstructing the cause of Islam, even defecting from it, the word came to acquire a very specific meaning.<sup>4</sup> *Riyā*', on the other hand, covered a much broader range of meanings, denoting sanctimony and (dis)simulation of all kinds. Since *riyā*' did not usually entail an actual disavowal of the faith, its consequences were much less serious than those of *nifāq*. The two concepts are nevertheless similar in many respects. Foremost among these is the idea of pretending to be someone or something one is not. Indeed, *riyā*' and *nifāq* were often consciously and

2 *TM*, pp. 48–67.

3 Cf., for instance, Hans Wehr, p. 319: "to act ostentatiously," "to make a show before people," [...] "to dissemble." Likewise, Hava, p. 235. For an introductory discussion of the concept, see R. Deladrière, "Riyā'," in *EI2*, vol. 8, p. 547.

4 In fact, the *munāfiqūn* ("hypocrites") feature prominently in the Qur'ān as a group distinct from both believers and unbelievers. Cf. A. Brockett, "Munāfiqūn," *EI2*, vol. 7, p. 561. Portrayed as self-serving and cowardly, their covert undermining of Islam and the Prophet was cloaked in supposed consent and outward support. This specific instance of dissonance between outward appearance and inward conviction was expressed by the term *nifāq*.

deliberately connected, despite the fact that *riyā'* was fairly open-ended, while *nifāq* carried very specific religious and political connotations.<sup>5</sup>

Birgivi begins by defining *riyā'* as “the desire to reap this-worldly benefit from acts directed at the next world.”<sup>6</sup> Such acts, directed at the next world, include: (i) obligatory ritual worship (*ibādāt*), on the one hand, and (ii) “good deeds” (*tā'āt*), done voluntarily, on the other. In theory, the ultimate aim of both was to bring a believer closer to God and to secure his salvation. However, if done for the purpose of impressing one's fellow human beings in the Here and Now with one's piety, in order to gain their praise, or in order to derive some other, secondary (material or immaterial) benefit in this world, these acts, Birgivi argues, amount to sanctimony. Sanctimony, he explains, is “to make the worship of God [...] a means for getting closer to humans.”<sup>7</sup> When you engage in, say, zealous prayer, or help an old lady cross the street, not for the purpose of pleasing God, but to gain the praise and approval of your fellow human beings, you engage in sanctimonious behavior.

In fact, as becomes clear over the course of Birgivi's discussion, sanctimony involves an explicit “turning upside-down,” an inversion, of the original purpose of ritual worship. That original purpose is “to exalt [God]” (*ta'zimuhu*) and “to draw near to Him” (*al-taqarrub ilayhi*).<sup>8</sup> To engage in *riyā'*, however, as Birgivi explains, is to make exalting God a means to other ends. First and foremost among these are approval-seeking and “the love of praise” (*ḥubb al-ṭhanā'*). Human approval and praise, in their turn, might lead to other worldly benefits—be they immaterial (such as status and prestige) or material (jobs, money, a noble wife and so on).

In order to elicit praise, however, good deeds need to be made known to others; they need to be “made public.” An important factor in Birgivi's definition of *riyā'* thus concerns its public nature. As he explains, the vice of *riyā'* normally involves a conscious “show” (*iḥār*) or “announcement” (*i'lām*) of the act in

5 I will use the English “sanctimony” and “dissimulation” interchangeably for *riyā'*. Unless otherwise indicated, “hypocrisy” will translate *nifāq*. Two other concepts, closely related to the idea of *riyā'*, deserve a mention, as they often feature in discussions of *riyā'*. These are “flattery” (*mudāhana*) and “affectation” (*taṣannu'*). The latter, in particular, is a means by which *riyā'* can manifest itself, as we will see below. Birgivi is particularly concerned with the affectation of preachers and other “men of religion” (*aḥl al-dīn*). Thus, “too much affectation and artificiality (*takalluf wa-taṣannu'*) in preaching and sermons,” he says, “is a sign of sanctimony.” In fact, it stems from it and from the love of praise. *TM*, p. 164.

6 *TM*, p. 48: The desire to reap benefit in this world by doing things that are normally done for the benefit of the next.

7 *TM*, p. 65.

8 *Ibid.*

question. In fact, this “publicizing of good deeds” forms an essential part of sanctimony, as will soon become clear.

Connected to this is the idea of “seeing and being seen”—another important underlying theme in Birgivi’s discussion. He explains that “God sees everything.” Thus, if an act is done to please Him alone, there is no need for it to be publicized. If such a need is felt, however, it is usually out of concern for the reaction of one’s fellow human beings, rather than for God. Accordingly, Birgivi argues, when a concern for the reaction of others can be detected, it is a good indication that sanctimony is at work.

Another element essential to the definition of *riyā’* is that it always contains an element of deception.<sup>9</sup> For Birgivi, this deception can take a number of forms. Above all, it is a deception of one’s fellow humans—making them believe that one is virtuous, when that is not actually the case. But it often also involves a deception of the *self*. In fact, “self-deception,” as Birgivi argues, is the most dangerous form of *riyā’*. “More subtle than the creeping of ants,” Birgivi says, the greatest danger of dissimulation lies in the fact that it is often hidden even from the person who engages in it.<sup>10</sup> This type of “hidden sanctimony” (*riyā’ khafīyy*) in effect represents a separate category which Birgivi treats at some length. He explains that it often comes about when a person wants to appear virtuous and thus adopts, say, a certain way of walking or talking. He practices it over and over, until it becomes second nature to him, without realizing that he only adopted it out of sanctimony in the first place. The man thus thinks that this way of behaving is “natural” to him, when, in fact, it is only that “his sanctimony has doubled.”<sup>11</sup> “Hidden” therefore refers to the fact that it is not even apparent to the perpetrator himself, who is unaware that he is engaging in it.<sup>12</sup>

9 *TM*, p. 65.

10 *TM*, p. 53. “Know that dissimulation may be hidden, to the extent that it is more subtle than the creeping of ants.” Birgivi here draws on an old *motif* of the *riyā’* discourse—the simile comparing *riyā’* to the creeping of ants (*dabīb al-naml*). It is already found in Muḥāsibī, cf. J. van Ess, *Die Gedankenwelt des Ḥārith al-Muḥāsibī* (Bonn: Orientalisches Seminar der Universität Bonn, 1961), p. 46, citing a variant that states that “*shirk* is more hidden in the human heart than the subtle steps of black ants on a dark stone in the middle of the night.” The confluence of *riyā’* and *shirk* will be discussed in detail below. For another instance of the ant simile in discussions of *riyā’*, see Ibn ‘Abd al-Barr (d. 463/1070), *Bahjat al-majālis wa-uns al-mujālis*, ed. Maḥmūd Mursī al-Khawli (Cairo: al-Dār al-miṣriyya li-l-ta’līf wa-l-tarjama, 1970), vol. ii, p. 204: “Among my community *shirk* is more hidden [i.e. less perceptible] than the creeping of ants.”

11 *TM*, p. 51.

12 *TM*, p. 53f.

Lastly, *riyā'* also always involves an attempt to deceive God. This, of course, is futile, as Birgivī emphasizes over and over. God is All-Knowing and can never be deceived, i.e. He knows when his servants are just pretending to be virtuous in order to curry praise from others. In fact, to perform acts of worship as well as good deeds for humans rather than for God, amounts to a mockery (*istihzā'*) or belittling (*istihāna*) of God—a recurring *topos* in discussions of *riyā'*.

Ghazālī, for instance, had already argued that *riyā'*, as it relates to other human beings, is to be considered “deception” (*talbīs*, *makr* and *khidā'*), whereas *riyā'*, as it relates to God, is “mockery.” To underline his point, he cites a *ḥadīth qudsī* in which God, upon seeing a believer making a show of his piety by the way he performs his prayer, says to the angels, “Look, how he is mocking Me!”<sup>13</sup> Showing off through ritual performance is thus explicitly understood, not only as an attempt to deceive God, but as mockery of Him.

What *riyā'* ultimately boils down to for Birgivī is acting in a certain way for humans (to obtain their approval and praise), rather than for God. Against this, he makes clear that all of a believer’s acts must ultimately be directed at God, lest they become sanctimonious. This is especially so in the case of ritual worship, but can in fact be extended to anything and everything people do. Abū Saʿīd al-Kharrāz (d. 286/899), for instance—a third/ninth-century Baghdadi Sufi Birgivī likes to draw on—had argued that “man should desire God in all his acts and deeds and his motions, altogether.”<sup>14</sup> So if a believer does anything (and especially ritual worship) for the sake of other human beings, he associates them with what should be dedicated to God alone, and thus commits the worst of sins: that of *shirk*.

*Shirk*, often translated as “polytheism,” originally denoted the “association” of other deities and beings with God—the one monotheistic God, whose message Muḥammad had brought to seventh-century Arabia. One of the most pervasive themes of the *riyā'* discourse, as it developed over the centuries, is the connection its proponents made between *riyā'* and *shirk*. For Birgivī and those before him, joining the worship of God with secondary motives, such as pleasing people, amounted to the same kind of “association.”

13 al-Ghazālī, *Iḥyā'*, vol. 10, p. 115.

14 al-Kharrāz al-Baghdādī, *Kitāb al-ṣidq*, ed. Ḥasan al-Samāḥī al-Suwaydānī (Damascus: Dār al-Qādirī, 1997), p. 79; trans. Arthur John Arberry, *The Book of Truthfulness* (Oxford: OUP, 1937), p. 4. For Abū Saʿīd al-Kharrāz himself, see Sulamī, *op. cit.*, pp. 228–232; Sezgin, *GAS*, vol. 1, p. 646; and Nada Saab, *Ṣūfī theory and language in the writings of Abū Saʿīd Aḥmad b. ʿĪsā al-Kharrāz* (New Haven: Yale University, 2003), unpublished PhD dissertation.

### 3 *Riyā'* as Lesser *Shirk*

The most prominent *ḥadīth* that is featured in discussions of *riyā'*—in the *Tarīqa* and elsewhere—is a report in which the Prophet says that what he fears most for his community is “lesser *shirk*.”<sup>15</sup> Asked what he means by this, he answers: “*riyā'*.” The tradition exists in numerous variants, some of which replace *al-shirk al-aṣghar* (“lesser *shirk*”) with *al-shirk al-khafīyy* (“hidden *shirk*”) or *al-shahwa al-khafīyya wa-l-shirk* (“hidden desire and *shirk*”). Even when they do not explicitly mention the word *riyā'*, these traditions form one of the stock themes of the *riyā'* discourse. The mention of *al-shirk al-khafīyy*, in fact, is probably related to the “hidden *riyā'*” we saw above.

Birgivi explains that, when you see a man pray, fast, give in charity, or perform any ritual for the sake of another man, rather than for the sake of God, this constitutes *shirk*. He quotes another *ḥadīth*—also part of the common stock of *riyā'* lore—in which a Companion of the Prophet is reported as saying:

I saw the Prophet weep, so I said: “O Prophet! What makes you weep?”

He said: “I fear my community will succumb to *shirk*. However, they will not worship an idol or a sun or a moon. They will dissimulate in their deeds.”<sup>16</sup>

Finally, a third cluster of traditions that commonly features in discussions of *riyā'*, connecting *riyā'* to *shirk*, is in the form of yet another *ḥadīth qudsī*, in which God proclaims Himself to be “the One beyond need of partners” (*aghnā al-shurakā'* or *aghnā al-aghniyā' 'an al-shirk*).<sup>17</sup>

15 See *TM*, 64; Abū Ṭālib al-Makkī (d. 386/998), *Qūt al-qulūb*, trans. Richard Gramlich, *Die Nahrung der Herzen* (Stuttgart: Franz Steiner, 1992), vol. 3, p. 246 (no. 38.20); Ibn 'Abd al-Barr, (d. 463/1070), *Bahjat al-majālis*, *op. cit.*, vol. 2, p. 204 and p. 205; Usāma b. Munqidh (d. 584/1188), *Lubāb al-ādāb* (Cairo: Maktabat Luwīs Sarkīs, 1935), ed. A. Muḥammad Shākir, p. 295 and p. 297; Ibn Abī al-Ḥadīd (d. 656/1258), *Sharḥ nahj al-balāgha* (Beirut: Mu'assasat al-'alamī li-l-maṭbū'āt, 1995), vol. 1, p. 238 and p. 382; al-Ibshihī (d. 850/1446), *al-Mustaṭraf fi kull fann mustaṭraf* (Beirut: Dār ihyā' al-turāth, 1970), vol. 1, p. 100.

16 *TM*, p. 64. See also Ibn Abī al-Ḥadīd, *op. cit.*, p. 382.

17 Ibn 'Abd al-Barr, *op. cit.*, p. 204; Usāma b. Munqidh, *op. cit.*, p. 296; Ibn Abī al-Ḥadīd, *op. cit.*, p. 382.

#### 4 Other Types of Dissimulation

In order for us to be able to better situate Birgivī in the wider tradition, there are two other types of dissimulation forming part of the wider *riyāʿ* discourse that deserve mention here. The first, *sumʿa*, is mentioned by Birgivī as representing an aural parallel, as it were, to the more visual *riyāʿ*. Often translated as “ear-service,” it is used for instances of sanctimony in which the act performed is not seen, but heard or heard about. Thus, whenever a virtuous deed is related verbally, in order to show off, this constitutes, strictly speaking, *sumʿa* rather than *riyāʿ*, although, in fact, the lines are not drawn so clearly in actual usage.<sup>18</sup> Alternatively, acts such as Qurʾān recitation, which can be heard, even when the person who performs them cannot be seen, might constitute *sumʿa* when performed for the sake of the positive approval of people, rather than God. Abū Ṭālib al-Makkī, for instance, offers a long discussion of the case of a man who sits secluded in his room, overlooking the street, reciting the Qurʾān. Nobody can see him, but whenever he hears a person passing by, he raises his voice so that that person knows he is reciting the Qurʾān and thinks of him approvingly. This, Makkī explains, is a good example of *sumʿa*.<sup>19</sup>

In his discussion of the “true essence of *riyāʿ*” (*ḥaqīqat al-riyāʿ*) Ghazālī explains that “whereas *riyāʿ* comes from seeing (*ruʿya*), *sumʿa* is derived from hearing (*samāʿ*).”<sup>20</sup> Makkī elucidates the relationship further, stating that “[...] ear-service and eye-service are parallel phenomena. Ear-service is treated, in legal and ethical terms, in the same way as eye-service is [i.e. it has the same consequences].”<sup>21</sup> In many ways, the two terms eventually come to merge into one, expressing the same idea, irrespective of the initial sensory act involved. The way Birgivī uses *sumʿa*, for instance, is only in conjunction with *riyāʿ*, in what amounts to a compound noun: *riyāʿ wa-sumʿa*, meaning “sanctimony” plain and simple.<sup>22</sup> In this way, *sumʿa* can often be seen as a rhetorical filler, a kind of add-on to *riyāʿ*.

Whatever the case, the two concepts, *riyāʿ* and *sumʿa*, were typically linked in what represented yet another stock theme of the *riyāʿ* discourse. One *ḥadīth*

18 Cf. Makkī, *op. cit.*, vol. 1, p. 133: “[...] he wants others to hear about his good deeds so that they praise him.”

19 Makkī, vol. 1, p. 133. By extension, in common usage *sumʿa* takes on the idea of “reputation,” as well as “rumor.” In fact, the term *shuhra*, which is commonly used to translate “repute” or “fame,” also holds an important place in the *riyāʿ* discourse, as we will see below.

20 Ghazālī, *Iḥyāʿ*, vol. 10, pp. 78–9.

21 Makkī, *op. cit.*, vol. 1, p. 133.

22 *TM*, p. 106, p. 109 and p. 177. Cf. also Ibn Abī al-Ḥadīd’s use of the pair, *op. cit.*, p. 238: *wa-qad jāʿa fi al-āthār min al-naḥy ʿan al-riyāʿ wa-l-sumʿa kathīr*.

deserves particular mention in this regard. In it, the Prophet is reported to have said that “Whoever practices *sum‘a*, God will practice *sum‘a* on him, and whoever practices *riyā‘*, God will practice *riyā‘* on him. He will ridicule him and debase him.”<sup>23</sup> Moreover, “God does not accept [the deeds of] one who dissimulates, whether his dissimulation is by *sum‘a* or *riyā‘*.”<sup>24</sup> The question of whether or not sanctimony voided the validity of ritual was, in fact, of great importance to Birgivi. Accordingly, the standard discussion of *riyā‘*—in the *Ṭarīqa* as elsewhere—has a long section of the “voiding” (*ibṭāl*) of ritual, explaining in elaborate detail in which ways sanctimony voids ritual acts and in which ways it does not.

There is, lastly, a third type of sanctimony that forms a parallel to both *riyā‘* and *sum‘a*. Birgivi does not mention it, but it appears in Makkī’s *Qūt al-qulūb*, with a long enough elaboration to deserve mention here.<sup>25</sup> In the context of a discussion of the alms-tax (*zakāt*) (indeed, *riyā‘* is frequently mentioned in the context of the proper performance of ritual duties), Makkī begins by quoting Q 2:264: “Do not void your charities by [reminders of your] generosity or injury” (*lā tubṭilū ṣadaqātikum bi-l-mann wa-l-adhā*). The question Makkī raises is—again: What is it that voids the reward otherwise gained in Paradise by the performance of ritual acts? Makkī argues that the Qur’ānic “[reminders of] generosity” (*mann*) by which people might invalidate their *zakāt*, are, in fact, a type of sanctimony.<sup>26</sup> Furthermore, the “injury” (*adhā*) mentioned in the verse refers to the “showing off” of one’s generosity. And, as we know, to “show off” or “make public” one’s virtue constitutes one of the key elements of sanctimonious behavior.

It is in this context that Makkī proceeds to quote a tradition that “God does not accept from a *musammi‘* nor from a *murā‘ī*,” adding (and this is new), “nor from a *mannān*.”<sup>27</sup> This third enigmatic figure, now occupying a position parallel to that of the *musammi‘* and the *murā‘ī*, refers to people who try to impress by reminding others of how generous they are in their *zakāt*. Makkī thus explains that the Qur’ānic *mann* of 2:264 parallels *riyā‘* and *sum‘a*.<sup>28</sup>

What *mann* and *sum‘a* have in common is that both seem to involve an oral “show.” In both cases the person who has performed a good deed relates it to

23 See Makkī, *op. cit.*, p. 134. Cf. also Ibn ‘Abd Rabbihi, *Kitāb al-‘iqd al-farīd* (Cairo, Lajnat al-ta’lif wa-l-tarjama wa-l-nashr, 1952), vol. 3, p. 215.

24 Ibn ‘Abd Rabbihi, vol. 3, p. 215.

25 Makkī, *op. cit.*, vol. 2, p. 208f.

26 *Ibid.*, p. 208.

27 *Ibid.*, p. 209.

28 *Ibid.*

others after the fact. Thus, a large part of the *riyā'* discourse is preoccupied with how to deal with the post-factum disclosure (*iḡhār*) of the deed in question.

## 5 Sincerity (*ikhhlāṣ* and *iḥsān*)

Be it hidden or regular, mediated visually or verbally, the opposite of *riyā'* (in all its forms), is *ikhhlāṣ* ("sincerity"), as Birgivi explains.<sup>29</sup> While *riyā'* represents an "evil of the heart," i.e. a vice, *ikhhlāṣ* embodies its corresponding virtue. And while *riyā'* implies the existence of ulterior motives, joined to acts the original aim of which is to "draw near to God," *ikhhlāṣ* means the "removal" (*tajrīd*, lit. the "stripping" away) of such secondary motives, and by extension their absence or non-existence.

Furthermore, while *riyā'* usually implies a "show" (*iḡhār*) of one's acts, *ikhhlāṣ* lacks such an aspect. Thus, in Birgivi's words, *ikhhlāṣ* is "to strip the aim of drawing near to God by good deeds of benefits in this world and of the aforementioned publicizing."<sup>30</sup> Sincerity means to make the act of drawing near to God *pure*, in the sense of removing from it any ulterior motives in terms of this-worldly benefits. In fact, the connection between purity and sincerity is an old and important one, in Islam as in other religious traditions and cultures. In the Western tradition, for instance, sincerity was long associated with purity, "genuineness" (e.g. unalloyed metals, unmixed liquids), physical integrity, "authenticity" and so on.<sup>31</sup> And, while the ideas of purity, simplicity and unity in relation to sincerity are by no means uncommon in the Islamic tradition either, Birgivi seems to be unusually emphatic here.

In line with the wider tradition, Birgivi also argues that sincerity is ultimately caused by faith (*īmān*). It must be based on right intention (*niyya*), which has to be established clearly at the beginning of each act and maintained throughout. Birgivi insists that if individual acts are performed sincerely, and if sincerity is cultivated overall, its benefits (*fawā'id*) are truly great. The most essential of the "advantages of *ikhhlāṣ*," he explains, is "that God is pleased and that he accepts your good deeds and saves you on the Day of Resurrection."<sup>32</sup> Sincerity thus leads to salvation and closeness to God in the Afterlife—the ultimate aims of a believer's striving and the greatest "advantage" of all.

29 *TM*, p. 49.

30 *Ibid.*

31 Cf. Suzanne Stern-Gillet, "Augustine and the philosophical foundations of sincerity," in Suzanne Stern-Gillet and Kevin Corrigan, *Reading Ancient Texts: Essays in Honour of Denis O'Brien*, vol. 2: Aristotle and Neoplatonism (Leiden: Brill, 2008), pp. 225–250.

32 *TM*, p. 66.

Referencing a well-know *ḥadīth*, Birgivī proceeds to introduce another concept that stands in opposition to sanctimony. This is *iḥsān*, he says, which is “a product of *ikhhlāṣ*.”<sup>33</sup> A multi-layered and somewhat difficult term, *iḥsān* can, in many ways, be argued to represent a second antithesis to *riyāʿ*, albeit with a slightly different focus. Meaning “to worship God as if you saw Him; for even if you cannot see Him, He sees you,” the substance and implications of *iḥsān* have long occupied the minds of Muslim scholars. While *iḥsān* was defined as the worship of God in the knowledge that He sees you, *riyāʿ* means that the eyes that are being sought are human. Thus, even though *riyāʿ* and *iḥsān* do not form direct opposites for Birgivī, they stand in clear contrast to one another. In the case of *riyāʿ* it is what other human beings see that is crucial, while in the case of *iḥsān* it is what God sees. Again, what lies at the heart of the question of sanctimony, as opposed to sincerity (*ikhhlāṣ*), and by extension *iḥsān*, is the matter of seeing and being seen.

To recapitulate, sanctimony, in Birgivī’s definition, required the desire to be seen by others. In fact, more often than not it involved a conscious looking out for the reactions of others, and an adjustment of one’s own actions in light of what one assumed they were thinking. This concern for the way things look in the eyes of others lies at the heart of *riyāʿ*. *Riyāʿ* thus stands on one side of the divide, with *ikhhlāṣ* and *iḥsān* on the other. For Birgivī, *ikhhlāṣ* was the “simple” opposite of *riyāʿ*, while *iḥsān*—as the product of *ikhhlāṣ*—formed a more abstract counterpoint. It stood in contrast to *riyāʿ* just like *ikhhlāṣ*, but on a different level and with a different emphasis.

## 6 Truthfulness (*ṣidq*)

Birgivī’s analysis of the virtue of sincerity does not stop here, however. In the context of “the evils of the tongue,” and “the evil of lying” in particular, for instance, he embarks on a discussion that is relevant to our understanding of his views on sanctimony, too.<sup>34</sup> “The opposite of lying,” he says, “is truthfulness (*ṣidq*) [...], which is sincerity in speech (*al-ikhhlāṣ fi-l-qawl*).”<sup>35</sup> For Birgivī, as well as the wider tradition, sincerity and truthfulness are thus closely connected. However, they are regarded as analytically distinct and treated as such. Indeed, Birgivī confronts the reader with two pairs of opposites: sincerity as opposed to sanctimony, and truthfulness as opposed to lying. Truthfulness, he continues,

33 *TM*, p. 49.

34 *TM*, pp. 130–2.

35 *TM*, p. 132.

“is to tell things the way they are.”<sup>36</sup> By extension, sincerity must mean to *be* the way you are. This seems to be in conflict, however, with Birgivī’s initial definition of sincerity as involving the desire to draw near to God, and to make this desire pure by “stripping” it of ulterior motives. The question that ultimately arises here is whether one could be “sincerely” bad. That is to say, what to make of the case of someone plagued by all sorts of vices? If sincerity means to “be the way one is,” without dissimulation, then the term would be synonymous with authenticity, whether in good or bad behavior. However, since “sincerity” also implied a particular way to engage in the worship of God—one that involved the authentic desire to make that worship pure—it couldn’t possibly be squared with a range of sinful desires and behaviors, or could it? It is not a question Birgivī raises, however, and will therefore not concern us here further.

Regarding the distinction between sincerity and truthfulness, the tradition commonly associated sincerity with the heart and truthfulness with the tongue. Sincerity and truthfulness are thus described as manifestations of the same phenomenon—one characterizing the heart, the other the tongue. However, they often also get conflated and merged, in a manner similar to the way that *riyā’ wa-sum’a* came to mean “dissimulation,” plain and short. When discussing the benefits of the virtue of sincerity, for instance, Birgivī explains that “the man who makes his heart sincere and his tongue truthful, [...] is saved.”<sup>37</sup> In some instances *ikhhlāṣ* and *ṣidq* are even treated as one and the same thing. In summing up the main take-away point of his discussion of sincerity and sanctimony, Birgivī states that, “Indeed, the perfection of *ṣidq* is to stop caring about what others think.”<sup>38</sup> By this he does not only mean “truthfulness” in its narrow sense of “sincerity in speech,” but sincerity in all one’s acts, broadly conceived, as the opposite of *riyā’*.

Another verbal vice, related to sanctimony, is what Birgivī calls “spoken hypocrisy” or “oral hypocrisy” (*nifāq qawli*).<sup>39</sup> It is, he explains, “the twenty-fourth of the evils of the tongue,” and means “to say things other than what you feel or think.” Like lying, it represents an “opposite of *ṣidq*.” Accordingly, spoken hypocrisy includes “talking to the faces of important people differently than when talking *about* them,” “agreeing with liars,” and “agreeing with unjust rulers and helping them in their injustice.”<sup>40</sup> Another type of dissimulation in speech is what Birgivī categorizes as “two-tongued speech” (*kalām dhī*

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36 *Ibid.*

37 *TM*, p. 65.

38 *TM*, p. 63.

39 *TM*, p. 145.

40 *Ibid.*

*al-lisānayn*), “the twenty-fifth of the evils of the tongue.”<sup>41</sup> This is when a person speaks to two people, who do not like each other, separately and says one thing to one of them and another to the other, ultimately agreeing with both. On the basis of a prophetic *ḥadīth*, Birgivī says that “whoever has two faces in this world, will have two tongues of fire on the Day of Resurrection.”<sup>42</sup> It also includes telling one what the other has said, or inciting enmity between two people by praising each for his enmity toward the other. Birgivī reminds his readers that “the worst of people” are “those who show one face to some and another to others.”<sup>43</sup>

As opposed to all of this, Birgivī offers a range of prophetic traditions to underline the importance of the virtue of *ṣidq*. “Truthfulness,” he says, “guides to piety, which [in its turn] leads to Paradise,” and “Be truthful when you speak and be faithful in fulfilling your promises, if you’ve made some.”<sup>44</sup> In an attempt to further define the virtue, Birgivī explains that truthfulness is divided into a number of sub-categories.<sup>45</sup> First, there is “truthfulness in speech” (*al-ṣidq fī ’l-qawl*), which is “the opposite of lying” (*didd al-kidhb*). Second, there is “truthfulness in intention” (*al-ṣidq fī ’l-niyya*), which is “sincerity” (*ikhlās*). Lastly, “truthfulness in deeds” (*al-ṣidq fī ’l-ʿamal*) is “the agreement [of one’s actions] with what is going on on the inside” (*muwāfaqat al-bāṭin*). This goes back to the common definition of sincerity as an agreement of words and deeds, exterior and interior.

Other sub-categories of truthfulness Birgivī lists are: “truthfulness in promise” (*al-ṣidq fī ’l-waʿd*), which is defined as “the strength” (*quwwa*) of a promise; “truthfulness in determination” (*al-ṣidq fī ’l-ʿazm*), which likewise is defined by its “strength” (*quwwa*); “truthfulness in fulfilling a promise” or “truthfulness in faithfulness” (*al-ṣidq fī ’l-wafāʿ*), which Birgivī defines as its “performance and fulfillment,” i.e. the way a promise is being fulfilled (*taḥqīq wa-injāz*); and, last but not least, “truthfulness in fear [of God and His punishment]” (*al-ṣidq fī ’l-khawf*), which also lies “in its strength and muchness,” i.e. in how strong it is and how much of it there is (*quwwatuhu wa kathratuhu*).<sup>46</sup> Birgivī’s exposition of “truthfulness” here is reminiscent of al-Kharrāz al-Baghdādī’s (d. 286/899) cataloguing of the virtue in his ninth-century Sufi manual *Kitāb al-ṣidq*.<sup>47</sup> But while for Birgivī truthfulness is a subcategory of sincerity, for Kharrāz it seems

41 *TM*, p. 146.

42 *Ibid.*

43 *Ibid.*

44 *TM*, pp. 132–3.

45 *TM*, p. 124.

46 *TM*, p. 124.

47 See al-Kharrāz al-Baghdādī, *op. cit.*

to be the other way around—sincerity as a subcategory of *ṣidq*.<sup>48</sup> Moreover, Kharrāz discusses “truthfulness” first and foremost with regard to the stages of the Sufi path, i.e. how to be “truthful” in repentance (*tawba*), how to be “truthful” in God-fearing (*waraʿ*), how to be “truthful” in contentment (*riḍā*), and so on—none of which is the case in the *Ṭarīqa*. Nevertheless, there is overlap between the two, such as Birgivi’s account of the effects of the temptations of Satan on one’s capacity to be truthful, which is highly evocative of Kharrāz’s description of the same.<sup>49</sup>

Like Kharrāz, Birgivi also discusses in detail the semantic range covered by *ṣidq* and its various derivatives. Thus, he explains, “someone who is trustworthy” or “truthful” (*al-ṣiddīq*) “is characterized by all these characteristics,” meaning that he shows “truthfulness” in speech, deed, promises kept, determination, faithfulness and fear of God—all of which according to the “muchness” and “greatness” required above—i.e. by a great fear of God, a strong determination and reliability in keeping his promises, and by an agreement of what he feels and thinks with what he does (*muwāfaqat al-bātin fi ʿl-ʿamal*).

## 7 Various Taxonomies of *riyāʿ*

To come back to the vice of sanctimony itself, Birgivi approaches it by way of several lines of analysis. These are based on a number of different classifications, each subsequently leading to different concerns in his discussion of the vice. Birgivi’s first approach centers on the people who engage in *riyāʿ*—the sanctimonious actors, as it were. Different people practice different kinds of dissimulation in different contexts, thus making for different categories of analysis. Birgivi’s first fault line is drawn between “religious” and “secular” concerns and contexts, as he distinguishes the dissimulation of laymen and “people of this world” (*riyāʿ ahl al-dunyā*) from that of “men of religion,” i.e. religious scholars, preachers, teachers, Sufis and others active in the religious arena (*riyāʿ ahl al-dīn*).<sup>50</sup>

This basic distinction gets later extended and generalized to come to denote “mundane” dissimulation, on the one hand, and “religious” sanctimony, on the other. Such a move may seem confusing in light of Birgivi’s initial definition

48 *Ibid.*, pp. 79–83.

49 Cf. *TM*, pp. 57–8 and al-Kharrāz al-Baghādī, pp. 94–8.

50 *TM*, pp. 49–50. Birgivi generally provides much more detailed discussions of the ways *riyāʿ* manifests itself among the pious, however. The sanctimony of the “people of this world” is devoted much less space and mostly seems to be provided as a means of contrast and explanation only.

of the term *riyā'* as squarely rooted in the domaine of worship, i.e. sanctimony of whatever kind as the use of ritual acts or acts of "obedience" (normally aimed at the Next World) to achieve this-worldly benefits. Nevertheless, Birgivī proceeds to discuss examples of *riyā'* of a more secular nature, as well. These mostly comprise acts of material ostentation or behaviors the aim of which was to achieve prestige and status in more worldly circles.<sup>51</sup>

What both types of *riyā'* had in common in Birgivī's scheme of things was their aim. Thus, in both the dissimulation of "the people of this world" and that of "the people of religion" it was ultimately approval and praise that was sought—either by way of acts of a narrowly defined religious nature (ritual worship or voluntary good deeds), or by acts of a more mundane kind.

Another, alternative classification of *riyā'* Birgivī presents—more detailed and elaborate than those of his predecessors—involves the varying degrees of sanctimony in a given act, i.e. the varying degrees of its concentration in an act. First of all, Birgivī explains, there is "pure sanctimony" (*riyā' maḥḍ*). This is when a person engages in an act deliberately and in full awareness of the fact that he only does so to obtain praise and curry favor with others, not in order to do good and please God. Then, there is mixed *riyā'* (*riyā' takhlīt*).<sup>52</sup> Thus, Birgivī explains, many acts are partly sincere, partly hypocritical. You might, for example, want to help an old lady cross the street, because you know that it is the right thing to do, but also in order to look good in the eyes of whoever is watching. Birgivī proceeds to subdivide this category into three groups. First, there is the kind of mixed *riyā'* in which the element of sanctimony is predominant (*ghālib*) over the element of sincerity. This is when you help the lady across the street, mostly because you know you will look good in other people's eyes (although not entirely for that reason—there is a small part in you that does so out of sincere feelings of charity). Then there is the case of a mixture in which both component parts—sanctimony and sincerity—are of equal strength (*musāwī*). And, thirdly, Birgivī explains, there is the type of mixed *riyā'* in which the element of sanctimony is "recessive" (*maghlūb*). Acts belonging to this category are committed mostly out of the sincere desire to

51 Of course, even acts that were not explicitly and directly related to the mosque, *madrasa* or Sufi lodge still carried importance in "religious" terms. Thus, while Birgivī makes a distinction between the sanctimony of "the people of this world" and that of "the people of religion," mundance sanctimony was also of consequence in terms a person's salvation or damnation and his respective closeness to God in the Afterlife. The modern distinction of "religious" versus "secular" was foreign to Birgivī; all aspects of life ultimately fell under the purview of God.

52 *TM*, p. 49.

please God. They are, however, tainted by strains of concern for the opinion of others and cannot, therefore, constitute sincerity strictly speaking.

Birgivī also classifies the various *loci* of sanctimony. Sanctimony can manifest itself, he says, in five places (*al-murāʾa bihi*): (i) the body, (ii) one's attire, (iii) in speech, (iv) in deeds, and (v) in the company a person keeps.<sup>53</sup> This classification is old.<sup>54</sup> Muḥāsibī, for instance, had formulated the idea as follows: "A believer is sanctimonious in five things: Through his body, his clothes, the things he says, the things he does and, other than himself, in the company and close friends he keeps."<sup>55</sup> Birgivī's earlier distinction between "the sanctimony of the people of religion" (*riyā' ahl al-dīn*) and "the sanctimony of the people of this world" (*riyā' ahl al-dunyā*) is found here, too. In fact, in Muḥāsibī, Ghazālī and Birgivī's account of *riyā'* there is an interweaving of both taxonomies: religious as opposed to mundane sanctimony, on the one hand, and the five *loci* of sanctimony, on the other.

Echoing Muḥāsibī and Ghazālī's earlier classifications and descriptions, Birgivī explains that sanctimony can manifest itself in the body in a number of ways. People who engage in sanctimony in devotion might show signs of thinness (*nuḥūl*) (due to a lack of sustenance and an excess of ascetic zeal), their lips might be wilting (*dhubūl al-shafatayn*), their faces yellow (*iṣfirār*), their voices deliberately muffled (*khaḥḍ al-ṣawt*), their heads hanging bowed (*iṭrāq al-ra's*), and their movements almost calculatingly silent and slow—all stock signs of exertion in ritual worship, lack of sleep (nights spent in prayer), a well-rehearsed fear of the Afterworld, affected humility, and so on.<sup>56</sup>

The second place where sanctimony may manifest itself, according to Birgivī, Muḥāsibī and Ghazālī, is in dress. People trying to feign piety might, for instance, take to wearing wool. To emphasize their lack of concern for mundane activities such as tailoring or laundry they might don all sorts of coarse, tattered or dirty clothes. This again, is meant to be a sign of their complete dedication to God alone. What they actually want, however, is to gain the admiration of their fellow human beings.<sup>57</sup>

But as different people value different kinds of behaviors, things can get quite complicated. Thus, while some people might be impressed by dirty or ragged clothes as a manifestation of piety, others might not be. Birgivī explains that approval seekers, especially those who "seek to be accepted in the

53 *TM*, p. 50.

54 See, for instance, Muḥāsibī, *Ri'āya*, pp. 206–11, and Ghazālī, *Iḥyā'*, vol. 10, pp. 116–23.

55 Muḥāsibī, *Ri'āya*, p. 206.

56 *TM*, p. 49; Muḥāsibī, *Ri'āya*, pp. 206–7; Ghazālī, *Iḥyā'*, vol. 10, p. 117.

57 *TM*, p. 49; Muḥāsibī, *Ri'āya*, pp. 207–9; Ghazālī, *Iḥyā'*, vol. 10, pp. 117–8.

company of kings and rich people” as much as in more modest circles, often get caught in a dilemma. They might wear lavish clothes to impress the former, yet at the same time fear to be seen by their religious friends and thought of as hypocritical (which, of course, they are). Or they might start wearing expensive clothes that look ragged. Soliciting the approval of different social groups by cultivating a pious “style” might, thus, take more time than these people ever devote to actual worship.<sup>58</sup>

The third *locus* of *riyāʿ* in Birgivī’s classification, as well as in that of Ghazālī and Muḥāsibī, is “in speech” (*bi-l-qawl*). As far as “men of religion” are concerned, he says, “verbal sanctimony” can be witnessed in a number of ways: in sermons, in the way scholarly debates are conducted, in “showing great care to always refer to the pious forefathers,” in “commanding right and forbidding wrong when people are watching,” in “mentioning all the pious deeds one has performed,” in “voicing regret at the sins of others,” in “continuously moving one’s lips as if engaged in *dhikr*,” and so on.<sup>59</sup>

The fourth *locus* for the manifestation of *riyāʿ* is “in deeds” or “actions” (*bi-l-ʿamal*). In the performance of ritual worship, for instance, sanctimonious behavior might include “prolonging the standing postures, kneeling and prostrations during prayer,” or “[prolonged] pausing on each posture before moving on to the next.” In less strictly ritual contexts, it includes acts such as feigning humility by walking in a certain way, making a show of silence and stillness, bowing one’s head, straightening the legs and body when there are people around, but not doing so when one is alone, etc.<sup>60</sup>

Finally, Birgivī explains, the fifth possible *locus* for *riyāʿ* is in the company a person keeps. Thus, people who want to impress others—be it with their religious or worldly standing—delight in having many friends, visitors and followers, Birgivī says. “Followers” are understood here, quite literally, to mean “people who walk behind [the person in question] when he goes to Friday prayer, or when he is invited somewhere. He prides himself in them and does not walk on his own, so that people might say of him that he is a perfect teacher, who has many disciples.”<sup>61</sup>

58 *TM*, p. 50.

59 *TM*, p. 50; Muḥāsibī, *Riʿāya*, p. 209; Ghazālī, *Iḥyāʿ*, vol. 10, pp. 118–19.

60 *TM*, p. 50; Muḥāsibī, *Riʿāya*, pp. 209–10; Ghazālī, *Iḥyāʿ*, vol. 10, p. 119.

61 *TM*, p. 50; Muḥāsibī, *Riʿāya*, pp. 210–11; Ghazālī, *Iḥyāʿ*, vol. 10, pp. 119–20.

## 8 Legal Categorization

In terms of how *riyā'* is to be dealt with from a legal the point of view, Birgivī, again, returns to the distinction between *riyā'* in “worldly affairs” and *riyā'* in “religious affairs.” In “worldly deeds,” he says, *riyā'* is not unlawful. That is, “as long there is no [outright] deceit or forgery and [as long as *riyā'*] is not a means to that which is forbidden.”<sup>62</sup> “If for the purpose of this-worldly pleasure,” however, “it is reprehensible (*madhmūm*).”<sup>63</sup>

Surprisingly Birgivī explains that, “in some cases *riyā'* may be recommended (*mandūb*).”<sup>64</sup> This includes instances in which a worthy contender seeks to gain this-worldly leadership or authority. Birgivī does not dwell on the issue, but it must be remembered that this recommendation does not mean that Birgivī actually endorses the use of dissimulation in the pursuit of worldly power or positions of leadership. In fact, the exact opposite is true and elsewhere Birgivī strongly condemns the use of *riyā'* in such pursuits. (In fact, he strongly condemns such pursuits in the first place).<sup>65</sup> What we have here is a good example of the contradictions that can surface when Birgivī “the jurist” meets Birgivī “the moralist.” In his capacity as lawyer and jurist, Birgivī has to clarify the lawfulness of *riyā'* in this-worldly matters and indicate that cases might arise in which it might, in fact, be “recommended.” But this does not mean that Birgivī “the moralist” would not decry such pursuits in principle, which he does.

In any case, the situation was much less ambiguous in the sphere of religion and ritual worship, in particular—an area of much greater concern to Birgivī than that of *riyā'* in worldly affairs. “In ritual worship,” he explains, “*riyā'* is unlawful—all of it—especially if it is at the basis of worship.”<sup>66</sup> That is to say, it is absolutely unlawful if a person undertakes an act of ritual worship (*ibāda*) in the full awareness (and for the sole purpose) of showing off. Birgivī gives the example of a man who prays the five prescribed daily prayers in public, but not in private. Such a person, he says, is guilty of unbelief (*kufṛ*) according to a number of authorities, including Abū al-Layth al-Samarqandī. The latter, Birgivī says, “spoke so strongly about this, considering [such a person] a total hypocrite, who will end up in the lowest possible level of Hellfire, together with the people of Pharaoh and Hāmān.”<sup>67</sup>

62 *TM*, p. 54.

63 *Ibid.*

64 *Ibid.*

65 Cf., for instance, *TM*, p. 45, p. 84 or p. 155.

66 *TM*, p. 54f.

67 *TM*, p. 55.

Whether or not Birgivī ultimately agreed with Abū al-Layth is not clear, however; as he points out, there is much debate and disagreement regarding the legal status of different kinds of *riyāʿ*. Indeed, Birgivī expounds at length on the different judgments of scholars, depending on the varying degrees of concentration of *riyāʿ* in a given act (mixed or pure, and in the case of mixed, the respective prevalence), the moment at which an originally sincere intention possibly changed into an insincere one, and so on. In the end, not even the case of a person who prays in public, but not in private, seems to be as clear-cut as Abū al-Layth would have liked to have it.

Birgivī returns to the issue of prayer—individual and communal—at several points in his discussion. In fact, determining the legal consequences of the insincere performance of ritual acts such as prayer, fasting or alms-giving was a central concern of the wider tradition as well. Along with others, the main question Birgivī was asking in this regard was, “Does *riyāʿ* void the ritual act?” i.e. “Does *riyāʿ* void the reward otherwise gained for the performance of a given act?” and, if so, how and at what point?

## 9 The Why(s) and How(s) of *riyāʿ*

All the main representatives of the *riyāʿ* tradition, from Muḥāsibī, Makkī and Ghazālī to Birgivī, agreed that the main and overarching reason for *riyāʿ*—be it “mundane” or “religious”—was the desire for approval and praise. Furthermore, concomitant with “the love of praise,” was the avoidance and fear of criticism (*khawf al-dhamm*)—the second basic cause for *riyāʿ*. Moreover, Birgivī reminds his readers that it is for “status” (*jāh*), and “to win over people’s hearts” (*li-istimālat qulūb al-nās*) that people would engage in *riyāʿ*.<sup>68</sup> Approval is pursued, he says, either for its own sake (*li-dhātihī*) or as a means for something else. Accordingly, there existed a whole range of causes for *riyāʿ* that could be termed “secondary” (although Birgivī does not explicitly refer to them as such). Among these, and the manifold examples Birgivī gives, it is possible to discern a number of themes.

First of all, there was the pursuit of positions of power and leadership (*riyāsa*), worldly as much as religious. People engage in *riyāʿ*, Birgivī explains, to obtain specific posts (sg. *manṣib*, pl. *manāṣib*), including governorships, judgeships and guardianships over *waqfs*, as well as trusteeships of various kinds, custodianships over the possessions of orphans, the infirm and so on.

68 *TM*, pp. 51–2.

Ultimately, he says, what people hope to attain through feigned piety and dissimulation are positions of authority, prestige and status (*jāh*).

Another driving cause, related to the desire for status, was that for wealth, money and material possessions. “Wanting others to spend on you,” just like “wanting others to serve you,” are among the examples Birgivī gives. The theme of power, authority and status was, in fact, intrinsically related to economic advantages expected and hoped for.<sup>69</sup> Especially with regard to “the desire to gain followers,” Birgivī goes into detail. Apart from gifts, however, he explains that teachers, preachers and Sufis often also enjoy cultivating large crowds, “for others to learn from them,” “to show others good deeds” and “to become the reason for the good deeds of others.”<sup>70</sup>

Along with this, another cluster of causes for *riyāʿ* revolves around sex, marriage and eroticism. Thus, to wish “to be noticed by women and boys,” “to want to marry” or “to want to have sex” are all causes Birgivī cites for the vice of *riyāʿ*.<sup>71</sup>

While the desire for money, status or sex were factors driving *riyāʿ* in “positive” terms, there were other causes that drove it in “negative” terms. Most important among these was the wish to avoid criticism and embarrassment. For instance, Birgivī gives the example of a man who sees people exert themselves in prayer, fasting or alms-giving, and feels compelled to do the same, “out of fear that laziness, indifference or sinfulness might be ascribed to him.”<sup>72</sup> There is also the convoluted story of a man who, on the day of ‘Arafa or ‘Āshūrā’ (i.e. voluntary fast days), decides not to drink any water. Realizing that he cannot sustain his initial ambition to impress, he comes up with an excuse to justify breaking a fast that was voluntary to begin with, so as to keep up the pretense of piety.<sup>73</sup> Again, his concern is the people around him and what they think of him, rather than with God. Contrary to this, Birgivī argues, “a pious person does not care what people think of him. He does not want others to believe or think something God knows is not the case.” That is to say, if a person does not really want to fast, God will know it. And “if [someone] had the desire to fast, he would be satisfied with the fact that God knew it.” That is to say, he would

69 *TM*, p. 52.

70 *Ibid.*

71 *Ibid.*

72 *TM*, p. 51.

73 Acc. to C. C. Berg, “Şawm,” in *EI2*, vol. 9, p. 94, “the revelation of sūra 11, 179–81, abolished the ‘Āshūrā’ fast as an obligation by the institution of the fast of Ramaḍān.” Cf., also, A. J. Wensinck, “‘Āshūrā,” *EI2*, vol. 1, p. 705: “a voluntary fast day.” For fasting on the day of ‘Arafa, cf. Nawawī, *Sharḥ ṣaḥīḥ muṣlim*, ed. ‘Alī ‘Abd al-Ḥamīd Biltahjī (Damascus: Dār al-khayr, 1994), vol. 8, pp. 197–207.

not feel the need to publicize his good deed to others, “he would not share it with anybody else [...]”.<sup>74</sup> In this example, the desire to please, coupled with the realization that one cannot actually carry out what one has set oneself to do, leads to a sudden fear of criticism, revealing the complex ways in which—in Birgivī’s view—*riyā’* could entangle the believer.

Birgivī’s provides a myriad of examples, from the way people would talk, walk and carry themselves, to the most banal aspects of daily life and interpersonal relations. “To laugh in order to please others,” for instance, “to laugh before there is actual reason [to do so],” or to follow the lead of others (in laughing) are all examples of *riyā’*.<sup>75</sup> In fact such behavior is most common in front of the rich and powerful. Thus, *riyā’* frequently involves “making a show” before princes (*umarā’*), ministers (*wuzarā’*), judges (*quḍāt*) and so on, involving “displays of princely bearing,” or “exhibitions of courage and leadership,” to make belief that one belonged.

## 10 The “People of Religion”

More than anything, however, Birgivī was concerned with dissimulation displayed in the religious arena, in particular the sanctimony of preachers, scholars, and Sufi *shaykhs*, i.e. “people of religion” (*ahl al-dīn*). Not only was their sanctimony worse than that of ordinary people, he says, but there were “signs of sanctimony” (*alāmāt al-riyā’*) specific to them, as opposed to other social groups.<sup>76</sup>

Dissimulation in the religious arena could thus involve “making a show of one’s worship, piety and God-fearing,” “donning the garb of Sufis,” “feigning a posture of humility,” “attending religious gatherings” (when one would otherwise not do), over-zealous praying, and reciting of the Qur’ān, uttering pious formulae in public and so on.<sup>77</sup> It also included the self-righteous and exaggerated display of concern for ritual purity, such as “to ask the owner of a thing whether that thing is lawful or unlawful, whether it is clean or unclean [...], pretending hesitation without there being any real doubt.”<sup>78</sup> This could be the case, for instance, when a person wanted to buy something, when receiving a gift, or when invited to dinner or to pray in somebody else’s house.<sup>79</sup>

74 *TM*, p. 51.

75 *Ibid.*

76 *TM*, p. 54.

77 *TM*, p. 52.

78 *TM*, p. 159.

79 *Ibid.*

Furthermore, signs of sanctimony particular to the *'ulamā'* included: "when somebody else appears, who is better than him in preaching, and has mastered knowledge more deeply, and the people accept him more enthusiastically, he wishes him evil and envies him."<sup>80</sup> Likewise, "when important people attend his *majlis*, he changes his words, from the way he was speaking to a different way, artificially [i.e. using affected speech], in order to influence their hearts to incline favorably towards him."<sup>81</sup>

Birgivi returns to the "men of religion" time and again in his discussion of sanctimony: "How many scholars," he laments, "knowingly say things out of sanctimony alone!"<sup>82</sup> And even though they know exactly what they are up to, "they continue, without aversion."<sup>83</sup> They do so, he argues, because they value their social standing more than the opinion of God. However, "on the day of the Last Judgment, the case against [them] will be stronger [than against anybody else]."<sup>84</sup> Indeed sanctimonious *'ulamā'* will be judged more severely than the ignorant (*al-juhalā'*).<sup>85</sup> This is because they should know better. Yet despite their greater knowledge of the evil of *riyā'*, and its harmful consequences, they still engage in it. Often they are, indeed, fully aware, and even averse to what they are doing, but still do not desist.<sup>86</sup> In that case, Birgivi explains, "they accept their *riyā'*" (i.e. they accept the thought that arises within them that causes their *riyā'*) and act upon it. This is because "their aversion to the vice is small in comparison to the strength of [their overpowering] passion and [their] desire [for the praise of others]."<sup>87</sup> Thus despite their better knowledge, Birgivi continues, these scholars give in to their desires and passions and engage in *riyā'* to obtain the praise of others. The aversion they might feel is "of no avail" to them, because it should cause them to turn away from sanctimony, rather than allow them to engage in it consciously.

In the context of his discussion of "arrogance" (*kibr*), Birgivi includes a long section on "scholars [who] wax arrogant on account of their knowledge," which is linked explicitly to the question of sanctimony.<sup>88</sup> Knowledge is in vain, Birgivi says, when it does not coincide with good intentions and right

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80 *TM*, p. 53.

81 *Ibid.*

82 *TM*, p. 67.

83 *Ibid.*

84 *Ibid.*

85 Cf. al-Nābulusī, *al-Ḥadiqa al-nadiyya sharḥ al-ṭarīqa al-muḥammadiyya* (Istanbul: Maṭba'at al-ʿāmiri, 1873), vol. 1, p. 539.

86 *TM*, p. 67.

87 *Ibid.*

88 *TM*, pp. 70–74.

action.<sup>89</sup> Thus, “preachers who do not practice what they preach, and teachers who do not practice what they teach will have their lips torn off in Hell with scissors of fire.”<sup>90</sup> While Birgivī’s language often remains formulaic and quite clichéd, it is clear that he was greatly preoccupied with the sanctimony, or what he perceived as such, of his own *‘ilmīye* colleagues. Disenchanted with much of the religious establishment of his day, Birgivī in fact saw *riyā’* as the underlying cause of the careerism, ambition and vanity of so many “men of religion,” who cared more for their own advancement than the illegal practices around them, often endorsed by the state and its chief religious officer, Ebū’s-Su‘ūd.

On the one hand, Birgivī was certain that “no servant of God is better than the one who tries to understand the religion of God” (*mā ‘abd allāh [...] afdal min man faqaha fī dīn allāh*) and that “a single legal scholar [can be] stronger against Satan than a thousand ordinary believers” (*faqīh wāḥid ashadd ‘alā ‘l-shayṭān min alf ‘ābid*).<sup>91</sup> But the special position scholars were endowed with, indeed, their better knowledge of right and wrong, also meant that they would be held to higher standards than ordinary believers on the Day of Judgment. “Who are the worst of people?” he asks, in reliance on a *ḥadīth*; “the worst,” the Prophet says, “are the very bad ones from among the religious scholars” (*sharrār al-‘ulamā’*).<sup>92</sup> Thus, Birgivī declares, “The people who will be punished most severely on the Day of Resurrection are the scholars who have not made use of their knowledge.”<sup>93</sup> To underline his point, he continues with the story of a man who is thrown into Hell. Torturing the inhabitants with his bad smell, he is told, “It was bad enough for us before you came in here with your rotten stench! What on earth did you do?” He answers, “I was a scholar, but did not put my knowledge to any [good] use.”<sup>94</sup>

In connecting the vice of *riyā’* with “the arrogance of scholars on account of their knowledge,” Birgivī brings together two crucial concerns of his: the corruption of his age as manifested in the fact that scholars no longer “act in accordance with what they know [to be right],” and the imperative to establish virtue on the sound basis of “right intention.” Indeed, Birgivī’s interest in *riyā’* was greater than in any of the other “evils of the heart” and, even though the substance of what he says is to a large extent derivative, the question seems to have taken on a particular urgency for him. If virtue was to be established—both on an individual level and in society at large—it was scholars like him

89 *TM*, p. 71.

90 *TM*, p. 72.

91 *TM*, pp. 31–2, literally: “a single one who understands” (*faqīh*).

92 *TM*, p. 72.

93 *Ibid.*

94 *TM*, pp. 72–3.

who had to act as role models and provide the community with “sincere advice” (*naṣīḥa*) on what constituted correct belief and practice in the first place.

The type of *riyāʿ* that most affected men of religion, however, and that Birgivi considered most dangerous was “hidden sanctimony,” i.e. sanctimony caused by desires hidden even from the scholar himself. For “when *riyāʿ* is hidden, [...] it is more subtle than the creeping of ants.”<sup>95</sup> Birgivi explains that, in order to counteract such sanctimony, it had to be brought onto the plane of consciousness, i.e. one first had to “see it.” “In order to see it,” however, he exhorts his readers, “one needs to know that it has the following characteristics,” which he proceeds to enumerate.<sup>96</sup>

First and foremost, it meant “to be happy when people watch you commit a good deed and praise you [for it].” This is in line with Birgivi’s definition of the aim of *riyāʿ* as the attainment of human praise. However, while in the case of ordinary *riyāʿ* this aim was pursued consciously and deliberately, in the case of “hidden” *riyāʿ* it was sought unconsciously and instinctively. Birgivi explains that “when a person likes it when people respect him and praise him and [when he enjoys it when they] busy themselves in providing for his needs,” and so on, this may be a good indication for hidden *riyāʿ*. Furthermore, “if his heart becomes heavy [when] somebody is neglectful of him,” this, too, might be a sign of the person’s possible susceptibility to hidden sanctimony.

Birgivi continues with a long list of examples, not all of which deal with scholars, however. For even though “the people of religion” were more prone to fall prey to hidden *riyāʿ* than to any other form of the vice, hidden *riyāʿ* itself was by no means confined to them. Indeed, it affected men of all walks of life. Birgivi gives the case of a believer who has two friends, “one rich and one poor.” When hosting the rich friend, the person feels “much commotion in his soul about hosting him.” Whereas when hosting the poor man this same commotion is absent. This is a warning sign, Birgivi says, for wanting to please a rich man more than a poor one is indicative of a propensity for “hidden *riyāʿ*.”<sup>97</sup>

While in some cases (such as this) *riyāʿ* could be detected fairly easily, more often than not, Birgivi emphasizes, things were much more complicated. Having provided his preliminary definition, classification and explanation of *riyāʿ*, and having laid out his particular concern with “hidden *riyāʿ*,” as it affected men of religion, as well as the community of believers more generally, Birgivi proceeds to devote a long discussion to examples of *riyāʿ* in which judgment is uncertain (*umūr mutaraddida*), i.e. where it was hard to determine

95 *TM*, pp. 53.

96 *TM*, pp. 53–4.

97 *TM*, p. 53.

whether the act in question constituted sanctimony or sincerity or a bit of both and to what degree.<sup>98</sup>

## 11 When Things Are Not That Clear-Cut

In a subtle analysis of the complex workings of the human soul, Birgivī explains that it can often be very difficult to discern whether a given act is to be characterized as sanctimonious or sincere. Dissecting a host of cases in which layers of sincerity and sanctimony intermingle, Birgivī's particular focus lay on the role of Satan ("the Whisperer") and one's "evil-commanding-soul" (*al-naḥs al-ammāra bi-l-sū'*) (often under direct influence of the former) in insincere thoughts or acts. Concerned with social status first and foremost, it was man's animal soul especially that was prone to lead him to dissimulate. Moreover, the line between "the evil-commanding soul" and Satan were often blurred beyond distinction. While Birgivī provides detailed instructions on how to distinguish sincerity from sanctimony, they were such that it was almost impossible for a believer to rest assured that he had rooted out all ulterior desires. Indeed, man had to stay in a constant state of suspicion of the motives of his actions. For as soon as he felt satisfied with having discovered and removed the secondary motives that might taint his good deeds, he in fact allowed sanctimony another way in.

Birgivī explains that both sanctimony and sincerity can be influenced by Satan.<sup>99</sup> It is therefore essential for a believer to learn to protect himself against Satan and his "tricks" (*ḥiyal* or *makāyid*). Birgivī explains that "Satan is like a barking dog. It is only if you turn away, that he calms down."<sup>100</sup> Why is this relevant for the question of sincerity and sanctimony however? It is, Birgivī says, because sincere actions are conditional upon sincere intentions and sincere intentions are based on "good" thoughts rather than "bad" ones. Divorcing action from cognition in a way unfamiliar to us today, Birgivī argues that the biggest problem in distinguishing sincere acts from insincere ones is in knowing whether or not the motive underlying them was sincere or not to begin with. Again, Birgivī repeats that a believer might often think he has acted sincerely, out of good and pure intentions, when there were secondary motives tainting his actions he might not even have been aware of ("hidden *riyā'*").

98 *TM*, pp. 57–64.

99 *TM*, p. 57.

100 *TM*, p. 58.

In his scheme of things, good and evil thoughts stem from angelic and satanic inspiration, respectively.<sup>101</sup> Thus, to determine whether a given thought is good, Birgivī says, we must first determine where it came from, i.e. “whether it is from Satan or from someone other than him.”<sup>102</sup> It is first necessary to know the origin of our thoughts. Initially, “if a random thought occurs to us, we do not know whether it is a bad one from Satan or a good one from another source.” If it is from Satan, he says, “we must fight it,” i.e. “we must subdue it and keep it away from the soul. [...] For thoughts are the traces (*āthār*) [...] created in our hearts, which lead to actions and omissions.”<sup>103</sup>

“Good thoughts,” Birgivī continues, are thoughts “that will lead to good deeds.” That is to say, their “result is sincere striving (*ijtihād*) and good deeds (*tāʾāt*),” for which one gets rewarded by God with an *ikrām* (lit. “honorarium”).<sup>104</sup> A good thought is called “right guidance” (the terms Birgivī uses are *hidāya*, *tawfiq*, *lutf* and *ʿināya*). It reaches a person by way of an angel, referred to as “*mulhim*,” since his “invitation” (*daʿwa*) is inspiration (*ilhām*). The place where the angel alights to convey his call, Birgivī says, is the right “ear” (i.e. chamber) of the heart. Bad thoughts, on the other hand, are thoughts that result in sin (*dhanb* or *ihāna*) and punishment (*ʿuqūba*). Bad thoughts are a “deception” (*khidhlān*), “leading astray” (*idlāl*). They reach people in one of two ways. Either through “nature,” i.e. through the concupiscent and irascible faculties of the soul; this is called “passion” (*hawā*). Alternatively, bad thoughts may reach a person’s heart through Satan—“the whisperer” (*al-waswās*)—as his “invitation” is whispering (*al-waswasa*). The place where the devil alights to convey his invitation, Birgivī explains, is the left chamber of the heart.<sup>105</sup>

So far, things seem fairly straightforward. They get more complicated, however, because the devil incites believers not only to evil, but often also “tempts” them to do things that seem to be good. Birgivī explains that this is usually a type of “inferior good” that will prevent the believers from a greater good and hence deny him complete virtue.<sup>106</sup> Alternatively, Satan might call on a person to do a good deed that will lead him to commit a great sin later on, without realizing it.<sup>107</sup> It is in all of these cases that sanctimony plays a crucial part.

101 *Ibid.*

102 *Ibid.*

103 *Ibid.*

104 *Ibid.*

105 A similar account for how the devil’s insinuations reach the human heart is given by A. S. Tritton, *Muslim Theology* (London: Luzac, 1947) p. 114.

106 al-Nābulūsī, *op. cit.*, vol. 1, pp. 499–500.

107 *Ibid.*, p. 500.

In order to guard oneself against such thoughts, inspired by Satan, the believer must first be aware of a number of common characteristics they have, Birgivī says. They usually fill the heart with (i) a sense of great urgency (*nashāt* and *ʿajala*, lit. “zealous eagerness” and a “rush”), (ii) with a false sense of security (*amn*), and (iii) a blindness to the consequences of the actions one is about to embark on. “Good thoughts,” on the other hand, have the following characteristics: one feels (i) apprehension and anxiety (*khashya* and *khawf*) that what one is about to do might not be right (even if it is), (ii) deliberateness and perseverance (*taʿannī*), and (iii) a clear perception (*baṣīra*).

Furthermore, Birgivī explains that there are four consecutive measures to distinguish a bad thought from a good one.<sup>108</sup> First, he says, one must “expose it to the Law.”<sup>109</sup> “If it agrees with it, then it is good. But if it is in opposition to it, then it is evil.”<sup>110</sup> If, following legal scrutiny, it is still not clear whether the thought in question is “good” or “bad,” it should be presented to people who might be able to tell the difference: first, to “a scholar knowledgeable of the Hereafter or a perfect mystical guide, if one can be found. If he says it is good, then it is good, and if he says it is evil, then it is evil.”<sup>111</sup> Again, if this does not yield any result, one should “bring it to those who do good” (*al-ṣāliḥīn*). Birgivī explains that “if in acting upon the thought one imitates them, then it is good, whereas if, [in acting upon it one imitates] people who are evil, then it is evil.”<sup>112</sup> Finally, if none of these steps have led to a clear-cut answer, one should proceed to an examination of the self, by “exposing the thought to the soul and passion.” The question to be asked here is “Does [the soul] turn away in natural disinclination?” If so, it is most probably a good thought, whereas if it “inclines” toward it, chances are that it is bad.<sup>113</sup> “For the soul,” Birgivī explains, “when it is empty [...] is truly an inciter to evil (*ammāra bi-l-sū*).”<sup>114</sup>

Moreover, for believers to better discern evil thoughts, Birgivī goes on to explain what he calls “the seven tricks of Satan.” These are, he says, that (i) “he tries to make us disobey God,” (ii) “he tries to make us delay and postpone the things we need to do immediately,” (iii) “he tries to make us rush things we should do with deliberateness,” (iv) “he incites us to show off our deeds,” (v) “he induces us to be proud and plunges us into conceit,” (vi) “he tells us to strive inwardly” (lit. to “strive in the heart”), and (vii) “he says that if you are

108 *TM*, p. 59.

109 *Ibid.*

110 *Ibid.*

111 *Ibid.*

112 *Ibid.*

113 *Ibid.*

114 *Ibid.*

destined to go to Paradise, then you don't need to do good deeds, and if you are destined to go to Hell then it won't make a difference anyway."<sup>115</sup>

Of these, (iv) and (vi) are of particular importance with regard to *riyā'*. The first ("he incites us to show off our deeds") is a direct reference to dissimulation. The sixth trick ("strive inwardly"), on the other hand, is often given as a cure for the vice ("Close the door and do not show your good deeds or acts of worship to others.").<sup>116</sup> Birgivi says that, in telling believers to strive inwardly, i.e. not to show their deeds openly, the devil tries to entice the devout into a kind of hidden sanctimony.<sup>117</sup> Of course, what is interesting is that this stands in direct contrast with the explicit incitement to *riyā'* in (iv). The devil thus tries to tempt believers into both open and hidden sanctimony, which is why—in Birgivi's scheme—it is almost impossible for man to win. Whatever he does, whether he hides his deeds or displays them, there is always the possibility that his motives are insincere.

With regard to the devil's incitement to hidden *riyā'*, however, Birgivi instructs his reader to respond to the "whispers" by saying: "I am only a servant of God and He is my master. If He wants to expose something [I do], He does so, and if He wants to conceal something [I do], He does so [...] and I don't care if He exposes [what I do] to people or not, for nothing is in their hands."<sup>118</sup>

Notwithstanding, Birgivi continues with his instructions for how to distinguish between *ikhlaṣ* and *riyā'* by way of a meticulous examination of one's conscience, saying that it was ultimately the reaction of the soul that was to decide.<sup>119</sup> This, of course, placed the onus squarely on the shoulders of believers, in a way quite incongruent with the assertion that "nothing was in their hands" after all. Birgivi did not seem to perceive a tension, however. Indeed, he explains, since we do not know what is "written," our choices matter; and, although he does not say so explicitly, the argument implied appears to be that we can only decide on the basis of a careful consideration of the respective reactions of our souls.

The ultimate sign allowing for a distinction between sincerity and sanctimony (*al-'allāma al-fāriqa baynahumā*), Birgivi thus explains, is the reaction of the soul. More specifically, it's the reaction in context of whether or not the believer is being watched. The question therefore goes back to the issue of *iḥsān* and "seeing and being seen." Birgivi gives the example of a man who joins a

115 *Ibid.*

116 See below.

117 *TM*, p. 59.

118 *Ibid.*: *innamā anā 'abd allāh wa-huwa sayyidi; in shā'a aḥara wa-in shā'a akhfā [...]*.

119 *TM*, p. 62 and al-Nābulusi, *op. cit.*, vol. 1, p. 516.

group of pious people engaged in zealous night-long prayer or voluntary fasting. Exposing his soul to self-scrutiny as to the real, underlying motives for his desire to join them, that person will find the following: If “the soul is generous in praying and fasting” (*taskhū bi-l-ṣalāh wa-l-ṣawm*), i.e. “if the soul allows itself to pray and fast,” then what he does is guided by *ikhlaṣ*. In this case, the person joins the pious out of a sincere desire to be or become like them, rather than in order to seek their approval or the approval of others. But “if the soul is not generous (*lā taskhū*) or if [the person] finds it hard (*yathqul*) because they are not looking at him (*li-adam iṭṭilā‘ihim ‘alayhi*),” then what he is engaged in is *riyā’*.<sup>120</sup>

What exactly does Birgivī mean by the soul “being generous” or “not being generous”? This seems to be crucial for our understanding of the process envisioned. The verb *sakhā* usually means “to be liberal,” “to be open-handed,” “to grant.” “Allowing for” might in fact be a good translation of the phrase in question, i.e. “if the soul allows for prayer”, meaning that the soul does not put up resistance at the thought of praying, that it is, in fact, positively inclined towards prayer. The impression conveyed by Birgivī’s example is that something must have prevented the man in question from turning his positive inclination for voluntary prayer (or fasting) into action in the first place. Indeed, Birgivī earlier speaks of *‘awāqib* (“obstacles”).<sup>121</sup> Chancing upon a group of people engaged in prayer or fasting thus served as a stimulus to turn a desire that was latent or already present, but hitherto frustrated, into action.

In the opposite instance, sincere desire is not present, the soul being “not generously inclined” towards the idea of nocturnal prayer or fasting. In this case, if the person joined the group, it had to be for a reason other than wanting to please God and, hence, due to sanctimony.<sup>122</sup>

These instructions regarding the positive or negative inclination, respectively, of the soul and how each was to be interpreted by the believer in his attempt to understand the motives of his actions, thoughts and feelings stand in contrast with what Birgivī had said earlier regarding the soul, as the “true inciter to evil.” As such, Birgivī had argued, the soul inclines to that which is bad and shows an aversion to that which is good (hence his earlier recommendation to steer clear of things that seem pleasing to the soul, while embracing those actions that seem hard for it to embrace). Here, however, he argues that if the believer does not find his soul to be generously inclined toward prayer, but prays after all, he is engaging in sanctimony. Yet again, it seems almost impossible for

120 *TM*, p. 62.

121 *Ibid.*

122 *Ibid.*

the believer to win. If his heart is disinclined to prayer it's because of "the evil-commanding soul," but if it is inclined to it, suspicion is warranted, too, as it is probably hidden *riyā'* that is at work.

## 12 Embarrassment

Another issue of importance in Birgivī's discussion of sincerity and sanctimony is the role played by embarrassment or shame (*ḥayā'*). Birgivī argues that *riyā'*, *ikhhlāṣ* and *ḥayā'* are a trio that often gets mixed up and confused.<sup>123</sup> Embarrassment, he argues, frequently causes dissimulation. However, just as with other causes of sanctimony, a person might not actually be aware of the fact that he feels embarrassed and does things to please others. It therefore is often quite difficult to distinguish the three.

As with approval seeking, Birgivī says, people mostly feel embarrassment in front of their fellow human beings, when they should actually feel it in front of God. In his commentary on Birgivī's discussion of *ḥayā'*, the famous eighteenth-century Damascene scholar and Sufi 'Abd al-Ghanī al-Nābulusī revisits Muḥāsibī, who had argued that *ḥayā'*, in and of itself, was a virtue.<sup>124</sup> However, "when Satan gets involved," human beings often move from shame to sanctimony. Again, what had applied to approval-seeking earlier, also applies to shame and embarrassment: if you are embarrassed in front of other human beings, this kind of "shame" makes you act insincerely, resulting in sanctimony. But if you are ashamed in front of God, it is a virtue, and causes you to act with sincerity.

To illustrate the question, Birgivī gives the example of a man whose friend asks him for money. Although he does not want to give it to him, he is embarrassed to say no. To lend someone money, even if one does not really want to, but because one feels ashamed, Birgivī declares, constitutes sanctimony.<sup>125</sup> The same goes for lending someone money because one "thinks" it is the right thing to do, even though one does not actually "feel" like helping. Also, to lend someone money in the hope they will praise you and think you are generous, indicates *riyā'* rather than *ikhhlāṣ*. Likewise, to hope people will not think badly

123 *TM*, p. 63.

124 al-Nābulusī, *op. cit.*, vol. 1, p. 520.

125 *TM*, p. 63.

of you if you do not lend them money means that a sentiment of “embarrassment” and “the fear of criticism” influenced your actions.<sup>126</sup>

Also, when people are embarrassed “to exhort others,” “to command right and forbid wrong,” to act as prayer leaders or to take up other communal and individual religious duties, this means that they care more about the opinions of other human beings, when they should really feel shame in the face of God. The same considerations, Birgivi continues, apply to the wish people may have “to stop sinning.” Is it truly for God? Or is it to look good in the eyes of one’s fellow humans?<sup>127</sup> Is it in order not to be embarrassed and ashamed in front of others, to please them and avoid their censure? For often, Birgivi points out, people refrain from sinning or express their intentions to do so in the future, only because of the way they might be perceived by others, rather than God. Summing up the main point, Birgivi thus states again, “Indeed, the perfection of *ṣidq* is to stop caring about what others think.”<sup>128</sup>

### 13 How to Cure the Evil of *riyā’*

As with other vices, so too in the case of *riyā’*, Birgivi provides his readers with an elaborate discussion of how it was to be “cured.”<sup>129</sup> “The cure of dissimulation” (*‘ilāj al-riyā’*), he says, is conditional upon knowledge of four things: (i) its causes, (ii) its dangers and “deleterious consequences” (*ghawā’il*), (iii) its “antidote” (*didd*) and, last but not least, (iv) the benefits (*fawā’id*) that ensue from the antidote.

Going back to what we discussed earlier as to the *why(s)* of *riyā’*, Birgivi argues that it is imperative to understand that *riyā’* stems from “the desire to achieve a position of status and rank in the hearts of people”—a desire that manifested itself in a “love for praise” and “fear of criticism,” rather than the wish to draw near to God. In addition to an understanding its causes, the cure of *riyā’* must rest on an awareness of its dangers, most importantly that of *shirk*.<sup>130</sup> Returning once again to his initial definition of *riyā’* as “turning the [ritual] worship of God into a means for getting closer to humans,” Birgivi explains that the greatest danger of *riyā’* lies in the inversion it creates between a

126 Birgivi’s remedy in this case, is to send someone else to tell the friend. This way one avoids the feeling of embarrassment as well as the trap of sanctimony. See *TM*, p. 63.

127 al-Nābulusī, *op. cit.*, vol. 1, p. 522.

128 *TM*, p. 63.

129 *TM*, pp. 64–7 and al-Nābulusī, *op. cit.*, vol. 1, pp. 526–543.

130 *TM*, p. 64.

concern for humans and the concern for God.<sup>131</sup> *Riyā'* has legal consequences—first and foremost in the voiding of ritual and the reward that is supposed to be gained from it.

Birgivi explains that the cure of *riyā'* is effected by “cutting off its roots” (i.e. the causes).<sup>132</sup> Simultaneously, its corresponding opposite virtue—its “antidote”—must be established.<sup>133</sup> This means the acquisition of *ikhhlāṣ*, by way of a constant, deliberate and consciously sincere performance of ritual worship, first and foremost. Secondly, it means the cultivation of an overall honest disposition in one’s inter-personal relations. Both the uprooting of *riyā'* and the parallel implementation of *ikhhlāṣ* are to be achieved, Birgivi explains, by a range of intellectual as well as practical exercises. His treatment is thus divided into two parts: one “theoretical” (intellectual-spiritual) and one “practical.”

The “theoretical cure” (*ilāj 'ilmī*), as laid out by Birgivi, consists of the constant and deliberate cultivation of one’s awareness of the negative qualities and effects of *riyā'*. Complementing this is a similarly deliberate cultivation of one’s awareness of the benefits of the virtue of *ikhhlāṣ*. Both were achieved, Birgivi argues, by constantly “reminding your heart” of the negative characteristics of *riyā'*, on the one hand, and the positive characteristics of *ikhhlāṣ*, on the other. He conceives of this “remembrance” (*dhikr*) as an intellectual-spiritual exercise—a kind of self-talk—in which the believer repeats to himself, as often as possible, things like “*Ikhhlāṣ* leads to salvation; *riyā'* leads to Hell,” reminding himself also of the Qur’ānic verses and prophetic traditions relevant to both vice and virtue.<sup>134</sup>

In addition, Birgivi says, the believer should “remind himself to be content with the fact that God knows that he worships Him.”<sup>135</sup> This, too, had to be done by repeating to one’s heart, again and again, that it was sufficient for God to know. Hand in hand with this went the injunction “not to seek to let others know.” (i.e. tell yourself that others have no power and that it is therefore futile for you to expose your good deeds to them).

Then, there was what Birgivi called the “practical cure” (*ilāj 'amalī*). This consisted of instructions for how to go about eliminating *riyā'* in concrete terms, i.e. in one’s actual behavior. Along with the injunction “not to seek others to know,” Birgivi urges his readers to “hide” their good deeds, as well as their

131 *TM*, p. 65.

132 *TM*, p. 66.

133 *Ibid.*

134 *Ibid.*

135 *Ibid.*

acts of ritual worship, to “close the door,” except for acts which require to be carried out in public.<sup>136</sup> The temptation for dissimulation is thus minimized. This is reminiscent, of course, of the Malāmī teaching “to narrow the lower self’s sphere of operation by shunning all public display of piety.”<sup>137</sup>

In addition, Birgivī continues, one must constantly be prepared to push away thoughts of sanctimony, which might enter the mind at any given moment.<sup>138</sup> ‘Abd al-Ghanī al-Nābulusī here adds that this should be done “before the thought can spread in the soul and it becomes difficult to remove it, because it has taken root already.”<sup>139</sup> Furthermore, Birgivī stresses that “at the beginning of each act of worship or good deed you should inspect (*tufattish*) your heart, and if there are any sanctimonious thoughts, remove them. Establish [...] the deed you are about to perform in sincerity, for God alone; and be determined to stick to sincerity for as long as it takes you to perform the act.”<sup>140</sup>

The sequence Birgivī proposes is thus as follows: at the beginning of each act of worship, first inspect your heart, then “remove thoughts of *riyā*” (and continue removing them throughout, if they happen to arise), and third, “establish each act in sincerity, being determined to be sincere.”<sup>141</sup> But, Birgivī warns, “Your Satan does not leave you alone” (*wa-lākin al-shayṭān al-muqāran laka lā yatrūkuka*), constantly exposing you to thoughts of sanctimony in your heart. Thus, even when you have established an act in sincerity, you must continuously defend it against the intrusions of *riyā*.

For “*riyā*-inducing thoughts” (*khaṭarāt al-riyā*, lit. “the thoughts of *riyā*”), as Birgivī conceives of them, are on three levels.<sup>142</sup> First, there is “the knowledge that people look at you” or “the desire” that they do so.<sup>143</sup> Second, there is “the desire for their praise” and the desire “to achieve a position of status in their eyes.”<sup>144</sup> Third, there is the final step which brings about sanctimonious behavior, namely “to let the soul accept it.”<sup>145</sup> It is a final “giving-in,” Birgivī explains, by letting the kinds of thoughts that produce sanctimony (level one and two) enter the soul.

136 *Ibid.*

137 See above, p. 92; Karamustafa, *Sufism*, p. 48.

138 *TM*, p. 66.

139 al-Nābulusī, *op. cit.*, vol. 1, p. 537.

140 *TM*, p. 66.

141 In commenting, al-Nābulusī here quotes from Ibn Nujaym’s *Kitāb al-ashbāh wa-l-nazā’ir*, listing the various meanings of *niyyat al-’ibāda*, *niyyat al-ṭā’a* and *niyyat al-qurba*, respectively.

142 *TM*, p. 66.

143 *Ibid.*

144 *Ibid.*

145 *Ibid.*

Birgivī explains that one must reject all of these (*fa-‘alayka radd kull minhā*).<sup>146</sup> When it comes to the first, i.e. the desire for others to look at you, or the knowledge that they do so, Birgivī instructs his reader to be discriminating about the motives of his actions: What is it that you do for yourself and what do you do for others? Believers should remind themselves that their fellow human beings are not the ones they should be concerned with, but God.<sup>147</sup> Ultimately, it does not matter whether others know that you engage in a good deed. God knows. “What benefit is there,” Birgivī asks, “in other [people] knowing” anyway? Others are powerless and it is this realization which is the first and most powerful “remedy” to counteract *riyā’*.

Second, if the “desire for praise” persists or even grows stronger, the believer should remind himself of the evils of sanctimony.<sup>148</sup> “Doing so,” Birgivī explains, “will cause your heart to develop an aversion (*karāhiya*) to it.”<sup>149</sup> This aversion will lead to the “rejection” (*ibā’*), as opposed to “acceptance” (*qubūl*) of sanctimony.<sup>150</sup> Birgivī argues that “the soul—due to its nature—cannot comply with two opposites.” That is to say, the soul cannot at the same time comply with aversion (*karāhiya*) and desire (*raghba*), rejection (*ibā’*) and acceptance (*qubūl*). ‘Abd al-Ghanī elaborates on this by saying that “When a good thought grows strong in the soul, the soul obeys it. But when a bad thought grows strong in the soul, it obeys it [instead].”<sup>151</sup> Thus, to counteract the three levels of thoughts leading to *riyā’*, their opposites must be created in the soul by three corresponding steps, too.

First, as opposed to “the knowledge that others are watching you” must come “the knowledge that God knows your intention.” For anyone of sound mind this should override the knowledge that humans are watching. Second, “the desire for praise” should, in fact, be overridden by an “aversion” for it, again a very Malāmī idea. And, third, the soul’s “acceptance” (*qubūl*) of sanctimony must be opposed by “rejection” (*ibā’*).

While this is all very well in theory, it seems awfully hard to accomplish in practice. Indeed, Birgivī himself concedes that it is one of the hardest things to do.<sup>152</sup> Muḥāsibī, too, had argued that the fight against *riyā’* was a constant and incessant struggle, while Ghazālī said that its treatment, like most medicines,

146 *Ibid.*

147 Cf. al-Nābulusī, *op. cit.*, vol. 1, p. 538: “What benefit do you derive from them? What harm do they avert you from? God alone is the One who bestows benefit and harm.”

148 *TM*, p. 66.

149 *Ibid.*

150 *Ibid.*

151 al-Nābulusī, vol. 1, p. 538.

152 *TM*, p. 66f.

was “bitter and unpleasant.”<sup>153</sup> Birgivi agrees, emphasizing that is necessary to fight thoughts of *riyā’* whenever they might occur—fighting and removing them—time and again.<sup>154</sup> Any moment (however fleeting) can introduce “heedlessness” (*ghafla*) and “forgetfulness” (*nisyān*) on the part of the believer, which may corrupt the sincerity of intention, and give Satan an opening to rouse one’s evil desires. Indeed, man could never be quite content, or trust to have removed sanctimony from his heart fully. There was always the possibility to mistake hidden *riyā’* for sincerity; and even if sincerity was seemingly established, thoughts of sanctimony were bound to creep in at any moment.

#### 14 Display in Order to Guide, but How Can You Be Sure

Despite the need to be constantly on one’s guard, Birgivi provided for one instance in which the open display (*iẓhār*) of good deeds was better than hiding them (*ikhfā’*). This was, he says, in order to provide guidance (*iqtidā’*) to one’s fellow Muslims in what constituted correct behavior. Thus, “if it is to show someone an act in order to guide that person by way of good intentions, not for the purpose of [showing] itself, then it is not sanctimony.”<sup>155</sup> That is to say, Birgivi makes a distinction between displaying deeds openly for the purposes of providing a good example to others, and doing so for the purpose of being recognized and admired by them.

Since “a sincere man does not care what people think of him, [...] he does not show off his deeds, except in order to guide others.”<sup>156</sup> Likewise, “a good deed done in secret is better than a good deed done in public; but a good deed done in public by someone whom others will imitate is even better.”<sup>157</sup> However, here, too, suspicion was warranted. For a sincere act that would be imitated by others could turn into one performed for praise at any moment. Thus, Birgivi warns that “even for such [good people] there is the risk of sanctimony, for the devil’s tricks are devious.” Thus, “if it is dubious to you (*in ishtabaha ‘alayka*), hide it.”<sup>158</sup> That is to say, as soon as you have the slightest suspicion that you might be performing an act not for God, but in order to be admired as pious by those around you, it is better to err on the side of caution and hide it.

153 al-Ghazālī, *Iḥyā’*, vol. 10, p. 138.

154 al-Nābulusī, vol. 1, p. 540.

155 *TM*, p. 49.

156 *TM*, p. 51.

157 *TM*, p. 62.

158 *Ibid.*

Since Birgivī's project was very much one of "display" and "guidance" itself, one wonders whether the same mistrust he advises his readers was plaguing himself, too. Indeed, following his own line of reasoning, as a scholar and preacher, he was particularly prone to "hidden *riyā'*." Considering the depth, subtlety and thoroughness with which he approached his analysis, there is no doubt that he must have given the matter serious thought. What is certain is that he felt very strongly about the issue. But whatever the case, it is probably futile, even beside the point, to speculate as to the "sincerity" or "hypocrisy" of Birgivī's own undertaking. If anything, we must take him seriously, and ask how to best interpret his strong and repeated warnings for man not to trust his soul, to constantly seek to question his motives and dig deeper, and never quite come to rest. Why was it necessary to provide such a detailed map of the workings of the soul, including a meticulous lay-out of the patterns of human cognition and action, under the influence of "the whisperings of the devil" and so on, when in the end "nothing" was in the hands of man after all?

The answer lies in Birgivī's overall theology, in the framework of which his instructions for the cultivation of a sincere disposition of the heart must be understood. Thus, while it was true that "nothing" was in the hands of man, man also did not know his destiny. In his exposition of the "tricks of Satan," Birgivī thus has the devil say, "If all is in [God's] hand, then you do not need to do this [act of ritual or good deed]. Because if you are destined to go to Paradise, desisting from it will not harm you. And if you are destined to go to Hell, it will not benefit you anyway. So why bother to exert yourself and sacrifice your comfort?"<sup>159</sup> Birgivī answers that it is exactly because men do not know their destiny, because they do not know whether they will eventually be saved or damned, that they need to exert themselves and strive for salvation and closeness to God in the Here and Now as much as they can. "If God protects him," Birgivī says, "he will answer: I am only a slave and a slave must follow the command of his master. The Lord knows best in His Lordship. He decides what He will and He does what He wants. The good deeds I do benefit me, however I am destined to end up. If I am destined to be saved, I get an even greater reward, and if I am destined to be damned, likewise [i.e. my good deeds will make punishment less harsh]."<sup>160</sup> Accordingly, Birgivī reiterates that a believer's attempt to establish sincerity and virtue in the Here and Now was of utmost importance, in that it would make all the difference on the Day of Judgment. And Birgivī's emphasis on salvation, judgment and the Afterlife must have

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159 *TM*, p. 61.

160 *Ibid.*

been all the more resonant in the apocalyptic climate of the sixteenth-century Ottoman Empire.

## 15 Conclusion

If there is anything distinctive about Birgivi's views on sincerity and sanctimony, against the background of the wider Islamic tradition, it must be his unyielding stance in face of the desires of "the evil-commanding soul." His suspicion of "hidden *riyā'*," in particular, was greater than that of other representatives of the tradition, including Muḥāsibī. Furthermore, the relentlessness of the regime he prescribes in order for believers to distinguish good thoughts from bad and, concomitantly, sincere acts from sanctimonious ones, was also more pronounced than in many other writers. In Birgivi's scheme, as opposed to others, it was nearly impossible to win. That is to say, it was impossible for the believer to ever feel sure of not being tainted by some amount of insincerity or secondary motivation. Constantly having to doubt his reasons, man was never really allowed to come to rest.

Birgivi does, of course, acknowledge God's mercy and forgiveness. Especially in his calls for a moderation in devotional exercises and in the enforcement of ritual purity, he stresses the provisions of "ease" (*yusr*) over "hardship" (*'usr*), in direct reference to Q 2:185 "God wants ease (*yusr*) for you, not hardship (*'usr*)," or Q 5:6 "God does not want to cause you distress (*ḥaraj*)," thus reminding his readers that "God loves for His dispensations (*rukhaṣ*, sg. *rukḥṣa*) to be accepted, just as the servant loves the forgiveness of his Lord."<sup>161</sup> Indeed, "to despair of God's mercy" (*al-ya's bi-rahmat allah*) constitutes a form of unbelief (*kufr*) for Birgivi.<sup>162</sup> However, on the whole, the idea of leniency and hope for God's mercy on the Day of Judgment are overshadowed by constant reminders of the fact that a slack and inattentive attitude will end badly. What is crucial for Birgivi, again, is steadfast piety in the sense of an unrelenting fear of God and His judgment. For even when it comes to His mercy, it is only really "those who fear Him," (*man yattaqī allāh*) whose "affair will be made easy."<sup>163</sup>

To return to the question of sincerity and sanctimony, it becomes clear that Birgivi's stance of suspicion with regard to the "internal" (i.e. the heart) was in many ways harsher rather than that with regard to the external. Thus, while it was better to be lenient towards one's body (in not engaging in overly straining

<sup>161</sup> *TM*, pp. 15–16.

<sup>162</sup> *TM*, p. 21.

<sup>163</sup> *TM*, p. 36, in reference to Q 65:4.

devotional activities, for instance), what really mattered was that when such activities were engaged in after all, it was done with a sincere intention. The same was true for questions of ritual purity—it was not necessary to be overly fastidious in questions of external purity; what mattered was a sincere internal attitude, or rather a congruity between a sincere internal disposition and its external manifestation. Indeed, Birgivi’s aversion to over-zealousness in questions of ritual purity can be seen as mirroring his great zealousness when it came to the “purity of heart.”

It is also useful to compare Birgivi’s views on sincerity and sanctimony with those of other religious traditions. A comparison with the Christian tradition, for instance, reveals important parallels in terms of substance. Thus, in the Sermon of the Mount, Jesus admonishes his followers to “Be careful not to practice your acts of righteousness before men, to be seen by them. If you do, you will have no reward from your Father in heaven.”<sup>164</sup> This is strikingly similar to the idea of seeing and wanting to be seen, found in Birgivi, as well as to the fact that in Islam, too, the reward otherwise gained in Paradise for a good deed is voided when that deed is carried out “for others to see.”

Likewise, Matthew 6:5 reads that “When you pray, do not be like the hypocrites, for they love to pray standing in the synagogues and on the street corners to be seen by men”; or Matthew 6:2, “And when you give to the needy, do not announce it with trumpets, as the hypocrites do in the synagogues and on the streets, to be honored by men. I tell you the truth, they have received their reward in full.”<sup>165</sup> Apart from the ritual duties of prayer and alms-giving, a concern for fasting can also be found in the New Testament, when Jesus states, “And when you fast, do not look somber as the hypocrites do, for they disfigure their faces to show men they are fasting. I tell you the truth, they have received their reward in full.”<sup>166</sup>

Finally, Matthew’s emphasis on the hypocrites’ “reward” having been “received in full,” is also mirrored in the Islamic tradition, especially in reference to Q 42:20 (which Birgivi cites in full in his discussion of *riyāʿ*) and which states

164 Matthew 6:1.

165 In the Islamic tradition, too, announcing publicly that one has given alms or charity means sanctimony, as when Abū Ṭālib al-Makkī had connected the Qurʾānic reference to *mann* with *riyāʿ*? likewise, Birgivi’s insistence that any ritual duty (prayer, fasting or alms-giving) done for others to see was sanctimonious and thus invalid.

166 Matthew 6:16. Although he does not mention any of these examples, Winrich Löhr has examined a range of late antique Christian attitudes to “hypocrisy” in religion, see “Religious Truth, Dissimulation, and Deception in Late Antique Christianity,” in Karla Pollmann (ed.), *Double Standards in the Ancient and Medieval World* (Göttingen: Duehrkohp & Radicke, 2000), pp. 287–304.

that “Whoever desires the tillage of the Hereafter, we increase his tillage. And whoever desires the tillage of this world, we give him something of it; but he has no share in the Next World.”<sup>167</sup>

In the Jewish tradition, too, we find many important parallels. Thus, Birgivī’s instructions for the meticulous examination of one’s conscience are paralleled in works of Jewish ethics, such as Bahya b. Joseph ibn Paqūda’s (11th c.) *al-Hidāya ilā farā’id al-qulūb*, Jehiel b. Jekuthiel Anav’s (13th c.) *Ma’alot ha-middot* or Moses Ḥayyim Luzzatto’s (18th c.) *Mesillat yesharim*.<sup>168</sup> Belonging to the genre of *mūsar* literature, these works were intended to give instructions as to “the ideal righteous way of life [...] analyzing, explaining and demonstrating how to achieve each moral virtue [...]”<sup>169</sup>

Ibn Paqūda’s *Hidāya*, translated into Hebrew as *Ḥovot ha-levavot* (“The Duties of the Heart”), bears especially striking similarities to Birgivī’s *Ṭarīqa* in its discussion of the virtue of sincerity and its condemnation of those who serve God in order to gain reward in this world.<sup>170</sup> This is not surprising, as Ibn Paqūda was heavily indebted to Muslim scholars, such as Muḥāsibī and a range of representatives of the *zuhd* tradition, as A. S. Yahuda, George Vajda and most recently Diana Lobel have shown.<sup>171</sup> Just like Birgivī’s *Ṭarīqa*, Ibn Paqūda’s *Hidāya* shows conspicuous parallels to the work of Ghazālī.<sup>172</sup> Detailed textual comparison would no doubt bring to light many borrowings, dependences and textual parallels, in terms of their discussion of sanctimony as well as other “vices of the heart.” What is clear is that Birgivī’s analysis stood in a long and shared tradition of ethical instruction. It was a tradition which the three monotheistic religions of Western Asia had developed in active dialogue with each other and in which sincerity, as opposed to external appearances, was central in the establishment of virtue and a purity of heart.

Finally, a point that needs to be addressed is Birgivī’s almost exclusive attention to the otherworldly consequences of a believer’s actions. In fact, like most of his fellow *riyā’* writers, he shows little interest in the possibility that a concern for the views, values and feelings of others might be a positive thing

167 *TM*, p. 54.

168 Joseph Dan, “Ethical Literature,” in *Encyclopaedia Judaica*, second edition (*EJ2*) (Detroit: MacMillan, 2006), vol. 6, p. 525.

169 *Ibid.*

170 See A. S. Yahuda (ed.), *Al-hidāja ilā farā’id al-qulūb des Bachja ibn Jōsēf ibn Paqūda, aus Andalusien* (Leiden: Brill, 1912), pp. 228–259 (*bāb al-ikhlās*) and pp. 302–353 (*bāb muḥāsabat al-nafs*).

171 *Ibid.*, p. 72 and p. 97; G. Vajda, *La théologie ascétique de Bahya ibn Paquda* (Paris: Imprimerie nationale, 1947); Diana Lobel, *A Sufi-Jewish dialogue: philosophy and mysticism in Bahya Ibn Paqūda’s Duties of the Heart* (Philadelphia: University of Pennsylvania Press, 2007).

172 See Yahuda, pp. 63–70.

in the Here and Now, especially in generating and sustaining social harmony, and in the promotion of communal goodwill—goods he otherwise clearly recognizes. He does not address the issue as such, but his answer would probably be something along the lines that social harmony and communal goodwill, or kindness (*lutf*) and care (*ināya*), are not good or desirable in and of themselves, but because God has said so. Sustaining them is, thus, just another way of fulfilling His commands. This, however, can never be done by sacrificing one's sincerity. That is to say: if, in being a good and caring neighbor, one's aim is to be admired, rather than sustaining good neighborly relations because God has commanded His servants to do so, one is insincere or sanctimonious. Hence, even if an individual manages to promote good neighborly relations on the basis of his wish to be admired, the good he has created is built on the wrong foundations.

What the issue seems to boil down to—paradoxically—is that, in Birgivī's view, caring for others and caring for God can ultimately not be separated from each other. You cannot care for others to the disregard of God; and if you care for God (and His commands) you must by necessity also care for your fellow human beings. Thus, contrary to the stark dichotomy he sets up in his discussion of sanctimony (between a believer's concern for humans, on the one hand, and his devotion to God, on the other), the two can ultimately not be disconnected. Sincere devotion to God, for Birgivī, must of necessity involve a concern for others. Indeed, the very social character of his ethics will become even clearer in the next chapter, which discusses Birgivī's take on number of economic, social and political questions of great import.

# The Economics of Piety: Birgivī on Wastefulness, the Cash *waqf* and Ottoman Land Tenure and Taxation

## 1 Introduction

For Birgivī, the establishment of individual virtue had to go hand in hand with the corresponding establishment of societal virtue to be of any value or success. Indeed, since man was not isolated from the world at large, it was only possible to hone a virtuous self by also addressing wider societal problems. Thus, while the previous chapter has looked into the ways Birgivī envisioned believers to purify their hearts and examine their conscience on an individual level, the present chapter will examine his views on a number of social and economic issues.

In particular, the chapter will explore Birgivī's views on wealth, material accumulation, material possessions and spending. Comparing his perspective with some of the models he draws on, I will pay particular attention to the question of wastefulness (*isrāf*)—an “evil of the heart” with wide-ranging consequences in the economic arena that Birgivī devoted a great deal of attention to. His disapproval of a number of economic and financial practices prevalent in the Ottoman Empire of his day will also be discussed. These include the institution of the cash *waqf* and the widespread practice of paying and receiving payment for religious “services.” I will end the chapter with an examination of Birgivī's views on contemporary Ottoman practices of land tenure and taxation.

It must be remembered that the concept of “an economy,” as we understand it, was absent from Birgivī's world. While Islamic thought recognized the classical category of “household management” (*‘ilm tadbīr al-manzil*), as one of the three branches of practical philosophy, as well as the idea of a “science of trade” (*‘ilm al-tijāra*), the category of *the* economy as such did not exist.<sup>1</sup>

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1 Timothy Mitchell, whose seminal work on the emergence of the modern notion of the economy, as a particular object of modern knowledge, that is to say a “product of socio-technical practice, including the practice of academic economics,” has been pivotal in challenging hitherto naturalized understandings of the concept. While earlier scholarship had already recognized the modernity of the category, Mitchell in fact argued that it “arose in a mid-twentieth-century crisis of economic representation,” i.e. much more recently than previously assumed. See Mitchell, “Fixing the Economy,” in *Cultural Studies* (1998), vol. 12, no. 1, p. 82, and *idem*, “Rethinking economy,” in *Geoforum* vol. 39 (2008), pp. 1116–1121. Indeed,

Up until the modern period, the term was commonly used to denote a way of managing material resources—a thrifty, frugal, virtuous way of the management of material wealth. It was only in the early modern context that the term came to be applied to the management of the resources of cities and the state, i.e. the concept of *political economy*. But even then, it was still thought of as a way of managing resources, the manner in which national income and wealth was to be distributed, rather than a “thing.” According to Mitchell, this semantic transformation was only to come about by the mid-twentieth century, when the idea of “the” or “an” economy as “the totality of the relations of production, distribution and consumption of goods and services within a given country or region,” became established in uncontested fashion.<sup>2</sup> The establishment of “the economy” as this new, peculiar and modern object of knowledge, as Timothy Mitchell has shown, was concomitant with the development of the modern science of economics, a social science dealing with theories concerning the production, distribution and consumption of goods and services within a given geographic entity.<sup>3</sup>

In what follows, I will use the term “economic” in a somewhat broader fashion, namely with regard to a number of theoretical and practical questions relating to the production and management of material wealth, be that of an individual, a household or the community at large. Birgivi’s ideas on the question of wealth accumulation, acquisition and spending can be found in a number of places in the *Ṭarīqa*. They include his analysis of the vices of “miserliness” (*bukhl*) and “wastefulness” (*isrāf*), respectively, as well as his discussions of “the love for material possessions” (*ḥubb al-māl*) and “the love for this world” (*ḥubb al-dunyā*), in the section of the “evils of the heart” (*āfāt al-qalb*) of the *Ṭarīqa*.<sup>4</sup> In addition, part three of *TM* contains a number of relatively long discussions of the role and condition of pious foundations (*awqāf*, sg. *waqf*), the treasury (*bayt al-māl*), land tenure and taxation, and the question of whether

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as Cemal Kafadar had pointed out, “before the modern era, no society, no matter how brilliant its intellectual life, produced something akin to a science of “economics” or even an “economic” outlook.” See Kafadar, *When Coins turned into Drops of Dew and Bankers became Robbers of Shadows: The Boundaries of Ottoman Economic Imagination at the End of the Sixteenth Century* (Montreal: McGill University, 1986), unpublished PhD dissertation, p. 13f. For the most recent effort to present a synthesis of pre-modern and early modern Ottoman economic thought, see Fatih Ermiş, *A History of Ottoman Economic Thought: Developments before the nineteenth century* (Abingdon: Routledge, 2014).

2 See Mitchell, “Fixing the Economy,” p. 82.

3 *Ibid.*, pp. 86–91, for a history of the academic discipline.

4 See *TM*, pp. 96–7 (on miserliness); pp. 97–8 and pp. 102–9 (on wastefulness); pp. 99–101 (on “love of money”); pp. 101–2 (on “love of this world”).

or not one could ask for, receive or give money in payment for the performance of religious services.

## 2 Basic Concepts—The Good and Bad Qualities of Wealth

Guided by a range of ethical considerations, Birgivi lays out the various ways in which a believer's dealings in the economic arena have an impact on his fate in the Hereafter. At the heart of his discussion lies the concept of *māl*. The term denotes goods and chattels (i.e. concrete objects), moveable and immovable, that an individual may own.<sup>5</sup> Used to refer to property and possessions, it also came to denote wealth more generally. Furthermore, the lexicographers would make a distinction between *māl ṣāmit*, on the one hand, and *māl nāṭiq*, on the other. While the former came to mean money in particular, the latter was most often used to refer to slaves and cattle.<sup>6</sup>

Embracing an attitude not unfavorable to wealth accumulation in general, Birgivi does not conceive of *māl* as inherently bad.<sup>7</sup> It is true, he says, that material possessions do have a number of harmful characteristics. However, these harmful characteristics are balanced out by the positive qualities they hold. There are, Birgivi argues, both good and bad sides to *māl*, and, thus, both praise and blame for it are justified.<sup>8</sup>

On the positive side, material possessions and money are to be seen, first and foremost, as “a blessing from God” (*niʿmat allāh*).<sup>9</sup> Birgivi explains that it is through *māl* that prosperity is achieved in both this world and the Next. In this world, money enables believers to go on pilgrimage and wage holy war. It allows a Muslim to feed, clothe, shelter and protect his body. This is particularly important as the body is the tool by which good deeds are achieved in this world. The body is, as Birgivi states, “what carries our virtues.”<sup>10</sup>

Furthermore, material possessions protect people from the disgrace of begging. They also enable believers to be charitable and help the poor (such

5 For a good discussion of the term, see Hellmut Ritter, “Ein arabisches Buch der Handelwissenschaft,” *Der Islam*, vol. 7 (1917), p. 45, fn. 3, and the references he gives.

6 In what follows, I will translate *māl* as either “material possessions,” “property,” or “money,” depending on the context in which Birgivi uses the term. I may also use the combinations “material possessions and money,” “money and property,” etc. When used generically, I will leave the term un-translated.

7 *TM*, pp. 103–4.

8 *Ibid.*, p. 103.

9 *Ibid.*

10 *Ibid.*

as by paying their debts). Most importantly, however, money lets individual Muslims benefit society at large—by building mosques, schools, hospitals and lodges (i.e. all sorts of welfare and educational institutions), as well as aqueducts, bridges, roads, border fortifications, dams for rivers and ports, and other structures to be used by the general public.<sup>11</sup>

“The best of people,” Birgivī reminds his readers, “are those who benefit others.”<sup>12</sup> Therefore, “it is better to gain wealth for the sake of doing good deeds and giving charity than it is to seclude oneself in ritual worship.”<sup>13</sup> Quoting a number of traditions to stress his point, Birgivī says that God himself has called *māl* a good thing and bestowed it as a blessing on the Prophet.<sup>14</sup> Thus, “when the intention (*qaṣd*) is correct, it is better to gather money and material possessions than not to.”<sup>15</sup> This, Birgivī continues, is something about which there exists unanimous agreement amongst the ‘*ulamā*’ (*bi-lā khilāf ‘ind al-‘ulamā*). By letting people carry out good deeds, *māl* becomes “a field for cultivation for the Next World” (*al-māl mazra‘at al-ākhirā*).<sup>16</sup>

Like Ghazālī before him, Birgivī thus draws explicit attention to the positive qualities of wealth, in that it enabled believers to do good in this world and, hence, draw closer to God in the next. Not all scholars, however, were concerned with the purely moral and salvific capacities of wealth. Abū al-Faḍl Ja‘far b. ‘Alī al-Dimashqī (ca. 6th/12th c.), for instance—author of a book on trade and the workings of the market, entitled *Ishāra ilā maḥāsīn al-tijāra*—had made a case in favor of money on the basis of pure social necessity.<sup>17</sup> As opposed to animals, Dimashqī had argued, human beings have a number of needs. These are partly natural, partly cultural. However, no one individual is ever able to fulfill all of them on his own, since every need calls for a variety of skills that no one individual can master in their entirety. A division of labor became necessary over time, which, in its turn, allowed for the development of arts and crafts. Different crafts were dependent upon each other, which meant that men had to cooperate effectively; and since different needs often differed in time, quantity and value, money had to be invented to regulate cooperation.<sup>18</sup> Thus, the wider Islamic tradition recognized a social necessity for money, as much as it

11 *Ibid.*

12 *Ibid.*

13 *Ibid.*

14 *TM*, p. 104.

15 *Ibid.*

16 *TM*, p. 103. This idea is already found in Ghazālī, *Iḥyā’*, vol. 4, p. 168.

17 See Ritter, *op. cit.*, pp. 47–50.

18 *Ibid.*, p. 50.

recognized the potentially positive uses to which it could be put in benefitting both society at large and individual believers in particular.

So how come, Birgivī asks, if wealth has all these positive qualities, that “so much has been said regarding its blameworthiness” (*madhmūmiyya*)?<sup>19</sup> Birgivī explains that, despite the positive qualities, wealth and material possessions also have a number of very harmful characteristics. These are that they make people exceed proper bounds; they cause greed and injustice, and divert the believers’ attention away from God. Material possessions make people forget the fact that they will die, and that they should, in fact, be preparing for the Next World in everything you do. These harmful characteristics, Birgivī argues, are “overpowering” (*ghāliba*). And since they are much stronger than the positive ones, more has been written and said about the former than about the latter.

In fact, the love of material possessions (*ḥubb al-māl*)—when it is not for the purpose of charity, or taking care of one’s body, or performing one’s religious duties—is an inherent “evil of the heart.”<sup>20</sup> It is closely related to another such evil, namely the love of the ephemeral desires and pleasures of this world (*ḥubb al-dunyā*).<sup>21</sup> From a legal point of view, Birgivī explains that both the love of material possessions (*ḥubb al-māl*) and the love of this world (*ḥubb al-dunyā*) are lawful, when directed at things lawful, and unlawful when directed at things unlawful.<sup>22</sup> However, even when directed at things lawful, both are “reprehensible” (*makrūh*) and “blameworthy” (*madhmūm*).<sup>23</sup>

Birgivī explains that there are three things that cause *ḥubb al-māl* to begin with.<sup>24</sup> First, there is the love of one’s children and relatives (*ḥubb al-awlād wa-l-aqārib*), and the obligation to support them, which makes people strive for wealth and develop a “love” for it.<sup>25</sup> Second, love for material possessions can develop from the physical and psychological enjoyment of having them. This involves the enjoyment to see money, to turn it around in one’s hand, etc.—a “sickness of the heart” (*marad qalbī*) that is very hard to cure, as Birgivī explains.<sup>26</sup> Love of wealth that is motivated by a love for one’s children and

19 *TM*, p. 103.

20 *TM*, p. 98.

21 *TM*, p. 99. *Ḥubb al-dunyā* is one of the *reasons* of *ḥubb al-māl* (see below), which, in its turn, is linked to yet another “evil of the heart,” namely that of having too many or too great expectations (lit. “the length of expectations,” *tūl al-amal*).

22 See *TM*, p. 98 for *ḥubb al-māl* and p. 99 for *ḥubb al-dunyā*.

23 *Ibid.*

24 *TM*, p. 99.

25 *Ibid.*

26 *Ibid.* This is especially so in old age, Birgivī explains. A person who suffers from it should “contemplate what has been said regarding the blameworthiness of miserliness, the inherent evils of money, and the praiseworthiness of generosity and spending for the sake

relatives and the drive to care for them is, however, easier to challenge. Its cure, Birgivī explains, lies in remembering that “God, the One who created your children and relatives, also created sustenance for them.”<sup>27</sup> The third reason for *ḥubb al-māl*, Birgivī continues, is *ḥubb al-dunyā*.<sup>28</sup> This is the case because the ephemeral pleasures of this world can only be obtained by material possessions, such as money. However, even though a conceptual difference is drawn between these two closely-related evils, they often also seem to merge into one in Birgivī’s subsequent discussions.

Expounding on the blameworthiness (*dhamm* or *madhmūmiyya*) of both “the love of money” and “the love of this world,” as well as their deleterious consequences (*ghawāʿil*), Birgivī illustrates some of what he sees as money’s inherent evils. First, the gratification money gives, he says, is little and ephemeral. Yet it causes so much worry.<sup>29</sup> Also, people associated with it are “despicable,” and more often than not it leads to sin and a severe punishment in the Hereafter. Furthermore, both love for money and love for this world are the cause, at least in part, of further vices. They produce greed (*ḥirṣ*), arrogance (*kibr* or *takabbur*), anger (*ghaḍab*) and miserliness (*bukhl* or *taqtīr*). They do so in making people covet what others have, on the one hand, or making them think they are better than others because they are wealthy, on the other. They also make them drown their time in work—time they could otherwise spend in worship or doing good deeds. Lastly, they make people become angry and stingy.<sup>30</sup>

### 3 Stinginess, Generosity and Waste

Birgivī goes on to devote a fair amount of space to his discussion of the vices of stinginess (*bukhl*), on the one hand, and wastefulness (*isrāf*), on the other. Drawing on ideas that first originated in Aristotelian virtue ethics and were later adopted (and adapted) in the wider Islamic tradition, he envisions stinginess and wastefulness as opposite vices, arranged on a spectrum, with stinginess on one end and wastefulness on the other. Both are extremes—one a deficiency, a “too-little” (*tafrīt*) (stinginess), the other an excess, a “too-much” (*ifrāt*) (wastefulness)—of the same idea, in this case “spending” or “giving

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of God.” He should impose it upon himself to “continuously remind himself” of these so that actual generosity may become second nature to him.

27 *Ibid.*

28 Cf. fn. 22.

29 *TM*, p. 100.

30 See *TM*, p. 91, p. 98 and p. 100.

away material possessions.” Indeed, Birgivi defines being stingy as “holding on to wealth when either the Law (*al-sharʿ*) or virtue (*muruwwa*) command that one spends it.”<sup>31</sup> Wastefulness, on the other hand, is “to give away money or material possessions when either the Law or virtue command one to hold onto them.”<sup>32</sup>

The golden mean (*wasat*), however, lies in a balance of the two: to spend money when it is proper to do so, and to be thrifty when it is proper to do so. More so, the virtue of generosity (*sakhāʾ* or *jūd*), in fact means “to spend more money than is obligatory,” as Birgivi explains.<sup>33</sup> That is to say, spending only as much as is obligatory veers in the direction of miserliness; to be truly generous is to spend more than what is narrowly obligatory. At the same time, Birgivi warns, one should make sure not to slip into wastefulness. Like in the case of sanctimony and sincerity, the believer has to walk a tight rope, constantly examining his actions and motives and adjusting the former in light of possible excesses to either side.

Indeed, Birgivi explains that virtue and vice are always relative to the situation in question. That is to say, a rich man will be miserly in different ways than a poor man, and a poor man will be wasteful in different ways than a rich one. Furthermore, one will be stingy with a relative or family member differently than with a complete stranger.<sup>34</sup> The worst kind of *bukhl*, Birgivi continues, is stinginess against one’s own body, i.e. when a person does not allow himself to eat, wear decent clothes or be cured from illness.<sup>35</sup> This kind of ultimate stinginess (*ashadd al-bukhl*) is called *shuḥḥ* and constitutes the extreme of what is already an extreme.

On the other end of the spectrum—diametrically opposed to miserliness—lie wastefulness, dissipation, prodigality and squandering (*isrāf* or *tadhbir*). Birgivi defines these as “spending money when one should in fact hold on to it, either because one is legally obliged to do so, or because virtue demands it.”<sup>36</sup> Pointing out that quite a lot more ink has been spilled about the blameworthiness and deleterious consequences of stinginess than about those of wastefulness, he argues that the reason for this is man’s natural tendency to amass and hoard, rather than to give away. It is for the same reason that more has been said and written about the harmful characteristics of *māl*, rather than about its positive characteristics. In fact, the idea of man’s natural tendency to cling

31 *TM*, p. 96.

32 *TM*, p. 97.

33 *Ibid.*

34 *TM*, p. 96.

35 *Ibid.*

36 *Ibid.*

onto rather than to let go of things, can already be found in Aristotle—one of the ultimate sources for so much of the Islamic ethical tradition.<sup>37</sup> The latter had argued that “[meanness] is more engrained in man’s nature than prodigality; the mass of mankind are avaricious rather than open-handed” and “men often err on the side of meanness than that of prodigality.”

Birgivi himself, however, proceeds to dedicate much greater space to his discussion of wastefulness (*isrāf*) than to that of stinginess (*bukhl*). Comparing how much scholars have written about the former as opposed to the latter to how much has been written about urine as opposed to wine, he argues there is much greater need for an analysis of *isrāf* than *bukhl*.<sup>38</sup> Even though the *fuqahāʾ* have dedicated much more of their time to their discussions of wine, he says, urine is actually worse in terms of its impurity and unlawfulness.<sup>39</sup> Likewise, even though scholars have treated stinginess in much more depth than wastefulness, it is the latter that is actually worse in terms of blameworthiness (*dhamm*) and negative consequences (*ghawāʾil*). It is also deceptive in the manifold forms it can take.

Birgivi begins his analysis of wastefulness by stating that *isrāf* is categorically unlawful (*ḥarām qaṭʿī*) and thus a sin.<sup>40</sup> Its blameworthiness, he says, is established on the basis of the Qurʾān.<sup>41</sup> He quotes Q 6:141 (“Do not squander, for He does not like those who squander”) and Q 17:26–27 (“Squanderers are the brothers of Satan”), commenting that the last verse, in particular, is one of the worst thing God could say about anybody. Since “to be a brother of Satan means being a Satan, [...] no type of blame could be further-reaching.”<sup>42</sup> Indeed, as wealth was considered a blessing from God, to squander God’s blessing meant to take it for granted, to not be thankful for it and to think little of it.<sup>43</sup> To throw away God’s gift (which is what squandering amounts to, according to Birgivi), to spend wealth uselessly, that is “for no good religious or mundane purpose” (*min ghayr fāʾida dīniyya aw dunyāwiyya*), is first

37 See Aristotle, *Nicomachean Ethics*, trans. W. D. Ross (Oxford: Oxford University Press, 2009), 3rd revised edition, p. 64. For the Arabic version of *NE* and how it came to be disseminated in the Islamic world, see Anna Akasoy and Alexander Fidora (ed.), *The Arabic Version of the Nicomachean Ethics: with an introduction and annotated translation by Douglas M. Dunlop* (Leiden: Brill, 2005).

38 *TM*, p. 102.

39 *Ibid.*

40 *Ibid.*

41 Even though Birgivi claims that *isrāf* is *ḥarām qaṭʿī*, he mostly just talks about it in terms of blameworthiness.

42 *TM*, p. 103. Pharaoh and the people of Lot are also described as *musrifīn* in the Qurʾān. Birgivi further quotes Q 10:83 and Q 7:81.

43 *TM*, p. 103.

and foremost an insult to God.<sup>44</sup> It is, however, also a sin against humanity, because of the good that could potentially be done with it. This is, as Birgivi argues, the fundamental reason for why wastefulness is blameworthy (*al-sabab al-aṣlī fī madhmūmīyatīhi*). Naturally, anything spent on sin also constitutes wastefulness.<sup>45</sup>

#### 4 The Causes, Manifestations and Antidotes of Wastefulness

Birgivi explains that *isrāf* is not only “a despicable character trait” (*khuluq radīʿ*), but in fact “a disease of the heart” (*marad qalbī*).<sup>46</sup> In terms of its “roots,” it is caused by six things: (i) impudence, (ii) ignorance, (iii) sanctimony, (iv) laziness, (v) weakness of the soul and (vi) weakness of religion.<sup>47</sup> These causes vary from one individual to another and must be addressed depending on the specific circumstances of each case to be “cured.” For instance, *safah* (“impudence” or “stupidity”) is the first and most widespread reason for prodigal behavior. It is most prevalent, Birgivi says, in the children of rich and important people, who are spurred on to wastefulness by bad companions. In the case of *safah*, guardians must be appointed to take charge of the prodigal *safīh*’s property (on the basis of Q 4:5), and he must be censured for his behavior.<sup>48</sup>

When people who are wasteful think they are just being generous, however, this is a case of “ignorance” (*jahl*). Birgivi shows that this is an easy mistake to make, since both “generosity” (*sakhāʿ*) and “wastefulness” (*isrāf*) have in common spending that is not strictly necessary. However, in such an instance, the difference between generous and prodigal behavior must be pointed out to the wasteful individual.<sup>49</sup>

In the case of “sanctimony” (*riyāʿ*) as a cause of wastefulness, Birgivi refers his readers back to his earlier discussion of the vice, saying that it is mostly the case in “mundane” contexts, such as when “people concerned with this world” (*ahl al-dunyā*) want to show off.<sup>50</sup>

As for people who try to hide their laziness behind excessive spending, Birgivi goes on to say that the only “cure” is for them to be reminded of the fact that laziness destroys both body and soul. Furthermore, they should

44 *TM*, p. 104

45 *TM*, p. 103.

46 *TM*, p. 102.

47 *TM*, p. 102 and pp. 108f.

48 *Ibid.*, p. 108f.

49 *Ibid.*, p. 109.

50 *Ibid.*

remember Q 53:39 (“Man has nothing except what he has striven for”).<sup>51</sup> In practical terms, he recommends that lazy people, prone to wasteful behavior, spend time with people who work hard, taking them as their model, and avoiding those who are lazy.

Likewise, those who are wasteful because of a “weakness” (*duʿf*) in their soul or in faith, Birgivi explains that the best cure for them is to spend time with virtuous people, who are purposeful and serious. “It is up to you,” he says, “to roll up your sleeves and get down to work, and strive intensely in removing the character trait of wastefulness; for it is a very blameworthy and ugly trait, a deep-seated disease that is hard to cure. God takes constant steps to help us out, however. He is the One who makes everything that is hard easy.”<sup>52</sup>

Birgivi’s advice in rooting out wastefulness thus involves the cultivation of virtuous company, first and foremost. Just as sanctimony was to be cured with the help of others, so was wastefulness. Moreover, he proceeds to give a range of practical instructions for how to counteract wastefulness in everyday life. In order for *isrāf* to be reduced and eliminated, Birgivi says, it has to be recognized for what it is to begin with. While his initial definitions of the vice had been “to spend wealth when either the Law or virtue require that one should hold on to it,” as well as “to spend without religious or worldly purpose,” he now provides his readers with a third, additional classification. *Isrāf*, he says, can also be defined as “the destruction of wealth” (*ihlāk al-māl*).<sup>53</sup> To throw any kind of material possession into the sea, a well or a fire, for instance, constitutes such “destruction.”<sup>54</sup> Likewise, to throw material possessions, including money, anywhere “where they cannot be reached and are of no use to anybody” is such destructive wastefulness.<sup>55</sup> To tear things up (*kharq*), to break them (*kasr*) or cut them (*qatʿ*), so that they cannot be used any more, are all examples of this same type of wastefulness.

Moreover, to not harvest crops, so that they rot; to not provide livestock with shelter and to not feed them, so that they die, are further instances of this kind of *isrāf*.<sup>56</sup> Thus, when a person does not assume responsibility for the upkeep and proper preservation of an object he owns, this constitutes *isrāf*. It also includes, Birgivi explains, neglecting to properly preserve food kept at home, such as fruit, meat or cheese (“make sure to close your jars at night!”), as well as non-perishable items such clothes or books (“Do not fiddle with your

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51 *Ibid.*

52 *Ibid.*

53 *TM*, p. 104.

54 *Ibid.*

55 *Ibid.*

56 *TM*, p. 105.

clothes, that way they won't rip").<sup>57</sup> The reader thus finds himself fairly and squarely in the realm of household management or homemaking, i.e. *tadbīr al-manzil* proper.

Conceptually, we can distinguish a number of different kinds of wastefulness in Birgivi's account, although this is not a distinction Birgivi draws himself. First, there is *isrāf* that involves using too much of something, or using more than is necessary (i.e. causing the "destruction" of things by using them up). Birgivi gives as examples the use of more soap than necessary in washing one's clothes, or the use of too much oil in a lamp.<sup>58</sup> There can even be wastefulness in the way a corpse is shrouded.<sup>59</sup> The use of too much water (or more water than necessary) in ritual ablutions likewise represents an instance of wastefulness, which Birgivi discusses in fair amount of detail.<sup>60</sup>

Second, there is *isrāf* that involves not looking after material goods, damaging them, deliberately or not, and thus causing their destruction. This applies to crops, livestock, foodstuffs, clothes (e.g. to wash one's turbans, or robes, or other items of clothing too much and too often, so that they become flimsy), footwear (e.g. to rip one's sandals) as well as books (e.g. to not protect them from damage through tearing, or bookworms).

Also, Birgivi dedicates an entire section to food-related wastefulness and *isrāf* in cooking and eating. When people throw food away, or do not pick up pieces of food that have fallen down on the floor, they engage in wasteful behavior. Along these lines, Birgivi quotes a tradition in which the Prophet orders the licking of one's the fingers and bowls after a meal, so that no traces of food be left over. For "whatever food is left on a plate," he says, "is food for Satan."<sup>61</sup> Moreover, to eat more than necessary (i.e. when already satiated) is also wasteful. An exception to this is if a person eats more than necessary for the sake of a guest (i.e. so that the guest does not feel shy or embarrassed). Furthermore, "to eat everything one desires," "to cook new things when old dishes have not been finished yet," or "to be picky," all constitute instances of food-related *isrāf*.<sup>62</sup>

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57 *Ibid.*

58 *Ibid.*

59 *Ibid.*

60 *Ibid.*

61 *Ibid.*

62 Birgivi quotes extensively from Ṭāhir b. Aḥmad's *Khulāṣat al-fatāwā* here, as well as from Ibn al-Buldajī al-Mawṣilī's *Ikhtiyār* (see above). To only eat appetizing dishes and to get bored with them easily, to only eat the tasty bits of bread, while leaving aside the edges, to put more bread than necessary on the table and so on are all given as further examples. All of this, Birgivi says, is not only wasteful, but in fact unlawful (*ḥarām*).

However trivial these examples may seem to us, Birgivi certainly did not see them as such. Indeed, piety or “God-fearing” (*taqwā*)—as laid out in the *Tarīqa*—manifested itself in the smallest and most banal aspects of everyday life, such as in closing one’s jars at night for fear of otherwise destroying their contents and thus being wasteful. The most seemingly insignificant details of everyday life thus assumed meaning and spiritual significance for Birgivi, warranting detailed practical instructions for the believer on how to behave.

## 5 Charity, Poverty and Begging

In the same vein, Birgivi devotes a fair amount of attention to the possibility of exaggerated charity. Can there be such a thing as *isrāf* (i.e. an excess) in spending for the sake of God? Birgivi introduces his discussion with an unambiguous “no”: *lā sarf fi al-khayr*: there is no waste [when wealth is spent] on good things.<sup>63</sup> This is immediately qualified, however, by the reminder that, according to some scholars, wastefulness in charity is possible after all. These scholars, Birgivi says, usually refer to Q 6:141 (“Render the dues that are proper on the day the harvest is gathered, and don’t be wasteful, for God does not like those who are wasteful”), claiming that the “wastefulness” referred to in this verse is, in fact, “wastefulness in charity.”

Birgivi quotes a number of *ḥadīth* about pious men giving away all they owned, without leaving enough provisions for their families or themselves. Indeed, Q 6:141, he says, was revealed because Thābit b. Qays gave away five hundred of his date palms without leaving any provisions for his family. “*Lā tusrifūn*” (“do not be wasteful”) here stands for “*lā taṭū kullahā*” (“do not give it all”), for to do so would be an act of irresponsibility towards one’s dependents and oneself.<sup>64</sup>

Quoting a number of post-classical Ḥanafī *fatāwā* authors, Birgivi states that it is, in fact, unlawful for a believer to give away everything he owns if he has dependents. Likewise, if a person is in debt he can also not give away all he owns. Indeed, it is only permissible for someone to do so under four conditions: (i) if he does not owe anybody anything, (ii) if he has no dependents, (iii) if he is sound of body and mind, and (iv) if he will be able to support the burden of being penniless. If even one of these conditions is lacking, Birgivi

63 *TM*, p. 107: In response to being told that there was nothing good in spending (“*lā khayr fi al-sarf*”), Ḥātim al-Ṭāṭī is said to have replied: “*lā sarf fi al-khayr*.”

64 *TM*, p. 107.

says, it is not permissible to give away all of one's possessions. Doing so would constitute *isrāf* in charity.<sup>65</sup>

This obviously also leads to the question of the meritoriousness of poverty. Is it good to be poor? Does poverty deserve praise? Is it a true sign of piety? Birgivī dedicates a short passage to the praiseworthiness of poverty, where he says that, "Whoever builds more than what he needs, takes on the responsibility to carry it on the Day of Resurrection."<sup>66</sup> However, on the whole, he is not much inclined towards poverty or self-denial. One should make money. Material possessions are important. Wealth is important. They are a means to do good in this world and, hence, a "field for the cultivation of the Next."

Birgivī's main point, in spending as elsewhere, is the importance of the virtue of moderation (*iqtisād*). In fact, the main thorn in his side is ostentation. But this cuts both ways: Birgivī dislikes ostentatious spending as much as ostentatious poverty, which he usually sees as a sign of sanctimony.<sup>67</sup> It is true, he argues, that the antidote (*ḍidd*) to "the love of this world" (*ḥubb al-dunyā*) and "the love of wealth" (*ḥubb al-māl*) is to refrain from this world, to have an aversion to this-worldly possessions. Such an aversion manifests itself in *zuhd*, he says, which "soothes the heart."<sup>68</sup> He does not elaborate on what exactly he understands by *zuhd*; however, he explains that "the opposite of greed (*ḥirṣ*)," which is one of the "products" of *ḥubb al-māl*, is "contentment" or "contentedness" (*qanā'a*), which he defines as "being satisfied with the simple things in life, without seeking more."<sup>69</sup> *Qanā'a*, just like *zuhd*, "soothes the heart" and counteracts the negative consequences of greed and this-worldliness.<sup>70</sup> That is to say, while Birgivī rejected "love for this world" and ostentatious shows of wealth, he was likewise ill disposed towards excessive forms of austerity and other-worldliness. Man should accumulate wealth not in excess, but as was required to support his needs and those of his family, as well as to benefit the community, if possible. What he should ultimately strive for was "contentment," as the mean between "greed" and "self-denial."

65 Not surprisingly there were scholars who rejected this. While Birgivī validates them by quoting various *ḥadīth* they rely on, he adheres to the argument that if only one of the above conditions applies, it is wasteful to give away everything.

66 *TM*, p. 100.

67 He quotes Q 17:29: "Do not keep your hand tied to your neck, nor spread it out wide altogether." See *TM*, p. 97. That is to say, find a balance in spending—a golden mean. Do not be miserly, but do not be wasteful either. And certainly do not be wasteful to the extent that you give away all you own and become dependent on others.

68 *TM*, p. 101.

69 *Ibid.*

70 For a discussion of the concept, see Stefan Weninger, *Qanā'a*, *op. cit.*

Birgivī's dislike of asceticism also manifested itself in an aversion to "begging" (*al-su'āl*). Begging, he says, is blameworthy. In fact, it is unlawful to ask people for money, goods or any kind of this-worldly benefit, except in case of true necessity.<sup>71</sup> Also, it is inappropriate to beg in God's name. Thus, begging "is like a stain on someone's face," "like scratches," "each time you beg people for a favor you tear your face with sharp nails."<sup>72</sup> The idea that begging harms you is not new, of course. Ghazālī, for instance, in book thirteen of the *Iḥyā'*, on *al-kasb wa-l-ma'āsh*, had quoted the following *ḥadīth* on begging: "Whoever opens a gate of begging unto himself, God opens seventy gates of poverty for him."<sup>73</sup> The idea that there must be some sort of necessity involved is underlined in yet another tradition Birgivī cites: "Whoever asks for more than he needs, adds hot stones for himself in Hell" (i.e. he asks for more fire to burn in).<sup>74</sup> Necessity (*darūra*) is defined here (and elsewhere) as either not being able to gain one's livelihood due to illness, or not having sustenance for even a day and a night, a week or a month (a range of different opinions are given).<sup>75</sup>

Birgivī thus instructs his readers not to ask anything of anybody. This is not just limited to money, or material rewards, but also extends to jobs, services and all sorts of favors. If a person asks either for himself or for his friends and relatives to gain a position in government or in the religious hierarchy, this constitutes a vice. It usually means, Birgivī laments, that unsuitable people become *imām*, muezzin, or professor at a *madrasa*.<sup>76</sup> In fact, to ask to be appointed to any kind of position of executive or judicial power represents an inherent "evil of the tongue."<sup>77</sup> Doing so is unlawful, he says, just like begging.<sup>78</sup>

"Do not ask for high executive office" (*su'āl al-imāra*), Birgivī warns.<sup>79</sup> If such a position is offered, without you having asked for it, "let man and God be your helpers." True, Birgivī says, the responsibilities to lead the community and to dispense justice have to be assumed by somebody. But since they represent such a heavy burden, it is better for those who are pious to refuse and hope for somebody better qualified to be found.<sup>80</sup> The same is true for people who ask to be appointed as managers of *waqfs*. Like asking to be appointed

71 *TM*, p. 142: "it constitutes the twentieth of the inherent evils of the tongue."

72 This is the general idea conveyed by a number of different *ḥadīth* Birgivī quotes. The base line of them is that begging "scratches" one's face. See *TM*, p. 142f.

73 Ghazālī, *op. cit.*, p. 169.

74 *TM*, p. 142.

75 *Ibid.*

76 *Ibid.*

77 *TM*, p. 154.

78 *Ibid.*

79 *Ibid.*

80 *Ibid.*

to a judgeship, this, too, is like “begging” and, hence, inappropriate.<sup>81</sup> Again, it is better for someone reluctant to get the job, since such a person probably knows that his responsibility will be great. The same goes for people who want to be made guardian of orphans or adults of unsound mind.<sup>82</sup>

Unlike begging for one’s livelihood on the street, asking for appointment to high office could never constitute a true “necessity,” according to Birgivī, and was thus to be avoided, if not rejected. Indeed, as in his denunciation of “the sanctimony of men of religion” and their “love of this world,” he inveighs heavily against those who seek to obtain positions of influence and authority, in the religious arena as much as in more worldly settings. It is impossible, he says (in a way reminiscent of *Ḳorḳud*), to cultivate true piety in a position of power. Indeed, “there is no leader of even just ten men who will not be brought to justice on the Day of Judgment.”<sup>83</sup> Thus, the way a believer sought to make his livelihood had a direct impact on his fate in the Hereafter. Piety, for Birgivī, was not only about correctly “spending” the wealth one owned (as in avoiding wastefulness), but also about “acquiring” it in a pious fashion to begin with.

## 6 Payment for Religious Services

One of the questions that preoccupied Birgivī most in this regard was whether or not it was permissible for believers to give or receive payment for acts of devotion and religious service. Should prayer leaders, preachers, teachers and Qur’ān reciters be remunerated for the duties they fulfilled on behalf of the community? And, if so, how? The question was a pertinent one, especially in Birgivī’s own context. Indeed, as a “man of religion” himself, it was an issue of immediate and direct concern to him.

Birgivī does not go into the problem to any great extent in the *Ṭarīqa* itself (he only states in passing that “it is not lawful to accept payment for praying or reading the Qur’ān for someone’s benefit”). However, he refers his readers to another treatise, in which he examines the issue in more depth.<sup>84</sup> Entitled *Inqādh al-hālikīn*, and written, as Birgivī says, “with the aim of showing the unlawfulness of what has become widespread in the lands, and prevalent among believers,” the treatise warrants looking into in detail.<sup>85</sup>

81 *TM*, p. 155.

82 *Ibid.*

83 *Ibid.*

84 *TM*, p. 166.

85 Birgivī, *Kitāb inqādh al-hālikīn wa-yalīhi kitāb iqāz al-nā’imīn*, ed. Ḥamdī ‘Abd al-Majīd al-Salafī (Riyādh: Dār al-Ṣumay’ī, 1999), p. 15.

Birgivī's main contention is that it is "unlawful to make the Qur'an a means of making money and gathering this-worldly possessions."<sup>86</sup> Indeed, the Prophet forbade his community to make a living off the Qur'an and religion.<sup>87</sup> Because asking for payment in return for reciting the Qur'an means "to exchange that which is good [i.e. the word of God] for that which is contemptible [i.e. money]."<sup>88</sup> It is hateful, Birgivī says in allusion to Q 2:41, "to acquire a paltry sum for God's *āyas*."<sup>89</sup> Likewise in the case of people who offer their services at funerals, to pray at the deceased's grave, for example, or to bring food to the mourning and recite the Qur'an at night, sometimes for the entire forty days and all in exchange for money: Birgivī disapproves. Not only is it reprehensible to rent out one's services in such a way, it is likewise blameworthy to accept them and hire somebody to perform them. Indeed, pious acts cannot be outsourced for payment.

Just as in the case of *riyā'*, Birgivī explains that as soon as a person engages in a ritual act (or in a good deed) because he intends to reap material benefit from it, the act becomes invalid. By definition, both ritual worship and good deeds are supposed to bring a reward in the Hereafter, not in the Here and Now. Yet by asking for and receiving payment for the rendering of a religious service, one commodifies it, and thus invalidates it. As had been the case in his discussion of sanctimony, Birgivī is clear about the fact that what the matter hinges on is the believer's intention (*niyya*). If his aim is to receive material reward for a service, his performance will not be considered legally valid. If his intention, however, is to receive a reward in the Next World, it will.

But how were "men of religion" supposed to survive, considering they devoted a considerable amount of their lives to rendering religious service (*'ibādāt*) and collective duties (*furūd kifāya*), and could therefore not spend as much time in gaining a livelihood as others? Birgivī explains that, while remuneration in the form of a "salary" or "wage" (*ujra*) was invalid and unlawful, to receive "gifts" (*hibāt*, sg. *hiba*) or "donations" (*ṣilāt*, sg. *ṣila*) was permissible. While this, again, might seem like nothing but semantic quibbling and sophistry to a modern reader, it made a considerable difference to Birgivī as a legal scholar and believer.

It was not a matter of words, indeed, but of intention. For to receive a "payment" rather than a "gift" meant that one acknowledged that one was selling one's act of worship for a price. Doing so intentionally would, of course,

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86 *Ibid.*

87 *Ibid.*: nahā ummatahu 'an al-akl bi-l-qur'an wa-l-dīn.

88 *Ibid.*

89 *Ibid.*

invalidate the act and any reward that could be gained from it. “Gifts” however, were permissible, as the act itself would be intended for God, not for the gift. Birgivi thus explains that it is important to specify which of the two is intended. “Jurists,” he says, “often clarify: this is a gift and not a salary, and that is a salary, but not a gift. For the two are not the same.”<sup>90</sup> Indeed, he continues, “the livelihoods (*arzāq*) of judges, teachers, students, prayer leaders and muezzins must be specified [as donations] from the treasury and from pious foundations. Whosoever works in one of these jobs that are for the purpose of drawing close to God, it is lawful for him to accept what he has taken as a donation. He also deserves God’s reward in the Next World. But if he only busies himself with these [occupations] because he wants the money, then what he takes is unlawful, and does not deserve a reward from God. [...] So whoever intends to reap a worldly benefit, his act is not a good deed.”<sup>91</sup>

Accordingly, men of religion were allowed to receive “donations” from the treasury or from a *waqf* to support their work, as long as what they intended was “to draw near to God.” As in the case of sanctimony, the matter was ultimately decided in the “heart” of the individual. Birgivi explains that “Yes, a man might want to, say, study and teach the Qur’ān for God’s sake and engage in the pursuit of religious knowledge [Ḥadīth] for God’s sake, but he is poor. So the fact that he has to work to earn his living prevents him from learning, so he asks for a room in a school [...] and a specific position, so that the provisions for his living are sufficient, and so that he be free to study for the sake of God. And God knows what is in his heart; that he wants to take the money in order to study and to be able to dedicate himself to [studying] by way of it; that he does not teach and study in order to receive money. In that case the money is lawful for him.”<sup>92</sup>

What is crucial, again, is that “God knows what is in his heart.” Thus, a believer will ultimately be judged on his intentions—known to nobody but God and himself. To himself, his intentions could only be established by an uncompromising examination of his conscience. If his conscience was pure, there was no problem with receiving donations (not wages!) for the performance of such communal duties.<sup>93</sup>

90 *Ibid.*, p. 43.

91 *Ibid.*, p. 44.

92 *Ibid.*

93 Birgivi’s position here should not be regarded as necessarily universally accepted. Indeed, legal scholars must have made a distinction over what sort of activities could permissibly receive payment. In his study of the literature of *ādāb al-‘ālim wa-l-muta‘allim*, Sebastian Günther, for instance, examines Ibn Ṣaḥnūn’s “Rules of Conduct for Teachers,” in which the ninth-century Mālikī scholar had no problem to declare the permissibility

However, as if establishing the purity of one's conscience was not already hard enough in and of itself (see last chapter), Birgivi persists in his usually relentless vein with even more conditions that needed to be satisfied. For anyone accepting a "donation" also had to examine the source of the money he received. If this source was tainted, the believer would—yet again—implicate himself in evil, illegality or injustice, and diminish his chances of closeness to God in the Next World. One of the most pervasive sources of income supporting Ottoman establishments of learning and worship at the time, however, was an institution known as the cash *waqf* (*waqf al-nuqūd* or *waqf al-darāhim*). Considered unlawful by Birgivi, it was an institution that would come to consume a considerable amount of his intellectual and scholarly energy over the years.

## 7 The Cash *waqf*

As Jon Mandaville has shown in his seminal study of the cash *waqf* debate, the practice to endow cash, as a particularly Ottoman institution, would rise to great prominence (and economic importance) over the course of the fifteenth and sixteenth centuries.<sup>94</sup> Birgivi became an outspoken critic of the practice and of those who justified it. Indeed, he was not to be swayed by arguments of economic imperatives brought forth by the latter and it was the cash *waqf*, more than anything, that set him on a course of direct collision with Ebū's-Su'ūd and the highest authorities of his day.

According to classical Islamic legal theory, a *waqf* should be established on the basis of immovables only, that is either land, or land and buildings.<sup>95</sup> This was because it was conceived of as a permanent gift to God for the benefit of mankind. Movables were seen as impermanent and thus unfit to be endowed. However, over time a debate developed as to whether or not certain kinds of immovables should be allowed to be endowed after all. Moveables that came with an immovable, such as shovels or pots that belonged to an estate, or books that belonged to a building such as a school or library, were thus considered permissible to be endowed as part of the immovable they came with. Over

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of teachers accepting payment for teaching the Qur'ān. See Günther, "Advice for Teachers: The 9th Century Muslim Scholars Ibn Saḥnūn and al-Jāhīz on pedagogy and didactics," in *idem* (ed.), *Ideas, images and methods of portrayal: Insights into Classical Arabic Literature and Islam* (Leiden: Brill, 2005), pp. 108–9.

94 Jon E. Mandaville, "Usurious Piety: The Cash Waqf Controversy in the Ottoman Empire," in *International Journal of Middle East Studies*, vol. 10 (1979), pp. 289–308.

95 See Rudolph Peters, "Wakf," in *EI2* (Leiden: Brill, 2000), vol. 11, p. 60.

time, the category of immovables that were allowed to be endowed expanded, and more and more items were included, such as cash in the Ḥanafī case.<sup>96</sup>

The establishment of *waqfs* on the basis of money (fully or partially) seems to have been a distinctly Ottoman phenomenon. Interest (*ribā*) gained from lending this money would be used to pay the salaries of teachers at *madrasas* or preachers at mosques, among other things. In a society in which welfare and education was almost entirely dependent upon endowments and gifts, the cash *waqf* thus came to be of great economic significance. As Jon Mandaville has shown, the first appearance of cash *waqfs* in the Ottoman Empire can be dated to the early 1400s, and the institution seems to have spread fairly rapidly over the course of the fifteenth and sixteenth centuries. Thus, during the reign of Mehmet the Conqueror sixteen percent of pious endowments in Istanbul were at least partially established on cash, and by the mid-sixteenth century—Birgivi's time—the cash *waqf* had become “the dominant mode of endowment.”<sup>97</sup>

There seems to have been little to no legal debate regarding the issue for most of the fifteenth and early sixteenth century. In fact, Mandaville argues that Ottoman *‘ulamā*’ consciously turned their eyes away from the problem until its conspicuous nature could no longer be ignored. This happened by the mid-sixteenth century, when a conservative opposition suddenly, and very belatedly, started to make its voice heard—“long after there was any chance of a reversal of the practice.”<sup>98</sup>

Those opposed to the practice of endowing cash and deriving interest from it, such as Sheykhül-Islām Çivizāde (in office 945/1539–948/1542), and later Birgivi, argued that the legal grounds on which the pro-cash-*waqf* faction was justifying the practice were very shaky—an accusation not without reason.<sup>99</sup> However, the supporters of the cash *waqf*, most prominently Ebū's-Su'ūd, responded that, even if the practice had first gained ground on the basis of doubtful legal arguments, this was no longer of importance for two reasons. First, widespread dissemination and continued popular usage over the course of the last few centuries (*ta'āmul* or *ta'āruf*) had in fact established it as lawful, and trumped whatever misgivings could have been cited against the practice before. And, second, the welfare of the community was at risk (an argument based on *istiḥsān*) if cash *waqfs* were to be allowed to be annulled or declared

96 For a detailed survey of this process see A. Suhrawardy, “The Waqf of Movables,” *Journal of the Asiatic Society of Bengal* (new series), vol. 7 (1911), pp. 323–80.

97 Mandaville, p. 292.

98 *Ibid.*, p. 297.

99 For Çivizāde, see Repp, *The Müfti of Istanbul*, pp. 244–56; for the legal debate, see Mandaville, p. 305.

revocable, which is what Çivizāde and Birgivī called for. Their possible annulment, which would have entailed “the disruption of maybe millions of *akçe* of capital investment,” as Mandaville has argued, would have seriously jeopardized the functioning of the Ottoman economy.

In arguing against the legality of the cash *waqf*, Birgivī and his allies thus represented a minority—a minority with single-minded conviction, but with a formidable challenge to confront. Birgivī wrote extensively on the topic of cash *waqfs*. In the *Ṭarīqa*, for instance, it is one of “the evils of the hand” (*āfāt al-yad*) “to take from a *waqf* that is not legally valid legally, like a cash *waqf*.”<sup>100</sup> Thus, if a teacher or preacher received money from a cash *waqf*, they committed a sin by accepting it. Furthermore, in the last part of *TM*, among “the worst” (*aṣṣam*) of “invalid matters of innovation (*umūr muḩtadī‘a bāṭila*), which people devote themselves to eagerly, under the wrong assumption (*ẓann*) that they constitute acts which will draw them close to God,” Birgivī lists the evil of “endowing pious foundations on the basis of cash.”<sup>101</sup> Since both the endowment of moveables and the use of interest gains (*ribā*) were unlawful, the cash *waqf*, which was established on the basis of both, had to be unlawful by necessity, too.

Birgivī’s arguments on the issue are laid out most clearly in a number of treatises other than the *Ṭarīqa*. These include, most prominently *al-Ajwiba al-ḩāsima li-‘urūq al-shubḩa al-qāsima* (Birgivī’s first rejoinder to Ebū’s-Su‘ūd, later to be followed by a number of *fatwās*) as well as a treatise entitled *al-Sayf al-ṣārim fī ‘adam jawāz waqf al-manqūl wa-al-darāḩim*.<sup>102</sup> In the latter, Birgivī elaborates in fair amount of depth on what he regards “the evils” of the cash *waqf*.<sup>103</sup> It is not only unlawful and invalid, in and of itself, he says, but also leads to further sins.<sup>104</sup> These are that people who endow cash think they are free from paying *zakāt*; they may become poor (because of giving away their money); yet they have the audacity to then ask for *zakāt* for themselves! At the same time, they think they do not need to celebrate religious holidays, or give charity, or go on the pilgrimage, Birgivī complains. Moreover, when money is endowed in cash *waqfs* by way of testament, it leads to the disruption of the regular course of inheritance. And, regardless of the initially good intentions of the one who endowed the money, both the money that has been endowed and

100 *TM*, p. 173.

101 *TM*, p. 216.

102 For the *Ajwiba*, see Mandaville, pp. 304–5, who relies on MS Esad Efendi 615. For Birgivī’s *Radd wa-ibtāl fatwā Abī al-Su‘ūd*, see Princeton, Garrett no. 5380Y and above, p. 18, fn. 58. For the *Sayf*, see above, p. 18, p. 56.

103 Cf. Mandaville’s translation, pp. 18f.

104 Mandaville, p. 18: “Thus has the invalidity of the cash *waqf* been established. In it are the sources of many evils.”

that which is subsequently made through interest will get seized by greedy or ignorant administrators. Judges are implicated in this corrupt system, too, and generally prevent the return of what has been wrongfully taken.<sup>105</sup>

Thus, sin and injustice are committed on a number of levels. First, in the endowment of something that should, legally speaking, not be endowed at all. Second, in the fact that the unlawful practice of *ribā* is engaged in. Third, in that when attempts are made to remedy things (such as Birgivi's), these are thwarted by ignorant or corrupt (or both) judges and *waqf* administrators. Since they profit from the perpetuation of the system (by endowing money themselves, signing cash *waqf* documents, or being supported by cash *waqfs*), they have no interest to change it.

Most *waqf* administrators, Birgivi argues, do not understand what the Qur'ān says about usury. They may therefore accept interest payments without even going through the motions of using a legally permissible device (*hīla*) to do so.<sup>106</sup> Indeed, in the *Ṭarīqa*'s discussion of the inherent "evils of the hand," apart from the evil of "taking from a *waqf* that is not legally valid, like a cash *waqf*," he also lists that it is sinful to "take from trusts the funds of which are obtained by suspicious or unlawful means."<sup>107</sup>

What was at stake for the pious man, yet again, was implication in an unlawful scheme that could diminish the purity of his "heart" and "hand." On one side there was thus the ideal of the Law, as interpreted by Birgivi, while on the other there was the economic imperative to support teachers, preachers, prayer leaders and so on, whose livelihood depended on the finances generated by these "unlawful" endowments. Birgivi, however, was uncompromising. Any *waqf*, he argued, that was endowed on the basis of cash needed to be dismantled.

When Birgivi was in his late teens, Sheykhü'l-Islām Çivizāde had already tried to dismantle the cash *waqf*, but failed. In fact, Çivizāde was one of the few heads of the Ottoman religious hierarchy to be removed from office, and while the reasons for his dismissal are debated, his radical stance regarding the cash *waqf* seems to have played a role. It is clear that strong economic interests were involved, including those of the palace. Declaring the cash *waqf* as invalid, as Çivizāde and Birgivi wanted, would, indeed, have unraveled the economic edifice of the empire as it existed, including the institutions of the *ilmiye* hierarchy of which both formed part. In fact, the cash *waqf* controversy would become a central issue for what Mandaville has called an "activist conservative

<sup>105</sup> Mandaville, p. 19.

<sup>106</sup> *Ibid.*

<sup>107</sup> *TM*, p. 173.

reform movement,” of which Birgivi would become one of the primary spokesmen. And although he disagreed with Çivizāde on a number of important legal questions, he would follow him unhesitatingly on the matter of the cash *waqf*.

Trying to protect an ideal (both moral and legal), against what he saw as the misguided innovations of his time, Birgivi categorically rejected all compromise when it came to the “correct” implementation of the Law, as he understood it. Indeed, when the gap between “ideal” and “reality” was as wide as it was with regard to the cash *waqf*, and the Law was as clear as it was, to bridge the gap between the two was paramount. Reality had to accommodate the demands of the Law and move closer to the ideal, not the other way around. For true piety (for Birgivi) entailed the persistent and continuous attempt to approximate the ideal *in* reality, rather than to make concessions to an imperfect state of affairs.

As far as individual virtue was concerned, in order to ensure proper “support of the body” (*qiwām al-badan*) and “orderliness of one’s livelihood” (*intizām al-ma’āsh*), the believer had to make sure that his income was derived from lawful sources. In discussing the question of the lawfulness of accepting gifts from rulers, for instance, Birgivi asks, “Do you know with certainty that there is something unlawful in your possession?”<sup>108</sup> “Can you accept a reward or a prize from a ruler if you know that it has been acquired by force or seized illegally from someone else?”<sup>109</sup> If you know it has, he says, you cannot.

In comparison to his views on the cash *waqf*, however, Birgivi’s stance with regard to the question of gifts from rulers is much less rigid. Qualifying the problem, he explains that “if he [i.e. the ruler] has mixed it with silver coins from elsewhere, it is permissible. If he has not, then it is not.”<sup>110</sup> Thus, “there is no harm in accepting gifts from rulers,” as long as the necessary mixing of lawful and unlawful has taken place in the treasury, diluting the unlawful to such an extent that the whole amount becomes lawful. As we have seen in the case of Şehzāde Korkud, not everybody agreed that such mixing produced something that was lawful.<sup>111</sup>

Even scholars of a decidedly moralistic bent like Birgivi, could come down on different sides of the fence when it came to the most hotly debated issues of the day. Whether it was in economic questions such as the lawfulness or unlawfulness of the cash *waqf*, accepting donations from the treasury, or more strictly ritual issues such as the legality of *al-maṣḥ ‘alā al-khuffayn*, vocal *dhikr*

108 *TM*, p. 212.

109 *Ibid.*

110 *Ibid.*

111 See above, chp. 2, p. 113.

or *dawarān*, opinions were divided. A scholar who might represent the “conservative” end of the spectrum in one question, could thus come down on the more “permissive” one in another.

We still know too little about the substance and exact nature of many of the legal debates at the time, including their political implications, to draw conclusions as to how to best assess a given scholar’s positions or outlook, let alone decide on labels such as “conservative,” “moderate,” “orthodox,” and so on. Was Kemāl Pāshāzāde permissive because he wrote a *fatwā* in favor of Ibn ‘Arabī? Or was he rigid, conservative and unyielding because he condemned Oğlan Sheykh for heresy? The question revolves once more around the process of an ongoing articulation of “orthodoxy” (in its various shades) at the time. What needs to be remembered, is that the matter was usually one of relative degrees. Thus, Birgivī was unyielding in his stance on the cash *waqf*, but much less so in the question of accepting gifts from rulers (in contrast to Korkud) or allowing for *al-maṣh ‘alā al-khuffayn* (in contrast to Çivizāde).

Moreover, these were essentially legal questions, but since the Law had both important moral and political implications, the stakes were very high. Indeed, since the legal, political, and moral were intrinsically related, ultimately determining the salvation or damnation of the individual in question, the issue of the cash *waqf* and how individual scholars benefitted from it was of paramount concern.

## 8 Land Tenure and Taxation

Another equally hotly debated issue at the time was the question of land or, rather, the legal status of land tenure and taxation. Ebū’s-Su‘ūd’s tenure as Sheykhü’l-Islām saw the radical re-interpretation, in terms of Ḥanafī jurisprudence, and practical systematization of what was a patchy and complex field of administration.<sup>112</sup> As Snježana Buzov has argued, it was in the wake of Grand Vezier Ibrāhīm Pāshā’s (d. 942/1536) failed attempt to “purify” the *ḵānūn* of its un-Islamic characteristics that Ebū’s-Su‘ūd embarked upon his project of providing a harmonizing legal framework for the status and administration of

112 For a good introduction to Ebū’s-Su‘ūd’s legal doctrines regarding Ottoman land, see C. Imber, *Ebū’s-su‘ūd*, pp. 115–38; for post-classical Ḥanafī theories of the legal status of land, with particular reference to Mamluk and Ottoman Egypt, see Baber Johansen, *The Islamic Law on Land Tax and Rent: The Peasants’ Loss of Property Rights as Interpreted in the Hanafi Legal Literature of the Mamluk and Ottoman Periods* (London: Croome Helm, 1988).

lands under Ottoman dominion.<sup>113</sup> What Ebū's-Su'ūd did was, in effect, to justify many of the pre-existing, customary practices of the lands that had come under Ottoman rule in terms of Ḥanafī doctrine.<sup>114</sup> This was a thorn in Birgivi's side, since he considered Ebū's-Su'ūd's re-interpretation of the law on land tenure and taxation not only misguided, but actually contrary to the original intent of the *sharī'a* (as expressed by the earliest Ḥanafī authorities). Indeed, Birgivi would proceed to contest Ebū's-Su'ūd's pronouncements regarding the status of land as passionately as he fought the cash *waqf*. In the last part of the *Tariqa*, for example, we find a long section on the question of land tenure and taxation that is worth investigating in some detail.<sup>115</sup>

Birgivi begins by stating that “the question of land (*amr al-arāḍī*) is very confusing (*mushawwash jiddan*) in our age.” This is, he says,

Because those who hold [land] (*aṣḥābahā*) act as if they were the actual owners (*mullāk*), in terms of selling, renting, cultivating, and so on; and they pay the [different forms of] *kharāj* to the military (*muqātila*) or other persons appointed by the Sultan (*mimman 'ayyanahu al-sultān*). But if they sell [it], then the person appointed by the Sultan to collect the taxes takes part of the price. And if they die, and if they leave male sons, only they [i.e. the sons] inherit the land, to the exclusion of the rest of the heirs; and his debts are not demanded, nor are the bequests [of the one who had held the land] executed. Otherwise [if there are no sons], the person appointed by the Sultan sells the land.<sup>116</sup>

113 For Pargalı İbrāhīm Pāshā, also known in the sources as both *maḥbūl* (“the favorite”) and *maḥtūl* (“the one who was executed”), see Tayyib Gökbilgin, “İbrahim Paşa,” in *İA* (Istanbul: Milli Eğitim Basımevi, 1950), vol. 5, pt. 2 (fasc. 50), pp. 908–15. For his 936/1530 *ḳānūnnāme* of the Bosnian *sancak*, as well as that of the Vlachs of Hersek, and the ultimate failure of his “purge,” see S. Buzov, *The Lawgiver and His Lawmakers*, *op. cit.*, pp. 46–75. For Ebū's-Su'ūd's preamble to the *ḳānūnnāme* of Buda as well his *fatwās* on land questions (later compiled under the title *Ḳānūn-i erāzī*), see *ibid.*, pp. 82–100.

114 As Colin Imber has pointed out, “it was above all this redefinition which gained [Ebū's-Su'ūd] the reputation of having reconciled the *ḳānūn* with the *sharī'a*.” Indeed, “his statements on land tenure and taxation came to occupy a central position in the Ottoman legal canon.” See Imber, *op. cit.*, p. 64.

115 *TM*, pp. 213–5. Large parts of this section have been translated and analyzed by Martha Mundy and Richard Saumarez Smith, *Governing Property, Making the Modern State: Law, Administration and Production in Ottoman Syria* (London: I. B. Tauris, 2007), pp. 17–18. The translation that follows is my own.

116 *TM*, p. 213.

According to classical Ḥanafī jurisprudence, ownership of land was originally vested in the individual, arising from a recognition by the *imām* of those who possessed lands at the time of the conquest.<sup>117</sup> The religious status of the owners at the time of conquest defined the nature of the tax that had to be paid: (i) *ʿushr* in the case of Muslims, (ii) *kharāj* in the case on non-Muslims. The status of *kharāj* lands remained fixed, however, even when the owners later converted to Islam or when the lands were sold to Muslims. Thus, from a relatively early stage, the initial connection between the legal status of the owner and land was severed.<sup>118</sup> Also, while Ḥanafī doctrine provided for the possibility of the ruler designating conquered land as *waqf* property or as property of the treasury, this was treated as an exception, rather than as the rule, as both Mundy and Johansen have pointed out.<sup>119</sup> The basic understanding was thus one of individual ownership, not ownership by the state.

Under the Mamluks, however, a new principle was formulated in post-classical Ḥanafī legal theory, which understood land ownership to be lodged in the treasury (*bayt al-māl*). The argument was that, while ownership had indeed originally been vested in the individual, over time, as the original owners and their descendants had died, the land gradually passed into the hands of the treasury.<sup>120</sup> Thus, a new strand of Ḥanafī jurisprudence, as represented in the works of Ibn al-Humām (d. 861/1457) and Ibn Quṭlūbughā (d. 879/1474), for example, came to see state ownership of land as the norm, rather than individual ownership.<sup>121</sup> In this scheme, the right to cultivate lands was delegated by the ruler to the cultivators, in various kinds of arrangements, with middle-men administrators, usually military tax farmers, assigned the duty of collecting taxes.

Ottoman administrative practice seems to have followed this basic understanding of treasury ownership from the beginning. Thus, upon conquest, the Ottomans would usually designate new lands as *mīrī* (i.e. “of the ruler”), and confirm, by way of a *kānūn-nāme*, the tax arrangements that had previously governed the province in question. Thus, the feudal structure of much of the old system of land tenure in the Balkans, for example, remained unchanged,

117 See Mundy and Saumarez Smith, p. 11 and Ömer Lütfi Barkan, “Mülk Topraklar ve Sultanların Temlik Hakkı,” in the posthumously published collection of his essays, *Türkiye’de Toprak Meselesi* (Istanbul: Gözlem Yayınları, 1980), pp. 231–47.

118 Cf. Mundy and Saumarez Smith, p. 12.

119 *Ibid.* and Baber Johansen, *The Islamic Law on Land Tax and Rent*, p. 18.

120 See Baber Johansen on the “death” of the *kharāj* payer, pp. 82–5.

121 Opening up another potentially important avenue in the study of the development of Ḥanafī doctrine, Mundy and Saumarez Smith argue (on the basis of *al-Fatāwā al-tātārkhāniyya*) that “there may have been a second Central Asian genealogy for this doctrine.” See p. 240, fn. 8.

with taxes paid by the cultivators (i.e. the lessees) as before, while the land itself came to be designated as property of the treasury (*mīrī*).<sup>122</sup>

Indeed, as Halil Inalcik has argued, “[...] in the Balkan countries the peasantry in general had never been proprietors of the soil which they worked, and this state of things facilitated the Ottoman policy of establishing there a régime of state property. It simply replaced the old native aristocracy and the small Balkan states in the proprietorship of lands. Now a universal state succeeded to the feudal lords and the old practices persisted, it must be pointed out that in this way many instances of *bid’a*, that is innovation, slipped into the Ottoman legislation.”<sup>123</sup> Birgivī could not have agreed more. In fact, it was the changes brought about by the Balkan conquests, in particular, and later that of Hungary (with the *ḵānūn-nāme* of Buda, issued in 948/1541), which guided much of the legal debate. For while Ottoman administrative practice did recognize the category of *mülk* land (i.e. personal property that could be sold and bequeathed, as classical Ḥanafī doctrine envisioned), the great majority of Ottoman lands were understood to be *mīrī*, i.e. state lands (*arāzī-yi memleket*), belonging to the treasury.<sup>124</sup>

In Birgivī’s view, this was the first fundamental aberration in the land tenure system as it pertained, although it is not one that he addresses in the above excerpt directly. Rather, he deals with the complicated and often contradictory legal consequences the doctrine of treasury ownership entailed for those who cultivated the lands. Since those who cultivated the land were not its owners, the *kharāj* could not actually be demanded of them. Furthermore, if they were not the actual owners, common legal transactions pertaining to property, such as “sale,” “inheritance,” or “the right to pre-emption” could not apply either.

122 For a very useful discussion (including an overview of some of the extensive literature) on the use of the term “feudal”—much debated even in its European context—with regard to Ottoman history, see Josef Matuz, “The nature and stages of Ottoman feudalism,” in *Asian and African Studies*, vol. 16 (1982), pp. 281–92.

123 H. Inalcik, “Land Problems in Turkish History,” in *The Muslim World*, vol. 45, no. 3 (1955), p. 221.

124 Different Ottoman jurists of the sixteenth century tried to justify or explain this new doctrine of state ownership in different ways. Kemāl Pāshāzāde, for instance, adopted a historical argument similar to the “death-of-the-*kharāj*-payer” argument of Ibn al-Humām in Egypt, saying that the original presumption of individual ownership was superseded by historical events. Ebū’s-Su’ūd, on the other hand, gives two main explanations for treasury ownership: (i) the “Sawād argument,” (ii) an argument on the basis of practicability and public interest. For both, see Mundy and Saumarez Smith, p. 15 and p. 242f., fn. 30. For the *mālikāne dīvānī* as personal property in the sixteenth-century (not to be confused with the *mālikāne* of later centuries), see Nicoară Beldiceanu, *Le timar dans l’État ottoman (début XIV<sup>e</sup>–début XVI<sup>e</sup> siècle)* (Wiesbaden: Otto Harrassowitz, 1980), p. 33.

Nonetheless, Birgivî complains, the lessees “act as if they were the actual owners,” not only “in terms of selling, renting and cultivating,” but also in that “they pay the *kharāj* [...] to the military or other persons appointed by the Sultan.”<sup>125</sup>

According to the earlier Mamluk interpretations, what cultivators owed when land was owned by the treasury was not a tax, but rent (*ijāra*). This idea was taken up in modified form in the Ottoman context, too, as when Ebū’s-Su’ūd first described the relationship between cultivators and the treasury as one of “defective rental” (*ijāra fāsida*).<sup>126</sup> However, the problem was that in order for a contract of rental to be valid according to the Law, the duration of the lease had to be specified, which was not the case here.<sup>127</sup> Indeed, as opposed to Mamluk jurists, Ebū’s-Su’ūd in his later years prefers to avoid the term *ijāra* altogether, as Mundy has shown, instead arguing that the relationship between the treasury and cultivators was one of “delegation” (Tr. *tefvīz*, Ar. *tafwīḍ*) of the use-right or “object utility” (*manfa’a*) of the land, while the ownership (*raqaba*) remained with the treasury, much as in a rental agreement, but without the actual rental. At other points he also speaks of the relationship as a “loan” (Tr. *āriyet*, Ar. *āriya*), or he explains the land to be “an object held in trust” (Tr. *vedī’a*, Ar. *wadī’a*).<sup>128</sup>

Whichever way the relationship between cultivators and the treasury was conceived of, there were two aspects of the Ottoman land system that would complicate any strictly Islamic appropriation (i.e. any straightforward justification in terms of Ḥanafī *fiqh*). First there was the so-called *ṭapu* fee (*resm-i ṭapu*), which was a fee collected by administrators, generally *sipāhīs*, whenever a new cultivator took over *mīrī* land (i.e. when land was passed on from an old cultivator to a new one).<sup>129</sup> Often interpreted as an “entry-fee,” it is what Birgivî refers to when he says that “if [those who hold the land] sell it, then the person appointed by the Sultan [...] takes part of the price.” No such arrangement could exist if the proper Ḥanafī terms of a rental contract (*ijāra*) were adhered to, nor indeed in the case of either a “delegation” (*tafwīḍ*), a “loan” (*āriya*) or a “deposition as a trust” (*wadī’a*). Indeed, Ottoman jurists before Birgivî, such as Kemāl Pāshāzāde, for instance, had already argued that the *ṭapu* fee could not be justified in terms of the *sharī’a*, but derived from imperial *ḳānūn* alone. Ebū’s-Su’ūd, however, argued that the fee was valid in Ḥanafī terms,

125 *TM*, p. 213.

126 Mundy and Saumarez Smith, p. 16.

127 Birgivî speaks of it in terms of *tawqīt*.

128 Mundy and Saumarez Smith, p. 16.

129 See S. Faroqhi, “Ṭapu,” in *EI2* (Leiden: Brill, 1998), vol. 10, pp. 209–10.

representing an “advance on rent” (Tr. *ücret-i muaccele*, Ar. *ujra mu'ajjala*).<sup>130</sup> Like the idea of a “defective rent” this was an interpretation Birgivî was to vehemently reject.

The second aspect of the *tapu* system that was difficult to defend in terms of the *sharī'a* was the practice by which land conferred by *tapu* deed could only be inherited by sons (in some cases brothers) of the deceased cultivator. This, of course, ran blatantly counter to *sharī'a* provisions of inheritance for both male and female heirs, including wives and daughters. Hence Birgivî's comment that “if they die, and if they leave male sons, only they [i.e. the sons] inherit the land, to the exclusion of the rest of the heirs.”

This was not the only thing unlawful according to the *sharī'a*, however. Indeed, Birgivî continues to lament that “his debts [i.e. the debts accrued by the deceased cultivator] are not demanded,” either. For according to Ḥanafī *fiqh*, all of a deceased person's debts had to be paid before any property or possessions could be passed on to the heirs. This was not the case for *tapu* land, however, which—since it was understood as belonging to the treasury—was “sold” on to new cultivators for usufruct if there were no male descendants of the previous cultivator to take over.

Birgivî embarks upon a detailed analysis and critique of the consequences of the *tapu* system in a discussion that, as Martha Mundy has argued, would “prove utterly damning for the legality of the Ottoman land regime.”<sup>131</sup> Birgivî offers two possible approaches to the problem, as he saw it. First, he says, the issue could be tackled from the “classical” point of view, which considered ownership of land to be vested in the individuals in whose “hand” it actually was (i.e. those who cultivate it): “If we consider the question of actual possession (*fa-idhā i'tabarnā bi-l-yad*),” he says, “we would say that the land is owned by the individual who has possession of it (*anna al-arḍ mulk li-dhī al-yad*), which means that it must be inherited by all of the heirs, after deduction of debts and bequests (*ba'd an tuḡḡā minhā duyūnuhu wa-tunfadh waṣāyāhu*). To deprive [rightful heirs] other than sons, and to fail to honor [payment of debts and the execution of special bequests of the deceased] constitutes injustice (*ẓulm*). But if [only the male heirs] dispose of it, or those appointed by the Sultan, if no male children exist, this represents disposal of property by a third party [who has no right to dispose of it], the result of which is reprehensible (*khabiṭh*).”<sup>132</sup>

130 See H. Inalcik, “Islamization of Ottoman Laws on Land and Land Tax,” in Christa Fragner and Klaus Schwarz (ed.), *Festgabe an Josef Matuz: Osmanistik—Turkologie—Diplomatik* (Berlin: Klaus Schwarz, 1992), p. 102.

131 Mundy and Saumarez Smith, p. 17.

132 *TM*, p. 213.

Furthermore, “if the person appointed by the Sultan takes all or part of the price of sale of the land, it is unlawful (*ḥarām*).” That is to say, Birgivī explicitly says that the *ṭapu* fee, which was collected by the administrator when land deeds were transferred, was illegal.

After laying out the fundamental problems of the issue at hand in such a clear way, Birgivī next addresses the argument according to which individual ownership of land came to be overwritten by state ownership. For even when the assumption of state ownership was conceded, many of the details of the system were still unlawful. “If we assume,” Birgivī says, “that the lands are not owned by those who hold them (*anna al-arāḍī laysat bi-mamlūkat<sup>im</sup> li-aṣḥābihā*), but that their ownership (*raqaba*) belongs to the treasury, as is the understanding in our age (*al-ma’hūd fī zamāninā*), and as our fathers and grandfathers knew it, that the Sultan, when he conquered a place, did not divide its lands among those entitled to take booty—this is permissible, because the *imām* can choose between dividing [the land among those entitled to booty] and keeping it for the Muslims until the Day of Resurrection, by stipulating a tax (*bi-waḍ’ kharāj*). Then those who are on it have the right to cultivate it (*wa-yakūn taṣarruf dhī al-yad fihā*).”<sup>133</sup> Birgivī thus reiterates the classical doctrine that the ruler had the right to choose to either divide conquered lands among his army, or “keep it for the Muslims until the Day of Resurrection.”

“This,” he says, “can happen in one of two ways [...]: They are either considered as in the position of owners (*iqāmatuhum maqām al-mullāk*), in terms of cultivating and paying the *kharāj*; or [they pay] rent (*ijāra*), equal to the value of the *kharāj*, in which case what is taken from them is *kharāj* for the ruler, but rent for them. In either case, neither sale, gift, the right of pre-emption, the foundation of a *waqf*, inheritance or the like are possible.”<sup>134</sup> That is to say, the cultivators who “hold” the land (i.e. in whose “hands” it is), cannot sell it, bequeath it as a gift, endow it as *waqf*, or inherit it. This is because they are not the rightful owners; they just stand in the place of owners. They are like owners for cultivation and tax paying purposes, but nothing more, since the state (or rather the treasury) is the true owner.

As for the second possible interpretation of the status of cultivators, namely as tenants who pay rent, Birgivī believes that “it is less in contradiction with the Law and less harmful to people” than arguing that they are stand-in owners. While it should thus be preferred to the first option, he also stresses that it is “clear that the sale [of such land by them] is invalid (*bāṭil*), and the price

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<sup>133</sup> *Ibid.*

<sup>134</sup> *Ibid.*

paid a bribe (*rishwa*).<sup>135</sup> That is to say, the “sale” or transfer of state land from one cultivator to another (under the legal term “sale”) was not legally valid for Birgivī, nor was the *ṭapu* fee, which he argued constituted an illegal “bribe.”

What was happening, on a practical level, was that cultivators would exchange lots of *mīrī* land between themselves according to *sharī'a* prescriptions of “sale.” Indeed, as Mundy and Smith have argued, “there was a kind of market wherein cultivators exchanged their rights to lots and drew up contracts governing factors of production, such as ploughing, weeding and harvesting. Yet this was a market heavily conditioned by administrative control over permanent exchanges of lots, subject to a *ṭapu* fee extracted by the *tīmārī*.”<sup>136</sup> Thus, in order to transfer a given lot, for example, the incumbent cultivator, the *tīmārī* administrator and the person who was aspiring to secure the lot for himself composed a contract stipulating the “sale” of the deed from the incumbent to the aspiring cultivator, with the *ṭapu* fee being paid to the *tīmārī* for official recognition.

According to Suraiya Faroqhi, “conditions of holding a piece of land by *ṭapu* showed certain common features throughout the Ottoman Empire [...] *Ṭapu*-held land consisted of fields, and was in principle leased to the cultivator in perpetuity, as long as the latter cultivated the land. Land left fallow for three years [...] could be taken from the holder and turned over to another. According to the *ḵānūn-nāme* of Vize, it did not matter if the original holder of the land had been the one who had first brought it under cultivation; once the land was reassigned, he had lost all rights to it.”<sup>137</sup>

Even though Birgivī disgruntledly accepted the idea of state ownership and the assumption that cultivators could be interpreted as “renters,” he reiterates at several points in his discussion that he accepted this assumption only out of necessity and that there was “great corruption” in this. For while those who cultivated the lands were supposed to be considered “renters” (i.e. as paying “rent”—rather than “tax”—in exchange for the right to cultivate), the *ṭapu* deeds that were drawn up in the exchange of lots were drafted in a language of “sale.” “Rental,” however, Birgivī argues, “cannot be contracted with the words denoting a sale (*al-ijāra lā tun'aqid bi-lafẓ al-bay'*).”<sup>138</sup>

135 *Ibid.*

136 Mundy and Saumarez Smith, p. 19.

137 Faroqhi, “*Ṭapu*,” p. 209.

138 *TM*, p. 215. In fact, Mundy and Saumarez Smith have noted with perception that “the legal vocabulary in which the rights of the cultivator were expressed were composed of the terms governing rights to office, not to *mülk* [i.e. personal] property. Similarly, the devolution of the cultivator’s plot from father to son(s) followed the model for the devolution of office, not of *mülk* property. Hence Ottoman jurisprudence treated the cultivator more as

Meticulously seeking out the many inconsistencies and contradictions (from the point of view of Ḥanafī *fiqh*) in the arguments of those who supported the *ṭapu* system, Birgivī's discussion is long and detailed, and sometimes not devoid of inconsistent reasoning itself. For example, although he initially agreed (albeit disgruntledly) to interpret the money cultivators paid to the state as "rent," he later focusses on the fact that it is "rent only from their point of view," not from "the point of view of the owner" i.e. the state, for which it is "tax." Thus, at some later point he reverts to saying that what they pay "is in fact a tax [...] not a true rent."<sup>139</sup> This lets him include a number of direct attacks on Ebū's-Su'ūd, whose classification of the relationship as one of "defective rent," he explicitly rejects as "very corrupt" (*fāsīd jiddan*). The same verdict is meted out on Ebū's-Su'ūd's interpretation of the *ṭapu* fee as "an advance on rent."<sup>140</sup> Indeed, time and again, Birgivī will return to what he regarded as the clear illegitimacy of the *ṭapu* fee, in one instance even arguing that it would be more logical for the "seller" to have to pay a fee rather than the "buyer."<sup>141</sup>

Finally, what preoccupied him most, apart from the *ṭapu* fee, was the fact that only direct male descendants could "inherit" a *ṭapu* deed—a practice that ran directly counter to Islamic provisions for inheritance. With regard to this problem, in particular, however, Suraiya Faroqhi has pointed out that "in the course of time, the impact of *sher'ī* rules of inheritance was felt to an increasing degree."<sup>142</sup> Indeed, from the late sixteenth century on (and certainly so from the seventeenth), wives, daughters and even mothers came to be included among those entitled to "inherit" *ṭapu* deeds from a deceased cultivator. Despite significant regional variation in actual practice (in some provinces women were excluded up until the nineteenth century), there can be no doubt that it was pious legal criticism such as Birgivī's that must have contributed to this change.

With regard to the question of the designation of lands, too, criticisms like that of Birgivī gradually made themselves felt over the course of the next century. The Cretan *ḵānūn-nāme* of 1080/1670, for instance, has long been argued to represent a deliberate departure from Ebū's-Su'ūd's interpretation of the status of lands. More consciously in line with "classical" Ḥanafī legal theory, the Cretan *ḵānūn-nāme* rejected Ebū's-Su'ūd's interpretation of land as *mūrī*

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a quasi-office [...]." See Mundy and Saumarez Smith, p. 19. Social and ideological requirements necessitated the restriction of the category of "office" to the elite, however, leading to confusion—as Birgivī rightly laments—when it came to the peasantry.

139 *TM*, p. 215.

140 *Ibid.*

141 *Ibid.*: "Thus, if what is paid is considered as part of the tax, then the seller [i.e. the incumbent] should pay, not the buyer, what he received as part of the tax due."

142 Faroqhi, "Ṭapu," p. 210.

(“of the ruler”), instead adopting a conception of lands as private property, on which tax was due in the form of *kharāj*. Considering the “possible connection between the land regime imposed on Crete and the *ḳādīzādelī* movement,” as Molly Greene has argued, a century after Birgivi formulated his critique of the Ottoman land regime, his influence was clearly being felt.<sup>143</sup> Gilles Veinstein, too, believes that *ḳādīzādelī* influence must have played a significant role in the promulgation of the Cretan *ḳānūn-nāme*.<sup>144</sup>

The fact that Birgivi served as a direct inspiration for a number of active members of the *ḳādīzādelī* movement is undisputed. However, by the seventeenth century, he and his work had taken on somewhat of a life of their own, becoming the focus of contention between those of *ḳādīzādelī* leanings and their opponents. Irrespective of that, what is certain is that even in his own time Birgivi was not the only one criticizing the Ottoman land regime for being “confusing,” or not in agreement with the precepts of “classical” Ḥanafī *fiqh*. Mundy and Saumarez Smith, for instance, have found an anonymous *fatwā*, possibly dating to the era of Süleyman I, that is surprisingly similar to Birgivi’s in its critique.<sup>145</sup> Four decades before Birgivi formulated his criticism of contemporary land practices in the *Ṭarīqa*, Pargalı İbrāhīm Pāshā had already attempted to “purify” the *ḳānūn* by imposing, among other things, the *jizya* on Vlachs and Martoloses in the preamble to the Bosnian *ḳānūn-nāme*.<sup>146</sup> Thus, the ideas Birgivi expounded regarding the status of lands, the illegality of the *ṭapu* fee and the restriction of “inheritance” to male descendants only, were clearly in the air at the time.

In fact, as we have seen in the case of Shehzāde Ḳorḳud, too, over half a century prior to Birgivi, pious conservative opposition to Ottoman legal and administrative practices was nothing new. Sometimes this “opposition” even found itself at the very helm of the Ottoman religious hierarchy, as in the case of Sheykhū’l-Islām Çivizāde. Indeed, as in the case of the cash *waqf* (which was the main bone of contention between Çivizāde and Ebū’s-Su’ūd), Ebū’s-Su’ūd’s

143 M. Greene, “An Islamic Experiment? Ottoman Land Policy on Crete,” in *Mediterranean Historical Review*, vol. 11, no. 1 (1996), p. 61.

144 G. Veinstein, “Le législateur ottoman face à l’insularité: L’enseignement des *Kānūnnāme*,” in Nicolas Vatin and Gilles Veinstein (ed.), *Insularités ottomanes* (Paris: Maisonneuve & Larose, 2004), p. 104. Veinstein explains this influence in terms of the connection between Vanī Efendi, the famous *ḳādīzādelī* preacher of the third (and last) wave of the movement, and Grand Vezier Köprülü Fāzıl Aḥmed Pāshā. For a detailed discussion of the debate, see Eugenia Kermeli, “Caught in Between Faith and Cash: The Ottoman Land System of Crete, 1645–1670,” in Antonis Anastasopoulos (ed.), *The Eastern Mediterranean under Ottoman Rule, Crete, 1645–1840: Halcyon Days in Crete VI: a symposium held in Rethymno, 13–15 January 2006* (Rethymno: Crete University Press, 2008), pp. 17–48.

145 See Mundy and Saumarez Smith, p. 16 and p. 244, fn. 42.

146 See Buzov, p. 50, and above, p. 223, fn. 113.

interpretations regarding the status of land did not go unchallenged either, and Birgivi was certainly not the only one to confront him.

## 9 Conclusion

Birgivi's call for a narrow interpretation of the Law when it came to the question of land tenure shows yet again the great gap he conceived between "ideal" and "reality"—a gap that needed to be overcome, or at least narrowed, for virtue to be established. As in the case of the cash *waqf*, or the problem of how to remunerate individuals for the performance of religious services on behalf of the community, Birgivi understood the land system of his day to be falling seriously short of the standards articulated in the classical texts of Ḥanafī *fiqh*. Dissecting the inconsistencies and internal contradictions of everyday land practices (such as the exchange of lots between cultivators, payment of "entrance" fees and so on), in mostly dispassionate legal language, Birgivi's discussion is successful in conveying the difficulties the Ottoman land system would have posed to the "pious" man in practical terms. Societal virtue, just like individual virtue, could only be established through "correct practice," which in the case of land included the implementation of canonically valid taxes and the avoidance of "innovation" such as "entrance fees," etc.

Indeed, the individual believer had to be on his guard not to implicate himself in illegal practices, such as the cash *waqf*, and in general to "abstain from doubtful financial schemes (*al-shubuhāt al-mālīyya*)," as Birgivi warns.<sup>147</sup> The connection between individual virtue and wider economic and social questions was clear. For the "uprightness of the body" (the "pack animal" that carried man's virtue) and "the orderliness of one's livelihood," were both achieved, he reiterates, "by way of coins, grain and other things produced by the earth."<sup>148</sup> And, as with ritual practice, the rules governing the acquisition and expenditure of worldly wealth were clearly laid down by God's law. Making these rules, as Birgivi understood them, as widely accessible as possible, to propagate "right practice" in the economic arena just as in the area of ritual devotion, was thus an integral part of his overall project of *naṣīhat al-muslimīn*. For "the *waqf* and the treasury," as Birgivi says, "when the conditions of the Law are respected regarding the two, there is nothing better in terms of goodness. But when they are not respected, there is nothing worse in terms of evil."<sup>149</sup>

147 *TM*, p. 216.

148 *TM*, p. 213.

149 *TM*, p. 210.

## Conclusion

The aim of this study has been to shed light on Birgivi Meḥmed Efendi's (d. 981/1573) thought, in particular as articulated in his main work of practical ethics, exhortation and advice, *al-Ṭarīqa al-muḥammadiyya*. Through a close reading and analysis of the text of *al-Ṭarīqa al-muḥammadiyya*, an examination of the discursive frameworks Birgivi draws on and the contextualization of his arguments within Ottoman legal debates of the sixteenth-century, I have tried to show that Birgivi's project of individual and societal reform entailed rigidity and strictness on many levels. In his articulation of both "correct belief" and "correct practice," Birgivi's stance involved, first of all, an uncompromising, if not idealist, interpretation of Ḥanafī *fiqh*, as can be seen from his opposition to Ebū's-Su'ūd's re-interpretation of the doctrine of land tenure, his rejection of the cash *waqf*, and his belief that it was unlawful for Muslims to ask for or receive payment in exchange for the performance of religious services.

Furthermore, Birgivi's rigidity manifested itself in a call for an equally strict regime of "internal" control. This took the form of a blueprint to rigorously monitor the motives of one's thoughts, feelings and actions—none of which could ever quite be trusted. Birgivi thus seems to have combined two different, but equally exacting traditions. Advocating a scrupulous regime of self-surveillance with regard to the "internal" control of the soul and its passions, he also adopted a strict approach with regard to "external" control, centered on a stringent interpretation of the Law, to be enforced by exhortation and, if necessary, physical action.

It is these two different, but complementary, aspects of Birgivi's wider project of advice that have led to often divergent interpretations of his work following his death. These interpretations, and the equally divergent appropriations of his *oeuvre* by Muslims of varying religious and political persuasions over the centuries, have, in their turn, caused debate among modern scholars as to how to best assess Birgivi's legacy. The case of Schulze—mentioned in the introduction—is illuminating in this regard. While Radtke and others were right in pointing to Schulze's various misreadings of Birgivi, there is one point in his argument that proved to have more substance than maybe even Schulze himself might have imagined. This is the idea of "interiority." Schulze had argued that Birgivi preached a "living faith [...] founded on a radical experience of the self, in which life, spirit and strength were pitted against doctrine, office and appearances."<sup>1</sup> While he was wrong on the point of doctrine (Birgivi was,

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1 Schulze, "Was ist die islamische Aufklärung?" p. 302.

in fact, a great defender of “orthodoxy”), the faith he preached was, indeed, founded on “a radical experience of the self.” However, as I have tried to show in chapter four, this manifested itself in a type of “interiority” that was based on a fundamental mistrust and questioning of the self and its desires, rather than on a positive embrace of man’s ability to judge the motives of his actions sincerely.

Moreover, while the concept of “interiority” has risen to prominence in scholarship on the Renaissance and Reformation Europe (cf. “the emergence of the early modern self”), the kind of interiority Birgivī was advocating was very different. It was an interiority centered on Sufi traditions of self-discipline and self-examination—traditions which had their origin in Late Antiquity and which emphasized the devious nature of man’s soul. This was very different from the kinds of sensibilities that were emerging in Europe at the time, confidently embracing a new humanist subjectivity that Birgivī would have been utterly appalled by.

Thus, while Schulze was right in pointing to Birgivī’s emphasis on “a radical experience of the self” it was not the one he imagined. Worth noting in this regard is Gottfried Hagen’s point that Birgivī and his later *Ḳāḏizādeli* followers “foreshadow trends which are characteristic of modernity in religion: rationality and interiorization [...]”<sup>2</sup> This is a point that has been made variously. Marinos Sariyannis, for instance, points to the fact that “recent studies have emphasized the internal dynamics of early-modern Ottoman society and administration rather than external factors, treating the developments of the seventeenth and eighteenth centuries as a path towards modernity.”<sup>3</sup> In this context, which Nir Shafir has referred to as the “fabled track to modernity,” Birgivī and his followers in the seventeenth and eighteenth centuries are frequently evoked as key players.<sup>4</sup> While the advent of modernity has been a much debated process in current scholarship on the Ottoman Empire, it is clear that it brought with it profound socio-economic, political and cultural change, from the monetization of the Ottoman economy, to the bureaucratization of the state and the transformation of artistic, socio-cultural and religious sensibilities. The epistemic, ideational and religious shifts attendant upon these changes have only recently begun to be studied. As a matter of fact, the role of “religion” and its transformation, indeed, its emergence as a separate domaine of “culture” is often understood to constitute one of the defining features of modernity. In this sense, Birgivī’s work (and the fact that it was so

2 Hagen, “Afterword,” p. 246, see above, p. 13.

3 Sariyannis, *A History of Ottoman Political Thought*, p. 9.

4 Shafir, “Moral Revolutions,” p. 622.

highly influential in the seventeenth, eighteenth and nineteenth centuries), is indeed crucial.

However, an easy adoption of Weberian categories, such as particular types of “rationality” (“instrumental”, “belief-oriented”, “affective” or “traditional”) or “interiorization,” as specific markers of the “modernity” of Birgivi’s project here seems problematic. It is certainly true that rationality and interiority were characteristic of and central to Birgivi’s work. Indeed, they were part and parcel of the pre-modern Islamic tradition, characteristic of particular discursive fields, such as jurisprudence and theology (in the case of “rationality”) or Sufism (in the case of “interiority”). What is more, the way in which they appear in Birgivi’s *oeuvre* is not indicative of a break with what went before. Rather, the break seems to happen later. The complex mapping of the soul we find in *al-Ṭarīqa al-muḥammadiyya*, for example, or the nuances of Birgivi’s particular legal stances and carefully considered theological arguments, gradually seem to give way to a simplistic, even crude picture—a caricature—emerging in later portrayals of his work.

Thus, while Birgivi’s ideas were unquestionably of great influence on the seventeenth-century *Ḳāḍizādelīs*, for instance, he should certainly not be equated with them. Indeed, it is important to differentiate between his ideas and the views of those who would later adopt and adapt his work for their own purposes, often under radically changed social and political conditions. It may be useful, in this context, to also consider the wider tradition of “strict” *Ḥanafī* pietism we have discussed and of which Birgivi was but a part, but by no means its originator. For the almost exclusive focus on Birgivi as the intellectual father of the *Ḳāḍizādelīs* has tended to obscure the substance of his ideas, as well as that of many of his non-*Ḳāḍizādelī* receptions.

Indeed, a comprehensive history of the reception of Birgivi’s work remains to be written. It is a story that will prove as fascinating as his project on its own, if not more so in richness and complexity. For almost immediately after Birgivi’s death, commentaries started being written on the *Ṭarīqa*, as well as on many of his other writings. There exist seventeenth-century translations, epitomes and poems of praise. For instance, less than a couple of decades after Birgivi’s death, the famous Meccan scholar ‘Alī b. Sulṭān al-Qārī al-Harawī (d. 1014/1605) composed a eulogy on the *Ṭarīqa*, entitled *al-Mawāhib al-faḥḥiyya ‘alā al-ṭarīqa al-muḥammadiyya*.<sup>5</sup>

5 SK Esad Efendi 1530. The list of commentaries, translations and works treating particular aspects of *TM* is long. For a survey of the Ottoman context, see Marti, *Et-tarikatü'l-Muhammediyye*, pp. 102–68. Some of these have been studied in detailed, others completely neglected.

In addition to such favorable receptions, there also exist a whole range of seventeenth-century refutations and lampoons, such as that of Kurd (Kürt) Mollā from Van or Tatar Imām's *Risāle*.<sup>6</sup> As in the case of many influential pre-modern and early modern Muslim thinkers, Birgivi's work would prove to be both inspiring and divisive. This study hopes to have provided some groundwork for those who will embark upon writing the history of Birgivi's reception in the future. In elucidating the thought of an important player in the negotiation and articulation of sixteenth-century Ottoman Ḥanafī piety, it also hopes to have contributed to our understanding of some of the most crucial questions debated in the fields of Islamic law, ethics and Sufism in the Ottoman Empire at the time.

6 For Kurd Mollā, see Baer, *Honored by the Glory of Islam*, p. 72; Terzioğlu, *Sufi and Dissident*, p. 104; and Martı, *Et-tarīkatü'l-Muhammediyye*, pp. 107–14; for a lampoon, see Mustafa Kara, *Türk Tasavvuf Tarihi Araştırmaları* (Istanbul: Dergâh Yayınları, 2005), p. 76.

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1 The publishing house of the Turkish Ministry of Education changed its name from Maarif Matbaası to Milli Eğitim Basımevi in the 1950's. The *İslâm Ansiklopedisi* started as a project at Istanbul University to translate the articles of *EI1* (which was published in English, French and German originally). However, many of its articles were revised and expanded to such an extent that they should be considered more than just plain "translations."

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