

‘El-Müfti bi-Mahruseti İstanbul’: Şeyhülislam Alaeddin Çelebi Ali el-Arabi’s Exceptional Title in Full

Michael Ursinus

Author:

Faculty Member, Department of Islamic Studies (Ottoman Studies),
University of Heidelberg.
michael.ursinus@ori.uni-heidelberg.de

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Context

An Exceptional Chief Mufti

Unlike provincial muftis, Ottoman *şeyhülislams* did not add their rank or place of office to their signature. The only known exception is Alaeddin Çelebi Ali el-Arabi (1495 – 1496), whose signature, according to Uriel Heyd, reads ‘*Alī al-‘Arabī al-muftī*’, clearly indicating his rank (*‘el-müfti’*).¹ El-Arabi’s *fetva* presented here from the archives of the Franciscan monastery of Fojnica in Central Bosnia appears to be the only one known which also includes the *şeyhülislam*’s place of office.

Ali el-Arabi’s *fetva* is the earliest document of its kind to be found in the Fojnica AT collection, bearing the most complete signature of this Chief Mufti so far identified. According to the 1916 *İlmiye Salnamesi*, Ali el-Arabi was from Aleppo and came to Istanbul having completed his studies in his place of origin, only to continue learning under Molla Gürâni (Chief Mufti between 1480 and 1488)² and Molla Hızır Beg. His first appointment at the *Darülhadis* in Edirne as an assistant to Molla Fahreddin-i Acemi (‘the Persian’ or ‘Stranger’)³ was followed by a position at the *medrese* in Kaplıca. Around this time he became a follower of Şeyh Alaeddin of the Halvetiye order of dervishes (hence Alaeddin Çelebi). When this *şeyh* was banned to Manisa in western Anatolia, he too was exiled for a while, after which time he received a position at one of the prestigious Eight Colleges (*Semaniye*) in Istanbul,⁴ where his salary was to be reduced from 80 to 50 *akçe* daily wages later in the reign of Sultan Mehmed Fatih, but his remuneration was restored on becoming Chief Mufti of Istanbul in March/April 1495, only to die a year later. - It is quite remarkable that an original *fetva* should have survived intact in the Fojnica ar-

¹ Uriel Heyd, “Some Aspects of the Ottoman Fetvâ”, in: *Bulletin of the School of Oriental and African Studies* XXXII (London, 1968), p. 35 – 56; here: p. 43, n. 74 (referring to *İlmiye Salnamesi*, p. 340).

² About his education and career (with facsimiles of two of his *fetvas*) see *İlmiye Salnamesi*. Meşihat-i Celile-i İslamiyenin Ceride-i Resmîyesine Mülhakdır. Birinci defa. Meşihat-i ulya mektubcılığı marifetiyle tertib olunmuşdur. Darü’l-hilafeti’l-aliye – matbaa-i amire [Istanbul], 1334/ 1916, p. 334f.

³ For Molla Fahreddin (yet without facsimiles of his *fetvas*) see *İlmiye Salnamesi*, p. 327f.

⁴ On these and other colleges see Colin Imber, *The Ottoman Empire, 1300 – 1650. The Structure of Power* (Basingstoke, 2002), p. 227 – 237; Nathalie Clayer, “Madrasa”, in: François Georgeon, Nicolas Vatin, Gilles Veinstein (eds.), *Dictionnaire de l’Empire Ottoman. Avec la collaboration d’Elisabetta Borromeo* (Paris: Fayard, 2015.), p. 736 – 738.

chives in Central Bosnia when the Chief Mufti in question held this office for only such a short term.⁵ Apart from the two specimens illustrated in *İlmiye Salnamesi*, no other (complete) originals of his *fetvas* appear to have been accounted for in any of the collections of original *fetvas* kept in Istanbul – at least none seem to be mentioned as such by Özen.⁶ The specimen of one of his *fetvas* in a similar collection of *fetvas* in Belediye Library, all glued onto the pages of a bound volume, has like most of the others missing its *davet*,⁷ but has the Chief Mufti’s rank (*‘el-müfti’*) indicated in his signature. Fojnica AT 9a – 1683, however, has more to show.

Commentary

As mentioned before, two more of Ali el-Arabi’s *fetvas* are given in facsimile in *İlmiye Salnamesi*,⁸ both of them with a ‘request’ or *davet* which closely resembles the ‘request’ on top of the Fojnica specimen. Across these three examples, no significant variation can be observed, which is at variant with the practice of most other Chief Muftis who tend to use the same formula, but within differently shaped *davets*. Furthermore, unlike all the *fetvas* illustrated here issued by the earlier Chief Muftis, the first example given in the Almanach contains a four-line reply which takes as much space on the sheet as does the question, just like in the Fojnica example. Another feature that Fojnica AT 9a – 1683 has in common with the published specimens, especially the second example, is the way how the signature is introduced by the phrase ‘Wrote it ...’ (*harrerehü*) which seemingly lacks its final ‘r’, yet the preceding ‘r’ is closely attached to the ‘h’ as to be almost invisible. The rendering of his name as given in the signature on our Fojnica *fetva* is virtually identical with that on the illustrated pieces, with the final ‘i’ extending upwards, with a

⁵ The facsimiles of only two of his *fetvas* are illustrated in the Almanach, together with a brief summary of his biography: *İlmiye Salnamesi*, p. 339 - 340. The possibility of his having issued *fetvas* before his official term as Chief Mufti is not followed up here. Yet it is known that some muftis of Istanbul (such as the saintly mystic Abdülkerim el-Kadiri [died 1544/45]) who never achieved the position of Chief Muftis were granted by Sultan Süleyman the authority to provide questioners with *fetvas*: Uriel Heyd, “Some Aspects”, p. 45f.

⁶ See his chapter ‘a. Orijinal Fetvalar (Fetâvâ-yı Yapışdırma’ in Şükrü Özen, “Osmanlı Döneminde Fetva Literatürü”, in: *Türkiye Araştırmaları Literatür Dergisi*, Cilt 3, Sayı 5 (Istanbul, 2005), p. 249 – 378 (with comprehensive further reading); here: p. 258 – 262.

⁷ İstanbul Büyükşehir Belediyesi Atatürk Kitaplığı, Muallim Cevdet K 576, p. 6. I am grateful to my colleague Benjamin Weineck for having provided with a digital copy of this volume.

⁸ See p. 340.

small pendant or flag ‘blown’ left from its top. There can be no doubt that our Fojnica piece is an original *fetva* by Chief Mufti Ali el-Arabi, and an especially important one as it does contain details which all the published examples do not.

Following the Chief Mufti’s name, the title (*‘el-müfti’*) had already been recognized as his by Heyd.⁹ Yet Ali el-Arabi’s full title, as given in Fojnica AT 9a – 1683, clearly reads: *el-müfti bi-mahruseti İstanbul* (‘mufti in the well-protected [city of] Istanbul’), followed by the (slightly modified) short prayer. This would be the only case known where a Chief Mufti of Istanbul, just like a provincial mufti,¹⁰ would give his full title by indicating his rank but also his place of office, both following after his personal name (see below for more detail).

Such evidence from one of the Franciscan archives of Central Bosnia would once again highlight the significance of these unusually large deposits of original Ottoman documents for the field of Ottoman Studies in general, and Ottoman palaeography and diplomatics in particular.

Transcription

Fojnica AT 9a – 1683

Recto:

[Davet:] *Allāhümme ihdinā’s-şirāte’s-şevāb*

- (1) *Bu mes’ele beyānında e’imme-i Ḥanefiyyeden cevāb ne vecihledür ki*
- (2) *Zeyd zimmī mürd olub zimmiler cem’ olub akrabāsıyla bir zimmīyi*
- (3) *ihtiyār idüb esbābını çıkardub yazdursalar yazılınca ‘Amr papas*
- (4) *āyīn-i bātlası üzre Zeyd zimmīnün üzerinde İncil okusa esbāba*
- (5) *papas yapışmasa kādī şoñra papasa ben yazacağım esbābını iznsiz*
- (6) *sen yazmışsın diyü haķāret idüb siyāset veyā cerīmelemek istese*
- (7) *şer’an kādīr midür beyān buyurub müşāb olasız*

⁹ See above.

¹⁰ “While the Shaykh al-Islāms did not add their rank or office, the provincial muftīs used to indicate theirs”. Heyd, “Some Aspects”, p. 43.

- (8) *El-cevāb Allāhu a'lem*
 (9) *Ḳādir degildür elbette bu maḳūle kimse mürd olduḡında eger*
 (10) *ḳoñşularından eger yanında ḥāzır olanlardan bir ḳaç kimsenüñ*
 (11) *ma 'rifetiyle meyyitüñ mālin ve menālin görüb ve esbābın zabt*
 (12) *idüb görmek şer 'idür iden mezkūr papas itmedügiyle¹¹*
 (13) *mu 'āḥez olmaz iḥtiyāt eylemişdür*
 (14) *ḥarrerehü el- 'abdü'l-faḳīr 'Alī el- 'Arabī*
 (15) *el-müfti bi-maḥrūseti İstanbul*
 (16) *'afā'llāhu ta 'ālā anh*

Verso:

In Bosančica letters:

Fetiv da može fratar Boga moliti i misu govoriti gdi ga zovu (Fetva [permitting] the friar to pray to God and perform mass wherever they may call him)

In Latin script:

Fetva da kadia more oglobiti fratra ako bi izpiso stvari koga god umiruchega od raje (Fetva [confirming] that the cadi must subject a friar to a fine if he makes a list of the belongings of any deceased *reaya*)

Translation

['Request:'] O God, guide us along the straight path!

[Question:] What is the reply of the Hanafi teachers concerning this [i.e. the following] problem?

While [as is common practice] after the death of zimmi Zeyd the zimmi come together, choosing one of their ranks to take out his belongings and have them recorded together with his relatives – if [however] during the recording Amr the monk (*papas*) recites the Gospels over zimmi Zeyd according to his void rites, [but] without taking hold of his

¹¹ Remark of the editors: Despite the suggestion of both reviewers to read *itdügiyle*, the author insists on adhering to his reading.

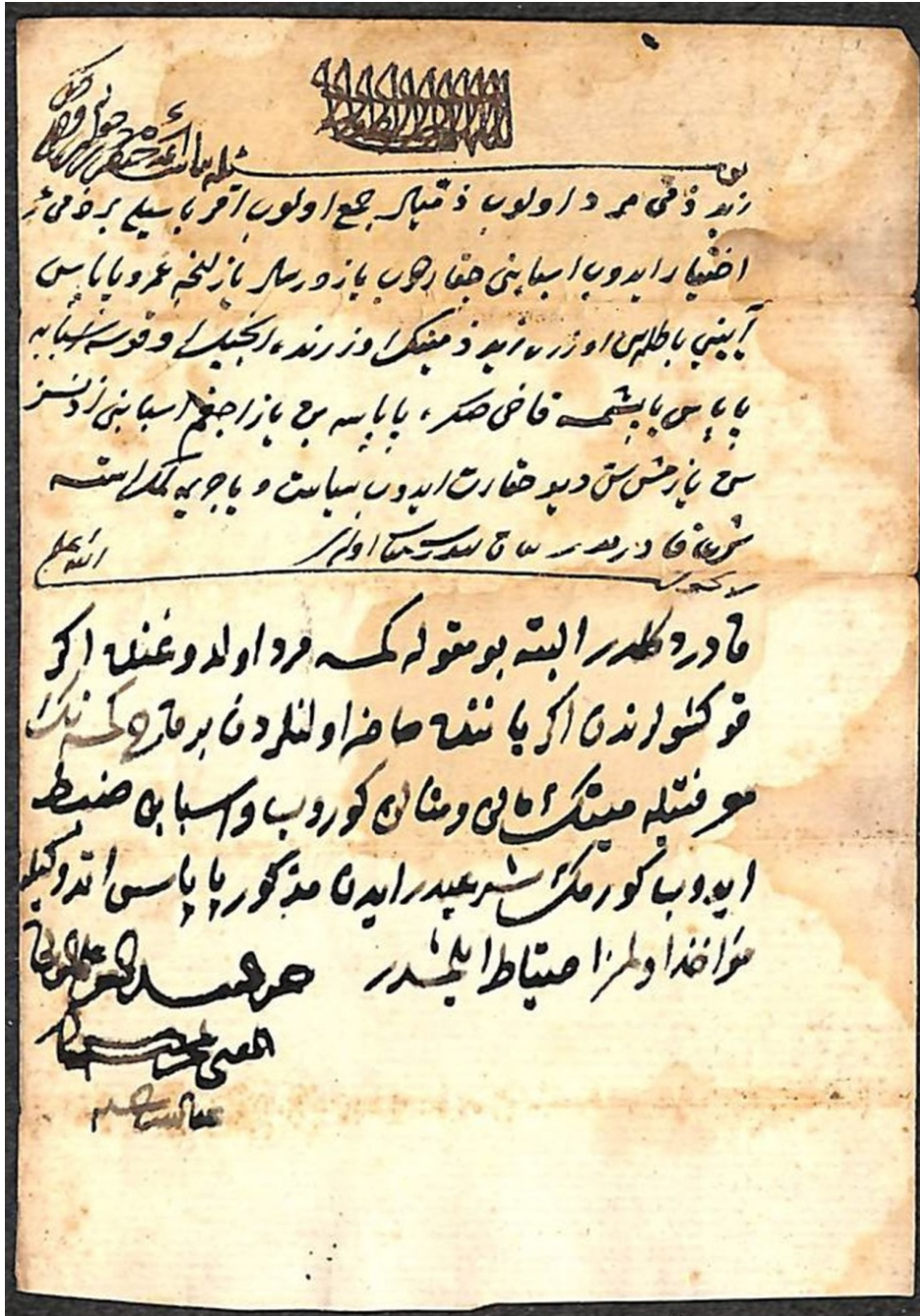
belongings, [so that] later on the *cadi* is contemptuous towards the monk saying: 'It's me who shall do the recording! You registered his belongings without permission!' [all this] with the intention of making him liable to punishment and fines – is he [the *cadi*] capable of this according to Sharia law? May this be explained and may you find reward [with God]!

Reply: He is not capable [of it]. Certainly, when such an individual dies, the lawful [procedure] is to inspect the belongings of the deceased in the presence of either a number of people from among his neighbours or those present by his side, and to take hold of his belongings. [But] the said monk must not be reprimanded for not having done what is [commonly] done. He was being cautious.

[God's] wretched servant composed this, [Alaeddin Çelebi] Ali el-Arabî, *müfti* in the well-protected [residence of] Istanbul

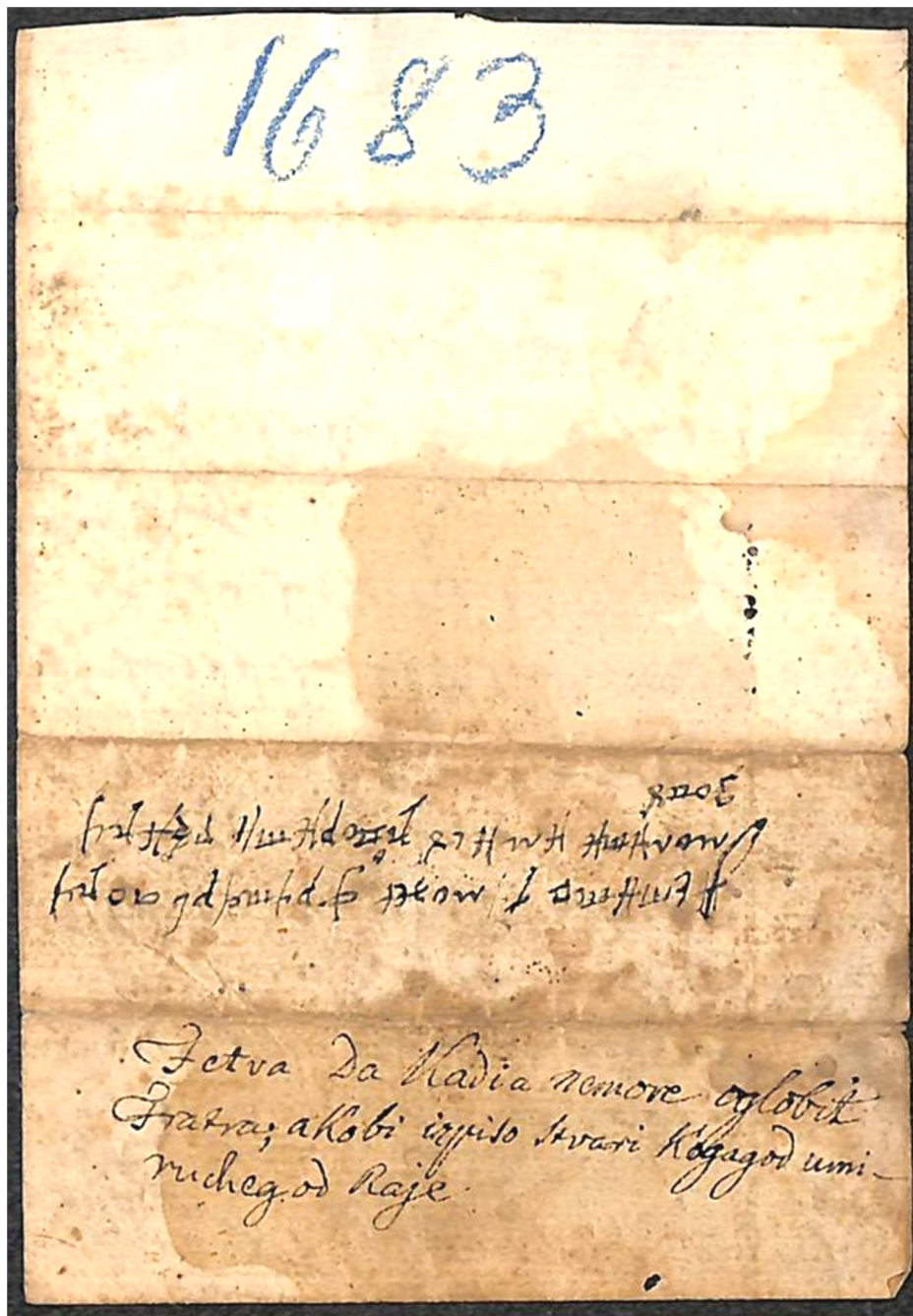
Facsimilia

a) The Fetva



Fojnica Monastery, Bosnia and Herzegovina, AT 9a - 1683 recto

b) Text in Bosančica and Latin letters



Fojnica Monastery, Bosnia and Herzegovina, AT 9a – 1683 verso

c) Close-Up of Signature & How to Read it



Fojnica Monastery AT 1683 (detail): Full signature with name, rank and place of office of Şeyhülislam Ali el-Arabi: *ḥarrerehü el-‘abdü’l-faḳîr ‘Alî el-‘Arabî / el-müftî bi-maḥrûseti İstanbul / afâ’llāhu ta‘ālā ‘anh*