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Ottoman Slavery in Istanbul and Cyprus during the late 16th century

by

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The present Doctoral Dissertation was submitted in partial fulfillment of the requirements for the Degree of Doctor of Philosophy at the Department of Turkish and Middle Eastern Studies and was approved on the 20th of April 2021 by the members of the Examination Committee.

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Declaration of Doctoral Candidate

The present doctoral dissertation was submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy of the University of Cyprus. It is a product of original work of my own, unless otherwise mentioned through references, notes, or any other statements.

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Περίληψη: Η προτεινόμενη έρευνα αναλύει τη δουλεία στα τέλη του 16ου αιώνα της Οθωμανικής Αυτοκρατορίας στις δύο πολύ διαφορετικές τοποθεσίες του Üsküdar και της Lefkoşa μέσω της ανάλυσης ισλαμικών δικαστηρίων σε καθεμία από αυτές τις τοποθεσίες. Διερευνά σε ποιο βαθμό η πρακτική της δουλείας τυποποιήθηκε σε ολόκληρη την Αυτοκρατορία σύμφωνα με τις διάφορες ιδέες και θεσμούς που τη διαμόρφωσαν, συμπεριλαμβανομένης τόσο της τοπικής παράδοσης όσο και του ισλαμικού νόμου. Συζητά τις μεταρρυθμίσεις στον ισλαμικό νόμο κατά τα μέσα του 16ου αιώνα και πώς αυτές οι μεταρρυθμίσεις εκδηλώνονται στη δικαστική κουλτούρα που περιβάλλει τη δουλεία.

Abstract: The proposed research analyzes slavery in the late 16th century Ottoman Empire across the two very different locales of Üsküdar and Lefkoşa through the analysis of Islamic court registers in each of those locations. It explores to what extent the practice of slavery was standardized across the Empire according to the various ideas and institutions that shaped it including both local tradition and Islamic law. It discusses the reforms in Islamic law during the mid-16th century and how those reforms manifest in the judicial culture surrounding slavery.

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Notes on Transliteration

The transliteration of Arabic, Ottoman, and Turkish words in this dissertation has been made with the expectations of the reader in mind and to establish a consistency across the chapters. I avoid the heavy use of diacritical markings except for showing glottal stops such as in *Qur'an* or *Shari'a*. In the case of purely Turkish words I have simply maintained the Turkish spelling as it is appropriate and rational to assume the reader is familiar with the few extra letters present in the modern Turkish Latinized alphabet. For the sake of clarity and thoroughness any words or phrases from the court registers which I quote in the body of the dissertation maintain the exact spellings and markings with which they were transliterated from the original Arabic or Ottoman. For some lengthy Arabic names and document titles I have simply copied the conventions used from the *Encyclopedia of Islam*. For any other Arabic phrases I have tried to adhere to the ALA-LC conventions.

Transliteration of the Cyprus court registers emphasized the use of Latin letters and diacritical markings to convey not only the meaning but the orthography of the Ottoman language, for instance differentiating between Arabic *Kef* (ك) and *Qaf* (ق) using “k” and “ḳ” respectively though modern Turkish may not differentiate the two. The purpose of this is to convey to the reader as much as possible both the words that are written and how they are spelled in the original document.

Chapter 1: Introduction, Methodology, Sources

Introduction – Slavery and Islam

Discussions of the past cannot help but be polluted by the climate of the present. While this fact may turn up in every field of study in one way or another it is certainly a defining obstacle of studying Ottoman and Islamic slavery. As Ehud R. Toledano points out it is now cliché that slavery is a sensitive subject in Middle East Studies departments and references a quote by Bernard Lewis. “...extreme sensitivity...makes it difficult, and sometimes professionally hazardous, for a young scholar to turn his [or her] attention in this direction...the mere mention of [the subject]...is often seen as a sign of hostile intentions. Sometimes indeed it is, but it need not and should not be so, and the imposition of taboos on topics of historical research can only impede and delay a better and more accurate understanding.”¹

If one were to have no knowledge of Ottoman history, Colonialism, Imperialism, Orientalism, or any other form of analysis that permeates Middle East and Turkish Studies departments, it would still be easy to see why so much tension surrounds discussing the moral values of Islam and why discussions of Islamic slavery can easily slide into larger accusations of Muslims holding a faith, heritage, and culture that sets them against western, secular values. Groups like ISIS proudly broadcast videos of young fighters haggling over captured Yezidi women in a manner reminiscent of the *esir pazari* across the Ottoman Empire where Circassian, Russian, Arab, and African women were sold only a century before. According to UN monitoring groups and NGOs such as Amnesty International, Muslim states the world over with very few exceptions have women’s rights records that are less than desirable. The ideological battlefield in the context of the somewhat recent Syrian Refugee Crisis centers around the danger that women face as differing worldviews on sexual consent, modesty, and agency clash to create a tangled concatenation of rape accusations and repudiations in German, French, and Anglosphere media. In response to both the Euro Crisis and the Refugee Crisis, the European Union has seen significant political fracturing and the more than notable rise of ethno-

¹ Toledano, Ehud R. *Slavery and Abolition in the Ottoman Middle East*, University of Washington Press, 1998, p. 138.

nationalism, populism, and right-wing protectionism with PEGIDA in Germany, Victor Orban in Hungary, The Golden Dawn in Greece and to some extent Cyprus, and more. The president of the United States in 2017 issued a “Muslim Ban” that prevented thousands of travelers from six majority Muslim countries from entering the United States. Whether it is polite to say or not, the moral value of Islam in the western world is very much *in testate*. In such a charged environment even dry, historical commentaries on the more technical aspects of Islamic jurisprudence can be misconstrued as either wildly racist or mewling apologetics.

Commentaries that paint Islamic slavery both positively and negatively have existed as long as Islam itself. It is often argued by Muslim scholars and jurists that the very first converts to Islam were slaves who saw the value of a faith that held everyone equal before God by their piety rather than legal status or wealth. It is also true that the Qur’an has a great deal to say about slavery as a standard practice in society and even provides the rules under which new slaves can be acquired. It cannot be said that Mohammed was as interested in abolition as he was heavily regulating the capture and sale of slaves and the argument that his restrictions were intended to gradually erode the institution into extinction was not articulated until centuries later.² Many scholars such as Madeline Zilfi take the rather popular line that the religious justifications to justify the subjugations of slaves and more specifically, women, is simply a perversion of the doctrine of Islam.³ However the prophet of Islam intended his revelations to be interpreted we know how they *were* interpreted by later Islamic institutions such as the Ottoman Empire, which had no apparent interest in abolition and would not do so officially until the mid-19th century under great foreign pressure. It was this resistance to abolitionism that would frame the first large-scale civilizational debate between Islam and the West with slavery as the central point of contention.

² The argument that the *Qur’an*’s injunctions on the taking of war-slaves no longer applied in the modern era was articulated at the end of the 19th century by Egyptian scholar Ahmad Shafiq and Moroccan scholar Ahmad Al-Nasiri in response to various European discourses in France and England about Ottoman slavery. A similar argument would surface in the 20th century by Pakistani Islamic Socialist Ghulam Ahmed Perwez and Indian Islamic scholar Syed Ameer Ali. They essentially posit that the *Qur’an*’s intent was to suffocate slavery into extinction rather than to traumatize the *Ummah* by banning it outright.

³ Zilfi, Madeline, *Women and Slavery in the Late Ottoman Empire*, “One cannot know which Quranic and hadith passages regarding women enjoyed most currency. There is little doubt, however, that decontextualized scriptural passages played a role in authorizing the marginalization of women.” p. 16. This subtle form of argumentation carries its’ own ideological assumptions and in many ways is a form of presentism which insists that surely taken with more context and its’ entirety that the revelations of the prophet could only be enfranchising to women as we understand it in a modern sense.

From 1840 to 1889 the British government engaged in a protracted campaign to abolish and later simply suppress slavery in the Ottoman Empire. When their first successes in Tunis in 1841 were rebuffed by the larger, core Ottoman elite, the British settled for a policy of mitigation that would choke the supply lines of the Ottoman slave market. British public opinion, which heavily informed government policy was itself informed by a slew of popular art, literature, and rhetoric that set the stage for a civilizational narrative which defined early Ottoman scholarship. The 1828 novel *The Lustful Turk* with which many British citizens would have been familiar is the story of a young English woman who is raped but then enticed by an Algerian *Bey* who then kidnaps and does the same to a friend with whom she shares written correspondence of her sexual encounters. The novel certainly highlighted the racial-sexual aspect of British attitudes toward Ottoman slavery and these attitudes absolutely played themselves out in governmental affairs as the British pursued policies that emphasized the suppression of white slavery.⁴

Post-Colonialist scholars have packaged attitudes such as the popularity of *The Lustful Turk* into the term “Orientalism”; a perch from which it is easy to dismiss criticisms and negative commentaries on Islamic slavery as Eurocentric virtue signaling. While there are certainly psychosexual and racist fascinations with Ottoman slavery in the European mindset as shown by the popularity of *The Lustful Turk*, there is an apparent truth to the horror. “White” slaves and “black” slaves were perceived and valued differently both in the early and late Ottoman Empire. This in itself suggests that the value of slaves was determined by more than just scarcity, novelty, and rarity, but by deeper, cultural attitudes which often mirrored the racisms of their European counterparts and as we will see there was a robust, ancient system of physiognomy alive and well in the Ottoman state.

British attacks on Ottoman slavery as a barbaric institution informed by an equally barbarous faith are certainly un-nuanced and unfair but the Ottoman responses to these criticisms and defense of the institution was equally unimpressive. In response to an 1888 speech by a French abolitionist cardinal, French-educated Egyptian Ahmad Shafiq wrote a defense of Islamic slavery, *L’esclavage au point de vue musulman*.⁵ Both he and another scholar Ahmad al-Nasiri

⁴ 1854-57 saw a temporary suspension of trade of Circassians and Georgians. These were manifested as *firman*s, or Sultanic decrees to various local rulers to stop the trade of slaves. The goal of these were not absolute emancipation as those still enslaved had to follow the law.

⁵ Toledano, *Slavery and Abolition*, p. 124.

marshal similar arguments emphasizing the humanity of Islamic slavery, setting it against the open brutality of North American slavery. The primary confusion of their defense of the institution in North Africa is the dual claim that 1) The Islamic permission to enslave prisoners of war no longer applies, but 2) It is unnecessary to make slave raids as much of North Africa is Muslim and therefore illegal to enslave.

Outside of overly legalistic straw men, there is the broader issue of portraying the kinder, more human nature of Islamic slavery which persists over a century later in the field. According to Eve Trout Powell, the Algerian scholar Abdel Kader Zabadia in 1983 during a discussion on Afro-Arab relations stated, “The issue of slavery should be addressed, and emphasis [placed] on the Arabs’ humane and familial treatment of their slaves compared with other slave-owning people. The contrast, especially regarding transatlantic slavery is so striking, that it should be emphasized in this context.”⁶ Certain arguments even trend toward outward denial such as the claim by Reza Aslan in 2014 that the first thing that the prophet Muhammad did was outlaw slavery.⁷ This is at best obfuscation and much akin to its European obverse, the claim that Islamic slavery was barbarous in the extreme, does nothing but allow people to gloss over the complex truths of Islamic slavery in general and Ottoman slavery in particular.

While I cannot say that I am free of any agenda I can say that the sources presented herein speak very much for themselves. I have no interest in indicting the moral values of the Islamic faith. The court registers contained within this study were written by men who lived in a society and time that practiced slavery on a large scale and accepted it as a part of everyday life. The very job description of the *kadis* that wrote these legal decisions was to carry out Islamic law and the Sultan’s authority as best they saw fit. As we will see the court registers of Istanbul are concerned not only with the implementation of law and order in society but doing so along lines informed by their theology. The modern mind which is foremost concerned with a secularist philosophy toward government has a difficult time assessing a state which is at the same time an extensive bureaucracy concerned with detailed implementation of the law and a thriving theocracy whose primary purpose is to check this implementation with Islamic dogma. It is therefore an easy temptation to apply modern moral terms and values to older societies.

⁶ Hunwick, John, and Eve Trout Powell. "The African diaspora in the Mediterranean lands of Islam." (2002). p. x.

⁷ Blumberg, Antonia, “Reza Aslan: If ISIS says it’s Muslim it’s Muslim”, *Huffington Post*, www.huffpost.com/entry/reza-aslan-isis-muslim (see bibliography for complete web address)

How could the Ottoman Empire have been a “good” state which upheld justice to its citizens if a great number of people within it technically had few more rights than cattle? The short answer is that the issue is much more complicated.

The Ottoman state often did not concern itself with the cruelty that defined the raiding and capture of slaves, whether on the northern borders of the Crimea by the Khans or on their southern extremity in Habeshistan (modern day Ethiopia) by North African slavers. This is because the Ottoman state only concerned itself with the welfare of slaves once they had crossed into the Empire and became members of the *dar-ul-Islam*, and only to the extent that their faith compelled them to do so. Once within the Empire, life as a slave, especially at point of sale, was still cruel by any standard. Countless descriptions from both Ottoman and European observers detail the horrors of the slave market at Üsküdar, or the short and brutish lives of galley slaves.⁸ Simultaneously a large number of court cases in the capital involving slaves go to great lengths to ensure that the welfare and rights of slaves are upheld once they become functioning members of society, even in cases of African or Slavic slaves against Muslim, Ottoman masters.

The binding principle that ties together the disparate treatment and experience of slaves within the Empire is the litigious nature of Islam. The Ottoman Empire was quintessentially Islamic. It is impossible to divorce the Ottoman State’s political and religious projects because they are one in the same and served to emulate as much as possible the dictums laid out by the prophet Muhammad in the Qur’an, the Constitution of Medina, and the Rashidun Caliphs. The *Sheikh-ul-Islam*, the highest religious office in the Empire, held considerable authority and could challenge the Sultan’s authority and even held the duty to confirm a new Sultan. In some instances a Sultan required an Islamic justification or context that called back to instances of the faith’s founding.⁹ Islamic traditions of *fiqh* (religious jurisprudence) were the central principles around which the extensive Ottoman bureaucracy was organized.

⁸ Ryba, Renata. "Postać Marka Jakimowskiego w literaturze wieku dziewiętnastego." (2012).

⁹ In the wake of the controversial Treaty of Karlowitz (1699) the historian Naima was commissioned by Grand Vizier Hussein Kiprili to justify the treaty to the public. “Naima, in addressing his Muslim audience, shows that Hussein’s policy had precedent in the actions of the Prophet Muhammad himself. The incident he discussed is the peace of Hudaibiyah, which was entered into between Muhammad and the Meccans in 627 A.D.” Itzkowitz, Norman, Ottoman Empire and Islamic Tradition. Palabiyik, Mustafa Serdar. "The Emergence of the Idea of ‘International Law in the Ottoman Empire before the Treaty of Paris (1856).” *Middle Eastern Studies* 50.2 (2014): 233-251.

Whether or not it achieved what some would call the “right” interpretation and implementation of Islam, its central organizing principle was to lead the *Caliphate* outlined in the Constitution of Medina, a goal to which it went great lengths to achieve. The state and Sultan claimed caliphal authority since the mid-14th century and cemented this role with the conquest of the Mamluk Sultanate of Egypt in 1517, after which the Sultan added the honorific “*Hādīmū'l-Haremeyn*” or “protector/steward/servant of the two holy cities (of Mecca and Medina)”.¹⁰ The entire justice system of the Ottoman Empire was administered by *kadıs* or judges which were men of religious education that represented both the authority of the Sultan in the court of their *vilayet* but more importantly were the authorities on the implementation of the *şeriat* or “Shar’ia”, Islamic law. In this context it cannot be emphasized enough that in order to understand Ottoman slavery, one must not only understand the bureaucracy and governing philosophy of the Ottoman Empire but also Islamic law and its interactions with the *Kanun*, or secular, Sultanic law. By analyzing these two forms of law we can create a more complete picture of both Islamic and Ottoman slavery.

The fact is that the Ottoman Empire and Ottoman slavery were human institutions that suffered from all the moral ambiguity of life itself. Depending on the context of one’s capture, the time, and the place, your fate as a slave could be a living nightmare or it could lead to a reasonable amount of power otherwise unattainable. To free an analysis of the Ottoman Empire and slavery from the constraints of suffocating modern discourse is to define in the terms of the past Ottoman slavery’s precise relationship with Islam by looking at how Islamic law was applied to the institution in different parts of the empire. This was further complicated by the immense changes occurring within the Empire during the period of this study, the end of the 16th century. From 1545 to 1574 Ebu’s-Suûd Efendi served as the *Sheikh-ul-Islam* under Süleyman I and initiated vast changes in an attempt to reconcile Islamic law and *Kanun*, the Empire’s secular law code. These changes, the incredibly varied realities between places like Üsküdar and Cyprus formed an institution of slavery that doesn’t resemble any other. It was as hybridized as the states, people, and ideologies that created it and must ultimately be described on its’ own terms.

¹⁰ Ann Katherine Swynford Lambton, Bernard Lewis, *The Cambridge History of Islam 2nd ed: A. The central islamic lands from pre-islamic times to the First World War, Volume 2*, Cambridge University Press, 1977, p. 2.

Ottoman slavery was not an entirely Islamic institution nor can it be fully divorced from the dictates of Islam. Every instance of slaves within Islamic court records from the Ottoman Empire shows us that the Ottomans inherited an ageless institution and formed it around Islamic ideals. The judicial reforms of the 16th century by the Ebu's-Suûd Efendi sought to standardize Islamic courts and the success of those efforts can be seen in the amazing consistency with which courts in far-apart locations such as Üsküdar and Lefkoşa, applied those principles. Because of these reforms the landscape of slave experiences was relatively smooth and well within the bounds of acceptability for contemporary legal theorists. Any deviation in slave experiences was due much less to the courts and much more to changes in cultural and geopolitical differences across the Ottoman Empire. By examining the occurrence of slaves within the *kadı sicilleri* of two disparate places within Ottoman lands, Üsküdar and Lefkoşa, we can determine differences in the enforcement and application of Islamic law in different contexts and create a more accurate picture about the life of a slave in the Early Modern Ottoman Empire.

Sources, Historiography, and Methodology

The points of focus in my analysis are slaves as they appear in Ottoman legal texts, as these are not only sources of great detail but allow us to peer into the existence of laypeople and recuse ourselves from the well documented histories of Emperors, Kings, and Queens. The specific sources I utilize are known as the *kadı sicilleri*¹¹ of both Üsküdar and Lefkoşa which date from the years 1590 and 1591. The end of the 16th century represents a wealth of documentation within the empire both in the capital city of Istanbul and in conquered territories such as Cyprus, which had just been added to the expanding Ottoman Empire. I would like to thank the hardworking staff of ISAM for their incredible work on maintaining and transliterating the thousands of court registers they have.

¹¹ Üsküdar İstanbul Makhemesi 16 numaralı. İSAM Avrupa Kültür Başkenti 2015. Kıbrıs kadı sicilleri İSAM archives.

The Istanbul *Kadı Sicilleri* project is an undertaking of ISAM, the Center for Islamic Studies in Istanbul that began in 2008.¹² The Istanbul area during the 16th and 17th century was divided into four bureaucratic and legal administrative subdivisions, Istanbul proper, Üsküdar, Galata, and Eyüp. The number of court registers from these four areas in total numbers around 10,000 and represents the ambitious scope of ISAM's project. As of 2012 there are over 40,000 published court registers from the Istanbul area and these are probably the single most important new source of information for research into the life of the Early Modern Ottoman Empire.

The calculus required for this study has caused me to choose only one of these myriad registers which contains 1,379 entries from the Üsküdar court during the years 1590-1591.¹³ Around ten percent of the register's content deals with slavery.¹⁴ For the case of slavery in Cyprus I have elected to use only a few of the registers that are available from the Lefkoşa courts which date from around the early 1590s, 20 years after the conquest. The majority of these court cases are manumissions with the return of escaped slaves to their masters a close second. While most of the entries are quite brief and procedural, as was the custom of Ottoman court keeping, many are quite detailed and reveal greater truths about the Ottoman institution of slavery and the people who populated it.

As with any source, the *kadı sicilleri* come with their own distinct problems which have best been articulated best by Ottoman social historian Ze'evi Dror. The first problem is that it is actually unknowable how effectively the *sicilleri* represent the broader Ottoman society. It is distinctly possible that the fees charged by the court would have made it often available only to those able to afford its' use. Nur Sobers Khan points out the unfortunate reality that while the gathering of numerical data from court records may produce interesting information, it means considerably less when compared to the immense amount of unknown data. The second problem Ze'evi Dror points to is the problem of narrative, specifically scholars seeking out exceptional cases such as heinous crimes which provide a heavily skewed vision of Ottoman society. Admittedly, in this study I have selected only the registers in Üsküdar and Lefkoşa that deal with

¹² ISAM is a foundation which supports scholarly work on Islamic Studies and the Ottoman Empire. For more about their institution, access: http://english.isam.org.tr/index.cfm?fuseaction=objects2.detail_content&cid=246&cat_id=17&chid=36.

¹³ *İstanbul kadı sicilleri Üsküdar mahkemesi 84 numaralı sicil (H. 999 -1000 / M. 1590 - 1591)*, Volume 10.

¹⁴ Of the document's 1,379 entries, 127 deal directly with slaves, the majority of which are manumissions or returning of an escaped/fugitive *kaçak* slave to their master.

slaves and slavery. While this is done for practical purposes and an economy of study, I understand that without the proper context it may seem as if I desire to push a narrative centered around Orientalist understandings of slavery. To counter this, I provide the practical and ideological context upon which Ottoman slavery flourished, that of a Turkic steppe hybrid state deeply concerned with the implementation of Islamic ethical standards within its' domain.

Despite these issues, the *kadı sicilleri* are an impressive source by the standards of any historian and indeed a great amount of work has been done on analyzing their contents across almost all periods and locales of the Ottoman Empire. Naturally, the greatest amount of work has been done on the *sicilleri* of the greatest population centers of the Empire, Istanbul, Bursa, Konya, and Izmir. The most notable examples which have aided my study are the works of Ronald C. Jennings, Nur Sobers Khan, Timur Khan, Halil Inalcık, and Halil Sahillioğlu.¹⁵

The Cyprus *kadı* court was established shortly after the conquest of the Island in 1570 in Nicosia and was expected to handle all legal business on the island until the establishment of other *kazas* in major population centers.¹⁶ Ronald C. Jennings has used the records of this court and other official Ottoman documents to write numerous books and articles on Ottoman Cyprus with a special emphasis on the use of the court registers at Lefkoşa and data regarding slaves in Cyprus. His work *Christians and Muslims in Ottoman Cyprus and the Mediterranean World, 1571-1640* utilizes both the 1572 *mukataa defteri* Ottoman land survey and the Lefkoşa *Kadı Sicilleri* to detail relations between the newly established Ottoman order and the various *zimmi* communities on the island. This is perhaps one of the most important works for studying slavery in Ottoman Cyprus, not only because of Jenning's detailed analysis of provincial social and economic organization but also due to the sheer amount of large-scale data he collates from the

¹⁵ Given the excellent nature of the sources, countless works have been written using the *kadı sicilleri*. **Istanbul:** Köktaş, Altuğ. "Osmanlı İmparatorluğu'nda Piyasa Düzenlemeleri: 1500-1700 İstanbul Kadi Sicillerine Göre Narh Uygulamaları." Niğde Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi 9.2 (2016): 219-242.; Kuran, Timur. "Mahkeme Kayıtları Işığında 17." *Yüzyıl İstanbul'unda Sosyo-Ekonomik Yaşam/Social and Economic Life in Seventeenth-Century Istanbul: Glimpses from Court Records*, vols (2010): 3-4.; **Bursa:** Salih, P. A. Y. "Bursa Kadi Defterleri ve Önemi." Uludağ Üniversitesi İlahiyat Fakültesi Dergisi 10.2 (2001).; Özen, T. O. K. "Kadı Sicilleri Işığında Osmanlı Şehrindeki Mahalleden İhraç Kararlarında Mahalle Ahalisinin Rolü (XVII. ve XVIII. Yüzyıllarda Kayseri Örneği)." Erciyes Üniversitesi Sosyal Bilimler Enstitüsü Dergisi 1.18 (2005): 155-173.; **Kayseri:** Jennings, Ronald C. "Kadı, court, and legal procedure in 17th C. Ottoman Kayseri: The Kadi and the Legal System." *Studia Islamica* 48 (1978): 133-172.; Jennings, Ronald C. "Kadı, court, and legal procedure in 17th C. Ottoman Kayseri: The Kadi and the Legal System." *Studia Islamica* 48 (1978): 133-172.

¹⁶ Jennings, Ronald. *Christians and Muslims in Ottoman Cyprus and the Mediterranean world, 1571-1640*. Vol. 1. NYU press, 1993. p. 102.

defter sources. Moreover, Jennings' work on *sicil* collections in Kayseri and Cyprus have provided great insight to the legal workings and structure of Ottoman courts from the *fetvas* of Muftis, to the daily *procedures* of the *kadis* and the duties of law enforcement officers such as the *subaşı*.¹⁷

Kemal Çiçek at Ankara Üniversitesi has also done extensive work using the *kadı sicilleri* in Cyprus to discuss relations between Muslims and non-Muslims. Although it is a century later than the period of this study his work is thorough and absolutely necessary for understanding Ottoman Cyprus at the beginning of the 18th century.¹⁸ The works of both Çiçek and Jennings reveal interesting continuities between Muslim and *zimmi* communities throughout Cypriot history, specifically that more than anywhere else in the Empire, non-Muslims relied on the *Şeria* courts for the carriage of justice. Both Jennings and Çiçek have done much to dispel myths about Ottoman rule in Cyprus as a highly partitioned and oppressive theocratic state. Ali Efdal Özkul also employs judicial records to discuss the activities of consuls in Ottoman Cyprus.¹⁹ His work was a great wealth of technical and procedural information as to the inner workings of the courts.

Naturally, as the capital of the Empire, Istanbul has received much more academic attention and there is a vast body of work relying solely on the *kadı sicilleri* from 1453 to the end of the Ottoman period. The most thorough of these, not only for discussions of social and economic life in Istanbul but in the analysis of the *sicils* themselves are the works of Timur Kuran and Nur Sobers-Khan. Timur Kuran is a Turkish American economist who has edited a large 10 volume set, *Mahkeme Kayıtları Işığında 17. Yüzyıl İstanbulunda Sosyo-Ekonomik Yaşam: Social and Economic Life in Seventeenth-Century Istanbul: Glimpses from Court Records*.²⁰ This massive work is a comprehensive study of guilds, *zimmi* affairs, trade, slaves as seen through the lens of the extensive court records of Galata and Istanbul. Kuran's work is

¹⁷ Dr. Jennings has a large body of work but his for an example of his most important works on both Cyprus and *kadı sicilleri* are here: Jennings, Ronald C. Studies on Ottoman social history in the sixteenth and seventeenth centuries: women, zimmi and sharia courts in Kayseri, Cyprus and Trabzon. Vol. 39. *Isis Press*, 1999.; Jennings, Ronald C. "Black slaves and free blacks in Ottoman Cyprus, 1590-1640." *Journal of the Economic and Social History of the Orient/Journal de l'histoire economique et sociale de l'Orient* (1987): 286-302.

¹⁸ Çiçek, Kemal. *Zimmi (non-Muslims) of Cyprus in the Sharia court: 1110/39 AH/1698-1726 AD*. Diss. University of Birmingham, 1992.

¹⁹ Özkul, Ali Efdal. "The Consuls And Their Activities In Cyprus Under The Ottoman Administration (1571-1878)." *Electronic Turkish Studies* 8.2 (2013).

²⁰ Kuran, Timur. "Mahkeme Kayıtları Işığında 17." *Yüzyıl İstanbul'unda Sosyo-Ekonomik Yaşam/Social and Economic Life in Seventeenth-Century Istanbul: Glimpses from Court Records*, vols (2010): 3-4.

exceptional in its' highly detailed quantitative breakdown and is necessary as an introduction to the fundamentals of the study of *kadı sicilleri*.

Equally thorough and much more related to the goal of this study are the works of Dr. Nur Sobers-Khan, specifically her book, *Slaves without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560-1572*. Sobers-Khan has published widely on both *kadı sicilleri* and Ottoman slavery. On top of a thorough technical analysis of slaves as they appear in the Galata court registers, Sobers-Khan provides what is perhaps the single most useful analysis of the philosophies that underly Ottoman slaving. The discussions on Ottoman physiognomy in this study rely heavily on her work on *ilm-i firasa* and the valuation of slaves by appearance and demeanor.²¹

The study of Muslim physiognomy sciences is in itself an entire field that stretches back to pre-Islamic traditions but became deeply intertwined with all the major philosophical traditions of the ancient Near East and Mediterranean and budding interpretations of Islamic law. The court registers of Nicosia, Üsküdar, and indeed all *kazas* of the Empire are filled with descriptions of slaves informed by this ancient tradition which was best described as, “a technique of inductive divination which permits the foretelling of moral conditions and psychological behavior from external indications and physical states.”²² The most relevant works on Ottoman physiognomy are again from Dr. Sobers-Khan and particularly her *Firasetle nazar edesin* but the *Encyclopedia of Islam* lists multiple primary sources for understanding this science.²³ This tradition requires further discussion and aids greatly in the discussion of the *hilya*

²¹ Sobers-Khan, Nur. "Firāsetle nazar edesin: Recreating the Gaze of the Ottoman Slave Owner at the Confluence of Textual Genres." *Well-Connected Domains*. Brill, 2014. 89-109.

²² Fahd, T., "Firāsa", in: *Encyclopaedia of Islam*, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs.

²³ Quoted directly from the *Encyclopedia of Islam*, 2nd. ed., "A great number of treatises on physiognomy (in Arabic, Turkish and Persian) are to be found in the different catalogues of MSS. Among the best-known should be mentioned: K. al-Firasa of Shams al-Din Abu Abd Allah Muhammad b. Ibr. B. Abi Talib al-Ansar al-Sufi al-Dimashki (d.727/1327) sometimes called al-Siyasa fi ilm al-firasa or al-Firasa li-adil al-siyasa or again Ahkam al-firasa (cf. ZDMG, xxi, 384). Several copies of it are known, especially Bursa, Husayn Celebi 33, I (the second part of the manuscript contains the Risala fil-firasa of Yakub b. Ishak al-Kindi; cf. O. Rescher in ZDMG, lxxviii (1914), 53), Aya Sofya 3782, Paris 2759, 5928, etc. The work was edited in Cairo in 1300/1882. No less famous is the treatise of Fkhr al-Din al Razi (d. 606/1209), Risala fi ilm al-firasa or Djumal ahkam al-firasa (cf. MS. Aya Sofya 2457), 2, containing also the K al-Firasa of Filimun. The work was edited at Aleppo in 1929 by Muh. Raghīb al Tabbakh, then re-edited, translated and annotated, with an introduction and a bibliography, by Yousef Mourad in his complementary thesis, *Laphysignomonie arabe et le Kitab al firasa de Fakhr al-Din al-Razi* Paris 1939.

or slave descriptions present within the registers and again relies heavily on the outstanding work of Dr. Sobers-Khan.

The registers themselves were written by *kadıs* or at least court scribes. The *kadıs* were agents of a system which above all else desired a state project which administered Islamic justice within its' domains. It is thus necessary to understand Islamic law as it was understood by not only the *kadıs* that administered the daily legal affairs of the Empire but the higher, more abstract *fetvas* of the muftis and the *Sheikhulislam* – Ebu's-Suûd Efendi specifically for our period – that informed their decisions. Among an incredibly long list of authors who have written on the theory of Islamic legal traditions are Gerber Haim and Ahmet Akgündüz.²⁴ Akgündüz's *Islamic Law and Theory in Practice* is a survey of all the main Islamic traditions from Mohammed to the present with a special emphasis on the varying schools of jurisprudence. The Ottoman legal system existed at the confluence of multiple legal systems including *Kanun*, *Şeriat*, and *Adet* but especially after the appointment of Ebu's-Suûd Efendi by Süleyman I in 1545 the Hanafi school of jurisprudence gained a primacy which it already partially held among the Muslim Turk population of Anatolia. Indeed, Ebu's-Suûd Efendi's career was spent reconciling *Kanun* and *Şeriat* over which Gerber Haim provides numerous discussions and analyses. Aydemir Abdullah has also provided an excellent explanation of the methods and advices given of Ebu's-Suûd Efendi during his career and provides detailed insight into the Hanafi school of jurisprudence.²⁵ Likewise Colin Imber has produced numerous works on both Ebu's-Suûd Efendi and Ottoman Islamic law during this period and were heavily used in the discussion of Ottoman slavery's jurisprudential underpinnings.²⁶ Perhaps the most comprehensive work I could find that deals explicitly with Hanafism, Islamic Law, and the Ottoman Empire is the work of Samy Ayoub. Ayoub wrote a dissertation and later a book explicitly dealing with the transformations of Hanafism in the Early Modern Ottoman Empire and his work was a wealth of bibliographical information on religious treatises and Islamic legal theory.

The historiography on slaving and Islamic slavery justifies a library of its' own but even among such an ocean of literature there are several authors that stand out in the tradition. This is

²⁴ Gerber, Haim. *State, society, and law in Islam: Ottoman law in comparative perspective*. SUNY Press, 1994.; Akgunduz, Ahmed. *Introduction to Islamic law: Islamic law in theory and practice*. IUR Press, 2010.

²⁵ Aydemir, Abdullah. *Büyük Türk bilgini şeyhulislâm Ebussuud Efendi ve tefsirdeki metodu*. No. 195. Diyanet İşleri Başkanlığı yayınları, 1980.

²⁶ Imber, Colin. *Ebu'sud: The Islamic Legal Tradition*. Stanford University Press, 1997.

made even all the more impressive by the immense difficulty in writing about slavery in Islam. Discussions on Ottoman slavery have never been easy at any particular time in history. The first and most salient reason is the notable lack of documentation which spurs from the confluent streams of lost or destroyed documentation over time and the incredibly local nature of Ottoman trade documents.²⁷ The second reason is the manner in which Ottoman historiography has been influenced by different agendas at different times. In Western scholarship much attention is paid to slavery during the ‘‘long’’ nineteenth century because the wave of abolitionism in the Euro-American world combined with discursive tides of the imperial era made slavery a cultural and political point of rhetoric against the continuation of the decaying Ottoman state.

Of course, there were discussions of Ottoman slavery beforehand. There are numerous Italian and Hungarian accounts of escaped slaves who wrote down the narrative of their experience, sources which provide both their own illuminations and their own problems.²⁸ The greatest difficulty with these sources and European scholarship in the Late Ottoman period can be summed by characterizing them as displaying a Eurocentric favoritism that often employs religious language which was popular in British and western discourse. Mikhail Kizilov provides a comprehensive discussion on the issues regarding personal accounts and reliability in Ottoman slaves in this regard.²⁹ The primary obstacle to meaningful discussions of Islamic slavery however is the place of slavery within the intellectual life of the Muslim world.

Mohammed Ennoji very poignantly elucidates that perceived egalitarianism was a principle built in to Islam and therefore discussions of slavery seemed very uninterested in framing it as anything more than a fact of life conditioned by an assumed gradualist doctrine which foretells the institution’s eventual dissolution.³⁰ Ehud R. Toledano points to a discourse which is fraught with affectability. While that character of the discourse is often touted to be

²⁷ Fleet, Kate, *The Case of Ottoman Bulgaria & Cyprus*. Türk Tarih Kurumu, 2014.

²⁸ Fodor & David. *Ransom Slavery Along the Ottoman Borders*, Brill, 2007.

²⁹ Mikhail Kizilov, ‘‘Slave Trade in the Early Modern Crimea from the Perspective of Christian, Muslim, and Jewish Sources,’’ *Journal of Early Modern History*, 11, no. ½, (2007): 1-31.

³⁰ Mohammed Ennoji, *Slavery, the State, and Islam*. Cambridge University Press, 2013. ‘‘Rarely has the question of authority in the Arab world been raised in terms of slavery. On the one hand, this social relationship has elicited little interest in the Muslim world, as Islam has exerted such a fascination that many authors have seen it, if not as an abolitionist religion, at least as being profoundly egalitarian. This perception has closed off any questioning of the nature of power in Muslim societies that would place slavery at its foundation, judging the institution to be unworthy of interest since it was assumed to be of little importance in those societies.’’ p. 3.

specific to today's modern geo-political climate, it in fact stretches back to the beginnings of Islam.

This sensitivity lends to the label provided by William Gervase Clarence-Smith that slavery is for Muslims, the “embarrassing institution”.³¹ While Clarence-Smith was referring to the discourse among modern Muslims it certainly caused a great deal of consternation to Muslim scholars throughout history as a practice both sanctioned and reviled by God. As such it has generated a great number of *Naskh*, or religious advisory literature that specifically addresses inconsistencies within the source material.

Despite the discursive and practical difficulties of discussing Ottoman slavery before the 19th century there are still several authors who have done excellent and thorough work on the sources available. The topic itself requires the tying together of several disparate fields. Understanding premodern Ottoman slavery in Cyprus and Istanbul requires not only knowledge of region-specific historical work but of the several religious, political, and cultural frameworks that collided to make Ottoman slavery so unique. Specifically, this requires knowledge of pre-Ottoman Byzantine slavery with which it shared many facets, pre-Ottoman Islamic jurisprudence which was the framework which molded the inherited Byzantine system, an overall understanding on trade routes and economy within the pre-Modern Ottoman Empire, and relations between Muslim and non-Muslim communities within an Ottoman context.

Ehud R. Toledano focuses primarily on slavery and abolition during the last century of the Ottoman Empire in his *Slavery and Abolition in the Ottoman Middle East*. While it focuses on the Ottoman slavery in the last half of the 19th century it is an incredibly dense introduction to the institution of Ottoman slavery and all of the terms associated with it. Any study into Ottoman slavery, especially for the uninitiated historian should begin with Toledano's work.

The greatest occurrence of slaves in Ottoman society outside of only the most famous, distinguished and elite slaves who elevated themselves into power are the slaves that appear in the day to day records of the Empire's courts – the *kadı sicilleri*. Much work has been done to illuminate life in Ottoman society through these vast and detailed collections. Collectively

³¹ Clarence-Smith, William Gervase, *Islam and the Abolition of Slavery*, Oxford University Press, 2006.

The majority of our knowledge regarding the north-south slave trading route from the Crimean Khanate to Anatolia comes from the exhaustive work of Halil Inalcik, especially in his *Sources and studies on the Ottoman Black Sea. Vol. 1, The customs register of Caffa, 1487-1490*.³² This volume provides highly detailed and insightful information that provides us not only the origins and descriptions of slaves but their cost via the amount of tax levied on their moving through the port. The works of Inalcik allow us to bolster our larger claims about the general character of Ottoman society in general and Ottoman slavery in particular with documents from within the empire itself. His work continues to be indispensable to Ottoman Studies.

Alan Fisher's work on the Crimean Khanate, Russia, and their relationships with slavery and the Ottoman Empire provide even greater detail on top of Inalcik's work. Fisher's *A Precarious Balance: Conflict, Trade, and Diplomacy on the Russian-Ottoman Frontier* provides a compilation of statistics from Russian, Ruthenian, and Polish sources to describe the character of slave raids by the Crimean Khans, who by the 15th century had become an Ottoman client state and fed the majority of their slaves to the Empire via the market at Kefe. Fisher's more general works on slavery deal with the financial aspect of the institution and focus on labor. His work is perhaps the best use of numbers in the description of Ottoman history and stand alongside economic historians such as Şevket Pamuk. In his chapter "Slaves and Slavery" Jennings' Cypriot court registres are the ones utilized in this study to compare to their counterparts in Üsküdar.

Mete Hatay's contributions to slavery during the Ottoman period in Cyprus stand alongside those of Ronald Jennings' as both are wealthy in first hand accounts regarding the conquest of Cyprus and the population and political shifts in the period just after conquest.³³ From the works of Mete Hatay we know that a majority of the slaves taken during the conquest of Cyprus were actually removed from the island and sold within the larger empire while slaves in the post conquest period were imported as both household and agricultural slaves. Hatay's work on population movements within Cyprus and the policies of both the Ottoman and British periods provide an excellent window into the character of slavery during both those periods.

³² Inalcik, Halil, *Sources and studies on the Ottoman Black Sea. Vol. 1, The customs register of Caffa, 1487-1490*, Cambridge University Press, 1996.

³³ Michael, Michalis N., Eftihios Gavriel, and Matthias Kappler, eds. *Ottoman Cyprus: a collection of studies on history and culture*. Vol. 4. Otto Harrassowitz Verlag, 2009.

Outside of the period of this study there is a great amount of work from the later Ottoman period on slavery, especially in Cyprus. Ali Efdal Özkul's *Kıbrısın Sosyo-Ekonomik Tarihi (1726-1750)* has an excellent comprehensive introduction and discussion of both the sources and realities of slavery in 18th century Ottoman Cyprus. Özkul primarily deals with Sharia documents and provides excellent explanatory work to the court system on the Island under middle to late Ottoman rule. Kemal Çiçek of the University of Birmingham has done similar work on 18th century Ottoman legal practices in Cyprus and focused specifically on the relationship between Muslims and non-Muslims in the legal system, particularly how Cyprus served as an example of a society of non-Muslims that made frequent use of Sharia courts.³⁴ A more general ethnological history of Cyprus during the Ottoman period is Nuri Çevikel's *Kıbrıs: Akdenizde bir Osmanlı adası, 1570-1878*.³⁵

My contribution will be to discuss Ottoman slavery as it appears in the court records of Üsküdar and Cyprus, specifically within the context of the changing understandings of Ottoman administration at the end of the 16th century. Ebu's-Suûd Efendi's ascension to the highest religious office in the Empire represented a vast series of changes in how the key relationship between Islam and the administration took place. By looking at the local sources in a both a central market and a periphery of the Empire alongside a discussion of the macro-themes of Imperial change at the highest levels I hope to define slavery more precisely.

My hope is that these sources will provide a snapshot of slavery in the Ottoman Empire at the end of the 16th century in both a core, Üsküdar, and a periphery, Cyprus. The scholarship before me has provided enormous amounts regarding slavery in Islam and slavery in the Ottoman Empire albeit closer to the 19th century than to the middle period of the Empire. By building on the thorough work that has come before me in the transcription of judicial records and discussions of legal Islamic practice in the 16th century I will show that slavery in Islam was neither the cruel fantasy of Orientalist imagining nor the early humanitarian institution imagined by apologists seeking to make up for an imaginary moral deficit. Slavery was at once a practical and immensely profitable institution and it seemed that the profitability of the institution, which came primarily from taxing slaves coming into the empire rather than the labor itself was

³⁴ Çiçek, Kemal. *Zimmis (non-Muslims) of Cyprus in the Sharia court: 1110/39 A.H. / 1698-1726 A.D*, University of Birmingham, 1992. PhD Thesis

³⁵ Çevikel, Nuri. *Akdenizde bir Osmanlı adası, 1570-1878*. Istanbul, 2006.

consistent to Islamic principles. Specifically, it was conducive to a form of slavery which occupied every level of the society and was not necessarily a lifetime status and set itself apart from the slaving institutions of its' predecessors and contemporaries.

Shawn Christian Broyles

Chapter 2: Slaves as Understood by Ottomans: Historical Roots, Etymology, and Physiognomy

Byzantine and Islamic Slavery: The confluent streams of Ottoman Slavery

Classical anthropology lays out several universal characteristics of civilizations: centralized government, religion, artisans, job specialization, and writing.³⁶ While on the face of it the list seems complete, I would only add slavery. It is difficult to discuss the beginning of slavery because it is likely as old as any of the other elements of civilization. By the time of the establishment of the East Roman Empire in Anatolia during the early 4th century A.D. slavery was common and widespread in the realms of its Roman and Greek predecessors.³⁷ The institutions within large empires reflect the values, conscious or unconscious, that underpin an empire as a whole. It is no different when comparing the Byzantine and Ottoman Empire which, while both being large states with centralized treasuries and thus employed similar fundraising methods, were differentiated by the dictums of the faiths they held.

The common thread of slavery which runs from the first East Roman Emperor, through the Ottoman Empire is that slavery in the Mediterranean world seemed to be a function of large, centralized bureaucracies that legitimized themselves politically with a strong religious ideal and economically with taxation and plundering that related not only to the state but also to war.³⁸ The Byzantine and Ottoman empires respectively utilized the same ancient slave trading routes in the same way, as a source of slaves for their empires' vast needs and doubly for growing the central treasury by means of a customs levy on the sale and trade of slaves.³⁹ In this sense, the logic behind the need of a large, state-managed slave trade was very much the same for both Empires, whose treasuries often depending on the large amount of money taken from trade

³⁶ Wright, Ronald (2004). *A Short History of Progress*. House of Anansi. pp. 115, 117, and 212.

³⁷ Wiedemann, Thomas. "Greek and Roman slavery." (2003). p. xiii.

³⁸ James, Liz, ed. *A companion to Byzantium*. John Wiley & Sons, 2010, p. 90.

³⁹ İnalçık, Halil, *Sources and studies on the Ottoman Black Sea*. Department of Near Eastern Languages and Civilizations, Harvard University, 1995.

depots on their frontiers and strategically placed entrepots throughout their empires.⁴⁰ Outside of a secular, state-level analysis of the slave trade the Empire's two most distinctive and obvious features reveal themselves in the institution of slavery itself.

One key difference was the great disparity in restrictions put on slaves and the roles they performed in their respective societies. Much of what we know regarding Byzantine slavery comes from a 10th century legal manual called the *Book of the Prefect* which outlines in great detail the economic activities in which slaves were forbidden to participate.⁴¹ The most notable emphases on the role of slaves are a long series of prohibitions engaging in administering guild activities. This could be said to be related to an older, Roman idea that slaves were not a part of the system and if allowed to enter into its administration would present a considerable threat to the state and order. The inability for slaves to move upward in Byzantine society places them in a position of opprobrium and were often referred to as parasites. Panayotis Yiannopolis, who wrote about 7th to 9th century Byzantine slavery states that "Byzantine slaves lived in a society to which they did not belong as active members – they had a place in it but not a situation."⁴²

This is set in contrast to the Ottoman system in which slaves could on occasion rise to positions of great power. This phenomenon is not however to be exaggerated. While a great many sources focus on the unique upward mobility of certain slaves in the Ottoman Empire, a vast majority were not palace servitors, soldiers, or officials, but servile labor, both domestic and agricultural. Madeline Zilfi provides an in-depth discussion of this tendency to only think of elite slavery regarding the position of women which was certainly untrue for majority of whom served in regular households.⁴³ This attitude applies to men as well. Much has been written on the powerful viziers, eunuchs, and janissaries that rose in the Empire at the expense of countless others who died on in the fields of Ottoman hinterlands or in the galleys of the Empire. That being said, it was very common for slaves to act in relatively powerful capacities in the legal

⁴⁰ By the mid-16th century one-third of the Ottoman Empire's treasury comes from taxes on the slave trade. Broyles, Shawn C., *Slavery and the Ottoman-Crimean Khanate Connection*. M.A. thesis, Oklahoma State University, 2014.

⁴¹ Boak, A. E. R., The Book of the Prefect; Τὸ ἐπαρχικὸν βιβλίον, *Journal of Economic and Business History* 1, 600-619.

⁴² Yiannopolis, Panayotis as quoted in Youval Rotman, *Byzantine Slavery and the Mediterranean World*, Harvard University Press, Cambridge, Mass, and London England, 2009. p. 6.

⁴³ Madeline Zilfi, *Women and Slavery in the Late Ottoman Empire* (Cambridge: University Press, 2010), 104.

names of their masters. Many court registers, letters, and customs documents across the empire contain slaves acting on behalf and with the full authority of their wealthy masters.⁴⁴

In the *kadı* court registers it is quite common to find business dispute entries where one of the named parties is a slave acting on behalf of and with the full legal authority of a merchant. This suggests perhaps one of the most important differences between how slaves were viewed in the Roman/Byzantine system as opposed to the Islamic/Ottoman system. In the Byzantine Empire slaves were a source of labor that required law to consistently keep them out of any position of influence, as opposed to the Ottoman system in which slaves were taken due to their otherness but were viewed as potential agents of the system with processes in place for slaves to convert and become Ottoman citizens. This is perhaps the most distinct difference between the two institutions. In Ottoman society slaves occupied different relationships with Islam and the court at different times, ideally increasing in favor over the period of their servitude whilst Byzantine slaves generally held the same status throughout their lives. In an Ottoman court a slave could initiate a lawsuit or appeal a decision. In some cases where a slave has absconded and taken to a new master, the court actually rules in favor of the slave's choice, which is very counterintuitive to the western conception of ancient slavery.

The most likely source of this difference is the *ghulam* system which the Ottoman Empire inherited from its' Islamic forerunners, the Abbasids. The *ghulam* (pl. *ghilman*) were steppe peoples employed in the 9th century by Arabic heads of state as mercenaries much to the consternation of Arab Muslims. The concept of employing or later enslaving outsiders in a military capacity is a theme that appears throughout the Islamic world among the Abbasids, the Mamluks of Egypt, and the Ottoman Empire. Outside of the dictates of Islam itself it is probably the single most important defining factor for Islamic slavery.

In the tradition of the *ghulam* system of their spiritual ancestors, the Ottomans continued to pressgang conquered peoples into service. The *devşirme* or the collection of young boys as a tax on conquered provinces began in the 14th century under Murad I. Its' *raison d'être* was precisely to create a military slave-class of non-Muslim, non-Turks whose loyalty lay

⁴⁴ Many officials at the highest rungs of power such as the vezir Ibrahim Parçalı were slaves and slaves were also seen as intercessors and purchasers at places like the slave market. In one of our hüccets it is possible that one slave was an agent of the Ottoman Navy (tersane-i amire) at Istanbul, KŞS I-265-2.

exclusively with the Sultan and to counteract the military power of native Turkish nobility which had harried the throne since the Empire's establishment.

Perhaps as a great unintended consequence of the *ghulam* and *devşirme* traditions was that in the Muslim world it was not unusual to perceive slaves as capable, upwardly mobile beings. Indeed, both within the palace and on the battlefield it was expected to be so. This necessarily comes with the assumption that at some point during the slave's life between capture and the attainment of power that the slave has developed an interest in navigating within and working to uphold the institution which enslaved them, which was often the case on both the macro and individual level.⁴⁵ Subsequently, Ottoman society had slaves operating in capacities of relative authority all throughout the Empire.

Both the Byzantines and the Ottomans acquired the majority of their slaves through the act of waging war and taking prisoners. The Byzantine practice of taking war slaves was motivated by principles of state, survival, and expansion, not by religious principles, in contrast to the Ottoman case. While the emperor was expected to always expand the 'realm of Christendom' a theme analogous to the Ottoman "*dar-al-Islam*", there weren't specific compulsions to create more Christians or improve the life of slaves once they had been taken. Byzantine slaves were generally slaves for the sake of access to labor. The Ottoman system added on to this ethos significantly which created the foundation for the nuances of Ottoman slavery.

Bernard Lewis defines two important caveats to the inception of slavery within an Islamic context; 1) The assumption that the natural state of man is free and 2) the outlawing of the enslavement of free persons or peoples.⁴⁶ These attitudes toward freedom are attested to by how slaves were discussed and handled by Ottoman courts. A common ending to *sicil* documents of manumission, such as those presented in this study, end with the formulaic, "let

⁴⁵ The sixteenth century saw a series of rebellions collectively known as the *Celali Revolts*. Even though they are named after a Sheikh who seemed to initiate a period of unrest during the beginning of the 16th century, they were not necessarily connected nor did they express their discontent in religious terms. Composed of students, slaves, sipahis, and other disaffected parts of Ottoman society many took to raiding peasants across Anatolia. While this was a series of criminal actions by brigands it is clear that the purpose of the revolts was not to do away with Ottoman society. In fact, the Sultan co-opted many of the rebel leaders into the government in order to deal with the revolts. Many of these were slaves. Finkel, Caroline. *Osman's Dream*, Basic Books Publishing Group, New York City, NY. 2005. p.180-187.

⁴⁶ Lewis, *Race and Slavery*, 5-6.

him be free as other men” and “From here on let the proprietorship of the master hold no right over this man.”⁴⁷ Lifelong slavery in the Ottoman system, at least in the case of domestic servitude, was simply not the norm of practice. Indeed, Ottoman slavery tended to create a gravity toward freedom with the intent to integrate that person into the greater society.

Whereas Roman/Byzantine slavery was structured around keeping slaves away from the levers of power and economic life it could be argued that, in some cases, the Ottomans saw it as a religious duty to not only manumit their slaves but to integrate them fully into the society.

This tendency affected the Ottoman institution of slavery as a whole and necessitated its’ other nuances which we will discuss, namely the frequency of manumission, the ever-expanding need for slaves, and the immense boon to the central treasury that the trade provided. A point of note is how the Ottoman concept of a slave moved between a religious ideal which held slaves as souls more or less equal to their free masters and a much more ancient but by no means extinct conception of slaves as animals with few more legal rights. This view can be seen in the vocabulary of Ottoman slaving which was complex enough to convey the various roles of slaves in society while being precise enough to convey the legal lowliness of them.

The Word “Slave”

Perhaps the most difficult part of discussing slavery in Islam in general and in the Ottoman Empire in particular is the fundamental issue of defining what precisely a slave is. Bondage of one person to another is almost a historically universal institution but the ability to make linear comparisons between systems of bondage throughout world history stop there. Slavery as it is known in the western world, specifically in the context of New World plantation, race-based slavery almost never existed within any major Islamic empire.⁴⁸ Most conventional

⁴⁷ “ahrâr-ı asliyyîn gibi hür olsun” and “Artık onun üzerinde âzatlî köleler hakkında efendilerinin sâhib olduđu velâ hakkından başka bir hak kalmadı” respectively. These appear on numerous occasions in the Üsküdar court registers and comprise part of a formulaic language for talking about slavery and freedom in the registers.

⁴⁸ This is not to say plantation style slavery did not exist throughout Islamic history. Western slavery was largely a function of new economic pressures and forms of production which would have been unachievable in earlier centuries. Agricultural slavery in the Islamic world did occur, however and the conditions were miserable enough to incite large rebellions such as the 9th century *Zanji* rebellion of black slaves where thousands of black slaves rose up

definitions of “slave” have to do with perceived agency over one’s body and labor. While this is a simple and functional definition it places short-lived galley slaves and powerful military administrators and viziers of the Empire in the same class, thus making it a less than ideal definition and one that does not capture the nuance of Ottoman slavery. Indeed, within the Ottoman system there were a number of terms for differentiating slaves, some explicitly “new” Turkic words and some Arabic loan words.

The most important Arabic loan word and the one most intimately tied to the Islamic context around which the Ottoman state structured itself is *‘abd*. If Ottoman slavery can be said to be a successor to Byzantine slavery then it can be said that interpretations of the dictates of Islam on top of this inherited system is what made the Ottoman system unique. To date the most exhaustive definition of Islamic slavery is R. Brunschvig’s article in the Encyclopedia of Islam, “*‘abd*” and describes the Arabic word *‘abd* as “...the ordinary word for ‘slave’ in Arabic of all periods”.⁴⁹ It appears frequently in the court registers of Üsküdar and Cyprus in very specific legal formulations and can be used to refer to both male and female slaves. In its’ early Islamic Arabic usage, it was almost always used in reference to adult, male slaves.

The etymology of *‘abd* is not very kind to the subject it describes and implies being trodden underfoot. It is related to the early Arabic word *mu‘abbad* used to describe mangy animals that must be tarred and quarantined from the tribe.⁵⁰ *‘Abd* appears in many Ottoman documents and carries a connotation of absolute ownership with it. It often appears alongside *mamluk* which translates to property which is purchased.⁵¹ Ottoman slavery is no different from numerous other world systems in that *‘abd* carried a connotation of disgust and inconvenience, analogous to both Roman attitudes (mildly), and 19th century American attitudes (in the extreme). Despite the contestations of many scholars such as Perwes’ claim to the humanity of Ottoman slavery, the social practice was cruel, with slaves often held in contempt and legally

against the Abbasid Caliphate in Basra. The issues of defining servile labor and the harsh conditions under which slaves worked within the Empire will be discussed in Chapter 3.

⁴⁹ Encyclopedia of Islam, 2d ed. (Leiden, 1960), vol. I, pp. 24-40, Brunschvig, R., “‘Abd”, in: Encyclopaedia of Islam, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs.

⁵⁰ Mohammed Ennoji, *Slavery the State, and Islam*. Cambridge University Press, 2013. p. 48.

⁵¹ In the *Kadı Sicilleri* which are the focus of this study the term *abd-i memlûk[ünü]* appears in registers 523[50a-6], 613[58a-5], 946[92b-1], 1161[113a-3], and 1217[119a-1] which carries the meaning ‘‘possessed, owned as absolute property or purchased slave.’’ Redhouse, James William. *Redhouse's Turkish Dictionary: In Two Parts, English and Turkish, and Turkish and English*. Quaritch, 1880, *memluk*.

categorized as property, albeit “voiced” property.⁵² These attitudes apparently persisted throughout the centuries in both Anatolia and former Ottoman lands. Eve Trout Powell recounts the story of Sudanese refugees in 2012 Cairo receiving verbal abuse from Arabs that called them ‘*abd*’ among many other things. For the people of modern Egypt, the term not only conjures images of the lowliness from which the term was born but also of dark-skin, reminiscent of the voluminous trade in black slaves during Ottoman and Valide Egypt.⁵³

Within an Islamic context, ‘*abd*’ appears in the Quran on eleven occasions and is used only a handful of times to refer to a traditional human slave as opposed to a slave of God as portrayed in theophoric names such as ‘*Abdullah*’.⁵⁴ While it is the primary vehicle for referencing a slave or bondservant in Arabic it is not the term preferred by Islamic juridical tradition. In the dictums of the Quran and the hadith that deal with slavery the term “*ma malakat aymanukum*” – an Arabic periphrasis meaning, “that which your right hand owns” - is used and appears in the Quran 15 times.⁵⁵ The understanding of ‘*abd*’ and *ma malakat aymanukum* ultimately lie within understanding power relations in Islam, itself a word meaning “submission”. Indeed, in Islam slavery is understood in terms of *dependency* and much of the literature around the treatment of slaves emphasizes their condition of dependency. It was this status of dependency that mitigated the otherwise excessive authority a master had over their charge. It is expressly forbidden to prostitute out young female slaves⁵⁶ and yet provisions are given for the eventuality that a master impregnates his slave. She gains the legal status of ‘*umm walad*’ – mother of the child, cannot be sold, and is manumitted in the event of her master’s death.⁵⁷ Islamic jurisprudence in multiple traditions concerns itself with what is to be done in the

⁵² “*māl nāṭīk*” or “speaking property” was used in contrast to *māl sāmit* or “dumb property”; Plessner, M., “*Māl*”, in: *Encyclopaedia of Islam*, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs.

⁵³ Eve Trout Powell, *Diaspora*, p. 3.

⁵⁴ 4:172, 16:75, 17:3, 18:65, 19:30, 34:9, 50:8, 43:59, 72:19, and 96:10 *Sahih International Translation*.

⁵⁵ This phrase has generated several translations including, “those whom your right hands possess” by Abdullah Yusuf Ali, “those whom you own” by Bernard Lewis, and “Those whom you own as slaves” by Nessim Joseph Dawood.

⁵⁶ 24:33 – “But let them who find not [the means for] marriage abstain [from sexual relations] until Allah enriches them from His bounty. And those who seek a contract [for eventual emancipation] from among whom your right hands possess - then make a contract with them if you know there is within them goodness and give them from the wealth of Allah which He has given you. And do not compel your slave girls to prostitution, if they desire chastity, to seek [thereby] the temporary interests of worldly life. And if someone should compel them, then indeed, Allah is [to them], after their compulsion, Forgiving and Merciful” *Sahih International Translation*

⁵⁷ Brunschvig, R., “‘*Abd*’”, in: *Encyclopaedia of Islam*, Second Edition.

case of ill-treatment or disfigurement of slaves in which they are either to be manumitted immediately or sold to a different household.⁵⁸ The Quran very explicitly lays out the importance of the physical maintenance of slaves (*nafaka*) and insists they are kept fed, healthy, and treated humanely. The concept of slavery in Islam is ultimately a deal designed to mirror other relationships of society in that one party guarantees submission and obedience and in return the other party grants just treatment and fulfillment of basic needs.⁵⁹ When Ottoman courts ruled on slavery, judges were utmost concerned with the status of this “deal” and how closely the parties had participated in its’ provisions. As such we see court cases that are concerned with what the modern mind would consider the “extremes” of the institution of slavery. Many show a great urgency in the forceful capture, return, and punishment of slaves but there are also a great many concerned with the plight of a slave against their master and in many cases brought to the courts by the slave as a plaintiff.

This relationship of dependency and a “deal” between master and slave that mirrors other relationships in society is necessary for understanding Ottoman slavery and is articulated exactly by the Arabic vocabulary in which slavery was discussed in Islam’s early centuries. ‘*Abd* ultimately implies the submission, often degrading, which was necessary to establish the dependency implied by *ma malakat aymanukum* which is used to entreat masters to be just and generous to their dependents. Ottoman slavery is an extension of this deal and these principles over both Byzantine and Turkic steppe concepts of slavery.

The infusion of Turkic steppe principles with Islamic institutions is at least superficially revealed by Turkish slaving vocabulary. ‘*Abd* is used in the court registers to refer to slaves but only within the court formulation *abd-i memlük* – “property which has been purchased” and is a Persian *izafet* construction. The Turkish term *köle* was used primarily in common parlance and carries with it separate but equally complex packages of meaning that apply to Turkic society. The term means different things at different times to people in different strata of society but the original implications of the deal between submission and dependency, ‘*abd* and *ma malakat aymanukum*, are always present within its’ utterance.

⁵⁸ Ibid., “Fikh”.

⁵⁹ Ennaji, Mohammed. *Slavery, the State, and Islam*. Cambridge University Press, 2013. pp. 83-85.

Köle and its counterpart *kul* are etymologically related to the word *ghulam*, a term which literally translates as “beardless youth”. During the beginning of its’ widespread use in the Abbasid Caliphate of the 9th century, the term referenced a military-slave class recruited by the caliph al-Mu’tasim. The 9th and 10th century steppe tribes of Central Asia, more specifically the Oghuz and Qarluq peoples, were occasionally taken as prisoners of war and converted to slave-soldiers and eventually in great numbers to Islam. The purpose of this system was very much the basis of the later *devşirme* system; the creation of a military with no cultural or family ties to notables vying for sovereignty. The primary difference of course between the two systems is that Ottoman Janissaries on multiple occasions, such as the conclusion of the Celali revolts, showed that despite their dissatisfaction with the Ottoman system they were interested in its’ preservation while Abbasid *Ghilman* became fifth columns and would ultimately contribute to the downfall of the caliphate. It should be apparent that it is difficult to divorce the Turkic aspects of *Ghulam* slavery from the Early Islamic aspects of it. The tribes which were enslaved and converted to Islam on the steppes ultimately created their own Islamic dynasties and built upon the practices used to enslave their ancestors. When Bayezid I introduced a centralized military and administrative bureaucracy to the Empire at the end of the 14th century, he essentially grafted a five hundred years old practice of his cultural predecessors, the Seljukids, and previous caliphs onto a tax system modelled on the Byzantine state.⁶⁰

This system both in and out of the palace would ultimately be articulated in terms of Islamic values. Even before claiming the title of caliph and protector of Mecca and Medina in 1517, the Ottoman Empire sought to make itself the quintessential Islamic state and from the time of Bayezid sought Islamic legal justifications for its’ actions and institutions.⁶¹ In the court registers of both Üsküdar and Nicosia the word ‘*abd*’ is used in legal formalizations but elsewhere Turkic terms are used, most notably *köle*. *Köle* in itself was a general term that could apply to males or females but was not used when specifically addressing females for which the Turkic term *cariye* is most often used in the registers.

⁶⁰ Itzkowitz, Norman. *Ottoman Empire and Islamic Tradition*, p. 20.

⁶¹ Mehmed II expanded the religious bureaucracy and brought it under the state by issuing religious officials salaries. Later, Süleiman I would elevate the office of the Şeikhülislam to the head of all religious officials in the Empire rather than just Istanbul. Finkel, Caroline, *Osman’s Dream*, p. 157; The Ottoman historian Naima would attempt to justify the heavily unpopular Treaty of Karlowitz (1699) which ceded Muslim lands to Christians by comparing it to Muhammad’s strategic retreats and concessions. Itzkowitz, *Ottoman Empire*, p. 97.

Cariye, like *ghulam*, references an enslaved youth and is almost explicitly used to describe young, non-Muslim, women who were taken as prisoners of war. The etymology is much more difficult to trace but it is known to be of Old Arabic origin and is also the single most common term used to reference female slaves in the Üsküdar and Cyprus court registers. The term carries essentially the same legal trappings of *‘abd* but with the legal exceptions in Islamic law that come with the rights of being female i.e. she is nominally protected from being prostituted by her owner and her legal status can change significantly if she becomes pregnant by her master.

We can get a far greater resolution on Ottoman ideas of the being and legal personhood of slaves by looking at the usage of *kul* and *cariye* in context. Both terms are used alongside the aforementioned *‘abd-i memlük*, “property which is purchased”, and *mülk* or “possession; property; real estate”.⁶² In many ways *mülk* as it is used in Ottoman court registers lost much of the nuance it carried in early Islamic times. The term itself comes from the Arabic verb stem *m-l-k*, “to own” which produced several Islamic legal terms, most notably *māl*, “property; possession; wealth, riches.”⁶³ The word stems from *mā* and *li* and according to M. Plessner means “anything that belongs to anyone”.⁶⁴ The term in Old Arabic can be differentiated further into *māl şāmit* or “dumb property” and *māl nāṭik*, “property with a voice” the second of which is used in reference to slaves and cattle.⁶⁵ Turkish legal language was capable of making this distinction by way of referring to slaves through *abd-i memluk* which explicitly defines a person but this term does not appear in the registers in reference to slaves with the same frequency as *mülk*, which is used in the same way in *tereke*, or estate registers to discuss a deceased owner’s non-sentient possessions. It is used twelve times in the Üsküdar court sicills in phrases such as, “mülkümden ibâk etmişdir”; “she/he absconded from [among] my property.”⁶⁶

⁶² Redhouse, James William. “mülk” *Redhouse’s Turkish Dictionary: In Two Parts, English and Turkish, and Turkish and English*. Quaritch, 1880.

⁶³ Ibid., “māl”.

⁶⁴ Plessner, M., “māl”, in: *Encyclopaedia of Islam*, Second Edition.

⁶⁵ Ibid.

⁶⁶ *mülk-i câriyemdir* – “she is my slave/property” **1149 [111b-4]**; *mezbûrenin mülküdür* – “he/she is the property of the aforementioned” **712 [67b-2]**; *mülkümden ibâk etmişdir* – “he/she absconded from [among] my property” **534 [50b(2)-1], 1276 [124b-6], 1283 [125a-3], 1270 [124a-10]**; *mülkümden ibâk eyledi* – “he/she absconded from among his property” **1266 [124a-6], 1258 [123b-4]**; *mülk câriyemi* – “she is my slave/property” **280 [27b-1]**; *benim mülkümdür* – “my property” **1296 [126a-1]**; *mülkümüzden âzâd ol* – “he/she is freed from [among] our property” **868 [83a-4]**; *mülkümden âzâd eyledi* “he/she” is freed from among his/her property **642 [61a-2]**.

The various words for slave in Arabic and Turkish carry complex historical connotations within themselves. Over time *kul* lost the meaning of an explicitly youthful military slave. *Cariye* often meant a woman who was captured as a slave in a just or holy war, in any case the woman was always non-Muslim. The legal terminology used to qualify these people were related directly to the concept of ownership in the same way that one might own a house or a cow, with occasional distinctions being made. Beneath these terms laid the relationships outlined by *'abd* which was a relationship based not only on raw ownership but on dependency and carried with it a series of obligations, rights, and duties which were heavily outlined in the various sources of Islamic Law. Slaves were ultimately property in the traditional understanding of slavery and were therefore subject to Islamic property law but they were nonetheless a special kind of property with a limited amount of rights. Their possession of a voice and even more saliently a soul meant that they had distinguishing characteristics, personalities, and idiosyncracies. In the ancient and medieval world, the divination of these idiosyncracies was of the utmost importance and thus alongside the institution of slavery was the literary tradition of physiognomy, of which the Ottomans cultivated their own unique method.

The Science of Evaluating Slaves: *firasa* and the production of knowledge

The first encounter between a slave and a would-be master was at the *esir pazarı* or slave market which in the case of Istanbul occupied its' own edifice, the *esir hanı*. Upon entering the large wooden gates to the Istanbul slave market and moving past the *kapıcı* security official, a prospective buyer was permitted to touch and manipulate the slave in any way possible so as to discern their characteristics. A 16th century French traveler to the Ottoman Empire named Nicolas de Nicolay relayed his horror in observing this process during his visit to Istanbul:

“There they sell an infinite number of poor Christian slaves of all ages and of both sex, in the same manner in which they sell horses. For those who wish to purchase a slave examine their eyes, their teeth, and all parts of their bodies. The slaves are displayed completely naked so that the purchaser may more easily determine their faults and imperfections. It is a pitiable and lamentable thing to observe. I went there three times; once I saw in one corner of

the market, a Hungarian girl about 13 or 14 years old, not very beautiful, who was finally sold to an old Turkish Merchant for the price of 34 ducats.”⁶⁷

From this account alone it would seem as if the purpose of this practice was to provide the potential buyer an opportunity to briefly assess the slave and make a practical decision. Surface appearances were obviously important to buyers as it was outlawed to embellish slaves with makeup, but for the Ottomans there was something much deeper than mere appearance in the investigation of the physical body.⁶⁸ What Nicolas de Nicolay did not know about was the centuries old science of *firāsa* that likely informed the decisions of many buyers and was seen as the most valuable skill one could have during such a brief encounter in the slave market.

Arabic *firāsa* or Turkish *feraset* is itself arguably as ancient as slavery and is generally translated as “physiognomy”.⁶⁹ The Ottoman Turkish version of the term translates to “sagacity, intuition, understanding.”⁷⁰ Specifically it is the understanding of “moral conditions and psychological behavior from external indications and physical states.”⁷¹ *Firāsa* is an abbreviated form of *ilm-i firāsa* or “The science of understanding”. It occupied a scholastic tradition in the Islamic world among the other sciences and was considered as a part of the greater understanding of the natural sciences.⁷² Islamic scholars across time including Ibn Sina, Hajji Khalifa, and Taşköprüzade classified it as a branch of medicine.⁷³ As such it has many mentions from the early Islamic period to the late Ottoman period and appears in various philosophical treatises and medical texts.⁷⁴ One of the earliest comprehensive volumes on the topic, the *Kitab*

⁶⁷ Nicolas de Nicolay, *Les Navigations, Peregrinations et Voyages faicts en La Turquie* (Anvers, 1526), pp. 114 – 5; This translation is taken from Fisher, Alan W. “The Sale of Slaves in the Ottoman Empire: Markets and State Taxes on Slave Sales, Some Preliminary Considerations.” *Boğaziçi Üniversitesi Dergisi, Beşeri Bilimler* 6 (1978): 149-174, p. 151.

⁶⁸ İnalçık, Halil. *Sources and studies on the Ottoman Black Sea*. Department of Near Eastern Languages and Civilizations, Harvard University, 1995. p. 93.

⁶⁹ It is sometimes said that the Turkish term is *kiyafet* which in the Redhouse Ottoman Dictionary appears as “kiyaset” and is translated as, “shrewdness, sagacity, -li: intelligent”. The terms have differences but have often been used interchangeably. Mehmet Gürbüz discusses this in his work, TA‘LİKİZÂDE MEHMED SUBHÎ’NİN FİRÂSET-NÂME’Sİ, *Turkish Studies*. Vol. 12/5, 2017, p. 165-176. For the purposes of continuity *firāsa* is used.

⁷⁰ Redhouse Sözlüğü Dictionary, “feraset”.

⁷¹ Fahd, T., “Firāsa”, in: *Encyclopaedia of Islam, Second Edition*.

⁷² Ghersetti, Antonella, ed. *Il “Kitab Aristatalis al-faylasufi l-firasa”*: nella traduzione di Hunayn b. Ishaq. Herder; Università Ca’Foscari, Dipartimento de Scienze dell’Antichità e del Vicino Oriente, 1999. p. vi

⁷³ Ze’Evi, Dror. *Producing desire: Changing sexual discourse in the Ottoman Middle East, 1500-1900*. Univ of California Press, 2006. P. 26.

⁷⁴ There are too many works on *firāsa* to list reasonably but the most well-known works are the K. al-Firāsa of Shams al-Dīn Abū ‘Abd Allāh Muḥammad b. Ibr. b. Abī Ṭālib al-Anṣārī al-Şūfī al-Dimashkī; *Il Kitāb Aristātalis al-faylasuf fi l-firāsa* trans. By Hunayn b. Ishaq; Many works on *firāsa* in Arabic, Persian, and Turkish are in the MSS collection in the British library.

Aristotalis al-faylasufi l-firāsa translated by Hunayn b. Ishaq in the 9th century is attributed to Aristotle however Antonella Ghersetti raises questions about the authenticity of this claim.⁷⁵ Whether or not the text was actually among the Greek works translated by early Islamic scholars, it was certainly influential in the development of the science of *firāsa* in the Ottoman world and it seems as if the Empire's highest judiciaries were aware of it. Taşköprüzade himself served as chief justice of Istanbul for four years in the mid-16th century and mentions the *K. Aristotalis* in his *Miftāḥ al-Sa'āda wa-miṣbāḥ al-Siyādah* or "Key to Happiness and Lamp of Lordship", an Arabic language encyclopedia. Another source of Ottoman *firāsa* was the famous *Kiyafetname* by Şhams al-Dīn Abū 'Abd Allāh Muḥammad b. Ibr. b. Abī Ṭālib al-Anṣārī al-Şūfī al-Dimaşḥī. This work was written in the fourteenth century. Mehmet Gürbüz's work on the *Firâset-nâme* of Ta'likîzâde Mehmed Subhî has a thorough discussion of the history of *firāsa* literature in the Arab, Persian, and Turkish traditions and should be consulted for a robust historiography on the literature.⁷⁶

The work on *firāsa* closest to our period under study is the *Firâset-nâme* of Ta'likîzâde Mehmed Subhî. This was written in the 1570s and presented before Sultan Murad III.⁷⁷ There is no document that suggests when it was written but the dedication in the text suggests that it was written before 1574, prepared in published in Istanbul and given as a gift to Murad III upon his accession to the throne. The first chapter of Ta'likîzâde's work is called *tenbih* or "characteristics" and is concerned with looking at the climate region from which a person hails, their age, and other physical characteristics to divining facts about their moral character. Ta'likîzâde Mehmet Subhî's work is not the only book written on this subject during this time but it is heavily descriptive, thorough, and comprehensive.⁷⁸

A consistent element within the Üsküdar and Cyprus court registers that we can relate to the Ottoman physiognomic tradition are the descriptive formulas of the court registers. In almost every single register the origin of a slave along with a brief description is given whether it be for

⁷⁵ Ghersetti, Antonella. "Il Kitab Aristotalis al-faylasuf fi l-firasa nella traduzione di Hunayn b. Ishaq (Rome: Herder, 1999) (1999), p. xvii; specifically Ghersetti notes that, Ibn al-Nadim raised questions as early as the 9th century as to the legitimacy of this texts' heritage.

⁷⁶ Gürbüz, Mehmet, Ta'likîzâde Mehmet Subhî *Firasetname*, Grafiker Yayınları, 2016. p. 26-34.

⁷⁷ Gürbüz, Mehmet. TA'LİKÎZÂDE MEHMED SUBHÎ'NİN FİRÂSET-NÂME'Sİ, *Turkish Studies*. Vol. 12/5, p. 165-176. p. 167. This work is in the Bibliotheque Nationale and is catalogued under 1055.

⁷⁸ For other books from the late 16th century on this topic one should reference; Hamdullah Hamdi's *Kiyafetname* (1449-1503); Mustafa Bin Evrenos' *Kiyafetname* (1566-1574); Mustafa bin Bali's *Risale-i Kiyaset-I* (1576); Visali's *Vesiletulirfan* (1594); and a significantly later work, Ibrahim Hakki's *Kiyafetname* (1703-1780)

manumission or a notice of escape. For example, a register might say “...*orta boylu, açık kaşlı, elâ gözlü, Rûsiyyü’l-asl, başında ve omuzunda yara izi bulunan abd-ı memlûkü...*” or literally an average height, wide eyebrowed, hazel-eyed, Russian slave up on whose head and shoulder is found a wound/scar. The first and most obvious reason for this line is identification. The second but no less important reason was that contracts within the Ottoman Empire required a complete description of the transacted goods to be valid.

Firasa literature is concerned with the discernment of very specific characteristics from physical features to determine one’s deeper qualities. Ottoman physiognomy was very concerned with “yaratılış” or temperament and believed that the weather, geography, and character of one’s place of origin was the primary driver of one’s moral character. For Subhi there were nine determinants of character; *mizaç* (temperament), *yaş* (age), *ef’al* (actions) *hey’et/suret* (form or body), *cinsiyet* (gender), *ahlat* (balance of the humors), *neseb/variyet* (geneology or pedigree), *mekan* (environment), and *özellikler* (lit. details but refers to the shapes and conditions of specific body parts). It makes sense then that Subhi’s work, like all works of physiognomy, dedicates a large section to the meanings of temperament. This comes alongside an understanding of what Westerners called “humors” from Galenic medicine. The interplay of temperament, origin, and balance of the four humors; *kan* or blood, *balgam* or sputum, *safra* or bile, and *sevda* or love; all played a part in determining one’s moral characteristics. The four primary temperaments *sıcak, soğuk, rutubetli, kuru* or hot, cold, wet, dry respectively correlated with various qualities. For instance, one of hot temperament may be described as intelligent in mind and speech with quick movements and a nervous disposition.

Much like astrology different sources often come to different conclusions about the same thing but there are similarities that reveal commonly held cultural values. For instance, the optimal height for a given individual is “*orta boylu*”, “average” or “medium” height because this was a characteristic shared by the prophet Muhammad and indicated the best mixture of characteristics. This is in opposition to the possible meanings of “*uzun boylu*”, “tall” which could be evidence of stupidity due to the excessive distance between the heart and the brain,⁷⁹ unless certain other conditions were met that caused it to indicate intelligence.⁸⁰ This provides an

⁷⁹ Gürbüz, Mehmet, Ta’Lîkîzâde Mehmet Subhi Firasetname, p. 100.

⁸⁰ *ibid*, p. 182.

extra depth to our court registers in which almost every single entry that references slaves describes their height. Obviously in a hüccet recording a slave's fugitive status, mentioning a slave's height serves an entirely practical purpose, but in other registers which deal with disputes involving slaves the knowledge of *firasa* adds another dimension to the carriage of Islamic justice which often relied heavily upon moral reference and calls to character.⁸¹ This served the greater purpose of categorizing the person for later integration into Ottoman society.

These texts further expound a truth from the previous section. Slavery in the Ottoman Empire was undoubtedly chiefly regulated by the impulses and strictures of Islam but these strictures were laid over a system which predated Islam by centuries. While the rules of sale, purchase, and treatment were subject to the Shari'a, the ideas which informed society on how to view and categorize slaves come from a much more ancient set of assumptions. It is important to note that for Subhi the *Firasetname's* most important source was the Qur'an and the Hadith and that Ta'likîzâde himself paid great attention to the ministrations of Imam Shafi, the founder of the Shafi'i madhhab. As we will see, the reforms during this period of Ottoman history focused on the mainstreaming of Hanafi thought into the administration but with a special deference to widely held traditions within Ottoman lands such as Shafi'ism.

The Extent of Ottoman Slavery

Despite the more positive aspects of Ottoman slavery when compared to its Byzantine predecessor, there is a great deal of moral confusion over how to accurately portray the

⁸¹ This is phrased well in "Well-Connected Domains: Towards an Entangled Ottoman History" in a discussion on *İlm-i firsat* and identity, "While on the surface these seem to have served the purpose of identification, to members of the urban elites in the sixteenth-century Ottoman Empire, steeped in the lore of physiognomy and ethnography current at the time, such superficially innocent adjectives as "blue-eyed" and "Russian" carried with them a host of meanings which went far beyond mere description. Instead, they imposed certain identities and, in doing so, subjected the slaves to expectations of behavior corresponding to these identities. In this example, identity thus served the dual purpose of classifying an Other and domesticating him or her for integration into the Ottoman world." Firges, Pascal, et al. *Well-Connected Domains: Towards an Entangled Ottoman History*. Brill, 2014. p. 90.

institution. The problem which many scholars have elucidated is the overly positive portrayal or at least lack of discussion on the negative aspects of Islamic slavery. In Ottoman studies this most certainly reveals itself in the form of a top-heavy emphasis on a small stratum of slaves at the highest reaches of Ottoman society usually accompanied by a concessionary statement that acknowledges the horror of slavery but self corrects by noting that there were many powerful slaves in the Ottoman empire, even as high as viziers. On rare occasion Ottoman institutions of slavery offered a chance at untold power to people from all walks of life both men and women. Sokollu Mehmed Paşa was taken in the Ottoman *devşirme* as a young Serbian boy and by the mid to late 16th century had worked his way from a Janissary to the Grand Vizier under three Sultans. Hürrem Sultan was a Russian slave captured in one of countless Crimean Tatar raids throughout the Middle Ottoman period and eventually finds herself wife of Süleyman the Magnificent and perhaps the most powerful woman in the world aside from her contemporary Elizabeth I. Success stories like these were even more rare in the rigid class and estate systems of Europe of the time. While these stories are both impressive and widely published it should be remembered what a small section of the Ottoman slave experience they exhibited. Slaves existed on every level of Ottoman society in varying numbers, for multiple purposes, and for a multitude of reasons and for every one that ended up as a high-level state functionary or wealthy consort there were countless that filled the rank and file of the Ottoman military, propelled Ottoman galleys in their campaigns across the Mediterranean, and worked the fields that upheld the state's food supply.

The vastness of the institution makes it difficult to estimate the size of Ottoman slavery and subsequently the fates of different "classes" of slaves apart from the most famous. At the "top" of the pyramid of Ottoman slavery were the slaves who had risen or been purchased directly into the palace structure. These were generally Eunuchs and held positions of high esteem such as the Black Eunuch who oversaw the harem. Below the Eunuchs and slightly further from the center of power were the infamous "Janissaries" and other slave-soldiers conscripted into the Sultan's service. These individuals are appear frequently in the court registers and are usually marked by the title *racil*. They were not only soldiers but played an important part in the economic life of their garrison. The number of slaves employed at the top of Ottoman society was no small number. It was common for wealthy households in Edirne and in the capital to have estates of hundreds of slaves and the bureaucracy made frequent use of slaves

in administrative tasks throughout the Empire. These numbers were fed by two large collection systems within the empire. In the taking of slaves during wartime the Porte exercised a tradition called the *pencik* which was the Porte's right to 1/5 of the loot (human loot included) from any war that involved the Sultan or his allies.

The second tier of slaves and arguably the largest section of the enslaved population were military slaves. These ranks were replenished through the aforementioned *pencik* and the *devşirme*, a collection of young Christian boys who would be taken, trained, converted to Islam, and become the elite soldiers of the Empire. The *devşirme* goes back to the end of the first century of the Ottoman Empire. According to Caroline Finkel's history of the Ottoman Empire it was first enacted during the rule of Murad I by his commander Gazi Evrenos upon the conquest of Macedonia in the 1380s.⁸² Before and during the tumultuous founding of the Ottoman Empire power had to be negotiated between the house of Osman and the other powerful Turkic lords which caused numerous problems for the maintenance of a stable treasury, the ability to effectively engage in foreign campaigns, and most importantly to protect the Sultan and enact his interests. It was because of these problems of the Early Empire that the *new force* or *Janissaries* were created. This class of professional, salaried, slave-soldiers were taken as youths from conquered Christian lands, converted to Islam, and given a pension precisely so they would be loyal to and carry out the interests of the Sultan. In the early days of the Janissaries there were strict rules that kept them from acquiring families. Over centuries this system would decay to the point that men would pay to have their friends join and some would pass on their stations to their sons thus defeating the original purpose of the Janissary corp; to prevent the establishment of a landed heritable military class to threaten imperial authority. Even before the degradation of the Janissary corps system the Janissaries were a force in politics to be reckoned with, especially during battles for succession. It is impossible to get an exact figure how many boys were taken via the youth collection but it is estimated that between 1400 and 1650 at least 200,000 Balkan boys were taken to the porte to become slave-soldiers with the institution becoming larger with time.⁸³ At the time of Mehmed Fatih's accession to the throne the palace slave military compliment was 15,000 and would reach 100,000 by 1609.⁸⁴

⁸² Finkel, Caroline. *Osman's Dream*, Basic Books Publishing Group, New York City, NY, 2005. p.75.

⁸³ Clarence-Smith, William G., *Islam and the Abolition of Slavery*. Oxford University Press, 2006. p. 13.

⁸⁴ Inalcik, 'Servile Labor in the Ottoman Empire,' 24-53.

The majority of slaves were not members of the elite class and had no hope of advancement to the top of Ottoman society, though the chance of manumission and freedom was real enough. In the vassal coreligionist state to the north, the Crimean Khanate, slaves inevitably were to put to agricultural endeavors to support the horse-riding *ghazi* class that looked down on field work as unfit for Mongols and Muslims alike.⁸⁵ Slaves were often used both by the government and privately to engage in Agricultural and manual labor enterprises such as rebuilding a city or refurbishing Anatolian hinterland.

The Ottoman Empire could be fairly called a ‘slave society’ as opposed to a society with slaves even though plantation slavery did not exist on a scale comparable to western plantation slavery and had much more in common with ancient Mediterranean slaving. While it is difficult to know the exact number of slaves at any given time, much less the stations in life which they occupied, we know several facts about the importance of slavery to the wealth and inner workings of the Ottoman state. According to Alan Fischer and Halil Inalcik by the mid-16th century customs revenue on the slave trade had become almost twenty percent of the central treasury’s income.⁸⁶

During our period in question we have a few scattered numbers from across the Empire both in geography and social class. According to Madeline Zilfi, at the end of the 16th century around 20 percent of Istanbul’s population were slaves or freedmen, half of whom were employed in the silk industry in Bursa and Istanbul.⁸⁷ The volume of slaves in any one place depended heavily on the concentration of wealth. At the highest levels and disregarding the army of palace servitors and *Janissaries* at the Sultan’s disposal, slaves were consumed in large amounts by the Ottoman administration. Rüstem Paşa, the Grand Vizier to Süleiman I, died in 1561 was recorded as having 1,700 slaves.⁸⁸ A survey of 93 estates around Edirne showed that 40 owned slaves but only averaging out to about 3.5 slaves per estate.⁸⁹ The latter figure is much more representative of slave ownership in the Ottoman Empire.

⁸⁵ Archiwum Glowne Akt Dawnych: Archiwum Koronne Warszawskie, Dzial Tatarskie, k. 61, t. 135, no 277 (1661, Polish) as quoted in Mikhail Kizilov, “The Slave Trade in the Early Modern Crimea,” 14.

⁸⁶ Fischer, Alan, *A Precarious Balance*. p. 20.

⁸⁷ Zilfi, “Women and Slavery in the late Ottoman Empire,” 130.

⁸⁸ Mujtaba, Hasan, et al. *Islamic homosexualities: Culture, history, and literature*. NYU Press, 1997, p. 178.

⁸⁹ Halil Inalcik, “Servile Labor in the Ottoman Empire,” 24-53 in Abraham Ascher, Tibor Kiraly, and T. Halasi-Kun, (eds.), *The Mutual Effects of the Islamic and Judeo-Christian Worlds: The East European Pattern* (New York: Brooklyn College, 1979) 25-43.

The fluctuations of slave populations within the Ottoman Empire were ultimately reflections of external events and the legal mechanism surrounding Islamic slavery. While wars often produced great amounts of slaves, Islam's emphasis on manumission meant that there was always a dearth of slave labor. This at times drove Ottoman policy such as the Porte's economic relationship with the Crimean Khans who regularly sent a percentage of their take in Russia across the Black Sea.

Ultimately, the picture of Ottoman slavery at the end of the 16th century is one in which the majority of slaves were employed at the center of power and tend to titrate out the further one goes geographically and metaphorically from the center of Ottoman authority. The Sultan's slaves numbered in the thousands although this was obviously due in part to the Ottoman concept of the Janissary slave. His viziers and notables of the court could have over a thousand acting in business ventures or simply as functionaries. Wealthy Ottoman subjects with estates it appears often had fewer than ten slaves and a merchant or successful craftsman may employ one or two. The Porte took many measures to ensure that the agricultural work of the empire was done by free *reaya* although this was not always possible. By far the largest owner of slaves was the Ottoman government itself. The issue with measuring this over time is its' incredibly variability and if one wants to group in the coerced labor of war captives in galleys with domestic slaves in Anatolia. During large campaigns prisons were often emptied of captives and criminals who were condemned to galley labor which was often a death sentence. In the 1522 Rhodes campaign the Ottoman Empire recruited 40,000 oarsmen, which was standard for large naval campaigns.⁹⁰ While citizens of all classes except the poorest *reaya* utilized slaves it was often on a scale much smaller than the state which was dependent on not only the labor of the slaves themselves but on the immense wealth generated by taxing the trade in slave markets and in the Empire's various entrepots.

⁹⁰ Mossensohn, Miri Shefer. "Medical treatment in the Ottoman navy in the Early Modern period." *Journal of the Economic and Social History of the Orient* 50.4 (2007): 542-568.

Chapter 3: Islamic Law and Ottoman Slavery

The *kadı* as a part of the 16th century Ottoman reform

The sixteenth century Ottoman poet Kınālızāde Ali Çelebi spoke of the Ottoman Circle of Justice or as it is sometimes called the Circle of Equity. This circle lays out eight statements that when taken together displayed the balance upon which the Ottoman Empire sat. Those points were as follows:

1. There can be no royal authority without the military.
2. There can be no military without wealth.
3. The reaya produce the wealth.
4. The sultan keeps the reaya by making justice reign.
5. Justice requires harmony in the world.
6. The world is a garden, its walls are the state.
7. The state's prop is the religious law.
8. There is no support for the religious law without royal authority.⁹¹

Kınālızāde certainly did not invent this aphorism. It appears centuries earlier in a text claiming to be a document from Aristotle advising Alexander the Great on statecraft. As the son of a *kadı*, Kınālızāde was well versed in Arabic and would have been familiar with the vast body of important works translated from Greek into Arabic.⁹² The original text did not explicitly discuss religion and the statements in points seven and eight were an addition by Kınālızāde himself. The statements themselves were often written in calligram form with the eight phrases coming together to form a circle to reflect their ultimate meaning. Norman Itzkowitz reasons that the Circle of Equity was key to Ottoman consciousness and emphasized the importance of dependency, duty, and subordination within the Ottoman State.⁹³ All relationships in Ottoman society could be said to be circular or reciprocal, but it would be more accurate to call them fractal. Power relationships on the local level between the peasants and the *kadıs* mirrored the relationship between the *kadıs* and the bureaucracy which likewise resemble the relationship

⁹¹Itzkowitz, Norman. *Ottoman Empire and Islamic Tradition*. University of Chicago Press, 2008, p. 89.

⁹²London, Jennifer. "Circle of Justice." *History of political thought* 32.3 (2011): 425-447.

⁹³Itzkowitz, *Ottoman Empire*, p. 89.

between the bureaucracy and the Sultan, whose power ultimately does not exist without the preservation of the peasantry who sought the Sultan's justice often through their local *kadi*.

Perhaps it would be too bold to say that the Circle is the ultimate description of Ottoman society but it lays out power within the Empire as those in charge of the Empire would have understood it. The aphorism differentiates between religious law, justice, and royal authority and shows that the logic that operated all three were inextricably linked. Kınālızāde's emphasis on religious law in the place of custom reveals the importance of Islam in administering the state. While the Ottoman state had always been heavily concerned with Islam as a vehicle for state legitimacy since the time of Osman at the beginning of the 14th century, it took on new meaning under Mehmed II, Selim I, and Süleyman I. During the course of the mid-16th century, Süleyman would engage in a series of appointments and reforms to bring justice, royal authority, and religious law in line with each other. These reforms were not however done strictly out of piety but out of a deep practical need to manage an expanding and diverse empire. Over the course of the 16th century, the Ottoman Empire incorporated lands in the Balkans, Armenia, Upper Mesopotamia, Iraq, Egypt, and Cyprus. The confessional diversity of these new lands ranged from several schools of Islamic thought to Judaism, Orthodoxy, and other denominations of Christianity. Even in Istanbul there was a marked increase of mixed-faith neighborhoods. As such the Empire's traditional system whereby the Sultan could not always assert his authority counter to Islamic law proved impractical to ruling an Empire which if left to its confessional devices would surely cause the circle of equity to torsion out from all sides. Certainly, this reform was not born from pure practicality. The Sultans of the late 15th and early 16th centuries indeed took their piety seriously and were arguably as ideologically interested in creating a pious state as the Abbasids had been. This only added another incentive to the pile of reasons why the Empire needed to shore up the disparate pieces of its' religious administrative structure. The task was therefore set to create a legal code that was first and foremost Islamic but allowed for the legal intervention of the Sultan and which was flexible enough to accommodate the ever-increasing non-Muslim population within an Islamic context.

For this task Süleyman chose a long-serving Hanafi jurist named Ebu's-Suûd Efendi who had ample experience in bringing the disparate ideas of royal authority and justice in line with the *şeriat*. The goal of this appointment would ultimately be to reform land and tax law by

bringing the two major streams of Ottoman legal thought, *Shari'a* and *Örf*, together under Sultan authority. This naturally influenced justice on the local level by the *kadis* by theological reformation in the bureaucracy that trained the *kadis*, but also to provide greater tools to the Muftis whose *fatwas* and religious advices influenced policy. On an administrative level, the reforms empowered the 'ulema or class of men of religious learning by making the *kazas* the smallest administrative district possible with the *Sheikhulislam*, "...charged with assuring the observance of the Sacred Law in the state with the supervising activities of the *kadis*."⁹⁴ Subsequently the confessional-legal culture of the administration was meant to reform the constituent parts of the Empire. This was to be done through the standardization of *fiqh*, or "deep understanding", specifically the understanding of Islam through the theological and textual mechanisms through which Islam was interpreted and applied in the courts of the Ottoman Empire.

To understand Islamic Law at the end of the 16th century and the influence of Ebu's-Suûd Efendi's appointment as *sheikhulislam*, it is necessary to understand the religious tradition from which he drew his reasoning. This reasoning found its way down to the local level in the courts of Üsküdar and Nicosia, the latter of which was conquered just after the beginning of these sweeping reforms. By discussing the history of the unique Ottoman Hanafi school of law, its transformation into a highly coherent body of law, and its effects on the application of local justice we can help answer questions about cases of slavery on at the level of the court.

The Hanafi Madhhab

Since its founding, the Ottoman dynasty had displayed tolerance to a number of Islamic religious sects but the Hanafi school of jurisprudence always enjoyed a primacy among both the leadership and the Turkic peoples of the Empire. This is due to the madhhab's growth into Central Asia during Islam's early centuries and becoming the majority interpretation among the predecessors to the Ottoman state as they moved across Transoxania and to the Anatolian

⁹⁴ Schacht, Joseph, *An Introduction to Islamic Law*, Clarendon Press, 1964. p. 89,90.

Plateau. Once the state was well established, the Empire would eventually engage in numerous wars and expansions back toward the Eastern Islamic lands over which they had migrated. Upon conquest of Iraq and Baghdad from the Safavids in 1535, the Sultan visibly showed his preference for the Hanafists and personally visited the tomb of the 8th century jurist Abu Hanifa, founder of the eponymous *madhhab*. In acquiring Iraq and Egypt within decades of each other, the Sultan found himself the ruler of numerous disparate Islamic legal traditions. This was an obstacle to someone who was not only interested in a project of piety but also one of centralization and standardization, all of which provided the impetus for his reforms. The use of the Hanafi *madhhab* served many purposes. First and foremost it was the most widely accepted and followed among the Turkic peoples of the Ottoman Empire. Secondly, the methods through which Hanafism generated interpretations of law made it particularly flexible and able to navigate the Empire's multiconfessional landscape without sacrificing the pious integrity required to maintain Sultanic authority. Lastly, Hanafism was capable of accommodating increasingly centralized authority by the Sultan throughout the Empire while still being able to maintain the veneer of sincerity. These three factors put Hanafism at the center of the late 16th century reforms and laid the groundwork for an Empire that would be almost entirely Hanafist by the end of the 17th century.

The "Hanafizing" of the Ottoman Empire was a slow, difficult process and arguably never fully realized. Among Hanafi scholars themselves there were a great many disagreements and the pre-existing traditions within the constituent parts of the Empire would create a system of law that was certainly Hanafi in dogma and legal tradition, but primarily Ottoman in function and purpose. For instance, the most unique and infamous Ottoman institution, the *devşirme* levy was considered to run counter to Hanafi Islam and yet like so many other institutions that we will examine below was eventually rationalized into the madhab or ignored. In the following section I will discuss the roots of the Hanafi *madhhab*, its' incorporation into the Ottoman system, and its' ultimate effects on the greater Empire.

The roots of the Hanafi madhab and its' Integration into the Ottoman System

Madhhab comes from the Arabic verbal root *dh-h-b* which is generally translated in Modern Standard Arabic as “goes” but in this instance refers to a way of conduct or a path in the abstract sense. In the words of Guy Burak in *The Second Formation of Islamic Law*, *madhabs* are hermeneutical approaches to the interpretation of Islamic Law that arose in the ninth and tenth centuries within communities of Islamic jurists.⁹⁵ From the very beginning these communities began to develop distinct differences in their approach to Islamic law and concerned themselves with articulating Islam as an academic discipline while “laying out the norms of the law, in greater or lesser detail, and with varying quantities of justificatory argument.”⁹⁶ In time these approaches would further distinguish themselves from each other. A founding scholar would publish a well-regarded work such as a commentary on the Quran and his followers would provide commentaries on that work or perhaps even produce their own. The major schools of jurisprudence today all have their roots within the first century of Islam and are as follows; in the Sunni tradition: Hanafi, Shafi, Maliki Hanbali; in the Shia tradition: Twelver, Ismaili, Zaidi. The Ottoman system was not precisely Hanafi, though the efforts of two sultans during the 16th century certainly wished to use the Hanafi school to regulate the dispensation of justice within their Empire. As we will see there was no absolute *Hanafization* as it would have been practically impossible in such a diverse and variegated Empire, nor was it necessarily desired.

The Hanafi school originated in 8th century Umayyad Iraq during the reign of caliph Abd al-Malik ibn Marwan. The founder of the eponymous school, Abu Hanifa, was born in Kufa and eventually became a *kadi* in his own right, publishing *Al-Fiqh al-Akbar*, or The Great Islamic Jurisprudence. By the end of the 8th century Hanifa’s approach to the interpretation of Islamic law gained recognition as a consistent, homogenous body of law with a number of followers and Abu Hanifa himself being referred to as “The prominent lawyer.”⁹⁷ In order to

⁹⁵ Burak, Guy, *The Second Formation of Islamic Law*. Cambridge University Press, 2015. p. 7.

⁹⁶ Calder, N., “Uṣūl al-Fiḥ”, in: *Encyclopaedia of Islam*, Second Edition, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs.

⁹⁷ Heffening, W. and Schacht, J., “Ḥanafiyya”, in: *Encyclopaedia of Islam*, Second Edition

address ambiguity in cases not directly addressed in Islamic Law, Abu Hanifa was the first to prioritize the *usul* (origins, roots) of Islamic jurisprudence as the *Quran*, the Hadith,⁹⁸ consensus, *ra'y* (individual opinion), *qiyas* (analogical reasoning), *istihān* (discretion of the judge), and *urf* (local custom), respectively. The Quran, Hadith, and consensus of scholars had all had precedent as methods of addressing issues within the early *Ummah* but Abu Hanifa introduced innovations that would echo through to the centuries to the Ottoman attempts at forming a legal culture.

The various *madhhabs* that arose during the early centuries of Islam were born out of the incredibly documentarian impulses of Islam itself. There were many types of texts for discussing theology but the *madhhabs* generally were founded upon exegetical texts known as *tafsir*, or Quranic commentaries, and the metacommentaries which analyzed the original *tafsir*. The works eventually built into continuous and vast bodies of scholarship from which Islamic rulers pulled justifications for the policies depending on belief and need. Whenever Ebu's-Su'ud Efendi in his 32 directives to *kadıs* proclaimed that they were to “follow several opinions by Hanafı authorities.” He was referencing a large body of exegetical work that extended back to the 8th century all the way up to his time and it is fair to say that the primary tools for implementing the Empire's administrative reforms was through a reform of the texts used by the *kadıs*.⁹⁹

The textual evidence of these works is extensive but there are certain documents which stand out more than others. Notably, a syllabus issued to the highest *kadı* education institutions in 1539, a “Handbook” of Hanafite Law known as the *Multaqa al-abhur* written by the jurist Ibrahim Halabi around 1517, a series of *şurut*¹⁰⁰ manuals containing hypothetical cases, and a series of mandates from the Sultan during the reform period. These texts were vital to the efforts of the administration's goals of Hanafizing the Empire. The most interesting literature but certainly the most difficult to obtain are *şurut* manuals. These manuals were practical handbooks for judges and contained examples of decisions one might come across. I was unable to obtain the one closest to the period under study, a manual written by Ebu's-Su'ud Muhammed bin Muhammed el-İmadi which is available in the Milli Kütüphanesi in Ankara and the *Kitab üs-*

⁹⁸ Sahih Bukhari and Sahih Muslim

⁹⁹ Schacht, *Islamic Law*, p. 90.

¹⁰⁰ Şurut manuals were texts used to educate judges. For further information see the glossary entry “şurut”

sakk in the Süleymaniye Yazma Eser Kütüphanesi in Istanbul.¹⁰¹ However I was able to obtain a digital copy of a *şurut* manual from 1741, the *Sakk-i Vehbi* from the British Library in London.¹⁰² This manual was compiled in 1741 by Ahmed Vehbi Mustafa b. el-Burusevi, a jurist in Ottoman Bursa. It is a quintessentially Hanafist work and Burusevi claims that the rulings within were authored by the famous Hanafî Jurist Şemseddin Mehmed b. Abdullah et-Temurtaşî, a kadî who died in 1596. There are some issues regarding this claim as Burusevi states that Temurtaşî was a kadî in Rumeli although he is known to have lived in Gaza and Cairo. Ostensibly, this manual relates a common understanding of Ottoman law in the 16th and 17th centuries.

The *Multaqa* is a compilation and commentary of previous Hanafî *fiqh* written by İbrahim Halabi in the early sixteenth century and later translated into Ottoman Turkish in 1640 by Muḥammad Mawḳūfātî.¹⁰³ İbrahim Halabi himself was born in Aleppo in 1461 and was educated at several prominent madrasas in Egypt. It is unsure when he migrated to Istanbul, where he ultimately compiled the *Multaqa* but it was likely after the conquest in 1517 by Selim I.¹⁰⁴ İbrahim did not compile the work due to an official request by the government and describes its purpose in his own words:

*“Certain people, who wanted to derive benefit from it [the Multaqa], asked me to compile a work consisting of (the information of) Qudūrî, the Mukhtâr, the Kanz and the Wiqāya, in an easy style. I answered this request positively and also added some information from the Majma’ and the Hidāya where it was needed.”*¹⁰⁵

As a compilation the work is exceedingly large and contains thousands of examples and suggestions for *kadîs* divided into *kitabs* and *babs*. To date the single most comprehensive academic work on the *Multaqa* is the dissertation of S.S. Has from the University of

¹⁰¹ 06 JK 3505/4; Giresun İl Halk kütüphanesi 28, HK 36 48/13.

¹⁰² Turkish MSS, OR. 1142.

¹⁰³ Schacht, J., “al-Ḥalabî”, in: Encyclopaedia of Islam, Second Edition

¹⁰⁴ Has, Sükrü Selim. *A study of İbrahim Al-Halabi with special reference to the Multaqa*. Diss. University of Edinburgh, 1981., p. 2.

¹⁰⁵ *ibid*, p. 192.

Edinburgh.¹⁰⁶ The *Multaqa al-abhur* means “The Confluence of the Seas” and is a compilation of various important Hanafi *fiqh* and was designed ultimately as a guide for Hanafite jurists. The book gained increasing relevance to the Ottoman administration over time and was perfect for Süleyman and Ebu’s-Suûd Efendi’s centralization project decades later. It reached peak prominence in the 19th century when it was used to help develop the Tanzimat Mecelle Code.

Thanks to the work of Shahab Ahmed and Nenand Filipovic we have access to “The Sultan’s Syllabus”, a list of thirty-nine works that were given to the *müderriş Efendis*, or head teachers of *kadı* medreses, outlining the necessary curriculum for training *kadis* in light of the new reforms. Specifically, this curriculum was issued for the *medaris-i Hakaniyye*, the highest madrasas in Istanbul from which the education through the ranks of *kadis* down to the local level was generated.¹⁰⁷ According to Shahab and Filipovic there were scholarly works previous to this and as of yet there are few complete lists recounting what would have constituted the madrasa curriculum. This curriculum however rests squarely within our period and was a direct product of Ebu’s-Suûd and Süleyman’s vision of a centralized, standardized, Hanafi following Empire.

The syllabus itself contains all of the standard educational materials an aspiring *kadı* would have needed including *hadith*, *tafsir*, *fiqh*, *sarf* (grammar), and *nahv* (syntax).¹⁰⁸ Its’ most important texts outside of the trivium are the four *hadith*¹⁰⁹ and seven *tafsirs* on the Quran accompanied by several commentaries and metacommentaries on both. What is most interesting about the syllabus is how incredibly ideologically diverse it is. Of the works presented which are not dictionaries or grammars, sixteen are from Hanafi authors, eight are Shafi’i, with one Sufi text and one Maliki text. The weight given to Shafi’ism in the text while secondary, no doubt reflected the greater realities of the Ottoman Empire. As we have previously seen the most prominent text on Ottoman *firasa* was written by a Shafite. Hanafism was, as mentioned, the *madhab* of preference among the Turkic core of the Empire and Ebu’s-Suûd Efendi explicitly ordered judges to follow Hanafi rulings. Despite this, the Shafi’i school which had slightly different *usul* had enjoyed prevalence in Cairo and Mecca before the Ottoman conquest since the

¹⁰⁶ Ibid, p. 192.

¹⁰⁷ Topkapı Sarayı Arşivi; document TSA E/2803/1; Ahmed, Shahab, and Nenad Filipovic. "The Sultan's Syllabus: A Curriculum for the Ottoman Imperial medreses Prescribed in a fermân of Qânûnî I Süleymân, Dated 973 (1565)." *Studia Islamica* 98/99 (2004): 183-218.

¹⁰⁸ Ibid, p. 191.

¹⁰⁹ Bukhari, Mesahih, Camilusul, Muslim

9th century and it would have been politically impractical to dislodge its' adherents who were still appointed judges in Antakya and the Arab provinces.¹¹⁰ The appearance of the Sufi text is likely due to the Ottoman Empire's special relationship with Islamic mysticism through Sufi orders that received special state protection and occasional funding. The founder of the Ottoman dynasty, Osman I, was given the imperial sword by the Mevlevi Sheikh Edebali, making Sufism important in the founding legend of the Empire. The appearance of the Maliki *tafsir* text, *Qurtubi*, is likely indicative of the Ottoman Empire's accommodating its' North African provinces as the *tafsir* of Al-Quturbi had been written in Islamic Andalusia and disseminated to Islamic lands in the south. For many reasons however, the Hanafists were given a place of primacy in the new curriculum which seems to fit with the rulings and actions of the Empire in the late 16th century as the Sultan began his great project of centralization.

The nature of the Hanafi *madhhab* made it uniquely useful and convenient to accomplish all of the goals of the 16th century Sultans, namely the elevation of Sultanic authority, the absorption of various heterodoxies both Islamic and non-Islamic from new conquests, and the maintenance of piety and state legitimacy in spite of these challenges. While we can see this in the aforementioned syllabus and contemporary theological works it is probably nowhere more present than in the words of Ebu's-Suûd Efendi himself. The *Sheikhulislam* issued hundreds of fatwas that influenced jurist behavior across the Empire and with the explicit urging that these were to be followed. Many of these fatwas simply reiterated already well followed Hanafite principles such as the prohibition against selling a slave woman who has gained the status of umm-walad.¹¹¹ Others are more transparent in their favoring Sultanic supremacy. In one of Ebu's-Suûd's fatwas about the authority of judges he writes:

Question: If the judge Zeyd opposes a law passed by the Sultan, what must be done in accordance with the Shari'a.

¹¹⁰ Schacht, J., İnalçık, Halil, Findley, C.V., Lambton, A.K.S., Layish, A., A. Layish, Ed. and D. S. Lev, "Maḥkama", in: *Encyclopaedia of Islam, Second Edition*, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs., vo. 6 Leiden, Brill, 1991.

¹¹¹ Düzdağ, M. Ertuğrul, and Abū al-Sa'ūd Muḥammad ibn Muḥammad. *Seyhülislâm Ebussuud Efendi fetvaları ışığında 16. asır Türk hayatı*. Enderun Kitabevi, 1983, [553] Fetvaları.

*Answer: If the Sultan is written as an infractor of the holy Shari'a without bias, then it is necessary to petition the truth of the matter with the seat of government.*¹¹²

The language of the fatwas themselves reveal a deeper shifting articulation of power. In many of the fatwas the Sultan is directly or indirectly mentioned using honorifics that lend to the idea of Sultanic supremacy and universal sovereignty, such as *padişah-ı âlempenah*, or “the emperor who is the refuge of the world”. Even the use of the term *padişah*, an explicitly Iranian title, suggests the placement of the Sultan as something between a secular and caliphal ruler.¹¹³ Even though the articulation of the Sultan as a *padişah* was not itself Hanafist, the rulings around which the Sultan’s ascendant authority grew were informed by the lengthy liturgical tradition from Ebu’s-Suûd Efendi through jurists like Qurtubi all the way back to Abu Hanifa.

The Empire contained many other *madhhabs* and indeed Shafi’i and Maliki jurists participated in the Ottoman legal system well into the 17th century. Over the course of the 16th century, pressure from Istanbul caused the adoption of Hanafi principles on a much larger scale alongside a larger project of centralization and the elevation of Sultanic authority over various aspects of juridical affairs. This reform centered around the legal-religious bureaucracy that ran the daily affairs of the Empire from the *sheikhulislam*, the highest religious authority in the Empire, to the *madrasas*, or schools for training judges, to the judges themselves, or *kadıs*.

Kadıs would be roughly equivalent to the modern concept of a judge though this would only superficially describe their function and authority within the broader Ottoman society. The first *kadıs* were appointed during the first century of Islamic conquests as representatives of the Caliphate who himself represented the *Umma*, or Islamic community after the death of the prophet. The role and authority of the *kadı* changed over time throughout the many Caliphates that arose before the Ottoman State but the concept of the *kadı* was always tied to the application of the *şeriat* or Islamic Law. Primarily, *kadıs* presided over courts and acted as judges, notaries,

¹¹² Ibid., [628] - *Mesele: Padişahın hükmüne muhalefet eden Zeyd-i kadiye şer'an ne lazım olur?*

Elcevap: Padişah re'ysiz, şeriat-i şerifeye muhalif yazılmış ise, hakikat-i hali der-i devlete arz etmek lazımdır.

¹¹³ Erel, Zeynep Gül. *Dede Cöngi's Risaletü's-Siyâseti's-Şer'iyye: a context analysis through its translations in the sixteenth and the nineteenth centuries*. Diss. Bilkent University, 2012. p. 19.

and arbitrators. In all Islamic states the *kadı* was the primary provider of justice on the local level and often resided at or near the court where he would hear the cases brought to him by members of the community and where legal documents were kept for safekeeping, such as the Kadı Menteş Mansion in Cyprus that was repurposed from the Archbishopric of Cyprus just after the Ottoman conquest.

In any and all times throughout the various Islamic Empires from the Umayyads to the Ottomans the primary role of the *kadı* was the execution of justice at the local level to the Muslim and non-Muslim population. Depending on the time and need many duties could be added to this. Early Ottoman Cyprus, especially in the early years of conquest, was an occasion in which the *kadı*'s duties were greatly expanded to fill the gaps of administering a new territory which could be logistically difficult to manage. Accordingly, on top of community justice the *kadı* was expected to be able to adjudicate disputes between military and governing officials, mediate market disputes, supervise tax collection, and maintain the documents of those taxes.¹¹⁴

Ottoman legal administrative structures laid out very specific paths and offices for *kadıs*. The *Tarik-i Kaza* or hierarchy of judgeship laid out two primary paths for judges, Mansib or Mevleviyet. The vast majority of judges who oversaw cases on the local level and presided over materials such as court registers were Mansib, divided into three geographical regions, Rumeli, Misir, and Anadolu. "Mevleviyet, which meant the office of the molla (senior judge), was a kadiship of the Empire's main cities. Cities such as Edirne, Bursa, Damascus or Jerusalem were included in this category. These offices were given on to those ascending from the career line of the professorship (muderrislik) in Istanbul. Above the mevleviyets came the kadiships of Mecca and Medina, the kadiship of Istanbul, the offices of two Kazaskers, and finally the office of Şeyhulislam. This hierarchy beginning from the professorships to the Şeyhulislam at the top, was called 'the hierarchy of professorship' (Tarik-i tedreis). It was the Şeyhulislam who had the authority to appoint the mollas."¹¹⁵

Much of the day to day business of the *kadı* can be gleaned from the extensive documentation practice of the Ottoman justice system. Each case that came before the *kadı* was

¹¹⁴ Jennings, *Ottoman Cyprus*, 74-75.

¹¹⁵ Akiba, Jun, Colin Imber, and Keiko Kiyotaki. "Frontiers of Ottoman Studies: State, Province, and the West." I.B. Taurus (2005): p. 44.

meticulously recorded in minutes, or *mahadir*, and was stored along with the *kadı*'s written decision, or *sicil* (at times written by the *kadı* and at other times by a court scribe), at the court.¹¹⁶ Much of what we know regarding local justice in the Ottoman Empire comes from these extensive documents and the sources of the present study are just two sources of hundreds of published *sicil* collections. The documents of the *kadıs* represent a textual tradition as old as the jurisprudential principles that underpinned the office. The *sicils* themselves are historically unique documents in that they provide intimate, detailed, accounts of what happened in the *kadı* court. What is even more striking is how relatively consistent the *sicil* formulae are through space and time. This is to be expected given the relationship between Islamic justice and the importance of documents. Indeed, the retiring of a *kadı* meant that he was no longer able to legally draft contracts or documents of any kind.¹¹⁷

At the end of the 8th century muslims had modelled a hierarchical system of judges with the head judge, *kādi 'l-kuḍāt*, within the capital and the other *kadı* acting as his deputies. As the Islamic world expanded under the Abassids and the Fatimids, so did the legal structures of Islam and by the time of the Mamluk Sultanate in the mid-13th century the role of the *kadı* had been generalized to multiple *madhabs* with each major Sunni school being represented in Cairo and having constituent judges throughout the Sultanate.¹¹⁸ In the Ottoman Empire the *kadı* was more than just a functionary for dispensing Sharia law on local populations, he was a symbol of Ottoman authority and as the Sultanate arguably began to participate in the Early Modern tradition of state centralization and bureaucratization it seemed only natural that the *kadiship* would be reformed from a relatively autonomous dispenser of Islamic Law to a functionary of a state solidifying its' authority and legitimacy through religious means.

Kadıs had always been heavily relied upon by Islamic states but in the 13th century under the Mamluk Sultanate the idea of a state appointing large numbers of judges with common *madhab* educations and organizing them through officials in the capital arose.¹¹⁹ By the time of Sultan Bayazid *kadıs* had become an official, paid career with the primary source of income

¹¹⁶ Tyan, Emile. *Le notariat et le régime de la preuve par écrit dans la pratique du droit musulman*. Faculté de droit de Beyrouth, 1959. p. 9.

¹¹⁷ Schacht, J., İnalcık, Halil, Findley, C.V., Lambton, A.K.S., Layish, A., A. Layish, Ed. and D. S. Lev, "Maḥkama", in: *Encyclopaedia of Islam*, Second Edition

¹¹⁸ Tyan, E. and Káldy-Nagy, Gy., "Kādī", in: *Encyclopaedia of Islam*, Second Edition

¹¹⁹ Tyan, E. and Káldy-Nagy, Gy., "Kādī", in: *Encyclopaedia of Islam*, Second Edition,

being rates per document, an issue that would arise later in Ottoman history.¹²⁰ *Kadıs* were appointed to an administrative subdivision known as a *kaza* with a *mahkeme*, or court, where they would hear and rule over cases.

Even though the reforms of the late 16th century were large in scope they relied on the local authority of the *kaza*. Thus, at the forefront of these reforms was a textual campaign aimed at the education of the *kadı* at the *madrassa* and in the *kaza* in the form of guidebooks such as the *Multaqa* along with insistence on high that all Hanafi fatwas and rulings were to be considered by all *kadıs*.

Legal texts, the *Kadıs*, and Slavery

The gravity of centralization and Hanafite synchronization of *kazas* with Istanbul reflected in the *kadı* syllabus, the *Multaqa*, *şurut* manuals and the *Adalet-name* of 1595 was ultimately meant to influence ruling on the local level, the domain of the *kadı*. It is difficult to ascertain the full extent to which this curriculum ultimately filtered down to the lower levels but given what we know about Ottoman legal administration it seems likely that *kadıs* in Cyprus and especially Üsküdar would have been trained with these materials. “Given the concern for regularization and certification, it is only logical to assume that curricula must have been prescribed at this time not only for the *Medaris-i Haqaniye*, but also for the lower and intermediate levels of the medrese system; however, there is as yet no documentary evidence of this.”¹²¹

The aforementioned *Multaqa* was perhaps one of the most important texts representing the line from Istanbul to the courts of the provinces. It was published in 1539 only a few years after the Empire absorbed a diverse body of new subjects and began the project of mainstreaming hanafi thought into its’ administration. The book was meant to integrate

¹²⁰ *Ibid.*

¹²¹ Ahmed, Shahab, and Nenad Filipovic. "The Sultan's Syllabus: A Curriculum for the Ottoman Imperial medreses Prescribed in a fermān of Qānūnī I Süleymān, Dated 973 (1565)." *Studia Islamica* 98/99 (2004): 183-218. p. 195.

previous Hanafi works into one coherent legal manual and that meant the articulation of Hanafi ideas on slavery. Of the book's fifty seven chapters, four directly deal with slavery, the *Kitāb al-I'tāq* (on manumission of slaves), the *Kitāb al-Ābiq* (on absconded slaves), *Kitāb al-Mukātab* (on slaves freed through a contract), and the *Kitāb al-Ma'dhūn* (slaves who have been given permission to trade). They are exhaustive lists of conditions under which a certain legal ruling may be reached and represent an entirely Hanafi understanding of the law.

For instance, the *Multaqa* places a great emphasis on the power of the spoken word and the legal power it can carry in court. Indeed, we see this appear in the court formulations of the sicils of Üsküdar and Nicosia. In the *Kitāb al-I'tāq* or the chapter on the manumission of slaves it states that:

*"This is to prove on legitimate, religious grounds what a free man owns when he says, even if he did not mean it, "you are freed, freed, released from slavery, I free you, I release you from slavery, this is my servant, or he or she is my servant" or "you are free" even without naming him and when the word "freedom" is attached to or described to one part of the human body such as, "your head is free" and so on. And when the owner says to his female slave, "you are sexually free" or "I have no power or well over you, you are no longer under my authority." Or when the owner says to his female slave, "I release you" but if he said I divorce you, it doesn't mean she is free even when he meant it. This also includes all divorce meanings and names."*¹²²

In line with both traditional Islamic understandings of law and specifically Hanafite reckonings of court procedure, this document places the power of law on the verbal statement of manumission which is then transferred to the *tezkire* and the *hüccet* in which the utterance is recorded. Likewise in the fatwas of Ebu's-Suûd Efendi we find this proclivity to declare freedom when possible with Ebu's-Suûd writing that a slave is free even if they are set free under duress or if the manumitter is reticent about his choice later.¹²³

Within the sicils of both Üsküdar and Nicosia we find multiple instances of verbal declarations, especially of manumission. The most common verbs in the texts for conveying this

¹²² Multaqa al-Abhur, Kitāb al-I'tāq, appendix 1.1.

¹²³ Düzdağ, M. Ertuğrul, and Abū al-Sa'ūd Muḥammad ibn Muḥammad. *Seyhülislâm Ebussuud Efendi fetvaları ışığında 16. asır Türk hayatı*. Enderun Kitabevi, 1983, [581, 590] fetvaları.

are *ikrar* and *i'tiraf et.*; declare and confess respectively. While these do not in themselves convey personal presence they are often accompanied by *vicahi* or *muvaçcehesinde*; “personally” or “face to face”. The *Multaqa*, though certainly an influential handbook for judges was a different type of work from the main handbooks of judges known as *şurut* manuals. *Şurut* manuals were manuals of model cases that were meant to be used by judges as examples to guide their rulings. *Şurut* literature has an important place in Islamic legal literature. Wael Hallaq provides an excellent and thorough discussion on the course of *şurut* literature from the pre-Islamic world to later Islamic courts.¹²⁴ These manuals provide the bridge between the often abstract and vague fatwas at the level of Ottoman administration and the everyday workings of Islamic courts within the Empire. These manuals are difficult to find and the earliest I was able to obtain was a copy of a manual from the 1740s called the *Sakk-ı Vehbi* compiled by Ahmed Vehbi b. Mustafa el-Burusevi. The manual is divided into twenty *bablar* (chapters) that each deal with a separate legal subject ranging from marriage to sales contracts. Two of the entries deal with what to do in the case of an absconded slave and provide model cases that jurors in both Üsküdar and Cyprus may well have referenced when making the rulings in our registers. Because the *Şurut* manuals are hypothetical examples for judges to learn from they utilize stand-ins. The example slave is a Russian named Kenan bin ‘Abdullah, and the names of fictional characters are treated with the Ottoman *falan*; for example, *falan name zimmi* is “a zimmi named so-and-so”.

The first model case is titled “The Chapter on the Capture of Absconded Slaves” and models the procedure for handling a slave that has been captured and is being held by the court, or more specifically the local *subaşı*. The case is as follows:

“Pride of his peers, Mehmed Ağa, currently subaşı and zabıt-ı evabık (officer in charge of absconded slaves) of the abode of the exalted Sultanate, Constantinople the well-protected, called to court the medium-height, light-complexioned, light-eyebrowed (açık meaning light-colored), hazel-eyed, Russian in origin man named Kenan ibn Abdullah, and in his presence made a statement to the court, “Since Kenan was an escaped slave, I seized him near the tavern belonging to a zimmi named so-and-so (located in etc. etc. part of the city), let him be asked [by the court to verify this]. After questioning, Kenan responded, “Indeed, I was the slave of so-and-so in the town of Kirk Kilisa in the province of Rumelia, and I fled from him.” When he stated to the court(1) in the aforementioned manner that he had fled, he was handed over to the aforementioned Mehmed Ağa until such time as(2) his owner

¹²⁴ Hallaq, Wael. *Shurut Works and the Dialectic of Doctrine and Practice*. Islamic Law and Society, Vol. 2, No. 2 (1995) pp. 109-134.

appears [to claim him], and until [Mehmed] hands him over [to his owner], the aforementioned Kenan was appraised at eight akçe per day.(3) What occurred was recorded by request. Written on day so-and-so of the month so-and-so.”¹²⁵

The formulae laid out in this model hüccet reflect the nature of the Üsküdar and Nicosia registers and provides an excellent opportunity to discuss both the formulae within the hüccet and the legal practices surrounding it. Mehmed Ağa, who is introduced with a common honorific “pride of his peers” (*fahrü’l-emasil ve’l-akran*) is identified as the subaşı. The subaşı could be considered proximal to the modern chief of police. They were officers of the courts and were responsible for enforcing the law and the decisions of the courts. The care of captured slaves would have been under the auspices of this job and produces the title *zabit-ı evabık* or officer in charge of absconded slaves. The register then mentions the location of the case, the reason for this case (in this case a “summons” of the defendant), and a description of the slave. In Islamic jurisprudence this description is known as the *hilya* and was a highly formulaic description of the slave.¹²⁶ While certain elements of the *hilya* might be added or subtracted they almost always included hair color, eyebrow description, wounds or scars, and ends with their origin and name, in this case a Russian slave named Kenan ibn ‘Abdullah. Following the description are the details of the case which have many of their own formulae. In this hüccet Mehmed Ağa states his claim that he seized Kenan ibn ‘Abdullah and provides the details of the capture. He then requests that the court asks the slave to verify this account (*su’al olunsun*). The second part of the details of the case is the response of the defendant, Kenan which is often signified by *gibbe su’al*.¹²⁷ In this case Kenan’s response agrees with the subaşı’s account. The following description describes a legal practice common enough that it has its’ own formula and appears in many of our Üsküdar hüccets. Kenan was handed over to the subaşı who then determined that the court should appoint a cost of eight akçe per day for the slave’s upkeep until his master came to court to claim him. This was the common practice of the court for absconded slaves and the upkeep cost or *nafaka* could vary but was almost always provided on a day to day

¹²⁵ Sakk-I Vehbi, p. 27,26; facsimile in appendix 2.1.

¹²⁶ Sobers-Khan, Nur. *Slaves Without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560-1572*. Edition Klaus Schwarz, 2014. p. 235-236.

¹²⁷ The response, or post-questioning, see appendix

basis by the Beyt-ül Mal, a state fund of property seized from the deceased.¹²⁸ The final formula in almost all hüccets is the recording of the case's date. What does not appear in this model case but appears in almost every register is the list of witnesses to the court hearing which was usually denoted by *Şuhûdü'l-hâl* and a list of muslim men of the community.

The second model case is a continuation of the first. The captured slave Kenan b. 'Abdullah is kept by the subaşı, Mehmed Ağa, for three months until it is decided that Kenan's master is never going to appear to claim him. Even though Kenan requests his freedom, he is denied and the court rules that he should be sold and that the revenue should belong to the court.¹²⁹

The model court cases within the *Sakk-i Vehbi* represent a model Hanafite understanding of the law in that they agree with the Hanafî principles laid out in the standardization efforts of the late 16th century reflected just over a century later. The *Sakk-i Vehbi* was published in approximately 1741 though the author cites earlier rulings. The extraordinarily close alignment between the *Sakk-i Vehbi* and the Üsküdar and Nicosia registers shows that the legal reforms of the 16th century had become the legal leidkultur of the Ottoman Empire by the 18th century.

Geopolitical and practical factors at the highest levels of the Ottoman Empire, namely the incorporation of new lands, peoples, and systems generated the need to elevate and solidify the Sultan's authority. Islam is suspicious of secular tyrannies and so it could not simply be done through an absolutist mandate. Instead, the religious infrastructure of the Empire which was already changing in response to various crises regarding corruption and an overabundance of students eventually bore an office capable of an adept reform which could hybrid the religious law (*Shari'a*) and customary law (*Kanun*) in such a way that the Sultan's authority was increased in a way that would be religiously permissible to his subjects. We see this evidenced in several ways; the deluge of fatwas from Ebu's-Suûd Efendi that favored the authority of the Porte, the use of terms such as *padişah-ı âlempenah* to refer to the Sultan; example literature for judges (*şurut*), the restructuring of education for judges and the issuing of a new syllabus that follows the new ideology, and the changing contents of exegetical literature during the 16th century. All

¹²⁸ Beyt-ul Mal, surut marginalia note and a description of the Beyt ul mal.

¹²⁹ MSS Sakk-i Vehbi, appendix 2.2, Turcological Collection, British Library.

of these represent a chain of fundamental change and reform in the Ottoman justice system from the Sublime Porte all the way down to the local court.

There were great pressures throughout the Empire to push for change to a more Hanafite understanding of the law. Ottoman conquests of the Arab world meant that the Sultan ruled over a large number of Sunnis following different madhabs and needed to “regulate the position of the other madhabs and their judges.”¹³⁰ The heresies and unrest in recent memory embodied in the Sheikh Bedreddin revolts one century earlier and in the Kızılbaş showed that without a more stringent Orthodoxy, the Ottoman Circle of Justice could be compromised.¹³¹ Most importantly, the Sultan needed to achieve the double goals of establishing this Orthodoxy over an Empire and consolidating his rule through land and tax reform. Hanafi interpretations of law was the ideal vehicle for achieving this goal as its’ internal reasoning mechanisms were flexible and it already held a primacy within the Empire.

¹³⁰ Peters, R. (2005). What does it mean to be an official madhhab? Hanafism and the Ottoman empire. In P. Bearman, R. Peters, & F. E. Vogel (Eds.), *The Islamic school of law: evolution, devolution, and progress* (pp. 147-158). Cambridge MA: Harvard University Press. p. 148.

¹³¹ Finkel, Caroline, *Osman’s Dream; the history of the Ottoman Empire*, p. 142-143.

Chapter 4: Slavery in the Üsküdar Court Registers

Üsküdar at the end of the 16th century was one of four neighborhoods of the capital; Istanbul proper, Galata, Eyüp, and Üsküdar. Merchants and foreigners were generally not allowed to live in the Istanbul quarter of the city and so many found themselves in one of the other three districts. While European traders, Italian and Frankish merchants did their business in Galata, many Iranian merchants appeared in Üsküdar. A census of the neighborhood at the end of the 16th century places the permanently settled population at around 4,800 people, all Muslims.¹³² The city was presided over by a *kadı* and his five deputy judges *subaşılar* who also appear in the sicils. For the time period covered in these registers it would appear that the presiding *subaşı* was a man named Müstedam Bey whose name appears in numerous court registers and acted as a chief of police through which most business regarding slaves was handled, especially fugitive slaves.

Just north east of the Atik Ali Paşa mosque in Istanbul lies the location of what was once the largest and oldest official slave market of the Ottoman Empire, brought under government administration shortly after Fatih Mehmed's conquest of Constantinople.¹³³ Though nothing of the structure remains today, vivid descriptions of its' appearance and workings do.¹³⁴ No observer, Ottoman or otherwise provides a particularly humane picture of the market's daily dealings. Even though the Ottoman Empire's adherence to Islam created the conditions for slaves to have at least a few rights, the people in bondage were ultimately property and the businesses involved in their trafficking operated as such.

The market's true origins remain unknown but it came under official Ottoman control supposedly around the 1450's, just after Fatih Mehmed's conquest of the city in which he

¹³² "Üsküdar" – M. Hanefi Bostan. TDV ISAM İslam Ensiklopedisi. yıl: 2012, cilt: 42, sayfa: 364-368

¹³³ "The Yesir Bazary (*Esir pazan - slave market*) was established there by Sultan Mehmet II. During the first ten years after 1453, slaves were sold only in the streets. The market was started in these circumstances. Mehmet II on horseback passed by the street obstructed by slaves and dealers. His horse accidentally killed a female slave with a child in arms. The Sultan was much moved and ordered a regular market built under the supervision of his officers." Charles White, *Three Years in Constantinople; or Domestic Manners of the Turks in 1844* (London, 1845), vol. I, pp. 279-80. This excerpt and quote was taken from Fisher, A., *The Sale Of Slaves In The Ottoman Empire : Markets And State Taxes On Slave Sales, Some Preliminary Considerations*, Beşeri Bilimler — *Humanities*, vol. 6, Bogazici University, 1968.

¹³⁴ Fisher, A., "The Sale Of Slaves In The Ottoman Empire : Markets And State Taxes On Slave Sales, Some Preliminary Considerations," Beşeri Bilimler — *Humanities*, vol. 6, Bogazici University, 1968.

noticed the miserable and squalid conditions under which captives were being sold and ordered the market's construction in conjunction with a number of laws regarding the trade. After Mehmed's significant bureaucratization of the trade it became an increasingly important part of Ottoman life and of the Ottoman *maliye* budget. Despite the Sultan's restrictions on the workings of the Istanbul slave market it still generated significant controversy and generated complaints from town residents. The market's effects were felt throughout the Ottoman economic system as slave raiding in the northern frontier of the Empire via the Crimean Khanate ramped up significantly. The Istanbul market was the largest of the six main slave-trading hubs in the Empire, the others being Kefe, Cairo, Uzak, Aleppo, and Medina. This is due not only to the obvious size and prominence of the Ottoman capital but also to its centrality in the Empire. The Istanbul slave market and subsequently the courts of Istanbul saw cases regarding slaves from every corner of the Ottoman Empire.

Slavery in the *sicils* themselves reveal much about the legal lifecycle of a slave. There are several reasons for which slaves appear in court minutes but the most common was certainly manumission. Broadly, this is in line not only with our understanding of the theory of Islamic slavery but with its practice throughout the Empire. Even though manumission was a pious duty slavery was clearly a legitimate legal category and the restrictions for moving around in that category were well defined. By the nature of both Islamic slavery and 16th century geopolitics slaves were foreigners from Eastern Europe, Russian, the Eurasian Steppes, and Africa. The Üsküdar *sicils* show slavery which puts these foreigners in the employ of people who could afford them, the middle to wealthy administrative, military, and government classes of Istanbul. We know at least that slaves had functions both within families and in the city life of Üsküdar. At times slaves formed close bonds with their masters and were bequeathed gifts and property.

The Origins of Slaves in the Üsküdar Registers

Slaves in Üsküdar came from all over the border regions of the Islamic Empires. It was permissible in Ottoman Islam to enslave non-Muslim peoples while forbidden to put coreligionists into bondage and so a great gravitational force emanated from the center of the

Empire pulling in foreign slave populations. This was possible partially due to the state's relationship with those who they termed *ghaza* or Islamic border warriors whose main preoccupation was the expansion of the *dar-ul-Islam* through *jihad* which necessarily resulted in obtaining captives. The most notable example of this is the Crimean Khan client state which made frequent forays into Kazan, Astrakhan, and the Caucasus where they raided the Russian and Georgian peasantry. Afterward they would be ported from the Khanate trade city of Keefe across the Black Sea, a journey which Evliya Çelebi himself made, observing slaves in the process, and finally to ports in either Trabzon or Istanbul where they would go into the slave markets. We know about the origins of slaves because of the documentation of their origins by both their bills of sale and the court registers in which they appear with the *hilya* or the formula of “X al-asl”, where the ethnicity is followed by the Arabic conjunction “al” and “asl” or “origin”, therefore a *Rüs-al-asl* would be a person of Russian origin. While Russians appear the most frequently in the Üsküdar registers, they were by no means the only or even the majority group that was enslaved. Other groups that appear in the registers are Georgians, Circassians, Arabs (Black Africans), Hungarians, Croats, Bosnians, and Moldovans.¹³⁵ It is not possible to know how many slaves and of what ethnicity were in Istanbul in the late 16th century but the appearance seems to fit with our knowledge of an increasingly Caucasian slave population in Istanbul in the 18th and 19th centuries and a robust trade between the Crimean Khanate and Anatolia.

Black slaves appear in the Üsküdar hüccets eight times.¹³⁶ The term invariably used to refer to black African slaves was “Arab” and has been the source of much investigation. Other sicil collections including the Cyprus registers utilize not only “Arab/Arap” but “Zanj”, “Habeşi”, “Siyah”. Each of these latter three terms includes “Ethiopian” or “Abyssinian” within them but were often used to denote different skin tones. There were two main routes at the end of the 16th century by which black African slaves might be sold to Istanbul; the market system in Cairo and that in the Arabian Peninsula. The Ottomans appeared to continue a thriving trade in

¹³⁵ ÜKS, Mentions of **Russian** slaves appear in registers; 784 [74b-4, Arapça], 1168 [113b-4, Arapça], 1255 [123b-1], 1256 [123b-2], 1257 [123b-3, Arapça], 1273 [124b-3], 1277 [124b-7], 1278 [124b-8], 1279 [124b-9], 1290 [125b-3], 1291 [125b-4], 1297 [126a-2], 1299 [126a-4], 114 [11b-4], 524 [50a-7, Arapça], 560 [52b-4], 700 [66b-1], 834 [79b-4, Arapça]; **Bosnians**; 1262 [124a-2], 1263 [124a-3]; **Circassians**; 855 [82a-3], 1149 [111b-4]; **Hungarians**; 1259 [123b-5], 933 [91b-1]; **Georgians**; 1267 [124a-7], 1275 [124b-5], 1285 [125a-5], 1288 [125b-1], 1289 [125b-2], 1295 [125b-8], 534 [50b(2)-1]; **Moldovans**; 1271 [124b-1], 1283 [125a-3], 1186 [115b-2]

¹³⁶ ÜKS, 2[1b-2];321[30b-7];613[58a-5];642[61a-2];1260[123b-6];1261[124a-1];1270[124a-10];1300[126a-5].

black slaves after conquering the Mameluke Sultanate. Despite Ottoman takeover of the administration of Egypt there appears to have been no subsequent spike in the appearance of black slaves in the central lands of the Empire.¹³⁷ What we can say for certain about the legal categorization of Ottoman slavery is that it was not delineated along ethnic lines but along confessional and geopolitical lines, the latter two of which are highly interrelated in Islamic doctrines of war.

Manumissions, Müdebber, and Mükâtebe in the Üsküdar registers

Manumissions of one sort or another constitute the majority of the sicil entries regarding slaves. Both the Qur'an and the Hadith explicitly outline the moral favorability of manumitting a slave and there are numerous short entries within the sicils that are "simple" manumissions. While no explicit reason is given for the manumission in these brief entries there often appears the formula "*Allah rızası için*" or literally, "for the appeasement of God" which appears in six of the hüccets.¹³⁸ It is entirely possible that the circumstances surrounding each "simple" manumission cannot be known. Due to manumission being considered an act of piety in Islam and its relative frequency within the *sicils* it is reasonable to assume that a simple manumission might occur not only as a pious act but also as a practical one. In Islamic law all masters are expected to pay *nafaka*, or a price of upkeep, enough to sustain the slave in reasonable condition and manumission may have also been an option if slave maintenance became too expensive. Whether as purely pious acts or practical acts, we know that "simple" manumission was a semi-regular event before Islamic courts and the most frequent form of manumission.

The next is the manumission of a slave upon the death of his or her master, also known as *müdebber* or *tadbir*. This was a common practice in the early modern Ottoman Empire and

¹³⁷ Yvonne Seng notes in *Fugitives and Factotums* that around 12% of Üsküdar's population just after the conquest of the Mamelukes was black (Arap or Siyah), (p. 157)

¹³⁸ÜKS, 523 [50a-6, Arapça] Hüseyin Ağa b. Abdurrahman'ın kölesini âzat ettiği 524 [50a-7, Arapça] Hani bt. Yahya'nın Rus asıllı cariyesini âzat ettiği; 525 [50b-1] Hüseyin Ağa'nın cariyesini âzat ettiği; 526 [50b-2] Ümmü Hâtun bt. Şucâ'nın cariyesini âzat ettiği; 784 [74b-4, Arapça] İbrahim Bey b. Ramazan'ın, Rus asıllı kölesini âzat ettiği; 834 [79b-4, Arapça] Kamer Hâtun bt. Nebi'nin Rus asıllı cariyesini âzat ettiği; 1161 [113a-3, Arapça] Ayşe bt. Süleyman'ın, Bosna asıllı kölesini âzat ettiği.

was written directly into the will of the master. Often this would be accompanied by a sum of money or some property being bequeathed to the slave. The final category was the freeing of a slave over a *mükâtebe* contract in which the slave was promised freedom after a pre-established amount of time or after paying an agreed upon sum of money.

While each have their idiosyncrasies, all three categories possess relatively the same format and repeat several formalized legal phrases that were reflected in the Ottoman legal tradition laid out in the *Sakk-i Vehbi* and other şurut literature. Each register begins with the name of the manumitting part(ies) and their court representative if one is required. Then follows a description or *hilya* of the slave, usually with an emphasis on hair and eye color, followed by distinctive marks such as a scar or a tattoo, and ends with the slave's origin (Georgian, Russian, Arab, etc.). The final phrase of the register before the annunciation of the witnesses present is usually along the lines that the manumission has been confirmed in person and orally and the formalized declaration that “none shall have any right over them. Let them be free.”

Manumission via a *Mükâtebe* contract was a legally well-defined process and appears twice in the Üsküdar hüccets. The term *Mükâtebe* comes from the verbal noun of the Arabic root *k-t-b* “to write” and indicates a contract. The slave bound by the contract is known as the *mukatab* and must fulfill a certain amount of time of service or pay a certain amount before obtaining freedom. The amount of money and the payments in which this was done varied but in the Ottoman Empire the Hanafi prescriptions held primacy. In our Üsküdar hüccets a *mükâtebe* is only explicitly mentioned once but other sicils describe manumissions under similar conditions. In the hüccet that directly calls itself a *mükâtebe* manumission a lady of Üsküdar frees her slave Gülsem:

[...]from the Mahmiyye neighborhood[...]Üsküdar [Mihri Hatun] presented a document dated [...] 981 which was signed and sealed by the naib Mevlana Mustafa b. Ibrahim. The aforementioned Mihri declared and confirmed that she [Gülşem] had completed her needed service and her contract was terminated. The judge ruled that the aforementioned Gülşem was free. In matters both for and against herself she is responsible

*and shall be free as those who are naturally free. From now on no other has a right over her.*¹³⁹

This hüccet's mention of the *mükâtebe* provides us information as to the process for carrying out such a contract. A primary duty of *kadı* courts was the drafting, notarizing, and maintenance of legal documents. In this case the *mükâtebe* was "signed and sealed" by the *naiib* of the court who was an officer of the court and acted as the *kadı*'s assistant. Presumably, the contract was drafted years before at the same court and the period of Gülşem's service would have both began and ended with this document. The other manumissions in this category do not use the word *mükâtebe* but still reference the completion of an agreed term of service and manumission upon completion. In this register a Bosnian slave is freed after completing a contract of servitude:

*An individual named Hüseyin b. Ömer from a village named Salıç gave utterance regarding a slave of medium height wide eyebrows hazel eyes and blonde hair, Bosnian stock, named Durmuş b. Abdullah in the public court. "Durmuş had been my father's slave and in his life served twelve years but from here on has completed the period of servitude. Let him be free from us as property." The aforementioned declaration which is done verbally and face to face was given to the aforementioned Durmuş upon the requested date.*¹⁴⁰

While the register states that Durmuş had served for twelve years it is not explicit as to whether the condition for his freedom was a set period of time or the death of his master. There are certain instances in which a *mükâtebe* and a *müdebber* contract could be superimposed but again it is unclear if that is what is occurring.¹⁴¹

At times the conditions of a *müdebber* contract may contradict other legalities. In these cases Ottoman courts generally erred on the side of freedom. In a lawsuit brought forth by Musa Çavuş b. Hüseyin, Musa charged that his former slave, Mehmed b. Abdullah had escaped. Years

¹³⁹ ÜKS, 1211[118b-1].

¹⁴⁰ ÜKS, 868[83a-4]

¹⁴¹ Brunshvig, R., "Abd", in: *Encyclopaedia of Islam, Second Edition*, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs.; Goldziher, I., Schacht, J. and J. Schacht, "Fiqh", in: *Encyclopaedia of Islam, Second Edition*

later it was found that Mehmed had entered into a *müdebber* contract under one el-Hac b. Ömer who had died and subsequently freed Mehmed. The court in this case decided against Musa and honored the *müdebber* even though it had been entered into while Mehmed was a fugitive.¹⁴² This seems to fit within our larger narrative on Islamic legal understandings of freedom and the adjudication of disputed legal statuses among slaves.

Slaves in the Ottoman Empire could at times form deeply amicable bonds with their masters and in many instances were gifted or bequeathed property upon their manumission. In one case, a woman of Üsküdar, presumably of some wealth left to her former slave an adjacent property:

A lady from the Mahruse neighborhood of Üsküdar named Hatice bt. Nâsuh has decided to appoint a representative in matters of Sharia, that being Mehmed Celebi b. Ahmed the kapikulu cavalryman. He said, "I am her representative. A property by the aforementioned Hatice is to be gifted to the former slave Kamer bt. Abdullah. The owned property consists of two doors above, one below, a well, a lean-to, and a toilet and is bounded on one side by Hatice's home and by public roads on two sides." It was recorded afterward on the aforementioned date.

Witnesses to the event: El-Hâc Hüseyin [b.] Mustafa, Hasan [b.] Sâdık, Hüseyin [b.] İbrahim, Ahmed b. Ömer, Hacı Memi [b.] Abdullah and others¹⁴³

In some cases, Muslims would pass their children into their care of their slaves or freed slaves in case of death such as in the case of the deceased Serefraz who made his freed slave İlyas b. Mustafa legal guardian of his children in his will.¹⁴⁴

Sales disputes, defects, and dishonorable men in the Sicils

Not all of the hüccets are straightforward entries with amicable feelings. In fact, there were numerous sales disputes. Sales disputes are defined as entries in which one party has

¹⁴²ÜKS, 613 [58a-5]

¹⁴³ ÜKS, 503[48-5]

¹⁴⁴ ÜKS , 1231 [121a-2] Ölen Serefraz'ın yetimlerine âzathlı kölesi İlyas b. Mustafa'nın vasî tayin olduğu

brought a lawsuit (*da'va etmek*) against another because they found that the slave was either unlawfully enslaved, a freedman, a Muslim, or already the property of someone else. In some cases, the dispute is initiated by a slave and the court rules in his or her favor. These entries are generally lengthier and contain a summary of the events leading up to the dispute along with reasons given for the dispute. The primary utility of these registers is that they show the meticulousness and consideration of the courts for the law regardless of the origins or status of the defendant or plaintiff. In case 427 [40a-1] and 431[40a-5], two men had a dispute over a slave,

“Mehmed b. Ahmed summons Veli b. Abdullah to a lawsuit in the court. [From Mehmed] “Veli had sold to me for seven thousand akçe a slave named Hüseyin who was of medium height, wide eyebrows, and blue eyes. Hüseyin is the son of an individual named Ali from the village of Akkopuk in the kaza of Şirin. Hüseyin had proved that his parents had not been forced into slavery. I request the sum of 7,000 akçe returned.” In the post-examination Veli said that, “in truth, I had purchased the slave from a dealer named Fazla in Keefe for six thousand and five hundred akçe and several days later had sold him for 7,000 akçe.” However it was said that the slave had proved his freedom. Individuals named Zülfikar b. Mehmed and Abdullah b. Abdullah acted as third party, Muslim witnesses and they said “We witness that the aforementioned Hüseyin has proved his freedom in these matters.” Let the aforesaid conditions be accepted and the aforementioned sum be returned.”¹⁴⁵

This hüccet contains the actual proceedings of the dispute. What is of note is the importance of witnesses in the legal procedure which is an element of almost every case. While we are not sure precisely how Hüseyin proved his freedom, we know that the court accepted this fact on the basis of the witness of Zülfikar b. Mehmed and Abdullah b. Abdullah who were among the *udûl-i müslimînden* or literally competent and disinterested muslim witnesses. Based on this information the court ordered the amount refunded and reiterated the free status of Hüseyin:

“An individual named Mehmed Bey b. Ahmed and an individual from the Janissary Corps named Veli Bey b. Abdullah came to an agreement in the court. [From Mehmet]

¹⁴⁵ ÜKS, 431[40a-5], 424 [39b(2)-2].

“I bought a slave from the aforementioned [Veli Bey] for seven thousand akçe. It was witnessed that this slave was free [kul hürdür deyu şehâdet edip] . Let the law free him and to me the aforementioned amount returned of seven thousand akçe from the Janissary Veli in the full and exact amount so that not a kernel remains.”
It is recorded there.”¹⁴⁶

There is nothing in the registers that addresses whether or not anything was done about the slave merchant Fazla, however the case does add to our knowledge of the Black Sea slave trade. Veli Bey b. Abdullah was clearly engaging in speculation by buying a slave in Kefe and attempting to sell him for 500 more akçe in Istanbul. Despite this it is also clear that the court was more concerned with the free status of Hüseyin than any loss of profit on the part of Veli Bey b. Abdullah, which again falls roughly in line with our understanding of the priorities and attitude of Ottoman Islamic courts.

Another one of the *sicil* disputes that involves the contestation of slave status involves a free woman who was wrongfully captured and sold:

Memîşah from the Ebna-ı Sipahiyan [i.e. first regiment of Altı Bölük Halkı], living near Ayasofya in Istanbul, brought a woman named Fatima bt. Abdullah to the house of a silk weaver named Yusuf b. Abdullah, saying that she was his slave. Then, after it was heard that she was actually a free woman, the people of the neighborhood investigated, and [Memîşah] mixed up his words, sometimes saying that she was his slave, sometimes saying she was his lawfully wedded wife. Later when it was heard that that she left Memîşah and was sold to Bursa through the mediation of the silk weaver, the people of the neighborhood brought the aforementioned silk weaver to the Sharia court, and when [these matters] were investigated, he disappeared for many days, saying "Memîşah is in Istanbul too, let me go and get him." Later, when they [he?] said that he brought the slave from Bursa, [both] the aforementioned Kazzaz Yusuf and the aforementioned Fatima were summoned, and when Fatima was asked about the truth of the matter, she said: "I was once the daughter of a man named Hasan who lived in the neighborhood of Yeniçeri; my mother is Ayşe. Subsequently Memîşah married me, he told me that he's got a stern woman [?] and that I'm a slave, to kiss her hand and serve her. I agreed [?] and then he told me that this woman would hit me and curse at me. He took me to Üsküdar and then put me on a boat with the silk weaver to send me to Bursa - he sold me. Now the silk weaver has come and brought me from Bursa, I'm not a slave." Mustafa Bey b. Mehmed from the Silahdaran [i.e. the second regiment of Altı Bölük Halkı], and men named Mehmed Bey b. Abdullah and Memi Bey b. Abdullah informed [the court] that the aforementioned Memîşah said that she's his wife, and that she's not his slave. The serdar of the Ebna-ı Sipahiyan Ahmed Bey, and the sipahi

¹⁴⁶ÜKS, 427[40a-1].

Mehmed Bey and men named Ilyas Bey and El-Hac Mehmed b. Haydar testified that the aforementioned Memişah, when he went on campaign, said that if she's his wife, he abandons her, and if she's his slave, he frees her, and for us to give her to a good person. And [they also said] the aforementioned silk weaver is a troublemaker, he's always engaging in this manner of action, he's not a good person. The aforementioned Fatima also said that she has this manner of witnesses who know her, thus she was placed into custody. The final command belongs to my felicitous sultan.¹⁴⁷

The silk weaver Yusuf b. Abdullah had apparently been caught unlawfully selling slaves previously. Fortunately for Fatima, there were witnesses that could attest to her free status and to the deceit of Memişah. It is not stated whether Memişah or Yusuf b. Abdullah were punished for their actions but at the very least attempting to sell a free woman was worthy of a fine.

The legal status which slaves occupied created the potential for awkward situations and at least a few Ottoman citizens exploited the lowly status of some slaves. On five separate occasions slaves are “misled” into leaving their masters by other citizens.¹⁴⁸ In a court case involving a eunuch of the court there is a slave, Piyale, who is “led away” from the barbershop at which his master employs him. Apparently Piyale was approached by a Janissary, İbrahim Çavuş, and he promised the boy that he could become a Sipahi. It is not specified as to the real reasons Ibrahim desired to abduct the boy but we know he was returned to his master after witness was given at the court. It is possible that in this case and the four other examples we have of slaves being misled that they were led away in order to resell them for profit but again, that is not clarified in the *sicils*.

Absconded slaves in the Üsküdar registers: the *nafaka* and the *müjde*

In the second example case of the *Sakk-i Vehbi*, the slave Kenan b. Abdullah is held within the court's care for three months before the court decides to sell him and collect the sale for the public treasury or *beyt-ül-mal*.¹⁴⁹ The *beyt-ül-mal* was the treasury of the public good and served many capacities in the Ottoman world. In regard to slaves, the upkeep cost of captured

¹⁴⁷ ÜKS 322[31a-1].

¹⁴⁸ ÜKS 946 [92b-1], 1163 [113a-5], 20 [3a-5], 54 [6b-2], 1149 [111b-4].

¹⁴⁹ Coulson, N.J., Cahen, Cl., Lewis, B. and R. le tourneau, “Bayt al-Māl”, in: Encyclopaedia of Islam, Second Edition

slaves was appropriated from this treasury while the sale of slaves like the hypothetical Kenan went back into the fund. This occurs a number of times in the Üsküdar hüccets. Usually, the notice of sale is given as an addendum or *derkenar* to a previous notice of capture of an absconded slave and the appointment of a *nafaka* for his upkeep while in the court's custody. For instance:

On the twenty ninth day of the holy month of Müharrrem a black ('arab) slave named Zümriide was arrested. He was of average height and had upon his back a purple cloak and a tunic. An upkeep of five akçe daily was evaluated and the absconded slave was delivered to Müstedâm Bey.

Dated on the aforementioned date.

*Witnesses to the event: Sefer b. Abdullah, Hasan b. Hamza, Sefer b. Mehmed ve and others
mine'l-hâzırîn*

Addendum: The limitations of the şeria have been met completely. Permission was given for the sale.¹⁵⁰

This was done again in the case of a young boy who was caught by a local slave catcher but had no apparent owner. Again, information as to the time that elapsed between the boy's passing into the court's custody and the boy's sale is given.

On the eight day of Zilhicce of the year 1000, the yasaqçı [slave catcher] of a village known as Maltepe brought before the Shari'a court a 9 year-old boy on the charge that he might be a runaway slave. He had on him a black tunic and a worn, sky blue kaftan. The officer of the aforementioned village was a Jew named Yahya and allocated for the boy's upkeep four akçe per day. It was recorded.

Witnesses to the event: Fahrü'l-ârifîn Mehmed Çelebi, Murtaza Halîfe, Müstecâb [b.]

¹⁵⁰ÜKS, 1300 [126a-5] Kaçak kölenin satılması.

Mustafa

*addendum: the sale was given permission within the proper methods of Shari'a*¹⁵¹

In general, the right to the profit off the sale of escaped slaves belonged to the state and was an important fundraising activity for the government which the *kadı* was expected to oversee. Occasionally there could be corruption on the lower levels. One such instance is addressed in this hüccet which is addressed to the judges and tax collectors of Kocaeli, which is just east of Istanbul and would have been a different *kaza* as it was a second order province and a member of the Eyalet of the Archipelago, *Eyālet-i Cezāyir-i Bahır-i Sefīd*, an absolutely different administrative subdivision. Courts kept among their documents not only sicils but relevant imperial orders. In a particularly long order from the Porte it is revealed that unnamed officials of the Kocaeli sanjak are expropriating the profit generated from the sale of slaves after the period of *'iddet*.¹⁵²

Forty-seven of the Üsküdar hüccets are appointments for a *nafaka* or upkeep for a captured slave or the delivery (*teslim*) of an absconded slave to his master. The predominance of these types of hüccets should indicate to us the incredible commonality of escape attempts. While Islam exhorted its faithful to treat their slaves well, the reality could often be quite cruel. In some cases, we see the abuses which could occur against a slave by their master. It is difficult to ignore the fact that even though Islamic law enjoined the protection of slaves and that the conditions for attaining freedom were relatively generous, that the perceived lowliness of slaves still permeated their existence and treatment. Given the high occurrence of Russian, Georgian, and black slaves within the hüccets it is reasonable to say that a great number of slaves in the Üsküdar were taken in violent slave raids, either by Crimean Khanate raiders in Russia or slave hunters in Sub-Saharan Africa. Upon arrival in Anatolia they would have been subject to the humiliating market experience described by multiple observers, foreign and Ottoman. Once in the care of an Ottoman subject the quality of their treatment depended entirely upon the character of their master. We have seen that slaves and masters could have familial relations, bequeathing property and children, but we can also see attitudes of Ottoman society toward disobedient

¹⁵¹ ÜKS, 1292 [125b-5] A fugitive slave is allocated an upkeep.

¹⁵²ÜKS, 1036 [99a-1] The revenue from the sale of a slave goes to the state.

slaves, or slaves who did not satisfy their masters. Thus, the threat of absconded slaves was constant and the court had in place an efficient system for dealing with the phenomenon. Cruelty should not be the only explanation available for the frequency of fugitive slaves in the Üsküdar registers. It is also of note that the Üsküdar *kaza* was quite large and extended all along the shore of the Bosphorous. As such it provided a bottleneck for fugitives attempting to flee and thus the courts of Üsküdar would have to deal with an unusually high number of captured fugitive slaves. The fate of slaves, if they were caught, was one of two things. They were either delivered to their master upon reimbursement of the *nafaka* or, after an allotted time had passed, they were sold by the court to fundraise for the public treasury.

Again, our hüccets tend to align with the Hanafi şurut literature. The procedure for dealing with absconded slaves was well defined by Ottoman law at all levels. A *kanunname* issued by Sultan Selim I demanded that if anyone came across an escaped slave that they were to report it to the local *kadi*.¹⁵³ It is unclear whether or not the courts employed slave catchers in an official or unofficial capacity but one possible vector for catching absconded slaves was the *subaşı* himself who would also then be responsible for detaining the slave, and is given in the sicils the title of *zabit-ı evabık* or “officer over the absconded slaves”. At the point of turnover to a court, the finder may be paid a *müjde* or a “bounty” though the term only appears once in the Üsküdar hüccets in this study.¹⁵⁴ After capture, the slave’s condition would be evaluated and the *kadi* would appoint a *nafaka* for the slave’s upkeep which was usually four or five akçe per day for food and clothing if needed. The *nafaka* was taken from the *beyt-ül-mal* and the slave’s master would have been expected to reimburse the court the full amount upon retrieval.¹⁵⁵ Over the course of the 15th and 16th centuries, there were several *kannunames* issued by the Sultan regarding the protocol of a captured slave and their upkeep. Mustafa Akkaya provides a discussion on the firmans regarding this issue. By the 1590s, the practice was that a slave was to be kept by the court with a daily upkeep. If the slave’s owner appeared during this time, they would need to pay the court’s expense and then the slave would be delivered back to the master.

¹⁵³ Omer Lütfi Barkan, *Kanunlar*, p. 243, quoted in; Hensel, Wojciech. "Some Notes Concerning the Apprehension of Runaway Slaves in the Ottoman Empire." *Rocznik Orientalyczny*, (1976).

¹⁵⁴ ÜKS, 1036 [99a-1] Kaçak kölelerin satış ücretlerinin devlete ait olduğu.

¹⁵⁵ Hensel, Wojciech. "Some Notes Concerning the Apprehension of Runaway Slaves in the Ottoman Empire." *Rocznik Orientalyczny*, (1976). p. 165.

If the master appeared after the court's sale of the slave then the income from the sale may be appropriated to them.¹⁵⁶

The *nafaka* was mandated by Islamic law and was used rather frequently. As such its' appearance in the Üsküdar hüccets is highly formulaic. It would describe the decision of the court and then announce that the slave had been delivered to the subaşı [*teslim olundu*] and an upkeep price allocated [*nafaka ta'yîn olundu*]:

So in the case of Nesimi b. İbrahim there was an escaped, young, Bosnian slave named Pablo with wide eyebrows, hazel and blue eyes, a sparse beard, and was of medium height with a pointed nose with a black, woolen coat on his person. It was decided to return him to bondage and he was delivered to Müstedam Bey and a four akçe daily upkeep was allocated for him.

Witnesses to the event: Mehmed Yayabaşı, Hasan Şah b. Memi Şah, Receb Demirtaş, Mehmed b. Behrâm, Muttalib b. Süleyman¹⁵⁷

There are twenty-seven such instances of *nafaka* appointments in the Üsküdar hüccets.¹⁵⁸ Again, Russian slaves appear the most frequently with nine instances, then five Georgians, two Bosnians, two black slaves, one Hungarian, and eight unspecified. The daily amount of the *nafaka* was determined by the judge on a case by case basis. The majority of these cases granted a four akçe daily *nafaka* but in some cases we see as low as two and as high as six. If required, the court would also see fit to issue the prisoner clothes.¹⁵⁹ The *nafaka* in our hüccets fits with

¹⁵⁶ Akkaya, Mustafa. "Osmanlıda 16. ve 17. Yüzyıllar Arasında Nafaka Uygulamaları ile Satın Alma Gücü Arasındaki İlişki." *History Studies* (13094688) 10.7 (2018). p. 312.

¹⁵⁷ÜKS, 1262 [124a-2] Bosna asıllı kaçak köleye nafaka tayin edilmesi.

¹⁵⁸ÜKS, 1255[123b-1];1256[123b-2];1259[123b-5];1260[123b-6];1262[124a-2];1263[124s-3];1265[124a-5];1267[124a-7];1269[124a-9];1273[124b-3];1274[124b-4];1275[124b-5];1276[124b-6];1277[124b-7];1278[124b-8];1279[124b-9];1282[125a-2];1285[125a-5];1289[125b-2];1290[125b-3];1292[125b-5];1293[125b-6];1294[125b-7];1295[125b-8];1297[126a-2];1299[126a-4];1300[126a-5].

¹⁵⁹ÜKS, 1255 [123b-1] Rus asıllı kaçak köleye nafaka tayin edilmesi

the analysis by Mustafa Akkaya who describes the change of *nafaka* amounts over the course of the 16th and 17th centuries in Üsküdar courts, with a trend of increasing amounts.¹⁶⁰

If the master did not come to collect their property, the court would have to wait until the end of the *'iddet* waiting period before selling the slave to reimburse the public treasury. This period in the sicils is referred to by the Ottoman legal term *müddet-i örfiyyesi* and is used in five hüccets.¹⁶¹ In three of the hüccets it is indicated in the *derkenar* or post-script that the appropriate according to the Shari'a had passed and that the court approved the sale of the slave. The *'iddet* period is never clearly stated in the Üsküdar hüccets but in the *Sakk-i Vehbi*, the model court case regarding the slave Kenan b. 'Abdullah the court waits for ninety days before permission is given to sell him. This is a direct reflection of a series of laws passed by Mehmed II and Selim I which mandated a three month waiting period and further elucidates the responsiveness of Üsküdar courts to The Porte.¹⁶²

A master who did show to collect their property generated a new hüccet and there are twenty such instances.¹⁶³ Often, they are simple descriptions of the event without any details regarding the *nafaka*:

946 [92b-1] Again, we see the importance of witness among esteemed members of the legal class and community in confirming the rulings of the court. It is difficult to discern if there were any attempts to falsely claim slaves. If it did occur it does not appear in these registers and was likely a rare occurrence. A more complex but interesting case involves a black slave, Bilal, escaping from his master, Davud Bey, who is a cavalryman from Istanbul. Davud Bey is called

¹⁶⁰ Akkaya, Mustafa. "Osmanlıda 16. ve 17. Yüzyıllar Arasında Nafaka Uygulamaları ile Satın Alma Gücü Arasındaki İlişki." *History Studies* (13094688) 10.7 (2018). p. 312.

¹⁶¹ ÜKS, 116 [11b-6]; 1036[99a1]; 1292[125b-5]; 1293[125b-6]; 1300[126a-5].

¹⁶² "Ve kaçkun esir dutulsa gelüb âmile haber edeler. Âmil kadı katına iledüb ol kaçkun esirün nafakasını ta'yîn edüb üç aya değın târih yazub bir yerde emânete koyalar, dura. Eđer üç aya değın ıssı gelüb şer' ile isbât edebilürse, âdet üzre bir günlük yolda otuz ve iki günlük yolda altmış, üç günlük yolda doksan akçe ve bundan ziyâde eđer bir ayluk yolda dutulursa hemân yüz akçe muştuluk ve yedüğü nafakasın âmile verüb kadı esiri ıssına teslim ede. Eđer üç aya değın esirün ıssı gelmeyecek olursa, kadı ve âmil ittifâkiyle bey'i men yezid edüb satarlar, bahâsın âmil olub tasarruf ede ve sonra gelüb ıssı şer' ile isbât ederise kadı bahâsın âmilden alub teslim ede." Ahmet Akgündüz, Osmanlı Kanunnameleri ve Hukuki Tahlilleri, C.1, Fey Vakfı Yayınları, İstanbul 1990, s.616.; quoted from AKKAYA, Mustafa. "Osmanlıda 16. ve 17. Yüzyıllar Arasında Nafaka Uygulamaları ile Satın Alma Gücü Arasındaki İlişki." *History Studies* (13094688) 10.7 (2018).

¹⁶³ ÜKS, 133[13b-1]; 534[50(2)-1]; 1258[123b-4]; 1261[124a-1]; 1264[124a-4]; 1266[124a-1]; 1268[124a-8]; 1269[124a-9]; 1270[124a-10]; 1271[124b-1]; 1272[124b-2]; 1276[124b-6]; 1280[124b-10]; 1283[125a-3]; 1284[125a-4]; 1286[125a-6]; 1288[125b-1]; 1291[125b-1]; 1298[126a-1].

away to service to campaign in Gence which had just been occupied by the Ottomans during the Ottoman-Persian Wars. While his master was away on campaign Bilal escaped. The details of his capture are not specified but he ended up in the hands of a man named Mustafa Reis and was sold to one Osman Çavuş for three thousand akçe. It took the witnesses of two men from Davud Bey's village to verify the identity of Bilal and the nature of what occurred, after which Osman Çavuş was forced to return Bilal.¹⁶⁴ Even though the *sicil* does not specify the deal which is made in this case, we can hypothesize given from one of Ebu's-Suûd Efendi's fatwas:

Question: Zeyd's escaped slave Amr is captured. After the completion of the proper time (90 days), he is sold to a man named Beşr. Can the aforementioned Zeyd take the slave from Beşr according to the Shari'a?

*Answer: If he is a Sipahi, yes.*¹⁶⁵

Absconded slaves in the Üsküdar registers were relatively common. Given the conditions under which many Ottoman slaves were captured (war, slave raids) there would certainly be motivation to escape. The geographical realities of Üsküdar as a land bottleneck perhaps resulted in more absconded slaves being captured within the vicinity. The procedure of what to do in the case of an absconded slave was well known and legislated. Slave catchers would turn the found slave over to an officer of the court, the court would record the appearance and condition of the slaves along with their possessions and possibly an explanation of their circumstances or claims. Afterward, the slaves would be kept and assigned a price of upkeep. The court would wait for a set period of time (90 days) and if the master had not appeared or there were no Muslims available to witness as to the identity of the slave then the slave would go to auction and the revenue would go to the court fund.

¹⁶⁴ ÜKS, 2 [1b-2].

¹⁶⁵ Düzdağ, M. Ertuğrul, and Abū al-Sa'ūd Muḥammad ibn Muḥammad. *Seyhülislâm Ebussuud Efendi fetvaları ışığında 16. asır Türk hayatı*. Enderun Kitabevi, 1983, [609] fetvaları.

Prices, Buyers, and Women in Üsküdar

Incidentally, the hüccets reveal some very telling price data about slaves during this period. In the hüccets we have thirteen explicit mentions of price in the transaction of slaves.

Table 1.1

Bilal	Portev	3,000 ak	2 [1b-2]	M
Iskender	Abkhazia	4,100 ak	116 [11b-6]	M
Mehmet	Russian	2,000 and a horse	197 [19b-1]	M
Ferruh b. Abdullah	Portev	35 florins	321 [30b-7]	M
Huseyin	Turkish*	7,000 ak	424 [39b(2)-2]	M
Ayşe	Hungarian	14,000 ak	18 [3a-3]	F
Kamer*	u/k	2,000 ak	501 [48a-3]	F
u/k	Circassian	13,000 ak	855 [82a-3]	F
Kamer	Moldavian	4,000 ak	1186 [115b-2]	F
Kamer*	u/k	2,200 ak	501 [48a-3]	F
Güllale	Hungarian	7,000 ak	933 [91b-1]	F
u/k	u/k	40,000 ak	658 [62b-1]	F
u/k	Russian	28,000 ak	560 [52b-4]	F

All of this data roughly conforms to our understanding of slave values across time and place in the Ottoman Empire. The average young male slave might go for anywhere from four thousand to seven thousand akçe while a virginal young woman might go for as high as 14,000. Some young women however sold for incredibly low amounts, likely because they were seen as less capable of work or needing to be trained. In the Cyprus registers there is a case in which a buyer wishes to get rid of a female slave because she is “mentally defective”. This among many other reasons could be why a female slave might sell so low. In our hüccets Kamer is sold for 2,200 akçe. In another incident in 1550 Nicolas de Nicolay records a 13-year old Hungarian girl being

sold for around the same price which sets the lower limit of the price list.¹⁶⁶ The highest prices on the list are for a Hungarian and Circassian female. Unfortunately, the confirmations of sale in the *sicils* give little information other than the parties, the amount, and the ethnicity of the slave. What we do know is that in general females were simply more expensive than men, with slaves from Circassia and Hungary being the highest.

Slaves in general were an expensive commodity and would not have been available to the average Ottoman *reaya* farmer or city laborer. According to Şevket Pamuk the average wage of an unskilled laborer in Istanbul in 1590 was roughly 11.7 akçe per day.¹⁶⁷ Even the cheapest slave would have been over half a year's salary for the average Istanbul worker. Due to this, the majority of slaves were found in the homes of middle-class Ottoman denizens such as city officials, soldiers, or judges. The owners and buyers of slaves in the Üsküdar registers when specified are generally members of the military administration or community notables. In the Üsküdar *sicils* we see an immense amount of slave ownership among the Janissaries and the military in general with officials of the court close behind.¹⁶⁸ Again, this tends to align with our knowledge of the price of slaves and the wages of individuals of differing classes in Istanbul during this period. It is difficult to know from the *sicils* what services slaves performed for their masters but a few entries shed light on the day to day activities of slaves. In one instance we find a Russian slave Piyale working in a barbershop on behalf of his master, a eunuch.¹⁶⁹ It is possible he was renting his slaves labor for profit but it is not specified in the *sicil*. It is rational to assume that the high price for female slaves was due to several factors. While sexual desire may be obvious one must also consider that women were simply not flight risks. In the absconded slave entries there are almost no females. Certainly female slaves were considered as household workers and this would have been their primary use. We would be remiss though if we did not mention that slave-master sexual contact must have been quite frequent given that it generated so many fatwas and legislation.

¹⁶⁶ Fisher, Alan W. "The Sale of Slaves in the Ottoman Empire: Markets and State Taxes on Slave Sales, Some Preliminary Considerations." *Boğaziçi Üniversitesi Dergisi, Beşeri Bilimler* 6 (1978): 149-174.

¹⁶⁷ Özmucur, Süleyman, and Şevket Pamuk. "Real wages and standards of living in the Ottoman Empire, 1489–1914." *The Journal of Economic History* 62.2 (2002): 293-321. p. 301.

¹⁶⁸ ÜKS, 2 [1b-2], 254 [25a-3], 263 [25b-6], 424 [39b(2)-2], 613 [58a-5], 642 [61a-2], 1094 [105b(2)-1], 1258 [123b-4], 1266 [124a-6], 1271 [124b-1], 1276 [124b-6], 1283 [125a-3], 1286 [125a-6], 1296 [126a-1].

¹⁶⁹ ÜKS, 946 [92b-1].

Women were active in Ottoman social and legal life and thus appear numerous times in the court registers. While various ladies of high standing make appearances in the hüccets it is most often *cariyeler* or slave girls that show up as subjects of court cases. In our selections female slaves appear on twenty-four occasions, whereas female slave buyers/owners appear 16 times.¹⁷⁰ Every single slave owning female we see in the *sicils* has the appellation *hatun*, or “Lady”. In the 16th century this signified a woman of distant relation to the Sultan’s family and thus of lower nobility. This was obviously less common further away from Istanbul where there were no *hatuns* to own slaves but in the capital it makes sense with what we know about slave ownership in Üsküdar at this time. The majority of *sicils* involving female slave owners were manumissions or bequeathing gifts with a few sales disputes. It is of note that there are no instances in which a female owns a male slave as this was strictly forbidden for sexual purposes.

It was common in Islamic courts for women to use representatives (*vekil*) though not necessary. A representative could be summoned in the case of absence by one of the litigants. The representative was not equivalent to a lawyer in modern understandings of justice. This person was expected to act only in the absence of the one they represented (*muvekkil*) and was given full power of attorney over their affairs. As Ronald Jennings notes, representatives are not a professional class and in both the Cyprus and the Üsküdar registers alike there seem to be no recurring names as representatives.¹⁷¹

Women could hold property under Islamic law and there are several instances in the *sicils* in which a Lady bequeathed property to a slave or engaged in some sort of business dealings.¹⁷² In the following case there is a dispute regarding payment between a woman and her husband:

Veli b. Mustafa stated in court, “I sold to Müslime my Russian slave for 28,000 akçe. At her request I sold her house for 4,000 akçe but she sought to evade full payment. I request my rights in accordance with the Shari’a.” Afterward Müslime replied, “I have witnesses who will attest that four thousand six hundred was the full price and that after having sold my house he took four thousand as the price for the slave.” Individuals named İbrahim b. Memi, Mehmed b. Abdullah el-cüündî, and Hasan b. Sâdık from among the honorable Muslims of the community witnessed, “He sold the house for 4,600 akçe, he sold her the slave

¹⁷⁰ 503 [48a-5], 1161 [113a-3, Arapça], 20 [3a-5], 114 [11b-4], 222 [21b-4], 501 [48a-3], 524 [50a-7, Arapça], 526 [50b-2], 560 [52b-4], 658 [62b-1], 696 [66a-3, Arapça], 712 [67b-2], 834 [79b-4, Arapça], 855 [82a-3], 933 [91b-1], 1149 [111b-4]

¹⁷¹ Jennings, Ronald. *Ottoman Cyprus*, p. 82.

¹⁷² The previously mentioned ÜKS 503 [48-5].

for 4,000 and kept 600 to himself. We witness that this occurred.” The events were recorded afterward in accordance with the Shari’a.¹⁷³

In this *sicil* we see the court come down on the side of Müslime after having been swindled in a business deal with her ex-husband. The *cariyeler* of Üsküdar held significantly less power. Unfortunately, their legal condition could lead to manipulation by the larger community and there are four recorded instances where a slave girl was tricked (*kandırıldı*) or mistreated for the sake of reselling her.¹⁷⁴

Conclusions

The Üsküdar registers allow us to look into the court as a function of late 16th century Ottoman legal and religious reforms but it also allows us a glance into the microhistory of slave life during this period. The courts of Üsküdar were unsurprisingly responsive to the mandates of the Sultan and Sheikhulislam. This was not necessarily due to some great shift in practice where prior to the reforms of Ebu’s-suûd Efendi the courts did as they pleased. As a member of *the* central city of the Ottoman Empire Üsküdar had a well-established legal culture in line with the Empire’s central authorities and any discrepancy could be easily addressed due to the court’s proximity to authority. The consistency with Hanafi principles and formulaic nature of the Üsküdar registers provide us with an almost model example of how the Sultan and the *Sheikhulislam* desired their reforms to be put into practice. The *nafaka* amount that appears in the numerous registers appointing an upkeep match up with Hanafi preferences and trends in the greater empire. The waiting period of *‘iddet* likewise matches perfectly with Sultanic decree decades before. It is reasonable to presume that the rulings on slaves in this court were thus

¹⁷³ 560 [52b-4].

¹⁷⁴ 20 [3a-5], 54 [6b-2], 322 [31a-1], 1149 [111b-4].

relatively regular and can help us create an average picture of slave life in 16th century Üsküdar when paired with other historical data both from the registers and personal accounts.

If the Üsküdar registers can be taken as representative of slave life and court culture within a reasonable degree then there are several salient details we can learn. First, the Islamic view that freedom is the natural state of humans is very much enforced in Ottoman practice and we can see that when possible the courts err on the side of freedom in a contestation over a person's status. Freedom and slavery were absolutely legal categories in a society in which the law reigned supreme. As such if a *mukatebe* contract demanded freedom several years down the road it was honored by the court. If there were a dispute as to the free status of a slave the court tended to err toward freedom where sufficient witness and adherence to Islamic principles allowed. Such a generous legal attitude toward manumission did not counter the fact that legal and social cultures are often operate separately while informing each other. The number of escape attempts in the registers betray slaves condition as more reminiscent of the early Islamic attitudes toward 'abid and their varied origins betray the very violent process of their capture. Even though Mohammed and Islamic scholars of all stripes entreat masters to treat all slaves well there is a definite social norm of treating slaves as lesser. The relative frequency at which slaves were seduced elsewhere or free people kidnapped to be resold was obviously unlawful behavior and reflected the reality that often underlies the dicta of legal regimes.

Chapter 5: Slavery in the Nicosia Court Registers

Nicosia on the Dawn of the Ottoman conquest

Since ancient times the island of Cyprus has passed between many hands and rarely seen self-rule. At the end of the 12th century during the Third Crusade the island was captured from Byzantine hands by Richard I of England who, through a violent chain of events would eventually sell the Island to Guy de Lusignian and a short-lived line of Frankish kings. Finally, in the 1470s Cyprus would come under the governance of Venice and remain so until its' conquest by the Ottoman Empire a century later. Much has been written on the conditions of the peasants during both Frankish and Venetian rule. The status of Cypriot slaves and peasantry constitute part of a larger argument as to the moral merits of Ottoman reforms on the island with conflicting sources, personal accounts, and modern commentaries that seem to use the status of the aforementioned to bolster their perspective.

While the island's economy as a whole prospered from its' serendipitous placement as a final outpost of Christendom in the Mediterranean the common population had a much more complex relationship with their Latin and Frankish overlords. Many attempts to Latinize the island and bring Cypriots into the Catholic fold failed and the populace held to Orthodox Christianity to the point that the Venetians gave up trying to convert them. Worse than the consistent attempts to erode their Orthodox faith was the feudal system under which the populace enriched Frankish kings at great cost.¹⁷⁵ Even so, trade flourished as the island acted as an entrepot and a site for the mixing of Latin, Frankish, and Greek cultures.¹⁷⁶ The *Pax Veneziana* lasted for roughly a century until the Ottoman invasion and had quite a mixed legacy. The Venetians attempted to ameliorate the predations of the last few centuries of plague, which killed half the island's population, by repopulating it to increase tax revenue even going so far as

¹⁷⁵ Groot, A.H. de, "Kubrus", in: *Encyclopaedia of Islam, Second Edition*.

¹⁷⁶ Konnari, Angel Nicolaou, and Christopher David Schabel, eds. *Cyprus: society and culture 1191-1374*. Vol. 58. Brill, 2005. p. 10.

paying families in other Venetian colonies to move to Cyprus.¹⁷⁷ Of course not all of these transplants were welcome as the Venetians saw Cyprus partially as a penal colony and shipped at least 276 criminals to the Island.¹⁷⁸

The Ottoman cause for the conquest of Cyprus was most due to justified Ottoman suspicions that the Venetians, who had held Cyprus since 1489, were giving material aid to Christian pirates. It was also an existential insult to see a Christian kingdom hold sway over something which was previously a part of the *Dar al-Islam*. The Sultan consulted the *Sheikhulislam* Ebu's-su'ud who rationalized the expedition on the grounds that the breaking of a treaty with Venice was due to the previous Islamic occupation of the land and Christian negligence of colleges and mosques.¹⁷⁹ The overtures to bringing justice to the population of Cyprus were made after the conquest and were likely simply utilized to encourage cooperation with the new government. Indeed, the defining facet of Ottoman policy in newly conquered Cyprus centered around how to generate taxable wealth at the same volume as the Venetians while dealing with depopulation, decline, and the desire to implement a more agreeable system than the one under which the Cypriots had labored.

Turning now to the specific subject of slavery, it is important at this time for us to define the terms of what is meant by slavery in the context of Cyprus as the aforementioned definition of agency over one's body and labour is not sufficient for discussing the transition between Venetian and Ottoman rule. The vast majority of the Cypriot population during the Venetian period were either serfs (πάροικοι) or freeholding tenants (ελεύθεροι).¹⁸⁰ These serfs were legally tied to their land which was in turn held by a local lord. They were required to work on this land three days per week and give up 1/6th to 1/3rd of the usufruct of their harvest to their lord.¹⁸¹ It has been argued that in essence, there is little difference between serfs and slaves and that the only difference lies in the codification of their duties to their Lord, which is a perfectly fair assertion. The *Eleutheroi* were free peasants who were not legally bonded to their land.

¹⁷⁷ Arbel, Benjamin. *Cypriot population under Venetian rule (1473-1571): a demographic study*. Idryma archiepiskópou Makariou, 1984. p. 189.

¹⁷⁸ Ibid., p. 188.

¹⁷⁹ Finkel, Caroline. *Osman's Dream*. p. 159; Groot, A.H. de, "Çubrus", in: *Encyclopaedia of Islam, Second Edition*.

¹⁸⁰ Jennings, Ronald, *Ottoman Cyprus*, p. 240.

¹⁸¹ Inalcık, Halil et al., *Kıbrıs Tahrir Defterleri: Mufassal, İcmal, ve Derdest, Tapu ve Kadastro Genel Müdürlüğü*, Ankara, 2013. p. 34.

Halil Inalcık wrote a comprehensive analysis of the tax burdens and labor obligations of all peasants in Cyprus before and after the Ottoman conquest and it is safe to say that at least in the short-term the change to Ottoman power was welcome and truly did provide relief to the peasant population. Venetian rule was not thought of well throughout Cyprus and many appealed to the Porte for the possibility of a more religiously tolerant regime.

That is not to say that the Ottoman conquest was kind. Robert Knolles estimates that the loot taken after the siege of Nicosia was around “two hundred thousand million ducats” along with 200 youths sent to the Porte as a gift to the Sultan.¹⁸² After the siege of Nicosia we know that around at least 14,000 soldiers found themselves in bondage to the Ottoman state as slaves.¹⁸³ Their fates are largely unknown but just after the conquest in 1571-72 numerous Italians and *Qubrusi* show up in court *sicils* in Galata.¹⁸⁴ Given the loss of personnel at Lepanto in October of 1571 it is reasonable to think many found themselves either as galley rowers or as workers in a naval yard. According to Vera Costantini some noblemen were ransomed including one Giacomo de Nore who became a personal prisoner of Lala Mustafa Paşa.¹⁸⁵ We know that not all of the people taken prisoner in the conflict were soldiers and that at least some women, both Greek and Italian, had been taken as war booty. Knolles again recounts an event after the surrender of Kyrenia wherein 2,000 female slaves were loaded onto Lala Mustafa Paşa’s galley in Kyrenia Bay. At some point a woman finds a torch and lights the ship’s gunpowder magazine.¹⁸⁶ The siege of the capital, which lasted from 27 July 1570 until 9 September ended in the city being given over to looting and atrocity for 8 days with estimates of those enslaved ranging from 14,800 to 20,000.¹⁸⁷

Ultimately, the overthrow of the Venetian government in Cyprus meant an overall improvement in the lives of Cypriots but not necessarily in the Cypriot economy. Cypriot duties

¹⁸² Donne, Benjamin Donisthorpe Alsop, and Philip Christian. *Records of the Ottoman Conquest of Cyprus and Cyprus Guide and Director*. Laiki Group Cultural Center, 2000. p. 84.

¹⁸³ Demiryürek, Mehmet, et al. *Studies on Ottoman Nicosia : From the Ottoman Conquest to the Early British Period*. Isis, 2019. p. 26.

¹⁸⁴ Sobers-Khan, Nur. *Slaves without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560-1572*. Vol. 20. Walter de Gruyter GmbH & Co KG, 2020. p. 95.

¹⁸⁵ Demiryürek, Mehmet, et al. *Studies on Ottoman Nicosia : From the Ottoman Conquest to the Early British Period*. Isis, 2019. p. 27.

¹⁸⁶ Donne, Benjamin Donisthorpe Alsop, and Philip Christian. *Records of the Ottoman Conquest of Cyprus and Cyprus Guide and Director*. Laiki Group Cultural Center, 2000. p. 85

¹⁸⁷ *Ibid.*, p. 84.

toward the state changed and became considerably lighter but the depopulation of the island in wake of the Ottoman invasion ensured tax revenues would never quite reach the levels they had been. Ottoman financial data shows that in general large sources of revenue like market taxes or the *jizye* tended to go down significantly over time.¹⁸⁸ This combined with declining Ottoman naval power in the face of the ascendant European sailing galleon slowly made Cyprus a “backwater” of the Ottoman Empire. Thus, a common European outlook on Cyprus was that Ottoman occupation had led to a visible decline in the island which must have reflected the Oriental negligence of the Ottoman state. The Ottoman occupation did not achieve what many of the minds in the Porte hoped it had; that Cyprus would be an immensely bountiful tax farm as it had been under the Venetians. Instead, the major change for Cypriots was a social one. In the words of Ronald Jennings, “...the revolutionary change is that a huge ‘slave’ class, almost exclusively Greek Orthodox in faith, became free village landholders while a large part of the former Latin ruling class was at least temporarily reduced to slavery.”¹⁸⁹

The most positive aspects of Ottoman reform were at once a general toleration of the Orthodox church, and the declaration that all lands were *miri* or public lands upon which all peasants were free to roam, ending serfdom in Cyprus.¹⁹⁰ Albeit the Ottomans exacted their own costs, the most infamous of which was the *jizye* or capitation tax for non-Muslims.¹⁹¹ However, there is nowhere more easily we can see the reality of Ottoman administration in Cyprus than in the court *sicils*. The Ottoman court in Nicosia was established shortly after the conquest and the main court in Nicosia was housed in what is today the Kadı Menteş mansion in Lefkoşa. Almost no information is known about the *kadı*s of Cyprus because no personal information about them appears in the text of the *sicils*. *Kadı*s of larger districts could often be wealthy and appear as private citizens in numerous court cases involving property purchases and transfers but as private citizens.¹⁹² From Eylül 1594 to Temmuz 1595 the first Mufti of Cyprus Mehmet Efendi was appointed along with a chief *kadı* and the integration of Cyprus into the broader Ottoman administration. We know at the very least that the courts of Cyprus were connected to Istanbul through these men, who were likely trained at the chief madrasa in Istanbul and were taught

¹⁸⁸ Papadopoulos, Theodoros. "Ιστορία της Κύπρου" (2011)., p. 334.

¹⁸⁹ Jennings, *Ottoman Cyprus*, p. 241.

¹⁹⁰ Groot, A.H. de, “Kubrus”, in: *Encyclopaedia of Islam, Second Edition*.

¹⁹¹ Cahen, Cl., İnalcık, Halil and Hardy, P., “Djizya”, in: *Encyclopaedia of Islam, Second Edition*.

¹⁹² Jennings, *Ottoman Cyprus*, p. 78.

using the aforementioned şurut literature. We see many of those elegant connections manifest themselves in our court registers.

The Origins of Slaves in the Cyprus Registers

Slaves in the Cyprus registers share the diversity of the Üsküdar registers but with some notable differences. The registers under examination were exhaustively studied by Ronald Jennings and he found that of 44 slaves whose origins were mentioned in the registers half were black (*siyah*, 'arab, hebeşi, zengi), then Russian, Circassian, and Hungarian. The large number of black slaves is intuitive given Cyprus' proximity to the immense slave-trading hub in Ottoman Cairo. Throughout Egyptian history there have been five major slave trading routes into North Africa and we know that by the Ottoman period slaves were not only sold on the streets of Cairo but that there were designated markets for black and white slaves.¹⁹³ The volume and details of the slave trade between North Africa and Cyprus is not well documented, only that the majority of slaves in Cyprus during the Ottoman period were black African. The remainder were any combination of Arabic, Persian, Hungarian, or Russian and likely flowed through the immense port at Famagusta.¹⁹⁴ Perhaps the greatest difference between slaves in Üsküdar and slaves in Cyprus was that almost all of the slaves and slave owners in the Cyprus *sicils* were Muslims. According to Ronald Jennings, "Virtually no non-Muslims (zimmis) appear to have held slaves and virtually no zimmis were slaves."¹⁹⁵ The practice of owning Muslim slaves was forbidden in every sense and Ebu's-suûd published several fatwas on this issue. The frequency of this obviously *haram* practice was likely a fact of the geographic reality of Cyprus. Jennings also suggests that perhaps the Orthodox were not allowed to own slaves. During the Venetian occupation, the island had been largely given over to agricultural slavery with Cypriot Greeks as the laborers. The Ottoman intervention once again not only emancipated the Greek slaves but greatly reduced slave agricultural production on the island such that a majority of the very small

¹⁹³ Barker, Hannah. Purchasing a Slave in Fourteenth-Century Cairo: Ibn al-Akfānī's Book of Observation and Inspection in the Examination of Slaves, Rhodes College, p. 1.

¹⁹⁴ Öztürk, Mustafa. Cypriot Houses and Life at Home in the 17th c. p. 124.

¹⁹⁵ Jennings, *Ottoman Cyprus*, p. 242.

slave population on the island was domestic labor.¹⁹⁶ Given that Ottoman slavery was mostly a practice of the elite and wealthy and that the Ottoman conquest had replaced the entire Venetian nobility with Ottoman administrators and Janissaries, a population of only Muslim masters makes sense. It is of course easy to see how behavior closer to the Sultan is more easily policed.

The slave population on the island was almost completely foreign. This was likely a move to ensure peaceful cooperation of Cyprus' Greek inhabitants with the new Ottoman order. Even though we don't know the precise paths of the slaves who eventually arrived on the island, their origins in the *sicils* indicate that the Ottomans likely brought them there from their major markets in Cairo and Istanbul. According to Jennings, of the 44 slaves in the registers half were black, followed by Russians, Circassians, and Hungarians.¹⁹⁷ The majority of slaves taken during the conquest were Venetians; another very deliberate move by the Ottomans. Once the dust had settled from the initial Ottoman invasion and the Ottomans took to administering the island in accordance with their usual laws, we begin to see the courts function normally and through the *sicils* we peer into the lives of Cyprus just after the conquest. It is a society with an incredibly small but diverse and new slave population that engages mostly in domestic labor.

Manumissions in the Cyprus Registers

The Cyprus *sicils* contain parallels to almost every situation found in the Üsküdar *sicils*, most numerous of which are again manumissions. Like the Üsküdar register, the vast majority of manumissions are “simple manumissions” (‘itk) but among them we also see a *mukatebe* manumission and most interestingly a *tezkire* document. Among the simple manumissions there is a consistency with the Islamic legal understanding of the power of verbal declarations; “Za’im ‘Ali Çelebi bn. Musa says before his black (*Habeşi’l-asl*) slave (‘*abd-i memluk*) Turmuş bn ‘Abdullah: I have freed him (1‘tak).”¹⁹⁸ Many of the formulae seen in previous manumissions are in the Cyprus *sicils* as well. It is clear in many of the sicils that a common juridical culture extends from Istanbul to Cyprus, even if some social realities change. Manumissions were common enough in both *sicils* in general and the Şurut training manual in

¹⁹⁶ Jennings, *Ottoman Cyprus*, p. 246.

¹⁹⁷ *Ibid*, p. 245.

¹⁹⁸ KŞS I 279-3; II Zil-Kade 1002 in Jennings, *Ottoman Cyprus*, p. 243.

specific that a commonality among them isn't surprising. As we have seen in the Üsküdar sicils there are a fair amount of contract *mukatebe* manumissions. In this sicil we see Beg Mustafa freeing a Catholic slave after six years of service:

On the behalf of the Proud emir among his peers, Mustafa Beğ of Paphos, may his glory be lasting, in the matter to be mentioned, he was appointed a permanent representative in accordance with the Shari'a named Rizvân Beğ ibn Abdülmennân, exemplar among his peers. He was present before the Shari'a court. He made a statement before the individual under consideration [‘âmilü'l-kitâb] who was a Croatian slave from among the Christian community named Hovat v. [Nutufi] Nikola and who was tall, with blue eyes, blonde hair, and approximately 35 years in age. He said, “In accordance with tradition, after completing his service six years after the written date in the garden adjoined to his houses in Lefkoşa he shall be set free.” After the above-mentioned matter was confirmed by the aforementioned representative the event was recorded. The date was in Zi'l-ka'de in the year 1002.¹⁹⁹

Hovat is one of the few Christians that we see explicitly named in the *sicils*. It is likely that this entry was written as proof to the court of the completion of his *mukatebe* contract. Unfortunately, it is left unclear as to what sort of work Hovat did, however we can assume from the titles of his master that he worked in a wealthy home. One of the only other *mukatebe* entries we see in the Cyprus *sicils* is a unique *tezkire* document:

On the matters set forth here in this document: A zimmi named Petro v. Christophi was freed for performing his service well and for a long period of time. He was issued this tezkire upon his return from a long journey to [his] vilayet. Let it be known to all that he is released from the condition of servitude and let no one obstruct or repel him. [I Cuma, year 993]

From the office of Zeynel bin ‘Alî el-mezbûrun Aḥmed bin ‘abd ed-dîn amhsa ṣābit

[I zil ka'de, year 1002]

[ordered by] the dock supervisor of Istanbul

Petro's contract is slightly longer at 9 years. Even though this is an incredibly short and straightforward manumission there are a few things of note. The first part of the *hüccet* (until I Cuma year 993) is written in one hand while the second line and date are written in another hand. It is distinctly possible that this was the court's original record of Petro's freedom and upon completion of his contract several years later a secretary in the office of Zeynel b. 'Ali dated the document confirming his freedom. What is of greatest interest is the signature at the end,

¹⁹⁹ KŞS I-279-3.

showing the document as ordered by the *tersane-i amire*. It is entirely possible that Petro was working in Cyprus on behalf of the Imperial Arsenal in Istanbul and was a highly valued government worker, which was entirely possible within the Ottoman context.

Sales Disputes, defects, and dishonorable men in the Cyprus Registers

Of the nine hüccets provided in this study three concern disputes over the validity of a sale. Specifically, these complaints regard “defects” and requests to refund the sale. In the first example Hasan bn. Mehmed states his case:

Hasan Mehmed bin Hüseyin Al-Racil of Lefkoşa states that: I bought a female slave from Ibrahim bin Mustafa for 6,000 akçe but there is an old defect in her foot. Let this be put before the court. Place her under the security and guardianship of Ahmed bin Nurullah. The slave’s evaluation is recorded here. Registered in the third part of the month of Şevval in the year one thousand and two.²⁰⁰

It is unclear as to what the defect is but the Ottoman used is “maraz” which means, “disease, sickness, or illness.” It is distinctly possible that the female slave had a severe limp or a clubbed foot. Given that such an obvious defect was unknown to Hasan Mehmed upon purchase suggests he may have not been present at the actual purchase. Upon acceptance of Hasan Mehmed’s grievance the woman is put under the care of Ahmed bin Nurullah. It is not clear who he is but it is likely that he is either an officer of the court such as the *subaşı* or a member of the esteemed Muslims of the community. The repudiation of a sale over defects was considered valid under Hanafi interpretations of law and at times the description of those defects was more specific:

Mehmed bin ‘Ali stated before the court and Mustafa Beşe bin ‘Ali, “I bought a foreign black female slave tonight for three thousand akçe on the condition that she have no defects, however there is a wound upon her neck and she is insane [cünun]. My intention is to return her.” The aforementioned Mustafa replied, “I

²⁰⁰ KŞS I-253-3.

gave [him a slave] with insanity and furthermore a defect.” let him swear an oath that he did not accept her in the aforementioned manner²⁰¹

In this case the seller Mustafa admitted to having sold Mehmed b. ‘Ali a slave with a wound upon her neck and “insanity”. The objection to the slave’s mental illness is interesting. The Ottoman word used is “cünun” and means, “madness, insanity”. Again, the hüccet does not suggest to us any specifics but we can surmise some detail from an Ottoman understanding of mental illness. The most salient aspect of insanity in Islamic law was its deprivation of the sufferer of their faculties of reason, which would severely mitigate their ability to do many things including the performance of legal actions. Ottomans understood two main types of *cünun*, *cünun-i mutabık* and *cünun-i gayri mutabık*, roughly translated as “reversible” and “irreversible” mental illness. Again, we can only speculate as to the mental well-being of the slave girl. If it were a “reversible” mental illness such as a temporary insanity brought about by depression or grief it is possible Mehmed b. ‘Ali decided he did not want to expend the resources and time necessary to facilitate the girl’s mental state. If it were an “irreversible” illness he may have had an even less hopeful outlook. Either way we see in action the legitimate legal grounds under Islamic law in which physical and mental unwellness in a slave can delegitimize a sale.

An individual named Ahmed bin Mustafa stated before the court and in the presence of Mehmed bin Ibrahim, “A month before this hearing [tarih-i kitab] I bought a slave under the condition that she have no defects. However, she has become defective. Let there be an inquiry.” The aforementioned Mehmed responded, “I sold him defective [merchandise].” It is recorded.²⁰²

Abu Hanifa as well as all Sunni scholars agree that defects in a female slave including physical deformities and mental illness can invalidate a sale. Very often merchandise could be returned and the buyer refunded if the court found that he had not been informed of the defect beforehand. The problem was consistent enough that we see *sicils* regarding defect-based returns across every region of the Empire. Nuri Kovaks discussion of slavery in the Crimean Khanate points out a few example cases where defect base complaints come before the court in which a woman

²⁰¹ KŞS III-73-4.

²⁰²KŞS III-63-7.

is returned for not being virginal, another for having a dislocated shoulder, and a Hungarian boy is returned for having a nodule beneath his throat.²⁰³ As far back as the 15th century the Sultan had passed laws against *pullanmak* or the embellishment of slaves by sellers.²⁰⁴

Second to defects, the most likely reason a sale may be cancelled is the accidental enslavement of a free person. This occurs in the Lefkoşa *sicils* on at least five occasions. In such an instance the *udûl-i müslimîn* or upstanding Muslims of the community were required to come forward in court and give witness or investigate the matter of a subjects freedom. In this *sicil* Cennte bint Ca'fer pleads her case:

*Cennet bint Ca'fer states before Ahmed oda başı bin 'Abdi, "I am the daughter of Ca'fer of Seydi Şehir; my mother's name was Sati. Formerly when I went to Aleppo with my husband 'Acem 'Ali, brigands came upon us, killed my husband, and brought me to Silifke. Then 'Ali Paşa came and took me to Cezire, where he sold me to the above-mentioned Ahmed. I have witnesses that I am free born." Let them be questioned. Ahmed denies it. When Cennet is asked for proof, Hamamci Mehmed dede bin Hasan and Ahmed bin Gulabi confirm her: She was born in Kara Hisar village of Seydi Şehri. Her husband was Mercan, slave of a merchant named Çaylak Sefer.*²⁰⁵

Unlawful enslavement was certainly an awful fate but luckily the courts of Lefkoşa seemed to err on the side of freedom when sufficient witness was given. In two cases it was determined that the slaves were lying and returned to their masters after deliberation.²⁰⁶ Even though brigandry and unlawful enslavement happened the courts took the matter of freedom seriously and seemed to take every effort to ascertain the truth of the matter.

Conclusions

Slavery in Cyprus after the Ottoman conquest was an incredibly small enterprise confined to an elite of wealthy merchants and individuals affiliated with the government. Given the conditions

²⁰³ Kavak, Nuri. "Slavery and Slave Prices in the Crimean Khanate (According to Religious Court Records)." *Journal of International Eastern European Studies* 1.1: 59-72.

²⁰⁴ İnalçık, Halil. *Sources and studies on the Ottoman Black Sea*. Department of Near Eastern Languages and Civilizations, Harvard University, 1995. p. 93.

²⁰⁵ KŞS III-89-1.

²⁰⁶ KŞS (I 50-1; III 162-6; III 129-4).

of the post-conquest atmosphere, the Ottoman desire to appease the Greek population and return the island to profitability, slavery was much less overt than in Üsküdar. From the number of defect complaints one can extrapolate that it was much more likely that the slaves in Lefkoşa were bought quietly through agents rather than the more vulgar open-air markets of Istanbul. Brigandry and false enslavement were issues just like anywhere else in the Ottoman Empire but the dedication of courts to Islamic principles meant that thorough investigation and witness was given as often as possible. Market transactions, at least among the wealthy who engaged in the slave trade, do not appear to have operated much differently than analogous transactions in Üsküdar. If there was an issue with the sale then Hanafi principles were followed and the sale was cancelled with refund given.

Perhaps what is most counterintuitive about slavery and legal culture in 16th century Cyprus is its' incredible consistency with legal culture at the center of the Empire. The actual functions and rulings of the court are in line not only with the *kadis* of Üsküdar but with the manuals of the broader legal culture of the Ottoman Empire such as the *Multaqa al-Abhur* and the *Şurut* literature. The handling of the slavery by courts deviated very little, if at all with the practice of the broader empire. The deviations in Cypriot society in slavery which can be seen in the court registers show that Muslims in bondage was more common, defect complaints were more frequent indicating that many slaves were bought privately rather than through a market, and that slaves were much less likely to flee.

Chapter 6: Conclusions

In our conclusions we can first of all dwell on the points which the courts of Üsküdar and Lefkoşa have in common. The courts of Üsküdar and Lefkoşa show remarkable consistency and adherence to the same Islamic principles despite their distance and different social and geographical realities. The consistency in technical formulation of court procedure, the actual substance of court rulings, and often the outcomes all speak to a well enforced framework that Ebu's-Suûd Efendi began building during his tenure as *sheikhulislam*. The Cypriot legal experience just after the bulk of Ebu's-Suûd's reforms reveals their effectiveness. As an entirely legal category in Ottoman society it is not surprising that much of the consistency found between the courts of the two locales can also be found in the experience of slaves. The frequency of manumissions, the seriousness and vigor with which cases of false enslavement were pursued, and the positions of responsibility that some slaves held align with the Islamic legal gravity toward freedom and the wide range of slave experience possible under such a regime. The differences between experiences in the two locales was less a product of differences in the legal regime than in the realities of the places themselves. Absconded slaves almost never appear in the Lefkoşa *sicils*. The aftermath of conquest and a policy of general appeasement meant that the outward symbols and places of slavery like the open-air market were much less overt.

As regards the minutiae of legal practice the most fascinating fact to come out of comparing the *hüccets* of Cyprus and Üsküdar is the incredible consistency in court behavior. In both Cyprus and Üsküdar many of the same formulae are used and the *sicils* are roughly in the same order conforming to the *şurut* literature used for instruction in Istanbul. The *hilya* descriptions of slaves are all concerned with similar things; height, eye color, eyebrows, hair color, marks and scarration, finally ending in the formula of origin (*al-asl*). At either the top or bottom of the *hüccets* are listed the witnesses to the deliberation (*Şuhûdü'l-hâl*) followed by the litigants, a brief description of the dispute, the judgement, and the record and date formula. In the types of *hüccets* which are relatively common such as manumissions there is a ready-made format with which judges in both locales conform. Here we see two “simple” manumissions side by side from Lefkoşa and Üsküdar respectively.

*Haci Yusuf b. ‘Abdullah of Lefkoşa acknowledged, before the blue-eyed, blonde, with a scar on the right side of his back, Hungarian slaved named Ridvan bin ‘Abdullah, “He is my slave. He is my property. I effectively separate him from among my property. Let him be free like all others and have responsibility in all of his own matters.”*²⁰⁷

*In the manumission decision to be mentioned below, Hani bt. Yahya appointed İbrahim Bey b. Ahmed as her permanent representative. The representative of the aforementioned decided and declared before the court that the wide eyebrowed, hazel eyed, with a scar on the left side of her face, Russian slave with the name Hasna bt. Abdullah is free for the appeasement of God. Let her be free like all other freed slaves. From here on no master shall have any right over her.”*²⁰⁸

In several of the *hüccets* we can see a reflection not only of technical consistency between the two courts but with the principles of Islamic law. Much weight was put on both the validity of witness and the power of verbal utterance. In both the Cyprus and Üsküdar registers there are multiple instances of a ruling being confirmed to the slave *müvacehesinde* or face-to-face and in the presence of the court. This conforms with a great exactitude to the principles of Islamic Law outlined in works such as the *Multaqa al-Abhur* mentioned previously in which the chapter on manumission outlines the conditions under which a verbal utterance can lead to the freeing of a slave:

“This is to prove on legitimate, religious grounds what a free man owns when he says, even if he did not mean it, “You are free, freed, released and manumitted, I free you, I release you from slavery, this is my servant, or he or she is my servant” or “you are free” even without naming him. And this is valid when the word “freedom” is attached to or described to one part of the human body such as, “your head is free” and

²⁰⁷ KŞS III-139-6.

²⁰⁸ ÜŞS 524[50a-7, Arapça].

*so on. And when the owner says to his female slave, “you are sexually free” or “I have no power or will over you, you are no longer under my authority.”*²⁰⁹

Due to the importance of verbal utterance in Islamic legal culture, the act of witnessing that utterance was equally important. Indeed, every court case lists above or below the witnesses of the court. The men in the witness formulations were not only Muslims but specifically from among the *udûl-i müslimîn*, a title bestowed upon Muslim men of the community who were considered not only competent but uncompromised by the case. Depending on the case it was necessary to have multiple witnesses from among the *udûl-i müslimîn*. In both Üsküdar and Lefkoşa a persons freedom could hang on the words of these men, especially in cases of false enslavement. It is impossible to know how common the issue of false enslavement was but it appears in both locales multiple times. In this court case, Mercane bn. Abdullah states her plight before the Lefkoşa court:

*“Mercan bint ‘Abdullah, slave (kul) of Süleyman subaşı, states (tm) before Lalezar bint ‘Abdullah, guardian (vasiye muhtar) of the orphans of the late Süleyman: Süleyman freed me while he was alive. Now Lalezar has made me a slave again. Let this be investigated. Lalezar denies that Mercan had been freed. When proof was wanted, from upright Muslims (udûl-i müslimîn) Pervane kethuda, Mustafa bn ‘Abdullah, ‘Ali Başa bn Bali, Ahmed bn Nasuh, and Huseyn bn ‘Abdullah, they confirm that Mercan truly had been freed.”*²¹⁰

What is striking about the doctrinal consistency between courts in Cyprus and Üsküdar becomes more apparent when set alongside the things about the two regions which do not align perfectly. Sometimes this reflects a laxity in the legal culture in Cyprus, for instance Muslims were often both enslavers and enslaved and interest was often charged openly, but more often it reflects differences in geographical realities.

²⁰⁹ *Multaqa al-Abhur, Kitāb al-I’tāq*, Appendix B 1.1.

²¹⁰ KŞS I 40-I; II Şaban 1002) in Jennings, *Ottoman Cyprus*, p. 244.

One of the more interesting differences between Cyprus and Üsküdar likely due to geography is the extreme difference in the number of fugitive (*kaçak*) slave hüccets. Over one third of the Üsküdar *hüccets* deal explicitly with assigning an upkeep to fugitive slaves whereas the Cyprus registers have no instances of fugitive or runaway slaves. That is not to say that no slaves ever absconded in Cyprus but a comparison between the records of the central courts of each *kaza* show a great dearth in such registers in Lefkoşa. This was most likely due to the fact that Cyprus offers little refuge away from a slave master. Üsküdar, at least, served as a gateway to the Balkan side of the Ottoman Empire where the Christian Austro-Hungarian lands were just in reach. As a bottle neck toward Christendom it likely generated far more cases of fugitive slaves than normal and so through Lefkoşa and Üsküdar there are two extremes illustrated. One in which slaves are basically locked on an island with nowhere to run and another in which slaves are close to the temptation of reaching Christian lands. A question for further study that arises in the Üsküdar registers is the notable lack of female fugitive slaves. All of the captured slaves listed in the Üsküdar *hüccets* are men. The most obvious conclusion is that it would have been both extraordinarily difficult and dangerous to escape as a female as at some point she would be asked why she is unescorted or with which family she is affiliated. Regardless of the reason behind women's lack of appearance it is plain enough that women were simply not flight risks. This may be one of the many reasons contributing to their overall higher price at a slave market.

One of the differences we see between slavery in Lefkoşa and Üsküdar is the method by which slaves are bought and inspected. This is extrapolated from the number and differences in *sicils* focused on returning slaves due to defects. As an occurrence it seems much more common in the Lefkoşa registers. Ronald Jennings suggests that this could be because slaves were not often inspected publicly as in Üsküdar or in person.²¹¹ This stands very much in opposition to the slave market in Istanbul where we have multiple European observers such as Nicolas de Nicolay, a late 16th century traveler who describes the Istanbul market as a place of nakedness and humiliation in which the prospective buyers are allowed to poke and prod as much as they desire. Not much is known about the actual slave markets in Cyprus and this is another avenue for future investigation. It is entirely possible that the Ottoman administrations deliberately

²¹¹ Jennings, *Ottoman Cyprus*, p. 245.

mitigated the appearance of slaves and slavery in Cyprus after the conquest in order to appease the natives. The Ottoman decision to enslave or deport the previous Italian ruler class and leave the Greek population as unmolested as possible was central to Ottoman policy in Cyprus and it is reasonable to assume that slave trading was done as a more private affair involving agents rather than something so vulgar as a large market as we know existed in Istanbul to avoid stoking further tensions. Moreover, the slave population in Cyprus was likely so small that multiple large, slave trading floors were likely not essential.

There are some differences between life in Ottoman Lefkoşa and Üsküdar which suggest a laxity in the legal culture of the former. This is seen most clearly in slave ownership and a few other practices on the island that were highly regulated in Islamic Law. Jennings states regarding slave ownership in Lefkoşa, “Judging from the court records an overwhelming proportion of both slave owners and slaves were Muslims. Virtually no non-Muslims (*zimmis*) appear to have held slaves, and virtually no *zimmis* were slaves. Possibly Orthodox Christian traditions did not permit holding slaves, but there was no reason that Muslims could not own such slaves.”²¹² All stripes of Islamic law condemn the ownership of Muslims even by coreligionists. In Üsküdar, the few cases in which a slave claims that he is actually free Muslim or that he has converted to Islam are taken very seriously and the process for determining their free status is taken under consideration by the court. In Cyprus, far away from the central administration this practice was likely tolerated due to the owners being wealthy and often affiliated with the government. This is not the only area in which we see a serious infraction in Islamic law being tolerated. Cyprus was apparently home to a lively industry of moneylending at interest. Usury is expressly forbidden by the Qur’an and was policed heavily closer to the heartlands of the empire.

The origins of slaves in each locale represents their places as hubs of a larger slaving system. In Jennings’ study of the Lefkoşa *sicils* he finds that exactly half of the 44 slaves appearing in the register were black, with 9 Russians, and only 4 Circassians and Hungarians each. Üsküdar inversely, only mentions black slaves 8 times with the vast majority of slaves being of Russian origin. The point of origins for the Cypriot blacks were likely the immense slave markets in Cairo or even Aleppo. The Russians in the Üsküdar *sicils* are undoubtedly from the city of Kefe where as far back as the mid-15th century, the Crimean Khanate had been raiding

²¹² Jennings, *Ottoman Cyprus*, p. 242.

Kazan and Astrakhan to take slaves to fuel their very slave-dependent farming economy. In 1475, the Ottomans installed Menli Giray I as khan and established a new, consistent pathway of non-Muslim slaves from Kefe to Istanbul.

It is rare that we find links between Istanbul and Cyprus. The two most notable instances are an examination of the incredibly consistent legal culture borne out of a common education at the *medaris-i hakaniye* and the appearance of Italian slaves from the conquest of Cyprus in court *sicils* in Galata. Speaking in terms of connectedness these two places are as distanced as possible and yet a comparison of their legal cultures regarding slavery bears out several interesting truths about slavery, Ottoman administration, and the courts.

To sum up finally, court procedure was virtually identical between both locales. The formulae in the hüccets and very often the opinions issued in both Üsküdar and Lefkoşa show a remarkable consistency both with each other and the şurut literature of the period in regard to slavery. The differences in both legal practice and slavery are explicable by differences in place. Cyprus' distance from the center of the Ottoman Empire allowed it to engage in various heterodoxies such as the ownership of Muslims even if the trade in Cyprus was so small as to not solicit too much attention. Its' location made it not only slightly more heterodox from Üsküdar but certain types of cases such as escaped slaves seem to be non-existent or rare. Üsküdar's proximity to the vast legal reforms of the 16th century made it an obvious model of development for the Hanafizing and centralizing of the period. Both locales and the comparisons between them represent the transformation of the legal culture and the institution of slavery in the Mediterranean during the late 16th century and a system of slavery which was relatively unique due to its adherence to strict Islamic principles within the enforcement framework of the largest Muslim Empire in history.

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Appendix A: Translation and Transcription
Üskudar Sicilleri Transcription and Translation

2 [1b-2] Davud Bey'in, Osman Çavuş b. Abdülmüsteân'a emânet bıraktığı kölenin kaçtığı

Kasaba-i Midilli sükkânından olup ebnâ-i sipâhiyândan yüz altmış beşincide fahrü'l-akrân Davud Bey b. Abdülmennân nâm sipâhi meclis-i âlî-i kadr ve mahfil-i me'âli-i sadrda Dergâh-ı âlî çavuşlarından kıdvetü'l-emâsil ve'l-akrân Osman Çavuş b. Abdülmüste'ân mahzarında da'vâ edip târih-i kitâbdan dört yıl mukaddem Reşid nâm mevzi'de Porteviyü'l-asl Bilâl nâm Arab'ı üç bin akçeye iştirâ edip kasaba-i mezbûreye gelip altı aydan sonra bize koyup Gence seferi ne gidip mezbûr Bilâl ibâk eylemiş hâlâ mezbûrun yedinde buldum taleb ederim deyicek mezbûr Osman Çavuş'dan suâl olundukda târih-i kitâbdan altı ay mukaddem Mustafa Reis nâm kimesneden üç bin akçeye iştirâ eyledim deyu cevâb vericek işbu hâzır bi'l-meclis olan mezbûr Bilâl'dan kazıyye bi'l-muvâcehe suâl olundukda fi'l-vâki' ben merkûm Davud Bey'in abd-i müşterâsıym kendi Gence seferine gidip beni mersûm reis ayartıp getirip mûmâileyh Osman Çavuş'a üç bin akçeye bey' eyledi deyicek müdde'î-i mezbûrun da'vâsına muvâfık beyyine taleb olundukda kasaba-i mezkûreden olup ebnâ-i sipâhiyândan Mustafa b. Abdullah ve Rüstem Bey b. Abdülmüste'ân nâm kimesneler hâzırân olup fi'l-hakîka mezbûr Bilâl mûmâileyh Davud Bey'in abd-i memlûkü kasaba-i mezbûrede merkûm Bilâl'i koyup altı aydan sonra Gence seferine gittikde ibâk eylemiş deyu şehâdet eylediklerinde ba'de't-ta'dîl ve't-tezkiye hayyiz-i kabûlde vâki' olup mûcebiyle hükm olundu. Hurrîre fi evâili Rebî'ilâhir sene elf.

Şuhûdü'l-hâl: İlyas Bey b. Abdullah el-cündî, Mehmed b. Yunus, Hüseyin b. Behrâm, Kasım b. Ahmed, Mehmed b. Ali, Mehmed b. Behrâm, Ahmed b. Habîb, Mehmed b. Osman, Behrâm Subaşı, Müstedâm Bey, Kâtibü'l-hurûf Mustafa

Davud Bey's escaped slave who fled his custody to Osman Çavuş b. Abdülmüsteân

Summary: A black slave named Bilâl was purchased by a sipahi named Davud Bey. After Davud Bey went on campaign to fulfill his duty as a sipahi, Bilâl escaped. During

this time he was captured and sold to Osman Çavuş b. Abdülmüsteân. Davud Bey comes to the court to reclaim Bilâl and witnesses are provided to confirm the story.

Translation: Exemplar among his peers, from the 165th cavalry group, Davud Bey b. Abdülmennan brought a case before the court against Osman Çavuş b. Abdülmüsteân. He said, “Four years before the recording of this case in a place called Reşid I bought a [Portevi] black slave named Bilal for three thousand akçe and I went to the aforementioned village. Six months later I went on campaign to Gence and the aforementioned Bilal absconded. I found him. I request for what Osman Çavuş will say.” Six months before the writing of this case I bought Bilal from a man named Mustafa Reis for three thousand akçe.” In his response to the court Bilal said, “Truthfully, I was the owned property of Davud Bey and when he went on campaign to Gence, I absconded and was then sold to Osman Çavuş for three thousand akçe.” Upon request two individuals from the aforementioned village, Mustafa b. Abdullah and Rüstem Bey b. Abdülmüste‘ân, witnessed personally that Bilal was the owned property of Davud Bey and that he absconded while Davud Bey was on campaign in Gence. After the reliability of the witnesses was verified, an order was given in accordance with what was agreed upon. Written in the first third of Rebiulahir of the year 1000.

Witnesses to the event: İlyas Bey b. Abdullah el-cündî, Mehmed b. Yunus, Hüseyin b. Behrâm, Kasım b. Ahmed, Mehmed b. Ali, Mehmed b. Behrâm, Ahmed b. Habîb, Mehmed b. Osman, Behrâm Subaşı, Müstedâm Bey, Kâtibü'l-hurûf Mustafa

27 [3b-7] Behrâm Subaşı'nın ölümünden kırk gün önce üç kölesini âzat ettiği

Dergâh-ı âlî yayabaşlarından on birincide Behrâm Subaşı mahfil-i kazâda orta boylu açık kaşlı elâ gözlü sarışın Rûsiyyü'l-asl Piyâle b. Abdullah ve küçük sarışın elâ gözlü açık kaşlı Rûsiyyü'l-asl Perviz b. Abdullah ve orta boylu kara kaşlı kara yağız Gürciyyü'l-asl Ömer nâm kulları mahzarlarından bast-ı kelâm edip mezbûr kullarımı fevt olmazdan kırk gün mukaddem mâlımdan âzâd olsun deyu vasiyyet ettim deyicek ba'de't-tasdîk kayd-ı sicil olundu. Hurrîre fî't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Mevlânâ Murad Efendi b. Abdülmennân el-hatîb, el-Hâc Hüseyin b. Mustafa, Hasan b. Solak, Muttalib b. Süleyman, Ömer Beşe b. Abdullah, İsmail b. Abdullah er-râcil, Ali b. Mustafa er-râcil, İslâm b. Abdullah er-râcil, Osman b. Abdullah er-râcil, Hüseyin b. İskender er-râcil, İbrahim b. Abdullah er-râcil, Mehmed Çelebi b. İbrahim el-kâtib, Musli Çelebi b. Yusuf el-kâtib, Müstedâm Bey b. Abdullah el-kâtib

Three slaves of Behrâm Subaşı are freed forty days before his death

Translation: Behrâm Subaşı declares before the court that medium height, wide eyebrowed, hazel eyed, blonde Russian slave named Piyâle b. Abdullah and his small, blonde, hazel eyed, wide eyebrowed Russian slave named Perviz b. Abdullah, and his medium height, dark eyebrowed, black haired, Georgian slave named Ömer are freed. He said, “The aforementioned slaves are free from among my property forty days before my death.” It was recorded after the evaluation on the aforementioned date.

Witnesses to the event: Şuhûdü'l-hâl: Mevlânâ Murad Efendi b. Abdülmennân el-hatîb, el-Hâc Hüseyin b. Mustafa, Hasan b. Solak, Muttalib b. Süleyman, Ömer Beşe b. Abdullah, İsmail b. Abdullah er-râcil, Ali b. Mustafa er-râcil, İslâm b. Abdullah er-râcil, Osman b. Abdullah er-râcil, Hüseyin b. İskender er-râcil, İbrahim b. Abdullah er-râcil, Mehmed Çelebi b. İbrahim el-kâtib, Musli Çelebi b. Yusuf el-kâtib, Müstedâm Bey b. Abdullah el-kâtib

Commentary: This hüccet is unique because of the person in which it is written. Either Behrâm is aware of his impending death and is thus freeing his slaves or his will is being read in the court in first person. It is distinctly possible that Behrâm was ill and aware of his impending death and wanted to prevent his inheritors from inheriting his slaves.

116 [11b-6] Kaçak kölenin satılması

Hasan nâm kimesne yedinden ahz olunan uzun boylu sarışın koyun elâ gözlü traş, sol elinin serçe parmağı topaç Abaziyyü'l-asl İskender nâm abd-i âbıkın müddet-i örfiyyesi tamâm olmağın sük-ı sultânîde nidâ ve bey'-i men yezîd olunup rağbet-i nâs münkâtı' olmağın işbu sâhibü'l-hurûf Hüsrev Bey b. Abdullah nâm kimesneye dört bin yüz akçeye

bey' edip kabz-ı semen ve teslîm-i mebi' eyledim deyicek kayd-ı sicil olundu. Şuhûdü'l-hâl: Behrâm Subaşı, Mehmed

The sale of an escaped slave

Summary: the court records an instance of a captured slave being kept until he is sold at an official auction.

Translation: There was an Abkhazian slave named İskender who was captured by an individual named Hasan. The absconded slave was tall with blonde hair, [koyun] hazel eyes, and the little finger on his left hand had been shortened. The appropriate period before sale [müddet-i örfiyyesi] had passed and it was ordered for the desire of the public that he be sold at auction [bey'-i men yezîd]. The slave was sold to an individual named Hüsrev Bey b. Abdullah for four thousand and one hundred akçe. The funds were taken into possession and the slave was delivered. It was recorded.

Witnesses to the event: Behrâm Subaşı, Mehmed

133 [13b-1] Kaçak kölenin sahibine teslim edilmesi

Bundan akdem ihtimâmen ahz olunan Mustafa b. Veli nâm emredi mahalle-i Ma'mûre'de yasaqçı ta'yîn olunan Hasan Beşe b. Abdullah mahfil-i kazâda sâbıkan mezbûr Mustafa'nın Ağası olan zu'emâdan Pervâne Ağa b. Ferhad mahzarında ikrâr edip mezbûr Mustafa'[y1] merkûm Pervâne Ağa'ya teslîm eyledim ol dahi tesellüm eyledi deyicek mezbûr dahi tesellüm eyledim dediği kayd-ı sicil olundu. Hurrîre fi't-târîhi'l-mezbûr. Şuhûdü'l-hâl: Mehmed Beşe b. Mustafa Çukadâr, el-Hâc Habîb, Yahya Çelebi b. Ahmed Dede, Behrâm Subaşı b. Musli Çelebi, Mehmed Çelebi b. İbrahim

A fugitive slave is handed over to his master

Summary: An absconded young slave is captured by a slave catcher and returned to his master and the event is recorded.

Translation: Before this [the writing of this sicil] [carefully] An enslaved youth named Mustafa b. Veli was taken into custody in the Ma'mûre neighborhood by the slave catcher Hasan Beşe b. Abdullah. It was decided in court that the aforementioned Mustafa should be turned over to his master Pervâne Ağa b. Ferhad. The aforementioned Mustafa

was delivered to the aforementioned Pervâne. “I delivered him. Furthermore Pervâne took control of the slave.” said Hasan. It was recorded on the aforementioned date.

Witnesses to the event: Mehmed Beşe b. Mustafa Çukadâr, el-Hâc Habîb, Yahya Çelebi b. Ahmed Dede, Behrâm Subaşı b. Musli Çelebi, Mehmed Çelebi b. İbrahim

197 [19b-1] Kasım Çavuş b. Mevlânâ Murad’ın, Ali Bey b. Abdullah’a köle alması için para verdiği

Budur ki Kasım Çavuş b. Mevlânâ Murad mahfil-i kazâda bâ’isü’l-hurûf çakırcıbaşının vekîl-i harcı olan Ali Bey b. Abdullah nâm kimesne mahzarında ikrâr edip merkûm Ali Bey’e bir kul getirivermek için iki bin akçe aldım dedikde mukırr-ı mezbûrun vech-i meşrûh üzre vâki‘ olan ikrârını mukarrun lehü’l-merkûm vicâhen ve şifâhen tasdik ettikten sonra mâ vaka‘a bi’t-taleb tahrîr olundu. Tahrîren fi’t-târihi’l-mezbûr.

Şuhûdü’l-hâl: Muttalib [b.] Süleyman, Mustafa [b.] Mehmed, Şemseddin [b.] Sâdık, Mehmed Çelebi [b.] el-müstaid ve gayruhüm

The money that Kasım Çavuş b. Mevlânâ Murad gave to Ali Bey b. Abdullah for the purchase of a slave

Translation: Kasım Çavuş b. Mevlânâ Murad’s representative in this purchase, Ali Bey b. Abdullah declared in court on behalf of Kasım, “I took two thousand akçe for the purchase of a slave.” The truth of these matters was confirmed face to face and in person and after the evaluation of the events it was requested that they be written on the aforementioned date.

Witnesses to the event: Muttalib [b.] Süleyman, Mustafa [b.] Mehmed, Şemseddin [b.] Sâdık, Mehmed Çelebi [b.] el-müstaid and others

254 [25a-3] Hasan Bey b. Abdullah’ın, kölesini Pîrdede b. Mirzâ’ya sattığı

Budur ki Hasan Bey b. Abdullah el-cündî mahfil-i kazâda bâ’isü’l-kitâb Pîrdede b. Mirzâ nâm kimesneye orta boylu açık kaşlı koyun elâ gözlü sağ yanağında et benlü köse sarı

sakallı Rûsiyyü'l-asl Mehmed nâm kimesne abd-i memlûkümü mezbûre Pîrdede'ye iki bin altı yüz nakid ve bir siyah ata bey' edip meblağ-ı mezbûru ve zikr olunan atı aldım kabz eyledim dedikde mukırr-ı mezbûrun vech-i meşrûh üzre vâki' olan [ikrârını] mukarrun lehü'l-merkûm vicâhen ve şifâhen tasdîk ettikten sonra mâ vaka'a bi't-taleb kayd olundu.

Şuhûdü'l-hâl: Durmuş [b.] Kalender, Mehmed b. Mustafa, İvaz [b.] Veli, Şemseddin [b.] Sâdık ve gayruhüm

The sale of a slave by Hasan Bey b. Abdullah to Pîrdede b. Mirzâ

Summary: A sale transaction regarding a Russian slave named Mehmet

Translation: So it is that: Hasan Bey b. Abdullah el-cümdi said to Pîrdede b. Mirzâ, "The slave who is of medium height, with wide eyebrows, hazel eyes, a speck on his left cheek, and a blonde beard, Russian slave named Mehmet is my owned property. I gave him to Pîrdede for two thousand and six hundred coins and a black horse. I took the aforementioned amount and the aforementioned horse." The facts of the event were confirmed face to face and in person and when the events had been evaluated it was requested that it be recorded.

Witnesses to the event: Durmuş [b.] Kalender, Mehmed b. Mustafa, İvaz [b.] Veli, Şemseddin [b.] Sâdık

263 [25b-6] Hasan Bey'in, Pîrdede b. Mirzâ'ya sattığı kölenin bedelini istemesi

Hasan Bey nâm sipâhi oğlanı mahfil-i şer'-i şerîfde Pîrdede b. Mirzâ mahzarında da'vâ edip mezbûra bir köle bey' edip semenine bir at ile iki bin akçe verecek olup bu minvâl üzre sicil ve hüccet ettirip kendi köleyi gözeteyim atı kabz edip mâ-beynimizde muhayyerlik durur iken şimdi akçeyi vermez talep ederim deyip mezbûra suâl olundukda

köleyi gördüğüne mukır olup vech-i meşrûh üzre bey‘ ve şîrâya ikrâr eylemeğin meblağ-ı mezbûr hükm olunup Muhzır Mustafa’ya havâle olundu.

Şuhûdü’l-hâl: Sâbikûn

Hasan Bey wants the equivalent value of the slave sold to Pîrdede b. Mirzâ

Translation: Hasan Bey of the palace cavalry brought a lawsuit against Pîrdede b. Mirzâ. “I sold to him a slave for the price of two thousand akçe and a horse and I request that a sicil be written over this matter. He took the horse and while there remains good will between us he refuses to give the akçe.” The aforementioned replied, “I did indeed see the slave.” The decision of the purchase was made and the aforementioned amount was ordered to be paid, the matter was put under the charge of Muhzır Musafa.

Witnesses to the event: The competent and faithful Muslims

Commentary: The *Sâbikûn* were important Muslims of the community which could be called upon to witness a court case. Another term for them would be the *udûl-i müslimîn*

321 [30b-7] Müstedâm Bey b. Abdullah ile Abdullah b. el-Hâc İbrahim’in, Porteviyyü’l-asl bir kölenin mülkiyet davası

Fahrü’l-akrân Müstedâm Bey b. Abdullah, Abdullah b. el-Hâc İbrahim nâm kimesne mahzarında işbu açık kaşlı orta boylu iki kolunun üzerinde üçer âdet döğenli Porteviyyü’l-asl Ferruh b. Abdullah nâm Arab kendinin değildir deyip Seyyid Bâli b. es-Seyyid İbrahim ve Derviş b. Mirzâ nâm kimesneler şehâdet edip gayrın içinde otuz beş filoriye aldım deyu şehâdet ettiklerinde mâ vaka‘a kayd şud. Şuhûdü’l-hâl: es-Sâbikûn

Translation: Exemplar among his peers Müstedâm Bey b. Abdullah tells Abdullah b. el-Hâc İbrahim before the court that the wide eyebrowed, medium height, three tattoos upon his arm Portevi slave named Ferruh b. Abdullah does not belong to him [Abdullah].

“Individuals named Seyyid Bâli b. es-Seyyid İbrahim and Derviş b. Mirzâ witnessed that I purchased him for thirty five florins.” When they had witnessed this the events were recorded here. Witnesses to the event: the competent Muslims of the community

424 [39b(2)-2] Hüseyin'in, köle olmadığı

İşbu orta boylu, açık kaşlı Hüseyin nâm kimesne mahfil-i kazâda hâlâ efendisi ve yedi yed-i husûmet olan Mehmed Bey b. Ahmed er-râcil mahzarında takrîr-i kelâm edip ben Rumeli'nde vâki' kazâ-i Şirine'ye tâbi' Akköpük nâm karyeden Ali nâm kimesnenin ve Ayşe'nin oğlu olup kat'â ebeveynime rık târî olmamış iken Veli nâm kimesne bir tarîk ile idlâl edip İstanbul'a getirdikde merkûm Mehmed Bey'e bey' eyledi hürriyetim taleb ederim merkûm Mehmed Bey cevâb verip mezbûr Hüseyin'i mezkûr Veli'den yedi bin akçeye iştirâ eyledim hürriyetini beyân eylesin dedikde udûl-i müslimînden karye-i mezbûre kurbunda Tuşengi nâm karye sükkânından Mevlânâ Ali b. Dikidaş, Mehmed b. Allahverdi nâm kimesneler mahfil-i kazâyâ hâzırân olup edâ-yı şehâdet-i şer'iyeye edip fi'l-hakîka mezbûr Hüseyin karye-i Akköpük sâkinlerinden Ali nâm kimesnenin ve Ayşe'nin oğludur kat'â ebeveynine rık târî olmamıştır bu husûsa şâhidleriz şehâdet ederiz dediklerinde ba'de't-ta'dîl ve't-tezkiye hayyiz-i kabûlde vâki' olup hürriyetine hükm olunduktan sonra mâ vaka'a bi't-taleb tahrîr olundu. Tahrîren fi't-târîhi'l-mezbûr. Şuhûdü'l-hâl: Zülfikar b. Mehmed, Bayram b. Abdi, Süleyman b. Kemal, Müstecâb b. Mustafa, Mehmed b. Behrâm ve gayruhüm

Hüseyin is not a slave

Summary: A slave named Hüseyin contests his status as a slave and witnesses are brought forth to verify his testimony.

Translation: A medium height, wide eyebrowed individual named Hüseyin brought a case in court against Mehmed Bey b. Ahmed er-racil. "I am actually from the Kaza of Şirin in Rumelia, from a village named Akköpük and I am the son of an individual named Ali and a woman named Ayşe. My parents had absolutely not been slaves but in some way an individual named Veli had led me astray. When he brought me to Istanbul he sold me to Mehmed Bey. I requested my freedom." Mehmed Bey replied, "I bought the aforementioned Hüseyin from the aforementioned Veli for seven thousand akçe. Let his freedom be commanded." The esteemed Muslims in the proximity of the aforementioned village and from among the residents of a village named Tuşengi: individuals named

Mevlânâ Ali b. Dikidaş, Mehmed b. Allahverdi gave witness in the court in accordance with the Şaria. “We witness that the aforementioned Hüseyin was truly from the aforementioned village of Akköpük and that his parents had truly not fallen into slavery.” All was decided in accordance with and in the proper form of the Şaria. After his freedom was ordered it was requested that the events be recorded and dated. Dated on the aforementioned date.

Witnesses to the event: Zülfikar b. Mehmed, Bayram b. Abdi, Süleyman b. Kemal, Müstecâb b. Mustafa, Mehmed b. Behrâm ve gayruhüm

427 [40a-1] Mehmed Bey b. Ahmed’in aldığı kölenin hür olduğunun anlaşılmasıyla, parasını geri aldığı

Oldur ki:

Mehmed Bey b. Ahmed nâm kimesne mahfil-i şer‘de yine Dergâh-ı âlî yeniçerilerinden Veli Bey b. Abdullah nâm kimesne mahzarında ikrâr edip bundan akdem mezbûrdan bir kul almışdım yedi bin akçeye bir kul almışdım hâlâ zikr olunan kul hürdür deyu şehâdet edip hürriyetine hükm olundu ben dahi mezbûre mürâca‘at eylediğimde meblağ-ı mezbûr yedi bin akçeyi mezbûr Veli Yeniçeri’den bi’t-tamâm ve’l-kemâl alıp bir akçe ve bir habbe bâkî kalmadı dediği kayd şud.

Şuhûdü’l-hâl: Bekir Beşe b. Abdullah, Mehmed Beşe b. Abdullah, Müstedâm Bey, Murad Beşe er-râcil

The return of Mehmed Bey b. Ahmed’s money due to a dispute over the free status of a slave he had purchased.

Summary: Two men had a legal dispute over the free status of a slave. The buyer, Mehmed Bey b. Ahmed bought the slave from Veli Bey b. Abdullah for 7,000 akce. It

was found several days later that this slave was actually a free man and thus could not be treated legally as a slave. Veli Bey was therefore ordered by the court to return the precise sum of 7,000 akce back to Mehmed Bey.

Translation: An individual named mehmed Bey b. Ahmed and an individual from the Janissary Corps named veli Bey b. Abdullah came to an agreement in the court. [from Mehmet] “I bought a slave from the aforementioned [Veli Bey] for seven thousand akce. It was witnessed that this slave was free [kul hürdür deyu şehâdet edip] . Let the law free him and to me the aforementioned amount returned of seven thousand akce from the Janissary Veli in the full and exact amount so that not a kernel remains.” It is recorded there.

Witnesses to the event: Bekir Beşe b. Abdullah, Mehmed Beşe b. Abdullah, Müstedâm Bey, Murad Beşe er-râcil

431 [40a-5] Hüseyin köle olmadığı için alıcı ile satıcının anlaşmazlığının giderilmesi

Budur ki
Mehmed b. Ahmed er-râcil mahfil-i kazâda Veli b. Abdullah er-râcil mahzarında da‘vâ edip bundan akdem orta boylu açık kaşlı gök elâ gözlü Hüseyin nâm kimesneyi kuldur deyu bana yedi bin akçeye bey‘ eylemiş idi hâlâ mezbûr Hüseyin, Şirin kazâsına tâbi‘ Akköpük nâm karyeden Ali nâm kimesnenin oğlu olup kat‘â ebeveynine rık târî olmadığını isbât eyledi hâlâ meblağ-ı mezbûr yedi bin akçeyi taleb ederim dedikde gibbe’s-suâl mezbûr Veli fi’l-hakîka mezbûr Mehmed beni Kefe’de Fazlı nâm dellâldan altı bin beş yüz akçeye bir kul iştirâ edip birkaç günden sonra yedi bin akçeye bey‘ eylemiş idim lâkin ol kul hürriyetini isbât eylediğini beyân eylesin dedikde udûl-i müslimînden Zülfikar b. Mehmed ve Abdullah b. Abdullah nâm kimesneler edâ-yı şehâdet-i şer‘iyye edip fi’l-hakîka mezbûr Mehmed’in merkûm Veli’den aldığı mevsûf-ı merkûm Hüseyin hürriyetini isbât eyledi bu husûsa şâhidleriz şehâdet dahi

ederiz dediklerinde ba‘de ri‘âyet-i şerâiti’l-kabûl hayyiz-i kabûlde vâki‘ olup meblağ-ı mezbûr mezbûr Mehmed’e hükm olunup mâ hüve’l-vâki‘ bi’t-taleb tahrîr olundu.

Şuhûdü’l-hâl: Mehmed b. Abdullah er-râcil, Murad b. Abdullah, Fazlı b. Abdullah, Mehmed b. Behrâm ve gayruhüm

On the resolution of a misunderstanding between the buyer and seller on the free status of a slave named Huseyin

Summary: Mehmed b. Ahmed brought a lawsuit against Veli b. Abdullah claiming that he had been sold a slave named Huseyn who was actually a free man and the son of a man in a Turkish village. Once Huseyn had proved that his parents were not slaves the court demanded that he be set free and that 7,000 akce be returned to Mehmed b. Ahmed. Veli mentions that he had actually bought Huseyn from a dealer named Fazlı in Kefe for 6,500 and sold him to Mehmed for 7,000.

Translation: Mehmed b. Ahmed summons Veli b. Abdullah to a lawsuit in the court. [from Mehmed] “Veli had sold to me for seven thousand akce a slave named Hüseyin who was of medium height, wide eyebrows, and blue eyes. Hüseyin is the son of an individual named Ali from the village of Akkopuk in the kaza of Şirin. Hüseyin had proved that his parents had not been forced into slavery. I request the sum of 7,000 akce returned.” In the post-examination Veli said that, “ in truth, I had purchased the slave from a dealer named Fazla in Kefe for six thousand and five hundred akçe and several days later had sold him for 7,000 akçe.” However it was said that the slave had proved his freedom. Individuals named Zülfikar b. Mehmed and Abdullah b. Abdullah acted as third party witnesses and they said “We witness that the aforementioned Hüseyin has proved his freedom in these matters.” Let the aforesaid conditions be accepted and the aforementioned sum be returned.

Witnesses to the event: Mehmed b. Abdullah er-râcil, Murad b. Abdullah, Fazlı b.

503 [48a-5] Hatice bt. Nasûh'un, evini âzatlı kölesi Kamer bt. Abdullah'a hibe ettiği

Mahrûse-i Üsküdar sâkinelerinden Hatice bt. Nasûh nâm hâtun tarafından
ikrâr-ı âti'z-zikre vekîl olup vekâleti nehc-i şer'î üzre sâbit olan Mehmed Çelebi
b. Ahmed el-cündî mahfil-i kazâya takrîr-i merâm edip müvekkilem mezbûre
Hatice Mehmed Paşa mahallesinde vâki' bir tarafı mezbûre mülkü ile ve iki tarafı
tarîk-i âm ile mahdûd olan iki bâb fevkânî ve bir bâb tahtânî evleri ve kuyuyu
ve sundurmayı ve kenîfî müşt Emil olan mülk menzilini bâ'isü'l-hurûf mu'takası Kamer
bt. Abdullah nâm câriyesine hibe ve temlîk edip teslîm eyledi
dedikde gıbbe't-tasdîk kayd olundu.

Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: El-Hâc Hüseyin [b.] Mustafa, Hasan [b.] Sâdık, Hüseyin [b.]
İbrahim, Ahmed b. Ömer, Hacı Memi [b.] Abdullah ve gayruhüm

Hatice bt. Nasuh gifts to her freed slave Kamer bt. Abdulla a house

Summary: A woman from a neighborhood in Üsküdar decided to appoint a
representative of the court and gift to here free slave some of her property on the side of
her house.

Translation: A lady from the Mahruse neighborhood of Üsküdar named Hatice bt.
Nâsuh has decided to appoint a representative in matters of Sharia, that being Mehmed
Celebi b. Ahmed the kapıkulu cavalryman. He said, "I am her representative. A property
by the aforementioned Hatice is to be gifted to the former slave Kamer bt. Abdullah. The
owned property consists of two doors above, one below, a well, a lean-to, and a toilet and
is bounded on one side by Hatice's home and by public roads on two sides." It was
recorded afterward on the aforementioned date.

Witnesses to the event: El-Hâc Hüseyin [b.] Mustafa, Hasan [b.] Sâdık, Hüseyin [b.] İbrahim, Ahmed b. Ömer, Hacı Memi [b.] Abdullah and others

523 [50a-6, Arapça] Hüseyin Ağa b. Abdurrahman'ın kölesini âzat ettiği

Zevvâk-ı sultânî Hüseyin Ağa b. Abdurrahman kıbelinden aşağıda zikri geçecek âzat ikrârına vekâleti sâbit olan vekîl İbrahim Bey b. Ahmed, müvekkil-i mezbûrunun açık kaşlı, elâ gözlü, uzun boylu, başının sağ tarafında yara izi bulunan hâmil-i hâze'l-kitâb Rıdvan b. Abdullah adlı abd-i memlûkünü Allah rızâsı için âzat ettiğini ikrâr ve i'tirâf etti. Artık onun üzerinde âzatlî köleler hakkında efendilerinin sâhib olduğu velâ hakkından başka bir hak kalmadı. Cerâ zâlike ve hurrîre fî't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Mehmed b. Habîb, Hüseyin b. Behrâm, Ahmed Bey b. Abdullah el-cündî, Ferhad Çavuş fî Dergâh-ı âlî ve gayruhüm

Hüseyin Ağa b. Abdurrahman frees a slave

Summary: The food taster of the Sultan, Hüseyin Ağa b. Abdurrahman appoints a court representative in order to manumit his slave Ridvan b. Abdullah.

Translation: The food taster of the Sultan Hüseyin Ağa b. Abdurrahman below names Ibrahim Bey b. Ahmed as his agent in this manumission decision. The agent of the aforementioned frees the slave who is tall, with wide eyebrows, hazel eyes, and a scar on the right side of his head named Ridvan b. Abdullah; for the appeasement and approval of God it is so decided and proclaimed. Before this no other rights remain. Freedom is to be set for the aforementioned date.

Witnesses to the event: Mehmed b. Habîb, Hüseyin b. Behrâm, Ahmed Bey b. Abdullah el-cündî, Ferhad Çavuş fî Dergâh-ı âlî and others

613 [58a-5] Musa Çavuş b. Hüseyin'in kölesi olduğunu iddia ettiği

Mehmed b. Abdullah'ın âzatl olduğu

Şehzâde-i civân-baht -tâle bekâhu- hazretlerinin çakırcıları çavuşu olan Musa Çavuş b. Hüseyin mahfil-i kazâya bâ'isü'l-hurûf orta boylu, kara sakallı, sol elinin baş parmağı maktû' ve iki ayağı mu'avvec ve elinin üstünde eser-i cerâhati olan Mehmed b. Abdullah nâm Arab'ı ihzâr ve mahzarında takrîr-i da'vâ edip merkûm Arab benim abd-i memlûküm iken ibâk etmiş idi hâlen bunda buldum suâl olunup vukû'ı üzre sicil olunmasın taleb ederim dedikde gıbbe's-suâl mezbûr Mehmed cevâb verip vilâyet-i Anadolu'da Akşehir kazâsına tâbi' Küçük Tohoma? nâm karye sâkinlerinden el-Hâc Ömer b. Yusuf nâm kimesnenin kulu olup Ka'be-i Mu'azzama'ya giderken müdebber-i mutlak edip bi emrillâhi te'âlâ yolda vefât ettikde âzâd oldum dedikde mezbûr Mehmed'den takrîrine muvâfık beyyine taleb olundukda udûl-i müslimînden Hızır b. Abdurrahman ve Mehmed b. Musa Fakih nâm kimesneler edâ-yı şehâdet-i şer'iyeye edip fi'lhakîka târih-i kitâbdan on yıl mikdârı vardır mezbûr el-Hâc Ömer Ka'be-i Mükerreme'ye müteveccih oldukda işbu evsâf ile mevsûfe olan Mehmed nâm kulum müdebber olup ben vefât ettikde âzâd olsun dedi ve mezbûre bi emrillâhi te'âlâ yolda vefât etti bu husûsa şâhidleriz şehâdet ederiz dediklerinde ba'de ri'âyet-i şerâiti'l-kabûl hayyiz-i kabûlde vâki' olundukdan sonra mezbûr Mehmed'in itkina hükm olunup ve mâ hüve'l-vâki' bi't-taleb tahrîr olundu.

Regarding the freedom of Mehmed b. Abdullah, who it was claimed was the slave of Musa Çavuş b. Hüseyin

Summary: Musa Çavuş b. Hüseyin, a falconer sergent claimed in the court that his slave Mehmed b. Abdullah had absconded while he was under the ownership of Musa. It was found later that Mehmed had been under a müdebber contract with a man named el- Hâc Ömer who had recently died on the road to pilgrimage in Mecca, thus setting Mehmed free as per the müdebber contract. The court chose to honor the müdebber contract and set Mehmed free despite his having absconded illegally from Musa earlier as a slave.

Translation: The young prince's (blessings upon him) falconer sergeant, Musa b. Hüseyin brings a lawsuit against a middle height, black bearded, upon his left hand the thumb removed, and with two crooked toes, and with a scar upon his hand, an Arab named Mehmed b. Abdullah. "While he was my owned slave he absconded. Now in this I find a problem. I request that a sicil be made over this issue." He was a slave of an individual named el-Hac Omer b. Yusuf, an inhabitant of the village of küçük Tohoma in the kaza of Aksehir in the vilayet of Anadolu. While he [b. Yusuf] was going on the road to the Kaaba at Mecca he died and Mehmed b. Abdullah was set free. Once suitable evidence was provided, third party witnesses named Hızır b. Abdurrahman and Mehmed b. Musa Fakih witness that in truth, Mehmed was under a contract of müdebber with el-Hâc Ömer and that once he [el- Hâc Ömer] had died while on the way to Mecca that Mehmed is to be set free. In these matters that he had died on the road we witness. Let the aforesaid conditions be met with acceptance and an order be given for the manumission of the aforementioned Mehmed upon the agreed upon date.

642 [61a-2] Ömer Bey b. Abdullah'ın, kölesini âzat ettiği

Budur ki:

Sipâhi oğlanları zümresinden Ömer Bey [b.] Abdullah tarafından ikrâr-ı âti'zzikre Süleyman b. Abdullah ve Mehmed b. Süleyman şehâdetleriyle sâbitü'l-vekâle olan Hüseyin b. Abdullah mahfil-i kazâda işbu orta boylu açık kaşlı dilinin ucu siyah ve sağ elinin üstünde eser-i cerâhati olan Porteviyyü'l-asl Mübârek nâm Arab mahzarında ikrâr ve takrîr-i kelâm edip müvekkilim mezbûr Ömer Bey evsâf-ı mezbûre ile mevsûfe olan Arab'ı mülkünden âzâd eyledi ba'de'l-yevm sâir ahrâr-ı asliyyîn gibi hür olsun dedikde mukırr-ı mezbûrun vech-i meşrûh üzre vâki' olan ikrârını mukarrun lehü'l-merkûm vicâhen ve şifâhen tasdik edip kayd olundu. Tahrîren fî evâsıtı Zilka'de sene elf.

Şuhûdü'l-hâl: Kıdvetü'l-kuzât Şaban Efendi b. Hamza, Mehmed b. Behrâm,

Hasan b. Sâdık ve gayruhüm

Ömer Bey b. Abdullah frees his slave

Summary: Ömer Bey b. Abdullah set his slave Mübarek free along with a brief description of the slave and some of the standard legal language.

Translation: Ömer Bey b. Abdullah from the group of Sipahi youth declares the following decision with the witnesses of Süleyman b. Abdullah and Mehmed b. Süleyman and the permanent representative of Hüseyin b. Abdullah in the court regarding the Porteviyyü'l-'Arab slave named Mübârek who has medium height, wide eyebrows, a pointed tongue, and upon his left hand a suppurated wound. He [Hüseyin b. Abdullah] says, "I am the representative. Henceforth the previously described 'Arab is manumitted from the property [of Ömer Bey] and is free like all others." The aforementioned declaration was confirmed face to face and verbally to the aforementioned in the manner described.

Witnesses to the event: Kıdvetü'l-kuzât Şaban Efendi b. Hamza, Mehmed b. Behrâm, Hasan b. Sâdık and others.

784 [74b-4, Arapça] İbrahim Bey b. Ramazan'ın, Rus asıllı kölesini âzat ettiği

Sarrâc-ı sultânî İbrahim Bey b. Ramazan, rıkkını i'tirâf eden orta boylu, açık kaşlı, elâ gözlü, Rûsiyyü'l-asl, başında ve omuzunda yara izi bulunan abd-i memlûkü hâmil-i hâze'l-kitâb İskender b. Abdullah'ı Allah rızâsı için âzat ve tahrîr ettiğini meclis-i şer'-i şerîfde ikrâr ve i'tirâf etti. Bundan böyle leh ve aleyhindeki husûslar kendi üzerinde cereyân edecek şekilde hür oldu. Âzatlı köleler üzerinde efendilerin sâhib oldukları velâ hakkından başka mezbûr İskender'in üzerinde hiçbir hak kalmadı.

Cerâ zâlike ve hurrîre fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Mahmud Halîfe b. Ahmed el-imâm, Ali Halîfe b. Mahmud elimâm,
Mehmed b. Behrâm, Mehmed b. Sinan ve gayruhüm

Ibrahim Bey b. Ramazan frees his Russian slave

Summary: İbrahim Bey b. Ramazan frees his Russian slave Alexander. A brief description of Alexander is given and it is then noted that İbrahim has declared verbally to the court that no man may have power over him as a slave.

Translation The saddler of the Sultan, İbrahim Bey b. Ramazan orally confesses and declares to the shari'a public court that his slave İskender b. Abdullah who has scars on his head and on his shoulders is for the enjoyment of God set free. From this in matters both for and against he is in a situation of freedom in all matters regarding himself. None shall have right over the aforementioned İskender just as other masters have none over other freed slaves. He was freed upon the aforementioned date.

Witnesses to the event: Mahmud Halîfe b. Ahmed el-imâm, Ali Halîfe b. Mahmud elimâm,
Mehmed b. Behrâm, Mehmed b. Sinan and others

868 [83a-4] Hüseyin b. Ömer'in kölesini âzat ettiği

Budur ki:

Saliç nâm karye sâkinlerinden Hüseyin b. Ömer nâm kimesne mahfil-i kazâda işbu orta boylu açık kaşlı elâ gözlü sarı sakallı Bosnaviyyü'l-asl Durmuş b. Abdullah nâm kimesne mahzarında takrîr-i kelâm edip bundan akdem mezbûr Durmuş babam Ömer'in kulu olup hâl-i hayâtında on iki yıl vermiş andan hâlâ müddeti tamâm oldu mülkümüzden âzâd olup sâir ahrâr-ı asliyyîn gibi hür olsun dedikde mukırr-ı mezbûru vech-i meşrûh üzre vâki' olan ikrârını mezbûr

Durmuş vicâhen ve şifâhen tasdîk edip mâ vaka‘a bi’t-taleb tahrîr olundu.

Tahrîren fî evâili Muharremi’l-harâm sene ihdâ ve elf.

Şuhûdü’l-hâl: Mahmud Bey [b.] Abdullah er-râcil, İsmail Bey [b.] Abdullah, Ali

b. Hamza, Mehmed b. Hasan, Mehmed b. Behrâm

Hüseyin b. Ömer frees his slave

Summary Hüseyin b. Ömer frees a slave that was in his fathers service for twelve years declaring that the full period of service had been performed

Translation: An individual named Hüseyin b. Ömer from a village named Salıç gave utterance regarding a slave of medium height wide eyebrows hazel eyes and blonde hair Bosnian stock named Durmuş b. Abdullah in the public court. “Durmuş had been my father’s slave and in his life served twelve years but from here on has completed the period of servitude. Let him be free from us as property. Let him be free like all others.” The aforementioned declaration which is done verbally and face to face was given to the aforementioned Durmuş upon the requested date.

Witnesses to the event: Mahmud Bey [b.] Abdullah er-râcil, İsmail Bey [b.] Abdullah, Ali b. Hamza, Mehmed b. Hasan, Mehmed b. Behrâm

946 [92b-1] Deli Pîrî’nin, Hüseyin Ağa et-Tavâşî’nin kölesini sipâhilik vadiyle kandırdığı

Merhûm ve magfûrun-leh Hüsrev kethüdâ ağalarından fahrü’z-zu‘emâ

Hüseyin Ağa et-Tavâşî mahfil-i kazâda kendi abd-i memlûkü olan emred

Rûsiyyü’l-asl Piyâle b. Abdullah mahzarında takrîr-i merâm edip sekiz gün mukaddem

Kostantiniyye’de berber dükkânı işlerken gâib olup hâlâ Üsküdar’da

Tarabefzunlu İbrahim Çavuş’un evinde buldum keyfiyet-i hâl suâl olunmasın

taleb eylerim dedikde gibbe’s-suâl mezbûr Piyâle cevâb verip İbrahim Çavuş’un

âdemlerinden Deli Pîrî derler bir herif dükkâna gelir giderdi beni sipâhi ede

deyu ayartıp götürüp üç gün evinde saklayıp sonra mezbûr İbrahim Çavuş'a gösterip sabah sabah gidip gece gece gelip yatırtıp ve yine İbrahim Çavuş hizmetkârlarından Ferruh ve Dergâh-ı âlî çavuşlarından olup yine onunla bile olan Pîrî Çavuş mezbûr Divâne Pîrî evvel gelmezdi oğlanı ayartıldan beri gelip gelip bunda yatar oldu yoksa İstanbul'da durur vâlidesi dahi anda dediği mezbûr Hüseyin Ağa talebiyle kayd olundu.

Şuhûdü'l-hâl: Mehmed Bey [b.] Yusuf, Ali Bey [b.] Abdullah el-cündî, Piyâle el-cündî, Ferhad, Hasan Bey [b.] Abdullah ve gayruhüm

Deli Pîrî causes the slave of the eunuch Hüseyin to stray from his employment with the proposition of becoming a sipahi

Summary: A Russian boy who is enslaved to a eunuch of the court is given employment in a barbershop in Istanbul. While he should be here his master finds him absent and further that he had been spending time with the footsoldiers of Ibrahim Çavuş who had convinced the boy that he could become a Sipahi and thus lured him away from his barbershop work.

Translation: Hüseyin Ağa the eunuch who is among the stewards of the deceased and honored Hüsrev made a statement of intention in the public court regarding his young beardless Russian slave named Piyale b. Abdullah. "Eight days previously he was found absent from working in a barber shop in Konstantiniyye. I found him in the house of İbrahim Çavuş of Trabzon. I request that there be no question regarding the disappearance." The aforementioned Piyale replied in the post examination. [Piyale's reply] "It is known that Deli Pîrî is among the men of İbrahim Çavuş. He was a fellow that came and went from the shop and took and lured me away under the promise of becoming a Sipahi. Three days after he was hidden away in the house he was shown to the aforementioned İbrahim Çavuş. He came early in the morning and went late in the night and laid down. Piri Çavuş who was again with him and is among the servants of İbrahim and of the sergeants of the Court of the Sultan did not come before the

aformentioned Divane Pîrî. Since luring the youth he arrived several times and lied that he was with his mother. It is recorded at the request of Hüseyin Ağa.

Witnesses to the event: Mehmed Bey [b.] Yusuf, Ali Bey [b.] Abdullah el-cündî, Piyâle el-cündî, Ferhad, Hasan Bey [b.] Abdullah and others.

1036 [99a-1] Kaçak kölelerin satış ücretlerinin devlete ait olduğu

Mefâhirü'l-kuzât ve'l-hükkâm me'âdinü'l-fezâyil ve'l-keâm müzâhiru's-şerâyi' ve'l-ahkâm Kocaeli mukâta'ât müfettişi vilâyet-i mezbûre kadıları -zîde fazluhum-tevkî'-i refî'-i hümayûn vâsıl olıcak ma'lûm ola ki Yusuf nâm kimesne Dergâh-ı sa'âdetime gelip arzihâl sunup Kocaeli sancağında vâki' mensûh piyâde yerlerin ve sâirde ahz olan abd-i âbıkın fûruht-ı mîrînin müjdesin sâhib-i arza hâsıl kayd olmağla ba'zı zu'emâ ve erbâb-ı tîmar ve çavuşlar ve sancakbeyleri ve subaşıları fûruht dahi bizimdir deyu vilâyet defterine muhâlif dahl ve ta'arruz etmekle mîriye küllî gadr etmekden hâlî değillerdir men' ve def olunmak bâbında emr-i şerîf ricâ ederim deyu bildirdi buyurdum ki hükm-i şerîfimle vardıkda husûs-ı mezbûra mukayyed ve bî-garaz ahâl-i vukûfdan hak ve adl üzre tefîş ve tefahhus edip göresiz fi'l-vâki' kazıyye i'lâm olunduğu gibi olup livâ-i mezbûrede vâki' mensûh yerlerinde ve gayrıda ahz olan abd-i âbıkın fûruht mîrînin iken ol makûle erbâb-ı tîmar ve zu'emâ ve çavuşlar ve sancakbeyi ve kethüdâları ve subaşıları fûruht etmek istedikleri mukarrer ise men' ve def edip min-ba'd kânûn-ı kadîmeye muhâlif ettirmeyip ahz olan abd-i âbıkın müjdesin cânib-i mîrîden sâhib-i arza verip müddet-i örfiyyesin tamâm olduktan sonra şart-ı iltizâmı üzre cânib-i mîrîden fûruht ettirip hâsıl olan akçesin bi't-tamâm ve'l-kemâl mîrî için emîn-i mezbûra zabt ve kabz ettirip sâir emvâl-i hâssa ile Der-i sa'âdetime irsâl ve Hızâne-i âmire idhâl ettirip emr-i şerîfime muhâlif bî-vech dahl etmek isteyen subaşıları ve sâirlere mufassal ve meşrûh yazıp bildiresin husûs-ı mezbûrda mukayyed olup emr-i âhar irsâline muhtâc eylemeyesin şöyle bilesin alâmet-i şerîfeye i'timâd kılasın.

Tahrîren fi'l-yevmi'l-âşir şehri Ramazâni'l-mübârek sene elf.
Be-makâm-ı Kostantiniyye

The sale price of a sold slave goes to the state

Summary: An official order from Istanbul for provincial officials to cease stealing from the general court fund.

Translation: An individual named Yusuf came to my felicitous threshold and submitted a petition, that because the [monetary reward for bringing?] news of the state's sale of recaptured escaped slaves* on mensuh piyade areas and other places is recorded as accruing to the possessor of the land, some zeamet-holders and timariots and çavuşes and sancak beys and subaşı are also contradicting the provincial registers by claiming [the profits of] the sale, thus harming [the rights of] the state. In order to bring an end to this, he informs us that he requests an imperial order. I have ordered that when he arrives with my command, the above-mentioned issue be investigated in a fair and just manner by people with the requisite knowledge, and if the matter is indeed as it was said to be, then the profits from the sale of escaped slaves captured in the mensuh areas of the aforementioned province or anywhere else, insofar as they are due to the state, if that manner of timariots and zeamet-holders and çavuşes and sancak beys and kethüdas and subaşı are indeed claiming them, let this be brought to an end. Henceforth let them not do anything contrary to the ancient law; let the müjde of captured escaped slaves be given to the possessor of the land by the state, and after the customary period is complete, in accordance with the terms of the [tax farm's] undertaking, let them be sold by the state, and the resulting money be taken in full for the state by the aforementioned emin, and along with other imperial demesne incomes be sent to my felicitous threshold and entered into the imperial treasury. Write a description of those subaşı or others who would seek to unjustly contradict my order and inform me of them. Take heed of this matter, do not make it necessary for another order to be sent.

1094 [105b(2)-1] Kaçan Gürcü asıllı köle Kurd'un, Veli Bey

b. Abdullah'ın hizmetinde yakalandığı

Yayabaşları zümresinden olup bi'l-fi'l mahrûse-i Üsküdar'da eşkiyâ zâbiti olan fahrü'l-eşbâh Behrâm Yayabaşı b. Abdullah mahfil-i kazâya orta boylu, kara kaşlı, kara gözlü, sol kulağının altında yarası olup evvel Kurd ismi ile müsemmâ iken hâlen Ferru[h] nâm olur Gürciyyü'l-asl oğlanı ihzâr ve husûs-ı âti'z-zikre emîrû'l-ümerâi'l-kirâm sâbıkan Şâm-ı şerîf beylerbeyisi olan Mehmed Paşa b. Sinan Paşa hazretleri tarafından Bayezid Bey b. Abdullah er-râcil şehâdetleriyle sâbitü'l-vekâle olan Veli Bey b. Abdullah mahzarında takrîr-i merâm edip mezbûr Kurd benim abd-i müşterâm iken Şark seferinden gelirken Sivas'ta firâr etmiş idi hâlâ mûmâileyh hazretlerinin hazînelerinde buldum şer'le kulum taleb ederim dedikde gıbbe's-suâl mezbûr Veli Bey fi'l-vâki' mezbûr oğlanı sâhib-i sa'âdet'e Sivas'ta gelip ol zamândan beri hizmet eder vâkıf-ı mezbûrun kulu ise alsın dedikten sonra merkûm oğlan dahi fi'l-hakîka mezbûr yayabaşı efendimdir mülkünden ibâk ve firâr eyledim deyu tâyi'an ikrâr eyledikten sonra teslîm olunup mâ vaka'a kayd şud.

Şuhûdü'l-hâl: Fahrü'l-akrân Ali Subaşı [b.] Ahmed, Hasan Bey Silahdâr, Ali Bey Silahdâr, Mehmed b. Behrâm, Hüseyin [b.] Behrâm, Sefer b. Abdullah, Mustafa b. Mehmed

Kurd the escaped Georgian slave escaped from Veli Bey b. Abdullah whilst in his service

Summary: A Georgian slave absconds from one master only to enter into service under another. The court rules against the former master and the Georgian stays with his new one.

Translation: Proud and glorious Behram Yayabaşı b. Abdullah who was a commander from among soldiery of the city of Üsküdar declared before a court regarding an average

hight, black eyebrow, black eyed Georgian slave with a scar below his left ear. The slave previously was under the name of Kurd but it is proclaimed that he is now Ferruh. He made a statement of intent in court with the agency of the commander of commanders and Serif of Syria Mehmed Pasa b. Sinan and with the witness of a man named Bayezid Bey and with the permanent representative Veli Bey b. Abdullah. [Yayabaşı b. Abdullah states] “While the aforementioned Kurd was my purchased slave and while I was on a journey to the east in Sivas, he fled.” He said, “I found him among the treasures of the aforementioned sirs. I request my slave in accordance with the şaria.” In the post examination the aforementioned Veli Bey said, “Indeed, I came to be the happy owner of the aforementioned youth in coming to Sivas.” He had been serving him since that time.

Witnesses to the event: Fahrü'l-akrân Ali Subaşı [b.] Ahmed, Hasan Bey Silahdâr, Ali Bey Silahdâr, Mehmed b. Behrâm, Hüseyin [b.] Behrâm, Sefer b. Abdullah, Mustafa b. Mehmed

1125 [108b-4] Müstedâm Bey'in kaçak köle yakaladığı

Üsküdar'da zâ'imü'l-vakt olan Müstedâm orta boylu açık kaşlı köse sakallı Müstedâm nâm kimesneyi mahfil-i kazâya ihzâr edip mezbûr yavadan suâl olunsun dedikde Kara (...) ma'rûf Muhyiddin nâm kimesnenin kuluyum beni bundan (...) Çelebi nâm şahsın velensesi bizde idi (...) teslîm eyle deyu beni bunda gönderdi (...) tarîk ile cevâb vermeğin kelimâtı (...) ecilden tahrîr olundu. Şuhûdü'l-hâl: Mehmed b. Behrâm, Mehmed b. Habîb, (...)

The capture of Müstedam Bey's escaped slave

Translation: Müstedam, a za'im whose estate is in Üsküdar summons before the court regarding his average height, wide eyebrowed, beardless slave named Müstedam. He said, “let there be an inquiry of the stranger.” Kara [...] said “I am the slave of an individual named Muhyiddin.” After the [...] an individual named Çelebi was with us

[...] was delivered and sent to me [...] gave an answer in this way [...] the date was postponed.

Witnesses to the event: Mehmed b. Behrâm, Mehmed b. Habîb [...]

Commentary: a za‘îm was a holder of an Ottoman fiefdom. Essentially it was a tax farm granted to heads of the Ottoman cavalry. In exchange for going on campaign when requested and maintaining provincial order these cavalry men were given the right to exact taxes on the local population and the grant was highly sought.²¹³

1161 [113a-3, Arapça] Ayşe bt. Süleyman’ın, Bosna asıllı kölesini âzat ettiği

Ayşe bt. Süleyman kıbelinden aşağıda zikri geçecek âzat ikrârına vekâleti Ahmed b. Mustafa ve el-Hâc Kurd b. Beşir’in şehâdetleriyle sâbit olan vekîl fahrü’l-akrân Hüseyin Bey b. Abdullah, müvekkile-i mezbûresinin köse, açık kaşlı, elâ gözlü, iki kaşı üzerinde yara izi bulunan Bosna asıllı abd-i memlûkü hâmil-i hâze’l-kitâb Musa’yı Allah rızâsı için âzat ve tahrîr ettiğini ikrâr etti. Vâki‘ ikrâr mezbûr Musa tarafından vicâhen ve şifâhen tasdîk edildi.

Şuhûdü’l-hâl: Mehmed b. İsa en-neccâr, Sefer b. Abdullah, Şemseddin [b.] Sâdık, Mustafa b. Mehmed, Turgud b. Turmuş

Ayşe bt. Süleyman frees her Bosnian slave

Translation: In the manumission decision to be mentioned, Hüseyin Bey b. Abdullah exalted among his peers, acted as the permanent representative for Ayşe bt. Süleyman with the witness of Ahmed b. Mustafa and el- Hâc Kurd b. Beşir. The slave Musa who is sparsely bearded, wide eyebrowed, with hazel eyes, with a scar above his eyebrows,

²¹³ Picard, Élizabeth, “Za‘îm”, in: *Encyclopaedia of Islam, Second Edition*, Edited by: P. Bearman, Th. Bianquis, C.E. Bosworth, E. van Donzel, W.P. Heinrichs.

Bosnian slave is set free for the appeasement of God and the date recorded. The decision was confirmed to the aforementioned Musa personally and face-to-face.

Witnesses to the event Mehmed b. İsa the carpenter, Sefer b. Abdullah, Şemseddin [b.] Sâdık, Mustafa b. Mehmed, Turgud b. Turmuş

1163 [113a-5] Mustafa b. Hasan ile Musa b. İshak'ın, kölelerini kandırdığı iddiasıyla Kasım b. Abdullah'a dava açtıkları

Mahrûse-i Galata hâricinde sâkin Müeyyedzâde mahallesinden el-Hâc Mustafa b. Hasan ve el-Hâc Musa b. İshak mahfil-i kazâda emîrû'l-ümerâi'l-kirâm Tiflis beylerbeyisi olan Cafer Paşa âdemlerinden Kasım b. Abdullah mahzarında da'vâ edip bundan akdem mezbûr Kasım b. Rıdvan ve Cafer nâm kullarımız ayarttı şer'le suâl olunmasın taleb ettim dediklerinde vâki' hâl mezbûr Kasım'dan suâl olundukda inkâr edip beyyine taleb olundukda Nurullah b. İbrahim ve İbrahim b. Ali ve Hüseyin b. Ali ve Gâzi b. Mehmed b. Abdullah nâm Müslümanlar li ecli'ş-şehâde meclis-i şer'-i şerîfe hâzırûn olup paşa-yı müşârunileyh mahrûse-i mezbûreye tâbi' Yeniköy nâm karyede sâkin iken mezbûr Kasım zikr olunan Rıdvan'ı ve Cafer'i karye-i mezbûreye getirdi ba'dehû mezbûrân el-Hâc Mustafa ve el-Hâc Musa gelip mezbûr kulları alıp gittiler karye-i mezbûreye getirdiğinde biz hâzırdık şehâdet ederiz dediklerinde ba'de ri'âyet-i şerâiti'l-kabûl hayyiz-i kabûlde vâki' olup ba'dehû merkûm Cafer mersûm Kasım mahzarında da'vâ edip mezbûr beni ayartmadı zamânında efendim el-Hâc Musa'nın dokuz yüz elli akçesini getirmiş idim mezbûra verdim şer'le taleb ederim deyip mezbûr Kasım inkârıyla cevâb verip alâ vukû'ihî kayd-ı sicil olundu.

Târih-i mezbûr.

Şuhûdü'l-hâl: Sâbikûn

The lawsuit which Mustafa b. Hasan and Musa b. İshak have brought against Kasım b Abdullah with the claim that he deceived and seduced their slaves

Summary: One of the men of the commander of the city garrison for some unknown reason convinced two slaves under two different masters to come to his neighborhood. The masters were distraught and followed him and took the slaves back, lodging a complaint in the court.

Translation: el-Hac Mustafa b. Hasan and el-Hac Musa b. Ishak who dwell on the outskirts of Galata in the neighborhood of Mueyyedzade bring a lawsuit in the public court against Kasim b. Abdullah who is among the men of the generous commander of commanders, Cafer Pasa. They [Mustafa b. Hasan & Musa b. Ishak] said “let there be no question as to the wickedness with which he seduced our slaves, the aforementioned Kasim b. Ridvan and Cafer.” In truth when the aforementioned Kasim was questioned, he denied. When he requested evidence the muslims Nurullah b. İbrahim ve İbrahim b. Ali ve Hüseyin b. Ali ve Gāzi b. Mehmed b. Abdullah were present in the court with cause. While living in the following village of Yenikoy the aforementioned Kasim brought the aforementioned Ridvan and Cafer to the aforementioned village. Afterwards the aforementioned Hac Mustafa and Hac Musa came and took the aforementioned slaves. They said, “we witnessed that when he brought them to the aforementioned village we readied ourselves.” One in the space of respecting the rules afterwards Cafer and Kasim brought a lawsuit in courth that they were not seduced astray of me. At that time I brought 950 akces of el-Hac Musa and gave to the aforementioned. He said, “I accept this wickedness” The aforementioned Kasim answered with denial. The aforementioned date.

Witnesses to the event: The competent Muslims of the community

1168 [113b-4, Arapça] Rus asıllı kaçak kölenin sahibine iade edilmesi

İşbu kitâb-ı şer‘inin tahrîri ve inhâsının sebebi şudur ki
Udûl-i müslimînden mahrûse-i Üsküdar mahallâtından Solak Sinan mahallesinden
Mehmed b. Süleyman ve yine mahrûse-i mezbûre mahallâtından Bulgurlu

mahallesinden Mehmed b. Nuh ve yine mahrûse-i mezbûre mahallâtından Toygar Hamza mahallesinden İsmail b. Numan ve yine mahrûse-i mezbûre mahallâtından Serçe Hâce mahallesinden el-Hâc İlyas b. Pîr Ali nâm kimesneler, hâssa korucuları zümresinden bâ'is-i tahrîr-i hâze'l-kitâb Mustafa b.

Mehmed'den sâdır olan da'vâ-yı sahîha-i şer'iiyyede gıbbe'l-istişhâd nakil ve tahvil için şöyle şehâdet ettiler ki, hâlen Gelibolu kasabasında sâkin Hızır Çelebi yedinde bulunan orta boylu, sarışın, elâ gözlü, bir pazusu mecrûh, Rûsiyyü'lasl Behrâm b. Abdullah nâm köle aslında müdde'î-i mezbûrun abd-i âbıkıdır ve onun mülkiyetindedir. Müdde'î-i merkûma vasıfları yukarıda zikredilen abd-i memlûkünü herhangi bir şekilde mülkiyetinden çıkarmadığına yemîn verilmesinin ve şâhitlerin şehâdetlerinin ba'de şerâiti'l-kabûl inde'ş-şer' mu'teber ve makbûl olmasının ardından mûcebince hükmedildi. Hakikat-i hâl, gıbbe'ttaleb ve's-suâl kasaba-i mezbûre hâkim-i adline ve diğere gönderilmesi gereken yerlere inhâ olundu.

Cerâ zâlike ve hurrîre fî evâili Rebî'ülevvel sene elf mine'l-hicreti'n-nebeviyye.

Şuhûdü'l-hâl: Üveys b. Hasan, Nur Dede? b. Ferruh

The return of a fugitive Russian slave to his master

Summary: A slave was returned to his master and reprimanded by the court to not attempt any further escapes. If a punishment was provided it does not appear in the register.

Translation: The documentary evidence and official memorandum of the sacred şaria provided the reasons that:

It is in the registers of this book and the reasons of this official memorandum that:

Third party, Muslim, witnesses Mehmed b. Suleyman of the Solak Sinan district of the neighborhood of Üsküdar, and also Mehmed b. Nuh of the Bulgarian district of the aforementioned neighborhood, and also Ismail b. Numan of the Tygar Hamza district of the aforementioned neighborhood, and also el-Hac Ilyas b. Pri Ali from the Serce Hacce district of the aforementioned neighborhood, they witnessed in the forthcoming lawsuit against Mustafa b. Mehmed of the Sultan's bodyguards in the truth of the Shari'a and after being asked to witness and for the sake of translation and draft [of this document] they witnessed that: In the case of Hızır Çelebi who lived in Gelibolu neighborhood there was a medium height blonde hazel eyed Russian slave named Behram b. Abdullah with a scar on the back of his leg. The aforementioned was his slave and among his property. The aforementioned described subject who will be mentioned below was necessarily ordered to be taken under oath to not leave in anyway from the aforementioned's property after the testimony of the witnesses.

1217 [119a-1] Şeyh Ömer'in âzat olan kölesi Cafer'e, Şeyh Ömer'in borç verdiği altınları oğlunun istediği

(...) istintâk olundukda fi'l-vâki' ben merkûm Mustafa'nın babası mezkûr Şeyh Ömer'in abd-i müşterâsı idim ve beni yüz otuz sikke kırmızı altın kitâbete dahikesip kendi hayâtda zikr olunan yüz yirmi kırmızı altın dahi yedine teslîm eyledim deyu cevâb verdikden sonra itaknâme ibrâz edip nazar olundukda mazmûnunda mezbûr Cafer merkûm Mustafa'nın babası mezkûr Şeyh Ömer'in abd-i memlûkü olup vech-i meşrûh üzre kitâbete kesilip mâl-ı kitâbeti edâ eylemek ile âzâd olduğu münderic olup lâkin mezbûr Mustafa'nın babası merkûm Şeyh Ömer mezkûr Cafer'e elli kırmızı altın karz verip mezbûr Cafer zikr olan elli kırmızı altını alıp kabz eylediği zikr olan itaknâmede münderic olmağın mezbûr Mustafa dahi merkûm Cafer'den mezkûr elli altını talep eyledikde ânı dahi efendim mezbûr Şeyh Ömer'e verip edâ eyledim deyu cevâb vermeğın edâsına beyyine talep olunup beyyineden âciz olmağla mezkûr Mustafa'ya zikr olunan elli altını mezbûr Cafer babası mesfûr Şeyh Ömer'e edâ eylediğın bilmediğine merkûm

Cafer talebiyle yemîn teklîf olunup yemîn billâh eylemeğın zıkr olunan elli altın mezbûr Cafer'den hükm olunup mâ vaka'a gıbbe't-taleb ketb olundu.

Fî evâili Saferi'l-muzaffer sene elf.

Şuhûdü'l-hâl: Şeyh Maksud b. Şemseddin, Musa Çelebi b. Hoca Hasan, Hasan b. Sâdık, Hüseyin b. Behrâm, Mehmed b. Behrâm, Sefer b. Abdullah, havâle şud.

Derkenar: Müsveddede kalmamağın bu mahalle yazıldı.

The son of Şeyh Ömer wants the gold debt that was given to Ömers freed slave Cafer

Summary: A slave and his late master's son dispute over an amount of money loaned while he was still alive.

Translation: I was the purchased slave of Ömer the father of Mustafa and it was written that [in his own life? Upon his death?] that I [kitabete dahikesip] 130 red gold coins. I handed over the mentioned 130 red gold coins plus seven more. After providing the response I showed the itikname (document of manumission) which was guaranteed in the view of the court that the aforementioned Cafer was the owned slave of the aforementioned Omer. It was nullified in the court in the manner described and the payment was made in the financial register. It was written that he was free but that the aforementioned father of Mustafa, Omer loaned Cafer 50 red gold coins. It was requested from the aforementioned Cafer in the aforementioned writ of manumission that the aforementioned amount was seized. [Cafer] I gave the amount to my master, I made the payment.

In the first part of the month of Safer of the year 1000

Witnesses to the Event: Şeyh Maksud b. Şemseddin, Musa Çelebi b. Hoca Hasan, Hasan b. Sâdık, Hüseyin b. Behrâm, Mehmed b. Behrâm, Sefer b. Abdullah, havâle şud.

Derkenar: Müsveddede kalmamağın bu mahalle yazıldı.

Post Script:

1231 [121a-2] Ölen Serefraz'ın yetimlerine âzath kölesi İlyas

b. Mustafa'nın vasî tayin olduğu

Oldur ki

Müteveffiye-i merkūmenin mu'takı olan fâhrü'l-akrân İlyas b. Mustafa nâm kimesne yetūmenin havâyicine vasî nasb olundu.

Şuhûdü'l-hâl: Mehmed Subaşı, Said Hoca, Ahmed b. Mehmed, el-Hâc Ali b.

Mustafa, Fâyik b. Abdullah

The orphans of the deceased Serafraz are turned over to the guardianship of his freed slave İlyas b. Mustafa.

Translation: It was set up so that the needs of the aforementioned deceased's orphans shall be entrusted to his freed slave, and individual named İlyas b. Mustafa, who is considered equal in these matters.

Witnesses to the event: Mehmed Subaşı, Said Hoca, Ahmed b. Mehmed, el-Hâc Ali b.

Mustafa, Fâyik b. Abdullah

1255 [123b-1] Rus asıllı kaçak köleye nafaka tayin edilmesi

Oldur ki

İşbu Pîrî b. Hasan nâm kimesne yedinden uzun boylu, çatık kaşlı, koyun elâ gözlü, sol çenesinde eser-i cerâhatli ve sol elinde eser-i cerâhatli, göğsü denkli, Rûsiyyü'l-asl Şîrmerd nâm abd-i âbık sene elf Rebî'ülâhiri'nin on dördüncü günü yevmî beşer akçe nafaka ta'yîn olunup nefsi Üsküdar'da ve beytūlmâl

emîni olup ve kasaba-i mezbûrede subaşı olan Müstedâm Bey'e teslim olunmak
üzerinde bir ak kebe ve bir kır aba ve bir kır şalvar abasıyla
Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Hüsrev Bey er-râcil, Hüseyin, Hasan el-muhzır, Şemseddin elmuhzır,
Mehmed b. Behrâm

Derkenar: Cebeciler zümresinden Ebûbekir b. Hasan nâ'ib eyledi (...) Yusuf
ve Mustafa Bey b. Abdullah şehâdetleriyle ve kendiye edâ ve teslim eyledikleri
evâili sene elf.

Şuhûdü'l-hâl: es-Sâbikûn

An upkeep is allocated to an escaped Russian slave

Translation: So it is that:

In the case of an individual named Pîrî b. Hasan that on the 14th day of Rebî'ülâhir of the
year 1000 that a Russian slave named Şimerd absconded. He is tall, with one long,
continuous brow, green and hazel eyes, with a scar upon the left side of his jaw and upon
his left hand also, he is barrel chested. Upon the request of the subaşı Müstedâm Bey, an
upkeep of five akçe daily was evaluated and allocated from the public treasury of the
people of Üsküdar and once he was delivered to Müstedâm Bey he was given a white felt
scarf, a grey woolen jacket, and grey şalvar trousers.

Witnesses to the event: Hüsrev Bey er-râcil, Hüseyin, Hasan el-muhzır, Şemseddin
elmuhzır, Mehmed b. Behrâm

Post script: Ebûbekir b. Hasan from among the armorers acted as a substitute judge (...)
and with the witness of Mustafa Bey b. Abdullah and Yusuf recused himself in the first
months of the year 1000.

1256 [123b-2] Rus asıllı kaçak köleye nafaka tayin edilmesi

Budur ki

Hasan b. Hamza yedinden uzun boylu, açık kaşlı, sol kaşı üstünde ur yeri ve arkasında ve başının ardında eser-i cerâhati olup Rûsiyyü'l-asl Ali nâm emredi mahfil-i kazâya ihzâr edip mezbûr rıkdır suâl olunsun deyicek mezbûrdan suâl olundukda Ahmed Çavuş nâm kimesnenin abd-i müşterâsıyım dediği kayd-ı sicil olundu işbu yevmî üçer akçe nafaka takdîr olundu yanında on bir guruş ve altmış beş akçe bulundu.

Hurrire fi 2 Rebî'ulâhir.

Şuhûdü'l-hâl: Mehmed Bey, Sefer b. Abdullah, Muttalib b. Süleyman

A captured Russian slave is allocated an upkeep

Translation: It is that:

Hasan b. Hamza declared to the public court that his beardless, young, Russian slave named Ali had absconded. He was tall, wide-eyebrowed, with a scar upon his left brow and on the back of his head and that the aforementioned is a slave. Once there was a question from the aforementioned, he said, "let there be a question". It was recorded by the owned slave of an individual named Ahmed Çavuş. The bounty upon him shall be three per day and with him 15 guruş and 65 akçe.

Hurrire fi 2 Rebî'ulâhir

Witnesses to the event: Mehmed Bey, Sefer b. Abdullah, Muttalib b. Süleyman

1257 [123b-3, Arapça] Rus asıllı kaçak kölenin sahibine teslimi***

Silahdârândan Ali Bey b. Abdullah ve Hüseyin b. İshak, zavâbıt-ı avâbıkdan Müstedâm Bey b. Abdullah mahzarında, Keyvan Ağa b. ()'den sâdır olan da'vâ-yı sahiha-i şer'iyede gıbbe'l-istişhâd şöyle şehâdet ettiler ki, şırâ-i şer'î ile da'vâlnın yedinde bulunan orta boylu, açık kaşlı, elâ gözlü, Rûsiyyü'l-asl

Ali b. Abdullah adlı abd-i âbık onun mülküdür, mülkünden kaçmıştır. Da‘vâcı onu herhangi bir şekilde mülkiyetinden ihrâc etmemiştir. Şehâdetleri ba‘de şerâiti’l-kabûl inde’ş-şer‘ mu‘teber ve makbûl oldukdan sonra mûcebince hükmedildi. Şuhûdü’l-hâl: Müstecâb b. Mustafa, Osman Bey b. Abdullah, Muttalib b. Süleyman, Muslu el-kâtib

A fugitive Russian slave is handed over to his master

Summary: Ali Bey b. Abdullah and Huseyin b. Ishak confirms to the court that he had not legally manumitted his runaway Russian slave

Translation: Ali Bey b. Abdullah and Hüseyin b. İshak of the Master-at-Arms* in the court with Mustedam Bey b. Abdullah (...) in the correctness of the şeriat was asked to come forth as a witness and after this they witnessed that the Russian runaway slave of medium height with hazel eyes and wide eyebrows was his [Ali Bey b. Abdullah] and that he absconded from his belongings. The plaintiff under no circumstances manumitted [expulsed* ihrac] the slave from among his belongings. It was decreed [into law] after the witnesses had considered and accepted the terms as required.

Witnesses to the event: Müstecâb b. Mustafa, Osman Bey b. Abdullah, Muttalib b. Süleyman, Muslu el-kâtib

1258 [123b-4] Kaçak kölenin sahibine teslim edilmesi

Dergâh-ı âlî yeniçerilerinden Mustafa Yeniçeri yedinden orta boylu, kara sakallı, (...) tülbenti ile arkasında boz balıkçı kebesiyle içinde ak aba ile Mercan nâm (...) âbıktır suâl olunsun dedikde ba‘de’s-suâl mezbûr Mercan benim efendim orta (...) Yusuf nâm koyun erinin kulu idim mülkünden ibâk eyledim bir aydan ziyâdedir (...) firâr edeli dediği kayd-ı sicil olundu.

Fî 15 Cemâziyelâhir sene elf.

Şuhûdü'l-hâl: Mehmed b. Habîb, Mehmed b. Behrâm, Attâr Hasan ve gayruhüm
Derkenar: İbrahim Paşa mahallesinden Haydar Bey b. Abdullah? nâm kimesne
benimdir deyip Mehmed Çelebi b. Pîrî ve (...?) b. Mehmed nâm kimesneler
şehâdetleireyle sâbit olup hükm-şüd.

A fugitive slave is handed over to his master

Summary: This sicil is missing several significant pieces but it regards a slave named Mercan who belonged to a member of the Janissary corps and absconded for over a month but was caught outside of a village.

Translation: In the case of Mustafa the Janissary who is among the guards of the court there is a [absconded slave] by the name of Mercan who is of medium height and black haired. Upon his back [unknown] is wrapped in a guaze. Underneath his weathered fisherman's jacket he wears a white scarf. He said, "Let there be a question."(...) in the post-questioning [orta...presumably the beginning of a description] the aforementioned Mercan was my master(...) A villager named Yusuf, I was his slave. I absconded from among his property for over a month (...) It is recorded in the sigil that he took flight on the 15th of Cemâziyelâhir in the year 1000

Witnesses to the Event: Mehmed b. Habîb, Mehmed b. Behrâm, Attâr Hasan ve
gayruhüm

Derkenar: İbrahim Paşa mahallesinden Haydar Bey b. Abdullah? nâm kimesne
benimdir deyip Mehmed Çelebi b. Pîrî ve (...?) b. Mehmed nâm kimesneler
şehâdetleireyle sâbit olup hükm-şüd.

1259 [123b-5] Macar asıllı kaçak köleye nafaka tayin edilmesi

Yusuf b. Nasûh yedinden yava nâmıyla ahz olunan işbu koyun elâ gözlü, orta boylu, çatık kaşlı, Macariyyü'l-asl kösecü'l-lihye uzun yenli ferâceli başında kabalaklı ak aba çakşır ve içinde yakalı yeşil zıbınlı Şîrmerd nâm gulâm meclis-i şer' de rıkkını i'tirâf eylemeğin yevmî dörder akçe nafaka takdîr olunup mahrûse-i Üsküdar Subaşı Müstedâm Bey'e teslim şud.

Evâil-i Receb ().

Şuhûdü'l-hâl: Muttalib b. Süleyman, Hasan b. Sâdık, Sefer b. Abdullah, el-Hâc Uğurlu b. Mustafa

A fugitive Hungarian slave is allocated an upkeep

Translation: In the case of Yusuf b. Nasûh, an Hungarian slave of average height, beetle-browed, with a sparse beard named Şîrmerd was proved in the Şaria court to be a slave and had upon his person a long sleeved, woolen coat, a white shirt, and green woolen trousers. He was evaluated and allocated for his upkeep four akçe daily and was delivered to Müstedâm Bey in the neighborhood of Üsküdar.

In the first ten days of the month of Receb

Witnesses to the event: Muttalib b. Süleyman, Hasan b. Sâdık, Sefer b. Abdullah, el-Hâc Uğurlu b. Mustafa

1260 [123b-6] Kaçak köleye nafaka tayin edilmesi

Budur ki

İşbu âbık Recebi'l-müreccebin yirmi üçüncü gün Aydın Bey el-cündî işbu orta boylu ve kırmızı ferâce ile içinde siyahlı alaca ve kırmızı alaca karışık ile Çeşm-i Siyâh nâm Arab câriyesi rikkadır deyu mahfil-i kazâya getirip mezbûre dahi ibâkına (...) yevmî dörder akçe nafaka takdîr olunup mahrûse-i Üsküdar zâbiti

olan Müstedâm (...) hüve'l-vâki' bi't-taleb tahrîr olundu.

Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Seyyid Nizami b. Seyyid Hüseyin, Mehmed b. Behrâm, Muttalib

b. Süleyman, Sefer b. Abdullah

Yedinde bir mikdâr hurde inci ile saf yağı bulunup subaşına teslîm olundu.

Şuhûdü'l-hâl: es-Sâbikûn

A fugitive slave is allocated an upkeep

Translation: On the 23rd day of Receb Aydın Bey el-cündî brought a fugitive Arab slave named Black Eye to the court due to him being his slave. The slave was of average height, with a red coat and a garment with mixed red and white stripes. It was proven (...) and an upkeep of four daily was allocated by the commander of the capitol Üsküdar [garrison/court] Müstedâm [Bey] (...) it was recorded on the aforementioned date.

Witnesses to the event: Seyyid Nizami b. Seyyid Hüseyin, Mehmed b. Behrâm, Muttalib b. Süleyman, Sefer b. Abdullah

In this case a small amount of oil was found on the line. This was conveyed to the subaşı.

Witnesses to the event: es-Sâbikûn

1261 [124a-1] Porteviyyü'l-asl kaçak kölenin sahibine teslim edilmesi

Sicill-i mezbûrda zikr olunan orta boylu Porteviyyü'l-asl Çeşm-i Siyâh nâm

Arab benimdir deyu mahrûse-i Kostantıniyye'de Sinan Paşa mahallesi

sâkinlerinden Selim b. Mahmud nâm kimesne benimdir deyip Süleyman b.

Abdullah ve Osman b. Abdullah nâm kimesneler şehâdetleriyle sâbit olduktan sonra mâ vaka'a kayd olundu.

Şuhûdü'l-hâl: Mehmed Subaşı, el-Hâc b. Ali, el-Hâc Mahmud b. Sinan, Hürrem

Beşe b. Abdullah, Ferhad b. Abdullah

A Portevi fugitive slave is delivered to his master

Translation: An individual named Selim b. Mahmud from the city of Constantinople said that the medium height, Arab slave from Portevi named Black Eye was mine and individuals named Süleyman b. Abdullah and Osman b. Abdullah gave witness. After the proof was given the event was recorded.

Witnesses to the event: Mehmed Subaşı, el-Hâc b. Ali, el-Hâc Mahmud b. Sinan, Hürrem Beşe b. Abdullah, Ferhad b. Abdullah

1262 [124a-2] Bosna asıllı kaçak köleye nafaka tayin edilmesi

İşbu Nesimi b. İbrahim yedinden açık kaşlı, gök elâ gözlü, köse sakallı, orta boylu, sivri burunlu, içinde iki ak abayla ve siyah aba çakşır ile ve Bosnaviyyü'l asl üzerinde yine siyah aba ile Pablo nâm gulâm rıkı [ve] ibâkın ikrâr eyleyecek Müstedâm Bey'e teslim olunup yevmî dörder akçe nafaka ta'yîn olundu.
Şuhûdü'l-hâl: Mehmed Yayabaşı, Hasan Şah b. Memi Şah, Receb Demirtaş, Mehmed b. Behrâm, Muttalib b. Süleyman

A fugitive Bosnian slave is allocated an upkeep

Translation: Captured by the hand of Nesimi b. İbrahim was an escaped, young, Bosnian slave named Pablo with wide eyebrows, hazel and blue eyes, a sparse beard, and was of medium height with a pointed nose with a black, woolen coat on his person. It was decided to return him to bondage and he was delivered to Müstedam Bey and a forty akçe daily upkeep was allocated for him.

Witnesses to the event: Mehmed Yayabaşı, Hasan Şah b. Memi Şah, Receb Demirtaş, Mehmed b. Behrâm, Muttalib b. Süleyman

1263 [124a-3] Bosna asıllı kaçak köleye nafaka tayin edilmesi

İşbu yine mezbûr Nesimi yedinden işbu açık kaşlı, gök gözlü, orta boylu, tıraş kaba bıyıklı içinde aba zıbın ve üzerinde siyah aba kaba ve ayağında () Petro nâm gulâm Bosnaviyyü'l-asl rık ve ibâkın meclis-i şer' de i'tirâf etmeğin Müstedâm Bey'e teslim olup dörder akçe yevmî nafaka ta'yîn olundu. Fi't-târihi'l-mezbûr. Şuhûdü'l-hâl: es-Sâbikûn

A fugitive Bosnian slave is allocated an upkeep

Translation: Therefore in the case of the aforementioned Nesimi, a Bosnian slave named Petro with wide eyebrows, blue eyes, of medium height, and a coarse shave has on his person a coarse woolen cloak and is wearing a black woolen cloak. On his foot [...]. It was reported before the shari'a court and before Müstedâm Bey that he had absconded. He was delivered to Müstedâm Bey and an upkeep of four akçe daily was allocated. On the aforementioned date.

Witnesses to the event: the religious leaders and important persons

1264 [124a-4] Kaçak kölelerin sahibine teslim edilmesi

Zıkr olunan iki kul sadrû'l-vüzerâi'l-izâm zahr-ı () Sinan Paşa hazretlerinin nehc-i şer'le vekîlleri olan Yusuf Ağa b. Abdülmennân tarafından gelen Mehmed b. Ahmed nâm kimesne da'vâ edip ba'de'l-inkâr Sinan b. Resûl ve Hüseyin b. Abdullah nâm kimesneler şehâdetleriyle mezbûr Mehmed'e teslim olundu.

Şuhûdü'l-hâl: Hüseyin Usta b. İbrahim, Mehmed Subaşı, Hüseyin b. Abdullah, Şemsi Bey ve Ahmed Emin.

A fugitive slave is returned to his master

Translation: The two slaves who are mentioned [...] The Chief among the vezirs Sinan Paşa allocated a representative, Yusuf Ağa b. Abdülmennân who sent Mehmed b. Ahmed to the court with this case. After the evaluation individuals named Sinan b. Resûl and Hüseyin b. Abdullah gave witness and the aforementioned [slaves] were delivered to Mehmed.

Witnesses to the event: Hüseyin Usta b. İbrahim, Mehmed Subaşı, Hüseyin b. Abdullah, Şemsi Bey ve Ahmed Emin.

Commentary: "Yusuf... tarafından gelen" refers to Mehmed b. Ahmed being sent by Yusuf to come to the court with the case.

1265 [124a-5] Kaçak köleye nafaka tayin edilmesi

İşbu açık kaşlı, gök gözlü, sol kolu üzerinde üç aded dögmeli Hasan nâm gulâm mahkeme-i şerîfede rık ve ibâkına mu‘terif lâciverd dolama ve lâciverd çakşır ve başında kavuk üzerinde bulunur iken Müstedâm Bey’e teslim olundu yevmî beşer akçe nafaka takdîr olundu.

Fî 23 Şa‘bâni’l-mu‘azzam sene elf.

Şuhûdü’l-hâl: Haydar Efendi, Sefer b. Abdullah, Murtaza Bey b. () ve Müstecâb b. Mustafa, gayruhüm

A fugitive slave is allocated an upkeep

Translation: It was acknowledged before the Sharia court that a wide-eyebrowed, blue eyed slave named Hasan with three tattoos on his left arm was a slave and absconded. He has on his person a navy-blue jacket, navy-blue trousers, and upon his head a quilted

turban. He was delivered to Müstedâm Bey and a bounty of five akçe per day upkeep was allocated. On the 23rd day of Şa’ban

Witnesses to the event: Haydar Efendi, Sefer b. Abdullah, Murtaza Bey b. () ve Müstecâb b. Mustafa, and others

1266 [124a-6] Kaçak kölenin sahibine teslim edilmesi

Zikr olunan evsâf ile mevsûfe olan Hasan bâ’isü’l-kitâb Dergâh-ı âlî çavuşlarından fahrü’l-akrân Ahmed Çavuş b. Ömer’indir mülkünden ibâk eyledi deyu Mustafa b. Musa ve Abdülgani b. Abdülcelîl nâm kimesneler şehâdetleriyle Müstedâm Bey mahzarında sâbit olup kayd olundu.

Tahrîren fi’t-târihi’l-mezbûr.

Şuhûdü’l-hâl: Sefer Efendi Toyran, Mehmed b. Habîb, Sefer b. Abdullah ve gayruhüm

A fugitive slave is returned to his master

Translation: The man being described with the mentioned qualities named Hasan [ba’isul kitab] belongs to Ahmed Çavuş b. Ömer, peerless among the sergeants of the Sultan’s court. Individuals named Mustafa b. Musa and Abdülgani b. Abdülcelil witnessed that he had absconded from among the property of Ahmed Çavuş. It was recorded in the court and proved before Müstedâm Bey. On the aforementioned date.

Witnesses to the event: Sefer Efendi Toyran, Mehmed b. Habîb, Sefer b. Abdullah, and others

1267 [124a-7] Gürcü asıllı kaçak köleye nafaka tayin edilmesi

İşbu Musli yedinden açık kaşlı, gök elâ gözlü, ensesi yaralı, orta boylu, Gürciyyü’lasl

üzerinde ak abalı ve elinde bir gök kaftanı var ve içinde bir köhne kaftanlı Sefer nâm gulâm rık ve ibâkına i'tirâf etmeğin yevmî dörder akçe nafaka takdîr olunup Müstedâm Bey'e verildi.

Fî 3 Ramazân.

Şuhûdü'l-hâl: Cafer b. Mustafa, Ali b. Abdullah Bey, Sefer b. Abdullah, el-Hâc İlyas b. Yunus ve gayruhüm

A fugitive Georgian slave is allocated an upkeep

Translation: In the case of Musli, it was reported in court that a Georgian slave named Sefer who had wide eyebrows, blue and hazel eyes, was of medium height, with marks of a wound on the back of his neck absconded. He wore a coarse, white, woolen jacket and a blue kaftan. He had in his possessions a worn out kaftan. A sum of four akçe per day was evaluated and was given to Müstedam Bey for the slave's upkeep.

On 3 Ramadan

Witnesses to the event: Cafer b. Mustafa, Ali b. Abdullah Bey, Sefer b. Abdullah, el-Hâc İlyas b. Yunus, and others

1268[124a-8] Kaçak kölenin sahibine teslim edilmesi

Kostantıniyye'de Üsküblü Câmii kurbunda mütemekkin el-Hâc Kasım b. Abdullah tarafından oğlu Bekir Müstedâm Bey'in vekîli Hasan b. Hamza mahzarında zikr olunan evsâfla mevsûf olan kul müvekkilim el-Hâc Kasım'ındır taleb ederim deyip gıbbe's-suâl ve akîbe'l-inkâr müdde'î-i merkûmun da'vâsına muvâfık Şîrmerd b. Abdullah ve Hüsrev b. Abdullah nâm kimesneler şehâdet eylediklerinde hayyiz-i kabûlde vâki' olup mâ vaka'a kayd olundu.

Şuhûdü'l-hâl: Hüsrev b. Abdullah, Şemseddin b. Sâdık, Mehmed Çelebi b. Hacı ve gayruhüm

A fugitive slave is returned to his master

Translation: el-Hâc Kasım b. Abdullah, a settler in the proximity of Üsküblü mosque in the Kostantıniyye district, his son Bekir Müstedam Bey's representative in court in Hasan b. Hamza and declares that the mentioned slave with the mentioned qualities belongs to el-Hâc Kasım. When individuals named Şîrmerd b. Abdullah ve Hüsrev b. Abdullah witnessed these events and all was followed in accordance with the Sharia, a sicil was made here.

Witnesses to the event: Hüsrev b. Abdullah, Şemseddin b. Sâdık, Mehmed Çelebi b. Hacı and others

1269 [124a-9] Kaçak kölenin Üsküdar subaşısına teslim edilmesi

Mübârek Ramazân'ın on yedinci günü orta boylu kıvırcık sakallı Yakut nâm kulu arkasında beğlik dolama ve beyaz aba köhne çakşır ve başında tülbent ve kolon kuşak ile Dergâh-ı âlî yeniçerilerinden Derviş Yeniçeri'nin getirip ibâkına mu'terif olmağın yevmî dörder akçe nafaka takdîr olup mahrûse-i Üsküdar Subaşısı Müstedâm Bey'e teslim olup kayd olundu.

Şuhûdü'l-hâl: Mehmed Beşe Çukadâr, Muttalib b. Süleyman, Hasan b. Hamza ve gayruhüm

A fugitive slave is handed over to the police superintendent of Üsküdar

Translation: On the seventh day of the holy month of Ramadan a slave named Yakut of middle height with a curly beard and with a [beğlik] coarse coat on his back and a white worn out coat, and on his head a [tülbent] and around his waist a sash was brought forward by Derviş Yeniçeri of the Sultan's court. It was reported that he absconded and a bounty of four akçe per day was assessed. It was recorded that he was delivered to Subaşısı Müstedâm Bey of the Üsküdar court.

Witnesses to the event: Mehmed Beşe Çukadâr, Muttalib b. Süleyman, Hasan b. Hamza, and others

1270 [124a-10] Kaçak kölenin sahibine teslim edilmesi

Mübârek Ramazân-ı şerîf'in on yedinci gün orta boylu, kıvrıcık sakallı Yakut nâm Arab tutulup zâbıta deyu Müstedâm Bey b. Abdullah nâm kimesnede emânet olunmuş idi hâlâ mahmiye-i İstanbul'dan Avrat Bâzârı mahallesinden kayın atası Behmen Bey tarafından vekâleti nehc-i şer'î ile olan Ferruh b. Abdullah huzûrunda Osman b. Abdullah el-cündî ve Dilaver Bey b. Abdullah şehâdetleriyle vekâleti sâbite olduktan sonra vekâlet taleb edip mezbûrun müvekkili olan Behmen Bey'in mülkü olup ve mülkünden ibâk ettiğine mu'terif olup mezbûrlar şehâdet etmeğın teslîm olunup bi't-taleb sebt-i sicil olundu. Tahrîren fî evâsıtı Ramazâni'l-mübârek li sene elf.

A fugitive slave is handed over to his master

Translation: On the seventh day of the holy month of Ramadan a black [slave] named Yakut was captured. Once he was restrained he was entrusted to an individual named Müstedâm Bey b. Abdullah. His father in law, Behmen Bey from the Avrat market neighborhood in Istanbul appointed Ferruh b. Abdullah in the way of the Sharia in his presence. Osman b. Abdullah el-cündî and Dilaver Bey b. Abdullah witnessed this and it was requested that he be made the permanent representative. The [slave] was the property of the aforementioned settler Behmen Bey and it was reported to the court and witnessed by the aforementioned [individuals] that the slave absconded and was then delivered. It is recorded in this sicil.

The date is the holy month of Ramadan in the year 1000

1271 [124b-1] Boğdan asıllı kaçak kölenin Müstedâm Bey'e teslim edilmesi

Budur ki

Orta boylu, açık kaşlı, sarı sakallı, Boğdaniyyü'l-asl Balaban nâm kul bundan akdem Karahisar'da sâkin olan Ahmed Yeniçeri'nin kulu olup firâr etmiş idim Eskişehir'de ahz eylediler deyu ibâkına mu'terif olıcak Müstedâm Bey'e teslim olunup kayd olundu.

Tahrîren fi'l-yevmi's-sânî ve'l-ısrîn min şehri Ramazâni'l-mübârek sene elf.

Şuhûdü'l-hâl: Mehmed Subaşı yayabaşı, Mehmed b. Behrâm, Mustafa b.

Mehmed ve gayruhüm

An escaped Moldavian slave is delivered to Müstedâm Bey'e

Translation: The Bosnian slave named Balaban who was of medium height, with wide eyebrows, and a blonde beard was formerly the slave of Ahmed the Janissary in Karasihar. "I ran away." They captured him in Eskişehir and his absconding was reported to Müstedam Bey and he was then delivered. It is recorded here.

In the holy month of Ramadan of the year 1002

Witnesses to the event: Mehmed Subaşı yayabaşı, Mehmed b. Behrâm, Mustafa b. Mehmed, and others

1272 [124b-2] Kaçak kölenin sahibine teslim edilmesi

Budur ki

Zikr olunan kulu Dergâh-ı âlî yeniçerilerinden Mehmed Bey, Karahisar'dan Ahmed Bâşe'nin olup firâr eylemiş idi deyu şer'a getirip teslim eylediği kayd olundu.

Şuhûdü'l-hâl: es-Sâbikûn

A slave is handed over to his master

Translation: It is recorded here that the mentioned slave fled from Ahmed Bâşe from Karahisar and was brought to the court and delivered to Mehmed Bey of the Janissaries of the Sultan.

Witnesses to the event: the aforementioned

1273 [124b-3] Rus asıllı kaçak köleye nafaka tayin edilmesi

Sene elf Ramazânı'nın yirmi dördüncü günü Dergâh-ı âlî yeniçerilerinden Hürrem Beşe başında beyaz astar ve arkasında siyah kır aba arkasında gök gömlek ile orta boylu kara sakallı gök gözlü Rûsiyyü'l-asl Balaban nâm abd-i âbık meclis-i şer'a getirip mezbûr dahi ibâkına mu'terif olmağın mahrûse-i Üsküdar Subaşısı Müstedâm Bey'e teslim olunup ve târih-i kitâbdan yevmî dörder akçe nafaka takdîr olunup ve mâ hüve'l-vâki' bi't-taleb tahrîr olundu.

Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Ahmed Efendi el-mülâzım, Mehmed b. Habîb, Mehmed b.

Behrâm ve gayruhüm

A fugitive Russian slave is allocated an upkeep

Translation: On the 24th day of the month of Ramadan in the year 1002 Hürrem Beşe of the Janissaries of the Sultan brought before the Shari'a court a runaway Russian slave named Balaban who was of medium height, with a black beard, blue eyes, with a white cap on his head and on his back a white coarse woolen coat, and a blue shirt. Once it was acknowledged that he absconded he was delivered to the Subaşısı Müstedam Bey and it was recorded that a bounty of 4 akçe per day was assessed. It was done on the requested date.

The date was the aforementioned date.

Witnesses to the event: Ahmed Efendi el-mülâzım, Mehmed b. Habîb, Mehmed b. Behrâm, and others

1274 [124b-4] Kaçak köleye nafaka tayin edilmesi

Sene elf Ramazânı'nın yirmi sekizinci günü Ahmed b. Budak nâm kimesne kestane doru kancık göğsünde dağlı bir katırcı katırı Kadıköyü sınırında ahz eyledim sâhibi nâ-ma'lûmdur dedikte fi'l-hakîka sâhibi olmamağın karye-i mezbûre zâbiti Mahmud Sofu nâm kimesneye teslîm olunduğu bi't-taleb tahrîr olundu ve yevmî dörder akçe nafaka takdîr olunmuşdur. Şuhûdü'l-hâl: Ahmed Efendi el-müstaid, Mehmed b. Habîb, Şemseddin b. Sâdık ve gayruhüm

A fugitive Russian slave is allocated an upkeep

Translation: On the 28th day of Ramadan in the year 1000 an individual named Ahmed b. Budak said, "I captured a [rude, treacherous, evil woman[?]] on the outskirts of the village of kadıköy. Her master was was unknown." It was recorded and requested that he/she be delivered to someone who is not her true master, an individual named Mahmud Sofu and an upkeep of 4 akçe per day was assessed.

Witnesses to the event: hmed Efendi el-müstaid, Mehmed b. Habîb, Şemseddin b. Sâdık, and others.

1275 [124b-5] Gürcü asıllı kaçak köleye nafaka tayin edilmesi

İşbu sene elf Şevvâli'nin dokuzuncu günü Cihâne bt. Minnet nâm hâtun kara kaşlı, kara gözlü Gürciyyü'l-asl İlyas arkasında yeşil dolama kırmızı arakiyye beyaz tiftik kuşak, lâciverd çakşır, başının sol yanında eser-i cerâhatli, emred gulâmı meclis-i şer'â getirip ibâkına mu'terif olıcak târih-i kitâbdan yevmî dörder akçe nafaka takdîr olunup mahrûse-i Üsküdar Subaşı Müstedâm Bey'e teslîm olduğu kayd olundu.

Şuhûdü'l-hâl: Mehmed Bey Çukadâr, Hasan b. Sâdık el-muhzır, Receb Çavuş Dergâh-ı âlî, Mustafa b. Memi ve gayruhüm

A fugitive Georgian slave is allocated an upkeep

Translation: On the 9th day in the month of Şevval a woman named Cihâne bt. Minnet brought before the shari'a court a Georgian slave named İlyas who was dark haired, with dark eyebrows. Upon his back he had a coarse, green, woolen coat, a red, felt cap, a white, mohair belt, a blue woolen cloak, and upon the left side of his head was a scar. It was recorded that he had absconded and a four akçe per day upkeep was assessed. He was delivered to the Subaşı Müstedâm Bey of the Üsküdar court. It was recorded here.

Witnesses to the event: Mehmed Bey Çukadâr, Hasan b. Sâdık el-muhzır, Receb Çavuş, Dergâh-ı âlî, Mustafa b. Memi, and others.

1276 [124b-6] Kaçak kölenin sahibine teslim edilmesi

Budur ki

Dergâh-ı âlî müteferrikalarından Sinan Ağa b. Abdülmennân tarafından Yusuf b. Abdullah ve Süleyman b. Abdullah şehâdetleriyle sâbitü'l-vekâle olan kulu Çavuş b. Haydar nâm kimesne mahfil-i kazâda Müstedâm Subaşı mahzarında da'vâ edip işbu evsâf ile mevsûfe olan İlyas müvekkilim mezbûr Sinan Ağa'nın

olup mülkünden ibâk etmişdir dedikde gıbbe's-suâl ve akîbe'l-inkâr şâhidân-ı mezbûrân şehâdetleriyle zikr olunan kul mezbûrun idiği sâbit olıcak mezbûre teslîm olunup ve mâ hüve'l-vâki' tahrîr olundu.

Tahrîren fî evâsıtı Şevvâli'l-mükerrem sene elf.

Şuhûdü'l-hâl: Yahya Çelebi el-müstaid, Mustafa b. Müstecâb, Mehmed b.

Mustafa ve gayruhüm

Derkenar: Yevmî dörder akçe nafaka ile.

Derkenar: Mehmed Çelebi'nin olduğu el-Hâc Musa ricâ.

A fugitive slave is handed over to his master

Translation: Sinan Ağa b. Abdülmennân from among the müteferrikalar sent out his slave Çavuş b. Haydar with the witness of Yusuf b. Abdullah and Süleyman b. Abdullah and brought a case to Müstedâm Subaşı. Çavuş b. Haydar said, "I am the representative of Sinan Ağa, the owner of Ilyas, the described slave who absconded from among his [Sinan Ağa] property." Afterward with the witness of the aforementioned the mentioned slave was delivered to the aforementioned and the events were recorded.

In this month of Şevval in the year 1000.

Witnesses to the event: Yahya Çelebi el-müstaid, Mustafa b. Müstecâb, Mehmed b. Mustafa and others.

Postscript: a daily upkeep of four akçe was allocated

Postscript: el-Hâc Musa requested that he was Mehmed Çelebi's

1277 [124b-7] Rus asıllı kaçak köleye nafaka tayin edilmesi

İşbu sene elf Şevvâli'nin on üçüncü günü Mustafa nâm yeniçeri yedinden arkasında beyaz aba içinde kır aba dolama ve kır aba şalvar başında tülbent ile uzun boylu, köse sakallı, açık kaşlı gök elâ gözlü ön dişi kesik Rûsiyyü'l-asl Hüsrev nâm abd-i âbıkı mahfil-i kazâya getirip merkûm kul idiğine i'tirâf edicek yevmî dörder akçe nafaka takdîr olunup zâbıt-ı âbık olan Müstedâm Bey'e teslîm olundukda mâ vaka'a bi't-taleb tahrîr olundu.

Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Hasan b. Sâdık, Muttalib [b.] Süleyman, Mehmed b. İbrahim ve Gayruhüm

A fugitive Russian slave is allocated an upkeep

Translation: On the the 13th day of the month of Şevval in the year 1000 in the case of a Janissary named Mustafa there was brought to the court an absconded Russian slave named Hüsreve. He had on his back a white cloak and on his person a dirty clock and a dirty pair of baggy trousers and a turban on his head. He was tall, with a sparse beard, wide eyebrows, hazel blue eyes, and one of his front teeth broken. The aforementioned slave was evaluated to receive 4 akçe per day as an upkeep and when he was delivered to the officer responsible for absconded slaves, Müsteam Bey, it was requested that the event be recorded. The date is the aforementioned date.

Witnesses to the event: Hasan b. Sâdık, Muttalib [b.] Süleyman, Mehmed b. İbrahim and others

1278 [124b-8] Rus asıllı kaçak köleye nafaka tayin edilmesi

İşbu mâh-ı Şevvâl'in on üçüncü günü Ali Beşe nâm yeniçeri yedinden açık kaşlı gök gözlü orta boylu Rûsiyyü'l-asl üzerinde beyaz köhne kebeli Şems nâm gulâm rikk-ı ibâkına i'tirâf etmeğin Müstedâm Bey'e yevmî dörder akçe nafaka ta'yîn olunup teslîm olundu.

Şuhûdü'l-hâl: Murad Halîfe, Muttalib b. Süleyman, Hasan b. Sâdık, es-Seyyid Ahmed Efendi, Ahmed Bey

A fugitive Russian slave is allocated an upkeep

Translation: on the 13th day of the month of Şevval in the case of a Janissary named Ali Beşe there was a Russian gulam named Şems who had blue eyes, was of medium height, and on him was a white, worn, jacket. The slave was delivered to Müstedam Bey who evaluated the upkeep at 4 akçe per day and it was allocated.

Witnesses to the event: Murad Halife, Muttalib b. Süleyman, Hasan b. Sâdık, es-Seyyid Ahmed Efendi, Ahmed Bey

1279 [124b-9] Rus asıllı kaçak köleye nafaka tayin edilmesi

İşbu târih-i mezbûrdan yine merkûm Ali Beşe yedinden orta boylu, açık kaşlı, sarı gözlü, sakalsız, Rûsiyyü'l-asl üzerinde kır abalı, başında siyah takye Vetko nâm gulâm rikk-ı ibâkına meclis-i şer' de i'tirâf etmeğin mezbûru Müstedâm Bey'e teslîm olunup yevmî dörder akçe nafaka ta'yîn olundu.

Şuhûdü'l-hâl: es-Sâbikûn

A bounty is issued for an escaped Russian slave

Translation: And so from the aforementioned date and in the case of the aforementioned Ali Beşe that a Russian slave of average height, with yellow eyes, a bald head, with a grey cloak on upon himself and a black takye* (belt) upon his head whose name is Vetko. It was stated to the aforementioned Müstedam Bey in the court of the şaria that this man was proven a slave. A four akçe daily bounty has been allocated.

Witness to the event: es-Sâbikûn

1280 [124b-10] Kaçak kölenin sahibine teslim edilmesi

Oldur ki

İşbu sıfat ile mevsûf olan iki aded gulâm kasaba-i Mudurnu'dan el-Hâc Mahmud b. Seydî benimdir deyip fahrü'l-kuzât Mehmed b. Mustafa ve Abdurrahman Çelebi b. el-Hâc Mahmud nâm kimesneler şehâdet eylediklerinde mâ vaka'a kayd olundu.

Şuhûdü'l-hâl: Bekir b. Şaban, Ali b. Mustafa, Hızır b. İlyas, Musa b. Mustafa, İlyas Bey el-cündî

A fugitive slave is handed over to his master

Translation: So it is that:

el-Hâc Mahmud b. Seydî from the town of Mudurnu said regarding the two gulam described with the mentioned attributes, "They are mine". When the event was witnessed by exemplar among the judges, individuals named Mehmed b. Mustafa and Abdurrahman Çelebi, the event was recorded.

Winesses to the event: Bekir b. Şaban, Ali b. Mustafa, Hızır b. İlyas, Musa b. Mustafa, İlyas Bey el-cündî

1282 [125a-2] Kaçak köleye nafaka tayin edilmesi

İskender nâm yeniçeri yedinden işbu açık kaşlı, gök gözlü, sağ kolunda, eser-i cerâhatli, kısa boylu tahmînen on beş yaşında İkbâl nâm gulâm rık [ve] ibâkına mu'terif oldukda yevmî ikişer akçe nafaka takdîr olundu Müstedâm Bey'e verildi. 27 Şevvâlü'l-mükerrem sene elf.

Şuhûdü'l-hâl: Hasan b. Hamza, Mehmed b. Mustafa, Ferhad b. Abdullah ve Gayruhüm

A fugitive slave is allocated an upkeep

Translation: So it is in the case of a wide-eyebrowed, blue eyed, short height, Janissary boy of approximately fifteen years named İskender with a wound upon his left arm that when a slave named İkbâl confessed to his [İskender's] absconding that a two akçe daily upkeep was evaluated and the slave was delivered to Müstedâm Bey.

On the 27th of the holy month of Şevval in the year 1002

Witnesses to the event: Şuhûdü'l-hâl: Hasan b. Hamza, Mehmed b. Mustafa, Ferhad b. Abdullah and others

1283 [125a-3] Boğdan asıllı kaçak kölenin sahibine teslim edilmesi

Budur ki

Kırk ikinci bölükde silâhdârlar zümresinden olup yevmî on altı akçe ulûfeye mutasarrıf olan Kenan b. Abdullah mahfil-i kazâda Müstedâm Bey mahzarında da'vâ edip mezbûrun yedinde olan orta boylu, sarı sakallı, Boğdaniyyü'l-asl, Şîrmerd nâm kul benim mülküm olup mülkünden ibâk etmişdir taleb ederim dedikde mezbûr dahi beyân eylesin dedikde udûlden Yusuf b. Abdullah ve Derviş b. Mustafa nâm kimesneler edâ-yı şehâdet-i şer'iyeye edip zikr olunan evsâf ile mevsûfe olan kul mezbûr Kenan'ın mülkü olup mülkünden ibâk etmişdir bu husûsa şâhidleriz şehâdet ederiz dediklerinde ba'de ri'âyet-i şerâiti'l-kabûl hayyiz-i kabûlde vâki' oldukdan sonra zikr olunan kulu âhara bey'etmeyip ve hibe etmeyip ve bir vechile mülkünden ihrâc etmediğine yemîn verildikten sonra zikr olunan kul mezbûra hükm olunup ve mâ hüve'l-vâki' tahrîr olundu.

Tahrîren fî evâili Şevvâl sene elf.

Şuhûdü'l-hâl: Hasan [b.] Sâdık, Mehmed b. Mustafa er-râcil, Diğer Mustafa b.

Abdullah er-râcil, Mehmed Bâşe er-râcil ve gayruhüm

A fugitive Moldavian slave is turned over to his master

Summary: A soldier named Kenan b. Abdullah goes to the court to claim that the Bosnian slave named Şimerd is his and two witnesses are brought forward to confirm his claim. They swear an oath that Kenan never sold or released Şimerd and he is ordered back into the service of Kenan.

Translation: So it is that:

Kenan b. Abdullah, among the 42nd company of Silahdars, who receives a daily stipend of 16 akçe brought forth a lawsuit in the court and in the presence of Müstedam Bey. In his case there was a medium height, blonde bearded, Moldavian slave named Şimerd. [Kenan b. Abdullah] “he is my slave, he absconded from among my property. I request him.” When he said this, he said, “let them speak as well.” Individuals named Yusuf b. Abdullah and Derviş b. Mustafa from among the competent and disinterested Muslims performed their duty to the Shari’a and said, “we witness that the slave with the described characteristics is Kenan’s and absconded from among his property. In this matter we witness. Afterwards they swore that the aforementioned slave had not been sold, gifted, or expelled from among his property and the slave was ordered back and the event was recorded.

The date was in the first part of Shawwal in the year 1000.

Witnesses to the event: Hasan [b.] Sâdık, Mehmed b. Mustafa er-râcil, Diğer Mustafa b. Abdullah er-râcil, Mehmed Bâşe er-râcil and others

1284 [125a-4] Kaçak kölenin sahibine teslim edilmesi

Sicill-i sâbıkda mastûr olan İkbâl’i, Ahmed Efendi el-kadı mahfil-i kazâda Müstedâm Bey mahzarında benimdir mülkümden ibâk etmişdir alıp gibbe’ssuâl ve akîbe’l-inkâr udûlden Abdülhay b. Mehmed ve Nasûh b. Abdi nâm kimesneler

fi'l-hakîka mezbûrân merkûm Ahmed Efendi'nin olup mülkünden
ibâk etmişdir dediklerinde ba'de ri'âyet-i şerâiti'l-kabûl hayyiz-i kabûlde vâki'
olup mâ vaka'a bi't-taleb tahrîr olundu.

Tahrîren fî evâili Zilka'de sene elf.

Şuhûdü'l-hâl: Müstecâb b. Mustafa, Şemseddin b. Sâdık, Mehmed b. İbrahim
ve gayruhüm

A fugitive slave is handed over to his master

Summary: Ahmed claims that an absconded slave is his and the court confirms with witnesses that the slave is his.

Translation: Ahmed Efendi brought a case before Müstedâm Bey regarding the aforementioned [in the previous sicil] İkbâl. "He is mine, he absconded from among my property." Muslims of the community, individuals named Abdülhay b. Mehmed ve Nasûh b. Abdi confirmed truthfully that the aforementioned had indeed fled from among Ahmed Efendi's property. Once everything was done in accordance with the Shari'a it was requested that a sicil be made.

Witnesses to the event: Müstecâb b. Mustafa, Şemseddin b. Sâdık, Mehmed b. İbrahim and others

1285 [125a-5] Gürcü asıllı kaçak kölelere nafaka tayin edilmesi

Sene elf Zilka'desi'nin sekizinci günü Hasan nâm kimesne arkasında lâciverd köhne dolama zıbın ve ayağında lâciverd çakşır ile elâ gözlü, açık kaşlı, zenehdân çukur sol yanağında çiçek eseri olan tahmînen on sekiz yaşında Gürciyyü'l-asl Rıdvan nâm abd-i âbık ile yine arkasında beyaz aba zıbın ve kırmızı harmenik kuşak ve köhne mor çakşır ile kara gözlü, açık kaşlı, Gürciyyü'l-asl Ferhad nâm kul ki tahmînen yedi yaşında ibâklarına mu'terif olmağın yevmî dörder akçe nafaka takdîr olunup karye-i Kadı zâbiti Mustafa'ya teslim olduğu kayd

olundu.

Şuhûdü'l-hâl: Hüseyin b. Behrâm, Sefer [b.] Abdullah, Mehmed b. Hacı,
Mustafa b. Mehmed ve gayruhüm

Derkenar: Nafakaları târih-i mezbûrdan dört gün mukaddem birer mâhiye
nâ'ibi huzûrunda tahrîr olunmuşdur gaflet olunmaya

A fugitive Georgian slave is allocated an upkeep

Summary: Two slaves abscond from the master and are captured by the court where they are allocated an upkeep.

Translation: On the eighth day of Zilka in the year 1000 in the case of an individual named Hasan there were two absconded slaves. An eighteen year old absconded, Georgian slave named Rıdvan with hazel eyes, wide eyebrows, a flower shaped mark on his left cheek, and a dimple, who has on his person a blue headwrap and blue trousers. There is also an absconded Georgian slave named Ferhad who is approximately seven years with black eyes and wide eyebrows. He has on his person a white, coarse, woolen jacket, a red belt and headwrap. A four akçe daily upkeep was allocated to them. It was recorded that they were delivered to the officer of the court, Mustafa of the village of Kadı.

Witnesses to the event: Hüseyin b. Behrâm, Sefer [b.] Abdullah, Mehmed b. Hacı,
Mustafa b. Mehmed and others

Postscript: Let the reader not be unaware that four days before the aforementioned date a monthly upkeep was allocated to each and registered in the presence of the na'ib (deputy judge)

1286 [125a-6] Kaçak kölelerin sahibine teslim edilmesi

Budur ki

Hâlâ kapudan paşa hazretleri olan kıdvetü'l-vezîrû'l-izâm Sinan Paşa hazretleri cânib-i a'lâlarından ve vekîl-i şer'-i olan Kilercibaşı Veli Ağa mahfil-i kazâda karye-i Kadı'dan zâbiti Mustafa Subaşı mahzarında da'vâ edip mezbûrun yedinde olan mezbûrân Rıdvan ve Ferhad müşârunileyhin kulu olup mülkünden ibâk etmişdir dedikde gıbbe's-suâl ve akîbe'l-inkâr udûlden Kemal Bey b. Sinan ve Rıdvan Ağa Aşçıbaşı edâ-yı şehâdet edip fi'l-hakîka mezbûrân kullar müşârunileyhin mülkü olup mülkünden ibâk etmişdir dediklerinde ba'de ri'âyet-i şerâiti'l-kabûl hayyiz-i kabûlde vâki' olup mâ vaka'a kayd olundu. Şuhûdü'l-hâl: es-Sâbikûn

A fugitive slave is handed over to his master

Translation: Honored Sinan Pasa, head of the admiralty and chief among viziers and the representative of the court and head butler Veli Aga brought a lawsuit before the village judge against the officer Mustafa, head of the guard. In the case of the aforementioned, the aforementioned Ridvan and Ferhad were their slaves. It was proved that they were among their property. Kemal Bey b. Sinan and Rıdvan Ağa from among the honored muslims of the community gave witness that these slaves truly were his property. All was done in accordance and in the proper method of the Shari'a and the events were recorded.

Witnesses to the event: the aforementioned

1288 [125b-1] Gürcü asıllı kaçak kölenin subaşıya teslim edilmesi

İşbu uzun boylu arkasında lâciverd zıbın beyaz dimi çakşırlı Gürciyyü'l-asl Mehmed nâm kulu Müstedâm Bey mahfil-i kazâya getirip mezbûr Mehmed kul olup ibâk etmişdir suâl olunsun dedikde gıbbe's-suâl mezbûr Mehmed benim efendim İstanbul'dadır bunda bir husûs için geldim deyicek âbık ihtimâli ile Müstedâm Bey'e teslîm olunup kayd olundu.

Tahrîren fi'l-yevmi't-tâsi' min şehri Zilka'deti'l-harâm sene elf.

Şuhûdü'l-hâl: Hasan b. Sâdık, Muttalib [b.] Süleyman, Şemseddin [b.] Sâdık, Sefer [b.] Abdullah ve gayruhüm

A fugitive Georgian slave is handed over to the police superintendent

Translation: And so Müstedam Bey brought before the public court a Georgian slave and proved that he was his slave. The Georgian slave whose name was Mehmed, was tall and on his person was found an azure blue quilted coat, and white trousers. Let there be an inquiry. In the post questioning, the aforementioned Mehmed said, "My master is in Istanbul, it is because of this matter I came." It is recorded that he was turned over to Müstedam Bey as he was likely a runaway.

Witnesses to the event: Hasan b. Sâdık, Muttalib [b.] Süleyman, Şemseddin [b.] Sâdık, Sefer [b.] Abdullah and others

1289 [125b-2] Gürcü asıllı kaçak köleye nafaka tayin edilmesi

Sene elf Zilka'desi'nin yirmi ikinci [günü] Hüseyin b. Behrâm yedinden orta boylu açık kaşlı elâ gözlü Gürciyyü'l-asl Piyâle nâm kulu arkasında lâciverd dolama ve lâciverd zıbın ve lâciverd köhne çakşır ile ve uzun boylu, çatık kaşlı, iki kulağı delik Gürciyyü'l-asl Keyvan nâm kulu arkasında lâciverd yağmurluk ve köhne cirâslı mor dolama ve beyaz köhne aba çakşır ile Maltepe nâm karye kurbunda ahz eyledim âbıktır dedikde mezbûrlar ibâkına mu'terif olmağın

zâbitü'l-avâbık olan Sefer'in vekîli Hasan b. Sâdık nâm kimesneye yevmî dörder akçe nafaka takdîr olunduktan sonra teslîm olunup ve mâ hüve'l-vâki' tahrîr olundu. Şuhûdü'l-hâl: Ali b. Mehmed, Mustafa b. Pîr Mehmed, Murtaza Halîfe elmüstaid, Hasan b. Hamza ve gayruhüm

A fugitive Georgian slave is allocated an upkeep

Summary: Two slaves captured on the outskirts of Maltepe are allocated an upkeep cost by the court.

Translation: On the 22nd day of Zilka'de of the year 1000 in the case of Huseyin b. Behram there were captured two slaves. One Georgian slave named Piyale was of medium height, had wide eyebrows, hazel eyes, pierced ears, and on his person was found an azure blue jacket, and azure blue coat, and a worn out azure blue trouses. The second was a Georgian slave named Keyvan who was tall, with joined eyebrows, and two pierced ears. On his person was found an azure raincoat and a worn [cirasli], and a purple dolama and white, worn out, woolen trouses. They were captured on the outskirts of a village named Maltepe. It was said that they were slaves. After it was proven and confessed that the aforementioned were slaves a four akce per day upkeep was issued to Hasan b. Sadik. It is recorded here.

1290 [125b-3] Rus asıllı kaçak köleye nafaka tayin edilmesi

Sene elf Zilka'desi'nin yirmi dokuzuncu günü Ali Reis yedinden orta boylu, açık kaşlı, gök gözlü, sarı sakallı, başında eser-i cerâhati ve boynunda eser-i cerâhati olan Rûsiyyü'l-asl Yuvan nâm kul arkasında köhne bir aba kaftan ve zıbın ile ve aba çakşır ile Hereke nâm karye sınırında ahz eyledim, âbıktır deyu mahkemeye götürüp mezbûr dahi ibâkına mu'terif olmağın karye-i mezbûre zâbiti Hacı Mahmud'a yevmî dörder akçe nafaka takdîr olunduktan sonra teslîm olunup ve mâ hüve'l-vâki' tahrîr olundu.

Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Mehmed b. Behrâm, Şaban Efendi el-kadı, Şemseddin b. Sâdık ve gayruhüm

A fugitive Russian slave is allocated an upkeep

Translation: On the 29th day of Zilka of the year 1000 in the case of Ali Reis a medium height, wide eyebrowed, blue eyed, blonde haired Russian slave named Yuvan with a wound both on his head and on his nose was captured on the outskirts of a village named Hereke. On his person was found a worn out kaftan, a quilted jacket, and woolen trousers. He was shown to the public court due to his status as a slave and the aforementioned further proved his confession. The officer of the aforementioned village issued a four akçe per day upkeep. It was thus recoreded on the aforementioned date.

Witnesses to the event: Mehmed b. Behrâm, Şaban Efendi el-kadı, Şemseddin b. Sâdık and others

1291 [125b-4] Rus asıllı kaçak kölenin sahibine teslim edilmesi

İşbu mâh-ı Zilka'de'nin sicill-i sâbıkda mastûr olan Rûsiyyü'l-asl Hüsrev nâm abd-i âbıkı Beybazarı sükkânından Mehmed Çelebi b. Üveys tarafından el-Hâc Musa b. Muharrem da'vâ edip Müstedâm Bey beyân eylesin dedikde udûlden Çelebi b. Üveys nâm kimesneler zikr olunan kul mezbûr Çelebi'nin olup mülkünden ibâk etmişdir dediklerinde ba'de ri'âyet-i şerâiti'lkabûl hayyiz-i kabûlde vâki' olup mâ vaka'a kayd olundu.

Tahrîren fî evâili Zilhicce sene elf.

Şuhûdü'l-hâl: Şaban [b.] Pîrî, Hasan b. Hamza, Mehmed b. Behrâm ve gayruhüm

A fugitive Russian slave is handed over to his master

Translation: And so in the month of Zilka'de in regards to the previously mentioned absconded, Russian slave named Hüsrev, Musa b. Muharrem on behalf of Mehmed

Çelebi b. Üveys brought a case before Müstedam Bey. “let him be sold” he said. Individuals from among the honored Muslims named Çelebi b. Üveys gave witness. “The mentioned slave was the property of Çelebi and absconded from him.” All was done in accordance with and in the proper method of the Shari’a and the event was recorded. The date was the first part of the month of Zilhicce in the year 1000.

Witnesses to the event: Şaban [b.] Pîrî, Hasan b. Hamza, Mehmed b. Behrâm and others

1292 [125b-5] Kaçak köleye nafaka tayin edilmesi

Maltepe nâm karye yasakçısı olan Ali b. Abdullah er-râcil mahfil-i kazâyâ sene elf Zilhiccesi’nin sekizinci günü tahmînen dokuz yaşında başında siyah kürk takyeli köhne gök kaftanlı oğlanı kuldur deyu meclis-i şer‘a getirip âbık ihtimâli ile karye-i mezbûre zâbiti Yahya nâm Yahudi ma‘rifetiyle Muhzır Muttalib’e yevmî dörder akçe nafaka takdîr olunduktan sonra teslim olunduğu kayd olundu.

Şuhûdü’l-hâl: Fahrü’l-ârifîn Mehmed Çelebi, Murtaza Halîfe, Müstecâb [b.]

Mustafa ve gayruhüm

Derkenar: Müddeti tamâm olup satılmasına izin verildi

A fugitive slave is allocated an upkeep

Summary: a slave-catcher finds and brings an unknown boy to the court thinking that he might be a slave. The officer of the village appoints him an upkeep. It is later determined that the court has the right to sell the boy.

Translation: On the eight day of Zilhicce of the year 1000, the slave catcher [yasakçı] of a village named Maltepe brought before the Shari’a court a 9 year old boy on the charge that he might be a runaway slave. He had on him a black tunic and a worn, sky blue kaftan. The officer of the aforementioned village was a Jew named Yahya and allocated for the boy’s upkeep four akçe per day. It was recorded.

Witnesses to the event: Fahrü'l-ârifîn Mehmed Çelebi, Murtaza Halîfe, Müstecâb [b.]
Mustafa

Addendum: the prescribed period had passed, and permission for the slave's sale was given.

Commentary: Both Selim I and Mehmed II mandated policies on courts having to wait ninety days before selling an absconded slave that has been taken into their custody, the waiting period of which was known as the *müddet-i örfesiyye*. We see this ruling reiterated in the *Sakk-i Vehbi* in one of the example court cases. Fugitive slaves were given an upkeep for maintenance and occur in sicils across the Empire.²¹⁴

1293 [125b-6] Kaçak kölenin satılması

Murad b. Gülistan yedinden alını sakar pöçüğü yoluk üzerinde () serili bir doru bârgîr tutulup Müstedâm Bey'e teslim olundu.

Fî 27 şehri Zilhicceti'l-harâm li sene elf.

Yevmî altışar akçe nafaka takdîr olundu.

Şuhûdü'l-hâl: Mehmed Beşe b. Behrâm, Mustafa b. Mehmed, Şaban b. Ali ve gayruhüm

Derkenar: Müddeti tamâm olup kıbel-i şer' den bey'ine izin verildi

Tahrîren fî evâili Rebî'ilâhir li sene ihdâ ve elf

²¹⁴ Akkaya, Mustafa. "Osmanlıda 16. ve 17. Yüzyıllar Arasında Nafaka Uygulamaları ile Satın Alma Gücü Arasındaki İlişki." *History Studies* (13094688) 10.7 (2018). p. 310-312

The sale of a fugitive slave

Translation: In the case of Murad b. Gülistan a stallion was captured and returned. It had a white, hairless patch upon its' head and was chestnut in color. On the 27th of Zilhicce of the year 1000. A six akçe per day upkeep was issued.

Witnesses to the event: Mehmed Beşe b. Behrâm, Mustafa b. Mehmed, Şaban b. Ali and others

post script: The sale was given permission in accordance with the Shari'a and after the completion of the appropriate period [müddet]

The first part [ten days] of the month of Rebî'ilâhir of the year 1000.

Commentary: this sicil was apparently included by mistake.

1294 [125b-7] Kaçak köleye nafaka tayin edilmesi

Vech-i tahrîr-i hurûf oldur ki
Mâh-ı Muharremü'l-harâm'ın üçüncü gün ki yevm-i Cuma'dır İstavros'dan
Ayas Yeniçeri yedinden bir orta boylu, sarı sakallı, arkasında köhne kebe, başında
keçe tâc ve ayağında dolak Hüseyin nâm abd-i âbık tutulup rıkkına mu'terif
olup Muhzır Hasan'a teslîm olunup altı akçe nafaka takdîr olundu.

Tahrîren fî mâ sabak.

Şuhûdü'l-hâl: Hasan Muhtesib, Mustafa el-muhzır, Vehhâb Çelebi ve gayruhüm

A fugitive slave is allocated an allowance

Translation: On the third day of the month of Mûharrem, which was a Friday, a slave was captured. He was of medium height, blonde hair, on his back was a worn out jacket, on his head was a felt hat and on his feet were [dolak] and was in the property of Istavros

who is among the Janissary Corps. Upon his capture he confessed to his status as a slave and was returned by Muhzir Hasan. A 6 akçe upkeep was allocated.

On the aforementioned date.

Witnesses to the event: Hasan Muhtesib, Mustafa el-muhzir, Vehhâb Çelebi and others

1295 [125b-8] Gürcü asıllı kaçak köleye nafaka tayin edilmesi

Oldur ki

Mâh-ı Muharremü'l-harâm'ın üçüncü gün Kurd Beşe yedinden, orta boylu, Gürciyyü'l-asl kırkık sakallı Yusuf Piyâle kul tutulup rık ve ibâkına mu'terif olup arkasında dolama kaba yenli ve sarı uzun yenli dolama tutulup yevmî dörder akçe takdîr-i nafaka olunup bi't-taleb sebt-i sicil olundu.

Tahrîren fî mâ sabak.

Şuhûdü'l-hâl: Mustafa Seydî

A Georgian slave is allocated an upkeep

Translation: On the third day of the month of Mûharrem in the case of Kurd Beşe, his Georgian slave who is of medium height with sheared hair named Yusuf Piyale was captured. It was confessed and proven that he was a slave. On his back was seized a coarse, sleeved tunic and a yellow, long sleeved tunic. An upkeep of four akçe daily was evaluated and allocated and it was requested that a sicil be written.

On the aforementioned date.

Witnesses to the event: Mustafa Seydî

1296 [126a-1] Kaçak kölenin sahibine teslim edilmesi

Sicill-i bâlâda ismi mastûr olan gulâmı silahdârân zümresinden Mustafa b.

Abdullah, Müstedâm Bey'in vekîli olan Hasan b. Hamza mahzarında da'vâ edip

benim mülkümdür ibâk eyledi dedikde Hüseyin Bey [b.] Abdullah, Mahmud b. Hasan nâm kimesneler şehâdetleriyle kayd şud.

A fugitive slave is handed over to his master

Translation: Mustafa b. Abdulla from among the master at arms appointed Hasan b. Hamza as his representative in the court and brought a case against the named slave in the previous sicil. “He is my slave and he absconded.” When he said this, individuals named Hüseyin Bey b. Abdullah and Mahmud b. Hasan gave witness and it was recorded.

1297 [126a-2] Rus asıllı kaçak köleye nafaka tayin edilmesi

Mâh-ı Muharremü'l-harâm'ın dördüncü gün subaşı vekîli olan Mustafa Bey yedinden orta boylu, arkasında yağmurluk ve sol kolu üzerinde üç cevânibde beni olup Rûsiyyü'l-asl ve üç aded sağ kolunda dâğı olup Yusuf nâm kul tutulup rık ve ibâkına mu'terif olup mezbûr Mustafa'ya zabta verilip yevmî dörder akçe nafaka takdîr olundu.

Tahrîren fî mâ sabak.

Hiç nesnem yokdur dediği sicill-i şud.

Şuhûdü'l-hâl: Hasan b. Sâdık, Hüseyin b. Behrâm, Mehmed b. Behrâm ve gayruhüm mine'l-hâzırîn

A fugitive Russian slave is allocated an upkeep

Translation: On the fourth day of the sacred month of Muharrem there was captured by the hand of Mustafa Bey a medium height, Russian slave named Yusuf. He had on his person a raincoat and on his left arm on three sides a tattoo, and on the right arm three brands. He was captured and held by Mustafa Bey and a daily upkeep of four akçe was allocated him.

On the aforementioned date.

“I have no possessions.” He said and it was recorded.

Witnesses to the event: Hasan b. Sâdik, Hüseyin b. Behrâm, Mehmed b. Behrâm and others who were present.

1298 [126a-3] Kaçak kölenin sahibine teslim edilmesi

Hüseyin Kethüdâ b. Abdullah nâm kimesne tarafından nehc-i şer‘le vekâlet-i sâbite olan Osman b. Ali mahfil-i şer‘de Kadıköyü’nün Subaşı Mustafa Yeniçeri mahzarında da‘vâ edip sicill-i bâlâda mevsûf olan kul benim müvekkilimindir deyu da‘vâ edip gıbbe’l-inkâr Muttalib b. Süleyman ve Ahmed b. Mehmed şehâdet edip mâ vaka‘a kayd olundu.
Tahrîren fî evâsıtı Muharremi’l-harâm.
Şuhûdü’l-hâl: Mehmed Subaşı, Ali Çelebi, Ferhad Beşe [the elder]

A fugitive slave is handed over to his master

Translation: An individual named Hüseyin Kethüdâ b. Abdullah with the rightness of the şaria with the permanently appointed representative who is Osman b. Ali brought a lawsuit to the Subaşı of Kadıköy, Mustafa the Janissary. The slave mentioned in the above sicil with the described characteristics is my representative. Afterward Muttalib b. Süleyman and Ahmed b. Mehmed gave witness to the events and it was recorded.

On a date in the middle ten days of the month of Muharrem

Witnesses to the event: Mehmed Subaşı, Ali Çelebi, Ferhad Beşe [the elder]

1299 [126a-4] Rus asıllı kaçak köleye nafaka tayin edilmesi

İşbu uzun boylu, açık kaşlı, sarı sakallı, başının sol yanında eser-i cerâhatli Rûsiyyü’l-asl Bayram nâm kulu arkasında kır kebe zıbın ve kır börk, başında

külâh ile sene ihdâ ve elf Muharremü'l-harâmı'nın on sekizinci günü Ahmed nâm kimesne âbıktır deyu mahfil-i kazâya getirip ibâkına mu'terif olduktan sonra yevmî beş akçe nafaka takdîr olunup mahrûse-i Üsküdar Subaşı Müstedâm Bey'e teslîm olunup ve mâ hüve'l-vâki' tahrîr olundu.

Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Musa Çelebi b. el-Hâc Hasan, Süleyman b. Pîrî, Mustafa b.

Mehmed ve gayruhüm

A fugitive Russian slave is allocated an upkeep

Translation: And so on the 18th day of Sacred Muharrem in the year 1002 that and individual named Ahmed brought a case before the court regarding his Russian slaved named Bayram who is tall, wide-eyebrowed, with blonde hair, and upon the left side of his head is a scar. On his back is a short grey shawl and quilted coat. With a grey felt cap. After he had provided proof [that Bayram was his slave] a daily upkeep of 5 akçe was allocated by the court of Üsküdar to be delivered to the Subaşı Müstedam Bey on the actual date.

Witnesses to the event: Musa Çelebi b. el-Hâc Hasan, Süleyman b. Pîrî, Mustafa b.

Mehmed and others

1300 [126a-5] Kaçak kölenin satılması

İşbu mâh-ı Muharremü'l-harâmı'nın yirmi dokuzuncu günü orta boylu, arkasında lâciverd dolama ve çakşır ile sâde Zümrüde nâm Arab'ı Mehmed nâm kimesne âbıktır deyu tutturup mezbûr dahi ibâkına mu'terif olmağın yevmî beş akçe nafaka takdîr olunup Müstedâm Bey'e teslîm olundu.

Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Sefer b. Abdullah, Hasan b. Hamza, Sefer b. Mehmed ve gayruhüm

mine'l-hâzırîn

Derkenar: Hâlâ müddet-i şer'iyyesi tamâm olup bey' olunmasına izin ve icâzet verildi.

The sale of a fugitive slave

Translation: On the twenty ninth day of the holy month of Mûharrem a black (arab) slave named Zümürde was arrested. He was of average height and had upon his back a purple cloak and a tunic. For his absconding a upkeep of five akçe daily was delivered to Müstedâm Bey.

Dated on the aforementioned date.

Witnesses to the event: Şuhûdü'l-hâl: Sefer b. Abdullah, Hasan b. Hamza, Sefer b. Mehmed ve gayruhüm
mine'l-hâzırîn

Addendum: The legally prescribed period has ended. Permission was given for the sale.

Cariyeler: Cases involving female slaves

17 [3a-2] Halil b. Hasan'ın, Halife b. Sarıca'dan aldığı cariye'nin ücretini ödediği

Uşak kazâsında Halil b. Hasan mahfil-i kazâda mahrûse-i Haleb'den el-Hâc Halife b. el-Hâc Sarıca mahzarında ikrâr eder ki bundan akdem mezbûra hür ve edîmetü'l-asl Ayşe bt. Abdullah nâm câriyemi on üç bin akçeye bey' edip teslîm-i mebî' ve kabz-ı semen eyledim deyicek mezbûrun tasdîkından sonra mâ vaka'a gıbbe't-taleb kayd-ı sicil olundu.

Hurrire fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Seyyid Mehmed Çavuş el-mübâşir bi'l-husûsi'l-mezbûre, Mehmed Çavuş b. Ömer el-kâ'idü's-sultânî, Mehmed b. Hüsam, el-Hâc Mansur b. Cemal, el-Hâc Mehmed b. Musli Çelebi

Halil b. Hasan pays the price of the female slave he bought from Halife b. Sarıca

Translation: In the Uşak kaza, Halil b. Hasan declared before the court in Sarıca and before el-Hâc Halife b. el-Hâc of Haleb that from here on, “the free and [actual] slave girl named Ayşe bt. Abdullah, I sold her for 13,000 akce.” After delivery and after all relevant events the case was registered in a sicil.
on the aforementioned date.

Witnesses to the event: Seyyid Mehmed Çavuş el-mübâşir bi'l-husûsi'l-mezbûre, Mehmed Çavuş b. Ömer el-kâ'idü's-sultânî, Mehmed b. Hüsam, el-Hâc Mansur b. Cemal, el-Hâc Mehmed b. Musli Çelebi

18 [3a-3] Halil'in, Mansur'dan aldığı cariye'nin ücretini ödediği

Mezbûr Halil mahfil-i kazâda el-Hâc Mansur mahzarında ikrâr eder ki mezbûre Macariyyetü'l-asl Ayşe nâm câriyemi on dört bin akçeye bey' edip meblağ-ı mezbûru bi't-tamâm alıp kabz edip mezbûre câriyeyi teslîm ettim deyip mezbûr dahi aldım ammâ bey'imizde kefil vericek üzere kavlimiz vardır dediği kayd-ı sicil olundu.

Şuhûdü'l-hâl: es-Sâbikûn

Halil pays the price of the female slave which he bought from Mansur

Translation: The aforementioned Halil stated in court before el-Hâc Mansur, "I sold my Hungarian slave girl named Ayşe for 14,000 akçe and once I took the full amount I delivered the slave-girl." The aforementioned el-Hâc Mansur also said, "I received the slave-girl and we had a verbal agreement that he would guarantee the sale." It was recorded.

Witnesses to the event: the aforementioned

20 [3a-5] Sitti Hâtun bt. Hasan'ın, Hüsrev b. Abdullah'ın cariyelerini kandırdığı iddiası

Mahmiye-i Bursa'da Ömer Bey mahallesinde sâkine Sitti Hâtun bt. Hasan mahfil-i kazâda mahrûse-i Üsküdar'da Kefçe mahallesinde sâkin Attâr Hüsrev b. Abdullah mahzarında da'vâ edip Ruhsânî nâm câriyemi Safiye nâm avret ayartıp mezbûr Hüsrev'in evine götürüp ya al ya satıver deyip ve koyup gitmiş mezbûr câriyemi Sitti nâm avretin câriyesiyim mezbûre Safiye beni satmak ister deyip mezbûr Hüsrev'in hâtunu Ayşe'ye haber verip ve mezbûr Hüsrev avretinden bu haberi işitmiş iken avretine ma'rifet-i şer'îsiz câriye verilmesin deyu tenbîh eylemeden mezbûre Safiye gelip almış gitmiş bu câriye ile bir câriyem dahi gitti buluveresiz dediğinde mezbûr Hüsrev'den suâl olundukda cevâb verip ne câriye geldiğinde ne gittiğinde hâzır değil idim câriye Sitti Hâtun'un

câriyesiyim demeğin hâtunum getirene teslim evlâdır deyu mülâhaza ile geri mezbûra satmaya vermiş câriyeden suâl eylen ve Üsküdar halkından suâl eylen eğer bir cürmüm zuhûr ederse hakkımdan gelin deyip evvelâ câriyeden suâl olundukda cevâb verip biz iki câriye idik mezbûretân Safiye ve Saime birbirimizden ayırıp beni yalnız mezbûr Hüsrev evde değil iken hâtununa iletip ya al ya satıver dediler kodular gittiler ben Sitti Hâtun'un câriyesiyim demeğin mezbûr Hüsrev'in hâtunu beni mezbûre Sâime'ye bu makûle câriye bana gerekmez deyu verip beni Saime aldı gitti deyip ve Üsküdar ahâlîsinden suâl olundukda Mehmed b. Bayram ve Ahmed Bey b. Abdullah ve Müstecâb b. Mustafa ve Süleyman b. Abdullah ve Yakub [b.] Murad ve Şeyh Hüseyin b. Hüseyin ve Ahmed b. Abdi ve Bâli Halîfe ve el-Hâc Murad b. Abdullah ve Hacı b. Abdullah ve Yusuf Bey b. Abdullah ve Süleyman Bey b. Abdullah ve Mehmed Reis b. Hüsam ve Mustafa b. Habîb ve Yahya Bey b. Mehmed el-Hamzavî ve gayrı Müslümanlardan cemm-i gafîr edâ-yı şehâdet edip mezbûr Hüsrev kendi hâlinde iyi ve müstakim adamdır hâşâ ki ondan yaramaza mü'eddî ola veya câriyeye tama' eyleye deyu tezkiye eylediklerinde mezbûr Hüsrev'e mezbûre Sitti Hâtun'un câriyesini ayartanlara mü'eddî olmayıp ve geldiklerinde gittiklerinde hâzır değil idim gene yemîn virilip ne onlara mü'eddîyim ve ne de geldiklerinde ve gittiklerinde hâzır değildim deyu yemîn billâh eyleyip aslâ mezbûr Hüsrev'in günâhı olmadığı ilm-i küllî sâhib olmağın töhmetden berâ'at-i zimmetine hükm olundu.

Fî evâsıtı Rebî'ilâhir li sene elf.

Şuhûdü'l-hâl: Şeyh Seyyid Maksud Basri, İmâm Ali Hoca b. Mahmud, Murad Efendizâde Abdullah el-hatîb, Ahmed Çelebi el-imâm be-mescid-i Gülfem, Musli Çelebi b. eş-Şeyh Sinan, Mehmed b. Behrâm ve gayruhüm

Sitti Hâtun bt. Hasan claims that Hüsrev b. Abdullah deceived her female slave

Summary: In this court case a woman named Safiye is alleged to have illegally brought two slave-girls belonging to Sitti Hâtun into the house of a man named Hüsrev without his knowledge and then insisted that his wife purchase a slave-girl. The court described the sequence of events and then ruled that Hüsrev was in fact ignorant in these matters.

Translation: Sitti Hâtun bt. Hasan who lives in the Ömer Bey neighborhood of the Bursa District filed a lawsuit in the local court against Attâr Hüsrev b. Abdullah who lives in the Kefçe neighborhood in the capital at Üsküdar. [Sitti Hâtun bt. Hasan speaks] “A woman named Safiye seduced my slavegirl named Ruhsânî. She bought her to the aforementioned Hüsrev’s house to either buy or sell her and she left her and went.” The aforementioned slave girl said, “I am the slave girl of the woman named Sitti, the aforementioned Safiye wanted to sell me.” This news was given to the aforementioned Hüsrev’s wife, Ayşe and when Hüsrev heard this news from the woman Safiye came, took the girl and left; [nobody] with a competence in the Shari’a [was present] to issue the instruction that she should not be handed over [to anyone]. Hüsrev said, “This slave girl was taken away, together with one of my own; go out and find them.” When Hüsrev was questioned, he replied, “I was not present either when the slave girl came or when she left. It is better that she should be handed over [to my wife], given that the slave girl says she is the slave of Sitti Hâtun. Question gently the slave who [has been] given back to the aforementioned, and ask also the people of Üsküdar if it looks as though I am guilty of anything, let them come after me.” Safiye and Saime gave witness as follows, “We were two slave-girls. We were parted from one another; Hüsrev was absent and I was alone in the house when they handed me to his wife, telling her either to take her or to sell her; then they left. [Saime said] that she was a slave of Sitti Hâtun. The wife of Hüsrev gave me to Saime since he had no need of me, and Saime took me and left.” Mehmed b. Bayram and Ahmed Bey b. Abdullah and Müstecâb b. Mustafa and Süleyman b. Abdullah and Yakub [b.] Murad and Şeyh Hüseyin b. Hüseyin and Ahmed b. Abdi and Bâli Halîfe and el-Hâc Murad b. Abdullah and Hacı b. Abdullah and Yusuf Bey b. Abdullah and Süleyman Bey b. Abdullah and Mehmed Reis b. Hüsam and Mustafa b.

Habîb and Yahya Bey b. Mehmed el-Hamzavî and a great multitude from among the non-Muslims witnessed the payment. The aforementioned Hüsrev is upright in his affairs. God forbid that he should pay for the slave pointlessly [pay for a useless slave] or that he should fail to pay those who led astray Sitti Hâtun's slave on Hüsrev's behalf. When they had concluded that he should [be allowed] to covet the slave testimony was given that he had not been present when [the slave=girls] came and went, and he testified in the name of God that he had not paid for them and was not present at the point of their arrival and at the point of their departure. It was judged that Hüsrev was not guilty and that he should be released from all suspicious, given that all the facts had been brought to light.

In the middle days of Rabi'ul-Akhir of the year 1000

Witnesses to the event: Şeyh Seyyid Maksud Basri, İmâm Ali Hoca b. Mahmud, Murad Efendizâde Abdullah el-hatîb, Ahmed Çelebi el-imâm be-mescid-i Gülfem, Musli Çelebi b. eş-Şeyh Sinan, Mehmed b. Behrâm and others

**54 [6b-2] Sitti Hâtun bt. Mustafa'nın câriyelerini kandırdığı iddiasıyla
Attâr Hüsrev b. Abdullah'a açtığı davadan vazgeçtiği**

Budur ki

Bursa sükkânından Sitti Hâtun bt. Hasan mahfil-i kazâda Attâr Hüsrev b. Abdullah nâm kimesne mahzarında bast-ı kelâm edip bundan akdem Ruhsânî nâm câriyemi Sâime ve Safiye nâm avretler ayartıp mezbûrun evine götürüp ba'dehû mezbûre Ruhsânî nâm câriyemi mezbûretân avretleri buluver deyu da'vâ eylemiş idim ve mezbûretân avretleri benim Zamâne nâm câriyemi dahi ayartmış idi ol câriyemi Tüfenkçi odasında buldum mezbûr Hüsrev'in câriyesi husûsuna müte'allik cemî' da'vâdan zimmetine ibrâ-i âmm ile ibrâ' ve ıskât eyledim husûs-ı mezbûra müte'allik da'vâ ve nizâ' sâdır olursa benden veya vekîlimden da'vâ sâdır olursa inde'ş-şer' makbûl olmaya deyicek mukırr-ı mezbûrun kelâmına mukarran lehü'l-mezbûr vicâhen tasdîk edicek gıbbe'ttaleb

kayd-ı sicil olundu.

Hurrire fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Ali Çelebi b. Mahmud el-imâm, Mevlânâ Ahmed Çelebi elmüderriis,

Ahmed Bey b. Abdullah el-cündî, Fazlı Çelebi b. Ferhad, Cafer b.

Hasan, Kirişçi Mehmed b. Ömer, Musli Çelebi el-kâtib ve gayruhüm

Sitti Hâtun bt. Mustafa waives the lawsuit claiming that Attâr Hüsrev b. Abdullah decieved her female slave

Summary: Sitti Hatun brings a case against an Attâr Hüsrev who has “led astray” several women and at least two of her slaves.

Translation: Sitti Hâtun bt. Hasan from Bursa went before and individual named Attâr Hüsrev b. Abdullah and explained, “women named Saime and Safiye led my slave named Ruhsani astray and brought her to the aforementioned [Attar Hüsrev]'s house. I entreated him through the court to find and hand over the women and my slave. There was a previous case which my slave girl Zamane was led astray. If a case or dispute pertaining to the aforementioned issue [Zamane's escape] comes about, if a case is brought either by me or by a representative of mine, let it not be accepted by the court.” This was confirmed in person and face to face and afterward it was requested that a sicil be made.

On the aforementioned date

Witnesses to the event: Ali Çelebi b. Mahmud el-imâm, Mevlânâ Ahmed Çelebi elmüderriis, Ahmed Bey b. Abdullah el-cündî, Fazlı Çelebi b. Ferhad, Cafer b.

Hasan, Kirişçi Mehmed b. Ömer, Musli Çelebi el-kâtib and others

114 [11b-4] Kamer Hâtun bt. Abdullah'ın, oğlu İbrahim Bey b. Mahmud tarafından hibe edilen cariye ve akçeleri aldığı

Kamer Hâtun bt. Abdullah mahfil-i şer' de oğlu İbrahim Bey b. Mahmud kendiye hibe eylediği âtiyetü'z-zikr câriyeyi ve meblağı teslîme mezbûr İbrahim Bey tarafından vekâleti Mevlânâ Şeyhî Mehmed Efendi b. Kemaleddin ve İlyas b. Hasan ve Mehmed b. Abdullah nâm kimesneler şehâdetleriyle sâbit olan Receb b. Murad mahzarında ikrâr ve takrîr-i merâm kılıp oğlum mezbûr İbrahim Bey, Peymâne nâm Rûsiyyü'l-asl bir câriyesin ve Başçı Hacı Murad nâm kimesne zimmetinde olan iki bin nakid akçesini bana hibe edip ben dahi mezbûre câriyemi ve zikr olunan iki bin akçemi merkûm Receb nâm vekîl yedinden kabz eyledim dedikde mukırr-ı mezbûrenin vech-i meşrûh üzre vâki' olan ikrârını mukarrun lehü'l-mezbûr Receb nâm vekîl tasdîk eylediği kayd edildi.

Tahrîren fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Fazlı Çelebi b. Mehmed Müteferrika-i Dergâh-ı âlî, Fazlı Çeleb b. Şeyh Sinan el-kâtib, Şemseddin b. Sâdık, Habîb b. Abdullah, Hasan b. Sâdık ve Gayruhüm

Kamer Hâtun bt. Abdullah takes akçe and a female slave which was granted by the youth İbrahim Bey b. Mahmud

Translation: İbrahim Bey b. Mahmud sent a representative to the court named Mevlânâ Şeyhî Mehmed Efendi b. Kemaleddin and with the witness of individuals named İlyas b. Hasan and Mehmed b. Abdullah he gave a gift to the person of Kamer Hâtun bt. Abdullah. She said in court, "the youth gave to me a Russian slave named Peymane and two thousand akçe coins which were indebted to the Başçı Hacı Murad, further more these were delivered by the hand of a representative named Receb and I took them from him." Once these matters were decided and confirmed by the aforementioned Receb the events were recorded.

On the aforementioned date

Witnesses to the event: Fazlı Çelebi b. Mehmed Müteferrika-i Dergâh-ı âlî, Fazlı Çeleb b. Şeyh Sinan el-kâtib, Şemseddin b. Sâdık, Habîb b. Abdullah, Hasan b. Sâdık and others

222 [21b-4] Cemile bt. İbrahim'in, İsmihân bt. Ali Çavuş'a cariye bedelinden borçlu olduğu

Budur ki

Cemile bt. İbrahim nâm hâtun mahfil-i kazâda bâ'isü'l-hurûf İsmihân bt. Ali Çavuş tarafından vekîl-i şer'î olan Abdülkerim b. Mehmed nâm kimesne mahzarında ikrâr ve i'tirâf edip câriye bahâsından ba'de küllî hesâb bin akçe deynim bâkî kalmışdır lâzimü'l-edâ ve vâcibü'l-kazâ deynimdir dedikde mukırr-ı mezbûrenin ikrârını vekîl-i merkûm vicâhen ve şifâhen ikrâr edicek kayd olundu.

Şuhûdü'l-hâl: Mehmed Subaşı an zümre-i yayabaşıyân, Mehmed Çelebi b. Ali Subaşı, Mehmed b. Habîb, Havâle Mehmed el-mezbûr ve gayruhüm

Cemile bt. İbrahim is in debt to İsmihân bt. Ali Çavuş due to the unpaid fee for a female slave

Translation: A woman named Cemile bt. Ibrahim said in court to the representative appointed by Ismihan bt. Ali Çavus, Abdülkerim b. Mehmed, "from the price of the slave girl, after all accounting, I still have a debt of 1,000 akçe that needs to be paid." the aforementioned statement was confirmed with the representative in person and face to face and was recorded.

Witnesses to the event: Mehmed Subaşı an zümre-i yayabaşıyân, Mehmed Çelebi b. Ali Subaşı, Mehmed b. Habîb, Havâle Mehmed el-mezbûr

280 [27b-1] Bilâl Ağa et-Tavâşî'nin, cariyesini gasb eden Üveys Paşa oğlu Mehmed Paşa'yla davasına Müstedâm Bey'i vekil tayin ettiği

Budur ki

Bilâl Ağa et-Tavâşî mahfil-i kazâda bâ'isü'l-hurûf Müstedâm Bey b. Abdülmen nân mahzarında takrîr-i kelâm edip bundan akdem mahmiye-i Mısır'da emîrû'l-ümerâi'l-kirâm Üveys Paşa oğlu Mehmed Paşa hazretleri bir mülk câriyemi gasb eylemiş idi hâlâ zikr olunan câriyeyi da'vâ ve kabz ve îsâle merkûm Müstedâm Bey'i vekîl nasb eyledim deyip mezbûr dahi bi'l-muvâcehe tasdîk ve vekâlet-i merkûmeyi kabûl eyledim dedikde mâ vaka'a bi't-taleb tahrîr olundu.

Şuhûdü'l-hâl: Mustafa Bey b. Ali, Süleyman Bey b. Bekir, Ahmed Efendi elmülâzım ve gayruhüm

Bilâl Ağa the eunuch appoints Müstedam Bey as his representative in a lawsuit against Üveys Paşa and the youth Mehmed Paşa regarding the siezing of a female slave

Translation: So it is that:

Bilâl Ağa the eunuch spoke with the messenger of letters [bâ'isü'l-hurûf?] in a judicial decree. Afterward he [Bilâl Ağa] said, "The gracious commander of commanders in Egypt Üveys Paşa oğlu Mehmed Paşa unlawfully seized my slave girl. The aforementioned slave girl was seized and brought forward in the lawsuit and I appointed the aforementioned Müstedâm Bey as my representative." The aforementioned was confirmed face-to-face and I accepted the representative of the aforementioned. The actual event was recorded on this date.

Witnesses to the event: Mustafa Bey b. Ali, Süleyman Bey b. Bekir, Ahmed Efendi the assistant [to the court] and others

**322 [31a-1] Yusuf b. Abdullah'ın, hür Fatma bt. Abdullah'ı
cariye gibi sattığı**

Oldur ki:

İstanbul'da Ayasofya yanında sâkin olup sipâhi oğlanlarından Memişah nâm kimesne Üsküdar'da Kefçe mahallesinde sâkin Yusuf b. Abdullah nâm kazzâzın evine Fâtıma bt. Abdullah nâm hâtun câriyem deyu getirip ba'dehû hürretü'l-asl olması istimâ' olunmağın mahalle halkı mezbûr Memişah'dan istifsâr ettikde gâh câriyemdir gâh nikâhlımdır deyu halt-ı kelâm edip ba'dehû Memişah'dan gittikde kazzâz eliyle Bursa'ya satıldı deyu istimâ' olunup ehl-i mahalle mezbûr kazzâzı meclis-i şer'a getirip istifsâr olundukda Memişah dahi İstanbul'dadır varıp getireyim deyip nice gün gâ'ib olup ba'dehû câriyeyi Bursa'dan getirmiş dediklerinde meclis-i şer'-i şerîfe mezbûr Kazzâz Yusuf ile mezbûre Fâtıma ihzâr olunup vâki' hâl mezbûre Fâtıma'dan suâl olundukda ben bu demde Yeniçeri mahallesinde Hasan nâm kimesnenin kızı idim vâlidem Ayşe'dir min-ba'd Memişah beni nikâh ile alıp yolda bana bir yavuz hâtunum vardır câriyeyim deyip elin öpüp hizmet eyle dedi ben dahi hoş dedim ba'dehû seni bu avret döğer ve söver deyip Üsküdar'a getirip sonra kazzâz ile Bursa'ya kayığa koyup gönderdi diyeler beni satmışlar hâlâ kazzâz beni gelip Bursa'dan getirdi ben câriye değilim deyip silahdârlardan Mustafa Bey b. Mehmed ve Mehmed Bey b. Abdullah ve Memi Bey b. Abdullah nâm kimesneler mezbûr Memişah nikâhlımdır câriyem değildir dedi deyu haber verip ve sipâhi oğlanları serdârı Ahmed Bey ve sipâhi Mehmed Bey ve İlyas Bey ve el-Hâc Mehmed b. Haydar nâm kimesneler mezbûr Memişah sefere gider oldukda bizim yanımızda nikâhlım ise de vaz' geldim ve câriyem ise de âzâd olsun bir iyice kimesneye verin dedi deyu ale'ş-şehâde haber verip ve kazzâz-ı mezbûr fâsiddir dâimâ bu makûle evzâ'a mübâşirdir iyi kimesne değildir deyicek mezbûre

Fâtıma dahi bu demli beni bilir şâhidlerim vardır demegin emânete konulmuş
idi bâkî fermân sa‘âdetlü sultânım hazretlerinindir.

Yevmü’s-sülesâ fî 18 Recebi’l-mürecceb

Yusuf b. Abdullah sells the free woman Fatma bt. Abdullah as if she were a slave

Summary: A man named Memişah attempts to sell a woman to Yusuf b. Abdullah, a silkweaver who is well known for immoral behavior. The community investigates and finds that they were attempting to trade Fatma bt. Abdullah who was a free woman.

Translation: Memişah from the Ebna-ı Sipahiyan [i.e. first regiment of Altı Bölük Halkı], living near Ayasofya in Istanbul, brought a woman named Fatima bt. Abdullah to the house of a silk weaver named Yusuf b. Abdullah, saying that she was his slave. Then, after it was heard that she was actually a free woman, the people of the neighborhood investigated, and [Memişah] mixed up his words, sometimes saying that she was his slave, sometimes saying she was his lawfully wedded wife. Later when it was heard that that she left Memişah and was sold to Bursa through the mediation of the silk weaver, the people of the neighborhood brought the aforementioned silk weaver to the Sharia court, and when [these matters] were investigated, he disappeared for many days, saying "Memişah is in Istanbul too, let me go and get him." Later, when they [he?] said that he brought the slave from Bursa, [both] the aforementioned Kazzaz Yusuf and the aforementioned Fatima were summoned, and when Fatima was asked about the truth of the matter, she said: "I was once the daughter of a man named Hasan who lived in the neighborhood of Yeniçeri; my mother is Ayşe. Subsequently Memişah married me, he told me that he's got a stern woman [?] and that I'm a slave, to kiss her hand and serve her. I agreed [?] and then he told me that this woman would hit me and curse at me. He took me to Üsküdar and then put me on a boat with the silk weaver to send me to Bursa - he sold me. Now the silk weaver has come and brought me from Bursa, I'm not a slave." Mustafa Bey b. Mehmed from the Silahdaran [i.e. the second regiment of Altı Bölük

Halkı], and men named Mehmed Bey b. Abdullah and Memi Bey b. Abdullah informed [the court] that the aforementioned Memiṣah said that she's his wife, and that she's not his slave. The serdar of the Ebna-ı Sipahiyan Ahmed Bey, and the sipahi Mehmed Bey and men named Ilyas Bey and El-Hac Mehmed b. Haydar testified that the aforementioned Memiṣah, when he went on campaign, said that if she's his wife, he abandons her, and if she's his slave, he frees her, and for us to give her to a good person. And [they also said] the aforementioned silk weaver is a troublemaker, he's always engaging in this manner of action, he's not a good person. The aforementioned Fatima also said that she has this manner of witnesses who know her, thus she was placed into custody. The final command belongs to my felicitous sultan.

On the eighteenth day of the month of Receb

501 [48a-3] Teomayi bt. Nikola'nın cariyesi Kameri, Hüseyin Reis

b. Hasan'a sattığı

Budur ki

İstavros nâm karyeden Teomayi bt. Nikola nâm zimmîye mahfil-i kazâda Hüseyin Reis b. Hasan nâm kimesne mahzarında ikrâr edip bundan akdem zimmîye olup hâlâ şeref-i islâm ile mütehallî olan orta boylu bikriyetü'l-asl Kamer nâm câriyemi mezbûr Hüseyin Reis[’e] iki bin iki yüz akçeye bey’ edip teslîm-i mebî’ ve kabz-ı semen kıldım dedikde mukırr-ı mezbûrenin vech-i meşrûh üzere vâki’ olan ikrârını mukarrun lehü'l-merkûm vicâhen tasdîk ettikten sonra mezbûrenin sadriye oğlu Yorgaki nâm zimmîye zikr olunan câriye anam Teomayi’nindir benim kat’â medhalim yokdur dediği mâ vaka’a bi’t-taleb tahrîr olundu.

Şuhûdü'l-hâl: Sefer Hoca b. İlyas el-müezzın, Hasan b. Sâdık, Muttalib [b.]

Süleyman, Mehmed b. Behrâm ve gayruhüm

Yevmü'l-hamîs es-sânî ve'l-ısrîn min Ramazânî'l-mübârek li sene elf El-emru kemâ zükire fîhi abd el-fakîr Şaban b. Mahmud el-müvellâ bi kazâi

Kastamonu ufiye anhu

Teomayi bt. Nikola sells her female slave named Kamer to Hüseyin Reis b. Hasan

Translation: A zimmi named Teomayi bt. Nikola from the village of İstavros declared before the court to an individual named Hüseyin Reis b. Hasan, “I sell my aforementioned [bikriyet] slave-girl named Kamer to the aforementioned Hüseyin Reis b. Hasan for two thousand and two hundred akçe. I delivered the girl and took the amount.” After the events were confirmed personally on the matter concerned the aforementioned’s son, a zimmi named Yorgaki said, “the mentioned slave girl is my mother’s, I have no say in this decision.” It was requested that these events were recorded.

Sefer Hoca b. İlyas el-müezzın, Hasan b. Sâdık, Muttalib [b.]

Süleyman, Mehmed b. Behrâm and others

Thursday on the twenty second day of the holy month of Ramadan, the command which was mentioned in it by abd el-fakır Şaban b. Mahmud who is in charge of the kaza of Kastamonu.

524 [50a-7, Arapça] Hani bt. Yahya’nın Rus asıllı cariyesini âzat ettiđi

Hani bt. Yahya kıbelinden aşıđıda zikri geöecek âzat ikrârına vekâleti sâbit olan vekıl İbrahim Bey b. Ahmed, müvekkile-i mezbûresinin açık kaşlı, elâ gözlü, yüzünün solunda yara izi bulunan Rûsiyyetü’l-asl hâmile-i hâze’l-kitâb Hâsna bt. Abdullah adlı câriyesini Allah rızâsı için âzat ettiđini ikrâr ve i’tirâf etti. Artık onun üzerinde âzatl köleler hakkında efendilerinin sâhib olduđu velâ hakkından başka bir hak kalmadı.

Cerâ zâlike ve hurrire fi’t-târihi’l-mezbûr.

Şuhûdü’l-hâl: es-Sâbikûn

Hani bt. Yahya frees her Russian slave

Translation: In the manumission decision to be mentioned below, Hani bt. Yahya appointed İbrahim Bey b. Ahmed as her permanent representative. The representative of the aforementioned decided and declared before the court that the wide eyebrowed, hazel eyed, with a scar on the left side of her face, Russian slave with the name Hasna bt. Abdullah is free for the appeasement of God. Let her be free like all other freed slaves. From here on no master shall have any right over her.

The events transpired there and on the aforementioned date

Witnesses to the event: The important Muslim leaders

525 [50b-1] Hüseyin Ağa'nın cariyesini âzat ettiği

Mezbûr Hüseyin Ağa açık kaşlı gök gözlü Gülbahar nâm câriyem âzâd oluna deyip mezbûreye de itaknâme verildi.

Şuhûdü'l-hâl: es-Sâbikûn

Hüseyin Ağa frees his female slave

Translation: The aforementioned Hüseyin Ağa provided a document of manumission for the freedom of the slave girl named Gülbahar who had wide eyebrows and blue eyes.

Witnesses to the event: The important muslim leaders

526 [50b-2] Ümmü Hâtun bt. Şucâ'nın cariyesini âzat ettiği

Ümmü Hâtun bt. Şucâ', açık kaşlı, gök gözlü, sol kaşı ve sol pazusu üzerinde yara izi bulunan hâmile-i hâze'l-kitâb Zamâne bt. Abdullah adlı câriye-i memlûkesini Allah rızâsı için âzat ettiğini ikrâr ve i'tirâf etti. Artık onun üzerinde âzatlı köleler hakkında efendilerinin sâhib olduğu velâ hakkından başka bir hak kalmadı.

Cerâ zâlike ve hurrîre fi't-târihi'l-mezbûr.

Ümmü Hâtun bt. Şucâ frees her female slave

Translation: Ümmü Hâtun bt. Şucâ has decided and declared that fore the appeasement of God that the slave named Zamâne bt. Abdullah is freed from among her property. She [the slave] had wide eyebrows, blue eyes and upon her left eyebrow and her left arm are found scars. Let no other from here on out have rights over her.

534 [50b(2)-1] Gürcü asıllı kaçak cariye'nin sahibine teslim edilmesi

Budur ki

Hâssa yayabaşlarından kıdvetü'l-emâsil Ali Subaşı orta boylu gök elâ gözlü çatık kaşlı Gürciyyü'l-asl Marye nâm câriyeyi bahçemde ahz eyledim deyu meclis-i şer'a getirdikde Yasef v. Estebarlık nâm Yahudi zikr olunan evsâf ile mevsûfe olan câriyem benim mülküm olup mülkünden ibâk etmişdir dedikde udûl-i müslimînden elli üçüncü [bölükden] Ali Subaşı b. Abdullah nâm kimesneler zikr olunan câriyeyi mezbûre Yahudi'nindir mülkünden ibâka etmişdir bu husûsa şâhidleriz şehâdet ederiz dediklerinde ba'de ri'âyet-işerâiti'l-kabûl hayyiz-i kabûlde vâki' oldukdan sonra zikr olunan câriyeyi bey' etmeyip ve hibe etmeyip ve bir vechile mülkünden ihrâc etmediğine yemîn verildikten sonra mâ vaka'a bi't-taleb tahrîr olundu.

Tahrîren fi evâili şehri Şevvâli'l-mükerrem sene elf.

Şuhûdü'l-hâl: İsa Efendi el-müderriş, Müstecâb b. Mustafa, Sefer b. Abdullah
ve gayruhüm

A female, fugitive, Georgian slave is handed over to her master

Translation: So it is that: Ali Subaşı, the cheif among the footsoldiers said, “I captured a slave girl in my garden.” And went before th Sharia court. When they were in court a Jew named Yasef v. Estabarlık with other descriptors being mentioned said that the slave girl was his property. “She escaped from me” he said. An individual from among the honorable Muslims, Ali Subaşı b. Abdullah of the 53rd detachment said that the aforementioned slave girl was the Jew’s property and absconded from him. They said we are witnesses that have witnessed in this matter. After everything was followed in compliance with the Şaria the slave girl was not sold nor gifted and it was confirmed face to face by oath that she had not been removed from among his property. Afterward it was requested that a sicil be made of the events.

In the year 1000 in the first part of the month of Şevval

Witnesses to the event: İsa Efendi el-müderriş, Müstecâb b. Mustafa, Sefer b. Abdullah

560 [52b-4] Veli b. Mustafa'nın eski eşi Müslime'ye sattığı cariye'nin bedelini istemesi

Mahrûse-i Üsküdar'dan Veli b. Mustafa mahfil-i kazâda sâbıkan zevcesi olan Müslime Hâtun bt. Abdullah mahzarında takrîr ve da'vâ kılıp merkûme Müslime benim bir Rûsiyyetü'l-asl câriyemi yirmi sekiz bin akçeye bey' edip dört bin akçesin kendinin bir evini satıp aldım mâ'adâsını vermekde te'allül eder şer'le hakkım taleb eylerim dedikde gıbbe's-suâl mezbûre Müslime cevâb verip zikr olunan câriyeyi mezbûr Veli'den ben bey'-i kat'î ile dört bin akçeye alıp mezbûr Veli benim evimi vekâleten dört bin altı yüz akçeye satıp dört bin akçesin câriye bahâsına tutup altı yüz akçesin bana verdi bu husûsa şâhidlerim vardır deyicek udûl-i müslimînden İbrahim b. Memi ve Mehmed

b. Abdullah el-cündî ve Hasan b. Sâdık nâm kimesneler meclis-i şer‘de li ecli’şşehâde hâzırûn olup fi’l-hakîka müdde‘î-i mezbûr Veli bizim yanımızda ikrâr edip kendi zevcem Müslime’ye dört bin akçeye bir Rûsiyyetü’l-asl câriye satıp ve kendinin dört bin altı yüz akçeye bir evin dahi satıp dört bin akçesin câriye bahâsına tuttum altı yüz akçesini kendiye verdim dedi biz bu husûsa şâhidleriz şehâdet dahi eyleriz dediklerinde şehâdetleri hayyiz-i kabûlde vâki‘ oldukdan sonra mâ vaka‘a kayd şud.

Şuhûdü’l-hâl: Yahya Çelebi b. Ahmed Dede, Yahya Bey b. Mahmud, Hasan Çelebi b. Mehmed Subaşı, el-Hâc Hasan b. el-Hâc Mustafa, el-mukayyid

Veli b. Mustafa does not want to be indebted to his ex-wife Müslime over a slave girl which he sold her

Summary: Veli and his ex wife have a dispute over the sale price of a slave. Müslime was under the impression that the slave was 4,000 akçe and asked Veli to sell her house and take the sale price as payment. Veli contests that the sale price was 28,000 akçe and that Müslime only covered 4,000 of it with the house. Müslime brings forward several witnesses who are able to confirm that Veli is in the wrong and that the agreed upon price was 4,000.

Translation: Veli b. Mustafa stated in court, “I sold to Müslime my Russian slave for 28,000 akçe. At her request I sold her house for 4,000 akçe but she sought to evade full payment. I request my rights in accordance with the Shari’a.” Afterward Müslime replied, “I have witnesses who will attest that four thousand six hundred was the full price and that after having sold my house he took four thousand as the price for the slave.” Individuals named İbrahim b. Memi, Mehmed b. Abdullah el-cündî, and Hasan b. Sâdık from among the honorable Muslims of the community witnessed, “He sold the house for 4,600 akçe, he sold her the slave for 4,000 and kept 600 to himself. We witness that this occurred.” The events were recorded afterward in accordance with the Shari’a.

Witnesses to the event: Yahya Çelebi b. Ahmed Dede, Yahya Bey b. Mahmud, Hasan Çelebi b. Mehmed Subaşı, el-Hâc Hasan b. el-Hâc Mustafa, the registered.

**658 [62b-1] Ayşe Hâtun bt. Ferruh Kethüdâ'nın, Ayşe bt. Hızır'a sattığı
cariyeden alacaklı olduğu**

Fahrü'l-muhadderât Ayşe Hâtun bt. Ferruh Kethüdâ tarafından Abdülcelîl Halîfe b. Şuayb ve el-Hâc Abdurrahman b. Abdullah şehâdetleri ile vekâleti sâbite olan fahrü'l-emâsil ve'l-akrân erbâb-ı tîmardan Veli b. Hasan mahfil-i kazâda zahrü'l-mestûrât diğêr Ayşe Hâtun bt. Hızır tarafından husûs-ı âtiye yine şahidân-ı mezbûrân şehâdetleri ile vekâleti sâbite olan kıdvetü'l-a'yân Sünbül Ağa et-Tavâşî mahzarında ikrâr ve takrîr-i merâm ve takrîr-i kelâm edip mâdem ki mezbûre Ayşe bt. Hızır kırk bin akçeye bir câriyesin mezbûre Ayşe'ye bey' edip on bin akçesin alıp hâlâ kabz ettim bâkî otuz bin akçesin târih-i kitâbdan altmış gün tamâmına değîn vericek oldu deyip ve Mustafa Çelebi b. Mehmed meblağ-ı mezbûrun on beş bin akçesine kefil bi'l-mâl oldum deyip ve Mustafa b. Ali nâm bevvâb-ı sultânî dahi kalan on beş bin akçenin zararına ve mezkûr Mustafa Çelebi b. Mehmed'in nefsine kefil oldum deyicek mukırrûn-ı mezbûrunun vech-i meşrûh üzre vâki' olan ikrârını mukarrun lehü'l-merkûm vicâhen ve şifâhen tasdik ettikten sonra sûret-i hâl gıbbe'l-ibtigâ tahrîr olundu. Tahrîren fi'l-yevmi's-sânî aşer min şehri Zilka'deti'l-harâm li sene elf.

Şuhûdü'l-hâl: Mehmed b. Üveys, Mehmed Çelebi b. el-Hâc Hamza, Müstedâm Bey b. Abdullah el-cündî, Yahya Bey b. el-Hamzavî, Kâtibü'l-hurûf Mehmed Çelebi b. Hacı, Mehmed b. Behrâm, Mustafa b. Mehmed

Derkenar: Bu mahkûk olan tashîh olunmuşdur tereddüd olunmaya.

Derkenar: Müsveddede kalmağın bu mahalle nakl olundu.

Ayşe Hâtun bt. Ferruh Kethüdâ becomes a creditor to Ayşe bt. Hızır over a female slave which she sold to her

Summary: Ayşe Hâtun bt. Ferruh Kethüdâ purchases a slave from Ayşe bt. Hızır. A discussion ensues over the remaining amount and who will guarantee the price of the sale.

Translation: Exalted among the modest and covered women, Ayşe Hâtun bt. Ferruh Kethüdâ appointed as her representative Veli b. Hasan, exalted among his peers and possessor of a timar. She did this with the witnesses of Halîfe b. Şuayb and el-Hâc Abdurrahman b. Abdullah şehâdetleri. Over the same matter, Ayşe Hâtun bt. Hızır appointed the exemplary Sünbül Ağa the eunuch with the witnesses of the aforementioned. The aforementioned Ayşe bt. Hızır said, “I sold to the aforementioned Ayşe Hâtun bt. Ferruh Kethüdâ a slave-girl for 40,000 akçe but only took 10,000. The remainder of 30,000 would be paid 60 days after the recording of this case.” Mustafa Çelebi b. Mehmed said, “I am a guarantor for 15,000 of the mentioned amount.” A kapıcı named Mustafa b. Ali said, “I am guarantor for the 15,000 remaining and for Mustafa Çelebi b. Mehmed.” The aforementioned events were confirmed face to face and in person and after confirmation of the events it was recorded. On the twelfth day of Zilka in the year 1000.

Witnesses to the event: Mehmed b. Üveys, Mehmed Çelebi b. el-Hâc Hamza, Müstedâm Bey b. Abdullah el-cündî, Yahya Bey b. el-Hamzavî, Kâtibü'l-hurûf Mehmed Çelebi b. Hacı, Mehmed b. Behrâm, Mustafa b. Mehmed

Post script: This decision was corrected without hesitation

Post script: All who stay in this neighborhood were removed in this draft

696 [66a-3, Arapça] İsmihân bt. Ali'nin sattığı cariyesinin hür olduğu ve paranın iadesine hükmedildiği

İsmihân bt. Ali kibelinden elindeki hüccetle, muhâsama ve murâfa'aya vekâleti sâbit olan vekîl fahrü'l-kuzât Abdülkerim Efendi b. Mehmed mahzarında, zevcesi Ümmühâni bt. Pîrî Çelebi kibelinden elindeki hüccetle, da'vâ, husûmet ve kabza vekâleti Küpegöz-zâde diye meşhûr müderris fahrü'l-kuzât Mevlânâ İbrahim b. Ali ve Seydî b. Ramazan nâm kimesnelerin şehâdetleri ile el-Hâc Yakub b. Pîr Ali'nin vekâleti sâbit olunca, mahrûse-i Bursa kadısı Mevlânâ Mehmed b.

Mustafa'dan evâsıtı Şevvâl-i mükerrerem sene bin târihiyle müverrah bir vesîka vârid oldu. Bu hüccetin mazmûnunda Manastır mahallesinden Şaban b. Aydın ve Nakkaş Ali mahallesinden Mehmed b. Hızır ve Bursa Veled sarayı mahallesinden Âişe bt. Mustafa ve Zamâne bt. Abdullah nâm şâhitler, Ümmühâni bt.

Pîrî Çelebi adlı kadından sâdir olan da'vâ-yı sahîha-i şer'iyede gıbbe'l-istişhâd şöyle şehâdet ettiler ki, müdde'iyeye-i mezbûre, da'vâcının yedinde iken hür olduğunu hâkim indinde şehâdet-i şer'iyeye ile isbât eden uzun boylu, açık kaşlı, elâ gözlü, Rûsiyyetü'l-asl Yasemin bt. Abdullah adlı câriyesini kâid-i sultânî Ali'nin İsmihân adlı ve el-ân Üsküdar'da ikâmet ettiği duyulan kızına on bir bin akçe-i Osmânî semen-i mu'ayyen-i makbûzla satıp teslîm etmişti. Müdde'iyeye-i mezbûrenin da'vâlıya rücû' hakkı mevcuttur. Sözü edilen alacağı tamâmen veya kısmen almadığına, vekîlinin veya elçisinin meblağı aldığını bilmediğine, hiçbir şekilde hakkını ıskât etmediğine dâir müdde'iyeye-i mezbûreye Allahü te'âlâ adına yemîn verilmesinin ve şâhitlerin şehâdetlerinin ba'de şerâiti'l-kabûl inde'sşer' mu'teber ve makbûl olmasının ardından mücebince hükmedildi. Hüccet-i mezbûre İsmihân'ın vekîli Abdülkerim Efendi b. Mehmed'in mahzarında okundu ve isimleri zeyl-i kitâbda muharrer mezbûr Kadı İbrahim Efendi ve el-Hâc Mustafa b. Veli'nin şehâdetleriyle kitâb-ı mezbûrun kadı-i mûmâ ileyhe âid olduğu sâbit oldu. Hâkim de mücebince hükmetti.

Cerâ zâlike ve hurrîre fî evâili Zilka'deti'l-harâm sene elf.

Şuhûdü'l-hâl: Fahrü'l-kuzât Yunus Efendi, Mefharü'l-müderrisîn Ahmed Efendi, Mehmed b. Behrâm, Şemseddin [b.] Sâdık ve gayruhüm

Derkenar: Müsveddede kalmağın bu mahalle kayd olunmuşdur gaflet olunmaya

The freedom of a slave girl sold by İsmihân bt. Ali and the claim to the money which was commanded

Summary: A Russian slave girl is unlawfully sold by İsmihân bt. Ali for 10,000 akçe and the court orders the amount returned.

Translation: İsmihân bt. Ali, represented by the exemplar-among-the-judges Abdülkerim Efendi b. Mehmed brought a case against Ümmühâni bt. Pîrî Çelebi (his wife) represented by the one known as the teacher Sharp-eye. Exemplar-among-the-judges Mevlânâ İbrahim b. Ali and Seydî b. Ramazan gave witness. Once el-Hâc Yakub b. Pîr Ali became the permanent representative, the kadi of Bursa Mevlânâ Mehmed b. Mustafa recorded these events in a document in the middle days of Şevvâl in the year 1000. In the contents of this hüccet with the witness of Şaban b. Aydın from the Manastır neighborhood, Mehmed b. Hızır from the Nakkaş Ali neighborhood, Âişe bt. Mustafa from the Bursa Veled Sarayı neighborhood, and Zamâne bt. Abdullah, a woman named Ümmühâni bt. Pîrî Çelebi, in the rightness of the Şaria came out and they witnessed that: On the aforementioned matters, in the presence of a judge and in the case of the plaintiff the proven free Russian slave girl named Yasemin who was tall, with wide eyebrows, hazel eyes[...] had been sold by İsmihân bt. Ali for an amount of 10,000 akçe. In the aforementioned matters the right of return and recourse exists. The promised amount which hadn't been taken either in whole or in part, it was not known if the representative took the amount. In no way regarding the right of cancellation of the aforementioned matter, by Allah most high oaths were given and witnessed in accordance with the Şaria and after it was accepted and considered its' necessity was commanded. It was read in the presence of İsmihân's representative Abdülkerim Efendi b. Mehmed with the names mentioned in the addendum to the sicil. With the witness of Kadı İbrahim Efendi and el-Hâc Mustafa b. Veli the situation became permanent with the kadi of the aforementioned sicil.

It was done in this way in the first part of the holy month of the month of Zilka in the year 1000

Witnesses to the event: Fahrü'l-kuzât Yunus Efendi, Mefharü'l-müderrişîn Ahmed Efendi, Mehmed b. Behrâm, Şemseddin [b.] Sâdık and others

Post script: let it be known that it was copied in this draft in this place.

700 [66b-1] Borca karşılık rehin bırakılan cariye'nin borç ödendikten sonra geri alınması

Mahrûse-i Kefe'den Tamatlu tâifesinden Behrâm Bey b. Abdullah, Şaban b. Hüseyin mahfil-i kazâda mahrûse-i Üsküdar'a Sultan Tepesi'nden Hüseyin Bey ve karındaşı Nasûh Bey mahzarlarında ikrâr ve takrîr-i merâm edip mezbûrândan beş bin beş yüz akçe alıp mukâbelesinde Rûsiyyetü'l-asl Unuhom nâm câriye kızı mezbûr Hüseyin Bey'de rehin vaz' edip meblağ-ı mezbûru teslîm ettiğimizde câriyeyi alacak olduk eğer bi emrillâhi te'âlâ vefât ederse kat'â da'vâ ve nizâ' etmeyelim eğer edersen lede'l-hükkâm istimâ' olunmaya dedikde mukırr-ı mezbûrânın vech-i meşrûh üzre vâki' olan ikrârlarını mukarrun lehüma'l-merkûmân vicâhen ve şifâhen tasdik ettikde mâ vaka'a kayd olundu.

Şuhûdü'l-hâl: Hacı Sinan [b.] Turgud, Yusuf Bey [b.] Abdullah, Ferhad b. Abdullah, Mustafa Çelebi, Mehmed Bey el-cündî

The return of a slavegirl who was taken as security against a debt after that debt was paid

Translation: Behrâm Bey b. Abdullah and Şaban b. Hüseyin of the Tamatlu tribe from the capital Kefe intended to declare a decision to the village court of Üsküdar regarding Hüseyin Bey and his brother Nauh Bey from Sultan Tepe. From the aforementioned I took five thousand five hundred akçe and upon this meeting the Russian slave named Unuhom was given to the aforementioned Hüseyin as collateral. I would take the slave

back upon my delivery of the aforementioned amount. If by the will of god on high there is a death then I must not contest as is required by law.” It was recorded once these decisions were made face to face and in person.

Witnesses to the event: Hacı Sinan [b.] Turgud, Yusuf Bey [b.] Abdullah, Ferhad b. Abdullah, Mustafa Çelebi, Mehmed Bey el-cündî

712 [67b-2] Ölen Sinan Subaşı'nın, yeğeni Ayşe bt. Hasan'a bir cariye bıraktığı

Budur ki

Derviş Mehmed b. Ali mahfil-i kazâda mahrûse-i Üsküdar'da sâkine olan Ayşe bt. Hasan nâm hâtun tarafından da'vâ ve kabz ve îsâle vekîl olup vekâleti nehc-i şer'î üzre sâbite olan zevci Hüseyin Bey el-cündî mahzarında takrîr-i da'vâ edip mezbûre Ayşe'nin yesinde Yasemin nâm câriye ammim Sinan Subaşı'nın olup vefât ettiği bana intikâl eylemiş iken hâlen mezbûre fuzûlî tasarruf eder taleb ederim dedikde gibbe's-suâl mezbûr Hüseyin Bey cevâb verip zikr olunan câriyeyi bundan akdem Sinan Subaşı vefât ettikde mezbûr Ayşe'ye zikr olunan nikâhı için vermişlerdir mezbûrenin mülküdür dedikde takrîrine muvâfık beyyine taleb olundukda udûl ve sikâtden Sefer Hoca b. İlyas ve Hüseyin Bey el-cündî edâ-yı şehâdet-i şer'iyeye edip fi'l-hakîka merkûm Sinan Subaşı vefât ettikde mezbûre Ayşe'ye zikr olunan câriyeyi nikâhı için mezbûrenin mülküdür bu husûsa şâhidleriz şehâdet ederiz dediklerinde ba'de ri'âyet-i şerâiti'l-kabûl hayyiz-i kabûlde vâki' oldukdan sonra mâ vaka'a bi't-taleb tahrîr olundu.

Şuhûdü'l-hâl: Müstedâm Bey el-cündî, Müstecâb b. Mustafa, Şaban Efendi elkadı ve gayruhüm

Yevmü's-sebt es-sâbi' ve'l-işrîn min Zilka'deti'l-harâm li sene elf

The deceased Sinan Subaşı leaves a slavegirl to Ayşe bt. Hasan

Translation: Ayşe bt. Hasan who is a resident of Üsküdar has brought forward a representative in a lawsuit in the matters of şaria who is Hüseyin Bey el-cündî. In the case of the aforementioned [Ayşe bt. Hasan] “the slave-girl named Yasemin belonged to my paternal uncle Sinan Subaşı. Now upon his death I request an informal contract to the aforementioned [Hüseyin Bey].”* The aforementioned Hüseyin Bey answered, “From here afterward that once Sinan Subaşı had died the aforementioned [slave] is the property of Ayşe for her dowry.” From among the competent and disinterested Muslims of the community, Sefer Hoca b. İlyas and Hüseyin Bey el-cündî declared in accordance with the Shari’a, “When Sinan Subaşı died, the mentioned slave girl became the property of the aforementioned for her dowry, in this matter we witness in accordance with the Shari’a.” Afterward everything was accepted in the proper method of the Shari’a and it was requested that the events be recorded.

Witnesses to the event: Şuhûdü’l-hâl: Müstedâm Bey el-cündî, Müstecâb b. Mustafa, Şaban Efendi elkadı, and others

Yevmü’s-sebt es-sâbi‘ ve’l-işrîn min Zilka‘deti’l-harâm li sene elf

On the Saturday, the seventeenth day of the month of Zilke in the year 1000

834 [79b-4, Arapça] Kamer Hâtun bt. Nebi’nin Rus asıllı cariyesini âzat ettiği

Mahrûse-i Üsküdar mahallâtından Sultantepe mahallesinde sâkine Kamer Hâtun bt. Nebi kibelinden aşağıda zikri geçecek âzat ikrârına vekâleti el-Hâc Sinan b. Turgud ve Mustafa b. Receb’in şehâdetleriyle sâbit olan vekîl Ali Beşe b. Abdurrahman, Seyyâre bt. Abdullah mahzarında müvekkile-i mezbûresinin, açık kaşlı, gök gözlü, orta boylu ve sağ kaşı üzerinde yara izi bulunan hâmile-i hâze’l-kitâb Seyyâre bt. Abdullah adlı câriye-i memlûkesini Allah rızâsı için âzat ve tahrîr ettiğini ikrâr ve i’tirâf etti. Böylece câriye-i mezbûre leh ve aleyhindeki

husûsların kendi üzerlerinde cereyân ettiği doğuştan hür olan kimesneler gibi hür oldu.

Cerâ zâlike ve hurrîre fi't-târihi'l-mezbûr

Şuhûdü'l-hâl: Fahrü'l-akrân Müstedâm Bey, el-Hâc Hızır b. Mustafa el-müezzin, Mehmed Bey el-cündî, Halil Hâce b. el-müezzin, Hasan b. Hamza, Mehmed b. Behrâm, Muslu Çelebi b. Süleyman

Kamer Hâtun bt. Nebi' frees her Russian slavegirl

Translation: In the manumission decisions to be mentioned below is represented Kamer Hâtun bt. Nebi (from the family of Nebi*). Acting as witnesses to the decision are el-Hâc Sinan b. Turgud and Mustafa b. Receb with Ali Beşe b. Abdurrahman as her representative. Seyyâre bt. Abdullah who is present in the judicial summons and is the client of the aforementioned has wide eyebrows, sky-blue eyes, is of medium height and upon her right eyebrow is a scar. For the sake of God let the slavegirl with the name Seyyâre bt. Abdullah be free and let it be decided and declared. In this way let the slave girl of the aforementioned be free. Let her be free like anyone else (as if she were free from birth.)

These events transpired on the aforementioned date

Witnesses to the event: Fahrü'l-akrân Müstedâm Bey, el-Hâc Hızır b. Mustafa el-müezzin Mehmed Bey el-cündî, Halil Hâce b. el-müezzin, Hasan b. Hamza, Mehmed b. Behrâm, Muslu Çelebi b. Süleyman

855 [82a-3] Yusufbûh bt. Abdullah'ın, Nurullah b. Sefer'e Çerkes cariye sattığı

Yusufbûh bt. Abdullah tarafından husûs-ı âtiye Mahmud b. Murad ve Bekir

Ağa b. Abdullah şehâdetleri ile vekâlet-i sâbite olan ebnâ-i sipâhiyândan
Nurullah b. Sefer mahfil-i kazâda Dergâh-ı âlî müteferrikalarından Mustafa
Ağa b. Abdullah mahzarında ikrâr edip müvekkilemin bir Çerkes câriyesini
mezbûr İbrahim Çavuş'a on üç bin akçeye bey' edip kabz-ı semen ve teslîm-i mebî'
kıldım dedikde ol dahi tasdîk eylediği kayd şud.
Fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Müteferrika Hüseyin Ağa, Mehmed Çavuş b. Hüseyin, Mehmed
Çelebi, Mehmed b. Behrâm, Mustafa b. Mehmed ve gayruhüm

Yusufbûh bt. Abdullah sells a Circassian slavegirl to Nurullah b. Sefer

Translation: Yusufbûh bt. Abdullah stated before the court in the matter to be mentioned with the witness of Mahmud b. Murad, Bekir Ağa b. Abdullah, and the representative who is among the sipahis Nurullah b. Sefer and from among the department of petty crimes Mustafa Ağa b. Abdullah. [Yusufbûh bt. Abdullah] "I sold my Circassian slave to my representative [Nurullah b. Sefer] and the amount of 13,000 akçe was delivered to the aforementioned İbrahim Çavuş. I took the market value and delivered the sale. Moreover it was recorded and confirmed.

On the aforementioned date.

Witnesses to the event: Müteferrika Hüseyin Ağa, Mehmed Çavuş b. Hüseyin, Mehmed Çelebi, Mehmed b. Behrâm, Mustafa b. Mehmed ve gayruhüm

933 [91b-1] Râbia Hâtun bt. Ali'nin, cariyesini Sündüse Hâtun

bt. Mehmed'e sattığı

Mahalle-i Ma'mûre'den Râbia Hâtun bt. Ali mahfil-i kazâda mahmiye-i
Kostantiniyye'de Gedik Paşa mahallesinde mütemekine fahrü'l-muhadderât
ve zahrü'l-mestûrât Sündüse Hâtun bt. Mehmed mahzarında ikrâr ve i'tirâf

edip işbu orta boylu gözleri pişik ve kaşları açık Macariyyetü'l-asl Güllale bt. Abdullah nâm câriye ve memlûkemi mûmâileyhâ Sündüse'ye sekiz bin nakd râyicü'l-vakt akçeye bey' -i bâtt-ı sahîh-i şer'î birle bey' edip kabz-ı semen ve teslîm-i mebî' eyledim dedikde mukırra-i mezbûrenin vech-i meşrûh üzre vâki' olan ikrârını mukarrun leha'l-merkûm bi'l-muvâcehe tasdîk eylediği kayd olundu.

Fi't-târihi'l-mezbûr.

Şuhûdü'l-hâl: Kıdvetü'l-müderrişîn Mustafa Efendi, Kıdvetü'l-kuzât İsa Efendi, ve Fahrü'l-müderrişîn Murad Çelebi, Muttalib b. Süleyman

The sale of Râbia Hâtun bt. Ali's slave to cariyesini Sündüse Hâtun bt. Mehmed

Summary: Râbia Hâtun bt. Ali sells her hungarian slavegirl to a woman for 7,000 akçe

Translation: Râbia Hâtun bt. Ali from the neighborhood of Ma'mûre who is established in the Gedik Paşa neighborhood declares in the court of Kostantiniyye a decision toward Sündüse Hâtun bt. Mehmed who is among the honorable and veiled ladies and who does not operate in secrecy.* [Rabia speaks] Therefore a Hungarian slave girl named Güllale bt. Abdullah who is of medium height with a rash around her eyes and with wide eyebrows was offered to sale and delivered from my property to the aforementioned Sündüse for seven thousand akçe at market value with the price seized at the true and correct amount." It is truly recorded that this decision was given face to face to the aforementioned.

On the aforementioned date

Witnesses to the event: Kıdvetü'l-müderrişîn Mustafa Efendi, Kıdvetü'l-kuzât İsa Efendi, ve Fahrü'l-müderrişîn Murad Çelebi, Muttalib b. Süleyman

1032 [98a-3] On foreign unbelievers coming from Darıca who married daughters and slave girls who belonged to the Vakf of Sultan Mehmed, the poll tax on the male children born from them, and the strangers' prevention of the tax collectors from performing their duties.

Sultan Mehmed Hân Vakfı'na ait Darıca'ya gelen yava keferelerinin vakfın kız ve cariyeleri ile evlendiği, bunlardan doğan erkek çocukların harâc ve ispençelerinin vakfa ait olduğu, yava âmillerinin bu vergilere karışmalarının en gellenmesi Akzâ kuzâti'l-müslimîn evlâ vülâti'l-muvahhidîn ma'denü'l-fazli ve'l-yakîn vârisü ulûmi'l-enbiyâ'i ve'l-mürselîn huccetü'l-hakkı ale'l-halki ecma'în elmuhtas bi mezîdi inâyeti'l-meliki'l-mu'în mevlânâ Üsküdar kadısı -zîdet fezâiluhû- tevkî'-i refî'-i hümâyûn vâsıl olıcak ma'lûm ola ki Bursa'da âsûde olan merhûm ve magfûrun-leh Sultân Mehmed Hân -tâbe serâhu- evkâfi mütevellîsi Murad hâlâ Der-i sa'âdetime arz gönderip imâret-i âmireleri evkâfindan Üsküdar kazâsına tâbi' karye-i Darıca ahâlîsinden ba'zı yava kefere gelip tavattun edip vakfın câriye ve kızlarını tezevvüc etmekle hâsıl olan oğulları yavadır deyu âmiller ispençe ve harâcların taleb edip muhâlefet ederler el-veledü yetbe'u'l-üm muktezâsınca vakfın kulları olup harâc ve ispençeleri edâsını i'lâm eylemeğin buyurdum ki hükm-i şerîfim vardıkda husûs-ı mezbûru mukayyed olup ve husemâyı şer'-i şerîfe berâber edip şer'le göresin fi'l-vâki' ba'zı yava kefere hâricden gelip vakfın toprağında tavattun edip vakfın câriye kızların tezevvüc edip ve hâsıl olan oğulları şer'-i şerîf muktezâsınca anaya tâbi' olup ve kadîmü'l-eyyâmdan şer'-i şerîf mücebince harâc ve ispençeleri vakıf için zabt olunu gelmiş iken hâlâ yava âmilleri hilâf-ı şer'-i şerîf vakfın câriye kızları oğullarının harâc ve ispençesine dahl edip vakfa gadr eylemek istedikleri vâki' ise men' ve def' edip şer'a ve kânûna muhâlefet ve kadîmden olagelmiş muğâyir hâricden kimesneye dahl u ta'arruz ettirmeyip mâl-ı vakfa gadr ve zarar gelmekten be-gâyet hazer edip hakk-ı sarîha tâbi' olasın şöyle bilesin alâmet-i şerîfime i'timâd kılasın.

Tahrîren fi'l-yevmi's-sâmin ve'l-ışrîn şehri Receb min şuhûr sene elf.

Summary: Two foreigners attempt to claim their sons and avoid a tax which the courts mandates and rules against the foreigners.

Translation: The most authoritative of Muslim judges, governor of the monotheists, he of excessive virtue and the expounder of Canon law and the messenger of the proof of truth [ale'l-halki ecma'in elmuhtas?] by his his increasing grace and favor upon the kingdom, he who helps the Lord, the judges of Üsküdar – may their virtue be increased – with the sublime signature of the Sultan, it is that: In Bursa, the tranquil, exalted, and deceased Sultan Mehmed Hân – may he rest in peace – the trustee of his Vakf, Murad sent an offer to the Gate of Bliss [Der-i sa'âdetime]. Commanders from the Vakf came to some foreign unbelievers from the following village of Derica and came before the court of Üsküdar. The foreigners came to settle for permanent residence. The tax collector requested poll tax and land tax from the foreigners due to their sons procured from their marriage of daughters and slave girls of the Vakf. They were refused. The bastard, in accordance with [yetbe'u'l-üm] the vakf's rules. The poll tax and the land tax payment was mandated that they should be bound in the aforementioned issue and that the sons procured in the marriages should be returned to the mother to become dependents in accordance with the Shari'a. Since the ancient times and in accordance with Sharia the poll tax and land tax were collected for the vakf but at the same time contrary to the Sharia the sons of slave girls and daughters possessed by the vakf were included by foreign tax collectors. If they desire to commit injustice to the vakf prohibit them and drive them out.

**149 [111b-4] Safiye'nin, Sitti Hâtun bt. Hasan'ın cariyesini kandırıp
Attâr Hüsrev b. Abdullah'a satmak istediği**

İşbu bâ'isetü's-sicil Sitti Hâtun bt. Hasan mahfil-i kazâyâ mahrûse-i Üsküdar sükkânından Attâr Hüsrev b. Abdullah nâm kimesneyi ihzâr ve bi'l-muvâcehe

takrîr-i merâm edip bundan akdem işbu mahzarda olup tahmînen on üç,
on dört yaşında, kara kaşlı, eğri gözlü, yüzünü çiçek bozmuş Ruhsânî nâm
Çerkes câriyemi Safiye nâm avret ayartıp mezbûr Hüsrev'e bey' etmek istemiş
mezbûrdan suâl olunup vukû'ı üzre takrîr-i tahrîr olunmasın taleb ederim deyicek
husûs-ı kazıyye merkûmdan istintâk olundukda fi'l-vâki' dört ay mikdârı
vardır mezkûru kasaba-i merkûmdan istintâk olundukda fi'l-vâki' dört ay mikdârı vardır
mezkûre Safiye işbu mahzarda olan merkûme Ruhsânî'yi ve
Hümâyûn nâm câriyeyi dahi Saime nâm bir âhar avret ile bile gelip mezbûre
Ruhsânî benim mülk-i câriyemdir ya sen al veyâhud bir âhar kimesneye bey'
ediver deyu bir kimesne benim evimde koyup gitti ben dahi ol gece mezbûreye
suâl ettiğimde benim sâhibim Bursalı Sitti Hâtun'dur ben bunun câriyesi değilim
demeğin ertesin haber gönderip ben evde değilken gelip mezbûreyi alıtmış
dediği kelimâtı mezkûre Sitti Hâtun talebiyle kayd-ı sicil olundu ba'dehû
mezbûre Sitti Hâtun mezbûre Hüsrev'den da'vâm yokdur dediği kayd olundu.
Şuhûdü'l-hâl: Mürüvvet b. Ali, Mehmed b. el-Hâc Sinan, Sefer b. Abdullah,
Şemseddin b. Sâdık, Mehmed b. Behrâm

Safiye deceives the female slave of Sitti Hatun bt. Hasan and wishes to sell her to Attar Husrev b. Abdullah.

Summary: The court oversees a dispute between multiple parties as to the ownership of Circassian slave-girl named Ruhsânî

Translation: And so the reason for this record is: Sitti Hatun bt. Hasan intended to prepare and make a face to face statement in the court to someone named Attar b. Hüsrev who is a resident of Üsküdar. From these the former [Sitti Hatun bt. Hasan] was present in the court and said, "A woman named Safiye deceived my Circassian slave girl named Ruhsânî who is approximately thirteen to fourteen years old, with black hair, skewed eyes, her face pock-marked [yüzünü çiçek bozmuş]. She [Safiye] wanted to sell her to the aforementioned Hüsrev. Let there be a questioning of the aforementioned over this

occurrence. As if I would accept the setting of the date [takrir-i tahrir] of the questioning of the aforementioned over the matter in question for an actual* amount (of time) of four months. In the aforementioned burrough for the questioning let there be four months. Safiye subsequently, the aforementioned Ruhsani who is in court and the slave girl named Humayun, and another woman named Saime came. “The aforementioned Ruhsani is my slave or you took someone else and put them in my house. Furthermore that night when I asked her she said, “my mistress is Sitti Hâtun from Bursa and I am not this [woman’s] slave.” [Saime], “the next day the news was sent and while I was not in the house someone came and took her.” These events were recorded and requested by Sitti Hâtun and it was recorded that she did not have a lawsuit case against Hüsrev.

Witnesses to the event: Mürüvvet b. Ali, Mehmed b. el-Hâc Sinan, Sefer b. Abdullah, Şemseddin b. Sâdık, Mehmed b. Behrâm

1186 [115b-2] Hüseyin b. Ali’nin, Ahmed Çelebi b. Budak Çelebi ile Yusuf Çelebi b. Budak Çelebi’ye cariye bedelinden borçlu olduğu

Vilâyet-i Anadolu’da vâki‘ kasaba-i Beypazarı kasabasına tâbi‘ Kuyumcuköy demekle ma‘rûf Davud Dede Tekyesi sâkinlerinden Hüseyin b. Ali nâm şahıs mahfil-i kazâda işbu sâhibü’s-sicil mahrûse-i Üsküdar sükkânından Ahmed Çelebi b. Budak Çelebi ve karındaşı Yusuf Çelebi b. Budak Çelebi mahzarında tâyi‘an ikrâr ve takrîr-i merâm edip mezbûrlara Kamer nâm Boğdaniyyü’l-asl câriye bahâsından dört bin akçe vâcibü’l-kazâ deynim olup meblağ-ı mezbûr için târih-i kitâbdan üç yıla değin yine nefsimi mezbûralara icâreye verdim ki üç yıl istikâmet üzre hizmet ettikten sonra meblağ-ı mezbûr ücrete mahsûb olmak üzre dedikden sonra kazâ-i Kastamonu tevâbi‘inden Kızıoğlu demekle meşhûr karye sükkânından olup hâlâ Galata Zindanı zincircilerinden Himmet b. Yusuf dahi meclis-i şer‘-i şerîfden mezbûr Hüseyin’in zararına kefil oldum dedikde mukırrân-ı merkûmânı ikrâr-ı meşrûhlarında mukarrun lehüma’lmezbûrân vicâhen tasdîk edip mâ vaka‘a bi’t-taleb kayd olundu.

Şuhûdü'l-hâl: Şeyh Muslihiddin eş-şehîr Bâde Şeyh, es-Seyyid Mehmed b. Sâdık,
Mehmed b. Yakub, Mehmed b. Yahya, Hasan b. Sâdık, Bâli Halîfe el-imâm
Yevmü'l-ahad fî 15 Rebî'ilevvel sene elf

On the debt owed by Hüseyin b. Ali to Ahmed Çelebi b. Budak and Yusuf Çelebi b. Budak Çelebi in lieu of a slave girl

Summary: Hüseyin b. Ali pays off the debt for a Moldavian slave-girl

Translation: In the burrough of Kuyumcuköy in the burrough of Beypazar in the Vilayet of Anadolu but also the well known Davud Dede. An individual in the court named Hüseyin b. Ali intended to declare in the court before Çelebi b. Budak Çelebi and his brother Yusuf Çelebi b. Budak Çelebi, "I was obligated to pay the price of 4,000 akçe for a Moldavian slave girl named Kamer to the aforementioned [brothers]. The date recorded for which I gave the aforementioned amount was up to and until three years. Once the debt had been paid to the aforementioned with integrity that my debt was accounted for. Once this was said the court of Kastamonu said consequently that the girl was among the residents of the well-known village. Himmet b. Yusuf from among the zincirciler of Galata Zindani said, "I acted as the guarantor for Hüseyin loss." The decision has been confirmed in court and confirmed face-to-face and in-person.

Witnesses to the Event: Şeyh Muslihiddin eş-şehîr Bâde Şeyh, es-Seyyid Mehmed b. Sâdık, Mehmed b. Yakub, Mehmed b. Yahya, Hasan b. Sâdık, Bâli Halîfe el-imâm
Yevmü'l-ahad fî 15 Rebî'ilevvel sene elf

1211 [118b-1, Arapça] Mihrî Hâtun'un, cariyesi Gülsen'i mükâtebe ile âzat ettiği

(...) Mahmiyye-i Üsküdar mahallâtından (...) mahallesinden (...) 981 târih-i ile

müverrah ve Üsküdar nâibi Mevlânâ Mustafa b. İbrahim'in imzâsı ile mümzâ ve mühürü ile mahtûm bir hüccet ibrâz etti. Mezkûre Mîhrî, müdde'iyeye-i mezbûreyi kitâbete kestiğini ve hizmet-i lâzimesini tamâmladığını ikrâr ve i'tirâf etti. Hâkim, mezbûre Gülşen'in hürriyetine hükmetti. Böylece mezbûre Gülşen, lehinde ve aleyhindeki şeylerin kendi üzerlerinde cereyân ettiği sâir hür doğanlar gibi hür oldu. Artık üzerinde velâ hakkından başka kimesnenin bir hakkı kalmadı.

Cerâ zâlike.

Şuhûdü'l-hâl: El-Hâc Mehmed b. Bâli, Osman Çelebi b. Halil, Mustafa b. Mehmed, Hüseyin b. Behrâm, Hasan b. Sâdık, Mehmed b. Behrâm, Mehmed b. Habîb, el-Hâc Hüseyin b. Mustafa, Muslu Çelebi b. Şeyh Sinan, Ahmed b. Ali, Kâtibü'l-hurûf Yusuf

Mîhrî Hâtun frees her female slave Gülşen from her mükâtebe contract

Summary: A simple manumission which was apparently signed and sealed by a Dervish Mawla

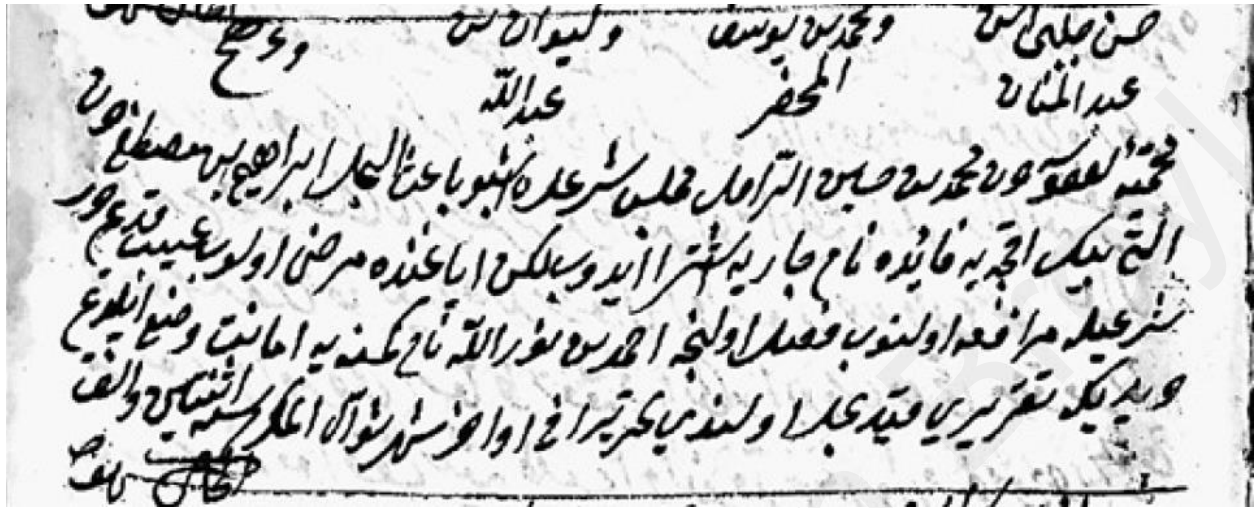
Translation: [...]from the Mahmiyye neighborhood[...]Üsküdar [Mihri Hatun] presented a document dated [...] 981 which was signed and sealed by the naibi Mevlana Mustafa b. Ibrahim. The aforementioned Mihri decalared and confirmed that she [Gülşen] had completed her requisite service and her contract was terminated. The judge ruled that the aforementioned Gülsem was free. In matters both for and against herself she is responsible and shall be free as those who are naturally free. From now on no other has a right over her.

It was done in this way.

Witnesses to the event: El-Hâc Mehmed b. Bâli, Osman Çelebi b. Halil, Mustafa b. Mehmed, Hüseyin b. Behrâm, Hasan b. Sâdık, Mehmed b. Behrâm, Mehmed b. Habîb, el-Hâc Hüseyin b. Mustafa, Muslu Çelebi b. Şeyh Sinan, Ahmed b. Ali, Kâtibü'l-hurûf Yusuf

Lefkoşa Sicilleri Transcriptions and Translations

Note on the sources: The sicils in this section were obtained from the digitized sicil collection at ISAM (İslam Araştırmaları Merkezi) – The Center for Islamic Studies in Istanbul. I was unable to obtain all of the relevant copies of Lefkoşa sicils regarding slaves from their collection but I thank ISAM for their co-operation in allowing me access to these facsimiles. The selected court cases were selected for their appearance in Ronald Jennings' comprehensive work "Muslims and Christians in Ottoman Cyprus". In some of the cases I relied on Jennings' translation where it was the best translation possible. In most cases Jennings provides only brief summaries of the contents and so I have provided a more thorough translation of the registers I was able to obtain.



Hasan Çelebî bin Abd-al Minân ve Mehmed bin Yûsuf al Muḥafiz ve Livân bin 'Abdullah ve ga[yrü]hüm

1. Maḥmiyye Lefkoşadan Mehmed bin Hüseyin al-Rācil meclis-i şer'de işbū [yā'tā çavuş] İbrahim bin Muştafādan
2. Altı biñ akçeye Fā'ide nām cāriye satın édüb lākın ayāğında maraž olüb 'ayyib kadīmdir
3. Şer'iyile murāfaa olunüb fa'ıl olunca Aḥmed bin Nūrullah nām kimesneye emānet ve [zabıt] eyledim
4. Dēdi-ki taqđirī kayd-'abd olūndi taḥrīren fī evāḥir-i şeh'r Şevvāl-i āḥır sene isneyn ve elf

Translation: Hasan Mehmed bin Hüseyin Al-Racil of Lefkoşa states that: I bought a female slave from İbrahim bin Mustafa for 6,000 akçe but there is an old defect in her foot. Let this be put before the court. Place her under the security and guardianship of Ahmed bin Nurullah. The slave's evaluation is recorded here. Registered in the third part of the month of Şevval in the year one thousand and two.



(Right to left, top to bottom) Müştafâ Çavuş (selim defterdâr), ve Abd al-Hâc Bêg bin Hüdâverdi, ve Müştafâ Çelebî (tezkireci), ve ‘Abdülkâdir (subaşı), ve al-Hâc Meḥmed bin ‘Alî al-Cündî, ‘Abdülkâdir (subaşı), ve ga[yrü]hüm

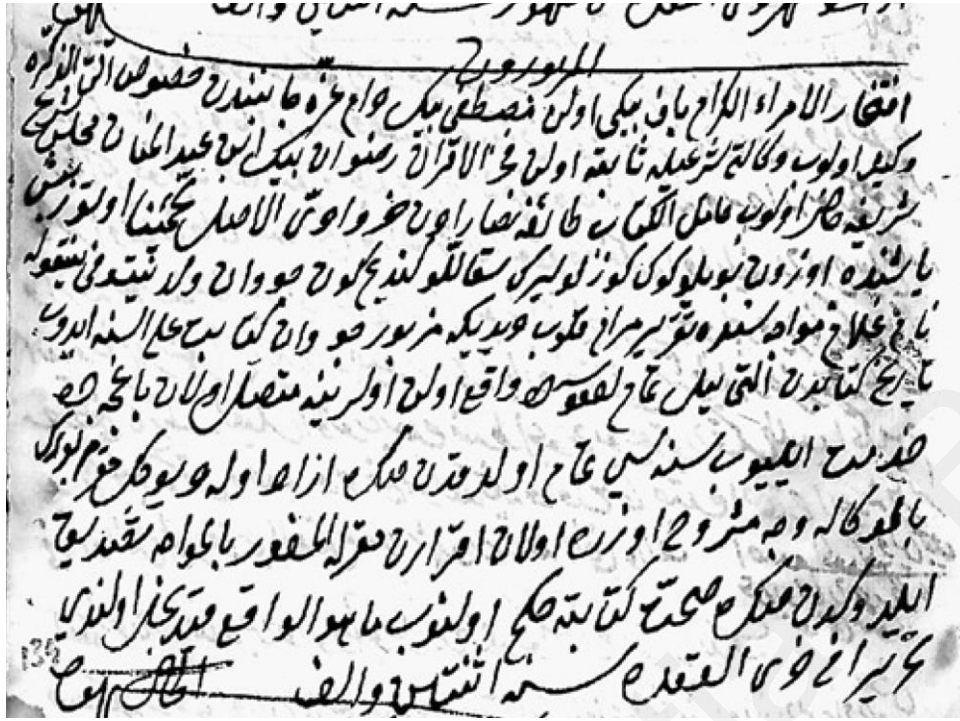
1. vech-i taḥrîr ḥurûf bûdurki esirlerimizden olân işbu Petro v. Hiristofi rum-âl-âsl nâm zimmî
 2. [kadîmden?] toḡrûluk üzere icra-i hizmet etmeḡin âzâd olunûb işbû tezkire
 3. vîrildiki vilayetine vârub vasıl olunca deḡin [merahîl?] ve menâzilin[de?]
 4. kimesnelere [mulakat?] oldukda mûrur-u ‘ubûrına [mezbûr] kimesne mâni’ ve dâfî’
 5. olmayan taḥrîr âḥr ava’il cumâdâ el-evvel sene şâlşa sit’in ve sit’ami’a ve ithnayn ve elf
-
6. ed-da’ire-i Zeynel bin ‘Alî el-mezbûrun Aḥmed bin ‘abd ed-dîn amhsa şâbit
 7. ba’krân taḥrîr aḡiren zî’lka’da sene işneyn elf
 8. [The script in the bottom left] buyuruldu: tersâne ‘âmire

Translation: On the matters set forth here in this document: A zimmi named Petro v. Christophi was freed for performing his service well and for a long period of time. He was issued this tezkire upon his return from a long journey to [his] vilayet. Let it be known to all that he is released from the condition of servitude and let no one obstruct or repel him. [I Cuma, year 993]

From the office of Zeynel bin ‘Alī el-mezbūrun Aḥmed bin ‘abd ed-dīn amhsa ṣābit
[I zil ka’de, year 1002]

[ordered by] the dock supervisor of Istanbul

Commentary: The entry appears to actually be two distinct documents. The first five lines are a copy of the *tezkire* which was given to the *zimmi* Petro in the Hijri Year 993. His contract would not end until Hijri Year 1002 when it is recorded officially in this hüccet before the court in the office of one Zeynel b. ‘Ali. The clue as to the disparate natures of the entries is not only the contents and dates but the fact that they are in slightly different handwriting which speaks to the separate nature of the two documents. What is perhaps of greatest mystery and most interest in this document is the appearance of script on the bottom left which indicates that this Petro’s freedom was perhaps ordered or overseen by the *terzane-i amire* or the dock commander at Istanbul. It is possible that Petro was an employee of the Porte serving some official function in Cyprus on behalf of the government.



[written over hüccet] el-mezbüren

1. İftihârü'l-ümerâ'i'l-kirâm Bâf Bëği olân Müştafâ Beğ dāme 'izzühü cānibinden huşuş-ı âti'z-zikre
2. vekîl olub vekâlet-i şer'iyle sâbite olan fahrü'l-aqrân Rızvân Bëğ ibn 'Abdülmennân meclis-i şer'-i
3. şerîfe hâzır olub 'âmilü'l-kitâb tã'ife-i Nazârâdan Hırvadıyü'l-āşl tahmînen otüz beş
4. yâşında uzun boylu gök gözlü seyrek sakallu [...] Hıvât veled-i [nūṭufi] Nîkōla
5. nām gulām müvācesinde takrîr-i merām kılub dedi-ki: mezbūr Hıvât kitābet 'alî's-sünne edüb
6. târîḥ-i kitābdan altı yıl tamām Lefkōşa'da vāki' olan evlerine muttaşıl olan bağçede
7. hizmet eyleyüb senesi tamām oldukdan şöıra āzād ola deyü [...] mezbürüñ
8. bi'l-vekāle vech-i meşrüh üzere olan ikrârı [...] el-mesfûr [...] taşdik
9. eyledükden şöıra hüccet kitābete hükm olunub mā hüve'l-vāki' [ḳaydü'l-ḫal] olundu.

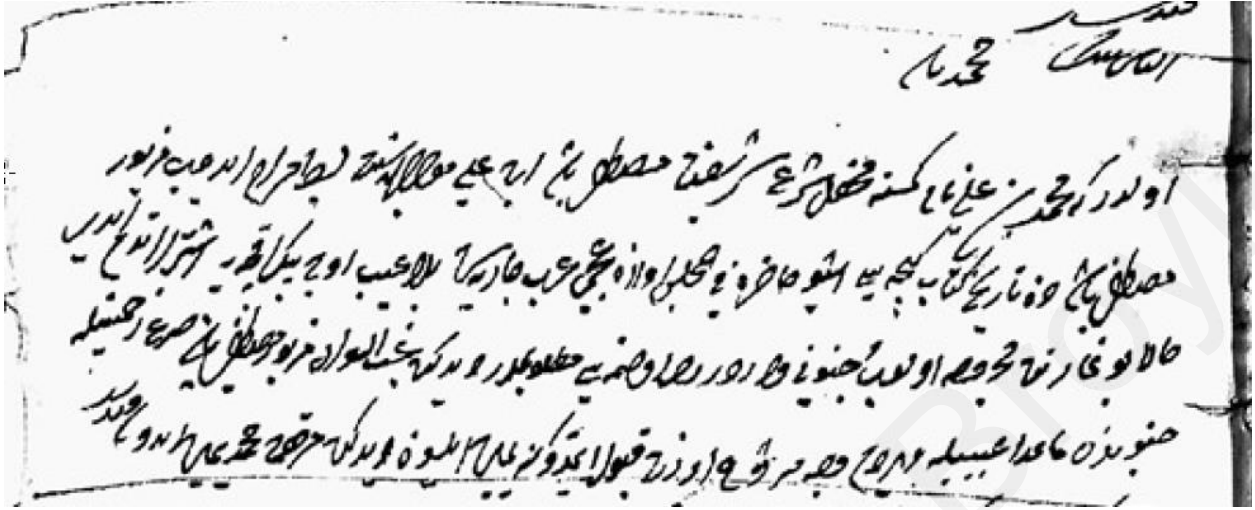
10. Tahřiren fi Zi'l-ka'de sene ineyn ve elf.

Translation: On the behalf of the Proud emir among his peers, Mustafa Beğ of Paphos, may his glory be lasting, in the matter to be mentioned, he was appointed a permanent representative in accordance with the Shari'a named Rızvân Beğ ibn Abdülmennân, exemplar among his peers. He was present before the Shari'a court. He made a statement before the individual under consideration [‘âmilü'l-kitâb] who was a Croatian slave from among the Christian community named Hovat v. [Nutufi] Nikola and who was tall, with blue eyes, blonde hair, and approximately 35 years in age. He said, “In accordance with tradition, after completing his service six years after the written date in the garden adjoined to his houses in Lefkoşa he shall be set free.” After the above-mentioned matter was confirmed by the aforementioned representative the event was recorded. The date was in Zi'l-ka'de in the year 1002.



1. Budur ki: maḥmiyye-i Lefkoşa sâkinlerinden Ḥalîl Çelebî ibn-il-merḥûm derḡhâh-i ‘ali yâyâbaşularından Hızır Subaşı nâm râcil maḥfil-i każâda
2. işbu rafi’atü’l-kitab orta boylu sağ yüzünde eser-i cerahatlı [tâctn?] el-asl Mercâne bint-i ‘Abdullah nâm ‘arab câriyesi
3. müvacehesinde ikrar ve i’tiraf édüb mezbûr câriye merḥûm babam mezbûr Hızırardan bana intikal édüb [...]
4. olüb câriye-i mezbure
5. malimden ve mülkümden ihrac édüb azad eyledim [Arabic] wa sârat hiya ḥurratan ka-sâ’ir al-ḥarâr’ir al-asliyât fa lahâ mâ lahum wa ‘alayhâ
6. mâ ‘alayhum fa lam yubqa li-aḥad ‘alayhâ al-walâ’ al-kâtib? mâ ‘alâ al-’utaqâ shar’an wa kutibat hadhihi al-franqiya?
7. ja’lat (ju’ilat?) bi-yad al-jâriya al-mazbûra taḥrīran fī akhir shahr dhū al-ḥijja al-sharīfa bi al-saba’ (or tisa’) ‘ashr wa alf

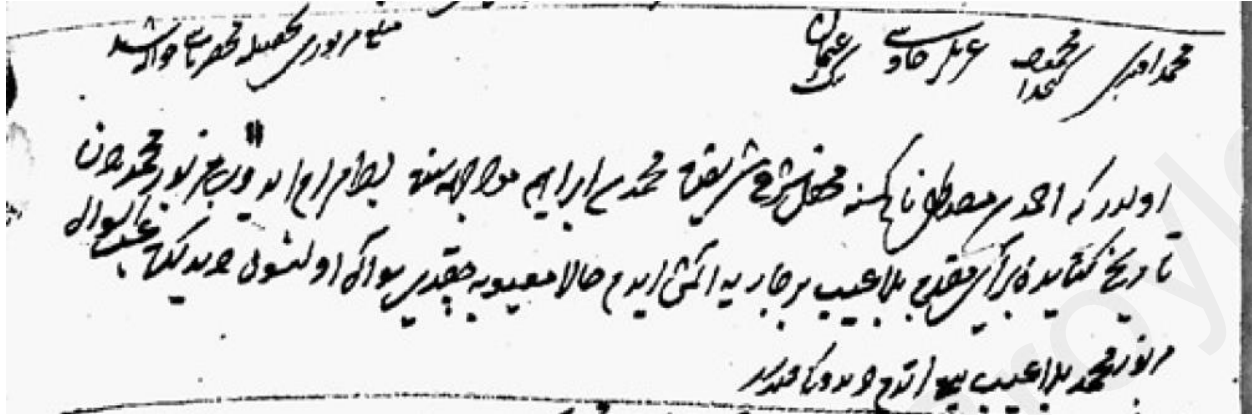
Translation: So it is here that: Racil Halil çelebi bin Hızır su başı of the Imperial infantry commanders stated before the court and in the presence of the person in question, a slave girl of average height with a suppurating wound on the left side of her face, a black slave named Mercane bint ‘Abdullah, “I inherited this slave from my deceased father, I free her from among my property.” She became free like the other women of free origin and she bears the same [legal] responsibilities that are placed on them, and no right of ownership (wala') remains to anyone over those who have been manumitted according to the shari'a, and so it was written for this Frankish? [woman] and [was given] in hand to her, written at the end of Dhu al-Hijja in the year 1019 or 1017.



1. Oldur ki: Mehmed bin 'Ali nām kimesne meclis-i şer-i şerifat Muştafa Beşe bin 'Ali muvacehesinde bast-i merām édüb mezbür
2. Muştafa Beşe tarih-i kitāb gecesi işbū ḥāzira fi'l-meclis olān 'acemi 'arab cāriyesi bila 'ayyab üç biñ akçe ye iştira ettim imdī
3. ḥala boğazında mecruha olūp cünun vardır red olunması matlubumdur dedikde gibbe's-su'al mezbür Muştafa Beşe Mūstafa [...] zāḥmetiyle
4. [cünunde] maada aybıyla verdüm vech-i meşruh üzere qabul etmedüğüne yemin eylesün dedikde mezbür [...] Mehmed yemin édüb

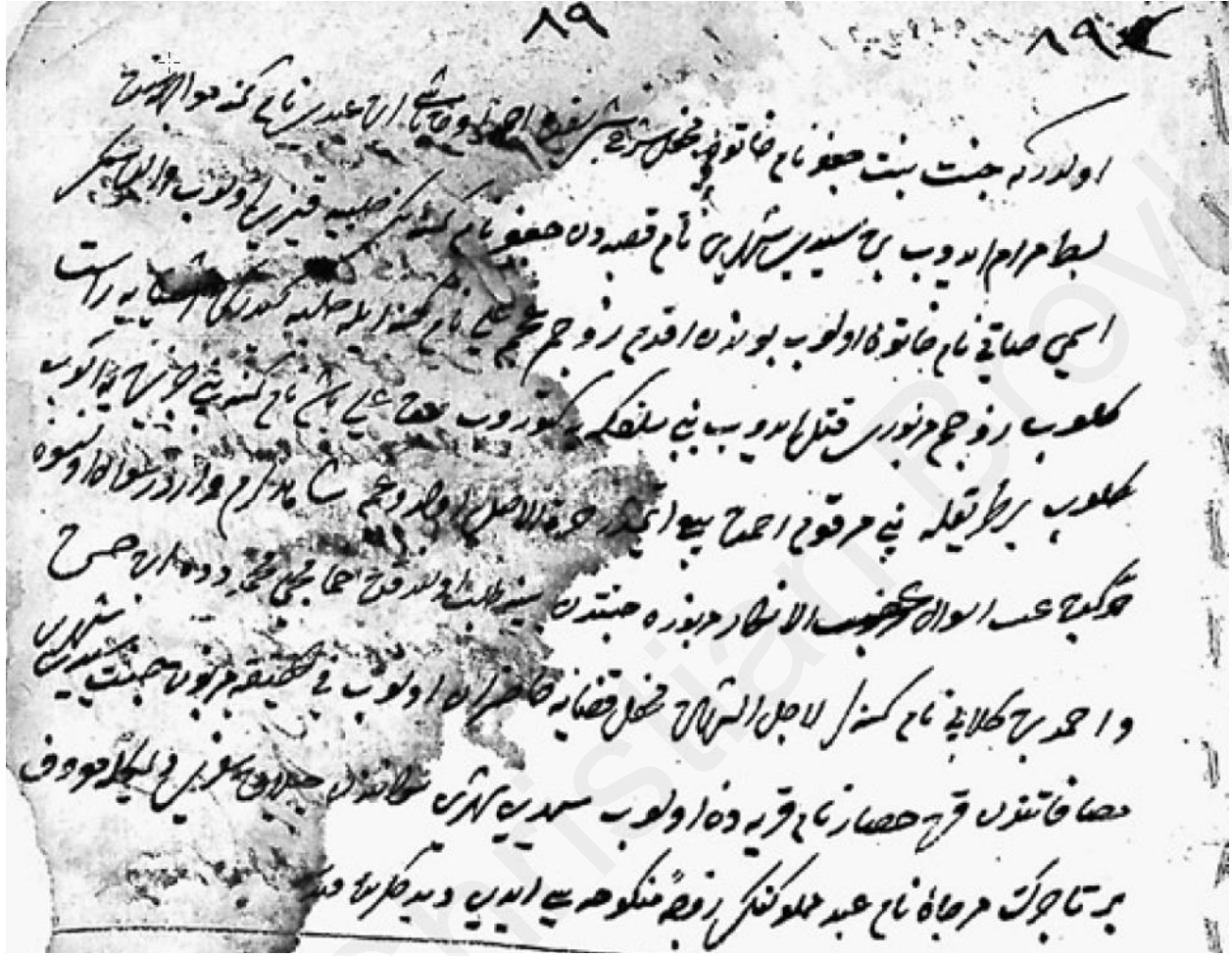
Translation: Mehmed bin 'Ali stated before the court and Mustafa Beşe bin 'Ali, "I bought a foreign black female slave tonight for three thousand akçe on the condition that she have no defects, however there is a wound upon her neck and she is insane [cünun]. My intention is to return her." The aforementioned Mustafa replied, "I gave [him a slave] with insanity and furthermore a defect." let him swear an oath that he did not accept her in the aforementioned manner

Commentary: In this hüccet, Mehmed is attempting to return a slave girl that he purchased from Mustafa because she was insane and had a defect upon her neck. Mustafa is trying to make it clear that he informed Mehmed of the slave's condition. The court then requires Mehmed to take an oath swearing that he was unaware of the slave's defects.



1. Oldur ki: Aḥmed bin Muşṭafa nām kimesne meclis-i şer şariat Meḥmed bin İbrāhim muvacehesinde bast-i merām édüb mezbūr Meḥmedden
2. tāriḥ-i kitābdan bir ay muḳḳadem bilā ‘ayyib bir cāriye almış idim ḫālā ma'yuba çıktı su'al olunsün dedikde gibbe's-su'al
3. Mezbūr Meḥmed bila ayb bey' etdim dediği kayd şüd

Translation: An individual named Ahmed bin Mustafa stated before the court and in the presence of Mehmed bin Ibrahim, “A month before this hearing [tarih-i kitab] I bought a slave under the condition that she have no defects. However, she has become defective. Let there be an inquiry.” The aforementioned Mehmed responded, “I sold him defective [merchandise].” It is recorded.

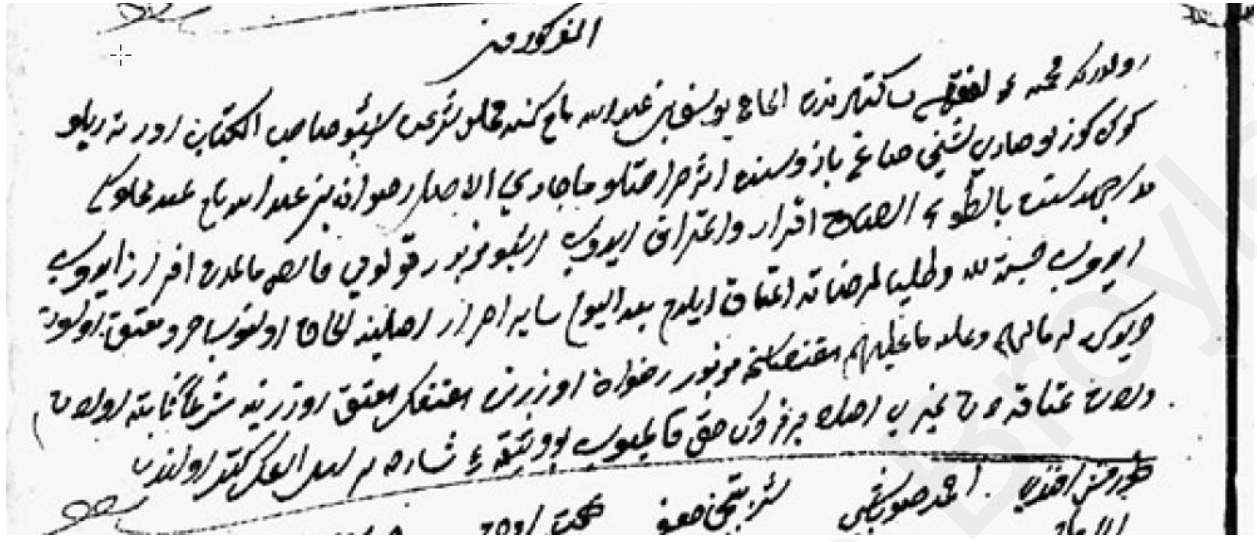


1. Oldur ki: Cennet bint Cafer nām Ĥatun maħfil-i ŧer'-i ŧerifde Aħmed Odabaŧı ibn 'Abdi nām kimesne müvaceħesinde
2. bast-ı merām edüb ben Seydiŧehri nām kasabadan Cafer nām kimesnenin sulbiye kıızı olüb validesinin
3. ismi ŧaki nām ħatun olüb bundan aħdem zevcim 'Acem 'Ali nām kimesne ile Ĥalebe giderken eŧkıyaya rast
4. gelüb zevcim-i mezburı katlı edüb beni Silifkeye getürüb [...] 'Ali Baŧı nām kimesne beni Cizreye alup
5. gelüb bir ŧarikle beni merķum Aħmede bey etmiŧdir. Hürretü'l-aslı olduėum ŧahidlerim vardır su'al olunsun

6. dedikde gibbe's-su'al gibbe'l-inkar mezbûre Cennetden beyyine taleb olündukda
Hamamcı Meḥmed Dede ibn Ḥasan ve
7. Aḥmed bin Kilabi nām kimesneler li-ecli'ş-şehade maḥfil-i kaçaya ḥazıran olüb fi'l-
haḳıka mezbûre Cennet Seydişehir
8. Muşafatından Kara Hisar nām karyeden olup Seydişehir sükkanından ? Seferi demekle
maruf
9. bir tacirin Mercan nam abd-ı memlukunun zevce-i menkuhası idi” dediklerinde [...]

Translation: Cennet bint Ca'fer states before Ahmed oda başi bin 'Abdi, "I am the daughter of Ca'fer of Seydi Şehir; my mother's name was Sati. Formerly when I went to Aleppo with my husband 'Acem 'Ali, brigands came upon us, killed my husband, and brought me to Silifke. Then 'Ali Paşa came and took me to Cezire, where he sold me to the above-mentioned Ahmed. I have witnesses that I am free born." Let them be questioned. Ahmed denies it. When Cennet is asked for proof, Hamamci Mehmed dede bin Hasan and Ahmed bin Gulabi confirm her: She was born in Kara Hisar village of Seydi Şehri. Her husband was Mercan, slave of a merchant named Çaylak Sefer.²¹⁵

²¹⁵ I relied heavily upon the Ronald Jennings translation provided in Christians and Muslims in Ottoman Cyprus.



1. Oldur ki: maḥmiye-i Lefkoşa sakinlerinden el-Ḥac Yusuf bin 'Abdullah nām kimesne meclis-i şer'de işbu sahibü'l-kitab orta boy lu
2. gök gözlü [sarışını] sağ bazusunda eser-i cerahatlu macariyyü'l-asl Rıżvan bin 'Abdullah nām 'abd-ı memluku
3. müvacehesinde bi-tav (obediently) ikrar ve itiraf 'edüb işbu mezbür kulumı [faili?] malimden ifraz 'edüb
4. 'edüb [sic] hasbeten lillah [...] i'tak eyledim. Ba'de'l-yevm sair ahrar aslına ilhak olunup hür ve mu'tak olur
5. dedikde lehü ma lehüm ve 'aleyhi ma 'aleyhim muḳtezasınca mezbur Rıżvan üzerinde mu'takın mu'tak üzerine şer'añ sabite olup
6. [...] 'atakadan gayri asla ? hakkı kalmayup bu vesika-ı şariha [...] ketb olundu

Translation: Haci Yusuf b. 'Abdullah of Lefkoşa acknowledged before the blue-eyed, blonde, with a scar on the right side of his back, Hungarian slaved named Ridvan bn 'Abdullah, "He is my slave. He is my property. I effectively separate him from among my property. Let him be free like all others and have responsibility in all of his own matters.

7. ھاڭڭım ڭالمامıŝdır دییۆءک mukır-i mezbūruñ veç-i meŝrūh üzere cārī olan ikrarın el-muğarru
8. lehā'l-merķūme bi'l-müvācehe taŝdık ve bi'l-müŝāfehe tahķīķ etmeğın mücebiyle 'aml birle mā cerā 'alā
9. mā cerā ڭayd ŝūd, Hürr[ire] fī evāhir ŝaferü'l-ğayr sene erba'a ve erba'in ve elf

Muhammad bin	Sheykh Mūsā	Muhammad bin	'Abd[rashid]	'Isa[...]
Mustafā	Mustafā	Rağman	al-Rācil	[.....]

Translation: So it is that: Mevalana Hasan effendi bn Abdul-Fettah of Lefkoŝa came before the court regarding the subject of this sicil, a Russian slave girl named Satime bint 'Abdullah. It was confirmed in her presence that for her obedient [service] the aforementioned Satime was free from his property in the name of God the king and creator. Let her be free as other Muslims are and none shall have any right over her in the matters under consideration. These events were confirmed face to face and in person and are certain. The events which took place were recorded here on [...]

Appendix B

1.) The Multaqa Al-Abhur

1.1 Kitab al Atiq

﴿ كتاب الاعتاق ﴾
هو اثبات القوّة الشرعية في المملوك انما يصح من مالك حرّ مكلف بصريحه
وان لم ينو كآنت حرّ او محرّر او عتيق او متعق او حرّ ترك او اعتقتك او هذا
مولاي او يا مولاي او هذه مولاتي او يا حرّ او يا عتيق ان لم يجعل ذلك اسما له *
وكذا لو اضاف الحرية الى ما يعبر به عن البدن كرأسك حرّ ونحوه * وكقوله
لامته فرجك حر * وبكنايته ان نوى كلامك لي عليك او لا سبيل لي

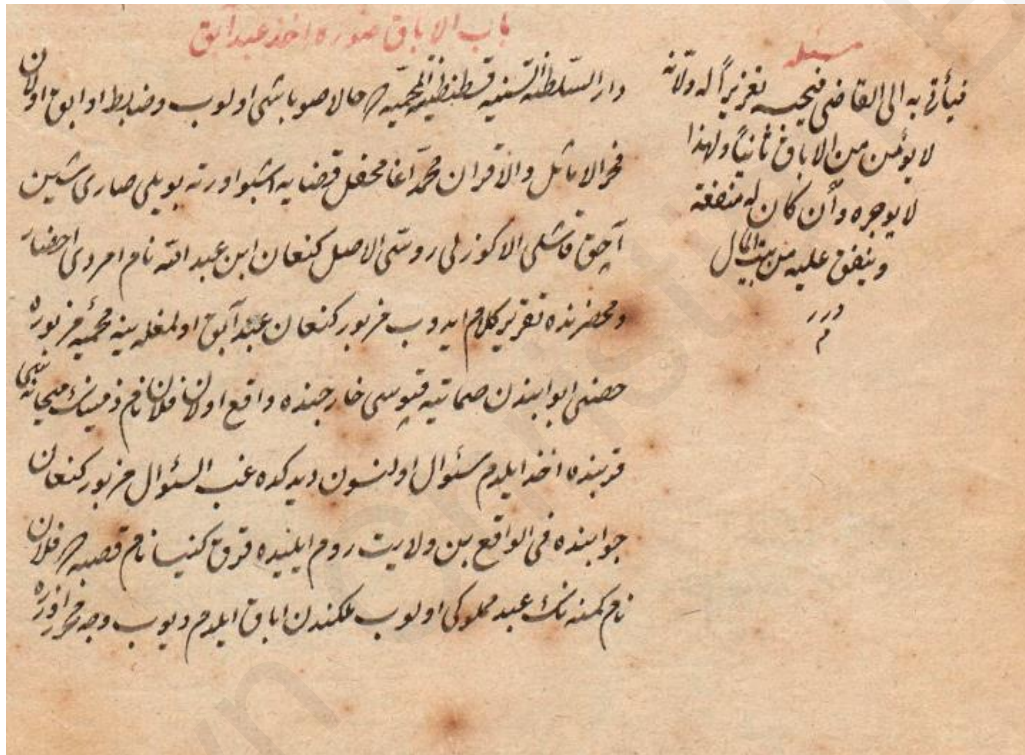
اولارق او خرجت من ملكي او خليت سبيلك * او قال لامته اطلقتك ولو قال طلقتك
لا تعتق وان نوى * وكذا سائر الفاظ صريح الطلاق وكنايته * ولو قال انت
لله لا يعتق خلافا لهما * ولو قال هذا ابني او ابني عتق بلانية وكذا هذه امي *
وعندهما لا يعتق ان لم يصلح ان يكون ابنه او ابا او اما * ولو قال لصغير هذا
جدي لا يعتق في المختار * وكذا لو قال هذا اخي او لعبد هذا ابنتي ولا يعتق
بالسلطان لي عليك وان نوى * ولا بيا ابني ويا اخي او انت مثل الحرّ وقيل يعتق
* ولو قال مانت الاحرّ عتق * ومن ملك ذا رحم محرم منه عتق عليه ولو كان
المالك صغيرا او مجنونا * والمكاتب يكاتب عليه قرابة الولاد فحسب خلافا لهما
ومن اعتق لوجه الله عتق * وكذا لو اعتق للشيطان او للصنم وان عصي * وكذا
لو اعتق مكرها او سكران * ولو اضاف العتق الى ملك او شرط صح ولو خرج
عبد حرّبي الينا مسلما عتق * والحمل يعتق بعنق امه * وصح اعتاقه وحده
ولا تعتق امه به والولد يتبع امه في الملك والرق والحرية والتدبير والاستيلاء والكتابة
* وولد الامة من سيدها حرّ ومن زوجها ملك لسيدها * وولد المغرور حرّ بقيمته

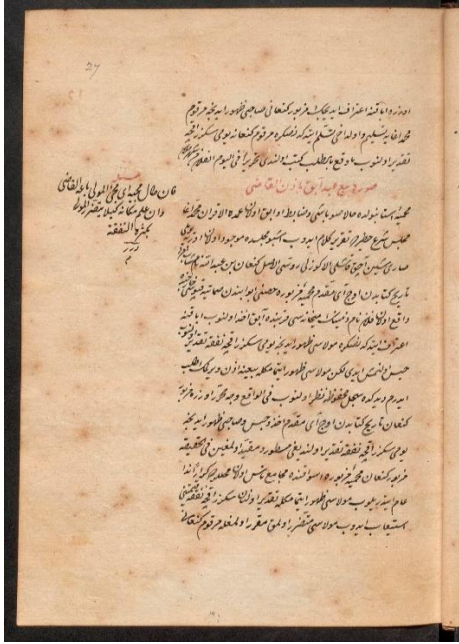
Translation: This is to prove on legitimate, religious grounds what a free man owns when he says, even if he did not mean it, “you are freed, freed, released from slavery, I free you, I release you from slavery, this is my servant, or he or she is my servant” or “you are free” even without naming him.

And when the word “freedom” is attached to or described to one part of the human body such as, “your head is free” and so on. And when the owner says to his female slave, “you are sexually free” or “I have no power or well over you, you are no longer under my authority.” Or when the owner says to his female slave, “I release you” but if he said I divorce you, it doesn’t mean she is free even when he meant it. This also includes all divorce meanings and names.

2.) Sakk-i Vehbi

2.1 Babü'l-ibak (or übbak), suret-i ahz-i abd-i abık





Babü'l-ibak (or übbak), suret-i ahz-i abd-i abık

1. Darü's-salṭanati's-seniye Kıstantiniye el-Maḥmiye ḥālā şubāşı olup ve zabıt-ı evabık olan
2. Faḥrü'l-emāsil ve'l-aḳrān Meḥmed Ağā maḥfil-i każāya işbu orta boylu sarışın
3. açık kaşlı elā gözli rüsyü'l-aşl Kıen'ān ibn 'Abdullah nam emredi ihzar
4. ve maḥzarında taḳrİR-i ḳelām edüb mezbür Kıen'ān 'abd-ı ābık olmağla yine maḥmiyye-i mezbüre
5. ḥużnī ebvābından Samātiye ḳapusu ḥāricinde vāki' olan falan nām zımmiñ meyhānesi
6. ḳurbunda aḥz eyledim su'al olunsun dedikte ğıbbe's'ūāl mezbür Kıen'ān
7. cevābında fi'l-vāki' ben vilāyet-i Rūmelinde Kıırık Kilisā nām ḳaşabada falan
8. nām kimesneniñ 'abd-ı memlūkī olup malikinden ibāk eyledim deyüp vech-i muḥarrer üzere
9. üzere ibāka 'itirāf edicek mezbür Kıen'ānı sāhibi zuḥūr edince merkūm
10. Meḥmed Ağaya teslīm ve ol-dahi teslīm etdikden soñra merkūm Kıen'āna yevmi sekizer akçe
11. taḳdİR olunup ma vaḳa'a bi't-ṭaleb ketb olundu. Tahrİren fi'l-yevmi'l-falan min şehr-i falan

Translation:

Pride of his peers, Mehmed Ağa, currently subaşı and zabıt-ı evabık (officer in charge of absconded slaves) of the abode of the exalted Sultanate, Constantinople the well-protected, called to court the medium-height, light-complexioned, light-eyebrowed (açık meaning light-colored), hazel-eyed, Russian in origin man named Kenan ibn Abdullah, and in his presence made a statement to the court, "Since Kenan was an escaped slave, I seized him near the tavern belonging to a zimmi named so-and-so (located in etc. etc. part of the city), let him be asked [by the court to verify this]. After questioning, Kenan responded, "Indeed, I was the slave of so-and-so in the town of Kırk Kilisa in the province of Rumelia, and I fled from him." When he stated to the court(1) in the aforementioned manner that he had fled, he was handed over to the aforementioned Mehmed Ağa until such time as(2) his owner appears [to claim him], and until [Mehmed] hands him over [to his owner], the aforementioned Kenan was appraised at eight akçe per day.(3) What occurred was recorded by request. Written on day so-and-so of the month so-and-so.

صورتی مع عبد آبق باذن القاضی

مجمیہ استا بنولده حالہ صوبہ بانی و ضابطہ او ابوق اولیٰ عمدہ الاقران محمد اغا
 مجلس شرع حطیرہ تقریر کلام ایدوب اسبوجلسہ موجود اولیٰ اور پوری
 صاری سبب آبق قاضی الا کوزلی روتسی الاصل کنعان بن عبد اللہ بن سبب
 تاریخ کتابدن اوج آئی مقدمہ مجمیہ فرخ پورہ حصنی ابوباندن صماتیہ قنویسی
 واقع اولیٰ فکرم نام دنسبک میخانہ سبی فرزندہ آبق اخذ اولنوب اباقنہ
 اعتراف ایندہ کہ لشکرہ مولاسی ظہور اید بجه یومی سکوز آقیہ نفقہ تقدیر
 جس اولنوب ایدی لکن مولاسی ظہور ایتمکله بیعینہ اذن ویرکات طلب
 ایدرم دید کہ سبجل محفوظہ نظر اولنوب فی الواقع وجہ تحریر اوزرہ فرخ
 کنعان تاریخ کتابدن اوج آئی مقدمہ اخذ و جس وصاحبی ظہور اید بجه
 یومی سکوز آقیہ نفقہ تقدیر اولنوب یعنی مسطورہ مقید اولنوبین فی تحقیقہ
 فرخ پور کنعان مجمیہ فرخ پورہ اسواقندہ مجامع نامس اولیٰ محکمہ کرا اندا
 عام ایندہ یلوب مولاسی ظہور ایتمکله تقدیر اوزن سکوز آقیہ نفقہ تقدیری
 استیعاب ایدوب مولاسی متضرر اولنوب مقرر اولنوب مقرر قوم کنعان

فان طالب مجمیہ ای محیی المولیٰ بابہ القاضی
 وان علم مکانہ کنبلای تقدر المولای
 بکثرہ النفقہ
 در
 م

بیخه فرزند و مرغ اغایه اذن و بر بلوب ما وقع بالطلب کتب اولند کی تحریر

باب شرکت مفاد و صور

مسئله
و بهی مفاد و فتنه ان تفننت و کانه و کلانته
دست و با مال و تصرف و دینا
فلا تفتح بین حج و عبده کسبی
و بالغ و مسلم کافر
کنز الدقایق

محمد استا بنوله تجارتی مفاد مسندن حاج احمد بن عوض مجلس شرح خط
بینه طایفه فرزند دن حاج علی بن محمد محضنده اقرار و تقریر کلام اید و
فرزند حاج علی اید هر بر بر کند ی مالکیزان فرضی رایج الوقت یکسید
بیک آنچه فرزند اید و ب و شرکت مفاد و صور طریق اوزره عقد شرکت
ایدک سول و جدا اوزره که هر بر بر آخرک و کیدی و کیدی اولوب ایمنه
مشوعه اکثر اید و ب بالمراتة تعالی فایده و ناسندن نه مقدار آنچه
حاصل اولو رایسه بنیز بطریق المنصفه تقسیم اولند و دید که غلبه تصدیقا

صوره نبوت شرکت مفاد و صور

محمد استا بنوله تجارتی مفاد مسندن حاج علی بن محمد مجلس شرح خط
بینه طایفه فرزند دن محمد بن احمدی احضار و محضنده اوزرینه دعوی تقوی
کلام اید و ب فرزند محمد غائب عن المجلس حاج احمد اوصاف بنیز
معلوم و سنی الاصل بدینه مشتری و مقبوض بر غلام بهاسندن اولوب
آنچه دینی اولوب یکن بن غائب فرزند حاج احمد اید شرکت مفاد و صور
طریق اوزره شرکت اید و مبلغ مرقومک نصف بنی حق و نصف آخرک
شرکت مذکوره ضمننده اولو کالت سببندن جمعا فرزند انعت اول

1. Mahmiyye-i İstānbulda hâlâ şubaşı ve zabıt-ı evābık olan ‘ühdetü'l-akrân Mehmed Ağa
2. meclis-i şer'-i haṭire taḳrır-i kelām édüb işbu meclisde mevcūd olan orta boylu
3. şarışın açık kaşlı ela gözli rüsyā'l-aşl Ken‘ān bin ‘Abdullah nam şā'b eḳrā
4. tarih-i kitābdan üç ay muḳaddem mahmiyye-i mezbūre hışnı ebvābından Şamatya kapısı ḥaricinde
5. vaki' olan falan nam zimminiñ meyḥanesi ḳurbunda ābık aḫz olunub abāḳına
6. i'tirāf etdiktensoñra mevlası zühūr edince yevmi sekiz akçe nafaḳa takdīr olunub
7. habş olunmuş idi lakin mevlası zühūr etmemekle bī-'aynühü izn verilmek taleb
8. ederim dedikde sicill-i maḥfūza naẓar olunub fī'l-vāki' vech-i muḥarrer üzere mezbūr
9. Ken‘ān tāriḫ-i kitābdan üç ay muḳaddem aḫz ve ḥabs ve şāḫibi zühūr edince
10. yevmi sekizer akçe nafaḳa takdīr olundığı meşṭūr ve mūḳayyid olmağın fī'l-ḫaḳiḳa
11. mezbūr Ken‘ān mahmiyye-i mezbūre esvāḳında mecāmi'-i nās olan mahallerede karāran andā
12. 'āmm itdirilüb mevlası zuhur etmemegle takdir olunan sekizer akçe nafaka [...] zımnını
13. istī'āb idüb mevlası mütezarrır olmak makarr olmamağla merkum Ken‘ānı
14. (continued on next page) bey'e mezbur Mehmed Ağaya izn verilüp ma vaka'a bi't-taleb ketb olundu. Tahriren [date missing]

Translation:

In the well-protected city of Istanbul, the pillar of the people, the esteemed Mehmed Ağa who is subaşı and officer of affairs concerning absconded slaves gave his word on this matter in the Şaria court. The one present in the court was the slave Kenan, son of Abdullah [a non-Muslim], who has defined eyebrows, is of middle-height and Slavic origin, and is blonde-haired and green-hazel-eyed. Three months before the writing of this register, the slave was bought in the proximity of a non-Muslim's tavern which is just outside of the Samatya gate of the gates of Istanbul. The slave's allowance for necessities was evaluated to be worth eight Akche per day and when his master appeared after he admitted his absconding he was imprisoned. However, because his master didn't appear [in court], he [his case] was seen to the protected record [the sicil] when he said: "I demand to be given permission in its very self". Just like that which is written above three months before the writing of this register, because of the recording of the evaluation of his allowance of eight Akche per day in supplies, he was made to publicly proclaim... in the markets of the populous neighbourhoods of Istanbul and because his master didn't appear [in court] he kept the evaluated allowance of eight Akche per day for supplies. Because it was decided that his master should be hurt (was not present), permission was given to the aforementioned Mehmed Ağa to sell him and a sicil was written upon request. The date was []

Glossary

Esir pazarı – the slave markets of the Ottoman Empire. According to numerous personal accounts they were usually part of a greater market complex save for Istanbul and Keefe which had their own dedicated structures. The esir pazarı were the actual places of sale for slaves. Once slaves had been brought off of boats and their respective customs due paid, they were often stripped naked and taken to various parts of the Pazar for viewing by potential buyers. Fisher, Alan. *The Sale of Slaves in the Ottoman Empire: Markets and State Taxes on Slave Sales, Some Preliminary Considerations*, Bogazici University Dergisi, vol. 6 (1978), p. 149.

İlm-i Firaset – The medieval Ottoman practice of divining moral attributes from physical appearances, analogous to various western esoteric traditions and phrenology. The word literally translates to “the science of intuition/discernment”. Nur Sobers Khan’s *The Gaze of the Ottoman Slave Owner* extensively details the system by which slave owners valued and classified slaves by their physical appearance e.g. large, African, male slaves were thought to be good at manual labor and were therefore more likely to be sold into agricultural labor. Sobers-Khan, Nur. "Firāsetle nazar edesin: Recreating the Gaze of the Ottoman Slave Owner at the Confluence of Textual Genres." *The Ottoman Empire and its Heritage: Well-Connected Domains: Towards an Entangled Ottoman History* (2014): 93-109.

Kadı – men of religious education whose job it was to carry out ruling in local courts of law in accordance with the dictates of Islam. According to the Encyclopedia of Islam, “Some areas of the law were systematically transformed into administrative structures. Central amongst these was the office of judge (kādī [q.v.]). His competence covered many aspects of family law (marriage, divorce, inheritance etc.), the administration of charitable endowments (waqf) and the property of orphans, and the adjudication of civil disputes. His appointment and terms of office were controlled by political authority. His efficiency was often thought to be limited by the stringency of *shar‘ī* rules and this led to the emergence of parallel judicial structures (called *mazālim* [q.v.] in early ‘Abbāsīd times) which had a more pragmatic attitude to the law and were closely related to government. In Ottoman times the integration of the kādī into the structures of government was nearly complete.” *Encyclopedia of Islam Online*, 2nd edition, Brill publishing “Sharia”

The *Dar-ul-Islam* and the ***Dar-al-Harb*** are theological concepts for organizing the world in Islamic terms that were conceived a century after the prophet Mohammed by Islamic jurist Abu Hanifa, the founder of what would later be called the Hanafi school of thought. Essentially, the *Dar-al-Harb* (lit. the abode of war) is all lands where Islam is not the predominant faith and is not under Shari'a Law. Obversely, the *Dar-al-Islam* (lit. the abode of Islam) is where the state is organized by Islamic principles and Islam is the ruling majority.

Dar ul-Islam "Territory of Islam. Region of Muslim sovereignty where Islamic law prevails. The Hanafi school of law holds that territory conquered by nonbelievers can remain dar al-Islam as long as a qadi administers Islamic laws and Muslims and dhimmis are protected. During the colonial period the status of colonized territories was debated, and Indian Muslims argued that British India was dar al-harb. There seemed to be no connection between the status of dar al-harb and an obligation to wage jihad against the British. Muslim scholars held that colonized Algeria was dar al-harb, and discussion arose about the obligation to emigrate to dar al-Islam."

Dar ul-Harb Territory of war. Denotes the territories bordering on dar al-Islam (territory of Islam), whose leaders are called upon to convert to Islam. Refers to territory that does not have a treaty of nonaggression or peace with Muslims; those that do are called dar al-ahd or dar al-sulh. Jurists trace the concept to Muhammad whose messages to the Persian, Abyssinian, and Byzantine emperors demanded that they choose between conversion and war. When the leaders of dar al-harb accept Islam, the territory becomes part of dar al-Islam, where Islamic law prevails; conversely, according to the majority of jurists an Islamic territory taken by non-Muslims becomes dar al-harb when Islamic law is replaced. Like other classical legal concepts, dar al-harb has been affected by historical changes, and with the fragmentation of the Muslim world into numerous states, the concept has little significance today." Oxford Dictionary of Islam, entry: Dar-al-Islam. The concept of the Dar al-Islam and the Dar al-Harb (House of War) was an 8th century theological innovation by Abu Hanifa.

Shaykh ul Islam – The Shaykh al Islam was one of the highest offices within the Ottoman Empire but not always within a linear power structure. The office was often elected in the

Ottoman Empire by the kadis of large, important cities and represented the highest of the “ulama” or men learned of religious education, in the Empire. Kramers, J.H., Bulliet, R. and Repp, R.C., “Shaykh al-Islām”, in: Encyclopaedia of Islam, Second Edition. In the wake of the controversial Treaty of Karlowitz (1699) the historian Naima was commissioned by Grand Vizier Hussein Kiprili to justify the treaty to the public. “Naima, in addressing his Muslim audience, shows that Hussein’s policy had precedent in the actions of the Prophet Muhammad himself. The incident he discussed is the peace of Hudaibiyah, which was entered into between Muhammad and the Meccans in 627 A.D.” Itzkowitz, Norman, Ottoman Empire and Islamic Tradition. Palabiyik, Mustafa Serdar. "The Emergence of the Idea of International Law in the Ottoman Empire before the Treaty of Paris (1856)." Middle Eastern Studies 50.2 (2014): 233-251.

Fiqh – “The academic discipline whereby scholars described and explored the Sharī‘a is called fiqh. The word designates a human activity and cannot be ascribed to God or (usually) the Prophet. It frequently occurs in a genitive construction with the name of a scholar: the fiqh of Mālik, the fiqh of Ibn ‘Ābidīn. The Sharī‘a, contained in God’s revelation (Qur’ān and ḥadīth), is explained and elaborated by the interpretative activity of scholars, masters of fiqh, the fuḡahā’. Since this is in practice the only access to the law, the two words are sometimes used synonymously, though sharī‘a retains the connotation of divine, and fiqh that of human. Since the late 19th century, the linguistic calque al-ḳānūn al-islāmī (Islamic law, borrowed from European usage) has become a part of Muslim discourse and carries with it connotations of legal system, as in modern states [see ḳānūn]. Western studies of fiqh are still dominated by the work of Joseph Schacht, who produced the articles fiqh and sharī‘a for EI 1, the former lightly edited for EI 2.” Encyclopedia of Islam Online, 2nd edition, Brill publishing, “Sharia”

Caliphate – “Term adopted by dynastic rulers of the Muslim world, referring to the successor to the Prophet Muhammad as the political-military ruler of Muslim community. The first four successors to that office were chosen by consensus of the Muslim community's elders and were known as leaders of the believers. After them, the caliphate became hereditary. Two principal dynasties, the Umayyads and Abbasids, dominated the caliphate until 1258 . The Mamluk sultanate kept members of the Abbasid family as titular caliphs in Cairo until the Ottoman

conquest of Egypt in 1517. Ottoman sultans were then widely recognized as caliphs until abolition of the caliphate in 1924. The caliph's functions classically are the enforcement of law, defense and expansion of the realm of Islam, distribution of funds (booty and alms), and general supervision of government. It is not a spiritual office, but the institution was imbued with political and religious symbolism, particularly regarding the unity of the Muslim community.” – Oxford Dictionary of Islam “*Caliphate*”.

Vilayet – Ottoman administrative subdivision over which there was a *Vali* whose authority answered directly to the Sultan. The Vilayet was administered by both the Vali and the Chief *Kadi*. While reformed in the late 19th century the *Vilayet* or *Eyalet* was always roughly equivalent to province and usually contained one major city. For instance, Istanbul and Konya were two separate *Vilayets* with their respective major cities as the seat of provincial administration.

Sharia – The body of law composed of the teachings of the Qur’an and the Hadith and depending on the specific madhhab, other legal principles. It is the primary duty of an Islamic state to implement and enforce Sharia law. This is differentiated from *fiqh* which is the scholarly body of work that makes up Islamic jurisprudence and the interpretation of the Sharia. “Within Muslim discourse, *sharī‘a* designates the rules and regulations governing the lives of Muslims, derived in principal from the *Qur’ān* and *ḥadīth*” Calder, N. and M.B. Hooker, “*Sharī‘a*”, in: Encyclopaedia of Islam, Second Edition.

Mukataa Defteri – Mukataa defterler (Turkish pl. of defter (notebook/register) were large, handwritten registers kept by the bureaucracy of Istanbul to record all sources of revenue within the Empire. When a new province was conquered, numerous officials were sent to evaluate the land and record mines, farms, saltworks, mills, etc. to determine the usufruct owed to the Sultan.

Zimmi – Ahl al-Dhimma lit. the people of the Dhimma. A collective term for non-muslims under muslim rule i.e. non-muslims living in the Dar-al-Islam to whom special legal rights are provided under the condition that they recognize Islam. Cahen, Cl., “*Dhimma*”, in: Encyclopaedia of Islam, Second Edition.

Naskh – “abrogation” or the overwriting of some verses and sayings of the prophets by others in order to deal with contradictions between the source materials (chiefly, the Quran and the Hadith). For instance, Many scholars assert that the sword verse of the Quran is not a general injunction to slay all infidels but only applied in the historical context of slaying those who had broken a pact with the Muslim community. Quran 9:5 "But when the forbidden months are past, then fight and slay the Pagans wherever ye find them, and seize them, beleaguer them, and lie in wait for them in every stratagem (of war); but if they repent, and establish regular prayers and practise regular charity, then open the way for them: for Allah is Oft-forgiving, Most Merciful."

Pencik – In any war carried out in the Dar-al-Harb against infidels the Sultan was entitled to one-fifth of the war booty as prescribed in Islamic law. This practice was put into force during the time of Murad I upon the conquest of Bulgaria. The word itself is derived from the Farsi words for five and one.

Devşirme – ‘collection’ derived from the Turkish verb ‘devşirmek’ – to collect. Also known as the boy levy, the youth levy, or the blood tax, was an early Ottoman military and administrative practice that likely extends as far back as Murad I in the late 14th century during the conquest of the Balkans. The Sultan would often demand a levy of young boys on conquered provinces (with heavy variation over time), sometimes as high as 1 in 40 boys between the ages of 8 and 18 to be sent to Istanbul, converted to Islam, and trained in warfare and soldiery. This was designed to create a landless, professional, salaried soldier class that was loyal only to the Sultan and could thus run counter to the influence of the native Turkish nobility. The recruits from this and other sources were sent for education and training to Istanbul. The Janissaries (“New Force”) were the infantry selected from among the newly educated recruits. Finkel, Caroline. *Osman’s Dream*, Basic Books Publishing Group, New York City, NY. 2005. p.75

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