

Fetva issued by Ebussuud Efendi Prepared Prior to Going to War
with Iran

Introduced, Transcribed and Translated by Ahmet Yusuf Yüksek

Short Historical Context

Inhabiting the regions of Anatolia, Iraq, and western Iran, the Kızılbaş, meaning 'red heads' or 'red crown,' were followers of the Twelver Shiite imams and the Safavid shahs. This distinctive crimson headpiece symbolized their religious and political allegiance, particularly during the intense rivalry between the Ottoman and Safavid empires. The Ottomans viewed their Kızılbaş subjects not merely as a religious group but as significant adherents of their rivals, the Safavids in Iran, posing serious threats to Ottoman legitimacy, especially along the empire's frontier regions. This tension fueled ongoing suppression of the Kızılbaş within the Ottoman Empire throughout the first half of the 16th century.

Against this backdrop, the fetvas—legal opinions—issued by Ebussuud Efendi (d. 1574), the Grand Mufti and highest authority in the Ottoman religious hierarchy, gain significant relevance. Serving under Sultan Süleyman I (r. 1520-1566), Ebussuud prepared these fetvas prior to the Sultan's 1548 campaign against Iran. These fetvas were invoked even after the reign of Süleyman I and influenced later Ottoman dealings with both their Kızılbaş/Shi'i subjects and Shi'ite rulers of Iran. Through Ebussuud's fetvas, we gain insight into the Ottoman legal stance on heresy and the broader imperial attitude toward the Kızılbaş, underscoring their enduring impact in studies of Sunni-Shi'ite conflict and Ottoman-Safavid relations.

Suleymaniye Library, Ozel n. 626
Translation (1v-3r)

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In the name of God who is the most merciful and compassionate

(This) is a copy of the legal opinions issued by his excellency the Mufti of the time and the helper of the believers, by the request of his excellency Sulṭān Süleymān Ḥan when he organized an imperial campaign against Ṭahmās the evil Kızılbaş and Mirzā Elḳās. During the last days of month, Şafer the Auspicious, year 955¹.

Is the killing of the Kızılbaş sect permissible according to religious law and will those among the soldiers of Islam who kill them become a *jāzī*² and those who are killed by their hands become martyrs? Please state and may you be rewarded (for your answer).

Answer: It is the greatest holy war and the most glorious martyrdom.

Supposing that their killing is lawful, is this solely because they (*Kızılbaş*) act out of wickedness and animosity against his Excellency, the Sultan of the believers, and draw their sword against the soldier of Islam, or is there any other reason?

Answer: they are both wicked and, for many reasons, unbelievers. Written by Ebū's-Su'ūd.

They claim that their chief is among the descendants of the Sultan of prophets (may God Almighty send peace and blessing upon him). In this case, does this (killing) become in any way questionable?

¹ March/April 1548

² The term refers to a Muslim warrior who participates in a holy war against any enemy of Islam

Answer: God forbid that it should, it does not. Apart from their sinful actions attesting to their lack of connection to this pure lineage, it is reported from other reliable sources that his father Ismā'īl during his first rebellions forced many descendants of the Prophet in Meşhed³ of Imām 'Alī bin Mūsā Rızā and in other places, to insert his lineage in the (book of) Sea of Lineages.

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and, when he massacred those who did not dare to commit such a slander, some of the descendants showed the outward appearance of conformity with his commands in order to be saved from execution. However, they took this measure: the religious scholars (*'ulemā'*) of the noble lineage limited his (İsmā'īl's) lineage to a *seyyid*⁴ who was known among themselves to be sterile and to have had no offspring, so that one who contemplates carefully would know the truth. Hypothetically, even if the validity of his root were established, being an apostate, he is no different from various faithless unbelievers. The descendants of the exalted Sultan of prophets (may God Almighty send peace and blessing upon him) are the ones who obey the practices of the revealed rules of religious law (*şerī'a*) and protect unveiled judgments. When the exalted Nūḥ (may peace be upon him) prayed for the mighty God for his own son who was not devout, he (Nūḥ) was answered with "he is not one of your kin"; his son was punished and drowned together with other unbelievers. If being a descendent of the Greatest Prophet (may peace be upon them) meant to be saved and delivered from the temporal and eternal punishment, no person among unbelievers would ever suffer on the earth and in the hereafter, being a descendant of the Exalted Prophet Adam (may peace be upon him). Written by Ebū's-Su'ūd.

³ Meşhed is a city in today's Iran where the Imām 'Alī bin Mūsā Rızā Shrine was erected.

⁴ Descendant of the Prophet Muḥammed through his grandson Ḥüseyin

While the mentioned group claims to be among the Şī'a, saying "there is no god but God. Muhammad is the messenger of God," what entails this status for them? (Please) Answer this in detail and accordingly.

The answer: It is not about being Şī'a or not, "seventy two groups among which anyone other than the people of the *sunnah* and the community (*ehl-i sūnnet ve cemā'at*) will be in the fire (punished)," as clearly explained by the most honorable exalted Prophet (may be peace and blessing upon him). This group is not free of the ranks of infidelity and heresy, but rather they have taken some wickedness and corruption from each group, adding to them heresies and innovations shaped according to their own liking and wishes, and they keep building on it day by day.

The detailed judgment on them is as follows: these villains, as they have become infidels, by despising the magnificent Qur'an and scorning the sacred laws of the Islamic religion;

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by enflaming and vilifying the canonical books; by betraying religious scholars for their actions; and by taking their chief as a God and prostrating themselves to this reprobate; and by legitimating the religiously forbidden things, which are established on sound grounds; and by, God forbid, cursing the exalted righteous Ebū Bekr and 'Omer (may God be pleased with them); by slandering the exalted righteous 'Ā'īşe (may God be pleased with her) while various magnificent verses were revealed concerning her exoneration and purity; and as they have again become infidels; by denying the noble Qur'an; by smearing the exalted personality of his excellency the Prophet (may be the peace and blessing upon him), they blaspheme against the Prophet and therefore their execution is permissible

according to the unanimity of scholars of all times and places. According to the Great Imam, Imam Süfyān-ı Şevrī and Imam Evzaī, at their execution, if they repent with full correctness and return to Islam, their blasphemy will be forgiven and they will find redemption and salvation from execution, as (is the case with) similar (cases of) apostasy. According to İmam Mālik, İmam Şāfiī, İmam Aḥmed b. Ḥanbel, İmam Leyş ibn Sa‘d, İmam İshāk b. Rāheviyye, and the large majority of the religious scholars, at their execution, their repentance is never accepted and their belief is not acknowledged, thus they are executed by beheading. Many shameful dispositions of the mentioned group are well known without doubt among the entire people of Islam with certainty. Those who doubt their apostasy, are also not Muslims. As for those among their soldiers, the status (of being apostate) of those who take part in killings (of Sunni Muslims) and of servants (of Şī‘a) is not contingent. However, in cities and villages, some have trustful conduct in appearance in order to be immune to actions and punishments (against them), and even their outward appearance testifies to their trustfulness. When they do not reveal their (true) identity, they cannot be punished and executed. And (actually), it is more crucial to fight against this group other than varying unbelievers.

Therefore, despite the existence of many unbelievers in the vicinity of the Radiant City (of Medīne) while the the Greater Syria (*Bilāde’s-Şām*) was not yet conquered,

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the exalted righteous Ebū Bekr did not choose to march against them during his caliphate, rather with the unanimity of exalted companions, he declared holy war against the

apostates who followed Mesleme the Deceiver. The Outsiders⁵ during the caliphate of the exalted ‘Alī (may God bless his face) were executed due to similar reasons. Similarly, the wickedness and villainy of this group (Şī‘a) are also the most crucial, and therefore it is more significant to fight to eliminate their villainy from earth. God is the one whose help is sought and upon whom we trust.” Our Lord, forgive us our sins and the excess [committed] in our affairs and plant firmly our feet and give us victory over the disbelieving people.”⁶ O Muslims, be informed and aware! For scorning the magnificent Qur’an and religious scholars, and for claiming legitimate the things which are declared forbidden in the books by God (the Almighty, the Glorified, and the Highest), and for insulting and burning the canonical books and the magnificent Qur’an, and also for betraying the righteous and the scholars and burning the mosques, and for worshiping their cursed chief before whom they prostrate themselves, and also for their intention of revoking the laws and religion of the exalted honorable Prophet (may the Almighty God send peace and blessing upon him), and for similar statements and actions opposing Islamic law, as is known and obvious to your humble servant and to various major religious scholars, to almighty God, and to the Day of Judgment, we give the legal opinion, with combinations of rulings of law and reference to the books, that the mentioned group is apostate and heretical, and even those who follow them and who accept and assist their false religion, are apostates and heretics. It is a religious duty and compulsory for all Muslims to disband their community. Those Muslims who become exalted martyrs are in the highest Heaven. Those killed on their side

⁵ Ḥavāric are the members of group that appeared during the crisis of leadership after the death of the Prophet.

⁶ This is the last part of the verse, 147, in the surah of ‘Alī ‘Imrān. The translation has been borrowed from <https://quran.com/3>.

are in the vile and despicable hell. Their predicament is more severe and uglier than that of unbelievers. The animals butchered and hunted by them, even (with the aid of) a dog, are canonically unclean (to eat). And, their marriage to (anyone) whether from their side or others, is null. Also, they cannot inherit from anyone. It is lawful for the Sultan of Islām (may the Almighty God help him and make him victorious) to let their sons and properties be distributed among the *ġāzīs*, and let them be executed regardless of their repentance and agreeable words after their capture. And, in this region, let those be executed who are known as one of them or who are captured while heading for them, and all those of the mentioned group are both apostates and intriguers.

Suleymaniye Library, Ozel n. 626
Transcription (1v-3r)

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Bismi'l-lāhi'r-rahmāni'r-rahīm

Müftü-i zamān nāşır-ı ehl-i imān hazretlerinden Sultān Süleymān Hān hazretleriniñ kızıl-baş bedme'āş Tahmās ile Mirzā Elkās üzerine sefer-i hümāyunları oldukda talebleri ile haqlarında verdikleri fetāvā şüretidir. Fi evāhır-i şafer el-ḥayr sene ḥamse ve ḥamsin ve tis'a mie.

Ṭā'ife-i kızıl-başın şer'an katlleri helāl olub 'asker-i islāmdan anları katl eden gāzī ve anlar elinde maqtül olanlar şehid olurlar mı beyān buyurulub müşāb olalar. El-cevāb olurlar gāzā-ı ekber ve şehādet-i 'uzmādır.

Katlleri helāl olduđu taqdırce maḥzan sultān-ı ehli'l-islām hazretlerine bağı ve 'adāvet üzerine olub 'asker-i islāma kılıç çekdiğı için mi olur yoḥsa ḡayrī sebebi var mıdır? El-cevāb hem bağıylerdir ve hem vücūh-ı keşireden kāfirlerdir. Ketebehu Ebū's-Su'ūd.

Re'īsleri Hazret-i Şultān-ı Enbiyā şalla llāhu te'ālā 'aleyhi ve's-sellem neslindendir dirler öyle olucaḡ nev'an şübhe olur mu? El-cevāb ḥāşā şübhe yokdur ef'āl-i şeni'aları ol nesb-i tāhireye 'alākaları olmadıḡına şehādet itdiğinden ḡayrı şikāttten menḡüldür ki babası İsmā'ıl ibtidā-i ḥurūcunda İmām 'Alī bin Mūsā Rızā meşhedinde ve sā'ir emākinde olan sādāt-ı 'izāmı kendiniñ nesebini baḥr-ı ensāba derc

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eylemege ikrāh idüb iftirāya cür'et idemeyenleri katl-i 'ām idicek ba'z-ı sādāt katlden ḡalāş için imtişāl-i şüretin gösterüb didigin işlemişler. Ammā bu miqdār tedārik itmişler ki bunuñ nesebini 'ulemā-i ensāb-ı şerīfe mābeylerinde 'akīm olub aşlen nesli ḡalmamak ile ma'rūf bir seyyide müntehī kılmışlar ki nazār idenler ḡaḡikat-i ḡale vāḡıf olalar. Farazā şıḡḡat-ı nesebi muḡarrer dahī olsa bī-dīn olucaḡ sā'ir kefereden farkı olmaz. Hazret-i Resūl-i Ekrem şalla llāhu te'ālā 'aleyhi ve's-selleminiñ ālī şe'āyir-i şer'-i mübīni ri'āyet ve aḡkām-ı mübīni ḡimāyet idenlerdir. Hazret-i Nūḡ 'aleyhi's-selāmın Kināne Şulbī oḡlı iken dīn olmadıḡı için rabb-ı 'izzete duā itdikde "leyse min ehlike" diyü buyurulub sā'ir kefereler ile bile ta'zīb ve iḡrāḡ buyurulmuşdur. Eger enbiyā-i 'izām 'aleyhimüş-şalevatü've's-selām neslinden olucaḡ dünyevī ya uḡrevī 'azābdan ḡalāş ve necāta sebep olaydı Hazret-i Ādem 'alā nebiyyinā ve 'aleyhi's-selām neslinden olucaḡ eşnāf-ı kefereden bir ferd aşla dünyada ve aḡirette mu'azzeb olmaz idi. Ketebehu Ebū's-Su'ūd.

Ṭā'ife-i mezbūre şī'adan olucaḡ da'vā iderler "Lā ilāhe illā llāḡ muḡammed resūlullāḡ" dirler iken bu mertebeye icāb-ı ḡālleri nedir? Tafşīl ve meşrū'üzre cevāb buyurıla.

El-cevāb: Şī'adan olucaḡ degil "yetmiş iki fırḡa ki iclerinde ehl-i sünnet ve cemā'at fırḡasından ḡayrı nārdadır" diyü Hazret-i Resūl-i Ekrem şalla llāhu 'aleyhi ve sellem taşriḡ buyurmuşlardır. Bu ṫā'ife bir fırāḡ-ı dālleniñ ḡālis birinden degildirler. Belki her birinden birer miqdār şer u fesād alub kendileriñ hevālarınca iḡtiyār itdikleri küfr ve

bid'atleri ilhak idib bir mertebe küfr ve dālāl ihtirā' eylemişlerdir dahī tūrub günden güne artturmak üzerinedirler. Mufaşşal hükmi budır ki ol zālimler kūr'an-ı 'azīmi ve şerī'at-ı şerīfe-i dīn-i islāmı istiḥfāf eylemek ile kütüb-ü şer'ıyyeyi taḥkīr idüb odda yakmak ile

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ve 'ulemā-i dīnī 'amelleri için ihānet idüb ve re'īsleri olan fāciri ma'būd yerine koyub aña secde eylemekle ve her ḥuşūş-ı kaṭ'ıye ile sābit olan muḥarremāt-ı dīniyyeyi istiḥlāl eylemekle ve Ḥazret-i Ebī Bekr-i Şıddık ile Ḥazret -I 'Ömer raḍıya'llāhu 'an-humāya ḥāşā la'n eylemekle kāfir olduklarından sonra Ḥazret-i 'Ā'ışe şıddıkanıñ raḍıya'llāhu te'ālā 'anhā berā'atı ve nezāheti ḥakkında bir nice āyāt-ı 'azīme nāzil olmuşken anları itāle-i lisān itmekle ve kūr'an-ı kerīmi tekzīb idüb kāfir olduklarından gayrı Ḥazret-i Risālet-penāh şalla llāhu te'ālā 'aleyhi ve sellem cenāb-ı 'azīzlerine şe'in getürdikleriyle sebb-i nebī itmiş olub cumhūr-ı 'ulemā-i a'sār-ı emşār icmā'larıyla kātlleri ḥelāl olur. İmām-ı a'zam ve İmām-ı Süfyān-ı Şevrī ve İmām Evzā'ī kātlllerinde tamām-ı şıḥḥat üzere tövbe idüb islāma gelicek egerçi bu küfrleri dahī sā'ir küfrler gibi 'afv olunur kātlden ḥalāş ve necāt bulurlar. İmām-ı Mālik ve İmām-ı Şāfi'ī ve İmām Aḥmed b. Ḥanbel ve İmām Leyş ibn Sa'd ve İmām İshāq bin Rāheviye ve sā'ir 'ulemā-i dīnden cem'-i keşir kātlllerinde aşlā tövbeleri maḥbūle ve islāmları mu'teber degildir elbette ḥadden kātıl olunur. Ḥazret-i İmām-ı Dīn-penāh eyyedehu'llāhu ve kavvāhu zıkr olunan e'imme-i dīnden kaṅgi cānibiñ kavilleriye 'amel iderlerse meşrū'dır. Tā'ife-i mezkūreniñ kabāyiḥ-i ma'dude ile ittişāfları cemī'ehl-i islām arasında tevātür ile yakīnen ma'lūm olmuştur. Küfrlerinde tereddüd iden müslim degildir. 'Askerlerinde olub kītāle mübāşeret idenleriñ etbā'ından olanlarıñ şānında aşlā tevaḥḫuf olunur degildir. Ammā şehirlerde ve köylerde kendi ḥālinde şalāḥ üzre olub bunlar 'ıḳābından ve ef'ālinden tenezzūh üzerine olub zāhir ḥālleri dahī şıdıklarına delālet eyleyen kimesneleriñ kendüleri zāhir olmayınca üzerlerine bunlarıñ aḥkāmı ve 'uḳūbātı icrā olunmaz ve bu tā'ifeniñ kītāli sā'ir kefereler ile kītālden ehemdir. Anuñ için ki Medīne-i Münevvere etrāfında kefereler çok iken ve Bilād-ı Şām feth olmamışken anlara gāzā eylemekten Ḥazret-i Ebī Bekr-i şıddık ḥilāfetinde

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zuhūr iden Mesleme-i Kezzābeniñ tābi'ī olan tā'ife-i mürtede üzerlerine gāzā eylemeği aşḥāb-ı kirām icmā'larıyla terciḥ buyurmuşlardır. Ḥazret-i 'Alī kerreme allāhu vechehu ḥilāfetlerinde ḥavāric kītāli dahī böyle olmuştur. Bu tā'ifeniñ dahī şer'ü fesādı dahī a'zamdır. Yeryüzünden fesādlarını ref' için mücāhede eylemek dahī ehemdir. Allāhu'l-müste'ān ve 'aleyhi'et-tüklān rabbenā iğfir lenā zünūbenā ve isrāfenā fi emrinā ve şebbit aḳdāmenā fe'n-şurnā 'ala'l-ḳavmi'l-kāfirīn. Müslümānlar bilin ve agāḥ oluñ, 'ulemā-i dīni ve kūr'an-ı mübīni istiḥfāf itdikleri ve dahī Allāhu te'ālā celle ve 'ālā kitāblarda ḥarām ḳıldığını ḥelāl didikleri ve kūr'an-ı 'azīmi ve kütüb-ü şer'ıyyeyi taḥkīr idüb odda yakıtıkları ve dahī 'ulemā ve şüleḥāya ihānet idüb kırub mescidleri yakıtıkları ve dahī re'īsleri olan la'ini ma'būd yerine koyub sücūd itdikleri ve dahī Ḥazret-i Resūl-i Ekremin şalla llāhu te'ālā 'aleyhi ve sellem şer'ini ve dīnini götürmek ḳaşd itdikleri ve bunuñ emsāli şer'a muḥālif kavilleri ve fi'illeri bu faḳīr yanında ve sā'ir 'ulemā-i dīn-i keşirihim Allāhu te'ālā ile yevmi'd-dīn yanlarında ma'lūm ve zāhir olduḡu ecilden biz dahī şerī'īñ hükmi ve kitāblarıñ naḳli birle fetvā virdik ol zıkr olunan tā'ife kāfirlerdir mülḥidlerdir ve dahī bir kimesne ki anlara meyl idüb ol bātıl dīnlerine dahī rāzī ve mu'āvin olanlar dahī kāfirler ve mülḥidlerdir. Bunları kırub cemā'atlerini taḡıtmaḳ cemī' müslimīne farz ve

vācibdir. Müslümānlardan olan sa'īd ve şehīd cennet-i a'lādadır. Anlardan maqtūl olan hōr ve haķīr cehennemdedir. Bunlarıñ hāli kāfir hālinden eṣed ve aķbaħdır. Zīrā bunlarıñ boĝazladıkları ve Őaydları gerekse kelble olsun murdārdır. Ve dahī nikāhları gerek kendülerden ve gerek ĝayrilerden olsun bātıldır. Ve dahī bunlar kimesneden mīrāŝ yimek yokdur. Ve sultān-ı islāma e'azze'llāhu te'ālā ve naŝrahu iĝün vardır ki bunlarıñ malların ve evladların ĝuzāt arasından ķismet idüb bunlarıñ ba'de'l-aħz tövbe ve nevāziŝlerine i'tibār olunmayub ķatl oluna ve dahī bir kimesne ki bu vilāyette olub anlardan idigi biline yāħūd anlara giderken tūtula ķatl oluna veya bi'lcümle tã'ife-i mezbūre hem kāfirler ve hem müfsidlerdir.