

Glimpsing the Divine Through the Mundane  
Constructing an Ottoman Framework for the Sixteenth-Century *Teshuvah* and *Fetvâ*

Elyakim Suissa

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Selim S. Kuru

Devin E. Naar

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Elyakim Suissa

University of Washington

**Abstract**

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Chair of the Supervisory Committee:

Selim S. Kuru

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“Glimpsing the Divine Through the Mundane: Constructing an Ottoman Framework for the Sixteenth-Century *Teshuvah* and *Fetvâ*” situates sixteenth-century Hebrew-language responsa (Hebrew *she’elot u’tshuvot*, lit. “questions and answers”) and Ottoman Turkish *fetâvâ* (singular *fetvâ*) in a contextual environment of shared culture and overlapping societies in the Ottoman Empire. Although the genre of Jewish *she’elot u’tshuvot* has its own origins in the centuries prior to the establishment of the Ottoman Empire, it did not exist in a vacuum in the Ottoman world, irretrievably tied to its past iterations. The sphere of religious law in the Ottoman Empire enveloped a plethora of religions.

“Glimpsing the Divine” examines the *she’elot u’tshuvot* of Rabbi Yosef ibn Lev (d. 1580), an authoritative figure who maintained contact with Jewish communities beyond his

home communities of Salonika and Istanbul, in tandem with *fetâvâ* authored by one of the most renowned chief Islamic jurists of the sixteenth century, Ebû's-su'ûd (d. 1574). Consequently, I examine *she'elot u'tshuvot* and *fetâvâ* as similar genres of literature that reflect an Ottoman worldview, including conceptions of the performative humility; elevated language that mirrors a conception of the Divine; and the transcending of malleable spatial and hierarchical boundaries. Through close textual analyses of these two authors' work, I argue for the formulation of a new academic subfield that analyzes Ottoman religious studies in a context beyond Islamic studies, contextualizing the evolution of multiple, distinct traditions developing together and exchanging ideas in a quintessentially early modern environment. In doing so, I advocate for the reconsidering of established narratives concerning the production of intellectual and religious texts in the early modern Ottoman period and within Jewish history.

## **Acknowledgments**

Above all, this project, its ideas, and the research behind it would not have been possible without the generous time and insights of Professors Selim S. Kuru and Devin Naar. There was not one meeting with either of my committee supervisors after which I did not walk away brimming with ideas and rushing to transfer them to the page. Always with good-natured humor, along with a smile and words of encouragement, Professor Kuru would expand my horizons on Ottoman Islamic cultures; provide me with stimulating insights into early modern worldviews, and movements and tensions between those worldviews; and point me to foundational readings in both English and Turkish. Professor Naar, on the other hand, pushed me to ask questions about Jewish life, Ottoman religion, and the lack of clear early modern Ottoman boundaries between the religious and secular. Indeed, the skeleton of this work's core thesis can be attributed to those early conversations.

I also wish to give special thanks to Professor Canan Bolel, who generously and voluntarily supplied her time for additional conversations and feedback. Much of my understanding on early modern Ottoman space and performativity emerged from my discussions with Professor Bolel, as well as from her course on Modern Sephardic Cultures. I wish to also give special thanks to Professor Reşat Kasaba, whose Turkish Circle sessions fostered a warm and inspiring series of discussions on broader Turkish studies. Turkish Circle also became a place in which I could rely on constructive feedback for this paper, and my thanks is due to those participants who asked questions and pointed to areas for improvement. Additionally, I would like to thank Professor Hamza Zafer, with whom I met during the early stages of my research and who helped me shape an inspiring outlook toward constructing a Master's thesis and finding sources that would appropriately fit the scope of the paper.

Much of the underlying research behind this paper, and much research that was not included in the final paper, and indeed my initial interest for Ottoman Studies are due to Professor Oscar Aguirre-Mandujano. Professor Aguirre-Mandujano never ceased to give his generous time since the writing process of my BA thesis at the University of Pennsylvania, during which I first started encountering Ottoman *she'elot ut'shuvot*, through my attendance at the Ottoman Turkish Summer School on Cunda Adası. Indeed, I would like to thank both Professor Aguirre-Mandujano and Professor Yorgos Dedes for the intensive Ottoman language training during that program, which empowered me to begin working with sources in Ottoman Islamic law. My special thanks is also owed to the cohort of students that Summer, who helped foster an intellectually inspiring environment that helped make intensive language homework enjoyable and uplifting.

I am indebted to Cornell's Jewish Studies Program, and specifically to the organizers and participants of the conference hosted there, entitled *Making Space: Peopling and Placing the Matter of Jewish Studies*. That venue allowed me to test my sources and analyses with a group of researchers in the broader field of Jewish Studies. I would also like to thank the staff at the National Library of Israel for assisting me in navigating their archives, both physical and digital, toward their vast collection of early modern sources. My thanks is also owed to Debby Koren, who pointed me to her newly published volume on early modern *teshuvot*, which represents a very important step in highlighting Sephardic rabbinic voices of the sixteenth and seventeenth centuries.

As my future doctoral advisor, Professor Joshua Teplitsky has already been very generous with his time and feedback, particularly with an eye toward developing this project in the future. The students and staff involved in the Department of Middle Eastern Languages and

Cultures, the History Department, and the Near and Middle Eastern Studies Interdisciplinary Program at the University of Washington are all deserving of my thanks for our conversations, formal and informal alike, that helped guide my research interests. In particular, Sasha Ward encouraged me to take a second look at one *teshuvah*, whose surrounding story I hope to develop in future research. Additionally, Nadav Ganon generously assisted me with reading some of Ebû's-su'ûd's *fetâvâ* in Arabic.

Of course, I am also grateful to various family members and friends whose names I have not mentioned here, with whom my informal conversations allowed me to challenge my own notions of religion, religious literature, and the world around me as I analyzed these themes in a different place and time.

## Introduction

“Woe to Yosef! Woe to Yosef!” cried the Muslim customer to Rabbi Avraham Albalidah, in the rabbi’s shop in Gallipoli. “I saw him killed and discarded under the bridge... and when I returned to that place again, I looked for him but did not find him.”<sup>1</sup> There had indeed been a missing Yosef Shaltiel who resided in Gallipoli. There were also rumors that Yosef had been killed. However, without any concrete proof of his death, Yosef’s widow Pasana would be forbidden from marrying another man according to the precepts of Jewish law. If she remained a widow, Pasana would likely live a life of poverty and low social status, not to mention a life of loneliness and solitude. Upon hearing this information from his customer, Rabbi Albalidah recounted this story to the local Jewish *beit din*, the court in which all matters of Jewish law were decided.

The *beit din* asked Albalidah a series of questions concerning Yosef’s identity: could Albalidah be sure that this Muslim customer knew Yosef Shaltiel and could recognize his body? Where was the bridge located? On that day during which the Muslim entered the Rabbi’s shop, could it have been that another Yosef was also missing?

Albalidah answered: not only did the Muslim surely know this man, but every resident of this area of Gallipoli knew who Yosef Shaltiel was. The bridge was close to half a day’s march from Gallipoli. There was not another Yosef missing from Gallipoli besides this Yosef. We are

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<sup>1</sup> Yosef ben Lev, *Sefer She’elot u’Tshuvot*, ed. David Avitan (Jerusalem: Zikhron Aharon, 2018), 32.

Original text:

אוי ליוסף, אוי ליוסף, שראיתיו הרוג ומושלך תחת הגשר... ובחזרתי בקשתיו ולא מצאתיו. כל זה העיד רבי אברהם אלבלידה בתורת עדות ששמע מפי הישמעאל בחנותו. ושאלו אותו אם היה יודע שזה הישמעאל היה מכיר את יוסף שאלתיאל בחייו, ואמר שהישמעאל וכל אנשי הגליל ההוא כולם היו מכירים אותו, ועליו אמר הישמעאל מה שאמר. גם נשאל, הגשר באי זה מקום היה, ואמר שקרוב לחצי יום מגליפול. גם נשאל אם עד יום בא הישמעאל בחנותו ואמר מסיח לפי תומו מה שאמר, אם נחסר מגאליפולי שום יהודי ששמו יוסף שהלך ולא שב זולת יוסף שאלתיאל זה בעל פסאנה הנזכרת, והשיב שלא נמצא יוסף אחר חסר. וכן העיד סוחר אחר יהודי כי לא נמצא חסר יוסף אחר זולת זה.

told that Albalidah's claim was bolstered by a Jewish merchant present in the courtroom, who testified that Yosef Shaltiel alone, and no other Yosef, was missing from Gallipoli.<sup>2</sup>

Still, this information was not enough for Rabbi Yosef ibn Lev (d. 1580) of Istanbul. When ibn Lev was sent this story from Gallipoli, he had to decide whether Albalidah's testimony contained enough information to free the widow Pasana from a chained marriage to her presumably dead husband. Ibn Lev concludes his answer with the words: "All considered, the matter seems clear to me that this woman is forbidden to remarry."<sup>3</sup> However, Ibn Lev admits earlier in his response that the situation is far from straightforward: "One must learn, research, and know, that when there is a disagreement between the *poskim* (rabbinic decisors from earlier eras) regarding a matter such as ours, whether we shall follow the lenient ones out of concern for a chained marriage, or whether we shall follow the stringent opinion."<sup>4</sup>

Rabbi Yosef ibn Lev wrote his lengthy response in the format of a specific genre in Jewish legal literature, known in Hebrew as *she'elot u'tshuvot* ("questions and answers").<sup>5</sup> The question that he received, in addition to his reply, is teeming with hints of information about Ottoman Jews and Muslims. A similar tradition of a question-and-answer genre of religious law, called the *fetvâ* (plural *fetâvâ*), exists in Islam and also flourished during the Ottoman sixteenth century. The goal of this work is to begin the process of formulating and constructing a framework through which to analyze these genres, belonging to two distinct traditions but containing parallel strands of information. This work will analyze some of the numerous themes

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<sup>2</sup> Ibid.

<sup>3</sup> Ben Lev, *Sefer She'elot u'Tshuvot*, 38.  
Original text:

מכל הנני יראה לי דבר ברור שזאת האשה היא אסורה להנשא.

<sup>4</sup> Ben Lev, *Sefer She'elot u'Tshuvot*, 33.  
Original text:

וצריך להתלמד ולחקור ולדעת, כשיש מחלוקת בין הפוסקים בענין דומה לנדון דידן, אם נלך אחר המקילים משום עגונה, או נלך לחומרא.

<sup>5</sup> This genre is also referenced in the scholarly literature as *responsa*. For consistency, I have opted to use only the Hebrew-language term in this paper.

that can be extracted from studying these texts alongside each other. These include, but are not limited to: literary phrases and genre conventions; language of performative humility; and conceptualizations of space, spatial boundaries, and the instability of those boundaries. In beginning to construct this framework, I argue for the formulation of a new academic field that analyzes Ottoman religious studies, contextualizing the evolution of distinct traditions as developing together and exchanging ideas in a syncretic environment. I define certain elements of a possible shared “Ottoman religion” as comprising traditions that exist in the Ottoman Empire as part of a history of both continuity and change; elements in those traditions of performative language, specifically that of humility and reverence for the Divine; and the manifestations of the transcending of spatial boundaries within Ottoman religious texts.

Dating back to the era of the *Geonim* (roughly 589-1038 CE),<sup>6</sup> the great rabbis of the academies of Sura and Pumbedita in modern-day Iraq, *she'elot u'tshuvot* (or simply *teshuvot*, literally “questions and answers”; singular *teshuvah*) were sent by those rabbis to the diasporic Jewish community in order to address all aspects of life through a lens of practical Jewish law. In Geonic times, a question would be sent by a diasporic community addressing a complex situation that typically occurred in actuality.<sup>7</sup> Most of these questions were at first sent from the *yeshivot*<sup>8</sup> of Spain, North Africa, and Palestine. At the academies of Sura and Pumbedita, the *rashei yeshiva* (leaders of the academies) would discuss the questions with their students. After

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<sup>6</sup> It must be noted here that the majority of *she'elot u'tshuvot* authored by the *Geonim* were written during the latter half of this time period, roughly from 750 CE onwards. Jehoshua Brand, Simha Assaf, and David Derovan, "Gaon," in *Encyclopaedia Judaica*, 2nd ed., ed. Michael Berenbaum and Fred Skolnik (Detroit: Macmillan Reference USA, 2007).

<sup>7</sup> Throughout the rich and broad history of *she'elot u'tshuvot*, many questions were theoretical. Nevertheless, it has generally been considered by its scholars as a relatively historically reliable body of sources. Even the purely hypothetical questions are valuable as a window into the minds and anticipations of their authors. See Aryeh Shmuelevitz, *The Jews of the Ottoman Empire in the Late Fifteenth and the Sixteenth Centuries: Administrative, Economic, Legal and Social Relations as Reflected in the Responsa* (Leiden: Brill, 1984), 9.

<sup>8</sup> Singular *yeshiva*; academy of higher Jewish learning.

agreeing upon a decision, of which the academy head would have the final say, a scribal assistant would write the decision and the answer would be sent back to the respective community.<sup>9</sup> This method of responding to questions in an academic learning environment simultaneously facilitated a practical learning environment for rabbinical students, as well as helped to consolidate a centralized authority for the Jewish world, characterized by the *yeshivot* of Sura and Pumbedita.

The genre of *she'elot u'tshuvot* was alive and well in the Ottoman Empire during the sixteenth century, as well as in Europe and North Africa during that time. While the Geonic *yeshivot* had ceased their role as a centralizing authority around the eleventh century, local Jewish communities looked to other forms of centralization afterwards. These opportunities appeared mostly in the forms of leading individual rabbis of a general region, local chief rabbis, or rabbis that served on a rabbinic court (*beit din*) to whom local communal rabbis could answer. The available collections of *she'elot u'tshuvot* in the early modern world primarily emerge from those more localized leadership structures.

Additionally, the sixteenth century witnessed other emerging forms of broader centralization, most important of which became the printed text. In simplifying his earlier commentary on a foundational fourteenth-century code of Jewish law, Rabbi Yosef Karo's (d. 1575) *Shulḥan Arukh* became immediately accessible as a practical code of law throughout the broader Jewish world. Its wide and lasting impact became doubly certain after the Polish Rabbi Moses Isserles (d. 1572) disseminated a version of Karo's text accompanied by his own glosses. Still, law codes such as the *Shulḥan Arukh* could only cover a basic representation of Jewish law, and Jewish law was designed to be embedded throughout a Jew's whole life, in every decision or

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<sup>9</sup> Israel Moses Ta-Shma, Shlomo Tal, and Menahem Slae, "Responsa," in *Encyclopaedia Judaica*, 2nd ed., ed. Michael Berenbaum and Fred Skolnik (Detroit: Macmillan Reference USA, 2007).

action that he or she could make. *She'elot u'tshuvot* remained indispensable for the purpose of addressing questions involving religious observance on an ad hoc basis. Concerning these questions, rabbis could only rarely provide solutions in a simple and concise manner. They would need to cite a vast history of Jewish law codes and the opinions of leading *poskim* (decisors of Jewish law) from centuries prior, before finally arriving at a conclusion.

Although the genre of *she'elot u'tshuvot* has its own origins centuries prior to the establishment of the Ottoman Empire, neither did it exist in a vacuum in the Ottoman world, irretrievably tied to its past iterations. The sphere of religious law in the Ottoman Empire enveloped a plethora of religions and religion-based traditions. Most notably, Jewish and Islamic communities in central cities such as Istanbul were present in the same areas and oftentimes exchanged ideas with one another. Furthermore, the teachings of Sufi orders and leaders of Kabbalah has much in common in terms of esoteric ideologies and practices, especially as kabbalistic teachings expanded in Safed to become a mainstream branch of both Jewish popularism and estoricism during the sixteenth and seventeenth centuries. Such was also the case with religious law, in which Ottoman Judaism and Ottoman Islam both were steeped and actively evolved.

The *fetvâ* is a form of questioning and answering in the Islamic tradition, one that has adopted a variety of formats and stylistic differences in distinct geographical and temporal regions. This thesis focuses on the form of *fetvâ* evolved by the *şeyhu'l-İslâm* of the Ottoman administration in Istanbul. The *şeyhu'l-İslâm* (Arabic: lit “the elder/lord (*sheikh*) of Islam”) was the leader of the Muslim ‘*ulemâ*’, the elite class of Islamic jurists whose role it was to administer and enforce the *şerî‘at* (Arabic *shari‘a*; Islamic religious law) character of the empire. The *şeyhu'l-İslâm* in the Ottoman Empire also doubled as the chief *mufî‘* (from the Arabic root *f.t.w.*;

meaning “one who issues *fetâvâ*”). The *şeyhu’l-İslâm* and chief *mufî* of the reign of Süleymân (r. 1520-1566, recognized after his reign with a common epithet as *Ķânûnî Sultân Süleymân*, “Süleymân the Lawgiver”) was Ebû’s-su’ûd (d. 1574), who lent his seal to an exceedingly prodigious number of *fetâvâ* in his reign.

Ebû’s-su’ûd’s outstanding achievement and lasting influence was the number of questions that he answered that lay beyond the scope of the *şerî’at*, and which tread the waters of the *Ķânûn*, the separate body of Ottoman administrative law that theoretically lay under the jurisdiction of the Sultan and his close advisors.<sup>10</sup> Thus, Ebû’s-su’ûd is often credited with embodying the theoretical goals of the Ottoman sultanic vision, and transposing that vision into reality: the spiritual elevation of Sultan from administrative leader to God’s “caliph on Earth” (Arabic *ĥalifat<sup>in</sup> fî al-arḍ*),<sup>11</sup> the messianic figure of a “perfect man” (Ottoman *insân-ı kâmil*)<sup>12</sup> who became both a spiritual and temporal vicegerent by virtue of lording over the *şerî’at* (spiritual) and the *Ķânûn* (temporal) to fashion the perfect and definitive Islamic society. In no other era of the Ottoman Empire was this vision more intensely underscored than during the era of Süleymân. As chief *mufî*, Ebû’s-su’ûd must bear much of the credit for constructing such a perception of imperial administration.<sup>13</sup> However, he cannot take all of the credit, as is often the case in popular depictions of him.<sup>14</sup> Rather, the unparalleled number of *fetâvâ* that he answered

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<sup>10</sup> Uriel Heyd, “Some Aspects of the Ottoman Fetvâ,” *Bulletin of the School of Oriental and African Studies, University of London* 32, no. 1 (1969): 55.

<sup>11</sup> Originally from a Qur’anic verse, referring to the Prophet Muhammad (38:26).

<sup>12</sup> Aslihan Gürbüz, *Taming the Messiah: The Formation of an Ottoman Political Public Sphere, 1600-1700* (Berkeley: University of California Press, 2023), 11.

<sup>13</sup> Colin Imber, *Ebu’s-su’ud: The Islamic Legal Tradition* (Edinburgh: Edinburgh University Press, 1997), 24.

<sup>14</sup> Colin Imber, *Ebu’s-su’ud*, 14. Imber relates how early writers describing Ebû’s-su’ûd, namely Aşık Çelebi and ‘Ata’i, attributed Ebû’s-su’ûd’s ability to answer over one thousand *fetâvâ* in a single day to a divinely granted power. This is also mentioned in Heyd, “Some Aspects of the Ottoman Fetvâ,” 46.

should be attributed to the growing bureaucratization of Ottoman administration during the sixteenth century, which also affected the office of the *fetvâ*.<sup>15</sup>

The world of *she'elot u'tshuvot*, and that of its authors, was much less centralized. Jewish hierarchical systems were locally centralized in other ways that did affect the authority of rabbinic legal advice as well as the theoretical and practical ramifications of *she'elot u'tshuvot*. The most striking difference is that Ottoman Jewish society, not being backed by a centralizing imperial state, lacked a figure on an equivalent standing with the *şeyhu'l-Islâm*. This work will begin to problematize different societal and cultural backgrounds, affecting both form and authority of religio-legal literature, in a way that takes into account the multilayered aspects of these documents. They both informed and were informed by existing religious structures in the Ottoman Empire.

The usage of terms such as “religious,” and by the same nature “secular,” also requires some problematization. In the sixteenth century, unlike in contemporary times, a “secular” world did not exist as an alternative world to religion. Rather, in both Judaism and Islam, religion enveloped both the highest intellectual authority and the most common type of piety among the masses. Of course, there were deeds and thoughts that existed as “heretical” or “against” religion as deemed by certain religious authorities (whose ideologies were often contested by other authorities), but they did not necessarily emerge as an attack on religious beliefs. Furthermore, there surely were different types of heresies and different types of orthodoxies according to branching ideologies. These differences could take place as a divide between common theology and elite intellectualism. Common theology among pious believers of a tradition was often less concerned about “true belief” and could include a plethora of contradictions. Meanwhile, figures

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<sup>15</sup> Uriel Heyd, “Some Aspects of the Ottoman Fetvâ,” 46-7.

of an elite intellectual authority more regularly felt the need to maintain an ordered construction of correct beliefs in order to maintain theological consistency.<sup>16</sup>

Alternatively, branching ideologies made room for different types of orthodoxies that evolved together despite, or perhaps because of, conflicting beliefs in a shared space. In discussing multiple ideologies, it is crucial to remember the existence and import of audiences that may have lain outside the mentions of documents that I analyze. For instance, many *fetvâ* opinions officialized by *Şeyhu'l-Islâm* Ebû's-su'ûd may not have been formally accepted or embraced by Sufi orders based in Istanbul, many of which were not in turn embraced by the Ottoman administration, and which argued for the existence of spaces outside of official, bureaucratized *şerî'at* discourse.<sup>17</sup>

While other facets of Jewish life by and large did not lie outside the purview of *halakha* (Jewish law)-based discourse and activity, one cannot adequately understand the role and scope of Jewish law without an elementary clarity on the many aspects of life that it covered and the multilayered forms of expression rooted in Jewish history that did not belong to an overtly legal or scholarly class of authority. The same rabbis who took part in such a dynamic scholarly tradition of a continually expanding legal body were often the same rabbis who led synagogue prayers, composed Hebrew poetry, interacted with their community on a daily basis. Many of these rabbis may also have participated in esoteric mystical traditions that were not necessarily embraced, expected, or mandated in the purview of the same legal tradition to which they also belonged.

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<sup>16</sup> For more insight into early modern lay theologies that contradict formal orthodoxies in a non-secularized manner, (albeit in an Italian Catholic context), see Carlo Ginzburg, *The Cheese and the Worms: The Cosmos of a Sixteenth-Century Miller*, trans. John and Anne Tedeschi (Oxfordshire: Routledge, 1980).

<sup>17</sup> Aslıhan Gürbüz, *Taming the Messiah*, 8.

“Glimpsing the Divine” starts a sixteenth-century discussion on the makeup and overlapping of such audiences. While I do not utilize sources authored by such a range of traditions for the sake of scope, their existence must be remembered when discussing any type of “authoritative” legal opinions in order to consider the scope and limitations of such authority. “Glimpsing the Divine” does not solve the questions of exactly how and to what extent these branching traditions informed the sources that are discussed in the following pages. Rather, it asks those questions in the hopes of establishing a foundational scholarly dialogue concerning those themes in this specific time and place of the sixteenth-century in the Ottoman Empire.

These considerations, and an emphasis on opening questions for further research, comprise this work’s advocating for a new methodology and recontextualization for studying early modern Ottoman religion. In recent years, the fields of Ottoman and Jewish studies have both made significant strides. Ottoman studies have expanded the field’s purview to include significant and pioneering work on Armenian, Jewish, Greek, and other populations.<sup>18</sup> In turn, Jewish studies have expanded to recognize Ottoman Jews as mainstream actors in the broader narrative of Jewish history. The subfield of Ottoman Jewish history has particularly done much to analyze Jewish lives in conjunction with Muslim lives, especially in shared urban centers such as Istanbul.<sup>19</sup> However, to date there remains no adequate study of Ottoman religion that makes space for both Islamic and Jewish intellectualism in the same foreground, much less the works of other traditions such as Armenian, Greek, and Syriac Christians. When providing a shared foreground, the field of contemporary Ottoman Jewish studies has typically leaned toward non-

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<sup>18</sup> For an example of recent scholarship that lies at the intersection of Muslim, Jewish, and Armenian studies, see Baer, Marc David, *Sultanic Saviors and Tolerant Turks: Writing Ottoman Jewish History, Denying the Armenian Genocide*, ed. Harvey E. Goldberg and Matthias Lehmann. Indiana Series in Sephardi and Mizrahi Studies. (Bloomington: Indiana University Press, 2020).

<sup>19</sup> For an example covering a later period in Ottoman regions outside of modern-day Turkey (the geographical limits of Ottoman studies have also much expanded in recent years), see Campos, Michelle, *Ottoman Brothers: Muslims, Christians, and Jews in Early-Twentieth Century Palestine* (Stanford: Stanford University Press, 2011).

intellectual analyses regarding cultural and sociological research. While this body of work has largely been of an innovative quality in its own right, it has not yet included a space for an early modern study such as mine that focuses primarily on intellectual texts. Moreover, while some studies have focused on connections between religious traditions, they mostly occur in the liminal spaces of conversions and “boundary crossing,” rather than investigating exchange among distinct traditions themselves.<sup>20</sup>

In recent studies, scholars have made significant historiographical strides toward a holistic understanding of Ottoman religion. A volume edited by Tijana Krstić and Derin Terzioğlu on sixteenth-century Sunnization discusses the historiographical concept of traceable increases in administration-sponsored acts of confessionalization and the strengthening of an Ottoman Sunni “orthodoxy.”<sup>21</sup> The scholarship in this volume, including an article by Helen Pfeiffer on the changes in sixteenth-century *hadith* literature after the Ottoman conquest of formerly Mamluk centers of prestigious Islamic scholarship,<sup>22</sup> leaves ample room for similar applications of Sunnization to the *fetvâ* literature during the sixteenth century. While in this work, I have chosen to focus on a very limited set of sources issued by the same author, a more holistic approach to the broader literature of *fetvâ* (as well as *she’elot u’ tshuvot*) may allow the historian to uncover significant changes in genre, and possibly content. The latter issue of the

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<sup>20</sup> A key example of such work regarding conversions in an early modern context is Tijana Krstić, *Contested Conversions to Islam: Narratives of Religious Change in the Early Modern Empire* (Stanford: Stanford University Press, 2011). My own previous work, presented as a BA thesis, focuses on the ambiguities of Jewish and Islamic notions of belonging, including within the space of conversions. Still, it is contrasted from this present work in the sense that it did not analyze how the texts themselves participated in a shared evolution. See Elyakim Engelman-Suissa, “The Law of the Other: Converts and Gentiles in the Eyes of Seventeenth-Century Istanbul Rabbis” (BA thesis, University of Pennsylvania, 2022).

<sup>21</sup> Tijana Krstić and Derin Terzioğlu, eds, *Historicizing Sunni Islam in the Ottoman Empire, c. 1450-1750* (Leiden and Boston: Brill, 2020).

<sup>22</sup> Helen Pfeiffer, “A New Hadith Culture? Arab Scholars and Ottoman Sunnization in the Sixteenth Century,” in Tijana Krstić and Derin Terzioğlu, eds, *Historicizing Sunni Islam in the Ottoman Empire*, 31-61.

content in these texts may benefit from a more comprehensive study in an attempt to analyze prevalent issues among communities and community leaders during an era of transformations.

As significant aspects of these transformations were related to space and spatial boundaries, there have been several recent fruitful studies and approaches to this issue. An article authored by Oscar Aguirre-Mandujano and Walter Andrews addresses sixteenth-century Ottoman poetry and imaginings of Istanbul, the “City of Cities,” and the Sultan’s abode as a mirror for the perfect order of the celestial heights.<sup>23</sup> In this theorization of early modern Ottoman poetry, Istanbul is a place that is intensely embedded in the minds and hearts of the authors. If poetry reflects “how we glimpse the emotional content of life in a certain time and place,”<sup>24</sup> then the *she’elot u’tshuvot* and *fetâvâ* partly bear these implications as well.

Perceptions of religion, especially of Judaism and Islam, exist at a crossroads. On one extreme of the spectrum of the individual’s relatability to a religious world, there is the purely “emotional content of life,” representing the type of individualistic spontaneity that best comes down to us from the early modern era through the endlessly rich corpus of poetry. The early modern Ottoman character of such poetry represents a personalized perception of the world in which “Truth” encourages the transcendence of subjective feelings over objective logic and reason.<sup>25</sup> On the other extreme is the rigidity of organizational structures and institutions. In Islam and Judaism, those institutions represent the elite universe of learning and study, sometimes manifesting themselves in codes of law, manuals, and ethics that were particularly prevalent, although not peculiar to, the sixteenth century. Religious “case law,” in the forms of texts such as *fetâvâ* and *she’elot u’tshuvot*, may be viewed a sort of intersectional point between

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<sup>23</sup> Oscar Aguirre-Mandujano and Walter G. Andrews, “The Poetics of Istanbul: The City of Cities” in Shirine Hamadeh and Çiğdem Kafescioğlu, eds., *A Companion to Early Modern Istanbul* (Leiden: Brill, 2021).

<sup>24</sup> Ibid, 673.

<sup>25</sup> Ibid, 674.

the two extremes; each answered question is, by necessity, a mix of individualized flourishes of style and the awareness of a small cog in a rigid genre that builds upon previous legalized notions of tradition.

In the same published volume to which Aguirre-Mandujano and Andrews' work belongs, Selim Kuru offers another spatially oriented conception of Istanbul as the "City of Men."<sup>26</sup> This approach focuses on a gendered aspect of space influenced by the architectural prominence of ubiquitous structures such as mosques, which were predominantly spaces for men.<sup>27</sup> A gendered approach to the *she'elot u'tshuvot* and *fetâvâ* would be especially fruitful given that, even when women are the center of conflicts (such as the numerous cases of *agunah*, or "chained" marriages, in the *teshuvot*), the primary actors are typically men.

Recent scholarship on the form and genre of *she'elot u'tshuvot* has been achieved by Tamara Morsel-Eisenberg, particularly the relationship between the epistolary, transient nature of *teshuvot* and the self-presentation by law codes, which were especially popularized in the sixteenth century, as conveying a static law. A consideration is needed of the early modern historian's (and also that of the authors of the *teshuvot*) inability to comprehensively assess all *teshuvot*, including those made missing or obscure by the decays and uncertainties added by time. Additionally, while not directly centered on religious law, Joshua Teplitsky's scholarship on the library collection of David Oppenheim (the Chief Rabbi of Prague from 1703 to 1736; d. 1736) identifies Jewish book culture (and cultures) as both a central protagonist and catalyst of a network of Jewish communities spanning Europe, the Ottoman Empire, and North Africa.<sup>28</sup> This

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<sup>26</sup> Selim S. Kuru, "Istanbul: A City of Men," in Hamadeh and Kafescioğlu, eds, *A Companion to Early Modern Istanbul*, 63-85.

<sup>27</sup> *Ibid*, 63.

<sup>28</sup> Joshua Teplitsky, *Prince of the Press: How One Collector Built History's Most Enduring and Remarkable Jewish Library* (New Haven: Yale University Press, 2019).

is to say that religious texts themselves, including but not limited to religio-legal literature, often transcended and redefined spatial boundaries in a separate manner from their original authors.

I should note here some of the limitations of this project. The *teshuvot* and *fetâvâ* that I closely analyze in this thesis are based on printed editions published in the twentieth and twenty-first centuries. Especially regarding *fetâvâ*, these editions lack the stylistic formatting that flourished in the earlier published collections and manuscripts. The primary *fetvâ* collection that I use is a Latinized transcription of the Ottoman Turkish script based on Arabic and Persian letters. Moreover, the original collections of the *teshuvot* analyzed here were originally printed in Rashi script, while several of the editions that I have viewed for this project have been transliterated into a standard block script. Such editions may contain typographical errors and inconsistencies, which I have done my best to notice and correct in my translations and citations.

During the research process, as well as in my oral descriptions of my research topic, the temptation of labeling this study as a “comparative” project has often arisen. However, this work does not purport to be strictly comparative. Such a framework would mislead the reader toward the belief that these two genres, written in two different languages and belonging to two distinct religious traditions, are nearly the same genre. I choose instead to emphasize their differences, as they belonged to separate worldviews and separate legacies of intellect that each reached over the centuries of the distant past. However, there are of course similarities between these genres, especially in their basic premises and a “literary sense” that pervades almost all of the authors of the works examined in this study. This latter aspect is, namely, the sense of writing style that lends itself to performative epithets of either grandeur or humility (which may in turn produce an equally elevated sense of reverence for the text and subject matter), as well as an aspect of timelessness attempted by the author.

While this work is not strictly comparative, I believe that there are useful benefits to be gained from a more abstract study. Although *teshuvot* and *fetâvâ* are distinct genres, with culturally different writing styles and reflections of worldviews (either consciously or subconsciously by their authors), the historian may nevertheless join these similar traditions in a productive conversation. By applying this “conversation” to a specific time and place, one may be able to, at least partly, unveil a shared early modern Ottoman cultural context. This study attempts to begin that work, much of which must be reserved for future research of a wider breadth.

In the work that follows, I first aim to contextualize sixteenth-century Ottoman *she'elot u'tshuvot* and *fetâvâ* in their respective historical, cultural, and political environments. I then give a broad overview of the genres themselves, including their origins and some highlighting of the scholarly literature surrounding them. This section also offers further discussion on their authors behind the texts on which I focus, namely Rabbi Yosef ibn Lev (d. 1580) and Ebû's-su'ûd (d. 1574). In the following section, I discuss themes of the “performatively humble;” notions of the “transcendent;” and the personalized elements of these texts, underscoring the stylistic significances that these documents embraced as part of a literary genre. Afterward follows a segment on conceptualizing space, spatial boundaries, and the transformations of those boundaries follows. Finally, I offer a conclusion with indicators toward further research and discussions on the *she'elot u'tshuvot* and the *fetâvâ*, future studies of which have the potential to significantly develop our understanding of Ottoman religion.

## Contextualizing the Sources: From Early Religious Law to the Ottoman Sixteenth Century

Religious law is the subject of a long history whose central narrative motif may be considered to be the intersection of continuity and change. Both *teshuvot* and *fetâvâ* were instrumental in both shaping early religious community dynamics and forming coherent structures and hierarchies. Each successive collection of works in these genres are naturally built upon the words, viewpoints, and rulings of influential earlier authors in either disparate geographical locations or in other temporal locations. In distinct ways, both genres changed in style and content such that studying either text in its sixteenth-century Ottoman instance yields different insights from a twelfth-century study in Spain, or even a fifteenth-century study in the Ottoman Empire. Although *fetâvâ* and *teshuvot* are inherently traditional genres with set boundaries of form, subject matter, and stylistic flourishes, their authors implicitly made use of the understated freedom within boundaries, reflecting their, in this case distinctly sixteenth-century Ottoman, worldviews.

As discussed by historians such as Tijana Krstić,<sup>29</sup> Helen Pfeifer,<sup>30</sup> and H. Evren Sünnetçioğlu,<sup>31</sup> the Ottoman Empire underwent a formative change in its attitude toward Islamic practice (and practices) during the sixteenth century. This change was partly galvanized by the Safavid threat to the East, with Ismâ‘îl I (d. 1524) initiating his Twelver Shi‘i reign in Iran in 1501. In 1517, Sultan Selîm I (r. 1512-1520) defeated the Mamluk Empire in Egypt and

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<sup>29</sup> Tijana Krstić, “Historicizing the Study of Sunni Islam in the Ottoman Empire, c. 1450-c. 1750,” in Tijana Krstić and Derin Terzioğlu, eds, *Historicizing Sunni Islam in the Ottoman Empire*.

<sup>30</sup> Helen Pfeifer, “A New Hadith Culture? Arab Scholars and Ottoman Sunnitization in the Sixteenth Century,” in Tijana Krstić and Derin Terzioğlu, eds, *Historicizing Sunni Islam in the Ottoman Empire*.

<sup>31</sup> H. Evren Sünnetçioğlu, “Attendance at the Five Daily Congregational Prayers, Imams and Their Communities in the Jurisprudential Debates during the Ottoman Age of Sunnitization,” in Tijana Krstić and Derin Terzioğlu, eds, *Historicizing Sunni Islam in the Ottoman Empire*.

absorbed the former Mamluk territories. The Ottomans thereafter became the protectors of the two sacred cities, Mecca and Medina. The Ottomans also newly controlled some of the foremost seats of Islamic scholarship in Cairo and Damascus. As recent studies have demonstrated, these political developments directly led to the prestige, frequency, and types of Islamic scholarship.<sup>32</sup>

Although much research remains to be done on the effects of Sunnitization on the *fetvâ*, Ebû's-su'ûd, his works, and his image must be carefully placed in this context as both being shaped and helping to shape the sixteenth-century Ottoman attitude of Sunnitization. The *fetâvâ* of Ebû's-su'ûd are a study in bureaucratic efficiency. Unlike the Jewish *she'elot u'tshuvot*, which champion minutiae over sweeping statements that generalize a single situation, the issues sent to Ebû's-su'ûd were deliberately arranged to warrant yes-or-no answers precisely so that such generalizations may be made.<sup>33</sup> Indeed, several of Ebû's-su'ûd's answers consist solely of one word in Ottoman Turkish: either "It may be [permitted]" (*Olur*) or "It may not be [permitted]" (*Olmaz*), followed by the signing of his name as a stamp of authority. Such *fetâvâ* may be praised for their immediate accessibility, while they mask the nuances of the *şerî'at*. They notably leave no room for disagreements, as this type of *fetvâ* does not make space for the reasoning behind the conclusion. For the reader, the name *Ebû's-su'ûd* would contain enough heightened meaning embedded within: a name signifying that the legal answer issued straight from the Sultan and the most righteous jurist whom he had chosen to oversee the religious law of his Caliphate.

Other actors who advanced legal arguments must be considered in order to form a comprehensive snapshot of the genre and highlight understudied voices. Much work in this area

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<sup>32</sup> Helen Pfeifer, "A New Hadith Culture? Arab Scholars and Ottoman Sunnitization in the Sixteenth Century," in Tijana Krstić and Derin Terzioğlu, eds, *Historicizing Sunni Islam in the Ottoman Empire*, 32.

<sup>33</sup> Uriel Heyd, "Some Aspects of the Ottoman Fetva," *Bulletin of the School of Oriental and African Studies* 32, no. 1 (1969): 49.

of widening the historicity of authors producing works of a semi religio-legal nature has recently been progressed especially by Aslıhan Gürbüz, who has written about Sufi challenges to state authority in the seventeenth century.<sup>34</sup> When *fetâvâ* were posted on mosque doors by jurists in an effort to enforce a ban on smoking tobacco, Sufi authors issued treatises arguing against the perceived abuse of justice symbolized by such a sweeping tobacco ban.<sup>35</sup> Gürbüz demonstrates that while such treatises argued for the spiritual benefits of tobacco and other substances with chemical effects, such as coffee, Sufi actors also advanced legal arguments of their own. These arguments included efforts to “delimit” state authority over private spaces of “pleasurable socialization,” such as the Ottoman coffeehouse, as well as an argument for Sufi autonomy of legal adjudication in certain spaces.<sup>36</sup> Just as we must hold at bay the tempting instinct to conceptualize one type of Islam for Ottoman religious authorities, so too must we challenge the subconscious conceptualization of Ottoman law as existing through a primary avenue. The *fetvâ* was by no means the only pathway by which to advance religious legalism with practical implications for daily life.

Similar to Sufi and fundamentalist Islamist conversations around the socially Persianate layers of the coffeehouse environment, the circulations from the highest rabbinic authorities concerning a ban on the coffeehouse mostly fell on deaf ears.<sup>37</sup> Brought to the centers of the Ottoman Empire by merchants from Aleppo and Damascus,<sup>38</sup> the advent of the Istanbul coffeehouse in the second half of the sixteenth century was not considered problematic by

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<sup>34</sup> Aslıhan Gürbüz, *Taming the Messiah: The Formation of an Ottoman Political Public Sphere, 1600-1700* (Berkeley: University of California Press, 2023).

<sup>35</sup> *Ibid*, 195.

<sup>36</sup> *Ibid*, 206.

<sup>37</sup> Yosef Yahalom, “Hebrew Mystical Poetry and Its Turkish Background,” *Tarbiz* 60, no. 4 (1991): 627.

<sup>38</sup> Selma Akyazıcı Özkoçak, “Coffeehouses: Rethinking the Public and Private in Early Modern Istanbul,” *Journal of Urban History* 33, no. 6 (2007): 966.

authorities, such as Rabbi Moshe Mitrani (d. 1580), for their coffee. Rather, while the drinking of coffee in a non-Jewish setting may have been permitted in isolation from other factors, the coffeehouse was considered a frivolous setting for unruly socialization made doubly worse by the playing of Turkish music and vocals, of which the seventeenth-century Rabbi Moshe Galante (d. 1689) opined: “It is preferable to listen to the reprimand of a Torah sage (*hakham*) than to a man who hears the songs of imbeciles.”<sup>39</sup>

The examinations below of textual examples and historical ramifications of religio-legal adjudication first warrant a discussion and clarification of what this work pertains to be, and what it does not. Although background is necessary regarding the origins of the Hebrew *she'elot u'tshuvot* from the time of the Geonim, as well as the pre-Ottoman contexts of the *fetâvâ*, Rather, “Glimpsing the Divine” operates in a specifically Ottoman context, assessing specific conceptualizations found in religio-legal texts. These conceptualizations may aid the Ottoman historian in the further understanding of Muslim and Jewish lives in sprawling Ottoman cities. Moreover, they offer expanded room for thought about aspects of society that affected all religious traditions in the Ottoman territories.

Rabbi Yosef ibn Lev (d. 1580) remarked in one *teshuvah* that “in Salonika... it appears that each and every congregation (*kahal*) is a city unto itself.”<sup>40</sup> He attributed this to the extensive level of variety in dialect (*lashon*), brought by each congregation from its origin city or village from the Spanish and Portuguese exiles. “There is nobody who comes and goes from congregation to congregation, and each congregation provides for the matters of its own tongue.”<sup>41</sup> Born in Monastir, in the region of Macedonia, ibn Lev was said to have been a

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<sup>39</sup> Yosef Yahalom, “Hebrew Mystical Poetry and Its Turkish Background,” 627.

<sup>40</sup> Yosef ben Lev, *Sefer She'elot u'Tshuvot Mahari ben Lev: Volume 2* (Jerusalem: Ginzei Kedem, 1959), 179.

<sup>41</sup> *Ibid.*

prodigy as a Torah scholar from a young age. Appointed as a rabbinic judge in Monastir, ibn Lev subsequently moved to the city of Salonika and quickly became one of the preeminent scholars there, being likened by a seventeenth-century rabbi to “the Rif [Rabbi Yizḥak Alfasi, 1013-1103], the Rambam [Rabbi Moshe ben Maimon, 1138-1204] and the Rosh [Rabbi Asher ben Yehiel, 1250/1259-1327] of his time.”<sup>42</sup>

While in Salonika, ibn Lev ruled in a landmark case for the strict application of Jewish laws of observance regarding the case of conversos in Flanders, whom he decided were not Jewish unless they were to instigate a full process of repentance by traveling to the Ottoman Empire in order to “take refuge under the wings of the *shekhinah* (Divine Presence).” The case involved a dubiously arranged marriage in Flanders, in which one of the two required witnesses only heard that the marriage took place, but did not see the marriage in question. In the crescendo of his response, Ibn Lev rules that the marriage was invalid in any event, “because these witnesses were not full Jews, but rather from those forced [converts] of which they or their fathers were forced [to convert] in the forced conversions of Portugal.”<sup>43</sup> Unlike those conversos who straightaway arrived in the Ottoman Empire, the subjects of this conflict delayed in Flanders, among a miniscule Jewish community. According to ibn Lev, they would first have to become “complete” Jews by “reflecting in repentance.”<sup>44</sup> Among the steps of repentance, ibn Lev appears to suggest, is taking refuge in the Ottoman Empire and belonging to a wider network of Jewish institutional structure and protection.

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<sup>42</sup> This comment was made by Rabbi Yaakov Alfandari (1620-1695) in his collected *teshuvot* entitled *Maggid mi'Reshit (He Tells from the Beginning)*. Cited in Sorasky, “Introduction,” 2.

<sup>43</sup> Yosef ben Lev, *Sefer She'elot u'Tshuvot Mahari ben Lev*, 79.

כיון דהני סהדי לא הוו יהודים גמורים אלא מאותם האנוסים שהם או אבותיהם נאסנו בשמד פורתוגאל.

<sup>44</sup> Ibid.

Rabbi Yosef ibn Lev is simultaneously representative of sixteenth-century Ottoman rabbis and an exceptional case who stands alone. On one hand, ibn Lev is typical of an Istanbul rabbi in that he was not born in Istanbul but originated from more peripheral provincial regions. Istanbul rabbis such as Eliyahu ben Hayyim (ca. 1530-1610),<sup>45</sup> Yehiel Basan (1550-1625),<sup>46</sup> and Yosef Trani (1568-1639)<sup>47</sup> all made their way to the Ottoman capital by virtue of their reputations and connections. However, ibn Lev was exceptionally well-connected, as demonstrated by the sponsorship he enjoyed from Doña Gracia Mendes Nasi (1510-1569), the Ottoman Sephardic stateswoman who procured ibn Lev an appointment at that *yeshivah* (academy of Talmudic higher learning) that she established. Additionally, ibn Lev took on political causes and involved himself in quarrels that affected both local and external communities. In a course of events spurred by the patronage of Gracia Mendes Nasi and her husband, ibn Lev issued a *teshuvah* that called for a ban on Jewish trade with the city of Ancona, on account of Pope Paul IV's persecution of the converso Jewish community of that city.<sup>48</sup>

This saga, in which religious scholarship is interwoven (and acquired as a tool) toward intercommunal politics, represents an increasing shift toward an early modern system of patronage and alliances in a network of communities no longer confined to a singular polity in the sixteenth century. Figures of the early modern religious elite often occupied the forefront of these stories, as they had the advantage of communicating a recognized authority that was not

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<sup>45</sup> Jacob Haberman, "Elijah ben Hayyim," in *Encyclopaedia Judaica*, ed. Michael Berenbaum and Fred Skolnik, 2nd ed., vol. 6 (Detroit: Macmillan Reference USA, 2007), 339.

<sup>46</sup> For examples of Basan's *teshuvot*, see Elyakim Engelmann-Suissa, "A Network of Communities: Jews, Communal Boundaries, and Movement in Seventeenth-Century Ottoman Istanbul," *Penn History Review* 28, no. 2 (2021): 35-53.

<sup>47</sup> Ephraim Kupfer, "Trani, Joseph ben Moses," in *Encyclopaedia Judaica*, 2nd ed., 2007.

<sup>48</sup> Yehoshua Horowitz, "Lev (Lab; Leb), Joseph ben David ibn," in *Encyclopaedia Judaica*, 2nd ed., 2007. See also Aharon Sorasky. "Introduction" in *Sefer She'elot u'Tshuvot Marahi ben Lev*, 3-4.

ostensibly restricted to, and thereby transcended, the transitory fluctuations of political leaders and their ever-changing networks.

## Presentation: The Personal and the Performative

Religious texts are mirrors with the potential to reflect the mindset of a society. The *Mishnah*, the foundational text of Oral Torah, quotes Rabbi Yehuda ben Teimah in its instruction of ethics: “Be brazen as a leopard, light as an eagle, swift as a deer, and mighty as a lion to do the will of your Father in Heaven.”<sup>49</sup> The quote was reprinted in the *Arba’ah Turim* (*Four Pillars*), the seminal fourteenth-century codification of Jewish law authored by Rabbi Yaakov ben Asher. Expounding on this saying, ben Asher analyzed the specific behavioral attributes belonging to “brazen like the leopard,” “light like the eagle,” and so on.<sup>50</sup> Eventually, in the *Shulchan Arukh*, Rabbi Yosef Karo’s sixteenth-century codification based on his earlier commentary on the *Arba’ah Turim*, Karo wrote simply: “One should strengthen himself like a lion to get up in the morning to serve his Creator, so that it will be he who awakens the dawn.”<sup>51</sup> A saying of an originally proverbial, even emotional quality, was transformed over the centuries to become part of Jewish law and ethics involving the earliest part of one’s day. In this way, the religious undertones of a society can allow the performative and the personal to become ritualized in daily practice.

Nowhere is this concept more relevant than in the *she’elot u’tshuvot*. In lengthy answers, rabbis draw from religio-legal tradition to impart a performatively objective view on the law. As such, their writings are permeated with phrases that denote humility and lowliness in the face of God’s truth. Concomitant with humility is the strikingly personal. Rabbis are “surprised” by the rulings of other rabbis. Rabbis describe their pouring over the pages of other works and asking

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<sup>49</sup> *Pirkei Avot* 5:20.

<sup>50</sup> *Arba’ah Turim*, Orach Hayim 1:1.

<sup>51</sup> Yosef Karo, *Shulchan Arukh*, Orach Hayim 1:1.

their own questions, which warrant their own *teshuvot* in turn. Rabbis even lament the shortage of time and space on the page. In one of ibn Lev's *teshuvot*, in which he ruminates on the isolation of a plethora of communities in Salonika,<sup>52</sup> he concludes his thought by writing:

and there are already in my hands more thoughts on this matter. But rather, I will skip ahead and arise and shorten [my response], and I did not [introduce this thought] but to stir these claims. And if there will be a need to further expand the words, I will append a second [response] with the help of God, and the Rashba [Rabbi Shlomo ben Avraham ibn Aderet, d. 1310] already wrote that...<sup>53</sup>

Typical of the *teshuvah* genre writ large, Rabbi Yosef ibn Lev is a distinctly personal writer in this text. He writes in the first person, in a manner that evokes something close to a stream of consciousness. He ruminates on whether to elaborate on his point, but then decides to “skip ahead,” as this matter is too far from the focus of his response. It is due to such personal, intimate characteristics that we are able to extract cultural and temporal realities of our authors. Here, ibn Lev is not authoring a static, aloof (and almost paradoxically, thereby more accessible to the majority of readers) code of law. He is writing to a person, even offering to elaborate if necessary.

Above all, his text presents an atmosphere of comprising merely an opinion. Ibn Lev's *teshuvot* elsewhere are replete with performative phrases such as “in my humble opinion” and “it seems to me,” and these phrases are highly representative of sixteenth- and seventeenth-century Ottoman *she'elot u'tshuvot*. At the same time, however, ibn Lev was also a scholar, presenting a response that is informed by the scholarship available to him. In this *teshuvah* alone, he cites the

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<sup>52</sup> See p. 20.

<sup>53</sup> “Chapter 72” in Yosef ben Lev, *Sefer She'elot u'Tshuvot Mahari ben Lev, Volume 2*, 179.

וכבר יש בידי עוד ראיות על זה הענין אלא שאני מקפץ ועולה ומקצר ואיני בא כי אם לעורר הטענות ואם יצטרך להרחיב הדברים יותר אוסיף שנית ב"ה [בעזרת השם] וכבר כתב הרשב"א דאפי[לן]...

Ribash [Rabbi Yizḥak ben Sheshet, d. 1408]; the Rashba [Rabbi Shlomo ben Avraham ibn Aderet, d. 1310]; the Re'em [Rabbi Eliyahu Mizrahi, d. 1525 or 1526]; the Rambam [Rabbi Moshe ben Maimon, d. 1204]; and the Rabad [Rabbi Avraham ben David, d. 1198]; not to mention the general customs of the contemporary communities of Safed and Jerusalem.

Even so, or perhaps because of the breadth of information at his disposal, ibn Lev admits that “the words are long in the *teshuvot* and the rulings, *but I say that...*”<sup>54</sup> His conclusion at the bottom of many of his *teshuvot* is bookended with the statement, “The words of the young Rabbi ibn Lev.” Ibn Lev also allows us a window into his life, and particularly the status of his health. In one *teshuvah* regarding a Jewish communities’ signatories concerning the reduction of a tax, ibn Lev writes, “it appears that the words of the question are self-contradictory, but at this time I am not fit to write more than what I have written. As a matter of fact, I must, if God will decree that he heals me and grants me life, reexamine what I wrote to see if it is good and straightforward.” He then signs his response, “Signed by the bitter and lamenting Joseph ibn Lev.”<sup>55</sup> In the previous *teshuvah* on the divisions of communities, ibn Lev concludes, “and despite the fact that, in this discussion, there would have been room to expand and to bring in more ideas in each and every claim, I have decided to shorten it, because I am very weak and sick, and nothing more than that. The words of the young Yosef ibn Lev.”<sup>56</sup>

At first glance, the *fetvâ* of Ebû’s-su’ûd lacks these personal and performative characteristics. While the *fetâvâ* are much more concise and therefore far less personalized, a

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<sup>54</sup> “Chapter 72” in Yosef ben Lev, *Sefer She’elot u’Tshuvot Mahari ben Lev: Volume 2*, 181-2.

והדברים ארוכים בתשובות ובפוסקים ואני אומר...

<sup>55</sup> Debby Koren, *Responsa in a Historical Context: A View of Post-Expulsion Spanish-Portuguese Jewish Communities Through Sixteenth- and Seventeenth-Century Responsa* (Boston: Academic Studies Press, 2024) 77-78. Koren’s translation.

<sup>56</sup> Yosef ben Lev, *Sefer She’elot u’Tshuvot Mahari ben Lev: Volume 2*, 182.

ואף על פי שבנדון הזה היה מקום להאריך ולהביא יותר ראיות בכל טענה וטענה אמרתי לקצר להיות שאני חלוש וחולה מאד ותו לא מידי. נאם הצעיר יוסף בן לב.

study of attitudes toward the imperial institutions, which are couched in language of exaltation, would be suitable toward the beginnings of an analysis related to performative genre elements of the *fetvâ*. In referring to a 1543 imperial decree that concerns Dubrovnik merchants, one *fetvâ* (analyzed at further length below)<sup>57</sup> refers to the decree as *ferman-ı ali*, “the exalted decree.” This language is common among *fetâvâ* in references to the imperial structure, and phrases of exaltation regarding imperial decrees and jurisdiction serve as a mirror of the divine decrees and jurisdiction of fate. Following the destructive Ottoman defeat at the Battle of Lepanto in 1571, the correspondence of the Imperial Council (*Divân-ı Humâyûn*) shows resolve in yielding to the Quranic verse stating that “the decree is Allah’s, the Exalted and Sublime” (*al-ḥukmu lillâhi`l-`aliyyi`l-kabîr*).<sup>58</sup>

The *fetâvâ*, in a language and manner defined by the genre and its characteristic self-perception, articulates equivalent formulations of the “exalted and sublime” in its opening and closing formulae. Ebû’s-su’ûd’s unique *da`vet*, the stylized opening invocation that preceded the question of the *fetvâ*, reads: “O Allah, fountainhead of infallibility and success, we ask You for guidance on the Straight Path.”<sup>59</sup> Although most of Ebû’s-su’ûd’s *fetâvâ* were authored in Ottoman Turkish, the language of the *da`vet* was typically Arabic.

Some early modern Ottoman *fetâvâ* were also written, both the question and the answer, in verse form.<sup>60</sup> If a question was written in verse, then the answer would typically replicate the artistic meter and style of the question.<sup>61</sup> Although the question of strict “poetry” in the *teshuvot*

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<sup>57</sup> See p. 32.

<sup>58</sup> “Fetvanın Osmanlı Yönetimi ve Toplum Üzerindeki Etkisi: Ebussuûd Efendi’nin Kıbrıs ve İnebahtı Fetvaları”/“The Influence of Fatwa on Ottoman Administration and Society: Ebussuûd Efendi’s Fatwas Regarding Cyprus and Lepanto” *Tarih Dergisi* 76, no. 1 (2022):, p. 47.

<sup>59</sup> Uriel Heyd, “Some Aspects of the Ottoman Fetvâ,” 38.

<sup>60</sup> Eliaçık, Muhittin. “Osmanlıda Manzum Fetvâlar ve Edebî Değerleri,” *International Periodical for the Languages, Literature and History of Turkish or Turkic* 7, no. 1 (2012): 41-56.

<sup>61</sup> Uriel Heyd, “Some Aspects of the Ottoman Fetvâ,” 46.

warrants further studies, the rabbis of the *teshuvot* undoubtedly use poetic language, usually constituting metaphors and rich imagery to advance their arguments. One seventeenth-century *teshuvah* authored by Rabbi Yehoshua Benveniste (d. ca. 1665), in denouncing the claims of a man implicated in a conflict related to conversion, concludes his denouncement by reiterating that “as for the rest of the claims – all of them are hovering in the wind (*porḥot be'avvir*).”<sup>62</sup> For the authors of both *teshuvot* and *fetâvâ*, word choice was a crucial element in advancing both arguments and reputation. Carefully placed adjectives had the power to simultaneously lend to the performances of devout humility and assured confidence in the face of opposition.

Not only the words used, but the very choice of language can reveal much about the *fetvâ* as an art form. Arabic, the language of the Quran and the *medreses*, would have been the most suitable choice with which to describe God’s attributes and beseech Him in the *da’vet*. As such, during Ebû’s-su’ûd’s time Arabic was typically reserved for stylistic and performative invocations, although Ebû’s-su’ûd did issue Arabic *fetâvâ* as well.<sup>63</sup> The *she’elot u’tshuvot* also make conscious choices concerning language. Although they are written mostly in Hebrew, distinctly Aramaic vocabulary and grammar elements regularly surface as authors choose to pull from the language of the Talmud and Jewish legal terminology. There are even *she’elot u’tshuvot* authored in Ladino (Judeo-Spanish),<sup>64</sup> with one Hebrew *teshuvah* fully quoting a letter written in Ladino.<sup>65</sup> Early modern language was malleable, with porous boundaries that shifted depending on literary form, audience, content, and tradition.

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<sup>62</sup> Ezra bar Shalom, ed., *She’elot u’Tshuvot Sha’ar Yehoshua* (Jerusalem: Makhon Ohr HaMizrah, 1982), 216.

<sup>63</sup> See, for example, Akgündüz, ed., *Şeyhü'l-İslâm Ebüssu’ûd Efendi Fetvâları*, 471-2.

<sup>64</sup> See Benaim, Annette. *Sixteenth-Century Judeo-Spanish Testimonies: An Edition of Eighty-four Testimonies from the Sephardic Responsa in the Ottoman Empire*. (Leiden: Brill, 2011).

<sup>65</sup> Ḥayyim Alfandari and Isaac Alfandari, “Chapter 6” in *Maggid MeReshit* (Constantinople: Naftali ben Azriel and Jonah ben Jacob, 1710), 24b.

## The Spatial Considerations of a “City Unto Itself”: The Conceptualizing of Communal Networks

The wealth of texts belonging to the genre of religious adjudication among Jews and Muslims displays a high level of sensitivity regarding physical locations. These spaces include urban centers, port cities, synagogue buildings, and the court of the Sultan. We may also embrace a conceptualizing of the expansions of space and how these affected the regularities (and irregularities) of daily life. For instance, the inauguration of the Süleymâniye *medreses* enacted sweeping changes to the structure, bureaucratization, and even culture of the *‘ilmiyye* system of Islamic positions of education.<sup>66</sup> The new *medrese* institutions and chains of hierarchy, as well as the reputation of Ebü’s-su’ûd, also affected access to the position of *şeyhu’l-Islâm*, the *kâdîaskerlik*, and the overall prestige of these positions and those associated with ascension to those same positions.<sup>67</sup> The *she’elot u’tshuvot* and *fetâvâ* are especially suited to match a study of spatial boundaries and movements across those boundaries, particularly because their answers express attempts of hegemony and legal harmonization over a multitude of physical spaces and focal centers of religion and culture.

In terms of conceptualizing a framework for the breadth and interconnectivity of physical centers and focal points, let us consider the spatial mentions and implications of a *teshuvah* sent to ibn Lev while he served in the city of Salonika:

We, the undersigned *beit din*, were seeking to receive a testimony from among testifiers (*edut ha’edim*) regarding a chained woman [i.e. a widow whose husband has not

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<sup>66</sup> Halil İnalçık and Cemal Kafadar, eds., *Süleymân the Second and His Time* (Istanbul: The Isis Press, 1993), 109-120.

<sup>67</sup> Ibid. See also Halil İnalçık, *The Ottoman Empire: The Classical Age 1300-1600* (1973; reis. London: Phoenix Press, 2000), 171.

been proved dead and therefore is unable to remarry], the wife of Rabbi Yizḥak Zadok, who has been sitting for these many days and years, forlorn and chained (*aguma ve agunah*), and we sought to question her. And R. Moshe Basa came before us and said, in the law of testimony... R. Moshe Molkho, who lives here in Salonika, said to him that when he was in Constantinople, that the aforementioned R. Moshe said to him that a certain Jew who lives in Gallipoli that when he left Constantinople to come to Salonika, he saw on the coast two hundred corpses, and he asked the people who were standing there about the corpses. And they replied that the sea had regurgitated them, and they were from a certain ship that shattered and drowned there overnight. And then he saw and recognized the aforementioned Jew from Gallipoli, since one of those corpses was a certain Jew, his friend from Salonika by the name of Yizḥak Zadok. And he recognized him, since each time that the aforementioned R. Yizḥak Zadok would go to Egypt, and he would pass on his way to Gallipoli and rest in the place of inhabitation of the same Jew from the aforementioned Gallipoli. And he thoroughly recognized, without any doubt, that it was the same aforementioned R. Yizḥak Zadok, and the aforementioned Jew from Gallipoli buried him and that was this [past] Sunday, the fifth of Ḥeshvan in the year 5308 [1547/1548 CE] of the *yezirah*.<sup>68</sup>

Although the *she'elot u'tshuvot* are replete with movement across spatial boundaries and communities, this particular *teshuvah* shines with the sheer breadth of geographic coverage, from Salonika to Istanbul (routinely referred to as “Constantinople” in Hebrew writings of this period), and from Gallipoli to Egypt. The author of the question lets us know, with the phrasing of “here in Salonika,” that Salonika is the central focal point. Indeed, according to the dating of the *teshuvah* as 5308 [1547/1548 CE], this question was written approximately two years before ibn Lev would move to Istanbul. The reader is told about two major urban centers of Jewry, Salonika and Istanbul, as well as Gallipoli, an Ottoman port city with a sizeable Jewish population. As these locations are all in Anatolia and the Balkans, “Egypt” may very well serve

<sup>68</sup> Yosef ben Lev, *Sefer She'elot u'Tshuvot Mahari ben Lev: Volume 1*, 6.

אנחנו ב"ד חתומי מטה היינו נדרשים לקבל עדות העדים על דבר עגונה דאתתא אשת ר' יצחק צדוק היושבת זה כמה ימים ושנים עגומה ועגונה ונדרשנו לשאלתה ובא לפנינו ר' משה באסה ואמר בתורת עדות כי זה כמו שנתיים ימים בין רב למעט אמר לו ר' משה מולכו הדר פה שלוניקי כי בהיותו בקושטאנטינה ר' משה הנזכר אמר לו יהודי אחד דר בגאליפולי כי בצאתו מקושטאנדינה לבא לשלוניקי ראה בשפת הים פגרים מתים, ושאל לעומדים שם על אותם הפגרים והשיבו לו שפלט אותם הים והם מספינה והשיבו לו שפלט אותם הים והם מספינה אחת שנשברה ונטבעה שם בלילה שעבר ואז ראה והכיר היהודי מגאליפולי הנז' כי אחד מהפגרים ההם היה יהודי א' אהובו משלוניקי שמו יצחק צדוק והוא היה מכיר אותו כי בכל פעם שהיה הולך למצרים ר' יצחק צדוק הנז' והוא היה עובר דרך גאליפולי היה חונה בדירתו של אותו היהודי מגאליפולי הנז' והכירו היטב בלי שום ספק שהיה אותו ר' יצחק צדוק הנז' ויקבור אותו היהודי מגאליפולי הנז' והיה זה יום ראשון ה' לחשון שנת הש"ג ליצירה.

here, in a literary fashion, as a remote province and an outlier, having only recently been absorbed into Ottoman territory with the conquests of Sultan Selim I over the Mamluk Sultanate in 1517.

Movement and increased communication across spatial boundaries served as an avenue for advancement and reconciliation in the Ottoman world. Lack of movement led to isolation and stagnation, while increased movement was a means to advocate on behalf of one's central space. As discussed above,<sup>69</sup> Rabbi Yosef ibn Lev divulged significant comments on the spatial varieties and diversity, or rather lack thereof, in the city of Salonika, in the midst of a lengthy *teshuvah* dealing with contractual agreements. In his *teshuvah*, ibn Lev must reach a conclusion on whether the various congregations of a whole city, such as Safed or Jerusalem, may collectively sign on an agreement that benefits the entire Jewish community. As part of an *a fortiori* approach that constitutes one facet of his argument, ibn Lev draws a comparison between (presumably) the city of Istanbul and Salonika, where he had operated as an adjudicator before relocating to the Ottoman capital:

And some of the halakhic adjudicators (*poskim*) explain to them that the majority is able to coerce the minority, even in a matter that is not an issue of *migdar* (a “fence” of protection from potential transgression)<sup>70</sup>.... Just as a majority of the [single] congregation are able to coerce the minority, so too can a majority of the congregations coerce one congregation. All the more so that the custom *in this city* [Istanbul] between the Romaniotes (Greek/Byzantine Jews) and the Sephardim is that the whole city is like one congregation (*kahal*), and people migrate from congregation to congregation according to their will. And [this is the custom] even in Salonika, where each individual speaks in his own tongue (*leshonam*), and when they came from the exiles, each individual tongue established a congregation in itself, and there is nobody who comes and goes from congregation to congregation, and each congregation provides for the matters of its own tongue, and each individual congregation writes in the king's registry by itself, such that each individual congregation appears as a city unto itself. Even so, their custom is that the majority of the congregations coerces the single [dissenting] congregation to agree with them....<sup>71</sup>

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<sup>69</sup> See p. 20.

<sup>70</sup> See Rashi's (Rabbi Shlomo Yizḥaki, 1040-1105) commentary on Babylonian Talmud, Yevamot 90b.

<sup>71</sup> Yosef ben Lev, *Sefer She'elot u'Tshuvot Mahari ben Lev: Volume 2*, 179.

With his remarks, ibn Lev considers the relationship between the movements of individual people and the collective community. What constitutes a “community”? Where does one congregation begin and end, in a city like Istanbul in which a multitude of individual members come and go “according to their will,” even across barriers of language and religious customs? And how do we possibly account for the opinions of all members of a community, when the given community is made up a plethora of tiny communities, each resembling a “city unto itself”?

For ibn Lev and his selected adjudicators who wrote before him, it is a question of majority power over the minority. This principle allows the majority of congregations in a city to override the dissents of the minority of congregations, even when each congregation is wholly separate and functionally isolated from one another. Ibn Lev’s reasoning in this part of his *teshuvah*, while not ultimately aligning with his overarching conclusion, constitutes a powerful (and by his admission, too brief) analysis on the potential of harmony in adjudication.

In another *teshuvah* authored by ibn Lev, regarding a communal galvanization against high tax rates for non-Muslims, we see more spatial relationships that paint an insightful and nuanced dichotomy between the intra-communal and the extra-communal. The question preceding the response reads: “...God awakened the spirit of Reuben, among the dwellers of that city, so that he arose and went to the gate of the king, his majesty, time after time to annul the edicts and to cancel his pronouncement and to remove this death from them.”<sup>72</sup>

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וכמה מהפוסקים דסבירא להו דהרוב יכולים לכופ את המיעוט אפילו בדבר דלא מיגדר מילתא וכמו שיש בזה כמה תשובות דכי היכי דרוב הקהל יכולים לכופ את המיעוט הכי נמי רוב הקהלות יכולין לכופ לקהל אחד, וכל שכן שהמנהג בזאת העיר בין הרומאניוטי"ש והספרדים שכל העיר כקהל אחד ונעתקים מקהל לקהל כרצונם ואפילו בשאלוניק"י דכל איש ואיש מדבר כלשון עמו וכשבאו מן הגרושין כל לשון ולשון קבעו קהל בפני עצמו ואין יוצא ואין בא מקהל לקהל וכל קהל וקהל מפרנסי עניי לשונם וכל קהל וקהל נכתבו בפנקס המלך לבדו והוא נראה כל קהל וקהל כעיר בפני עצמה אפילו הכי נוהגים שרוב הקהלות כופים לקהל אחד להסכמתם....

<sup>72</sup> Debby Koren, *Responsa in a Historical Context* 59. Koren’s translation.

Immediately following these words, the question shifts the dynamic from an individual's lobbying to highlight community-wide agency:

When the heads of the said Jewish community, the wise men, the administrators, the people of stature, the seven communal leaders and some of the tradesmen [all] realized the diplomatic efforts that Reuben had made for this matter and the large expenditures that he spent, they came to an agreement with him to give him the sum of one thousand paraahs if he brought this matter to a good conclusion. This is the rendering of the document of agreement that was made between them....<sup>73</sup>

It is crucial to note the sequence of events that occur according to the wording of the question sent to Yosef ibn Lev. First, a man's spirit is "awakened," causing him to approach "the gate of the king," a literary reference to the biblical Scroll of Esther, which also deals with supplications before a king on behalf of the Jewish community. Only after Reuben pleads before the king (Sultan) "time after time," does the Jewish community decide to take action and bring local administrative backing to Reuben's cause. Finally, a document of agreement is drafted that officializes the monetary guarantee made by the Jewish leaders to Reuben.

This *teshuvah* presents a unique dynamic that concerns the power of shaping intracommunal politics using a spatially transitive relationship between the communal and the extra-communal. The interaction of different urban and provincial centers relates to legal jurisdiction as well, especially concerning the systems of *ṣerî'at* and *halakha*. One question sent to Ebû's-su'ûd ponders the issue of non-Muslim testimonies in the case of an heir to a recently deceased non-Muslim (Ottoman *zimmî*) who desires to claim his inheritance from the Imperial Treasury (Ott. *beyt'ul-mâl emîni*). In most cases, reflects the question, *zimmî* witnesses were "approvingly accepted" (Ott. *istihsânen maḳbûldur*). However, "in the year 950 [AH; 1543 CE], the exalted *fermân*, when the case of someone from among the Dubrovnik merchants was

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<sup>73</sup> Debby Koren, *Responsa in a Historical Context* 59. Koren's translation.

presented to the rank of the throne, reached the conclusion to say ‘it must be investigated whether there is a Muslim witness.’”<sup>74</sup> This case recorded in Dubrovnik, a vassal state of the Ottoman Empire from 1382, contradicted the norm of *istihsânen makbûldur*. Which one was correct? Should the common practice be overruled by the citation of the “exalted *fermân*” (*fermân-ı âlî*)?

Ebû’s-su’ûd ruled that both the regularized practice and the specific case were correct. Rather than a necessity for one to overrule the other, Ebû’s-su’ûd recognized that both could exist as the law in their respective spatial spheres. The case recorded by the *fermân-ı âlî* in 1543 was a *localized* ruling that was “peculiar to the people of Dubrovnik” (*Dubrovnikliye mahsûsdur*).

Additionally, we might also consider the more immediate ramifications of spatial allowances and harmonization, or lack thereof. Specific to the court setting presented by the *fetvâ* is a question of who is allowed in this space, and who is required. It is clear that, given the nature of the very topic under discussion, the presence of *zimmî* witnesses alone is considered less valuable than Muslim witnesses, or at least less valuable than a mixture of *zimmî* and Muslim witnesses. This information regarding physical presence in a courtroom is especially significant given that the case under adjudication relates to the inheritance of a *zimmî*.

Finally, there are hierarchical spaces in the religio-legal literature. These are the spaces occupied by legal authorities relative to others, affecting their ability to rule and enforce their ruling. While this conceptualization is more metaphorical than those occupying the realities of physical space, a metaphorical conceptualization of space may occupy just as much of a reality

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<sup>74</sup> Ahmed Akgündüz, ed., *Şeyhü'l-İslâm Ebüssu'ûd Efendi Fetvâları (Fetâvây-ı Ebüssu'ûd Efendi)* (İstanbul: Osmanlı Araştırmaları Vakfı, 2018), 453. Ott. *Ammâ dokuz yüz elli senesinde Dubrovnik tâcirlerinden birinin husûsu pâye-i serîre arz olundukda “Müslim şâhid var mı tetebbu‘ olunsun” deyü fermân-ı âlî vârid olmuştur.*

as the physical. Regarding a question of whether a judge's brief declaration of the validity of the establishment of a pious foundation (*vakf*) is enough to render it valid, Ebû's-su'ûd declares in his *fetvâ*, "If the judge is from among the nobles of the 'ulemâ', a summary is sufficient; but if not, then a detailed explanation is required. Ebû's-su'ûd."<sup>75</sup>

A conceptualization of hierarchical space informs the reader of the reality of religious law as dependent on the status of the authority issuing the law. In this case, the relevance of the judge's (*kâdî*) ability to rule with a summarizing declaration based on his hierarchical status, also implicitly applies to the relevance of Ebû's-su'ûd's statements as a *muftî*. Both the *muftî* and the *kâdî* derived their authority from the 'ulemâ', the ruling class of Islamic juridical elites. The "validity" of Ebû's-su'ûd's brief statements, without the necessity to bring sources (unlike the perceived necessity of the rabbinic elites of Ottoman cities), were trusted precisely because of the intangible, albeit very real and palpable, space that Ebû's-su'ûd occupied in the minds of those who asked questions that warranted implementation of the *fetvâ*. As the most authoritative *muftî* in the Ottoman Empire, and as the chief of the 'ulemâ', and as the *şeyhü'l-İslâm* of the Sultan, Ebû's-su'ûd occupied multiple overlapping spaces in an Ottoman Islamic conception of the ultimate religious authority. Furthermore, as someone who issued a prodigious number of rulings that affected the *kânûn*, Ebû's-su'ûd extended his overlapping authority to occupy a greater space in the administrative world of the Sultanic authority than did his predecessors.<sup>76</sup>

In the sixteenth century, within the Ottoman Empire and also in Europe, space existed as something to be transformed. Roots and homes were often ambiguous. This especially rang true for Ottoman Jews, the majority of whom were expelled from their homes in Spain in 1492, and

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<sup>75</sup> Ahmed Akgündüz, ed., *Şeyhü'l-İslâm Ebüssu'ûd Efendi Fetvâları*, 457. "Kâdî eşrâf-ı ulemâdan ise icmâl kâfidir ve illâ tafsîl lâzımdur. Ebüssu'ûd."

<sup>76</sup> Colin Imber, *Ebu's-su'ud*, 24.

were often subsequently relocated within Ottoman territories, often for the purpose of repopulation projects in Istanbul. In the early modern era, rabbis could claim titles through which they acquired symbolic regional authorities of lands that lay outside their physical purview,<sup>77</sup> and even the Ottoman Sultan himself conveyed authoritative legitimacy by means of the space that his world encompassed. Transformations of physical and hierarchical boundaries were a primary lens for the world as perceived by inhabitants of the Ottoman Empire in the sixteenth century, whether this lens manifested itself in the need for a sprawling, post-expulsion network of Jewish communities, or in an aspiring Muslim bureaucrat who wished to climb the precarious ladder of court favors.

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<sup>77</sup> See, for example, the case of David Oppenheim (1664-1736), Chief Rabbi of Prague who laid claim to the symbolic title of “Prince of the Land of Israel,” despite his rejection of the offer of Jerusalem’s chief rabbinate position. Additionally, Oppenheim laid claim to the chief rabbinate position of Brisk in the Polish-Lithuanian Commonwealth, despite his also having rejected the material offer. Joshua Teplitsky, *Prince of the Press*, 71, 88.

## Conclusions: Moving Toward a Structure of Dialogue and Exchange

Ebû's-su'ûd and Yosef ibn Lev were both symbols of authority for their respective communities in the Ottoman sixteenth century. Through his *fetâvâ*, Ebû's-su'ûd was the paragon of legal, state-approved, Sunni transmission of divine law. Ibn Lev was likely revered in a similar manner by devout Ottoman Jews due to his reputation, movement between the central sixteenth-century Jewish communities of Salonika and Istanbul, and connections to wealthy patrons such as Doña Gracia Mendes Nasi. Ibn Lev used the *teshuvah* to encourage communal cohesion, while also interceding on behalf of Jews in external communities, such as in the city of Ancona.

In this short work, I have attempted to “start the conversation” between certain religio-legal traditions in the early modern Ottoman Empire. I have argued that the conversation should be had, and that studying these texts are useful for understanding both Ottoman life and Ottoman perceptions of life (and, by virtue of these questions, the meaning of what it means to be an “Ottoman” or whether that is even a useful conceptualization). While this work primarily examines various elements of the *teshuvot* and the *fetâvâ* in terms of “parallel” themes, it sets the stage for a future study with the potential to put these genres in direct conversation with each other, in a search for underlying dialogue and shared notions of an “Ottoman religion.”

A study that hopes to frame the stories found within these texts in a shared historical setting of religious communal formations will necessitate a broader scope of authors and sources. That study will surely carry abundant potential for understanding religious law, Ottoman elements of religion, and how different religious networks relate to one another through religious legal traditions. While the concurrent evolutions of Jewish and Islamic legal-textual traditions

constituted distinct historical processes, their convergences may illuminate a more profound understanding of their shared foundations.

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