

Presentation Title

Reading and Archiving Practices of Ottoman Imperial Law:
A Case Study of the Juridical Opinions of Şeyhülislam Zekeriyazade Yahya Efendi (1561-1644)

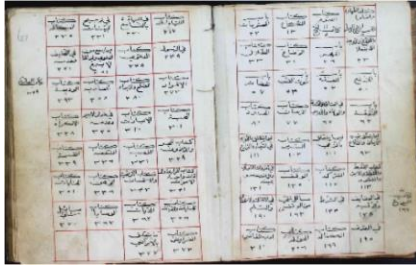


Table of Contents of the Compilation of Zekeriyazade Yahya Efendi's Juridical Opinions. Istanbul, Süleymaniye Library MS Ayasofya 1569

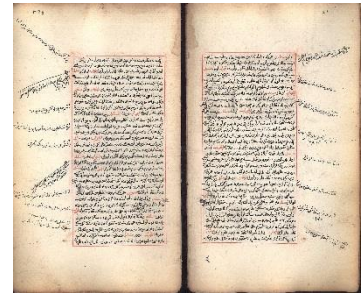
Focus of the Presentation

Based on the initial findings of an ongoing dissertation project, this presentation concentrates on the seventeenth-century compilations of the juridical opinions (*fetva*) issued by a prominent chief jurisprudent (*şeyhülislam*), Zekeriyazade Yahya Efendi (b. 1561 - d. 1644) [hereafter, Yahya], in order to reflect upon the dynamics of the juridical opinions' legislative aspects and circulation across the Ottoman Empire. Although imperial law and governance operated through the medium of manuscript for most of the lifespan of the Ottoman Empire, studies to date have not considered the chief jurisprudents' juridical opinions in their entirety with reference to their organization and function by taking into account the paratextual elements (*e.g.* table of contents, marginal annotations and additions, prefaces, ownership statements) that bear distinct stamps of reading and archiving practices. Here, I explore as an introductory case study two

different copies of the same compilation produced by the student and chief secretary of Yahya, Mehmed Efendi of Bursa, who later became the chief jurisprudent. One of the copies was held in the foundation (*waqf*) library of Hagia Sophia at the seat of the Empire in Istanbul as a stand-alone compilation, while the other circulated in Ottoman Bosnia and was held in Karadoz Begova Library in Mostar as a component of a multiple-text manuscript.

Objectives

Taking cues from the fledgling field of the history of the book within Ottoman studies, the goal of this presentation is to shed light on the reading and archiving practices on Yahya's juridical opinions and consider the reflections of the regional dynamics on the basis of the differences of the paratextual elements between the two copies: the compilation of juridical opinions from Istanbul held in the Hagia Sophia foundation (*waqf*) library and the other from Ottoman Bosnia and held in Karadoz Begova Library in Mostar. These practices include edition ranging from writing a preface and preparing a table of contents to crossing out redundant juridical opinions; interpretation from elucidating through supplementing a related juridical opinion to its doctrinal elaboration; evaluation from assessing the currency of the juridical opinion to determining its reliability. These hitherto understudied aspects of Ottoman legal books in general and the compilations of the juridical opinions in particular provide insights into the ways in which practices of law and governance were embedded in the manuscript culture. In this way, I explore how Yahya's legislative contributions during the unstable seventeenth century were received and circulated in different parts of the Empire with an eye to the tensions between universal and doctrinal aspects of law and its practical ramifications and variants in different localities.



The manuscript compilations of juridical opinions were open texts, inviting commentary. Sarajevo, Gazi Husrev-beg Library, MS 3783

Dissertation Project

Inscribing Authority at the Time of Crises and Transformation: Şeyhülislam Zekeriyazade Yahya Efendi (1561-1644) and Lawmaking in the Ottoman Empire

This presentation is part of a dissertation project that I am conducting, which investigates how the epistemological bases of imperial legislation and archival practices of its enforcement relate to the nature of imperial governance grounded in the Islamic tradition and manuscript culture through an intellectual biography of the longest-serving seventeenth-century chief jurisprudent (*şeyhülislam*) of the Ottoman Empire, Zekeriyazade Yahya Efendi. I investigate Yahya's legislative thought on the problems that were central to the seventeenth century. I also study the nature of his imprint on the imperial jurisprudential canon and his empire-wide scholarly standing within various textual communities from the Arab lands to the Balkans by tracing the paper trail of his works as well as their copyists and users. In this respect, I use the concept "textual communities" as a placeholder to be fleshed out in the course of mapping out the geographical distribution and profile of the individuals and groups (*e.g.* copyists, owners, and commentators) who engaged with Yahya's opus. My sources include his juridical opinions, imperial law-codes, legal treatises, and even his poems that were circulated across the Empire and now housed in the manuscript libraries and archives of Turkey and Europe. The project raises an opportunity to understand the possibilities of the Ottoman manuscript culture upon which governance, legal practices, and knowledge production were based.