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OTTOMAN ADMINISTRATION AND EUROPEAN CONSULS: SUPPORTING CONSULAR FUNCTIONS IN THE 17TH AND THE FIRST HALF OF THE 18TH CENTURIES

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ABSTRACT

Consulates, given certain commercial and legal privileges from the Ottoman Empire, served as entities that facilitated and maintained the commercial activities of foreign merchants. Capitulations provided the legal foundation for non-Muslim Europeans to engage in commerce in the Ottoman dominions. Large communities of European merchants conducted business in the empire's major commercial hubs under the protection of their ambassadors in Istanbul, and consuls in several ports and cities. Besides capitulations, imperial decrees issued due to special circumstances were also a factor in determining the status of European communities and officials in Ottoman lands and could influence the living of a foreign community. The Ottoman authorities acknowledged the jurisdiction of their own ambassadors and consuls of foreign merchants. Articles within the *ahdnames* and *berats* stated the degree of authority consuls had in the Ottoman lands. Nonetheless, the articles on consular Consulates, having been granted specific commercial and legal privileges by the Ottoman Empire, functioned as entities that facilitated and upheld the commercial activities of foreign merchants. Capitulations laid the legal groundwork for the participation of non-Muslim Europeans in commerce within the Ottoman dominions. Extensive communities of European merchants engaged in business within the empire's major commercial hubs under the protection of their ambassadors in Istanbul and consuls in various ports and cities. In addition to capitulations, imperial decrees, issued due to special circumstances, played a role in determining the status of European communities and officials in Ottoman lands, thereby influencing the livelihood of foreign communities. The Ottoman authorities recognized the jurisdiction of their own ambassadors and consuls of foreign merchants. The articles within the *ahdnames* and *berats* specified the extent of authority consuls held in the Ottoman lands. Nevertheless, the articles pertaining to consular operations were notably limited and failed to encompass all aspects of consular activities.

The precise implementation and functioning of consular privileges granted by the capitulations, aside from matters outlined in the articles, remain unknown. According to the capitulations, consuls emerged as semi-autonomous actors, enjoying complete freedom in their affairs and being accountable only to their superiors—either the resident ambassadors or the government in their home country. While this information may be accurate, it obscures the potential influence of Ottoman interventions and regulations. Alternative sources beyond the capitulations may offer a more comprehensive understanding.

Several studies have explored consular legal activities, but relatively less attention has been devoted to the issues consuls addressed outside their legal responsibilities and their collaboration with the Ottoman administration. This research seeks to analyze the connections between consulates and Ottoman authorities, particularly in terms of appointment, ensuring their safety, and collecting consular fees. The investigation aims to reveal how the Ottoman administration managed consulates through the perspective of Ottoman archival sources, integrating Düvel-i Ecnebiye (registers of foreign states) and Mühimme registers from the Prime Ministry Ottoman State Archives for this purpose.

Significantly, the Ottoman administration played a crucial role in appointing consuls, collecting consular fees, and creating an environment conducive to the safe execution of consular duties. By supporting consuls in

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these aspects, European consuls in the Empire were able to operate efficiently, and the consular system functioned without complications.

Keywords: Consuls in the Ottoman Empire, Consular Affairs, Capitulations, Western Trade in the Ottoman Empire.

OSMANLI YÖNETİMİ VE AVRUPALI KONSOLSLAR: 17. YÜZYILDA VE 18. YÜZYILIN İLK YARISINDA KONSOLSLUK FAALİYETLERİNİN DESTEKLENMESİ

ÖZ

Osmanlı topraklarına ticaret yapmak amacıyla gelen yabancıların hukuki statüleri, yükümlülükleri ve ayrıcalıkları ahidnamelerde (kapitülasyonlarda) ifade edilmiş ve kendi içlerinde düzenlerini sağlamak üzere hareket edecek bir idari yapı olarak konsoloslukların ihdasına da izin verilmiştir. Osmanlı İmparatorluğu tarafından bazı ticari ve hukuki ayrıcalıklar verilen konsolosluklar, yabancı tüccarların ticari faaliyetlerini kolaylaştıran ve sürdüren kuruluşlar olarak hizmet vermiştir. Osmanlı yönetiminin izniyle elde ettikleri temsil yetkisi sayesinde ticari ve hukuki konularda bağlı buldukları ülkenin ticari faaliyetlerini yönetip düzenlediler. Pek çok önemli ticaret merkezinde yabancı tüccar kolonileri bulunuyor ve büyükelçilerinin ve konsoloslarının yönetimi altında iş yapıyorlardı. Osmanlı yönetimi, büyükelçi ve konsolosların bayrakları altında ticaret yapanları yargılama ve yönetme yetkisini kabul etmişti. Ahidnâmelerin yanında çeşitli konulara ilişkin gönderilen fermanlar da yabancı tüccar topluluklarının faaliyetlerini düzenleyici bir işlev görüyordu. Ahidnamelere göre konsoloslar, kendi işlerinde tamamen serbest ve yalnızca kendi amirlerine yani mukim elçilere veya ülkelerindeki yönetime hesap veren özerk aktörler olarak ortaya çıkmaktadır. Bu şekilde bakıldığında, Osmanlıların müdahaleleri görünmez olabilmektedir. Oysa ahidnâmelerin dışındaki kaynaklar daha tamamlanmış bir resmi gözler önüne serilebilir. Şimdiye dek konsolosluklara ait yargılama yetkisini konu alan çeşitli çalışmalar yapılmıştır. Ancak konsolosların hukuki faaliyetlerinin dışında ne gibi meselelerle uğraştıklarına ve Osmanlı yönetimiyle ne şekilde iş birliği yaptıklarına nispeten daha az değinilmiştir. Bu çalışmanın amacı Osmanlı yönetiminin konsoloslukları ne şekilde idare ettiğini Osmanlı arşiv kaynakları ışığında ortaya koymaktır. Konsoloslar ticari ve hukuki işlemlere nezaret etme, gelen ve giden gemilerdeki malların kaydını tutma ve bu mallara ilişkin konsolosluk vergilerini kaydetme ve toplama yetkisine sahiptiler. Kendi ülkelerinin bayrağı altında Levant'a gelen ve giden malların sayımını yaparak alınacak konsolosluk vergilerini hesaplıyorlardı. Özellikle konsolosluk harcının daha rahat bir şekilde toplanabilmesi için önlemler alınması, konsolosların atanmaları sırasında ortaya çıkabilecek çeşitli sorunların önüne geçilmesi ve konsolosların güvenli bir şekilde görevlerini yürütebilecekleri bir ortamın sağlanması için ikametleri ve güvenliklerinin sağlanması konularında Osmanlı yönetiminin önemli katkıları bulunmaktadır. Konsolosların bu yönlerden desteklenmeleri, İmparatorlukta bulunan Avrupalı konsolosların etkili bir şekilde çalışmalarını ve konsolosluk sisteminin sorunsuz yürümesini sağlamıştır. Bu amaçla Osmanlı topraklarında sayı ve etki bakımından en önde gelen konsolosluklar olan Fransa, İngiltere, Hollanda ve Venedik devletlerine ait konsoloslukların faaliyetleri incelenmiştir. Konsolosluk meselelerine dair yürütülecek her türlü faaliyet, Osmanlı yetkilileriyle işbirliği gerektirmekteydi. Ahidnamelerle verilen hakların doğru bir şekilde uygulanmasını sağlamak için konsolos, Osmanlı yerel yetkilileriyle sürekli olarak iletişim ve işbirliği halinde olmalıydı. Bu çalışmada; Osmanlı idaresinin konsolosluklara ne şekilde yaklaştığı, konsoloslukların faaliyetlerini düzenleyici ve denetleyici rolü ve etkisinin meydana çıkarılması amaçlanmıştır. Konsolosluklar ile Osmanlı makamları arasındaki bağlantıları, özellikle atama, güvenlik ve konsolosluk harçlarının toplanması konularına odaklanarak ortaya koymak amacıyla düvel-i ecnebiye defterleri, düvel-i ecnebiye evrakı ve mühimme defterlerine başvurulmuştur.

Anahtar Kelimeler: Osmanlı İmparatorluğu'nda Konsoloslar, Konsolosluk, Kapitülasyonlar, Osmanlı-Avrupa Ticari İlişkileri.

INTRODUCTION

Even in ancient times, the exchange of goods between different societies laid the foundation for organizations that can be seen as the early versions of modern consulates. As cross-border commerce expanded, the requirement for consular-like organizations to manage the activities of merchants trading beyond their home countries developed naturally. Sometimes this need was expressed by the host country, and sometimes the merchant colonies themselves requested and created a structure to manage their own affairs. Even in locations without a sovereign state system or when the law between countries was not completely settled, establishments

with consulate qualities were present. Therefore, the structures of these institutions varied according to the structure of trade and the characteristics of the region.¹

Before the Ottoman Empire, the Turkish states in Anatolia acknowledged the consulates and gave them the right to exercise autonomy. The Sultanate of Rum's 1220 *firman* did not promise the Venetians the appointment of a consul specifically but gave them the right to exercise autonomous jurisdiction. This ruling divided proceedings into theft and murder cases and those concerning Venetians and other Latins. The Seljuk courts were responsible for handling murder and theft cases, while a special Venetian jury was established to handle cases involving Venetians. Abu Sa'id Bahadur Khan issued a decree in 1320 explicitly recognizing the rights of consuls. Consuls from Italian city-states were also present in the principalities of Aydınids and Menteshe.² It is estimated that the Venetians had a consulate in Menteshe territory as early as 1318. With the 1337 treaty between the Aydınids and Venice, the Venetian consuls were authorized not only in legal proceedings but also in enforcing sentences. No Venetian could be imprisoned under Turkish jurisdiction. Additionally, the consul had the option to request assistance from the Turkish authorities in carrying out the judgment.³ Karamanoglu Ibrahim II also authorized the Venetians to have multiple consuls in 1453. Venetian consuls had the authority to handle not only the cases involving Venetian citizens but also the cases involving Turks and foreigners from other countries who had a conflict with a Venetian.⁴ During the period from 1365-1396, due to the political and commercial links between Mamluk Egypt and European countries, foreign communities were allowed to settle in separate *fondachi* (funduks) in a specific district of Cairo. In 1512, the Mamluk sultan gave the French king Louis XII an agreement that enabled French traders to reside in Cairo under his safety for a maximum of three months. In 1517, Selim I granted certain privileges to French merchants and permitted a consul to live in Alexandria.⁵

In the early 17th century, four European states had the most extended and influential consulates in the Ottoman region. Venice, France, England, and the Netherlands. Venice had been carrying out commercial activities in the region since before the Ottomans and had a consular presence. The 1454 capitulations specified the rights and immunities of Venetian communities and consuls in the Empire. In the event of a Venetian's death without a will, the bailo, *kadı*, and *subaşı* needed to make a register of the assets; these were to be preserved by the bailo or, if he was not present, by another Venetian merchant until an official letter from Venice arrived. The bailo was designated as the head of the Venetian people who resided in the Empire, with full civil jurisdiction and the ability to solicit the *subaşı*'s help if necessary. Therefore, the first Venetian consul in Ottoman territory was the Venetian *bailo* in Istanbul. The powers of the *bailo*, who fulfilled the above-mentioned duties of consuls, were recognized in Venice by a law enacted in 1575 that allowed bailo to assume the duties and responsibilities of ambassadors and sometimes to act as ambassadors. England obtained Capitulations in 1580, 1583, 1601, 1616, 1624, 1643, 1666, and 1675; France secured them in 1569, 1581, 1597, 1604, 1673, and 1740.⁶ The capitulations granted to France in 1569 were as comprehensive as the most extensive capitulations ever granted to Venice in 1540.⁷ The Ottoman capitulations presented to the French by Sultan Selim II in 1569 secured individual legal obligation, division of estates or delivery of intestate inheritances to the consul, obligatory attendance of the dragoman during trials before the *kadı*, and internal French lawsuits within the competence of the French consul. The 1581 capitulation confirmed these rights and included additional articles that provided French diplomatic protection for the Venetians, Genoese, Portuguese, Catalans, Anconitans, Ragusans, and any other nation willing to operate under the French flag. At the end of the 16th century, England arrived in the Levant, thereby creating a powerful competitor to France in terms of both diplomacy and commerce in the region. English merchants were given the same privileges as the Venetians and French, due to the 1580 capitulations. According to *ahdname* the appointment and replacement of British consuls sent to Alexandria, Tripoli, Algeria, Tunisia, etc. were not to be interfered with in any way. The cases between British merchants were to be handled by their ambassadors or consuls.⁸ The British Capitulations of 1602 stipulated that a consul whose term of office expired for any reason could be replaced by another consul and that the Ottoman local authorities could not intervene.

¹ Jaroslav Zourek, "Report on Consular Intercourse and Immunities" UN doc. A/CN.4/108, extract from the *Yearbook of International Law Commission*, vol. II, 1957, p. 73.

² Şerafettin Turan, *Türkiye-İtalya İlişkileri I: Selçuklulardan Bizans'ın Sona Erişine*, TC Kültür Bakanlığı yay., Ankara 2000, p. 484-486.

³ Kate Fleet, "Turkish-Latin Diplomatic Relations in the Fourteenth Century: The Case Of The Consul" *Oriente Moderno*, 22/3, 2003, p. 606-610.

⁴ Turan, *ibid.*, p. 484-486.

⁵ Jonah M. Brewer, *Gold, Frankincense and Myrrh: French Consuls and Commercial Diplomacy in the Ottoman Levant, 1660-1699*, Georgetown University Unpublish Dissertation, Washington 2002, p. 63.

⁶ Darling, Linda T., "Capitulations", *The Oxford Encyclopedia of the Islamic World*, Oxford University Press, 2009, www.oxfordreference.com, Date Accessed 13 Sep. 2022.

⁷ Halil İnalcık, Donald Quataert, *Osmanlı İmparatorluğu'nun Ekonomik ve Sosyal Tarihi 1300-1600*, Cilt I, Eren yay., İstanbul 2004, p. 437-438.

⁸ Mübahat S. Kütükoğlu, *Balta Limanı'na Giden Yol: Osmanlı-İngiliz Münasebetleri 1580-1850*, TTK yay., Ankara 2013, p. 28.

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From 1583 to 1612, France and England had a severe diplomatic conflict in the Levant. This dispute revolved around the control and influence of Christian nations that were not officially represented at the Porte, as well as their trading activities in the ports and regions of the Ottoman Empire.⁹ The result of Cornelis Calcoen's vigorous diplomatic efforts was that the Dutch obtained the first capitulations from the Ottomans. The Dutch capitulations of 1612 allowed them to be on the same footing as the French and English capitulations. Dutch trade flourished quickly in Ottoman ports and cities, which resulted in the establishment of consulates in Livorno, Aleppo, Larnaca, and Algiers.¹⁰ The rights and privileges of the consuls are as follows: They could not be arbitrarily arrested or, imprisoned and their houses could not be sealed, they could not be tried in a place other than the *divan-ı hümayun*, they could employ the guards and interpreters of their choice, they were free to produce, consume and transport alcoholic beverages to their homes.¹¹ The Western consuls in the Levant had several official duties, including acting as representatives of their nation to the local Ottoman authorities. They also functioned as agents of the national governing body for Levant trade and as judges of disputes between members of their own communities.¹²

Although consuls sometimes took on political and diplomatic duties, their most constant and primary duties were related to commercial affairs. In addition to organizing the relations between their own nations and solving problems, it has always been their primary responsibility to carry out all kinds of work to facilitate trade.¹³ In order to ensure the correct implementation of the rights granted by the capitulations, the consul had to be in constant contact with the Ottoman local authorities. In addition, consuls also fulfilled duties typical of ambassadors, such as hosting guests from their own country in the region and celebrating national holidays.¹⁴ Despite the presence of different procedures in their respective countries, we can observe that the European consuls in the Ottoman domains have similar powers and duties. It was the responsibility of all consuls to seize the inheritance of deceased merchants as trustees and deliver it to their heirs in their homeland. They were also responsible for approving business deals between their subjects, preparing ship-loading documents, and performing notarial work, such as recording the wills of merchants. As they had no authority to pass judgment on criminal matters, they could only repatriate lawbreakers and let them be tried in their home country.¹⁵ They could not conduct legal and financial affairs without the consent of the community. In this case, they had to obey the orders of their country and obtain the consent of the community they governed at the same time. Consuls had to work in harmony with the community they governed. Without the approval of the people, they could not make legal or financial decisions. Therefore, they had to adhere to their nation's directives while also gaining the assent of the people they were governing. N. Steensgaard suggested that capitulations were not the sole source of consuls' legal entitlement. The basis of their status was not limited to the capitulations; their rights and obligations were partly stipulated in the capitulations, partly based on their traditional place among other groups in Ottoman society, and partly reliant on their ability in a given situation to adjust and maximize the existing power balance. The consul was privileged with resources beyond legal rights, like his ties with the city's rulers, his high standing in the region, his talent for resolving matters with gifts and reparations, and, as previously said, his cooperative collaboration with the people he governed. Given this, the consuls sought to cultivate ties with the prominent people of the area, such as the *kadı* and the *defterdâr*, and when they roamed the city they would always bring a large entourage with them, making sure to create a grandiose impression.¹⁶

Consuls in the Ottoman Empire encountered several government officials, such as the provincial pashas, *kadı*s, and janissaries (known as *yasakçı*) who had been placed by the Ottoman state to guard them, and *çavuş* who had been assigned to convey the sultan's and viziers' commands. Another important official for the consuls was the customs officer (*gümrük emini*). After obtaining a license from the state to collect customs duties, these

⁹ Horniker, Arthur Leon, "Anglo-French Rivalry in the Levant from 1583 to 1612" *The Journal of Modern History*, 18, 1946, p. 289.

¹⁰ Jonathan I. Israel, "The Dutch Merchant Colonies in the Mediterranean During the Seventeenth Century", *Renaissance and Modern Studies*, 30/1, 1986, p. 93.

¹¹ Viorel Panaite, "French Capitulations and Consular Jurisdiction in Egypt and Aleppo in the Late Sixteenth And Early Seventeenth Centuries." *Well-Connected Domains Towards an Entangled Ottoman History*, ed. Firges, P., Graf, T., Roth, C., & Tulasoğlu, G., vol. 57, Brill, Leiden-Boston 2014, p.79-81.

¹² Maurits H. van den Boogert, "Consular Jurisdiction in The Ottoman Legal System in the Eighteenth Century" *Oriente Moderno*, 22/3, 2003, p. 613-617.

¹³ Niels Steensgaard, "Consuls and Nations in the Levant from 1570 to 1650", *Scandinavian Economic History Review*, 15/1-2, 1967 p. 14-15., Since consulates predated permanent embassies, there were times when their political importance increased. As we come nearer to the present day, we can observe that the commercial obligations of consulates are decreasing, and diplomatic and civil missions are taking the lead. For this transformation of consuls, see: Halvard Leira and Iver B. Neumann, "The Many Past Lives Of The Consul", in *Consular Affairs and Diplomacy*, ed., Jan Melissen and Ana Mar Fernández, Brill, Nijhoff 2011., pp. 223-246. For studies focusing on the diplomatic functions of consuls, see: Nina Lamal, and K. Van Gelder. "Addressing Audiences Abroad: Cultural and Public Diplomacy in Seventeenth-Century Europe" in *Cultural and Public Diplomacy in Seventeenth Century Europe* (thematic issue) *The Seventeenth Century* 36, no. 3, 2021, pp. 367-387., Piotr Chmiel, "Prehistory of Consular Diplomacy: A New Perspective on the Activity of 17th-Century Venetian Consuls in the Ottoman Empire." *The Seventeenth Century* 37/6, 2022, p. 1009-1029.

¹⁴ Alfred C. Wood, *Levant Kumpanyası Tarihi*, çev., Çiğdem Erkal İpek, Doğu Batı yay., Ankara 2013, p. 281.

¹⁵ Maurits H. van den Boogert, "Consular Jurisdiction...", p. 619.

¹⁶ Steensgaard, *ibid*, p. 19-22.

individuals strove to collect the highest amount of tax achievable from the goods entering and exiting the empire. However, this situation has been the subject of various disputes from time to time, especially regarding the additional customs duty charges. *Kadis* were not authorized to intervene in cases between the nationals of European states, but since they were administratively empowered to enforce the sultan's decisions, consuls and *kadis* consuls found themselves in opposition to each other.¹⁷

European consuls and vice-consuls were appointed by their home governments. However, without an Ottoman *berat* (imperial certificate of authorization), they were unable to carry out their duties within the Ottoman domains. Thus *berats* served as a complementary element to the legal framework.¹⁸ The *berats* emphasized the consul's immunity. It stated that Ottoman officials were prohibited from arresting or prosecuting the consul, as well as sealing his residence. It was essential for the newly assigned consul to submit this certificate to the senior Ottoman authorities of the area upon taking office, or else his actions would not be authorized.¹⁹ With the purpose of ensuring the consul appointed was helped in his tasks, and any abuses were prevented, orders were sent to the Ottoman local administrators and the date of the consul's *berat* was specified.²⁰ At the end of his term of office, however, the consul would hand over the *berat* and copies of the *ahdnames* to the *kadi*.²¹

Every time the Ottoman Empire sanctioned the opening of a new consulate in any specific area, the original approval of *berat* was reminded and validated again. The decree that appointed a French envoy to Egypt was issued based on the old consular order and the local notables' assertion that this had been the practice for a long time.²² The Dutch ambassador dismissed a person who had been serving as the Dutch consul in Smyrna for about a year and a half. The reason for his dismissal was his interference in the affairs of the French consuls, which resulted in several issues within the city. However, this person later continued to cause other problems. As indicated in the complaint, he had to be taken into custody and locked up according to the French capitulations, yet he persisted in meddling in the matters of the French consul. The judge of Smyrna was designated to apprehend this individual and to guarantee that they were delivered to the French consul and incarcerated there.²³

In 1640 a similar problem occurred in Naphlio. The French ambassador, aiming to substitute the French consul of Naphlio, Baron Balthasar Dalin, encountered opposition from the consul. This consul organized the merchants in the area and strongly voiced their disapproval of the new consul Nicola Vilare. After roughly two months of service, Vilare had had enough and decided to go back to France. A month later, he was reappointed to the same position. It was up to the Ottoman administration to ensure that the merchants in the region obeyed the designated consuls during this tumultuous period. Thanks to the Ottoman local forces in the vicinity, the documents in the hands of Balthasar Dalin were able to be seized and the unrest created by the merchants and former consul was averted.²⁴ In the event of the consul's dismissal, his entry into the documents of the palace would be canceled, and the *kadı* in the consul's region would have seized the documents and sent them to the capital.²⁵

On the off chance that the consul departed from his office for business purposes, the Ottoman administration would transmit orders to the region to validate the powers of the individual he had appointed as his deputy.²⁶ Ensuring that consuls did not interfere in the affairs of each other's subjects and maintaining order in this regard was also the responsibility of Ottoman administrators such as *kadı* and *beylerbeyi* in their respective regions. Following the establishment of the first British consulate in Egypt, edicts were sent to the regional administrators. These edicts requested that the consul be treated in the same manner as the French and

¹⁷ Daniel Goffman, *Osmanlı İmparatorluğu'nda İngilizler 1642-1660*, Sabancı Üniversitesi yay., İstanbul 2001, p.16. For an incident that pitted the *kadı* of Smyrna and consul Thomas Bandish against each other over legal authority, see: Mark Charles Fissel and Daniel Goffman, "Viewing the Scaffold from Istanbul: The Bendysh-Hyde Affair, 1647-1651", *Albion*, 22/3, 1990, p. 445-447.

¹⁸ Maurits H. van den Boogert, *Kapitülasyonlar ve Osmanlı Hukuk Sistemi: 18. Yüzyılda Kadılar, Konsoloslar ve Beratlılar*, çev. Ali Coşkun Tuncer, Türkiye İş Bankası Yay., İstanbul 2014, p. 26-27.

¹⁹ Boogert, "Consular Jurisdiction...", p. 621.

²⁰ Gülnur Koç Çelik, *28 nolu Fransa Atik Ahkâm Defterinin Transkripsiyon ve Değerlendirmesi*, Celal Bayar Üniversitesi Sosyal Bilimler Enstitüsü (Unpublished Master Thesis), Manisa 2016, p. 245.

²¹ Ebru Karakoyun, *Fransa Ahkâm Defteri (1666-1687) (İnceleme-Metin)*, Marmara Üniversitesi Türkiyat Araştırmaları Enstitüsü (Unpublished Master Thesis), İstanbul 2014, p. 343-344.

²² The following words of the decree describe this situation: "Merhum babam Sultan Selim Han...zamanında olageldiği üzere hük-m-i şerif verilip ol vilayetin bazerganları ve sair ayarı mufassal mazhar gönderip kadimü'l-eyyamdan bu veçhle olagelmıştır deyu ilam eyledikleri ecilden... südde-i saadetime arz olunup hilafına hük-m-i şerif vermiş değil ise merhum müşarünileyhin verdiği hük-m-i mucibince ... olageldiği üzere amel olunup..." BOA., *Bâb-Asaflı Mühimme Defterleri*, (BOA. A. DVNSMHHM.d), 42/1022.

²³ BOA., *Bâb-Asaflı Dîvel-i Ecnebiye Defterleri*, (BOA. A. DVNSDVE.d), 26-1/30.

²⁴ Mustafa Aydoğan, *26/1 Numaralı ve 1634-1666 Tarihli Fransa Atik Ahkâm Defteri Sayfa 80-156 (Değerlendirme-Transkripsiyon-Dizin)*, Fırat Üniversitesi Sosyal Bilimler Enstitüsü (Unpublished Master Thesis), Elazığ 2018, p. 128-132.

²⁵ "...emr-i şerifim vusülünde mesfur Tatarakinin yedinde olan Konsolosluk beratını ahz ve der-kise edip aceleten der-i devlet-medârıma irsal eylemek bâbında..." BOA., *Bâb-Asaflı Mühimme Defterleri*, (BOA. A. DVNSMHHM.d), 115/837.

²⁶ Karakoyun, *ibid.*, p. 142.

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Venetian consuls in the region. It was also emphasized that these consuls should not interfere in the affairs of British merchants. At the commencement of the new consulate, the other consuls were asked to give back the money they had received from the British merchants.²⁷

It is clear that the capitulations gave the consul of the deceased full power over the distribution of the estate. Although there were strict provisions that the Ottoman authorities should not confiscate the inheritance, the problem was not always Ottoman officials who were eager to confiscate the inheritance. When the goods of a French merchant who died in Smyrna were shared by the Dutch and English consuls in the city, the *kadı* of Smyrna was appointed to intervene in the matter following the French ambassador's complaint.²⁸

Besides that, consuls could not only compete with the consuls of other countries but also exchange information with them. This allows for better coordination and the ability to implement more effective measures. For instance, there was a pirate named Krilo who targeted Muslim ships. He managed to capture a French ship and sailed to the Albanian port of Durres. However, the local people recognized him and seized his ship. The situation was reported by the Venetian consul in Durres to the French consul. Thanks to this information, the French consul was able to quickly intervene in the matter and inform the Ottoman authorities that the French were not involved. However, he was unable to convince the Ottoman authorities. Since the ship and its crew were French, the Ottomans did not believe the French consul and found his behavior audacious.²⁹

By engaging high-ranking Ottoman officials in significant cases, consuls were at times able to influence them and hasten certain official procedures. When a Dubrovnik ship was raided by an English pirate, the French consul was able to take the chance to make a complaint to the Ottoman government about their competitor England. The consul elucidated the circumstances to the vizier Süleyman Pasha, a visitor in Smyrna at the time, and persuaded him to get involved. The French ambassador also summoned the dragoman of the Sublime Port to his office and asked for an investigation to be initiated, and it was claimed that although the ship was flying the French flag, it was actually a ship that was taken by force by an English pirate and its crew was captured and forced to sail. The situation was reported to the *voyvoda* of Smyrna through the pasha, and the confiscated goods were ordered to be kept in the Foreign Customs of Smyrna (*İzmir Efrenc Gümrüğü*). The British consul's *dragoman* was informed of the situation until the goods were taken into custody by customs officers.³⁰

Debts among individuals within the same *nation* sometimes required intervention from the Ottoman administration. An example is the dispute between the French consul on the island of Euboea/ Negroponte (today the island of Evia) over a debt owed to a European named Francesco in October 1649. Francesco claimed that the consul owed him money., and in consequence, he held the consul's freed female slave and her two children captive. The orders sent by the Ottoman central administration to solve this problem were as follows; Francesco was to be brought before the vice-consul and put on trial. After the trial, it was to be checked whether the problem continued or not, and if the problem continued, the matter was to be referred to *divan-ı hümayun*.³¹

Ambassadors and consuls were accompanied by janissaries known as *yasakçı* to ensure their security. Their assignment was made with the permission and knowledge of the Janissary Agha. The embassies and consulates had complete control over who would be employed as *yasakçı*. Explicit instructions were given to local authorities to protect ambassadors and consuls from being unduly influenced to hire specific individuals. The *yasakçıs*, whose primary responsibility was to safeguard the objectives of foreign nations, additionally executed the tasks of consuls and ambassadors. As an example, Jacobus Colyer, Dutch ambassador in Istanbul, petitioned the Sublime Porte for secure conduct papers to send a *yasakçı* named Mehmet to their consulate in Smyrna to fulfill his work.³² If the letters were to be sent abroad, they would be received by the *yasakçı* and delivered to an Ottoman authority near the border.³³ French Ambassador Marquis de Bonnac's letter to Vienna with his *yasakçı* reached the governor of Niş, who informed him that he would deliver the letter via Belgrade and sent the *yasakçı* back to Constantinople.³⁴

Rebellion and civil unrest within the Ottoman Empire could be met with troops sent to the region, which could cause damage in the process of suppression. In these circumstances, the consuls and the public were negatively impacted, and their lives and property were in peril. At such times, the prohibitionists and janissaries

²⁷ BOA., *Bâb-Asaî Mühimme Defterleri*, (BOA. A. DVNSMHM.d), 58/813, 814, 815.

²⁸ Koç Çelik, *ibid*, p. 154.

²⁹ BOA., *Bâb-Asaî Düvel-i Ecnebiye Kalemî*, (BOA. A.DVN.DVE. Fransa (4)101-55/23.

³⁰ BOA., *Bâb-Asaî Düvel-i Ecnebiye Kalemî*, (BOA. A.DVN.DVE. Fransa (4)101-55/25.

³¹ BOA., *Bâb-Asaî Düvel-i Ecnebiye Defterleri*, (BOA. A. DVNSDVE.d), 26-1/122.

³² BOA., *Bâb-Asaî Mühimme Defterleri*, (BOA. A. DVNSMHM.d), 103/237.

³³ Eray Akçay, *İBB Atatürk Kitaplığı, Muallim Cevdet, Nr. O. 34'te Kayıtlı Fransa'nın İstanbul Elçisi Marquis de Bonnac'ın Osmanlı Bürokrasisi ile Yazışmalarını İhtiva Eden Bir Mecmua*, Marmara Üniversitesi Türkiyat Araştırmaları (Unpublished Master Thesis), İstanbul 2014, p. 95.

³⁴ Akçay, *ibid*, p. 96.

in the locality might be unable to ensure the safety of the consuls and their personnel.³⁵ On occasion, both outlaws and Ottoman bureaucrats would invade the consuls' dwellings, inventing accusations against the consuls and their interpreters and soliciting money. In Antalya, the French consul was assaulted by the castle's captain and *subaşı* for holding Muslim inmates, and 370 *akçe* was taken from him against his will.³⁶ In 1653, the consul of Smyrna and a merchant accompanying him were in a small town near Smyrna when they were attacked. The money and diamond engraved ring extorted from the consul and the merchant by a *mültezim* (tax collector) and some bandits were recorded in the registry book of *kadı* (*sicill*) and it was stated that the case would be referred to Constantinople.³⁷ In the event of any complications concerning public order, involving their employees or merchants, the consulates would alert the Ottoman authorities and guarantee that the necessary actions were taken. The French consul in Smyrna had made a letter of complaint about a disagreement with a French merchant and asked the *kadı* of Smyrna to intervene and have him put in prison.³⁸

When consuls were dismissed due to an extraordinary situation, it was always prone to generating issues in the locality. For this reason, the Ottoman administrators in the region were instructed to either imprison, transport to Istanbul, or send back these individuals. After the dismissal of the French consul in Alexandria in 1652 and the appointment of a new consul in his place, when the former consul did not leave the region and started to cause unrest, the *beylerbeyi* of Egypt and the *kadı* of Alexandria were assigned to send this person to France.³⁹

The Ottoman administration preserved a list of the countries that had consuls in the empire and their locations. States that had established a consulate in a region could stop appointing a consul if the volume of trade and the number of merchants in that region decreased over time. This case necessitates the keeping of an up-to-date registry of all active consulates. To ensure accurate record keeping, the bailo were requested to provide brief reports on the locations of their consulates, as well as the number of employees, including scribes, priests, and physicians, at each consulate.⁴⁰ Otherwise, the irregular character of the consular institution could have resulted in a lack of law and order. As a matter of fact, in the regions where there were no consuls, some individuals falsely claimed to be consuls and committed certain abuses. However, the consular records kept in the *ahkâm* books reveal the truth of the situation.⁴¹

Consuls, whose source of income was based on the taxes they obtained through their roles, were inclined to request additional funds from traders. Venice and France were the pioneers of consulates in the pre-modern Mediterranean. A key distinction between the consular organizations of these two countries was the salary of the consul. While Venetian consuls received a fixed salary, French consuls relied on the consular fees they received from the merchant community they headed. The Dutch later adopted the French model, which, however, proved to be problematic and often caused conflicts between merchants and consuls.⁴²

The absence of a consul in a port could also lead to various problems regarding consular fees. A French merchant who wanted to load his ship in Lepanto and leave the harbor had given the consular fee to a Jew who told him that he was collecting taxes on behalf of the consul since there was no consul in the region. The orders that originated from Istanbul with respect to addressing the issue stipulated the money accepted from the Jew should be recovered, and the French were directed not to freight goods from any harbors without a consul from then onwards.⁴³

Consuls sometimes gave one of their consular staff the task of collecting the consular fees and managing the accounts. However, there were occasions when these individuals violated their responsibilities. In such instances, the intervention of the Ottoman authorities was once again required to rectify the situation. In Athens, a dhimmi who worked as a dragoman for the French consul in Athens consistently delayed in submitting the records of the consular fees and the money he had collected, using various excuses for the delays. The *voyvoda*

³⁵ They also sometimes made critical interventions, for example in the early 16th century, preventing rebels and some soldiers from looting the fondaco in Cairo, see Maria Pia Pedani, "Venetian Consuls in Egypt and Syria in the Ottoman Age", *Mediterranean World*, 18, 2006, p. 15.

³⁶ BOA., *Ali Emiri Tasnifi Mehmed IV*, (BOA. AE. SMMD.IV), 37/4274.

³⁷ BOA., *Bâb-Asaî Düvel-i Ecnebiye Defterleri*, (BOA. A. DVNSDVE.d), 26-1/192.

³⁸ BOA., *Bâb-Asaî Düvel-i Ecnebiye Defterleri*, (BOA. A. DVNSDVE.d), 26-1/9.

³⁹ BOA., *Bâb-Asaî Düvel-i Ecnebiye Defterleri*, (BOA. A. DVNSDVE.d), 26-1/161.

⁴⁰ For example, in October 1740, there is a short report on British and French consuls in the Ottoman territories during the reign of Ahmet II (1691-1695). This shows that Ottoman bureaucrats occasionally needed this information and consult to older records. BOA., *Ali Emiri Tasnifi Üçüncü Ahmed*, (BOA. AE.SAMD.III), 17-1560, BOA., *Ali Emiri Tasnifi Üçüncü Ahmed*, (BOA. AE.SAMD.III), 17-1561. Another report can be found in BOA., *İbnülemin Tasnifi, Hariciye*, (BOA. İE.HR.), 16/1503, includes all merchants, doctors, servants and consuls from Dubrovnik.

⁴¹ BOA., *Bâb-Asaî Mühimme Defterleri*, (BOA. A. DVNSMHM.d), 129/1017.

⁴² Tijl Vanneste, *Intra-European Litigation in Eighteenth-Century Smyrna: The Role of the Merchants' Style*, Brill, Leiden-Boston 2021., p. 40-41.

⁴³ Karakoyun, *ibid*, p. 220-221.

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and *kadı* of Athens were appointed to intervene in the situation, and if they could not collect the accounting records and the money, they were asked to refer the matter to Istanbul.⁴⁴

At this point, there was another issue that required Ottoman intervention. Not only *müste'min* or *harbî* merchants but also Ottoman subjects had to pay the consular fee for the goods they loaded on ships. Therefore, this payment also appears as a tax area to be regulated by the state. The Governor of Istanbul (*Kaimmakam*) and the *Kadı* of Galata were notified in an order that the Muslims, Jews, and Armenians who loaded goods on French ships had to pay the tax. İstanbul Kaymakamı ve Galata kadısına gönderilen bir emirde Fransız gemilerine mal yükleyen ehl-i islam, Yahudi ve Ermeni taifesinin de bu vergiyi ödemek zorunda olduğu belirtilmiştir.⁴⁵ In addition, another important aspect of the Ottoman records is the adjustment of taxes based on the consular *berat*'s date during consul changes. A consul was only allowed to receive consular fees starting from the date of his *berat*. When the two Dutch ships came to Iskenderun, the first Dutch ambassador to the locality had not yet been issued his charter, and it was confirmed by the Ottomans that the consular taxes belonged to the French consul. The order sent to the *kadı* and *mütesellim* of Aleppo was based on the article of the capitulations stating that merchants trading under the flag of France should grant consular rights to the consuls of France.⁴⁶ For this reason, routine orders stating that a new consul had been appointed to the region and that this person was to be assisted in his duties would sometimes also specify the date from which the consul's *berat* was valid.⁴⁷

In 1616, Cornelis Haga, the Dutch ambassador, recognized that the Dutch consul's fee charged to merchants in Cyprus had been left uncollected for a period of eighteen months and took action to rectify the situation. In answer to the ambassador's plea, the Ottoman authorities came up with a solution and issued orders to Ali Pasha, beyberbeyi of Cyprus, granting the Dutch ambassador's appointed dragoman the right to levy the taxes. This was to be done with the backing of the local Ottoman rulers. In addition, Dutch merchants were obliged to pay fees for cotton, cotton yarn, and silk purchased from Cyprus in return for unpaid consular fee debts from previous years. These fees were to be levied until the Dutch merchants in Cyprus had paid their one-and-a-half-year debt of unpaid consular fees.⁴⁸

There were various ways in which merchants could avoid paying the consular fees, and in such cases, it was necessary for the Ottoman administration to take regulatory measures. Rather than loading their goods onto the ship at the port in Smyrna, they would clandestinely transfer the goods to the ship on smaller boats in order to prevent the goods from being noticed by the consul during loading. As a solution to this problem, the Ottoman authorities suggested that the goods should first be taken to the consul's residence to be counted and identified there, or that the consul should go to the merchant's house with the persons appointed by the consul and carry out these procedures there. After one of these two scenarios had taken place, they also requested that the loading of the ship should not be carried out until the calculated consular fee had been paid by the merchant.⁴⁹ To prevent merchants from escaping consular fees, it was decided to levy a double consular tax on those who were caught red-handed; customs officers and *kadıs* were authorized to execute this ruling.⁵⁰

Another issue that was left to the regulation of the Ottoman local administrators was related to the inns and houses where consuls and merchants lived. According to the terms of the capitulations, non-Muslim foreigners were granted the right to settle and conduct business in all Ottoman domains. However, in practice, they were only allowed to stay in certain ports and certain areas or inns within those ports.⁵¹ To this end, some waqfs rented out their inns to merchants and in some places built dwellings for rent to Western merchants.⁵² For every European merchant community, there were specific buildings or parts of buildings that were utilized for purposes such as residence and storing of goods. The Ottoman authorities were made responsible for ensuring that this custom was not violated and that they did not occupy each other's places.⁵³ This responsibility entailed guaranteeing they had an appropriate place to live in their assigned location and resolving any disputes they had with their landlords. In 1684, an order was sent to the local authorities for the newly appointed French consul in

⁴⁴ Ebru Karakoyun, *ibid*, p. 160.

⁴⁵ Koç Çelik, *ibid*, p. 97, 110.

⁴⁶ Koç Çelik, *ibid*, p.107.

⁴⁷ "...berati kaydına müracaat olundukda zikr olunan konsolosluk mesfura 105 şehr-i recebin evaili tarihiyle müverrah berat-ı şerifimle üzerinde olduğu mastur ve mukayyed bulunmağın..." Gülnur Koç Çelik, *28 nolu Fransa Atık Ahkam Defterinin...*, p. 245.

⁴⁸ Bülent Arı, *The First Dutch Ambassador in Istanbul: Cornelis Haga and the Dutch Capitulations*, Bilkent University Department of History (Unpublished PhD Thesis), Ankara 2003, p. 273.

⁴⁹ "...konsolosun meskenine götürüb andan sonra tahmil eyleyüb ve yahud konsolosun ma'rifetiyle tüccarın evlerinde konsolosun adamı hesabın görüb baylaç hakkın bi't-tamam alınmayınca gemilerine tahmil itdirilmeyüb..." BOA., *Bâb-Asafî Düvel-i Ecnebiye Defterleri*, (BOA. A. DVNSDVE.d), 26-1/120.

⁵⁰ "... rızkların kaçurub gemilerine koyub te'addi ederler ise ol makulelerden iki baylaç hakkı alviresin ki bi'vech konsoloslarına muhalefet üzere olmayalar..." BOA., *Bâb-Asafî Düvel-i Ecnebiye Defterleri*, (BOA. A. DVNSDVE.d), 26-1/120,121.

⁵¹ İnalçık-Quataert, *ibid*, p. 240.

⁵² Suraiya Faroqhi, *Osmanlı İmparatorluğu ve Etrafındaki Dünya*, çev. Ayşe Berktaş, Kitap Press İstanbul 2010, p. 226., Daniel Goffman, *Osmanlı İmparatorluğu'nda İngilizler...*, p. 36-39.

⁵³ Viorel Panaite, *ibid*, p. 84.

Mosul to find a suitable place for the consul to reside.⁵⁴ The British consul, who was renting a dhimmi's house in Thessaloniki, complained about the landlord who tried to evict him.⁵⁵ In May 1728, orders were issued not to interfere with the consul who wanted to build a building on the land he had purchased.⁵⁶

CONCLUSION

The Ottoman administration implemented several measures and made various contributions to the consular system in order to ensure its effective operation. These measures primarily focused on the consuls' residence, the streamlined collection of consular fees, and the appointment and dismissal of consuls. Consul appointments and dismissals were not always smooth processes. The appointment date held significant importance, as the Ottoman administration validated it through an appointment certificate. This rule was essential in determining the consular revenues that would be credited to the account of the previous consul. Thus, a possible dispute with the newly appointed consul was prevented. Security considerations demanded prompt and effective measures. In the *ahdnames*, Europeans were advised to register their debts and receivables with the sharia courts when dealing with Ottoman subjects. However, we observe that matters related to public order were also recorded in the presence of the *kadı*. These records were later used as evidence in complaints to the Sublime Porte. There was a risk of escalation if security matters were left to the consulates' judicial systems or if intervention from the central authority was anticipated. However, the local authorities could have intervened more quickly and effectively to ensure the parties' safety. The janissaries, known as *yasakçı*, played a crucial role in ensuring the security of the consuls. Moreover, they also assisted the consuls in carrying out certain tasks. The Ottoman regulatory activities exerted a fundamental influence on the gathering of consular fees. One of the reasons for the Ottoman intervention in this matter was the direct involvement of Ottoman subjects. Consular fees were mandatory for Ottoman dhimmi and Muslim individuals engaging in foreign trade. Consequently, it was the obligation of the Ottoman government to firmly demand that its subjects pay this particular taxation. The Ottomans' taxation regulations had a pervasive influence on all commercial dealings in the nation. The Ottoman administration also assisted the consuls in implementing special measures to collect the outstanding fees that they were unable to collect. Cornelis Haga's arrangements for unpaid consular fees in Cyprus were supported by imperial orders sent to the region. Changes were introduced to the consul's business practices, thus ensuring a more efficient process for collecting consular fees. In order to discard the possibility of goods being smuggled from the consulate in Smyrna by ship, it was ensured that the counting of goods was done in a place separate from the harbor.

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⁵⁴ Ebru Karakoyun, *Fransa Ahkâm Defteri...* p. 287

⁵⁵ BOA., *Bâb-Asaîfî Mora Ahkam Defterleri*, (BOA, A. DVNS.AHK.MR.d), 2, 79/a-1.

⁵⁶ BOA., *Bâb-Asaîfî Mora Ahkam Defterleri*, (BOA, A. DVNS.AHK.MR.d), 2, 85/b-2.

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