SLAVERY IN THE ISLAMIC MIDDLE EAST

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A Liminal State:
Slavery in Sixteenth-Century Istanbul

YVONNE SENG

In mid-Cemaziylehâr 927 (late May 1520), the evaluator for the court district of Üsküdar, a suburb of Istanbul, walked through the house of the learned gentleman Şaban Halife bin Mustafa, enumerating the possessions of the deceased and awarding them a fair market price (2:129a).1 Part way through the assessment of this tereke or muhallefat, he left the stable and entered the house. At this point his inventory read “... a packhorse, 240 akçe; a slave by name of Süleyman, 2,200 akçe; a tray (tepsti), 8; a cup (tas), 6; a rug (kalıçe), 155...” Süleyman the slave was frozen in situ between stable and house, captured in mid-duty.2 Similarly, in 1528 a female slave with the felicitous name of “Tutu” was listed in the estate of Mehmet bin Yunus, in Gece quarter (6.33b). Valued at 2,000 akçe, her presence was recorded after a series of domestic items—a box of pears, another box with flour inside, some chickens, and grass matting used as an enclosure—but before the most valuable item, a house with an orchard (3,000 akçe).3

Although these are but two examples of the objectification of slaves, it is misleading to regard slaves in the Ottoman Empire as objects. As opposed to “mute property” (mal-i sâmit), such as real estate and personal items, they occupied a special position in shariah law as “property-with-voice” (mal-i-natik), a position shared with livestock.4 By necessity,
these categories provide a static definition of status, which does not do justice to the role of slaves within a local community. Not only were slaves vital to the expansion of empire but, as part of a society based on social and spatial mobility, their status was also dynamic.5

In the early decades of the sixteenth century, when the empire and its institutions were still undergoing transition, slavery was an integral part of that transition. Labor was imperative for fueling the expanding empire and, where a subject population was insufficient in number, subjects were created out of slaves. Upon manumission or completion of their contracts, former slaves entered the subject raeya class or, more rarely, the ruling military askeri class, the latter path theoretically not open to subjects. There, they blended into an already heterogeneous society where they bought property, married, engaged in commerce, and purchased their own slaves, further adding to the mix of empire. While enslaved, they used the law courts along with, and sometimes against, Muslim and non-Muslim subjects and members of the askeri class. In short, during their period of transition they were neither subject nor object.

The records of the imperial city suggest that, with regard to slavery, the concept of stasis may be better replaced with liminality.6 The anthropologist Victor Turner suggests that liminality occurs during periods of transition “when the past has lost its grip and the future has not yet taken definite shape.”7 One of the protocols of legitimacy requires that a ruler bring order to society, and to its laws, which he reinforces through acts of ritual. Ritualization, a key component of legitimation, was characteristic of the early years of the reign of Süleyman Kanunî (1520–66), especially within the inner confines of the palace and in the inculcation of its slaves.8 Turner has outlined three stages in the rites of passage or transition, which may be reasonably applied to the institution of slavery: separation of the initiates from everyday life; instruction by practice and precept in a secluded, “marginal,” or “liminal” place; and reincorporation into the quotidian community. Although the concept of liminality may be more closely applied to the devşirme (conscription of raeya children into askeri class) and imperial slave households, it is an intriguing idea to consider within the context of the domestic and commercial slavery prevalent in the local communities. It is especially relevant when we consider that the relationship of sultan to subject was extended through practice
and precept to master and slave.\(^9\)

In the following, Turner's three stages are used to examine the transition of this "property with voice" into the community. Emphasis is on the second, or liminal, stage in which the slave receives instruction by precept and practice. The legal system is central to this stage, both in supporting the often-contracted responsibilities of master and slave to each other and in providing a venue for transition of the slave from "property with voice" to freedman. In addition, the courts provided the link between the Sublime Porte and society.

The law registers of this time provide an incomparable record of daily life and provide unique insight into the institution of slavery: they record the actions of slaves within an everyday context.

The court records of Üsküdar, a suburb on the Asian shore of Istanbul, are the earliest series for the imperial city and thus provide a base for study of later periods.\(^10\) Furthermore, because they are not yet as systematized as the court records would become under Süleyman and his şeyhülislâm (chief Muslim juriconsult), Ebussuüd Efendi, the intermixture of cases provides a rich cross-section of society across class, religion, gender, and occupation.

At the beginning of the sixteenth century, when the community of Üsküdar was about to reap the rewards of an expanding empire, the town, like its residents, was in transition. Approximately fifteen percent of its estimated population of 30,000 residents were non-Muslim and conversion was common. Greek, Armenian, Turkish, Farsi, Kurdish, Slavic, and Central Asian dialects were all languages of the hans, caravansaries, and artisans' quarters. At the beginning of Süleyman's reign, women of the imperial household had already begun to endow charitable foundations, hospices, and soup kitchens to tend the itinerant or poor, among whom the residents of a local leprosarium received special attention.\(^11\) Over the following decades the social architecture would be changed by hunting palaces and kiosks of the sultan and his consorts, and with dervish lodges and mosques that would later establish the town as a center of religious learning.
1. Separation of Initiates

The first stage of inculcation into the new society involved severing the past, a process that was not always successful. Slaves began their passage into local communities through capture during either military campaigns or commercial slave raids. Records of fugitive slaves in the local community during the 1520s confirm that Ottoman campaigns into the Balkans and Crimean raids into Russia and Poland were the primary points of capture for slaves and indicate that the regional mix of the palace was also representative of society in general. According to these court records, the origins of captured slaves were Russian (Rusî; some designated as Moskovî), thirty-nine percent; Croatian (Hrvadi), thirty-one percent; and Bosnian (Bosnevî), eleven percent. The remainder was distributed among Hungarian (Macarî), Wallachian (Eflâk), and Bulgarian (Bulgarî) origins. Although there were fluctuations in the mix according to the specific campaign (the number of Hungarians, for example, rose towards the end of the decade), slaves of African (referred to as "siyah"/black, Arab, or Habes/Abyssinian), Circassian (Çerkes), Albanian (Arnavut), and Greek (Rumi) origin were rare, as were Italian or other Europeans (Firengî), who were generally more costly.

During the reign of Süleyman, attempts were made to restrict the sale of slaves to the markets of Istanbul proper, but in the first decade of his reign slaves still made their entry directly into the local community of Üsküdar through markets in the surrounding towns and villages. They also entered the community through more indirect channels: fugitive slaves were sold or auctioned by the beyîlmal (public treasury) if, after their 100-day holding period had expired, they remained unclaimed. Because of their proven unreliability and tendency to flee, these unclaimed fugitive slaves were often sold at a reduced price and returned if unsatisfactory. At the end of Rebiyülâhır 934 (mid-January 1528), for example, Hacı Halil b. İvas appeared in court (6.21a), and gave the simple statement, "I bought a fugitive slave from the emin, Timurhan. I now return him." No reason was given, and no questions were asked.

Under Süleyman's reign, ownership of slaves by non-Muslims (zimmis) became theoretically restricted; however, court records of Üsküdar in this first decade indicate that slave ownership crossed the lines of reli-
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Region and ethnicity. On 26 September 1529, for example, the Greek Dimitri purchased two fugitive slaves at auction (6:155b), whereas exactly six years earlier, Yorgi b. Dimitri and Todora b. Mihal, residents of the rural village of Tellak Ova, claimed three fugitive slaves (3:127b–128a) who had been captured together and brought to court. Neither was this restriction effective after the death of Suleyman.18 The same defter (register) above for Istanbul in 1612 includes a manumission statement that shows that both the slave owners and the slave were non-Muslim (1.1.15). In it, the zimmi Andorya Papa Manol and his wife, Korista bint Yani, freed the female slave Istamata bint Dimitri. In this example, conversion to Islam was not a requirement for manumission.

Ideally, when a slave was purchased he or she was considered a member of the master’s extended household, over whom the master served as guardian. In this arrangement the slave was re-created during the final passage of manumission discussed below, a process akin to creating a son, or an extension of the self.19 According to Qur’anic ideal, masters were instructed to provide slaves with adequate lodging and payment for their services.20 Provision of clothing was also an important symbolic act of identity formation as well as a practical requirement. Records of fugitives confirm that clothing worn by slaves was not unlike that of the Ottoman-at-large, and that it conformed to that worn by the master in appearance and status. In a society where clothing and outward appearance were regulated as symbols of position and rank, the sartorial relationship between slave and master may be considered an extension of their social and legal relationship.

In practice, another less subjective variation was instituted. Skilled slaves were entered into work contracts with their masters where they would be manumitted upon completion of certain terms, either a specific number of years or a quota of goods or services to be completed.21 The court cases in which slaves most often appear after the death of their masters, as discussed below, involve renegotiation or recognition of the terms of contract originally set by the deceased. Even in this initial state of transition, the property is considered to have legal voice and to be able to engage in a contractual relationship.
Inculcation by practice is readily observable in the town of Üsküdar and the surrounding villages. Agricultural slaves were employed by farmers and local Greek subjects, harvested the market gardens, grain fields, orchards, and old Byzantine vineyards, and manned the fisheries and yogurt houses, which supplied the palace. Slaves herded sheep (6:9b, 72a, 159a), made specialized pastries in bakeries (6.26a, 51b), combed and beat cotton essential for mattresses and cushions (6.99a), and worked as oarsmen (3.16b). Day laborers and slaves worked the docks loading and unloading small boats and skiffs that shuttled provisions and passengers across and along the shores. In the Square of the Falconers that served as rendezvous point for military campaigns and the pilgrimage to Mecca as well as a market place, servants ran errands for their households. In the private households of middle-class Üsküdar, they served as less-glorified domestic servants and wet-nurses (3.76a), rather than the fancified position of rich man’s odalisque. Skilled slaves became factotums for their masters, often representing them in commerce and trade (6.32a). During their servitude slaves were paid for their labor on a level that was slightly less than day laborers.

Apprenticeship was one path of integration into a community; marriage offered another. The records suggest that marriage between slave and non-slave was legally recognized if not socially accepted. The Muslim woman Fatma bint Mahmut, for example, sought a divorce from her husband Ferhad b. Abdullah, a manumitted slave and convert, and in so doing ceded her dowry (6:51a). The records also indicate that slaves who were still under contract could marry free women, including Muslims, and that marriage between free man and slave woman also occurred. When Yusuf b. Abdullah, the contracted slave of Musa the cabinet-maker, required personal surety or bond, his Muslim wife, Salcuk bint Mustafa, provided it for him. In yet another case, the Muslim male Mehmet b. Çalabverdi appeared in court to claim the freedom of a female slave to whom he was engaged (6:135a). When her mistress, Fatma bint Ahmet, had died, her heirs refused to acknowledge the slave’s claim that she had been freed upon Fatma’s death. Mehmet claims that upon betrothal he had given the young bride several gifts, including household
furnishings. The engagement, although agreed upon and registered by the slave's mistress, was denied by the heirs and her representative.

Whereas practice served to integrate slaves into a local community through the labor force, it also instated them as extensions of master and household. Through practice, the normative values of Islam and empire were instilled. It is through legal precept, however, and the access to and use of Islamic law that the slave began to cross the boundary between original and future status, from infidel slave to Muslim Ottoman subject.

As an intermediary between sultan and subject, the shariah court intervened in the regulation of slavery, and although later than the period under study, a judicial decree to the residents of Istanbul is still relevant here. One of the first entries in the new registers of Istanbul created in 1021 (1612) was an order regarding the manumission of slaves (1.1.1a). According to an imperial edict, all slaves of the Jewish and Christian (kâfir) communities (taife), that is, who were non-Muslim in origin, and manumitted during the previous six years, had to secure a new proof from the sicill (judicial record). Furthermore, the action was to be undertaken within three days in all quarters of the city. Subsequently, there was a unprecedented number of manumissions recorded at this time (approximately 60, evenly divided between male and female).

The Kanun-name (code of laws) of Selim I specifies that slaves did not receive the same punishment as that given to residents or subjects. Indeed, in cases of assault, for example, slaves were issued half the punishment of free subjects.25 Furthermore, a fetva (juridical opinion) issued by Ebussuüd Efendi underlined the responsibility of the master for the slave's actions: "If Zeyd's slaves go a-whoring, drink wine, fight, throw stones at the neighbors' houses and break windows, and if Zeyd knows about these actions and remains silent, what does the law say in this respect?" The reply was that Zeyd, too, should be punished and jailed, as should the slaves. During this period of transition, the master is clearly responsible for his charge.

The intermediary role of the court in the protection and safekeeping of property entrusted to it is clear, even if that property is a captured fugitive slave, and especially when the plaintiff is a member of the ulema. In an extended case (6.13b), Yunus Fakih bin Ramazan, the substitute judge from the town of Iznikmid, claimed: "I own a Bosnian slave. He ran
away.” Yunus Fakih addressed İskender bin Abdullah, the assistant to the subasi (superintendent) of Orhonlu. “When he was in your jail, he escaped.” İskender acknowledged that it was he who had captured and jailed the slave, and from whom the slave had also escaped in Rebiyülevvel 934 (November 1529). Mevlana Yunus’s complaint was a financial one: the slave still had four years on his contract for which he had not been compensated “one pare from the village” (6.14a). Soon after, a compromise was registered in which he accepted 600 akçe in reparations (6.18b).

Use of the court by slaves shares many traits with that by members of the community-at-large, but there appears to be a clear distinction. In general, free members of the subject and ruling classes, Muslim and non-Muslim, male and female, appear to have used the courts as a last resort, either when a dispute could not be resolved within the family or other parties involved or when notarization of a transaction was required. The records of slave use of the shariah court suggests that the opposite was true for slaves, who used it as a place in which to legitimate their status vis-à-vis the community. That is, before they were incorporated into a community and established social links within it, slaves relied upon the law to uphold and protect their rights of transition.

The distinction between “property with voice” and “mute property” is apparent if we examine the use of the shariah courts by slaves. Often upon death of their masters, slaves turned to the court to contest heirs who had tried to deny the conditions expressed by the deceased, either freedom upon the master’s death, or renegotiated terms of contract. Heirs often tried to sell contracted slaves at full price, disregarding the length of term already served. Following the death of the wealthy Gülamşah (6.30) at the end of Cemaziyelâhır 934 (mid-March, 1528), for example, the female slave Nevşire and the male slave Kasım were put up for sale. They claimed, however, to have been freed. The court investigated and registered the opinion that they had 6 months remaining of their contracts.

As mentioned above, it was not uncommon for a slave to reassert the terms of manumission upon the death of his master. When the farmer Yunus bin Mustafa died in January 1529, one of his two agricultural slaves, Hamza, had only two years remaining on his contract (6:72a). He
claimed in court that before Yunus’ death arrangements had been made (takdir olup) for the time remaining to be reduced to only one year. His claim was investigated and verified. The relationship in court of slave to master (or former master) was not always antagonistic and, in some cases, was indicative of the social and familial bond established between them. When, for example, in 1528 Ali b. Mahmut, a resident of the Herekle quarter of Üsküdar, registered a unspecified complaint against Ferhad b. Abdullah, the slave of Katib Hişam Bey, the slave’s master provided personal surety for him (6.29b).

It is clear, then, that although slaves may have held the legal status of property, they had access to the courts and used them to contest the estate of the deceased. The actions of the slave Gülbahar bint Abdullah indicate that female slaves also used the courts to uphold their contracts of manumission. Gülbahar addressed Ayşe Hatun bint Sanduk in court and stated that when the time of manumission came due, her mistress had denied the contract and instead tried to sell her (6:128b). In her statement of response, it is clear that Gülbahar was aware of her terms of contract and placed her faith in the legal system to uphold them: she astutely questions how she, a Muslim convert, could be enslaved after manumission.

The practice of pro-rating the contract of a slave appears common, and in these we also hear the voice of the property in dispute. At the end of July 1519 (Receb 925) [Marula] bint Süleyman wife of Said bin Durmuş came to the court arguing that when Küseç Bali’s master had died, the slave still had 8 years of service left on his contract (1.98). An agreement was reached that 100 akçe would be taken for each year remaining. By comparison, in mid-March 928, an unnamed slave with two and a half years on contract was sold for 1,105 akçe (6.31a). This compromise action is similar to that in the sale of Yunus Fakih’s slave, above.

In these cases, it is clear that the status of the slave is that of property. Slave status, however, did not exempt a slave from ultimate responsibility for his or her actions although, as noted above, slaves received a less severe punishment for their crimes. One noteworthy case involved the slave Kadem bint Abdullah, who was accused of stealing the sizable amount of 4,000 akçe from Ibrahim b. Kemal Beğ of Gece quarter (6.27a). When she was summoned to court in March 1528, she acknowledg-
edged taking the money, but added that she had given it to the convert Ahmet bin Abdullah, who was also summoned. Other than the personal surety given for Ahmet, the resolution was not recorded.

Slaves were also called to testify against each other. The servant of Hoca Abdullah b. İsa was summoned to testify against another who was accused of stealing a piece of embroidery (6.6b). Slave owners took their slaves to court on equally mundane matters. An entry in which a woman placed a claim against her female slave for ruining the laundry is also indicative of how women used the court to solve everyday problems (3.76a). In it the kadi (judge) decided that the slave had to pay her mistress Gümüş Hatun one hundred akçe, an amount representing several months’ pay, in compensation for the fine piece of gauze that had been destroyed during its laundering. The slave was responsible for the cloth, used as a head cloth or face veil, even though she claimed she had given it to someone else to handle.

3. Reincorporation into the Quotidian Community

As Halil İnalcık has clearly demonstrated in a study of fifteenth-century Bursa, slaves and manumitted slaves (atik) “formed an energetic, enterprising class in society.”28 Moreover, since both slave and freedman were found in both the highest ranks and broadest range of society, their status was not considered derogatory. By definition, example had already been set by the sultans, themselves the progeny of slave mothers.

In an empire that prided itself on meritocracy, slavery was a path to advancement as well as a passage from ignorance to enlightenment.29 The manumission of slaves, encouraged by Islam as a praiseworthy act, entered the slave directly into the subject class (6.10b), and, if the slave converted, into the Muslim ümmet (community). Although a slave could be considered the equal of the former master with regard to social transactions, the legal relationship was that of progeny rather than co-equals. The familial bond between slave and master continued after manumission, often with the former slave taking on the status of “client” and continuing in the service of the family. According to Halil Sahillioglu, former masters oversaw the final transition of freedmen into the Ottoman
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Among the manumitted slaves of note in Üsküdar was the wealthy Gülfer Hatun. An atîk of the sultan, she established a foundation in March 1543 for the construction of a timber-frame mosque in a downtown quarter that would continue to bear her name. Several estates, however, indicate that the lives of freedmen and women were remarkable only for the ordinariness of their possessions and social transaction recorded at the time of death. Their estates are indistinguishable from those of other residents, such as the estate of Paşabeği bint Hoşkadem, the manumitted slave of İsa bin Yusuf (3.25b). Although an estate captures social and financial interactions at one specific time in a person’s life—the time of an individual’s death—it is clear that Paşabeği was both socially and financially integrated. She left behind a series of sizable credit transactions undertaken with men not related to her from the village, transactions which were typical of those undertaken by members of the community across lines of gender and religion. Her possessions included a small house that she owned in the rural village of Bulgurlu, some livestock, and an orchard, the kind of property commonly found in the possession of other women of the town.

The appearances of atîk in court were as mundane as other subjects. A manumitted slave who worked as an oarsman, for example, was featured in a case in which the mültezim or tax-farmer for the boatmen of Üsküdar brought a claim against his former master (3.16b). The case of Gümüş Hatim, likely a freedwoman herself, taking her own slave to court over the laundry has already been mentioned. In another incident, the wife of a manumitted slave is accused of beating a haci who had entered her house (6.3.44b–45a). Her husband was a resident of Üsküdar, but she apparently maintained a rented house in Istanbul. Countercharges were leveled against the haci and his companion. Here, the husband, a freedman, was held responsible for the wife’s actions, just as his former master had previously been responsible for him.

The legal relationship of slave to master that continued after manumission is also indicated in the local records. Indeed, as this relationship continued after death through the heir-by-derived-relationship (asabe-i sebebiye), former masters, or their heirs, were entitled under certain circumstances to a share of their former slaves’ estate.
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that of the state or the beytülmal. For example, when the freedwoman Fatma Hatun bint Abdullah died in the house of Hoca Mehmet bin Salih in March 1530, her estate was inherited by Mehmet's wife, Fatma bint Yunus, her former mistress (6.127a). Fatma's modest estate of 354 akçe consisted of worn clothing, flax thread, and hand-worked textiles typical of the estates of many women: an embroidered velvet cushion cover, bed covers, and an old hand-worked waist sash.

In that the relationship to her master continued after death, the voice, if not the will, of Paşabегi shows that she resorted to a legal strategy to retain the last word. Like many women who sought to control the distribution of their estates, she willed the maximum amount of the one-third permitted by law, and thus was able to partly regulate its distribution after her death. Masters also made claims upon the estates of their slaves who had not been emancipated. When the Georgian slave Beşaret b. Abdullah died, his master Ali Beğ bin Mansur Beğ claimed 850 akçe from his former slave's estate. The conditions of indebtedness, whether a loan or the incompletion of a work contract, unfortunately are not mentioned.

The estate of İskender b. Abdullah, atık of Captain (Reis) Davud Beğ, indicates that freed slaves could also share in the local prosperity of the expanding empire (6.32a). İskender's estate entry is brief, but informative. We can ascertain from the title of his former master, a sea captain, and by the commercial quarter of the town in which he died, as well as the high value of his estate (6,000 akçe), that İskender, like his master, was involved in commerce. Moreover, İskender had taken a loan with interest from a foundation overseen by the Bozacı Şirmerd b. Abdullah, on which 300 akçe was still outstanding. İskender, like the farmer Hasan, below, appears to have continued to work in the field into which his master had brought him, but in commerce rather than agriculture.

The community court records confirm that freedmen also owned their own slaves, thereby perpetuating the institution which originally had brought them into the local community. Hasan bin Abdullah, the atık of the landowner Süleyman, died in the rural village of Reislu in mid-November 1527, after the winter crops of wheat, fodder, and flax had been sown (6.9b). His estate is indistinguishable from estates of other farmers, except that the total evaluation was higher than that of his peers. Examination of his effects shows that his existence was one of hardship.
but enterprise. He lived in a meager house evaluated at 200 akçe and described as little more than a shed with attached quarters for his work animals. Against this, his estate showed that he was heavily in debt and also that his most valuable investment had been the purchase of his own slave, İlyas. The slave was valued at 1,800 akçe. After a dispute was settled between Süleyman’s heirs (the master had predeceased his slave), İlyas was passed on to the son of the former master. The familial relationship of master to slave was thus legally transferred to the son of the master and the slave of the master’s freedman.

Conclusions

It is clear from the court cases above that during their period of transition from slavery to freedom, slaves were not separated from the resident community. On the contrary, they began their incorporation by participating in it, working alongside freedmen and subjects. In this period of liminality, however, the role of the courts was especially important in enforcing the new identity and the rights associated with this transitional status of property, yet with legal voice. Unlike residents who were able to resort to the established networks of family, quarter, or community to reach a compromise on a dispute, slaves resorted to the letter of the law to reinforce their transitional status and contracts.

Records from estates and capture of fugitives show that the social status and identity of a slave was closely associated with that of his or her master. Slaves, we find, not only took on the familial identity, professions, and communities of their masters, but during the process of transition took on the intimate identity of the individual through the clothing of their patrons. The proprietary relationship established between master and slave continued legally and socially after the slave was incorporated into the community. This relationship was further perpetuated by freedmen who purchased their own slaves whose incorporation they would oversee. When slaves became converts as well as subjects their new status was marked by a renaming: son or daughter of Abdullah, slave of God. Little else now distinguished them from their fellow residents.
Notes

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1. The core resources used are from the Üsküdar series of shariah court records, which are the earliest series available for the city: Istanbul Şeri Sicilleri: Üsküdar Series 6, volumes 1–7 (abbreviated by volume and recto or verso page number, 2:98a, or 7:21b, for example). Records from the court districts of Galata and Istanbul are indicated when used (series 4, and series 1 and 5, respectively).

2. The reverse is found where Karhaman, a female slave, is recorded among the household utensils, next to a coffee pot, but before the contents of the stable. Many more of these examples, where the slave is treated as an object among the property of the deceased, exist in the court registers. See, for example, Üsküdar 6:193.25b; Istanbul 5:1.106a, 122b, and 2.121a; and Galata 14.2.38b–39a, 14.4.11, and 14.8.2.

3. The correlation between the value of slaves and residences was observed by Sahillioğlu in connection with Bursa also at the beginning of the sixteenth century (1985: 95). To achieve a relative value for the akçe at this time, the nafaka or court-appointed allotment of 2 akçe for daily subsistence to widows and divorced women is useful. This amount roughly correlated with retirement pay for mosque assistants as well as the wages of day laborers. See Seng, 1996: 154.

4. Sahillioğlu, 1985: 50. Although Paul Forand (1971: 59–66) refers to the “slave’s condition of being in the category of either domestic animals or inanimate objects,” the shariah’s differentiation is quite clear: slaves are in the category of the former, not the latter.

5. Regarding the recognized symbolism of slavery, Forand states that according to al-Bukhari, slaves belonged in the category of the dead. I quote from his translation: “... freedom is the attribute par excellence of a living being in secular jurisdiction, whereas slaves are in the category of the dead, for servitude is a vestige of obstinacy in refusing to believe in the One God (kufr)—and this in the eyes of the law is death itself ...” (1971: 61).


10. Centered on the town itself in which the kadi presided, the kaza or legal district formed a crescent about twelve miles wide that stretched from the Black Sea to the Bay of İzmit, approximately two days' horse ride in each direction.

11. Lepers were another group who were considered by law to be in transition, in this case, between the living and the dead. Unlike their European counterparts who had no legal rights or protection, however, lepers in the imperial city were considered to hold a special position as intercessors. They therefore maintained a legal status and a functioning role within society. Their lodge abutted the extensive cemetery of Karaca Ahmet, where for a fee dropped into a bowl carved into a rock, they recited verses of the Qur'an and said prayers for the dead. See Seng, 1991, chapter 1.

12. As seen in Leslie Peirce's provocative work on the imperial harem in the seventeenth century, the articulation of origin was expressed in the factions of the palace (1996; passim). These ties to ethnic and regional origins are also expressed in the chronicles of the sixteenth-century historian Mustafa Ali (Fleischer, 1986: passim), and in Metin Kunt's aforementioned work on the palace slave system.


16. For example, a slave market was held in July 1521 in İstavros, a village just north of Üsküdar (3.2a). The noise made at the public auction disturbed the villagers so much that they took their protest to court.

17. The incidence of slave escapes is not conclusive evidence that slaves ran away in order to return to their home villages. Court records indicate that although some of these slaves had fled long distances in an attempt at freedom, others used the strategy of flight in order to be resold into another household.

18. According to Mantran (1986: 2; 112–13), by the end of the seventeenth century the practice of slave ownership by non-Muslims was legalized. Instead of the legal gyration of having Muslim intermediaries purchase slaves for them, non-Muslims were taxed for the slaves owned.

19. See Forand, 1971: 60–61. For a discussion of the implications of manumission in Islamic law, see Shaun Marmon, "Domestic Slavery in the Mamluk Empire: A Preliminary Sketch," in this volume. For a discussion of liminal-
ity and the relationship between sufi master and disciple see Malamud, 64, no. 1: 89–117.

20. According to Suraiya Faroqhi, the payment for services was at or below subsistence level. The subsistence allowance for an adult male slave at the end of the sixteenth century was 2–3 akçe per day, less than 1 akçe for a young servant girl, and 1 akçe for a boy household servant. An alternative arrangement also included a suit of clothing, similar to the master's or in keeping with his status, and 400 akçe in cash (1984: 279). Persons engaged in menial occupations received a subsistence allowance of 2 akçe per day at this time. This amount was also assigned for the upkeep of incarcerated slaves, stray livestock, and as the daily allowance of divorced women during their three-month waiting period. In Bursa at the end of the fifteen century, the living expenses for a female slave were estimated at 40 akçe per month (Halil İnalcık, 1979: 44).


24. Personal surety (kefil bi'l-nefs) or bond as set for Yusuf was required for artisans and workmen to ensure responsibility for their actions and indicates that he may have been a skilled artisan working for the cabinetmaker. Muslims and non-Muslims provided bond for each other across lines of religion and ethnicity. Although fewer cases exist, women also provided bond for their husbands, as did the non-Muslim wife of a Greek tavern owner.


26. Düzdağ, Fetva no. 542; 1983: 120.

27. See also 6:99a, 6:26a, 6:51b, and 52a–b.


31. These registers are housed in Başbakanlık Archives and referred to in Konyalı, 1976: 1; 46–47.

32. According to the Kanun-name, husbands were also held responsible for the behavior of their wives, and for the fines and punishments involved.
33. The “derived relationship” or asabe-i sebebiye differed from the extended or collateral blood relationship or binefsihi. In the case of the spouse of the i'tak being the only heir, if there were no offspring, the spouse received only one-fourth of the estate. The remainder went to the past master. Sahillioglu describes emancipation as “[giving] birth to a new type of client relationship, replacing that of bondage” (1985: 60–61). See also Barkan for a description of these relationships in fourteenth-century Ottoman Edirne (1966: 24–30).

34. If we use the rate of 2 akçe per day for a field laborer’s wage, Hasan had invested the disproportionate amount of almost three years’ wages to acquire him.

References


Introduction

In his book *Race and Slavery in Islam*, Bernard Lewis makes the double point that although Muslims of the Middle East never practiced the kind of racial discrimination and oppression that persons of European descent practiced in apartheid South Africa, and “until recently in the United States,” Muslim societies were never idyllic havens of “racial innocence.”¹ In a general sense both propositions are valid. Indeed, one might hardly expect that Muslims would be uniquely free of racial stereotyping and ingrained prejudices, either about black Africans or any other human group. In the Muslim world, attitudes towards various human groups have been most obviously an artifact of the single great prejudice of Muslim peoples—the prejudice against “unbelievers,” for these were the archetypal “other.”² They were also the enslaveable other. Hence being a slave marked one as an unbeliever, or at any rate a former unbeliever, for slavery was both a result of unbelief and, in most cases, a cure for it.³ Black Africans were the single fairly clearly identifiable group whose presence in Mediterranean Muslim society was largely attributable to slavery, and thus to former unbelief. Racial prejudice there thus has within it an undercurrent of religious coloration.