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Heresy, Empire, and Authority: Muslim–Christian Interactions in Early Modern Ottoman Legal Thought and Critical Edition of Ibn Kemāl’s Treatise on *Zindīq*

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Abstract

In early modern Islamic thought, the concept of *zindīq* (heretic) occupied a critical space at the intersection of theology, law, and state authority, particularly in the context of Muslim–Christian relations. One of the most significant scholarly attempts to define this term came from Ibn Kemāl (d. 940/1534), a leading Ottoman jurist and theologian, whose treatise *Risāla fī mā yata‘allaq bi-lafẓ al-zindīq* (Treatise on the Definition of the Word *Zindīq*) sought to clarify the precise meaning and legal implications of *zandaqa* (heresy). This article provides the first English translation and critical edition of Ibn Kemāl’s treatise, making this important work accessible to a wider scholarly audience. Through a close reading of the text, this study examines how Ibn Kemāl systematically distinguished *zindīq* from *murtadd* (apostate), *mulhīd* (disbeliever), and *munāfiq* (hypocrite), shaping Ottoman legal discourse on heresy. The present analysis further explores the theological and jurisprudential foundations Ibn Kemāl employed to define and punish heretics, particularly in light of the controversial execution of Mollā Kābid (or Mullā Qābid, tr. Molla Kābız), who had asserted the superiority of Jesus over Muhammad. This case demonstrates the presence of polemical debates in the shaping of confessional boundaries in the ninth/fifteenth-century Ottoman Empire and reflects the broader challenges of Muslim–Christian interactions during this period. Additionally, this study investigates the broader implications of Ibn Kemāl’s classification of *zindīq* within the context of Muslim–Christian relations, considering how inter-faith polemics and religious boundary-making influenced Ottoman legal thought. By contextualizing this treatise within early modern Ottoman legal and theological traditions, this study contributes to the understanding of how heresy was redefined in a multi-religious empire navigating theological, political, and interreligious challenges.

Keywords: Ibn Kemāl; heresy; Ottoman legal thought; Muslim–Christian relations; *zindīq*



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1. Introduction

In early modern Ottoman intellectual and legal history, the concept of *zindīq* (heretic) played a crucial role in negotiating the boundaries between orthodoxy and heterodoxy, belief and disbelief, and law and transgression. Rooted in classical Islamic jurisprudence yet reconfigured in response to Ottoman sociopolitical dynamics, the category of *zindīq* embodied anxieties about both internal dissent and external religious threats. This conceptual elasticity made it a potent legal and doctrinal instrument, especially in a multi-religious empire that continuously grappled with the challenges of doctrinal control and imperial governance.

Among the most significant scholarly efforts to define and regulate heresy in this period was the work of Ibn Kemāl (d. 940/1534). He was a towering figure in Ottoman scholarship and served as chief jurist (*shaykh al-Islām*, tr. *şeyhülislam*) from 1526 until his death. Trained in both rational and traditional sciences, Ibn Kemāl authored over 200 works spanning history, law, theology, and philosophy. His treatise *Risāla fī mā yata‘allaq bi-lafẓ al-zindīq* (*Treatise on the definition of the word Zindīq*) stands out as a systematic attempt to delineate the legal and theological meaning of heretic, while distinguishing it from related categories such as *murtadd* (apostate), *mulhīd* (disbeliever), and *munāfiq* (hypocrite) (Mahfūz 1962; Ocak 1998; Kuzey 2020; Taj 2024).

This framework proved particularly salient in the Ottoman context, where religious plurality was both a source of cultural vibrancy and a site of legal complexity. The Ottoman state had to accommodate a variety of religious communities—Muslims, Christians, and Jews—while maintaining an Islamic legal and theological hegemony. Ibn Kemāl’s heresiography functioned as a mechanism for distinguishing between tolerated religious groups and condemned deviants within the Sunni Muslim community. Yet, in practice, these two categories often overlapped. Some individuals, like Mollā Kābid (or Mullā Qābid, tr. Molla Kābız), were Muslims whose views reflected Christian theological influence. The concept of heresy thus served to police not only internal doctrinal boundaries, but also inter-religious entanglements. Ibn Kemāl’s treatise, therefore, reflects not only scholastic concerns but also imperial strategies of governance through the instruction and indoctrination of subjects.

While a number of scholars have addressed the broader contours of Ottoman heresiography and timely confessionalization (Ocak 1998; Zildzic 2012), Ibn Kemāl’s treatise has not received sufficient scholarly attention. Building on recent studies that have reconceptualized the formation of Ottoman religious identity in terms of confessionalization (Krstić 2011), this article offers the first English translation and critical edition of his treatise, accompanied by a detailed study of its legal and theological reasoning. Through close textual analysis and historical contextualization, this study reveals how Ibn Kemāl redefined heresy in a dynamic imperial context marked by interreligious polemics, theological contestation, and political anxiety. While Krstić foregrounds the process by which the Ottoman state articulated a normative Sunni orthodoxy through discursive and bureaucratic interventions, and Atçıl examines the institutionalization of the learned class in the service of imperial governance (Atçıl 2017), Ibn Kemāl’s writings provide a paradigmatic case of how legal–theological texts shaped this project from within the highest echelons of the religious hierarchy. By reassessing the treatise not simply as a juridical document but as a discursive intervention into debates about orthodoxy and power, this study contributes to a more nuanced understanding of how Ibn Kemāl responded to the doctrinal and political challenges of early modernity.

One of the key theological controversies examined in this article centers on Mollā Kābid’s claim that Jesus was superior to Muhammad, a form of *christological dissent* that unsettled core assumptions of Islamic prophetology. No work authored by Kābid is known to have survived; however, Ibn Kemāl’s response in his *Risāla fī afḍaliyyat Muhammad ‘alayhi l-salām* (*Treatise on the superiority of Muhammad peace be upon him*) offers valuable insight into Kābid’s arguments. According to Ibn Kemāl’s treatise, Kābid appears to have drawn upon Qur’anic verses and Hadiths that praise Jesus’s exceptional status, especially those referring to his virgin birth, miracles, and ascension. Ibn Kemāl explicitly cites these scriptural elements only to counter them with what he presents as the “correct” interpretation, affirming the superiority of Muhammad as the Seal of the Prophets. The debate thus illustrates how Kābid’s views, although articulated within an Islamic textual framework, were seen by Ottoman jurists as dangerously aligned with Christian theological claims. His classifi-

cation as a *zindīq* rather than a *murtadd* was thus both a theological and legal judgment, one that justified his execution and affirmed the limits of acceptable doctrinal interpretation in a multi-religious empire (Yavuz 2005).

2. Contextualizing Ibn Kemāl

Chief jurist Ibn Kemāl, known widely as Kemalpaşazāde, was one of the most influential intellectual figures of the early tenth/sixteenth-century Ottoman Empire. Born in May 1469—though the exact location remains uncertain, with Edirne, Tokat, Amasya, and Dimetoka all proposed—Ibn Kemāl pertained to a distinguished military and scholarly lineage. His grandfather, Kemāl Paşa, served as a military official (*emir*) under Mehmed II (r. 848–850/1444–1446, 855–886/1451–1481) and later as tutor (*lala*) to Prince Bayezid II, while his father, Süleyman Çelebi, held key military posts in Amasya and Tokat. On his mother's side, he was related to the prominent scholarly family of Küpelizāde Muhyiddin Mehmed, either as a nephew or grandson, depending on the source (Bursalı Mehmet Tahir Efendi 1972; Hoca Sadeddin 1979; Bolay et al. 1986; Uğur 1996; Ménage 2012; Turan 2022).

Ibn Kemāl received his formative education in Amasya under notable scholars before entering the military class (*askeriye*), only to later pursue a scholarly career in the religious-legal class (*ilmiye*). His studies at the Dār al-Ḥ adīth in Edirne under figures like Molla Lutfī (d. 900/1495)—later executed for blasphemy—placed him among the elite circles of Ottoman scholarship (Peçevî 1968, pp. 71–72; Taşköprüzāde 1985, pp. 197–98, see also pp. 377–79). His pedagogical career began with appointments in Edirne and Skopje, eventually leading to prestigious posts in Istanbul, including the Sahn-ı Semān madrasa. During the Ottoman–Safavid conflict, Ibn Kemāl gained the attention of Selim I (r. 918–926/1512–1520) through his treatise *Risāla fī ikfāri Shāh Ismāʿīl wa-kull man tabiʿahu* (*Treatise on the takfīr of Shāh Ismāʿīl and all who follow him*), defending the legitimacy of a war against the Safavids. He was successively appointed as the judge of Edirne in 1515, military judge (*kazasker*) of Anatolia in 1516, and later reinstated after a brief dismissal during the Egypt campaign of 1517. His reputation for legal and theological acumen was reinforced by his influential legal opinion (ar. *fatwā* pl. *fatāwā*; tr. *fetvā*) defending the controversial Andalusian mystical philosopher Ibn al-ʿArabī (d. 638/1240) (Winter 2007).

Following his tenure as military judge, Ibn Kemāl returned to teaching before being appointed as a chief jurist in 1526 upon the death of Zenbilli Ali Efendi (d. 932/1526). He held this office until his death in April 1534, serving under three sultans: Bayezid II (r. 886–918/1481–1512), Selim I, and Süleyman I (known as the Magnificent, r. 926–974/1520–1566). A polymath, Ibn Kemāl authored over 200 works of varying lengths in Arabic, Persian, and Ottoman Turkish across disciplines such as history, jurisprudence, theology, philosophy, logic, and literature. His *Tevārīh-i Āl-i Osmān*, a ten-volume history of the Ottoman dynasty, and his treatises like his *Risāla fī ṭabaqāt al-mujtahidīn* (*A treatise on the hierarchical classes of legal scholars*) and *Risāla fī mā yataʿallaq bi-lafẓ al-zindīq* remain critical for understanding Ottoman intellectual history (for a detailed list of his writings and extant manuscripts, see Atsız 1966; for a list of critical editions and studies, see Alak 2009, pp. 155–81; Öge 2021, pp. 321–54).

Although Ibn Kemāl attracted considerable scholarly attention, scholarly interest has largely focused on areas other than his engagement with non-Muslim religious traditions, particularly Christianity. Scholars such as İnanır (2011) examined his legal opinions in the context of legal developments under Süleyman I, while Öçal (2000), Bahçivan (2005), and Alper (2010) investigated his broader contributions to Islamic philosophy and theology. Ş. Turan (1989) explored Ibn Kemāl's methodology as a historian, while Alak and Saraç (Saraç 1995; Kemāl Paşazāde 2021) analyzed his poetic and literary corpus. These studies,

while valuable, seldom engage directly with Ibn Kemāl's theological or legal treatment of Christianity within this broader interreligious context.

The context in which Ibn Kemāl wrote was also deeply shaped by broader processes of religious boundary-making that recent scholarship has framed in terms of Ottoman *confessionalization* or *Sunnitization*. The edited volumes by Tijana Krstić and Derin Terzioğlu — *Historicizing Sunni Islam in the Ottoman Empire, c. 1450–c. 1750* (Krstić and Terzioğlu 2021) and *Entangled Confessionalizations?* (Krstić and Terzioğlu 2022)—have been particularly influential in rethinking how orthodoxy was not a static doctrine, but a political–theological project enacted through legal, institutional, and textual means. Nir Shafir's contribution, "How to Read Heresy in the Ottoman World," (Shafir 2021) further emphasizes how the deployment of heresy accusations functioned as a tool for regulating discourse and enforcing Sunni norms, often in the absence of explicit doctrinal violations. In this framework, Ibn Kemāl's classification of Mollā Kābid as a *zindīq* becomes more than a juridical judgment. Rather, it represents a moment of discursive consolidation, in which Sunni legal authorities responded to perceived threats by inscribing orthodoxy into both law and public rhetoric. These readings align with Krstić (2011) arguments in *Contested Conversions to Islam*, where she demonstrates that Ottoman confessionalization differed from its European counterparts by emphasizing administrative control and legal demarcation rather than formal creedal uniformity. Ibn Kemāl's dual position as chief legal authority and prolific scholar placed him at the center of this project of Sunni confessionalization.

While most studies on Ibn Kemāl neglected his engagement with Christian theology, a notable exception is the entry by Lejla Demiri and Muharrem Kuzey titled "Ibn Kemāl" in *Christian-Muslim Relations: A Bibliographical History* (Demiri and Kuzey 2015a), which offers a bibliographic overview of the scholar's works relevant to Muslim–Christian engagement. In addition to cataloguing these works, Demiri and Kuzey also highlight the notable lack of a sustained scholarly analysis of Ibn Kemāl's engagement with Christian doctrine. However, as a bibliographical entry, their contribution is necessarily descriptive in scope and does not attempt a detailed textual analysis. One example of such a response is *Risāla fī afḍaliyyat Muhammad'alayhi l-salām*, written in reaction to Mollā Kābid's controversial claim that Jesus was superior to Muhammad. Although Ocak (1998) explored broader heretical currents in the Ottoman Empire, the trial and execution of Kābid — overseen by both Süleyman I and Ibn Kemāl — has received limited direct analysis. More recently, Taj (2024) published an annotated English translation of the treatise on prophetic superiority, marking a significant step in making this text accessible to non-Arabic-speaking audiences. While Taj provides valuable insight into the theological and legal logic of Ibn Kemāl's response to Kābid, his study does not consider the potential connection between Kābid and the later *Hübmesihī* movement, which may hold crucial implications for understanding Muslim–Christian entanglements in the period. Muharrem Kuzey's monograph *Ahl as-sunna und die Anderen* (Kuzey 2020), by contrast, focuses on the construction of heresy within Islamic thought in the Ottoman context, particularly through the lens of Sunni orthodoxy. However, it does not engage with Christianity or the question of the religious "Other", and thus remains confined to intra-Muslim theological debates. Finally, the underexplored *Hübmesihī* movement interpreted by Algar (2012) as a possible legacy of Kābid's ideas suggests the lingering resonance of the theological debates in which Ibn Kemāl took part, even though he had no direct connection to this later group.

It was during his tenure as chief jurist that Ibn Kemāl presided over the trial of Mollā Kābid, who was brought before the Imperial Council (*Dīvān-ı Hümayūn*) in 1527 on charges of *zandaqa* (heresy). Initial hearings under the military judges failed to reach a decisive conclusion. The case was subsequently reviewed under the authority of Ibn Kemāl and the judge of Istanbul, Sa'deddin Efendi (d. 1008/1599). Ibn Kemāl issued a legal opinion

declaring Kābid a *zindīq*, leading to his execution (Bahçivan 2005). In line with established legal procedure, Sa'deddin Efendi gave Kābid the opportunity to repent and recant his statements. However, Kābid reportedly refused. Consequently, the death sentence was carried out immediately, likely in early November 1527.

This episode, centered on the figure of Mollā Kābid and adjudicated by Ibn Kemāl, became a defining moment in early Ottoman discourses on heresy. It highlights not only the theological boundaries that were being contested but also the political urgency in defining and policing religious orthodoxy within a multireligious empire. Therefore, the *Risāla fī mā yata'allaq bi-lafz al-zindīq* should be read not merely as a juridical exercise but as a response to a volatile religious controversy that tested the limits of imperial tolerance and the role of legal authority in safeguarding doctrinal unity.

Methodologically, this study employs a historical–philological method that combines a close textual analysis of manuscript sources with a contextual interpretation grounded in Ottoman legal and theological traditions. Its primary sources include manuscript variants of the treatise, contemporaneous legal opinions, and biographical dictionaries. The goal is not only to trace the intellectual lineage of Ibn Kemāl's arguments but also to evaluate their function in the sociopolitical context of the Ottoman Empire. This approach enables a dual-layered analysis: first, a close internal reading of the treatise and its terminology, and second, a contextual reading that situates the work within legal practice, theological debates, and interreligious polemics.

3. The Case of Mollā Kābid: Heresy and State Authority

The case of Mollā Kābid presents one of the most dramatic instances in early Ottoman legal history where theology, state authority, and imperial authority intersected. Here, state authority refers to the empire's legal and bureaucratic structures, while imperial authority denotes the sacralized sovereignty of the Sultan. Kābid, allegedly of Persian origin, emerged in the early tenth/sixteenth century as a controversial figure who openly challenged the boundaries of Sunni orthodoxy in Ottoman Istanbul. His biographical details remain obscure: neither his date nor his exact place of birth is known, and no written work by him has survived. Nevertheless, his title “Molla,” together with the accounts of Ottoman biographers, suggests that he was connected to scholarly circles active in the eastern provinces of the Empire (Massignon 2012; Yurdaydin 2012; Üzüm 2020).

In early November 1527, Kābid was summoned to the Imperial Council (*Dīvān-ı Hümayūn*) to respond to charges of heresy. His offense was the public preaching of the superiority of Jesus over the Prophet Muhammad, a claim that stirred considerable unrest among the religious and political elites of Istanbul. Contemporary chronicles describe him as a provocative figure who frequented taverns and actively spread his beliefs in public, sowing confusion among the populace (Demiri and Kuzey 2015b).

Initially, the case was referred to the two military judges of the empire, Fenārīzāde Muhyiddin Çelebi (d. 954/1548) and Kādirī Çelebi (d. 955/1548), who were unable to present a convincing theological rebuttal to Kābid's scriptural arguments, which drew upon verses from the Qur'an and Hadith. Süleyman I, observing the proceedings from the enclosed balcony (*kafes*) of the *Dīvān*, was reportedly disturbed by their failure and ordered that the case be reviewed again, this time under the authority of chief jurist Ibn Kemāl and the judge of Istanbul, Sa'deddin Efendi (Jenkins 1911; Repp 1986; Imber 2010).

In the second hearing, Kābid reiterated his claims, maintaining his belief in Jesus's superiority based on scriptural evidence. Ibn Kemāl responded with a detailed refutation, explaining the misinterpretations in Kābid's readings of the Qur'an and Hadith. He subsequently issued a legal opinion declaring Kābid a *zindīq*, a legal classification with severe consequences. In accordance with the procedures applied to heretics, Sa'deddin

Efendi invited Kābid to recant his beliefs and repent. Upon his refusal, the death sentence was carried out. The earliest account of the trial is attributed to Celalzāde Mustafa Çelebi (d. 975/1567), then private secretary to the Grand Vizier Ibrahim Paşa (r. 929–942/1523–1536), whose report became the basis for later chroniclers (Celalzade Mustafa Çelebi 1981).

The theological basis of Kābid's claims is further illuminated through Ibn Kemāl's *Risāla*, composed in response to the controversy. In this treatise, Ibn Kemāl addresses specific verses praising Jesus, offering what he deems their "correct" interpretation (Demiri and Kuzey 2015a). Though no writings by Kābid himself remain, this treatise offers indirect access to his arguments and suggests his engagement with a scripturally grounded critique of Islamic doctrine.

During the time of Mollā Kābid, debates over the boundaries of orthodoxy took on a highly public dimension. Later accounts, however, often complicated the historical picture. One such account is found in Ignatius Mouradgea d'Ohsson's *Tableau général de l'Empire Othoman* (d'Ohsson 1788, pp. 153–55), written more than two centuries after Kābid's trial. Though d'Ohsson was an Ottoman subject of Armenian descent and deeply familiar with Ottoman society, his work reflects the intellectual and ideological frameworks of the Enlightenment. He alleges that Kābid not only cited the Qur'an and Hadith but also drew upon the Old and New Testaments due to close contact with Christians. According to d'Ohsson, Kābid even claimed that the Gospel was superior to the Qur'an and that Islamic doctrines contradicted both scripture and reason. However, these claims lack corroboration in Ottoman primary sources, and modern scholars have questioned their historical reliability, particularly given that Kābid was charged with *zandaqa* rather than *irtidād* (apostasy), suggesting that he remained within the Islamic fold. While d'Ohsson's account influenced later secondary literature, its dramatic portrayal of religious conflict should be treated with caution. A similar critical stance applies to Sir Paul Rycaut's (d. 1700) writings, which, though informative, were shaped by his position as a European diplomat embedded in the political and confessional dynamics of the time (Rycaut 1971, p. 129).

Although Kābid appears to have acted alone—there is no evidence of followers or disciples—his case was not unique. Ottoman society, particularly in the ninth/fifteenth and tenth/sixteenth centuries, witnessed a range of individuals who made similarly provocative theological claims (Ocak 1998, p. 237). Around 1409, a Persian preacher in Bursa denied Muhammad's superiority over Jesus (Üstün 1991, p. 98). Italian chronicles from the late fifteenth century describe executions of preachers in Edirne and Istanbul who advocated for Christianity (Imber 1990, pp. 59, 63–64). Legal opinions from the later tenth/sixteenth century also record instances of Muslims arguing that the Torah and Gospel had remained unaltered (Ocak 1998, pp. 238–39, 363).

These accounts point to a broader, though still understudied, undercurrent of christological dissent in the early modern Ottoman world. Some modern scholars have speculated that Kābid may have been connected to the *Hurūfiyya* or influenced by Ibn al-ʿArabī's Christology, in which Jesus is described as the "Seal of Universal Sainthood" (*khātim al-wilāya al-ʿamma*). Ibn al-ʿArabī also identified Jesus as his first spiritual teacher and regarded the *ʿIsawī* saints as inheritors of Jesus through Muhammad. Whether Kābid consciously aligned with these ideas or merely employed similar language remains unclear.

Later Western sources mention the existence of a sect called the *Hübmesihīs* (from Persian *khūb* or *khōb* "good" and Arabic *Masīh* "Messiah"), described by Paul Rycaut as a secretive group in Istanbul who believed in Jesus as divine. However, neither Rycaut nor any Ottoman sources associate this group with Kābid (Rycaut 1971, p. 129).

In the final analysis, the case of Mollā Kābid reveals how the boundaries of doctrinal orthodoxy were contested and defended in the early Ottoman Empire. His execution, justified by a legal opinion and followed by treatises elaborating its rationale, demonstrates

how heresy functioned not only as a theological deviation but also as a threat to state authority and imperial legitimacy. Having examined the trial of Mollā Kābid, we now turn to the legal–theological text that both informed and justified this case: Ibn Kemāl’s treatise on *Zindīq*.

4. A Treatise on the Definition of the Word *Zindīq*

The composition of Ibn Kemāl’s *Risāla* followed the trial and execution of Mollā Kābid in November 1527. Its timing, structure, and argumentative direction all suggest that it was written as a legal–doctrinal justification of Kābid’s death penalty. The treatise exemplifies how Ibn Kemāl aimed not merely at defining heresy in abstract terms, but also at situating it within a broader framework of *fiqh*, state authority, and Sunni communal orthodoxy.

4.1. Structure and Argument

Before examining the legal distinctions Ibn Kemāl draws, it is important to trace the etymological and historical background of the term *zindīq*. Originating from the Middle Persian *zandik*, the word was initially associated with Manichaeans (*al-māniwiyya*) and other dualists (*al-ṭhanawīyya*) in the Abbasid period. Over time, it evolved into a flexible term for internal religious deviance, especially used for individuals whose heterodox beliefs threatened social order. This transmutation of meaning provided Ottoman jurists with a tool to legally manage ambiguous cases of theological dissent.

The treatise opens with an etymological inquiry into the term *zindīq*, before distinguishing it from related categories such as *murtadd*, *munāfiq*, and *mulhid*. These distinctions were not just semantic; they had concrete legal consequences. However, the treatise could have benefitted from a clearer delineation of how these categories—particularly *zindīq* versus *murtadd*—mapped onto distinct legal outcomes. For instance, apostasy typically required explicit verbal rejection of Islam, while *zandaqa*, as defined here, could rest on inferred or hidden disbelief. While *irtidād* and *nifāq* (hypocrisy) were clearly defined in classical jurisprudence, the concept of *zandaqa* often remained more ambiguous, particularly in the context of the Ḥanafī legal views, to which Ibn Kemāl adhered.

For instance, in the widely studied Ḥanafī primer *al-Mukhtaṣar* of al-Qudūrī (d. 428/1037), *irtidād* is defined in unequivocal legal terms: “A Muslim who disbelieves—whether by word, deed, or belief—is an apostate; if he does not repent, he is to be executed.” Similarly, canonical commentaries on *Kanz al-daqa’iq* elaborate that the condition for apostasy is the explicit outward rejection of Islam (*ṣarīḥ al-riddah*), which distinguishes it from covert *nifāq* or internal heresy (*zandaqa*). These standard works, taught across Ottoman madrasas from Anatolia to the capital, provided a stable framework for adjudicating *irtidād*, unlike the more flexible and context-sensitive criteria applied to *zandaqa* in Ibn Kemāl’s treatise.

Drawing on earlier authorities, notably Abū al-Layth al-Samarqandī (d. 373/983) and Fakhr al-Dīn al-Qāḍikhān (d. 592/1196), Ibn Kemāl develops a detailed typology of *zindīqs*. He divides the category first into those who propagate error (*ḍalāl*) and those who do not. Among those who do not propagate, three subgroups are identified: (1) The *zindīq*, who is originally a polytheist if non-Arab, and he is left free; if Arab, he must choose between accepting Islam or facing death. (2) The *zindīq*, who was once Muslim; he is called to repentance, and if he refuses, he is executed as an apostate. (3) The *zindīq*, who was once a *dhimmī* (protected non-Muslim); he is left free.

Further, while Ibn Kemāl distinguishes between *zindīq*, *murtadd*, and *munāfiq*, their respective legal consequences—especially in terms of evidentiary standards (*bayyina*), burden of proof, and procedural norms—remain underexplored. Including a comparative table outlining these categories and their legal treatments has helped to clarify how the Ot-

toman state operationalized these distinctions in judicial settings. When it comes to those who publicly spread deviant beliefs, two legal opinions are presented. One, attributed to Fakhr al-Dīn al-Qādīkhān, holds that repentance is only valid if it occurs before sentencing; another, associated with Abū Yūsuf (d. 182/798), allows for repentance even after conviction. Ibn Kemāl explicitly favors the latter view, advocating for a degree of leniency grounded in the jurisprudential tradition. This preference aligns with a broader pattern in the treatise, wherein Ibn Kemāl often cites more flexible or humane opinions, especially in cases involving *dhimmīs* or non-Muslims. The practical relevance of this legal taxonomy becomes especially apparent when applied to the case of Mollā Kābid.

4.2. Application to Mollā Kābid

The final portion of the treatise makes clear its practical intent. Ibn Kemāl explicitly refers to Mollā Kābid as a *zindīq* who spread his ideas publicly, misled others, and thereby corrupted the faith. He notes that Kābid's statements caused confusion and deviation within the community. Based on these circumstances, and relying again on Fakhr al-Dīn al-Qādīkhān's *al-Fatāwā al-Khāniyya*, Ibn Kemāl argues that such a person—a propagating *zindīq*—is liable to the death penalty. Although Ibn Kemāl clearly labels Kābid as a *zindīq*, modern scholars remain divided on how to interpret the theological nature of his claims. Some have suggested that Kābid's assertion of Jesus's superiority may reflect engagement with Christian ideas, either directly or through broader interreligious discourse. However, others note that such views can also be traced within Islamic mystical traditions, most notably in the writings of Ibn al-ʿArabī, who emphasized the spiritual perfection of Jesus. Given this complexity, it is difficult to determine whether Kābid's position represented an internal heterodox stance or was perceived as external theological influence. This ambiguity calls for a cautious and historically sensitive reading of the term *zindīq* in the pluralistic Ottoman contexts.

In the closing paragraph, Ibn Kemāl responds polemically to those among the scholars who hesitated to pass judgment in Kābid's case:

“How strange is he who abstained from issuing a judgment on such a case and pondered carefully his opinion, although his error and call to error were uncovered! Instead, this man vacillated on the matter, refused to sentence him to death, and thus separated himself from all the ‘men of the pen’ (*aṣḥāb al-qalam*) and the ‘men of the sword’ (*arḥāb al-sayf*) who strive to keep the religion alive and to annihilate the head of the corrupters. How on earth can this man claim for himself a high and lofty rank in the science of *fatwā*?” Although Ibn Kemāl firmly classifies Kābid as a *zindīq*, modern scholarship remains divided on the interpretive boundaries of his statements. The theological ambiguity of Kābid's Christology—particularly to what extent and how it was influenced by Christian theological currents—deserves further scrutiny, especially given the porous religious interactions in tenth/sixteenth-century Istanbul. This complexity underscores the need to move beyond rigid classifications of orthodoxy and heresy in early modern Islamic contexts. Treatises like Ibn Kemāl's remind us that legal categories were not merely reactive but part of a proactive imperial strategy to construct and enforce religious boundaries through juristic authority.

Though the dissenting jurisconsult (ar. *muftī*, tr. *müftü*) is not named, this passage illustrates the diversity of legal opinion among the Ottoman religious elite and Ibn Kemāl's concern that hesitation in such cases undermines both jurisprudence and state authority.

4.3. Complementary Text: *Afḍaliyyat Muhammad*

Ibn Kemāl's *Risāla fī afḍaliyyat Muhammad ʿalā sāʾir al-anbiyāʾ* (*Treatise on the Superiority of Muhammad over All Other Prophets*), composed in the same period, reinforces and com-

plements the argument of the *zindīq* treatise (Taj 2024). In it, Kābid is once again identified as a *zindīq*, and his claim—that Jesus was superior to Muhammad—is systematically refuted. Ibn Kemāl grounds his argument in consensus (*ijmāʿ*); Qurʾanic verses (e.g., Q 3:110, Q 2:143, Q 21:107, Q 34:28); Hadiths (e.g., “If Moses were alive, he would follow me”); and commentary from figures such as al-Zamakhsharī (d. 538/1144), al-Qurtūbī (d. 671/1273), and al-Bayḍāwī (d. 685/1286).

He argues that Muhammad’s universal mission, his miracle (*the Qurʾan*), and his role as Seal of the Prophets (*khātam al-nabiyyīn*) all affirm his superiority. The claim that Jesus’s ongoing life in heaven constitutes superiority is dismissed; instead, Ibn Kemāl asserts that Muhammad’s death after completing his mission is the greater virtue, citing Hadith literature to show that dying ahead of one’s community is itself a divine favor (Demiri and Kuzey 2015b).

This second treatise not only reasserts Sunni theological orthodoxy but also illuminates the scriptural basis for the charges against Mollā Kābid. Since no writings of Kābid survive, Ibn Kemāl’s response remains the principal source through which his arguments can be reconstructed. While Ibn Kemāl’s categorization became highly influential, later Ottoman scholars, such as Ebussuud Efendi (d. 982/1574) and Bostanzāde Mehmed Efendi (d. 1006/1598), developed distinct positions on similar cases, often prioritizing political stability over strict theological demarcation.

While Mollā Kābid’s arguments were framed within an Islamic discourse, the subtext of his christological emphasis indicates a subtle presence of interreligious engagement and polemics. His possible exposure to Christian theology—especially concerning the divinity of Jesus—reflects the permeability of religious boundaries in early tenth/sixteenth-century Istanbul, where Christian communities coexisted and sometimes intellectually engaged with Muslim scholars.

5. Edition and Manuscripts

The present study is based on the examination of multiple manuscript copies of *Risāla fī mā yataʿallaq bi-lafẓ al-zindīq*, attributed to Ibn Kemāl. While the treatise appears under various titles in different manuscript catalogues—such as *Risāla fī taṣḥīḥ lafẓ al-zindīq*, *Risāla fī taḥqīq lafẓ al-zindīq*, and *Risāla fī taṣḥīḥ lafẓ al-zindīq wa-tawḍīḥ maʿnāhu al-daḳīq*—the internal content across these copies is identical. In this study, the most widely attested and recognizable title has been preferred for consistency and clarity. While the exact dating of all manuscripts is not possible, at least one copy is dated, providing a *terminus ante quem* for the circulation of the text. This dated copy, MS Istanbul, Süleymaniye–Laleli 2433, produced in 1561 CE, suggests that the treatise was already being disseminated and copied within a generation of the author’s death.

A list of the manuscript copies examined for this study is provided in Table 1. These copies are housed primarily in the major manuscript collections of Istanbul, particularly in the Süleymaniye and Beyazıt Libraries. The treatise appears in multiple codices, often occupying a small number of folios (typically between 3 and 10 folios), indicating its nature as a self-contained *risāla* rather than a lengthy monograph. The following are among the principal copies.

These copies attest to the considerable interest the treatise generated in Ottoman scholarly circles. The present critical edition is based on three representative manuscripts witnessed selected for their completeness, clarity, and textual reliability. The first is MS Istanbul, Süleymaniye Manuscript Library, Ayasofya 04794-022, fols. 101–104, designated as (İ) (see Appendix A). The second is MS Istanbul, Süleymaniye Manuscript Library, Bağdatlı Vehbi 02041-040, fols. 224–230, marked as (⊖) (see Appendix B). The third and earliest dated copy is MS Istanbul, Süleymaniye Manuscript Library, Laleli 02433-005, fols. 41–45,

represented by (J). These three manuscripts served as the foundational sources for the critical apparatus and textual reconstruction in the edition below. Additionally, the wide geographical spread of other known copies, including holdings in Ankara, Diyarbakır, Kastamonu, Konya, and Manisa, as well as in Cairo, Mosul, Berlin, London, Manchester, Stockholm, Uppsala, and Vienna, demonstrates the broader dissemination of the work beyond its place of origin. Some of these copies are noted in Brockelmann's GAL (Brockelmann 1949, p. 599), though detailed descriptions are often lacking.

Table 1. List of manuscripts.

Library	Location	Codex	Folios
1. Süleymaniye Manuscript Library	Istanbul, Turkey	Laleli 2433	41–45
2. Beyazıt Manuscript Library	Istanbul, Turkey	Beyazıt 5999	114r–118r
3. Beyazıt Manuscript Library	Istanbul, Turkey	Veliyyüddin Efendi 3235	37r–40v
4. Beyazıt Manuscript Library	Istanbul, Turkey	Veliyyüddin Efendi 3236	65r–68r
5. Beyazıt Manuscript Library	Istanbul, Turkey	Veliyyüddin Efendi 3271	241v–249r
6. Nuruosmaniye Manuscript Library	Istanbul, Turkey	Nuruosmaniye 4920	23–28
7. Süleymaniye Manuscript Library	Istanbul, Turkey	Amcazade Hüseyin 454	122–124
8. Süleymaniye Manuscript Library	Istanbul, Turkey	Atıf Efendi 2816	150–152
9. Süleymaniye Manuscript Library	Istanbul, Turkey	Atıf Efendi 2827	53–60
10. Süleymaniye Manuscript Library	Istanbul, Turkey	Atıf Efendi 2851	1–9
11. Süleymaniye Manuscript Library	Istanbul, Turkey	Beşir Ağa 199	26–30
12. Süleymaniye Manuscript Library	Istanbul, Turkey	Hacı Mahmud Efendi 1991	30–35
13. Süleymaniye Manuscript Library	Istanbul, Turkey	Kasidecizade 695	239–249

While all manuscripts share a consistent structure and sequence, minor orthographic and lexical variants appear across copies. For example, MS Laleli 2433 uses the term *zan-daqa* in some instances where Veliyyüddin 3235 records *zanādiqa*. These differences are not doctrinally significant but point to regional scribal preferences, errors, or copying traditions. No single manuscript emerged as definitively superior; however, MS Laleli 2433, due to its early dating and completeness, has been given primary weight in this edition.

Future work could benefit from a full stemmatic analysis to determine genealogical relationships among the manuscripts, particularly since some variants may preserve earlier formulations closer to the authorial voice. Despite the existence of numerous manuscript copies, *Risāla fī mā yataʿallaq bi-lafẓ al-zindīq* has not yet been the subject of a critical edition based on manuscript comparison. However, four published versions of the text are available:

1. An early printed version in Arabic appeared in A. Cevdet's edition of *Resāil-i İbn Kemāl*, vol. 2, pp. 240–49 (Ibn Kemāl [1316] 1898).
2. A partial Arabic edition and short commentary was offered by H. 'A. Maḥfūz in *Majallat Kulliyat al-Ādāb*, vol. 5, pp. 45–48 (Maḥfūz 1962).
3. A Turkish translation of the treatise is included in A.Y. Ocak's monograph, *Osmanlı toplumunda zındıklar ve mülhidler (15.–17. yüzyıllar)*, pp. 348–54 (Ocak 1998).
4. An Arabic edition of the treatise by Aḥmad Al-Humayyir is also included in *Majmū Rasā'il al-'Allāma Ibn Kamāl Pasha*, edited by Hamza al-Bakri and others, vol. 5, pp. 429–50 (Ibn Kemāl 2018).

None of these editions provides a critical apparatus or a discussion of the manuscript base. Cevdet's edition, while valuable as an early print witness, does not identify the manuscript(s) used, nor does it comment on textual variants. Maḥfūz's version similarly

lacks reference to manuscript sources. Ocak's translation is explicitly based on the early printed edition published by A. Cevdet in 1316/1898 and serves a more interpretive rather than philological function, embedded as it is in a broader socio-religious analysis of heresy in the Ottoman Empire. Although al-Humayyir's Arabic edition is valuable for its accessibility, this edition lacks the methodological rigor expected of a critical text. He mentions having used two manuscript copies and names the collections in which they are held; however, no shelfmarks or identifying information are provided. Since each of the named collections contains at least three different manuscripts of the treatise, it remains unclear which manuscripts exactly were used, undermining the edition's transparency and verifiability.

6. Critical Edition and Translation

In the name of God, the Most Merciful, the Compassionate. Praise be to God, the One who grants success [in all endeavors], and blessings be upon the Prophet Muhammad the compassionate intercessor, the guide to the path of realization [i.e., the path of truth and certainty] and upon his family and companions, the steadfast guardians of the firm religion.

Henceforth, this is a treatise composed for the purpose of clarifying the proper usage of the term *zindīq*, elucidating its precise meaning, and establishing the most accurate and acceptable legal ruling concerning one that aligns with established legal principles and conforms to foundational jurisprudential doctrines. We say, therefore, that the word "*zindīq*" is of Persian origin and has been Arabized, as affirmed by the leading authorities in the Arabic language. Its original form is either "*zandah*" or "*zandī*", according to two different scholarly views, although the more accurate of the two is the former [i.e., *zandah*], as we have established in our separate treatise devoted to investigating the process of linguistic Arabization. In either case, the term *zindīq* is ultimately derived from *zandah*.

As for what Imām al-Muṭarrizī [d. 610/1213] transmitted in his *al-Mughrib* from Ibn Durayd, where the original form of the word is *zandah*, meaning one who affirms the eternal continuity of time [i.e., a believer in the eternity of the world], this view is based on the assumption that there is no distinction between a *zindīq* and a *dahrī* [a materialist who denies divine creation and believes only in the eternity of time], as is made clear by his preceding statement: "And according to Tha'lab, neither *zindīq* nor *firzīn* are from the speech of the Arabs." He adds, "According to the common people, its meaning is equivalent to *mulhīd* or *dahrī*." With God's permission, we shall later clarify the distinctions between these three terms.

بسم الله الرحمن الرحيم¹ الحمد لله ولي التوفيق، والصلاة على النبي الشفيق محمد الهادي إلى طريق التحقيق، وعلى آله وصحبه حماة الدين الوثيق .

وبعد، فهذه رسالة معمولة في تصحيح² لفظ الزنديق، وتوضيح معناه الدقيق، وترجيح حكمه³ الحقيق بالقبول، المطابق للقواعد والموافق للأصول.

فنقول : لفظ "الزنديق" فارسيّ معرّب على ما نصّ عليه أئمة اللغة، أصله : "زَنْدَه" أو "زَنْدِي" على اختلاف القولين، والراجح هو الأول على ما حققناه في رسالتنا المعمولة في تحقيق التعريب، وعلى الوجهين نسبته⁴ إلى "زَنْدَه"⁵.

وأما ما نقله الإمام المُنطَرِزي في "المُغْرِب" عن ابن دُرَيْد من أنَّ أصله : "زَنْدَه"⁶، أي : يقول بدوام بقاء الدهر⁷؛ فمبناه على عدم الفرق بين الزنديق والدهريّ، على ما أفصح عنه بقوله قبيل هذا المنقول : وعن ثعلب : ليس "زنديق" ولا "فِرْزِين" من كلام العرب، قال : ومعناه على ما يقول⁸ العامة : ملحد ودهري . انتهى .⁹ وسنقف بإذن الله تعالى على الفرق بين هذه الثلاثة .

As for the view expressed by the author of *al-Qāmūs* [al-Fīrūzābādī], namely, that the term is the Arabized form of *Zan Dīn* [i.e., “commentary on religion”], it is clearly without basis, as evident [to anyone familiar with the linguistic and historical background]. The word “*Zand*” was the name of a book composed by Mazdak, the leader of the Mazdakite sect—one of the dualist religious movements—during the reign of Kīsrā ibn Qubād [Khosrow I, son of Kavād]. His followers were attributed to him and were thus called *zanādiqa* (sing. *zindīq*). Khosrow Anūsharwān [i.e., Khosrow I] later executed him.

The Mazdakites are distinct from the Manichaeans, who followed Mani ibn Fātak the Sage, a religious figure who emerged during the reign of Shāpūr ibn Ardashīr. Mani was executed by Bahrām ibn Hurmuz ibn Shāpūr after the mission of Jesus, peace be upon him. All of this has been explicitly stated by al-Āmidī [d. 631/1233] in his *Abkār al-Afkār* [The Unprecedented Ideas].

Imām al-Rāzī [d. 606/1210] was mistaken in his failure to distinguish between the Manichaeans and the Mazdakites. In his Great Commentary (*al-Tafsīr al-Kabīr*), titled *Mafātīḥ al-Ghayb* (“The Keys to the Unseen”), he stated, “The *zanādiqa* [heretics] are the Manichaeans, and the Mazdakites were also referred to by this name. Mazdak was a figure who appeared during the reign of Qubād. He claimed that wealth and women should be held in common, and he produced a book which he named *Zand*. This is the book of the Magians, brought by Zoroaster, whom they regard as a prophet. Thus, the followers of Mazdak were associated with the *Zand*, and the term was Arabized to *zindīq*.” However, he erred in his assertion that *Zand* is “the book of the Magians,” because, as we shall demonstrate—God willing—there is a clear distinction between the two.

It should also be noted that the Magians (*al-Majūs*) are not identical to the dualists (*al-thanawīyya*), even though they share with them in associating partners [to God]. Al-Āmidī states in his *Abkār al-Afkār*, “As for the dualists (*al-thanawīyya*), they are divided into five sects:

1. The Manichaeans (*al-māniwīyya*).
2. The Mazdakites (*al-mazdakiyya*).
3. The *Dīsāniyya* [followers of al-Dayṣān].
4. The *Marqīyūniyya* [followers of Marcion].
5. The *Kīnūniyya* [a less-known dualist sect].

وأما الذي ذهب إليه صاحب “القاموس” من أنه معرب “زَنْ دِينَ”¹⁰؛ فلا وجه له كما لا يخفى، و “زند” اسم كتاب أظهره مَزْدَكُ رئيس الفرقة¹¹ المزدكية من الفرق الثنوية في زمن كِسْرَى بن قُبَاد، نُسب إليه أصحابه، وهم الزنادقة، وقتله كِسْرَى أَوْشَرَوَان،

والمزدكية غير المانوية أصحاب ماني بن فأتاك¹³ الحكيم الذي ظهر في زمن شاپور بن أردشير، وقتله بهرام بن هرمز بن شاپور بعد مبعث عيسى عليه السلام، صرح بهذا كله الأمدى في “أبكار الأفكار”¹⁴.

والإمام الرازي لم يُصِب في عدم الفرق بين المانوية والمزدكية؛ حيث قال في “تفسيره الكبير” الموسوم بـ “مفاتيح الغيب”¹⁵: الزنادقة هم المانوية، وكان المزدكية يسمون بذلك، ومزدك هو الذي ظهر أيام قبادة، وزعم أن الأموال والخرم مشتركة، وأظهر كتاباً سماه “زنداً”، وهو كتاب المجوس الذي جاء به زردشت الذي يزعمون أنه نبي، فنُسب أصحاب مزدك إلى “زند”، وعُرِيت الكلمة، فقليل: زنديق، إلى هنا كلامه.¹⁶ ثم إنه لم يُصِب في قوله: “وهو كتاب المجوس”، لأنه فُرّق بينهما على ما ستقف عليه بإذن الله تعالى.

ثم إنَّ المجوس غير الثنوية وإنَّ شاركوهم في الشرك. قال الأمدى في “أبكار الأفكار”: “أما الثنوية، فهم فرق خمس: الفرقة الأولى: المانوية. الفرقة الثانية: المزدكية. الفرقة الثالثة: الديصانية.¹⁸ الفرقة الرابعة: المارقونية.¹⁹ الفرقة الخامسة: الكينونية.²⁰”

As for the Magians (*al-Majūs*), they likewise agreed that the origin of the world lies in the duality of light and darkness, just like the doctrine held by the dualists (*al-thana'wiyya*). However, they diverged among themselves and split into four sects:

1. The *Kayūmarthiyya* [followers of Kayūmarth].
2. The *Zarwāniyya* [followers of Zarwān].
3. The *Maskhiyya* [a sect possibly associated with doctrines of transmigration or transformation].
4. The *Zarādushtiyya* [Zoroastrians, followers of Zoroaster].

Through this detailed exposition, it becomes clear that the author of *al-Mawāqif* [i.e., al-Ījī (d. 756/1355)] was mistaken in his statement, “Know that there is no opponent in this matter that is, the matter of *tawhīd* (divine unity) except the dualists (*al-thana'wiyya*).” Similarly, the esteemed al-Sharīf [al-Jurjānī (d. 816/1413)] also erred in his assertion that “the Magians are among them,” meaning among the dualists. He claimed that the Magians believe that the doer of good is *Yazdān*, and that the doer of evil is Ahriman, by which they mean Satan. However, as has now been established, the Magians with their various sects are distinct from the dualist groups, even if they share with them the fundamental principle of associating partners [with God].

Since the religion of the *zanādiqa* [heretics] lies entirely outside all of the revealed religions (*al-adyān al-samāwiyya*), and since their book contains doctrines that permit the free sharing of wealth and women and rules that claim people should possess these in common just as they share access to water and pastureland, these views stand in direct opposition to the teachings found in all divine scriptures. For this reason, the Arabs referred to them as *zindīq* and attributed this label to anyone who deviated from the revealed religions by denying one or more of the core tenets of belief unanimously affirmed by all the revealed religions, regardless of whether what they denied was the existence of the Creator, thus aligning them with the *dahrī* (and this is why Tha'lab made no distinction between the *zindīq* and the *dahrī* in common usage, as mentioned earlier); or [whether they denied] God's oneness (which is why al-Jawharī [d. 400/1009] stated in *al-Ṣihāḥ*: “The *zindīq* is one who belongs to the dualists”); or [whether they denied] His knowledge or wisdom,

وأما المجوس فقد اتفقوا أيضاً على أنّ أصل العالم النور والظلمة كـمذهب الثنوية، وقد اختلفوا وتفرقوا فرقةً أربعاً :

- الفرقة الأولى : الكيومرثية .²²
- الفرقة الثانية : الزروانية .²³
- الفرقة الثالثة : المسخية .²⁴
- الفرقة الرابعة : الزردشتية .²⁵ انتهى .²⁶

وبهذا التفصيل تبين أنّ صاحب “المواقف ” لم يُصب في قوله : واعلم أنه لا مخالف في هذه المسألة يعني : مسألة التوحيد - إلا الثنوية²⁷، وكذا الشريف الفاضل لم يُصب في قوله، والمجوس منهم - يعني من الثنوية - ذهبوا إلى أن فاعل الخير هو يزدان، وفاعل الشر هو²⁸ أهرمن، ويعنون به الشيطان²⁹؛ لما عرفت أنّ المجوس يفرقهم مغايرة لفرق الثنوية وإن شاركهم في أصل الشرك .

ولما كان دينُ الزنادقة خارجاً عن الأديان السماوية كلها، وما في كتابهم من إبادة الأموال والنساء، والحكم باشتراك³⁰ الناس فيهما³¹، كاشتراكهم³² في الماء والكلاء، مخالفاً³³ لما في الكتب الإلهية كلها، سمّته العرب زنديقاً، ونُسبت³⁴ إلى كتابهم كلّ من خرج عن الأديان السماوية بالإنكار لواحد أو أكثر من أصول الدين التي اتفق عليها الأديان السماوية كلها، سواء كان ما أنكره وجودَ الباري تعالى، فيوافق الدهريّ، ولهذا لم يُفرّق ثعلبُ بينه وبين الدهريّ في إطلاق العامة على ما سبق بيانه، أو وحدته، ولهذا قال الجوهريّ في “الصّحاح” : “الزنديق من الثنوية³⁵، أو علمه أو³⁶ حكّمه”؛ كما في قول ابن الزّاوي : [من البسيط :

as reflected in the verse attributed to Ibn al-Rāwandī [in *al-Basīṭ* meter]:

“How many intelligent, truly wise individuals have found their ways exhausted [i.e., unable to succeed], And how many utterly ignorant fools are received as fortunate and well-provided.

This [reality] is what leaves illusions bewildered, And turns the sharpest scholar into a *zindīq*.”

[The meaning is] If the world truly had a wise and purposeful Creator, then how could it be that the intelligent person lives in hardship, while the ignorant one enjoys comfort and ease of mind?

As for the idea that the *zindīq* is someone who conceals disbelief (*kufṛ*) while outwardly professing Islam, this interpretation is ill-suited to the context something that should be evident to those endowed with understanding. Thus, the two distinguished commentators, the eminent scholars al-Taftāzānī [d. 792/1390] and al-Sharīf al-Jurjānī, were mistaken in their treatment of *zindīq* as denoting someone who hides unbelief, as they explicitly stated in their respective commentaries on *al-Miftāḥ* [i.e., al-Sakkākī's (d. 626/1229) work]. There, they wrote, “*Zindīq*: that is, one who inwardly conceals disbelief and denies the wise Creator.”

The distinguished scholar al-Shīrāzī [d. 792/1390?] stated in his commentary that this is not necessarily “one who conceals disbelief,” as has been claimed since it is a technical usage specific to jurists (*al-fuqahā*). However, it may be said that the poet used the term according to their convention; yet even so, this does not suit the context. Rather, [the more appropriate meaning is] one who professes belief in the duality of light and darkness. For this reason, *al-Ṣiḥāḥ* [by al-Jawharī] states, “The *zindīq* is one of the dualists (*al-ṭhanawīyya*); the word is Arabized. Its plural is *zanādīq*. The final hā (هاء) is a substitute for the omitted yā. Its original form is *zanādīq*, and from it derives the verb *tazandaqa* (to become a *zindīq*), and the noun *zandaqa*.”

Alternatively, it could also refer to one who denies the existence of a wise Creator, saying, “If He did exist, things would not be as they are.” This interpretation is more consistent with the usage of the term in customary practice (*urf*). This is his statement.

كم عاقلٍ عاقلٍ أعيثَ مذاهبه
وجاهلٍ جاهلٍ تلقاهُ مرزوقاً
هذا الذي ترك الأوهام حائرةً
وصيرَ العالمَ النَّجِيرَ زنديقاً

يعني : لو كان للعالم صانعٌ حكيمٌ لما كان
العاقلُ رديّ الحال، والجاهلُ رخيّ البال .

وأما إبطانُ الكُفر وإعلانُ الإسلام : فقصدُهُ لا
يُناسبُ المقام، كما لا يخفى على ذوي الأفهام،
فالشَّارحانِ الفاضلانِ العلامَةُ التفتازاني
والشريفُ الجرجاني لم يُصيّبا في اعتبار
إبطالِ الكفر هُنا على ما صرّحاً به في
“شرحهما للمفتاح”، حيث قالَا : (زنديقاً :
أي : مُبطناً للكفر نافيّاً للصّانع الحكيم ³⁷ .

وقال العلامَةُ الشيرازي في “شرحه : ” لا
مُبطناً للكفر على ما قيل؛ لأنّه اصطلاح
الفقهاء، اللّهمّ إلا أن يُقال : يجوز أن يكون
الشاعرُ قال على اصطلاحهم، لكنّه لا يناسبُ
المقام، بل قائلاً بالنور والظلمة، ولهذا قال في
“الصّحاح : ” الزنديقُ من الثنوية، وهو
معربٌ، والجمعُ الزنادقة، والهاءُ عوضٌ من
³⁸ الباء المحذوفة، وأصله الزناديقُ، وقد
تَرَدَّدَ، والاسمُ الزندقةُ ³⁹، أو نافيّاً للصّانع
الحكيم، قائلاً : لو كان له وجودٌ لما كان الأمرُ
كذا، وهذا أنسبُ بالمقام من حيثُ العُرف، إلى
هنا كلامه .

Indeed, he [al-Shīrāzī] was correct in what he stated both at the beginning and at the end, except in his claim that “Rather, [the *zindīq* is] one who affirms the doctrines of light and darkness,” and [in his subsequent justification], where he said, “For this reason, *al-Ṣihāḥ* states: ...”, and so on. In this, he erred both in the reasoning (*taʿlīl*) and in the conclusion (*muʿallal*), as is evident to anyone who reflects with due consideration. The distinguished scholar al-Taftāzānī corrected the flawed formulation of this view when he stated, “[The *zindīq* is] one who affirms the existence of two deities one being the creator of good things, and the other the creator of evils and abominations.” Al-Sharīf al-Jurjānī went further in his Gloss (*ḥāshiya*) on his commentary on *al-Miftāḥ*, attributing such doctrines specifically to the creator of evil. He noted that this is precisely the doctrine of the Magians (*al-Majūs*).

In sum, the term *zindīq* in the Arabic language is applied to anyone who denies the existence of the Creator, affirms the existence of a partner alongside Him, or denies His divine wisdom. It is not restricted solely to the first meaning, as claimed by Thaʿlab, nor exclusively to the second, as is apparent from the words of al-Jawharī.

The distinction between a *zindīq* and a *murtadd* lies in the fact that a *zindīq* may not necessarily be an apostate for instance, when one is an original heretic (*zindīq aṣlī*), never having entered the religion of Islam in the first place. Conversely, an apostate may not necessarily be a *zindīq*, such as when a person renounces Islam and embraces one of the false revealed religions [i.e., earlier but now abrogated religions like Christianity or Judaism]. However, both conditions may coexist in a single individual for example, when a person was originally Muslim but then adopted *zandaqa* [i.e., heretical views]. Thus, the relationship between the two is one of partial overlap (*ʿumūm wa khuṣūṣ min wajh*): [they intersect in some cases but are otherwise distinct].

ولقد أصاب فيما قاله أولاً وأخيراً، إلا أنه لم يُصِبْ في قوله : بل 40 قائلًا بالنور والظلمة، ولهذا قال في “الصباح :” ... إلخ، لا في التعليل، ولا في المعلل كما لا يخفى على من تأمل . وقد أصلح العلامة التفتازاني ما في التعبير عن هذا الوجه من الخلل حيث قال : 41 أو قائلًا بالهين، أحدهما خالقُ الخيرات، والثاني خالقُ الشرور والقبائح، وزاد عليه الشريف الجرجاني في “حاشية شرحه للمفتاح”، فنسب مثل هذه الأمور 42 إلى خالق الشر، وهو مذهب المجوس، انتهى .

وبالجملة : الزنديق في لسان العرب يُطلق على من ينفي الباري تعالى، وعلى من يُنْبِثُ الشريك له، وعلى من يُنْكِرُ حكمته، غير مخصوص بالأول كما زعمه ثعلب، ولا بالثاني كما هو الظاهر من كلام الجوهرى .

والفرق بينه وبين المرتد : أنه قد لا يكون مرتدًا، كما إذا كان زنديقًا أصليًا غير مُنتَقِلٍ عن دين الإسلام، والمرتد قد لا يكون زنديقًا كما إذا ارتدَّ عن دين الإسلام، وتدين بواحد من الأديان السماوية الباطلة، وقد يجتمعان في مادّةٍ، كما إذا كان مسلمًا فترزق ندق، فالنسبة بينهما عمومٌ وخصوصٌ من وجه .

That distinction applies from a linguistic perspective. However, from the standpoint of legal-religious terminology (*iṣṭilāḥ ahl al-sharʿ*), the difference between the two is even clearer. This is because the jurists required when defining *zindīq* that the individuals conceal their disbelief while outwardly professing Islam, as we have already cited from the distinguished scholar al-Shīrāzī. A similar view will also appear later in the words of al-Taftāzānī. This specific condition [i.e., concealment of disbelief] is not considered essential to the definition of a *murtadd*, which thus broadens the scope of difference between the two. Nevertheless, the logical relationship (*al-nisba*) between them remains the same as previously described [i.e., *ʿumūm wa khuṣūṣ min wajh*—partial overlap].

There is yet another condition in the definition of a *zindīq* that has been considered by the religious scholars (*ahl al-sharʿ*), and by which the *zindīq* is further distinguished from *murtadd*—namely, that the *zindīq* affirms the prophethood of our Prophet (peace and blessings be upon him). This was explicitly stated by the distinguished scholar al-Taftāzānī in his *Sharḥ al-Maqāṣid*, where he says, in his categorization of different types of disbelievers (*kuffār*):

“It is evident that the term *kāfir* refers to anyone who lacks faith (*īmān*). If he outwardly professes faith while inwardly denying it, he is specifically called a *munāfiq*. If his disbelief occurs after accepting Islam, he is specifically called a *murtadd*, due to his renunciation of Islam. If he affirms the existence of two or more gods, he is called a *mushrik* [polytheist], due to associating partners in divinity. If he follows one of the abrogated religions and scriptures, he is called a *kitābī* [belonging to the People of the Book], such as a Jew or Christian. If he claims that time (*dahr*) is eternal and attributes events to it, he is called a *dahrī*. If he denies the existence of the Creator entirely, he is called a negator (*muʿaṭṭil*). And if, while acknowledging the prophethood of the Prophet (peace be upon him) and outwardly professing the beliefs of Islam, he inwardly conceals doctrines that are, by consensus, considered disbelief, he is called a *zindīq*.” And originally, the term refers to the *Zand*, a book produced by Mazdak during the reign of Qubād. He claimed that it was an interpretation (*taʾwīl*) of

هذا بحسب اللغة، وأما بحسب اصطلاح أهل الشرع: فالفرق بينهما أظهر؛ لأنهم اعتبروا في الزنديق أن يكون مُبطناً للكفر على ما نقلناه عن العلامة الشيرازي فيما سبق، وسيأتي في كلام العلامة التفتازاني أيضاً ما يُوافقه، وذلك القيد غير مُعتبر في مفهوم المرتد فانتسج دائرة الفرق، ومع هذا⁴³ فالنسبة بينهما على حالها.

وفي الزنديق قيد آخر اعتبره أيضاً أهل الشرع، وبه أيضاً يفارق المرتد، وهو أن يكون معترفاً بنبوة نبينا عليه الصلاة والسلام، صرح به العلامة التفتازاني في “شرحه للمقاصد”، حيث قال في تفصيل فرق الكفار: قد ظهر أن الكافر اسم لمن لا إيمان له، فإن أظهر الإيمان خص باسم المنافق، وإن طرأ⁴⁴ كُفره بعد الإسلام خص باسم المرتد، لرجوعه عن الإسلام، وإن قال بالهين أو أكثر خص باسم المشرك، لإثباته الشريك في الألوهية، وإن كان مُتدينًا ببعض الأديان والكتب المنسوخة خص باسم الكتابي؛ كاليهودي والنصراني، وإن كان يقول بقديم الدهر وإسناد الحوادث إليه خص باسم الدهري، وإن كان لا يُثبت الباري تعالى خص باسم المُعطّل، وإن كان مع اعترافه بنبوة النبي عليه الصلاة والسلام وإظهاره عقائد الإسلام يُبطن عقائد هي كفر بالاتفاق خص باسم الزنديق؛ وهو في الأصل منسوب إلى “زند”، اسم كتاب أظهره مزدك في أيام قباد، وزعم أنه تأويل كتاب مجوس الذي جاء به زرادشت الحكيم⁴⁵، الذي⁴⁶ “يزعمون أنه نبيهم، إلى هنا كلامه⁴⁷.”

the Magian scripture brought by Zarathustra the Sage, whom [the Magians] claim as their prophet. However, the scholars of the *Shari'a* have applied the aforementioned condition [i.e., acknowledgment of the Prophet's message while harboring disbelief] only in the case of the Islamic *zindiq*, not in the case of the *zindiq*, in an absolute and unrestricted sense. For indeed, a *zindiq* may also be from among the polytheists, or even from the People of the Covenant (*ahl al-dhimma*), as you shall come to see, God willing and exalted is He. Thus, the aforementioned scholar [al-Taftāzānī] was not accurate in his classification of the *zindiq* as categorically distinct from other sects on the basis of a feature that applies only to some types of *zindiq*, but not all.

Moreover, in his use of the phrase “by consensus” (*bi'l-ittifāq*), there is an implicit indication of yet another distinction between the *zindiq* and the *murtadd*. That is, the newly emergent disbelief (*al-kufr al-ṭāri*) considered in the legal definition of an apostate does not necessarily have to be a matter of consensus among scholars. For this reason, you will find that the jurists have disagreed over certain cases of apostasy. In contrast, the concealed disbelief (*al-kufr al-muḍmar*) that is essential to the legal definition of a *zindiq* must be a form of disbelief agreed upon by consensus. Moreover, by distinguishing between the *dahrī* and the *mu'atṭil*, [al-Taftāzānī] has in effect refuted the author of *al-Mawāqif* [i.e., al-Ījī], for the latter, in his classification of disbelievers, stated:

“A human being is either one who acknowledges the prophethood of Muhammad (peace be upon him), or not. Among those who do not, some still acknowledge prophethood in general, such as the Jews, the Christians, and others namely, the Magians since they claim that Zarathustra the Sage was a prophet. And others do not acknowledge prophethood at all. These are either those who affirm the existence of a volitional, capable deity (*al-qādir al-mukhtār*) such as the Brahmins or those who do not, and these are the *dahrīyyah* [eternalists, materialists].” It seems, however, that al-Sharīf al-Jurjānī did not notice this point of critique, for he makes no mention of it in his commentary [on *al-Mawāqif*].

إِلَّا أَنَّ أَهْلَ الشَّرْعِ إِنَّمَا اعْتَبَرُوا الْقِيْدَ الْمَذْكُورَ فِي الزَّنْدِيقِ الْإِسْلَامِيِّ، لَا فِي مُطْلَقِ الزَّنْدِيقِ، لِأَنَّهُ قَدْ يَكُونُ مِنَ الْمُشْرِكِينَ، وَقَدْ يَكُونُ مِنْ أَهْلِ الذِّمَّةِ عَلَى مَا سَتَقَفُّ عَلَيْهِ بِإِذْنِ اللَّهِ تَعَالَى وَتَقَدَّسَ . الْعَلَامَةُ الْمَذْكُورُ لَمْ يُحَسِّنْ فِي تَفْصِيلِهِ 48 الزَّنْدِيقَ عَنْ 49 سَائِرِ الْفِرَقِ بِوَجْهِ مَخْصُوصٍ بَبَعْضِ أَقْسَامِهِ .

ثُمَّ إِنَّ فِي قَوْلِهِ : “بِالِاتِّفَاقِ ” إِشَارَةً إِلَى فَرْقٍ آخَرَ بَيْنَهُ وَبَيْنَ الْمُرْتَدِّ، وَهُوَ أَنَّ الْكُفْرَ الطَّارِئَ الْمُعْتَبَرَ فِي حَدِّ الْمُرْتَدِّ لَا يَلْزُمُ أَنْ يَكُونَ مُجْمَعًا عَلَيْهِ، وَلِذَلِكَ تَرَى الْاِخْتِلَافَ بَيْنَ الْأُئِمَّةِ فِي بَعْضِ الْمُرْتَدِّينَ، بِخِلَافِ الْكُفْرِ الْمُضْمَرِّ الْمُعْتَبَرِ فِي حَدِّ الزَّنْدِيقِ . ثُمَّ إِنَّهُ بَفَرْقِهِ بَيْنَ الدَّهْرِيِّ وَالْمُعْطِلِّ، قَدْ رَدَّ عَلَى صَاحِبِ “الْمَوَاقِفِ ”، وَذَلِكَ أَنَّهُ قَالَ فِي تَفْصِيلِ الْكُفْرِ :

الْإِنْسَانُ إِمَّا مُعْتَرِفٌ بِنَبِيِّ مُحَمَّدٍ عَلَيْهِ الصَّلَاةُ وَالسَّلَامُ أَوْ لَا، وَالثَّانِي إِمَّا مُعْتَرِفٌ بِالنَّبِوَّةِ فِي الْجَمَلَةِ، وَهُمُ الْيَهُودُ وَالنَّصَارَى وَغَيْرُهُمْ -يَعْنِي الْمَجُوسَ- فَإِنَّهُمْ مُعْتَرِفُونَ بِالنَّبِوَّةِ حَيْثُ زَعَمُوا أَنَّ زَرَادُشْتَ الْحَكِيمَ نَبِيٌّ . وَإِمَّا غَيْرُ مُعْتَرِفٍ بِهَا أَصْلًا، وَهُوَ إِمَّا مُعْتَرِفٌ بِالْقَادِرِ الْمُخْتَارِ؛ وَهُمُ الْبَرَاهِمَةُ، أَوْ لَا؛ وَهُمُ الدَّهْرِيَّةُ 50 . وَكَأَنَّ الشَّرِيفَ الْجُرْجَانِيَّ لَمْ يَتَقَطَّنْ لِلرَّدِّ الْمَذْكُورِ حَيْثُ لَمْ يَتَعَرَّضْ لَهُ فِي “شَرْحِهِ” .

Furthermore, the author of *al-Mawāqif* [i.e., al-Ījī] was mistaken in his claim that the Brahman sect (*al-barāhima*) is uniquely distinguished from all other sects by their absolute denial of prophethood, while still affirming the existence of a volitional and capable Creator (*al-qādir al-mukhtār*). In fact, some among them do not deny prophethood altogether, as explicitly stated by al-Āmidī in *Abkār al-Afkār*, where he says, “The Brahmans, the Sabians, and the believers in transmigration (*al-tanāsukhiyya*) held that the occurrence of prophetic mission (*al-ba‘tha*) is rationally impossible. However, among the Brahmans there are those who acknowledged the prophethood of Adam (peace be upon him) but no one else. And among them are others who acknowledged only the prophethood of Abraham (peace be upon him). And among the Sabians are those who acknowledged the prophethood of Hermes and Azīmun that is, Seth and Idris [i.e., Enoch] but no others.”

From this [discussion], it becomes evident that both the author of *al-Mawāqif* [i.e., al-Ījī] and the scholar al-Taftāzānī were not precise in their classification of the sects of disbelievers (*firaq al-kuffār*), insofar as they failed to mention the Sabians (*al-Ṣābi‘a*) and the believers in transmigration of souls (*al-tanāsukhiyya*), despite the fact that these two sects constitute major theological trends within the broader framework of unbelief. The distinction between the *zindīq* and the *munāfiq*, despite both sharing the quality of inwardly nullifying the faith, lies in the fact that the *zindīq* acknowledges the prophethood of our Prophet (peace be upon him), whereas the *munāfiq* does not. This distinction pertains to the *zindīq* from within the Muslim community versus the technical category of the *munāfiq* in jurisprudential and theological usage. The distinction between the *zindīq* and the *dahrī* lies in the fact that the *dahrī* denies that contingent events are attributable to a volitional Creator (*ṣāni‘ mukhtār*), whereas the *zindīq* does not necessarily deny this.

ثم إنَّ صاحبَ “المواقف” لم يُصِبْ في زعمه أنَّ فرقَ البراهمة [تَمْتَاز] عن سائر الفرقِ بإنكارهم النبوةَ على الإطلاق، واعترافيهم بالقدار المختار؛ لأنَّ منهم مَنْ لا يُنْكِرُ أصلَ النبوةَ على ما صرَّحَ به الأمدئيُّ في “أبكار الأفكار”، حيثُ قال: وَذهبت 51 البراهمةُ والصابئةُ والتناسُخيةُ إلى امتناع البعثةِ عقلاً، إلَّا أنَّ من البراهمة مَنْ اعترف برسالةِ آدم عليه السلام دون غيره. ومنهم مَنْ لا يعترف 52 بغير إبراهيم عليه السلام، ومن الصابئة من اعترف برسالةِ هُرمُس وعازيمون، وهما شبيث وإدريس دون غيرهما، انتهى. 53

ومن ها هنا تبيَّن أنَّ صاحبَ “المواقف” والعلامةَ التفتازانيَّ لم يُحسِنَا في تفصيل فرق الكفار، حيثُ تركا ذكرَ الصابئةِ والتناسُخيةِ، وهما من أصولهم العظيمة. وأما الفرقُ بينَ الزنديقِ والمنافقِ مع اشتراكهما في إبطالِ الكفر: أنَّ الزنديقَ معترفٌ بنبوةِ نبيِّنا عليه الصلاة والسلام دونَ المنافقِ، وهذا الفرقُ بينَ الزنديقِ من أهل الإسلام والمنافقِ المُصطلح. وأما الفرقُ بينَ الزنديقِ والدهرِيِّ فيما ذكروا: أنَّ 54 الدهرِيِّ يُنْكِرُ إسنادَ الحوادثِ إلى الصانعِ المختار، بخلافِ الزنديقِ.

There is a distinction between the *zindīq* and the *mulhid*—the latter also being among the category of disbelievers, as indicated by the statement of Ḥ āfiẓ al-Dīn al-Kardārī [d. 827/1424] in his well-known legal work *al-Fatāwā al-Bazzāziyya*: “If someone says: ‘I am a *mulhid*,’ he is deemed a disbeliever” (*yukaffar*). The distinction, as previously stated, is that in the case of the *zindīq*, acknowledgment of the prophethood of the Prophet (peace be upon him) is a considered component, whereas this is not the case for the *mulhid*, even though the absence of such acknowledgment is also not a necessary element in the definition of *mulhid*. Similarly, the belief in the existence of a volitional Creator (*al-ṣāni‘ al-mukhtār*) is generally considered to apply to the *zindīq*, but not to the *mulhid*, even though the denial of such a Creator is also not strictly necessary in the definition of the latter. Accordingly, this is because denial of the existence of a volitional Creator (*al-ṣāni‘ al-mukhtār*) is not a necessary condition in the definition of a *mulhid*. The *mulhid* is thereby distinguished from the *dahrī*, even though Thaḷab did not differentiate between them, as you have already seen.

This is because he [Thaḷab], as a linguistic scholar, was not often attentive to the distinctions made by scholars of the Sharī‘a. Furthermore, concealed disbelief (*idmār al-kufr*) is not an essential component in the definition of *mulhid*, which thereby distinguishes the *mulhid* from the *munāfiq*. Likewise, prior affiliation with Islam is not considered a necessary part of the *mulhid*’s identity, thus distinguishing him from the *murtadd*. In essence, the *mulhid* is one who deviates from the straight path and who turns away from the sound and upright religion toward some direction of disbelief, or toward some form of misguidance, whatever form that may take. The verb *alḥada* means “to deviate,” as in the expression: “*alḥada fi dīn Allāh*”, i.e., “he deviated from the religion of God.” From this, the word *laḥd* is derived, which denotes a grave dug with a side recess, leaning to one of the two sides. It has been reported in a Prophetic tradition from the best of creation (peace be upon him) that “*Al-laḥd* (side-alcove burial) is for us, and *al-shaqq* (trench burial) is for others.”

وأما الفرق بينه وبين الملحد الذي هو أيضاً من رمة الكفرة — على ما دلّ عليه قول⁵⁵ حافظ الدين الكردي في فتاواه المشهورة بـ “البرازية:” لو قال: أنا ملحدٌ يكفر⁵⁶ — فيما مرّ: أنّ الاعتراف بنبوته عليه الصلاة والسلام معتبر في الزنديق دون الملحد، وإن لم يكن عدم الاعتراف به أيضاً معتبراً فيه. وبأنّ القول بوجود الصانع المختار معتبر فيه دون الملحد، وإن لم يكن القول بالعدم أيضاً معتبراً فيه. وبهذا؛ أي: بعدم اعتبار القول بعدم⁵⁷ الصانع المختار في الملحد يفارق الملحد الدهري، وإن لم يفرق ثعلب بينهما على ما وقفت عليه فيما سبق؛

لأنّه من أئمة اللغة قلما يتفطن للفرق الذي اعتزّه أهل الشرع، وإصمار الكفر أيضاً غير معتبر في الملحد، وبه يفارق المنافق، والإسلام السابق أيضاً غير معتبر فيه، وبه يفارق المرتد، فهو من مال عن النهج المستقيم، وعُدل عن سنن الشرع القويم إلى جهة من جهات الكفر، ونحو من أنحاء الضلالة أيّ نحو كان؛ من الحد بمعنى مال، يُقال: “ألحد في دين الله” أي: مال⁵⁸ وعُدل، ومنه اللحد، وهو القبر الذي يُمال فيه إلى أحد الجانبين. وقد جاء في الخبر عن خير البشر: “اللحد لنا والشقّ لغيرنا”⁵⁹.

قال صاحب “الكشاف” في تفسير قوله تعالى: ﴿إِنَّ الَّذِينَ يُلْحِدُونَ فِي آيَاتِنَا﴾ [فصلت: ٤٠] يُقال: ألحد الحافر، وأحد: إذا مال عن الاستقامة، فحفر في شقّ، فاستعيرت للانحراف في تأويل آيات القرآن عن جهة الصحة والاستقامة [انتهى كلامه⁶⁰]. ولم يُصِب في تقييده المستعار له بقوله: “في [تأويل] آيات القرآن”، فإنّها في الآية الكريمة مستعارة للانحراف عن جهة الصحة والاستقامة⁶¹ مطلقاً لا للانحراف عنها في [تأويل] آيات الله تعالى، وإلا لما احتيج إلى قوله: ﴿في آياتنا﴾ وبالجملية: الملحد أوسع فرق الكفر حدّاً، فاحفظ هذه الفروق جدّاً؛ فإنّ مدار الأحكام عليها.

The author of *al-Kashshāf* [al-Zamakhsharī d. 538/1144] stated, in his commentary on the verse of God Most High, “Indeed, those who deviate regarding Our signs...” [Fussilat, 41:40] He wrote that “It is said: the grave-digger *alḥada* or *laḥada* when he deviates from digging straight and instead excavates to the side (in a recess). From this, the term was borrowed to denote deviation in the interpretation of the Qur’anic verses from the path of correctness and uprightness.” However, [al-Zamakhsharī] was mistaken in restricting the metaphorical application of the term to “deviation in the interpretation of the verses of the Qur’ān.” In fact, in the context of the noble verse, the term *ilhād* [disbeliever] is metaphorically applied to any deviation from the path of truth and uprightness in general, not only in interpreting the signs of God. Otherwise, there would have been no need for the Qur’anic phrase “in Our signs” (*fī āyātina*) to begin with. In conclusion, the *mulḥid* is the most broadly defined category among the sects of unbelief (*firaq al-kufr*). So, memorize these distinctions well, for the rulings (*aḥkām*) are dependent upon them. Now that you have understood from what has preceded that the *dahrī* is the most severely disbelieving among them, you are in a position to recognize the flaw in the statement of Ḥ āfīz al-Dīn al-Kardārī, where he said in his *Fatāwā* that “A *dahrī* was told: the Prophet (peace be upon him) said, ‘Between my pulpit and my grave is a garden from the gardens of Paradise.’ The *dahrī* replied: ‘We see the pulpit and the grave, but we do not see the garden.’” Therefore, he is deemed a disbeliever (*yukaffar*).” Consider carefully the problematic reasoning in this judgment. Now that, by the grace of God Most High, we have completed our exposition of the proper formulation of the word *zindīq* and clarified its meaning both linguistically and in terms of religious law, let us now proceed to discuss its legal ruling. So, we say that in God alone is success.

Know that the *zindīq* falls into one of two broad categories: either he is a publicly known figure who openly calls others to misguidance, or he is not known to do so. The second category is what the author of *al-Hidāya* mentioned in *al-Tajnīs*, where he states, citing from *Uyūn al-Masā’il* by the jurist Abū al-Layth al-Samarqandī [d. 373/983], “*Zanādiqa* fall into three types: One who is originally a *zindīq*

ولما عرفت مما تقدّم أنّ الدّهريّ أشدّهم كفراً، فقد وقفت على ما في قول حافظ الدين الكرديّ- حيث قال في “فتاواه”: “قيل لدّهريّ: قال عليه الصلاة والسلام: “ما بين منبري وروضتي روضة من رياض الجنة”⁶²، فقال الدّهريّ: هذا نرى المنبر والقبر ولا نرى الروضة، يُكفّر⁶⁴- من الخلل، فتأمل. ولما تيسّر لنا الفراغ، بغون الله تعالى عن تصحيح لفظ الزنديق، وتوضيح معناه لغةً وشرعاً، فلنشرّغ في بيان حكمه، فنقول وبالله⁶⁵ التوفيق:

اعلم أنّ الزنديق لا يخلو من أن يكون معروفاً داعياً إلى الضلال، أو لا يكون كذلك. والثاني ما ذكره صاحب “الهداية” في “التجنيس” حيث قال في فصل في حكم الزنادقة نقلاً عن “عيون المسائل” للفقير أبي الليث⁶⁶: الزنادقة على ثلاثة أوجه: إما أن يكون زنديقاً من الأصل على الشريك، أو يكون مسلماً فيبتزندق، أو يكون ذمياً فيبتزندق.

and upon polytheism from the outset. One who was Muslim and then adopted *zandaqa*. One who was a *dhimmī* who subsequently became a *zindīq*.” As for the first category, he is to be left upon his polytheism, that is, if he is of non-Arab origin (*min al-‘ajam*), for he is considered an original disbeliever (*kāfir aṣlī*). As for the second category, he is to be invited to accept Islam; if he accepts, then fine. Otherwise, he is to be executed, for he is considered a *murtadd*. As for the third category, he is to be left in his current state, for all forms of disbelief are considered one religion (*al-kufr milla wāḥida*). The phrase, “that is, if he is of non-Arab origin,” was said because a polytheist of Arab origin is not left upon his polytheism, as has been clarified elsewhere: the ruling concerning him is either Islam or the sword [i.e., conversion or execution]. As for his statement, “In the second category: he is invited to Islam...” and so on, this is an explicit indication that the Islamic *zindīq* is no different from the *murtadd* in legal ruling. However, as I have pointed out earlier, this applies only when the *zindīq* is not actively calling others to misguidance, nor actively working to corrupt the religion, nor publicly known for doing so. If he repents voluntarily and abandons his heretical views before being apprehended, then he is treated differently from one who does not. As for the second case [i.e., the one who does not repent and is captured], he is executed without hesitation, unlike the first. The jurist Abū al-Layth stated, “If a sorcerer (*sāḥir*) repents before being apprehended, his repentance is accepted, and he is not executed. But if he is apprehended and then repents, his repentance is not accepted and likewise is the case for the *zindīq* who is a well-known figure who openly calls others [to heresy].” Imām Qāḍī Khān Fakhr al-Dīn [d. 592/1196] also said that the legal *fatwā* is given in accordance with this opinion. And he said “according to this opinion”, because there exists another opinion, which Ḥāfiẓ al-Dīn al-Kardārī mentioned in his *Fatāwā*, where he wrote that “The sorcerer is not to be offered repentance, and he is to be executed. As for the *zindīq*, according to the second Imām that is, Abū Yūsuf [d. 182/798] he is to be offered repentance (*yustatāb*).”

ففي الوجه الأول : يُترك على شركه- يعني : إن كان من العجم، لأنه كافر أصلي . وفي الوجه الثاني : يُعرض عليه الإسلام، فإن أسلم فيها ⁶⁷ وإلا قُتل؛ لأنه مُرتد . وفي الوجه ⁶⁸ الثالث : يُترك على حاله؛ لأن الكفر ملة واحدة . إلى هنا كلامه .

وإنما قال : “يعني ⁶⁹ إن كان من العجم”؛ لأنَّ المشرك من العرب لا يُترك على شركه على ما بُين في موضعه؛ من أنَّ الحكم فيه الإسلام أو السيف، وقوله : “وفي الوجه الثاني : يُعرض ... إلى آخره” ، صريح في أنَّ الزنديق الإسلامي لا يُفارق المرتد في الحكم . وقد نبهت على أنَّ ⁷⁰ ذلك إذا لم يكن داعيًا إلى الضلال ساعيًا في إفساد الدين، معروفًا به، والأول لا يخلو من أن يتوب بالاختيار ويرجع عما فيه قبل أن يؤخذ ⁷¹، أو لا، والثاني يُقتل دون الأول . قال الفقيه أبو الليث : إذا تاب السَّاحِر قبل أن يؤخذ، تُقبل توبته، ولا يُقتل، وإن أخذ ثم تاب، لم تُقبل توبته، وكذلك الزنديق المعروف الداعي ⁷² . وقال الإمام القاضي خان فخر الدين ⁷³ والفتوى على هذا القول ⁷⁴، وإنما قال : “على هذا القول”؛ لأنَّ هنا قولاً آخر ذكره حافظ الدين الكردي في “فتاواه” بقوله : السَّاحِر لا يُستتاب، ويُقتل، والزنديق عند الإمام الثاني – يعني أبا يوسف ⁷⁵ – يُستتاب . انتهى ⁷⁶ .

By “offering repentance” (*istitāba*), what is meant is the requesting of repentance from the individual. And that itself is an indication that the repentance is to be accepted; what is intended by “acceptance” is its legal acceptance (*qaḍāʾan*) upon the person’s declaration of repentance, not their acceptance before God, for that is a matter of the unseen to which we have no access. The author of *al-Khulāṣa* states, in *al-Nawāzil*, “The strangler (*al-khannāq*) and the sorcerer (*al-sāḥir*) are to be executed if they are apprehended, because they spread corruption on earth (*sāʿiyān fī al-arḍ bi-l-fasād*). If they repent before being captured, their repentance is accepted; But if they repent after capture, it is not accepted and they are executed, just as in the case of brigands (*quṭṭāʾ al-ṭarīq*). And the same applies to the well-known *zindīq*, who calls others to [the path of] *ilhād*.” He (may God have mercy on him) also said, “As for the *ibāḥī* [i.e., antinomian libertine], according to this view, his repentance is not accepted. This was also the legal verdict (*fatwā*) issued by the eminent Shaykh and Imām ʿIzz al-Dīn al-Kandī in Samarqand. The ruler, Khāqān Ibrāhīm ibn Muhammad Ṭumghāj Khān, accepted his *fatwā* and executed them.”

From what we have clarified above, the flaw in the statement of al-Āmidī becomes apparent, where he says, in *Abkāṛ al-Afkār*, “If one asks: Those whom you judge to be disbelievers among the sects of heretical innovation (*ahl al-ahwāʾ*), what is their legal status in terms of engaging in commerce with them, killing them, accepting their repentance, and the status of their property? We reply: Their ruling is the ruling of the *murtaddīn* (apostates): No *jizya* (tribute tax) is accepted from them; their slaughtered meat is unlawful; marriage to their women is invalid; and no blood-compensation (*diyya*) is due for anyone who kills one of them. If any of them flees to the outside the abode of Islam (*dār al-ḥarb*) and is captured, he is not to be enslaved.”

أراد بالاستتابة طلب التوبة منه، وذلك دليل القبول، ومراهم من قبولها قبولها قضاء بإطلاق التائب، لا قبولها عند الله تعالى؛ لأنه أمر لا علم لنا به. قال صاحب “الخلاصة” 77: وفي “النوازل”: “الخنّاق 78، والساحر يقتل إن أخذ؛ لأنهما ساعيان في الأرض بالفساد، فإن تابا إن كان قبل الظفر بهما، قبلت توبتهما، وبعد ما أخذ لا، ويقتلن كما في فطاع الطريق، وكذا الزنديق المعروف، والداعي إليه؛ يعني: إلى مذهب الإلحاد 79. وقال رحمه الله: والإباضي 80 على هذا، لا تقبل توبته، هكذا أفتى الشيخ الإمام عز الدين الكندي بسمرقند، والخاقان إبراهيم بن محمد طمغاج خان 81 قبل فتواه وقتلهم، إلى هنا كلامه.

وبما قررناه تبين ما في كلام الأمدي حيث قال في “أبكار الأفكار”: “فإن قيل: فمن قضيتهم بكفره من أهل الأهواء، ما حكمهم في مباحيتهم، وقتلهم، وتوبتهم، وما حكم أموالهم؟ قلنا: حكمهم حكم المرتدين، فلا يقبل منهم جزية ولا تؤكل ذبائحهم، ولا تنكح نساؤهم ولا دية على قاتل واحد منهم، وإن لحق واحد منهم بدار الحرب وسبي لا يسترق.

If one of them [i.e., the *zindīqs* or people of innovation] repents, then, if this repentance occurs on his own initiative, without any fear, his repentance is accepted. But if it comes out of fear of execution, after his heretical beliefs have been publicly exposed, there is a difference of opinion regarding the acceptance of such repentance.

Al-Shāfi'ī [d. 204/820] and Abū Ḥ anīfa [d. 150/767] (may God have mercy on them) accepted it, while Mālik [d. 179/795], and some of al-Shāfi'ī's companions, rejected it. This was also the preferred opinion of al-Ustādh Abū Ishāq.

If one of them [i.e., the *zindīqs*] is executed or dies, then, according to al-Shāfi'ī and Abū Ḥ anīfa (may God have mercy on them), one-fifth (*khums*) of his wealth is allocated to the eligible recipients of the *khums*. According to Mālik, his entire wealth is taken, and no fifth is given to the *khums*-entitled beneficiaries. There is inaccuracy in his transmission of the ruling on the *zindīq* according to our school of law [i.e., the Hanafī], so reflect on this carefully.

Now, if you were to ask, how can the *zindīq* be described as a “well-known figure who openly calls others to misguidance,” while the legal definition of a *zindīq* requires that he conceals his disbelief? I say that there is no inconsistency in this matter, for the *zindīq* conceals his disbelief by disguising it, and he promotes his corrupt creed by presenting it in the form of correct doctrine. This is exactly what is meant by concealing disbelief. So, it does not contradict the fact that he calls others to misguidance and is known for leading others astray. Now, if you were to say, does not the statement of the great scholar al-Taftāzānī in his *al-Talwīh*, where he says, in discussing Abū Ḥ anīfa's allowance for not requiring the precise wording of the Qur'ān during certain legal invocations, “And it was said: If done without intent, otherwise, [if intentional] then he is either insane and should be treated, or a *zindīq* and should be executed”, does not this imply that the execution of the *zindīq* is obligatory? I respond no [it does not imply mandatory execution], because what is meant is that he is to be executed if he persists in his *zandaqa*, just as, on the opposite side, he is to be treated if he accepts treatment [i.e., in the case of madness]. It is just that al-Taftāzānī abbreviated his statement, limiting it only to what was necessary in the context, since

ولو تاب واحدٌ منهم : فإن كان ذلك ابتداءً منه من غير خوف، قُبِلَتْ توبته، وإن كان ذلك خوفاً من القتل بعد الظهور على بدعته، فَقَدِ اختلفَ في قبول توبته، فقَبِلها الشافعيُّ وأبو حنيفةٌ رحمهما الله، ومنع من ذلك مالكٌ وبعضُ أصحابِ الشافعيِّ، وهو اختيار الأستاذ أبي إسحاق .

ولو قُتِلَ واحدٌ منهم، أو مات، فماله مُحَمَّسٌ عند الشافعيِّ وأبي حنيفةٍ رحمهما الله، وعند مالكٍ : ماله ⁸² كُلُّهُ لا خُمُسٌ فيه لأهل الخُمُس، إلى هنا كلامه ⁸³ . من الخلل ⁸⁴ في نقله حكم الزنديق على مذهبنَا، فتأمل .

فإن قُلْتُ : كيف يكونُ الزنديقُ معروفاً داعياً إلى الضلال ⁸⁵، وقد اعتُبرَ في مفهومه الشرعيُّ أن يُبَيِّنَ الكُفْرَ؟ قلتُ : لا بُدَّ فيه؛ فإنَّ الزنديقَ يُمَوِّهُ كُفْرَهُ، ويُرَوِّجُ عقيدته الفاسدة، ويُخرجها في الصورة الصحيحة، وهذا معنى إبطائه الكُفْرَ، فلا ينافي إظهاره الدَّعوة إلى الضلال، وكونه معروفاً بالإضلال .
فإن قُلْتُ : أليس المفهوم من كلام العلامة التفتازاني في “التلويح ” حيث قال في ⁸⁶ بيان رُخصة أبي حنيفةٍ رحمه الله تعالى في إسقاط لزوم النظم القرآني، “وقيل : من غير تعمُّدٍ وإلا لكان مجنوناً فيداوى، أو زنديقاً فيقتل ”، أن يُقتلَ الزنديقُ حَتْمًا؟
قلتُ : لا؛ لأنَّ المرادَ أَنَّهُ يُقتلُ إن أصرَّ على الزندقة كما أنَّ المراد به ⁸⁷ في مقابله أَنَّهُ يداوى إن قَبِلَ العلاج، إلا أَنَّهُ اختَصَرَ في الكلام، واقتصرَ على قَدَرِ الحاجة في المقام؛ فإنَّ بيانَ حكم الزنديق غير مهمِّ هناك .

detailing the ruling on the *zindīq* was not central to that discussion.

Foremost among the scholars, Imām al-Ghazālī [d. 505/1111], said in his book, titled *al-Tafriqa bayn al-Islām wa al-Zandaqa*, “Among such [heretical types] is one who claims, under the name of Sufism, that he has reached a spiritual state between himself and God whereby: prayer is no longer obligatory upon him, Intoxicants and sins are lawful to him, and he may consume the wealth of the sultan. As for such a person, I do not doubt the obligation to execute him, even though, when it comes to declaring him eternally in Hell, there is room for consideration.”

The execution of someone like this is more meritorious than the killing of a hundred disbelievers, because his harm to the religion is greater, and because he opens a door to moral permissiveness (*ibāḥa*) that can never be closed. His damage exceeds even that of someone who openly promotes libertinism, for such a person is [at least] avoided by others due to the obviousness of his disbelief.

As for this one [i.e., the pseudo-pious heretic], he undermines the Sharī‘a from within the Sharī‘a itself, and he claims that what he has committed is merely a case of specifying a generality (*takhsīs umūm*), arguing that the general obligations of divine law do not apply to someone of his spiritual rank in the religion. He may even claim that, although he outwardly engages in the world and abstains from sins, he is inwardly [pure and] free from them. This leads to a domino effect in which every immoral person begins to make the same claim, and thereby the bond of the Sharī‘a unravels.”

Now that we have established the [definitional and legal] meaning of the term *zindīq* and clarified its ruling, we say, the man who is commonly known by the name al-Kābid, [and] whose soul was seized [i.e., who died] by the command of the One whose divine openings (*futūḥ*) overflow this individual was, by the juristic definition (*ta‘rīf fiqhī*) of a *zindīq* as transmitted in *Sharḥ al-Maqāṣid*, a genuine *zindīq*. He was a caller to misguidance, well-known for leading others astray, and an active agent in the corruption of the clear religion, as was widely attested and confirmed by the testimony of trustworthy [religious] authorities

قال حبرُ الأئمة الإمام الغزالي في كتابه الموسوم بـ “التفرقة بين الإسلام والزندقة:” ومن جنس ذلك ما يدّعيه التصوّف أنّه قد بلغ حالة بينة وبين الله تعالى أسقطت عنه الصلّة، وحلّ له شربُ المُسكر والمعاصي، وأكل مال السلطان، فهذا ممّن لا أشكّ في وجوب قتله، وإن كان في الحكم بخلوده في النار نظراً. وقتلٌ مثل هذا أفضل من قتل مئة كافر؛ إذ ضرره في الدين أعظم، ويفتح به باب من الإباحة لا يُسدّد، وضرر هذا فوق ضرر من يقول بالإباحة مطلقاً؛ فإنّه يمتنع عن الإصغاء إليه؛ لظهور كفره.

أما هذا: فهذهم الشرع من الشرع، ويَزعم أنّه لم يرتكب فيه⁸⁸ إلّا تخصيصَ عموم؛ إذ خصوصُ عموم التكاليفات لمن ليس له مثل درجته في الدين، وربما يزعم أنّه يلبس الدنيا، ويفارق المعاصي بظاهره، وهو يباطنه بريء عنها، ويدّعي هذا إلى أن يدّعي كلّ فاسقٍ مثل حاله، ويحلّل به عصام⁸⁹ الشرع، إلى هنا كلامه.⁹⁰

وإذا تفرّر ما قدّمناه من بيان المعنى الشرعي للزنديق وحكمه، نقول: إنّ الرجل الشهير بالقابض المقبوض روحه بأمر الفاض فتوحه كان زنديقاً على التعريف الفقهي للزنديق المنقول عن “شرح المقاصد”، وكان داعياً إلى الضلال⁹¹، مغرّوفاً بالإضلال، ساعياً في إفساد الدين المبين، على ما اشتهر وثبت بشهادة ثقات من الفحول وثقة من الغدول⁹²، وقد مرّ في المنقول عن “الفتاوى الخانية” أنّ الفتوى على وجوب قتل من كان كذلك.

(*thiqāt min al-fuḥūl*) and upright, reliable witnesses (*tuqāt min al-ʿudūl*). And, as previously cited from *al-Fatāwā al-Khāniyya*, the legal verdict (*fatwā*) is in favor of the obligation to execute such a person as this.

And how astonishing it is that someone who has closely examined this man's condition, reflected upon his statements, and recognized with clarity the extent of his misguidance and his efforts to mislead others would still hesitate in the matter of his ruling, and refuse to pronounce the judgment of execution upon him! And how strange it is that he would then withdraw himself from the company of those among the men of the pen and the wielders of the sword, who actively strove to revive religion and to eliminate the leader of the corrupters! How can such a person lay claim to having a "lofty stature" (*ka'b shāmikh*) in the science of legal rulings (*fatwā*), and not feel ashamed before creation [i.e., society], or pretend to have a "firm footing" in the practice of piety (*taqwā*), and yet not fear the Creator? And God is the One who guides to the straight path, and He is sufficient for me, and the best of protectors.

والعجبُ ممَّن وَقَفَ عَلَى حالِهِ، وتَأَمَّلَ في مَقَالِهِ، وانكشَفَ عِنْدَهُ وَجْها ضلالِهِ وإضلالِهِ، ثُمَّ تَرَدَّدَ⁹³ في أمرِهِ، وأبَى عن الحكم بِقَتْلِهِ، وانعزلَ عن جَمْعٍ من أصحابِ القَلَمِ وأربابِ السَّيْفِ، الذينَ سَعَوْا في إحياءِ الدِّينِ، وإفناءِ رَئيسِ المُفسِدِينَ، كَيْفَ يَدَّعِي لِنَفْسِهِ كُغْباً شامِخاً في عِلْمِ الفَتَوَى، ولا يَسْتَجِي من الخَلِائِقِ، و⁹⁴ قَدِماً راسِخاً في عَمَلِ التَّقْوَى، ولا يَخَافُ من الخالِقِ؟ ! واللهُ الهادي إلى سَوَاءِ السَّبِيلِ، وهو حَسْبِي ونِعَمَ الوَكِيلِ.⁹⁵

7. Conclusions

This study has provided the first English translation and critical edition of *Risāla fī mā yataʿallaq bi-lafẓ al-zindīq*, an important but previously untranslated treatise by Ibn Kemāl. Positioned at the intersection of theology, law, and imperial politics, this work offers a valuable lens into the ways early modern Ottoman scholars redefined heresy not merely as a doctrinal deviation but as a legal category with significant implications for state authority and political legitimacy.

Through a historical–philological approach, this article examined how Ibn Kemāl distinguishes *zindīq* from related categories such as *murtadd*, *munāfiq*, and *mulhid*, drawing on authoritative Ḥanafī sources. His framework reveals a typology that links internal belief, outward behavior, and socio-political threat, a triadic model that informed the Ottoman state's handling of heterodoxy. This classificatory effort is shown to be not just legalistic but deeply political, especially in the aftermath of the high-profile execution of Mollā Kābid. The treatise, in this sense, is both a textual intervention and a juridical response to a crisis of authority.

Importantly, the article argued that Ibn Kemāl's treatment of *zandaqa* should be read as part of a broader imperial project of religious boundary-making. His preference for certain lenient views in *fiqh*, particularly toward *dhimmīs* and non-Muslims, contrasts with his strict position on internal dissent, underscoring the asymmetrical structure of Ottoman tolerance. The subtle tensions between theological disagreement, public provocation, and legal classification are emblematic of a broader Ottoman anxiety over maintaining confessional order in a religiously diverse empire.

In methodological terms, this study highlights the strengths and limits of a philological reading. While manuscript comparison and textual annotation allow for a precise reconstruction of the treatise's structure and intent, the absence of oral, performative, and

marginal discourses leaves certain interpretive gaps. Integrating court records, unpublished legal opinions, and reports of dissenting scholars could provide a fuller picture of how such legal categories were contested or negotiated in practice.

Finally, by engaging with recent debates in Islamic legal historiography—especially those concerning the fluidity of legal categories and the performative nature of orthodoxy—this study contributes to a rethinking of early modern Islamic jurisprudence as a dynamic, politically embedded discourse. Future research could fruitfully compare Ibn Kemāl's stance with that of later Ottoman qualified jurisconsults, such as Ebussuud Efendi, to map changes in legal sensibilities across different sultanic regimes. Likewise, examining how interreligious polemics informed internal Islamic classifications may shed further light on the interplay between empire, theology, and law.

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Appendix A

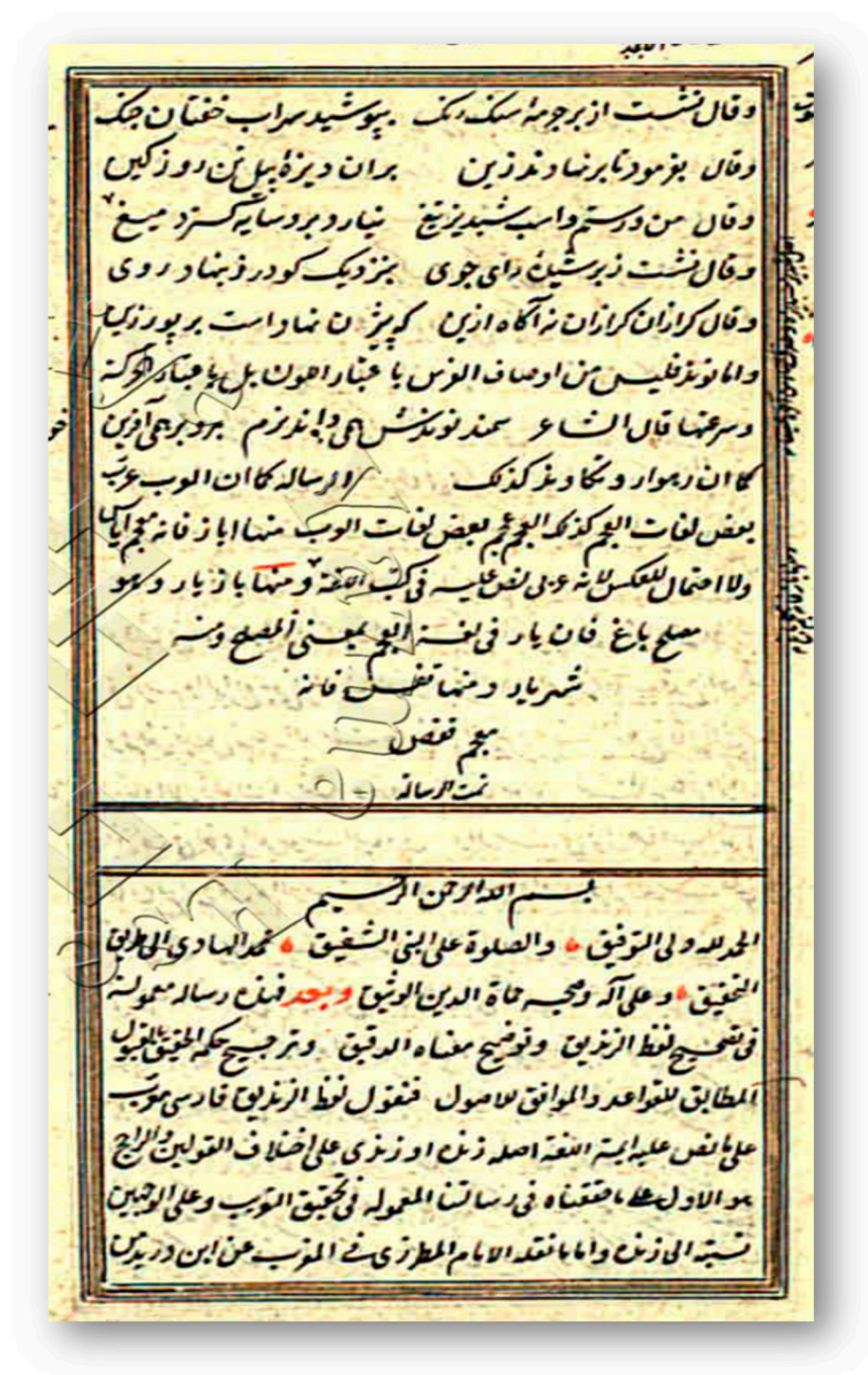


Figure A1. The first page of Ibn Kemal's treatise, *Risāla fi taṣḥīḥ lafẓ al-zindīq wa-tawḍīḥ ma'nāhu al-daḡīq*, MS. Istanbul, Süleymaniye Manuscript Library, Ayasofya 04794-022, fols 101-104.

Notes

- 1 في نسخة (ب): «باسمه سبحانه».
- 2 في نسخة (ل): «توضيح».
- 3 في نسخة (ب): «الحكم».
- 4 في نسخة (ب): «النسبة».
- 5 في نسخة (ب) و(ل): «زند».
- 6 في نسخة (ل): «زند».
- 7 انظر: «المُغْرَب في ترتيب المُغْرَب» للمُطَرِّزِي (ص: ٢١١)، (مادة: زندق) المطرزي، المغرب في ترتيب المغرب، ص. ٢١١، مادة: «زندق».
- 8 في نسخة (ل): «يقوله».
- 9 المطرزي، المغرب، ص. ٢١١، مادة: «زندق».
- 10 انظر: «المُغْرَب في ترتيب المُغْرَب» للمُطَرِّزِي (ص: ٢١١)، (مادة: زندق) المطرزي، المغرب في ترتيب المغرب، ص. ٨٩١، مادة: «زندق».
- 11 في نسخة (ل): «الفرق».
- 12 كلمة «بن» لم ترد في نسخة (أ).
- 13 في نسخة (أ): «ماني»، وفي (ب) و(ل): «مانن»، والراجح ما أثبتناه في النص.
- 14 انظر: الأمدي، أباكار الأفكار، ج ٢، ص. ٢٧٧.
- 15 هكذا ورد في ثلاث نسخ خطية من هذه الرسالة، غير أن في ذلك اشتباهاً؛ إذ إن التفسير الكبير للرازي يُعرف بمفاتيح الغيب، لا مفاتيح العلوم. ثم إن هذا النص المنسوب للرازي لا يُوجد في تفسيره، وإنما هو لأبي عبد الله محمد بن أحمد بن يوسف الخوارزمي (ت. ٣٨٧هـ/٩٩٧م) في كتابه المعروف بمفاتيح العلوم.
- 16 انظر: الخوارزمي، مفاتيح العلوم، ص. ٥٦.
- 17 «لم» لم ترد في نسخة (ب).
- 18 ورد في نسخة (أ): «الريصامية»، والصواب ما أثبتناه. والديصانية هم أتباع ديسان، ومذهبهم في النور والظلمة يُشبه مذهب المزدكية، إلا أنهم يختلفون عنهم في أن الشر يحدث عن الظلمة بطبيعتها لا بحكم الاتفاق.
- 19 أتباع مرفيون أثبتوا أصليين قديمين متضادين: النور والظلمة، وأضافوا ثالثاً معزّلاً جامعاً بينهما، وهو سبب المزاج. فالمتناقضات لا تمتزج إلا بواسطة جامع. وقد اعتقدوا أن هذا الجامع دون النور في المرتبة وفوق الظلمة، ونتج عن امتزاج هذه الأصول نشوء العالم. انظر: الشهرستاني، الملل والنحل، ج ٢، ص. ٥٧.
- 20 زعموا أن الأصول ثلاثة: النار، والأرض، والماء، وأن الموجودات نشأت عنها دون الأصلين اللذين أثبتتهما الثنوية. انظر: الشهرستاني، الملل والنحل، ج ٢، ص. ٥٧.
- 21 «قد» لم ترد في نسخة (ب).
- 22 أصحاب المذهب الأول من الزرادشتيين يرون أن كيومرث هو آدم عليه السلام، إذ كان أول من عُثِرَ به الأرض.
- 23 ورد في (أ): «الزردانية»، والصواب المثبت «الزروانية». وقد زعموا أن النور قديم، وأنه أصل الموجودات، وقد خلق أشخاصاً كلها من نور، أعظمها شخص يُدعى «زروان»، فساوره الشك في بعض الأمور، فنشأ عنه «أهرمن»، وهو الشيطان.
- 24 وهي فرقة من فرق الزروانية، وقد قالوا إن النور كان وحده في القدم، ثم انمسخ بعضه فصار ظلمة.
- 25 أتباع زرادشت قالوا إنه نبي، وكان يعتقد أن مبدأ العالم هو الله تعالى، وأنه قديم أزلي، خلق النور والظلمة متضادين، ومزجهما لحكمة، ومن امتزاجهما نشأ العالم. وسبق في النور والظلمة في صراع حتى يغلب الخير الشر، ويتخلص الخير إلى عالمه، وينحدر الشر إلى عالمه، وهو المعاد.
- 26 انظر: الأمدي، أباكار الأفكار، ج ٢، ص. ٢٧٨–٢٧٩.
- 27 انظر: عضد الدين الإيجي، المواقف، مع شرح الجرجاني، ج ٣، ص. ٦١.
- 28 «هو» لم ترد في نسخة (ب).
- 29 انظر: الجرجاني، شرح المواقف، ج ٣، ص. ٦٥.
- 30 في نسخة (أ): «ياشراكه».
- 31 في نسخة (أ): «فيها»، والصواب ما أثبتناه.
- 32 في نسخة (أ): «كاشر اكهم».
- 33 في نسخة (ب): «مخالف».
- 34 في نسخة (ب): «وينسبه».
- 35 انظر: الجوهري، الصحاح، ج ٤، ص. ٤٨٩، مادة: «زندق».
- 36 ورد في نسخة (أ): «و».
- 37 انظر: التفتازاني، المطول، ص. ٢٨١؛ والجرجاني، المصباح شرح المفتاح، ص. ١٦٦.
- 38 في نسخة (ب): «عن» في نسخة (ب): وردت «عن».
- 39 الجوهري، الصحاح، ج ٤، ص. ١٤٨٩، مادة: «زندق».
- 40 «بل» لم ترد في نسخة (ب).
- 41 «قال» لم ترد في نسخة (أ).
- 42 في نسخة (ب): ورد «هذا الأمر» بدلاً من «هذه الأمور».
- 43 «ومع هذا» لم ترد في نسخة (أ).
- 44 في نسخة (ب): وردت «أظهر»، والراجح ما أثبتناه.
- 45 «الحكم» لم ترد في نسخة (ب).
- 46 في نسخة (ب): وردت «الذين»، والصواب ما أثبتناه.
- 47 انظر: التفتازاني، شرح المقاصد، ج ٢، ص. ٢٦٨–٢٦٩.
- 48 في نسخة (ب): وردت «لتقصيله».

- 49 في نسخة (ب): وردت «على».
- 50 انظر: الإيجي، المواقف، مع شرح الجرجاني، ج ٣، ص. ٥٤٥.
- 51 في نسخة (أ): وردت «ذهب».
- 52 في نسخة (أ): وردت «يعتبر».
- 53 انظر: الأمدي، أباكار الأفكار، ج ٤، ص. ٢٨٨.
- 54 ورد في نسخة (أ) و (ب): «ذكر وبأنه»، ويُرجح أن الصواب ما أثبتناه.
- 55 «قول» لم ترد في نسخة (ب).
- 56 انظر: الفتاوى البزازية، ج ٣، ص. ٣٣٠.
- 57 في نسخة (ب): وردت «يقدم»، والصواب ما أثبتناه.
- 58 في نسخة (ب): وردت «حاد»، وفي هامشها: «مال».
- 59 أخرجه أبو داود (حديث رقم ٣٢٠٨)، والترمذي (٢٠٤٥)، والنسائي (٢٠٠٩)، وابن ماجه (١٥٥٥)، من حديث ابن عباس رضي الله عنهما، وقال الترمذي: «حديث غريب من هذا الوجه».
- 60 انظر: الزمخشري، الكشاف، ج ٤، ص. ٢٠١.
- 61 المقطع من قوله: «انتهى كلامه، ولم يُصب...» إلى هنا لم يرد في نسخة (ب).
- 62 في نسخة (ب): وردت «الجنان».
- 63 أخرجه الإمام أحمد في المسند (حديث رقم ١١٦١٠)، من حديث أبي سعيد الخدري رضي الله عنه، وأخرجه البخاري (١١٩٥)، ومسلم (١٣٩٠) بلفظ: «ما بين بيتي ومنبري»، من حديث عبد الله بن زيد المازني رضي الله عنه.
- 64 انظر: الفتاوى البزازية، ج ٣، ص. ٣٢٨.
- 65 في نسخة (ب): وردت «ومن الله».
- 66 انظر: السمرقندي، عيون المسائل، ص. ٤١١.
- 67 «فيها» لم ترد في نسخة (أ).
- 68 «الوجه» لم ترد في نسخة (ب).
- 69 «يعني» لم ترد في نسخة (ب).
- 70 «أن» لم ترد في نسخة (ب).
- 71 في نسخة (أ): وردت «يؤاخذ».
- 72 انظر: ابن نجيم، البحر الرائق، ج ٥، ص. ١٣٦.
- 73 ففي نسخة (ب): وردت «القاضي فخر الدين خان» بدلاً من «القاضي خان فخر الدين».
- 74 انظر: الفتاوى الخانية، ج ٣، ص. ٣٦٣.
- 75 «يعني أبا يوسف» لم ترد في نسخة (ب).
- 76 انظر: الفتاوى الجزائيه، ج ٣، ص. ٣٤٨.
- 77 افتخار الدين طاهر بن أحمد بن عبد الرشيد بن الحسين البخاري، من كبار فقهاء الحنفية. أخذ العلم عن أبيه وجده، وحماة بن إبراهيم الصفار، وأبي جعفر الهندواني، وأبي بكر الإسكافي، وغيرهم من فقهاء بخارى. من تصانيفه: خلاصة الفتاوى، وخزانة الواقعات، والنصاب. يُنظر: القرقي، الجواهر المضبية، ج ١، ص. ٣٢٥؛ وقطولوغا، تاج التراجم، ص. ١٧٢.
- 78 الخنّاق: الذي يُنفذ القتل عن طريق الخنق.
- 79 في نسخة (ب): وردت «إلحاد».
- 80 الإباضي: هو من يعتقد إباحة المحرمات شرعاً.
- 81 «خان» لم ترد في نسخة (ب).
- 82 «ماله» لم ترد في نسخة (ب).
- 83 انظر: الأمدي، أباكار الأفكار، ج ٥، ص. ١٠٦.
- 84 قوله: «من الخلل» جوابٌ على ما قرره المؤلف في السطور السابقة بقوله: «وبما قررناه تبين ما في كلام الأمدي... إلخ».
- 85 في نسخة (ب): وردت «الفضالة».
- 86 «في» لم ترد في نسخة (ب).
- 87 «به» لم ترد في نسخة (ب).
- 88 «فيه» لم ترد في نسخة (ب).
- 89 في نسخة (أ): وردت «عصابة».
- 90 انظر: الغزالي، فيصل التفرقة بين الإسلام والزندقة، ص. ٦٤-٦٥.
- 91 «إلى الضلال» لم ترد في نسخة (أ).
- 92 في نسخة (أ): وردت العبارة: «ثقات من العدول، وثقة من الفحول».
- 93 في هامش نسخة (ب): وردت الإضافة: «العالم الفاضل الشهير محيي الدين القاري».
- 94 في نسخة (ب): وردت «أو».
- 95 في نسخة (ب): وردت الخاتمة: «والحمد لله وحده، والصلاة على من لا نبي بعده».

References

- Alak, Musa. 2009. Kemalpaşazade'nin Şerhu Tağyîrî'l-Miftâh adlı eserinin tahkik ve tahlili. Ph.D. dissertation, Marmara University, Istanbul, Turkey; pp. 102–81.
- Algar, Hamid. 2012. Khūbmehsīh. In *Encyclopaedia of Islam, Second Edition (EI2)*. Leiden: Brill.

- Alper, Ömer Mahir. 2010. *Varlık ve insan: Kemalpaşazâde bağlamında bir tasavvurun yeniden inşası*. Istanbul: Klasik Yayınları.
- Atçıl, Abdurrahman. 2017. *Scholars and Sultans in the Early Modern Ottoman Empire*. Cambridge: Cambridge University Press.
- Atsız, Nihal. 1966. Kemalpaşa-Oğlu'nun eserleri. *Şarkiyat Mecmuası* 6: 71–112.
- Bahçivan, Seyit. 2005. *Shaykh al-Islām Ibn Kamāl Bāshā wa-ārā'uhu l-i'tiqādiyya*. Beirut: Dār al-Kutub al-İlmiyya.
- Bolay, Süleyman Hayri, Bekir Yediyıldız, and Mehmet Said Yazıcıoğlu, eds. 1986. *Şeyhülislām İbn Kemāl Sempozyumu*. Ankara: Türkiye Diyanet Vakfı.
- Brockelmann, Carl. 1949. *Geschichte der arabischen Litteratur (GAL)*. Leiden: Brill, pp. 668–73.
- Bursalı Mehmet Tahir, Efendi. 1972. *Osmanlı müellifleri*. Edited by A. Faruk Yavuz and İsmail Özen. Istanbul: Meral Yayınevi, vol. 1, pp. 352–54.
- Celalzade Mustafa Çelebi. 1981. *Tabakātü'l-memâlik ve derecātü'l-mesâlik Geschichte Şultan Süleymân Kânûnîs von 1520 bis 1557*. Edited by Petra Kappert. Wiesbaden: Franz Steiner Verlag, fols. 172b–175b.
- Demiri, Lejla, and Muharrem Kuzey. 2015a. Ibn Kemal. In *Christian–Muslim Relations: A Bibliographical History*. Leiden: Brill, vol. 7, pp. 622–38.
- Demiri, Lejla, and Muharrem Kuzey. 2015b. Molla Kabız. In *Christian–Muslim Relations: A Bibliographical History*. Leiden: Brill, vol. 7, pp. 615–21.
- d'Ohsson, Ignace Mouradgea. 1788. *Tableau général de l'Empire Othoman*. Paris: Imprimerie de monsieur, vol. 1, pp. 153–59.
- Hoca Sadeddin. 1979. *Tâcü't-tevârih*. Edited by İsmet Parmaksızoğlu. Istanbul: Kültür Bakanlığı.
- Ibn Kemâl. 1898. *Risâla fî mâ yata'allaq bi-lafz al-zindîq*. In *Resâil-i İbn Kemâl*. Edited by Ahmed Cevdet. Istanbul: İkdâm Matbaası, vol. 2, pp. 240–49. First published 1316.
- Ibn Kemâl. 2018. *Majmû' Rasâ'il al-'Allāma Ibn Kamāl Pasha*. Edited by Hamza al-Bakri and others. Istanbul: Dār al-Lubāb.
- Imber, Colin. 1990. A Note on 'Christian' Preachers in the Ottoman Empire. *Osmanlı Araştırmaları/Journal of Ottoman Studies* 10: 59–67.
- Imber, Colin. 2010. Mollâ Kâbiḍ. In *Encyclopaedia of Islam, Second Edition (EI2)*. Leiden: Brill.
- İnanır, Ahmet. 2011. *Şeyhülislām İbn Kemal'in fetvaları ışığında Kanûnî devrinde Osmanlı'da hukukî hayat*. Istanbul: Osmanlı Araştırmaları Vakfı.
- Jenkins, Hester Donaldson. 1911. *Ibrahim Pasha: Grand vizir of Suleiman the Magnificent*. New York: Columbia University, pp. 49–50.
- Kemâl Paşazâde. 2021. *Divan ve diğer şiirler*. Edited by Mehmet Ali Yekta Saraç. Ankara: Türk Dil Kurumu.
- Krstić, Tijana. 2011. *Contested Conversions to Islam: Narratives of Religious Change in the Early Modern Ottoman Empire*. Stanford: Stanford University Press.
- Krstić, Tijana, and Derin Terzioğlu, eds. 2021. *Historicizing Sunni Islam in the Ottoman Empire, c. 1450–c. 1750*. Leiden and Boston: Brill.
- Krstić, Tijana, and Derin Terzioğlu, eds. 2022. *Entangled Confessionalizations?* Piscataway: Gorgias Press.
- Kuzey, Muharrem. 2020. *Ahl as-sunna und die Anderen: Konstruktion religiöser Identität durch Verketzerung (takfir) am Beispiel des osmanischen Şayḫ al-Islām Ibn Kemal (gest. 940/1534)*. Köln: DITIB Verlag.
- Mahfûz, Ḥî āfiz 'Abd al-'Azîz. 1962. *Risâla fî taḥqîq lafz al-zindîq wa-tawḍîḥ ma'nâhu lughatan wa-shar'an wa-bayân ḥukmihi: L-Ibn Kamāl Bāshā al-mutawaffā sana 940 h. Majallat Kulliyyat al-Ādāb (Baghdad)* 5: 45–48.
- Massignon, Louis. 2012. Kâbiḍ. In *Encyclopaedia of Islam, First Edition (EI1)*. Leiden: Brill.
- Ménage, Victor Louis. 2012. Kemal Paşazâde. In *Encyclopaedia of Islam, Second Edition (EI2)*. Leiden: Brill.
- Ocak, Ahmet Yaşar. 1998. *Osmanlı toplumunda zındıklar ve mühlidler yahut dairenin dışına çıkanlar (15.–17. yüzyıllar)*. Istanbul: Tarih Vakfı Yurt Yayınları, pp. 228–38.
- Öçal, Şaban. 2000. *Kemal Paşazâde'nin felsefî ve kelâmî görüşleri*. Ankara: Kültür Bakanlığı.
- Öge, Furkan Ramazan. 2021. 16. yüzyıl Osmanlı şeyhülislâmlarından Kemalpaşazâde'ye dair ilmî-akademik literatür ve değerlendirmesi. *Recep Tayyip Erdoğan Üniversitesi İlahiyat Fakültesi Dergisi* 20: 321–54.
- Peçevî, İbrahim. 1968. *Peçevî Tarihi*. Translated by Murat Uraz. Istanbul: Neşriyat Yurdu, vol. 1, pp. 71–72.
- Repp, Richard C. 1986. *The Müfti of Istanbul: A Study in the Development of the Ottoman Learned Hierarchy*. London: Ithaca Press, pp. 234–36.
- Rycaut, Paul. 1971. *The Present State of the Ottoman Empire*. New York: Arno Press, p. 129.
- Saraç, Mehmet Ali Yekta. 1995. *Şeyhülislām Kemal Paşazade: Hayatı, şahsiyeti, eserleri ve bazı şiirleri*. Istanbul: Risale Yayınları.
- Shafir, Nir. 2021. How to read heresy in the Ottoman world. In *Historicizing Sunni Islam in the Ottoman Empire, c. 1450–c. 1750*. Edited by Tijana Krstić and Derin Terzioğlu. Leiden: Brill, pp. 196–231.
- Taj, Noah. 2024. Mollâ Qābiḍ and the question of prophetic superiority: An annotated study and translation of Kemālpaşazâde's (d. 940/1534) *Risâlat fî 'Afdaliyyat Muḥammad*. *Studia Islamica* 119: 167–94. [CrossRef]
- Taşköprüzâde, Ahmed. 1985. *Al-shaqā'iq al-nu'māniyya fî'ulamā' al-dawla l-'uthmāniyya*. Edited by Ahmet Subhi Furat. Istanbul: Istanbul University Press, pp. 197–98, 377–79.
- Turan, Şerafettin. 1989. İbn Kemâl'in tarihçiliği ve tarih metodolojisi. In *Şeyhülislām İbn Kemāl Sempozyumu*. Edited by Süleyman Hayri Bolay. Ankara: Türkiye Diyanet Vakfı.
- Turan, Şerafettin. 2022. Kemalpaşazâde. In *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*. Ankara: Türkiye Diyanet Vakfı, pp. 238–40.

- Uğur, Ahmet. 1996. *Kemalpaşa-zade İbn-Kemal*. Ankara: Milli Eğitim Bakanlığı.
- Üstün, İsmail Şerif. 1991. Heresy and Legitimacy in the Ottoman Empire in the Sixteenth Century. Ph.D. dissertation, University of Manchester, Manchester, UK; pp. 77–99.
- Üzüm, İhsan. 2020. Molla Kâbız. In *Türkiye Diyanet Vakfı İslâm Ansiklopedisi*. Ankara: Türkiye Diyanet Vakfı, pp. 238–40.
- Winter, Timothy. 2007. İbn Kemāl (d. 940/1534) on İbn ‘Arabī’s Hagiology. In *Sufism and Theology*. Edited by Ayman Shihadeh. Edinburgh: Edinburgh University Press, pp. 143–44.
- Yavuz, Selahattin Said. 2005. Kelâm’da Efdaliyyet Meselesi ve İbn Kemal’in ‘Efdaliyyetu Muhammed’ Risalesi. *Dinbilimleri Akademik Araştırma Dergisi* 5: 163–85.
- Yurdaydın, Hüseyin Gazi. 2012. Kâbiḍ. In *Encyclopaedia of Islam, Second Edition (EI2)*. Leiden: Brill.
- Zildzic, Ahmed. 2012. Friend and Foe: The Early Ottoman Reception of İbn ‘Arabī. Ph.D. dissertation, University of California, Berkeley, CA, USA; pp. 133–42.

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