VIRTUE, PIETY AND THE LAW: 
A STUDY OF BIRGIVİ MEHMET EFENDİ’S AL-ṬARİQA AL-MUHAMMADIYYA

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Abstract

This dissertation examines the concepts of virtue and piety in a sixteenth century Islamic manual of ethics and advice. The work in question is Birgivī Meḥmed Efendi’s (d. 981/1573) al-Ṭarīqa al-muḥammadiyya. Birgivī was an Ottoman ‘ālim, whose ideas would rise to great popularity, especially in the seventeenth and eighteenth centuries CE. Best known for his call for a return to the pristine ideal of the community of Muḥammad, Birgivī’s work inspired a number of reformist movements and thinkers, ranging in outlook from the moderate to the conservative and, in some cases, even violent. By way of a close reading and analysis of the text of al-Ṭarīqa al-muḥammadiyya, I attempt to elucidate Birgivī’s understanding of virtue, piety and the role of the law in the realization of a “good life”—a life, that is, that would ultimately lead to salvation. I contextualize Birgivī’s ethical system within the wider intellectual tradition of Islam, as well as within the particular social, political and religious conjuncture of sixteenth century Anatolia and Rumelia. My project thus represents an explication de texte in the widest sense of the word, with the aim of providing a case study in the development of Islamic ethics in the early modern period. This is particularly pertinent as the works of early modern Muslim scholars have rarely been examined in detail. In particular, I highlight the way Birgivī links questions of individual piety to issues of wider social and economic concern. In addition, I emphasize his deep mistrust of the passions of the human soul, which led him to prescribe a regime of self-examination of the underlying motives of a believer’s acts, thoughts and emotions that turned out to be so relentless it was almost impossible for believers to ever feel truly sure of not having acted insincerely. In his articulation of such a rigorous regime of social disciplining, I argue, Birgivī also played a crucial role in the negotiation of sixteenth century Ottoman “orthodoxy,” i.e. the formulation of what constituted ideologically and spiritually acceptable beliefs and practices.
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EI²…Encyclopedia of Islam, second edition
GAL…Geschichte der Arabischen Litteratur (Brockelmann)
GAS…Geschichte des Arabischen Schrifttums (Sezgin)
İA…İslâm Ansiklopedisi (Turkish translation of the Encyclopedia of Islam, first edition)
IJMES…International Journal of Middle East Studies
İSAM…TDV İslâm Araştırmalar Merkezi
DİA…Diyanet İslâm Ansiklopedisi
SK…Süleymaniye Kütüphanesi
TM…al-Ṭariqa al-muḥammadiyya
TUBA…Türkülük Bilgisi Araştırmaları (Journal of Turkish Studies)
TÜBATOM Türkiye basımları toplu kataloğu
VN…Vaşıyyet-nâme
Note on transliteration and transcription

Geoffrey Lewis once remarked that “there is no hope of attaining a generally acceptable uniformity in the transliteration of Ottoman Turkish.”¹ Anyone who has ever tried will agree. Things are even more complicated in a project that brings together primary sources in both Arabic and Ottoman Turkish. For the sake of simplicity, I have adopted the transliteration system recommended by the International Journal of Middle East Studies (IJMES) for both Arabic and Ottoman Turkish, with two exceptions. I retain “šh” for the Arabic letter shīn even in Ottoman (rather than following the modern Turkish transliteration “ş” recommended by IJMES). I also retain “kh” for transliterations of the Arabic letter khāʾ (usually rendered as “h” in modern Turkish). For Modern Turkish (in my citations of secondary sources) I follow IJMES. Place names are generally rendered according to their common English version, if one exists. If no English version exists of a place name exists, I prefer the modern Turkish one over the Ottoman version. Thus Istanbul rather than İstanbul, but Balıkesir instead of Bālīkesir. For the name of the main protagonist of this dissertation, see chapter one, p. 13, footnote 1.

Introduction

In his work on “The Renewers of Islam,” ‘Abd al-Muta‘āl al-Ṣa‘īdī (1894-1971), professor of Arabic at al-Azhar and twentieth-century advocate of Islamic reform, included an entry on Birgivī Meḥmed Efendī (d. 981/1573). Ṣa‘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 II’s Grand] Vizier [Soḵollu] 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, impervious to progress (al-‘ulamā’ al-jāmidīn). His biography only mentions that he was against [the giving and taking of] remuneration for the recitation of the Qur’ān 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—
Ṣaʿīdī’s verdict that “people had gotten tired of this old style of preaching” was wrong, as was his claim that Birgivī’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. Ṣaʿīdī also seems to have been of two minds about how to classify Birgivī’s project to begin with. One the one hand, he says, Birgivī 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” (ẓulm) that the reader seems to be encouraged to admire him after all.

The story of Birgivī’s journey to Istanbul, as related by Ṣaʿīdī, is critical in highlighting one of the main questions I am trying to address in this dissertation: how to assess Birgivī’s overall project and legacy—a legacy that has become the object of various conflicting interpretations until the modern period. Was he “rigid” or was he a “reformer,” and in what ways can we best define these terms to begin with? Bearing in mind that they can mean very different things in different contexts, I will argue that, for Birgivī, “reform” essentially entailed “rigidity,” or rather conservatism. This included a strict interpretation of the law, on the one hand, and a constant and painstaking examination of the hidden motives of one’s thoughts, feelings and actions, on the other.

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2 The passage is, in fact, a refutation of Rashīd Riḍā (1865-1935), with whom Ṣaʿīdī was frequently at loggerheads and who had “counted Birgivī among the renewers”—a verdict Ṣaʿīdī obviously did not share. See ibid., p. 368.
3 In fact, Birgivī never mentions the words tajdīd (renewal) or iṣlāḥ (reform). Instead he speaks of tasfiya (purification) of the heart, or tashīḥ (correction) of doctrine. Other than that his language is strictly legal, focusing on categories such as “lawful” or “unlawful,” or “reprehensible,” “permitted,” or “recommended” (i.e. the five āhkām). For a discussion of the term tajdīd in the pre-modern period, see Hava Lazarus-Yafeh, “Tajdīd al-Dīn: A Reconsideration of its meaning, roots and influence in Islam,” in W. M. Brinner and S. D. Ricks (ed.), Studies in
I will examine several important themes in Birgivī’s thought, as articulated, in particular, in his main work of ethics and advice—al-Ţarīqa al-muḥammadīyya. Contextualizing his views within the wider intellectual tradition of Islam, as well as within his own environment of sixteenth-century Anatolia and Rumelia, my project thus represents an *explication de texte* in the widest sense of the word, with the aim of providing a case study in the development of Islamic thought in the early modern period.

Considering the great popularity that Birgivī’s works would achieve in the centuries after his death, it is surprising how little attention they have so far received from a scholarly perspective. For, although Birgivī 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 Birgivī-related research has thus emphasized the political and social impact of his thought on activist movements such as that of the seventeenth-century Kādīzādelīs, or on what Barbara Flemming has called a “pre-Wahhābite” fitna in early eighteenth-century Cairo.\(^4\) However, this usually involves no more than a cursory mention of Birgivī’s name (taken to explain the conservative nature of the given group or individuals), without much analysis of the ideas involved.

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A typical summary of Birgivī’s “thought” thus often proceeds as follows: “[…] al-Birgewī was quite famous […] He insisted on strict adherence to the *shari‘a* and condemned everything he considered *bid‘a*, 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.”\(^5\) Disregarding the spurious association with Ibn Taymiyya for the moment (which I will discuss in more detail in chapters one and two of this dissertation), schematic “summaries” of Birgivī’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 Birgivī’s ideas remained largely neglected.\(^6\)

This changed at the end of the 1980s and the beginning of the ’90s, when scholarly communities, first in Turkey and then in Germany, began to show a renewed interest in Birgivī’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 its most important expression in a 1991 symposium on Birgivī’s life and work, organized by the Theology Faculty of İzmir’s Dokuz Eylūl University and the Ödemiş sub-branch of the Turkish Ministry of Religious Affairs.\(^7\) The proceedings of this conference, together with Ahmet Turan

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\(^7\) Ödemiş is the capital of the province in which Birgivī spent the last and most productive decades of his life. The proceedings of this conference were published by Mehmed Şeker (ed.), *İmam Birgivî* (Ankara: Türkiye Diyanet Vakfı, 1994). The dissertations and articles produced at the time include: Ahmet Turan Arslan, *İmam Birgivî ve Araçta tefsiratındaki yeri* (İstanbul: Marmara University, 1982), Ph.D. thesis, published in revised form as *İmam Birgivî: Hayatı, eserleri ve Araçta tefsiratındaki yeri* (İstanbul: Seha, 1992); idem, “İmam Birgivî’nin tasavvuf anlayışı,” in *İslâm*, vol. 74 (October 1989), pp. 43-5; Yaşar Düzenli, *İmam Birgivî ve tefsirindeki metodu* (İstanbul: Marmara University, 1987), unpublished masters thesis; Sadık Cihan, “Muhammed b. Pir Ali Birgivî ve “Risâle fî
Arslan’s work, would serve as the foundation for research on Birgivî in Turkey in the years to come. Arslan’s monograph (on Birgivî’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 will hopefully be published soon. Both Şeker and Arslan, as well as Yüksel’s DİA article, are still useful starting points for any examination of Birgivî’s thought. However, much of the other material produced on Birgivî at the time is either eulogistic-hagiographic in nature or continuing the “one-size-fits-all” fundamentalist image. As such, it can be understood in the context of Turkey’s socio-political climate in the late 1980s and early ’90s, but is of less use in terms of a critical reading of Birgivî himself.

In the meantime, in Germany, a very different debate began that saw Birgivî pulled into the center of attention. In a 1996 special issue of Die Welt des Islams concerned with the question of whether or not there was such a thing as an independent, eighteenth-century Islamic “Enlightenment,” Reinhard Schulze argued that Birgivî’s work represented the beginnings of an early-modern indigenous critique of the Islamic tradition, comparable to the kinds of pietistic trends that had brought about the Enlightenment in Christian Europe. In particular, Schulze

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8 Kaylı, A., A Critical Study of Birgivî Mehmed Efendi’s Works and their Dissemination in Manuscript Form (İstanbul: Boğaziçi Üniversitesi, 2010), unpublished master’s thesis.

claimed that Birgitā “seems to represent the most important strand of theological critique, which would lead to a vehement rejection of the tradition.” Furthermore, Schulze argued that Birgitā 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.” Comparing Birgitā 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 Birgitā was a main agent “represented an important line of the Islamic tradition through which an Enlightenment-consciousness was formed.”

Schulze’s interest in Birgitā had first arisen from the fact that an anonymous eighteenth-century German Enlightenment critic of the Catholic Church had used a work of Birgitā’s to argue for the importance of “reason” in leading to truth (not just revelation), as well as in supporting his attacks on (Catholic) “idolatry,” “saint worship” and “nefarious moral conduct.” Indeed, the tract Schulze unearthed represents a fascinating example of the role played by representations of Islam in European Enlightenment polemics. However, Schulze needed to be studied further, but disagreed with the use of the term “enlightenment.” 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 Schulün (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 ‘Ābidīn (1784-1836),” in ZDMG vol. 146 (1996), pp. 92-111.

10 Schulze, “Was ist die islamische Aufklärung?” p. 301.
11 Ibid., p. 302.
12 Ibid., p. 302.
14 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
misunderstood Birgivī’s ideas as “enlightened,” when in fact they were, in many ways, the exact opposite. In their refutation of Schulze’s theses, Gottfried Hagen and Tilman Seidenstricker, for instance, showed that Birgivī’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. If anything, they argued, Birgivī was a “puritan,” rather than the representative of a tradition “through which an Enlightenment-consciousness was formed.”

Bernd Radtke added to this criticism by providing an analysis of selections of Birgivī’s al-Ṭarīqa al-muḥammadiyya a few years later. 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 Birgivī’s work had risen to great popularity. 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 Birgivī) a couple of years later.

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15 This, one might add, might have been due to Plant’s original misreading of Birgivī for the purposes of his own critique of the Catholic Church.
17 Ibid., p. 100.
In addition to this, the last decade has seen three other important publications relating to Birgivī and his Ṭarīqa al-muḥammadiyya. These include, first and foremost, a translation of the largest part of the work into English by Shaykh Tosun Bayrak, head of the Jerrahi-Halveti community of Sufis in the United States. Produced for a popular audience, this translation has led to considerable awareness of Birgivī’s work in both academic circles and Muslim communities in North America. While useful in many ways, however, it is not a scholarly work, with Bayrak neglecting to provide any indication as to which editions, commentaries or manuscript sources he relied on in preparing this “interpretation” (as he calls it). At times he leaves out great swathes of the original Arabic text (the entire last part of the work is missing, for example), while at other times he 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 quite misleading for readers with no recourse to the original Arabic. Nevertheless, the work is of great importance and interest in terms of the reception of Birgivi’s ideas in the early twenty-first century. It is particularly fascinating as an example of how a contemporary Turkish Sufi reads and interprets Birgivī today—especially as a member of the Khalwatiyya, a Sufi order Birgivī that seems to have particularly disliked and which, more than once, became the target of his followers’ wrath.

Continuing this renewed interest in Birgivī’s work, in 2008 Huriye Martı published what has become the most important contemporary monograph on Birgivī and his work. Based on

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22 Huriye Martı, Birgivi Mehmed Efendi (İstanbul: Türkiye Diyanet Vakfı, 2008).
her 2004 Ph.D. dissertation at Konya’s Selçuk University, but considerably extended and revised to provide an overview of Birgivī’s oeuvre as a whole, Martı’s work provides an invaluable examination of some of the most pertinent primary sources in both Ottoman and modern Turkish. Her portrayal of sixteenth-century Ottoman history, however, is at times uncritical, reproducing prevalent stereotypes, in which Birgivī is seen as a precocious admonisher against the first signs of Ottoman “decline.” Also, while Martı is certainly aware of the wider Islamic tradition, there is little critical contextualization of Birgivī’s place within it.

Most recently, and possibly in reaction to the publication of Martı’s book, Emrullah Yüksel published a short volume on Birgivī’s work and thought. Based on his 1972 Ph.D. dissertation, this work, like Radtke’s, is particularly concerned with the first and second parts of the Ṭarīqa, focusing on Birgivī’s discussions of theology and heresiography, as well as his understanding of ethics and the role of the sciences. Much as in the case of Martı, however, Yüksel does not offer much in terms of a critical analysis or contextualization.

Building on the work of the above-mentioned scholars, from Martı, Yüksel and Arslan, to Radtke, my own project is intended to complement and broaden the research carried out on Birgivī so far. In particular, my aim 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 important tensions in Birgivī’s thought.

I begin, in chapter one, with an account of Birgivī’s life (part one) and work (part two), including a discussion of his social milieu and intellectual concerns. As I will show, Birgivī was both a prolific and popular writer and one whose works cover a wide range of genres. What they

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all have in common, however, is their practical and distinctly didactic aspect. In terms of content, they deal mostly with questions of correct belief and ritual, often providing detailed instructions on how to cultivate a pious self in everyday life. Many of Birgivī’s works also treat some of the most hotly debated problems of his day, including both 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 in piety in the Here and Now with the aim of achieving salvation and closeness to God in the Hereafter, Birgivī—as I argue—was engaged in a conscious project of social disciplining.

This project was aimed not only at the individual believer, but at society at large, and has to be understood in the context of both the wider Islamic tradition and the specific social, political and religious conjuncture of sixteenth-century Anatolia and Rumelia. In order to better situate Birgivī in the wider negotiation of “orthodoxy” at the time, I thus turn to the historical background of the sixteenth-century Ottoman Empire in part three of the chapter. Indeed, as I argue, Birgivī played a crucial part in in the articulation of what were considered ideologically and spiritually acceptable beliefs and practices (on both an individual and a societal level). Moreover, he often did so against some of the most powerful representatives of the official religious hierarchy of his day.

Chapter two then discusses the intellectual framework within which Birgivī formulated his particular vision of orthodoxy. That is to say, I examine the various discursive traditions he enlists in his articulation of “correct belief” and “correct practice.” These include, first and foremost, the Ḥanafī legal tradition (and in particular a strand of post-classical Ḥanafī fatāwā literature), certain strands of Sufism and the tradition of Islamic ethics and advice. In the last part
of the chapter I return to the sixteenth-century, comparing Birgivī’s intellectual concerns with those of some of his 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 *naṣīḥat al-muslimīn*, as I will argue, 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 the chapter is aimed at offering an impression of this variety, I will focus on a number of key themes in particular. These include Birgivī’s emphasis on the virtue of “moderation,” as well as his understanding of the underlying workings of the human soul. I will also draw attention to the essentially social aspect involved in any attempt to cultivate a godly disposition. Furthermore, I discuss the kinds of legal and ethical knowledge Birgivī deemed it necessary for any individual believer to possess in his quest to establish piety in everyday life.

Chapter four then offers a close reading of Birgivī’s treatment of the vice of feigned piety or sanctimony. Contextualizing his great concern for this “evil of the heart” in the wider Islamic tradition, I 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 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. In fact, my examination will highlight two important tensions in Birgivī’s thought. First, there is the antithesis between his desire to provide guidance and the possibly sanctimonious motive underlying it. Second, and more importantly, there is the problem that Birgivī’s call to believers to submit themselves to a rigorous regime of self-examination
ultimately made them judges of their own actions. Was this, however, not the prerogative of God? While Birgivī does not address the question directly, I will argue that it can only be understood in light of his overall theology.

Chapter five then addresses the way Birgivī links questions of individual piety to issues of wider social and economic concern. Examining Birgivī’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 Birgivī’s “economic” views in the widest sense. Specifically, I discuss Birgivī’s attitudes toward wastefulness (an “evil of the heart” with wide-ranging consequences in the economic arena), the practice of asking for and receiving payment for the performance of religious services, the institution of the cash waqf and contemporary Ottoman practices of land tenure and taxation. I conclude that in the economic arena, as much as in his prescriptions for a relentless examination of the motives of one’s thoughts and deeds, Birgivī was setting standards that proved difficult to achieve for both the individual believer and the Ottoman state more generally.
Chapter One: Context

Birgivī’s life

Intro

Meḥmed b. Pīr ‘Alī, who would, in time, come to be better known as “Birgivī” Meḥmed Efendī, was born in the year 929 of the hijra (1523 CE) in the Western Anatolian town of Balıkesir. The world Birgivī was born into was one of rapid and profound change, as history was entering what is commonly referred to as the “early modern” era and the Ottoman Empire its so-called “Golden Age.” Sultan Süleymān Qânūnī (“the 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

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1 Hence his second nisba “al-Bālīkesrī,” see Bursali Meḥmed Tāhir, Osmanlı Müellifleri (Istanbul: Maṭba’a-i ʿāmire, 1914-1928), 3 vols. in one, index (ulema faṣlının fihristi), no page number. There are a number of ways to render Meḥmed b. Pīr ‘Alī’s more common nisba “Birgivī,” the most popular alternative being “Birgili.” A number of scholars have argued that it makes more sense to use the latter. See Niḥal Atsız, İstanbul Kütüphanelerine göre Birgili Mehmed Efendi Bibliyografyası (Istanbul: 1966), p. 1, as well as Huriye Martı, Birgivî Mehmed Efendi (Istanbul: Türkiye Diyanet Vakfı, 2008), p. 26, fn. 112 (funnily enough, she uses the form “Birgivî” in her title though). Both “Birgili” and “Birgivî” can be found in Ottoman sources, however, and—I have opted for “Birgivî” 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, “Bālikesrī,” in EI2, 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 shaykh, posthumously published by Mehmet Sarı and Ahmet Karaman (ed.), Karesi Meşâhiri (Balıkesir : Zağnos Kültür ve Eğitim Vakfı, 1999). For Birgivî, see pp. 5-7; for Birgivî’s father Pīr ‘Alî, 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. İnalçık 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 Gülru 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 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.
conquered less than a decade before Birgivī’s birth by Süleymān’s predecessor Selīm I Yavuz (“the Grim”) and were in the process of gradually being incorporated into the Empire.3 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), followed by 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 a discussion of the question of “Sunnitization,” the concern for “boundary-setting” and the issues of orthodoxy and orthopraxy, so dear to Birgivī.

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.4 Balıkesir was a regional center of learning, centered on two medreses established by

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4 See above, fn. 1. For Birgivī’s life, see ‘Alī b. Bālī Maḳ (d. 992/1584), al-‘Iqd al-manẓūm fī dhikr afāḍil al-rūm (Beirut: Dār al-kitāb al-‘arabī, 1975), pp. 436-7; Nev’izāde ‘Āṭā’ī, Ḥadā‘ī’q al-ḥaqā‘iq fī takmilat al-shaqā‘iq ’iq, ed. Abdülkadir Özcan (İstanbul: Çağrı Yayınları, 1989), vol. 2, pp. 179-181. Maṇq ‘Alī’s ‘Iqd al-manẓūm 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 ‘Āṭā’ī’s (d. 1045/1635) Ḥadā‘ī’q al-ḥaqā‘iq is the continuation of Mecdī’s (d. 999/1591) Ḥadā‘ī’q 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 Nāčī (d. 1893), Esāmī (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul: Maḥmūd Bey Maṭba’ası, 1308/1890), p. 83; Şemseddīn Sāmī (d. 1904), Qāmūs al-a’lām (İstanbul:
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.5 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 1600.6 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.”7

Birgivî’s father, ‘Alî b. Iskender Efendî, was a respected ‘ālim and Sufi pîr and it was under him that Birgivî began to learn Arabic, memorized the Qur’ān and received his first instruction in logic and the basics of the religious sciences.8 It is unclear whether or not “Pîr ‘Alî,” as he is usually referred to in the sources, was a müderris at either of the two Balıkesir Miḥrān Maṭba‘a, 1306/1888), vol. 2, pp. 1284-5; Mehmed Süreyyâ Bey (d. 1909), Sicîl-i ‘Osmâni (Istanbul: Matba‘a-i ‘âmire, 1308/1890) vol. 4, p. 121; Bağdadî İsmâ’il Pâşâ Bâbâni (d. 1920), Hadîyat al-‘ârifîn (Istanbul: Milli Eğitim Bakanlığı, 1951-55) vol. 2, p. 252, saying Birgivî was born in 926 rather than 928 AH; Bursalı Meḥmed Tâhir (d. 1926), Osmanlı Miüllifleri (Istanbul: Matba‘a-i ‘âmire, 1914-28), 3 vols. in one, ulema fasli, 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); Kahhâla, Mu‘jam al-mu‘allifîn (Damascus: al-Maktaba al-‘arabiyya, 1957-61), vol. 9, pp. 123f.; Zirikli, A‘lâm: qāmūs tarājim li-ashhar al-rijāl wa l-nisā‘ min al-‘arab wa l-mustashrifîn (Beirut: Dâr al-‘ilm li-l-malāyîn, 1979), vol. 6, pp. 61 and pp. 286-7; Kasim Küfrevi, “Birgevi,” in EI2 (Leiden: Brill, 1960), p. 1235; Emrullah Yüksel, “Birgivî,” in DIA (Istanbul: Türkiye Diyanet Vakfı, 1988-), vol. 6, pp. 191-4 and Huriye Martı, Birgivî Mehmed Efendi (Istanbul: Türkiye Diyanet Vakfı, 2008), pp. 25-56, in particular. There is, furthermore, Esat İleri, İmam-ı Birgivî (Izmir: 1954), which I have been unable to consult.5

The Kızılca Tuzla medrese, also known as the Tuzla-i Behrâmiyye, was the smaller of the two. Located in the “Çay” district of town, it was sometimes also referred to as the “Çay” medrese, see Câhid Baltacı, XV-XVI Asırlar Osmanlı Medreseleri: Teşkilâtı, Tarih (Istanbul: İrfan Matbaa, 1976), p. 92 and p. 120, fn 39. For the Yıldırım Bayezid medrese, see ibid., pp. 462-3.6

Ibid. In the so-called ‘ilmîye hierarchy, medreses were classified according to how much a professor teaching there would earn. At the lowest ranks of the hierarchy were the “yirmîli” medreses, where teachers earned 20 akçe a day. Next came the “otuzlu” schools with 30 akçe a day, the “kırklılar” with 50, the “elliler” with 60 akçe a day. Above that were the so-called “dâkhîl” 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. 1-71.7

Zilfi, The Politics of Piety, p. 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 ‘ilmîye 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 Balıkesirlıs seems to have developed in Istanbul, which needs to be investigated further.8

‘Alî,” as he is usually referred to in the sources, was a mûderris at either of the two Balıkesir
medreses.⁹ His fame seems to have rested more on his standing as a Sufi master (pīr) than on his work as a scholar.¹⁰ 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.¹¹ 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 Bayrāmiyya is quite significant, as Hulusi Lekesiz has shown. Personally acquainted with the founder of the order, Hājjī Bayram-i Velî, Birgivī’s grandfather Iskender Efendî is said to have first introduced the Bayrāmî order to Balıkesir in the latter decades of the ninth/fifteenth century.¹²

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” alone as his own. As we will see, Birgivī in fact had a serious second “try” at Sufism a little later in life, when he joined the Bayrāmiyya 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 one’s

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⁹ Although several sources, such as Şemseddîn Sāmî, refer to him as such, his name is not listed among the teachers of either medrese, see Baltacı. ‘Âṭā’î, p. 179, calls him as a “müderrisin makhduμ-i faḍā’i’ il mumârisi.”

¹⁰ Manq ‘Alī, p. 436, for instance, refers to him solely as “min aṣḥâb al-zawâyā” (“from among the men of the Sufi lodges”). Peçevî calls him “bir şâhib-i ırshâd” (“a man endowed with guidance”), Tarih-i Peçevî (Istanbul: Maṭba’a-i ʿâmire, 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, p. 26. H. İhsan Baruçu, İmam-i Birgivî Hazretlerinin Hayatı ve Görüşleri (Birgi Belediyesi, 2003) p. 4, also makes this point.

hearth of its evils and adorning it with virtues,” he would just as frequently come to denounce its “excesses,” as practiced, as he put it, by the “Sufis of our age.”

Further studies, Istanbul

Having received his primary education under his father Pīr ‘Alī in Balıkesir, Birgivī 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. Thus, while students would normally be introduced to the study of Ḥadīth and the basics of Islamic Law and theology, as well as Qur’ān 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 Ḥadīth and jurisprudence.

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15 Cf. Ahmed and Filipovic. 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 ‘ilmiye hierarchy it was being brought ever closer under the watchful eye of the state. For more background on the Ottoman medrese and education system, see Necdet Sakaoğlu, Osmanlı Eğitim Tarihi (İstanbul: İletişim Yayınları, 1991) as well as his Osmanlı’dan Günümüze Eğitim Tarihi (İstanbul: Bilgi Üniversitesi Yayınları, 2003); see also the section on pre-constitutional period
In Istanbul, Birgivī’s teachers included Küçük Şemseddīn Efendī (d. 957/1550), Akhīzāde Meḥmed Efendī (d. 1566) and “Ḳızıl Mollā” ‘Abd al-Raḥmān Efendī (d. 983/1575). 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 ṭul-islām and the kazasker of Anatolia. It was under Ḳızıl Mollā ‘Abd al-Raḥmān that Birgivī gained his license of eligibility for a müderris position (Tr. mülāzemet, Ar. mulāzama).

Having become a mülâzım, Birgivī began to teach in “some Istanbul medreses,” although none of the sources specifies exactly where or 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. 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 Ḥanīfa’s al-Maqṣūd (a work on ṣarf) entitled Im‘ān al-anẓār.
First employment and Sufism

When Birgivī’s former teacher Қızıl Mollā ʿAbd al-Raḥmān became kazaker of Rumeli in 958, he appointed Birgivī to his first “proper” job: that of qassām-i ʿasker (“army judge”) in Edirne.20 Although we do not know in what year Birgivī had initially gained his mülāzemet, 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.21 Birgivī would spend four years as qassām-i ʿasker, during which, we are told, he continued to study on the side and also started to preach.22

What happened to end this engagement is not entirely clear, but we next find Birgivī in Istanbul as a murīd of his family’s Sufi order of the Bayrāmiyya.23 Although the accounts remain cryptic, the episode seems to have been a decisive one for the future author of *al-Ṭarīqa al-muḥammadiyya*. Under the guidance of Sheykh ʿAbd Allāh al-Ḳaramānī (d. 972/1564), who had himself been initiated into the Bayrāmī order by a cousin of Birgivī’s from Balıkesir, Bahā’

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20 For the office of the qassām-i ʿasker, whose duty it was to see to the proper division and allocation of the inheritances of members of the Janissary corps, 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; Marṭī, 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 Marṭī, p. 35, fn. 162, Ayvānsarāyī records that Birgivī’s time as qassām-i ʿasker also entailed a posting to Aleppo. This cannot be corroborated by any other source however. Moreover, the reference in Ayvānsarāyī, *Ḥadīqat al-jawāmi‘* (İstanbul: Maba‘a-i āmire, 1281), vol. 2, p. 167, does not actually contain any mention of Birgivī.
23 Maṇq ‘Alī claims that “asceticism and righteousness overcame him” (thumma ghalaba ‘alayhi al-zuhd wa-l-ṣalāḥ); the other sources, too, imply that he was disenchanted with life as a judge; 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 qassām-i ʿasker without having been given a new job).
al-Dīn-zāde, Birgivī thus submitted himself to the Sufi path, “exerting himself,” as Manq ʿAli says, “to the utmost in ascetic piety and worship.”

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 ʿaskar. 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. But while the sources portray Birgivī here as the model of righteousness and Sufi renunciation, Sheykh Ḵaramānī must have realized that his pupil’s strengths would maybe not be met in the pursuit of a professional Sufi career. For once Birgivi had completed his spiritual training, Ḵaramānī 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.

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

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24 Manq ʿAlī, p. 436. For the family connection, again, see Kayhī, pp. 8-9. Bahā’ al-Dīn Efendī (the father of Bahāʿ al-Dīn-zāde, who initiated Birgivi’s pīr ʿAbd Allāh Qaramānī) was another prominent Balıkesir Bayrāmī Sufi and one of the brothers of Birgivi’s father Pīr ʿAlī.
Selīm to arrange for Birgivī to obtain a professorship at his newly built *darūlhadis* (dār al-ḫadīth), in the small town of Birgi in South Western Anatolia.25

The *darūlhadis* 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.26 Towards the end of his career, he decided to give his home town a *darūlhadis* 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.27 Nevertheless, ‘Aṭā’ Allāh’s *darūlhadis* must have represented a

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26 For ‘Aṭā’ Allāh’s life, see Nev’īzāde ‘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 Hüji Hasanzade 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.

27 Baltacı, pp. 160-1. Ibn Battūta 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 *darūlhadis* (namely 60 akçe a day—quite a substantial salary for a position at a provincial school!).
real addition to scholarly life in this provincial town, which in 1575 CE counted a population of 864 adult males.28

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.29 Indeed, beyond the fact that it was a place specializing in the study of Ḥadīth, we know very little about the institution. Birgivî had already published a couple of works in the field—his ‘Arba’în (replete with commentary) and a treatise “fī uṣūl al-ḥadīth,” both of which would become Ottoman “bestsellers” in the study of traditions.30 Having thus made a name for himself, Birgivî was an obvious choice as professor for ‘Atā’ Allāh’s darülhadis, quite apart from their friendship.

The vakfiye, in which “Hoca-i sulṭâni” ‘Atā’ Allāh stipulated the endowment of the Birgi darülhadis, is dated to 979/1571 and has been published by Kunter.31 If the date is correct, it

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28 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 three years after Birgivî’s death.
29 Cf. Fuat Sezgin, “Dār al-ḥadīth,” *EI2*, vol. 2, p. 125. While the very first dār al-ḥadīths 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’aymî, for instance, mentions sixteen other dār al-ḥadīths 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?
30 Marshall Hodgson famously criticized the use of the English word “tradition(s)” to translate the Arabic ḥadīth. While I agree with his overall argument, I have opted to retain the term “traditions” because I believe that its use has been firmly established in Islamic Studies, not to denote “a matter of vague custom but of explicit statements, texts, early put into writing; frequently just contrary to custom; and always naming both the transmitters and the original source,” as Hodgson says himself. See “Introduction to the Study of Islamic Civilization,” in *The Venture of Islam: Conscience and History in a World Civilization* (Chicago: The University of Chicago Press, 1974), vol. 1, pp. 63-6. I use the English term interchangeably with the original Arabic though. Capitalization refers to the science in general, lowercase to individual reports.
31 H. Baki Kunter, *Türk Vakıfları ve Vakfiyeleri üzerine mücmel bir etüd* (İstanbul: Cumhuriyet Matbaası, 1939), pp. 27-29. Apart from the building of the darülhadis 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
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 himself 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.”32 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 darülhadis was actually opened. Alternatively, it could be that ‘Aṭā’ Allāh supported the darülhadis 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 darülhadis a center for Ḥadīth study, with students flocking to see him from all over the region and even from as far as Istanbul itself.33 Teaching, preaching and writing, the son of Pīr ‘Alī from Balıkesir would live in Birgi until his death of the plague in 981/1573.34

33 The endowment supported scholarships for seven students, with a stipend of four akçe daily for each. Kunter, p. 28: darülhadisin 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 Aqḥāḥi Ḥocazāde ‘Abd al-Naṣīr (who also wrote the first commentary on TM), published by Ahmet Turan Arslan, “XVI. Asr Türk Bilgilerinden İmam Birgivî ve Günlük Hayati,” in Türk Kongresine Sunulan Teblig (İstanbul: Istanbul University, Faculty of Letters, 1987), as well as its reworking in “İmam Birgivî ve Günlük Hayatı,” İlim ve Sanat, vol. 19 (May-June 1988), pp. 52-7.
Birgivī 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 yet.\(^{35}\)

In fact, as recent studies have shown, a whole range of works that had been attributed to Birgivī for centuries were not actually authored by him. This is significant, as Ahmet Kaylı—one of those who has worked at uncovering many of these wrongful attributions—has argued, because it has contributed to a mistaken image of Birgivī as an ultra-conservative “anti-Sufi” of “\textit{salafī}” persuasions.\(^ {36}\)

While it is true that Birgivī certainly wasn’t the “anti-Sufi” he has often been made out to be, he was nevertheless one of the stricter Ottoman scholars, as Khaled El-Rouayheb has pointed out.\(^ {37}\) Kaylı is right though in arguing that the misattributions lead to a distorted picture of Birgivī’s oeuvre and, hence, a distortion of his thought more broadly speaking. And this must certainly be taken into account in any attempt at assessing Birgivī’s legacy. However, an argument for Birgivī’s conservative and often unyielding stance can nevertheless be made on the basis of his writings, even those that display a decidedly Sufi influence.

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

\(^{36}\) Kaylı, p. iii. Kaylı is currently working on a comprehensive bibliography and intends to publish parts of his thesis on the misattribution of Birgivī’s works in two articles.

In what follows, I will give a short overview of some of the most important works of Birgivī that can be attributed to him with certainty.\(^{38}\) This will be intertwined with an examination of works which have been found to be misattributions—some definitely, others possibly. The implications of these misattributions for Birgivī’s legacy will be considered both as I go along and at the end of the section. What should become clear is Birgivī’s central concern with providing his fellow Muslims with knowledge of what constitutes “correct” doctrine and ritual—i.e. the beliefs and practices required for them to secure salvation.

Birgivī’s numerous books and treatises, some of which would become veritable bestsellers in the centuries after his death, cover a relatively wide range of genres: catechisms and works of “advice” (naṣīḥa, pl. naṣāʾīḥ) 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: a primer of religious knowledge in Turkish entitled Vaṣiyyet-nāme (VN), on the one hand, and al-Ṭarīqa al-muḥammadiyya (TM)—the subject of this dissertation—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.

*Risāle-i Birgivī*

Birgivī’s *Vaṣiyyet-nāme*, often also referred to as *Risāle-i Birgivī*, is a short work laying out the basics of Islamic doctrine and practice.\(^{39}\) In simple language and typical ‘aqīda style, it covers

\(^{38}\) This is intended not as a comprehensive list, but rather to give an idea of some of Birgivī’s most important intellectual concerns, as represented by his works.

\(^{39}\) 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: Vasiyyet-name: Dil*
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 Vaṣiyat-nāme also lays out the bases of right “practice,” with discussions on the profession of faith, prayer, fasting, alms-giving and the pilgrimage to Mecca, including detailed instructions for how each is to be carried out.

The Risāle would become one of the most popular Ottoman works ever, as the wide dissemination of its manuscript copies shows.40 Its popularity lasted up until the nineteenth century, when it was first printed.41 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.42 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

İncelemesi, Metin, Sözlük, Ekler İndeksi ve Tipkibasm (İstanbul: Risale Yayınları, 2000). For a discussion of the work by Martı, see 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.

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 dissertation. 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 neuerverbenen orientalischen 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 of this dissertation and the frequent confusion between TM and VN.

41 Ali Birinci, “Birgivi Risâlesi: İlk Dini 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), through which the estates of deceased persons were administered, could shed light on the presence of VN in private libraries and homes in the Ottoman Empire at the time, corroborating the impressionistic evidence reported by many scholars (cf. Prof. Hanıoğlu, oral communication) that the work was, indeed, still one of the most wide-spread works during the period of the Tanzimat and beyond.

serve the Turkish speaking community in government service there.\textsuperscript{43} Pointing to \textit{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.\textsuperscript{44} 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.

**Religious primers and “catechism”-writing**

In fact, like several other of Birgivī’s writings, the \textit{Vasıyyet-nâme} can be understood in the context of an early modern concern with “boundary-setting”—a phenomenon Leslie Pierce and Tijana Krstić, among others, have recently drawn our attention to.\textsuperscript{45} 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 primers (\textit{'ilm-i hâls}), such as Birgivī’s \textit{VN}.\textsuperscript{46} The latter, in fact, became exemplar of the trend.


\textsuperscript{44} This must be due, I believe, to the fact that it was so popular and widely available. The first European translation of \textit{VN} dates to the early eighteenth century. See Echialle Mufti, \textit{Rédigion 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, \textit{Birghilu Risale. Oder Elementarbuch der muhammedanischen Glaubenslehre. Nach dem Arabischen des Nedschmiddin Omar Nessefy. Nebst Kommentar von Sadeddin Teftazany} (Genf: 1790). See above, introduction. It could have been based on Echialle Mufti’s French. The fact that Birgivī’s \textit{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, \textit{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, Faquiirs, and Pilgrims in 1831 according to Garcin de Tassy,” in Jamal Malik (ed.), \textit{Perspectives of Mutual Encounters in South Asian History, 1760-1860} (Leiden: Brill, 2000), p. 149. In addition to \textit{VN}, de Tassy’s volume also contains translations of Sa’dī’s \textit{Pandnāme}, al-Būṣīrī’s \textit{Burda} (by Silvestre de Sacy) and the fables of Bidpai, i.e. \textit{Anwār-i suhaylî}, also known as \textit{Kalîla wa-dimnî}, from Persian. It is indicative that Birgivī’s \textit{Risâle} was chosen as a representative introduction to the religion in this collection of “classics” of Islamic civilization.

\textsuperscript{45} Pierce, \textit{Morality Tales}, p. 10. Krstić does not speak of “boundary-setting” as such, but refers to it more commonly as “confessionalization.” Cf., for instance, pp. 12-25 and pp. 165-74.

\textsuperscript{46} For a definition of the term \textit{'ilm-i hâl}, see Şemseddin Sâmi \textit{Kâmûs-i türkî} (Istanbul: İkdam Maṭba’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.
Earlier examples of this genre include the works of the Yazıcızâde brothers, Aḥmed (Bījān) and Meḥmed, Quṭb al-Dīn Meḥmed al-Iznīkī’s Muqaddime and Hibet Allāh b. Ibrāhīm’s Saʿātnâme, all discussed by Krstić. 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 read or memorize. Although less conventional than his brother Aḥmed’s Envār al-ʾāšiqīn, Yazıcızâde Meḥmed’s Muḥammediyye—a didactic poem that recounts the life and mission of the Prophet Muḥammad, as well as the events attendant upon the Last Judgment—is a primary example.

Full of graphic reminders of the end of times, the aim of works like Yazıcızâde’s Muḥammediyye and Birgivī’s VN was to provide a simple introduction to “proper” Islam, in both doctrine and ritual, in order to 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 for women.”

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 VN endowed to the Zaytûna 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 Muhammediye. On such occasions they assemble at the house of one of the wealthier of their number. After performing an ablution, each warps 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

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47 Krstić, pp. 26-37. The Saʿātnâme is possibly earlier, although the first extant manuscript copies date to the fifteenth century CE.

48 The number of surviving manuscript copies of Yazıcızâde Meḥmed’s Muhammediyye in today’s Turkey and in the former Ottoman lands in the Balkans is in fact rivaled only by those of the Qurʾān itself and Birgivī’s TM. For a good introduction to the work, see Hatice Kelpetin Arpaguş, Osmanlı Halkının Geleneksel İslam Anlayışı ve Kaynakları (Üsküdar: Çamlıca Yayınları, 2001), pp. 24-8.

49 Krstić, p. 33.
most learned among them opens the *Muḥammadīye* and intones therefrom a passage […].

Indeed, until today women in Turkey gather in informal sessions to read Yazıcızâde’s work. The same is true for Birgivî’s *VN*. But neither it nor the *Muḥammadīyye* is confined to women’s circles alone.

The catechisms and primers in question were often consumed and reproduced by those excluded from—or not well-catered for—by the “official” religious establishment, including women, but also the poor and less privileged. This does not mean, however, that they were not held in high esteem by the ‘ulamā’ as well. For the seventeenth century, for example, Evliyâ’ Çelebî reports “thousands of people” who had memorized Yazıcızâde’s *Muḥammadīye*. Next to the Qur’ān, the primer was thus the second most important work for a Muslim to know, be it in the form of Yazıcızâde’s *Muḥammadīye*, Iznîkî’s *Muqaddime* or later Birgivî’s *Vaṣīyyet-nâme*. In fact, in his suggested “medrese program” entitled *Tartīb al-‘ulūm*, the early twelfth/eighteenth century scholar Saçaqlîzâde Muḥammad al-Mar‘ashî (d. 1145/1733) says that, after the Qur’ān, a student should be instructed in ‘aqīda and memorize Birgivî’s *Risāle*, i.e. *VN*. Another such recommendation is made in the anonymous *Kawākib-i sab‘a* (composed in

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51 Personal observation. Men also meet in such semi-private pious study sessions.
52 Gibb cites Laṭfî who remarks on “the esteem in which the *Muḥammadīye* was held in his time […] by teachers of the commentaries and traditions […]”, op. cit., p. 405.
53 As cited in Arpaguş, p. 25 and Krstić, p. 33.
54 More so, it was probably often the other way around in practical terms. Thus, the catechism might have been even 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 concerning the fact that “there was a genuine concern among Muslims in the Balkans about the ability to understand the questions [the angels] Münker and Nekîr will ask [during the ‘tortures of the grave,’ immediately after burial], because according to the tradition they will speak Arabic.” See p. 35, as well as her mention of the fact that in Evliyâ’ Çelebî’s “description of Gallipoli he emphasizes that in this area […] especially women, learned by heart the *Muhammediye* rather than the Qur’an.” (p. 33)
55 İzgi, op. cit., p. 83.
Birgivī’s Risāle on doctrinal matters (‘aqā’id).\(^{56}\)

Birgivī’s legal works—the cash waqf

The concern with correct belief and practice, which characterizes the Vaşıyyet-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.\(^{57}\) In addition to that, the cash waqf was also the subject of a less well-known work of Birgivī’s called al-Ajwiba al-hāsima li-‘urūq al-shubha al-qāsima.\(^{58}\) Written before the Sayf, the Ajwiba summarize and explicitly refute the opinions of Sheykh’ül-Islām Ebū’Su‘ūd Efendi, Birgivī’s famous opponent in the cash waqf question. The treatises in question, as well as a number of Birgivī’s fatwās, call for the annulment of cash waqfs, with all that that entailed, as we will see in more depth later.\(^{59}\)

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\(^{56}\) İzgi, p. 70.

\(^{57}\) 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., recording two undated printed editions and seventeen manuscript copies of it in Istanbul. Kaylı records twenty-one manuscript copies, see p. 264 (Table I). The printed editions mentioned by Atsız are in fact collected volumes and include a number of other works of Birgivī as well. Brockelmann mistakenly attributes two works on the cash-waqf to Birgivī, but the title he gives for the second is, in fact, the opening line of al-Sayf al-ṣārim (“risāla ma’mūla li-ibṭāl 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.

\(^{58}\) It has been translated—in part—by Mandaville, p. 305.

\(^{59}\) Cf. Radd wa-ibṭāl 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 Birgivī’s fatwās, see Martı, pp. 89-90.
Payment for religious services

Another question of “correct practice” that greatly occupied Birgivī was the question of whether or not it is 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, is called *Īqāẓ al-nāʾimīn (IN)*. Birgivī argues strongly against the lawfulness of receiving a salary or wage (*ujra*) for the performance of acts such as Qur’ān recitation or teaching—a practice, he claims, which has become widespread in his day, “among believers and pious people.” Reciting the Qur’ān, 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 Qur’ān 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 questions ties in closely with Birgivī’s interpretation of the vice of “sanctimony” (*riyā’*), which I will discuss in detail in chapter three. Suffice it to say here that Birgivī connects what for us would be a moral question with a legal one, and ultimately with an economic one, too. This is not confined to his treatment of the Qur’ān, as we will see. In fact, it provides a good example of Birgivī’s

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60 Muḥammad b. Pīr ‘Alī al-Birkilī (i.e. Birgivī), *Kitāb inqādh al-hālikīn wa-yalihi kitāb īqāẓ al-nāʾimīn* (Riyad: Dār al-Ṣumay‘ī, 1999), ed. Ḥamdī ‘Abd al-Majīd al-Salafī. Like a number of other treatises of Birgivī, both IN and IH have recently become popular in *salafī* circles and published there.

uncompromising and all-pervasive ethic. It is an ethic that is not satisfied with appeals to “established practice,” “ease” or “economic necessity.”

With regard to the remuneration of Qur’an readers, Birgivī’s solution will ultimately lie in a distinction between an actual salary and a “gift” or “donation” (ṣila). 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 us, was not 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. 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.”

Qur’ān recitation

But it was not only remuneration and other seemingly “external” conditions of ritual that occupied Birgivī. 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.

Composed in 974/1566, a copy of it has been found in a volume of manuscripts collected in

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62 Ibid. pp. 43-44.
63 Ibid., p. 17.
64 Ibid., p. 15.
65 Atsiz, pp. 81-2; Martı, 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 Eskicizāde’s Ottoman translation see also TÜBATOK, vol. 2, pp. 165f. Birgivī’s concern with tajwīd is evident at several points in al-Ṭariqa 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 İSAM file on Birgivī, it has also been edited in Baghdad by Muḥammad ‘Abd al-Qādir Khalaf.
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.\(^6\) It was also recommended for use as a \textit{medrese} textbook in at least two instances in the seventeenth and eighteenth centuries CE, first in Ishāq b. Hasan al-Toqādi’s (d. 1100/1689) \textit{Naẓm al-‘ulūm};\(^6\) and then in Nebī Efendī-zāde al-‘Ushshāqī’s (d. 1200/1785) \textit{Qaṣīda fī al-kutub al-mashhūra fī al-‘ulūm}.\(^6\)

It is also worth mentioning, on a curious side note, that \textit{al-Durr al-yatīm} is often found together with another of Birgivī’s less polemical legal works, namely his \textit{Dhukhr al-muta’ahhilīn}, a manual on the \textit{fiqh} of menstruation and childbirth.\(^6\) This is not only the case in the Medinan \textit{majmū‘a} from 981 AH, but also in a number of other collected volumes.\(^7\)

A commentary on \textit{al-Durr al-yatīm} was produced not by Birgivī himself, as has often been assumed, but by a certain Aḥmed al-Rūmī al-Aqḥīṣārī.\(^7\) We will encounter Aqḥīṣārī again as the actual author of a number of works mistakenly attributed to Birgivī. In fact, as Kaylı has shown, a treatise on \textit{taghannī} (lit. “singing” but also the recitation of the Qur’ān in a “sing-song”-like manner), attributed to Birgivī by Kātib Çelebī (and following him, many others), is the work of Aqḥīṣārī, too.\(^7\) But there is no doubt that Birgivī’s concern with correct Qur’ān

\(^6\) 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).

\(^7\) Brockelmann, \textit{GAL}, Supplement, vol. ii, 442.28 (p. 658); Kaylı, p. 66, fn. 161 and p. 142, fn. 446. Aqḥīṣārī’s \textit{Sharh al-durr al-yatīm} has survived in over twenty manuscript copies in Istanbul.
recreation was real. Several passages in *al-Ṭarīqa al-muḥammadīyya* clearly show this. For example, Birgivī quotes the Prophet as having declared that “whoever recites the Qur’ān with *taghannī* is not from among us.”\(^\text{73}\) And while admitting that “scholars disagree on its legal status” (i.e. on whether *taghannī* is forbidden or just reprehensible), Birgivī commends its “complete prohibition in this age.”\(^\text{74}\)

Aqḥiṣārī takes this up, in both his commentary on Birgivī’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’ān reciters are indeed rarely free from singing. On the contrary, in their sermons and 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 *sūbḥānā l-mālikī l-ḥannān!* *sūbḥānā l-mālikī l-mānnān* (“Prai-ai-ai-sed be-e-e th-th-the Com-m-m-passionate 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.”\(^\text{75}\) In this, Aqḥiṣārī and Birgivī certainly were of one and the same opinion.

### Ritual prayer

Thus, *tajwīd* was 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 is:

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\(^{73}\) *TM*, p. 139: *laysa minnā man yataghanna bi-l-qur’ān* (Bukhārī).

\(^{74}\) *Ibid.*: *wa-l-ṣawāb man ‘uḥu muṭlaqan fī hādhā al-zaman*.

Birgivī’s *Muʾaddil al-ṣalāt*, a manual explaining the postures and movements that characterize the correct performance of prayer.\(^76\) Again, Birgivī refers to the *Muʾaddil* explicitly in *al-Ṭarīqa al-muḥammadiyya*, several sections of which touch upon the topic.\(^77\) Birgivī’s emphasis on the correct performance of the *ṣalāt* is clear (as had been 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.\(^78\)

Misattributions: Yahyā b. Nasūh “al-Birgivī” and Ahmed al-Rūmī al-Aqhisārī

The treatise on *shurūṭ al-ṣalāt* seems to have been composed by a certain Yahyā b. Nasūh b. Isrāʾīl, a possible contemporary of Birgivī and fellow-resident of the town of Birgi.\(^79\) Yahyā, although much less renowned than Meḥmed b. Pīr ‘Alī, also carried the *nisba* “Birgivī,” thus leading 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-Birgivī” that ended up being attributed to Meḥmed b.

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\(^{77}\) *TM*, p. 193. In the context of a discussion of “the balance of the movements and postures during prayer” (*taʿdīl al-arkān*), he says: “I have written a book called *Muʿaddal al-ṣalāt* on the subject of these […] questions, which you should read.”

\(^{78}\) For *Sharḥ shurūṭ al-ṣalāt*, see Kaylı, p. 27, fn. 44, as well as p. 30. For *Risāla fī sujūd al-sahw*, see *ibid*. p. 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-arkānīhā. Kaylı has also identified a work attributed to Birgivī on instances that invalidate prayer (*risāla fī isqāt al-ṣalāt*). This attribution, too, however, is doubtful, see p. 28, fn. 47 and p. 126f..

\(^{79}\) 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.
Pīr ‘Alī. These are a treatise on the issue of what happens to children of Muslims in the afterlife, and a commentary on Ibn Melek’s (d. 821/1418) famous Arabic-Turkish dictionary \textit{Lughāt-ı Ferishte-oğlu}. While the confusion of Birgīvī with Yaḥyā b. Nasūḥ is of a fairly innocent nature, that with Aḥmed al-Rūmī al-Aqhiṣārī is much more complicated. This is so both in terms of the way in which the misattributions may have come about, and with regard to the ideological implications these misattributions have for Birgīvī’s legacy.

“A forgotten puritan from Anatolia,” as Yahya Michot calls him, Aḥmed al-Rūmī al-Aqhiṣārī was born into a Christian family on Cyprus, just before the Ottoman conquest of the island in 978/1571. Taken to Anatolia as a child as a result of the conquest, he eventually became an ‘ālim in the Western Anatolian town of Aqhiṣār (“the white castle”) where, apart from some trips to Istanbul, he seems to have spent most of his life. Aqhiṣārī’s most famous work, the \textit{Majālis al-abrār}, is “a collection of one hundred religious reflections inspired by Prophetic traditions from [...] \textit{Maṣābīḥ al-sunna} by [...] al-Baghwā.” Despite his importance as a key figure of Ottoman Islam in the late 10\textsuperscript{th}/16\textsuperscript{th} and early 11\textsuperscript{th}/17\textsuperscript{th} centuries, modern studies have wholly neglected Aqhiṣārī. His works deal with some of the most debated topics of his time, such as the legal status of tobacco, the question of Sufi “dancing” or “whirling,” tomb visitations and all sorts of “innovation,” the question of what constitutes proper behavior in the

\textsuperscript{80} \textit{Risāla fi aḥwāl atfāl al-muslimīn}, traditionally counted as among Birgīvī’s works, cf. Atsız, p. 40, and Martı, p. 75.
\textsuperscript{81} Kaylı, p. 38-41.
\textsuperscript{82} Michot, \textit{Against Smoking}, p. 1.
\textsuperscript{83} \textit{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, \textit{A Nineteenth-Century Indian ‘Wahhabi’ Tract Against the Cult of Muslim Saints: Al-Balāgh al-Mubīn} (Delhi: Oxford University Press, 1992).
\textsuperscript{84} Michot, p. 3, points out that although “Çavuşoğlu mentions him briefly,” she does so “without realizing [Aqhiṣārī’s] importance for a study of Ottoman puritanical reformism. He is not mentioned in [...] Zilfi [...]”. There is no article on al-Aqhiṣārī in the \textit{İslam Ansiklopedisi} published by the \textit{Türkiye Diyanet Vakfı}.” There is a passing mention, however, of Aqhiṣārī’s treatise on \textit{bid’a} as “one of the most complex of its kind” in Ignaz Goldziher, “Das Patriarchengrab in Hebron nach Al-‘Abdarī,” in \textit{Zeitschrift des deutschen Palästina-Vereins}, vol. 17 (Leipzig: Bädeker, 1894), p. 115, fn. 3.
mosque, and so on. And while many of his concerns, in fact, overlapped with those of Birgivī, as we have seen above in the case of Qur‘ān recitation, others were still absent from the works of the latter.

As Kaylı has shown, however, there are four works in particular which have been attributed to Birgivī, but of which we can say with almost complete 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.85

*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.86 Nor does Birgivī himself refer to it in *al-Ṭarīqa al-muḥammadiyya*.87 Yet, as we have seen in the

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85 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.
86 See Arslan, *İmam Birgivî: Hayatı, eserleri ve Arapça tedrîsatındaki yeri* (İstanbul: Seha, 1992), pp. 92-3.
87 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
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 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-shayṭān*. 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 ziyyarat al-qubūr* to any of the classical and post-classical Ḥanafī sources Birgīvī usually quotes at length.

Kaylı shows that the attribution of the *Ziyārat al-qubūr* to Birgīvī was made on the basis of two manuscript copies, neither of which in fact mentions Birgīvī’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 Birgīvī and then, with the arrival of print, were published together with them as the work of Birgīvī. Kaylı goes on to argue that the *Ziyāra* should instead be attributed to Aḥmed al-Rūmī al-Aqḥisārī (d. 1043/1633). Indeed, the same opening lines that explain that the *Ziyāra* has been culled from selections from Ibn Qayyım’s *Ighātha* are found in Yahya Michot’s copy of Aqḥisārī’s treatise on the topic, entitled *Radd al-qabriyya* or *Risāla fī al-radd ‘ala al-maqābirīyya*.

While Birgīvī 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

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89 Martı, pp. 97-8.
90 Kaylı, pp. 52-66.
91 Michot, p. 1f., fn. 2. “These are pages that I have selected from the *Ighāthat al-lahfān fī maṣā’id al-shayṭān*, by the shaykh, the imām, the most learned, Ibn Qayyım al-Jawziyya.”
the work of Ibn al-Qayyim. The latter is quoted in none of the works that can be attributed to Birgivī with certainty. Kaylı is right in arguing that the misattribution of the Risāla, along with various other misattributions, created a distorted image of Birgivī. 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 Birgivī and Ibn al-Qayyim—a link that did not in fact exist, any more 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 (of Birgivī with Ibn Taymiyya) in Birgivī’s works themselves, the two men often share certain feelings, 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.

To avoid further confusion, another point has to be clarified. Aḥmed al-Rūmī al-Aqḥiṣārī must not be confused with the Bosnian ‘ālim Ḥasan al-Kāfī al-Aqḥiṣārī (d. 1024/1615). Not only did Aḥmed al-Rūmī and Ḥasan al-Kāfī share a nisba and a common penchant for

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“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-iʿtiqād, was shown to be a misattribution by Arslan. But while the connection between Birgivī and Aḥmed al-Rūmī al-Aqḥisārī is quite complex, the one between Birgivī and Ḥasan al-Kāfī seems to be limited to the misattribution of Rawḍāt al-jannāt alone.

Birgivī as grammarian

Apart from his works of “advice,” and his treatises on some of the most debated issues 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). Not to be confused with ‘Abd 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. It was used in Ottoman medreses, up until the

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94 Again, Atsz, pp. 64-9, counts almost 80 manuscript copies of the work in Istanbul alone; Kaylı, p. 168, has 131; Sarkiş, vol. 1, p. 611, lists two printed editions: one from Istanbul from 1235 AH, one from Būlāq from 1279 AH.
95 These are a type of grammar book 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 maʾmūl (“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-miʿā. See EI2, “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
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.96

Birgivī produced his own didactic commentary on the ‘Awāmil, entitled Izhār al-asrār.97 Köroğlu explains that both the ‘Awāmil and the Izhār 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.98 The latter was a commentary on Ibn Ḥājib’s al-Kāfiya, itself a mukhtasar of al-Qāḍī al-Bayḍāwī’s treatise on syntax entitled Lubb al-albāb fī ‘ilm al-i’rāb.99 Birgivī composed marginal notes (ta’līqāt) on the Fawā’id;100 in addition, and more importantly, he also produced his own full-fledged commentary on Ibn Ḥājib’s al-Kāfiya, entitled Intiḥān al-adhkiyā’.101 The Intiḥān 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.102

In the field of morphology, Birgivī produced three works worth mentioning: (i) a morphological primer dedicated to his son Faḍl Allāh entitled al-Amthila al-faḍliyya and

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96 Joseph von Hammer, “Beregli [sic.],” in Johann Samuel Ersch und Johann Gottfried Gruber (ed.) Allgemeine Encyclopädie der Wissenschaften und Künste (Leipzig: J. F. Gleditsch) vol. 9 (1822), p. 80. As the founder and director of the Academy for Oriental Languages in Vienna, von 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 Birgivī’s ‘Awāmil on the teaching of Oriental languages in Europe.
97 Which was famously commented on in turn by Muḥtafā b. Ḥamza al-ʿAṭḥālī (i.e. Adali), Natāʾij al-ʿafkār.
98 Köroğlu p. 194.
100 Marti, p. 117.
modeled upon the better known work of the same name in use in Ottoman medreses at the
time;\(^{103}\) (ii) a commentary on “pseudo”-Abū Ḥanīfa’s al-Maṣūd, entitled Imʿān al-anẓār, which
we have already encountered above as the first work Birgivī ever wrote;\(^{104}\) (iii) an independent
work on ṣarf intended for medrese use, again, and entitled Kifāyat al-mubtādī’.\(^{105}\)

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.” Martı’s speculation that this must have had to do with the fact that, in the beginning,
Birgivī would have been teaching introductory subjects (such as Arabic grammar) is reasonable.
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 Ḳaramānī to dedicate himself fully to teaching and writing, the last decade of Birgivī’s
life would thus see the production works such as VN and TM, but also most of the treatises on
questions of “correct ritual” discussed above.

Indeed, as is the case with many scholars, the production of Birgivī’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 (farāʾīd), for example, must be connected to the four years he spent as qassām-i ṣafār,
dividing up the inheritances of deceased Janissaries.\(^{106}\) Likewise, Birgivī’s role as a scholar of

\(^{103}\) Körögli, p. 193 for Birgivī’s “model.” For a discussion and comparison of both, see Arslan, p. 147-50. For
manuscript copies of Birgivī’s al-Amthila al-faḍliyya, see Atsız, p. 41.

\(^{104}\) See above, fn. 19. Authorship of the Maṣūd is uncertain. Although attributed to Abū Ḥanīfa, it does not seem to
have actually been composed by him.

\(^{105}\) Atsız, p. 63-4; for a more in depth discussion, see Arslan, pp. 142-7; for printed copies, see Sarkīs, vol. 1, p. 611.

\(^{106}\) For the work see, Martı, pp. 98-9. It has been edited as part of Bayram Demircigil’s unpublished master’s thesis
at Marmara University, Birgivī’nin İslâm ve Osmanlı Hukukundaki Yeri ve Feraiz Risālesinin Edisyon Kritiği
(Istanbul: Marmara University, 2000). Ibn Jum’a also mentions it his entry on Birgivī, p. 17: “[Birgivī] composed
the science of Ḥadīth has already been mentioned in connection with his position as professor at the Birgi darülhadis. Thus, in addition to his Sharḥ al-arbaʿīn (a commentary on forty traditions selected by himself, rather than on the more famous collection of al-Nawawī), Birgivī also produced a treatise on uṣūl al-fiqh, as well as a second collection of Ḥadīth entitled Kitāb al-īmān wa-l-istiḥsān.108

It was during the last decade of his life that Birgivī 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 he died, he had reached āya 98 of sūrat al-baqara.109 In addition, he is said to have composed a separate tafsīr on “the best of stories,” i.e. sūrat yūsuf, though its attribution remains doubtful.110

There is one more work Birgivī composed before his death that is worth mentioning. This is his Dhukhr al-mulūk.111 Also called Irshād al-mulūk or Risāla fī madḥ al-sulṭān al-‘ādil wa-dhamm al-sulṭān al-ẓālim, the work has sometimes been described as a “mirror-for-princes.”112

The label is misleading, however, for as opposed to other works of the genre, it is not concerned

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107 See above, p. 10.
108 For Birgivī’s scholarship on Ḥadīth, see Martı, pp. 82-9. The importance of Ḥadīth to Birgivī’s work and in particular TM was the subject of Martı’s unpublished PhD dissertation, Birgili Mehmed Efendi’nin Hadisçiliği ve Et-Tarikatı’l-Muhammediyye: Tahkik ve Tahıl (Konya: Selçuk University, 2005), which I have been unable to consult, unfortunately. Arslan argues that both Birgivī’s Risāla fī uṣūl al-ḥadīth and his Kitāb al-īmān wa-l-istiḥsān must have been written during his time in Birgi. See Arslan, p. 49.
109 Atsız, p. 81; Martı, pp. 79-80. The work has been edited and published by ‘Abd al-Rahmān b. Sālih b. Sulaymān al-Dahsh, Muqaddimat al-mufassirīn (Manchester: Majallat al-ḥikma, 2004). The fact that the composition of a tafsīr was often a prestige project for established Ottoman scholars can be seen from the story of Ebū’s-Suʿūd’s being commissioned to write such a work by Sultan Süleyman, see Imber, Ebū’-s-Suʿūd: 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-Suʿūd, it still remains to be examined in detail. The only study I have been able to track down on the YÖK Tez Merkezi is Yaşar Düzenli, İmam Birgivî ve Tefsirdeki Metodu (İstanbul: Marmara University, 1987), unpublished master’s thesis. It would be interesting, for instance, to compare Birgivī’s tafsīr with that of Baydāwī—the most favorite source of exegesis for the Ottomans. For the latter’s tafsīr of sūrat al-baqara, see D. S. Margoliouth, Chrestomathia Baidawiana (London: Luzac, 1894).
112 Cf., for instance, Kaylı, p. 79.
with questions of courtly etiquette or hierarchy, nor with the types of worldly knowledge and
skill a future ruler is supposed to master. Instead, the *Dhukhr* constitutes a critique of what
Birgivī saw as some of the most glaring evils of the Ottoman state in his day. As such it stands in
a line of works composed by Ottoman intellectuals from the late sixteenth century onwards
decrying corruption and decline in the affairs of the Empire—a genre of literature I will discuss
in more detail below.

Addressed to Sultan Selīm II, who had come to the throne in 974/1566, Birgivī’s *Dhukhr*
exhorts for the ruler to take seriously his duty to uphold the *shari’a*. The fact that the *Dhukhr* is
cloaked in conventional language, extolling the ideal sovereign, does not detract from its aim as
an urgent warning against the “injustices” endorsed by the ruling establishment, and especially
the treasury, with regard to what Birgivī understood as un-Islamic practices of land tenure and
taxation. The composition of the *Dhukhr* can probably be linked to Birgivī’s visit to Istanbul
shortly before his death. His confrontation with Grand Vezier Sokollu Meḥmed Pasha greatly
contributed to the formation of Birgivī’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.
Thus, while many of Birgivī’s other works, which we have encountered above, were intended to
combat evils in ritual practice or moral behavior committed by individual Muslims, the *Dhukhr*
was meant to draw attention to structural evils in Ottoman society at large—evils which could

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113 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-Jāḥiẓ’s *Kitāb al-tāj* or the *Qābus-nāme* of Kaykāvūs. For the former, see C. Pellat (trans.), *Le Livre de la Couronne: Kitāb at-Tāǧ: Ouvrage attribué à Gāhiḥ* (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-

114 Very much like the third part of *TM*, which dealt with these same 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. Birgivī’s views on what constituted the proper management and taxation of land will be discussed in detail in chapter five of this dissertation.

115 For the life and career of one of the greatest Ottoman Grand Veziers, see Gilles Veinstein, “Sokollu Mehmed Pasha,” in *EI2* (Leiden: Brill, 1997), vol. 9, pp. 702-3.
only be remedied by those at the very top. In this sense the *Dhukhr* represented a true “*naṣīḥat al-mulūk*”—as opposed to the majority of Birgivī’s other works, which (in their emphasis on correct belief and ritual, as well as on the cultivation of individual piety) can be argued to have constituted a type of “*naṣīḥat al-muslimīn*” instead.

**Conclusion of works section**

While Birgivī’s *oeuvre* as a whole still awaits a much more comprehensive study, the preceding section was intended to give an overview of some of his most important works and the intellectual concerns displayed in them. I have excluded a discussion of *al-Ṭarīqa al-muḥammadīyya*, 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 *Vaṣiyyet-nāme* that is was “popular in both senses.” 116 This is true, in fact, for many of Birgivī’s works, at least most of the ones discussed above. They were popular, on the one hand, in terms of their dissemination, i.e. being widely read and reproduced, as well as translated and, eventually, frequently printed. This is the case for *VN* and *TM*, but also for Birgivī’s grammatical works, such as the *‘Awāmil*, and several of his treatises on correct ritual, like *al-Durr al-yatīm* or *Muʿaddil al-ṣalāt*. 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 true and 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 misattribution 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 only.117 That is to say, many of Birgivī’s works were directed at a more general readership, with the specific purpose of providing guidance in an accessible fashion. Rather than producing “high-brow” works of an essentially academic nature, Birgivī was interested in providing 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. In fact, many of Birgivī’s works 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 unbiased. If anything the opposite was the case, and we often find Birgivī providing quite radical and uncompromising interpretations of the tradition at hand.

The question of audience is a crucial, yet notoriously frustrating one 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 Vaşîyyet-nâme, 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 were directly accessible only to men who had followed at least part of the medrese curriculum. Many of the ideas expressed in Birgivī’s Arabic works, however, will probably have found their way to more popular segments of society by way of preachers, such as the Kâdîzâdelis 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—often in a more “simplified” form.

Disregarding the question of reception for now, the most pertinent feature to be noted in characterizing Birgivī’s works 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 for how to remedy the evils of his day. Even his works on grammar are more concerned with giving 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), what to believe in (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 realizing 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 a virtuous society, must be understood in the broader context of Sunnitization in 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 Birgivī drew heavily. It is this wider context we need to look at next.

Context II: The bigger picture—
Confessionalization, social disciplining and \textit{nasīḥat al-muslimīn}

As the overview of his works has shown, Birgivī was quite consciously engaged in a project of \textit{\textit{nasīḥat 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, Birgivī’s project of \textit{\textit{nasīḥat 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 Birgivī drew on. In order to situate his instructions for “self-reform” and, concomitantly, the reform of society, in a more general framework, I will (in this third part of chapter one) discuss how Birgivī’s work relates to the phenomenon of early modern “confessionalization,” recently drawn our attention to by scholars of Ottoman religious and cultural history, most prominently Tijana Krstić.
The world Birgivī was born into

As we saw at the beginning of this chapter, the world Birgivī 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 Birgivī’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 Birgivī was born the globe was nevertheless starting to become a much smaller and interconnected place than it had ever been before.\(^{118}\)

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.\(^{119}\) Apart from the Ottomans, this included the Safavids in Iran and the Mughals in India.\(^{120}\) Recent scholarship on early modern

\(^{118}\) 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 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.


\(^{120}\) 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
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 in the Americas. Such ideas were not limited to the world of Christendom alone, however. Indeed, we can witness very similar phenomena in the Ottoman Empire of Birgivī’s youth and early adulthood, too.

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).” 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.

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121 Pagden, Lords of All the World, pp. 12-62 on the concepts of “imperium” and “monarchia universalis.”

122 Krstić, p. 7.

The claims to divine legitimacy of the early Safavids were even more ambitious than those of the Ottomans. “Heterodox” Ḳızılbash 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 ᴷuḷu in 917/1511 and the first “Celālī” uprising in Amasya in 925/1519, to the revolts of Bābā Dhū al-Nūn (Zünnūn) in 921/1515 and Ḳalender Çelebī in 934/1528.124

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 Ḳızılbash 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 ʿālim 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

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unbelief” by publicly proclaiming that Jesus was superior to Muḥammad as a prophet. This, he said, was clear from the Qur’an. 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 Sheykh’ül-Islām just two years earlier, had to intervene. Following a swift trial, the young Sheykh’ül-Islām pronounced Kabız a heretic and had him executed upon his refusal to repent.

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 “syncretism” and 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 were very much alive. Indeed, Birgivī himself would play an

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125 See fol. 172b of the facsimile edition of Celâlzâde Muṣtafa’s history of the reign of Süleyman, edited by Petra Knapp, Geschichte Sultan Süleymān Kānūnī von 1520 bis 1557 oder Ṭabaḥāt īl-Memālik ve Derecāt īl-Mesālik von Celâlzâde Muṣtafa genannt Koca Nişāncı (Wiesbaden: Steiner, 1981): zandakā ve ilhād ẓarātana cārī olup ī’tikādina fesād gelmiş dalālet yolununa sālik [...] gümüş olup [...] hadret ‘Īsāyı taftīd edip. The entire episode is covered in fols. 172b-175b. For a full account of the events surrounding his trial and execution, see Repp, op. cit., pp. 234-5 and Ocak, op. cit., pp. 230-8. Celâlzâde 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 Peçevi and Ḥasan Beğzâde to Solakzâde and Mûneccimbaş) are evidence for the continued significance of the Kabız affair in the decades and centuries that followed the trial itself.

126 Kemāl Pashazâde or Ibn Kemāl, as he is also known, was to become one of the most important Hanafi scholars of the “post-classical” period. For his life and works, see Victor Ménage, “Kemāl Paşazâde,” EI2, vol. 4 (Leiden: Brill, 1976), p. 879. For a discussion of his famous fatwā against Shāh Ismā’īl on the occasion of the battle of Çaldıran in 920/1514, entitled Risāla fi takfīr al-ravāfīd or Fetvā-i Kemālpashazâde der haqq-i kizilbash, 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 ‘Arabī, 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 ījtihād by a late nineteenth/early twentieth century Muslim scholar, for instance, see Muḥammad Bakhīt al-Muṭī’, appendix to Irshād ahl al-milla ilā ihbāt al-ahilla (Beirut: Dār Ibn Ḥazm, 2000), p. 259.

127 Kemāl Pashazâde wrote a number of treatises on the affair, summarized in İ. Parmaksizoğlu, “Kemâl Paşa-zâde,” DĪĀ, vol. 6, p. 563.

128 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. Omer Lutfi Barkan’s seminal article, “Osmanlı İmparatorluğu’nda bir ıskân ve kolonizasyon metodu olarak vakişlar 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 similar lines similar 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
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 “orthodoxy.” In fact, what is interesting is that he did so against many of those who would later come to be styled as paragons of orthodoxy, especially Ebū’s-Suʿūd Efendī and other representatives of the religious establishment. The process by which this orthodoxy was constituted was a complex one, involving a constant back and forth between a range of “interpreters” like Birgivī. Indeed, the concept of orthodoxy itself must be understood as an abstract category—an ideal, subject to continuous negotiation between various actors. These could fall on a continuum of beliefs and practices, from the “extremes” of the Ḳızılbash and Mollā Kabız, to the more “judicious” positions of establishment ‘ulamā’. 

Oğlan Sheykh

Perhaps more important than the trial of Molla Kabız, in terms of early influences on Birgivī, may have been the proceedings brought against a young man known as “Oğlan Sheykh” Ismāʿīl Maʿshūqī in 935/1529.\footnote{For an account of the story, see Repp, 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.} Fifteen years Birgivī’s elder, Oğlan Sheykh was the 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 (as we will see in more detail the case of Birgivī in chapter four). Unlike Birgivī, however, Maʿshūqī overindulged his

prominently in accounts of early Ottoman Islam. For a detailed discussion of the topic, see Krstić, pp. 16-18 and pp. 51-74. The types of “heterodoxy” that characterized Ottoman Islam by the time Birgivī 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.
fondness for *melāmī* beliefs and practices. 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’*.“ Ogłan 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. Examined and sentenced to death on the basis of a *fatwā* given by Kemāl Pashazāde, Ogłan Sheykh was eventually executed with twelve of his disciples in 935/1529. According to Ebū’s-Su‘ūd, who was involved in the trial along with Kemāl Pashazāde, the decision seems to have been a difficult one to take. What is certain is that Ogłan 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 *mulḥid*, and those who believed that he was a saint and martyr, unjustly killed.

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130 The basic doctrine of *melāmī* (Tr.) or *malāmatī* (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, “Malāmatiyya,” *EI* 2 (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).


132 According to C. Imber, *EI* 2 “Malāmatiyya—3. In Ottoman Turkey,” the “soldiers” ‘Āṭā’t mentions as supporters of Ogłan 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 Bektāshiyya, 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.), *Bektachiyâ: Études sur l’ordre mystique des Bektachis et les groupes relevants de Hadji Bektach* (Istanbul: Isis, 1995), pp. 171-84. For their “syncretistic” beliefs and practices, see A. T. Karamustafa, “Kalenders, Abdâls, Hayderîs: the Formation of the Bektaşîye in the Sixteenth Century,” in H. Inalcik and C. Kafadar (ed.), *Süleyman the second and His Time* (Istanbul: ISIS, 1993).

133 Repp, p. 237.
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 issues at the time—issues which would also come 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 al-‘Arabī’s famous doctrine of *waḥdat al-wujūd*. This cannot, however, have been the cause of his execution in and of itself. Indeed, Kemāl Pashazāde 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. The doctrine of *waḥdat al-wujūd* was thus accepted by the highest Ottoman authorities of the day. More than that, Ibn al-‘Arabī can, in many ways, be seen to have become the “patron saint” of the Ottomans. What must have caused concern was thus not Oğlan 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*.

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Another reason given for Oğlan 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*.” This, too, is unlikely however, since the Melāmī sub-branch of the Bayrāmiyya, to which Oğlan Sheykh belonged, does not in fact seem to have practiced vocal *dhikr*. Finally, a third explanation given in the sources for Oğlan Sheykh’s “heresy” is that he is said to have proclaimed that the *dawrān* (i.e. the whirling “dance” or spinning movement sometimes performed in Sufi ritual) was not only “permissible” (*mubāḥ*), 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 Oğlan Sheykh actually declared it so, the idea of pronouncing a Sufi practice (such as the *dawrān*) an *‘ibāda* represents a *topos*, the aim of which is to communicate an infringement on Oğlan Sheykh’s part of the clear-cut boundaries of the law. Questions such as to the legal status of *dawrān* or *dhikr* and how they should be performed to be permissible (e.g. silent as opposed to vocal) and so on, constituted some of the “hot topics” of the day. They were going to occupy Birgivī just as much as they occupied the protagonists of the trial of Oğlan Sheykh. In fact, they touch on one of the cornerstones of Birgivī’s work: How to maintain and cultivate an appropriate expression of piety.

Birgivī and Early Modern Confessionalization

In her recent work on Ottoman Muslim conversion narratives and Christian neomartyrologies in the fifteenth and sixteenth centuries CE, Tijana Krstić argues for an early modern Mediterranean-

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136 “Allāhım” in Turkish can mean either “my God” or “I am God.”
137 See F. de Jong, “Malāmatiyya.”
wide “age of confessionalization.” Borrowing a term from European and, in particular, German historiography of the Reformation, Krstić argues that a similar phenomenon of “confessionalization” can also be observed in the Ottoman Empire at the time. In its original context, the concept was 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.” 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.

In the Ottoman context, “confessionalization” meant “Sunnitization,” and involved, as elsewhere, a preoccupation with boundary-setting and a heightened awareness of the necessity of propagating ideologically as well as spiritually correct beliefs and practices. As we have already seen, these same concerns with “orthodoxy” and “orthopraxy” are characteristic of Birgivī’s oeuvre as a whole. In aiming to provide explicit rules for “what to believe” and “how to behave”

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138 Krstić, p. 13.
139 Ibid.
141 In the Kabız story, for example, the Sultan is said to have personally instructed Kemāl Pashazāde 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 the Early ‘Abbāsids: The Emergence of the Proto-Sunnī Elite* (Leiden: Brill, 1997) and Patricia Crone, *God’s Rule: Government and Islam* (New York: Columbia University Press, 2004).
(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), Birgivî was without any doubt engaged in an effort of “social disciplining.” The question is whether or not his undertaking was qualitatively different from that of earlier scholars—scholars Birgivî in fact drew upon heavily, such as al-Ghazâlî (d. 505/1111) and Abû al-Layth al-Samarqandî (d. 393/1002) or al-Ḥârith al-Muḥâsibî (d. 243/857). Just like Birgivî, 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 ‘ulamā’—pre-modern and modern—was one of social disciplining.

What makes Birgivî’s undertaking different from that of those before and after him is the particular time and place at which it was produced. The changed political, economic and social circumstances of the early modern Mediterranean 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 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 ilmiye in the sixteenth century manifested itself physically in a building boom for mosques and medreses, as documented by Gülrü Necipoğlu.¹⁴² Attendant upon this drive to build mosques and medreses was an increase in medrese graduates and, consequently, a heightened competition

¹⁴² Gülrü Necipoğlu, The Age of Sinan, pp. 29f.
for posts in education and the judiciary. 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.

In terms of intellectual concerns, the early modern Mediterranean “age of confessionalization,” which Krstić has posited, 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 raging in central Europe at the time.

For Birgivī, 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. While Birgivī does emphasize 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 people discussed by Krstić, who are by and large converts, dealing with “identity issues” unknown to Birgivī.

Thus, while terms such as “social-disciplining” and “confessionalization” make sense as “heuristic devices,” as Krstić says herself, the devil—as often—lies in the details. It is indeed useful to think of Birgivī’s project of naṣīḥat al-muslimīn as an effort at social disciplining. Moreover, it makes sense to understand many of the religious and political trends characterizing Birgivī’s particular historical conjuncture in terms of confessionalization. But whereas in the context of the European Reformation the concept of confessionalization has mostly been used to

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143 Madeleine Zilfi has documented this process in detail for the seventeenth century. See Zilfi, The Politics of Piety. But it is clear that the swelling of the ranks of ‘ulamā’ must already have been under way during Birgivī’s lifetime. See Repp, The Miṭṭi, p. 28 and Cornell Fleischer, Bureaucrat and Intellectual, pp. 224-6.
understand how the early modern state tried to regulate people’s private lives, the example of Birgivī is more complicated. “Social disciplining” in his case, did not involve a “top-down” imposition of orthodoxy by an imperial actor for the sake of state-building interests or the enforcement of state control. Against Krstić, who argues 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,” Birgivī’s case provides an important counter-example.144 For Krstić, sixteenth century confessionalization was essentially an affair of the state, “initiated by the highest political and scholarly circles, [which] dotted the empire with numerous new mosques and medreses.”145 It was only with the Ḳāḍīzādelis in the seventeenth century, she believes, that orthodoxy also “began to be articulated from below.” But the case of Birgivī considerably complicates this picture, clearly reminding us of the fact that the processes at play in any articulation of “orthodoxy” are of an extremely complex nature, defying simple categories such as “top-down” or “bottom up.”146

Birgivī 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 orthodoxy of his day. Indeed, Birgivī was more concerned with Ebū’-Su‘ūd and the practices approved and endorsed by the religious establishment than with the likes of Mollā Kabız, who were, in any case, “beyond the pale.” The real danger, for Birgivī, 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 Birgivī considered to be blatantly un-Islamic

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144 Krstić, p. 14.
145 Ibid.
146 In the following, the phrase “articulation of orthodoxy” is understood to be shorthand for “articulation of both orthodoxy and orthopraxy,” that is the articulation of what constitutes spiritually, legally and ideologically “correct” belief and practice. Krstić generally conflates the concepts of “confessionalization” and “articulation of orthodoxy,” which limits her argument, I believe.
(such as the cash \textit{waqf}, the contemporary system of land tenure and taxation, and so on). In this case, Birgivî is articulating orthodoxy in direct and conscious subversion of those in whose interest, so Krstić, the process of “confessionalization” was being conducted.\footnote{This was already argued by Fahri Unan, “Dinde Tasfiyecilik Yahut Osmanlı Sünniliğine Sünni Muhâlefet: Birgivî Mehmed Efendi,” in \textit{Türk Yurdu} (August 1990), pp. 33-42.}

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 \textit{ilmiye}, such as Ebû’s-Suʿūd, but rather individuals who derived their spiritual authority from elsewhere (as Sufîs or popular preachers, for instance). Spreading “innovations” and all sorts of blameworthy practices (such as \textit{dawrân}, vocal \textit{dhikr}, etc.), they were just as dangerous in the eyes of Birgivî as the \textit{ilmiye} establishment, if not more so. Birgivî’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 Mollâ Kabîz a heretic, but it was, indeed, a struggle to go up against those in power. Any articulation of orthodoxy and orthopraxy—i.e. any formulation of what constitutes “correct” belief and practice—is intimately linked to questions of power. This is why the confessionalization theory is so important and interesting in the first place. However, against Krstić, it was not just political or imperial power that played a role in the articulation of Islamic orthodoxy in the sixteenth century Ottoman Empire. Moral and spiritual authority was just as important. Indeed Birgivî saw himself (and came to be seen) as a moral authority standing up to the “corrupt” and “misguided” political authorities of his day, including the likes of Ebû’s-Suʿūd.
In trying to go up against those in power, Birgivī thus represented a sixteenth century
counter-trend to “confessionalization from up on top.” It would be misleading, however, to
therefore label him as a reformer “from below.” The point is that these categories do not actually
take us very far in terms of analysis. Birgivī articulated orthodoxy (what he considered as such)
against those on top, as well as against those engaged in what has usually been called “popular”
Islam (and understood as “from below”). His target were innovations and blameworthy
practices, no matter where they ultimately came from. For Birgivī 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 Birgivī helped fashion did not come out of nowhere. Together
with his sixteenth century colleagues, Birgivī 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. In what follows, I will turn my attention to some of the discursive traditions within
which Birgivī operated. That is to say, I will examine the intellectual raw material the classical

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148 As a note of caution, we should not conflate Birgivī’s articulation of orthodoxy “from below” (or rather “against
the top”) with that of the Qāḍīzādelis a century later. Although he certainly inspired them, their aims and methods
were different.

149 As a note of caution it has to be added that this is not supposed to reinforce dichotomies such as “official” Islam
versus “popular” Islam, which scholars have tried to deconstruct over the last few decades, and justifiably so, since
they often clouded the nuances and complexities of religion as it was actually experienced and practiced. My
distinction between representatives of the official religious establishment, such as Ebū’s-Su’ūd, and representatives
of a more “popular” kind of Islam—both as targets of Birgivī’s condemnation—serves as a tool to conceptualize
some of the players in the “religious field” at the time, and their respective beliefs and practices in a given context.
Needless to say, reality usually defies such easy conceptualizations and the two categories were much more
intricately intertwined than is often assumed.

150 For a good analysis of how Ebū’s-Su’ūd reworked the tradition, 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.
tradition of Islamic thought had to offer him in his articulation of what it meant to be a good Muslim in the sixteenth century Ottoman Empire.

A conventional view of scholarship on Ottoman Islam has it that sixteenth century “Sunni-tization” was caused, in large part, by the conquests of Syria and Egypt in 1516-17 CE, i.e. less than a decade before Birgivī’s birth. The incorporation of the “heartlands” of Arab-Islamic civilization into the Ottoman Empire is thus said to have 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.” What is interesting, in this regard, is that Birgivī does not, in fact, draw so much on the traditions of the “heartland” of Syria and Egypt (in fact, he seems to be ignorant of some important scholars from there, whose undertaking was similar to his own, such as Ibn Taymiyya or his contemporary Ibn Ḥajar al-Haytamī). Instead, Birgivī is much more indebted to a tradition of post-classical Ḥanafī legal literature from Khurasān and Central Asia, which we will discuss in more detail in the next chapter, too.

Chapter Two: The intellectual framework

In his articulation of orthodoxy, Birgivī drew on a number of different traditions. These included, first and foremost, the legal tradition of the Ḥanafī school, certain strands of the Sufi tradition, Islamic ethics and, in particular, a range of writings on “exhortation” and “advice.” 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.”

Very much along the lines described by Asad, we thus find Birgivī 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 (full or partial), at times modifying a given position through explicit or implicit re-interpretation, but always in relation to those who went before

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(“relating conceptually to a past” as Asad says), and always with an eye on the future, through the particular juncture of his own sixteenth century Ottoman present.

In this third part of the chapter, I will look at the various traditions within which Birgivī 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 and, finally, a very particular type of “advice” literature that started to flourish in the sixteenth century Ottoman Empire.

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 I will discuss 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-
muhammadiyya, 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. 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.”

Post-classical fatāwā handbooks

In his articulation of what it was proper for a Muslim to say and do, Birgivī relied heavily on a particular strand of “post-classical” Ḥanafī legal literature. This included Ṭāhir b. Ahmad al-

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2 TM, pp. 79-85.
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 Hanafi Texts,” in Studia Islamica, vol. 30 (1969), pp. 73-118. The scheme goes back to Chafik Chehata, Études 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 Muhammad 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) Mukhtāsar (“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’i’ al-ṣanā’i’ (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
Bukhārī’s (d. 542/1147) Khulāṣat al-fatāwā;4 the Fatāwā of Fakhr al-Dīn Qāḍīkhān (d. 592/1196);5 Ibn al-Bulḍajī al-Mawṣūli’s (d. 683/1284) Mukhtar al-fatāwā;6 ‘Ālim b. ‘Alā’ al-Dīn al-Andarpaṭi’s (d. 786/1384) al-Fatāwā al-tātārkāhāniyya;7 and Ibn Bazzāz al-Kardarī’s (d. 827/1421) al-Fatāwā al-bazzāziyya.8 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.9 Colin Imber has thus pointed out that “the Hanafi literary corpus contains many

4 As his nisba indicates, IFIER has been from Bukhārā. See Abū al-Ḥasanāt Muḥammad ‘Abd al-Hayy al-Laknawī, al-Fawā’id al-bahiyya fi tarājim al-hanafīyya (Karachi: Nur Muḥammad kārkhāna-i tijārat-i kutub, 1393/1973), p. 84, and GAL, vol. I, 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-Hayy al-Laknawī himself.
7 See GAL, Suppl. vol. 2, p. 643, in the context of the works of Burhān al-Dīn İbrāhīm-ı Ḥalabī (d. 956/1549), a contemporary of Birgivī who wrote a commentary on Fatāwā al-tātārkāhāniyya. Brockelmann explains that, according to Shams Ṣūrā ‘Afī’s Tārīkh-i frūz shāhī, Andarpaṭi was commissioned to compose al-Fatāwā al-tātārkāhāniyya by “Khān-i A’zam” Tātār Khān, a commander first of Muḥammad b. Tughluq and later of his successor, Frūz 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-tātārkāhāniyya (Karachi: Idārat al-Qur’ān wa-l‘ulūm al-islāmiyya, 1990), 5 vols.
8 Originally from Sarāy on the Volga, Ḥāfīz al-Dīn Muḥammad al-Bazzāzī al-Kardarī 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, Qāḍīkhān, Andarpaṭi and Kardarī, Birgivī refers to a number of other such works. These include a work entitled Majma‘ al-fatāwā by Ḥāfīz b. Muḥammad al-Hanafi (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 Ḥizānāt al-fatāwā of which there are two copies in Princeton’s manuscript collection: Garret no. 693Y and New Series no. 2084. Other works of the genre Birgivī draws on (albeit to a lesser extent) include: al-Fatāwā al-zahāriyya by Ḥāfīz
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 more solutions.” This organization by and large followed that of the “classical” works of Ḥanafi jurisprudence, beginning with chapters on ritual (purity, prayer, fasting, almsgiving 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 wakil, the question of how to endow a pious foundation, and so on.

That is to say, despite their name, works such as Qāḍīkhān’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.” 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 Qāḍīkhān and Ibn al-Buldajī’s Mukhtār.

al-Marghīnānī (d. ca. 600/1203), see GAL, vol. 1, 379; al-Fatāwā al-sirājiyya by Sirāj al-Dīn al-Sajāwandi (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, Birgivī might have first come across him in his capacity of qassām-i ‘asker, when dividing up the estates of deceased Janissaries, as Sajāwandī’s more famous work, al-Farā ‘id al-sirājiyya, is one of the standard Ḥanafi works on inheritance. See Nicolas P. Aghnides, Mohammedan theories of finance (New York: Columbia University Press, 1916), p. 180.

10 Imber, Ebu’s-Su’ud, p. 28.
11 Imber, p. 29. This is, indeed, Qāḍīkhān’s stated aim, when he says in his introduction (p. 2) that his work is intended to deal with “questions which occur often and of necessity […] around which the problems of the community revolve.”
Birgivī was not alone among his contemporaries in his reliance on the genre. Indeed, the handbooks seem to have been very popular. Ebū’s-Suʿūd, for instance, is reported to have greatly admired *al-Fatāwā al-hazzāziyya*, which he is said to have relied on in the formulation of many of his own legal opinions, too.\(^{12}\)

**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).\(^{13}\) Not to be confused with his slightly earlier contemporary and namesake Abū al-Layth al-Ḥāfīẓ al-Samarqandī,\(^ {14}\) nor with the later ‘Alā’ al-Dīn al-Samarqandī,\(^ {15}\) Abū al-Layth Naṣr b. Muḥammad al-Samarqandī was often referred to as *Imām al-hudā*. He is known for a 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.\(^ {16}\)

Birgivī relied most heavily on a pair of paraenetic works—that is works of pietistic advice and exhortation—composed by Abū al-Layth. These are entitled *Bustān al-‘ārifīn*, on the

\(^{12}\) Imber, p. 29.


\(^{15}\) Meron, p. 79.

one hand, and *Tanbīh al-ghāfilīn*, on the other. Birgivī 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 Māturīdī Ḥanafī ‘ālim of Central Asia. Many of the preoccupations and concerns of Abū al-Layth thus re-emerge as themes in the work of Birgivī. 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 Birgivī in *al-Ṭarīqa al-muḥammadiyya*.\(^{17}\) The same goes for mosque etiquette;\(^{18}\) eating manners;\(^{19}\) how to respond to dinner invitations;\(^{20}\) how to greet non-Muslims;\(^{21}\) instructions for sneezing;\(^{22}\) the “etiquette” of going to the toilet;\(^{23}\) the “etiquette” of sexual intercourse, and so on.\(^{24}\)

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;\(^{25}\) and like Abū al-Layth, he devotes much space to discussions of ritual purity.\(^{26}\) Moreover, there are great similarities in their use of Ḥadīth, their emphasis on the importance of ‘ilm and their exposition

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\(^{17}\) Abū al-Layth al-Samarqandi, *Tanbīh al-ghāfilīn bi-ḥādīth sayyid al-anbiyā’ wa-l-mursalīn* (Beirut: Dār al-kutub al-‘ilmīyya, 1999), ed. ‘Abd al-Latif Ḥasan ‘Abd al-Rahmān, 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-Samarqandi, *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).


\(^{21}\) al-Samarqandi, *Bustān*, p. 124; *TM*, p. 159.


\(^{26}\) *Bustān*, pp. 141-4; *TM*, pp. 198-205.
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 makes an interesting point about Abū al-Layth in connection with the post-classical fatāwā literature Birgivī draws on so heavily (see above). 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-Ṭaḥāwī (d. 321/933). In fact, Meron claims, “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.”27 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.28 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 Qāḍīkhān, Andarpaṭī, 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.”29

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—Qāḍīkhān, Andarpaṭī, 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

27 Meron, p. 78.
28 Ibid., p. 97.
29 Ibid., pp. 111-12.
not only a jurist, but also a moralist and preacher (like Abū 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 a work on it (or even commenting on other people’s work in the field).

The impression one takes away 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 on problems of everyday concern (rather than with what he would have considered abstract theorizing and high-brow conjecture).

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;30 al-Sarakhsī’s (d. 544/1149) Muhīṭ;31 and Marghīnānī’s (d. 593/1197) al-Hidāya and al-Tajnīs.32 In terms of later

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-Nisābūrī, 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. 641; see also Laknawī, p. 188.
32 Among these early sources, it is the Hidāya that Birgivī refers to most often by far.
works, Birgivī is indebted to Ibn Māzā’s (d. 616/1219) \textit{al-Dhakhīra};\footnote{This is Burhān al-Dīn (or Burhān al-Islām) Maḥmūd b. Aḥmad b. al-Ṣadr al-Shahīd al-Bukhārī b. Māza from Marghānānī, see \textit{GAL}, vol. 1, 375, p. 464 and Laknawī, p. 205.} al-Zayla’ī’s (d. 743/1342) \textit{Tabyīn al-ḥaqā’iq};\footnote{This is a commentary on al-Nasafī’s \textit{Kanz al-daqā’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-ʿAzhar. He wrote several books on Islamic jurisprudence, but his most important work was the \textit{Tabyīn}. For his life and works, see Laknawī, p. 115-16. For his importance in the history of Somali Islam, see Mohamed Haji Mukhtar, “Arabic sources on Somalia” in \textit{History of Africa: Journal of the African Studies Association}, vol. 14 (1987), p. 149 and p. 156, fn. 22.} Ibn Humām’s (d. 861/1457) \textit{Fath al-qadīr} (a commentary on Marghīnānī’s \textit{Hidāya});\footnote{\textit{GAL} vol. 2, 82.} and—from among Birgivī’s own contemporaries—Burhān al-Dīn Ibrāhīm al-Ḥalabī’s (d. 956/1549), \textit{Multaqā al-abḥur}.\footnote{This is, again, a source Birgivī relies on very heavily. See \textit{GAL}, Suppl. 2, pp. 642-3.}

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.”\footnote{\textit{TM}, p. 211.} Against this, Birgivī quotes Qāḍīkhān (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.\footnote{\textit{Ibid.} laysa zamānūnā zamān al-shubhāt wa-ʿalā al-muslim an yattaqī al-ḥarām al-muʿāyan.} 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."³⁹

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 properly ordered under God’s ordained norms.”⁴⁰ Birgivī, like other “Muslim scholars in later times developed an explicit concept of fasād az-zamān, or “degeneration of the times,” to express the increasing temporal (and similarly, moral) distance from the time of the Prophet and the model ummah.”⁴¹

While in the above quotation Birgivī refers to his sixth/twelfth century colleague Qāḍīkhān, rather than the time of the Prophet itself, the idea is still the same. Indeed, Birgivī’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

⁴¹ Ibid., p. 506.
fields of life. Thus, Birgivī 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 (harām) or repulsive (khabīth).” Furthermore Birgivī warns his readers about “the spread of injustice in our society.” This takes the form of “extortion, the illegal seizing of property, theft, treachery and forgery.”

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 zulm, fisq 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 application of the sharī’a. But Birgivī’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 Birgivī chose to voice his discomfort with contemporary conditions was deeply political. Birgivī thus actively enlisted the Ḥanafī tradition in his effort to reject the “misguided” and self-serving positions, as he saw them, of 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.

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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 zulm, 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 foremost, in fact) be understood in light of the specific historical juncture in which they are used.
Legal sources beyond the Ḥanafī school

Huriye Martı has claimed that Birgivī relies almost exclusively on Ḥanafī sources.⁴⁵ This is not entirely true, however. He regularly refers to representatives of other schools, too, especially in matters he considered to be of importance.⁴⁶ 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 surprising detail.⁴⁷ He argues that there are four main “positions” (madhāhib) regarding the matter of purity and impurity: that of the Ẓāhirīs (madhhab al-ẓāhiriyya); 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

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⁴⁵ Martı, p. 62.
⁴⁶ The “porosity” of legal boundaries, especially in the early period, has been the subject of some scholarship recently. 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.
⁴⁷ TM, pp. 207-11.
representatives of other “schools” and their implications for the legal problems he is dealing with himself.48

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.”49 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.50 Similarly, Birgivī refers to Shāfi‘ī in his discussion of whether or not (and under what conditions) women are allowed to travel alone;51 he also does so in his elucidation of the unlawfulness of singing, dancing and musical instruments,52 and in his section on the duty of ‘ilm al-ḥāl (which I will discuss in more detail in the next chapter).53

In terms of the history of legal thought, it is also important to note that the four “madhhab” 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

48 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.
49 TM, p. 155.
50 TM, p. 157.
51 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 hadith 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.
52 TM, p. 183.
53 TM, p. 198.
the opinion of the Zāhirīs—one of the schools that famously “did not last.”54 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-Shar‘ānī (d. 973/1565), preserved a large number of Zāhirī opinions in his Mīzān al-kubrā [sic], including, in particular, “a host of examples concerning purification.”55

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.”56 Birgivī likewise prefers to keep the matter of purity as open and unrestricted as possible, frequently emphasizing that “the basic assumption is purity”57 and that “impurity is not established through doubt.”58 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.

58 *TM*, p. 211. The argument is connected to the notion of *al-ibāha al-aṣliyya*, 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.
This does not, of course, answer the question of why Birgivī would ignore the Ḥanbalis. 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.” The second instance is found in the context of the unlawfulness of singing and dancing. The third is regarding the legal status of a person who ceases performing the ritual prayer, and the last concerns a person who no longer attends Friday prayer. Other than these four short mentions, however, Birgivī disregards Aḥmad b. Ḥanbal and his school entirely from a legal point of view.

Birgivī and the Ḥanbalīs

This might be surprising, since Birgivī 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 Birgivī’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

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59 It is interesting, in this regard, to consider the existence of a number of important similarities between the Ẓāhirīs and Ḥanbalīs. In his seminal study on Ẓāhirīsm, 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 Ẓāhirite 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 Dāūd al-Ẓāhirī admission to his house “for having engaged in clever theological talk.” See Melchert, Ahmad ibn Hanbal (Oxford: Oneworld, 2006), p. 122.

60 TM, p. 91.

61 TM, p. 183.

Prophet (and his Companions); a shared hostility to speculative theology and “disputation” (munāẓara); 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” (iqtiṣād); a shared emphasis on “seriousness;” a powerful objection to government service and holding public office (including being a qāḍī); and, finally, the conviction that a Muslim can only achieve true virtue within society. That is to say, both Birgivī and Ibn Ḥanbal argued against ascetic withdrawal and celibacy. A man should support himself and his family through work—indeed, he should have a family to begin with, rather than not.

Despite these important convergences, which reflect the fact that, on an ethical level, Birgivī was deeply influenced by what Christopher Melchert has termed “the piety of the Hadith folk,” Birgivī would nonetheless have been at odds with the basic tenets of Ḥanbalism in both fiqh and kalām. As a staunch Ḥanafi and Māturīdī, he does not rely on Ibn Ḥanbal as a jurist or theologian, but rather as a traditionist. Indeed, the Ṭarīqa is replete with hadīth reports from the Musnad.

Regarding the “strictness” and “uncompromising” nature which Birgivī displays in his work (and which we will see in more detail in the chapters to come), it must be stressed that this

63 For Birgivī, see TM, pp. 7-10; for Ibn Ḥanbal, see C. Melchert, Ahmad ibn Hanbal, p. 19. In both cases this emphasis manifested itself in a strong dedication to the transmission and study of Ḥadīth.
64 For Birgivī’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, Ahmad, p. 83.
65 For Birgivī, see TM, pp. 14-19; for Ibn Ḥanbal, see Melchert, Ahmad, p. 113 and idem, “The Piety of the Hadith Folk,” in IJMES, vol. 34, no. 3 (2002), p. 430.
66 For Birgivī, see TM, p. 46, 108, 162, 167 (among others); for Ibn Ḥanbal, see C. Melchert, “The Piety of the Hadith Folk,” p. 427-8. In both cases this manifested itself in a wariness of laughing.
67 For Birgivī, see TM, pp. 154-5; for Ibn Ḥanbal, see Melchert, Ahmad, p. 4.
68 For Birgivī, see TM, pp. 14-19; for Ibn Ḥanbal, see Melchert, “The Piety of the Hadith Folk,” pp. 428-30 and, idem, Ahmad, p. 114.
69 Even in their conception of piety we encounter significant differences between Birgivī and Ibn Ḥanbal. One of these concerns Birgivī’s reliance on al-Ḥārith al-Muḥāsibī— a man Ahmad 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, Birgivī would come to draw on a lot of material Ibn Ḥanbal would probably have greatly disliked.
70 I have come across at least forty one.
was not something exclusive to Ḥanbalism. There was plenty of material for Birgivī to draw on from within the Ḥanafī tradition itself. In fact, it seems that he was unaware of the work of the one Ḥanbalī scholar best known for his “uncompromising” attitude—Ibn Taymiyya (d. 728/1328). Even though Birgivī 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-Rūmī al-Aqḥiṣārī, and his Risāla fī ziyārat al-qubūr, which was mistakenly attributed to Birgivī.

We find references to Ḥanbalī scholars throughout the Ṭarīqa, 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 of “the evil of wastefulness,” for example (and whether or not a Muslim should strive to make money), Birgivī 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.” Ibn Taymiyya, however, remains conspicuously absent. It seems unlikely that Birgivī 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 also argued that, “it is important to stress that [other than for the Ziyāra] Birgiwî showed little traces

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71 See, for instance, his reliance on Abū al-Layth al-Samarqandī—a famously “strict” scholar—and the tradition of post-classical “Fatāwā” literature, discussed above. Almost all of the “Fatāwā” authors, such as Qādīkhān, Andarparfī and Ibn Bazzāz display a strong sense of social conservatism, for example.

72 See above, p. 27. Aḥmed al-Rūmī al-Aqḥiṣārī, who was a great admirer of the work of Ibn al-Qayyim (Ibn Taymiyya’s most famous disciple), as well as of Birgivī, wrote a number of treatises, especially the famous Ziyārat al-qubūr, in which he culled material from Ibn al-Qayyim, and which came to be erroneously attributed to Birgivī himself, thus creating the spurious link. Ibn Taymiyya was not unknown in sixteenth century Anatolia, however, as Derin Terzioğlu has shown in her examination of the translation of Ibn Taymiyya’s al-Siyāsa al-shar'iyya made (and presented to Sultan Selim II) by Birgivī’s almost exact contemporary ʿĀşık Çelebī (d. 979/1572), who is best known for his famous biography of Ottoman poets Mashāʿir ar al-shuʿārā’. For the translation (as well as later ones), see Terzioğlu, “Bir Tercüme ve Bir İntihal Vakası: Ya da Ibn Taymiyye’nin Siyasetü’s-şer’iyye’sini Kim(ler) Osmanlıcaya Nasıl Aktardı?” Journal of Turkish Studies/Türklük Bilgisi Araştırmaları, vol. 31, no. 2 (2007), pp. 247-275. Terzioğlu shows that, at least as far as the seventeenth century is concerned, some Halveti şeyhs—such as Aqḥiṣārī himself—betrayed a keen interest in the works of Ibn Taymiyya and his disciple Ibn Qayyim al-Jawziyya. See also Kaylı, p. 58. The situation in the sixteenth century, however, is less than clear.

73 TM, p. 104. Other than this one quote, however, I have not come across Ibn al-Jawzī in either the Ṭarīqa or any of Birgivī’s other works.
of being influenced by Ibn Taymiyya or Ibn al-Qayyim.”74 He likewise speculates that, “the
views of Birgiwî 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.”75 On the basis of the findings of Meron, too, the existence of such an
“indigenous” trend of intolerance is likely. Abū al-Layth al-Samarqandī and the “Fatāwā”
authors would certainly be good candidates for further investigation, too. In what follows I will
provide a short excursus on Birgivî’s use of Ḥadīth (another “discursive tradition” of Islam,
albeit a somewhat more opaque one than the law), before turning my attention, to Sufism and
Islamic ethics.

Birgivî and Hadîth

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 Birgi darulhadis, 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 fī uṣūl al-ḥadīth;76 (ii) Sharḥ al-aḥādīth al-arba ‘în;77
(iii) Kitāb al-īmān wa-l-istiḥsān.78

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

74 Khaled El-Rouayheb, “From Ibn Ḥajar al-Haytamī (d. 1566) to Khayr al-Dīn al-Ālūṣī (d. 1899): Changing Views
of Ibn Taymiyya among non-Hanbali Sunni Scholars” in Yossef Rapoport and Shahab Ahmed (ed.), Ibn Taymiyya
and His Times (Karachi: Oxford University Press, 2010), pp. 303.
75 Ibid., p. 304.
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.
important technical terms of the field.\textsuperscript{79} Just under seven pages long, the \textit{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 \textit{Ṣaḥīḥ}.\textsuperscript{80} Like so many of Birgivī’s works, it would achieve great popularity in the centuries after his death. It was famously commented on in the eighteenth century by Da’ūd al-Qāreṣī (Dāvūd-i Karsī) (d. 1169/1756),\textsuperscript{81} and continued to enjoy great popularity into the late Ottoman period.\textsuperscript{82} Together with Da’ūd al-Qāreṣī’s commentary, the \textit{Risāla} is still used in Turkey’s İmam Hatip schools today, as Martı—herself a Ḥadīth specialist—points out. Martı believes that Birgivī would originally have based his classes in \textit{uṣūl al-ḥadīth} on Ibn Ḥajar al-‘Asqalānī’s (d. 852/1449) \textit{Nukḥbat al-fikar fī muṣṭalaḥ al-āthār}, but argues that he must have found it necessary to compose a new manual, shorter and more accessible to students.\textsuperscript{83}

Birgivī’s second work of Ḥadīth was a collection of forty traditions, reminiscent of Nawawī’s (d. 676/1277) \textit{Kitāb al-arba‘īn}, but selected and commented upon by Birgivī himself. The “forty” genre was popular among both Ottoman Ḥadīth scholars and the educated public at large, as Abdülkadir Karahan and, more recently, Selahattin Yıldırım have shown.\textsuperscript{84} Sixteenth century scholars like Kemāl Pāshāzāde (d. 940/1534) and Ṭāshköprüzāde (d. 968/1566), for instance, composed “forties” (\textit{kırklar}), and it is not surprising that Birgivī would have wanted to collect forty Ḥadīth works over the centuries. 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, \textit{Hadith: Muhammad’s legacy in the Medieval and Modern World} (Oxford: Oneworld, 2009), p. 55.

\textsuperscript{79} Indeed, Martı, p. 82, has likened it to a “dictionary of Ḥadīth terms” (\textit{hadis istilahları sözlüğü}).

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


\textsuperscript{82} al-Qāreṣī’s commentary was translated into Turkish in the nineteenth century and published with the marginal notes of Kharpūṭī Yūsuf Şükrü Efendī (d. 1292/1875) and Mustafa Şevket Efendī (d. 1292/1875). See Arslan, p. 106. For the late Ottoman period, see Martı, p. 83.

\textsuperscript{83} Ibid.

\textsuperscript{84} A. Karahan, \textit{İslâm-Türk Edebiyatında Kirk Hadis: Toplama, Tercüme ve Şerhler} (İstanbul: İbrahim Horoz Basımevi, 1954) and S. Yıldırım, \textit{Osmanlı’da Kirk Hadis Çalışmaları} (İstanbul: 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, \textit{Hadith: Muhammad’s legacy in the Medieval and Modern World} (Oxford: Oneworld, 2009), p. 55.
offer his own selection—a selection which has become one of the prime examples of the genre in the Ottoman context. 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-hālikīn*, which already mentions the *Arbaʿīn*. This poses a problem, however, since Birgivī’s *Sharḥ* only covers the first seven *ḥadīth* of the collection. Much like his incomplete Qur’ān 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 Qur’ān commentary, however, the *Sharḥ* was eventually picked up in the eighteenth century, when it was completed by an Ottoman qāḍī based in the Ḥijāz called Muḥammad al-Āqkermānī (d. 1174/1760). It is in this form that it has survived until today.

In addition to the *Arbaʿīn*, Birgivī also composed a collection of traditions on the themes of *īmān* and *istiḥsān*. The work is much less widespread than his “Forty” and deals with many of the same topics as *TM* in terms of “right belief” and “right practice.” 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

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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, p. 85.
87 Not much is known about his life, see Sâkıb Yıldız, “Akkirmānī,” in *DİA*, vol. 2 (1989), p. 270; Bursalı Meḥmed Ėmehmed Țāhir, *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 fi ḥukm al-siwāk*, which is preserved in the National Library of Washington, D.C. 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*, Mustafâ Cem’i Efendî under the title *Burhān al-muttaqīn*. See Karahan, pp. 260-4.
89 For a survey of the contents as well as extant manuscript copies, see E. Yüksel, *Mehmed Birgivî’nin (929-981-1523-1573) dinî ve siyasî görüşleri* (Ankara: Türkiye Diyanet Vakfı, 2011), p. 49.
first and foremost condition for the attainment of piety in the present. Birgivī’s emphasis on the emulation of the Prophet and obedience to his “way” (al-i’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.”

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 hadīth reports at each and every point in the Ţarīqa: 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) Jāmiʿ al-ṣaḥīḥ tops the list with roughly 130 hadīth reports; this is followed by the Ṣaḥīḥayn of Bukhārī (d. 256/870) and Muslim (d. 261/875), with about 125 hadīth 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 hadīth only, and Ibn Māja’s Sunan (d. 273/886) with 30 hadīth. In contrast, Birgivī relies extensively on the famous Ḥanbalī traditionist Abū al-Qāsim al-Ṭabarānī (d. 360/971) and his three collections, al-Muʿjam al-kabīr, al-Muʿjam al-awsat and al-Muʿjam al-ṣaghīr (117 hadīth reports altogether).
Next come, in descending order of frequency: Abū Bakr al-Bayhaqī (d. 458/1066) (47 ḥadīth); Ibn Abī al-Dunyā (d. 281/894) (45 ḥadīth); Ahmad b. Hanbal (d. 241/855) (41 ḥadīth); al-Ḥākim al-Naysābūrī (d. 405/1014) (40 ḥadīth); Ibn Ḥibbān al-Bustī (d. 354/965) (28 ḥadīth); Abū Nuʿaym al-ʻĪṣfahānī (d. 430/1038) (11 ḥadīth); Abū al-Shaykh (d. 369/979) (10 ḥadīth); and Dāraqūṭnī (d. 385/995) (6 ḥadīth). Also-rans, with 5 ḥadīth reports or less

93 It is not always clear which work Birgīvī 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-kaḥīr. It is possible that at least some of Birgīvī’s quotes come from there rather than from the Sunan. Birgīvī 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 Ṭurāqīa.

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,” “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 Birgīvī’s work have been edited and studied, see, for instance, James Bellamy “The Makārim al-ḥādīth,” 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-ṣamti wa-ādāb al-lisān (Beirut: Dār al-gharb al-islāmī, 1986); Stefan Weninger, Qanā’a’ (Genügsamkeit) in der arabischen Literatur anhand des Kitāb al-ṣamti al-Qanā’a wa-t-ta’affuf von Ibn Abī d-Dunyā (Berlin: Klaus Schwarz, 1992). Ibn Abī al-Dunyā enjoined 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 Sufīk al-mālik, entitled Nusretī l-hamūd ‘alā sīyāseti l-‘abīd (Istanbul: Maṭba’a-yī ʿāmīre, 1879).

95 See above, pp. 67-8.

96 Best known for his Maʿrifat ‘ulūm al-ḥadīth (a standard work in Ḥadīth methodology) and the Mustadrak al-ʻalā al-ṣaḥḥāyayn (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 Nīshapūr and a number of smaller collections of traditions. Birgīvī probably draws mostly on the Mustadrak. al-Ḥākim was the teacher of, among others, Abū Bakr al-Bayhaqī (see above, fn. 20) and Abū Nuʿaym al-ʻĪṣfahānī (see below, fn 24)—on both of whom Birgīvī 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; Szegín, GAS, vol. 1, pp. 221-2; J. Robson, “al-Ḥākim al-Naysābūrī,” EI2, vol. 3, p. 82.


98 It is unclear, again, which work(s) Birgīvī quotes from. Abū Nuʿaym is best known as the author of Ǧīlyat al-awliyā’ wa-ṭabaqāt al-āsfiyā’, one of the most important sources for early Sufism. He also composed a Mustakhraj of Muslim’s Sahīḥ (i.e. a collection based on the ḥadīth reports in Muslim’s Sahīḥ, but with Ḥākim’s own narrations) and a work on Dalāʿī l-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, Ḥadīth, p. 140.

each are: Abū Bakr al-Bazzār (d. 292/904) (5 ḥadīth); Abū Manṣūr al-Daylamī (d. 558/1163) (5 ḥadīth); Abū Ya‘lā (d. 307/919) (4 ḥadīth); 'Abd al-Razzāq (d. 211/826) (4 ḥadīth); al-Ṭaḥāwī (d. 321/933) (3 ḥadīth); Mālik’s (d. 179/796) Muwaṭṭa’ (3 ḥadīth reports); Ibn al-

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100 Abū al-Ḥasan ‘Alī b. ‘Umar al-Dāraquṭnī, the great forth/tenth century traditionist from Baghdād, was the teacher of al-Ḥākim al-Naysābūrī (see fn. 22). His many works on Ḥadīth include a collection of Sunan, which has sometimes been counted as belonging to the sīḥāḥ, alongside those of the six “canonical” collections; a work of ilzāmāt (like that of al-Ḥākim); a famous work on ‘ilal (“flaws”) and a range of smaller treatises, such as his Kitāb al-ru’ya (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-Dāraḳuṭnī,” in EI2, vol. 2, p. 136, and J. Brown, pp. 36-42. Again, Birgvi does not specify which of Dāraquṭnī’s works he quotes. We may assume, for the most part, it is the Sunan.


102 Sometimes better known as Shahrdār 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 Shahrdār’s father by Moktar Djebli, “Shirawayh, Abū Shujā’,” in EI2, vol. 9, p. 472.


104 Abū Bakr ‘Abd al-Razzāq b. Hammām al-Ḥimyarī al-Ṣan’ānī, 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 ‘Abd al-Razzāq’s Muṣannaf, much like Mālik’s Muwaṭṭa’, 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 Birgvi generally quotes prophetic ḥadīth more than sayings of Companions or Successors, they are not absent either.


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.
Mubārak (d. 181/797) (1 ḥadīth); Ibn al-Sunnī (d. 364/975) (1 ḥadīth); Ibn ‘Adī (d. 365/976) (1 ḥadīth); and Baghawī (d. 516/1122) (1 ḥadīth).

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 Da’ūd, Nasā’ī or Ibn Māja. From among the six canonical collections it is Tirmidhī’s Jāmi’ 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.

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 Maṣūr al-Daylamī’s...

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107 Although Birgivī only quotes one prophetic ḥadīth from Ibn al-Mubārak (‘Abd Allāh b. al-Mubārak al-Ḥanẓalī), 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-kabā’ir), 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-raqā’iq 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-Nasā’ī, Abū Bakr Ahmad 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 ‘amal al-yawm wa-l-layla (similar to that of his teacher), as well as a work on qanā’a (reminiscent of that of Ibn Abī al-Dunyā, see above, fn. 21). 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.


110 al-Ḥusayn b. Masʿūd b. al-Farrā’ al-Baghawī, the “Reviver of the Sunna,” composed a popular one-volume digest of the canonical collections entitled Maṣāḥīḥ 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. Wafī al-Dīn al-Khaṭīb al-Tibrīzī’s (fl. 8th/14th c.) expanded version and commentary was translated by James Robson, Mishkāt al-Maṣāḥīḥ (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.
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.” This is important to keep in mind, in particular with regard to a work of exhortation such as *al-Ṭarīqa al-muḥammadīyya*. 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*. 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. As opposed to Ibn Ḥanbal, for example, Ibn Abī al-Dunyā was initially regarded as a pious *adīb*, rather than as a *muhaddith* proper. Birgivī relies on men like both Ibn Ḥanbal and Ibn Abī 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 his world, and the necessity to prepare for the Next. As such, they do

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111 J. Brown, p. 48.
112 For a study of the concept, see Leah Kinberg, “What is meant by *Zuhd*?” in *Studia Islamica*, vol. 61 (1985), pp. 27-44.
115 Indeed, in her article on early Islamic conceptions of the Hereafter, Leah Kinberg shows that “Ibn Abī d-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
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 Nuʿaym al-Īṣfahānī, 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; that they should practice what they preach; that they should not get involved with worldly power; and not take part in debates unless they actual know what they’re talking about. 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. In his own context, Birgivī 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 Birgivī 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 Birgivī himself would do, in the strongest terms.

Also, Birgivī’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

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116 TM, p. 32.
117 TM, p. 72.
118 TM, p. 73.
119 TM, p. 77.
120 Birgivī does not give full isnāds.
quoted by Birgivī—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‘iza), pious abstemiousness (zuhd) and such
things.” 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.” Birgivī 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
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 Birgivī’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.” While more systematic research is necessary to answer this question with any
amount of certainty, it is probable that Birgivī 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, Birgivī 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

121 J. Brown, p. 102.
122 Ibid.
123 M. Cook, Commanding Right, p. 324, fn. 127.
Rouayheb, this seems a likely possibility. Meron links such a trend to Abū al-Layth al-Samarqandī—a scholar Birgivī was greatly indebted to, as we have already seen; El Rouayheb links it to ‘Alā’ al-Dīn al-Bukhārī, whom Birgivī does not seem to have been aware of, however.¹²⁴

Whatever the eventual scholarly verdict on this homegrown trend of Ḥanafi illiberalism and its relationship to the use of Ḥadīth (and possible traditionalist trends within the school), what is clear is that the Birgivī’s work and thought displays a definite traditionalist bent, irrespective of its often also illiberal nature. Apart from legal discussions, Birgivī most often employs Ḥadīth for pious illustration, however, generally foregoing stringent criteria of authenticity to make a specific pious point.

**Sufism**

Apart from prophetic ḥadīth and reports about Companions and Successors, the Ṭarīqa also abounds with stories and quotes from early Sufis, such as al-Ḥasan al- Başrī (d. 110/728), Ibrāhīm b. Adham (d. 161/777) or Junayd al-Baghdādī (d. 110/728). As the son of a family of prominent Balıkesir 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 “Ḥarī’a-

minded” to the antinomian 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 Qur’ān and the Sunna.”

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.”

This falls, broadly, within a category of Sufism scholars have variously tried to described as “orthodox Sufism,” “sharīʿa-minded Sufism” or “juridical Sufism.” Vincent Cornell, for instance, has defined the latter as “a type of 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-muʿāmalāt) conceives of Sufism more as a methodology than

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127 See Marshall Hodgson, The Venture of Islam, vol. 2, pp. 218-9. The name of Ghazālī (d. 505/1111) has been commonly associated with the “reconciliation” of Sufism with 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 draws on, such as Abū Ṭālib al-Makkī (d. 386/996). But it is likely that the stark dichotomy often presumed between Sufism and the law has been exaggerated. Bernd Radtke has argued that, by the 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 Kalabadhī’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.
as a school of metaphysical doctrine. For this reason, it tends to downplay metaphysical issues
and reverses the normal polarity of belief and practice.”\textsuperscript{128}

Birgivī 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.\textsuperscript{129} For Birgivī, 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 \textit{Tariqa}), Birgivī 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 (\textit{jam`) or the “passing away of self-consciousness” (\textit{fanā`).

On the contrary, Birgivī 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 Birgivī, 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

\textsuperscript{128} Vincent Cornell, \textit{Realm of the Saint: Power and Authority in Moroccan Sufism} (Austin: University of Texas
\textsuperscript{129} \textit{TM}, p. 43 and p. 126.
espousal of Sufism does not go beyond the usually “preliminary” stages of observation (murāqaba), repentance (tawba), fear (khawf) and, in rare cases, hope (rajā’). ¹³⁰

In this, even within the broader category of “orthodox” or “sharī’a-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.”¹³¹ And as far as a whole range of devotional Sufi practices were concerned, including vocal dhikr (dhikr jahrī), samā‘ and dawrān (which he refers to as “raqs”), Birgivī is quite explicit in his condemnation and rejection of them as unlawful.¹³² He allows for, even endorses, silent dhikr (dhikr khafī) 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 samā‘ and dawrān, 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.¹³³ This association is misleading, however, as Birgivī’s espousal of silent dhikr was firmly grounded in the tradition of the Bayrāmiyya—the order he grew up with,

¹³⁰ For a good introduction to the different stages (maqāmāt) of the Sufi path, as well as the states (ahlwāl) experienced by those who “travel” it, see Annemarie Schimmel, Mystical Dimensions of Islam (Chapel Hill: The University of North Carolina Press, 1975).
¹³¹ TM, p. 141.
¹³² For vocal dhikr see, TM, pp. 165-6; for samā‘ see TM, p. 127; for raqs in mosques, see TM, pp. 183-4. For a discussion of some of the doctrinal debates concerning these issues, see Éric 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 dawrān, in particular, has been examined in a recent case study on Ismā‘īl Rüsūkhī Anḳaravī (d. 1041/1631) by Alberto Fabio Ambrosio, Vie d’un derviche tourneur: Doctrine et rituels du soufisme au XVIIe siècle (Paris: CNRS Editions, 2010).
became a member of, and eventually would complete his spiritual training in. The shared
aversion to vocal *dhikr* in both Bayrāmiyya and Naqshbandiyya has sometimes been adduced as
evidence that the former must have emerged from the latter, or at least from a blend of the latter
with other Sufi traditions. As Abdülbâki Gölpınarlı has shown, however, the Bayrāmiyya’s
practice of silent *dhikr* (and, by extension, that of Birgivī) was a product of the order’s Malāmatī
origins, rather than anything else.\(^{134}\) Indeed, the Bayrāmī order seems to have constituted a
curious merger of Malāmatī, Khalwatī and Akbarī traditions.

Apart from certain similarities in approach, the incorrect association of Birgivī with the
Naqshbandiyya was compounded by the fact that, in later centuries, a number of prominent
Naqshbandis were to become great admirers of his *oeuvre*. These include eleventh/sixteenth
century figures such as ‘Osmān Bosnevī (d. 1074/16) and other Naqshbandī supporters of the
Kāḍīzādeli cause.\(^{135}\) Birgivī’s influence on the Naqshbandiyya continued until the nineteenth
century and is apparent, for example, in the work of Sheykh Açhmed Ziyā’ūd-dīn Gümüşhānevī
(d. 1310/1893).\(^{136}\) In fact, Birgivī’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 Birgivī’s works, by Naqshbandis on the one
hand, and Ḥanbalis (or Ḥanafis inspired by Ibn Taymiyya, such as al-Aqḥiṣārī) on the other.
While Birgivī’s works thus inspired many Naqshbandis, just as they inspired Ḥanbalis, there is
no evidence for an influence of either Naqshbandī or Ḥanbalī ideas and practices on Birgivī
himself.

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\(^{135}\) See Dina LeGall, “Kadızadelis, Nakşbendis, and Intra-Sufi Diatribe in Seventeenth-Century Istanbul,” in *The

\(^{136}\) Like Birgivī, Gümüşhānevī was greatly concerned with the preservation of “correct belief” and “correct ritual”
and similarly composed a range of works on Hadīth, ethics and exhortation. See Butrus Abu-Manneh, “Shaykh
Ahmed Ziyā’ūd-dīn el-Gümüşahanevi and the Ziyā’ī-khālid Suborder,” in F. de Jong (ed.), *Shī’ā Islam, Sects and
We know too little, unfortunately, about the history of the Bayrāmiyya in its formative period, or during Birgivī’s lifetime, to identify the kinds of doctrines and rituals Birgivī would have subscribed to and performed as a murīd. Yet the influence of Malāmatī ideas on the Bayrāmī order and, indeed, on Birgivī’s worldview, seems to have been crucial. Malāmatī beliefs manifested themselves most clearly in Birgivī’s fixation on riyā’ (sanctimony), which we will examine in detail in chapter four. Indeed, a lot of Birgivī’s ideas regarding virtue and piety are in agreement with those of the early Malāmatiyya. In his description of “the Path of Blame” in fourth/tenth century Nishapur, Ahmet Karamustafa explains:

“[The] distinguishing feature [of the Malāmatiyya] was constant and unrelenting suspicion against the lower self (nafs). The Malāmatīs thought that unless it was controlled, the lower self would inevitably waylay the pious believer through self-

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137 H. J. Kissling and F. Bayramoğlu have traced the origins of the Bayrāmiyya to the turbulent setting of late fourteenth and early fifteenth century Anatolia, when the order’s eponymous founder, Ḥājjī Bayrām Velī (d. ca. 833/1429), first gathered a circle of disciples in his hometown of Ankara. See Kissling, “Zur Geschichte des Derwischordens der Bajramije,” Südost-Forschungen, vol. 15 (1956), op. cit., pp. 237-68, and Fuat Bayramoğlu, Hacı Bayram-ı Veli: yaşami, soyu, vakfi (Ankara: Türk Tarih Kurumu Basımevi, 1983), 2 vols. In classical Sufi fashion, and like virtually all other Ottoman orders, the Bayrāmiyya traces its origins back to ‘Alī b. Abī Ṭālib. Interestingly enough, its silsila also passes through İbrāhīm al-Zāhid al-Gīlānī, who was the teacher of Ṣafī al-Dīn, the eponymous founder of the Ṣafaviyya from Ardabil, which was to take over Iran a century later. Indeed, the Bayrāmī silsila includes the first four great masters of the Ṣafaviyya. This connection, which must have gone beyond mere correspondences in silsiles, needs to be investigated further, particularly since it is one the Bayrāmiyya shared with several other Ottoman Sufi orders, too. Together with Mevlānā Rūmī, Ḥājjī Bektāsh, and Sheyk Şah bān Velī (the eponymous founders of the Mevleviyye, Bektāshiyye and Sha’bāniyye, respectively), Ḥājjī Bayrām Velī is considered one of the four Anatolian “poles” of Sufism (akṭāb-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 Bayrāmī tekkes in Thrace and Macedonia and, as the Empire expanded further, Bosnia, too. Some of the most prominent members of the Bayrāmiyya in the fifteenth century include Yaze Dzięki Melhmed (d. 855/1451) and Ahmed Bicān (d. 860/1455) (see above, p. 16) and Suleymān the Magnificent’s famous preacher, Akşemseddin (d. 863/1458), who “discovered” the tomb of Ayyūb al-Anṣārī upon the conquest of Constantinople in 857/1453. A rift between Akşemseddin and other followers of Hājjī Bayrām in the middle of the fifteenth century caused the order to split into two main branches: (i) the Bayrāmiyya-Shamsiyya, and (ii) the Bayrāmiyya-Malāmiyya. See Gölpınarlı, p. 424. The sources remain silent as to which branch Birgivī and his family were associated with. In 1840 there were still ten Bayrāmī 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 This influence was not limited to the Malāmatī branch of the order, but affected the Shamsī branch as well. See Gölpınarlı, p. 424.
conceit (ʿujb), pretence (iddiʿāʾ), and hypocrisy (riyāʾ) and would thus prevent the believer from reaching his true goal, which was the achievement of sincere, selfless devotion to God (ikhlāṣ). They argued that the only effective methods of harnessing the appetitive self to the cause of ikhlāṣ 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, malāma, through self-censure.”139

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 riyāʾ—a central concern of Birgivī’s, as we will see in the next couple of chapters. It is also possible, however, that Birgivī’s concern with riyāʾ came from the mainstream pietistic tradition, rather than being specifically Bayrāmī-Malāmatī in origin. For while the Malāmīs saw the solution to the soul’s attention-seeking nature in a concerted effort at self-censure (malāma), Birgivī’s approach was somewhat less one-sided. He certainly endorsed meditation on the lowliness of the self as an effective way to counteract its attention-seeking nature.140 But too much attention to the self, he argued, could be counterproductive, 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 (ifrāṭ).”141

140 See, for instance, TM, p. 45.
141 TM, p. 47. Birgivī reminds his readers of the importance of “moderation” (iqtiṣād), which we will discuss in detail in the next chapter.
Indeed, Birgivī categorically rejected the antinomian practices that a number of Malāmatī 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 Malāmatiyya their mistrust of the self, he believed that any effort at training it and honing its virtues had to involve a balance. There was need to meditate on the self’s lowliness, but there was also 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.142

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 Malāmatiyya’s early critics.143 Another such point of divergence concerns the concealment of acts of piety and worship. While Birgivī (like the Malāmatiyya) 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 (iqtidā’) 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

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142 TM, p. 78.
143 For these critics, see Karamustafa, Sufism, p. 50.
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.” Birgīvī 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 again. Before that, however, some more Sufi influences on Birgivī have to be discussed.

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

144 M. A. Cook, Commanding Right and Forbidding Wrong, pp. 324-5.
of hearts” (‘ilm al-qulūb), Abū ‘Abd Allāh al-Ḥārith al-Muḥāsibī (d. 243/857) developed a moral psychology of lasting influence on the Islamic tradition generally and Sufi ethics in particular.145 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.”146 From Abū Ṭālib al-Makkī his ideas were then passed on to Ghazālī and, from him, to many later scholars, including Birgivī. Indeed, Muḥāsibī’s influence is pervasive throughout the Ṭarīqa, especially in those parts that deal with the heart and its “evils” (āfāt).147

We find, for example, a range of material from Muḥāsibī’s Kitāb ri‘āya li-ḥuqūq allāh in Birgivī’s discussion of the evils of “arrogance” (kibr),148 “conceit” (‘ujb);149 “envy” (ḥasad),150 and “sanctimony” (riyā).151 At times this is clearly mediated through Ghazālī (see below), but there are also many instances in which Birgivī seems to draw directly on Muḥāsibī, or maybe an unidentified intermediary. Despite this strong reliance on Muḥāsibī, however, including many literal citations, Birgivī does not acknowledge his source directly in either the Ṭarīqa or any other of his works.152 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”

147 The relationship between “self/soul” (nafs) and “heart” (qalb) is a complex one, which I will discuss in more depth in the next chapter. Birgivī often seems to equate the two.
150 Cf. TM, pp. 79-85 and al-Muḥāsibī, Ri‘āya, pp. 418-44.
152 Manuscript copies of Muḥāsibī’s works are not well preserved in Istanbul libraries (a basic search on the Turkish government’s website YAZMALAR.com yields only two results, although it excludes the Süleymaniye’s holdings). In any case, Birgivī might not have known he was relying so heavily on the work of the third/ninth century scholar.
and “calculating one’s actions” (muḥāsabat al-nafs). Birgivī 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.\(^{153}\)

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, madrasa or tekke, who “preach what they do not practice,” or “teach what they do not live by.”\(^{154}\) 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.”\(^{155}\)

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.”\(^{156}\) 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 the heart” (its

\(^{153}\) 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, 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 *Exercitium spiritualia.*

\(^{154}\) TM, p. 72.

\(^{155}\) Sells, p. 174.

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.

**Ghazālī**

As we have already seen, Muḥāsibī’s ‘ilm al-nafs, 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, too)—Abū Ḥāmid al- Ghazālī (d. 505/1111). 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’

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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’. It is important to point out that much of the material in Ghazālī was itself a synthesis of earlier sources. 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. 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. Just like Ghazālī, Birgivī dissects the “desires” (shahawāt) of the “concupiscent soul,” although he does not refer to them as such. Indeed,
Birgivī generally avoids overly philosophical language, even though he liberally adopts the concepts themselves. Birgivī’s conception of the soul, for example, is 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).¹⁶³

Just like Ghazālī, Birgivī 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 Iḥyāʾ in similar fashion.¹⁶⁴ There are, moreover, many parallels in their treatments of “the etiquette of eating;”¹⁶⁵ the question of how to best make a living;¹⁶⁶ “the etiquette of travel;”¹⁶⁷ and other such “customs” (ʿādāt), discussed in the second “quarter” of the Iḥyāʾ and liberally drawn on by Birgivī in the Ṭarīqa. In his discussion of the legal status of the various “sciences,” too, such as math and medicine (both of which are classified as fard kifāya) Birgivī draws directly on Ghazālī.¹⁶⁸ Indeed, he often even retains the exact same Qurʾān verses or hadīth Ghazālī had quoted before him.

¹⁶³ R. Walzer, “akhkāl,” in EI² (Leiden: Brill, 1961), vol. 1, p. 325. For a more detailed discussion of Birgivī’s understanding of the soul, see chapter two.

¹⁶⁴ Ghazālī, Iḥyāʾ, vol. 8, pp. 198-211 and vol. 9, pp. 1-86; TM, pp. 127-69

¹⁶⁵ Ghazālī, Iḥyāʾ, vol. 4, pp. 62-94, cf. also Hans Kindermann, Über die guten Sitten beim Essen und Trinken: Das 11. Buch von al-Ghazzālī’s Hauptwerk (Leiden: Brill, 1964). Birgivī discusses the etiquette of eating in a number of places: in the “evils of the stomach,” 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).


¹⁶⁷ Ghazālī, Iḥyāʾ, vol. 6, pp. 94-134; TM, pp. 192-3.

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” (*ikhlāṣ*), in part four (in the context of the *munjiʿāt*). Birgivī merges the two separate discussions, in abbreviated fashion, into a new unit, again adding extra material, such as an interesting discussion of how “embarrassment” (*ḥayā’*) is related to “sanctimony,” the provenance of which I have unfortunately been unable to establish.¹⁶⁹

Apart from such re-shuffling and supplementing, we also find that Birgivī does not in fact always agree with Ghazālī, or uncritically adopt everything he 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.¹⁷⁰ 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

¹⁶⁹ *TM*, pp. 57-64.
¹⁷⁰ *TM*, pp. 79-80.
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.\textsuperscript{171}

Overall, Birgivī is much less inclined toward “asceticism” (\textit{zuhd}) than Ghazālī is, holding neither “poverty” (\textit{faqr}), nor “seclusion” (\textit{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, is in fact superior to a poor man, who patiently endures his lot.\textsuperscript{172} 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 society and thus forgoing many of the dilemmas and difficulties life among others could pose.\textsuperscript{173}

Yet despite their differences, Ghazālī and Birgivī shared many concerns. In paying homage to his model, 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 \textit{Iḥyā’}, extracting [what is most important] from all of them.”\textsuperscript{174} Indeed, in their attention to purity—both literal, ritual purity, and the metaphorical “purity of the heart”—the two men shared a crucial concern.

\textsuperscript{171} \textit{TM}, pp. 67-8.
\textsuperscript{173} Cf., for instance, \textit{TM}, p. 60, where the devil wants to persuade a believer to seclude himself from society to be truly pious.
\textsuperscript{174} \textit{TM}, p. 200.
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 relevant in terms of his own context of the tenth/sixteenth Ottoman Empire.

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: “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.”

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.¹⁷⁶

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.”¹⁷⁷ 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.”¹⁷⁸

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 than two of centuries after Birgivī’s death, in radically different environments from that of sixteenth century Anatolia.¹⁷⁹ In the context of these “new”

¹⁷⁶ 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 muhammadī 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.


¹⁷⁸ Ibid.

¹⁷⁹ 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 Dehli: Yoda Press, 2008).
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).\(^{180}\) By continuous meditation on Muḥammad, the adept would eventually come to dissolve into *al-haqīqa al-muḥammadiyya*: Muḥammad’s macrocosmic being.\(^{181}\)

This, of course, went far beyond anything Birgivī would ever have endorsed. While it is true that 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-haqīqa al-muḥammadiyya* is entirely absent from Birgivī’s thought. Moreover, while meditative exercises do form part of Birgivī’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, Birgivī 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

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\(^{181}\) Ibid., p. 59. The concept ultimately goes back to Ibn ‘Arabī. For a detailed discussion of the term, see Izutsu, *Sufism and Taoism*, pp. 7-286.
task which entails not only patterning one’s behavior on the ritualistic aspects of the Sunna but also adhering to the Prophet’s etiquette, his moral and spiritual states, and, whenever possible, his inner realities.”

The road from assimilating the Prophet’s “inner realities” to a perceived *ḥaqīqa al-muḥammadiyya* must—at times—have been slippery. For Birgivī, 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.” 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, Birgivī’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 Birgivī 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.

The Intellectual Framework, Part II: Birgivī in contemporary comparison

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182 V. Cornell, *Realm of the Saint*, p. 199.
183 *TM*, p. 13.
Shāhzāde Korkud

The Sufi tradition, within which Birgivī formulated his design for a reform of the self, also influenced one of his most important Ottoman precursors. For Birgivī’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 Birgivī’s birth—and almost double the size of the Ṭarīqa, the work is entitled Daʿwat al-nafs al-ṭāliha ilā al-ʿmāl al-ṣāliha.184 The Daʿwa is interesting in a number of ways, not least because it was composed by an Ottoman Prince—Shāhzāde Korkud (d. 919/1513), the eldest son of Sultan Bāyezīd II (d. 918/1512) and brother of Selīm II “the Grim” (who had him strangled at his accession). His supposed aim was to have himself released from his imperial duties as a 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 Korkud 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 naṣīḥat-nāme successors.

Ḳorḳud’s condemnation of Ottoman administrative practices, for example, is articulated with direct reference to their non-compliance with the *sharī’a*, as would later be the case with Birgivī. Ḳorḳud thus denounces the fact that the money 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.185 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 *sharī’a*. 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.186 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.187 Unlike Ḳorḳud, however, Birgivī would argue that the mixing of *ḥarām* and *halāl* 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 four, Birgivī here espoused a somewhat more moderate stance, arguing that it was lawful to accept handouts from the treasury under certain conditions.188

In any case, what is important in both Ḳorḳud’s critique and that of Birgivī, is the connection they make between personal piety and issues of larger economic and political impact.

185 For Ḳorḳud, see al-Tikriti, p. 201; for Birgivī, see *TM*, p. 212 and p. 214.
186 Fleischer, p. 71; al-Tikriti, p. 201.
187 *TM*, p. 212.
188 This is a point we would have expected Ḳorḳud 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!
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 have been 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 Ḳorḳud and Birgivī 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.

Ḳorḳud and Birgivī’s emphasis on the imperative of keeping the state’s economic 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 sharʿī perspective produced.” This is an important point to keep in mind in assessing Birgivī’s legacy. For the law often imposed “impossibly high standards,” frequently in direct conflict with the exigencies of running a state; and while Ḳorḳud acknowledged this openly (and decided to resign his princely duties), Birgivī 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 Ḳorḳud, Birgivī thus strongly condemns the corruption of judges, muftīs and ʿulamāʾ generally, for collecting fees, for example, in exchange for the performance of their duties—a practice he deemed illegal. In addition to the greed, venality and careerism of many of their colleagues, Birgivī and Ḳorḳud also deplore the general

189 Fleischer, “Şeyhzade Korkud,” p. 75.
190 As a Sufi initiate under Sheykh Karamānī, Birgivī thus himself returned to Edirne to give back the fees he had collected as qassām-i ‘asker. (see above).
“ignorance” (jahl) of the members of the learned class in sanctioning practices and beliefs that were reprehensible at best and unlawful at worst.\footnote{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.\footnote{Fleischer, p. 71; TM, p. 212.} It manifested itself, for Ḳorkud as much as Birgivī, 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 Ramadān, and a neglect of other such basic individual duties.\footnote{Fleischer, p. 71; TM, pp. 193 (on prayer), pp. 209-11 (on ritual purity and how to perform ablutions), p. 196 (on fasting during Ramadān). Unlike Birgivī, however, Ḳorkud also deplores the lack of enforcement of these neglected duties on the part of the authorities.} Indeed, as we have seen, widespread “ignorance” of these duties is the reason why Birgivī saw it necessary to compose the Ẓarīqa 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, Birgivī also shared with Ḳorkud a focus on “the heart,” the ultimate locus of insight and knowledge.\footnote{al-Tikriti, p. 217.} None of the external duties meant anything, if the believer did not “see” with his heart that the sharī’a was his ultimate “medicine.”\footnote{Ibid., p. 218.} Both Birgivī and Ḳorkud 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‘āṣī) that constituted the real problem.\footnote{al-Tikriti, p. 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 Ḳorkud) and p. 122f. (for persistence in sin).}

There were also numerous overlaps in “secondary” themes between Birgivī and Ḳorkud, 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). In many of these, Ḳorkūd and Birgīvī were drawing on a common stock of topics from Sufī ethics, such as found in Ghazālī’s Iḥyā’, for instance.

There are, however, also a number of important differences between Ḳorkūd and Birgīvī. Ḳorkūd, for instance, was much more ascetically inclined than Birgīvī, giving instructions on how to “cut” one’s bodily cravings through sleep deprivation, cold baths, continuous nighttime prayer and the like—all of which practices Birgīvī condemns as “excessive.” And while Birgīvī agrees about the incompatibility of worldly rule with a pious life, he does not emphasize it to the same extent as Ḳorkūd does.

To sum up, Birgīvī’s Ṭarīqa had an interesting forerunner in Shāhzāde Ḳorkūd’s Da’wat al-nafs al-tāliḥa. They shared not only a focus on unlawful state practices, corrupt ‘ulamā’ and a generally ignorant ‘āmma, but also an emphasis on the heart as the ultimate locus of knowledge, with a call for its purification as the means of bringing about virtue. The way in which both Ḳorkūd and Birgīvī 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.”

Birgīvī and the Ottoman nasīhat-nāme: Muṣṭafā ʿĀlī

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


199 Fleischer, p. 75. In this regard it is also important to note that while Korkūd did assert the legitimacy of the application of qānūn (in some cases even to issues within the scope of the sharī‘a) (see al-Tikritī, p. 172), Birgīvī does not even mention the word qānūn once in the entire Ṭarīqa.
Other than Korkud, Birgivî shared his concern about corrupt state practices and a general decline in morals with several of his 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.”

In the second half of the sixteenth century, the most famous representative of this new vogue of “declinism,” as Cemal Kafadar has called it, was the chronicler, poet and bureaucrat Muṣṭafâ ‘Ālî of Gallipoli (d. 1008/1600). A couple of decades younger than Birgivî, ‘Ālî 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, ‘Ālî

200 The phenomenon of Ottoman “decline literature” has been subject to a significant amount of scholarly attention. 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; Rifâ’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 VIe Symposium du Comité International d’études pré-ottomanes et ottomanes (Istanbul: 1987), pp. 185-91; idem, “The Ottoman nasihatname as a discourse over morality,” in Abdel-Jelil Temimi (ed.), Mêlanges Professeur Robert Mantran (Zaghouan, 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 Koçî Bey’s Risâle, ‘Ayn ‘Ali Efendi’s Qavânîn-i Âl-i ‘Osmân or Na’îma’s Târîkh.

combined his work in the *kalemiye* 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 Ḍālī articulated his frustration with the “corruption” and moral “decay” of contemporary Ottoman society.²⁰² Unlike in the case of Birgivī, however, this critique was not so much framed in relation to God’s law—the *sharī’a*—but rather in terms of a gradual falling-away from the ideal of Ottoman sovereignty as embodied, in particular, in the *kānūn* of Meḥmed the Conqueror (d. 886/1482).

Thus, while Birgivī’s nostalgia for the past was directed at the age of the Prophet and the ideal community of seventh century Arabia, Ḍālī was pining for the “golden” days of Fāṭih Sultan Meḥmed and men like the famed Timurid ruler of Herat, Sultan Ḥusayn Bāyqarā (d. 911/1506). As Cornell Fleischer has 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.”²⁰³ Unlike that of Birgivī, Ḍālī’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 Ḍālī himself, would be accorded the recognition (and position) they deserved. Instead, however, all Ḍālī got—as he continuously laments—was to be passed over by the “unworthy,” “ignorant,” and “vile.”²⁰⁴

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²⁰² 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-Archeologisch Instituut, 1987).
²⁰³ Fleischer, *Bureaucrat*, p. 141.
In this—even though he shared with Birgivī a frustration over the nepotism and venality of the official establishment—their respective stances were ultimately very different. Birgivī abhorred the world ‘Ālī 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.205

While ‘Ālī 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.206 Birgivī, 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 ‘Ālī and Birgivī shared a critique of the ‘ulamā’, but—again—the nature of that critique was very different. While ‘Ālī was criticizing second-rate ‘ilmiye graduates flooding the ranks of the kalemiye, Birgivī’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—all of which, he argued, invalidated the reward that should otherwise have been gained for the acts in question.

Both ‘Ālī and Birgivī 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 (as opposed to having to pay taxes as the re‘āya did). Indeed, despite all his criticism, Birgivī would not have reached his position as professor of the Birgi darūlhadis,

had it not been for the patronage of a powerful friend like ‘Aṭā’-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 vice, if not foolishness.

“To ask to be appointed to a position of executive power” (suʿāl al-imāra), for instance, “to ask for a judgeship” (suʿāl al-qāḍāʾ), or “to ask to be appointed manager of a waqf” (suʿāl tawliyat al-awqāf) all were “evils of the tongue” (āfāt al-lisān), as Birgivī explains in the Ṭarīqa.207 In fact, people who want to be rulers, or strive to be promoted to positions of power, he says, quoting a hadīth, 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.208 For Birgivī, the kind of worldly ambition ‘Ālī displayed thus represented foolishness at best and at worst an evil 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.209 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.210

207 TM, pp. 154-5.
208 Ibid., p. 155.
209 See above, pp. 31-3.
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 his treasury, and not to accept gifts of unlawful origin, nor to give them. Moreover, in typical *naṣīḥat-nāme* fashion, 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.

In the themes evoked, Birgivī’s critique is fairly standard; in some of the practical solutions suggested, however, it is quite radical, as we will see in chapter four. As opposed to the “declinism” espoused by other *naṣīḥat-nāme* writers, such as that of ʿĀlī, Birgivī’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. He 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. What Birgivī cares about instead is the law and whether or not the state and its practices are in agreement with its precepts. Indeed, Birgivī differed from Muṣṭafā ʿĀlī and other *naṣīḥat-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.

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211 There is not a single mention of it in the *Ṭarīqa*, for instance.
While his fellow naṣīḥat-nāme writers were just as “idealistic” in their nostalgia for the 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.”

Birgivī and Ottoman jurisprudence: Ebū’s-Suʿūd

With regard to the question how to accommodate “custom,” Birgivī’s work stands in sharp contrast to that of Ebū’s-Suʿūd (d. 982/1574)—the most famous and probably most important Ottoman jurist of the sixteenth century. Often referred to as “the second Nuʿmān,” according to Ottoman tradition, Ebū’s-Suʿūd is the man to be credited with harmonizing Ottoman imperial kānūn with the sharīʿa. In particular, it was his official re-definition of the laws of land tenure and taxation—one of the areas in which Birgivī would most fervently oppose him—that earned him this reputation.

Birgivī saw Ebū’s-Suʿūd’s official sanctioning of pre-conquest feudal practice in terms of the Ḥanafī tradition as diametrically opposed to the law. Moreover, Ebū’s-Suʿūd’s official approval of the cash waqf, another practice Birgivī regarded as illegal, and his declaration that it was lawful to give and receive remuneration for religious duties, such as teaching, or reciting the Qurʾān, spurred Birgivī into opposition. Convinced that Ebū’s-Suʿūd’s pronouncements ran directly counter to the original intent of God’s law, Birgivī would, in fact, devote much of his adult life to refuting the supposed legality of many of the practices Ebū’s-Suʿūd officially endorsed.

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212 These questions will be discussed in depth in chapter four.
Born in 896/1490, or shortly thereafter, and thus thirty years Birgivī’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 Birgivī 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 Birgivī’s life, not only in terms of chronology, but also—and more importantly—in terms of the content of many of Birgivī’s most strongly held beliefs. This is not to say that Birgivī 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 Birgivī was ten years old, Ebū’s-Su’ūd had left his teaching position at the Ṣaḥn-i thamān—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. This was no mean feat for a scholar his age. Unlike Birgivī, 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 Muḥyī 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. 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

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214 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.
time) and refused his first teaching appointment because his salary would have been lower than this imperial pension.

At the age of forty-five, when Birgivī was fifteen years old, Ebū’-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. Birgivī’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 ‘asker in Edirne in 958/1551, i.e. at the age of almost thirty. At this point Ebū’-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 Birgivī.

Over the course of his long tenure as Sheykhü’l-Islām, Ebū’-Su‘ūd would have a lasting impact on Ottoman Islam. His fatwās and the ma ‘rūḍāt submitted to Süleymān, for instance, had “an important systematizing effect on Ottoman legal practice,” as Richard Repp has pointed out. Indeed, Ebū’-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’-Su‘ūd for a simple “yes” or “no” answer and signature. Collected in various anthologies after his death, these fatwās—some of which Birgivī would refute in fatwās of his own—were to have

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217 Imber, pp. 14-5.
a lasting influence on Ottoman jurisprudence over the following centuries.\textsuperscript{218} As opposed to earlier grand mufīḥs, Ebū’s-Suʿūd 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.\textsuperscript{219} Such involvement in the power politics of the court would have been inconceivable to Birgivī, who continuously warns his readers to steer clear of involvement with rulers. In his discussion of the vice of “arrogance,” for instance, Birgivī devotes an entire section of the Ṭarīqa to “the arrogance of the ‘ulamāʾ,” 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!”\textsuperscript{220}

Irrespective of Ebū’s-Suʿūd’s desire to “mingle with worldly power,” and what Birgivī thought of it, is clear that, in his systematization of the imperial kāmūn in terms of Ḥanafī doctrine, Ebū’s-Suʿūd 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

\textsuperscript{218} For one of his refutations, see Birgivī, Radd wa-iḥṭāl fāṭwā ʿabī al-suʿūd. Princeton University Library, Islamic Manuscripts, Garrett no. 5380Y.
\textsuperscript{219} This was just six years after Ebū’s-Suʿūd 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 […] with a view to satisfying his religious scruples, […] had previously consulted his mufti.”
\textsuperscript{220} TM, p. 72.
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 Islam in such a lasting way.

Birgivī’s response to Ebū’s-Su‘ūd’s “innovative” spirit, was not unoriginal or powerless 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, Birgivī was suggesting a shockingly 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 visit to the Grand vezir)—Birgivī was accumulating the kind of moral capital that could be just as powerful as Ebū’s-Su‘ūd’s political pull.

As a result, Birgivī 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 Birgivī’s ideas. Appropriated and re-appropriated by generation after generation after his death, the “figure” of Birgivī and his thought would become a rallying point for opposition groups of various political inclinations and allegiances, such as the Ḥādīzādelis of seventeenth century Istanbul. Birgivī’s “moral authority” thus continued to live on.

Finally, it must be pointed out that, despite all their differences, Birgivī and Ebū’s-Su‘ūd’s respective projects were ultimately quite similar: both were 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; and their disagreement is a good example of the fact that the process of defining “orthodoxy” (cf. Krstić’s “Sunnitization”) at the time was one that involved a great deal of complexity in practice, a constant toing and froing between numerous “interpretative actors.”
Chapter Three: The Fundamentals of Piety

An Overview of the Structure and Contents of *al-Ṭarīqa al-muḥammadiyya*

**Intro**

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*. To gauge some of the popularity it would attain in the centuries after his death, let us look at the entry on the year 981 in Ibn Jumʿa’s twelfth/eighteenth century biographical dictionary of the governors of Damascus:

The great **imām** Muḥammad Efendī al-Birgivī al-Rūmī died during the course of this year. He composed numerous works; among them a commentary on Bayḍāwī’s *Lubb al-albāb*, a *mukhtaṣar* on Ibn al-Ḥājib al-Miṣrī’s work on syntax called *al-Kāfiya*, as well as a small *aide-mémoir* on the law of inheritance. He has written many glosses and treatises in the fields of Ḥadīth, Qurʾān recitation, and jurisprudence. Muḥammad Efendī is also the author of a work entitled *al-Ṭarīqa al-muḥammadiyya*. It is an excellent piece of work, in which the author mixes and blends legal issues with issues of piety, bringing together the law and Sufism, and which is of greatest interest, both from a legal and doctrinal point of view. It has been written with elegance and clarity. The work presents itself as a work of advice, addressed to the community. It is a sincere book, able to dispel the
heart’s anxieties. Muḥammad Efendī was a holy man, of uncompromising courage. He worked fervently for the triumph of the sharī’a and died in jumādā al-ūlā of 981 […] ¹

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 Birgivī’s overall approach and to see—in more detail—in what ways Birgivī “mixes and blends legal issues with issues of piety.” It is to supplement the partial descriptions of Yüksel, Kemper, Radtke and Martı.²

While a number of scholars have pointed to the importance of Birgivī’s Ṭarīqa for the history of early modern Islamic thought, only very few have so far engaged with the actual contents of the work. Apart from giving a taste of Birgivī’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 two 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 Birgivī’s argument on a structural level. That is to say, the way Birgivī presents his material is directly and intrinsically connected to his ideological concerns.


The main gist of his argument centers on the realization of everyday piety. For Birgivī, piety in day-to-day life is realized through 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 (iqtīṣād), is to be carried out by a number of spiritual exercises, centering on the remembrance of God and the ephemeral nature of life in this world. Its aim is to eliminate man’s inherent evils or vices (āfāt), leading to a corresponding “embellishment” (tahlīya) of the heart with virtues or praiseworthy character traits instead. The sunna of God’s Prophet, as well as the law more generally, which Birgivī devotes his attention to in both the opening and closing chapters of the work, in fact act as a framing structure and support for Birgivī’s instructions of how to establish virtue in everyday life, which lie at the core of the work in their turn. Drawing attention to the Ṭarīqa’s structure will help us make Birgivī’s concerns more explicit.

A note on the textual history of al-Ṭarīqa al-muhannadiyya

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 Birgivī 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. Manuscript copies of the work have survived in large
numbers; 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 *Wasīya* by Birgivī. At first sight this seems to be a mistake for Birgivī’s *Vaṣīyet-
nāme (VN)*, written in Ottoman Turkish and covering, in rudimentary fashion, the
fundamentals of belief and practice. The Arabic *waṣīya* 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*. 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.

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3 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. Atsiz (ed.), *İstanbul Kütüphanelerine göre
Birgili Mehmet Efendi (929-982 = 1523-1573) Bibliografyası* (Istanbul: Milli Eğitim Basmevi, 1966); cf.
also F. E. Karatay (ed.) *İstanbul Üniversitesi Kütüphanesi Arapça Basmalar Alfabesi 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-makhtūtāt al-mawjūda fī maktabāt Istānbūl 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 Muhammed Ždralović, “Bergivi u Bosni,” *Prilozi za orijentalnu filologiju* (Sarajevo),

5 Kemper, p. 161.

commentary *Jawharīya-i bahīya-i ahmadiyya fi sharḥ al-waṣīya al-muḥammadīyya*. Was this *sharḥ al-
waṣīya al-muḥammadīyya* a commentary on *VN* or *TM*? The title gives the hybrid *VM*. To venture a guess,
it was probably a commentary on *VN*, but we cannot be sure. 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 Ḳāḍīzāde as Aḥmed rather than
Meḥmed.
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. It covers Birgivī’s discussion of “piety” (taqwā) and its “practical manifestations” (majārī 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 Qur’ān and the Sunna (al-i’tiṣām bi-al-kitāb wa-al-sunna), (ii) the imperative to avoid “innovation” (bid’a), 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 Qur’ān 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, 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 Birgivī defining virtue—in classic Aristotelian fashion—as the golden mean between two extremes and thus as a point of moderation or balance.

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6 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.
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. The second (ii) gives a taxonomy of knowledge and the various sciences, including a discussion of their legal status. The third (iii)—on piety (taqwā)—is subdivided into the following sections: (a) why is piety a virtue (fadīlat al-taqwā); (b) how piety is defined, including the various semantic meanings covered by the term (tafsīr al-taqwā and ma‘ānī al-taqwā); (c) the practical manifestations and applications of piety in daily life (majārī al-taqwā).

Making sense of this structure, the first chapter of part two, on theology and right belief (i’tiqād), presents yet another “foundation”–parallel to the foundations laid out in chapter one of part one. Birgivī here outlines the basic beliefs necessary for a Muslim to lead a good life and achieve salvation. The basis and foundation to happiness in both this life and the Hereafter is right belief, he says. 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 ‘ilm in chapter (ii), and ‘amal in chapter (iii). In order to act properly, Birgivī’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.

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7 TM, pp. 19-25.  
8 TM, p. 26-35.  
9 TM, pp. 35-197.  
10 TM, p. 39.
Action, resulting from belief and knowledge, and pious action in particular, is then discussed in chapter (iii), the main bulk of TM.\textsuperscript{11}

The structure of part two, arranged around the concepts of belief (\textit{i’tiqād}), knowledge (\textit{‘ilm}) and action (\textit{‘amal}), is reminiscent of the work of Ghazālī. In regard to the question of doctrine, Birgīvī’s exposition reflects that of Ghazālī’s \textit{Iqtiṣād fi al-i’tiqād};\textsuperscript{12} his discussion of the legal statuses of the various sciences shows a heavy dependence on the first book of the \textit{Iḥyā’ (kitāb al-‘ilm)};\textsuperscript{13} and his overall conception of virtue and vice, including how a particular action will—over time—become engrained as a habit, corresponds to that presented by Ghazālī in the \textit{Mīzān al-‘amal}.\textsuperscript{14} Thus, Birgīvī’s discussions of right belief in chapter (i), \textit{‘ilm} in chapter (ii), and \textit{‘amal} (in the form of pious action) in chapter (iii) are generally dependent, albeit unacknowledged, upon Ghazālī’s discussions of these very same issues in his own works.

Part three (\textit{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 Birgīvī explains both as concerning “matters that are wrongly assumed to belong to piety and God-fearing” (\textit{umūr yuẓann annahā min al-taqwā wa-al-war’}). That is to say, Birgīvī here treats both behavior and institutions

\begin{footnotes}
\footnote{TM, pp. 40-187.}
\footnote{See the various overlaps of TM, pp. 19-25 with Ghazālī, \textit{Kitāb al-iqtiṣād fi al-i’tiqād} (Cairo: Maṭba‘at jarīdat al-islām, 1320/1902). For an introduction to Ghazālī’s place in the history of Islamic \textit{kalām}, see Miguel Asín Palacios, \textit{El justo medio en la creencia: Compendio de teología dogmática de Algazel} (Madrid: Instituto de Valencia de Don Juan, 1929) and Hans Bauer, \textit{Die Dogmatik al-Ghazālī’s nach dem II. Buche seines Hauptwerkes} (Halle: Waisenhaus, 1912).}
\footnote{See Ghazālī, \textit{Iḥyā‘}, vol. 1, pp. 8-49.}
\end{footnotes}
people believe to be pious, when in fact they are not. The mistaken assumption comes about, Birgivī 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 naw‘ munāsaba wa-mushābaha lahā).

Just like parts one and two of TM, part three is divided into three chapters. First (i) Birgivī expands on the question of “over-zealousness,” or “extreme fussiness,” in the enforcement of ritual purity. 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 bid‘a.

Chapter (ii) of this very last part of TM then covers a number of important issues relating to “societal” virtue. Examining the illegal nature of cash-waqfs, Birgivī explains that one should be on one’s guard against profiting from such an “un-Islamic” institution. 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 includes with a substantial section on land ownership and taxation. Just like the preceding section on ritual purity, Birgivī introduces the practices he discusses as instances in which people believe to be acting 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, Birgivī reiterates that there are, indeed, “many invalid

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15 TM, p. 197.
16 Ibid.
17 TM, p. 198-211.
18 TM, pp. 211-216.
acts of innovation which people devote themselves to eagerly.” Among them, he repeats, are the establishment of cash *waqfs*, as well as *waṣīyas* (testamentary instructions) laid down for the recitation of the Qur’ān and supererogatory prayers after a person’s death for money, the building of mausoleums and so on. Birgivī exhorts his readers to study these matters carefully, referring them to specialized works of his on these topics, in particular the *Inqādh* and the *Īqāz.*

**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 works actual contents. In his introduction, Birgivī begins by saying that “happiness,” “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.” 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.”

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19 *TM*, p. 216.
20 *Ibid*.
21 *TM*, p. 4.
22 *TM*, p. 5.
Innovation

Giving copious examples from both the Qurʾān and Ḥadīth at the beginning of each new subsection, Birgivī describes the way he has arranged his work into three main parts (abwāb), before embarking on his first in-depth discussion of a topic of concern: the question of “innovation.”

Citing the well-known ḥadīth that “Every innovation is an error [...],” Birgivī proceeds to ask how the acceptance by the fiqahāʾ of certain kinds of bidʿa was supposed to agree with this tradition. 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.

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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. 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, ʿaqīdah literature, ḥisba treatises, and ʿfatwā collections. Manuals of exhortation and advice, such as Birgivī’s Ṭarīqa, could be added. One of the works Radtke has suggested the Ṭarīqa 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, p. 101 and Supplement vol. 2, p. 95; Jean Claude Vadet, “Ibn al-Ḥājj” in EI2, vol. 3, 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 Birgivī’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.
Birgivī’s treatment here is in agreement with the conventional practice by which bid’a came to be classified according to the five aḥkām of Islamic law. Another way of categorizing bid’a was in terms of binaries: “praiseworthy” (bid’a mahmūda) versus “blameworthy” (bid’a madhmūma), or “good” (bid’a hasana) versus “bad” (bid’a sayyi’a). As we will see, Birgivī will later refer to this second way of categorizing bid’a, too.

Birgivī goes on to argue that the word bid’a has both a “general linguistic meaning,” and a “specific legal meaning.” 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.” He then goes on to specify this even further:

“Customs (’ādāt) are never part of this; rather, it is restricted to some beliefs and some forms of rituals.” This is slightly inconsistent in light of Birgivī’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.

With regard to the first category, “bid’a in faith,” the only thing worse than it, Birgivī states, is actual kufr. 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,

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26 See J. Robson, “Bid’a” in EJ2 (Leiden: Brill, 1960), vol. 1, p. 1199, as well as Fierro, “Treatises against innovation,” p. 206. For the problem of translating bid’a as “heresy” and how it differs from, say, zandaqa or ilḥād, see B. Lewis, “Some observations on the significance of heresy in the history of Islam,” in Studia Islamica, vol. 1 (1953), pp. 52ff. Birgivī touches on the issue of how bid’a 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, bid’a hasana could often come to constitute something very much akin to sunna. Birgivī does not, however, elaborate on the issue.

27 TM, p. 11.

28 Ibid.

29 Ibid.

30 TM, p. 12. Here, Birgivī explicitly includes “custom” (’ada) as a type of bid’a, as opposed to his earlier statement that customs are excluded from the category of bid’a altogether.
except for saying that even in cases where bid‘a in faith does not actually constitute kufr, it is considered worse than a grave sin “in deed,” such as murder and adultery.\footnote{Ibid. For the issue of “grave sin” see “Kabīra” in \textit{EI2}, vol. 12, p. 483 and Wensinck (Gardet), “Khaṭī’a” in \textit{EI2}, vol. 4, p. 1106f. An example of “bid‘a in faith” constituting kufr would be to say that there are prophets after Muhammad. 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 my own, to illustrate the distinction Birgivī might have intended.}

As far as “bid‘a in ritual” is concerned, Birgivī goes on, “even though it is not as bad as bid‘a in faith, it is also wrong and constitutes error.”\footnote{\textit{TM}, p. 12.} Again, we are not provided with any concrete illustrations. Birgivī only refers to “acts of worship” (‘ibādāt) generally. The category of bid‘a that is of real concern to Birgivī, however, is neither “bid‘a in faith,” nor “bid‘a in ritual,” but “bid‘a in custom” (bid‘a fi-l-‘āda).\footnote{\textit{TM}, pp. 12-14.}

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” (makrāh) or “forbidden” (ḥarām), according to the ḥkām 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 fi-al-‘āda.’\footnote{\textit{TM}, p. 12.}

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.\footnote{\textit{TM}, p. 12.} 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.36

Birgivî 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 Birgivî says it is.37 Furthermore, Birgivî asks whether it is worse to omit a duty (wājib) or to commit a bid'a.38 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.39

Bid’a and Sufism

Following this detailed legal discussion of bid’a in custom, Birgivî turns his attention to Sufism—an area of piety in which “innovations” could abound. Arguing that many “Sufis of our age”—a standard phrase he uses—were engaged in unlawful practices,
Birgivī presents the speech of an imagined Sufi to illustrate the many things he saw wrong in what they did.40

As soon as Sufis, who engage in activities that go against the sharī‘a, are criticized for what they do, he says, they make a number of spurious claims. His stand-in Sufi thus begins to explains that, “when something is unlawful according to the sharī‘a, this is based on knowledge of the external (‘ilm al-żāhir) only.”41 “We, however,” the Sufi says, “are bearers of hidden knowledge. And, according to this [hidden knowledge] it [i.e. that which the sharī‘a says is unlawful] is lawful.”42 “You take from the Qur‘ān, 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 Qur‘ān, 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 would not overcome us, and [these] sublime miracles [would not happen], like seeing [heavenly] lights and having visions of great prophets. 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 […].”43

Birgivī angrily “responds” that these sorts of arguments are nothing but shams (turraḥāt), heresy (ilḥād) and error (ḍalāl).44 “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

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40 TM, p. 12-4.
41 TM, p. 13.
42 Ibid.
43 Ibid.
44 Ibid.
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."45

Birgivī then explains that the ‘ulamā’ have clearly stated that “inspiration is not a source of knowledge for the prescriptions [of the Law], nor are dreams, especially when they are in opposition to the Qur’ān or the practice of Muḥammad.”46 He continues to quote a number of “respectable” Sufi authorities in support of his views: Junayd al-Baghdādī, Sarī al-Saqāṭī, Abū Yazīd al-Biṣṭāmī, Abū Sulaymān al-Dārānī, Dhū al-Nūn al-Miṣrī, Bishr al-Ḥāfī, Abū Sa‘īd al-Kharrāz and Muḥammad b. al-Faḍl.47

Junayd, for example, is quoted as saying that “Whoever has not memorized the Qur’ān, and has not written Ḥadīth, is not to be followed in this matter,” i.e. the Sufi path.48 This is “Because our [Sufi] knowledge and our [Sufi] madhhab are restricted by the Qur’ān and the Sunna.”49 Likewise, Birgivī 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,

45 Ibid.
46 Ibid. The notion that “inspiration is not one of the sources of cognizance” is not new. Cf. Nasafī’s creed, where (i) sound senses, (ii) true narration, and (iii) reason are the three sources of knowledge, but explicitly not inspiration (ilhām). Ref. Cf. also Kemper’s remarks, p. 152 and fn. 237.
47 For Junayd (d. 277), often also referred to as sayyid al-tâ ’ifa, tâ ’âs al-fuqarâ’ or shaykh al-mashâyiikh, a renowned third-century Sufi, who, next to al-Ḥārith al-Muḥāsibī, is regarded as one of the greatest exponents of “sober” Sufism, see Sulamī, pp. 155-163; his uncle and teacher Sarī al-Saqāṭī (d. 251) was an important Baghdādī Sufi of the second generation, see above, p. 80; for Abū Yazīd al-Biṣṭāmī (d. 261), another celebrated Sufi of the same generation, see Sulamī, 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-Ḥāfī (d. 226 or 227), see Ibid., pp. 39-47; for Abū Sa‘īd al-Kharrāz (d. 279), see Ibid., pp. 228-232; for Muḥammad b. al-Faḥl 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.
48 TM, p. 13
49 Ibid.
after deviating from the straight path of the law, departing from the course of the jurists and deserting the ways of the [true] Sufi shaykh. Woe, all woe upon them and upon those who follow them! […] They dress truth in falsehood. They hide the truth knowingly.”

While we know from elsewhere that Birgivī considered a whole range of Sufi practices unlawful, including vocal dhikr, samā‘ and dawrān, he mentions none of these here. In another passage, later on in the Ṭarīqa, Birgivī explains his position further, however: “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 union, but with Satan! Deceived by his wishes, acting in accordance with his whisperings […]”

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. They do not pray correctly and are unable to recite the Qurʾān 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 his own instructions on the disciplined cultivation of virtue in the Here and Now, he does not deny the overall benefits Sufism can offer, however. “The heart of a person who studies

\[\text{Ibid.}\]
\[\text{TM, p. 34.}\]
fiqh without considering zuhd or hikma is hardened,” he says.52 Indeed, “Sufism means ridding the heart of its vices and adorning it with virtues.”53 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.”54

While he never explicitly speaks of “good” Sufism as opposed to “bad” Sufism, a division along these lines is nevertheless at work in Birgivī’s thinking. On the one hand, he constantly denounces the arrogance and deviance of “some of the Sufis of our age” (ba’d al-mutashawwifa fi zamāninā), while speaking of Sufism generally (al-taṣawwuf) 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 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.”55

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 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 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

52 Ibid., p. 33.
53 TM, p. 42.
54 Ibid.
55 TM, p. 20.
attacked lacked legitimacy because of their inability to carry out the most basic acts of
ritual, 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 hudūd and carrying out the
law.”56 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 an evolving one, as Birgivī’s debates with Ebū’s-
Su’ūd and others clearly show.

Moderation

Following his treatment of the imperative to “adhere to the Qur’ān and the sunna” in
chapter (i), and that of “avoiding bidʿa” 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-ʿamal). By this Birgivī meant avoiding excessive behavior in all
areas of life, including exaggerated devotional exercises.57

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

56 TM, p. 13.
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.58

“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 prayer or Qur’ān 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 […]”;59 and that “your body has a right over you; your spouse has a right over you; and your guests have rights over you;”60

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.”61 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 (rahbāniya ibtadaʿūhā mā katabnāhā ‘alayhim).62

Birgivī next discusses a number of legal opinions on the question of iqtisād. The move from Qur’ān quotations, to Ḥadīth and then on to “the opinions of the legal

58 TM, p. 16.
59 TM, p. 16.
60 TM, p. 17.
61 TM, p. 17.
experts” (aqwāl al-fuqahā’) becomes standard procedure in almost every chapter. Birgivī quotes from al-Buldağī al-Mawṣili’s Ikhtiyār li-ta’līl 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.\textsuperscript{63} 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 excluding 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 “moderation in deed” (al-iqtiṣād fi-l-‘amal) is all about.\textsuperscript{64}

Part Two – Chapter One – Doctrine

Part two of \textit{T. M.}, just like part one, is also divided into three chapters. The first of these is on “right belief.”\textsuperscript{65} In true ‘aqīda-style Birgivī includes a discussion of the “knowledge of God,” in which he expounds on the very foundations of the faith: God is One, nothing resembles Him, He has no body, shape or form, He has no essence or limit, He is not to

\textsuperscript{63} \textit{T. M.}, p. 17. For both Mawṣili and Andarpatī, see above, p. 71.

\textsuperscript{64} Birgivī goes into all sorts of detail here, explaining, for example, 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 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, Birgivī argues, it is best just to follow what established Sunna says he did, rather than to engage in “excessively” pious practices. \textit{T. M.}, p. 18. The idea of a right or “golden” mean—corresponding to the \textit{aurea mediocritas} of ancient philosophy (Gk. \textit{mesotes})—had a long and well-established history in the Islamic tradition. For a preliminary overview of its various manifestations, see Ignaz Goldziher, \textit{Muhammedanische Studien}, vol. 2 (Halle a. d. Saale: Max Niemeyer, 1890), pp. 397-400.

\textsuperscript{65} \textit{T. M.}, pp. 19-25.
be found in any particular point in space or time, nor in any direction, and so on.66 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 Birgivī follows mainstream Māturīdī doctrine.67

In a comparison of Birgivī’s theological pronouncements with those of some later Ḥanbalī scholars, Khaled El-Rouayheb has argued, accordingly, that “Birgiwî […] 
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). […] Birgiwî 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. Birgiwî 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, Birgiwî characteristically adopted the strict Māturīdī view that they are 
unbelievers.”68 Emphasizing the essential distinction in theological outlook between 
Birgivī and Ibn Taymiyya, Rouayheb thus points out that, “Ibn Taymiyya was accused by 
al-Subkī and Ibn Ḥajar al-Haytamī of precisely that which Birgiwî claimed was

66 Ibid., p. 19.
67 Ibid., p. 20.
tantamount to kufr, namely believing that non-eternal attributes can subsist in the divine Self, and [...] with some reason.”

To come back to the Ṭarīqa, Birgivī continues his outline of “right belief,” 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 have, and a reminder of the respect that is due to him by believers. This is followed by a summary discussion of some more theological issues, such as the Day of Resurrection, Paradise and Hell, as well as unbelief. The latter question leads Birgivī into something of a mini-heresiography, in which he swiftly covers a range of major and minor Muslim sects: from the Kaysāniyya, through the Twelver Shi’a and the Yazīdis, the Najjāriyya, the followers of Mu’ammar, the followers of “Shayṭān al-Ṭāq,” the Jahmiyya, the Qadariyya, and the Murji’a to the Khārijites. He ends his excursus with an exhortation that believers should follow the proper path of the ahl al-sunna instead.

Birgivī next turns his attention to the question of whether it is prophets, angels or saints who are to be deemed higher. 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 one generation to another, to convey [God’s]

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69 Ibid.
70 TM, p. 21.
72 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.”
73 TM, p. 24
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.”74 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.75 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—deeply political at the time—of who among them would enter Paradise.76

The legal status of the various sciences

The next chapter—chapter two of part two of the Ṭarīqa—consists of a taxonomy of knowledge (‘ilm), i.e. a classification and definition of different “sciences” and their respective legal status.77 Birgivī presents three categories: kinds of knowledge that are (i) commanded (ma’mūr bihā), (ii) forbidden (manhīy ‘anhā), and (iii) recommended

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74 TM, p. 20.
75 Ibid.
76 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, ‘Abd al-Raḥmān b. ‘Awf, Sa’d b. Abī Waqqās, Sa’īd b. Zayd and Abū ‘Ubayda 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.”
77 TM, pp. 26-35. In the following I will use the terms “kinds of knowledge” and “sciences” interchangeably. Both are to translate the Arabic plural ‘ulūm, 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 ‘ilm often translates as knowledge of Hadith specifically, although Birgivī’s use is much broader. For a detailed discussion of the term ‘ilm, see Franz Rosenthal, Knowledge Triumphant: The Concept of Knowledge in Medieval Islam (Leiden: Brill, 1970). Birgivī also includes a discussion of the particular relationships different kinds of knowledge have to each other, such as the relationship between the religious 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. II: 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.
(mandūb ilayhā). Comanded, says Birgivī, are all those sciences that help a Muslim individually, or the community in general, to carry out their duties. Along the fault lines of a 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 (mubāḥ) 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.” Of course, Birgivī concedes, speculative theology is necessary to “defend against the opponent” (dafʿ al-khaṣm), and “to clearly establish the correct madhhab” (wa ithbāt al-madhhab al-ḥaqiq). 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

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78 In what follows, however, he also discusses sciences that are reprehensible (makrūḥ).
80 TM, p. 29.
81 Ibid, p. 27, quoting from Kardarī’s al-Fatāwā al-bazzāziyya.
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.

Part two, chapter three: 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 three sub-sections.82 The first of these, replete with Qur’ān and Ḥadīth quotations, describes why piety is a virtue.83 “From among all the good character traits possible,” Birgivī explains, “none is mentioned and praised more often in the Qur’ān than piety.”84 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.”85 The degree of piety a believer was able to cultivate in this life will determined the extent of his closeness to God in Paradise. Hence, Birgivī argues, it would be foolish not to strive to be as pious as possible.86

He defines the term taqwā in chapter (ii), discussing in detail the various semantic areas it can cover.87 The word, he says, can have “a general linguistic meaning,” and a “specific, legal meaning.” Originally 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.”88 The eight verbal form

82 TM, p. 35.
83 TM, p. 35-9.
84 TM, p. 37.
86 TM, p. 38.
87 TM, p. 39.
88 Ibid.
ittaqā carries the reflexive meaning “to protect oneself,” “to guard oneself,” “to make sure.” In general, Birgivī explains, piety means to guard yourself by avoiding things that will bring you harm in the Hereafter.\(^{89}\) This, he says, admits a wide range of interpretations.\(^{90}\) The minimum is to avoid \textit{shirk}.\(^{91}\) The maximum involves “steering clear of all those things that distract one’s heart and innermost thoughts from the Truth (i.e. God).”\(^{92}\) Furthermore, it means “to devote oneself to God completely, with one’s entire soul.”\(^{93}\)

As far as the “specific legal meaning” of piety is concerned, Birgivī 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.\(^{94}\) There is an evident difference between major sins (\textit{kabā’ir}) and minor sins (\textit{ṣaghā’ir}), but true piety, Birgivī holds, entails avoiding minor sins, too. More than that, it involves steering clear of all matters in which there could be any legal doubt (\textit{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.\(^{95}\)

Despite this, Birgivī says, “circumspection in the face of all doubtful things is not possible in this age.”\(^{96}\) 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

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\(^{89}\) \textit{Ibid.}.

\(^{90}\) \textit{Ibid.}.

\(^{91}\) \textit{Ibid.}.

\(^{92}\) \textit{Ibid.}.

\(^{93}\) \textit{Ibid.} This can take many forms of course, differing from person to person. How Birgivī envisions it in practice is a point that will be discussed in the next chapter.

\(^{94}\) \textit{TM}, p. 39.

\(^{95}\) \textit{TM}, p. 40.

\(^{96}\) \textit{Ibid.}.
practice. Birgivī will return to the matter of *shubuhāt* in more detail in the last part of *TM*, where he will argue against over-zealousness in the enforcement of ritual purity, for example.

**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, by a two-fold process. 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. 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. 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.

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

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97 *Ibid.*.
98 *Ibid.*.
99 *Ibid.*.
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 body has the inherent potential to specific “evils” (āfāt). It is these evils which that form the basis of Birgivī’s argument. Birgivī arranges his discussion around eight body parts in particular: the heart, the tongue, the ear, the eye, the hand, the stomach, the genitals 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, the two 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.” 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.” 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.” It is also why Birgivī, himself, decides to devote so much space to them in the Ṭarīqa.

The vices of the heart

100 The noun āfu 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 āfu of knowledge is forgetting.” (āfat al-‘ilm al-nisyān), see Luwīs Ma’lūf, al-Munjid fī al-lugha wa-l-adab wa-l-‘ulūm (Beirut: al-Maṭba’a al-kathūlīkiyya, 1973) 19th edition, p. 933. Or, more interestingly, “āfat al-ḥadīth al-kidhb,” see Murtaḍā al-Zabīdī, Tāj al-‘arūs min jawāhir al-qāmūs, ed. ‘Alī Shīrī (Beirut: Dār al-fikr, 1994), vol. 12, p. 97. In what follows I will translate āfu as either “vice,” “evil” or “inherent defect.”
101 TM, p. 168.
102 Ibid.
103 Ibid.
Birgivī begins with “the forbidden acts of the heart and its evils” (fī munkarāt al-qalb wa āfātihī). Among these are, first and foremost, unbelief (kufr), sanctimony (riyā’), arrogance (kibr), conceit (‘ujb), envy (ḥasad), hatred (ḥiqd), and anger (ghaḍab). In total, Birgivī enumerates and discusses sixty vices of the heart. 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).

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 example, this consists of realizing a number of points. It corrupts a believer’s pious deeds, according to Birgivī, leads to sin, deprives him of the intercession of the Prophet on Judgment Day and might even lead to Hell. It can also

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104 Birgivī sometimes conflates the terms āfāt and mukarāt. In general, however, the term āfā 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.
105 TM, p. 43 and pp. 129-30 for a list.
106 “Radical” in the sense of removing the “roots,” “uprooting” (cf. the verb qala’ā).
107 TM, p. 82.
108 TM, p. 82f.
lead believers to cause harm to those they envy. Also, envy brings “tiredness and useless worry” to the one who feels it, and eventually leads to his heart turning blind. The envious person, Birgivī explains, becomes unable to understand God’s judgment and generally ends up disappointed. 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.

The second part of this “theoretical treatment” consists of knowledge of the vice’s corresponding virtue. Every vice has such a corresponding virtue, which represents its “antidote” (didd). In the case of envy, Birgivī says, this antidote is “to wish people well.” “Giving sincere advice” (al-naṣḥ or al-naṣīḥa), in fact, indicates a “wish that the blessing of God remain upon a person,” or the “wish that good things happen” to that person. For Birgivī, knowledge of the corresponding virtue constitutes a key element in the theoretical treatment of a vice. It includes knowledge of the praiseworthiness (mahmūdīya) of the virtue, as well as the positive consequences and benefits (fawā’id) the virtue, if established, entails. This is parallel in structure to the first part of his 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—Muḥāṣibī’s famous “examination of conscience.” It requires introspection and alertness on the part of the believer, but also outside help of friends or

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109 TM, p. 83.
110 Ibid.
111 Ibid.
112 Ibid.
113 TM, p. 81.
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.\footnote{TM, p. 83.}

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.”\footnote{Ibid.} 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, to completely remove a vice, man requires knowledge of the causes (asbāb) of that vice. Without knowledge of what brings it about it 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,” such as the competition among siblings for the

\footnote{TM, p. 83.}
\footnote{Ibid.}
love of their parents, or that of students for the affection of their teacher. The fourth cause of envy is “ambition,” or “the desire to obtain a position of leadership.” Pure malevolence can be a motive of envy, too – its fifth cause, as Birgivī explains. And, finally, there is “rancor” (ḥiqd) – bitter, deep-seated ill will and spite – that makes people to be 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.

**Birgivī’s conception of the soul**

Underlying Birgivī’s exposition of these “theoretical,” “practical” and “radical” treatments was a very specific conception of the structure and functioning of the human soul (nafs). 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 Birgivī 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-haywāniyya or al-quwwa al-ghaḍabiyya); (iii) and a “human” or “rational” faculty (al-quwwa al-insāniyya or al-quwwa al-nāṭiqa). Birgivī refers to these three

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116 See above, p. 92.
117 The three faculties were often also called “souls” themselves, i.e. the concupiscent soul (al-nafs al-shahwāniyya), the irascible soul (al-nafs al-ghaḍabiyya) and the rational soul (al-nafs 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.
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).”  

The driving forces of these faculties were “desires” or “passions” (ahwā’, sg. hawā), 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.

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 between a deficiency and an excess, i.e. as a mean between two extremes—one a “too little,” the other a “too much” of a given trait. The virtue characterizing the concupiscent faculty of the soul was “temperance” (‘iffa), which was understood as the mean between the vices of “debauchery” (fujūr) and “frigidity” (khumūd). The virtue that characterized 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).

118 TM, p. 41.
119 The Islamic equivalent of this is emphasized in the prophetic tradition that “the best things are in their means” (khayr al-umūr fi awsāṭihā).
120 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).
Birgivī thus explains that the “mean (iʿtidāl) 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 (ifrāṭ) 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.”\footnote{TM, p. 41.} 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 (tafrīṭ): stupidity, which is a natural disposition by which the person falls short of being able to distinguish good and evil.”\footnote{Ibid.}

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 (iʿtidāl) is courage (shajāʿa), which is a natural disposition (malaka) by which one proceeds to do the things one has to do. Its excess (ifrāṭ) is recklessness (tahawwur), which is a disposition 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.”\footnote{TM, p. 41. For a comparison with Ghazālī, see Mīzān al-ʿamal, op. cit., pp. 99-100. Al-Khabb is generally synonymous with jarbaza, although Ghazālī divides it into jarbaza, on the one hand, and dahāʾ, on the other. See p. 107f.} Finally, the concupiscent faculty of the soul was characterized, as Birgivī explains, by “appetite.” It is, he says, “an emotion (haraka) 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 wafq 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.124 “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
frigidity (lit. kumūd, “motionlessness” or “extinction”), which is a disposition by which
one falls short of fulfilling those desires that are necessary.”125

Human beings would never be able to fully “cut” or “break” the desires of the two
lower souls, however, 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

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124 This double reference to both law and “virtue” (muruwwa) appears frequently in Birgivī’s exposition of
the “evils of the heart.” I have not been able to trace it down.
125 TM, p. 41. For Ghazālī, see Mizān al-‘amal, pp. 102-4 and Tim Winter’s translation of book 23 of the
Iḥyāʾ: Breaking the Two Desires (Cambridge: Islamic Texts Society, 1995). For Miskawayh on the
concupiscent faculty, see Tahdhib al-akhlāq, p. 13.
what it demanded, without transgressing the boundaries of either the law or common-
sense, that the overarching virtue of “justice” (adl) was achieved.\textsuperscript{126}

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 (amrāḍ) in your souls is by inspection (taftīsh) and contemplation (ta’ammul),
[but also in] choosing honest friends (aṣdiqā’ al-ṣidq) who will warn you of your
faults.”\textsuperscript{127} 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.”\textsuperscript{128} 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

\textsuperscript{126} 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 \textit{TM}, p. 125.
\textsuperscript{127} \textit{TM}, p. 41. For teachers, see p. 84, for example.
\textsuperscript{128} \textit{Ibid.}
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 he stressed that individual virtue was formed through social interaction.

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’īn, al-ghība, al-namīma), cursing or reviling people (al-la’īn and al-sabb), obscene language (al-fuḥsh), two-tongued speech (kalām dhī al-lisānayn), the swearing of oaths (al-yamīn), and so on. Birgivī 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.””129

“To guard the tongue,” however, “is not easy,” Birgivī continues.130 “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

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129 TM, pp. 127ff.
130 TM, p. 128.
extent to which they are necessary."  

Indeed, Birgivî’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, Birgivî 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.”

But the matter is not only about confronting injustice. In fact, Birgivî gives a whole number of “vices of the tongue” involving acts of omission of speech in daily life, such as to not pray, to not greet a fellow Muslim, or not talk to one’s parents or relatives—all of which considers equally grave. Birgivî treats these “vices” in relatively short and legalistic fashion, with frequent quotes from Ḥanafî 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 profound psychological explanations for the reasons why he might or might not have engaged in the proper behavior to begin with.

During the course of Birgivî’s analysis of the “vices of the tongue,” we are also beginning to see certain thematic clusters. 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

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131 Ibid.
132 TM, p. 167.
133 TM, p. 166-9.
while the Qur’an is being recited,” as well as “to speak about mundane things while in the mosque,” all constitute independent “vices of the tongue,” according to Birgivī.\textsuperscript{134} 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 reader to first ponder and weigh all his options, as well as to consider the consequences and effects his words might have on those they are addressed to. Once a person has resolved to speak, however, he should say what has to be said clearly and concisely.\textsuperscript{135} 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.\textsuperscript{136} Moreover, it should focus on the act itself, rather than on the character of its perpetrator. Otherwise it might turn into slander.\textsuperscript{137}

Thus, the ground rule when it comes to avoiding “the vices of the tongue,” is to say as little as possible. If necessary, however, one has to do so in a thought-through and considerate fashion, trying to minimize any potential harm, and, if possible even stressing “the positive.”\textsuperscript{138}

\begin{itemize}
\item \textsuperscript{134} \textit{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’an, and the remembrance of God.
\item \textsuperscript{135} \textit{TM}, p. 158 and p. 165.
\item \textsuperscript{136} \textit{TM}, p. 90.
\item \textsuperscript{137} \textit{TM}, p. 109 and p. 134.
\item \textsuperscript{138} That is to say, Birgivī argues that it is important, in giving “sincere advice” to stress the benefit a believer will derive from changing his behavior. See \textit{TM}, pp. 82-3 and pp. 90-1. Cf. also the connection Birgivī draws between “giving sincere advice” (\textit{al-naṣīḥa}) and “commanding right and forbidding wrong” (\textit{al-amr wa-l-nahy}).
\end{itemize}
The vices of the rest of the body—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, stomach, 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.” 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.

The greatest part of the section is covered by Birgivī’s discussion of listening to musical instruments. When one is not forced to do so, this constitutes a “vice of the ear.” So does listening to singing, as well as listening to incorrect Qur’ān recitation. When the Qur’ān is recited improperly, Birgivī says, one should either ask the reciter to stop, or leave.

In terms of acts of omission, “vices of the ear” include to not listen 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

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139 *TM*, p. 169. This includes slander, sinful utterances, obscenities and so on.
141 *Ibid.* Birgivī discusses various legal opinions here. As we have seen in chapter one above, pp. 20-22, the topic of correct Qur’ān recitation was of particular interest to him.
142 *TM*, p. 169.
the distinguished and rich do not listen to the weak and the poor.\textsuperscript{143} It is likewise a “vice of the ear” to not listen to someone who tries to apologize to you.\textsuperscript{144}

The vices of the eye

In the next section, on “the evils of the eye” (\textit{āfāt al-‘ayn}), Birgivī stresses the overall imperative to lower one’s glance.\textsuperscript{145} 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 (\textit{ḥuḍūr al-qalb}) and “invite to unlawful things.”\textsuperscript{146} When this happens, Birgivī 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.”\textsuperscript{147}

But what if a person glances at something unlawful without intention (\textit{naẓar al-faj′a}), Birgivī 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.\textsuperscript{148} However, to not avert the eyes and keep looking does constitute an evil. Birgivī quotes the following \textit{ḥadīth}: “Do not follow one glance upon another (i.e. if you’ve looked once, do not look again). The first glance is for you, but the second one isn’t [allowed].”\textsuperscript{149}

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 Birgivī explains, this is

\textsuperscript{143}\textit{TM}, p. 170.
\textsuperscript{144}\textit{Ibid.} Refusing to accept the apology of a fellow Muslim is, on the other hand, a “vice of the tongue.” Cf. p. 156.
\textsuperscript{145}\textit{TM}, p. 170.
\textsuperscript{146}\textit{Ibid.}
\textsuperscript{147}\textit{Ibid.}
\textsuperscript{148}\textit{TM}, p. 171.
\textsuperscript{149}\textit{Ibid.}
“the greatest of all of the evils of the eye.”150 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].”151 The evil of “looking into
other people’s houses” is discussed in great detail, too.152

The vices of the hand

As far as the hand, and its inherent and potential evils are concerned (āfāt al-yad), Birgivī
lists the following: killing, the unrightful and unjustified wounding of oneself or others,
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.153

“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.154

Birgivī 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,

150 Ibid.
151 TM, p. 172.
152 Ibid.
153 TM, pp. 172-6.
154 Ibid.
dressing oneself, etc.\textsuperscript{155} 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.

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.\textsuperscript{156}

The vices of the stomach

“Evils of the belly” (\textit{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.”\textsuperscript{157} Birgivī 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.)\textsuperscript{158}

Birgivī 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.”\textsuperscript{159} Also, it means that one can “give in charity from the food one has in excess.”\textsuperscript{160} Gluttony, on the other hand, leads to “hardness of the heart” as well as the “temptation of the limbs.”\textsuperscript{161} This is, Birgivī explains, “because when the stomach is hungry, the rest of the body is satiated.”

\textsuperscript{155} TM, p. 174.
\textsuperscript{156} TM, p. 175.
\textsuperscript{157} TM, p. 176. Birgivī here adds a relatively long legal discussion on whether or not it is permissible to eat impure things, as well as in which circumstances.
\textsuperscript{158} Cf. Cook, \textit{Commanding Right}, p. 444f.
\textsuperscript{159} TM, p. 176.
\textsuperscript{160} Ibid.
\textsuperscript{161} Ibid.
whereas “when the stomach is satiated, the rest of the body gets hungry,” and, thus, excited and agitated.\textsuperscript{162} Over-satiation also makes the mind go dull, and leads to a decrease in ritual worship. The latter, in particular, is of concern for Birgivî. 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—all of which reasons to avoid such behavior.

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 carrying out their communal or individual duties. Both over-eating and under-eating are thus condemned as 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.

The vices of the private parts

The “evils of the private parts” (\textit{āfāt al-farj}), which Birgivî addresses next, consist of adultery and fornication (\textit{zīnā’}), sodomy, bestiality, as well as sex with a menstruating woman or a woman in childbed.\textsuperscript{163} Masturbation is unlawful, he explains, except if a man is single and intends to calm his lust by it.\textsuperscript{164} The section also includes a thematic cluster on toilet manners. In line with Birgivî’s anti-celibacy stance, “sins of omission” of the

\textsuperscript{162} \textit{Ibid.}
\textsuperscript{163} \textit{TM}, p. 179.
\textsuperscript{164} \textit{TM}, p. 180.
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.\textsuperscript{165}

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 without the permission of one’s parents,” “fleeing from the plague,” as well as “going to places where the plague ravages.”\textsuperscript{166} 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.\textsuperscript{167} Thus, the same rule that applies to the distinction between right hand and left also applies to the leg.\textsuperscript{168}

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.”\textsuperscript{169} They also include “not visiting one’s parents,” and “not visiting family and friends when they are sick.”\textsuperscript{170} Again, we see Birgivī’s emphasis on the importance of cultivating community ties and social relations.

\textsuperscript{165} Ibid.
\textsuperscript{166} \textit{TM}, p. 180f.
\textsuperscript{167} \textit{TM}, p. 181.
\textsuperscript{169} \textit{TM}, p. 182.
\textsuperscript{170} \textit{TM}, p. 183.
Birgivî’s discussion of the “evils of the leg” also contains a section on pious etiquette regarding “invitations.”\textsuperscript{171} 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 (\textit{in lam yaqdir ‘alā taghyīrihi}), he must leave.\textsuperscript{172}

Vices unspecified by any one part of the body

Next, Birgivî presents a long section on “evils of the body unspecified by any one particular part.”\textsuperscript{173} Among these we find, for instance, “dancing” (\textit{al-raqs}).\textsuperscript{174} For Birgivî 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. \textit{dawrân}, “turning”). In parallel, he introduces a discussion of the Sufi \textit{dhikr}, too, which he argues to be permissible as long as it is performed in silence and stillness.\textsuperscript{175}

Other “evils” unspecified by any one particular body part are related to a number of thematic clusters on the cultivation of good family and community relations. Many of the ideas Birgivî presents here have already featured in previous sections, such as those of “the evils of the leg” or “of the hand.” Birgivî stresses the importance of obedience to one’s parents as well as of the cultivation of family ties. “Cutting the family off” is a

\textsuperscript{171} TM, p. 182.
\textsuperscript{173} TM, p. 183.
\textsuperscript{174} Ibid.
\textsuperscript{175} TM, p. 184.
vice. Birgivī underlines his concern with numerous prophetic traditions, which emphasize the duty to “keep and preserve family ties” 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.

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. Birgivī also points to the husband’s duties vis-à-vis his wife. 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.

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. 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.

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.” 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

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176 TM, p. 186. He later says that it is even “unlawful.”
177 Ibid.
178 TM, p. 187.
179 Ibid.
180 Ibid. Birgivī quotes Abū Layth al-Samarqandī.
181 TM, p. 188.
182 Ibid.
183 Ibid.
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.”

In the cultivation of one’s social relation, Birgivī points to another “evil” that should be avoided, namely “to associate with bad companions.” 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” 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 Birgivī’s understanding of character formation.

On the authority of the Prophet, Birgivī explains that “a good companion (al-jālīs 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

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184 Ibid. p. 188f.
185 TM, p. 189.
clothes or blow a bad smell of smoke on you.” 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 Birgivī refers to, he reminds his readers that “A man’s religion is like that of his intimate companion (al-mar’ ‘alā dīn khalīlihi), 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 Birgivī 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, Birgivī’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. 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.

Birgivī’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—seeming trivialities—

186 Ibid.
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 and so on. 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 even 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 logical 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 none-compliance with religious duties, i.e. “not to do things that are
definitely sunna,” “not to go to Friday congregational prayer,” “to stop giving zakāt,”
“not to fast during Ramadān,” and so on. The chapter ends with list of what Birgivī calls
“the seven grave offenses” (al-mūbiqāt al-sab’). These are: (i) shīrkh, (ii) magic, (iii)
murder, (iv) the taking of interest, (v) to appropriate the possessions of an orphan, (vi) to
desert on the day of battle, when the army advances, and (vii) to slander innocent and
unaware believing women.

Part Three of TM – Ritual Purity

188TM, p. 189.
189TM, 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.
In the last part of the Ṭarīqa, part three (al-bāb al-thālith), Birgivī devotes his attention to what he calls “matters believed to be part of piety, but which are not” (umūr yuzann 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, however, is overzealousness 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.”190 Some people, Birgivī says, busy themselves with such things to the neglect of important religious duties, such as reciting the Qur’ān or engaging in “the remembrance of God.”191 Sometimes they do so even to the neglect of prayer itself.

In its place, he argues, they engage in reprehensible acts: their overzealous 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].”192 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.”193 All of these acts are bid’a, Birgivī 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.

190 TM, p. 198.
191 Ibid.
192 Ibid.
193 Ibid.
Birgivī 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.”\(^{194}\) The most important thing to remember, he says, is that Islam is supposed to be an easy religion.\(^{195}\) 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.”\(^{196}\)

Birgivī 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.\(^{197}\) 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 Birgivī 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 argued that “the ṭahāra ritual is not so much a denigration of the

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\(^{194}\) *TM*, p. 200. Birgivī calls them *badhāda*—“dirty in faith, but frivolous in terms of cleanliness.” See, p. 201.

\(^{195}\) *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.” (*buʿīthtu bi-l-ḥanīfiyya al-samha al-sahla wa-lam ubʾath bi-l-rahbāniyya al-ṣaʿba*).

\(^{196}\) *TM*, p. 204.

human body and its functions, as it is an exaltation of Islamic ritual.” This is consistent with Birgivī’s account, whose ultimate concern was for the correct performance of ritual, rather than with purity per se.

Part three–chapter two– 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. One of Birgivī’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,” Birgivī laments at the beginning of the section. 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. This was the case most prominently with money obtained from the yields of a cash waqf, although Birgivī 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 Birgivī’s other great concern in this last section of the Ṭarīqa. Birgivī criticizes the

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198 *TM*, p. 211.
199 *TM*, p. 212.
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, Birgivî explains. While this was often done according to sharî‘a
regulations, when the infidel owners of these lands died, injunctions that would normally
apply to private property, such as heritage, testamentary stipulations and so on, were not
observed, however. As far as Birgivî was concerned this was unacceptable, involving the
willful nit-picking of some sharî‘a injunctions to the disregard of others—a point we will
examine in detail in chapter five.201

What holds it all together

As the preceding summary has shown, Birgivî’s Ṭarīqa is a work that is characterized by
great variety and a wide scope of content. Birgivî presents a truly amazing synthesis of
material, ranging from the lofty heights of doctrine in part one, to the smallest details of
the evils that can 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 Birgivî expounds on many
topics in rudimentary fashion only, it 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

201 TM, pp. 213-5.
obtain salvation and closeness to God in the Afterlife—the result of a life lived in piety, in accordance with the 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 concepts of moderation, on the one hand, and of ‘ilm al-ḥāl on the other. Birgivī’s emphasis on the “avoidance of excess” in devotional exercises as much as 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 overzealousness in the enforcement and application of ritual purity, which he says was often just a sign of sanctimony, on the other. Most importantly, however, moderation—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 realization of everyday virtue and piety.

Any attempt to “purify” or “cure” the heart of its vices, however, 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 at several points in the Ṭarīqa and of crucial significant 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.

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 Muslims (fard ‘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 almsgiving, 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.”

‘Ilm al-ḥāl was thus the most important (and most basic) kind of knowledge a believer had to have, in 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).”

Knowledge alone was not sufficient though, as it had to be turned into action 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

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203 TM, p. 165.
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 so much cares about, too: “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 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.”204

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 applications of piety,” he exhorts his readers to remember that, “the following three things are enjoined upon you: (i) the rectification of doctrine (taṣḥīḥ al-iʿtiqād, i.e. correct belief), (ii) an “understanding of the situation” (ʿilm al-ḥāl) and (iii) piety (taqwā). For these three things bring together everything that is necessary and are sufficient [for a believer to obtain] salvation […] and in obtaining God’s satisfaction and [securing] entrance to Paradise.”205 He explains further that the three must be understood as concentric circles embracing each other: “Correct doctrine is included (dākhil) in understanding of a situation […], which in itself is included in piety.”206

Thus, ‘ilm al-ḥāl was crucial in Birgivī’s overall understanding of piety. And in connecting the latter to wider political and economic questions, as Birgivī does in the last

204 TM, pp. 26-7.
205 TM, pp. 197-8.
206 TM, p. 198.
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 societal issues: Asked why he had not written a book about piety (zuḥd), 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, hatefulfulness 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.”

Birgivī may have projected his own undertaking (i.e. writing a work on piety, such as the Ṭarīqa, with a heavy legalistic bend) onto the authority of the 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. Birgivī, 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 emotions and inter-personal relations.

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207 TM, p. 165.
Looking ahead to the next chapter—a case study in Birgivī’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 Birgivī 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 pious life.
Chapter Four: The Slippery Slope of Piety

Birgivī on Sincerity, Sanctimony and how to determine right intention

Intro

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. For Birgivī, 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.” ¹ 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

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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 Ṭariqa, however, the element of fear is emphasized to a much greater extent than that of hope.
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.

I will contextualize Birgivī’s views on sanctimony within the wider intellectual tradition and certain strands of Sufism in particular. Representing a late incarnation of a long and established discourse on feigned piety in Islamic thought, Birgivī’s account was heavily influenced by 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 Ḥyāʾ: Kitāb dhimm al-jāh wa-l-riyā’. Birgivī 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. 277/890) 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 Birgivī’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 Birgivī’s ideas on sanctimony brings to light two significant tensions in his overall project. First, there is the question of how to assess his ardent desire to provide guidance and advice to his fellow Muslims to begin with. Birgivī 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, is yet another tension brought to the fore in Birgivī’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 Birgivī’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 Birgivī 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 his hands? It is a question Birgivī will address, but only in passing. However, a look at the Ṭarīqa’s treatment of sanctimony first will make things clearer.

**Vocabulary and semantics, definitions and classifications**

Birgivī’s most sustained discussion of sincerity, sanctimony and right intention takes place in his elaboration on “the ninth evil of the heart”: riyā’. 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

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2 *TM*, pp. 48-68.
see,” namely (iii) rā’ā “to feign” or “make others see,” “to make a show before people.”³ In fact, the term ṭiyā’ 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, ṭiyā’ 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 ṭiyā’ is fairly 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.⁴ ṭiyā’, on the other hand, covered a much broader range of meanings, denoting sanctimony and (dis)simulation of all kinds. Since ṭiyā’ did not usually entail an actual disavowal of the faith, however, 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, ṭiyā’ and nifāq were often consciously and deliberately connected, despite the fact that ṭiyā’ was fairly open-ended, while nifāq carried very specific religious and political connotations.⁵

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⁴ In fact, the munāfiqūn (“hypocrites”) feature prominently in the Qurʾān as a group distinct from both believers and unbelievers. Cf. A. Brockett, “Munāfiḳūn,” 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.
⁵ I will use the English “sanctimony” and “dissimulation” interchangeably for ṭiyā’. Unless otherwise indicated, “hypocrisy” will translate nifāq. Two other concepts, closely related to the idea of ṭiyā’, deserve a mention, as they often feature in discussions of ṭiyā’. These are “flattery” (mudāhana) and “affectation” (taṣannu’). The latter, in particular, is a means by which ṭiyā’ can manifest itself, as we will see below. Birgivī is particularly concerned with the affectation of preachers and other “men of religion” (ahl al-dīn). Thus, “too much affectation and artificiality
Birgivī begins by defining *riyā‘* as “the desire to reap this-worldly benefit from acts directed at the next world.”\(^6\) Such acts, directed at the next world, include: (i) obligatory ritual worship (*‘ibādāt*), on the one hand, and (ii) “good deeds” (*ṭā‘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, Birgivī argues, amount to sanctimony. Sanctimony, he explains, is “to make the worship of God […] a means for getting closer to humans.”\(^7\) 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 in the course of Birgivī’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‘zīmuhu*) and “to draw near to Him” (*al-taqarrub ilayhi*).\(^8\) To engage in *riyā‘*, however, as Birgivī explains, is to make them a means to other ends. First and foremost among these are approval-seeking and “the love of praise” (*ḥubb al-thanā‘*).

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 Birgivī’s definition of *riyā‘* thus concerns its public

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\(^{6}\) *TM*, p. 48: lit. “The desire to reap benefit in this world by doing things that are usually done for the benefit of the next.”

\(^{7}\) *TM*, p. 65.

\(^{8}\) Ibid.
nature. As he explains, the vice of *riyā'* normally involves a conscious “show” (*izhār*) or “announcement” (*i'lām*) of the act in question. In fact, this “publicizing of good deeds” forms an essential part of sanctimony, as will soon become clearer.

Connected to this is the idea of “seeing and being seen”—another important underlying theme in Birgivī’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, Birgivī 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.9 For Birgivī, 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 Birgivī argues, is the most dangerous form of *riyā’*. “More subtle than the creeping of ants,” as Birgivī explains, the greatest danger of dissimulation lies in the fact that it is often hidden even from the person who engages in it.10 This type of “hidden sanctimony” (*riyā’ khafiyy*) in effect represents a separate category which Birgivī 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

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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.” Birgivī 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 Muḥāṣibī, cf. J. van Ess, *Die Gedankenwelt des Ḥārith al-Muḥāṣibī* (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-majālīs wa-uns al-mujālīs*, ed. Maḥmūd Murṣī al-Khawlī (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.”
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.”¹¹ “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.¹²

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 (istihānā) 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!”¹³ 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 Sa‘īd 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

¹¹ TM, p. 51.
¹² TM, p. 53f.
¹³ al-Ghazālī, Ḥyā’, vol. 10, p. 115.
his motions, altogether.\textsuperscript{14} 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.”

*Riyā‘* as lesser *shirk*

The most prominent *hadīth* that is featured in discussions of *riyā‘*—in the Ṭarīqa and elsewhere—is a report in which the Prophet says that what he fears most for his community is “lesser *shirk*.\textsuperscript{15}” 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.

Birgivī 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 hadīth—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.”

Finally, a third cluster of traditions that commonly features in discussions of riyā’, connecting riyā’ to shirk, is in the form of yet another hadīth qudsī, in which God proclaims Himself to be “the One beyond need of partners” (aghnā al-shurakā’ or aghnā al-aghnīyā’ ‘an al-shirk).

Other types of dissimulation

There are two other types of dissimulation forming part of the wider riyā’ discourse that deserve mention here, in order for us to be able to better situate Birgivī in the wider tradition. The first, sum’a, is mentioned by Birgivī as representing an “audio” parallel, as it were, to the more “visual” riyā’. Often translated as “ear-service,” it is used for instances of sanctimony in which the act performed is not seen, but heard about. Thus, whenever a virtuous deed is related verbally

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16 TM, p. 64. See also Ibn Abī al-Ḥadīd, op. cit., p. 382.
in order to show off, this constitutes, strictly speaking, *sum'a* rather than *riyāʿ*, although in fact the lines are not drawn that clearly in actual usage. Alternatively, acts such as Qur’ān recitation, which can be heard, even when the person who performs them cannot be seen, might constitute *sum'a* 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 Qur’ān. 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 Qur’ān and thinks of him approvingly. This, Makkī explains, is a good example of *sum'a*.19

In his discussion of the “true essence of *riyāʿ*” (*haqīqat al-riyāʿ*) Ghazālī explains that “whereas *riyāʿ* comes from seeing (*ruʿya*), *sum'a* is derived from hearing (*samāʿ*).”20 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].”21 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 *sum'a*, for instance, is only in conjunction with *riyāʿ*, in what amounts to a compound noun: *riyāʿ wa-sum'a*, meaning “sanctimony” plain and simple.22 In this way, *sum'a* can often be seen as a rhetorical filler, a kind of add-on to *riyāʿ*.

Whatever the case, the two concepts, *riyāʿ* and *sum'a*, were typically linked in what represented yet another stock theme of the *riyāʿ* discourse. One ḥadīth deserves particular mention in this regard. In it, the Prophet is reported to have said that “Whoever practices *sum'a*,

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 *sum'a* 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.
21 Makkī, *op. cit.*, vol. 1, p. 133.
God will practice *sum‘a* on him, and whoever practices *riyā‘*, God will practice *riyā‘* on him. He will ridicule him and debase him.”

Moreover, “God does not accept [the deeds of] one who dissimulates, whether his dissimulation is by *sum‘a* or *riyā‘*.”

The question of whether or not sanctimony voided the validity of ritual was, in fact, of great importance to Birgivī. Accordingly, the standard discussion of *riyā‘*—in the Ṭariqa 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*. Birgivī does not mention it, but it appears in Makkī’ *Qūt al-qulūb*, with a long enough elaboration to deserve mention here. 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 tūbṭilū 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. 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.

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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.” 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. 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 others after the fact. In fact, a large part of the riyā‘ discourse is also preoccupied with how to deal with the post-factum disclosure (izhār) of the deed in question.

Sincerity

Be it hidden or regular, mediated visually or verbally, the opposite of riyā‘ (in all its forms), is ikhlāṣ (“sincerity”), as Birgivī explains. While riyā‘ represents an “evil of the heart,” i.e. a vice, ikhlāṣ 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,” ikhlāṣ 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” (izhār) of one’s acts, ikhlāṣ lacks such an aspect. Thus, in Birgivī’s words, ikhlāṣ is “to strip the aim of drawing near to God by good deeds of benefits in this world and of the aforementioned publicizing.”

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28 Ibid.  
29 TM, p. 49.  
30 Ibid.
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 religions 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. And, while the ideas of purity, simplicity and unity in relation to sincerity are by no means uncommon in the Islamic tradition either, Birgivī seems to be unusually emphatic here.

In line with the wider tradition, Birgivī 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. Birgivī 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 ikhlāṣ,” he explains, is “that God is pleased and that he accepts your good deeds and saves you on the Day of Resurrection.” 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.

Referencing a well-known hadīth, Birgivī next proceeds to introduce another concept that stands in opposition to sanctimony. This is iḥsān, he says, which is “a product of ikhlāṣ.” A multi-layered and somewhat difficult term, iḥsān can, in many ways, be argued to represent a second antithesis to riyā’, 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

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32 I have not found the idea of stripping anywhere else.
33 TM, p. 66.
34 TM, p. 49.


*iḥsān* have long occupied the minds of Muslim scholars. While *iḥsān* was defined as the worship of God in the belief that He sees you, *riyā’* implies that the eyes that are being sought are human. Thus, even though *riyā’* and *iḥsān* do not form direct opposites for Birgivī, they stand in clear contrast to one another. In the case of *riyā’* 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 (*ikhlāṣ*), 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 assumes they are thinking. This concern for the way things look in the eyes of others lies at the heart of *riyā’*. *Riyā’* thus stands on one side of the divide, with *ikhlāṣ* and *iḥsān* on the other. For Birgivī *ikhlāṣ* was the “simple” opposite of *riyā’*, while *iḥsān—as the product of *ikhlāṣ*—formed a more abstract counterpoint. It stood in contrast to *riyā’* just like *ikhlāṣ*, but on a different level and with a different emphasis.

**Truthfulness**

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 view on sanctimony, too.35 “The opposite of lying,” he says, “is truthfulness (*ṣidq*) […], which is sincerity in speech (*al-ikhlāṣ fi-l-qawld*).”36 For Birgivī, as well as the wider tradition, sincerity and truthfulness are thus closely

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35 *TM*, pp. 130-2.
36 *TM*, p. 132.
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, “is to tell things the way they are.”

By extension, sincerity must mean to be the way you are. This is in conflict, however, with Birgivī’s initial definition of sincerity as involving the desire “to draw near to God.” The question that arises here is whether or not one can be “sincerely” bad. It is not one that Birgivī asks explicitly, however, let alone answers.

Regarding the distinction between sincerity and truthfulness, the tradition commonly associates 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.” In some instances ikhlāṣ and ṣidq are even treated as one and the same thing. In summing up the main take-away point of his entire discussion of sincerity and sanctimony, Birgivī states that, “Indeed, the perfection of ṣidq is to stop caring about what others think.” 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 qawlī). It is, he explains, “the twenty-fourth of the evils of the tongue,”

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38 *TM*, p. 65.
39 *TM*, p. 63.
40 *TM*, p. 145.
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.”⁴¹ Another type of dissimulation in speech is
what Birgivī categorizes as “two-tongued speech” (kalām dhī al-lisānayn), “the twenty-fifth of
the evils of the tongue.”⁴² 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 or Resurrection.”⁴³ It also includes telling one
person what someone else 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.”⁴⁴

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.”⁴⁵ In an attempt to further define the virtue, Birgivī explains that truthfulness
is divided into a number of sub-categories.⁴⁶ First there is “truthfulness in speech” (al-ṣidq fī ’l-
qawl), which is “the opposite of lying” (dīdd al-kidhb). Second, there is “truthfulness in
intention” (al-ṣidq fī ’l-niyya), which is “sincerity” (ikhlāṣ). Lastly, “truthfulness in deeds” (al-
ṣidq fī ’l-ʾamal) is “the agreement [of one’s actions] with what is going on on the inside’

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⁴¹ Ibid.
⁴² TM, p. 146.
⁴³ Ibid.
⁴⁴ Ibid.
⁴⁵ TM, pp. 132-3.
⁴⁶ TM, p. 124.
(muwafaqat al-batin). 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-wa'd), which is defined as “the strength” (quwwa) of a promise; “truthfulness in determination” (al-ṣidq fī 'l-'azm), which likewise is defined by its “strength” (quwwa); “truthfulness in fulfilling a promise” or “truthfulness in faithfulness” (al-ṣidq fī 'l-wafāʾ), which Birgivī defines as its “performance and fulfillment,” i.e. the way a promise is being fulfilled (tahqīq 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 (quwwatu hu wa kathratuhu).47 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.48 But while for Birgivī truthfulness is a subcategory of sincerity, for Kharrāz it seems to be the other way around—sincerity as a subcategory of ṣidq.49 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 (waraʾ), 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 Birgivī’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.50

Like Kharrāz, Birgivī also discusses in detail the semantic range covered by ṣidq and its various derivatives. Thus, he explains, “someone who is trustworthy” (al-ṣiddīq) “is

47 TM, p. 124.
48 See al-Kharrāz al-Baghdādī, op. cit.
49 Ibid, pp. 79-83.
50 Cf. TM, pp. 57-8 and al-Kharrāz al-Baghdādī, pp. 94-8.
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 (muwafaqat al-batin fi 'l-amal). Commenting on Birgivī’s Ṭarīqa, ‘Abd al-Ghanī al-Nābulusī, goes even further, saying that “truthfulness is the pillar of everything. The perfection and order of matters are achieved by way of it.” Furthermore, he explains that “a ṣādiq is someone who displays ṣidq in speech,” while “a ṣiddīq is someone who displays ṣidq in all his deeds and states.” After this overview of Birgivī’s definitions of the virtues of truthfulness and sincerity, we must now return to the vice of sanctimony itself and how Birgivī categorizes it in the Ṭarīqa.

Various taxonomies of ṛiyā’

Birgivī approaches the concept of sanctimony by way of several lines of analysis. These are based on a number of different classifications, each classification subsequently leading to different concerns in his discussion of the vice. Birgivī’s first approach centers on the people who engage in ṛiyā’—the sanctimonious actors, as it were. Different people practice different kinds of dissimulation in different contexts, thus making for different categories of analysis. Birgivī’s first fault line is one drawn by religion, as he distinguishes the dissimulation of laymen

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and “people of this world” (riyā’ ahl al-dunyā) from that of religious scholars, preachers, teachers, Sufis, and others active in the religious arena (riyā’ ahl al-dīn).52

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 Birgivī’s initial definition of the term riyā’ as squarely rooted in the religious arena, i.e. sanctimony—of whatever kind—as the use of religious acts, aimed at the Next World, to achieve benefits in this world. 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 circles not strictly religious.53

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

52 Ibid.
53 Of course even acts that were not explicitly and directly related to the mosque, madrasa or Sufi lodge still had religious importance. Thus, while Birgivī makes a distinction between the sanctimony of “the people of this world” and that of “the people of religion,” the former was still significant in terms of one’s salvation or damnation respectively. The distinction of religious versus secular as we understand it today was utterly foreign to Birgivī, as all aspects of life were ultimately connected to God, even those of “the people of this world.”
order to do good and please God. Then, there is mixed riyā’ (riyā’ takhlīṭ). 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 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-murā’ā bihi): (i) the body, (ii) one’s attire, (iii) in speech, (iv) in deeds, and (v) in the company a person keeps. This classification is old. 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.” 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

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54 TM, p. 49.
55 TM, p. 50.
57 Muḥāsibī, Riʿāya, p. 206.
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 (isfirār), their voices deliberately muffled (khafḍ 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.58

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.59

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 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

58 TM, p. 49; Muḥāsibī, Ri‘āva, pp. 206-7; Ghazālī, Iḥyā‘, vol. 10, p. 117.
59 TM, p. 49; Muḥāsibī, Ri‘āya, pp. 207-9; Ghazālī, Iḥyā‘, vol. 10, pp. 117-8.
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.\textsuperscript{60}

The third \textit{locus} of \textit{riyā'} in Birgivī’s classification, as well as in that of Ghazālī and Muḥāsibī, is “in speech” (\textit{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 \textit{dhikr},” and so on.\textsuperscript{61}

The fourth \textit{locus} for the manifestation of \textit{riyā'} is “in deeds” or “actions” (\textit{bi-l-’amal}). 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.\textsuperscript{62}

Finally, Birgivī explains, the fifth possible \textit{locus} for \textit{riyā'} 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

\textsuperscript{60} TM, p. 50.
\textsuperscript{61} TM, p. 50; Muḥāsibī, \textit{Rī'āya}, p. 209; Ghazālī, \textit{Iḥyā’}, vol. 10, pp. 118-19.
\textsuperscript{62} TM, p. 50; Muḥāsibī, \textit{Rī'āya}, pp. 209-10; Ghazālī, \textit{Iḥyā’}, vol. 10, p. 119.
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.”

Legal Categorization

In terms of how riya’ is to be dealt with from a legal the point of view, Birgivī, again, returns to the distinction between riya’ in “worldly affairs” and riya’ in “religious affairs.” In “worldly deeds,” he says, riya’ is not unlawful. That is, “as long there is no [outright] deceit or forgery and [as long as riya’ ] is not a means to that which is forbidden.” “If for the purpose of this-worldly pleasure,” however, “it is reprehensible (madhmūm).”

Surprisingly Birgivī explains that, “in some cases riya’ may be recommended (mandūb).” 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 riya’ in such pursuits. (In fact, he strongly condemns such pursuits in the first place). 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 riya’ 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” cannot decry such pursuits in principle, which he does.

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63 TM, p. 50; Muhāsibī, Ri‘āya, pp. 210-11; Ghazālī, Ihyā’, vol. 10, pp. 119-20.
64 TM, p. 54.
65 Ibid.
66 Ibid.
67 Cf., for instance, TM, p. 45, p. 84 or p. 155.
In any case, the situation was much less ambiguous in the sphere or religion, and ritual worship in particular, which was of much greater concern to Birgivī that riyyā’ in worldly affairs. “In ritual worship,” he explains, “riyyā’ is unlawful—all of it—especially if it is at the origin of worship.”\textsuperscript{68} 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 (kufr) according to Abū al-Layth al-Samarqandī—one of Birgivī’s great influences. The latter, he 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 dynasty of Pharaoh and Hāmān.”\textsuperscript{69}

Whether or not Birgivī ultimately agreed with Abū al-Layth is not clear, as he points out that there is much debate and disagreement regarding the legal status of different kinds of riyyā’. Indeed, he expounds at length on the different judgments of scholars, depending on the varying degrees of concentration of riyyā’ in a given act (mixed or pure, and in the case of mixed, depending on what was prevalent), 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 like to have had 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 riyyā’ void the ritual

\textsuperscript{68} TM, p. 54f.
\textsuperscript{69} TM, p. 55.
act?” i.e. “Does riyyā’ void the reward otherwise gained for the performance of a given act?” and, if so, how and at what point?

The why(s) and how(s) of riyyā’

All the main representatives of the riyyā’ tradition, from Muḥāṣibī, Makkī and Ghazālī to Birgivī, agreed that the main and overarching reason for riyyā’—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 riyyā’. 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 riyyā’. Approval is pursued, he says, either for its own sake (li-dhātihi) or as a means for something else. Accordingly, there existed a whole range of causes for riyyā’ 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 common themes.

First of all, there was the pursuit of positions of power and leadership (riyāsa)—worldly as much as religious. People engage in riyyā’, Birgivī explains, to obtain a specific post (manṣib), 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. Ultimately, he says, what people hope to attain through feigned piety and dissimulation are positions of authority, prestige and status (jāh).

70 TM, pp. 51-2.
Another driving cause, very much related to the desire for status, were money and material possessions, or as Birgivi puts it: “wanting others to spend on you.”71 “Wanting others to serve you” and “the desire to gain followers” are further examples in this wider theme of power, authority and status. Especially with regard to “the desire to gain followers,” he goes into particular amount of detail, explaining that teachers, preachers and Sufis often 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.”72 In fact, he proceeds to devote an entire section to the riyā’ of “the people of religion” specifically—a point that was of direct professional and personal concern to him, as we will see below.

Alongside the desire to achieve power, authority and status, another cluster of causes for riyā’ revolves around sex, marriage and romance. Thus, to wish “to be noticed by women and boys,” “to want to marry” or “to want to have sex” are all causes Birgīvī cites for the vice of riyā’.73

While the desire for money, status or sex were factors driving riyā’ in “positive” terms, there were other causes that drove it in “negative” terms, too. Most important among these was the wish to avoid criticism and embarrassment. For instance, Birgīvī 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.”74 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,

71 TM, p. 52.
72 Ibid.
73 Ibid.
74 TM, p. 51.
so as to keep up the pretense of piety.\footnote{Acc. to C. C. Berg, “Ṣawm,” in \textit{EI2}, vol. 9, p. 94, “the revelation of sūra II, 179-81, abolished the ‘Āshūrā’ fast as an obligation by the institution of the fast of Ramaḍān.” Cf., also, A. J. Wensinck, “‘Āshūrā,” \textit{EI2}, vol. 1, p. 705: “a voluntary fast day.” For fasting on the day of ‘Arafa, cf. Nawawī, \textit{Sharḥ ṣāhiḥ muslim}, ed. ‘Alī ‘Abd al-Ḥamīd Biltahjī (Damascus: Dār al-khayr, 1994), vol. 8, pp. 197-207.} 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 not feel the need to publicize his good deed to others, “he would not share it with anybody else […]”.\footnote{\textit{TM}, p. 51.} In this example, the desire to please, coupled with the realization that one cannot actually carry what one has set oneself to do, leads to a sudden fear of criticism, revealing the complex ways in which—in Birgivī’s view—\textit{riyā}′ could entangle the believer.

Birgivī’s provides a myriad of examples, from the way people would talk, walk and carry himself, to the most banal aspects of daily life and inter-personal 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 \textit{riyā}′.\footnote{\textit{Ibid.}} In fact such behavior is most common in front of the rich and powerful. Thus, \textit{riyā}′ frequently involves “making a show” before princes (\textit{umarā’}), ministers (\textit{wuzarā’}), judges (\textit{quḍāt}), and so on, involving “displays of princely bearing,” or “exhibitions courage and leadership,” to make belief that one belonged.

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.78

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.79 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.”80 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.81

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.”82 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.”

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78 TM, p. 54.
79 TM, p. 52.
80 TM, p. 159.
81 Ibid.
82 TM, p. 53.
Birgivī 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!” And even though they know exactly what they are up to, “they continue, without aversion.” 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].” Indeed sanctimonious ‘ulamā’ will be judged more severely than the ignorant (al-juhalā’). 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. In that case, Birgivī 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].” Thus despite their better knowledge, Birgivī 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), Birgivī includes a long section on “scholars [who] wax arrogant on account of their knowledge,” which is linked explicitly to the question of sanctimony. Knowledge is in vain, Birgivī says, when it does not coincide with
good intentions and right action. 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.”

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 ‘ilmiye 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 offices 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 [...] afḍal 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). 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 hadīth; “the worst,” the Prophet says, “are the very bad ones from among the religious scholars” (sharrār al-‘ulamā’). 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.”

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

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90 TM, p. 71.
91 TM, p. 72.
92 TM, pp. 31-2.
93 TM, p. 70.
94 Ibid.
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.”

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 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 *riyā’* that most affected men of religion, however, and that Birgivī considered most dangerous was “hidden sanctimony,” i.e. sanctimony caused by desires hidden even from the scholar himself. For “when *riyā’* is hidden, […] it is more subtle than the creeping of ants.” Birgivī 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.

First and foremost it included “to be happy when people watch you commit a good deed and praise you [for it].” This is in line with Birgivī’s definition of the aim of *riyā’* as the attainment of human praise. However, while in the case of “ordinary” *riyā’* this aim was pursued

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95 Ibid.
96 TM, pp. 53-4.
97 TM, p. 54.
consciously and deliberately, in the case of “hidden” riya it was sought unconsciously and instinctively. Birgivī 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 riya. 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.

Birgivī 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 riya than to any other form of the vice, hidden riya itself was by no means confined to them. Indeed, it affected men of all walks of life. Birgivī gives the case of a believer who has two friends, for example, “one rich and one poor.” When hosting the rich friend, he 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, Birgivī says, for wanting to please a rich man more than a poor one is indicative of a propensity for “hidden riya.”

While in some cases (such as this) riya 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 riya, and having laid out his particular concern with “hidden riya” as it affected men of religion, as well as the community of believers more generally, Birgivī proceeds to devote a long discussion to examples of riya in which judgment is uncertain (umūr mutaraddida), i.e. where it is hard to say whether the act in question constituted sanctimony or sincerity or a bit of both and to what degree.

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98 TM, p. 53.
99 TM, pp. 57-64.
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-nafs 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, these were such that it was almost impossible for a believer to ever rest assured that he had rooted out all thoughts of evil. 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 rooted out the secondary motives that might taint his good deeds, he gave sanctimony another way in.

Birgivī explains that “both sanctimony and sincerity can be influenced by Satan.” It is therefore essential for a believer to learn to protect himself against him and his “tricks” (hiyal or makāyid). Birgivī explains that “Satan is like a barking dog.” It is only “if you ignore him [that] he will get bored and stop [bothering you].” 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 thought that

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100 TM, p. 57.
101 Ibid.
caused them to begin with was sincere or not. Again, he repeats that a believer might often think he does something sincerely, out of good and pure intentions, when deep down he has secondary motives he might not even be aware of (“hidden riyā’”).

“Good” and “bad” thoughts, in Birgivī’s scheme of things, stem from angelic and satanic inspiration, respectively.  

Thus, to determine whether a given thought is sincere, he says, we must determine where it first came from (i.e. whether it is “from Satan or from someone other than him”). “To be able to distinguish good thoughts from bad thoughts,” Birgivī explains, “we must 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.”

“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 (ṭāʾāt),” for which one gets rewarded by God with an ikrām (lit. “honorarium”). A good thought is called “right guidance” (the terms Birgivī uses are hidāya, tawfīq, lutf or ‘ināya). It reaches a person by way of an angel, referred to as “mulhim,” since his “invitation” (da’wa) 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 (‘uqūba). 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

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102 TM, p. 58.
103 Ibid.
104 Ibid.
105 Ibid.
106 Ibid.
of the soul; this is called “passion” (ḥawā). 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.\footnote{A similar account for how the devil’s insinuations reach the human heart is given by A. S. Tritton, \textit{Muslim Theology} (London: Luzac, 1947) p. 114.}

So far, things seem fairly straightforward. They get more complicated, however, because the devil invites believers not only to do bad things but often also “tempts” them to 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.\footnote{\textit{al-Nābulusī}, \textit{op. cit.}, vol. 1, pp. 499-500.} Alternatively, Satan might call a person to do a good deed that will lead him to commit a great sin later one, without realizing it.\footnote{\textit{Ibid}, p. 500.} It is in all of these cases that sanctimony plays a crucial part.

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 (nashāṭ and ‘ajala, 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 (ta’annī), and (iii) a clear perception (baṣīra).

Furthermore, Birgivī explains that there are four consecutive measures to distinguish a bad thought from a good one.\footnote{\textit{TM}, p. 59.} First, he says, one must “expose it to the law.”\footnote{\textit{Ibid}.} “If it agrees
with it, then it is good. But if it is in opposition to it, then it is evil.”\textsuperscript{112} 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.”\textsuperscript{113} Again, if this does not yield any result, one should “bring it to those who do good” (\textit{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.”\textsuperscript{114} 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.” 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.\textsuperscript{115} “For the soul,” Birgivī explains, “when it is empty […] is truly an inciter to evil (\textit{ammāra bi-al-sū’}).”\textsuperscript{116}

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,” and (vii) “he says that if you are destined to go to Heaven, 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.”\textsuperscript{117}

\begin{itemize}
\item \textsuperscript{112} \textit{Ibid.}
\item \textsuperscript{113} \textit{Ibid.}
\item \textsuperscript{114} \textit{Ibid.}
\item \textsuperscript{115} \textit{Ibid.}
\item \textsuperscript{116} \textit{Ibid.}
\item \textsuperscript{117} \textit{Ibid.}
\end{itemize}
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 deed or acts of worship to others.”). In telling believers to strive inwardly, Birgivī says, i.e. not to show their deeds openly, the devil tries to entice the devout into a kind of hidden sanctimony. 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 Birgivī’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, Birgivī 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, He does so, and if He wants to conceal something, He does so […] and I don’t care if He exposes [what I do] to people or not, for nothing is in their hands.”

Notwithstanding, Birgivī continues with his instructions for how to distinguish between ikhlāṣ 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. He might not have felt the tension, but in arguing that it was ultimately the reaction of the soul which determined “good” from “bad,” he 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.

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118 See Birgivī himself below.
119 *TM*, p. 59.
120 Ibid.
“How would your soul react,” Birgivī asks, if nobody saw you [performing an act of worship or good deed], but you saw them? The question goes back to the issue of *iḥsān* and the question of “seeing and being seen.” A case in point, Birgivī says, is a person who joins a group of people who engage in zealous night-long prayer. Exposing his soul to self-scrutiny as to his real, underlying motives, he will find the following: “If the soul is generous in praying,” i.e. “if the soul allows itself to pray,” then it is *ikhlāṣ*. The person will do what the rest of the group of pious people does, out of a sincere desire to be or become like them, rather than in order to seek their approval or the approval of others. “If the soul is not generous in praying,” however, “or [if it] does not permit praying,” “or if praying comes hard to it,” then what he is doing is *riyāʿ*.

What exactly does Birgivī mean by the soul “being generous” or “not being generous”? The turn of phrase is crucial to our understanding of the process of self-examination the believer is supposed to subject himself to. Perhaps better translated as “allowing for” (i.e. “if the soul allows for prayer”), what is implied is the idea that the soul does not put up resistance at the thought of praying, that it is, in fact, positively inclined towards it. The impression one gets is that something else must thus have prevented the person from turning his “positive inclination” of the soul into action in the first place. Chancing upon a group of people engaged in prayer thus served as a stimulus to turn a desire that was already present, but hitherto frustrated, into action. In the negative case, sincere desire was not present—the soul being “not generously inclined” towards the idea of nocturnal prayer. Thus, if the person joined the group, it must be for some reason other than wanting to please God and, hence, due to sanctimony.  

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  

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122 Another test would be to ask whether or not it is hard for him to pray when they don’t see him.
the soul, as the “true inciter to evil.” As such, he argued, it 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 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.

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’, ikhlāṣ and ḥayā’ are a trio that often gets mixed up and confused. 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’, ‘Abd al-Ghanī al-Nābulusī returns to Muḥāsibī, who had argued that ḥayā’, in and of itself, was a virtue. However, “when Satan gets involved,” human beings often move from shame to sanctimony. Again, what had applied to approval-seeking

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123 TM, p. 63.
124 al-Nābulusī, op. cit., p. 520.
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. 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 riya’ rather than ikhlās. Likewise, to hope people will not think badly of you if you do not lend them money means that a sentiment of “embarrassment” and “the fear of criticism” influenced your actions.

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 other human beings, when they should really feel shame in the face of God. The same considerations, Birgivī 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? Is it in order not to be embarrassed and ashamed in front of others, to please them and avoid their censure? For often, Birgivī 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,

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125 TM, p. 63.
126 Birgivī’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.
rather than God. Summing up the main point, Birgivī thus states again, “Indeed, the perfection of ṣidq is to stop caring about what others think.”

How to cure the evil of riyā’

As with other vices, so too in the case of riyā’, Birgivī provides his readers with an elaborate discussion of how it was to be “cured.” “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” (ḍidd) and, last but not least, (iv) the benefits (fawā’id) that ensue from the antidote.

Going back to what we discussed earlier as the why(s) of riyā’, Birgivī 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. Furthermore, the cure of riyā’ must rest on an awareness of its dangers, most importantly that of shirk. Returning once again to his initial definition of riyā’ as “turning the [ritual] worship of God into a means for getting closer to humans,” Birgivī explains that the greatest danger of riyā’ lies in the inversion it creates between concern for humans and concern for God. Riyā’ has legal consequences—first and foremost in the voiding of ritual and the reward that is supposed to be gained from it.

128 TM, p. 63.
129 TM, pp. 64-7 and al-Nābulusī, op. cit., pp. 526-543.
130 TM, p. 64.
131 TM, p. 65.
Birgivī explains that the cure of *riyā’* is effected by “cutting off its roots” (i.e. the causes).\(^{132}\) Simultaneously, its corresponding opposite virtue—its “antidote”—must be established.\(^{133}\) This means the acquisition of *ikhlāṣ*, 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 *ikhlāṣ* are to be achieved, Birgivī 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 ʿilmī*), as laid out by Birgivī, 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 *ikhlāṣ*. Both were achieved, Birgivī argues, by constantly “reminding your heart” of the negative characteristics of *riyā’*, on the one hand, and the positive characteristics of *ikhlāṣ*, 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 “*Ikhlāṣ* leads to salvation; *riyā’* leads to Hell,” reminding himself also of the Qur’ānic verses and prophetic traditions relevant to both vice and virtue.\(^ {134}\)

In addition, Birgivī says, the believer should “remind himself to be content with the fact that God knows that he worships Him.”\(^ {135}\) 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

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\(^{132}\) *TM*, p. 66.

\(^{133}\) *Ibid*.

\(^{134}\) *Ibid*.

\(^{135}\) *Ibid*. 
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 Birgivī 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,” Birgivī urges his readers to “hide” their good deeds, as well as their acts of ritual worship. “Close the door,” he says, “except for acts which require to be carried out in public.” This way, the temptation for dissimulation is 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.”

In addition, Birgivī continues, one must constantly be prepared to push away thoughts of sanctimony, which might enter one’s head at any given moment. ‘Abd al-Ghanī 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.” 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.”

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

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137 Ibid.
139 TM, p. 66.
to be sincere.”140 But, Birgivī warns, “Your Satan does not leave you alone” (wa-lākin al-shayṭān al-muqāran laka lā yatrukuka), 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 riya’.

For “riya’-inducing thoughts” (khaṭarāt al-riyā’, lit. “the thoughts of riya’”), as Birgivī conceives of them, are on three levels.141 First, there is “the knowledge that people look at you” or “the desire” that they do so. 142 Second, there is “the desire for their praise” and the desire “to achieve a position of status in their eyes.”143 Third, there is the final step which brings about sanctimonious behavior, namely “to let the soul accept it.”144 It is a final “giving-in,” Birgivī explains, by letting the kinds of thoughts that produce sanctimony (level one and two) enter the soul.

Birgivī explains that one must “reject” each one of these.145 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?”146 Believers should remind themselves that their fellow human beings are not the ones they should be concerned with, but God.147 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 riya’.

140 al-Nābulusī quotes from Ibn Nujaym’s Kitāb al-ashbāḥ wa-al-naẓā’ir, listing the various meanings of niyyat al-‘ibāda, niyyat al-ṯā‘a and niyyat al-qurba, respectively.
141 TM, p. 66.
142 Ibid.
143 Ibid.
144 Ibid.
145 Ibid.
146 Ibid.
147 Cf. al-Nābulusī, 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.”
Second, if the “desire for praise” persists or even grows stronger, the believer should remind himself of the evils of sanctimony.148 “Doing so,” Birgivī explains, “will cause your heart to develop an aversion (karāhiya) to it.”149 This aversion will lead to the “rejection” (ibā’), as opposed to “acceptance” (qubūl) of sanctimony.150 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 (karāhyia) and desire (ragbha), 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].”151 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, however. Indeed, Birgivī himself concedes that it is one of the hardest things to do.152 Muḥāsibī, too, had argued that the fight against riyā’ was a constant and incessant struggle, while Ghazālī said that its treatment, like most medicines, was “bitter and unpleasant.”153 Birgivī agrees, emphasizing that is necessary to fight thoughts of riyā’ whenever they might occur—fighting

148 TM, p. 66.
149 Ibid.
150 Ibid.
151 al-Nābulusī, p. 538.
152 TM, p. 66f.
and removing them—time and again.\textsuperscript{154} Any moment (however fleeting) can introduce “heedlessness” (\textit{ghafla}) and “forgetfulness” (\textit{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 \textit{riyā’} for sincerity; and even if sincerity was seemingly established, thoughts of sanctimony were bound to creep in at any moment.

Display in order to guide, but how can you be sure

Despite the need to be constantly on one’s guard, Birgivī provided for one instance in which the open display (\textit{izzhār}) of good deeds was better than hiding them (\textit{ikhfā’}). This was, he says, in order to provide guidance (\textit{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.”\textsuperscript{155} 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.”\textsuperscript{156} 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.”\textsuperscript{157} 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,

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\textsuperscript{154} al-Nābulusī, vol. 1, p. 540. \\
\textsuperscript{155} \textit{TM}, p. 49. \\
\textsuperscript{156} \textit{TM}, p. 51. \\
\textsuperscript{157} \textit{TM}, p. 62.
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Birgivī 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.” 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.

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 riya’.” 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 seems futile, perhaps 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 human patterns of cognition and action, often 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, I believe, lies in Birgivī’s overall theology, in the framework within 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?"158 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].”159 Accordingly, Birgivī reiterates that a believer’s attempt to establish sincerity and virtue in the Here and Now was of utmost importance, in that would make all the difference on the Day of Judgment. And Birgivī’s emphasis on salvation, judgment and the Afterlife must have been all the more resonant in the apocalyptic climate of the sixteenth century Ottoman Empire.

Conclusion

If there is anything distinctive about Birgivī’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,

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158 TM, p. 61.
159 Ibid.
concomitantly, sincere acts from sanctimonious ones, was also more pronounced than in many other writers. In Birgivī’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.

Birgivī 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” (ʿusr), in direct reference to Q 2:185 “God wants ease (yusr) for you, not hardship (ʿusr),” or Q 5:6 “God does not want to cause you distress (ḥaraj),” thus reminding his readers that “God loves for His dispensations (rukḥaṣ, sg. rukḥṣa) to be accepted, just as the servant loves the forgiveness of his Lord.”160 Indeed, “to despair of God’s mercy” (al-ya’s bi-raḥmat allah) constitutes a form of unbelief (kufr) for Birgivī.161 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 Birgivī, 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.”162

To return to the question of sincerity and sanctimony, it becomes clear that Birgivī’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 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

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160 TM, pp. 15-16.  
161 TM, p. 21.  
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, Birgivī’s aversion to overzealousness 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 Birgivī’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.”163 This is strikingly similar to the idea of seeing and wanting to be seen, found in Birgivī, 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.”164 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

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163 Matthew 6:1.
164 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 Qur’anic reference to *mann* with *riyā*; or Birgivī’s insistence that any ritual duty (prayer, fasting, or almsgiving) done for others to see was sanctimonious and thus invalid.
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.”165

Finally, Matthew’s emphasis on the hypocrites’ “reward” having been “received in full,” is also mirrored in Islamic tradition, especially in reference to Q 42:20 (which Birgivī cites in full in his discussion of riyā’) and which states 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.”

In the Jewish tradition, too, we find many important parallels. Thus, Birgivī’s instructions for the meticulous examination of one’s conscience, for instance, 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.166 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 […]”167

Ibn Paqūda’s Hidāya, translated into Hebrew as Hovot ha-levavot (“The Duties of the Heart”), bears especially striking similarities to Birgivī’s Ṭarīqa in its dissection of the evil of sanctimony, and its condemnation of those who serve God in order to gain reward in this world.168 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

165 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: Duhrkohp & Radicke, 2000), pp. 287-304.
167 Ibid.
and most recently Diana Lobel have shown.\textsuperscript{169} Just like Birgivī’s Tarīqa, Ibn Paqūda’s Hidāya shows conspicuous parallels to the work of Ghazālī, too.\textsuperscript{170} 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 the Middle East 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 riya’ writers, he shows little interest in the possibility that a concern for the views, values and feelings of others might be a positive thing 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 command His servants to do so, one is insincere or sanctimonious. Hence, even if an individual manages to


\textsuperscript{170} See Yahuda, pp. 63-70.
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 separated. Sincere devotion
to God, for Birgivī, must of necessity involve the concern 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 questions of economics as presented in the Ṭarīqa.
Chapter Five: The Economics of Piety

Birgivī on wastefulness, the cash *waqf* and Ottoman land tenure and taxation

**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 issues. 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 wider social and economic issues.

I will examine Birgivī’s views on money, material possessions and wealth accumulation generally. Comparing what he says with some of the models he draws on, I will pay particular attention to the question of wastefulness—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 alien to Birgivī. While Islamic thought recognized the classical idea of “household
management” (‘ilm tadbir 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 an “economy” as such was absent.¹ Early modern European writings first applied the term to the management of the resources of cities and “the state” more generally;² when used today, the word usually refers to “the careful, thrifty management of resources, such as money, materials, or labor.”³ As far as “economics” is concerned, in modern and contemporary parlance it is generally used to describe a social science—the science that deals with theories of the production, distribution and consumption of goods and services.⁴ In what follows, I will use the term “economics” in a different, and slightly broader fashion, namely with regard to a number of theoretical and practical questions relating to the production and management of material wealth (be that the wealth of an individual, a household or the community at large).

¹ As Cemal Kafadar has pointed out, the absence of the concept of an “economy” was not unique to classical Islamic thought or Ottoman intellectual history for that matter. Indeed, “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”—a fact that has puzzled economic historians such as Moses Finlay, Pierre Vidal-Naquet and Karl Polanyi. See C. 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 discussions of Islamic “economic” thought, in its various manifestations, see N. Aghnides, Mohammedan Theories of Finance: With an Introduction to Mohammedan Law and Bibliography (New York: Columbia University, 1916); M. Plessner, Der Oikonomikos des Neupythagoreers ‘Bryson’ und sein Einfluss auf die islamische Wissenschaft (Heidelberg: Carl Winter, 1928); A. Allouche, Mamluk economics: a study and translation of al-Maqrizi’s Ighātha (Salt Lake City: University of Utha, 1994); S. M. Ghazanfar (ed.), Medieval Islamic Thought: Filling the “Great Gap” in European economics (London: Routledge, 2003). For medieval Islamic understandings of a “science of trade” (‘ilm al-tijāra) see H. Ritter, “Ein arabisches Buch der Handelwissenschaft,” Der Islam, vol. 7 (1917), pp. 1-91.

² It thus came to be denoted as political economy, such as in Antoine de Montchrétien’s Traité de l’oeconomie politique of 1615. Cf. A. M. Andreades, A History of Greek Public Finance (Cambridge: Harvard University Press, 1933), as quoted in S. T. Lowry, “Recent Literature on Ancient Greek Economic Thought,” Journal of Economic Literature, vol. 17, no. 1 (March 1979), pp. 65-86. This is not to say that the ancients did not also apply the term oikonomía to units bigger than that of the household or family. However, it was only in modern times that the concept of the economy came to be applied consistently to bigger entities, such as states.


⁴ Ibid.
Birgivī’s ideas on the question of wealth can be found in a number of places in the Ṭarīqa. They include his analysis of the vices of miserliness and wastefulness, respectively, in the section of the “evils of the heart,” as well as his discussions of “the love for material possessions” (ḥubb al-māl) and “the love for this world” (ḥubb al-dunyā) (also among the “evils of the heart”). In addition, part three of TM contains a number of relatively long discussions of the role and contemporary state of pious foundations (awqāf), the treasury (bayt al-māl), questions of land tenure and taxation, and the question of whether or not one could ask for, receive or give money in payment for the performance of religious services.

Basic concepts—the good and bad qualities of wealth

Guided by a range of ethical considerations, Birgivī 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. Used to refer to property and possession(s), it also came to denote wealth more generally. Furthermore, the lexicographers would make a distinction between māl šāmi, on the one hand, and māl nāfiq, on the other. While the former came to mean money in particular, the latter was most often used to refer to slaves and cattle.

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5 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”).

6 For a good discussion of the term, see Ritter, op. cit., p. 45, fn. 3, and the references he gives.

7 In what follows, I will translate māl as either “material possessions,” “property,” or “money,” depending on the context in which Birgivī 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.
Embracing an attitude not unfavorable to wealth accumulation in general, Birgivī does not conceive of māl as inherently bad. 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, too. There are, Birgivī argues, both good and bad sides to māl, and, thus, both praise and blame for it are justified.

On the positive side, material possessions and money are to be seen, first and foremost, as “a blessing from God” (ni’mat allāh). Birgivī 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 Birgivī states, “what carries our virtues.”

Furthermore, money protects people from the disgrace of begging. It also enables them to be charitable and help the poor (such 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.

“The best of people,” Birgivī reminds his readers, “are those who benefit others.” Therefore, “it is better to gain money for the sake of doing good deeds and

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8 TM, pp. 103-4.
9 Ibid, p. 103.
10 Ibid.
11 Ibid.
12 Ibid.
13 Ibid.
giving charity than it is to seclude oneself in ritual worship.” 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. Thus, “when the intention (qaṣd) is correct, it is better to gather money and material possessions than not to.” 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 maz‘at al-ākhira).

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 moral and salvational 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 maḥāsin al-tijāra—had made a case in favor of money on the basis of pure social necessity. As opposed to animals, he had argued, human beings have a number of needs. These are partly natural, partly cultural. No one individual is ever able to fulfill all of them on his own, however, since each need calls for a variety of skills that no one individual can master in their entirety. A division of labor became necessary, which in its turn necessitated 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

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14 Ibid.
15 TM, p. 104.
16 Ibid.
17 TM, p. 103. This idea is already found in Ghazālī, Iḥyā’, vol. 4, p. 168.
cooperation.\textsuperscript{19} Thus, the wider Islamic tradition recognized a social necessity for money, as much as it recognized the potentially positive uses to which it could be put in benefitting both society at large and individual believers in particular.

So why is it then, Birgivī asks, if wealth has all these positive qualities, that “so much has been said regarding its blameworthiness” (\textit{madhmūmiyya})?\textsuperscript{20} Birgivī explains that, despite its positive qualities, money also has a number of very harmful characteristics. These are that it makes people exceed proper bounds; it causes greed and tyranny, and diverts the believers’ attention away from God. It makes 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” (\textit{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” (\textit{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.”\textsuperscript{21} It is closely related to another such evil, namely the love of the ephemeral desires and pleasures of this world (\textit{ḥubb al-dunyā}).\textsuperscript{22} From a legal point of view, Birgivī explains that both the love of material possessions (\textit{ḥubb al-māl}), and the love of this world (\textit{ḥubb al-dunyā}) are lawful, when directed at things lawful, and

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\textsuperscript{19} \textit{Ibid}, p. 50.
\textsuperscript{20} \textit{TM}, p. 103.
\textsuperscript{21} \textit{TM}, p. 98.
\textsuperscript{22} \textit{TM}, p. 99. \textit{Hubb al-dunyā} is one of the reasons of \textit{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,” \textit{ṭūl al-amal}).
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unlawful when directed at things unlawful. However, even when directed at things lawful, both are “reprehensible” (makrūh) and “blameworthy” (madhmūm).

Birgivī explains that there are three things that cause ḥubb al-māl to begin with. 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 money and develop a “love” for it. Second, love for money can develop from the physical and psychological enjoyment of having it. This involves the enjoyment to see it, 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. Love of money that is motivated by a love for one’s children and 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.” The third reason for ḥubb al-māl, Birgivī continues, is ḥubb al-dunyā. 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 (ghawā’il), Birgivī illustrates some of what he sees as money’s inherent evils. First, the

24 Ibid.
25 Ibid.
26 Ibid.
27 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 of God.” He should impose it upon himself to “continuously remind himself” of these so that actual generosity may become second nature to him.
28 Ibid.
29 Cf. fn. 22.
gratification money gives, he says, is little and ephemeral. Yet it causes so much worry.\textsuperscript{30} 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 (\textit{hir\textsuperscript{s}}), arrogance (\textit{kibr} or \textit{takabbur}), anger (\textit{gha\textsuperscript{d}ab}) and miserliness (\textit{bukhl} or \textit{taqt\textsuperscript{r}}). 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.\textsuperscript{31}

\section*{Stinginess, Generosity and Waste}

Birgiv\textbar\textit{i} goes on to devote a fair amount of space to his discussion of the vices of stinginess (\textit{bukhl}), on the one hand, and wastefulness (\textit{isr\textsuperscript{a}f}), 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, as arranged on a spectrum, with stinginess on one end and wastefulness on the other. Both are extremes—one a deficiency, a “too-little” (\textit{tafr\textsuperscript{r}\textsuperscript{t}}) (stinginess), the other an excess, a “too-much” (\textit{ifr\textsuperscript{t}}) (wastefulness)—of the same idea, in this case “spending” or “giving away material possessions.” Indeed, Birgiv\textbar\textit{i} defines being stingy as “holding on to money when either the law (\textit{al-shar\textsuperscript{r}}) or virtue (\textit{muru\textsuperscript{w}wa}) command

\textsuperscript{30} \textit{TM}, p. 100.
\textsuperscript{31} See \textit{TM}, p. 91, p. 98 and p. 100.
that you spend it.” 32 Wastefulness, on the other hand, is “to spend money when either the law or virtue command you to spend it.” 33

The golden mean (wasaf), 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 (sakhā’ or jūd), in fact means “to spend more money than is obligatory,” as Birgivī explains. 34 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, Birgivī 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, Birgivī 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. 35 The worst kind of bukhīl, Birgivī 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. 36 This kind of ultimate stinginess 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 tadhbīr). Birgivī defines

32 TM, p. 96.
33 TM, p. 97.
34 Ibid.
35 TM, p. 96.
36 Ibid.
is 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.” 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, he says. It is for the same reason that more has been said and written about the harmful characteristics of māl, too, rather than about its positive characteristics. In fact, the idea of man’s natural tendency to cling 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. The latter thus 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.”

Birgivī 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. Even though the fuqahā’ 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. Likewise, even though scholars have treated stinginess in much more depth than wastefulness, it is the latter that is actually worse in terms of

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37 Ibid.
39 *TM*, p. 102.
40 Ibid.
blameworthiness (dhamm) and negative consequences (ghawā’il). It is also deceptive in the manifold forms it can take.

Birgivī begins his analysis of wastefulness by stating that isrāf is categorically unlawful (harām qa’ī) and thus a sin. Its blameworthiness, he says, is established on the basis of the Qurʾān. 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 to anybody. Since “to be a brother of Satan means being a Satan, […] no type of blame could be further-reaching.” Indeed, as māl was considered a blessing from God (see above), to squander God’s blessing meant to take it for granted, to not be thankful for it and to think little of it. To throw away God’s gift (which is what squandering amounts to), to spend wealth uselessly, that is “for not good religious or mundane purpose” (min ghayr fā’ida dīniyya aw dunyāwiyya), is first and foremost an insult to God. It is, however, also a sin against humanity, because of the good that could potentially be done with money. This is, as Birgivī argues, the fundamental reason for why wastefulness is blameworthy (al-sabab al-āṣlī fī madhmūmīyatīhī). Naturally, anything spent on sin also constitutes wastefulness.

The causes, manifestations and antidotes of wastefulness

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Ibid.

41 Even though Birgivī claims that isrāf is harām qa’ī, 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. Birgivī further quotes Q 10:83 and Q 7:81.

43 TM, p. 103.

44 TM, p. 104.

45 TM, p. 103.

46 TM, p. 103.
Birgivī explains that *isrāf* is not only “a despicable character trait” (*khuluq radī’*), but in fact “a sickness of the heart” (*marad qalbī*). 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. These causes vary from one individual to another and must be addressed depending on the specific circumstances of each case for a person to be “cured.” For instance, *safah* (“impudence” or “stupidity”) is the first and most widespread reason for prodigal behavior. It is most prevalent, Birgivī 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.

When people who are wasteful think they are just being generous, however, this is a case of “ignorance” (*jahl*). Birgivī shows that this is an easy mistake to make, since both “generosity” (*sakhā’*) 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.

In the case of “sanctimony” (*riyā’*) as a cause of wastefulness, Birgivī 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.

As for people who try to hide their laziness behind excessive spending, Birgivī goes on to say that the only “cure” is for them to be reminded of the fact that laziness

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47 TM, p. 102.
48 TM, p. 102 and pp. 108f.
51 Ibid.
destroys both body and soul. Furthermore, they should remember Q 53:39 (“Man has nothing except what he has striven for”); 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 themselves.

Likewise, those who are wasteful because of a “weakness” (ḍuʿf) in their soul or in faith, Birgivī 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.”

Birgivī’s advice in rooting out wastefulness thus involves the cultivation of virtuous company, first and foremost. Just as sanctimony was to be cure 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 it to be reduced and eliminated, Birgivī says, isrāf has to be recognized for what it is to begin with. While his initial definitions of the vice had been “to spend possessions when either the law or virtue require that one should hold on to them,” 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). To throw any kind of material possession into the sea, a well or a fire, for

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52 Ibid.
53 Ibid.
54 TM, p. 104.
instance, constitutes such “destruction.” Likewise, to throw material possessions, including money, anywhere “where they cannot be reached and are of no use to anybody.” Moreover, to tear things up (kharq), to break them (kasr) or cut them (qaṭ'), so that they cannot be used any more, constitutes 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 examples of isrāf. 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, Birgivī 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 clothes, that way they won’t rip”). The reader thus finds himself fairly and squarely in the realm of household management, i.e. tadbīr al-manzil proper.

Conceptually, we can distinguish a number of different kinds of wastefulness in Birgivī’s account (although this is not a distinction Birgivī makes 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). Birgivī gives as examples using more soap than necessary in washing one’s clothes, or using too much oil in a lamp. There can even be wastefulness in the way a corpse is shrouded. The use of too much water (or more water than necessary) in ritual ablutions likewise represents an instance wastefulness, which Birgivī discusses in fair amount of detail.

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55 Ibid.
56 Ibid.
57 TM, p. 105.
58 Ibid.
59 Ibid.
60 Ibid.
61 Ibid.
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 becomes 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, Birgivī 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, Birgivī 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.” 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*.

However trivial these examples may seem to us, Birgivī certainly did not see them as such. Indeed, piety or “God-fearing” (*taqwā*)—as laid out in the Ṭarīqa—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. As in Hasidic Judaism, for example, the most seemingly insignificant details of everyday life


\[63\] Birgivī quotes extensively from Tāhir b. Ahmad’s *Khulāsat al-fatāwā* here, as well as from al-Mawṣili’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, Birgivī says, is not only wasteful, but in fact unlawful (*ḥarām*).
assumed meaning and spiritual significance for Birgīvī, warranting detailed practical instructions for the believer on how to behave.

**Charity, poverty and begging**

Another question Birgīvī devotes a fair amount of attention to is the possibility of exaggerated charity. Can there be such a thing as *īsrāf* (i.e. an excess) in spending for the sake of God? Birgīvī introduces his discussion with an unambiguous “no”: *lā sarf fī al-khayr:* there is no waste [when wealth is spent] on good things. This is immediately qualified, however, by the reminder that, according to some scholars, wastefulness in charity is possible after all. These scholars, Birgīvī 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.”

Birgīvī 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 ta’ṭū kullahā*” (“do not give it all”), for to do so would be an act of irresponsibility towards one’s dependents and oneself.

Quoting a number of *fatāwā* authors here, Birgīvī states that it is, in fact, unlawful for a believer to give away everything he owns if he has dependents. Likewise, if a

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64 *TM*, p. 107: In response to being told that there was nothing good in spending (“*lā khayr fī al-sarf*”), al-Hātim al-Tā’ī is said to have replied: “*lā sarf fī al-khayr.*”

65 *TM*, p. 107.
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, Birgivī says, it is not permissible to give away one’s possessions. Doing so would constitute *isrāf* in charity.\(^{66}\)

This obviously also leads to the question of the meritoriousness of poverty. Is it good to be poor in Birgivī’s view? Does poverty deserve praise? Is it a true sign of piety? Birgivī does dedicate a short section on the praiseworthiness of poverty, in which he says that “Whoever builds more than what he needs, takes on the responsibility to carry it on the Day of Resurrection.”\(^{67}\) However, on the whole, Birgivī is not much inclined towards poverty or self-denial. One should make money. Money is important. Possessions are 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 moderation (*iqtiṣād*). 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.\(^{68}\)

It is true, Birgivī 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 *zuḥd*, he says,

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\(^{66}\) 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. \(^{67}\) *TM*, p. 100.  
\(^{68}\) 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.
which “soothes the heart.” Birgivī 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.”

Qanā’a also “soothes the heart”. Like zuhd it thus counteracts the negative consequences of greed and this-worldliness. To sum up, 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 do contribute to the benefit of the community, if possible. What he should ultimately strive for was “contentment” as the mean between “greed” and “self-denial.”

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. 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.” The idea that begging harms you is not new, of course. Ghazālī, for instance, in book thirteen of the Iḥyā’, on al-kasb wa-al-ma’āsh, had quoted the following hadīth on begging: “Whoever opens a gate of begging unto himself, God opens seventy gates of poverty for him.” The idea that there must be some sort of necessity

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70 Ibid.
71 For a discussion of the concept, see Stefan Weninger, Qanā’a, op. cit.
72 TM, p. 142: “it constitutes the twentieth of the inherent evils of the tongue.”
73 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.
74 Ghazālī, op. cit., p. 169.
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).75

Necessity 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).76

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.77 In fact, to ask to be appointed to any kind of position of executive or judicial power represents an inherent “evil of the tongue.”78 Doing so is unlawful, he says, just like begging.79

“Do not ask for high executive office” (suʾāl al-imāra), Birgivī warns.80 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.81 The same is true for people who ask to be appointed as managers of waqfs. Like asking to be

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75 TM, p. 142.
76 Ibid.
77 Ibid.
78 TM, p. 154.
79 Ibid.
80 Ibid.
81 Ibid.
appointed to a judgeship, this, too, is like “begging” and, hence, inappropriate.  

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.

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 ᴷoḳud), 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.” Again, the way a believer sought to make his livelihood had a direct impact on his fate in the Hereafter. Piety for Birgivī was thus not only about correctly “spending” the wealth one owned (as in avoiding wastefulness), but also about acquiring it in a pious fashion in the first place.

Payment for religious services

One of the questions that preoccupied him 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

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82 TM, p. 155.
83 Ibid.
84 Ibid.
pertinent one, especially in Birgīvī’s own context. Indeed, as a “man of religion” himself, it was an issue of immediate and direct concern to him.

While he does not go into the problem to any great extent in the Ṭarīqa (he only states in passing that “it is not lawful to accept payment for praying or reading the Qur’ān for someone’s benefit”), he refers his readers to another treatise, in which he examines the issue in more depth. Entitled Inqāḍh al-hālikīn, and written, as Birgīvī 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. Birgīvī’s main contention is that it is “unlawful to make the Qur’ān a means of making money and gathering this-worldly possessions.” Indeed, the Prophet forbade his community to make a living off the Qur’ān and religion. Because asking for payment in return for reciting the Qur’ān means “to exchange that which is good [i.e. the word of God] for that which is contemptible [i.e. money].” It is hateful, Birgīvī says in allusion to Q 2:41, “to acquire a paltry sum for God’s āyās.” 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’ān at night, sometimes for the entire forty days and all in exchange for money: Birgīvī 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.

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85 TM, p. 166.
87 Ibid.
88 Ibid: nahā ummatahu ’an al-aql bi-l-qurʾān wa-l-dīn.
89 Ibid.
90 Ibid.
Just as in the case of riya’, 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 (nīya). 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 (furūḍ 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 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, 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. Birgivī 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."91 Indeed, he continues, “the livelihoods (arzāq) of judges, teachers, students, prayer leader 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.”92

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. Birgivī 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 [Hadīth] 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.”93

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

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91 Ibid, p. 43.
92 Ibid, p. 44.
93 Ibid.
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.

However, as if establishing the purity of one’s conscience was not already hard enough in and of itself (see last chapter), Birgivī 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, however, was an institution known as the cash waqf (waqf al-nuqūd or waqf al-darāhim). Considered unlawful by Birgivī, it was an institution that would come to consume a considerable amount of his intellectual and scholarly energy over the years.

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. Birgivī 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

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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.\(^95\) 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 time, the category of immovables allowed to be endowed expanded, and more and more items were included, such as cash in the Ḥanafī case.\(^96\)

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

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\(^95\) See Rudolph Peters, “*Waḳf*,” in *EI2* (Leiden: Brill, 2000), vol. 11, p. 60.

\(^96\) 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.
at least partially established on cash, and by the mid-sixteenth century—Birgivī’s time—the cash waqf had become “the dominant mode of endowment.”

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.”

Those opposed to the practice of endowing cash and deriving interest from it, such as Sheykhü’l-Islām Čivizāde (in office 945/1539-948/1542), and later Birgivī, argued that the legal grounds on which the pro-cash-waqf faction was justifying the practice were very shaky—an accusation not without reason. However, the supporters of the cash waqf, most prominently Ebū’s-Suʿūd, 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 (taʿāmul or taʿāruf) 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 revocable, which is what Čivizāde 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.

97 Mandaville, p. 292.
99 For Čivizade, see Repp, The Mūfti of Istanbul, pp. 244-56; for the legal debate, see Mandaville, p. 305.
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.” 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 (a’ẓam)” of “invalid matters of innovation (umūr mubtadi’ a bāṭila), which people devote themselves to eagerly, under the wrong assumption (zann) that they constitute acts which will draw them close to God,” Birgivī lists the evil of “endowing pious foundations on the basis of cash.” 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 so, 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-ḥāsima li-ʿurūq al-shubha 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 ʿadam jawāz waqf al-manqūl wa-al-darāhim. In the latter, Birgivī elaborates in fair amount of depth on what he regards “the evils” of the cash waqf. It is not only unlawful and invalid, in and of itself, he says, but also leads to further sins. These are that people who endow cash think they are free from paying zakāt; they may become poor (because of giving away

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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-iḥtāl fatwā Abī al-Suʿūd, 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.”
their money); yet they then 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 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.105

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 Birgivī’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, Birgivī 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 (*ḥīla*) to do so.106 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.”107

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105 Mandaville, p. 19.
106 Ibid.
107 *TM*, p. 173
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 Birgivī, 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. Birgivī, however, was uncompromising. Any waqf, he argued, that was endowed on the basis of cash needed to be dismantled.

When Birgivī was in his late teens, Sheykhü’l-Islām Čivizāde had already tried to dismantle the cash waqf, but failed. In fact, Čivizāde 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 Čivizāde and Birgivī 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 reform movement,” one of the primary spokesmen of which Birgivī would become. And although he disagreed with Čivizāde 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, Birgivī 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, and the law was as clear as it
was (in Birgivī’s view the cash *waqf* was clearly unlawful), to bridge the gap between “ideal” and “reality,” reality had to come over to the ideal, or at least approach it, not the other way around. For true piety (for Birgivī) 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 example, Birgivī asks, “Do you know with certainty that there is something unlawful in your possession?”\(^{108}\) “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?” If you know it has, he says, you cannot.

In comparison to his views on the cash *waqf*, however, Birgivī’s stance with regard to the question of gifts from rulers is much less rigid. Qualifying the problem, he thus 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.”\(^ {109}\) 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 Ḳoḳūd, not everybody agreed that such mixing produced something that was lawful.

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108 *TM*, p. 212.
Thus, scholars—even those of a moralistic bent like Birgivī—could come down on different sides of the fence when it came to the most hotly debated issues of the day. Whether it was economic questions such as the lawfulness or unlawfulness of the cash waqf, accepting donations from the treasury, or more strictly ritual problems such as the legality of al-maṣḥ ʿalā al-khuffayn, vocal dhikr or dawrān, opinions were divided. A scholar who could come down on the “conservative” end of the spectrum in one question, might come down on the more “permissive” end in another. Unfortunately we still know far 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 project, let alone decide on labels such as “conservative,” “moderate,” “orthodox,” and so on. Was Kemālpashazāde permissive because he wrote a fatwā in favor of Ibn ʿArabī? 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, however, 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 _InitStructure) or allowing for al-maṣḥ ʿalā al-khuffayn (in contrast to Çivizade). 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 believer, Birgivī and his peers felt strongly about the issues in question.
Land tenure and taxation

Another such “hotly debated” issue at the time was the question of land. Ebû’s-Su‘ûd’s tenure as Sheykhü’l-Islâm saw the radical re-interpretation (in legal terms) and practical systematization of what was a patchy and complex field of administration.\(^{110}\) As Snježana Buzov has argued, it was following Grand Vezier Ibrâhîm Pâshâ’s (d. 942/1536) failed attempt to “purify” the kânûn of its un-Islamic characteristics that Ebû’s-Su‘ûd embarked upon his project of providing a harmonizing legal framework for the status and administration of lands under Ottoman dominion.\(^{111}\) What Ebû’s-Su‘ûd 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 Ḥanafî doctrine.\(^{112}\) This was a thorn in Birgivî’s side, since he considered Ebû’s-Su‘ûd’s re-interpretation of the law on land tenure and taxation not only misguided, but actually contrary to the original intent of the shari‘a (as expressed by the earliest authorities). Indeed, Birgivî would proceed to contest Ebû’s-Su‘ûd’s pronouncements regarding the status of land as passionately as he fought

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\(^{111}\) For Pargalî Ibrâhîm Pâshâ, also known in the sources as both makhûl (“the favorite”) and maḳṭûl (“the one who was executed”), see Tayyib Gökbilgin, “İbrahim Paşa,” in *İA* (İstanbul: Milli Eğitim Basımevi, 1950), vol. 5, pt. 2 (fasc. 50), pp. 908-15. For his 936/1530 kânûnnâme 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 Ebû’s-Su‘ûd’s preamble to the kânûnnâme of Buda as well his fatwâs on land questions (later compiled under the title Kânûn-i erâğî), see *ibid*, pp. 82-100.

\(^{112}\) As Colin Imber has pointed out, “it was above all this redefinition which gained [Ebû’s-Su‘ûd] the reputation of having reconciled the kânûn with the shari‘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.
the cash *waqf*. In the last part of the *Ṭarīqa*, for example, we find a long section on the question of land tenure and taxation that is worth investigating in some detail.\(^{113}\)

Birgivī 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 (*muqātīla*) or other persons appointed by the Sultan (*minmān ‘ayyanahu al-sulṭān*). 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.”\(^{114}\)

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.\(^ {115}\) The religious status of the owners at the time of conquest defined the nature of the tax that had to be paid: (i) *‘ushr* in the case of Muslims, (ii)

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\(^{113}\) *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.

\(^{114}\) *TM*, p. 213.

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.\(^{116}\) 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.\(^{117}\) The basic understanding was thus one of individual ownership, not ownership by the state.

Under the Mamluks, however (and possibly also in Central Asia, in a parallel development), 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.\(^{118}\) 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.\(^{119}\) 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.

\(^{116}\) Cf. Mundy and Saumarez Smith, p. 12.
\(^{117}\) Ibid and Baber Johansen, *The Islamic Law on Land Tax and Rent*, p. 18.
\(^{118}\) See Baber Johansen on the “death” of the kharāj payer, pp. 82-5.
\(^{119}\) 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-tāārkhāniyya*) that “there may have been a second Central Asian genealogy for this doctrine.” See p. 240, fn. 8.
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, 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).\footnote{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.}

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.”\footnote{H. Inalcik, “Land Problems in Turkish History,” in The Muslim World, vol. 45, no. 3 (1955), p. 221.} 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 kānūn-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 (arāżī-yi memleket), belonging to the treasury.\footnote{Different Ottoman jurists of the sixteenth century tried to justify or explain this new doctrine of state ownership in different ways. Kemâlpâshâzâde, for instance, adopted a historical argument similar to the}
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. Nonetheless, Birgivī 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.”

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-Suʿūd first described the relationship between cultivators and the treasury as one of “defective rental” (*ijāra fāsida*). 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. Indeed, as opposed to Mamluk jurists, Ebū’s-Suʿūd in his later years prefers to avoid the term *ijāra* altogether, as Mundy has shown, instead arguing that the relationship

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“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-Suʿūd, 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 XIVe-début XVIe siècle)* (Wiesbaden: Otto Harrassowitz, 1980), p. 33.

123 Mundy and Saumarez Smith, p. 16.

124 Birgivī speaks of it in terms of *tawqīṭ*. 
between the treasury and cultivators was one of “delegation” (Tr. *tefvīţ*, Ar. *tafwīḏ*) 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*).\textsuperscript{125}

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 ہانافی *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).\textsuperscript{126} Often interpreted as an “entry-fee,” it is what Birgivī 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 ہانافی terms of a rental contract (*ijāra*) were adhered to, nor indeed in the case of either a “delegation” (*tafwīḏ*), a “loan” (*‘āriya*) or a “deposition as a trust” (*wad’*). Indeed, Ottoman jurists before Birgivī, such as Kemālpāshāzāde, for instance, had already argued that the *ṭapu* fee could not be justified in terms of the *shari‘a*, but derived from imperial *kānūn* alone. Ebū’s-Su‘ūd, however, argued that the fee was valid in ہانافی terms, representing an “advance on rent” (Tr.

\textsuperscript{125} Mundy and Saumarez Smith, p. 16.

Like the idea of a “defective rent” this was an interpretation Birgivī was to vehemently reject.

The second aspect of the ṭapu system that was difficult to defend in terms of the shari’ā was the practice by which land conferred by ṭapu deed could only be inherited by sons (in some cases brothers) of the deceased cultivator. This, of course, ran blatantly counter to shari’ā provisions of inheritance for both male and female heirs, including wives and daughters. Hence Birgivī’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 shari’ā, however. Indeed, Birgivī 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 ṭapu 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.

Birgivī embarks upon a detailed analysis and critique of the consequences of the ṭapu system in a discussion that, as Martha Mundy has argued, would “prove utterly damning for the legality of the Ottoman land regime.” Birgivī 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

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128 Mundy and Saumarez Smith, p. 17.
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 tuqdā minhā duyānuhu wa-tunfadh wašāyāhu). 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 (zulm). 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 (khabīth).”129 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-mamlūkā' li-ašḥābiḥā), 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

129 TM, p. 213.
who are on it have the right to cultivate it (wa-yakūn taṣarruf dhī al-yad fīhā).” 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.” 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 of, but nothing more, since the state (or rather the treasury, to be more precise) 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 paid a bribe (rishwa).” 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.”

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130 Ibid.
131 Ibid.
132 Ibid.
What was happening, on a practical level, was that cultivators would exchange lots of mīrī land between themselves according to shari‘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.”¹³³ 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 kânûn-nâme 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.”¹³⁴

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

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¹³³ Mundy and Saumarez Smith, p. 19.
¹³⁴ Faroqhi, op. cit., p. 209.
exchange for the right to cultivate), the *tapu* 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’*”).135

Meticulously seeking out the many inconsistencies and contradictions (from the point of view of Ḥanafī fiqh) in the arguments of those who supported the *tapu* 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.”136 This lets him include a number of direct attacks on Ebū’s-Suʿūd, whose classification of the relationship as one of “defective rent”, he explicitly rejects as “very corrupt” (*fāsid jiddan*). The same verdict is meted out on Ebū’s-Suʿūd’s interpretation of the *tapu* fee as “an advance on rent.”137 Indeed, time and again, Birgivī will return to what he regarded as the clear illegitimacy of the *tapu* 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.”138

135 *TM*, p. 215. In fact, Mundy and Saumarez Smith have noted, with great perception, that “the legal vocabulary in which the rights of the cultivator were expressed were composed of the terms governing rights to office,” not those governing personal property. Thus, “the devolution of the cultivator’s plot from father to son followed the model of devolution of office.” And while Ottoman fiqh treated the cultivator like a quasi-office-holder, social and ideological requirements necessitated the restriction of the category of “office” to the elite, leading to confusion—as Birgivī rightly laments—when it came to the peasantry. See Mundy and Saumarez Smith, p. 19.


137 *Ibid*.

138 *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.”
Finally, what preoccupied him most, apart from the *tapu* fee, was the fact that only direct male descendants could “inherit” a *tapu* 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 *sherʾī* rules of inheritance was felt to an increasing degree.” 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” *tapu* 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 *kānūn-nāme* of 1080/1670, for instance, has long been argued to represent a deliberate departure from Ebūʾs-Suʿūd’s interpretation of the status of lands. More consciously in line with “classical” Ḥanafī legal theory, the Cretan *kānūn-nāme* rejected Ebūʾs-Suʿūd’s interpretation of land as *mīrī* (“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 *kādīzādelī* movement,” as Molly Greene has argued, a century after Birgivī formulated his critique of the Ottoman land regime his influence was clearly being felt. Gilles Veinstein, too, believes that

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The fact that Birgivī served as a direct inspiration for a number of active members of the kādīzādelī 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 kādīzādelī leanings and their opponents. Irrespective of that, what is certain is that even in his own time Birgivī was not the only one criticizing the Ottoman land regime for being “confusing,” or not in agreement with the perceptions 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 Birgivī’s in its critique. Indeed, four decades before Birgivī formulated his criticism of contemporary land practices in theṬarīqa, Pargalı İbrāhīm Pāshā had already attempted to “purify” the kānūn by imposing, among other things, the jizya on Vlachs and Martoloses in the preamble to the Bosnian kānūn-nāme. Thus, the ideas Birgivī 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 Korkud, too, over half a century prior to Birgivī, pious conservative opposition to Ottoman legal and administrative practices was nothing new. Sometimes this “opposition” even found itself at the very

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142 See Mundy and Saumarez Smith, p. 16 and p. 244, fn. 42.

143 See Buzov, p. 50 and above, fn. 111.
helm of the Ottoman religious hierarchy, as in the case of Sheykhü’l-Islām Çivizāde. Indeed, as in the case of the cash waqf (which was the main bone of contention between Çivizāde and Ebū’-Su’ūd), Ebū’-Su’ūd’s interpretations regarding the status of land did not go unchallenged either, and Birgīvī was certainly not the only one to confront him.

Conclusion

Birgīvī’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 how to remunerate individuals for the performance of religious services on behalf of the community, Birgīvī understood the land system of his day to be falling seriously short of the standards articulated in the classical texts of Ḥanāfī 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, Birgīvī’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 the land included the implementation of canonically valid taxes and the avoidance of “innovation” such as “entrance fees,” for example.

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-māliyya) in our age,” as Birgivī warns.144 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, as Birgivī says elsewhere) and “the orderliness of one’s livelihood,” were both achieved, he reiterates, “by way of coins, grain and other things produced by the earth.”145 And as with ritual practice, the rules governing the acquisition and expenditure of worldly wealth were clearly laid down by God’s law, as Birgivī saw it. Making them as widely accessible as possible, to propagate “right practice” in the economic arena just as in the area of ritual practice, was thus an integral part of his overall project of naṣīḥat al-muslimīn. For “the waqf and the treasury,” as Birgivī 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.”146

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144 TM, p. 216.
145 TM, p. 213.
Conclusion

The aim of this dissertation has been to shed light on Birgivī Mehmed Efendī’s (d. 981/1573) thought, in particular as articulated in his main work of ethics and advice, *al-Ṭarīqa al-muḥammadiyya*. Returning to the question of whether Birgivī was “rigid” or a “reformer,” I have tried to show that Birgivī’s project of both individual and societal reform entailed rigidity on many levels. First, in his articulation of both “correct belief” and “correct practice,” Birgivī’s stance involved an uncompromisingly conservative interpretation of Ḥanafi law, as can be seen from his opposition to Ebū’s-Suʻūd’s re-interpretation of the doctrine of land tenure, his rejection 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, Birgivī’s rigidity manifested itself in an equally strict call for a regime of “internal” control. As I have tried to show in chapter four, this took the form of a rigorous regime to monitor the motives of one’s thoughts, feelings and actions—none of which could ever quite be trusted. Birgivī thus seems to have combined two different, but equally strict traditions. Advocating a scrupulous regime of self-surveillance with regard to the “internal” control of the soul and its passions, he also adopted an activist approach with regard to “external” control, centered on a strict interpretation of the law, and to be enforced by exhortation and, if necessary, even physical action.

It is these two different but complementary aspects of his Birgivī’s wider project of advice that have often led to divergent interpretations of his work after his death. These divergent interpretations, and the equally divergent appropriations of his *oeuvre* by Muslims of varying political and religious worldviews over the centuries, have, in their turn, caused debate among
modern scholars as to how to best assess Birgivī’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 Birgivī, 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 Birgivī 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.”1 While he was wrong on the point of doctrine (Birgivī was, 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 of a positive embrace of man’s ability to judge the motives of his actions sincerely.

Moreover, while the concept of “interiority” has recently become fashionable 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. Indeed, I would also question Gottfried Hagen’s more recent concession to Schulze, when he says that Birgivī and his later Ḳāḍīzādelī followers “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

1 Schulze, “Was ist die islamische Aufklärung?” p. 302.
strains of Turkish Islam.”² It is true that rationality and interiorization are characteristic of Birgivî’s work. But it is debatable whether they can function as useful markers of “modernity in religion.” For both “rationality” and “interiorization” can be argued to be characteristic of pre-modern Islam, too. Indeed, it may be the category of “modernity” that needs to be revisited in its usefulness as a heuristic device here.

Furthermore, while Birgivî’s work was unquestionably of great influence among the seventeenth century Ḍâlîzâdelis, he should not be equated with them. As I have tried to do in this dissertation, it is important to differentiate between his ideas and the views of those who would later adopt (and adapt) them for their own purposes, often under radically changed social and political circumstances. It may also be useful to talk of a wider indigenous tradition of Ḥanafî pietism, of which Birgivî was part (but by no means its originator), and which did not end with the third wave of Ḍâlîzâdelî unrest in the 1680’s either, but found expression in later thinkers and movements, too. For the almost exclusive focus on Birgivî as the intellectual father of the Ḍâlîzâdelis has tended to obscure some of the substance of his work (on its own terms) as well as that of many of its non-Ḍâlîzâdelî receptions.

Indeed, a comprehensive history of the reception of Birgivî’s ideas remains to be written. It is a story that will prove as fascinating as his work itself, if not more so in its richness and complexity. For almost immediately after Birgivî’s death, commentaries started being written on the Ṭarīqa, as well as on many of his other compositions. We have seventeenth century translations, epitomes and poems of praise. For example, less than a couple of decades after Birgivî’s death the famous Meccan scholar ‘Alî b. Sultân al-Qârî al-Harawî (d. 1014/1605)

would compose a eulogy on the Ṭarīqa, entitled *al-Mawāhib al-fathiyya ʿalā al-ṭarīqa al-muḥammadiyya*.³

In addition to such favorable receptions, there also exist a whole range of seventeenth century refutations and lampoons, such as that of a certain Mollā Kurd Meḥmed from Van or Tatar Imām’s *Risāle*.⁴ Indeed, as in the case of many influential pre-modern Muslim thinkers, Birgivi’s work would prove both inspiring and divisive. I trust that my dissertation will have provided some groundwork for those who will embark upon writing such a history in the future. Moreover, I hope it has succeeded in elucidating the thought of a major player in the process of the negotiation of Islamic orthodoxy in the sixteenth century Ottoman Empire.

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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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