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**“FREE LIKE OTHER FREEBORN PEOPLE” OR JUST  
ANOTHER FORM OF DEPENDENCY?  
QUESTIONING THE SITUATION OF MANUMITTED  
SLAVES IN EARLY MODERN ISTANBUL**

Working Paper, ISSN 2747-9331  
Bonn Center for Dependency and Slavery Studies  
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Editors: Abdelkader Al Ghouz/Jeannine Bischoff/Stephan Conermann

Working Paper 2022/06  
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“Free Like Other Freeborn People” or Just Another Form of Dependency? Questioning the Situation of Manumitted Slaves in Early Modern Istanbul

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"Gefördert durch die Deutsche Forschungsgemeinschaft (DFG) im Rahmen der Exzellenzstrategie des Bundes und der Länder – Exzellenzcluster Bonn Center for Dependency and Slavery Studies (BCDSS) EXC 2036/1-2020, Projektnummer: 390683433"

"Funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – Cluster of Excellence Bonn Center for Dependency and Slavery Studies (BCDSS) EXC 2036/1-2020, Project No.: 390683433"

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## Abstract

This paper aims to present some thoughts and research findings related to my ongoing project on Ottoman slavery and dependency. The project, entitled “Spatial and Social Mobility of Slaves from the Black Sea Region in Seventeenth-Century Istanbul,” is part of the *Transottomanica* project funded by the German Research Foundation (DFG).<sup>1</sup> The project focuses on the mobility and agency of slaves and aims to give information about their legal and social status, their trajectories during and after enslavement, and their role in society. Based on the concept of asymmetrical dependency used by the Bonn Center for Dependency and Slavery Studies (BCDSS),<sup>2</sup> my focus in this paper is on the legal and social status of slaves after their time of enslavement in terms of dependency. Drawing on entries in Istanbul-area court records of the sixteenth and the seventeenth centuries, I address the question of freedom, and present some preliminary results concerning forms of asymmetrical dependency that shaped slaves’ lives after emancipation.

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<sup>1</sup> [www.transottomanica.de](http://www.transottomanica.de).

<sup>2</sup> Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler, and Stephan Conermann, “On Asymmetrical Dependency,” *BCDSS Concept Paper 1*, Bonn: BCDSS, University of Bonn, 2021 and Christoph Antweiler, “On Dependence, Dependency, and a Dependency Turn. An Essay with Systematic Intent,” *BCDSS Discussion Paper 1*, Bonn: BCDSS, University of Bonn, 2022.

## I. The Legal Status of Former Slaves

In comparison with forms of slavery in other regions and countries, the practice of slavery in the Ottoman Empire may be seen as having a certain openness because it offered slaves the possibility of legal and social advancement after their manumission. The very fact that slavery was temporary and that slaves were freed in different ways is a distinguishing feature of Ottoman slavery.<sup>3</sup> According to law, former slaves after manumission were supposed to be “free like other freeborn people,” as stated in manumission documents.<sup>4</sup> On the one hand, it is evident that former slaves were integrated into society and, like other free persons, were able to carry out activities such as the purchase and sale of a house, marriage, the setting up of an endowment, or the acquisition of slaves. On the other hand, documents indicate that the relationship between former owners and slaves was maintained after manumission, and that merely a different kind of social, economic, or even emotional dependency developed. This kind of mutual dependency between slave owner and slave that continued after manumission can be described as patronage<sup>5</sup> or as a bond of personal loyalty.<sup>6</sup> However, not only during the time of their enslavement, but also after it had ended, slaves were involved in social processes and shaped the social and economic structures of Ottoman society. Thus, this paper attempts to draw preliminary conclusions about the life of slaves following their enslavement and takes a look at their social and economic activities in the society of early modern Istanbul—as far as the research results up to this point allow. In discussing forms of dependency in this paper, I adopt the BCDSS’s<sup>7</sup> classification of free and unfree as a continuum of dependency, and address the question of the dynamic of slave status and dependency relations.

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<sup>3</sup> Madeleine Zilfi, “Ottoman Slavery and Female Slaves in the Early Modern Era,” in *The Great Ottoman-Turkish Civilization 2. Economy and Society*, ed. Kemal Çiçek et al. (Ankara: Yeni Türkiye, 2000): 714 and Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014). For an overview of studies on Ottoman slavery until 2017 see Suraiya Faroqhi, *Slavery in the Ottoman World: A Literature Survey*, Otto Spies Memorial Lecture 4 (Berlin: EB-Verlag, 2017).

<sup>4</sup> On Ottoman manumission documents see Joshua White, “Ottoman Slave Manumission Documents,” *Christian-Muslim Relations 1500–1900*, 17.08.2021, [http://dx.doi.org/10.1163/2451-9537\\_cmrii\\_COM\\_31256](http://dx.doi.org/10.1163/2451-9537_cmrii_COM_31256) and Suraiya Faroqhi, “Manumission in 17th-Century Suburban Istanbul,” in *Mediterranean Slavery Revisited (500–1800) / Neue Perspektiven auf mediterrane Sklaverei (500–1800)*, ed. Stefan Hanß and Juliane Schiel (Chronos: Zürich, 2014): 381–402.

<sup>5</sup> Ehud R. Toledano, *Slavery and Abolition in the Ottoman Middle East* (Seattle and London: University of Washington Press, 1998): 66.

<sup>6</sup> Jan Hagedorn, *Domestic Slavery in Syria and Egypt, 1200–1500*, *Mamluk Studies* 21 (Bonn: Bonn University Press, 2020): 171.

<sup>7</sup> Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler, and Stephan Conermann, “On Asymmetrical Dependency,” *BCDSS Concept Paper 1* (Bonn: BCDSS, University of Bonn, 2021): 2–3, <https://www.dependency.uni-bonn.de/en/publications/bcdsss-publishing-series/bcdss-concept-papers>. They refer to David Eltis and Stanley L. Engerman, “Dependence, Servility, and Coerced Labor in Time and Space,” in *The Cambridge World History of Slavery*, vol. 3, *AD 1420–AD 1804*, ed. David Eltis and Stanley L. Engerman (Cambridge/New York/Melbourne: Cambridge University Press, 2011): 3. For the Ottoman Empire and the continuum of dependency see Ehud R. Toledano, “The Concept of Slavery in Ottoman and Other Muslim Societies. Dichotomy or Continuum,” in *Slave Elites in the Middle East and Africa. A Comparative Study*, ed. Toru Miura and John Edward Philips (London and New York: Kegan Paul International, 2000): 159–75; Michael Ferguson and Ehud R. Toledano, “Ottoman Slavery and Abolition in the Nineteenth Century,” in *The Cambridge World History of Slavery*, vol. 4, *AD 1804–AD 2016*, ed. David Eltis, Stanley L. Engerman, Seymour Drescher, and David Richardson (Cambridge: Cambridge University Press, 2017): 200.

My aim in this paper is to underline that after manumission, forms of asymmetrical dependency continued to exist between freed slaves and their former owners, and to demonstrate that the freedom that slaves gained after their manumission was not the same freedom as that possessed by other freeborn. Furthermore, I will claim that there were not only *degrees* of dependency that ranged between strong and less strong,<sup>8</sup> but in addition there were also *layers* of dependency, as (freed) slaves could be dependent at different levels and on different actors at the same time.<sup>9</sup>

## II. Ottoman Court Records and the Collective Biographical Approach

Even if standardized formulations in legal texts do not seem to reflect the status of individuals, it is still possible to gain insight into the various social and economic dimensions of dependency by analyzing legal documents that are part of Ottoman court records. Such records, called *şer'iyye sicil defterleri* or *şer'iyye sicilleri* as well as *kādı sicilleri*,<sup>10</sup> are highly significant for examining the economic or social aspects of Ottoman society.<sup>11</sup> They contain a wide variety of transactions among Muslims as well as between Muslims and non-Muslims recorded by a *kādı* (judge).<sup>12</sup> Among them, many thousands of entries deal with various topics and aspects of the lives of slaves, and an examination of deeds of foundation, donations,

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<sup>8</sup> As a measure of the degree of dependency, the agency of the slaves can be considered. However, the aspect of agency will not be addressed in this paper for the time being. For the agency of slaves in the Ottoman Empire, see the volume edited by Stephan Conermann and Gül Şen, eds., *Slaves and Slave Agency in the Ottoman Empire*, Ottoman Studies 7 (Göttingen: Bonn University Press at V&R unipress, 2020) and for a study based on the Istanbul court records, see Veruschka Wagner, "'Speaking Property' with the Capacity to Act. Slave Interagency in the 16th- and 17th-Century Court Register," in *Slaves and Slave Agency in the Ottoman Empire*, ed. Stephan Conermann and Gül Şen (Göttingen: Bonn University Press at V&R unipress, 2020): 213–336.

<sup>9</sup> I speak for the first time of layers of dependency in distinction to degrees of dependency in my forthcoming paper on modes of manumission, since we can infer from the manumission deeds that there were several layers of dependency that had to be dissolved one by one to emancipate a slave. The categories these layers refer to extend from the general to the specific (slave status in general, type of slave status – since there were many different terms and concepts for slaves in Ottoman society, and specific slave statuses with reference to the owner, for instance). See Veruschka Wagner, "Modes of Manumission: What Terms Used for Emancipation Tell Us about Dependencies in Ottoman Society," in *Slavery and other Forms of Strong Asymmetrical Dependencies. Semantics and Lexical Fields*, ed. Jeannine Bischoff and Stephan Conermann (Berlin: De Gruyter, forthcoming): 205–24.

<sup>10</sup> In this paper, I follow the transliteration system of the İslām Ansiklopedisi (İA) for terms in Ottoman-Turkish except for names, which are written according to modern Turkish spelling.

<sup>11</sup> Halil İnalçık already emphasized in his article published in 1943 the importance of court registers for the analysis of the Ottoman administration and social history. See Halil İnalçık, "Osmanlı Tarihi Hakkında Mühim Bir Kaynak," *Ankara Üniversitesi DTCFD* 1, no. 2 (1943): 89. For legal texts as historical sources see also Dror Ze'evi, "The Use of Ottoman Sharī'a Court Records as a Source for Middle Eastern Social History: A Reappraisal," *Islamic Law and Society* 5, no. 1 (1998): 35–56.

<sup>12</sup> For an overview of the existing *sicils* in the archives, see Ahmet Akgündüz, *Şer'iye Sicilleri: 1; Mahiyeti, toplu kataloğu ve seçme hükümler* [Sharia Court Records: 1; Their Nature, Collective Catalogue and Selected Judgments] (Istanbul: TDAV Yay., 1988). For an introduction into the topic, see Yunus Uğur, "Şer'iyye Sicilleri," *TDVİA* 39 (2010): 8–11; Halil İnalçık, "Osmanlı Tarihi Hakkında Mühim Bir Kaynak," *Ankara Üniversitesi DTCFD* 1, no. 2 (1943): 89–96; Dror Ze'evi, "The Use of Ottoman Sharī'a Court Records as a Source for Middle Eastern Social History: A Reappraisal," *Islamic Law and Society* 5, no. 1 (1998): 35–56. For studies drawing on the Istanbul court registers see Yvonne J. Seng, "The *Şer'iye Sicilleri* of Istanbul Müftülüğü as a Source for the Study of Everyday Life," *TSAB* 15, no. 2 (1991): 307–25; Eunjeong Yi, *Guild Dynamics in Seventeenth-Century Istanbul: Fluidity and Leverage* (Leiden: Brill, 2004); and Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014).

estate inventories, and other documents provides information about the period of enslavement, the period of emancipation, and the period after enslavement. In Istanbul-area court registers of the sixteenth and large parts of the seventeenth century,<sup>13</sup> slaves appear as partners of agreements (e.g., in manumission contracts); as defendants (e.g., in records of escapes and recaptures); as plaintiffs (e.g., in proofs of non-slave status); as beneficiaries (e.g., in inheritance inventories); and as subjects of disputes (e.g., in credit issues as guarantees). The descriptions in the entries of these court files, which vary in length from two lines to several pages, are quite limited and formally as well as linguistically standardized,<sup>14</sup> so that the identification of single slaves is difficult. The scarcity of the sources makes it difficult as well to find more than one entry concerning one and the same slave. But even if the lives of individual slaves cannot be traced over an extended period of time due the nature of the sources, the entries still represent fragments of slave biographies, which document important moments like manumission, inheritance, donations, and so on. The collective biographical approach makes it possible to deal with this fragmented information and helps us put pieces of slave lives together in order to gain an overall picture of slaves as a group. From this picture, we can derive patterns that reveal expected and frequently occurring events and circumstances in the life of former slaves in early modern Istanbul. Even though each slave had an individual life story tied to his or her living conditions and other aspects, the collective biographical approach makes it possible to identify group tendencies, especially with regard to the forms of dependency relations.<sup>15</sup>

### III. Analysis of Case Studies

#### III.1. Case Studies that Question the Free Status of Slaves

One of the aspects I would like to address here is the allegedly free status that slaves achieved after their manumission. The information that slaves were now “free like other freeborn people” (*sā'ir ḥarāir-i ašliyāt [gibi] ḥür(re)* or *sā'ir aḥrār-ı asliyyīn gibi ḥür*) is common, with some slight variations, to all manumission papers. But were they really free, or were there some restrictions concerning their status that influenced their further paths in life?

A female slave of Circassian origin called Vildan bint Abdülvehhab, for instance, was emancipated by her owner, Mehmed Efendi, in the year 1675/1676, and later, when she was

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<sup>13</sup> The Istanbul court records of the sixteenth and seventeenth centuries are accessible online; keyword searches allow us to thematically sift through the data set. In 2019, in addition to the entries from the Istanbul court registers from the sixteenth and seventeenth centuries already digitized by the Center for Islamic Studies (İSAM, İslam Araştırmaları Merkezi) between 2008 and 2012 and made available online in forty volumes. Another sixty volumes of the Istanbul court registers from 1557 to 1911 were digitized and made available online in their original form and transliterated; <http://www.kadiscilleri.org>.

<sup>14</sup> For the use of a “unitary language” in the Ottoman court records, see Boğaç Ergene, *Local Court, Provincial Society and Justice in the Ottoman Empire* (Leiden: Brill, 2003): esp. 134. See also Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014): 67.

<sup>15</sup> Using this approach, I analyze the role of mobility in the lives of female slaves living in sixteenth and seventeenth century Istanbul. Veruschka Wagner, “Lives in Pieces. Female Slaves and Mobility in Early Modern Istanbul,” in *Transottoman Biographies, 16th-20th c.*, *Transottomanica* 3, ed. Denise Klein and Anna Vlachopoulou (Göttingen: V&R unipress, forthcoming). For the collective biographical approach see Levke Harders and Hannes Schweiger, “Kollektivbiographische Ansätze,” in *Handbuch Biographie: Methoden, Traditionen, Theorien*, ed. Christian Klein (Stuttgart: J.B. Metzler, 2009).

“free like other freeborn people,” she married him. She appears to have accepted a dowry of 12,000 *akçe*.<sup>16</sup> This particular case wound up in court because Mehmed Efendi’s daughter, from whom he had bought Vildan some years earlier, claimed Vildan as part of her inheritance after her father died. After the court heard two witnesses, it was decided that Vildan had in fact been freed by her owner and was no longer part of his estate.<sup>17</sup>

In Ottoman society, it was not uncommon for freed slaves to marry their former owners. In general, marriages between slaves and non-slaves were legally and socially recognized,<sup>18</sup> and facilitated the integration of male and female slaves into the Ottoman community<sup>19</sup>—even if we do not know how voluntary this was and whether they had any other choice at all. What this entry shows us, however, in a way that is typical for numerous other entries, is that freed slaves quite frequently had to prove their manumission again in court. So as Vildan’s case indicates, manumission did not necessarily lead to an uncontested status. Thus, a former slave’s ability to prove his or her freedom could be crucial.

Gülsüm bint Abdullah, a former female slave of Ukrainian origin, for instance, sued Mustafa bin Hacı Kemal, a slave trader who tried to forcibly enslave her. Gülsüm bint Abdullah claimed that she had been manumitted by her owner, Hüseyin, as *ümm-i veled* (“mother of the child”), because she had given birth to three sons of her former owner’s—and with the acceptance of them as his own children, the female slave was in general guaranteed freedom after her owner’s death. Here, in order to prove her emancipation, two witnesses had to state before the court that Gülsüm had been the slave of Hüseyin, who had freed her because of the children she had born to him. As a result, he had set her free. In the so-called *işbāt-ı hürriyyet* (“proof of freedom”), it was finally decided that the slave trader should take his hands off her and leave her alone.<sup>20</sup>

In addition to showing that a female slave could integrate into society by bearing a child that was accepted by her owner as his own child, these entries also make clear that it happened quite often that slaves had to prove their free status—and this was not only true for female but also for male slaves. Their further path in life was determined by the adequacy of their proof. This, in turn, suggests that freed men and women were not “free like other freeborn people,” as the phrase was used in manumission documents. After all, their freedom was fragile and, in the case of contestation, only guaranteed by appropriate documents or

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<sup>16</sup> *Akçe* was the name of a silver coin that lost value over time. Until the end of the seventeenth century it was the main monetary unit in the Ottoman Empire. According to İnalçık, in the second half of the fifteenth century in larger Ottoman cities the market price of one average slave fluctuated between 1600 and 3200 *akçe*. Halil İnalçık, “Part I – The Ottoman State: Economy and Society,” in *An Economic and Social History of the Ottoman Empire, 1300–1914*, ed. Halil İnalçık and Donald Quataert (Cambridge: Cambridge University Press, 1994): 284.

<sup>17</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri İstanbul Mahkemesi 18 Numaralı Sicil (H. 1086–1087 / M. 1675–1676)*, Kadı Sicilleri Dizisi 18 (Istanbul: İSAM, 2010): [10a–1].

<sup>18</sup> Yvonne J. Seng, “Fugitives and Factotums. Slaves in Early Sixteenth-Century Istanbul,” *Journal of the Economic and Social History of the Orient* 34 (1996): 147.

<sup>19</sup> *Ibid.*: 152.

<sup>20</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri İstanbul Mahkemesi 12 Numaralı Sicil (H. 1073–1074 / M. 1663–1664)*, Kadı Sicilleri Dizisi 16 (Istanbul: İSAM, 2010): [70b–3].

witnesses. In fact, there was always the danger of falling back into slavery, possibly even through false claims.<sup>21</sup>

So the need to prove non-slave status is an indication that the free status which slaves gained after manumission was not so granted after all and differed from the free status of those actually born free. Furthermore, manumitted and later reenslaved persons had to prove their non-slave status, rather than the person who claimed property rights on them having to prove the slave status of these persons they asserted were their slaves. So this reverse burden of proof points to the legal and social acceptance of the lower status of slaves after manumission and clearly indicates the hierarchical order of the society. Even following manumission, slaves still had to rely on others not to refuse to acknowledge their status as freedpersons; and in the case of such a lack of acknowledgment, they were dependent on witnesses for proof of their non-slave status. Yet we find very few entries showing that such proof failed, that is, that the slaves could not prove their free status. This small number of failed proofs does not mean, however, that all other manumitted and reenslaved slaves were able to successfully prove their free status in court. Rather, this indicates that only those who had the means, possibilities, and a prospect of success went to court, so that we today can mainly find the successful proofs of non-slave status.

### III.2. Case Studies that Deal with the Freed Slave's Life

#### III.2.1. Donations

Entries in records dealing with donations suggest what could happen to slaves who gained their free status. Bağıcinan, for instance, was released by her owner, Sinan Beşe, as a *cāriye-i mu'taka* (a female slave manumitted for pious reasons). From the court entry, we learn that she was married to Mehmed Beşe bin Mustafa and had a daughter with him. Bağıcinan donated certain items to her daughter as gifts, as the entry indicates.<sup>22</sup> Another document that bears the same date and is included in the same register states that Bağıcinan and her husband themselves had received donations from their former owner, Sinan Beşe. Mehmed Beşe was given clothing including headgear and pants, while Bağıcinan was given kitchen utensils, blankets, and pillows.<sup>23</sup> In the preceding entry, three other freed slave women of the same Sinan Beşe also received donations of the same size and content as the donation that went to Bağıcinan. Their representative in court was Bağıcinan's husband, Mehmed Beşe.<sup>24</sup> This suggests that the three freed slave women were not yet married, because otherwise they would presumably have been represented in court by their own husbands. Incidentally, the deeds of manumission of all four female slaves cannot be found in the registers. Presumably it was sufficient that the deeds of donation mentioned that the women had been freed, or it

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<sup>21</sup> Another way to prove one's manumission beside witnesses was to produce a manumission document. The original manumission document was given to the emancipated slaves, while a copy was kept with the judges. Nur Sobers-Khan, *Slaves Without Shackles. Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2014): 49.

<sup>22</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 49 Ahi Çelebi Mahkemesi 1 Numaralı Sicil (H. 1063–1064 / M. 1652–1653)*, Kadı Sicilleri Dizisi 9 (İstanbul: Kültür AŞ, 2019): 518 [77a–3].

<sup>23</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 49 Ahi Çelebi Mahkemesi 1 Numaralı Sicil (H. 1063–1064 / M. 1652–1653)*, Kadı Sicilleri Dizisi 9 (İstanbul: Kültür AŞ, 2019) 521 [77b–2].

<sup>24</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 49 Ahi Çelebi Mahkemesi 1 Numaralı Sicil (H. 1063–1064 / M. 1652–1653)*, Kadı Sicilleri Dizisi 9 (İstanbul: Kültür AŞ, 2019): 520 [77b–1].



may be possible that they still had the opportunity to have them issued in the event that they had to prove their emancipation at some point. This also raises the question of the extent to which slaves depended for their manumission not only on the system and their owners, but also on the person who documented the manumission. A discussion of the role of the *kađı* (judge), however, is beyond the scope of this paper.

The items Bađıcınan gave away to her daughter do not correspond to those Bađıcınan herself had received from her former owner. This means that she must have acquired them elsewhere after her manumission. However, because she was married and already had a daughter, we can assume that her emancipation took place sometime earlier. Bađıcınan moved from her former owner's household to her husband's household, and there she had a daughter with him, to whom she in turn donated some items. The fact that she and her husband also received gifts from her former owner suggests that the relationship with the former owner was maintained after her emancipation.

In addition, there seems to be a close attachment between Bađıcınan's former owner and her husband, because the latter also received gifts from him and acted in court as the representative of the other freed female slaves. That her husband bears the same title as the former owner (Beşe) indicates that both belonged to the military class.<sup>25</sup> We do not know how willingly Bađıcınan herself became the wife of Mehmed and whether there were other wives besides Bađıcınan, but at least her legal status changed and she went from being a slave to being a free woman. As it is stated in the court records, she was now legally seen as "free like other freeborn people." Nevertheless, she was in a relationship of dependency on her husband, who not only represented her in court but also himself had a certain relationship with her former owner; otherwise, he would not have been given a donation by the owner either. Everything points to a hierarchical constellation, which was probably determined by different dependency relationships.

However, we can see that especially in a direct link with manumissions, slaves profited from their owners, by receiving donations or parts of their inheritance. Süleyman and Vildan, for example, were given the right to cultivate a large field belonging to their owner after their emancipation. In addition, he donated to them a smaller field for their own use. This was a chance for them to make their own living, although again in some dependency on their former owner.<sup>26</sup>

The relationship between slave and slave owner was significant for slaves, because their financial and social status after enslavement was based on the networks they had established during their time of enslavement.<sup>27</sup> In the context of foundations, numerous slaves benefited from the stipulations of their former owners. In some cases, they received the right to dwell

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<sup>25</sup> Güçlü Tülüveli, "Honorific Titles in Ottoman Parlance: A Reevaluation," *International Journal of Turkish Studies* 1, no. 2 (2005): 17–27. The title does not say much about rank because the various titles were used interchangeably in the court records.

<sup>26</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 48 Beşiktaş Mahkemesi 63 Numaralı Sicil (H. 1061–1062 / M. 1651–1652)*, Kadı Sicilleri Dizisi 8 (Istanbul: Kültür AŞ, 2019): 257 [77b–2] and Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri 48 Beşiktaş Mahkemesi 63 Numaralı Sicil (H. 1061–1062 / M. 1651–1652)*, Kadı Sicilleri Dizisi 8 (Istanbul: Kültür AŞ, 2019): 258 [78a–1].

<sup>27</sup> Jan Hagedorn, *Domestic Slavery in Syria and Egypt, 1200–1500*, Mamluk Studies 21 (Bonn: Bonn University Press, 2020): 171.

in the houses that their past owners turned into foundations, or they were granted parts of or whole houses, or they bought shares of a house. Some manumitted slaves also received posts or financial benefits.<sup>28</sup> From a 1628 document we learn that the two manumitted slave women of Cihan Hatun bint Abdullah were to be given the right of residence in the house donated by her after her death. Cihan Hatun bint Abdullah left it up to her two slaves whether they wanted to use the residential right transferred to them, or in case that there should be no need, to rent out the rooms and collect the money.<sup>29</sup> We learn nothing more about the two slave women except that they had converted to Islam, but the possibility raised in the document that the two freed slave women might have no need for living accommodations suggests that they could either provide for themselves or were provided for by others. It is conceivable, for example, that they married and, by moving to another household, were no longer in need of the housing rights their former owner had bestowed on them, or that they, for example, found work as servants in another household. At the very least, this additional note points to the possibility that these female slaves had some room for maneuver in their future careers after their manumission. At the same time, however, it indicates the importance of being taken care of by the former owner in case no other alternative arose after emancipation.

In some instances, however, slave owners could also provide for their freed slaves to become slave owners themselves, as in the case of Gülruh bint Abdullah, who made a donation to her freed slave Eğlence bint Abdullah. After Gülruh, presumably a former slave herself—as we can infer from her name—manumitted her female slave Eğlence, she also donated to her numerous objects and valuables like several blankets, hundreds of cushions, carpets, gold, jewelry, a silver belt, caftans, and a female slave of Ukrainian origin called Nevruz bint Abdullah.<sup>30</sup> Even if Gülruh was not a former slave, this entry nevertheless shows her manumitted slave Eğlence became a slave owner through the donation. It also elucidates the different treatment of slaves even within the same household. While Gülruh released one of her slaves and gave her a donation, her other slave remained enslaved and was part of that donation. This case illustrates not only the different positions that slaves could hold, but also that an individual's status after manumission was strongly influenced by their former owner. Other entries show that there were clear differences in the care of slaves after their emancipation. While for some, provision was made for an “independent” life by their owners, others lacked connections and ran the risk of being enslaved again if they were not already.

The documents thus suggest that different forms of free status existed after manumission, and consequently also different forms of dependency remained. The declaration that slaves became “free like other freeborn people” needs further differentiation in the legal and social sense. What at first glance can be interpreted as a concession to the manumitted slave, can also be seen as clarifying the rights and obligations acquired through manumission and, furthermore, as the former owner's ensuring that the slaves from now on had to look after themselves. In some entries we find the additional note that with their manumission, slaves received certain rights and duties (*hak ve yükümlülük* or *sorumluluk*).<sup>31</sup> This freed the slave

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<sup>28</sup> Veruschka Wagner, “Slaves, Philanthropy and Pious Endowments in Early Modern Istanbul,” in *Endowment Studies* 4, nos. 1–2 (Leiden: Brill, 2020): 125–52.

<sup>29</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Hasköy Mahkemesi 5 Numaralı Sicil (H. 1020–1053 / M. 1612–1643)*, Kadı Sicilleri Dizisi 23 (Istanbul: İSAM, 2011): 8 [4–1].

<sup>30</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri İstanbul Mahkemesi 3 Numaralı Sicil (H.1027 / M.1618)*, Kadı Sicilleri Dizisi 9 (Istanbul: İSAM, 2010): 77a–1.

<sup>31</sup> See for example Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 51 Numaralı Sicil (H. 987–988 / M. 1579–1580)*, Kadı Sicilleri Dizisi 8 (Istanbul: İSAM, 2010): 683 [81a-3].

owner from being responsible for the obligations of his slave, on the one hand, and it obliged the freed slave as a full member of society to pay, for instance, taxes.

### III.2.2. Inheritance Regulations

A clear legal indication of an asymmetrical dependency between slaves and their former owners continued after manumission. It can be seen from a note added in the manumission deed that slaves did not have the full rights of freeborn. In the context of slavery, *velā* is an expression used to describe the legal connection between freed slaves and their former owners that remained after manumission (actually called *velā-i 'itaqa*, meaning *velā* upon manumission). This was a form of relationship that regulated inheritance rights (known as *'uṣūbe(t)-i sebebiyye* or *'aṣabe-i sebebiyye*<sup>32</sup>) and refers to indirect agnates.<sup>33</sup> Through this regulation, the former owner of a manumitted slave became one of the lawful heirs of the slave. Such a tie has to be distinguished from the genetic bond based on kinship and referred to as *'uṣūbe(t)-i nesebiyye* or *'aṣabe-i nesebiyye*, which was established by the connection through the paternal side. This “fictitious tie of relationship”<sup>34</sup> applied after manumission between freed slaves and their former owners<sup>35</sup> and enabled inheritance without having blood ties.<sup>36</sup> After the death of his freed slave, the owner was entitled to a part of his inheritance, if the freed slave died without any descendants or heirs of his own.<sup>37</sup> This *velā* relationship was therefore only between freed slaves and their former owners, and replaced or continued partially the previous bond that existed through enslavement.

When a manumitted female slave named Müşerrefe bint Abdullah died and left an inheritance, her former owner, Hacı İsa bin Abdülmümin, claimed his right that he had through *velā* (*velā-i 'itaqa cihetinden*). Legally, he was entitled to half of the inheritance, which he shared with the husband of the deceased. Müşerrefe's former owner and her husband, Osman

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<sup>32</sup> In the Istanbul court records, one can also find the following variations with the same meaning: *al-'aṣabe-i al-sebebiyye* or *'aṣabeten sebebiyyeten*.

<sup>33</sup> For details on inheritance issues see Aburrahman Yazıcı, “İslâm Miras Hukukunda Asabe Yoluyla Mirasçılık” (PhD diss., Istanbul University: 2001); for the inheritance from manumitted slaves by their former owners see Aykan, who uses the term “circumstantial agnates”, Yavuz Aykan, “On Freedom, Kinship and Market Rethinking Property and Law in the Ottoman Slave System,” *Quaderni Storici* 154 (2017): 21–23.

<sup>34</sup> Sahillioğlu describes it as “heirs by indirect relationship.” See Halil Sahillioğlu, “Slaves in the Social and Economic Life of Bursa in the Late 15th and Early 16th Centuries,” *Turcica* 17 (1985): 60.

<sup>35</sup> On the relationship of former owner and manumitted slaves with a focus on female palace slaves see Betül İpşirli Argıt, *Life after the Harem, Female Palace Slaves, Patronage and the Imperial Ottoman Court* (Cambridge: Cambridge University Press, 2020): esp. 95–100. With a focus on medieval Islam, see Craig Perry “Slavery and Agency in the Middle Ages,” in *The Cambridge World History of Slavery*, vol. 2, AD 500–AD 1420, ed. Craig Perry, David Eltis, Stanley Engerman, David Richardson (Cambridge: Cambridge University Press, 2021): 244–45.

<sup>36</sup> For this see Halil Sahillioğlu, “Slaves in the Social and Economic Life of Bursa in the Late 15th and Early 16th Centurie,” *Turcica* 17 (1985): 60; Erich Pritsch and Otto Spies, “Klassisches Islamisches Recht,” in *Handbuch der Orientalistik, III. Orientalisches Recht*, ed. B. Spuler (Leiden, Köln: Brill, 1964): 233.

<sup>37</sup> Patricia Crone, *Roman, Provincial, and Islamic Law: The Origins of the Islamic Patronate* (Cambridge, London and New York: Cambridge University Press, 1987): 36–38; Şükrü Özen, “Velâ,” *TDV İslâm Ansiklopedisi* 43 (2013): 11–15. For the discussions of Ottoman religious scholars (*ulemā*) on *velā*, see Şükrü Özen, “Bir Mirasın Gölgesinde Velâ Tartışması: Müzellef Ahmed Efendi'nin Terekesi ve Ganîzâde Mehmed Nâdirî'nin Şeyhülislâma Mektubu,” *The Journal of Ottoman Studies* 41 (2013): 71–124.

Beşe, agreed on a sum Osman had to pay to Hacı İsa bin Abdülmümin in order to close the case.<sup>38</sup>

Court records reveal that after the death of a freed slave, the descendants of the former owner claimed the inheritance of the freed slave in the event that the former owner was also deceased.

However, this right of inheritance was not only tied to the former owner but also transferred to his own descendants when the owner died before his former slave.<sup>39</sup> In the case of Hatice bint Abdullah, a female slave of Hüseyin Çavuş bin Abdullah, her inheritance was transferred to the son of her former owner, Mustafa Çelebi, because her owner had died in the meantime.<sup>40</sup> While former owners were appointed as heirs to their slaves by legal provisions, court records show that slaves on the other hand were often appointed as heirs or beneficiaries by their owners as well. This was made possible through donation, foundation, or inheritance.

Based on these entries, it can be assumed that the connection between freed slaves and former owners and their descendants continued, at least on a legal level. Moreover, it reflects that the dependency that continued after manumission not only had an impact on the slaves themselves but also on their direct relatives, who were in fact not considered the sole heirs but had to share the inheritance with the former owners. The bond between slave and owner thus also affected other persons, so that we can speak of multiple layers of dependency that remained after manumission.

### III.2.3. Other Entries

We have so far looked at cases where it was clear that the individuals were freed slaves, or at least assumed to be. What is difficult to prove in court records, however, is the matter of freed slaves whose concerns had no connection to their time of enslavement. In the cases of these individuals, evidence of prior slave status is not clearly available. The only indication of a possible prior slave status is the patronym bin or bint Abdullah, which at least suggests that someone is a convert. Moreover, because many slaves converted to Islam, we can assume that some of the countless bin or bint Abdullaha who appear in court records are also freed slaves.<sup>41</sup>

This is the case with a certain Mihriban bint Abdullah whose name suggests that she might be a former slave. The entry concerns Mihriban selling a house (with a legal representative) to a man called Veli bin Müstecab. From the entry we know that the building was a one-story wooden house with a courtyard in the district of Üsküdar in the neighborhood of Mamure.

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<sup>38</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Bab Mahkemesi 3 Numaralı Sicil (H. 1077 / M. 1666–1667)*, Kadı Sicilleri Dizisi 17 (İstanbul: İSAM, 2011): 25 [4a–1].

<sup>39</sup> On this topic with a focus on domestic slavery in Egypt and Syria see also Jan Hagedorn, *Domestic Slavery in Syria and Egypt, 1200–1500*, Mamluk Studies 21 (Bonn: Bonn University Press, 2020): 163.

<sup>40</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri İstanbul Mahkemesi 18 Numaralı Sicil (H. 1086–1087 / M. 1675–1676)*, Kadı Sicilleri Dizisi 18 (İstanbul: İSAM, 2010): 535 [148b–1].

<sup>41</sup> This is also true for the less common patronyms bin or bint Abdülmennan or Abdülvehhab.

We also learn the names of the neighbors, and that Mihriban sold the house for 1,500 *akçe*.<sup>42</sup> Thus far, there is nothing unusual about this entry, and apart from the assumption that Mihriban may have been a former female slave, there are no further indications here regarding that aspect.

In another entry from an earlier register we again come across a Mihriban bint Abdullah who this time purchased a house from a certain Mustafa bin Hasan. This entry was documented three years before the one mentioned above. The one-story wooden house she purchased for 1,000 *akçe* was in the district of Üsküdar in the neighborhood of Mamure.<sup>43</sup> When comparing the two entries concerning the purchase and sale of the house, we see not only the same district (Üsküdar), the same neighborhood (Mamure), and the name Mihriban bint Abdullah (who first bought a one-story wooden house and is now selling one), but also that one of the neighbors has the same name. If we take all these indications together, we can assume that the Mihriban in the two documents is the same person.

What we learn from this document furthermore is that Mihriban is the manumitted slave of the person she just bought the house from. This is mentioned in the document itself and can be seen from the manumission deed, which also appears on the same double page of the court record. This deed shows that Mihriban was of Ukrainian origin and that she was manumitted by her owner, Mustafa bin Hasan, for pious reasons.<sup>44</sup>

So Mihriban bint Abdullah bought the house and received a receipt for it on exactly the same day as her manumission.<sup>45</sup> Then, three years later she sold her house for 1,500 *akçe*, which is 500 more *akçe* than she spent for its original purchase.<sup>46</sup>

If we had not found the other documents in one of the preceding registers, we would not have known with certainty that Mihriban was a former slave. Based on this example, it can be seen that we do not know how many former slaves were actually involved in the transactions documented in court records. The presumption, however, is that they were able to engage in the same activities as freeborn people, but that these activities were probably mostly connected to their former owners. As we have learned, the house purchased by Mihriban formerly belonged to her owner. Other examples also illustrate that the further careers of slaves were strongly determined by their former owners and that the slaves were therefore bound to them even after manumission.

Thus, we come to the conclusion that in most cases, slaves after manumission were not as free as other freeborn persons, because they continued to be in a relationship of asymmetrical dependency on their previous owners. However, this does not mean that the dependency was only one-sided, because the slave owners also relied on their slaves. This dependency

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<sup>42</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 56 Numaralı Sicil (H. 990–991 / M. 1582–1583)*, Kadı Sicilleri Dizisi 9 (İstanbul: İSAM, 2010): [66a–3].

<sup>43</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 51 Numaralı Sicil (H. 987–988 / M. 1579–1580)*, Kadı Sicilleri Dizisi 8 (İstanbul: İSAM, 2010): [82b–4].

<sup>44</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 51 Numaralı Sicil (H. 987–988 / M. 1579–1580)*, Kadı Sicilleri Dizisi 8 (İstanbul: İSAM, 2010): [82a–3].

<sup>45</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 51 Numaralı Sicil (H. 987–988 / M. 1579–1580)*, Kadı Sicilleri Dizisi 8 (İstanbul: İSAM, 2010): [82b–4].

<sup>46</sup> Coşkun Yılmaz, ed., *İstanbul Kadı Sicilleri Üsküdar Mahkemesi 56 Numaralı Sicil (H. 990–991 / M. 1582–1583)*, Kadı Sicilleri Dizisi 9 (İstanbul: İSAM, 2010): [66a–3].

stemmed from different causes, such as labor power and prestige, which the slave owners needed, so that we can speak of a reciprocal dependency. But this reciprocal dependency was still asymmetrical, as the two sides did not possess equal power and agency.

#### **IV. Concluding Remarks**

The possible legal and social mobility for (former) slaves emphasizes the openness of the institution of slavery in the early modern Ottoman Empire. The shift from being property to being a property owner and in some cases even from being a slave to being a slaveholder, emphasizes the social fluidity that characterized the lives of slaves. The examples shown in this paper also demonstrate that there were various types of asymmetrical dependency between (former) slaves and slave owners. Not only the different terms and concepts of slaves in the Ottoman Empire indicate different types of asymmetrical dependency between slaves and slave owners, but also the different treatment that slaves could experience even within the same household indicates different relationships. At the same time, the entries in these records suggest that for slaves, a different kind of dependency on their former owners remained after manumission. While legal dependency seems to be partially lifted, social and economic dependency could remain. This leads to the assumption that there were not only different degrees of asymmetrical dependency (from strong to less strong), but also different layers of asymmetrical dependency in different areas and between different actors. Thus, we can speak of multiple dependencies that could exist at the same time but also vary in terms of persons and extent.

When freed slaves benefited from their owners through donations, inheritance, or in other ways, this in turn created a new type of dependency. Indeed, freed slaves seemed to gain advancement in terms of their legal, social, and economic status only through their former owners, but further research is needed to corroborate this statement. The inheritance regulations also demonstrate that the legal status of a freed slave did not resemble that of a freeborn person, and that dependency remained after manumission. The question remains as to how much their former slave status influenced the lives of freedpeople and their integration into society. Furthermore, an interesting question is how this also had an effect on the lives and social status of their descendants.

Ultimately, the study of slavery should not end with the manumission or the conclusion of an individual's enslavement period, but continue because the time after enslavement was shaped by the time of enslavement. Moreover, the study of the period after enslavement also allows us to better classify the period of enslavement, for it emerges from it and can continue conditioning that was formed there.

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