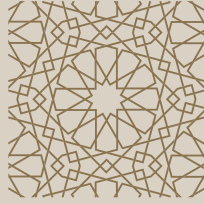


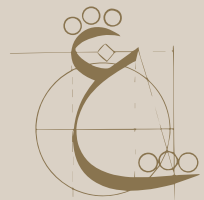
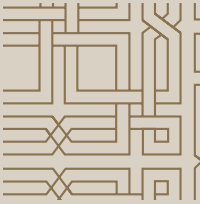


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09



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evvelin kimesne bilmeye”*

Kadim is that no one knows what came before.

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ELİF BAYRAKTAR TELLAN*

ABSTRACT

Erroneous assumptions regarding the topic of capitulations granted by the Ottoman State to its European counterparts are still prevalent not only in popular but also in academic history writing. This book by Radu Dipratu investigates the emergence and evolution of religious articles in the Ottoman capitulations through the available copies of *ahdnames* and other relevant documents, revisiting and correcting some prevalent misassumptions.

Keywords: Catholics, Ottoman, Capitulations, Jerusalem, Religious Regulations.

ÖZ

Osmanlı Devleti'nin Avrupalı devletlere verdiği kapitülasyonlar hakkında yeterli kadar sorgulanmadan kabul edilmiş varsayımların etkisi yalnız popüler değil akademik tarihçilikte de hala devam etmektedir. Radu Dipratu'nun bu kitabı, Osmanlı kapitülasyonlarındaki dini maddelerin ortaya çıkıp gelişmesini mevcut ahidnameler ve diğer belgeler üzerinden takip ederek özellikle Katolik Hristiyanları ilgilendiren imtiyazları ele almakta ve hala yerleşik olan bazı yanlış varsayımları da yeniden ele alarak düzeltmektedir.

Anahtar Kelimeler: Katolikler, Osmanlı, Kapitülasyonlar, Kudüs, Dini Düzenlemeler.



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REGULATING NON-MUSLIM COMMUNITIES IN THE SEVENTEENTH-CENTURY OTTOMAN EMPIRE

CATHOLICS AND CAPITULATIONS

Radu Dıpratu



Radu Dıpratu's book, based on his PhD dissertation, presents a fresh perspective on the history of Ottoman capitulations. The book focuses on how the capitulations regulated the Catholic communities in the Ottoman Empire, emphasizing the seventeenth century and briefly referring to previous and later developments. He addresses the question of the privileges of Catholic clerics and laymen on Ottoman lands, such as the conditions of pilgrimage to Jerusalem, restoration of churches, and commercial privileges, by examining the evolution of articles in capitulations in the seventeenth century and a little further. The book corrects common misconceptions stemming from misinterpretations of documents and their translations.

The book consists of two parts and eight chapters. The first part is an inventory and an analysis of religious articles in the capitulations granted to Catholic France,

Venice, Habsburgs, the Polish-Lithuanian Commonwealth, as well as the Protestant Dutch and the Orthodox Russians. After an overview of the sixteenth-century relations between France and the Ottomans and a discussion of the nature of diplomatic practices, the first chapter focuses on the evolution and development of the religious articles in the French capitulations of 1604, 1673 and 1740 in detail. This discussion is followed by focusing on Venice, one of the earliest polities to establish relations with the Ottomans. In this part, the book elucidates that imperial signs (*nişans*) were the legal documents that granted privileges on trade and religious issues to Venice by the seventeenth century, a point that has been missed in literature so far. This section also briefly mentions the privileges granted to the Genoese. The third chapter investigates the articles of the Habsburg capitulations, which were not exclusive to the Catholics of Jerusalem. Dıpratu demonstrates that peace treaties signed by the delegates of the Holy Roman Empire and the Porte were subsequently ratified by the sultan through capitulations. Finally, the chapter discusses the Polish-Lithuanian peace conditions regarding Jerusalem and Podolia. The last chapter of the first part presents privileges granted to the Dutch and the Russians, inspired by the French case of 1604, especially regarding the pilgrimage to Jerusalem. The title of the book should not be misleading, as it also investigates the situation in the eighteenth century, especially in the Russian case.

While the first part follows a chronological line, the second part thematically examines how the religious articles in documents regulated the Catholic communities on Ottoman lands, namely the Catholic laymen, and clergymen (priests, monks and missionaries), and finally investigates the provisions concerning religious spaces (churches, monasteries, hospitals and pilgrimage sites). The first chapter of the second part focuses on the financial and legal aspects of the pilgrimage of secular Catholics to Jerusalem. Following is a competent examination of the terminology of Catholic clergymen in the documents, reflecting the diligent Ottoman manners to provide for a balanced diplomacy. Finally, the status of Catholic places of worship in terms of ownership and restoration is investigated in the last chapter. Here, the book revisits a widespread misinterpretation of the capitulations, demonstrating that the capitulations did not prescribe the building of new churches. The chapter inevitably addresses issues involving the Orthodox, the Catholics, and occasionally the Muslims over shared spaces in Galata, Palestine, as well as Crete and Cyprus.

Dipratu identifies the stipulations of the documents that he examines, as regards to whom the articles refer (clergymen or not, merchant or other), whether the document denominates any confessional group (Catholic, Protestant, other or none), and the precise geographical location in effect (whether pertaining to a specific Church or a wider area of the whole Ottoman lands). In making this analysis, he does not limit his research to a study of capitulations (*ahdnames*). He also refers to imperial decrees (*fermans*), imperial signs (*nişans*), safe-conducts (*yol fermans*), provisional documents (*temessüks*), lawbooks (*kanunnames*) and legal opinions (*fetvas*), displaying the different capacities of these documents as well as their limitations. While some documents, like the *ahdnames*, provided a legal framework, others like the imperial signs, regulated more practical matters. Such a refinement in the text has been functional in demonstrating the vitality of turning to different kinds of documents. On the other hand, the book historicizes the jurisdictional framework that arises from the articles of legal documentation. The book presents the reader with a discussion of the political context behind granting religious privileges to the heads of Christian states. A clear presentation of the context of Ottoman diplomatic relations with foreign polities backs the examination of the evolution of religious articles. With this approach, the book challenges the prevalent assumption that granting religious privileges were concessions made only after military setbacks or European pressure while comparing the seventeenth century to the earlier period of Mehmed II in terms of the production of written documents.

One of the most crucial achievements of Radu Dipratu's book is to unveil the so-far neglected dimensions of how the Christians living on Ottoman lands were influenced by the diplomatic engagements of the Ottoman Empire, with a thorough understanding of Ottoman administrative mechanisms and mentality. He starts his analysis by carefully constructing the Islamic legal framework and clarifying the terminology regarding the legal status of Christian individuals to which he refers. He meticulously examines the religious articles of available capitulation documents (*ahdnames*) granted to foreign states and washes away some fundamental errors of previous historiography. A significant contribution of this work is the correction of the flawed but widely accepted assumptions of existing literature. A crucial one is that France was the exclusive protector of Catholics on Ottoman lands. As Dipratu convincingly argues, other polities like Venice and the Habsburgs were also granted similar privileges by the Ottoman Sultans. As such, the monopoly of France over the religious privileges

of Catholics on Ottoman lands is contested. By examining and comparing religious articles in the documents and their various translations, the text also demystifies the unfounded assumption that between 1604 and 1673, France received no capitulations.

As colorful as it is, the topic of religious privileges of non-Muslims in an imperial setting necessitates a thorough understanding of the theoretical framework versus practice. The challenge is comprehending the problem-solving mechanisms regarding conflict between the two. While traditional historiography is marked by a silent rivalry of researchers of different training as experts of law or history, a complete comprehension of Ottoman administrative mentality in the context of practical concerns is quite demanding. Without direct reference to instances of conflict, Dıpratu's work presents a thorough understanding of the working of Islamic principles in the context of practical considerations.

Constructing an argument based on the articles of capitulations necessitates turning to the Ottoman-Turkish originals of documents. Such a delicate task also requires a profound knowledge and comprehension of the Ottoman perspective. Failing to do this in the past has resulted in some incorrect interpretations. One example concerns the implications of the Küçük Kaynarca Treaty of 1774 regarding the Russian protectorate over the Orthodox subjects of the Empire, as also referred to by Dıpratu on page 133. Roderic Davison's article demonstrating how historians reached incorrect but quite widespread conclusions makes a perfect teaching material for indicating the importance of consulting original documents instead of translations.¹ Likewise, Dıpratu's book underlines the vitality of reliable translations and referring to original documents in many instances, rendering the Ottoman Turkish texts of capitulation articles besides English translations.

Diplomatic relations unsurprisingly influenced the historical context behind the religious privileges granted to the foreign heads of Christian states. Occasionally, the Ottoman statesmen endeavored to balance power relations, as Nasuh Paşa did in 1614, diminishing the economic and commercial privileges of Europeans. The balance was not only among the Ottomans and foreign powers; the Orthodox subjects of the Ottoman sultans and their privileges were as crucial to the issue, as evident in the case of competing beneficiaries of the Holy Sites in Palestine as seen in several episodes like the 1630s and 1750s. Dıpratu demonstrates that the contestation between the Catholics and the Orthodox on the Holy Lands even influenced the terminology of how Christians of different sects were labeled in later documents.

Beyond presenting a well-constructed narrative of historical context, thought-provoking books raise further questions, and this one is no exception. To what extent is it possible to categorize the articles in documents as religious or secular within the diplomatic context accurately described in the text? As the book shows, religious privileges were never isolated from a political context, suggesting that the relation between religious and secular seems to have been more intricate despite their outward separation. Indeed, it is crucial to move beyond isolated representations and focus on actual interactions. For example, in the correspondence between the Ottoman administration and the Orthodox agents, discursive expressions such as "their rites" [*ayinleri*] were deliberately used by both sides as a term functional in representing an outward separation of religious and civil jurisdictions of Orthodox Patriarchs, while

1 Roderic H. Davison, "The 'Dosografa' Church' in the Treaty of Küçük Kaynarca," *Bulletin of the School of Oriental and African Studies* 41 (1979), 46–52.

the borders between the two realms were being crossed out of necessity. Future discussions may hopefully contribute to such inquiries.

Finally, the book addresses an academic audience and constitutes a reference book about the history and the evolution of the articles of Ottoman capitulations and the related documentation. Apart from its strong academic insight, the book is also highly convenient for teaching early modern Ottoman history courses, especially regarding diplomatic relations and Ottoman administrative policies on non-Muslims. Overall, the text flows coherently and is articulately written on complicated topics, such as the legal status of individuals in an Empire that might otherwise be difficult to comprehend. On a further note, maps could have been helpful for readers unfamiliar with geographical names and the locations of churches.