

**Ottoman Slavery Working Group**  
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**TRANSCENDING BOUNDARIES: RETHINKING  
SLAVE AGENCY IN THE OTTOMAN EMPIRE  
THROUGH RELIGIOUS CONVERSION PRACTICES**

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## **Abstract**

This article explores the religious conversion of slaves in the Ottoman Empire and the Crimea as a profound and transforming event in the lives of slaves. We will analyze the conditions, reasons, and consequences of conversion by studying court records from different cities from the 16th to 18th centuries. It will also explore the relation between religious conversion and the agency of the slaves. The primary research inquiries that this working paper seeks to address are as follows: What impact did religious conversion have on the agency of the slaves? What was the impact of conversion on their lives (as well as the lives of their slave owners) during and after being enslaved? Do the circumstances and effects of conversion differ between male and female slaves? This study aims to elucidate these inquiries in an endeavor to offer a new perspective on the relation between enslavement and conversion.

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## I. Introduction

An entry from the year 1623 from one of the Istanbul court records documents an amicable agreement (*şulh*)<sup>1</sup> between Zamane bint Abdullah and David veled Yasef following a dispute Zamane and David had before about Zamane's belongings. Zamane explains that she had been the slave of David's wife Efendibula, who had freed her five years ago. After her release, Zamane worked for Efendibula for another five years. Now that she decided to go somewhere else, David did not allow her to take her belongings, consisting of several clothes and other items, in addition to her wage from her five years of servitude. Even when she claimed her belongings, David refused to hand them over to her, and a dispute arose. The document states that only with the help of a mediator could the two agree on a sum of 2500 *akçe*,<sup>2</sup> which David had to hand over to Zamane. After Zamane received this amount, she declared that David and his wife no longer owed her any money, but they were also not allowed to make any more demands on her.<sup>3</sup>

At first look, Zamane's account, which is mirrored in the court records, can be seen as the rights battle of a former slave<sup>4</sup> who was not a Muslim by birth but a convert. Zamane, who had been a slave but had been emancipated by her Jewish owner, continued to work for her for another five years. During this time, Zamane was able to acquire property and gain some money. She converted to Islam, stood up for her rights in court, and was seen as a severe partner in a settlement. She demanded that she be allowed to live her life as a legally free person in accordance with the law that was in place in Ottoman society at the time. However, such documents in the court registers indicate that Islamic and Ottoman legal concepts, such as the status of free and slave could vary in practice depending on the multilayered and multifaceted relationships of the individuals. In theory, the boundaries were demarcated by Sharia and custom law; however, in practice, these boundaries could be affected by several different factors. In other words, the slaveholder-slave relationship, in theory, can have

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<sup>1</sup> For the transliteration of specific terms, we follow the standards of the Encyclopaedia of Islam, while for personal names, we use the modern Turkish spelling.

<sup>2</sup> *Akçe* was a silver coin that became devalued over time. Until the end of the 17th 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 average market price for a slave fluctuated between 1600 and 3200 *akçe*. Halil İnalçık, "Part I – The Ottoman State: Economy and Society, 1300–1600," in *An Economic and Social History of the Ottoman Empire, 1300–1914*, ed. Halil İnalçık and Donald Quataert (Cambridge: Cambridge University Press, 1994): 255.

<sup>3</sup> *İstanbul Kadı Sicilleri* [Istanbul Court Registers], *Rumeli Sadâreti Mahkemesi 40 Numaralı Sicil* (H. 1033–1034 / M. 1623–1624): [4b-1]. Unlike the other court records used in this paper, Istanbul court records were published as *İstanbul Kadı Sicilleri*. İSAM (İslam Araştırmaları Merkezi/The Center for Islamic Studies) published 40 volumes of sixteenth- and seventeenth-century court registers from Istanbul-area courts and another 60 volumes of the Istanbul court registers from 1557 to 1911, each volume containing transliterations into the Latin alphabet of the entries with modern Turkish summaries and facsimiles of the original texts. Access to digital copies of these entries enables a keyword search and simplifies analysis and examination (<http://www.kadisicilleri.org> [accessed 15.04.2024]).

<sup>4</sup> In the recent article by J.R. Burns, a distinction is drawn between the terms 'enslavers' and 'slaveholders,' as well as 'enslaved' and 'slaves.' In alignment with the article's key arguments, this paper also adopts a differentiation between these terms. Specifically, we opt for the term 'slaveholder' instead of 'master' or 'enslaver,' acknowledging that 'slaveholders' may not have directly participated in the act of enslaving but rather acquired slaves through inheritance or purchase. Additionally, we choose 'slaves' over 'enslaved,' recognizing that some individuals may have entered slavery voluntarily by selling themselves into bondage. James Robert Burns, "'Slaves' and 'Slave Owners' or 'Enslaved People' and 'Enslavers'?" *Transactions of the Royal Historical Society* (2023): 1–18.

'deviations' in practice that go beyond the legal limitations, and the mobility and agency of the slaves determine what these deviations look like in practice.

In the slaveholder-slave relationship ( $A \neq B$  and  $A > B$ ) in early modern Ottoman society, which is a strictly hierarchical and asymmetrical form of dependency, the increase in the agency of the slaves is to the detriment of the slaveholder, whose property or rights are harmed in this inequality equation. In the slaveholder-slave relationship, the most radical slave action in terms of the agency is to flee resale or mistreatment, abuse, or forced abortion and to abscond in order to break the bonds of slavery.<sup>5</sup> Another action that demonstrates the agency of slaves in the context of social and spatial mobility is committing crimes - sometimes with the assistance of their slaveholders. Depending on the trust established by the slave based on obedience, the slaveholder-slave relationship, age (child, adult, elderly), occupational skills, the possibility of manumission (contractual or not)<sup>6</sup>, conversion (non-Muslim, Muslim), and gender (male, female) can be counted as factors that directly affect the agency of slaves.

This research aims to shed light on the ways slaves exercised their agency in the private realm, with a particular focus on conversion and, indirectly, gender. What is indicated by the term slave agency is the extent to which and the conditions under which the relatively self-determined, voluntary, and choice-based activities of slaves in early modern Ottoman society could be achieved. This investigation focuses on an agency approach that centers on the idea that practice and purpose should take precedence over everything else. Still, it does so without ignoring the unequally dependent relationship that exists between slaveholders and slaves. In general, power relations affect both social mobility and spatial mobility. This mobility can be separated along the axes of social position, religion, identity, and gender categories. This paper aims to highlight the significance of recognizing the discrepancies between theory and reality in understanding the mobility and agency of slaves. The *qadi* registers of Istanbul, Bursa, Konya, and Crimea, which date back to the 17th and 18th centuries, will allow us to trace the agency of slaves in practice and are the major sources used for this study. Overall, the primary objective of this essay is to examine the potential benefits of converting to Islam for individuals under enslavement, as well as to explore the impact of such conversions on their agency.

Our primary focus will be on court records originating from the Ottoman lands. However, we will also consider entries from the Crimean Khanate, as the Crimean Tatars often seized non-Muslim captives during incursions into non-Muslim territories. The slave raids conducted during this period led to a significant increase in the number of non-Muslim slaves within the

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<sup>5</sup> Ehud R. Toledano, *As If Silent and Absent: Bonds of Enslavement in the Islamic Middle East* (New Haven: Yale University Press, 2007). For instance, the medium-height, Russian-origin Yusuf, an escaped slave of Ebubekir Beşe bin Salih who resided in Ankara, was discovered 80 days later at the house of a man by the name of Ahmed in Konya. *Konya Court Register [Konya Kadi Sicili]*, 11/29b. Slaves sometimes committed crime: "Hasan, the slave of Abdusselam Beg ibn Musli, broke into Hüseyin ibn Veli's house in the Aksinle neighborhood and stole his fur coat, a gold glitter knife, a sword, a pair of gold earrings, a wallet, six *türbans*, a comb and two kaftans." *Konya Court Register*, 16/120-3. Şeyh Mehmed Efendi bin Emrullah Efendi, a resident of Konya, Arab concubine named Meryem, whom he had bought from Müderris Mehmed Efendi bin İbrahim Çavuş for 50 *esedi gurus* a month ago, to her former owner on the grounds that she had committed theft. *Konya Court Register*, 16/47-1.

<sup>6</sup> Hasan Tahsin Fendoğlu, *İslâm ve Osmanlı hukukunda Kölelik ve Câriyelik: Kamu Hukuku Açısından Mukayeseli Bir İnceleme* (İstanbul: Beyan Yayınları, 1996): 208, 220. The duration of the contracts was usually seven years on average, however it depended on the agreement between the slave and his/her slaveholder. For example, Gaybi ibn İvaz would free his slave Hayrullah ibn Abdullah after he has worked for him for four years. *Konya Court Register*: 1/ 221-4.

Khanate. Specifically, Bakhchysarai, the capital of the Crimean Khanate, housed a substantial slave population with diverse ethnic and cultural backgrounds. Predictably, in the 18th century, slave conversion and emancipation was prevalent inside the Crimean Khanate. The registries of the Crimean *qadi* court offer significant insights into instances of slave conversion and emancipation, hence shedding information on the agency of slaves within this particular framework. The primary inquiries we aim to explore in this article pertain to the correlation between slavery and conversion, specifically focusing on the impact of conversion on dependency dynamics. What were the effects of conversion on the lives of slaves and slave owners? Can the concept of conversion be characterized as a manifestation of agency among slaves? To what extent did the process of conversion contribute to the acquisition of agency by slaves?

In a society that was legally divided into the categories of free-unfree, man-woman, and Muslim - non-Muslim, religious affiliation was of immense importance. The possibility of conversion (to Islam) allowed non-Muslims to become members of the dominant religious group in the empire.<sup>7</sup> Per religious and ethical stipulations of Islam, not only were non-Muslim slave owners expected/obliged to give up/sell their slaves if the latter converted to Islam, but Muslims, too, were encouraged to free theirs on various occasions, especially if the slave converted to Islam.<sup>8</sup> Indeed, it is essential to note that converting slaves did not always guarantee their liberation. However, the adoption of Islam by slaves not only facilitated their integration into the Muslim community but also presented an opportunity for potential emancipation. Concubines who underwent conversion to Islam and subsequently gained emancipation were allowed to enter into marital unions with free Muslim men. This marital arrangement not only granted them legal entitlement to inherit their husbands' assets and receive a dowry (known as *mihir*), but also enabled them to bear offspring within the context of this union. One instance was Şahbaz binti Abdullah, a woman with hazel eyes who was born in Russia. She asserted that El-Hac Mustafa bin Hüseyin, who passed away in the Arap Mehmed neighborhood of Bursa, was her previous owner and that they had entered into matrimony ten months before his demise. She sought liberation and requested a sum of 500 *akçe* as *mihir*. Upon substantiating her assertion through the presentation of witnesses, the *qadi* rendered a verdict that Şahbaz should receive a sum of 500 *akçe* from the inheritance of her late spouse. Furthermore, it is worth noting that Şahbaz bore a son to her owner during her tenure as a concubine. Both Şahbaz and her son were listed as legitimate beneficiaries.<sup>9</sup>

The act of religious conversion among enslaved individuals under Muslim ownership may have expedited their path to emancipation. However, for those enslaved individuals under non-Muslim ownership, conversion resulted in a transfer of ownership, as non-Muslims were legally prohibited from owning Muslim slaves. The legislation pertaining to slavery underwent modifications during the seventeenth century. During the beginning of the century, there was a prohibition on non-Muslim individuals possessing slaves. However, as the century drew to a close, specific laws were implemented to restrict non-Muslims from having slaves who

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<sup>7</sup> Studies have also shown that Muslim slave women were more likely to be manumitted. For instance, only 10 of the 89 female slaves released in Bursa between 1478 and 1538 were non-Muslims, while the remaining 79 were Muslim. Only 10% of Bursa's slaves and concubines in the 17th century maintained their former religions; the other 90% converted to Islam. Osman Çetin, *Sicillere Göre Bursa'da İhtida Hareketleri ve Sosyal Sonuçları, 1472–1909*, Türk Tarih Kurumu Yayınları (Ankara: Türk Tarih Kurumu Basmevi, 1994): 27, 53.

<sup>8</sup> Hülya Canbakal and Alpay Filiztekin, "Slavery and Decline of Slave-Ownership in Ottoman Bursa 1460–1880," *International Labor and Working-Class History* 97 (2020): 62, <https://doi.org/10.1017/S0147547920000071>.

<sup>9</sup> Bursa Court Register [*Bursa Kadı Sicili*]: 151, 15/2b.

identified as Muslims.<sup>10</sup> The prohibition on non-Muslims owning Muslim slaves resulted in a chance for slaves to alter their ownership through religious conversion to Islam.

## II. Recent Scholarship on Slave Conversion

The literature on slavery in Ottoman domains has recently proliferated.<sup>11</sup> As this field of inquiry has evolved, new perspectives have entered the fray. Gender and gender-related aspects of Ottoman slavery began to be examined more frequently as this relatively new topic provided much to learn. To transcend the slave-free dichotomy is one of the obstacles to surmount in this research field.

Research that examines asymmetrical dependency and the ‘agency’ of the slaves in the Ottoman Empire has the potential to broaden the scope of this subject of study and offer fresh insights to the reader. Researchers can gain insight into the mobility and agency of slaves via the prism of forced or voluntary conversion of non-Muslim slaves and prisoners to Islam.

Perceiving the conversion of slaves and captives in a variety of ways may lead to new areas of discussion in which we can investigate both the politics and effects of conversion at the macro and micro levels. Although conversion is a well-studied phenomenon, studies on the networks and connections between Ottoman slavery and religious conversion are still scarce. The researchers on Ottoman history in general and Ottoman slavery, in particular, will rely heavily on court records to uncover accounts of the conversion of slaves.<sup>12</sup>

The study of the phenomenon of slave conversion may offer a great deal in terms of revealing the agency of slaves. In order to alter the status of Ottoman slaves from mute subjects to individuals with the ability to make decisions, researchers may look for instances of conversion. As will be discussed below, Gülbeyaz showed up in court because she probably intended to improve her living conditions by converting to Islam, whereas Zamane, who stood up for her rights in court, could gain the power to do so by converting. Tracking down the converted slaves in the Ottoman world, as much as the sources allow, the researchers may give insights on how slaves can gain agency and contemplate the various different motivations of conversion by also comparing with the cases of free and slaves. Finding converted slaves in the Ottoman realm as much as the sources allow will allow scholars to get insight into how slaves might exercise agency and think through the various conversion motivations by contrasting their cases with those of free and slaves.

The vast body of literature on conversion in the Ottoman Empire exceeds the scope of this working paper. Mentioning some of the most recent significant works, however, will provide the reader with an overview of how the concept of conversion can be approached in Ottoman historiography. *Contested Conversions to Islam Narratives of Religious Change in the Early*

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<sup>10</sup> Yvonne J. Seng, “Fugitives and Factotums: Slaves in Early Sixteenth-Century Istanbul,” *Journal of the Economic and Social History of the Orient* 39, no. 2 (1996): 145.

<sup>11</sup> For more information on the recent scholarship on Ottoman slavery, see, Suraiya Faroqhi, *Slavery in the Ottoman World: A Literature Survey*, Otto Spies Memorial Lecture 4 (Berlin: EB Verlag, 2017); Felicia Roşu, ed., *Slavery in the Black Sea Region, c.900–1900: Forms of Unfreedom at the Intersection between Christianity and Islam*, Studies in Global Slavery (Leiden: Brill, 2023).

<sup>12</sup> See Nur Sobers-Khan, *Slaves Without Shackles: Forced Labour and Manumission in the Galata Court Registers, 1560–1572* (Berlin: De Gruyter, 2020): 117–26.

*Modern Ottoman Empire*<sup>13</sup> by Tjana Krstić touches on various perspectives of conversion, although they are not explicitly connected to enslavement. Krstić takes on the difficult task of chronicling the phenomena of Islamization from its inception until the end of the seventeenth century in various areas of the Ottoman Empire. The study, which focuses on western Ottoman lands, is more concerned with regions of the Ottoman Empire where non-Muslims constituted a disproportionately large portion of the population than with the empire as a whole.

The research conducted by Marc Baer and titled *Islamic Conversion Narratives of Women: Social Change and Gendered Religious Hierarchy in Early Modern Ottoman Istanbul* is not directly connected to the relationship between conversion and the practice of enslavement. On the other hand, the work presents us important information regarding the lives of non-Muslim slave women who converted to Islam and the reasons for their decision to do so. According to Baer, the fact that non-Muslim slave women had to contend with challenges relating to class, gender, and religion at the same time made them the most disadvantaged members of society. Due to the fact that they were unable to have access to social capital, the only way for them to find freedom was to convert to Islam.

After converting, slaves owned by non-Muslims were relieved of the particular problems experienced with a non-Muslim and entered a new relationship with a Muslim owner. The slave woman, as a person and thing possessed by an owner, could gain a right to family life and treatment as a mother by having children by her slaveholder.<sup>14</sup>

Again, the author sheds light on the lives of slaves by using Shariah court records and, through micro-level cases, reveals hints of a larger picture of conversion politics.

Selim Deringil's *Conversion and Apostasy in the Late Ottoman Empire*<sup>15</sup> is primarily considered to be one of the best books on the politics of conversion and is one of the few studies to focus on the nineteenth century. This book goes into greater detail on the political climate of conversion among the major European powers. Deringil conducts a thorough investigation into the phenomenon of conversion in the nineteenth century. He looks at the subject from different, equally important angles, such as 'citizenship' and 'Ottomanization.' By examining a wide variety of cases, from Hungarian and Polish revolutionaries who converted to Islam to secure high-ranking bureaucratic and military positions in the Ottoman Empire or Armenians who converted to Islam to escape pogroms, his work gives the reader a broader sense of conversion.

Anton Minkov's work *Conversion to Islam in the Balkans: Kisve Bahasi Petitions and Ottoman Social Life, 1670–1730* is another work on the conversion of Christians and on the Islamization of the Balkans. The work is especially intriguing because it is based on petitions written by subjects who wish to convert to Islam. This study unveils the multifaceted factors underlying the individuals' aspirations for conversion. Most of them would like a position in

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<sup>13</sup> Tjana Krstić, *Contested Conversions to Islam: Narratives of Religious Change in the Early Modern Ottoman Empire* (Stanford: Stanford University Press, 2011).

<sup>14</sup> Marc David Baer, "Islamic Conversion Narratives of Women: Social Change and Gendered Religious Hierarchy in Early Modern Ottoman Istanbul," *Gender & History Journal* 16, no. 2 (2004): 450.

<sup>15</sup> Selim Deringil, *Conversion and Apostasy in the Late Ottoman Empire* (Cambridge: Cambridge University Press, 2012).



state service as compensation for their conversion. Others were inspired to seek employment at the palace; “one even expressed interest in a post as a eunuch.”<sup>16</sup>

In the newly proliferated literature about slavery in Ottoman lands, the topic of slaves being converted to other religions appears very infrequently. The article *The Meanings of Conversion: Treaty Law, State Knowledge, and Religious Identity among Russian Captives in the Eighteenth-Century Ottoman Empire*<sup>17</sup> by Will Smiley is an excellent example of a piece of research that addresses the topic of the conversion of slaves and provides the reader with a deeper comprehension of the limits of freedom and agency. Will Smiley’s paper focuses on the ways in which the Ottoman and Russian empires’ interactions with one another were affected by the phenomenon of religious conversion in the late eighteenth and early nineteenth century. In his article, the author illustrates to the readers in a way that is both convincing and believable how both hostages and captors can manipulate conversion tests while simultaneously making the point that the community accepts the social role of conversion. This research focuses on the relationship between state knowledge, centralization, and identity. It does so in addition to offering light on instances of inmates being converted to a different religion.

A paper recently published by Fatma Sel Turhan, titled *Conversion of War Captives in the Ottoman Lands During the Eighteenth Century: Rules, Applications and Abuses*<sup>18</sup> provides a comprehensive examination of the conversion methods of war captives during the eighteenth century. This article examines the issue of conversion among war captives in the Ottoman Empire during the eighteenth century and explores the release process of captives about religious conversion. Starting from the Treaty of Carlowitz, the article discusses changes in the release process based on treaties. Since conversions were considered exceptional cases, methods and procedures to detect conversion and manipulative and pragmatic practices in the application of conversions are studied in detail. The issue of whether conversions were made voluntarily or by force is evaluated with examples. An area in which Sel Turhan makes a significant addition to the literature is her emphasis on child captives and their conversion. According to her, the situation of child captives who were alleged to have changed their religion or who had stated this in the court was one of the most controversial aspects of the captives of war issue. According to her research, a large number of children were taken prisoner and sent to the Ottoman countries during the wars of the eighteenth century. The youngsters abducted ranged in age from eight or nine months old babies to teens. In discussions on the issue, the Ottoman and Russian sides agreed that children under the age of ten or twelve were subject to the decision of their parents. Still, older children could decide their own religious preferences. The release procedure was applied to child and adolescent captives as well as adult captives, and in cases where the captives declared in the court whether they had converted to Islam, child, and teenage captives were also brought to the court and interrogated to determine their religion. She concludes in her article that the issue of the conversion of war captives became a matter of international law rather than a purely

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<sup>16</sup> Anton Minkov, *Conversion to Islam in the Balkans: Kisve Bahası Petitions and Ottoman Social Life, 1670–1730* (Leiden: Brill, 2004): 184.

<sup>17</sup> Will Smiley, “The Meanings of Conversion: Treaty Law, State Knowledge, and Religious Identity among Russian Captives in the Eighteenth-Century Ottoman Empire,” *International History Review* 34, no. 3 (2012): 559–80.

<sup>18</sup> Fatma Sel Turhan, “Conversion of War Captives in the Ottoman Lands During the Eighteenth Century: Rules, Applications and Abuses,” *Journal of Balkan and Near Eastern Studies* (2024): 1–18.

religious one. However, ambiguities in application created a favorable environment for abuses, with captive owners claiming their captives had converted to prevent their release.

Some works dealing with captivity have made indirect references to slavery and conversion in Ottoman culture. Eyal Ginio's article, *Childhood, Mental Capacity, and Conversion to Islam in the Ottoman State, Byzantine, and Modern Greek Studies*,<sup>19</sup> is an example of this. The essay suggests that adolescent conversion should be viewed as part of a larger phenomenon in which their conversion to Islam may provide them with access to a solidarity network. He demonstrates this by looking for common patterns in eighteenth-century Salonican Sicil registers. Converted children's conversions occurred when they were reliant on Muslim adults, as some of the cases demonstrated. Eyal Ginio argues that the conversion of rural migrants may also indicate their exposure to external factors. He grounds this argument on the fact that some of the cases revealed that converted youngsters converted while depending on Muslim individuals. The author asserts that contrary to the *qadis'* depiction, the conversions in question are not 'reflections of their own wishes' but are actually influenced by external factors and might be attributed to some forms of coercion. This case serves as a compelling illustration of the need for academics to take significant prudence while engaging with court registers pertaining to conversion.

### III. Conversion as Transformation in the Lives of Slaves

The influence of slaves' conversion to Islam on their lives varied across different social contexts and historical periods. Nevertheless, it is feasible to offer a broad overview of possible alterations that might have transpired. Religious behaviors would constitute a significant aspect of the proposed reforms. Muslim slaves were required to observe Islamic religious customs, including engaging in daily prayers, adopting Muslim attire, fasting during Ramadan, and adhering to Islamic ethical principles. However, certain behaviors were not obligatory for slaves. Ebusuud Efendi, an Ottoman jurist, provides responses to inquiries pertaining to the conversion of non-Muslim individuals to Islam. In the aforementioned discourse, the speaker highlights the requirement for individuals who publicly announce their conversion to Islam to undergo circumcision as a religious observance. Furthermore, it is imperative for individuals to acquire knowledge regarding the ethical obligations associated with being a practitioner of the Islamic faith in order to wholeheartedly adopt and embody its principles.<sup>20</sup> So Muslim slaves were not required to perform the rites of *fiṭrah*<sup>21</sup>, alms-tax (*zakāt*), pilgrimage (*ḥadīj*)<sup>22</sup>, or attend Friday or Eid prayers. All other religious rights and responsibilities were identical to those of free Muslims.<sup>23</sup>

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<sup>19</sup> Eyal Ginio, "Childhood, Mental Capacity and Conversion to Islam in the Ottoman State," *Byzantine and Modern Greek Studies* 25, no. 1 (2001): 90–119.

<sup>20</sup> Mehmet Ertuğrul Düzdağ, *Şeyhulislam Ebusuud Efendi Fetvaları, Kanuni Devrinde Osmanlı Hayatı* (İstanbul: Kapı Yayınları, 2012): 109. "Question: If Zeyd says 'I have become a Muslim,' but he is not circumcised and does not fulfill any of the essential requirements of Islam, what is required by Islamic law? Answer: It is necessary to circumcise him and inform him about the obligations of Islam."

<sup>21</sup> The alms which Muslims are required to give at the close of the fast of Ramadan.

<sup>22</sup> Wael B. Hallaq, *Sharia: Theory Practice Transformations* (Cambridge: Cambridge University Press, 2009): 307.

<sup>23</sup> Ahmet Akgündüz, *İslam Hukukunda Kölelik-Cariyelik Müessesesi ve Osmanlıda Harem* (İstanbul: Osmanlı Araştırmaları Vakfı, 1955): 156; Muhammed Hamidullah and Mehmet Akif Aydın, "Köle," in *TDV İslam Ansiklopedisi*, vol. 26 (2002): 239.

Secondly, cultural assimilation would follow the conversion of slaves. It often meant adopting Islamic cultural practices and traditions, which could lead to changes in language, clothing, dietary restrictions, and social customs for the slaves. Based on fatwas and law books, non-Muslim subjects were not allowed to imitate or adopt Muslims by wearing the same clothes. The Islamic jurist's argument underscores the importance of establishing specific differentiations only applicable to Muslims. This implies that particular dress code regulations or differentiations might be peculiar to Muslims and should be considered and maintained.<sup>24</sup>

Numerous scholarly deliberations and religious rulings have been conducted over the appearance (*hidjāb*) of Muslim, of Muslim female slaves. According to Ibrahim Yılmaz, classical exegesis texts that draw upon the consensus of the four schools of Islamic jurisprudence place emphasis on the application of modesty regulations, specifically pertaining to head covering (*himār*), outer garment (*djilbāb*), and covering (*hidjāb*), to Muslim women who are free. From this particular standpoint, it is argued that veiling/modesty holds relevance for Muslim women who possess freedom rather than those who are slaves (*djāriya*).<sup>25</sup>

The conversion of slaves to Islam led to a multitude of changes in their lives. The modifications encompassed religious practices, cultural assimilation, and discussions concerning their attire and veiling. It was customary for slaves to adhere to Islamic religious practices and moral principles in accordance with their Muslim identity, albeit with specific requirements that may not have been compulsory. The process of cultural integration required individuals to accept Islamic rituals and traditions, significantly impacting various aspects of their everyday routines. The discussions and analysis around the visibility and covering practices of Muslim slave women have underscored that these laws primarily pertained to free Muslim women, rather than those who were slaves (*djāriya*).

#### IV. The Socio-Legal Landscape of Slavery in the Ottoman Empire

Slaves in Ottoman society lacked the legal, economic, and social capacity to act as guardians, provide testimony or judgment, or own property.<sup>26</sup> Slaves were regarded as chattel, akin to inanimate commodities. Acquisition of these slaves may be facilitated by many means, such as purchase, sale, gift, promise, rental, inheritance, or bequest. The slaveholder possessed absolute authority over the slave, retaining the ability to sell such individual at will, with the transaction value being determined by the severity of the slave's transgressions. To get out of debt, he could abandon the slave. Slaves were prohibited from retaining any personal wealth or possessions. During the period of enslavement, the ownership of any assets possessed by slaves was transferred to their owners.<sup>27</sup>

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<sup>24</sup> Pehlül Düzenli, *Gayrimüslimlere Dair Fetvalar* (Istanbul: Klasik Yayınları: 2015): 35 and Ahmet Akgündüz, *Osmanlı Kanunnameleri ve Hukuki Tahlilleri*, vol. 2 (Istanbul: Timaş Yayınları, 2008): 104. "Question: In a certain region, the majority of the non-Muslim subjects wear green garments, and they also have green apparel resembling a robe called 'füstan.' Can an Islamic ruler forbid them from wearing green clothing? Answer: No, such conduct is not permitted. However, distinctions must be made regarding Muslims."

<sup>25</sup> Ibrahim Yılmaz, "Klasik Fıkıh Doktrininde Cariyenin Tesettürü ile ilgili Yaklaşımlar," *İslam Hukuku Araştırmaları Dergisi* 37 (2021): 250.

<sup>26</sup> Hamidullah and Aydın, "Köle": 237.

<sup>27</sup> İzzet Sak, "Şer'iye Sicillerine Göre Sosyal ve Ekonomik Hayatta Köleler (17. ve 18. Yüzyıllar)" (PhD diss., Selçuk Üniversitesi Sosyal Bilimler Enstitüsü, 1992): 24; Ömer Nasuhi Bilmen, *Hukuk-i İslâmiyye ve İstılahat-ı Fıkhiyye Kamusu*, vol. 4 (Istanbul: Ravza Yayınları, 2015): 233.

The acquisition of slaves was generally derived from two main sources: those who were captured during warfare and offspring born to slave women. In the event when a slaveholder asserts that the kid of a concubine is affiliated with his lineage, the concubine assumes the status of an *umm al walad* (the mother of the child) irrespective of her religious affiliation. Consequently, it is stipulated that she cannot be transferred to another party for sale<sup>28</sup> and becomes free upon the death of her slaveholder (she is free as long as she doesn't kill her slaveholder on purpose).<sup>29</sup> The legal heirs included the concubine and any offspring she bore. Before he could marry his concubine, the slaveholder would have to set her free. Slaves and concubines were only allowed to wed with their slaveholder's permission.<sup>30</sup>

In Ottoman society, individuals classified as slaves and concubines were legally regarded as possessions owned by their owners. In Foucaultian discourse, it can be argued that a power dynamic is not truly present in a situation where one side possesses unrestricted capacity to exercise force and influence over another.<sup>31</sup> The slave's ability to move or escape establishes the slaveholder's authority. As previously stated, the power of the slaveholder diminishes in proportion to the decreasing degree of dependency of the slaves and their increasing agency.

## V. Tracing Slave Conversion in the Ottoman Court Records

First of all, the question is what room for maneuver was available to the slaves in their situation of dependency and how did they use it. Here, we have to distinguish between the agency of freemen and those of slaves since slave agency should be considered as "the opportunity to act within relations of asymmetrical dependency."<sup>32</sup> As agency is a characteristic of a relationship, it should be analyzed in relation to others and within social structures of interaction.<sup>33</sup> The concept of slave agency pertains to the transformative impact experienced by slaves through their own activities within relationships characterized by dependency. Religious conversion has the potential to yield transformative consequences for individuals who were slaves.

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<sup>28</sup> For the record that Abdülfettah bin Tahir should not sell his concubine Tayyibe binti Abdullah, who was an *ümm-ü veled* concubine, see Istanbul Court Registers, *İstanbul Mahkemesi 78 Numaralı Sicil (H. 1216–1217 / M. 1801–1803)*: 82/110–64. Such sales could even be canceled. A woman who was a concubine but converted to Islam and took the name Ayşe was sold to Havva binti Abdullah, but the sale was deemed invalid because she was the mother of Özü Bey Mustafa Bey's child. Istanbul Court Registers, *İstanbul Mahkemesi 22 Numaralı Sicil (H. 1107–1108 / M. 1695–1697)*: 57/625–481.

<sup>29</sup> Halil Sahillioğlu, "Onbeşinci Yüzyılın Sonu ile Onaltıncı Yüzyılın Başında Bursa'da Kölelerin Sosyal ve Ekonomik Hayattaki Yeri," *ODTÜ Gelişme Dergisi* (1979–1980): 73.

<sup>30</sup> Bülent Tahiroğlu, "Osmanlı İmparatorluğunda Kölelik," *İstanbul Üniversitesi Hukuk Fakültesi Mecmuası* 45–47, no. 1–4 (1979–1981): 659.

<sup>31</sup> "Where the determining factors saturate the whole, there is no relationship of power; slavery is not a power relationship when man is in chain." Foucault uses term of slavery as a relation of violence or a situation in which power and violence coexist. However, master-slave relationship approaches the definition of pure violence in the absence of resistance. Michel Foucault, "The Subject and Power," *Critical Inquiry* 8, no. 4 (1982): 777–95. On this see Andrew Slack, "Foucault and Slavery: Violence, Power and Resistance in Slave Narratives" (master's thesis, University of Wales, 2008): 4–6.

<sup>32</sup> Julia Winnebeck, Ove Sutter, Adrian Hermann, Christoph Antweiler and Stephan Conermann, "The Analytical Concept of Asymmetrical Dependency," *Journal of Global Slavery* 8, no. 1 (2023): 1–59.

<sup>33</sup> Juliana Schiel, Isabelle Schürch and Aline Steinbrecher, "Von Sklaven, Pferden und Hunden: Dialog über den Nutzen aktueller Agency-Debatten für die Sozialgeschichte," *Schweizerisches Jahrbuch für Wirtschafts- und Sozialgeschichte* 32 (2017): 18.

Slaves are seen here as partners of interaction who have agency vis-à-vis other individuals and also institutions. Ottoman court records are useful for examining this ‘interagency’ because they document transactions between individuals in front of an authority. These transactions may be agreements or disputes, and slaves appear quite frequently, whether as partners, plaintiffs, defendants, or subjects of disputes.<sup>34</sup> The present inquiry at hand pertains to the factors that motivated slaves to embrace the Islamic faith.

From an entry from 1670, we learn, for instance, that a slave of Ukrainian (*rūs*) origin named Gülbeyaz bint lleko appeared in court and converted to Islam. When asked about her owner, she replied that she was the slave of a Jewess named Riga. As a result, her owner was summoned to court. When Riga confirmed that she was the owner of the aforementioned female slave, she was ordered to sell her to a Muslim in accordance with Sharia law. It was also recorded that the slave was given the name Ayşe.<sup>35</sup>

This entry provides information regarding two occurrences. Firstly, it highlights the conversion of the slave Gülbeyaz to Islam, resulting in her adoption of the name Ayşe.<sup>36</sup> Secondly, it mentions the necessity for her Jewish owner to sell her to a Muslim proprietor.<sup>37</sup> There exists a correlation between these two events, as it was legally prohibited for non-Muslim individuals to possess Muslim slaves. As a result of Gülbeyaz’s conversion to Islam, her owner was compelled to divest her. Consequently, she has instigated a transfer of ownership. Moreover, it is evident from other records that she is not the sole one whose conversion to Islam resulted in a shift of ownership. The veracity of the outcome of religious conversion among slaves is substantiated by the presence of relevant records inside the court archives of Istanbul. In this context, the act of converting to Islam might be interpreted as a manifestation of personal agency, which carries significant ramifications for slaves and their former owners.<sup>38</sup>

Fana, a female slave of Georgian origin, for instance, converted to Islam ten months before her enslavement contract ended. The individual in question had entered into an agreement with her Jewish owner to provide labor for a period of nine years, after which she would be granted her emancipation. Upon her conversion to Islam and subsequent adoption of the Muslim faith, she petitioned the court for her personal emancipation, which was granted prior

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<sup>34</sup> For the interagency of slaves 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. Ottoman Studies*, ed. Stephan Conermann and Gül Şen (Göttingen: V&R unipress 2021): 213–36.

<sup>35</sup> Istanbul Court Registers, *Hasköy Mahkemesi, 3 Numaralı Sicil* (H. 1023–1081 / M. 1615–1670): 276/124-1.

<sup>36</sup> Slaves and concubines who converted to Islam can be manumitted by their owners in two ways: while the slaveholder is alive or conditionally after the slaveholder’s death. Therefore, sometimes, the slave’s emancipation was refused by the heirs after the slaveholder’s death, and this was even the subject of litigation. In most cases, converted slaves and concubines changed their names and took Muslim names. Hence, when slaves and concubines became Muslims, Abdullah was given as their father’s name. Some slave and concubine owners, after freeing their slaves on the grounds of conversion, offered them money, quilts and pillows. Kamil Çolak, “XVII. Yüzyılın İkinci Yarısında Rusçuk’ta Köle ve Cariyelerin İhtidâları,” *Kırıkkale Üniversitesi Sosyal Bilimler Dergisi* 7, no. 2 (2017): 379–88, 387.

<sup>37</sup> For more examples on slaves who converted to Islam and consequently changed their owner: Yaron Ben-Naeh, “Blond, Tall, with Honey-Colored Eyes: Jewish Ownership of Slaves in the Ottoman Empire,” *Jewish History* 20 (2006): 315–32, 319. Ben-Naeh also gives examples of the conversion of slaves to Judaism in his paper.

<sup>38</sup> Not to forget, Gülbeyaz agency, however, was not only limited to her conversion, but her way to court and the announcement and registration of her conversion were also part of her agency.

to the expiration of the agreed-upon timeframe.<sup>39</sup> Thanks to her conversion, Fana could shorten her time of enslavement.

As seen in these examples, slaves were able to bring about a significant change in their lives through the act of conversion. Not only did they undergo changes in terms of ownership, household, and location of residence, but they also had the opportunity to attain freedom and actively promote their integration into society. In the case of slaves with non-Muslim owners, the act of converting to Islam had the potential to result in a transfer of ownership and, in certain instances, expedited emancipation and enhanced integration within the broader societal framework. The transition in religious affiliation exerted a significant influence on the experiences of slaves both during and after their enslavement.

Concerning slavery in the Crimean Khanate, we can see that in many cases, the individuals converted to Islam, remained in the Crimean Khanate, established families, engaged in business activities, and participated actively in society and the legal system. Conversion permitted them to marry Muslim women, a privilege denied to males of other faiths. For instance, a freed slave of Sekut bin Mim Akay and *dogma* (born into slavery) Devin Çora applied for divorce and renounced his paternity rights to his unborn child with Sâliha. It is unknown whether Devin had multiple owners or if Sekut bin Mim Akay was his solitary owner, but after his manumission, Devin chose to remain in the Khanate because *dogmas* had no ties to their country of origin or family. Despite his background as a slave, Devin assimilated into Khanate society and learned the language, culture, and customs.<sup>40</sup>

In this regard, there are other cases besides Crimea. For instance, Mehmed Bey bin Ali Paşa freed his female slave Ceyhun bint Abdullah, who was of Tcherkassian origin and had converted to Islam. It is explicitly mentioned that her owner frees her of religious regions, as the release of a Muslim slave had a positive effect on life in the hereafter. According to the entry, Ceyhun was now free as other freeborns were, and Mehmed Bey had only *wala* right over her.<sup>41</sup> In certain instances, female owners had the ability to emancipate their concubines who had embraced the Islamic faith. For example, Şerife Neslihan binti Seyyid Mehmed Efendi, residing in the Cami Kale neighborhood of Bursa, liberated her Russian concubine, Makrama binti Abdullah. Makrama, of average stature, possessed fair eyebrows and hazel eyes and had undergone a conversion to Islam.<sup>42</sup> Once more, Şerife Emetullah binti Derviş Mehmed, hailing from the Filiboz locality in Bursa, expressed her intention to grant emancipation to her female slave, Gülferi binti Abdullah, who had embraced Islam and originated from Russia, during a period of 40 days following her demise.<sup>43</sup> In the cases here, the conversion of slaves, whether their owner was a woman or a man, seems to have had an effect on their release and integration into society. What is noticeable, however, is that all of the slaves were female slaves.

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<sup>39</sup> Istanbul Court Registers, *Bab Mahkemesi 197 Numaralı Sicil* (H. 1162–1163 / M. 1749–1750): 73/138-79.

<sup>40</sup> Crimean Court Registers 36, 66. In the Crimean Khanate, *dogma* slaves were those who were born into slavery, i.e., they were born into the condition of slavery. *Çora* slaves, on the other hand, were those whose parents or predecessors were also slaves. “*Çora*” was used to refer to slave descendants. In the court registers, we observe that those *dogma* slaves were commonly converted to Islam and tended to continue their lives in the Khanate after manumission.

<sup>41</sup> Istanbul Court Records, *Galata Mahkemesi 32 Numaralı Sicil* (H. 1015-1016 / M. 1606–1607): 231/53a-1.

<sup>42</sup> Bursa Court Register, B 150: 30/2b.

<sup>43</sup> Bursa Court Register, B 150: 14/1a.

In another example from Crimea, there exists a case involving Gülşah, a female slaveholder, and her male slave, Gazanfer. It is evident that Gülşah bestowed upon Gazanfer the responsibility of managing her commercial activities, which encompassed the procurement and trade of livestock, the generation of revenue, and the provision of legal representation in court proceedings about payment disputes. We understand that Gazanfer was a Muslim slave, and probably Gazanfer's conversion to Islam or/and being a Muslim made him more trustworthy in Gülşah's view. Nevertheless, Gülşah's reliance on Gazanfer for financial administration suggests that his conversion may have significantly impacted their relationship. Additionally, their relationship was marked by mutual dependency, as Gülşah may have relied on Gazanfer to conduct business outside their home.<sup>44</sup> The process of conversion of slaves had significant implications, not only for the individuals themselves but also for the broader social fabric in which they were embedded. In a notable entry discovered within the court records of the Crimean Khanate, we encounter Neslişah Bike, a female slave owner who is identified as the daughter of Naşid Ağa. She hails from the Elmahin district, situated on the periphery of Bakhchisaray.<sup>45</sup> The statement affirms that Yanoş, who was once held in bondage by Neslişah Bike, has been granted emancipation willingly and solely for the sake of God (*hasbatan-li-Allah*) and in accordance with religious tenets. The paper serves as an official confirmation of Neslişah Bike's renouncement of any more rights or claims over Yanoş, so granting him his freedom. The text additionally presents a physical portrayal of Yanoş, delineating his average stature, reddish complexion, blue eyes, and subtly inclined nasal structure.

Notable is that Yanoş is characterized as a *kāfir'ul-millet*, indicating that he was not a Muslim. Neslişah Bike's decision to manumit her slave is notably unaffected by his "infidel" status. This exceptional case illuminates the complexities and subtleties surrounding the freeing of slaves in the Crimean Khanate. Despite the fact that Neslişah Bike's act of releasing a non-Muslim slave exemplifies a remarkable display of charity, it is essential to note that such occurrences were infrequent. This prevalent pattern suggests that although religious conversion played a significant role in the manumission procedure and frequently served as a precondition for obtaining freedom, it is also possible to come up with such cases in which non-Muslim slaves were manumitted for God's sake only as a pious act.

If we turn back to Zamane's case, then the question arises of when Zamane actually converted, during the time of enslavement, during the time of servitude, or just before or after she decided to leave. The entry does not give us any information about this, but we can assume that the time was quite relevant since various implications and decisions were linked. If Zamane converted to Islam during her time as a slave, her Jewish owners were obliged by legal regulations to sell her to a Muslim owner or set her free. Thus, she could have used conversion to bring about a change of ownership or her manumission. However, if Zamane converted after her manumission, it enabled her to gain a better foothold in society. It is also possible, though, that Zamane converted to Islam only in the course of the legal dispute in order to strengthen her position in court since, despite all regulations, Muslims were entitled to more rights than non-Muslims. This case shows us that the timing of conversion could have significantly different implications for the life path and position within society for the converted person. Zamane managed to shift categories twice, from slave to free and from non-Muslim to Muslim. Nevertheless, we can also find entries of non-converted slaves who

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<sup>44</sup> Crimean Court Registers 37: 63.

<sup>45</sup> Crimean Court Registers 36: 21.

also gained their freedom. Conversion, therefore, does not seem to have been beneficial or necessary for all slaves. We can assume that for slaves who remained in their non-Muslim community after their manumission, there was no reason to convert to Islam.

## VI. Conclusion

When considering the examination of slavery in Ottoman society, it becomes apparent that the exclusive theoretical frameworks employed are Islamic law and sultanic kanunnames as well as treaties. An individual who possessed freedom was endowed with both legal and inherent capacities to make decisions and engage in actions. Slaves, on the other hand, are usually taken as speaking commodities fully separated from their pre-slavery identities and forced to integrate into the social order constructed by their slaveholders with no ability for decision-making or acting, and they were also entirely apathetic. It is obvious that such a perspective disregards the practical maneuverability of slaves in Ottoman society and their limited ability to make certain decisions about the course of their lives. The act of converting to Islam for both male and female slaves can be regarded as a conscious decision that highlights their individual agency. The conversion of female slaves to Islam may perhaps mitigate the dual disadvantages they face as both female and non-Muslim slaves. The examination of female slaves' motivations for embracing Islam necessitates a reevaluation of their conversion rationales, so opening up the potential for a broader understanding of their agency. With the exception of solely spiritual orientations, the act of converting slaves has been associated with the potential benefits that conversion offers in terms of freedom, alleviation from arduous and distressing circumstances, and the anticipation of improving living situations.<sup>46</sup> Additionally, female captives had to adapt to a new existence as slaves after being separated from their families, local kinships, and community ties. Their conversion must have made it easier for them to adjust to Muslim society and their situation as slaves, since free people had ancestors, whereas slaves were people without ancestors, tantamount to nonpersons. A male or female slave might get better treatment and have a greater chance of being emancipated if they have a favorable connection with their owner and obey them.<sup>47</sup>

The aforementioned phenomena may be observed in the records of Istanbul, Konya, and Bursa, as well as in the Crimean *qadi* court registers, whereby it is evident that a portion of the slaves converted to Islam, while others maintained their allegiance to their original faith. The process of converting slaves to Islam was likely perceived as a strategy to expedite their liberation and integration into the broader societal framework. Furthermore, it served as a method for enhancing connections with their households and securing their forgiveness and sympathy, thereby attaining the status of a "family member." Furthermore, by the act of converting to Islam, slaves were able to mitigate their imbalanced reliance, enhance their autonomy, and cultivate a sense of trust in their owners. In general, slaves were not required to convert to the Islamic faith in order to become emancipated as a result of their conversion, but, if they converted to the Islamic faith, they could be able to greatly increase their chances of being able to benefit from varied methods permitted by Islamic law for manumission. By

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<sup>46</sup> Bruno Pomara Saverino, "The Lonely Girl. External Factors in the Conversion and Failed Ransom of the Turkish-Algerian Fatima (1608–1622)," *Religions* 14, no. 609 (2023): 1.

<sup>47</sup> There are records in the court registers showing that slaves were admonished by the *qadi* to obey their slaveholders. For the black concubine Zeynep being instructed to obey her slaveholder, see Istanbul Court Registers, *İstanbul Mahkemesi 78 Numaralı Sicil* (H. 1216–1217 / M. 1801–1803): 82/73-9.



analyzing the motivations and implications of slave conversion, especially among female slaves, it becomes evident that conversion to Islam can serve as a pathway to alleviate some of their disadvantages and expand their agency within the confines of slavery.

The study shows that different motivations for conversion can be identified, as conversion could significantly change the lives of slaves. Different factors, such as the gender of the slaves or the religious affiliation of the owners, play a decisive role. Furthermore, religious conversion had an impact not only on the lives of the slaves or former slaves but also on others around these slaves, such as their owners. Some were forced to surrender their slaves, while others developed a patronage relationship with them after they were freed, and their relationship remained.

In conclusion, the examination of slave conversion in Ottoman society highlights the significance of agency and the transformative power of religious conversion. The conventional viewpoint, which characterizes slaves as lacking decision-making capabilities and agency, inadequately encompasses the actual mobility of slaves and their ability to exercise agency in shaping their own lives. Through a comprehensive examination of the underlying motivations and far-reaching repercussions associated with the conversion of slaves, with a particular focus on female slaves, it becomes apparent that embracing Islam can function as a means to ameliorate their inherent disadvantages and enhance their ability to exert influence within the restrictive context of slavery.

Moreover, exploring the historical, economic, and political factors that contributed to variations in slavery practices across regions could offer valuable insights into the broader socio-cultural dynamics of each society. A juxtaposition of these differences could contribute to a more comprehensive understanding of the institution of slavery and its evolution over time.

Additionally, future research might delve into the narratives and testimonies of former slaves who underwent religious conversions, providing a more human-centered perspective on their agency and coping strategies within the confines of slavery. These sources that may well be taken as personal accounts could help illuminate the diverse range of experiences and responses to slavery within specific cultural and religious contexts.

Overall, by embarking on comparative studies that consider the multifaceted aspects of slavery practices and the impact of religious conversions, researchers can enrich our understanding of the historical and socio-cultural complexities surrounding this significant historical phenomenon.

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