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Historicist study of "*Mufti*" in Early Modern English: [Early English Book Online – Text Creation Partnership (EEBO-TCP)]

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ABSTRACT:

This research makes historicist study of the word *mufti* in the early modern English studies while exploring the catalogue of Early English Books Online Text Creation Partnership (EEBO-TCP). The study also focuses on the spelling variations, evolution, symbolic meanings, connotations, denotations, anglicization, association, construction and (mis) representation of the term during the period starting from 1499 (first usage of the term) till 1650. For this purpose, the research has been delimited to the Word Index (Phase-I) of the EEBO-TCP. However, the entire record found in Phase-I consisted of 949 matches in 171 records with variation in spelling and frequency of the term: mufte (I), muftee(41), muflee(2), muftees (12), muflees(1), muftell(1), muter (1), mufti (790), muflei(13), mufti•(I), muftie(21), muftie's(I), muftis (33), muflties(I), mufties-moore(I), mufti's (23), muftis (1), muftiship (2). It was not possible to carry out research on all matches and records of Phase I due to time constraints. Therefore, the research focuses on the first 150 years, i.e., 1500 to 1650 published online works available in the database. The catalogue corpus has found 39 records and more than 200 matches of the term(s) during the mentioned period of the understudy research. The study has found that the word Mufti (with mentioned spelling variations) has often been used in historical and contextual paradigms from the perspectives of Western writers mostly during the East-West, Anglo-Ottoman, Anglo-African, Anglo-Persian and Anglo-Asian encounters. The word has time and again explained in the Christian religious context for readers of the Western world as Chief Priest, High Priest, High Bishop, Chief of Religion, Archpriest, Archbishop and Powerful Figure who had the power of presentation and persuasion. The research has also found that during the mentioned period Mufti had a dominant position with multiple roles and responsibilities: interpreting laws and complex issues as legal expert, issuing decrees in light of the religious laws, leading religious rituals, and rendering religious education to students in the seminaries. Throughout the Islamic history, the trained and well qualified *Mufti*, the capable Jurist and Islamic legal authority, used to give an authoritative and formal opinion (fatwa) in answer to an inquiry based in Islamic Sharia principles and precedents. It used to be compiled in legal reference manuals for record. The study has also found that the meaning of the word has undergone drastic change later in the 19th century during the British colonial experience of India. The term once used for the high position of Islamic scholar and Jurist (Mufti) has been turned into somewhat funny connotation of a slang and degraded word for casual dress, leisure and offduty time for the uniformed personnel.

Keywords: *Mufti,* Historicist Study, Early Modern English, Christians-Muslims Encounters, EEBO-TCP.

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1. INTRODUCTION:

The understudy research aimed at tracing the historical journey of the word "*mufti*" in the early modern English. For this purpose, the researcher has focused on the database of Early English Books Online Text Creation Partnership (EEBO-TCP) catalogue in Word Index (Phase I). However, it would not be possible to comprehensively discuss the word without taking into account the current usage, meaning, connotation and denotation of the word. Therefore, for general introduction, other than utilizing the available catalogue of EEBO-TCP, the word is also briefly discussed in the current studies for developing an overall understating of the term. As per the available record in the Merriam Webster Dictionary (MWD), two entries of the term *Mufti* were found with different contextual meanings. According to the first entry (1586), the Arabic noun *Mufti* is defined in the English dictionary as "a professional jurist who interprets Muslim law", while in the second entry (1816), the word is "ordinary dress as distinguished from that denoting an occupation or station (a priest in *mufti) especially*: civilian clothes when worn by a person in the armed forces".

Further search in the vocabulary website of *vocabulary.com* has also defined the term *mufti* in almost the same manner. According to the definition, the primary meaning of *mufti* (noun) is a jurist, an Islamic scholar who is legally able to rule on various religious and personal matters as in some places when people go through the divorce they might need help of a *mufti*. He is also expert in civil law or the law of the nation who interprets the Muslim religious law. Mufti (plural muftis) is actually an authorized official in some of the Islamic countries who takes legal decision or help judges in deciding cases such as inheritance, marriage, divorce, and other civil issues. The secondary meaning of the term is a "civilian dress worn by a person who is entitled to wear a military uniform" or "ordinary clothes" worn by people of soldiers. And the grand *mufti* means the chief *mufti* of a district.

However, in Arabic, *mufti* means "judge". Primarily, the online available data in the Early English Books Online Text Creation Partnership (EEBO-TCP) was utilized in order to carry outa historicist study of the term in the catalogue of the available data of 150 years starting from 1500 to 1650. However, overall, in phase I, the word is found 949times frequency with 15 spelling variations in Word Index (Phase I) including *mufe(1)*, *muftee(41)*, *muftee(2)*, muftees(12), *muftees(1)*, *muftell(1)*, *muter(1)*, *mufti(790)*, *mufti(13)*, mufti(1), muftie(21), muftie's(1), muftis(33), muflies(1), mufties-moore(1), *mufti's (23)*, *muftis (1)*, *muftiship (2)*. It is pertinent to mention here that the first reference of the term was found in the database

that the first book carrying the term *mufte* was published in 1499. Therefore, the researcher will take it into account as the first usage of the word.

The word *Mufti* was first checked in full text record of both phases of 'Early English Books Online Text Creation Partnership (EEBO-TCP) without opting for any restricting option. It was found that the word had 1682 matches with 277 records. It was not possible to handle the data within the stipulated time and word limit. Therefore, again the term was checked while restricting it to phase one, it was found in 827 matches in 143 records. But again it was not possible to work on the whole records and matches due to time constraints.

In order to further delimit the studies, the word was tried with different restrictions and time periods. This time the record of the word was checked in Word Index (Phase-I), it was found that the word had 946 matches in 171 records. But again it was not possible to explore the entire record. Therefore, this time the check was restricted to first 150 year, i.e., starting from 1500 to 1650 with all the given variation of spellings to manage it within the stipulated time. After consultation with the supervisor, the researcher was asked to focus on the entire historical record of the word "*Mufti*" in one period of time without restricting it to drama, navigation or time interruption — ensuring historicist study of the word in the whole corpus of the online available data of EEBO-TCP.

1.1. EEBO-TCP:

The catalogue of EEBO-TCB corpus consists of the collection of online published works of Early English Books known as Short Title Catalogues I and II. The database is a rich storehouse of online books starting from the first English printed book in 1475 till 1700. The resource is built for research purposes with multiple options to trace the required information in the online available catalogue of books. Primarily, the works consisted in the collection are from the disciplines of literature, women studies, law, medicine, geography, mathematics, natural sciences, politics, history, philosophy, religion, music and other practical arts with more than 125,000 volumes. The works have been utilized for research purposes by scholars from various disciplines such as English, history, theology and linguistics.

The EEBO-TCB includes the works of almost all well-known authors from a range of subjects, e.g. Erasmus, Shakespeare, King James I, Marlowe, Galileo, Caxton, Chaucer, Malory, Boyle, Newton, Locke, More, Milton, Spenser, Bacon, Donne, Hobbes, Purcell, Behn, and Defoe. The books are available free of cost for distribution, use and reuse purpose

by anyone across the globe though initially the works of 25368 texts in EEBO-TCB Phase I (converted from 2000 to 2003 from Early English Books Online corpus) were only available to those institutions who contributed to their creation. However, later on, Phase II was merged with Phase I (34369 books) to expand the scope of EEBO-TCP by converting usually the first edition of almost all unique books in cooperation with a number of organizations. Therefore, it was decided on August 1, 2020 to make free access to public to the online works available in both phases.

2. AIM OF THE PRESENT STUDY

The understudy research aims to study and analyze the historical evolution of the term *"Mufti"* from the catalogue of EEBO-TCB corpus consists of the collection of online published works of Early English Books known as Short Title Catalogues I (1499-1650) to trace the changing nature of the term. The study focuses on the meaning of the word and the way it has undergone drastic changes from the early Muslim-Christian interaction to later in the 19th century during the British colonial experience of India.

The research also aims to analyze the changing nature of the term from historical and contextual paradigms from the perspectives of Western writers mostly during the East-West, Anglo-Ottoman, Anglo-African, Anglo-Persian and Anglo-Asian encounters — falling somewhat from high status of authority to lower status as it once used for the high position of Islamic scholar and Jurist (*Mufti*).

It was during the West-East British colonial encounters, the authority and status of the *Mufti* was eroded. The *Muftis* were being faced with cultural appropriation and othering, particularly when British imperialism was on its peak — the colonial entitled officers starting appearing in traditional outlook of the *Muftis* for implementing the colonial rule.

3. RESEARCH METHODOLOGY:

The understudy research is using the historicist method of research to trace the history of the word "*Mufti*" in the available database of the Early English Books Online Text Creation Partnership (EEBO-TCP). The study is both quantitative and qualitative in nature. It is quantitative in the sense as it has to first to find out the manageable range of quantification of the word (matches and records in the online available catalogue) so that the research could be handled within the stipulated time and word limit of the research. The study is also qualitative in the sense that it has also to focus on the transcription of the word, spelling variations,

etymology of the word, contextual meanings, description, symbolic use and [mis]use, anglicized formation, usage in Christian context of priesthood, its evolution and changingshape and meaning. For this purpose, the website of Early English Books Online Text Creation Partnership (EEBO-TCP) was utilized to check the history and roots of the word in the early English books to carry out the historicist study of the word. When the word "*Mufti*" was checked in the Word Index (Phase I) of the EEBO-TCP, it has quickly traced the whole record in the available storehouse of the published works with frequency of words (number of times appeared) and spelling variations.

The record and matches of the word was found in quantification with historical records, its treatment, contextual usage, evolution and Anglicization over the years. Primarily, the word was found in 949 matches with 171 records in (Word Index phase-I) of the EEBO-TCP. The data is sorted out chronologically in ascending order for making it easy to manage and carry out historicist date-wise study of the term in the first 150 years, i.e, starting from 1500 to 1650 with the given variation in spellings. The research has relied on the storehouse of Early English Books Online Text Creation Partnership (EEBO-TCP). But it has also utilized some other relevant websites, dictionaries, research studies and books of the prominent authors like Nabil Mathar and Mathew Demmockfor making the study updated and comprehensive. Thus the current study has also shed light on the present-day connotations of the word *Mufti*.

4. HISTROICAL TRACES OF MUFT IN EEBO-TCP (PHASE-1)(1499-1650)

4.1. CONNOTATION OF MUFTI AS CHIEF PRIEST/HIGH PRIEST/BISHOP:

The term *mufti* with the spelling variation of *mufte* was for the first appeared in 1499 in the online available database of EEBO-TCP in the book titled *The rote or myrour of consolacyon [and] conforte* in the given context of "This profytey^u mayst not loke to hauehastly / for after the ordre of wysedom of our lorde it muftehaue a tyme in grolwynge" (Worde, 1490). The term with original spelling variation of *mufti* has found three matches almost in the same meanings of 'chief priest' in the entire texts of ninebooks originally written in Italian language later translated into English with the title of*the history of the wars between the Turks and the Persian* consists of descriptions related to the history, religion, government, geographical maps, countries and kingdoms of the Persians. The term was found only in the second book of the series with particular reference of the *mufti* named Mustaed-Dini, P. in the context of 'the chief priest' as the chief of the law among the Turks (Minadoi, 1595).

The book, *Principall navigations, voyages, and discoveries of the English nation* has also used the term *mufti* interchangeably with the term *high priest*in one of matches in the entire text of the bookas "the *Cadi-lesker* or lord chiefeIustice, & the Mufti or high priest do sit to determine vpon such causes as be brought before them"(1599-1600).Similarly, in the book, *The estate of Church with the discourse of times, from the apostles vntill this present (1602),* the term *mufti* has found one match which was used as substitute for 'the *high Bishop*' as "by the earnest motion of the high Bishop of the Tur|kish Priests (whom they call Mufti)."

Whenever the Christians had a chance to observe the Muslims or go through the readings about their laws and histories, they had found them morally superior in terms of devotion, piety, charity, clean, respectful to their Mosques, careful towards poor, strangers, travelers and sick people and obedient to their Priests (*Muftis*). The Christians of the same point in time were being criticized for lack of convection towards their religious teachings as "the revolutionaries have rejected and insulted their parish priests and have followed their own self-declared prophets and visionaries; while even the Sultan heeds the advice of the *Mufti;* the English regicides are treating themselves as political and religious authorities" (Matar, 1998, p. 80). Even the great Turk, according to Matar (1998), could do nothing without proper consultation of the *Mufti* and they used to observe a whole month fasts together from morning till night.

Dimmock (2013) in his book, *Mythologies of the Prophet Muhammad in Early Modern English Culture* while discussing the life of Prophet Muhammad (PBUH) as conceived from different literary, historical and visual sources appeared in the Christian traditions (the book may be termed as the Christian construction of the Prophet) during the early modern enlightenment periods in England by the Western people in general and the English in particular while comparing Daborne and Green works, he refers to the term *Mufti* as Chief Priest during the ceremony of embracing (eight scene of a play) in which the pirate John Ward 'Turns Turk' (renounced his faith and embraced Islam). Similarly, Dimmock while referring to the scene has said that the ceremony was presented as dumb show in which Ward has embraced Islam — dressed in turban and robe with a sword in his hand while swearing on Prophet Muhammad (PBHU).

4.2. MUFTI AS POWERFUL FIGURE:

Likewise, in the book titled, *The generallhistorie of the Turkes from the first beginning of that nation to the rising of the Othomanfamilie: with all the notable expeditions of the Christian princes against them. Together with the liues and conquests of the Othoman kings and emperoursfaithfullie collected out of the- best histories, both auntient and moderne, and digested into one continuathistorievntill this present year 1603,* the term mufti had found two matches of a powerful figure who had the power of persuasion and influence in the affairs of state and courts of the kings in Turkey. First he persuaded to replace and bring down the existing images placed in the court of the king.

These images represented the formes of *Hercules* with his club, of *Apollo* with his harpe, and *Diana* with her bow and quiuer: all which he placed in the tiltyard at CONSTAN|TINOPLE, as a trophie of the Hungarian victorie. Howbeit these images were since taken downe by the persuasion of the **Mufti**, & molten (as contrarie to their superstition) and great or|dinance(*1603*, *p.604*).

Later, again in the same book, *muftie*has demonstrated the power for persuading and commanding the people not to drink wine as it was contrary to the Islamic law in the Constantinople or Pera in Turkey. The *mufti* has issued an order for banning drinking wine and those who violate the law would be punished. However, exceptions were given to the ambassadors of the Queen of England, the French King, and of the State of Venice. The order was followed with such a spirit that as per the report it was witnessed that the wine ran down like channels to a free space from the streets of Constantinople like that of a heavy rain water.

The Muftie, com|maunded all such as had any wine in their houses in CONSTANTINOPLE or PERA, vponpaine of death to bring it out and to staue it, except the embassadours of the Queene of ENG|LAND, the French king, and of the State of VENICE: so that (as some report) wine for a space ran down the channels of the streets in CONSTANTINOPLE, as if it had been water after a great shower of raine (1603, p.1143).

Referring to the role and importance of *mufti* among the Turkish and Arabian princes, Bodin, a famous lawyer of his time, and a man of great experience in matters of state craft, argues that the greatest honor is bestowed upon them. He said that even their kingdoms and empires observe their *mufties* and give them honor and respect like that of a *high Biship*due to the fact that they decide the cases based on most doubtful questions of their law (1606, p.394).

4.3. MUFTI AS CHIEF RULTER AND OFFICER OF JUSTICE:

According to Biddulph, William (1609, p.63), the Turkeshonour their *Muftie* likean Angell, The Muftie is somehow like a chief ruler in ecclesiastical matter next under the Grand Singior.Cottington(1609)used the term with the spelling variation of Muftie two times in his book and termed their role as the officer of justice who often hears complaints of the grieved persons and offer strangers free access to plead their cases before the kings. Similarly, Muftie are but "The chiefest man for judgment under the king" to who the grieved parties can appeal. Likewise, the Muftie of Moruecos alongside the king in judgment every Friday in the afternoon hear and determine the causes of their subjects. "Their Mufti, (who among them is as the Pope with vs)"(Fougasses, 1612, p. 371).

According to Purchas (1613) part I of the pilgrim books, the drinking of wine was a forbidden act in the Constantinople with certain declared punishments. But the Mufti under his legal authority has given permission to some of the non-Muslim ambassadors during 1601 in the city so that the affairs of the state could be run smoothly. They argue that Mufti was given the authoritarian position to convert laws into ordinance for initiating legal actions. While if someone preaches or teaches immoral doctrines, the Mufti like as well as the Cadilescher (who used to be the chief judge during the Turkish Empire) first deprive them for their wrong doings and later correct them. Likewise, the legal hierarchy follows the order:

Thus reckoneth: first the *Cadilescher*, vnder which the *Mof*/*ti* or *Mufti* \rightarrow *;* the third the *Cadi*, and after these (in subordinate orders) the *Modecis*, *Antippi*, *Imam*, *Meizini*, and besides these the *Sophi*, A certaineRagusian (Purchas, Samuel, 1613, p.265).

However, the authors have also made a comparison between the ranks and powers and authority of Cadilescher and Mufti: In some cases, the Mufi is given the highest position followed by Cadilescher. However, in some other cases, Cadilescher is given the highest rank than that of Mufti and that is perhaps due to the fact that his life is usually found more in action both in government affairs, courts and war related matters while Mufti often found as the highest interpreter of the laws. Likewise, whenever any appeal is made in any given sentence, it is referred for a legal opinion of the Mufti.

4.4. MUFTI AS CHIEF OF RELIGION:

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Similarly, in Turkey, the head and chief of religion is also Mufti whose selection is made by the Great Turk himself on basis of the following characteristics: wise, knowledgeable, learned, having good life and whose authority is esteem. The emperor may never change his recommendations related to civil, criminal and state related matters. No could openly challenge the sentence given by the Mufti, however, the emperor has to settle in resolutions. Though Mufti does not have the power to make command yet he is consulted in matters wherever there is doubt. In such situation, he can make either raise a question in terms of declaration or answer the same containing his judgment called *Zetfa*.

Similarly, this Zetfa (Mufti's judgment) — the rule of the sentence based on truth is presented before the judge. Likewise, the Grand Seignior has also to ensure that he is both religious and just while serving the authorities. Therefore, the role of the Mufti's judgment(s) is of utmost importance covering both the war and peace times. As result, it demands high level diligence and sense of responsibility and obedience of the authority on part of the Mufti. He has to keep aside his personal inclinations: likes and dislikes in matters seeking resolutions or decisions. But sometimes Mufti goes against the established conventions by following his own whims. It was during the reign of Selimthe second when the Mufti came to know that the Emperor has approved the same judgment given by him in his Zetphafor showing his intent to attack Cyprus. However, later great efforts were made by Mehemet the Visier for breaking of this resolution as the Mufti has favored that the war against Cyprus was good and just. In this case, the Majesty has shown somewhat great obligation in conscience to follow. Similarly, the Mufti was confident enough to tell the emperor that the Moors of Spain have revolted against the Christian oppression and if he neglected the cause of those Muslims, his own subjects would force him to do so. This situation has raised the attention of the Mufti and others who were in hierarchy in the affairs of the state.

4.5. QUALIFICATION AND HONOR OF MUFTI:

Purchas, Samuel (1613) argue that the Turkey had colleges in Constantinople, Andrinople, Bursia, and other places called Medressae in which they study religion and law in nine degrees for reaching to the highest position starting from: *Softi, Calfi, Hogi, Naipi, Caddi, Muderisi, Mulli, Cadilescari, Mufitee*. Thus Mufti acquires similar position in Turkey like that of the Pope among the Roman Catholics. Likewise, he is given the highest honor as he is consulted in matters of offense, neither has he to sit in Diuano nor kiss the hand of Grand Seignior. The Great Sultan also arises in honor of the Mufti when he comes to him then sit, talk face to face and make conference. "No man can ascend to this place, but by the dignities aforesaid" (p. 267).Purchas (1613) while referring to the books of Policy of Turkish Empire, they state that the authorities of Mufti are like that of the Jewish high Priest or like that of the Roman Pope. The author is of the opinion that though the Mufti rarely goes abroad but whenever he wanted to leave for foreign visit first he visits the Emperor. On the Mufti's arrival, the Emperor stands from his seat and makes salute to him while giving the due respect, he embraces him with kindness and entertains him in friendly manner while sitting by him down and giving the honor of the place. According to Jackson (1614) the Turks often rush in huge numbers to hear the judgment of the Mufti. They believe him as the believe Prophet Muhammad (PBUH) during his lifetime as it would not have never been made possible to know either about the old testament or the Alcoran — that this book is revealed from God.

But all of that *Ali/an* Sect are so hated by the *Othomaniques*, rhat their Turkish *Muftis* (that is their Patriarchs or Archbishops) hauedeliuerd, that its more meritorious, in Mahume/disme, to kill one *Persian* then threescore and ten Chri/stians (Selden, John, 1614, p.106)

Gainsford, Thomas (1618) while referring to a Mufti's judgments said that he used to be called to counsel. Sometimes, the power of the Mufti is misused as the authors argue that once RustanBashawes had corrupted the Principal Mufti by seconding her enterprise. However, sometimes the government takes tyrannical decisions without taking Mufti's judgments into consideration despite the opposition of Viceers and Mufties. Once the Vineyard, a shippe of London in Constantinople in whichHarris was Master (1605) having Turks and Turkish goods when betrayed by the treachery of the English, the youngest Emperor has commanded in anger to burn all the ships and warned the merchants of inflicting more pains. Referring to the unfair treatments and miseries of the subject merchants, the author state that on the same night, one of the merchants was burnt though not clear whether it was by chance or purpose but it is clear that it was against consultation of the Mufties and Viceers. But whatsoever, the Mufti used to carry out the religious rituals of the dead bodies of the emperor's children as after enclosing them in coffin of Cyprus, the bodies were received by the Mufti for burial. While those runaway Christians who wanted to convert to Islam, according to Montagu, Richard (1624) they have first to deny the path of the Christ who is supposed to be circumcised. It is either done either in consultation with Grand Signior or that of the Chiefe Muftie. Heylyn and Peter (1625) argue that the sentence given by the Mufti

could neither be challenged in law nor in religion. Similarly, the Mufti does not suppose to sit down in Diuano, he is supposed to get more respect and honor from the Emperor than he to him. According to Purchas, Samuel (1625) part II of the pilgrim books, Muftie is one of the most influential men under the king. The grieved party is supposed to appeal the Mufti from any other ordinary judge. For the purpose of disposing of the appeals, there were three men: One in Moruecos, Fez and the third at Taradant in Sus. However, every Friday afternoon the Muftie of Moruecos used to sit with king to hear the cases of the judgment for thoroughly looking into the causes of cases — even if the subjects were strangers. The Mufti used to be considered a poor man if he was found taking bribes or selling justice despite the fact that if he is living at eminent place with extraordinary respect. Amongst the Turkish, Mufti was given great honor which is evident from the following given excerpt of the book.

THE dignitie of the *Chaliph* amongst the *Turkes*, with much abatement, doth now re|maine[40] $\stackrel{*}{=}$ in the *Mufties* (which name doth signifieAn Oracle, or *Answerer of doubts*) as Successors to *Ebbubecher, Omar* and *Ozman*; the other being both High-Priests and Princes; these Patriarchs, as it were, and Soueraignes of their Religion (Purchas, Samuel, 1625, p. 1294).

Throughout the whole Turkish territory there used to be one Mufti living in the royal city while following the Emperor. He used to have greater repute and authority than that of the ancient Pope. Even the the *GrandSignior* used to salute him on his arrival. His role used to be like that of a supreme judge and rectifier of all actions and approver of the justice. While drawing the outlook of Mufti, the authors argue that he is a figure of serious nature with grave personality and fluent in speech. Likewise, whosever come to him for appeal, they give their questions in written form and he also returns the answer in written form. He wears the largest turban in the empire along with clock and watch. He also keeps his house like the seminary to instruct and guide students in matter of laws. He doesn't restrain himself from the pluralities of women due to the fact of holding influential position with great sources of incomes and wealth and rarely pays back his debts.

4.6.OUTLOOK AND DRESSING OF *MUFTI*:

The terms such as Arch-priest or Bishopare also used in book for the *Mufti*. Likewise, *Mufti* is as counted in Constantinople as Pope in Rome. Both the Jews and Christians were forced to quit wearing turbans as it was something specific to the dress of Mufti. The canvas of the Mufti was so wide that whenever there used to be a marriage between the king and the queen as he has to give each of them their assent in the matrimony in terms of Testification or

authentic writing for noting down the consent of the contract between the two parties along with the dowry which the king is to allow her(Purchas, 1625). According to Purchas (1625), Mufti is also named as expounder and declarer in law whose role is somewhat like the Archbishop. He had supposedly a sound background in laws and quite familiar with the justice system and after all he is chosen by the Grand Signior himself. The role of the Muftee is to look after the matter related to the law and to that of the church. However, he does not had the authority over other Muftees of the province but even still he influential — as he is with the king as his dignity and authority is superior in affecting the matter of the state. Tow important persons are working under the same Muftee: the judges of the armies of Grecia and Natolia. Likewise, they are also expert in law while the Muftee is also looking after the one responsible for justices in every city and town level. The Mufti is also supposed to focus on the controversies and punish the responsible offenders. However, Mufti and Cadeeleschersare changed after a period of three years with the order from the Grand Signior and permission of the king. The men of the law, the Muftee, the Cadeeleschers, Mulaes, and Cadees wear the biggest turbans in Turkey in fashion which make them more visible — to be honored and respected in their unique getup. Likewise, they wear white Chamlet and finest cloth but not that made of silk. The prime responsibility of the Muftee is to respond to the appeals made to him in general issues, Turkish Justice Rites, laws and conscience. The often comes up a brief response called Fetfa's (Declaration or Judgment of the Muftee) through which he forces the Cadees and Bashawes to implement the orders. The Fetfa is upheld at high esteem as for as its implementation of it is concerned. The advisor of the king is also officially bound for executions of the issued orders. Mufti is also bestowed with lots of financial privileges during his service and even later after the retirement (Purchas, 1625).

The $\leftarrow Muftee \rightarrow$ hath his *Entrada* apart, in Land of about sixe thousand Sultaninesper annum: but ^{*}- being put out of his place, falling into disgrace with the King, and leauing the *Entrada* to his Successor, he hath then but a thousand Asparsper diem pay: as the *Cadeeleschers*haue when they [50] are in Office (Purchas, 1625, P.1610).

According to Purchas (1625) part III of the pilgrim books while comparing Mufti with the Lord of Tensa who had power and command over a large territory of the entire region like that of the Chief Lord, they authors argue that to the Turks, Mufti is similar influential — more than the Soldans of Egypt to their Califas whose subjects cant event think of crossing the limits imposed by them.According to Sarpi& Paolo (1628), for restoring peace with the

Spain, the Turkish emperor has ordered to present forty Turkish slaves at the port. The peace deal was documented between the Spanish and Ottoman in terms of exchanging letters of credit for good sums. This has also meant to create the enabling environment for spending and procuring response from the Grand Signior along with favor from the Vizier, Mufti and other influential officer of the state.

4.7. LEGAL AUTHORITY OF MUFTI:

Giovanni Botero (1630) while elaborating the power of Muftee during the Ottoman Empire argues that he the ninth and main legal authority in most pertinent affairs in terms of his commandments, governing judges, and declarations in laws and religious power might not be challenged. One well imagine his powers from the fact that even leading official figure Bashaws in difficult law related issues approve without any legal appeal. Likewise, when Mufti comes, the Grand Seigniors has to rise for him in his honor and then sit face to face to hold meeting. Mufti rose to such a powerful position and highest place in the Turkish government even if he belonged to a poor financial background. Philip Massinger (1930) urging the merchants while dealing with Turks as we are allowed for safe trading with them but you should be careful about your mood, temperament, tongue, follow your way, be careful about the colors of dress and avoid interference in their manners and religion. He, however, said that soon we landed, after around two hours; an English Pirates alongside a whore in appeared who walked the street. The Mufti (whom we call Priest at Venice) came with a razor and cut her petticoat and leaves her naked.

Mufti, Soothsayers, Persian Magi and Christian Starre-Divines — all of them were put in one category due to their domain of influence over the common people. Whenever a Mufti wants to announce his declaration, first he opens the paper and the start speaking from it with authority of the holy book. He brings forth clarity to the matter wrapped in ambiguity and confusion. Similarly, the holy figure personality of the Mufti also highlights the progress of the empire and the achievements of the king(Greville, Fulke, Baron Brooke, 1633). When order was issued to behead forty thousand — lots of hue and cries were made. However, the Persians vow could neither be changed nor dissuaded without unless either the Mufti or sacred messenger gives them the assurance that bringing the outlaws to justice. The harmless often suffer from merciless. The Turks Mufti has taken address the grievances of the Persians after the violence took place causing sectarian widened (Herbert, Thomas, Sir, 1634, p. 91).According to Michel Baudier (1635) while referring to a history report once a Prince of the Turkish Emperor house has said that the Ottoman were passing through the town of

Prussia — the Chief of the Empire loudly announced that all those who were hungry, thirsty and naked should to the house so that they may be helped. Afterwards, the people have blessed the Mufti with loud prayers. However, all these people were charged and strangled in presence of the Mufti. It was written in their customs that "*One God in Heauen, one Emperourvpon Earth:* They beleeue this is the only meanes"(Baudier, Michel, 1635, p. 30).Mufti has got a well established position with supreme ecclesiastical dignity and enough means of remuneration and other financial privileges of the Mufti is also elaborated in comparison with other high ranking positions in the Turkish Empire.

The Largesse which the Sultan makes at his coming to the Crowne, is distributed after this manner. Hee must giuevnto the great $\leftarrow Mufti$ two thousand fiue hundred Sequins, as much to the Grand Vizir; the other of the Vizir or Bashae'shaue either of them two thousand, the Cadilesquerseuery one two hundred and fiftie Sequins, the one of them *Tefterdars*euery as much: the Capigibassieuery one a hundred; the Aga of the Ianizaries two hundred and fiftie, the Iman Royall hath but fiue and twentie: the most famous Doctours of the Law receiue threescore, the other which are inferiourhaueeuery one thirtie two Sequins (Baudier, Michel, 1635, p. 31).

In the Ottoman Empire, the *Mufti* (high priest) also used to lead a group of thirty musicians on horsebacks to play traditional Turkish music with showing Egyptians tricks to rejoice the moments of promotions or other happy events. They used to play lutes, harps and guitars. Likewise, Mufti is also used to appear majestically often on camel back holding a book in his hand. He used to be accompanied by a large number of students of religion holding books in their hands in the same manner. It was really worth watching to see their attire — some of them were used to cover headed with hoods while others were with mitres, crowns and skins of the beasts. Similarly, the Mufti descended from his Tabernacle enters the palace with some presents in shape of some books of the law. Likewise an order was established that for Sultan, the great Bassa, the Mufti — all of them had their parts in the territory of Brusia, the town in Bithynia consisted of the purest eastern parts. The same distribution is carried by the book kept by the Chief Baker for observing the cause (Baudier, Michel, 1635).

The *Mufti* and his *Praceptor* are honoured, and the *Bashaes*receiue: and all this consists in precious stones, Purses full of gold coyned, Robes of cloth of Gold,

Plumes of Feathers, Iewels, rich Armes, and other things of value (Baudier, Michel, 1635, p. 98).

Francis Knight (1640) while referring to the commonalties between Mufti in Islam and Priest and Arch-Bishop in Christianity and the Muslim-Christian religious customs. These highranking religious scholars are different from each others as their habits demonstrate that they are different from each others. They had great esteem both in Turkey and Arabia. However, in the same book, later on, priest used interchangeably for that of the Mufti as the author states that the majority of Turkish priests were Moores who were considered base people in respect named as Totseks while their principal Church Governor is called Mufti. The absolute declaration of the Mufti sentence in law and religion used to be considered valiant. However, the first title of the Mufti was Caliph — whose residence was Babylon. But now Babylon is recovered by the Persians, therefore, Mufti is now retired to Constantinople, a more secure place for him. It is also better for the Mufti to follow the grandeurs of the Turks instead of following the broken estate of the Persians. Therefore, it is said that fortune favors those who had a great number of favorers (Lithgow, 1640). According to John Taylor (1641), the Turk said that the secretaries should hold any degree from the university rather they should have learnt from the academies. Instead of scholars or learner of the Alcaron except the Mufti while all of them must also be soldiers who can follow orders without contemplation as ignorance is the mother of devotion. Referring to the location where Mufti sits, Gomberville, M. Le Roy (Marin Le Roy), sieur de(1647)said that once a young prince who understood the language when asked Bajazet for answer of his question related to his mother, he looked towards the right at the Mufti. He was asked to take notice of the question as the child needs clarification.Robert Baron (1647) has repeated the same episode of beheading people causing tension between Turkey and Persia and historical clash between the two empires. For addressing the grievance of the victims, the Mufti or sacred messenger were asked for giving them the assurance. It was common for almost all Turks to wear white shashes, turbans, and badges of their religion — actually Shashes are long towels wound around their heads. Such dresses were used as per the rank, greater the rank, greater the wears. The Mufti wears a big turban though orders were issued for particular head ornaments. The Muftiewho is also termed as "The high Priest" or "Patriak" has remained a powerful authority in the time of Ottoman Empire both spiritually and worldly. He upheld this powerful position in the Caliphs after the death of Prophet Muhammad (PBUH). Thus slowly the Mufti influence were expanded, however, the problem that the Turks and Persians were faced with was that of the successions.

Though the Turks and Persians had somewhat a different system but primarily the power structure was almost the same. Mufti was considered as the sovereign of religion and resident of the Royal City. He has also acquired the esteem position of close aide of the Emperor where he rises to make salute and sits with him. Similarly, the Emperor takes no design or decision without the approval of the Mufti. He had the power of reversing his sentence and the sentence of the great Council if these were not properly taken in light of the teachings of the Holy Quran. Thus his decision was getting the shape of law — leading him to the supreme position of judge and rectifier of all action: civil, ecclesiastical and approver of the military justice. Though the choice of his selection was in the hand of the Emperor but all of the Mufti declaration was from the mind of the Mufti. Therefore, Mufti has a very outlook and grave personality — he could hardly come out to intermingle with common people. He also avoids impertinent conversation, however, whosever come to him for appeal they had to deliver him their quarries in written form. They were briefly given the written answers in response to their questions. The Mufti also had a Seminary for training students in laws. However, Mufti does not want to restrict himself from the plurality of women — and the enjoyment of Seraglio (the living quarter for the wives and concubines in Ottoman household). Such recreation was somewhat necessary for such a grave profession. Likewise, under both the Turks and Persians, the Mufti issues a number religious orders to deal with the law related matters (Baron, 1647, p. 197).

John Cleveland (1648) while referring to Cheynell, a double Turk, and Captain Prestor Frank who was both a Mufti and Aga, has stated that the Turks have not only their Saboth and not only a monthly fast rather they had a fast for whole month. Similarly, Thomas Pierce (1648) state that in order to smooth the passage and facilitate the access of Mufti to Seraglio, the slaughter was necessary. James Howell (1648)states that just before a few days before of his murder by his Janizariesin 1623 had a dream that Osman had left with not much time. He dreamt that despite sitting on back of huge camel, he could not make it move. After lots of efforts to begin his journey, he was overthrown by the camel to the ground and the camel was vanished. However, the Mufti could not interpret the dream, while Santon though a kind of idiot has interpreted the dream correctly which proved after two days: the Camel in dream represented the Ottoman Empire which the king could not govern, therefore, he was overthrown exactly after the two days of his dream.

The author argues that all of the dreams are not meaningless as it conveys a little bit messages — the dream could only be interpreted by those who had some special illumination.

There is no doubt that Usman was courageous but he violated sanctity of the Church by melting its lamps. Therefore, the Mufti has said that as result, a due judgment from Heaven was fallen on him for his blasphemy. Likewise, the king used to disgrace his own persons while visiting at night with two soldiers and peeping into the houses for apprehending the soldiers. Therefore, once he was assaulted by a domestic servant in Seraglio. William Prynne (1650) states that more than 200000 Turks were in the field for attacking the Germany, however, if the Christians could not handle it; this might have reunited the Turkish Empire. Since Armurath IV who started ruling from 1623 till his death 1642. Throughout his reign of Islamic government, the Empire was faced with continuous clashed and massacres among the Turks, the Jannizaries — affected the weak and young emperor while terrifying the Mufti and Bassa's sore as they had the prophecy the Mohamet has won the Constantinople and he would lose it to the Christians.

4.8. COLONIAL CONNOTATIONS OF MUFTI:

Drawing a connection between the Muslim authority figures (*Mufti*) and 'Mufti Day', Historian Katie Pickles (2020) argues that certainly, *Mufti* has a prestigious position in the Muslims since early modern Ottoman Empire. But it was during the colonial time of British Raj in India that the "off-duty British military leaders adopted a subjugated culture's ceremonial clothing as their informal attire. It appears that officers started dressing in robes and slippers that they slightly mockingly thought resembled garments worn by Mufti. This happened at a time when, with the objective of rendering them obsolete and powerless, the authority of Mufti in India was being extinguished."It was the casual dress of the mufti day that has to bring the occasion to ditch the conformity. The esteems position of the Muslim religious authority of the mufti who interprets Islamic laws and then gives fatwa (legal opinion) has been taken ridiculously by the colonial forces. Their serious religious getup of the mufti was taken as a casual dress/clothing by the men of uniforms while naming it the mufti day especially during the off-days when they used to wear such informal clothing.

It was during the colonial era of India when the armed forces officials used to wear robes and slippers which they slightly mockingly thought it somehow like the garments of mufti. It also means that the mufti was taken as powerless and obsolete due to the diminishing authority of the mufti in the Indian Subcontinent. Consequently, the colonial army of the British Empire has started referring term "mufti" for their days spent in loose and comfortable clothing such as dressing gowns. Thus the religious and cultural power dress of the colonized Muslims has been turned into play dress of the colonial Christians. However, the canvas of the terms was

expanded as it referred to almost all situations and outfits whenever soldiers dressed in informal dress. The word has also spread to police force and school students for the casual dress (Katie Pickles, 2020).

4.8. CURRENT USAGE AND STATUS OF MUFTI:

Primarily, the word *Mufti* is taken from the Arabic language (/'mAfti/; Arabic: (Arabic: Arabic)) which means a well qualified Islamic Jurist and scholar of upright character who issues *fatwa* in light of the Islamic *Sharia* (law), Islamic Jurisprudence and traditional legal theory. *Mufti(s)* and *fatwa(s)* haveplayed a prominent role throughout the Islamic history. The fatwa(s) was often issued in response to private queries — the fatwa meant to inform the Muslim public about the legal status of the issue(s) and advising courts from Islamic perspectives. Fatwa is the pronouncement and interpretation of problematic legal matter. It requires sound knowledge and understanding of the Quran, Hadith, exegesis and collected precedents on part of the *Mufti*.

The *Mufti* (the *shaykh al-Islām* or Turkish: *şeyhülislâm*) of Istanbul in the Ottoman Empire has given the most powerful status with the highest legal authority. It would not be wrong to claim that *Mufti* has enjoyed the key position by leading the whole judicial and theological hierarchy. However, with the passage of time, the authority and status of *Mufti* was declined in most of the counties with development of the civil codes. The authority was firstly restricted in cases of personal status, religious customs, inheritance, marriage, and divorce etc. Likewise, in some other cases too, the prerogatives of the *Mufti* were circumscribed by modern legislation. Later during the British colonial encounters, the connotation of the word has undergone drastic changes.

Thus the serious scholarly outlook and prestigious position of Islamic World has now somewhat associated with slang meanings and derogatory usage in the Western perception. Therefore, anglicized connotations of the Arabic word in its anglicized form (with plural *Muftis*) are now seemed heavily loaded with colonial meanings and cultural appropriations. Therefore, it could rightly be said that it the word mufti needs to be decolonized like so many others culturally appropriated terms and concepts about the Muslims world in general and that of the colonial states in particular.

5. CONCLUSION:

The understudy research project has conducted a historicist study of the term *Mufti* covering about 150 years from 1400 to 1550 particularly focusing on the online catalogue of EEBO-TCP. The study has found that the Western authors of the mentioned period have made efforts to make the word understandable for the Christian audience and readers of the Therefore, the Western world. word was appropriated and time and again compared and explained in the Christian context with various positions within their religious hierarchy: Chief Priest, High Priest, High Bishop, Chief of Religion, Archpriest, Archbishop, Powerful Figure who had the power of presentation and persuasion. It could also be concluded that Mufti has remained a powerful figure in the Muslim legal system of governance and played a vital and dominant role throughout the Islamic history. Mufti was given a key position with a number of privileges and prestige for his multitasking scholarly activities. His prime responsibilities included interpretations of laws (some complex matter of state as legal expert) issuing decrees in light of the Islamic Jurisprudence, leading religious rituals, and rendering religious education to Sharia students in the seminaries.

However, later during the modern times, fatwa was also served on public, political and controversial issues — either legitimizing government policies or articulated public grievances. Similarly, during the West-East British colonial encounters, the authority and status of the *Mufti* was eroded. The *Muftis* were being faced with cultural appropriation and othering, particularly when British imperialism was on its peak — the colonial entitled officers starting appearing in traditional outlook of the *Muftis* for implementing the colonial rule. In words of Edward Said's, that has turned to become part of the Western patronizing representation of the East. At the same time, Mufti was also used a colonial term (derogatory and slang word for all manners of informal dress) during the British Empire amongst the military soldiers, police officers and students of educational institutions for casual and informal dress and non-uniform wearing. Later, the word Mufti has witness more cultural appropriation and changing connotations during the world wars for off-duty soldiers wearing mufti, the civilian attire. Similarly, during the post-World War-II years, mufti days were meant to raise funds for good causes and non-uniform days. It also makes manifestation of the fact that slowly Muftis, the Muslim clerics have lost authority, status and their voices went unheard.

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