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- 1 *Fatwā* has been one of the most important contact points between ulama and the populace in Islamic society. This article, which limits itself to early modern Iran, analyzes issuers and forms of *fatwā*, and its values as a historical source. First, the author surveys actual conditions of the issue of *fatwā* in the Safavid and Qajar periods. According to the author, some *fatwā* were certainly issued under the Safavids, but their issuers, *muftī*, were never bureaucratized (unlike the Ottoman Empire, in which almost all ulama were organized in a hierarchical institution known as *‘Ilmiye*). In Qajar time, ulama had become much more independent from the State and they presented their decisions and legal opinions, both of them called *ḥokm*, without any restraints from the State authorities. Moreover, Kondo classifies these legal documents of the Qajar period into three types according to their formats: a) *fatwā* type, b) question-and-answer type, c) deed type. By analyzing some documents of types b) and c), the author clearly highlights social roles played by Qajar ulama in their daily business.

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Thèmes : 4.2.1. Safavides et Qâjârs

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