

# Law, Wisdom, and Politics in Making Süleyman “The Lawgiver”

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## 1 Introduction\*

The long reign of Sultan Süleyman (r. 1520–1566) offered ample material to fashion a legendary image. In Western Europe, his vast domains and the material and human resources to which he had access gave him a reputation for magnificence. Though this was also repeated in contemporaneous Ottoman documents, it was not the principal aspect of his rule that was emphasized. In its stead, it was justice, the *sine quo non* virtue of an ideal ruler, that was cultivated for his contemporaneous and posterior reputation as “the Lawgiver” (“Kanuni”).<sup>1</sup> His justice was orchestrated through the regulations, which, under his leadership and supervision, organized the state, determined the status of its subjects, and regulated the relationships between them. At the same time, the largely successful efforts to create a ‘perfectly’ ordered realm reinforced the spirit of the times that saw the epoch as extraordinary and Süleyman as a major contender for being its ruler.

As the sultan and a close group of high state officials established standards and regulated paths, especially but not exclusively, in Ottoman administration and installed legal codes and practices, in the larger Mediterranean and its Euroasian hinterland apocalyptic expectations trespassed religious denominations and linguistic barriers.<sup>2</sup> These expectations incubated an amalgam of

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\* Only quoted texts from primary sources are fully transcribed.

- 1 For his reputation for justice, see Halil İnalçık, “Süleyman the Lawgiver and Ottoman Law”, *Archivum Ottomanicum*, 1 (1969), 15–106. Poems protesting his decision to have his popular firstborn, Mustafa, killed (1553) fiercely question his reputed justice. See Mustafa İsen, *Acyı Bal Eylemek: Türk Edebiyatında Mersiye*, (Ankara, 1994), 283–323; especially those by Sami and Nisayi (305–7 and 308–11 respectively).
- 2 Cornell H. Fleischer. “The Lawgiver as Messiah: the Making of the Imperial Image in the Reign of Süleyman”, in Gilles Veinstein, ed., *Soliman le Magnifique et sons temps* (Paris: Documentation Française, 1992), 159–77; “Shadow of Shadows: Prophecy in Politics in 1530s İstanbul”, *International Journal of Turkish Studies*, 13.1–2 (2007), 51–62; and “Ancient Wisdom and New Sciences: Prophecy at the Ottoman Court in the Fifteenth and Early Sixteenth Centuries”, in Farhad Massumeh and Serpil Bağcı, eds., *Fatnâma: the Book of Omens* (London: Thames

sentiments ranging from the fear of total chaos to the longing for universal order and peace; from a heightened historical consciousness accompanied by a hyperawareness of extraordinary natural incidents to the need for protection.<sup>3</sup> In this psychological environment, Süleyman's image as the establisher and protector of order and justice, as well as the ruler of an extensive and multi-religious empire, promoted him as an ideal candidate for universal leadership. His main rivals were Charles V (r. 1519–1556) of Habsburg Spain and Shah Tahmasb (r. 1524–1576) of Safavid Iran, both of whom cultivated similar ideological discourses of divinely bestowed political and spiritual authority over the known world.

Concurrently, an empire spread over several continents presented major problems in administration and maintenance. In the territories conquered in the first decades of the sixteenth century Ottoman authority was yet to be consolidated.

The former Mamluk territories of Syria and Egypt, conquered in 1516 and 1517 respectively, were such areas. Sources of great financial revenues, especially in the case of Egypt, and equally great prestige, these lands had also been the foremost centres of learning. Consolidating the relatively new authority of the Ottoman state over lands with rich administrative and cultural traditions required more than brute force. Indeed, under Süleyman a series of measures were taken in order to organize the social, economic, and cultural life of the empire, giving priority to these recently conquered lands. The most significant of them were legislative in nature.<sup>4</sup>

The leading administrators of the time, like Celalzade Mustafa Çelebi, prepared legal and administrative codes, put the already existing laws into a coherent order, and added new ones. The preambles especially to the codes composed in the first decades of Süleyman's reign also provided the textual space to describe the nature of the new sultan's rule. They promoted his authority among the state officials, who were to read and use them for their

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and Hudson, 2009), 232–43; Kathryn Babayan, *Mystics, Monarchs, and Messiahs: Cultural Landscapes of Early Modern Iran* (Cambridge, MA: Harvard University Press, 2002); Sanjay Subrahmanyam, "Turning the Stones over: Sixteen-century Millenarianism from the Tagus to the Ganges", *Indian Economic Social History Review*, 40.2 (2003), 129–61.

<sup>3</sup> The sack of Rome in 1527 and the repeated occurrence of the plague sharpened these sensitivities.

<sup>4</sup> See for example, James E. Baldwin, *Islamic Law and Empire in Ottoman Cairo* (Edinburgh: Edinburgh University Press, 2018), where the author discusses the plurality of law practices and institutions in Cairo addressing issues such as centre-periphery relations, Ottoman perception of royal justice, and the great tradition of Islamic scholarship in the Egyptian capital.

daily tasks. In fact, some of these texts went beyond their formal function and were copied and read separately among the bureaucratic and scholarly elite as fundamental texts of Ottoman state culture.<sup>5</sup>

Here, I will discuss two of these preambles. The one of Egypt was composed in 1525 after the suppression of the rebellion of a former vizier. The preamble of Bosnia was written in 1530 as the region was losing its frontier status. Before proceeding any further, however, it would be worthwhile to revise the mechanism and terminology of law in Islamicate societies, focusing on the Ottoman case.

## 2 Problems of Terminology: *fiqh* and *Shari‘ah*

Law in early modern Islamicate societies involved a synthesis of sorts.<sup>6</sup> Rather than a synthesis that became fixed in time, this was one that was essentially interpretive and dynamic. In the Ottoman case the various practices constituting it differed in their origins but did not necessarily contradict in their purpose or practice. Most importantly, each claimed jurisdiction over a vast variety of areas, occasionally overlapping with one another.

The main judiciary frame was the practice of *Shari‘ah* based interpretations of jurisprudence (*fiqh*). Among the four major schools (*madhab*) of Sunni Islamic jurisprudence, namely the Shafi‘i, Hanafi, Maliki, and Hanbali, it was the Hanafi *madhab* that the Ottoman state favoured. Hanafi courts were disseminated throughout the empire. In regions like Syria and Egypt, where legal life was traditionally dominated by other *madhabs*, alongside Hanafi courts, the authority of the relevant *madhab* was generally respected, though not without tensions.<sup>7</sup>

5 Snjezana Buzov, “The Lawgiver and his Lawmakers: The Role of Legal Discourse in the Change of Ottoman Imperial Culture”, unpublished Ph.D. dissertation (Chicago, 2005), 30. Ahmet Akgündüz lists five copies for the preamble to the Egyptian *qanunname* separate from the law code it introduces, four in Istanbul (Süleymaniye (1) and Topkapı (3) libraries) and another copy in Paris (Bibliothèque Nationale). Ahmet Akgündüz. *Osmanlı Kanunnâmeleri ve Hukuki Tahlilleri. Kanunu Sultan Süleyman Devri Kanunnâmeleri*, volume 6 (Istanbul: OSAV, 1993), 82.

6 I owe much of my understanding of Ottoman law to Snjezana Buzov, who generously shared with me the unpublished manuscript of her brilliant book, “State Law and Divine Law under the Ottomans: Encounters between *Shari‘ah* and the Sultan’s Law”.

7 Reem Mashal challenges the idea of Ottoman preservation of local legal customs and culture in conquered lands and argues that in Süleyman’s reign, Ottomans manipulated both *qanun* and *fiqh* to homogenize law, hence trespassing the plurality inherent in the system and constructing a legal culture that was “at once more individualistic and more

Here, it is important to clarify some issues concerning terminology. Firstly, as Snjezana Buzov has rightly noted, the distinction between Shari'ah and *fiqh* has often been ignored in Ottoman legal studies.<sup>8</sup> While Shari'ah is Divine law revealed in the Quran and Hadith literature, where the practices and teachings of Muhammad (*Sunnah*) are narrated, *fiqh* is its human interpretation expanded by Islamic jurists. Due to its divine nature, Shari'ah can never be completely or perfectly known, let alone be realized in action. In order to attain practical significance for the Muslim community, Shari'ah needs human understanding and interpretation; in other words, it needs *fiqh*. *Fiqh*, on the other hand, always remains open ended and plural, for it is the output of human experts, who are conditioned by the perspectives and limitations imposed on them by social and political circumstances and by nature. Hence, *fiqh* cannot constitute a uniform system of legal thinking, but involves a variety of, often inconsistent, interpretive positions on specific issues.

The plurality in the nature of *fiqh* does not signify a total and uncontrolled freedom, either. When there are no direct passages in the Qur'an or the Hadith referring to the case at hand, the judicial decisions are made using the other two 'roots' of Islamic jurisprudence (*usul al-fiqh*): consensus (*ijma*) and analogy (*qiyas*).<sup>9</sup> While analogy makes the fundamental religious texts relevant once again, consensus of the community of legal experts brings legitimacy to the final decision(s).

Related to the confusion in terminology, is the common error in scholarship to see Ottoman law as a dual system of sacred and secular law. According to this view, *fiqh*, often inaccurately named Shari'ah, constituted the sacred law, and *qanun* represented the sultan's secular political authority. While religious law was timeless and static, the secular one evolved with respect to the needs of the situation, determined by social, economic, and political circumstances.<sup>10</sup>

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conformist": "Antagonistic Shari'as and the Construction of Orthodoxy in Sixteenth-Century Ottoman Cairo", *Journal of Islamic Studies*, 21.2 (2010), 4 and elsewhere.

8 Buzov, "The Lawgiver and his Lawmakers", 13.

9 There are other supplementary principles for the four legal *madhabs* in Sunni Islam, such as preferability, which the Hanafis use arguably more extensively than other *madhabs* to expand on personal judgment (*ray*). Marshall G.S. Hodgson. *The Venture of Islam: Conscience and History in a World Civilization*, vol. 1 (Chicago: University of Chicago Press, 1974), 326–36.

10 The conception of Islam as static reinforced Orientalist and Weberian portrayals of its law. Among Turkish historians there have been two interrelated factors nurturing the dual system argument. One is the republican and nationalist impulse of blaming Islam for the eventual failure of the Ottoman Empire in achieving modernity. The other is the search for sources of secular progress in the overemphasized connections to a Central Asian past in all aspects of life, including legislative practices. See for example, Ömer Lütfi Barkan, *xv ve xvinci Asırlarda Osmanlı İmparatorluğunda Ziraâ Ekonomisinin Hukukî ve Malî Esasları*

As opposed to this view still dominant in scholarship, historians such as Haim Gerber, Dror Ze'evi, and Snjezana Buzov, have offered more nuanced explanations recognizing the contextual character of any legislative action including *fiqh*-based jurisprudence.<sup>11</sup> As Ze'evi notes, the perceived differences between *qanun* and *fiqh*-based legal interpretation should not be interpreted “as two conceptions of law, but rather as evolution within the same legal and cultural sphere”<sup>12</sup>

Just as any other interpretation, *fiqh* also evolved. Not only the corpus of interpretative jurisprudence included new additions, but the traditional decisions and formulations also gained or lost popularity with changing times and circumstances. Effectively the sixteenth century intellectual and bureaucrat Mustafa 'Ali (d. 1600) refers to jurists who did not contextualize law but only repeated the oldest traditions as the lowest group among the learned: “*fundamentalists who hold so firmly to the words of the oldest authorities that they refuse to consider that new insights or new works are possible. They sin in the direction of fanaticism and blindness, like the Jews and Christians who refused to acknowledge the authority of the Prophet*”<sup>13</sup>

As in cases involving regulations established during pre-Ottoman (often Byzantine) periods, *fiqh* even came to accommodate some non-Islamic practices and traditions while rejecting others for not necessarily legal reasons. The great Ottoman Chief *Mufti* (*Shayk al-Islam*) Ebu's-suud's legal

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(Istanbul: Bürhaneddin matbaasi, 1943); Halil İnalçık, “State, Sovereignty and Law during the Reign of Süleyman”, in Halil İnalçık and Cemal Kafadar, eds., *Süleyman the Second (sic.) and His Time* (Istanbul: İsis, 1993), 59–93; Uriel Heyd, *Studies in Old Ottoman Criminal Law*, ed. V.L. Ménage (Oxford: Clarendon, 1973) and “Kanun and Sharia in Old Ottoman Criminal Justice”, *Israel Academy of Sciences and Humanities. Proceedings* (Jerusalem, 1967); Colin Imber, *Ebu's-suud: The Islamic Legal Tradition* (Edinburgh: Edinburgh University Press, 1997); Richard Repp, “Kanun and Shari'a in Ottoman Context”, in Aziz al-Azmeh, ed., *Islamic Law: Social and Historical Contexts* (London: Routledge, 1988), 124–45.

<sup>11</sup> Boğaç A. Ergene, “Qanun and Sharia”, in Rudolph Peters and Peri Bearmen, eds., *The Ashgate Research Companion to Islamic Law* (Burlington: Ashgate, 2014), 109–22; Buzov, “The Lawgiver and his Lawmakers”. Ergene offers a more comprehensive analysis of the debate on Ottoman law summarized here.

<sup>12</sup> Dror Ze'evi, *Producing Desire: Changing Sexual Discourse in the Ottoman Middle East, 1500–1900* (Berkeley: University of Los Angeles Press, 2006), 69.

<sup>13</sup> Paraphrased in Cornell H. Fleischer, *Bureaucrat and Intellectual in the Ottoman Empir: The Historian Mustafa Ali, 1541–1600* (Princeton: Princeton University Press, 1986), 259–60, from Mustafa 'Ali, *Künh ül-Ahbar*, vol. 1, (Istanbul: 1861/1277), 34–9. See also 109–110 in [http://ekitap.yek.gov.tr/urun/kunhu'l-ahbar-1-2-ciltler\\_733.aspx](http://ekitap.yek.gov.tr/urun/kunhu'l-ahbar-1-2-ciltler_733.aspx) Last accessed: 17 October 2022.

recommendations (*Ma'ruzat*) presented to Sultan Süleyman fall into this latter category.<sup>14</sup> These were a collection of legal decisions on a variety of topics preferred over other legitimate alternatives, mainly for practical reasons. In sum, the part denominated as “sacred” in the dual system concept was neither exclusively sacred nor static.

Furthermore, the dual system idea misled to an inherent tension formed by the unchangeable and timeless tenets of Islam and the dynamic secular laws represented by *qanun*. In fact, the *fiqh*-based tradition already recognized the right of political authorities to legislate, especially when dealing with administrative, financial, and military issues. Ahmed Akgündüz lists the three areas where Islamic law permits a political authority to exercise its right to legislate. The first is when a ruler decides to integrate decisions included in books of *fiqh* into *qanun*. The second is when a legal practice for a social issue is preferred over other choices and is incorporated into the corpus of *qanun*.

The final category is independent from previous decisions. It includes cases where the political authority takes legislative and judiciary decisions in order to establish and maintain social order (*niżām-i ālem*), punish crimes against the state, enforce legal, administrative, financial, and military regulations, and implement regulations for the administration of non-royal lands.<sup>15</sup> This last category, also known as *siyasat*, signifies the potentially most ample use of political authority in matters of justice. With the legislative reforms of Süleyman's reign and exercising the legitimate right of *siyasat*, the state introduced economic punishments, such as forced labour and progressive fines, and social castigation, none of which were included among *fiqh*-based castigation.

### 3 Other Participants: Fermans, Fetwas, and Pre-ottoman Legislation

The royal edicts (*fermans*) were essential participants in Ottoman legislation. They were issued by each sultan as an extension of his suzerainty and a reaffirmation of his relationship with his subjects. Through them, the sultan authorized, confirmed, and protected his subjects' rights and duties with respect to the state, the land, and to one another. In this way, they served two essential functions of Ottoman law: to maintain an orderly society and to underline the sultan's role as the implementer and protector of order.

<sup>14</sup> Ebu's-suud served the state as Chief Military Judge of Rumelia (*Kadiasker*) from 1537 until his appointment as *shayk al-islam* in 1545.

<sup>15</sup> Akgündüz, *Osmanlı Kanunnâmeleri ve Hukuki Tahlilleri*, volume 4, 31.

The religious opinions (*fetwas*) that the jurist scholars (*muftis*) issued within the framework of the *Shari’ah* were also taken into account. Even though the authority that issued them was different, like many *fermans*, they treated specific concerns. The weight of the *fetwa* depended largely on the personal authority of the religious scholar issuing it. In trials their usage was not obligatory for decision-making, and even infrequent.

Occasionally, the *shayk al-islam* issued a *fetwa* in response to a legal/ethical question of the sultan. In such cases, these legal opinions were often utilized politically as permissions, reasons, or pretexts for important state decisions and to avoid popular protests.<sup>16</sup>

Though seldom, a *shayk al-islam*’s *fetwas* entered the main body of Ottoman law (*qanun*). In judicial cases where there was an urgent need for reform requiring the sultan’s approval, *muftis* and *qadis* prepared written petitions, named *Ma’ruzat* (pl. for *ma’ruz*) and presented them to the Grand Vizier or the sultan. This practice pertains to Akgündüz’ second category of cases mentioned above, where *fiqh* allows political authority to legislate. Then jurisprudents advised the sultan on frequently encountered cases needing a standardization of legal practices to attain efficiency and maintain order. Their recommendation indicating a single interpretative decision over other legitimate alternatives followed administrative protocol, and the exercising of their legal advice depended solely on the will and authority of the sultan. In other words, such cases exemplified a collaboration of the religious and political authorities where the initiative arrived from the former while the final legislative authority, from the latter.

The most famous Ottoman case of this practice is the above-mentioned collection of *fetwas* Ebu’s-suud prepared for Süleyman’s approval on a variety of social and economic issues. Ebu’s-suud composed his *Ma’ruzat* with the most appropriate legal opinions he selected and compiled for “the order of the religion and state and the correct organization of the matters of the realm”.<sup>17</sup> These responded to cases ranging from religious practices to divorce, from runaway slaves to court testimonial. The compilation is also significant in revealing the

<sup>16</sup> For the transcribed text of Ebu’s-suud’s *fetwas* for the accusation of Prince Bayezid, see appendix x in *Şerafettin Turan, Kanuni Süleyman Dönemi Taht Kavgaları* (Ankara, 1997), 180. Ebu’s-suud and, before him, Hamza Saru Görez and Kemalpaşazade had issued *fetwas* legitimizing war against the Safavids, designating them as infidels. For the latter, see nos. 6401 and 12077, Topkapı Palace Archives in Şehabettin Tekindağ, “*Yeni Kaynak ve Vesikalaların Işığı Altında Yavuz Sultan Selim’in İran Seferi*”, *Tarih Dergisi / Turkish Journal of History*, 17.22 (İstanbul, 1967), 55.

<sup>17</sup> “*Niżām-ı dīn ü devlet ve intizām-ı aḥvāl-i memleket*”, in Akgündüz, *Osmanlı Kanunnâmeleri ve Hukukî Tahlilleri*, v. 4, 35.

effective communication between him and the sultan on legal issues, making the latter's participation in legislature extraordinarily extensive for a principally political authority.

The remarkably high number of extant manuscripts of this document suggests a readership with a more general profile than merely experts in law.<sup>18</sup> According to Akgündüz, all were copied from an original most probably prepared by Ebu's-suud's successor Hamid Efendi (tenure 1574–1577),<sup>19</sup> who seems to have needed the new sultan's confirmation to continue the practice. This need for confirmation after the death of both Ebu's-suud (d. 1574) and Süleyman (d. 1566) suggests that the *Ma'ruzat*, was first and for most seen as a contract between them. After the compilation was approved, it became a classical reference for Ottoman law.

The local practices of recently conquered lands were other important participants in the Ottoman legislative system. In some cases, even in not-so-recently-conquered lands, rules and regulations dating from pre-Ottoman periods were maintained. They were approved and incorporated into the corpus of laws (*qanun*) and protected by the authority of the sultan as the highest legislator. As long as they did not contradict *fiqh*, their possible non-Islamic origin was not considered relevant. They served the interests of the subjects and the state and regulated their activities.<sup>20</sup>

In short, the Ottoman synthesis was not a composite system formed as a mosaic of different and individually more limited parts. Rather, it was the outcome of a dynamic negotiation and harmonization of various judiciary traditions.<sup>21</sup> Judiciary interpretations of the Qur'an and the Hadith literature, Islamic legal opinions concerning determined issues, as well as already existing legislations inherited from past Muslim or non-Muslim states were all integrated into a corpus of laws and regulations that aimed at establishing and

<sup>18</sup> Akgündüz gives a partial list of thirteen manuscript copies: *ibidem*, v. 4, 34.

<sup>19</sup> Akgündüz, *ibidem*, v. 4, 33. Here, there is a slight problem with the name of the sultan to whom the compilation was presented. By the time Hamid Efendi assumed his post, Selim II had already been ruling for eight years; so I find it doubtful that the new sultan was Süleyman's son Selim II (r. 1566–1574) as Akgündüz states.

<sup>20</sup> For arguments against the view of a pacific and smooth incorporation of local laws and customs in conquered lands, see Mashal, "Antagonistic Sharī'as".

<sup>21</sup> Buzov, "State Law and Divine Law under the Ottomans". Similarly, Kristin Stilt and Yossef Rapoport argue for a synthetic judicial system integrating *fiqh* and legislative authority of the ruler (*siyasa*) in the Mamluk context: Kristin Stilt, *Islamic Law in Action: Authority, Discretion, and Everyday Experiences in Mamluk Egypt*. (New York: Oxford University Press, 2011); Yossef Rapoport, "Royal Justice and Religious Law: Siyāsah and Sharī'ah under the Mamluks", *Mamluk Studies Review*, 16 (2012) 71–102.

maintaining an ideal order. Changing times and specific political, social, or economic necessities and gender relations led to the natural evolution of this corpus and its interpretive execution.<sup>22</sup>

Compilations of preferred legal opinions presented by the *shayk al-islam* and legislated by the sultan, such as Ebu's-suud's *Ma'ruzat*, exemplified how the system enabled the cooperation of religious and political authorities when practicality and efficiency were at stake. These types of initiatives answered the need for a more modern and standardized practice of justice. They were facilitated by the agility within the system allowing for synthesis and harmonization of a variety of practices from different origins. Ironically, they also worked against this flexibility by turning theoretically open-ended decisions into solidified laws leaving less room for interpretation.

The sultan's role of protecting this legally governed perfect order formulated and regulated by *qanuns* added a new dimension to the natural tension between absolute and legal governance. The ideal sultan's role as the refuge of the weak and the protector of justice, paradoxically, glorified his royal persona and confirmed his authority. Sultan Süleyman's reign was often projected as one such period both during and after his life. The fervent legal and administrative activity led by the *Shayk al-islam* Ebu's-suud Efendi and the secretary-Chief Secretary-and-then-Chancellor Celalzade Mustafa Çelebi with the sultan's approval and participation resulted in the formation of a characteristic Ottoman legal manner distinct from those of other Islamic states preceding it.

#### 4 “Süleymanic” Law and Order

Ebu's-suud Efendi's work is largely responsible for Süleyman's reputation as a legislator. He applied concepts, principles, and terminology from the *Hanafi* law to the areas of landholding, taxation, criminal punishment, and charitable endowments.<sup>23</sup> We have seen an example of this cooperation in his *Ma'ruzat* when he standardized *fiqh*-based decisions on various frequently encountered issues into the Ottoman Book of Laws and Regulations (*qanunname*). Simultaneously, Ebu's-suud was also doing the inverse by recasting “practices that were part of the Ottoman legal and administrative repertoire in the language of Islamic jurisprudence”, that is *fiqh*.<sup>24</sup> This should not simply be considered an effort to translate the sultan's will into religious idiom. The efforts to

<sup>22</sup> Ze'evi, *Producing Desire*, 48–76.

<sup>23</sup> Ergene, “Qanun and Sharia”, 112.

<sup>24</sup> Ergene, *ibidem*.

create a legislative system with up to date *qanun* books and issuing new edicts that synthesized the existing practices and *fiqh* with the current needs of the Empire were jurisprudential in nature.

The oft-studied Ottoman practice of cash endowments is a telling example for the relationship between *fiqh* and *qanun*.<sup>25</sup> These were simple interest-bearing loans guaranteed by pawns of real estate. Even though interest was forbidden in Islam, cash endowments were an accepted part of Ottoman economic life as early as the second half of the fifteenth century. They had an important function of capital distribution and helped finance social projects in health, education, and general welfare. Three years before his appointment as the *shayk al-islam* in 1548, Ebu's-suud wrote a twenty-eight-page treatise justifying the practice. The document proved both his professional rigour and acumen in integrating his expertise in *fiqh* with the social and economic interests of the realm.

Another interesting area is criminal punishment. In Ottoman courts, some lighter crimes were dealt with fines instead of the physical punishment typically assigned by many classical jurists. Most non-violent sexual transgressions, such as adultery, received progressively designed fines, forced labour, and banishment; and rarely heavy physical chastisement.<sup>26</sup> When a criminal act was seen as a serious threat to public order or abhorrent, however, the courts generally opted to mete out harsher punishments rather than lesser ones. In violent cases involving pederasty, for example, the verdict was often execution rather than blood money that *fiqh* allowed the perpetrator to pay to the victim's family.<sup>27</sup>

Whether the Ottoman courts inclined towards more religious sources or more pragmatic ones, and whether they became more lenient or stricter as a result, an ideal of perfect order remained arguably the principle aim of the legal

<sup>25</sup> See Murat Çizakça, "Cash waqfs of Bursa, 1555–1823", *Journal of the Economic and Social History of the Orient*, 38.3 (1995), 313–54; Jon E. Mandaville, "Usurious Piety: The cash Awqaf Controversy in the Ottoman Empire", *International Journal of Middle Eastern Studies*, 10.3 (1979), 289–308; Haim Gerber, *Economy and Society in an Ottoman City: Bursa, 1600–1700* (Jerusalem: The Hebrew University, 1988), 128–9. For the social reception of cash *awqaf* and the influence of public opinion, see Haim Gerber, "Public sphere and civil society in the Ottoman Empire", *The Public Sphere in Muslim Societies* (Albany: SUNY Press, 2002), 72–4.

<sup>26</sup> Ze'evi. *Producing Desire*, 64–5.

<sup>27</sup> The principal reference on Ottoman criminal law is still Uriel Heyd's posthumous book *Studies in Old Ottoman Criminal Law*, ed. V.L. Ménage (Oxford: Clarendon, 1973). For a summary on the execution of law and the system of checks and balances, see also Rudolph Peters, *Crime and Punishment in Islamic Law: Theory and Practice from the Sixteenth to the Twenty-first Century* (Cambridge: Cambridge University Press, 2005), especially 69–102.

system. The cases of sexual transgression reveal the priority of maintaining social order over moral chastisement *per se*. They also underline the social and economic role of law and legislation. The Ottoman *qanun*, especially after the reformulation and standardization activities in Süleyman’s reign, designated the household, extended family, the village and town quarters as legal bodies responsible for controlling its members, cooperating in rendering culprits, and contributing to the financial punishment its members received.<sup>28</sup> Social exclusion was used in the form of banishment from community. Finally, the fines and forced labour benefitted the state and, in the long run, were supposed to benefit its subjects, for whom the state offered protection and infrastructure.

With its servants trained in the military, administration, and/or the religious/scholarly establishment, the state was to provide safety for all its subjects, Muslim and non-Muslim, and to ensure the efficient functioning of their religious and economic activities, travelling, and communication. Despite the checks and balances of the system corruption existed, and neither safety in the extensive realm nor the idealized system of meritocracy was perfect. The institutions and career paths established during Süleyman’s reign were to become overcrowded already in the last quarter of the sixteenth century posing serious problems of maintenance. Nevertheless, Süleyman’s reign was marked by an expansive program of reforms, institutional development, and standardization. In this environment, it is no coincidence that the legacy of the civilizing prophet-king Solomon, after whom the sultan was named, became a major reference for comparison and source of inspiration in making the persona of the sultan.

## 5      Solomon in Islamic Tradition

The image of the prophet-king Solomon in the Islamic and the Judeo-Christian traditions have many similarities. He is the archetype of the powerful and just ruler, who was divinely endowed with insightful knowledge. He ruled a prosperous kingdom and was famous for his architectural patronage. While in both traditions Solomon’s wisdom and justice are intertwined, the exemplary story given differs.

In the Judeo-Christian tradition, Solomon has to decide between two women’s claims of motherhood and choose the authentic one. The Qur'an refers to the dispute of two men. The plaintiff is a farmer, and the defendant, a shepherd.

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28 Ze'evi. *Producing Desire*, 60.

In the story, the farmer appears before King David, Solomon's father, complaining that the shepherd's sheep entered his field, trampled over his crops and grazed, causing him financial damage. He demands compensation from the animals' owner. The shepherd is poor and the damage he caused exceeds his sheep's value.

Hearing the case, David promptly decides that the shepherd should hand over his flock to the farmer. David's teenager son, Solomon, also present at the tribunal, offers an alternative solution. With prudence and respectful words, he suggests that only the right to use the milk and wool of the shepherd's sheep be given to the farmer. The shepherd should work in the farmer's damaged fields to restore them to their previous condition. Afterwards, the farmer should return the sheep to the shepherd.

David finds his son's solution more suitable than his own and orders its implementation. The Qur'anic passage ends, "And We made Süleyman understand (the case); and unto each of them We gave judgement and knowledge".<sup>29</sup>

How the story of Solomon's judgment in the Judeo-Christian tradition ends is well-known. Solomon orders the child be cut in half so that he could be shared between the two women. This order then reveals the identity of the authentic mother, who prefers to lose her rights on her child instead of seeing him perish. Solomon's indirect way of determining the truth reveals his shrewd intelligence and capacity for solving problems using his understanding of human psychology.

Solomon in the Islamic tradition also solves the problem with finesse. To be exact, David's monolithic decision was just, however, it lacked Solomon's insight to the human condition and his resulting compassion. Were all his flock taken from the shepherd, he would have been left destitute. Neither was David's alternative economically effective: the value of the shepherd's flock could not sufficiently cover the farmer's damage. Solomon's more complex solution benefited both parties. Aside from safeguarding the shepherd's ownership of the animals, it also promised fuller economic compensation to the farmer by providing him free milk and wool to use and sell, as well as free service for his fields.

Solomon's justice also preserved the peace and *status quo* the incident temporarily disturbed and avoided a possible future confrontation between the two sides. In a desperate effort of self-preservation, the shepherd might have disobeyed David's law and even shown physical resistance creating both legal and social disharmony.

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<sup>29</sup> The Qur'an 21:79.

Solomon's wise judgement has more implications when the two sides are seen as representative members of larger socio-economic groups: the farmer of settled communities and the shepherd of nomadic or semi-nomadic ones. From this perspective Solomon's judgement brings and secures harmony to the potentially volatile relationship between the nomadic and settled populations. He displays a governing wisdom that will guarantee harmony in his future realm.

The narrative structure of the story includes yet another important element for the description of an ideal king: the capability of recognizing sound counsel even when it comes from someone inferior. If Solomon shows God-given judgment and knowledge with his counsel, David exhibits the same qualities with his ability to take his son's counsel. The story's pre-modern audience, for whom differences of age and social standing mattered significantly, would have noticed the mismatch between the social positions of the giver and the receiver of advice. Their awareness would have underlined such messages as the possibility of good advice arriving from an inferior source or the importance of the good ruler to recognize sound counsel.

## 6 The Legacy of Solomon during the Reign of Sultan Süleyman

Albeit being widely known, the story of the litigation never became a popular topic for illustrations. In its stead, Solomon was often represented with his impressive court composed of ministers, jinns, and a motley of animals, highlighting his universal authority. On the other hand, the concept of the wise vizier as the indispensable companion of a discerning king became a *topos* in text and image throughout Islamicate civilization. However, it was Solomon, and not his father who became the model ruler heeding good counsel, and his vizier, Asaf, the humbler source of sound advice.

References to Solomon and Asaf were particularly rampant during the reign of Sultan Süleyman.<sup>30</sup> Lutfi Pasha (grand vizier between 1539–1541) composed a book of advice for ministers after his dismissal and titled it “The Book of Asaf” (*Asafname*), thereby comparing himself to the reputed vizier, and the sultan to Solomon. Occasionally, these flattering comparisons arrived from

<sup>30</sup> Paul Losensky examines a parallel manipulation of the legacy of the prophet-king for the Safavid Shah Solayman (1647–1694): “Coordinates in space and time: architectural chronograms”, in Colin Paul Mitchell, ed., *New Perspectives on Safavid Iran: Empire and Society* (Abingdon: Routledge, 2011), 203–7. See also Colin P. Mitchell. *The Practice of Politics in Safavid Iran* (London, New York, 2009), 120–137.

foreign sources. Such was the case with the letter Shah Tahmasb's delegate Kemaleddin Ferruhzade presented to the sultan on the 21st of May 1555 on occasion of a peace treaty. After referring to Süleyman as "Süleymān-i Zamān" (the Solomon of the Age) twice in verse, the Safavid scribe had written on behalf of the shah, that an earlier "venerable letter has been delivered" to him "from [Prophet] Solomon", i.e., his Ottoman namesake.<sup>31</sup>

It was in the literary circles where comparisons between the two Süleymans/Solomons were the most common. Contemporaneous poets, such as Yahya Beg, Baki, and 'Arif, drew parallels between the two in terms of justice, authority, wealth, and generosity.<sup>32</sup> We know that the sultan was well aware of these flattering comparisons and approved them. In fact, he made similar references in his own poems.<sup>33</sup>

In the fields of art and architecture, the situation was no different. Gülru Necipoğlu provides a detailed report of the associations drawn by the contemporaneous Ottoman and foreign visitors between the artistic programme of the Süleymaniye mosque complex on the one hand and paradise, Hagia Sophia, and the Dome of the Rock (Jerusalem), on the other. After highlighting the similarities between the decorative and architectural programs of the mausoleums of the sultan and his wife in the Süleymaniye mosque complex to those of the Dome of the Rock, Necipoğlu notes the possibility "that the similarities are meant to be a reference to the legendary Temple of Solomon"<sup>34</sup> After all, "it is known that the sultan intended to renovate the Dome of the Rock, that he frequently made allusions to passages in the Koran where Solomon is

31 Feridun Ahmed Bey. *Münse'ât üs-Selâtin*, 1., 508–9. <https://babel.hathitrust.org/cgi/pt?id=uci.co70909290&view=iup&seq=546&size=125> Last accessed: 17 of October 2022; also quoted in Colin Paul Mitchell, "The Sword and the Pen. Diplomacy in Early Safavid Iran", unpublished Ph.D. dissertation (University of Toronto, 2002), 356–7.

32 See, for example, the poems of Fuzuli (on justice, wealth, and power), Lami'i (on power), Hayali (on power, wealth, and generosity), Yahya Bey (on power) in Ali Yıldız, *Kanuni Sultan Süleyman'a Yazılan Kasideler* (Ankara: Kültür Bakanlığı, 1996), 178, 70, 188, 208, 216, 272, 340 respectively. See also Hüseyin Akkaya, *The Prophet Solomon in Ottoman Turkish Literature and the Süleymaniye of Şemseddin Sivâstî*, ed. Şinasi Tekin and Gönül Alpay Tekin (Cambridge, MA: Harvard University Press, 1997); Şükrî-i Bitlisi, *Selim-name*, ed. Mustafa Argunşah (Kayseri: Erciyes Ü.Y, 1997), 52–3.

33 See Sultan Süleyman, *Dîvân-i Muhibbî (Kanunî Sultan Süleyman'ın Şiirleri)*, ed. Vahit Çabuk, 3 volumes (Istanbul: Tercüman, 1980), numbers 550 (vol. 2), 727, and 953 (both in vol. 3).

34 A similar case is made for Philip II and his architectural program for the Escorial. René Taylor, "Architecture and Magic: consideration on the *Idea* of the Escorial", in D. Fraser, H. Hibbard and M. Lewine, eds., *Essays in the History of Architecture Presented to Rudolf Wittkower*, eds. (London: Phaidon, 1967), 81–109.

mentioned, and that he was referred to as “*Süleymān-ı Zamān*” (the Solomon of the Age) in his endowment deed (*waqfiyya*) and in inscriptions on public fountains”.<sup>35</sup>

The small fountain behind the Reception Hall (*Arz Odası*) of the Topkapı Palace is one example to these fountains. Here, the inscription reads: “Sultan of the worlds, Solomon of his time, who gives the water of life to the members of his court”. A similar reference is inscribed in a water fountain built during the sultan’s restoration project in Jerusalem’s Temple Mount (*Haram al-Sharif*).<sup>36</sup> The six-pointed star known in Islamicate civilization as the Seal of Solomon was inserted in the Jerusalem city walls rebuilt by Sultan Süleyman.

In an enigmatic single page representation currently preserved in the Los Angeles County Museum of Art [Figure 5.1], we see the same inscription, “*Süleymān-ı Zamān*” as part of the distich: “He is Solomon of his time / he has the kingdom of Solomon in his days”. Using the inscription, the hoopoe bird perched at the top of a tower,<sup>37</sup> the physiognomy of the figure and his personalized turban, Rachel Milstein identified the painting’s principal figure as Süleyman presented as the haloed prophet-king Solomon.<sup>38</sup>

In the image, we see three older men crowned with lesser haloes sitting before Süleyman in a setting resembling his chambers in the Topkapı Palace. They look like religious scholars. Six others are conversing, perhaps debating among themselves, in two groups of three. We can discern a book and an astrolabe in their hands. The style of the painting invites close association with the images of a particular corpus of dynastic literature (*shehnames*) prepared by the Sufi poet and historian ‘Arif for Süleyman in the late 1550s.

We still do not know much more about this unattached page; yet it stands as proof to a particularly direct association made between the sultan and the prophet-king Solomon: a wise and just civilizing governor, who keeps company with scholars and discerns sound counsel; the head of a prosperous empire on earth, protected and revered by the angels above.

<sup>35</sup> Gürler Necipoğlu-Kafadar, “The Süleymaniye Complex in Istanbul: An Interpretation”, *Muqarnas*, 3 (1985), 100–1.

<sup>36</sup> For the inscriptions on these fountains see Rachel Milstein, “King Solomon’s Temple and Throne as Models in Islamic Visual Culture”, in Bianca Kühn, Galit Noga-Banai and Hanna Vorholt, eds., *Visual Constructs of Jerusalem* (Turnhout: Brepols, 2014), 192; and “King Solomon or Sultan Süleyman?” in Eyal Ginio and Elie Podeh, eds., *The Ottoman Middle East. Studies in Honor of Amnon Cohen* (Leiden: Brill, 2013), 21.

<sup>37</sup> The hoopoe is associated with Solomon in Islamic lore.

<sup>38</sup> Milstein, “King Solomon or Sultan Süleyman?”, 15–24.



FIGURE 5.1 Sultan Süleyman as prophet-king Solomon, LACMA, M. 73.5.446

## 7      Süleyman as a Prophet-Like Sultan in Legal Texts

Solomon was not the only prophet to whom the sultan was compared. Ottoman bureaucrats, historians, and poets made analogies between Süleyman and other prophets and saints and employed astral and mystical imagery in their texts to describe his nature and historical mission. In 1530, in the previously mentioned preamble to the *Qanunname* of Bosnia, Celalzade described the sultan as the

King of all nations, Caliph of God in the domain of knowledge, protector of the lands of the People of the Faith, eraser of the traces of infidelity and tyranny, distributor of justice and beneficence and equity, destroyer of the bases of tyranny and oppression and injustice, patron of God’s followers, vanquisher of God’s enemies, possessor of all worldly dominions, announcer of God’s exalted word, Shadow of God in East and West, Sultan of the Sultans in East and West, lion of East and West in combat and war, one who is *Sahib Qiran* (i.e. Lord of the Auspicious Conjunction of Saturn and Jupiter), the son of *Sahib Qiran*, pride of the Ottoman dynasty, who was given the name of the prophet Süleyman (Solomon)—peace be upon him—Sultan Süleyman, ... may the most exalted God spread the carpets of his caliphate over the earth forever, and establish his foundation above Ursa Minor until the Day of Resurrection.

With these words, Celalzade combined universal political and religious authority in his persona. He based the sultan’s authority on his administration of justice and divine knowledge. His military prowess and auspicious birth, coinciding with the major astrological conjunction, confirmed his divinely given mission as the Caliph of the Islamic community—both as the Successor of Muhammad, and the Representative of God. The text continued, “in the time of the vizierate of the minister of celestial revolution, Asaf of the time, named after Khalilu’r-Rahman (i.e., Abraham)”, referring to his wise grand vizier Ibrahim.<sup>39</sup>

Five years prior to the law code of Bosnia, in his preamble to the *Qanunname* of Egypt, Celalzade had composed an analogous formulation of the sultan’s authority and aura using expansive metaphors for the sultan. From mystical and celestial allusions (“the sovereign destined for paradise”, “the felicitous sultan of the celestial throne that is the threshold of the universe and the abode of the

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39 Buzov, “The Lawgiver and his Lawmakers”, appendix B, 234–5.

lotus tree of the seventh heaven”), his metaphors first descended to the astrological sphere as he compared Süleyman to “the Sun in opposition to the Sun in Pisces, the Moon of youthfulness and possessor of the victorious signs, Jupiter the vizier, Mercury of the right course, Saturn the guardian of the Universe, Mars in fatality”, and then continued with a list of pre-Islamic prophets starting with Adam. The sultan was hence “Adam the Pure in sincerity, Noah the Saved of noble deeds, Enoch in learning”, as well as “Ishmael in submission to God, Moses in eloquence, Jacob in pleasing God, Joseph in Preciousness, David in caliphate”. The comparison to Solomon was with respect to his authority.

In the Egyptian preamble, Celalzade also likened him to Muhammad and the four Rightly Guided Caliphs: he was “Ahmad (Muhammad) in honour, Siddik (Abu Bakr) in devotion, Faruq (Omar) in justice, Uthman in forbearance, Ali in knowledge”. According to Celalzade,

While he is not a prophet, to that distinguished creature  
 The Creator gave all moral qualities of the prophets  
 All saints recognized his saintly power  
 If the shah (i.e., the sultan) is called “holy”, that suits the notion of  
 holiness.<sup>40</sup>

The Egyptian law code and its preamble were written at a crucial time for Süleyman, who was yet to consolidate his authority. His appointment of his favourite, Ibrahim, to the grand vizierate in 1523 had antagonized the Second Vizier Ahmed Pasha, who had been waiting for his promotion after Piri Mehmed Pasha’s (grand vizier between 1518–23) dismissal. Now, as the Governor of Egypt, Ahmed Pasha, thereafter known as the Treacherous (*Hain*), organized a rebellion against the young sultan and declared his independence. After the rebellion of Janbardi al-Ghazali in Syria immediately after Süleyman’s ascension (1520), this was the second rebellion in the former Mamluk territories.

The sultan sent his new Grand Vizier with forces from Istanbul and the rebellion was routed in 1524. Nevertheless, it was not sufficient to quench the uprising; Egypt had to be integrated to the rest of the empire economically and legally. That is why a group of administrators accompanied the military forces sent from the capital. Their principal aim was to confirm Ottoman authority over this recently acquired territory of formidable state and cultural tradition. The administrative team included the treasurer İskender Çelebi and the secretary Celalzade.

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<sup>40</sup> Buzov, *ibidem*, appendix A, 210. Buzov translated and examined the full text.

In this context, the preamble's ambitious presentation of the sultan was not merely common eulogy taken a pitch or two higher, but part and parcel of Celalzade's response to the need of establishing the sultan's authority. Celalzade's success in Egypt made him the Chief Secretary (*Re's ül-Küttab*) in 1525, very soon after his return to the capital.<sup>41</sup>

The Egyptian Preamble launched Süleyman's historical mission as a divinely chosen universal ruler of the age. Sometime after its composition, it acquired a ‘textual life’ of its own and was copied many times separate from the law code it formally introduced. The mission Celalzade described for the sultan also had a long life.

More than fifty years after the preamble's composition, the dynastic writer 'Arif used the same ploy of the order of Creation and prophetic comparisons that Celalzade utilized to project Süleyman's mission as the spiritual and political leader of the epoch.<sup>42</sup> In his first *shehname* project of universal history in five volumes circa 1558, his description was longer, more subtle and elaborated in a theo-philosophical discourse. In the first volume, he began human history with the first Caliph of God, Adam; in the fifth, he concluded with the reign of the last Caliph of God, Süleyman.

About five years later, in the Imperial Scroll (*Tomar-ı Hümayun*), the same idea was represented in a different format, making visual references to the mythic celestial scroll where humanity's destiny was allegedly written [Figure 5.2].<sup>43</sup> Once again the sultan's significance for humanity was conceived within a universal history starting with Creation. Here too, astral imagery was employed. The Scroll projected an ecumenical vision of Islam by its inclusion of the twelve imams revered by the Twelver Shi'a. Furthermore, Süleyman was connected to Muhammad, and the early prophets in the central branch of the

<sup>41</sup> For the life and career of Celalzade Mustafa and an evaluation of Süleyman's reign, see Kaya Şahin, *Empire and Power in the Reign of Süleyman: Narrating the Sixteenth-Century Ottoman World* (Cambridge: Cambridge University Press, 2013).

<sup>42</sup> Fatma Sinem Eryılmaz, “From Adam to Süleyman: Visual Representations of Authority and Leadership in 'Arif's *Şahnâme-yi Âl-i 'Osmân*”, in H. Erdem Çipa and Emine Fetvacı, eds., *Writing history at the Ottoman Court. Editing the Past, Fashioning the Future* (Bloomington: Indiana University Press, 2013), 100–28.

<sup>43</sup> For 'Arif and Eflatun's careers and more on the Scroll, see Fatma Sinem Eryılmaz, “The *Shehnamecis* of Sultan Süleyman: 'Arif and Eflatun and Their Dynastic Project”, unpublished Ph.D. dissertation (University of Chicago, 2010); “The Manipulation of Ancient and Medieval Knowledge in the Ottoman Court”, in Godefroid de Callataÿ, Mattia Cavagna and Baudouin Van den Abeele, eds., *Intersective Perspective on Mediaeval Encyclopaedism / Regards Croisés sur l'encyclopédisme médiéval* (Turnhout: Brepols, 2021).



FIGURE 5.2 The beginning of the genealogical section of the Ottoman Imperial Scroll, *Tomar-i Hümayun*, Topkapi Palace library, A. 3599

Scroll's genealogical scheme vis-à-vis his inheritance of Divine knowledge, transmitted to the Ottoman dynasty by Ibn Sina (Avicenna, 980–1037).

Between 1563–1565, as the Imperial Scroll was being prepared, Kinalizade Ali Çelebi, then Chief Military Judge in Damascus, was writing his book on the ethics of family and state, *Ahlaq-i 'Ala'i*, which became a reference in the field shortly after its conclusion. Kinalizade's main references were the classical works of Nasir al-din al-Tusi (1201–1274), Jalal al-din al-Davvani (1426–1502), and Abu Nasr al-Farabi (c. 870–c. 950) on ethics, as well as those attributed to Aristotle, Plato, Socrates, and Ibn Sina (Avicenna). In the section on the exceptional king, whom he described as the Ruler of Hidden Meanings (*hākim-i māni'*), Kinalizade expounded on the nature of kingship: "he is the one who is distinguished by Divine support and upon whom is bestowed unending Divine accord (*tevfiq*) such that he is able to order the welfare (*ṣalāḥ*) of the domain and also to perfect the souls of the people".<sup>44</sup> This is the same ruler that the "moderns" called "Caliph" and the Shi'i called "Imam",

<sup>44</sup> Here, I am principally using Shahab Ahmed's translation: *What is Islam? The Importance of Being Islamic* (Princeton: Princeton University Press, 2016), 473–5. For the text of the 1832 Cairo edition of Kinalizade's work see [https://ia800203.us.archive.org/3/items/ahlakialaiooli/ahlakialaiooli\\_bw.pdf](https://ia800203.us.archive.org/3/items/ahlakialaiooli/ahlakialaiooli_bw.pdf).

and Plato, “the prudent Manager of the World” (*müdebbir-i ālem*). He added that this ruler, who spread justice and was free from any form of tyranny or injustice, was “perfect (*kāmil*) among his kind” and “fit to be called Shadow of God on Earth, and merits possession of and distinction by the quality of the Caliphate of Real-Truth”, i.e., God. Kinalizade did not articulate the name of the exceptional ruler of his time. Yet his frequent intersections of the narrative with examples from Sultan Süleyman’s actions and words as ethical models of perfection strongly hint at the identity of the Ruler of Hidden Meanings of the age.

## 8 Conclusion

In the Ottoman world of letters of the sixteenth century, it was common to find many of the same writers composing universal histories, law codes, poems, and ethical treatises. These intellectuals shared similar visions of the world and history and envisioned their contemporaneous ruler’s special role in the unfolding of God’s plan for humanity. References to one another in their writings as well as in other sources, such as the biographical dictionaries, highlight the similar professional and intellectual backgrounds they shared and the social and intellectual networks they constituted. It is hence not so surprising to find the formulations of Süleyman’s special historical role in the preamble of an important law code or the description of his spiritual and political leadership in an ethical treatise from the pen of the Chief Judge of Damascus, one of the most important provinces of the Empire. In order to understand the minds that set the remarkable Ottoman state apparatus, it is imperative to understand the intellectual parameters of these writers who also ideated divinely approved universal leaders acting as God’s viceroys in delivering humanity through the threshold of an exceptional epoch.

Indeed, those who codified the imperial administrative and legal institutions also formulated the nature of the sultan’s authority and significantly contributed to his legacy. Ebu’s-suud brought order and harmony to different judicial traditions already present in Ottoman legal practice. With his jurisprudential work, he defined a strong and agile legal system capable of answering the empire’s needs. With his *fetwas* on critical issues, such as war against the Safavids or capital punishment for Prince Bayezid, he provided the sultan legitimate freedom to exercise his political will. With his extensive *Ma’ruzat*, he involved Süleyman in law-making thereby activating his legislative authority

as caliph allowed by the Shari‘ah. He cultivated Süleyman’s authority both as the successor or Caliph of Muhammad and as the Caliph of God.<sup>45</sup>

Celalzade Mustafa Çelebi, on the other hand, composed Ottoman laws in the official language that he himself helped create. At the same time, like Ebu’s-suud, he gave shape to the young sultan’s image and legacy. Especially after becoming the Chancellor in 1534, he worked in tandem with the *shayk al-islam* in preparing a harmonious legal tradition. Both worked for the order of the realm, which they called ‘the order of the world’ (*nizām-i ālem*), and the success of its protector, the sultan. Both developed a relationship of trust and interdependence with Süleyman.

While not the creator or the sole innovator of the Ottoman state or the legal system, Sultan Süleyman was personally involved in the construction and implementation of the institutionalization program during his reign. He was the legislative head of the state and protector of the institutions. The Ottoman state and legal system continued evolving after him. Yet his reign and reforms remained as foundational references.

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<sup>45</sup> Imber, *Ebu’s-su’ud*, ch. 4, 105. Imber mentions the role of the law books of Buda (1541), Skopje, and Thessalonika (1568) in defining the sultan’s caliphate vis-à-vis Muhammad; and the preamble to his treatise on ablution and the Süleymaniye mosque’s inscriptions, vis-à-vis God.

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