

THE LEGACY OF A LITERARY MAN IN ISLAMIC LEGAL THEORY: SURŪRĪ CHALABĪ'S CRITICISMS IN HIS SUPER-COMMENTARY ON *AL-TALWĪH* AND HIS ARGUMENTS

İmam Rabbani Çelik

Bolu Abant İzzet Baysal University, Bolu-Türkiye

rabbanicelik@ibu.edu.tr

<https://orcid.org/0000-0002-7180-2700>

Abstract

Al-Taftāzānī (d. 792/1390), a well-known theorist/theologian of the post-classical era of Islamic thought, not only elucidated the statements of Şadr al-sharī'ah in his *ḥāshiyab* (super-commentary), titled *al-Talwīḥ*, which he wrote on *al-Tawḍīḥ*, but also introduced several criticisms against his arguments. Al-Taftāzānī's work, *al-Talwīḥ*, was received with great interest by Ottoman scholars, who then composed many *ḥāshiyabs* on it in the fifteenth century. Although the number of *ḥāshiyabs* significantly diminished, the practice of *ḥāshiyab* writing on *al-Talwīḥ* continued in the sixteenth century. Surūrī Chalabī (d. 969/1562) was one of the scholars who penned a *ḥāshiyab* on *al-Talwīḥ* during this period. The literary works of Surūrī Chalabī have recently been the subject of numerous academic studies, yet his legacy in Islamic sciences has not received the same interest. This article, aiming to fill this gap in the literature,

İlahiyat Studies

p-ISSN: 1309-1786 / e-ISSN: 1309-1719

Volume 13 Number 1 Winter/Spring 2022

DOI: 10.12730/13091719.2022.131.232

Article Type: Research Article

Received: March 14, 2022 | *Accepted:* October 13, 2022 | *Published:* November 22, 2022.

To cite this article: Çelik, İmam Rabbani. "The Legacy of a Literary Man in Islamic Legal Theory: Surūrī Chalabī's Criticisms in His Super-Commentary on *al-Talwīḥ* and His Arguments." *İlahiyat Studies* 13, no. 1 (2022): 9-45.
<https://doi.org/10.12730/13091719.2022.131.232>

This work is licensed under *Creative Commons Attribution-NonCommercial-NoDerivatives 4.0 International*.

scrutinizes synchronically and diachronically the place of Surūrī's *Ḥāshiyah* on *al-Talwīḥ* within the tradition of Ottoman *ḥāshiyah* writing on *al-Talwīḥ* and eventually demonstrates that Surūrī primarily dealt with the arguments and comments of Ḥasan Chalabī, a previous *ḥāshiyah* author who commented on *al-Talwīḥ* and criticized them in his argument-based *ḥāshiyah* thus endeavors to position himself within the tradition of *ḥāshiyah* writing of the previous century through Ḥasan Chalabī's work.

Key Words: Ottoman law, *ḥāshiyah*, Islamic legal theory (*uṣūl al-fiqh*), *al-Talwīḥ*, Surūrī Chalabī

Introduction*

"لا مذهب للسان في محل البحث والمناظرة، فلا ضير في كون ذلك مخالفاً لمذهبه"

"The questioner (*sāʿil*)¹ has no stance (*madhhab*) in the realm of inquiry and dialectics. So, there is no problem if his criticism contradicts his own stance."

(Surūrī Chalabī, *Ḥāshiyat al-Talwīḥ*, 43a)

This article is about the *ḥāshiyah* (super-commentary) by Muṣliḥ al-Dīn Muṣṭafā Surūrī Chalabī (d. 969/1562) on *al-Talwīḥ*. *Al-Talwīḥ* was also a super-commentary authored by Saʿd al-Dīn al-Taftāzānī (d. 792/1390) on Ṣadr al-sharīʿah's (d. 747/1346) work *Tanqīḥ al-uṣūl* and his own commentary on this text, *al-Tawḍīḥ*. *Tanqīḥ al-uṣūl* and *al-Tawḍīḥ* were highly influential texts for the post-classical era of Ḥanafī-jurist tradition of *uṣūl al-fiqh*. Ṣadr al-sharīʿah, in these works, reconsidered the accumulated knowledge of classical Ḥanafī *uṣūl al-fiqh* he inherited by adopting the concepts, principles, and themes of philosophy and logic, which became the common theoretical language of the post-classical era of Islamic thought. While doing

* I am grateful to my wife Şerife Nur Çelik, my colleagues Abdülmeçid Yasir Ekşici, and Alirza Fanmaz, and the field editor Sümeyra Yakar for their careful reading and revising the manuscript. However, the entire responsibility for the remaining errors belongs to me.

¹ The questioner (*sāʿil*) is who objects to the claimant's (*muʿallil*) argument in enquiry and dialectics, see Khaled El-Rouayheb, *Islamic Intellectual History in the Seventeenth Century: Scholarly Current in the Ottoman Empire and Maghreb* (New York: Cambridge University Press, 2015), 72.

this, he relied on theological premises of the Māturīdī tradition against Ash'arī *uṣūl* scholars (*uṣūlīs*), such as Fakhr al-Dīn al-Rāzī (d. 606/1210) and Ibn al-Ḥājjib (d. 646/1249), who were also his intellectual opponents.² Sa'd al-Dīn al-Taftāzānī, in his critical *ḥāshiyab*, *al-Talwīḥ* written on Ṣadr al-sharī'ah's works *al-Tanqīḥ* and *al-Tawḍīḥ*, not only explores the words of Ṣadr al-sharī'ah but also revealed critical contradictions of his several arguments. While al-Taftāzānī often defended the arguments of the Ash'arī *uṣūlīs* against the objections raised by Ṣadr al-sharī'ah, his critique of Ṣadr al-sharī'ah primarily focused on his arguments rather than views. That is, al-Taftāzānī rather criticised the proofs by which Ṣadr al-sharī'ah attempted to substantiate his views.³

Al-Taftāzānī's *al-Talwīḥ* attracted great attention in the Ottoman scholarly circle as it did in the intellectual centers of Transoxiana, Khurasan, and India and was subjected to numerous studies in the form of *ḥāshiyabs* by fifteenth-century Ottoman scholars, especially in the second half of the fifteenth century. The sixteenth century witnessed a decrease in the number of such *ḥāshiyabs*, but studies on *al-Talwīḥ* did not cease. One of these studies, *Hāshiyat al-Talwīḥ*, written by Surūrī Chalabī, a well-known scholar, literary man, and the tutor of Prince (Shāhzādah) Muṣṭafā (d. 960/1553).

Recently, some researchers have studied *ḥāshiyabs* penned on *al-Talwīḥ* in earlier periods⁴ and the fifteenth century.⁵ No studies,

² İmam Rabbani Çelik, "XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri: Teklîfe Dair Tartışmalar" (PhD diss., Istanbul: Marmara University, 2020), 26-31.

³ *Ibid.*, 32-33.

⁴ For some studies including the critical edition and evaluation of the works of al-Jurjānī and Qāḍī Burhān al-Dīn, which can be considered among the first *ḥāshiyabs*, see H. Yunus Apaydın, "Kadı Burhaneddin'in Tercihu't-Tavzih Adlı Eseri," *Erciyes Üniversitesi Sosyal Bilimler Enstitüsü Dergisi* 6 (1995), 33-45; Emine Nurefşan Dinç, "Kadı Burhâneddin'in Tercîhu't-Tavzîh İsimli Eserinin Tahkiki ve Değerlendirmesi" (PhD diss., Istanbul: Marmara University, 2009); al-Sayyid al-Sharîf al-Jurjānî, *Hāshiyat al-Talwīḥ*, ed. Emine Nurefşan Dinç (Istanbul: Marmara Üniversitesi İlahiyat Fakültesi Vakfı Yayınları, 2016).

⁵ For studies analysing the *ḥāshiyabs* and discussions on *al-Muqaddimât al-arba'* chapter of *al-Talwīḥ* in this period, see Şule Güldü, "Osmanlı Dönemi Fıkıh Usûlü Çalışmaları: Hüsün-Kubuh Zemininde Oluşan Mukaddimât-ı Erbaa Literatürü" (PhD diss., Samsun: Ondokuz Mayıs University, 2019); Mustafa Bilal Öztürk, "Mukaddimât-ı Erbaa Hâşiyelerinde Kelâmî Tartışmalar (Alâeddin Arabî Bağlamında)" (PhD diss., Izmir: Dokuz Eylül University, 2020). For a study that analyses the *ḥāshiyabs* in this century through the debates around the subject of *taklîf* (divine obligation) and relates the production of knowledge in the

however, have been devoted to the progress of this *hāshiyah* tradition in the sixteenth century when Surūrī Chalabī produced his works. Moreover, while there are many academic studies on Surūrī Chalabī's literary works, his works in Islamic sciences have not yet drawn the same attention.⁶ Thus, Surūrī Chalabī's contribution to Islamic thought in general and to *uṣūl al-fiqh* (Islamic legal theory) seems to need more research. As an attempt in this direction, this study aims to clarify the position of Surūrī Chalabī's *hāshiyah* on *al-Tahwīḥ* in the tradition of Islamic thought in general and in the tradition of Ottoman thought in particular. Utilizing Surūrī Chalabī's *hāshiyah* as the primary source, this study will focus on the questions of which authors are engaged with by him in the *hāshiyah* tradition

hāshiyahs to the intellectual agenda of the intellectual circle of the period, see Çelik, "XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri: Teklif-e Dair Tartışmalar." For the critical edition of some *hāshiyahs* on the whole or a part of *al-Tahwīḥ* in the fifteenth century, see Hasan Özer, "Ali Kuşçu ve 'Hâşiyeye ale'l-Telvîh' Adlı Eseri," *İslam Hukuku Araştırmaları Dergisi* 13 (2009), 361-392; Hasan Özer, "Molla Samsünîzâde'nin *Ta'lika 'ale'l-Mukaddimâti'l-Erba'a* Adlı Risâlesinin Tahkikli Neşri," *Tabkik İslami İlimler Araştırma ve Neşir Dergisi* 1, no. 1 (2018), 169-240; Oğuz Bozoğlu, "Kesteli ve *Hâşiyeye 'ale'l-mukaddimâti'l-erba'* İsimli Eseri: Tahkik ve Tahlil" (master's thesis, Istanbul: Marmara University, 2019); İlyas Yıldırım, "Osmanlı Ulemasının Fıkıh Usulü Çalışmalarına Katkısı: Hasan Çelebi ve Telvîh Hâşiyesi Örneği," *Trabzon İlahiyat Dergisi* 6, no. 1 (2019), 189-213; Mustafa Bilal Öztürk, "Muslihuddin Kesteli'nin *Hâşiyetü's-sugrâ 'ale'l-mukaddimâti'l-erba'a* Adlı Eseri: Tahlil ve Tahkik," *Kader* 18, no. 2 (2020), 666-724; Mustafa Borsbuğa and Coşkun Borsbuğa, "Hatibzâde Muhyiddin Efendi'nin *Hâşiyeye 'ale'l-Mukaddimâti'l-Erba'a* Adlı Hâşiyesinin Tahkik ve Tahlili," *Tabkik İslami İlimler Araştırma ve Neşir Dergisi* 4, no. 2 (2021), 209-346.

⁶ An exception to this is the critical edition and analysis of Surūrī's *Tafsîr-i Sûrah-î Yûsuf*. In this analysis, the method of exegesis (*tafsîr*) in the work is focused on, rather than where the work stands in the history of exegesis, similar to the studies that have been done in a widespread manner. See Nazife Göksu, "Osmanlı Âlimi ve Dîvan Şairi Muslihuddin Mustafa es-Sürûrî'nin Hayatı ve 'Tefsîr-i Sûre-i Yûsuf' Adlı Eserinin İncelenmesi" (master's thesis, Antalya: Akdeniz University, 2017). The fact that both studies, which complement each other and include the critical edition and analysis of Surūrī's other exegesis written in Turkish, were prepared in the Department of Turkish Language and Literature is significant in terms of indicating that they were analysed only in terms of their linguistic and literary aspects, not in terms of their importance as a work produced in the field of Islamic thought. See Habibe Bozkaya İnce, "Gelibolulu Sürûrî Muşlihi'd-dîn Muştafâ bin Şa'bân: 'Tefsîrül-Kur'âni'l-'Azîme' (51a-120b vr.) (İnceleme-Metin-Dizin-Tıpkıbasım)" (master's thesis, Ankara: Ankara University, 2021); Ayberk Kurtgel, "Gelibolulu Sürûrî Muşlihi'd-dîn Muştafâ bin Şa'bân: 'Tefsîrül-Kur'âni'l-'Azîme' (121a-191a Varakları Arası) (İnceleme-Metin-Dizin-Tıpkıbasım)" (master's thesis, Ankara: Ankara University, 2021).

he inherited,⁷ in which aspects he contributed to this tradition, and in what ways he established an intellectual connection with his interlocutors, particularly through criticisms in his *ḥāshiyah*.

This research tries to find out to which previous *ḥāshiyah* writers on *al-Talwīḥ* Surūrī Chalabī referred anonymously and whose arguments he dealt with through synchronic and diachronic analysis of *al-Talwīḥ's ḥāshiyahs* and some other works in the field of *uṣūl al-fiqh*. Moreover, by comparing Surūrī's intellectual connection with his interlocutors in his *ḥāshiyah* with that of the interlocutors and the production of knowledge in *ḥāshiyahs* of the previous century. Thus, such comparative analysis will allow us to trace the continuity and transformation in that literary tradition. To further elaborate on the continuities and ruptures, this article scrutinizes three sample discussions in Surūrī's work, which sheds light on the author's intellectual relationship with his interlocutors.

This article will first provide information about the scholarly career and intellectual heritage of Surūrī. It will then explain the development of *ḥāshiyah* literature formed around *Talwīḥ* up to the era of Surūrī. After this historical context, it will discuss how Surūrī engaged in dialogue with the intellectual heritage of his interlocutors in his *ḥāshiyah* and analyse the characteristics of his work with special reference to three of his criticisms in it.

I argue that Surūrī, in his predominantly critical *ḥāshiyah*, establishes a connection with his interlocutors through their arguments rather than their opinions, in a similar way to *ḥāshiyah* writers of the previous century – which suggests continuity in the *ḥāshiyahs* of *Talwīḥ* from the fifteenth to the sixteenth centuries. Yet, despite this similarity, Surūrī mostly built his *ḥāshiyah* around the statements of Ḥasan Chalabī (d. 891/1486), a member of the scholarly circle in which he grew up, instead of the names such as Ṣadr al-sharī'ah and al-Taftāzānī.

⁷ Throughout the article, the term “interlocutor” refers not to the scholars whom Surūrī Chalabī debated in the same century but rather to the authors of *ḥāshiyahs*, regardless of whether they lived before him or were his contemporaries, whose views and arguments are interpreted and discussed by Surūrī in his *Ḥāshiyah*. In this respect, I preferred the meaning of a confrontation that takes place at the intellectual level and often transcends historical synchronicity instead of the literal meaning of the term “addressing.”

1. Scholarly Career and Intellectual Heritage of Surūrī Chalabī

Muṣliḥ al-Dīn Muṣṭafā (d. 969/1562), famous by his nickname Surūrī, was born in Gallipoli in 897/1491.⁸ His father was a wealthy merchant and eagerly supported his son to receive a good education.⁹ Surūrī studied under eminent scholars of the period, including ‘Abd al-Wāsi‘ Efendī (d. 944-945/1538-1539),¹⁰ Qadrī Chalabī (d. 959/1552),¹¹ Ṭāshkuprīzādah Muṣṭafā Efendī (d. 935/1529), Qarah Dāwūd Izmītī (d. 948/1541), and Nihālī Ja‘far Chalabī (d. ca. 950/1544)¹² who was also a poet. Then, he entered the service of Fanārīzādah Muḥyī al-Dīn Meḥmed (d. 954/1548) and finished his scholarly education.¹³

When his teacher Fanārīzādah Muḥyī al-Dīn was promoted to the judgeship of Istanbul, he was appointed as one of his deputies (*nā‘ib*)¹⁴ in Istanbul Bab Court in 927/1521. Upon Fanārīzādah’s promotion to the office of chief judge (*qāḍī ‘askar*) of Anatolia in

⁸ İsmail Güleç, “Gelibolulu Muslihuiddin Sūrūrī, Hayatı, Kişiliği, Eserleri ve *Babrü’l-Ma‘ârif* İsimli Eseri,” *Osmanlı Araştırmaları: The Journal of Ottoman Studies* XXI (2001), 211.

⁹ Naw‘izādah ‘Aṭā‘ī (as Nev‘izāde Atāyī), *Ḥadā‘iq al-ḥaqā‘iq fī takmilat al-Sbaqā‘iq* (as *Hadā‘iku’l-Hakā‘ik fī Tekmiletī’ş-Şakā‘ik: Nev‘izāde Atāyī’nin Şakā‘ik Zeyli*), ed. Suat Donuk (Istanbul: Türkiye Yazma Eserler Kurumu Başkanlığı, 2017), I, 295.

¹⁰ ‘Abd al-Wāsi‘ Efendī travelled to *Bilād al-‘Ajam* (Iran) for his scholarly studies and received education and studied in Herat under al-Taftāzānī’s grandson, Sayf al-Dīn Aḥmad al-Harawī. He attained high ranks by serving as a professor (*mudarris*) at Eight Madrasahs (Şahḥ madrasahs), *qāḍī* (judge) of Bursa and Istanbul, and the chief judge (*qāḍī ‘askar*) of Anatolia and Rumelia. See Ṭāshkuprīzādah Abū l-Khayr ‘Iṣām al-Dīn Aḥmad Efendī, *al-Sbaqā‘iq al-Nu‘māniyyah fī ‘ulamā’ al-Dawlah al-‘Uthmāniyyah*, ed. Ahmed Subhi Furat (Istanbul: İstanbul Üniversitesi Edebiyat Fakültesi Yayınları, 1985), 392-393.

¹¹ When ‘Aṭā‘ī refers to this teacher of Surūrī as Qadrī Efendī, he must be referring to the scholar mentioned as Qadrī Chalabī in *al-Sbaqā‘iq*. Qadrī Chalabī occupied high-ranking positions such as being a *mudarris* at Şahḥ madrasahs and Bursa Sultaniye (Çelebi Mehmed) Madrasah and as a *qāḍī ‘askar* of Anatolia. See Ṭāshkuprīzādah, *al-Sbaqā‘iq*, 443.

¹² Nihālī was also appointed as a *mudarris* in some madrasahs in addition to being appointed as the *qāḍī* of Galata. For information about his life, see *Ibid.*, 478-479.

¹³ ‘Aṭā‘ī, *Ḥadā‘iq al-ḥaqā‘iq*, I, 295-296.

¹⁴ In the Ottoman judicial system, the deputy or assistants of the *qāḍī* were referred to as *nā‘ib*, and the chief deputy of the Istanbul *qāḍī* was referred to as the *nā‘ib* of the Istanbul Bab Court. For comprehensive information, see Mehmet İpşirli, “Nāib,” in *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XXXII, 312-313.

early 929/1522, Surūrī was assigned as the private secretary (*tadbkirahjī*).¹⁵ Nevertheless, when he was accused of leaking some official secrets to his teacher ‘Abd al-Wāsi‘ Efendī while he was serving in this position, he was obliged to quit his scholarly career. Then he joined the path of Sufism and pledged allegiance to Maḥmūd Efendī (d. 938/1531), who was the caliph of the Naqshbandī Sheikh Amīr Bukhārī in his *zāwiyah*.¹⁶ In the following years, Surūrī performed the pilgrimage and re-entered scholarly service upon his return to Istanbul. He managed to receive the status of novice (*mulāzamab*)¹⁷ from his professor Fanārīzādah and was appointed as a professor (*mudarris*) at the Sarıca Pasha Madrasah in his hometown, Gallipoli, in 930/1523. In 933/1526, he was promoted to the Piri Pasha Madrasah.¹⁸

In 944/1537, Surūrī was commissioned with a salary of 50 aspers to the madrasah built by the vizier Güzelce Qāsim Pasha (d. after 948/1541) in the present-day Kasımpaşa district, which was named after him, located on the opposite side of the Golden Horn. When Fanārīzādah Muḥyī al-Dīn, his protector, passed away in 954/1548, Surūrī resigned from professorship and abandoned the pursuits of daily life. He entered the service of Khwājah ‘Abd al-Laṭīf Efendī (d. 971/1563-64), the current sheikh in the abovementioned Amīr Bukhārī Zāwiyah.¹⁹ Receiving the news of his resignation, Güzelce Qāsim Pasha, the sub-governor of Morea, became upset and urged Surūrī to return to his post at his madrasah. Surūrī accepted this request stipulating that he would recite the *Mathnawī*, the famous

¹⁵ ‘Aṭā’ī, *Ḥadā’iq al-ḥaqā’iq*, I, 296. Private secretaries (*tadbkirahjīs*) were the personnel of the Beylikçi Kalemī (Head clerk) under the Imperial Council (Dīwān-i Humāyūn) in the Ottoman bureaucracy. They were responsible for reciting aloud the submissions received at the meetings of the Imperial Council and serving as the principal clerks of the grand vizier. Emel Soyer, “XVII. yy. Osmanlı Dīvan Bürokrasisindeki Değişimlerin Bir Örneği Olarak Mühimme Defterleri” (master’s thesis, Istanbul: Istanbul University, 2007), 14.

¹⁶ ‘Aṭā’ī, *Ḥadā’iq al-ḥaqā’iq*, I, 296.

¹⁷ In the Ottoman scholarly system, the *mulāzamab* was the practice in which a student who graduated from a madrasah would serve the master (*mullā/mawlā*) as an assistant (*mu‘īd*) in exchange for the master’s approval of the scholarly competence of the student and his inclusion in the bureaucratic hierarchy. See Abdurrahman Atçıl, *Scholars and Sultans in the Early Ottoman Empire* (Cambridge: Cambridge University Press, 2017), 102-106.

¹⁸ ‘Aṭā’ī, *Ḥadā’iq al-ḥaqā’iq*, I, 296.

¹⁹ *Ibid.*

work of al-Rūmī (d. 672/1273), after afternoon prayers at the Kasım Paşa Mosque.²⁰

Khayr al-Dīn Khiḍr, the tutor of Shāhzādah Muṣṭafā, passed away in 953/1546. Thereupon Sultan Suleiman, on his way to the Campaign of Van, appointed Surūrī as Shāhzādah Muṣṭafā's new tutor in 955/1548. Even though 'Aṭā'ī narrates that Surūrī had traveled to Karaman, where the prince was stationed when he was appointed to this scholarly position,²¹ he had likely traveled to Amasya upon his appointment. For other sources agree that the prince was dismissed from the governorship of Saruhan (Manisa) in 948/1541 and appointed to the governorship of Amasya. There is no mention of any subsequent reassignment.²²

Surūrī continued to serve in this position from 955/1548 until 25 Shawwāl 960/4 October 1553, when Shāhzādah Muṣṭafā was executed in Ereğli (Konya). During this period, he gained considerable closeness with the prince.²³ Shāhzādah Muṣṭafā, who was fond of literature, gathered many scholars and literary men around him in Amasya. This intellectual group, which also included Surūrī, was composed of some of the leading intellectuals of the period, such as the prince's dīwān clerk Qarah Faḍlī (d. 971/1564), Kāmī Muḥammad Qarahmānī (d. 952/1545), and Adā'ī Chalabī (d. 982/1574).²⁴

It is reported that Surūrī, who was deeply saddened by the execution of the prince and retreated into seclusion, was not deemed worthy of good treatment by the statesmen and that he managed his life with the income from his books and with the aid of his social

²⁰ Güleç suggests that this insistence of Qāsim Pasha may have been caused by the support of the people and his students for Surūrī or by the fact that Surūrī was his fellow countryman. See Güleç, "Gelibolulu Muslihuddin Sürūrî," 214.

²¹ 'Aṭā'ī, *Ḥadā'iq al-ḥaqā'iq*, I, 297.

²² Ḥusayn Ḥusām al-Dīn, *Amasya Tārikhi* (Istanbul: Necm-i İstikbâl Matbaası, 1927), III, 302-310; Güleç, "Gelibolulu Muslihuddin Sürūrî," 215; Şerafettin Turan, "Mustafa Çelebi," in *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XXXI, 290-292.

²³ Ḥusayn Ḥusām al-Dīn, *Amasya Tārikhi*, III, 308; Güleç, "Gelibolulu Muslihuddin Sürūrî," 217.

²⁴ Ḥusayn Ḥusām al-Dīn, *Amasya Tārikhi*, III, 305.

circle without receiving an official salary for nine years until his death from cholera on the 7th of Jumādā l-awwal in 969/1562.²⁵

The time in which Surūrī Chalabī lived corresponds to the “consolidation period” of the Ottoman scholarly bureaucracy (1530-1600). During this period, the scholar-bureaucrats’ bond with the Ottoman dynasty strengthened, and the scholars (‘*ulamā*’) in the service of the Ottoman Empire evolved into “a self-producing group” with the establishment of the *mulāzamat* system.²⁶ In this bureaucracy, Surūrī Chalabī followed an educational career starting from a low-level professorship,²⁷ and finally, he was appointed as the prince’s tutor. He reached Ottoman Dignitary (Mawlawiyyah)²⁸ rank in the Ottoman scholarly bureaucracy during his lifetime. In addition to the high-ranking scholarly positions that he held in the bureaucracy, Surūrī Chalabī also stands out with the intellectual legacy he left behind. He made significant contributions to Ottoman thought in different fields through his approximately thirty works, most of which are in literature. He owes his fame today primarily to these works. In the field of literature, Surūrī Chalabī wrote commentaries on works such as *Mathnawī*, *Bustān*, *Gulistān*, *Dīwān* of Ḥāfiẓ, *Mu‘ammāyāt*, and *Shabistān-i Khayāl*. He also wrote *Dīwānchab*, which includes his mystical poems, and a work of Turkish rhetoric known as *Baḥr al-ma‘ārif* (dated 956/1549).²⁹ He wrote commentaries on *Bustān*, *Gulistān*, and *Shabistān-i Khayāl*

²⁵ ‘Aṭā’ī, *Hadā’iq al-ḥaqā’iq*, I, 297-298. While this is the information in the chronicles, an archival document dated 5 Sha‘bān 970/1563 identifies Surūrī ibn Sha‘bān as the *qāḍī* of Galata. (Directorate of State Archives Ottoman Archives, *Archive Document of the Topkapı Palace Museum [TS.MA.e]*, No. 177/2). While this document indicates that Surūrī was still alive at this date and that he was assigned to some scholarly positions after serving as a tutor to the prince, it is beyond the boundaries of this study to analyse this finding.

²⁶ Atçıl, *Scholars and Sultans*, 132-133.

²⁷ *Ibid.*, 183.

²⁸ For information on the place of the Dignitary (*Mawlawiyyah*) in the Ottoman scholarly bureaucracy and the privileges granted to the *Mawlawiyyah* authorities, see *Ibid.*, 134-144.

²⁹ For the critical edition of the work, see Yakup Şafak, “Sürürî’nin Bahrü’l-Ma’ārif’i ve Enisü’l-Uşşāk ile Mukayesesi” (PhD diss., Erzurum: Atatürk University, 1991), 1-425.

either upon the request of Shāhzādah Muṣṭafā or he dedicated these works to him.³⁰

The disciplines of Arabic linguistics and logic, which are considered to be instrumental disciplines (*‘ulūm al-ālāt*) for classical Islamic disciplines, are also among the fields Surūrī Chalabī contributed. He wrote a commentary on al-Muṭarrizī’s (d. 610/1213) *al-Miṣbāḥ* and Ibn al-Ḥājjib’s *al-Kāfiyah* and a *ḥāshiyah* on *al-Ḍaw’*, Tāj al-Dīn al-Isfarā’īnī’s commentary on *al-Miṣbāḥ* in terms of Arabic syntax (*naḥw*). He wrote commentaries on *Amsilab*, *Binā’*,³¹ and *Marāḥ al-arwāḥ*,³² which were famous textbooks on Arabic morphology (*ṣarf*) taught in Ottoman educational institutions. The high number of manuscript copies of these commentaries in the Ottoman libraries suggests that they received considerable attention from the Ottoman scholarly circles.³³ Surūrī wrote a *ḥāshiyah* on the commentary of Ḥusām al-Dīn Ḥasan al-Kātī in the field of classical logic as well.³⁴

Surūrī Chalabī also produced works in various Islamic disciplines. In this regard he wrote a *ḥāshiyah* on al-Qāḍī al-Bayḍāwī’s *Anwār al-tanzīl wa-asrār al-ta’wīl*, *Tafsīr sūrat Yūsuf*, and *Tafsīr al-Qur’ān al-‘azīz* in the field of exegesis.³⁵ He authored a *ḥāshiyah* on *al-‘Ināyah*, the commentary on *al-Hidāyah* by Akmal al-Dīn al-Bābartī (d. 786/1384) in *fiqh*,³⁶ and dedicated this work to Shāhzādah Muṣṭafā. In this *ḥāshiyah*, Surūrī responded to the criticisms by Kamālpashazādah (d. 940/1533), whom he referred to as *ba‘ḍ al-*

³⁰ For detailed information about his works, see Güleç, “Gelibolulu Muslihuddin Sürūrî,” 224-233.

³¹ For a study containing the critical edition of the work, see Rashadat Hidayatov, “Gelibolulu Muslihuddin Mustafa b. Şaban Sürūrî’nin *Şerhu’l-Binâ* Adlı Eserinin Tahkiki” (master’s thesis, Istanbul: Marmara University, 2009).

³² For a study containing the critical edition of the work, see Ali Bağcı, “Muslihiddin Mustafa b. Şaban Sürūrî’nin *Şerhu Merâhi’l-Ervâh* Adlı Eserinin Edisyon Kritiği” (master’s thesis, Yalova: Yalova University, 2015).

³³ For information on some aspects of the commentary on the *Amsilab*, see Güleç, “Gelibolulu Muslihuddin Sürūrî,” 228.

³⁴ The determination of these works is based on data obtained from the following database which contains the records of Turkish manuscript libraries: Türkiye Diyanet Vakfı İslam Araştırmaları Merkezi (İSAM), “Türkiye Kütüphaneleri Veri Tabanı” (14th of February, 2022).

³⁵ For information on the studies that include the critical editions of Surūrī’s exegetical works, please refer to the introduction of this article.

³⁶ Güleç, “Gelibolulu Muslihuddin Sürūrî,” 226.

muta'akbbirīn, and leveled against both the author and the commentator.³⁷ Surūrī Chalabī also wrote a *ḥāshiyah* on al-Taftāzānī's *al-Talwīḥ* in the field of *uṣūl al-fiqh*, which constitutes the subject matter of this article. Although 'Aṭā'ī claims that Surūrī Chalabī wrote a commentary on the famous hadith collection, titled *Ṣaḥīḥ al-Bukbārī*, up to half of its content,³⁸ none of the copies of this work is available today.

Another significant field to which Surūrī contributed was medicine. He wrote a commentary on Ibn al-Nafīs' (d. 687/1288) *Mūjaz al-Qānūn*, which is one of the famous summaries of Ibn Sīnā's *al-Qānūn*, as well as a work titled *Kitāb al-Shabādab* in this field. Moreover, he translated a Persian work on Far Eastern medicine, the *Risālah-i Panḥ Chīnī*, into Turkish.³⁹ Not only interested in medicine but also history, Surūrī translated *Tārīkh-i Kbiṭā wu Khūtan u Chīn u Māchīn*, a book about the history of Far Eastern countries, and *Rawḍ al-rayāḥīn fī ḥikāyat al-ṣāliḥīn*, a book about the stories of scholars and Sufis, into Turkish. As for politics, upon the request of the prince, Surūrī translated the Persian political treatise *Dbakhīrat al-mulūk*, written by Amīr Kabīr al-Sayyid 'Alī al-Hamadānī (d. 786/1385), the founder of the Hamadāniyyah branch of the Kubrawiyyah order, into Turkish in 960/1552.⁴⁰ In addition, he started the translation of *'Ajā'ib al-makhlūqāt* at Shāhzādah Muṣṭafā's request but left it unfinished after the execution of the prince.⁴¹

His works show that Surūrī Chalabī was knowledgeable enough to write or translate works in many fields, such as literature, Islamic disciplines, the grammar of the Arabic language, medicine, history, and politics. It is noteworthy that Surūrī Chalabī was a versatile scholar similar to Kamālpashazādah, whom he criticized in his *ḥāshiyah* on *al-Talwīḥ*, and that he wrote on a wide variety of subjects just like him.

³⁷ For a sample critic see Surūrī Chalabī, *Hāshiyah 'alā l-Ināyah* (Istanbul: Süleymaniye Library, İsmihan Sultan, MS 128), fols. 1b-2a.

³⁸ 'Aṭā'ī, *Hādā'iq al-ḥaqā'iq*, I, 299.

³⁹ İsmail Güleç, "Sürūrī, Muslihuddin Mustafa," in *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XXXVIII, 172.

⁴⁰ Güleç, "Gelibolulu Muslihuddin Sürūrī," 231.

⁴¹ *Ibid.*, 230.

2. A Scholarly Tradition Inherited by Surūrī Chalabī: The Literature of *Hāshiyabs* on *al-Talwīh*

Sa'd al-Dīn al-Taftāzānī is one of the most influential authoritative figures in the post-classical era of the tradition of Islamic thought. His intellectual legacy has been discussed in many scholarly circles, and his works have been widely studied.⁴² To make a specific observation about *al-Talwīh*, the interpretations and criticisms brought by al-Taftāzānī in his *al-Talwīh* to the *uṣūl* thought in Ṣadr al-sharī'ah's *al-Tanqīh* and its commentary *al-Tawḍīh* have been discussed by a considerable number of scholars. The critical *hāshiyabs* written on *al-Talwīh* by his intellectual opponent al-Sayyid al-Sharīf al-Jurjānī (d. 816/1413), who shared the same scholarly circle with al-Taftāzānī in Transoxania, and Qāḍī Burhān al-Dīn (d. 800/1398), one of the famous statesmen of Lands of Rum (*Bilād al-Rūm*), are among the earliest texts in which such debates can be detected.⁴³

One of the centers where al-Taftāzānī's intellectual legacy was the most influential was probably the Ottoman scholarly circle. Al-Taftāzānī's works began to become popular and taught in *Bilād al-Rūm*, which was also at the heart of the Ottoman scholarly circle, from the late fourteenth century to the first quarter of the fifteenth century, not long after they were written.⁴⁴ Although the scholars there seem to have written the first *hāshiyab* on al-Taftāzānī's works towards the middle of the fifteenth century, it was not until the second half of the fifteenth century that these works were placed at the center of the intellectual production of the Ottoman scholarly circle and the widespread writing of *hāshiyabs* on these works took place. The works of al-Taftāzānī and his contemporary and intellectual opponent al-Sayyid al-Sharīf al-Jurjānī formed the basis for intensive knowledge production at this time. The works of the authoritative figures of the post-classical era, such as Ṣadr al-sharī'ah,

⁴² Şükrü Özen, "Teftāzānī," in *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XL, 299-308.

⁴³ Çelik, "XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri: Teklîfe Dair Tartışmalar," 33-35.

⁴⁴ The oldest dated copies and historical records of the works in Ottoman libraries support this data. See İmam Rabbani Çelik, "XV. Asır Osmanlı Entelektüel Çevresi İçin Teftāzānī Ne İfade Eder?: Hâşiyelerinde Otorite İsim Olarak Teftāzānī," in *Osmanlı Düşüncesi: Kaynakları ve Tartışma Konuları*, ed. Fuat Aydın, Metin Aydın, and Muhammet Yetim (Istanbul: Mahya Yayıncılık, 2018), 193-196.

al-Khaṭīb al-Qazwīnī (d. 739/1338), Shams al-Dīn Maḥmūd ibn ‘Abd al-Raḥmān al-Iṣfahānī (d. 749/1349), ‘Aḍud al-Dīn al-Ījī (d. 756/1355), Ibn Mubārakshāh (d. after 784/1382), were not read or studied directly, but through the works of these two scholars, and were the subject of works in the form of commentaries and *ḥāshiyabs*.⁴⁵ In this respect, one of the works on which the most *ḥāshiyabs* were written was, without a doubt, al-Taftāzānī's *al-Talwīḥ*.

The prominent scholars of the Ottoman scholarly circle, such as Mullā Aḥmed Qirīmī (d. around 855/1451), Muṣannifak (d. 875/1470), ‘Alī Qushjī (d. 879/1474), Mullā Khusraw (d. 885/1480), ‘Alā’ al-Dīn al-Ṭūsī (d. 887/1482), Khojazādah Muṣliḥ al-Dīn Muṣṭafā (d. 893/1488), Mullā Aḥmad al-Khayālī (d. around 875/1470), Sāmsūnizādah Ḥasan (d. 891/1486), Ḥasan Chalabī al-Fanārī, Mullā ‘Abd al-Karīm (d. 895/1489), Mullā ‘Alā’ al-Dīn ‘Arabī (d. 901/1496), Muṣliḥ al-Dīn Muṣṭafā al-Kastalī (d. 901/1496), Khaṭībzādah Muḥyī al-Dīn (d. 901/1496), Ḥājīḥasanazādah Muḥammad (d. 911/1505), and Mullā Luṭfī (d. 900/1495) wrote *ḥāshiyabs* on a certain part or the entirety of *al-Talwīḥ*. It gives an idea about the vastness of the literature that more than twenty *ḥāshiyabs* were written in this century.⁴⁶ These scholars sometimes reflected their different intellectual inclinations in their *ḥāshiyabs* within the scope of the discussions in which they evaluated “the arguments on which these views are based rather than the views themselves.”⁴⁷ However, they sometimes addressed the comments and arguments of al-Taftāzānī,

⁴⁵ Al-Taftāzānī's *Sbarḥ al-‘Aqā’id* and al-Jurjānī's *Sbarḥ al-Mawāqif* and *Hāshiyat al-Tajrīd* in theology, and al-Taftāzānī's *al-Talwīḥ* and al-Jurjānī's *Hāshiyat Sbarḥ al-Mukhtaṣar* in *uṣūl al-fiqh*, al-Taftāzānī's *al-Muṭawwal* and al-Jurjānī's *Sbarḥ al-Miftāḥ (al-Miṣbāḥ)* in rhetoric and al-Jurjānī's *Hāshiyab ‘alā Sbarḥ Ḥikmat al-‘ayn* in philosophy were the most widely studied works in the Ottoman scholarly circle of the fifteenth century. For more information on that literature see Müstakim Arıcı, “Bir Otorite Olarak Seyyid Şerîf Cürçânî ve Osmanlı İlim Hayatındaki Yeri,” in *İslâm Düşüncesinde Süreklilik ve Değişim*, ed. M. Cüneyt Kaya (İstanbul: Klasik Yayınları, 2015), 80-90; Çelik, “XV. Asır Osmanlı Entelektüel Çevresi İçin Teftâzânî Ne İfade Eder?,” 198-202.

⁴⁶ Ḥājī Khalīfah Muṣṭafā ibn ‘Abd Allāh Kātib Chalabī, *Kashf al-zunūn ‘an asāmi l-kutub wa-l-funūn*, ed. Mehmet Şerefeddin Yaltıkaya and Kilisli Rifat Bilge (Ankara: Milli Eğitim Bakanlığı, 1971), I, 496-9; Çelik, “XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri,” 71-94.

⁴⁷ For another study claiming that the debates in the *ḥāshiyabs* on *al-Talwīḥ* mostly took place on the evidences, see Dinç, “Kadı Burhāneddin'in Tercihu't-Tavzih İsimli Eserinin Tahkiki ve Değerlendirmesi,” 2.

sometimes al-Jurjānī, and occasionally other scholars who were contemporaries of these two scholars. In these discussions conducted through the comments and arguments of authoritative characters, the authors of the *ḥāshiyas* endeavored to “demonstrate their scholarly competencies” within the intellectual community of the period.⁴⁸ Within this framework, while criticizing the arguments of their opponents, they directed several criticisms, such as that these arguments were invalid or inconsistent, that they were inappropriate for the argument they were produced against, or that they were not under the principles of inquiry and dialectics (*ādāb al-baḥṭh*),⁴⁹ which constituted an essential part of the argumentation technique.⁵⁰

By the sixteenth century, a significant contraction was witnessed in *al-Talwīḥ ḥāshiyas* literature compared to the previous century. The authors who wrote a *ḥāshiyah* on *al-Talwīḥ* in the Ottoman scholarly circle in this century were Muḥammad al-Bardaʿī (d. 927/1521), Kamālpashazādah, Abū l-Suʿūd Efendī (d. 982/1574), ʿAbd al-Şamad al-Ḥusaynī al-Ṭālishī,⁵¹ and the subject matter of this article, Surūrī Chalabī. While in the previous century, approximately twenty scholars in the Ottoman scholarly circle wrote *ḥāshiyas* on this work, in the sixteenth century, the number of these scholars decreased to five, based on what can be determined. This situation may have resulted from the reaching maturity in this literature. However, it may also have been because the writing of *ḥāshiyah* was focused on other works in this period. Furthermore, among those who wrote *ḥāshiyah* on *al-Talwīḥ* in the sixteenth century, especially Kamālpashazādah and Abū l-Suʿūd Efendī held the position of the

⁴⁸ Çelik, “XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri,” 78.

⁴⁹ For detailed information about evaluation of the *ādāb al-baḥṭh* discipline in Islamic thought and its principles, see El-Rouayheb, *Islamic Intellectual History in the Seventeenth Century*, 60-96.

⁵⁰ For the criticism forms in the *ḥāshiyas* of this period, see Çelik, “XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri,” 94-102.

⁵¹ Historically, Ṭālish refers to a geographical region and ethnic group inhabiting the territory of present-day Iran on the border of Azarbaijan and the shores of the Caspian Sea. The author of the *ḥāshiyah*, ʿAbd al-Şamad al-Ḥusaynī al-Ṭālishī, was probably a scholar who migrated to the Ottoman lands from this region. The dedication of his *ḥāshiyah* to Bayrāmzādah Zakariyyā Efendī, the *qāḍī ʿaskar* of Rumelia (ʿAbd al-Şamad al-Ḥusaynī al-Ṭālishī, *Ḥāshiyah ʿalā l-Talwīḥ* [Istanbul: Murat Molla Library, MS 646], fols. 1b-2a), suggests that al-Ṭālishī wrote the work during the term of (997/1589-1000/1592); Mehmet İpşirli, “Zekeriyâ Efendi, Bayramzâde,” in *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XXXIV, 211.

chief jurist (*sbeikh al-islām*), which was the top-ranking scholarly position in the Ottoman academic bureaucracy,⁵² and al-Bardaʿī, who came to *Bilād al-Rūm* from the Khurasan region, served as a *mudarris* in some educational institutions, especially in Üç Şerefeli Madrasah.⁵³ Surūrī Chalabī served as the tutor of the prince in addition to his work as a *mudarris*, while al-Ṭālīshī, who seems to have come to the lands of the Ottoman heartland known as *Bilād al-Rūm*, was not promoted to high-level bureaucratic positions as far as it is known.

Taking the Ottoman scholarly tradition into account, the interlocutors of the *ḥāshiyabs* written on *al-Talwīḥ* in the sixteenth century also seem to undergo a significant change. The fact that the issues in the *ḥāshiyabs* written in the fifteenth century were discussed through the wording of *al-Talwīḥ* indicates that Şadr al-sharīʿah's *al-Tawḍīḥ* was read through the interpretations and criticisms by al-Taftāzānī. It is also possible to see this explicitly in the discussions of the said century.⁵⁴ Although the majority of the *ḥāshiyabs* written on *al-Talwīḥ* in the sixteenth century continued to discuss the statements of al-Taftāzānī, the words of Şadr al-sharīʿah were also started to be discussed directly.⁵⁵ Moreover, in this century, the statements of the *ḥāshiyab* writers of the previous century, especially those of Mullā

⁵² *Sbeikh al-islām*, who was the mufti of Istanbul at the beginning, became "the top official in the hierarchy" during the consolidation period (1530-1600) of the Ottoman learned hierarchy. Thanks to this superiority, he was able to shape the internal and foreign policies of the empire by the legal opinions (*fatwās*) he issued and had the authority to appoint scholar-bureaucrats to high-level *madrasabs*. For detailed information, see R. C. Repp, *The Mufti of Istanbul: A Study in the Development of the Ottoman Learned Hierarchy* (London: Ithaca Press, 1986), 293-297; Atçıl, *Scholars and Sultans*, 138.

⁵³ Ṭāshkuprīzādah, *al-Sbaqāʿiq*, 402.

⁵⁴ For the details of some of the discussions over the interpretations and criticisms of al-Taftāzānī, see Çelik, "XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri," 118-242.

⁵⁵ What is meant here by the direct discussion of an author's statements in the *ḥāshiyabs* is that the author of the *ḥāshiyab* quotes the phrases of that author with expressions such as *qawlubū*, *qāla l-muşannif* or *qāla l-muḥasbsbī* and discusses the issue based on these phrases. The author of the *ḥāshiyab* indirectly includes the other ideas and criticisms brought to the agenda through the phrases he quoted by these expressions. For example, the author of a *ḥāshiyab* directly quotes al-Taftāzānī's criticism directed at Şadr al-sharīʿah with the expression *qawlubū* and then proceeds to discuss it with the expression *aqūl*. During this analysis, the author indirectly refers to the criticisms directed against al-Taftāzānī by using expressions such as *qāla*, *uʿturīḍa*, *ujība*, or *qāla baʿḍ al-aʿfāḍil*.

Khusraw and Ḥasan Chalabī al-Fanārī, also occupied the center position of the *ḥāshiyah*.⁵⁶ *Taghyīr al-Tanqīḥ* which was written by Kamālpashazādah, one of the names who wrote a *ḥāshiyah* on *al-Talwīḥ* in the sixteenth century, by criticizing and modifying the statements of Ṣadr al-sharī‘ah in *al-Tanqīḥ* along with the aforementioned *ḥāshiyah*, is an interesting sample in this respect. Because Kamālpashazādah, in this work, directly discussed the statements of Ṣadr al-sharī‘ah and subjected them to critical reading in a manner relatively independent of the comments and criticisms by al-Taftāzānī. It would be possible to consider this change from the fifteenth to the sixteenth century as a favorable development for Ṣadr al-sharī‘ah in the *ḥāshiyahs* on *al-Talwīḥ*. It should be underlined here that in the *ḥāshiyahs* on *al-Talwīḥ* written in the sixteenth century, the comments and criticisms by al-Taftāzānī were less frequently included in the agenda compared to the previous century, and Ṣadr al-sharī‘ah’s work on *uṣūl al-fiqḥ* began to be discussed more often and directly.

This study will focus on the names whom Surūrī Chalabī has dealt with in his *ḥāshiyah* and how he established contact with these names, and thus it will be possible to follow the traces of the abovementioned changes on this *ḥāshiyah*.

3. The Interlocutors of Surūrī Chalabī in His Ḥāshiyah and the Character of His Work

The writing of this work, the only copy of which is registered under number 648 in Murat Molla Library, was completed in the town of Ladik on 15 Rajab 957/1550, according to the release record of this copy.⁵⁷ No information was provided regarding the province to which Ladik belonged. However, taking into account that Surūrī Chalabī was appointed as the tutor of the prince in Amasya in 955/1548, it is highly likely that he completed this work in 957/1550 in Ladik, which

⁵⁶ Kamālpashazādah and Abū l-Su‘ūd addressed these two names in their *ḥāshiyahs* on *al-Talwīḥ* and directly discussed their arguments and interpretations in their works. See Shams al-Dīn Aḥmad ibn Sulaymān Kamālpashazādah, *Ḥāshiyah ‘alā l-Talwīḥ* (Istanbul: Süleymaniye Library, Halet Efendi, MS 163), fols. 85a, 89a; Abū l-Su‘ūd Efendi, *Ḥāshiyah ‘alā l-Talwīḥ* (Istanbul: Süleymaniye Library, Bağdatlı Vehbi, MS 2035), fols. 37b-38a.

⁵⁷ Muşliḥ al-Dīn Muştafā Surūrī Chalabī, *Ḥāshiyat al-Talwīḥ* (Istanbul: Murat Molla Library, MS 648), fol. 76a.

is located in the region of Amasya and which is today a district of Samsun, instead of the town, which is located in the Sarayönü district of Konya and which was formerly called Ladik. The fact that Surūrī completed his commentary on *Gulistān*, which was dedicated to the prince, in Amasya a year later in 958/1551 supports this view.⁵⁸ Additionally, Shāhzādah Muṣṭafā's brother Bāyazīd was commissioned as the Governor of Sanjaq of Karaman in 953/1546,⁵⁹ which highly weakens the possibility that Shāhzādah Muṣṭafā was in Karaman at the time when the *ḥāshiyah* was written.

Surūrī Chalabī was working as the tutor of Shāhzādah Muṣṭafā when he completed the work. Surūrī's dedication of his work to Shāhzādah Muṣṭafā with the phrase *al-sultān ibn al-sultān* in the introduction section is a significant detail in terms of pointing out that he regarded Muṣṭafā as the true successor to the throne.⁶⁰ Moreover, in the introduction of the *ḥāshiyah*, Surūrī Chalabī briefly mentions the reason why the work was authored and explains that when he analyzed Ṣadr al-sharī'ah's *al-Tawḍīḥ* together with al-Taftāzānī's *al-Talwīḥ*, his preferences became apparent. He gathered his ideas together so that he could write his *ḥāshiyah*.⁶¹

The author wrote his *ḥāshiyah* on the whole of *al-Talwīḥ*, not on a particular part of it. On the other hand, he did not analyze every issue in his commentary but only focused on specific issues he had chosen. The definition of *uṣūl al-fiqh*, the Qur'ān (*al-Kitāb*), linguistic and interpretation (*alfāz*), the good and bad (*al-ḥusn wa-l-qubḥ*), consensus (*ijmā'*), analogy (*qiyās*), conflict of indicators and determination between them (*al-mu'āraḍah wa-l-tarjīḥ*) and exertion (*ijtihād*) are the issues that Surūrī discussed in his *Ḥāshiyah*. In this regard, although the work covers almost all the main topics of *al-Talwīḥ*, it is a relatively compact *ḥāshiyah* with a total of seventy-seven pages.

⁵⁸ Güleç, "Gelibolulu Muslihuddin Sürürî," 217.

⁵⁹ Şerafettin Turan, "Bayezid, Şehzade," in *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, V, 230.

⁶⁰ Surūrī Chalabī, *Ḥāshiyat al-Talwīḥ*, 1b. Surūrī's dedication of his rhetorical work *Baḥr al-ma'ārif* to the prince whom he referred to as "Sultān Muṣṭafā" and his resemblance of him to the Four Caliphs strengthens this view. See Şafak, "Sürürî'nin Bahr'ül-Ma'ārif'i ve Enisü'l-Uṣṣāk ile Mukayyesesi," 2.

⁶¹ Surūrī Chalabī, *Ḥāshiyat al-Talwīḥ*, 1b.

Even though the *Hāshbiyah* of Surūrī Chalabī was written on *al-Talwīḥ*, the author not only discusses al-Taftāzānī's statements, but also returns to Şadr al-sharī'ah's statements from time to time and discusses them. Surūrī most frequently evaluates the statements of Ḥasan Chalabī al-Fanārī, a member of the Ottoman scholarly circle of the previous century and one of the *ḥāshbiyah* writers who wrote a *ḥāshbiyah* on *al-Talwīḥ*. Moreover, while he considers the criticisms by his contemporary Kamālpashazādah, who deceased before him, in some of the issues where he handles the statements of Şadr al-sharī'ah, in the section where he analyses the words of al-Taftāzānī and Ḥasan Chalabī, he occasionally discusses the criticisms of Qāḍī Burhān al-Dīn, one of the first *ḥāshbiyah* writers of *al-Talwīḥ* in *Bilād al-Rūm*. In this respect, it can be seen that Surūrī confronted with a wide range of literature produced by and through *al-Talwīḥ* over a very long time and based his evaluations on this accumulated knowledge.

The person whom Surūrī Chalabī dealt with the most in his *ḥāshbiyah* is Ḥasan Chalabī al-Fanārī, one of the *ḥāshbiyah* writers of the previous century. Surūrī Chalabī, who cites the interpretations or arguments of Ḥasan Chalabī by using the expressions *qāla l-muḥasbsbī* or *qāla l-muḥasbsbī al-Rūmī*, criticizes him at almost every opportunity and attempts to respond to his criticisms against al-Taftāzānī. Considering that Ḥasan Chalabī, in his *Hāshbiyah*, compiles and narrates the interpretations and arguments put forward in the *ḥāshbiyahs* of *al-Talwīḥ* written before him on many issues and makes original evaluations on these issues,⁶² it would become even more meaningful for Surūrī Chalabī to deal with him the most in his *ḥāshbiyah* and to reserve a special place for his statements. As a matter of fact, Surūrī Chalabī wishes to demonstrate his own intellectual competence and to create a place for himself in this tradition by criticizing one of the most important authorities of the *ḥāshbiyah* tradition through the issues on which he had frequently engaged in the comments and criticisms by Ḥasan Chalabī.

Al-Taftāzānī is the author whose statements are most frequently quoted by Surūrī Chalabī after Ḥasan Chalabī. Surūrī Chalabī, who deals with al-Taftāzānī's comments and critiques directed at Şadr al-

⁶² Çelik, "XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri," 80-81.

sharī'ah in *al-Talwīḥ* with the expression *qawlubū*, tries to explain and justify his statements at times⁶³ and criticizes them at other times.⁶⁴ Although Surūrī generally defended al-Taftāzānī's interpretations and arguments against Ḥasan Chalabī's criticisms, it has significance in terms of indicating his critical approach that he also raised objections to al-Taftāzānī in many issues in which he directly discussed his statements.

As stated above, while discussing the interpretations and arguments of al-Taftāzānī and Ḥasan Chalabī, Surūrī Chalabī also occasionally discusses Qāḍī Burhān al-Dīn's critiques, one of the early *ḥāshiyah* writers of *al-Talwīḥ*, directed against al-Taftāzānī. In these sections, Surūrī sometimes defends Qāḍī's arguments, whom he refers to as *ṣāḥib al-Tarjīḥ*, against the criticisms raised by Ḥasan Chalabī,⁶⁵ and sometimes quotes them as a direct critique of al-Taftāzānī without posing any objection to it.⁶⁶ This attitude of him indicates that Surūrī Chalabī considered Qāḍī Burhān al-Dīn's criticisms of al-Taftāzānī to be justified.

Although it is rare compared to Ḥasan Chalabī and al-Taftāzānī, Surūrī Chalabī deals with the statements of Ṣadr al-sharī'ah in *al-Tawḍīḥ*, from whom he makes quotations in several places with the expression *qāla l-muṣannif*. In these sections, he sometimes criticizes the author of *al-Tawḍīḥ*⁶⁷ and sometimes defends him against the criticisms made by the scholars who can be considered his contemporaries. Within this context, he responds to the criticisms leveled against Ṣadr al-sharī'ah and the amendments suggested in *Taghyīr al-Tanqīḥ* by Kamālpashazādah, from whom he quotes anonymously with the expression *qāla* or *qāla ba'd al-muta'akkbirīn* (one of the later scholars).⁶⁸ The similarity between this manner of addressing of Surūrī Chalabī and the manner of the quotation made earlier by Chiwīzādah, for which he had narrowly escaped from punishment, is a remarkable point. To elaborate on the

⁶³ Surūrī Chalabī, *Hāshiyat al-Talwīḥ*, 4a, 7b, 9a, 11a, 14a, 19b, 23a etc.

⁶⁴ *Ibid.*, 2a, 6b, 7a, 11b, 12b, 17a, 22a, 23b etc.

⁶⁵ *Ibid.*, 44a.

⁶⁶ *Ibid.*, 47b.

⁶⁷ *Ibid.*, 9b, 15a, 18b, 21a, 59a etc.

⁶⁸ Kamālpashazādah, *Taghyīr al-Tanqīḥ* (Istanbul: Köprülü Library, Mehmed Asım Bey, MS 53), fols. 4b, 6b, 7a (*minbuwāt* record); Surūrī Chalabī, *Hāshiyat al-Talwīḥ*, 14a, 14b-15a, 16b.

latter matter, in 935/1529, when Chiwizādah applied for the position of *mudarris* of *Saḥn madrasahs*, he was subjected to examinations in *al-Talwīḥ*, *al-Mawāqif*, and *al-Miftāḥ* together with three other candidates. When he quoted Kamālpashazādah's opinion in *Taghyīr al-Tanqīḥ* with the expression *qīla* in the analysis of *al-Talwīḥ*, he was spared from being penalized by Sultan Suleiman only by the intervention of the viziers.⁶⁹ The fact that Surūrī, in his *ḥāshiyahs* on *al-Talwīḥ* and *al-Ināyah*, reports the views or arguments of the deceased Sheikh al-islām Kamālpashazādah by using the terms of *tamrīḍ* (weakness)⁷⁰ or expressions that can be perceived as contempt without naming him suggests that he had a severe critical position towards this scholar.

It is noteworthy that Surūrī Chalabī criticizes al-Taftāzānī and Şadr al-sharīʿah from time to time while finding the criticisms of al-Taftāzānī by Ḥasan Chalabī and that of Şadr al-sharīʿah by Kamālpashazādah groundless. Beyond developing an attitude based on specific opinions or choosing an intellectual side over the other, this can be explained with his “argument-centered” writing style. Surūrī Chalabī, who seems to have preserved the “argument-centered” style of writing⁷¹ that had dominated the *ḥāshiyahs* of the previous century and often refrained from evaluating the views, employed expressions that would directly embody this attitude. For example, Ḥasan Chalabī, while evaluating an argument brought by al-Taftāzānī, mentioned that the opinion of the opponent was not appropriate for this argument. In contrast, Surūrī Chalabī argued that in a discussion held according to the principles of inquiry and dialectics (*ādāb al-baḥṭh*), the view of the critic (*sāʿil*) is insignificant and that the argument adduced by the critic in contradiction to his own view brings no harm to the argument.⁷² In other words, the one who criticizes an argument may utilize another argument incompatible with his own view to demonstrate the weakness of the argument of the opponent.

⁶⁹ ʿAṭāʾī, *Ḥadāʾiq al-ḥaqāʾiq*, I, 526.

⁷⁰ Through expressions of *tamrīḍ* such as *qīla*, the weakness of the view or argument is pointed out.

⁷¹ Çelik, “XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri,” 94-95.

⁷² Surūrī Chalabī, *Hāshiyat al-Talwīḥ*, 43a.

Surūrī Chalabī accuses Ḥasan Chalabī of putting forward his argument in a way that is contrary to the principles of *ādāb al-baḥṭh*, which constituted an important part of the argumentation technique of the classical era, especially when he addresses some arguments brought forward by Ḥasan Chalabī to criticize al-Taftāzānī.⁷³ It is possible to regard this attitude as an extension of the aforementioned “argument-centered” approach. A substantial part of Surūrī Chalabī’s criticisms in his *Ḥāshiyah*, which mostly address the interpretations and arguments of Ḥasan Chalabī, reveals the inconsistency in these arguments. In these matters, after quoting the statements of Ḥasan Chalabī, he criticizes them for bearing inconsistencies.⁷⁴ In other cases, Surūrī appears to draw attention to the discrepancies in al-Taftāzānī’s statements.⁷⁵

A substantial part of Surūrī Chalabī’s criticisms concerns the interpretations of his interlocutors. In his criticism of the interpretation in his *ḥāshiyah*, Surūrī Chalabī demonstrates that the interpretations of al-Taftāzānī and Ḥasan Chalabī do not correspond to the meanings implied in the statements.⁷⁶ In addition, he also occasionally claims that the explanation in the interpretations does not reflect the first meaning directly understood from the expression⁷⁷ or that the explanations provided are strained.⁷⁸ Sometimes Surūrī directly reveals the original meaning of the specific statements in the text that, he thinks, the authors –Ṣadr al-sharī‘ah or al-Taftāzānī– intended to mean and consequently indicates that those statements have been misunderstood by their commentators and critics. After detecting the valid meaning of the relevant text and misinterpretations, Surūrī proposes his alternative interpretation.⁷⁹

⁷³ Surūrī indicates that the arguments are brought contrary to the technique of argumentation through statements such as: “It is not appropriate for the experts to say something against the corroboration (*sanad*),” “His duty is to prove the objected (*mannū*) premise of argument, not to supply an alternative argument (*mu‘āraḍah*),” and “[t]he argument offered by the *ḥāshiyah* writer has no value in *ādāb al-baḥṭh*.” See *Ibid.*, 13a-13b, 16a, 18a, 21b, 24a. For explanation of the *ādāb al-baḥṭh* terms, see El-Rouayheb, *Islamic Intellectual History in the Seventeenth Century*, 72-74.

⁷⁴ Surūrī Chalabī, *Ḥāshiyat al-Talwīḥ*, 3a, 7b, 10a.

⁷⁵ *Ibid.*, 26b.

⁷⁶ *Ibid.*, 4b, 17a, 20b.

⁷⁷ *Ibid.*, 7b, 9a, 21a.

⁷⁸ *Ibid.*, 21a.

⁷⁹ *Ibid.*, 7a-7b, 12a, 39a.

However, the expressions criticized by Surūrī Chalabī for inappropriateness do not only consist of interpretations. Furthermore, while occasionally discussing al-Taftāzānī's criticisms of Şadr al-sharī'ah or Ḥasan Chalabī's criticisms of al-Taftāzānī, Surūrī highlights that these criticisms are, in fact, not compatible with the criticized arguments themselves.⁸⁰

As mentioned above, although Surūrī Chalabī in many places defended the interpretations and arguments of al-Taftāzānī against the criticisms raised by Ḥasan Chalabī and those of Şadr al-sharī'ah against the objections raised by al-Taftāzānī and Kamālpashazādah, he also did not hesitate to direct his criticisms against Şadr al-sharī'ah and al-Taftāzānī now and then. When presenting his criticisms in several places, Surūrī shared his opinion on how to articulate the relevant phrase in a way that avoids misinterpretations and errors by providing his rectifications of the relevant parts of the text with the phrase; “[i]t would have been more appropriate for him to say (*al-awlā an yaqūl*).”⁸¹ This way of criticism is remarkably reminiscent of the rectification style of Kamālpashazādah in his *Taghyīr al-Tanqīh*.⁸²

In his *Hāshiyah*, Surūrī Chalabī focused on the arguments underlying the views of his interlocutors rather than their views themselves. Nevertheless, he rarely declared his own views as well. In “the dependence of *fiqh* on *uşūl*,” which will be discussed under the next heading, he also presented his own approach to the subject while criticizing it.

Along with the abovementioned scholars, Surūrī Chalabī also refers in his *Hāshiyah* to the works of the leading authoritative scholars such as Sayf al-Dīn al-Āmidī (d. 631/1233), Quṭb al-Dīn al-Shīrāzī (d. 710/1311), Abū Yā'qūb al-Sakkākī (d. 626/1229), al-Khaṭīb al-Qazwīnī (d. 739/1338), al-Sayyid al-Sharīf al-Jurjānī, and Akmal al-Dīn al-Bābartī (d. 786/1384).⁸³

⁸⁰ *Ibid.*, 20a, 18a.

⁸¹ *Ibid.*, 18b, 21a, 23b, 59a, 73a, 74a, 75b.

⁸² For more information about the content and style of Kamālpashazādah's criticism of Şadr al-sharī'ah in *Taghyīr al-Tanqīh*, see İlyas Yıldırım, “Kemālpaşazâde'nin Tenkîh Eleştirisi,” in *Osmanlı'da İlm-i Fıkıh: Âlimler, Eserler, Medreseler*, ed. Mürteza Bedir, Necmettin Kızılkaya, and Hüseyin Sağlam (Istanbul: İSAR Yayınları, 2017), 54-79.

⁸³ Surūrī Chalabī, *Hāshiyat al-Talwīh*, 10b, 15b, 18a, 22b, 24b, 26a.

Compared to the *ḥāshiyah* writers of the previous century, Surūrī Chalabī appears to maintain “the argument-centered” knowledge production that was dominant in the tradition inherited by him. In this style of *ḥāshiyah* writing, the emphasis was on the arguments adduced to support the views rather than the views themselves. The issues examined in this literature include whether the arguments or interpretations are consistent within themselves, whether an argument brought for criticism or to respond to a criticism is coherent with the argument being criticized, and whether the given argumentation complies with the rules of *ādāb al-baḥṭh*. In terms of these specified qualities, the *Hāshiyah* of Surūrī Chalabī characteristically displays continuity with the genre of *ḥāshiyah* of the previous century.

Moreover, with rare exceptions, Ṣadr al-sharī‘ah, in the fifteenth century-*ḥāshiyah* literature, was mostly read through his commentator al-Taftāzānī’s interpretations and criticisms. Consequently, al-Taftāzānī’s statements directly became the focal point of the discussions. As for the *Hāshiyah* of Surūrī Chalabī, on the other hand, the interlocutors are diversified in this respect. Surūrī dealt with Ṣadr al-sharī‘ah’s own text and statements more frequently and directly compared to the literature of the previous century, and also, just like his contemporary Kamālpashazādah, preferred to directly discuss arguments of Ḥasan Chalabī, one of the *ḥāshiyah* writers of the previous century. Placing Ḥasan Chalabī’s interpretations and arguments at the center of his *Hāshiyah*, Surūrī has discussed the body of knowledge accumulated in the *ḥāshiyah* tradition on *al-Talwīḥ* through the criticisms of a scholar who belongs to the Ottoman scholarly bureaucracy within which he, too, was raised. It is a significant development that in the sixteenth century, the agenda of the *ḥāshiyahs* written by the Ottoman bureaucrat-scholars was primarily and directly determined by the knowledge produced in their scholarly circles. In contrast, the interpretations and arguments of al-Taftāzānī used to play a determining role in the *ḥāshiyahs* of the fifteenth century.

4. Some Issues Discussed in *Hāshiyah*

4.1. The Dependence of *Fiqh* on *Uşûl*

The introductory chapters of *uşûl al-fiqh* works discuss the position of *fiqh* in relation to other disciplines and analyses the connection between *uşûl al-fiqh* and other fields as one of the significant part of the discussion on the postulates (*mabādi'*) of *uşûl al-fiqh*. The nature of the relationship between *fiqh* and *uşûl al-fiqh* has also been a central subject matter featured in this context.⁸⁴ Şadr al-sharī'ah, who deals with this issue from time to time, begins the introduction of his work with praise, stating that faith, which constitutes the roots of the praises ascending to God, is nourished from the runnels of *sharī'ah*, while the deeds that constitute the branches of praise are directed towards God.⁸⁵ Thereby, he refers to the discipline of theology, on which the faith is built, and its branches (*furū'*), the discipline of *fiqh*, on which the deeds are based.⁸⁶ Subsequently, in justifying why God is praised, he asserts that God “established the foundations (*uşûl*) of the *sharī'ah* (*ja'ala mumabhadāt al-mabānī*) and thinned the edges of the branches of the *sharī'ah* (*raqīqat al-ḥawāshī*).”⁸⁷ In other words, Şadr al-sharī'ah argues that God determined the principles of *uşûl al-fiqh* and also arranged the boundaries of the branches of *fiqh* (*furū' al-fiqh*).

While commenting on this section, al-Taftāzānī argues that the term *sharī'ah* in the phrase *uşûl al-sharī'ah* encompasses the issues of all disciplines that are proven through reported indicants (*al-adillah al-sam'iyyah*) in addition to *fiqh*. In contrast, the *uşûl* of the *sharī'ah* refers to general indicants (*al-adillah al-kulliyah*) on which the *sharī'ah* is based. Accordingly, the expression “the *furū'* of the *sharī'ah*” i.e., *furū' al-fiqh*, refers to the detailed judgements explained in the discipline of *fiqh*. “The meanings (*ma'ānī*) of the

⁸⁴ A. Cüneyd Köksal, *Fıkıh Usulünün Mabiyeti ve Gayesi* (Istanbul: Türkiye Diyanet Vakfı İSAM Yayınları, 2008), 115-117.

⁸⁵ Şadr al-sharī'ah al-thānī 'Ubayd Allāh ibn Mas'ūd ibn Tāj al-sharī'ah 'Umar, *al-Tawdīh sharḥ al-Tanqīh*, along with *al-Talwīḥ ilā kashf ḥaqā'iq al-Tanqīh*, ed. Muḥammad 'Adnān Darwīsh (Beirut: Dār al-Arqam, 1998), I, 21.

⁸⁶ Sa'd al-Dīn Mas'ūd ibn 'Umar al-Taftāzānī, *al-Talwīḥ ilā kashf ḥaqā'iq al-Tanqīh*, ed. Muḥammad 'Adnān Darwīsh (Beirut: Dār al-Arqam, 1998), I, 22.

⁸⁷ Şadr al-sharī'ah, *al-Tawdīh*, I, 22.

furū' of the *sharī'ah*," on the other hand, refers to the particular causes (*'ilal*) in each *fiqh* issue.⁸⁸

According to al-Taftāzānī's explanation, the foundations (*mabānī*) of *uṣūl* signify the theology (*'ilm al-dbāt wa-l-ṣifāt wa-l-nubuwwāt*) on which the discipline of *uṣūl* is built.⁸⁹ In other words, al-Taftāzānī asserts that *uṣūl al-fiqh* is grounded on theology (*kalām*), while *furū' al-fiqh* is based on this *uṣūl*. Given al-Taftāzānī's interpretation, Ṣadr al-sharī'ah, with this statement, emphasized that *uṣūl al-fiqh* is above *fiqh* and below *kalām* in terms of its rank. This means that the knowledge of the particular (*juz'ī*) judgments derived from particular (*juz'ī*) indicants depends on the knowledge of the position of general (*kullī*) indicants, which is the subject of *uṣūl al-fiqh*. In this regard, the knowledge of general indicants enables the *mujtabid* to achieve the legal judgments (*al-aḥkām al-shar'iyyah*) in *fiqh*. Furthermore, the knowledge of the general indicants also depends on the knowledge of God and His attributes, the truthfulness of His messenger, and the confirmation of His messenger's miracles. The discipline that encompasses all these issues and analyses the attributes of God, prophethood, imamate, the afterlife (*ma'ād*), and other related matters according to the principles of Islam is *kalām*.⁹⁰

Ḥasan Chalabī al-Fanārī considers the interpretation of al-Taftāzānī that "*uṣūl al-fiqh* is above *fiqh* and below theology in terms of its rank" inappropriate and criticizes this interpretation. According to this criticism, which seems to belong to Qāḍī Burhān al-Dīn,⁹¹ the dependence (*tawaqquf*) of one thing's knowledge on the other does not necessarily mean that the thing on which another thing depends is superior to the other in terms of dignity. For instance, the fact that the knowledge of the Qur'ān and Sunnah in *uṣūl al-fiqh* depends on Arabic does not require Arabic to be superior to *uṣūl al-fiqh* in terms of dignity. Ḥasan Chalabī al-Fanārī claims that this criticism can be responded to and expresses that in al-Taftāzānī's statement, "the dependence of one thing's knowledge on the other" means the dependence of the subsidiary on the primary. Moreover, this

⁸⁸ Al-Taftāzānī, *al-Talwīḥ*, I, 22.

⁸⁹ *Ibid.*, I, 22.

⁹⁰ *Ibid.*, I, 22.

⁹¹ Qāḍī Burhān al-Dīn Aḥmad ibn Shams al-Dīn Muḥammad, *Tarjīḥ al-Tawḍīḥ*, in *Kaḍī Burbāneddīn'in Tercūbu't-Tavzīḥ İsimli Eseri: Tabkik ve Değerlendirme*, ed. Emine Nurefşan Dinç (Istanbul: Marmara University, 2009).

expression does not refer to the dependence of a discipline on the instrumental discipline (*ilm al-ālat*) it needs or another discipline that is indispensable for it.⁹²

After stating that this answer is also problematic, Ḥasan Chalabī clarifies the dependence of *fiqh* on *uṣūl al-fiqh* with the need of a discipline to have an instrumental discipline. Therefore, according to him, it is not a misconception that *fiqh* is superior (*ashraf*) to *uṣūl al-fiqh*. In fact, if *fiqh* did not exist, *uṣūl al-fiqh* would not have evolved as a discipline. Furthermore, this discipline is called *uṣūl al-fiqh* because it is dignified with the *fiqh* contained in it. The mention of *uṣūl al-fiqh* as the primary and *fiqh* as the subsidiary does not eradicate this fact. At this point, Ḥasan Chalabī argues that the dependence of *uṣūl al-fiqh* and other *sharʿī* disciplines on theology is not in the sense that theology renders service to these disciplines, but in the sense that it is a source (*ifāḍah*) and a guide (*riʾāsah*) for them. Thereby, theology is more dignified than all other *sharʿī* disciplines.⁹³ As seen, although Ḥasan Chalabī acknowledges the dependence of *fiqh* on *uṣūl al-fiqh*, he does not interpret the nature of this dependence as a superiority in terms of dignity; but rather, he describes this dependence in terms of the need for instrumental discipline. Moreover, Ḥasan Chalabī not only considers *uṣūl al-fiqh* as an instrumental discipline for *fiqh* in this sense but also considers it subordinate to *fiqh* in terms of dignity.

Surūrī Chalabī criticizes this approach of Ḥasan Chalabī and argues that the dependence of *fiqh* on *uṣūl al-fiqh* does not merely consist of the need for service or instrumental discipline but that *fiqh* is dependent on *uṣūl al-fiqh* by means of being its source (*ifāḍah*). In his opinion, *fiqh* would not have come into existence if it were not for *uṣūl al-fiqh*, just as in the relation of a son to his father. Surūrī, who illustrates the need of a discipline for an instrumental discipline with the dependence of exegesis on the Arabic language, argues that the dependence of *uṣūl al-fiqh* on *fiqh* is based on a completely different reason.⁹⁴

⁹² Ḥasan Chalabī al-Fanārī, *Hāshiyah ʿalā l-Talwīḥ* (Cairo: al-Maṭbaʿah al-Khayriyyah, 1322 AH), I, 44-45.

⁹³ *Ibid.*

⁹⁴ Surūrī Chalabī, *Hāshiyat al-Talwīḥ*, 8a.

4.2. Criticism of Ash‘arī Uṣūlīs’ Definition of Judgement

One of the most interesting issues that Ṣadr al-sharī‘ah brings up in *al-Tawḥīḥ* is the definition of judgment (*ḥukm*) which, according to him, constitutes a distinct point of divergence between the Ḥanafī and the Ash‘arī *uṣūl* tradition. After quoting the Shāfi‘ī-Ash‘arī *uṣūlīs*’ definition of *fiqh* as “[t]he knowledge of the *shar‘ī* practical judgments (*aḥkām*) derived from particular indicants,” Ṣadr al-sharī‘ah deals with the concept of *ḥukm* in this definition. By the definition attributed to the Ash‘arī *uṣūlīs*, *ḥukm* is “the address (*kbiṭāb*) of God in the form of necessitating (*iqtidā‘*) or making optional (*takbyīr*), concerning the deeds of the responsible person (*mukallaḥ*).” On the other hand, some Ash‘arī *uṣūlīs* have added the phrase “by means of *waḍ‘ī*” to the expression “the address of God in the form of *iqtidā‘* or *takbyīr*” in this definition so that it would also include the nonnormative (*waḍ‘ī*) judgments⁹⁵ such as occasion (*sabab*) and condition (*sharṭ*). Accordingly, while the addressing in the form of *iqtidā‘* and *takbyīr*, regarding the deed of *mukallaḥ* is normative (*taklīfī*) judgment, the addressing that a situation is an occasion for or condition of such *taklīfī* judgment is a *waḍ‘ī* judgment.⁹⁶

Explaining these statements, al-Taftāzānī reveals that the addition *waḍ‘* to definition of *ḥukm*, which Ṣadr al-sharī‘ah attributes to some Ash‘arī *uṣūlīs*, was made in the criticisms of Mu‘tazilah. Then some Ash‘arī *uṣūlīs* responded to this objection, while others paid attention to it. Within this framework, according to one of the criticisms of the Mu‘tazilī *uṣūlīs* against the Ash‘arī *uṣūlīs* the definition “the address of God in the form of necessitating or making optional, concerning the deeds of the responsible person,” does not incorporate the *waḍ‘ī*

⁹⁵ For the explanation of *waḍ‘ī* judgement as “nonnormative” and *taklīfī* judgement as “normative,” see Bernard G. Weiss, *The Search for God’s Law: Islamic Jurisprudence in the Writings of Sayf al-Dīn al-Āmidī* (Salt Lake City: The University of Utah Press, 1992), 94, 95, 101, 105.

⁹⁶ Based on this definition, God’s necessitating an action is that he requests the obligated human to either perform or abandon it. The absolute demand of God for an action to be performed by His subject renders it obligatory (*ijāb*), whereas His indefinite demand for it is a call for an action that God appreciates (*nadb*). If God demands His subject to abandon an act in a definite way, it is *ḥarām* (*taḥrīm*), while if God demands it in an indefinite way, it is *makrūb* (*karābah*). For the definition and explanation of judgement by the Ash‘arī *uṣūlīs*, see Ṣadr al-sharī‘ah, *al-Tawḥīḥ*, I, 37-8.

judgments, such as the sunset being an occasion (*sabab*) of the prayer, the cleanliness (*ṭabārab*) being a condition (*shart*) for the prayer, and the impurity (*najāsab*) being an obstacle (*māni*⁹⁷) to the prayer.

According to the statement of al-Taftāzānī, some Ash‘arī *uṣūlīs* have paid attention to this criticism and added the phrase “by means of *waḍ‘*” to the expression “the address of God in the form of *iqtidā’* or *takhyīr*” in this definition. Thus, the definition is amended in such a way that it includes the *waḍ‘ī* judgments. Nonetheless, some of the Ash‘arī *uṣūlīs* have responded to this argument and objected to the premise mentioned in Mu‘tazilah criticism that the address of *waḍ‘* (*khiṭāb al-waḍ‘*) is a judgment and thus have not labeled this address as a judgment. According to these *uṣūlīs*, the fact that other *uṣūlīs* refer to the address of *waḍ‘* as a judgment is a term, and there is no discussion of the terms. Furthermore, even if the premise that the address of *waḍ‘* is a judgment were to be admitted, the claim that this address remains outside the definition of judgment would not be accepted. Because, according to the aforementioned Ash‘arī *uṣūlīs*, the meaning implied by “*iqtidā’* or *takhyīr*” in the definition contains both explicit (*ṣarīḥ*) and implicit (*ḍimnī*) meanings. Moreover, the address of *waḍ‘* is the implicit meaning of this condition. In other words, the words “*iqtidā’* or *takhyīr*” in the definition explicitly refer to propositional judgments and implicitly to *waḍ‘ī* judgments. Hence, the fact that the setting of the sun is an occasion of obligation (*wujūb*) of the prayer means that prayer is obligatory (*wājib*) if this occasion occurs. On the other hand, the fact that cleanliness is a condition for prayer means that this condition is mandatory for prayer and that prayer is forbidden (*ḥarām*) if this condition is failed to be fulfilled. Similarly, being unclean is an obstacle to prayer, which means that prayer is forbidden with the state of uncleanness and that it is obligatory to eliminate this state of uncleanness if prayer is to be performed.⁹⁷

Ḥasan Chalabī al-Fanārī argues that this answer, which al-Taftāzānī quotes from Ash‘arī *uṣūlīs*, is problematic. Accordingly, he raises a criticism against the statement that the meaning meant by *iqtidā’* or *takhyīr* in the definition of *ḥukm* includes explicit and

⁹⁷ al-Taftāzānī, *al-Tahwīb*, I, 39.

implicit meanings. Based on this, the understanding of the meaning of the condition of *iqtiḍā'* and *takhyīr* in this definition is entirely irrelevant to the will of the one who utters this expression. In other words, the assertion that the meaning meant by this condition by the Ash'arī *uṣūlīs* encompasses the explicit and implicit meanings of the expressions presupposes that the meaning depends on the will of the one who utters this expression. Whereas the understanding of the meaning of these expressions in the definition does not depend on the will of the one who utters this expression. Thus, for example, the claim that the implicit *iqtiḍā'* is understood or not understood in the fact of matter (*fī nafs al-amr*) from the expression *iqtiḍā'* is objected.⁹⁸

For Surūrī Chalabī, who analyses the statements of al-Taftāzānī and the criticism of Ḥasan Chalabī through the *ādāb al-baḥṭh*, which determined the theoretical language of the post-classical era, the answer that al-Taftāzānī attributes to the Ash'arī *uṣūlīs* is an objection with corroboration (*man' ma'a l-sanad*). Therefore, the opponent is required to prove the objected premise. On the contrary, the criticism brought by Ḥasan Chalabī is not aimed at demonstrating the premise to which al-Taftāzānī objected but at corroborating it. However, the criticism leveled against the corroboration imposed by the opponent is unacceptable according to experts in the rational disciplines (*abl al-naẓar*).⁹⁹ As it can be clearly seen, after identifying the method by which al-Taftāzānī and Ḥasan Chalabī presented their arguments in *ādāb al-baḥṭh*, Surūrī Chalabī asserts that although what Ḥasan Chalabī should have done was to prove the premise which al-Taftāzānī objected, he was dealing with the corroboration adduced for the objection.¹⁰⁰ Thus, he subjects the objection of Ḥasan Chalabī to criticism on the grounds that it fails to adhere to the argumentation technique.

4.3. The Subject of *Uṣūl al-fiqh* Consisting of Indicants and Judgements

In the tradition of *uṣūl al-fiqh*, the subject matter (*mawḍū'*) of this discipline is a debated topic in the literature. Accordingly, while most

⁹⁸ Ḥasan Chalabī, *Hāshiyah 'alā l-Talwīḥ*, I, 87-88.

⁹⁹ Surūrī Chalabī, *Hāshiyat al-Talwīḥ*, 13a-13b.

¹⁰⁰ For other criticisms that Surūrī levelled against Ḥasan Chalabī on the same grounds see *ibid.*, 12a, 16a.

of the *uşûlîs* argued that the subject matter of *uşûl al-fiqh* consists only of indicants (*al-adillah*), *uşûlîs* such as al-Ghazālî argued that the subject matter of this discipline consists of judgments (*al-ahkām*).¹⁰¹ Şadr al-sharī'ah distinguished himself from both of these groups and, after stating in his *al-Tawdīh* that the subject matter of *uşûl al-fiqh* is *shar'ī* indicants and judgments, he demonstrated how these two constitute the subject matter of *uşûl al-fiqh* through the phrases in *al-Tanqīh* and the explanations he provided for them. Based on this, the states of *shar'ī* indicants and the concepts concerning these indicants are analyzed within the scope of *uşûl al-fiqh*. Moreover, in addition to the indicants, the states (i.e., essential attributes) of the judgments demonstrated by the indicants and the concepts concerning these judgments are analyzed. The concepts that are concerning judgments are legal judgment (*ḥukm*), the lawgiver (*ḥākim*), the act subject to the judgment (*maḥkūm bib*), and the person under obligation (*maḥkūm 'alayh*).¹⁰²

Şadr al-sharī'ah argues that it is highly likely that the expression “analyzing legal judgments in addition to the indicants in *uşûl al-fiqh*” refers to two meanings. According to the first approach, which regards indicants and judgments as the subject matter of *uşûl al-fiqh*, the issues of judgement in a work of *uşûl al-fiqh* can be dealt with after the indicants. On the other hand, according to the second approach, which assigns the subject matter of *uşûl al-fiqh* only to judgments, judgments can only be analyzed in the context of the issues that are introduced as an addition to *uşûl al-fiqh*. Accordingly, *uşûl al-fiqh* as a phrase means the indicants of *fiqh*, and as a discipline, it denotes the knowledge of the indicants in terms of proving the judgments. Hence, the issues arising from the judgment and related issues are excluded from the scope of this discipline, and their number is very few. Therefore, these issues are addressed in the works of *uşûl al-fiqh* only as subordinate to and supplementary to the issues of *uşûl al-fiqh*. Among these two explanations provided above, Şadr al-sharī'ah has preferred the first approach, which

¹⁰¹ For the views and discussions regarding the subject matter of *uşûl al-fiqh*, see Köksal, *Fıkıh Usulünün Mahiyeti ve Gayesi*, 97-104.

¹⁰² Şadr al-sharī'ah, *al-Tawdīh*, I, 56-57.

acknowledges that the subject matter of *uṣūl al-fiqh* is indicants and judgments.¹⁰³

After stating that in *uṣūl al-fiqh*, in addition to the indicants, the judgments and essential attributes of the concepts concerning these judgments are also examined in his work *Taghyīr al-Tanqīḥ*, in which the statements of Ṣadr al-sharīʿah in *al-Tanqīḥ* and *al-Tawḍīḥ* are reconsidered, Kamālpashazādah –unlike Ṣadr al-sharīʿah– directly emphasizes that judgments are included in the subject matter of *uṣūl al-fiqh*, without mentioning two different possible explanations, and argues that this is the preferred view. Moreover, in the *minbuwāt* record, which is composed of the notes of the author in the work, Kamālpashazādah explains, with reference to Ṣadr al-sharīʿah, that the subject matter of *uṣūl al-fiqh* includes judgments, and then, argues that it is meaningless to speculate on the other possibility, which is the exclusion of matters of judgment from the discipline of *uṣūl al-fiqh*.¹⁰⁴ In other words, Kamālpashazādah criticizes Ṣadr al-sharīʿah since, after clearly expressing that the subject matter of *uṣūl al-fiqh* consists of indicants and judgments, he suggests that the phrase mentioned in the text can be explained in two different manners, and thus, regards the approach that excludes the matters of judgment from *uṣūl al-fiqh* as appropriate.

After citing the relevant statement of Ṣadr al-sharīʿah with the expression *qawl al-muṣannif*, Surūrī Chalabī reports the criticism of Kamālpashazādah, who died before him despite being his contemporary, with the expression *qāla baʿd al-mutaʾakkbhirīn*. Then, he responds to this criticism. Based on this, as Kamālpashazādah also stated, Ṣadr al-sharīʿah referred to the view he had previously preferred. Nevertheless, the view of some *uṣūlīs*, such as al-Āmidī, reflects the second approach, which excludes the judgments from the subject matter of *uṣūl al-fiqh*. In this regard, the words of Ṣadr al-sharīʿah refer to two different views. Yet, according to Surūrī Chalabī, although they would occasionally mention only their preferred view, it is among the customs of the authors to write their statements in such a way that both the preferred and the opposite views are contained.¹⁰⁵

¹⁰³ *Ibid.*, I, 57-58.

¹⁰⁴ Kamālpashazādah, *Taghyīr al-Tanqīḥ*, 53, 5b.

¹⁰⁵ Surūrī Chalabī, *Hāshiyat al-Talwīḥ*, 15b.

As it is seen, Kamālpashazādah criticized the approach of Şadr al-sharī‘ah because Kamālpashazādah perceived the approach of Şadr al-sharī‘ah, who mentioned possible interpretations including the opposite view after stating his preferred view, as a kind of contradiction. Surūrī Chalabī, on the other hand, does not find this to be a contradiction and argues that the previous statements of Şadr al-sharī‘ah have been clear about the preferred view. However, like other authors of *uṣūl*, Şadr al-sharī‘ah provides a place for different approaches in his work.

Conclusion

Al-Taftazānī’s works in various disciplines, such as theology, *uṣūl al-fiqh*, exegesis, rhetoric, and logic, were received with a high level of interest in Ottoman scholarly circles as well as in many other scholarly circles. Although it is known that his works were read in this circle in the early fifteenth century, the widespread production of knowledge and the intensive writing of *ḥāshiyabs* on his works took place, particularly in the second half of this century. In this era, approximately twenty scholars wrote *ḥāshiyabs* on *al-Talwīḥ*, and topics such as the *al-muqaddimāt al-arba‘* in the work laid the groundwork for the emergence of top-level intellectual debates. Authors such as ‘Alī Qushjī, Mullā Khusraw, Khojazādah Muşliḥ al-Dīn Muştafā, Mullā Aḥmad al-Khayālī, Sāmsūnizādah Ḥasan, Ḥasan Chalabī al-Fanārī, Mullā ‘Alā’ al-Dīn ‘Arabī, Muşliḥ al-Dīn Muştafā al-Kastalī, Khaṭībzādah Muḥyī al-Dīn, Ḥājīḥasanzādah Muḥammad, and Mullā Luṭfī were among the prominent scholars of the Ottoman scholarly circle who wrote *ḥāshiyabs* in this era. The scholars of the period concentrated on arguments rather than views in the *ḥāshiyabs*. They discussed the arguments adduced to support the views regarding their defect and invalidity, inconsistency, inappropriateness, and violation of the argumentation technique.

The number of works on *al-Talwīḥ* in the Ottoman scholarly circle witnessed a relative decrease in the sixteenth century. However, based on this survey, Muḥammad al-Barda‘ī, Kamālpashazādah, Abū l-Su‘ūd Efendī, ‘Abd al-Şamad al-Ḥusaynī al-Tālīshī, and Surūrī Chalabī maintained the practice of writing *ḥāshiyab* on *al-Talwīḥ* in this period. In addition to this decrease in literature, there was also a differentiation in terms of the interlocutors of the *ḥāshiyabs* written

on *al-Talwīḥ* in this century. The *Hāshiyah* of Surūrī Chalabī, who was the tutor of Shāhzādah Muṣṭafá, the son of Suleiman I, constitutes one of the works in which this differentiation emerges most clearly. Surūrī, who primarily dealt with the arguments and interpretations of Ḥasan Chalabī in his critical *ḥāshiyah*, criticized this author, who lived in the previous century, at every opportunity he had and attempted to respond to Ḥasan Chalabī's criticisms directed at al-Taftāzānī. On the other hand, Surūrī also criticized al-Taftāzānī at several points. Surūrī Chalabī's extensive engagement with the interpretations and criticisms of Ḥasan Chalabī, a significant figure of the *ḥāshiyah* tradition, over the debates he compiled and the original evaluations he introduced against him, can be interpreted as his endeavor to open a space for his *ḥāshiyah* in the tradition. Another remarkable element of Surūrī's effort is that, unlike the *ḥāshiyahs* written in the previous century in the Ottoman Empire, he devotes an important place to the thought produced in his own scholarly circle in the tradition of the *ḥāshiyah* of *al-Talwīḥ* by taking the statements of Ḥasan Chalabī to the center and discussing them directly. Regardless of his criticisms, his deeming these statements worthy of direct discussion demonstrates the fundamental importance that an Ottoman bureaucrat-scholar attributed to the intellectual circle in which he had grown up as a scholarly circle in which original thought was produced.

Another author whose statements are directly discussed by Surūrī Chalabī in his *Hāshiyah*, albeit to a lesser extent, is Ṣadr al-sharī'ah. In these sections, Surūrī sometimes criticizes *al-Tawḍīḥ*'s author, Ṣadr al-sharī'ah, and sometimes defends him against the criticisms leveled against him by one of his contemporaries, Kamālpashazādah, who died before him, in his *Taghyīr al-Tanqīḥ*. Surūrī's response to these criticisms, which he reports with the word *qīla* indicating the weakness of the criticism or with the phrase *qāla ba'ḍ al-muta'akkbirīn* without naming him, constitutes a remarkable detail as it demonstrates that he considered Kamālpashazādah, one of the deceased *Sheikh al-islām* of Suleiman I, as an intellectual opponent. Furthermore, his rare reference to the criticisms of Qāḍī Burhān al-Dīn, one of the first *ḥāshiyah* writers of *al-Talwīḥ* in *Bilād al-Rūm*, indicates that Surūrī had taken into account a large number of

ḥāshiyah written over a broad time in the tradition of *ḥāshiyah* that he inherited.

In comparison with the *ḥāshiyahs* written in the previous century, Surūrī Chalabī's *Hāshiyah* also comes to the forefront with an argument-based writing style. Accordingly, stating that "the questioner (*sā'il*) has no stance (*madhhab*) in the realm of inquiry and dialectics," Surūrī Chalabī questioned the internal consistency of arguments or interpretations, discussed the compatibility of the argument raised for criticism with the argument being criticized, and checked whether the argument was designed in accordance with the principles and rules of *ādāb al-baḥth*. In this regard, while Surūrī Chalabī distinguished himself from the *ḥāshiyah* writers of the previous century by directly discussing the statements of al-Taftāzānī, Şadr al-sharī'ah, and the *ḥāshiyah* writers before his time, he also pursued the inherited tradition from the previous century with his argument-based writing style.

DISCLOSURE STATEMENT

No potential conflict of interest was reported by the author.

FUNDING

The author received no specific grant from any funding agency in the public, commercial or not-for-profit sectors.

BIBLIOGRAPHY

- Abū l-Su'ūd Efendi. *Hāshiyah 'alā l-Talwīḥ*. İstanbul: Süleymaniye Library, Bağdatlı Vehbi, MS 2035.
- Apaydın, H. Yunus. "Kadı Burhaneddin'in Tercihu't-Tavzih Adlı Eseri." *Erciyes Üniversitesi Sosyal Bilimler Enstitüsü Dergisi* 6 (1995): 33-45.
- Anıcı, Müstakim. "Bir Otorite Olarak Seyyid Şerif Cürcânî ve Osmanlı İlim Hayatındaki Yeri." In *İslâm Düşüncesinde Süreklilik ve Değişim*, edited by M. Cüneyt Kaya, 61-95. İstanbul: Klasik Yayınları, 2015.
- ‘Aṭā’î, Naw‘îzâdah (as Nev‘îzâde Atâyi). *Ḥadâ’iq al-ḥaqâ’iq fî takmilat al-Shaqâ’iq* (as *Hadâiku'l-Hakâ'ik fî Tekmiletî's-Şakâ'ik: Nev'îzâde Atâyi'nin Şakâ'ik Zeyli*). 2 vols. Edited by Suat Donuk. İstanbul: Türkiye Yazma Eserler Kurumu Başkanlığı, 2017.

- Atçıl, Abdurrahman. *Scholars and Sultans in the Early Modern Ottoman Empire*. Cambridge: Cambridge University Press, 2017.
- Bağcı, Ali. "Muslihiddin Mustafa b. Şaban Sürûrî'nin Şerhu Merâhî'l-Ervâh Adlı Eserinin Edisyon Kitiği." Master's thesis, Yalova: Yalova University, 2015.
- Borsbuğa, Mustafa and Coşkun Borsbuğa. "Hatibzâde Muhyiddin Efendi'nin *Hâşiye 'ale'l-Mukaddimâti'l-Erba'a* Adlı Hâşiyesinin Tahkik ve Tahlili." *Tabkik İslami İlimler Araştırma ve Neşir Dergisi* 4, no.2 (2021): 209-346.
- Bozoğlu, Oğuz. "Kesteli ve *Hâşiye 'ale'l-mukaddimâti'l-erba'* İsimli Eseri: Tahkik ve Tahlil." Master's thesis, Istanbul: Marmara University, 2019.
- Çelik, İmam Rabbani. "XV. Asır Osmanlı Entelektüel Çevresi İçin Teftâzânî Ne İfade Eder?: Hâşiye Literatüründe Otorite İsim Olarak Teftâzânî." In *Osmanlı Düşüncesi: Kaynakları ve Tartışma Konuları*, edited by Fuat Aydın, Metin Aydın, and Muhammet Yetim, 191-207. Istanbul: Mahya Yayıncılık, 2018.
- Çelik, İmam Rabbani. "XV. yy. Osmanlı Düşüncesinde Telvîh Hâşiyeleri: Teklife Dair Tartışmalar." PhD diss., Istanbul: Marmara University, 2020.
- Diñç, Emine Nurefşan. "Kadı Burhâneddin'in Tercihu't-Tavzîh İsimli Eserinin Tahkiki ve Değerlendirmesi." PhD diss., Istanbul: Marmara University, 2009.
- Directorate of State Archives Ottoman Archives, *Archive Document of the Topkapı Palace Museum [TS.MA.]*, No. 177/2.
- el-Rouayheb, Khaled. *Islamic Intellectual History in the Seventeenth Century: Scholarly Current in the Ottoman Empire and Maghreb*. New York: Cambridge University Press, 2015.
- al-Fanârî, Ḥasan Chalabî. *Ḥâşbiyah 'alâ l-Talwîḥ*. 3 vols. Cairo: al-Maṭba'ah al-Khayriyyah, 1322 AH.
- Göksu, Nazife. "Osmanlı Âlimi ve Dîvan Şairi Muslihuddin Mustafa es-Sürûrî'nin Hayatı ve 'Tefsir-i Süre-i Yûsuf' Adlı Eserinin İncelenmesi." Master's thesis, Antalya: Akdeniz University, 2017.
- Güldü, Şule. "Osmanlı Dönemi Fıkıh Usûlü Çalışmaları: Hüsün-Kubuh Zemininde Oluşan Mukaddimât-ı Erbaa Literatürü." PhD diss., Samsun: Ondokuz Mayıs University, 2019.
- Güleç, İsmail. "Gelibolulu Muslihuddin Sürûrî, Hayatı, Kişiliği, Eserleri ve *Babrü'l-Ma'ârif* İsimli Eseri." *Osmanlı Araştırmaları: The Journal of Ottoman Studies* XXI (2001): 211-236.
- Güleç, İsmail. "Sürûrî, Muslihuddin Mustafa." In *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XXXVIII, 170-172.
- Hidayatov, Rashadat. "Gelibolulu Muslihuddin Mustafa b. Şaban Sürûrî'nin *Şerhu'l-Binâ* Adlı Eserinin Tahkiki." Master's thesis, Istanbul: Marmara University, 2009.
- Ḥusayn Ḥusâm al-Dîn. *Amasya Târiki*. 4 vols. Istanbul: Necm-i İstikbâl Matbaası, 1927.

- Ince, Habibe Bozkaya. "Gelibolulu Sürûri Muşlihi'd-din Muştafâ bin Şa'bân: 'Tefsîrül-Kur'âni'l-'Aẓîme' (51a-120b vr.) (İnceleme-Metin-Dizin-Tıpkıbasım)." Master's thesis, Ankara: Ankara University, 2021.
- İpşirli, Mehmet. "Nâib." In *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XXXII, 312-313.
- İpşirli, Mehmet. "Zekeriyyâ Efendi, Bayramzâde." In *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XXXIV, 221-222.
- al-Jurjânî, al-Sayyid al-Sharîf. *Hâşbiyat al-Talwîh*. Edited by Emine Nurefşan Dinç. Istanbul: M. Ü. İlahiyat Fakültesi Vakfı Yayınları, 2016.
- Kamâlpashazâdah, Shams al-Dîn Aḥmad ibn Sulaymân. *Hâşbiyah 'alâ l-Talwîh*. Istanbul: Süleymaniye Library, Halet Efendi, MS 163.
- Kamâlpashazâdah, Shams al-Dîn Aḥmad ibn Sulaymân. *Taghyîr al-Tanqîh*. Istanbul: Köprülü Library, Mehmed Asım Bey, MS 53.
- Kâtib Chalabî, Hâjî Khalîfah Muştafâ ibn 'Abd Allâh. *Kashf al-zunûn 'an asâmi l-kutub wa-l-funûn*. 2 vols. Edited by Mehmet Şerefeddin Yaltkaya and Kilisli Rifat Bilge. Ankara: Milli Eğitim Bakanlığı, 1971.
- Köksal, A. Cüneyd. *Fıkıh Usulünün Mahiyeti ve Gayesi*. Istanbul: Türkiye Diyanet Vakfı İSAM Yayınları, 2008.
- Kurtgel, Ayberk. "Gelibolulu Sürûri Muşlihi'd-din Muştafâ bin Şa'bân: 'Tefsîrül-Kur'âni'l-'Aẓîme' (121a-191a Varakları Arası) (İnceleme-Metin-Dizin-Tıpkıbasım)." Master's thesis, Ankara: Ankara University, 2021.
- Özen, Şükrü. "Teftâzânî." In *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XI, 299-308.
- Özer, Hasan. "Ali Kuşçu ve 'Hâşiyeye ale't-Telvîh' Adlı Eseri." *İslam Hukuku Araştırmaları Dergisi* 13 (2009): 361-392.
- Özer, Hasan. "Molla Samsûnîzâde'nin *Ta'lika 'ale'l-Muḥaddimâti'l-Erba'a* Adlı Risâlesinin Tahkikli Neşri." *Tabkik İslami İlimler Araştırma ve Neşir Dergisi* 1, no. 1 (2018): 169-240.
- Öztürk, Mustafa Bilal. "Muslihuddin Kesteli'nin *Hâşiyetü's-sugrâ 'ale'l-muḥaddimâti'l-erba'a* Adlı Eseri: Tahlil ve Tahkik." *Kader* 18, no. 2 (2020): 666-724.
- Öztürk, Mustafa Bilal. "Mukaddimât-ı Erbaa Hâşiyelerinde Kelâmî Tartışmalar (Alâeddin Arabî Bağlamında)." PhD diss., Izmir: Dokuz Eylül University, 2020.
- Qâđî Burhân al-Dîn Aḥmad ibn Shams al-Dîn Muḥammad. *Tarjîh al-Tawđîh*. In *Kadı Burbâneddin'in Tercübu't-Tavzîb İsimli Eseri: Tabkik ve Değerlendirme*. Edited by Emine Nurefşan Dinç. Istanbul: Marmara University, 2009.
- Repp, R. C., *The Mufti of Istanbul: A Study in the Development of the Ottoman Learned Hierarchy*. London: Ithaca Press, 1986.
- Şadr al-sharî'ah al-thânî 'Ubayd Allâh ibn Mas'ûd ibn Tâj al-sharî'ah 'Umar. *al-Tawđîh sbarḥ al-Tanqîh*. Along with al-Taftâzânî's *al-Talwîh ilâ kashf ḥaqā'iq al-Tanqîh*. Edited by Muḥammad 'Adnân Darwîsh. Beirut: Dâr al-Arqam, 1998.

- Soyer, Emel. "XVII. yy. Osmanlı Divan Bürokrasisindeki Değişimlerin Bir Örneği Olarak Mühimme Defterleri." Master's thesis, Istanbul University, 2007.
- Surūrî Chalabî. *Hâşbiyah 'alâ l-'Ināyah*. Istanbul: Süleymaniye Library, İsmihan Sultan. MS 128.
- Surūrî Chalabî. *Hâşbiyah 'alâ l-Talwîb*. Istanbul: Murat Molla Library. MS 648.
- Şafak, Yakup. "Sürūrî'nin Bahrü'l-Ma'ârifî ve Enîsü'l-Uşşâk ile Mukayesesi." PhD diss., Erzurum: Atatürk University, 1991.
- al-Taftâzânî, Sa'îd al-Dîn Mas'ûd ibn 'Umar. *al-Talwîb ilâ kashf haqâ'iq al-Tanqîb*. 2 vols. Along with Şadr al-sharî'ah al-thânî's *al-Tawdîb sbarb al-Tanqîb*. Edited by Muḥammad 'Adnân Darwîsh. Beirut: Dâr al-Arqam, 1998.
- al-Ṭâlishî, 'Abd al-Şamad al-Ḥusaynî. *Hâşbiyah 'alâ l-Talwîb*. Istanbul: Murat Molla Library, MS 646.
- Ṭâshkuprîzâdah, Abû l-Khayr 'Işâm al-Dîn Aḥmad Efendî. *al-Sbaqâ'iq al-Nu'mâniyyah fî 'ulamâ' al-Dawlab al-'Uthmâniyyah*. Edited by Ahmed Subhi Furat. Istanbul: İstanbul Üniversitesi Edebiyat Fakültesi Yayınları, 1985.
- Turan, Şerafettin. "Bayezid, Şehzade." In *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, V, 230-231.
- Turan, Şerafettin. "Mustafa Çelebi." In *Türkiye Diyanet Vakfı İslâm Ansiklopedisi (DİA)*, XXXI, 290-292.
- Türkiye Diyanet Vakfı İslam Araştırmaları Merkezi (İSAM). "Türkiye Kütüphaneleri Veri Tabanı." February 14, 2022. <http://ktp.isam.org.tr/?url=ktpgenel/findrecords.php>
- Weiss, Bernard G. *The Search for God's Law: Islamic Jurisprudence in the Writings of Sayf al-Dîn al-Āmidî*. Salt Lake City: The University of Utah Press, 1992.
- Yıldırım, İlyas. "Kemâlpaşazâde'nin Tenkîh Eleştirisi." In *Osmanlı'da İlm-i Fıkıh: Âtimler, Eserler, Medreseler*. Edited by Mürteza Bedir, Necmettin Kızılkaya, and Hüseyin Sağlam, 54-79. Istanbul: İSAR Yayınları, 2017.
- Yıldırım, İlyas. "Osmanlı Ulemasının Fıkıh Usulü Çalışmalarına Katkısı: Hasan Çelebi ve ve Telvîh Hâşiyesi Örneği." *Trabzon İlahiyat Dergisi* 6, no. 1 (2019): 189-213.