

A Hanafi law manual in the vernacular: Devletoğlu Yūsuf Balıkesri’s Turkish verse adaptation of the *Hidāya-Wiqāya* textual tradition for the Ottoman Sultan Murad II (824/1424)

Sara Nur Yıldız¹

University of St Andrews/Koç University ANAMED

saranuryildiz@gmail.com

Abstract

This study examines how Devletoğlu Yūsuf Balıkesri’s versified Hanafi law manual, written in Anatolian Turkish and dedicated to the Ottoman sultan Murad II (d. 855/1451), engages in a complex relationship between the nascent vernacular, Anatolian Turkish, and the Classical Arabic religious textual tradition. Devletoğlu Yūsuf’s work, *Manzūm fīkh*, is a Turkish paraphrase of the *Wiqāya*, a popular abridgement of the major Hanafi law handbook, the *Hidāya*, in the form of a *mathnawī* (verse work of rhymed couplets). Several passages from the “Book on the Affairs of the Qadi” in Devletoğlu Yūsuf’s work are analysed in order to gain insight into how the work functions as a normative text in the Classical Hanafi tradition set within a localized context. Furthermore, this study explores how the work expounds upon the benefits of transmitting religious knowledge in the vernacular and justifies the use of Turkish for religious texts by drawing on Hanafi-approved Persian language practices of religious devotion. Of particular interest is how Devletoğlu Yūsuf grounds his argumentation on the rhetorical theories of the Classical Arabic grammarian, ‘Abd al-Qāhir al-Jurjānī.

Keywords: Islamic law, Hanafi law, Early Ottoman legal texts, Vernacularization, Islamization, *Wiqāya*, Arabic grammar and rhetoric, ‘Abd al-Qāhir al-Jurjānī

Introduction

Religious texts comprise the bulk of works composed in the newly emerging literary language of Anatolian Turkish in the fourteenth and early fifteenth centuries. These texts have been studied primarily by Turcologists interested in philological and lexical data, but have seldom been examined in the context of the wider Islamic tradition, or with attention to larger historical,

1 The research leading to these results has received funding from the European Research Council under the European Union’s Seventh Framework Programme (FP/2007–2013) / ERC Grant Agreement n.208476, “The Islamisation of Anatolia, c. 1100–1500”. Many thanks go to A.C.S. Peacock for his invaluable suggestions on previous drafts of this article, and to Sooyong Kim for his advice on translating tricky passages of Old Anatolian Turkish verse into English.

socio-cultural, intellectual and institutional developments. The use of the Turkish vernacular by the authors of these texts was motivated by the growing need among Turcophone Muslims for basic literacy in the Islamic textual tradition. In addition to the corpus of mystically oriented works, such as hagiographies of celebrated Sufis, mystical verse and rhymed couplets (*mathnawīs*), and guides for Sufis, texts of religious learning in the Anatolian Turkish vernacular sought to introduce to Turcophone audiences the meaning of the Quran and basic Islamic tenets, beliefs and practices. Many of these early Turkish works are translations and/or adaptations of authoritative Arabic texts, presented in a variety of formats and genres: interlinear translations of the Quran (Arabic text with Turkish word-by-word glosses),² Quran commentaries,³ explanations of *ḥadīth*, and handbooks of law. Turkish translations and adaptations of authoritative Arabic Islamic religious texts often reshaped the original works upon which they were based according to the concerns and perspectives of their Turcophone audience. Vernacularizing and adapting Arabic religious texts according to the needs of their audience constituted an important element in the process of the Islamization of Anatolia and the neighbouring Balkan regions under Ottoman rule.

Devletoğlu Yūsuf Balıkesrī's verse Hanafi law manual, written in Anatolian Turkish, is a striking example of the vernacularization of classical Islamic learning in the early fifteenth-century Ottoman realm. Dedicated to the Ottoman sultan Murad II (r. 823–848/1421–44, 850–855/1446–51), the work reduces the contents of the *Wiqāya*, a major epitome of the well-known Hanafi manual of substantive law, the *Hidāya*, to a simplified, easily memorizable verse format of rhymed couplets (*mathnawī*) in the Turkish idiom. In this study, I argue that Devletoğlu Yūsuf's work is a pragmatic religious text that engages in a complex relationship with the Classical Arabic sacred textual tradition. Often described as a translation of the *Wiqāya*, in fact, the text loosely paraphrases

- 2 The practice of glossing Qurans in Turkic languages originated in Central Asia, and can be traced back to the Eastern Turkish of the Karakhanid period. See Aysu Ata, "İlk Türkçe Kur'an Tercümesi", in Aysu Ata and Mehmet Ölmez (eds), *Dil ve Edebiyat Araştırmaları Sempozyumu 2003. Mustafa Canpolat Armağanı* (Ankara: Şafak Matbaası, 2003), 44; Hendrik Boeschoten, "Translations of the Koran: sources for the history of written Turkic in a multilingual setting", in Lars Johanson and Christiane Bulut (eds), *Turkic-Iranian Contact Areas: Historical and Linguistic Aspects* (Wiesbaden: Harrassowitz Verlag, 2006), 70.
- 3 A certain Muştafā b. Muḥammed penned a series of partial Quranic commentaries in Turkish, dedicating them to different patrons. The *Yāsin Suresi Tefsiri* was first composed in the name of Hızır b. Gölbey, an unknown figure, and later presented to İnançoğlu Murād Arslan Bey (d. before 761/1360), the local ruler of Denizli in south-western Anatolia. Although it is not dated, the work must have been composed sometime in the mid-fourteenth century. Muştafā b. Muḥammed's Turkish *Mülk Suresi Tefsiri* was composed for Orhan Bey's young sons Süleymān and Murād, presumably for pedagogical use. The work was later presented to the İnançoğlu ruler Murad Arslan's son, İshak Bey (Mustafa Özkan, "Eski Anadolu Türkçesi Döneminde Ortaya Konan Kuran Tercümelere Üzerine – I", *Türk Dili ve Edebiyatı Dergisi* 39, 2005, 136, 140). There are several extant manuscripts of the *Yāsin Suresi Tafsiri*. Ayşe Hümeysra Aslantürk published the Süleyman Library, MS İbrahim Efendi 140 as *Hızır Bey Çelebi ve Yāsin-i Şerif Tefsiri* (Edisyon Kritik ve Sadeleştirilmiş Metin) (İsparta: Fakülte Kitabevi, 2007).

the *Wiqāya* tradition, conveying the essentials of Hanafī law. I examine several passages from one section of Devletoğlu Yūsuf’s work, the “Book on Judicial Procedure” (*Kitābu’l-Ḳaḏā’*)⁴ with special attention to the inclusion of new material. The author locates the work at the centre of the Ottoman Empire by adding a theoretical law case set in the Thracian towns of Yanbolu and Edirne. I also analyse Devletoğlu Yūsuf’s extensive prologue, the *sebeb-i telīf*, or “reason for composition”, in which he discusses the benefits of transmitting religious knowledge in the vernacular and justifies the use of the Turkish vernacular for Islamic learning by drawing on Hanafī-approved Persian practices of religious devotion and notions of rhetoric and grammar elaborated by the eleventh-century Classical Arabic grammarian ‘Abd al-Qāhīr al-Jurjānī (d. c. 471–474/1078–81).⁵

Devletoğlu Yūsuf’s law manual and the *Hidāya-Wiqāya* tradition

We know almost nothing about Devletoğlu Yūsuf other than the information he provides in his Turkish law manual. At the age of 28 in the year 827/1424, he composed the work and dedicated it to Murad II in an effort to gain favour at court.⁶ Curiously, since Devletoğlu Yūsuf did not specify a title for his work, it has been given a variety of titles by Ottoman copyists, readers and librarians, e.g. *Terceme-i Vikāye*, *Vikāye tercümesi*, *Kitābu’l-beyān*, *Murād-nāme* and *Manzūm fikh*;⁷ for convenience, I refer to it as *Manzūm fikh* (versified *fiqh*). The work survives in at least 70 manuscript copies, which suggests a fairly wide readership. Despite its common designation as *Terceme-i Vikāye* or

- 4 Although not published, the text has been reproduced in transliteration by Bilal Aktan, “Devletoğlu Yūsuf’un Vikāye Tercümesi (İnceleme-Metin-Dizin)”, Erzurum Atatürk Üniversitesi: PhD Dissertation, 2002 (hereinafter cited as Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan). I follow Aktan’s edition for all textual references and citations. All English translations are mine.
- 5 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 455–73. This section paraphrases the *Wiqāya*’s chapter 23, *Kitāb Adab al-Qaḏā’*.
- 6 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 112, lines 47–8. Aktan conflates Devletoğlu Yūsuf with a certain Yūsuf Efendī (Yūsuf b. Ḥuseyin Kirmāstī), identified in the Ottoman bibliographical tradition as a renowned Bursan religious scholar associated with Ḥocazāde Muṣliḥuddīn Efendī and a prolific author with many works on *fiqh* and grammar, including a commentary on the *Wiqāya*. Devletoğlu Yūsuf states that he was 28 years old in 827/1424 when he composed his *Manzūm fikh*. If he had died in 920/1514, Yūsuf Efendī’s death date, then he would have been at least 118 years old. Furthermore, Aktan’s assumption that Ḥocazāde was Devletoğlu Yūsuf’s teacher is highly improbable, in as much as Ḥocazāde was born a decade after Devletoğlu Yūsuf presented his work to Murad II. See Mecdī Mehmed Efendī, *Hadaiku’ş-şakaik*, ed. Abdülkadir Özcan (Istanbul: Çağrı Yayınları, 1989), 1: 330; Bursalı Mehmed Ṭāhīr, *’Osmānlı Mu’ellifleri* (Istanbul: Maṭba’a ‘Āmire, 1333/1914–15), 2: 53–4; Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 2–5; Safet Köse, “Hocazade, Muslihuiddin Efendi”, *Türkiye Diyanet Vakfı İslam Ansiklopedisi*.
- 7 Āmil Çelebioğlu, “Balıkesirli Devletoğlu Yusuf’un Fikhī bir Mesnevī’si”, in Zeynep Kerman (ed.), *Mehmet Kaplan İçin* (Ankara: Türk Kültür Araştırma Enstitüsü, 1988), 43. Among the various titles given to Devletoğlu’s work is *Manzūme-i Bidāyetü’l-Hidāye*, as in Bursa İl Halk Library, MS Haraççioğlu 558, copied in 949/1542. See Tuncer Gülensoy, “Bursa Haraççioğlu Kitaplığında Bulunan Türkçe Yazmalar Üzerine Notlar”, *Türk Dili Araştırmaları Yıllığı Belleten* 102, 1971, 238.

Vikāye tercümesi (translation of the *Wiqāya*), Devletoğlu Yūsuf does not refer to his work as a translation nor does he make any reference to the *Wiqāya*.⁸ Indeed, the *Manzūm fikh* greatly resembles the *Wiqāya*, employing the same standard organizational format (see Table 1) and imparting more or less the same legal information. It nevertheless includes passages not found in the *Wiqāya*, suggesting that Devletoğlu Yūsuf was more an author-compiler than translator.⁹

Devletoğlu Yūsuf's *Manzūm fikh* may be situated within an authoritative Hanafi tradition of law that had developed over several centuries in Transoxania, standardized in Burhān al-Dīn 'Alī al-Farghānī al-Marghīnānī's (d. 593/1197) *al-Hidāya fī Sharḥ al-Bidāya* (Guidance in the Commentary of the *Bidāya*).¹⁰ A basic manual of Hanafī rites, observances, and law, the *Hidāya* has remained a central legal text for Hanafis until the present.¹¹ The

- 8 Although Devletoğlu Yūsuf makes no reference to the *Wiqāya*, he cites many other authorities. In addition to the three founders of the Hanafi school, Devletoğlu Yūsuf makes reference to eleven other religious authorities or works: al-Shāfi'ī (116, line 96) and Aḥmad ibn Ḥanbal (*Īmām-ı Ḥanbal*, 192, line 1123); 'Amr b. Sharāḥil al-Sha'bī (d. 103/721), one of Abū Ḥanīfa's teachers (465, line 4812); Abū'l-Ḥasan al-Karkhī (d. 340/951) (189, line 1090); 'Abd al-Qāḥir al-Jurjānī (d. 471/1078) (190, line 1091), Qāḍī-Khān (d. 1196) (275, line 2225); the *Hidāya* (332, line 2993); the *Muḥīṭ*, most likely by Burhān al-Sharī'a (d. 616/1219) (123, line 190); the *Fatāwā*, possibly by Tāj al-Sharī'a or Qāḍī-Khān (d. 592/1196) (217, line 1455); the *Shihāḥ al-Lughā* (or *Tāj al-Lughā*) by the Arabic grammarian al-Jawharī (386, line 3716); the *Mukhtār Sharḥ Ikhtiyār* (likewise known as *al-Ikhtiyār li-ta'līl al-mukhtār*) by 'Abdullāh b. Maḥmūd al-Mawṣilī (d. 683/1284) a commentary on his own work, *al-Mukhtār li'l-fatwā* (496, line 5239).
- 9 In the first modern study of the work, Âmil Çelebioğlu suggests that Devletoğlu Yūsuf did not actually draw upon the *Wiqāya* but rather made use of other *fiqh* works. Çelebioğlu claims that Devletoğlu based his work on a versified Arabic *fiqh* work consisting of 2,600 couplets, composed by a certain Abū Hafṣ 'Umar in 504/1110. Çelebioğlu, however, does not provide a name or demonstrate how these texts are related, but simply provides reference to two manuscripts, one from the Ankara National Library (Milli Kütüphanesi), MS Cebeci İl Halk 370, copied in 854/1450, and the other housed at Topkapı Palace Library, MS Revan 1997, 96a–111b. Çelebioğlu, "Balikesirli Devletoğlu Yūsuf'un Fikhî bir Mesnevîsi", 45–7.
- 10 Variations of this work's name include *al-Hidāya fī'l-furū'* and *al-Hidāya al-burhāniyya fī'l-fiqh al-nu'māniyya*. For a published version of the *Hidāya*, see Abū Bakr b. 'Alī al-Marghīnānī, *al-Hidāya: sharḥ bidāyat al-mubtadā*, 4 vols (Cairo: Maṭba'ah Muṣṭafā al-Bābī al-Ḥalabī, 1975). The Arabic text has also been edited by Muḥammad Darwīsh as *Al-Marghīnānī al-Hidāya: Sharḥ Bidāyat al-Mubtadī'* (Beirut: Dar al-Arqam, 1997). It has been partly published in English translation in a two-volume set by Imran Ahsan Khan Nyazee as *al-Hidāyah: A Classical Manual of Hanafi Law* (Bristol: Amal Press, 2008). Charles Hamilton and Standish Grove Grady first translated the *Hidāya* into English, albeit selectively, and omitting, for example, the chapters on prayer and purification. It was first published in London in 1871 in four volumes.
- 11 The *Hidāya* is al-Marghīnānī's shorter commentary on his *Bidāyat al-Mubtadī'*, itself a commentary on the foundational text for Hanafī *fiqh* scholarship, al-Qudūrī's (d. 428/1037) *Mukhtaṣar fī al-fiqh al-Ḥanafī*. Like many later Hanafī texts, al-Marghīnānī's *Hidāya* reproduces the text of al-Qudūrī's *Mukhtaṣar* word for word. See Brannon M. Wheeler, "Identity in the margins: unpublished Hanafī commentaries on the *Mukhtaṣar* of Aḥmad b. Muḥammad al-Qudūrī", *Islamic Law and Society* 10/2, 2003, 184–5. Wheeler argues: "By relying on the text of the *Mukhtaṣar*, al-Marghīnānī makes the *Mukhtaṣar* into a sort of 'canonical text': it is through the medium of this text that readers of al-Marghīnānī are taught how to interpret the opinions of the Ḥanafī authorities" (ibid. 187).

Table 1. Chapter headings of the *Hidāya*, *Wiqāya*, and *Manzūm fiqh*

| <i>Kitāb</i> | <i>al-Hidāya</i> <i>Five pillars of Islam</i> | <i>al-Wiqāya</i> | <i>Manzūm fiqh</i> |
|--------------|--|------------------|---------------------------------------|
| 1 | Ṭahāra (Ritual purity) | Ṭahāra | Ṭahāret |
| 2 | Ṣalāt (Prayer) | Ṣalāt | Ṣalāt |
| 3 | Zakāt (Alms and tithes) | Zakāt | Zekāt |
| 4 | Ṣawm (Fasting) | Ṣawm | Ṣavm |
| 5 | Ḥajj (Pilgrimage) | Ḥajj | Ḥacc |
| | <i>Household relationships</i> | | |
| 6 | Nikāh (Marriage) | Nikāh | Nikāh |
| 7 | Raḍā' (Foster kinship based on suckling) | Raḍā' | Bābu'l-razā' |
| 8 | Ṭalāq (Repudiation) | Ṭalāq | Talaq |
| 9 | ʿItāq (Manumission) | ʿItāq | ʿItāk or ʿAtāk |
| 10 | Aymān (Vows, oaths) | Aymān | Eymān |
| | <i>Punishments for Crimes</i> | | |
| 11 | Ḥudūd (Fixed penalties for Quranic crimes) | Ḥudūd | [bāb] Ḥudūd |
| 12 | Sariqa (Theft, larceny) | Sariqa | [bāb] Sariqa [bāb] Kuṭā' i'l-ṭarīk |
| | <i>Other relations</i> | | |
| 13 | Siyar (Relations with non-Muslims) | Jihād | Siyer |
| 14 | Laqīṭ (Foundlings) | Laqīṭ | Lakīṭ |
| 15 | Luqaṭa (Found objects or property) | Luqaṭa | [bāb] Luqaṭat |
| 16 | Ibaq (Runaway slaves) | Ibaq | [bāb] Ābiq |
| 17 | Mafqūd (Lost objects, missing persons) | Mafqūd | Mefqūd |
| | <i>Property and commercial transactions</i> | | |
| 18 | Sharika (Partnership) | Sharika | Ṣarika |
| 19 | Waqf (Pious endowment) | Waqf | Vakıf |
| 20 | Buyū' (Contract of sale: buying and selling) | Buyū' | Buyū' |
| 21 | Ṣarf (Exchange of money and precious metals) | Ṣarf | [bāb] Ṣarf |

Continued

Table 1. Continued

| <i>Kitāb</i> | <i>al-Hidāya</i> <i>Five pillars of Islam</i> | <i>al-Wiqāya</i> | <i>Manzūm fikh</i> |
|--|---|------------------|--------------------|
| 22 | Kafāla (Guarantee, surety, bail) [Guaranteeing that a defendant appears in court or is handed over to the authorities] | Kafāla | Kefālet |
| 23 | Ḥawāla (Transfer) [Assignment of debt; transfer of a debt from one debtor's charge to another] | Ḥawāla | Ḥavālet |
| <i>Legal procedures and contractual situations</i> | | | |
| 24 | Adab al-Qaḍā' (Court procedure) | Qaḍā' | Ḳazā' |
| 25 | Shahāda (Witnessing, evidence) [based on oral testimony] | Shahāda | Şehādet |
| 26 | Wakāla (Agency, representation) | Wakāla | Vekālet |
| 26 | Da'wā (Lawsuit, caims) | Da'wā | Da'vā |
| 27 | Iqrār (Acknowledgement) [Formal binding acknowledgements and recognition of rights and acceptance of charges, as in <i>iqrār bi'l-nasab</i> , the acknowledgement of paternity] | Iqrār | İkrār |
| 28 | Şulḥ (Amicable agreement) | Şulḥ | Şulḥ |
| 29 | Muḍāraba (Sleeping partnership) | Muḍāraba | Muḍarebe |
| 30 | Wadī'a (Consignment, trust, deposit) | Wadī'a | Vedi'et |
| 31 | 'Āriya (Lending) [Loan of the use of non-fungible property without interest] | 'Āriya | 'Āriyet |
| 32 | Hiba (Donation, gifts) | Hiba | Hibet |
| 33 | Ijāra (Lease, hire) | Ijāra | İcāret |
| 34 | Mukātib (Manumission) [For a slave who has contracted to buy his freedom against a future payment to his owner] | Mukātib | Mükātib |
| 35 | Walā' (Patronage) [The inheritance rights of manumitted household slaves] | Walā' | Velā' |
| 36 | Ikrāh (Coercion, compulsion, duress) | Ikrāh | İkrāh |
| 37 | Ḥajr (Interdiction, legal incapacity) [Loss of the right to use one's property due to incapacity] | Ḥajr | Ḥacir |

| | | | |
|----|--|-----------------------------------|--|
| 38 | Ma'dhūn (License to trade) [Granted to a slave] | Ma'dhūn | Me'zūn |
| 39 | Ghaṣb (Unauthorized use) [Usurpation; rulings regarding unlawful transactions or seizures of property] | Ghaṣb | Ġaṣb |
| 40 | Shuf'a (Pre-emption) [Priority in the sale of immovable property] | Shuf'a | Şuf'at |
| 41 | Qisma (Inheritance assessment) [Division of property] <i>Authorized use of property and animals</i> | Qisma | Қismet |
| 42 | Muzāra'a (Share-cropping on uncultivated land) | Muzāra'a | Muzāra'at |
| 43 | Musāqāt (Sharecropping on cultivated lands) Dhabā'ih (Ritually slaughtered meat for consumption) | Musāqāt Dhabā'ih | Bābu'l-Musākāt Zebāyih (Note: rulings on highway robbery, theft and murder are randomly added here) |
| 44 | Uḍḥiyya (Sacrificial animals) | Uḍḥiyya | Uḏḥiyet |
| 45 | Karāhiyya (Permissible and impermissible uses of luxury items such as gold, silver, silk) | Karāhiyya | Kerāhiyyet |
| 46 | Iḥyā' al-mawāt (Revivification of agricultural land, cultivation of wastelands) = Iḥyā' al-arḍ al-mawāt [Rulings regarding reviving agricultural land in the hinterland] [<i>faṣl</i> : Shirb] (Water, rivers, and sources of potable water) | Iḥyā' al-mawāt | Iḥyā'u'l-mevāt |
| 47 | Ashriba (Drinking; prohibition of alcoholic drinks) <i>Miscellany</i> | [<i>faṣl</i> : Shirb] Ashriba | Şirb Eşribet |
| 48 | Şayd (Hunting) | Şayd | Şayd |
| 49 | Rahn (Surety, pledge, security) | Rahn | Rehin |
| 49 | Jināyāt (Criminal offences and injuries, including homicide) | Jināyāt | Cināyāt |
| 50 | Diyāt (Monetary compensation, fines, blood money) | Diyāt | Қаşамет (Oath of accusation) [for unsolved murders; this section also refers to Diyāt and Mu'āqil] |
| 51 | Mu'āqil (Blood money) | Mu'āqil | X |
| 52 | Waşāyā (Legacy, will, bequests) | Waşāyā | Veşāyā |
| 53 | Khunthā (Hermaphrodites: specifically inheritance rights, and other rulings in situations where gender is not clear) | Khunthā | Ҳунсā |

Hidāya was widely commented upon,¹² and its reception in the Ottoman empire is well attested. According to the seventeenth-century Ottoman bibliophile Hājji Khalīfa (Kātib Çelebī, d. 1067/1657), the *Hidāya* should serve as the Muslim's principle guide through life.¹³

The *Hidāya* is a fairly concise *fiqh* text, comprising two to four large volumes in modern printed editions.¹⁴ For reasons of economy and utility, lower-level madrasa students needed brief synopses and radically abridged versions of the work, shorn of jurisprudential discussions and chiselled down to a set of laws suitable for memorization and easy reference – hence, the great popularity of Burhān al-Sharī'a Maḥmūd's *Wiqāya al-riwāya min masā'il al-Hidāya* (The Trusted Narrative on Issues in the Guidance)¹⁵ which, in turn, spurred a large number of commentaries and glosses.¹⁶ Composed in the thirteenth century

- 12 A pupil of Burhān al-Dīn al-Marghīnānī, Husām al-Dīn Husayn b. 'Alī, composed the first commentary on the *Hidāya*, the *Nihāya*, which added the law of inheritance to the *Hidāya*. Another important commentary was produced by the fifteenth-century scholar Kamāl al-Dīn Muḥammad al-Siwāsī, known as Ibn al-Humām (d. 861/1456–57). Ibn al-Humām's *al-Faḥ al-kabīr fī 'il-ajā' iz al-faqīr* is one of the most comprehensive commentaries on the *Hidāya* (Thomas Patrick Hughes, *A Dictionary of Islam* (London: W.H. Allen & Co., 1885), 288).
- 13 Hughes, *A Dictionary of Islam*, 288.
- 14 Compare, for instance, the *Hidāya* with al-Sarakhsī's (d. 483/1090) *Kitāb al-mabsūt*, a 30-volume commentary on the *Kitāb al-Kāfī fī 'l-fiqh*, which, in turn, is based on the legal writings of al-Shaybānī. See Udovitch, *Partnership and Profit in Medieval Islam*, 15. On the *Hidāya* and *Wiqāya*, see further Norman Calder, *Islamic Jurisprudence in the Classical Era*, ed. Colin Imber (Cambridge: Cambridge University Press, 2010), 32 ff., 42 ff.
- 15 Alternatively entitled *Wiqāya al-riwāya fī masā'il al-Hidāya*, the *Wiqāya* omits the theoretical aspects of Hanafi law, such as discussions of conflicting views (*ikhtilāf*) and the indication of right views, as found in the *Hidāya*. The *Wiqāya* has not been published and exists in manuscript form only. I have consulted the following manuscripts: Balıkesir İl Halk Library, MS 807; Süleymaniye Library, MS Ayasofya 1505 (dated Rajab 975/January 1568); Manisa İl Halk Library, MS Akhisar Zeynelzade 428 (dated 893/1487).
- 16 Of the many commentaries of the *Wiqāya*, the most famous is the *Sharḥ al-Wiqāya* by Tāj al-Sharī'a's grandson, 'Ubayd Allāh al-Maḥbūbī, known as Şadr al-Sharī'a II (d. 747/1346), who also produced the *Niqāya*, an abridged version of the *Wiqāya*. 'Ubayd Allāh al-Maḥbūbī's *Sharḥ al-Wiqāya* was usually studied together with the *Wiqāya*, which was reproduced together with its gloss with special attention to the chapters dealing with marriage, dower and divorce. Numerous other commentaries and super-commentaries on the *Wiqāya* were penned in the fourteenth and fifteenth centuries. The *Wiqāya*, in fact, generated more commentaries than any other legal or religious text in the Ottoman realm during the fifteenth and sixteenth centuries. See Abdurrahman Atçıl, "The formation of the Ottoman learned class and legal scholarship (1300–1600)", (University of Chicago: PhD Dissertation, 2010), 295–6. A survey of these works is beyond the scope of this essay. Several of the better known works are: al-Sighnaqī (d. 714/1314), *al-Nihāya*; the Aydınid scholar İbn Melek (Fireşteoğlu) (d. after 821/1418), *Sharḥ al-Wiqāya*; the *Kifāya* by 'Imād al-Dīn Amīr Kātib b. Amīr 'Umar; the Cairene Akmal al-Dīn Muḥammad al-Bābartī (d. 786/1384), *'Ināya*; the *'Ināya fī sharḥ al-wiqāyat al-riwāya* by 'Alā' eddīn el-Esved (d. 800/1396–97), a scholar from Amasya; al-Kūrlānī, *al-Kifāyat al-muntahā*, a commentary in eight volumes; Muşannifek (d. 875/1470), *Sharḥ al-Wiqāya*; and *Hāshiyā' alā sharḥ al-Wiqāya* by Ḥaṭībzāde [Ibn al-Khaṭīb] (d. 901/1495).

by the Bukharan scholar, Burhān al-Sharī'a Maḥmūd,¹⁷ the *Wiqāya* is a digest of selections from the *Hidāya* designed to assist the beginning student in studying and understanding the authoritative text upon which it is based by presenting laws and rulings in a simple-to-consult format designed for easy memorization.¹⁸ The *Manzūm fiqh* was composed with similar pedagogic aims in mind.

The *Manzūm fiqh* and classical Hanafī substantive law in the early Ottoman context

Although the *Manzūm fiqh* follows the same format as the *Wiqāya* and *Hidāya*, and largely reproduces the same juridical points, it sometimes does so in quite a different manner, and not only because of the syntactic and semantic constraints imposed by its format of rhyming verse couplets. In the book of judicial procedure (*Kitābu'l-Kaḏā'*), which treats the post and conduct of the qadi,¹⁹ Devletoğlu Yūsuf illustrates abstract legal points with concrete examples not found in the *Wiqāya*. These examples provide a local context for his intended audience, which may have been Turcophone children studying at the *maktab*, where they were introduced to the basics of *fiqh* before having acquired enough Arabic to read the standard textbooks.

Devletoğlu Yūsuf prefaces the section on judicial procedure with a statement on the hierarchical relationship between rulership, the post of the qadi, and the carrying out of justice according to the *sharī'a*:²⁰

17 Based on careful consideration of the manuscript evidence, Murteza Bedir reviews the problem of the correct name of the author of the *Wiqāya*, Burhān al-Sharī'a Maḥmūd b. Ṣadr al-Sharī'a al-Akbar Aḥmad b. Jamāl al-Dīn 'Ubaydullāh al-Maḥbūbī al-Bukhārī, whose death date remains unknown. Bedir points out that Burhān al-Sharī'a has often been confused with his brother Tāj al-Sharī'a 'Umar (d. 709/1309), who is often referred to erroneously as Tāj al-Sharī'a Maḥmūd in Arabic biographical dictionaries. Much of the confusion seems to stem from their complicated family relations: Tāj al-Sharī'a's son Mas'ūd married the daughter of Burhān al-Sharī'a, and from that union was born the grandson of both, Ṣadr al-Sharī'a al-Asghar (or al-Thānī) 'Ubaydullāh b. Ma'sūd (d. 747/1346), for whom Burhān al-Sharī'a wrote the *Wiqāya*. Ṣadr al-Sharī'a al-Asghar 'Ubaydullāh is confusingly referred to by western scholars as Maḥmūd b. 'Ubayd Allāh al-Maḥbūbī. Ṣadr al-Sharī'a al-Asghar 'Ubaydullāh later wrote a *sharḥ* on the *Wiqāya*, as well as producing a summary of the text, the *Nuqāya*. See M. Bedir, "Tācüşşerīa", *Türkiye Diyanet Vakfı İslam Ansiklopedisi*; *idem*, "Vikāyetü'r-Rivāye", *Türkiye Diyanet Vakfı İslam Ansiklopedisi*; Ş. Özen, "Sadruşşerīa", *Türkiye Diyanet Vakfı İslam Ansiklopedisi*. See also Ahmed Akgündüz, *Introduction to Islamic Law* (Rotterdam: IUR Press, 2010), 49.

18 Hughes, *A Dictionary of Islam*, 288.

19 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 455–73. This section covers *Qadā'*, Book 23 of the *Wiqāya*, which abridges the *Kitāb Adab al-Qadā'* of the *Hidāya*.

20 A comparison with the Arabic text of the *Wiqāya* confirms the absence of discussion of the sultan as appointed as God's representative and as the one responsible for appointing the qadi for the implementation of religious law. See Balikesir İl Halk Library, MS 807, 99b–100a; Süleymaniye Library, MS Ayasofya 1505, 103a–107a; Manisa İl Halk Library, MS Akhisar Zeynelzade 428, 115a–118a.

The Lord of all creatures is
The reason for order in this world.²¹

From among mortals He chooses someone as sultan
To rule over all people by edict.²²

He will be God's representative among the faithful
Who will accept his authority.²³

Then he will immediately appoint qadis
So that the realm will prosper with religious law.²⁴

He [viz., the qadi] will put into effect the rulings of religious law
So that all injustice in the world disappear.²⁵

These remarks are not found in the original text of the *Wiqāya* composed in Bukhara in the thirteenth century, but are unique to Devletoğlu Yūsuf's fifteenth-century Turkish text, and impart the author's particularly Ottoman understanding of the relationship between the ruler and the qadi. Although since early Abbasid times the ruler (whether caliph or sultan) or his representatives were responsible for appointing qadis,²⁶ the intimate association of the qadi with the sultan appears to be a new historical development. Guy Burak has recently argued that a major change occurred in the nature of Islamic law in the eastern Islamic lands in the post-Mongol period. Burak points out that in the Sunni successor states of the post-Mongol lands, such as the Ottomans, Timurids and Mughals, a new relationship emerged between the ruling dynasty and Islamic law: ruling dynasties attempted to regulate the structures, doctrines and authorities of law schools.²⁷ Islamic law was no longer the sole province of jurists, free from intervention by political rulers, but rather became closely tied to the prerogatives of a sultan, and in turn constituted an important element of dynastic and political legitimacy.²⁸ Devletoğlu Yūsuf's insertion of the sultan

21 Devletoğlu Yūsuf, *Viḳāye Tercümesi*, ed. Aktan, 455, line 4664: *Bir daḥı bu 'ālem içinde nızām / Kim sebeb kıldı aña rabbu'l-enām.*

22 Ibid. 455, line 4665: *Ḳullarından birisin sultān ider / Cümle ḥalkı ḥükmine fermān ider.*

23 Ibid. 455, line 4666: *Nāyibullāh olur ol beyne'l-'ibād / Pes iderler buyruḡına inḳiyād.*

24 Ibid. 455, line 4667: *Ḳāzılar naşb eyler ol daḥı hemān / Tā ki ma' mür ola şer'-ile cihān.*

25 Ibid. 455, line 4668: *Ḥük-m-i şer' i ol daḥı icrā ider / Pes cihānda zulm kalmaz hep gider.*

26 Muhammad Khalid Masud, Rudolph Peters and David S. Powers, "Qāḏīs and their courts: an historical survey", in Muhammad Khalid Masud, Rudolph Peters and David S. Powers (eds), *Dispensing Justice in Islam. Qadis and their Judgments* (Leiden: Brill, 2005), 15; *Eİ²*, s.v. Ḳāḏī (E. Tyan).

27 Guy Burak, "The second formation of Islamic law: the Post-Mongol context of the Ottoman adoption of a School of Law", *Comparative Studies in Society and History* 55/3, 2013, 579–602.

28 During the classical and late Ottoman periods, the *kadıasker*, who was under the direct authority of the *şeyhülislam*, was responsible for appointing, dismissing and supervising qadis in the provinces. The *şeyhülislam* and his representatives, however, had no authority to interfere in the judgments or procedures of the qadi. In regard to administrative issues, only the sultan had the authority to issue, through an imperial *fermān*, a legally binding order on the qadi. As Ronald C. Jennings observed, the qadi was autonomous of

into his text – with an emphasis on the sultan’s intermediary role between God and the implementer of God’s law, the qadi – indeed reflects the above changes described by Burak in the ideology and practice of Islamic law.

The bulk of the chapter on *Ḳazāʾ* contains the same legal precepts and principles mentioned in the *Wiqāya*. Thus, we are told that a qadi should be knowledgeable, and preferably a scholar who has attained the status of *müctehid* (Ar. *mujtahid*),²⁹ that is, a jurist authorized to use independent legal reasoning (*ijtihād*),³⁰ in the post-classical period, a qadi who held the rank of *mujtahid fīʾl-madhhab* was required to be capable of making judgments based on the established rulings and opinions of his school. Devletoğlu Yūsuf writes:

[The qadi] must possess the qualifications of a witness
He must be learned and just as well.³¹

That is, he [viz., the qadi] must be learned not ignorant
and if he is a *mujtahid*, even better.³²

Devletoğlu Yūsuf’s discussion of a qadi’s ethical behaviour also closely follows the *Wiqāya*. He says:

He who gains his appointment through bribery
May his rulings be considered null and void.³³

If a qadi accepts a bribe after taking up his office,
He is a sinful offender (*fāsik*), his rulings untrustworthy.³⁴

The qadi must not be crude or violent
Nor forceful or stubborn.³⁵

imperial authority in the judicial sphere. See Ronald C. Jennings, “Limitations of the judicial powers of the kadi in 17th c. Ottoman Kayseri”, *Studia Islamica* 50, 1979, 155, 155–6 note 1, 164. On the notion of justice as a mechanism of political legitimization in the early-modern Ottoman Empire, see Boğaç A. Ergene, “On Ottoman justice: interpretations in conflict (1600–1800)”, *Islamic Law and Society* 8/1, 2001, 52–87.

29 Calder, *Islamic Jurisprudence in the Classical Era*, 64; Omer Awass, “Fatwa: the evolution of an Islamic legal practice and its influence on Muslim society” (Temple University: PhD Dissertation, 2014), 252.

30 On *ijtihād* and *mujtahid* see further Wael B. Hallaq, “Was the gate of *ijtihād* closed?”, *International Journal of Middle East Studies* 16/1, 1984, 3–41, and *EP*², s.v. “*Mudjtahid*” (J. Calmard). The *Hidāya* points out that some have stipulated that a qadi must be a *mujtahid* but that the more approved doctrine is that this is merely preferable, but not indispensable. See Charles Hamilton and Standish Grove Grady (trans.), *The Hedaya or Guide: A Commentary on the Mussulman Laws* (Lahore: Premier Book House, 1871, reprinted 1963), 334.

31 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 455, line 4670: *Bir kiři ehl-i řahādet olsa ger / ʿĀlim u ʿādil dahı olsa meger.*

32 Ibid. 455, line 4670: *Ya ʿnī cāhil olmaya ʿālim gerek / Müctehid olursa dahı yigirek.*

33 Ibid. 456, line 4677: *Riřvet-ile řāzılıř almak kiři / Hükmi nāfiř olmaya bātil iři.*

34 Ibid. 456, line 4678: *Řāzi olup řoňra riřvet olsa ger / Fāsık olur hükmi olmaz mu ʿteber.*

35 Ibid. 456, line 4682: *Řāzi olan olmaya fazz u ředid / Hem dahı olmaya cabbār u ʿanid.*

He should not begin to accept gifts from anyone
so that it will not become a habit.³⁶

Gifts are allowed only from his relatives
and those from whom he has already received gifts.³⁷

When he becomes qadi
He must hold court in an appropriate place,³⁸

Such as a *masjid* or Friday mosque
or the like, oh esteemed one.³⁹

These verses on the characteristics and ethical behaviour of a qadi, as well as where he may hold court, faithfully summarize the contents of the *Wiqāya*.⁴⁰ Devletoğlu Yūsuf diverges significantly from the *Wiqāya* in a subsection (*bāb*) of this chapter dealing with the impermissibility of using written correspondence between qadis (*kitāb-i hukmī*) as evidence for reclaiming lost movable property.⁴¹ Rather than explaining the regulations, Devletoğlu Yūsuf introduces a hypothetical case involving the loss of a horse by someone residing in the Thracian town of Yanbolu.⁴²

Let us suppose someone from Yanbolu
went before a qadi to file a lawsuit,⁴³

[Claiming that] a certain individual in Edirne
found a horse of his and undoubtedly took possession of it.⁴⁴

‘That horse is mine, it was stolen from me;
I have brought forth witnesses regarding the matter, it is true.’⁴⁵

The qadi [viz., of Yanbolu] listened to his witnesses
and recorded a detailed description of that horse.⁴⁶

36 Ibid. 456, line 4683: *Hem kimesneden hedāyā almaya. / Ya’ nī evvelden ki’ ādet olmaya.*

37 Ibid. 456, line 4684: *‘Ādet olmuş kimse olursa revā / Hem qaribinden dahı olsa n’ola.*

38 Ibid. 456, line 4685: *Çünkü kâzî oldı imdi n’eyleye / Bir mu’ayyen yırde meclis eyleye.*

39 Ibid. 456, line 4686: *Şöyle kim mescīd ve cāmi’ gibi hem / Yā dahı bunuñ gibi iy muhterem.*

40 *Wiqāya*, Süleymaniye Library, MS Ayasofya 1505, 101a.

41 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 463: *Bāb Kitābi’l-Ḳāzī ilā’l-Ḳāzī*. The *Wiqāya* does not provide a subdivision (*bāb*) of this section on the correspondence between judges in the book of judicial procedure (*Kitāb al-Qadā’*), as is found in both the *Hidāya* and in Devletoğlu’s *Manzūm fikh* (*Wiqāya*, Süleymaniye Library, MS Ayasofya 1505, 102a).

42 Yanbolu is today’s Yambol in Bulgaria, some 90 kilometres north of Edirne. Yanbolu was conquered in the 1370s by the Ottomans. See M. Kiel, “Yanbolu”, *Türkiye Diyanet Vakfı İslam Ansiklopedisi*.

43 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 464, line 4793: *Şöyle kim Yanbolıdan bir kişi ger / Ḳāzī katında varur da’vī eder.*

44 Ibid. 464, line 4794: *Edrene şehrinde ya’ nī şol fulān / Bir atum buldum elinde bī-gümān.*

45 Ibid. 464, line 4795: *Benden oğurlandı benümdür ol at / Aña şanuqlar getürdüm uş uñat.*

46 Ibid. 464, line 4796: *Ḳāzī diñledi anuñ şanuqların / Yazdı ol atun şıfātın her birin.*

Then immediately for the qadi of Edirne
he prepared a judicial letter.⁴⁷

[When] the judicial letter was received by the qadi of Edirne
with a record of the oral testimony of the witnesses.⁴⁸

He [viz., the qadi of Edirne] did not record it in the *sijil* but rejected it,
For he followed the school of law of the two Imāms [i.e. Abū Yūsuf and
Muḥammad al-Shaybānī].⁴⁹

If it [viz., the disputed object] were a piece of land or a house, [then it
would have been admissible],

That is to say, only immovable property is admissible.⁵⁰

These verses explain that the admissibility of judicial letters of evidence (*kitāb-i ḥukmī*) is limited to cases involving immovable property for, as the *Hidāya* more fully explains, only immovable property may be defined by a description of its boundaries – whereas movable property must be physically exhibited at court.⁵¹ Here Devletoğlu Yūsuf uses a concrete example to ease the beginner student's introduction to the complexities of law. By referring to Edirne, the Ottoman capital, and the Ottoman Balkan town of Yanbolu, Devletoğlu Yūsuf also imparts local colour into the text. Devletoğlu Yūsuf probably created the case for pragmatic pedagogical purposes: qadis regularly dealt with the recovery of lost horses and other livestock.

Aside from an occasional interpolation as in the above example, the *Manzūm fikh* closely paraphrases the *Wiqāya*, sometimes verbatim. Curiously, Devletoğlu Yūsuf is silent with regard to his work's intimate relationship with the *Wiqāya*. He does, however, cite as sources eleven other authors and texts, belonging primarily to the Transoxanian Hanafi tradition, such as the *Muḥīṭ al-Burhānī* by Burhān al-Sharī'a (d. 616/1219).⁵² He also notes in his preface

47 Ibid. 464, line 4797: *Edrene kâzısına ya'nî hemân. / Bir kitâb-ı ḥukmî yazdı ol zamân.* Here *kitâb-i ḥukmî* refers to a letter produced by one qadi and sent to another if a defendant, involved in a case involving the first qadi's jurisdiction, resides in the second qadi's jurisdiction, and is not present during the proceedings officiated by the first qadi. The letter includes a transcription of the oral testimony of the plaintiff's witnesses, given in the absence of the defendant. It is considered "a transcript of real evidence" (Hamilton and Grady (trans.), *The Hedaya or Guide*, 340).

48 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 464, line 4798: *Edrene kâzısına vardı kitâb / Kim odur naql-i şahâdet bi'l-ḥitâb.*

49 Ibid. 464, line 4799: *Ol bitiydi dutmađı redd itdi ol / Pes imāmeyn mezhebin kıldı kabûl.*

50 Ibid. 464, line 4801: *Liki bir pâre yir olsa yâhû dâr / Ya'nî menkûl olmaya ola 'aķâr.*

51 Hamilton and Grady (trans.), *The Hedaya or Guide*, 339–40.

52 *Bu rivāyetdür İmām-ı Şāniden / kim Muḥīṭden naql kılmuş naql iden* (Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 123, line 190). The *Muḥīṭ* here is most likely *Muḥīṭ al-Burhānī fī al-Fiqh al-Nu'mānī* by Burhān al-Dīn Maḥmūd b. Aḥmad b. Abd al-'Azīz al-Bukhārī al-Marghīnānī, commonly known as Burhān al-Sharī'a (d. 616/1219). Usually referred to as *Muḥīṭ al-Burhānī* or simply *Muḥīṭ*, the work is essentially an expanded version of the *Zāhir al-Riwāya*, the six canonical Hanafi treatises compiled by al-Shaybānī. The popularity of *Muḥīṭ al-Burhānī* among Ottoman scholars is well attested, and it constituted a major source for the *fiqh* work, *Jāmi' al-fuṣūlayn* by

that he made limited use of material from *fatāwā* works which he does not identify.⁵³ Devletoğlu Yūsuf emphasizes the legal authority of the three leading Hanafī jurists: Abū Ḥanīfa (d. 150/767), the eponymous founder of the Hanafī school of law; his foremost disciple, Abū Yūsuf (d. 182/798),⁵⁴ who is often referred to in the text as the “Second Imām” (*İmām-ı Sānī*); and their student, Muḥammad b. al-Ḥasan b. al-Shaybānī (d. 189/805), simply called Muḥammad as is customary in classical Hanafī judicial literature.⁵⁵ Devletoğlu Yūsuf specifies that his work is an explication of the Hanafī school of law as found in the rulings of the two *Imāms*, i.e. Abū Ḥanīfa and Abū Yūsuf.⁵⁶ And, to remind his audience, presumably young readers, of the three founders of Hanafism, Devletoğlu Yūsuf refers to them throughout the work using the following formula in myriad variations: “this is Abū Ḥanīfa’s, Abū Yūsuf’s or Muḥammad’s position” (*ḵavl*, from the Arabic *qawl*, literally, word).⁵⁷ At the end of his work, Devletoğlu Yūsuf emphasizes Abū Ḥanīfa as his primary source and authority, highlighting his eminence as *imām* and *mujtahid*:

Know [that] this is the position of Abū Ḥanīfa
Be struck with awe, for you may not know the original [text];

-
- Maḥmūd b. İsrā’īl Simavna Kadısı-oğlu Şeyh Bedreddīn, Devletoğlu Yūsuf’s near contemporary. The *Muḥīt al-Burhānī* is not to be confused with al-Sarakhsī’s *al-Muḥīt*. See M. Uzunpostalcı, “Burhāneddin el-Buhārī”, *Türkiye Diyanet Vakfı İslam Ansiklopedisi*; Hacı Yunus Apaydın (ed.), *Yargılama Usulüne Dair: Cāmi’-l-Fusūleyn. Şeyh Bedreddin* (Ankara: T.C. Kültür ve Turizm Bakanlığı, 2012).
- 53 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 114, lines 66–7: *Hem fetāvādan daḥı naḵl eyledüm / Çok degüldür hem daḥı az söyledüm; Her fetāvānuñ velikın adını / dimege’ özr oldı dımedüm anı*. Calder argues that so-called *fatāwa* collections, such as Qādī Khān’s *Fatāwā Qādī Khān*, were normative texts providing theoretical examples of rulings rather than *fatāwās* that were actually issued (Calder, *Islamic Jurisprudence in the Classical Era*, 72).
- 54 Abū Yūsuf. See J. Schacht, “Abū Yūsuf Ya’ḵūb b. İbrāhīm al-Anşārī al-Kūfī”, *EF²*.
- 55 The works of Muḥammad b. al-Ḥasan b al-Shaybānī (d. 804) serve as the foundational texts of the Hanafī tradition. See *EF²*, s.v. al-Shaybānī (E. Chaumont); *EF²*, s.v. al-Sarakhsī (N. Calder).
- 56 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 113–4, lines 64–5: *Bū Ḥanīfe mezhebi üzre hemān / Ya’ nı anuñ ḵavlini ḵıldum beyān; Hem imāmeyn ḵavlini daḥı meger / ba’ zı yırde kim gerekdür iy piser*. It is clear from this couplet that the “two imams” (*imāmeyn*) refers to Abū Yūsuf and Muḥammad al-Shaybānī as distinct from Abū Ḥanīfa, as this couplet from the section of inheritance indicate: *Bū Ḥanīfe bunu cāyızdür dıdı / Pes imāmeyn bunu cāyız görmedi* (ibid. 624, line 6972). When there was disagreement between Abū Ḥanīfa and his disciples, the two imams, Abū Yūsuf and Muḥammad al-Shaybānī, the view of the latter prevailed in Hanafī law. This reference to the differing opinions between the jurists is unique to Devletoğlu Yūsuf’s text and is not found in the *Wiqāya*.
- 57 Examples of variations of this formula are: *Bū Ḥanīfe ḵavli budur iy dedem* (Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 129, line 271); *Bū Ḥanīfe hem Ebū Yūsuf daḥı / Bunlaruñ ḵavli budur kim iy aḥı* (ibid. 593, line 6567); *Bu rivāyetdür İmām-ı Sānīden* (ibid. 123, line 190); *Bu Muḥammed ḵavidür diñle bunu / Bū Ḥanīfe ḵavidür añla anı* (ibid. 584, line 6445); *Hem Muḥammed ḵavli budur bī-gümān* (ibid. 121, line 164).

That Imām, the exemplar of the *mujtahids*–
His judgment was perfect, the foundations sound – the end.⁵⁸

Thus, rather than associating himself with his main source, the *Wiqāya*, Devletoğlu Yūsuf locates his textual authority with the *aşhāb al-madhhab*, the founding fathers of the Hanafī school – Abū Ḥanīfa, Abū Yūsuf and Muḥammad al-Shaybānī, presenting them as the primary mediators between the Word of God and the wider public of believers.

Justifying the vernacular: Devletoğlu Yūsuf's prologue

Devletoğlu Yūsuf's decision to compile a Hanafi legal handbook in Anatolian Turkish verse needed not only explanation but also justification, on both cultural and religious grounds.⁵⁹ Like other fifteenth-century Ottoman authors writing in Turkish, Devletoğlu Yūsuf prefaces his *Manzūm fikh* with a self-conscious statement justifying his use of Turkish for imparting religious knowledge usually rendered in Arabic. With respect to vocabulary and expression, Anatolian Turkish was at a disadvantage compared to Arabic and Persian.⁶⁰ Anticipating detractors, authors in the Turkish vernacular offered justifications for their choice of language, usually arguing that they were serving the common good by making knowledge accessible to those otherwise denied its benefits. In his prologue, Devletoğlu Yūsuf offers a detailed and sophisticated argument for the use of Turkish.

Devletoğlu Yūsuf begins his preface with a pragmatic argument. The use of Turkish, he claims, is necessary for the edification of Turkish readers not proficient in Arabic. He then cites the precedent of religious scholars who composed in Turkish:

Now listen to a book in Turkish verse,
Censure me not for this!

We have seen many great scholars,
Diligent and perfect in their learning,

58 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 626, lines 7005–6: *Bū Ḥanīfe kavli budur añla sen / Çünkü aşlın bilmeyesin tañla sen / Müctehidler muḳtedāsi ol imām / Rāyi kāmil aşlı muḳkem ve's-selām.*

59 The extended preface or “reason for the composition of the book” (*Faşl fī beyān-i sebeb-i nazmī'l-kitābı*) consists of 89 couplets. See Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 110–6, lines 17–104.

60 Early authors writing in the Anatolian Turkish vernacular often commented on the difficulties of composing in Turkish. In the late fourteenth century, Aḥmed-i Dā'ī discusses in the prologue of his *Çeng-nāme* the difficulties of translating the original Persian work into Turkish. See Gönül Alpay, *Ahmed-i Dā'ī ve Çengnāmesi* (Cambridge, MA: Department of Near Eastern Languages and Civilizations Harvard University, 1993), 327–8. Also in the late fourteenth century, Şeyhoğlu Muştafa complains that Turkish is ungrammatical, cold and without flavour. Kemāl-i Zerd describes Turkish as a harsh language (*bu Türkī dil be-ğāyet sert dildür*) in his *Selātin-nāme-i 'Āl-i 'Osmān* (composed in 1490). See Kemal Yavuz, “XIII.–XVI. Asır Dil Yādīgārlarının Anadolı Sahasında Türkçe Yazılış Sebepleri ve Bu Devir Müelliflerinin Türkçe Hakkındaki Görüşleri”, *Türk Dünyası Araştırmaları* 27, 1983, esp. 35–7, 46.

Who composed works in Turkish,
Thus removing the veil obscuring meaning's face.⁶¹

Although these earlier authors often offered apologies for the use of the vernacular ('*özrini hem anda kıldılar beyān*),⁶² this was not because they were ashamed to use Turkish (*hem idenler dahı hiç 'ār etmedi*).⁶³ Rather, Devletoğlu Yūsuf suggests, these apologetics were nothing more than conventional literary topoi. Indeed, these authors were motivated by the desire to serve the people (*hayr-ı nās olmağ dilediler hemān*)⁶⁴ by providing them with access to knowledge that was otherwise inaccessible. By acknowledging the long-standing prejudice against Turkish as a literary medium, specifically for religious texts, Devletoğlu Yūsuf attempts to put to rest these biases by emphasizing the public benefits of rendering religious knowledge in Turkish.

Devletoğlu Yūsuf presents a two-pronged argument for the use of the written Turkish vernacular. While on the one hand, he refers to Abū Ḥanīfa's position on the permissibility of using Persian instead of Arabic for religious acts of devotion as a way to legitimize his own use of Turkish in the place of Arabic, on the other, he invokes notions of Classical Arabic grammar and rhetoric with a discussion on the superiority of meaning (*ma'nā*) over utterance or verbal form (*lafz*). Rendering religious knowledge in the Turkish vernacular, argues Devletoğlu Yūsuf, reveals meaning otherwise obscured: thus "meaning becomes unambiguously clear" (*ya'nī ma'nā fehm olur bī-iltibās*),⁶⁵ like that of "lifting the veil off the face of meaning" (*ma'nā yüzinden götürdiler nikāb*).⁶⁶ Devletoğlu Yūsuf claims that his vernacular work thus transcends the limitations of mere words or utterances (*alfāz*), and renders into Turkish the meaning (*ma'nā*) located in the linguistic medium of Arabic. In this context, Devletoğlu Yūsuf plays upon the meaning of *naẓm*, which refers not only to verse, but also to composition or construction, in the sense of the arrangement of words into a meaningful order.⁶⁷

With these [words] my apology ends.
The orderly arraying of verses suffices for poetry.

61 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 110, lines 17–9: *Dinle indi Türkçe manzüm bir kitāb / itdügümçün siz baña itmeñ 'itāb / İy nice gördük ulu 'ālimleri / 'ilmi ile 'āmil u kāmilleri / Türk dilince düzdiler bunca kitāb / ma'nī yüzinden götürdiler nikāb.*

62 Ibid. 110, line 21.

63 Ibid. 110, line 20.

64 Ibid. 110, line 21.

65 Ibid. 110, line 22.

66 *EL*², s.v. Ma'nā. 1. Grammar (C.H.M. Versteegh). In Classical Arabic grammar/rhetoric circles, opposition "between *alfāz* as the linguistic expression, and *ma'ānī* as the underlying meaning" was hotly debated.

67 Margaret Larkin, "Al-Jurjāni's theory of discourse", *Alif: Journal of Comparative Poetics* 2, 1982, 79. Rebecca Gould defines *naẓm* as "the order that binds together all the elements that comprise a literary text", noting that it can be translated as concinnity, "the harmonious reinforcement of the various parts of a work of art". According to Gould, *naẓm* "is situated at the foundation of Arabo-Persian poetics as well as of Qur'ānic exegesis". See Rebecca Gould, "Inimitability versus translatability: the structure of literary meaning in Arabo-Persian poetics", *The Translator* 19/1, 2013, 86.

That is, they say a book is composed according to order;
what it relates is true as a result of its arrangement.⁶⁸

Devletoğlu Yūsuf's use of *nazm* echoes theories of Arabic rhetoric originally developed by Abū Bakr 'Abd al-Qāhir al-Jurjānī (d. 474/1078). Al-Jurjānī succinctly summarizes these theories in his *Dalā'il i'jāz al-Qur'ān*, pointing out that “stylistic superiority resides in the meanings or ideas (*ma'ānī*) of words and how they are associated with each other in a given composition (*nazm*), and not in the utterances or words (*alfāz*) themselves”.⁶⁹ Drawing on al-Jurjānī's theory of rhetoric, Devletoğlu Yūsuf highlights his own poetic skills, which successfully render the *ma'nā* of the Arabic tradition into a Turkish composition produced according to the correct conventions of versification:

He who has composed has created order
And thus has received disapproval from none.

All scholars have approved of it;
And he has gained fame among the people.⁷⁰

Fifteenth-century Ottoman scholars were familiar with al-Jurjānī's theories as developed by the master of Arabic rhetoric, Sīrāj al-Dīn al-Sakkākī (d. 626/1228), author of the *Miftāh al-'ulūm*, a digest of al-Jurjānī's two major works on rhetoric and grammar, *Dalā'il al-i'jāz* and *Asrār al-balāgha*. Al-Sakkākī's *Miftāh* spurred a flurry of epitomes and commentary-writing in the fourteenth and fifteenth centuries. For instance, Khaṭīb al-Qazwīnī's (d. 739/1338) *Talkhīṣ al-Miftāh fī l-'ilm al-balāgha* presents a summary al-Sakkākī's *Miftāh al-'ulūm*. His *Talkhīṣ al-Miftāh* in turn was expansively commented on by al-Taftāzānī (d. 792/1390) in his *Sharḥ Talkhīṣ al-Miftāh*.⁷¹ Muşliḥuddīn Muşṭafā Ḥocā-zāde (d. 893/1488), the *muftī* of Bursa, subsequently produced a gloss on al-Taftāzānī's commentary on al-Qazwīnī's summary of the *Miftāh*. Ḥocā-zāde's work is one example of the wide interest among fifteenth-century Ottoman scholars in Arabic grammar and rhetoric as established by al-Jurjānī and reworked by al-Sakkākī.⁷²

Devletoğlu Yūsuf concludes his discussion of *ma'nā* and *nazm* by pointing out that the use of verse and Turkish are both legitimate forms by which to render religious knowledge:

68 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 110, lines 23–4: *Pes bularuñla özrüm biter; / nazm için dağı manzûme yüter. / Ya'nî kim manzûme dirler bir kitâb, / Nakli anuñ nazm ile olmuş şavâb.*

69 Larkin, “Al-Jurjani's theory of discourse”, 77.

70 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 110–1, lines 25–6: *Anı manzûm eylemiş te'lif iden. / Aña hem ta'n olmadı hiç kimseden. / Kamu' âlimler anı kıldı kabûl. / Cümle halk içinde meşhûr oldu ol.*

71 William Smyth, “Controversy in a tradition of commentary: the academic legacy of Al-Sakkākī's *Miftāh Al-'Ulūm*”, *Journal of the American Oriental Society* 112/4, 1992, 590–2.

72 Ḥocā-zāde, Süleymaniye Library, MS Antalya Tekelioğlu 838, 1b–50a. On al-Sakkākī's *Miftāh* as the basis of Ottoman rhetoric, see İbrahim Şaban, “Osmanlı Âlimlerinin Arap Belagatine Dair Eserleri”, *Şarkiyat Mecmuası* 17, 2011, 108–33.

It thus suffices that the words are in Turkish as well as in verse,
For there is no shame in either, and so be it!⁷³

Why would an author render a legal text, with its dry factual presentation of content, into verse? While such a textual practice seems counterintuitive to the modern mind, which conceives of verse as an imaginal practice, in the pre-modern world verse served multiple functions, especially relating to the internalization of texts when the principal mode of reception was auditory. It has been pointed out that medieval European textual culture, initially shaped largely in a monastic setting, involved the internalization and absorption of texts through memorization.⁷⁴ The literary culture of the Muslim world was also conditioned by memorization and endless repetition of scripture and its exegesis, especially at the elementary level of education. Books thus served as mnemonic devices at the *mektep* (Ar. *maktab*) where they were recited and their contents memorized under the guidance of the teacher. The versification of prose religious texts is a phenomenon common to a literary culture where canonical works were internalized through largely auditory means.⁷⁵ It is difficult, nevertheless, to know if a *fiqh* text, even when rendered into verse to facilitate memorization, was part of the *mektep* curriculum.⁷⁶ In addition to pedagogical purposes, a shorter versified and memorizable version of a legal manual may have been useful for practising Turcophone jurists, considering the possible difficulties of access to libraries and books, especially in rural areas.

In a reference to madrasa pedagogical practice, Devletoğlu Yūsuf describes a symbiotic relationship between Arabic and the Turkish vernacular. Turkish

73 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 111, line 27: *Türki olmak manzüm olmak bes kelām / Aña hiç 'ayb olmaz-ımuş ve's-selām!*

74 Duncan Robertson, "Writing in the textual community: Clemence of Barking's *Life of St. Catherine*", *French Forum* 21/1, 1996, 5.

75 Verse was used frequently for pedagogical purposes in both Arabic and Turkish texts. Ibn al-Ḥāḥib's (d. 1249) *al-Kāfiya* is a salient example of this phenomenon: the popularity of this Arabic grammar textbook was a result of its conciseness and verse format, which facilitated the memorization of Arabic grammar rules. Abdü'l-Muḥsin Muḥammed el-Ḳayseri's (d. 761/1360) Arabic *Jāmi' al-durar* (composed in 736/1335) is a versified adaptation of Muḥammad al-Sajāwandī's *al-Farā'id al-Sirājiyya*. See Recep Cici, "XIV. Yüzyılda Kayserili Bir Fakih: Abdülmühsin Kayseri ve Çalışmaları", in *XIII. ve XIV. Yüzyıllarda Kayseri'de Bilim ve Din Sempozyumu* (Kayseri: Erciyes Üniversitesi İlahiyat Fakültesi, 1998), 95, 98–100; R. Cici, "Muhsin-i Kayseri", *Türkiye Diyanet Vakfı İslam Ansiklopedisi*. There are other examples. M.J.L. Young, John Derek Latham and Robert Betram Serjeant (eds), *Religion, Learning and Science in the 'Abbasid Period* (Cambridge: Cambridge University Press, 1990), 134.

76 The Ottoman *mektep* curriculum traditionally focused around the Quran and primarily involved the memorization of certain verses as well as of popular lines of *ḥadīth*. By the time of Bayezid II in the late fifteenth century it included Turkish works of catechism (*ilm-i hāl*) (Nebi Bozkurt, "Mektep", *Türkiye Diyanet Vakfı İslam Ansiklopedisi*; Cahit Baltacı, "Mektep (Osmanlılar'da Mektep)", *Türkiye Diyanet Vakfı İslam Ansiklopedisi*. See also Aslıhan Gürbüz el's discussion of Baḥtī's versification of Birgivi Mehmed Efendi's *Vaşiyyetnâme* in 1052/1647 in order to facilitate the instruction of this popular work of catechism to children by rendering it into a memorizable form (Aslıhan Gürbüz el, "Teachers of the public, advisors to the sultan: preachers and the rise of a political public sphere, 1600–1670", Harvard University: PhD Dissertation, 2016).

served as the main language of instruction in madrasas, where students studied the textual tradition in Arabic, even in higher institutions specializing in the instruction of *ḥadīth* and *tafsīr*:

Brother, the professor's lessons are held in Turkish
As are the lessons of the scholars of *ḥadīth* and *tafsīr*.⁷⁷

Since the oral explication of the Classical Arabic religious textual tradition was customarily done in Turkish, Devletoğlu Yūsuf argues that written Turkish likewise legitimately served as an exegetical language.

Devletoğlu Yūsuf then situates *ma'nā* within the context of Hanafism. He refers to Abū Ḥanīfa's positive position on the permissibility of the translation of the Arabic sacred text, the Quran:

He considered the Quran lawful in Persian;
If [when] you recite it during prayer, [you] become filled with pious zeal.⁷⁸

As reported by al-Shaybānī in his *Zāhir al-riwāya*, Abū Ḥanīfa considered it permissible to read translated portions of the Quran during prayer based on a tradition that Salmān al-Fārisī, one of the Prophet Muḥammad's closest companions, translated the *Fātiḥa*, the first sura of the Quran, into Persian for use in prayers by Persian Muslims.⁷⁹ By drawing on the precedent of Persian translations of the Quran deemed permissible by Abū Ḥanīfa, Devletoğlu Yūsuf attempts to legitimize Turkish as an "auxiliary" religious language along similar lines to Persian.

Devletoğlu Yūsuf concludes his prologue with reference to *ma'nā* and *lafẓ*, thus situating himself in a centuries-old debate over the relation "between *alfāz* as the linguistic expression, and *ma'ānī* as the underlying meaning".⁸⁰ Devletoğlu Yūsuf aligns himself with al-Jurjānī's position of privileging *ma'nā* over *lafẓ*:

As such, it must be so with any other language;
Utterance is just a means; it is meaning that counts.⁸¹

By prioritizing intended meaning over mere verbal utterance – a position which, taken to the extreme, would justify the translation of the Quran⁸² – Devletoğlu

77 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 111, line 28: *Türkçedir dersi müderrisler aḥı / Hem muḥaddisler müfessirler daḥı*.

78 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 111, lines 29–30: *Bū Ḥanīfe kim odur ṣāhib-uṣūl / ma'nidür Qur'an didi bir ḳavli ol. / Pārsiçe Qur'anı cā'iz gördi bes, / kim namāzda okusañ ḳalsañ heves*.

79 Khadiga Karrar El-Shaykh El-Tayeb, "Principles and problems of the translation of scriptures: the case of the Qur'an" (Temple University: PhD Dissertation, 1985), 3–6; Mohammad Jafar Yahaghi, "An introduction to early Persian Qur'anic translations", *Journal of Qur'anic Studies* 4/2, 2002, 105.

80 C.H.M. Versteegh, "Ma'nā: 1. Grammar", *EL*².

81 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 111, line 31: *Eyle olsa her ne dilce olsa ger / Lafẓı ālet ma'nī olur mu'teber*.

82 Gould provides an extensive and stimulating examination of 'Abd al-Qāhir al-Jurjānī's hermeneutics on *i'jāz*, the doctrine of Quranic inimitability, and its relationship with *nāẓm* (structure). See Gould, "Inimitability versus translatability", 81–104.

Yūsuf thus points out that the actual linguistic medium becomes irrelevant; it is the meaning of the words that counts:

Thus when words are full of meaning and truth,
Does it matter whether they are uttered by a Türk or a Tat (i.e. Iranian)?⁸³

The use of the written vernacular in place of Arabic for exegetical purposes likewise provoked great anxiety in the Islamic world, as exemplified by the late tenth-century Persian translation of al-Ṭabarī's Arabic *tafsīr*, the religious permissibility of which was affirmed by a *fatwā* issued by the ulema of Transoxania.⁸⁴ Yet, despite this anxiety, Travis Zadeh points out that the linguistic leniency shown to new converts with regard to the use of Persian as a religious language in place of Arabic "may have suited the cosmopolitanism of an empire in the process of expanding deeper into Anatolia and Central Asia".⁸⁵ Indeed, Devletoğlu Yūsuf's constant invoking of the authority of Abū Ḥanīfa and his two disciples serves as a trope for putting to rest the recurrent anxieties associated with the vernacular rendering of religious works usually composed in Arabic.

Conclusion

Devletoğlu Yūsuf presented his work to Murad II in the year 827/1424; this year is significant in that it was by this time that it had become clear that Murad would indeed remain on the throne as the Ottoman sultan after several years of intense warfare in Anatolia against Byzantine-supported contenders.⁸⁶ Indeed, the following two decades of Murad II's reign proved to be a watershed period in Ottoman history for the transference of Perso-Islamic culture to Turcophone Anatolia, with an explosion in the production of literary works primarily through translation and the composition of imitative works. This literary development, as Âmil Çelebioğlu first argued, coincided with Murad II's consolidation of his rule and Ottoman consolidation of its Anatolian and Balkan

83 Devletoğlu Yūsuf, *Vikāye Tercümesi*, ed. Aktan, 111, line 32: *Pes kaçan söz olsa ma'nilü uñat [oñat] / N'ola Türk ola anı diyen yā Tat.*

84 A.C.S. Peacock, *Mediaeval Islamic Historiography and Political Legitimacy: Bal'ami's Tarikhnama* (London and New York: Routledge, 2007), 44.

85 Travis Zadeh, *The Vernacular Qur'an: Translation and the Rise of Persian Exegesis* (Oxford: Oxford University Press, in association with the Institute of Ismaili Studies, 2012), 2.

86 Murad II was faced with an unstable political situation when he ascended the throne in 823/1421. His uncle, Mustafa, referred to as Düzme Mustafa in the Ottoman sources, who was held in detention by the Byzantines, was set free to challenge Murad II's sovereignty by armed struggle, with Byzantine support and according to a plan intended to weaken the Ottomans. Düzme Mustafa was accompanied by the deposed Aydınid prince, Cüneyd, who had also been Byzantine captivity. Likewise, in Anatolia several local princes simultaneously rose in rebellion, including Murad II's younger brother, Mustafa, the princely governor of Hamidili in south-west Anatolia. By early 826/1423, all forces of opposition were quelled, and both Mustafas had been executed. Halil İnalçık, "Murad II", *İslam Ansiklopedisi*; Halil İnalçık, "Murad II", *Türkiye Diyanet Vakfı İslam Ansiklopedisi*. See also Barbara Flemming, "The reign of Murad II: a survey (I)", *Anatolica* 20, 1994, 249–67.

territories. Devletoğlu Yūsuf's *Manzūm fikh* constitutes an early work in a growing trend of Turkish vernacular works patronized by Murad II during the first half of the fifteenth century.⁸⁷

Devletoğlu Yūsuf's *Manzūm fikh* likewise provides us with a rare glimpse into the interactive linguistic landscape between Turkish and Arabic in the early religious education of Turcophone Anatolians. Although it would be inaccurate to characterize the work as a translation of the *Wiqāya*, Devletoğlu Yūsuf did in a certain sense “translate” the Arabic textual tradition of the *Wiqāya* into the Anatolian Turkish idiom. His translation thus involves not only linguistic movement from Arabic to Turkish, but also the localization of his narrative in his own time and place. This strategy not only made Hanafi *fikh* principles more concrete, but also, in essence, indigenized classical Hanafi practice.

In his preface, Devletoğlu Yūsuf justifies his rendering into the newly emerging literary language of Anatolian Turkish, a religious tradition normally composed in Arabic. According to the author, the translation of the Classical Arabic *fikh* tradition into the Turkish vernacular finds support in Classical Arabic grammatical–rhetorical theories of meaning and form, as first articulated by al-Jurjānī, combined with the Hanafi precedent of substituting Arabic with Persian as a religious linguistic medium. A law manual drawing on the thirteenth-century synthesis of the Hanafi tradition as it appears in the standard epitome of substantive law, the *Wiqāya*, Devletoğlu Yūsuf's *Manzūm fikh* repeatedly assures its readers that it represents a pure and unadulterated version of the law as first conceived by the three pre-eminent founding fathers of Hanafism. It may well be that Devletoğlu Yūsuf's emphasis on the hermeneutical authority of Abū Ḥanīfa and his disciples related to the anxieties the author faced in translating the Hanafi tradition into Turkish.

Rethinking the emergence of early Anatolian Turkish as a vernacular literary language along broader comparative perspectives and in the context of larger conceptual issues may help us to formulate new questions as well as new methodological approaches for dealing with language and cultural transfer. For instance, what triggers the emergence of a vernacular literary culture?⁸⁸ Observing that “the practices of literary culture are practices of attachment and belonging”,⁸⁹ Pollock proposes that “vernacular literary cultures were initiated by the conscious decisions of writers to reshape the boundaries of their cultural universe by renouncing the larger world for the smaller place, and they did so in full awareness of the significance of their decision”.⁹⁰ In seeking a legitimate literary role for Turkish in the composition of religious

87 For more on literary production during Murad II's period, see Çelebioğlu, *Türk Edebiyatı'nda Mesnevi XV. yy.'a kadar*, 15–6.

88 Sheldon Pollock points to historical symmetry between South Asia and Western Europe in connection with the rise of the vernacular during “the early second millennium” (which is equivalent to the medieval period in the post-Roman world). On these implications, see further Sheldon Pollock, “Cosmopolitan and vernacular in history”, *Public Culture* 12/3, 2000, 595.

89 Ibid. 594.

90 Ibid. 592.

texts, authors such as Devletođlu Yūsuf firmly grounded themselves in the greater Islamic tradition, but translated it into localized versions. Classical Arabic grammar and rhetoric, combined with Hanafi justifications for the use of the vernacular, provide Devletođlu Yūsuf with the heuristic tools for carving out a smaller yet legitimate space for the Turkish vernacular as a religious textual medium.