

MEDIATION AS A DIPLOMATIC TOOL IN OTTOMAN CAPITULATIONS

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Abstract: *Despite the substantial body of literature on capitulations in the Ottoman Empire, hardly any of it explores the role of mediation in the process of concessions becoming a heavy burden for the Ottoman Empire. However, there is an undeniable connection between the advent of mediation in Ottoman diplomacy and the spread of capitulations. As the Ottoman Empire weakened militarily, especially from the end of the 17th century, it was forced to seek peace through the mediation of European states (especially France and England). Subsequently, the Ottomans started to grant new concessions as a token of gratitude to these states for assisting them in signing a treaty with their opponents (especially Austria and Russia). As a result of this situation, mediation, which was a technique used sparingly under international law, was repurposed into a diplomatic tool used to increase European states' capitulations. In this sense, this study aims to establish a link between the emergence of the notion of mediation in Ottoman diplomacy and the increase of capitulations granted to European states. This study sheds more light on how the Ottoman Empire became trapped in a vicious spiral of growing capitulations in exchange for mediations.*

Keywords: *Ottoman Empire, European states, House of Islam, House of War, Diplomacy, Mediation, Capitulations.*

Rezumat: *Medierea ca instrument diplomatic în capitulațiile otomane. În ciuda cantității impresionante de literatură despre „capitulațiile” Imperiului Otoman, foarte puține lucrări explorează rolul medierii în procesul acordării acestora, care devin treptat o povară grea pentru Imperiul Otoman. Există însă o legătură incontestabilă între acceptarea practicii medierii de către diplomația otomană și răspândirea capitulațiilor. Pe măsură ce Imperiul Otoman a slăbit din punct de vedere militar, mai ales începând cu sfârșitul secolului al XVII-lea, acesta a fost nevoit să caute pacea prin medierea acestora de către statele europene. Ulterior, otomanii au început să acorde noi concesii în semn de recunoștință față de*

aceste state (în special Franța și Anglia) care îi ajutaseră să semneze un tratat de pace cu oponenții lor (în special Austria și Rusia). Ca urmare a acestei situații, medierea, care era o tehnică utilizată cu moderație în dreptul internațional, a fost transformată într-un instrument diplomatic folosit de europeni pentru creșterea numărului de capitulații acordate unor state europene. Scopul acestui studiu este de a stabili o legătură între apariția noțiunii de mediere în diplomația otomană și creșterea numărului de capitulații acordate statelor europene. Studiul aruncă mai multă lumină asupra modului în care Imperiul Otoman a fost prins într-o spirală vicioasă, de acordare a tot mai multor capitulații în schimbul medierilor.

INTRODUCTION

This study examines the relationship between the introduction of the concept of mediation to Ottoman diplomacy and the continuous expansion of capitulations granted to European states. While much research has been done about the capitulations in the Ottoman Empire, little has been done about the relationship between capitulations and *mediation*. However, to properly comprehend how capitulations became an inextricable spiral and a heavy burden for the Ottoman Empire, the role of *mediation* in this context should be well established.

When it was at the peak of its political and military power, the Ottoman Empire maintained a one-sided diplomatic relationship with European states, the terms of which it determined. Since the conquest of Istanbul, it had permitted these states to have permanent representation in its capital while only sending ad hoc envoys when it thought it was necessary. As a result, through these foreign resident representatives in its capital, it cultivated political communication with these states, was informed about what was going on in Europe, and made European powers aware of its might and grandeur. It carried out this one-way diplomatic linkage so skilfully that it also affected the balance of power in Europe for centuries. It did not use diplomacy for any purpose other than the security of trade and political *mediation*. The Ottoman pragmatism's discovery of the capitulations as a diplomatic tool played the most crucial role. Through the capitulations it provided to European powers, the Ottoman Empire not only secured the flow and security of foreign trade on its lands but also established Istanbul as a diplomatic centre.

Furthermore, it turned the balance of power in Europe in its favour by bringing some European states to its side through capitulations. Naturally, it did not perceive the capitulations as a threat to itself at a time when it was militarily and politically powerful. However, when the Ottoman Empire weakened militarily and politically and had to make concessions because of one-way diplomacy, capitulations became a system that worked against itself. Thus, over time capitulations

turned into a system in which European states used all kinds of diplomatic means to expand privileges in their favour by exploiting the Ottoman Empire's weaknesses. *Mediation* was the most profitable of these diplomatic means. As the Ottoman Empire weakened militarily, it had to seek the mediation of European states to sign treaties with its enemies whom it could not defeat on the battlefield. The Ottoman Empire gave new privileges as a token of gratitude to these states that mediated the signing of treaties with its enemies. In this context, European states discovered *mediation* as a diplomatic tool to expand capitulations.

Therefore, there is an undeniable linkage between the introduction of mediation in Ottoman diplomacy and the increasing number of capitulations given to European states. This paper attempts to clarify how European states turned mediation into a diplomatic tool to expand capitulations through several Ottoman archival sources and European ambassadors' reports in Istanbul.

Some of the questions to be asked in this paper are: What were the dominant motives for the Ottoman rulers to issue capitulations in practice at first? Why does the literature, which focuses primarily on the Ottoman Empire, generally consider the capitulations a terrible mistake from the Ottoman perspective? How did *mediation* become a tool for increasing European capitulations, and how did the Ottoman Empire allow its interests to be so subverted? First, a literature survey on the historical context of the Ottoman Empire's Capitulatory Regime was conducted. The emergence and development of capitulations must be examined to comprehend the primary motivations of the Ottoman rulers in giving capitulations in the early periods. Second, an explanation of how European powers discovered *mediation* as a means of expanding capitulations in the context of the Karlowitz treaty is presented. Finally, the role of mediation in the Ottoman Empire's concessions becoming an insurmountable problem is addressed.

THE HISTORICAL DEVELOPMENT OF THE CAPITULATORY REGIME DURING THE OTTOMAN EMPIRE

Until the 19th century, the Ottoman Empire regulated its commercial and diplomatic relations with European states in general terms through documents called *ahdnâme-i hümâyûn*. In general, *ahdnâme-i hümâyûn* was an imperial charter by which the Porte regulated its peaceful ties and alliances with foreign states, international trade and the safe conduct of foreigners in the Ottoman domains.¹ In

¹ Mübühâ S. Kütükoğlu, *Ahîdnâme* [Ahdname], in *Türkiye Diyanet Vakfı İslam Ansiklopedisi* [TDVİA], Vol. 1. p. 536-540.

essence, the term *ahdnâme* consists of the combination of two words, the Arabic “*ahd*”, meaning oath, compact, covenant and the Persian “*nâme*”, meaning letter.²

In the Ottoman chancery, an *ahdnâme* was a unilateral treaty in which the Sultan granted promise and permission to the ruler of a foreign state. It had to be renewed at the accession to the throne of each Sultan. That meant the privileges previously bestowed had to be restated in each subsequent renewal. Therefore, although the *ahdnâme* sometimes included the terms agreed through mutual consent and occasionally the rights granted, the Ottoman authority did not recognize it as a document signed between equals because the Islamic concept of *aman* served as the foundation for the legal system of the Ottoman Empire’s traditional *ahdnâmes*.³ According to the theoretical notion of the Islamic state, the world was divided into two, the *dar-ül-Islam* (the House of Islam) and *dar-ül-harb* (the House of War), and there could never be sustainable peace between these two worlds, at least not legally. Theoretically, those entering from dar-ul-harb countries outside the Islamic world (Abode of Islam) did not have the security of life and property since they were accepted as *harbis* (war status). Yet, this explanation does not help comprehend the historical development of the Ottoman Empire’s relations with foreign states. In practice, a guarantee must be provided for all forms of travel, lodging, and shopping for the *harbis* to allow political and economic ties between governments to flourish. These assurances were providing all non-Muslim foreigners (*harbis*) in the *dar-ül-Islam* safe conduct in compliance with the legal principle of *aman*. Therefore, *ahdnâme* can be viewed as a particular case of *aman*, the protection granted by the Ottoman Sultans to all non-Muslim foreigners (*harbis*). It can be said that the *ahdnâmes* were the instruments of the Ottoman state law that created legal bases for all non-Muslim foreigners (*harbis*) to stay and trade in the Ottoman domains. The precondition of *aman* for *harbis* was their pledge of friendship and sincere goodwill. The Sultans who bestowed privileges

² Viorel Panaite, *Western Diplomacy, Capitulations and Ottoman Law in the Mediterranean (16th-17th Centuries)*, in Seyfi Kenan (Ed.), *The Ottomans and Europe: Travel, Encounter and Interaction from the Early Classical Period until the End of the 18th Century*. İstanbul, 2010, p. 357.

³ “Contrary to a common supposition, the practice of granting foreigners extraterritorial privileges did not originate with Islam. From 1082 onward, Byzantium provided Venetian merchants preferential treatment in trade, freeing them from tariffs incumbent on natives. The Byzantines allowed Venetians also to maintain courts of their own. Over time similar concessions were made to other nations.” See subchapter *Early Capitulations*, in Timur Kuran, *The Long Divergence. How Islamic Law Held Back the Middle East*, Princeton – Oxford, Princeton University Press, 2011, p. 210.

to the foreigners could revoke them when they sensed that the foreign power had broken the commitment of friendship and goodwill.⁴

Over time, the Europeans called these *ahdnâmes* Capitulations. The root of the word Capitulations derives from the Latin *caput* or *capitulum* (pl. *capitula*), which refers to the articles or chapters. In European terminology, peace treaties were called Capitulations, presumably because they were divided into chapters or paragraphs. Likewise, since the contents of the *ahdnâmes* were organized as chapters or articles, and the Ottoman texts were translated, they were also called *Capitulo* by the Europeans. The Ottomans approved the plural version of this word, Capitulations, over time as a name for special agreements and concessions regulating the permanent presence and trading of non-Muslim foreigners in Ottoman domains.⁵

Foremost, the Ottoman Empire emerged in an area with a concession tradition. Therefore, the Ottoman capitulations were inspired by similar practices in the Seljuk, Mamluk and Byzantine Empires, which gave privileges to foreigners in their realms. According to what is known, the Byzantine Empire provided preferential treatment to Genoese merchants trading in Galata. Likewise, the Seljuks and Mamluks granted capitulations to the European merchants. Thanks to these capitulations, European merchants could easily establish trade connections with the Chinese and Indian markets. Until the 16th century, the primary motivation for early Ottoman capitulations was the same.⁶

However, from the early sixteenth century, as the Ottoman Empire began to emerge as a political, military, and economic superpower, the significance that it attributed to capitulations started to alter, as the Ottomans began to seek diplomatic advantages in addition to commercial benefits through concessions. Since the sixteenth century, the Ottoman rulers saw the Habsburgs as the biggest obstacle to this claim, and they sought stronger possible anti-Habsburg allies in Europe. Throughout this quest, Ottoman pragmatism discovered capitulations as the most effective and convenient diplomatic tool. Indeed, during the 16th and 17th centuries, capitulations provided strategically planned to manoeuvre freedom for Ottoman Sultans to undermine their Western rivals politically and militarily by building and strengthening alliances. In this context, the French King, the devoted

⁴ İlber Ortaylı, *Osmanlı'da Milletler ve Diplomasi. Seçme Eserleri III* [Nations and Diplomacy in the Ottoman Empire. Selection Works III], İstanbul, İş Bankası Kültür Yayınları, p. 200.

⁵ Viorel Panaite, *op. cit.* p. 23.

⁶ Emrah Şahin, *Ottoman Institutions, Capitulations*, in Andrea L. Stanton (Eds.), *Cultural Sociology of the Middle East, Asia, & Africa. An Encyclopedia*, Vol. I, SAGE Publications, 2012, p. 177-179.

antagonist of Habsburg expansionist policies in Europe since the 1530s, became the only European ruler who made both an offensive and a defensive alliance with the Ottoman Sultans. Thus, he was the first ruler to receive the *ahdnâme* from the Ottoman Empire.⁷ Henceforth the continuation of privileges became contingent on alliance relations against common rivals. As he prepared to conquer Cyprus, which was in the hands of Venice, France's commercial rival, the Ottoman Sultan expanded the rights granted to France before. Likewise, the capitulations given to the Protestant states such as England and the Netherlands after the Battle of Lepanto of 1571 resulted from the search for an alliance against the threats of the Holy League (Habsburg Spain, Venice and Papal alliance).⁸ As shown, in certain cases, the Ottoman Sultans issued capitulations to build coalitions.

Thus, the capitulations served the Ottoman Empire not only to establish and develop commercial relations with European states but also to establish and develop diplomatic relations. There were also several clauses in the capitulations governing the operations of these states' ambassadors and consuls in the Ottoman domains. Moreover, the *ahdnâmes* became chief documents of Ottoman diplomacy, symbolizing not only the framework for relations between the Ottoman Empire and the rest of Europe but also the relative position of the diplomatic and commercial representatives of other European states within the Empire.⁹

The substance of the guarantees offered by chief Capitulations to the Western merchants and the diplomats was as follows; they were to have the liberty to travel in all parts of the Ottoman domains. They would be able to carry on trade according to their laws. They were to be free from all duties apart from customs duties. They were to have freedom of worship. They were to enjoy immunity of domicile so their residence would not be searched by an Ottoman official without the presence of a consular or diplomatic official of their state. Their ambassadors and consuls would have extraterritorial jurisdiction over them. Even if they committed an offence, they were to be detained by an Ottoman official only in the presence of a consular or diplomatic official of their country.¹⁰ The capitulations guaranteed that the Ottoman authorities would not confiscate the estates of deceased foreigners because they had the full right to make wills. When they died,

⁷ Suraiya Faroqhi, *The Ottoman Empire and the World Around It*, New York, I. B. Tauris, 2004, p. 3.

⁸ Timur Kuran, *op. cit.*, p. 212-215.

⁹ Halil İnalcık, *Doğu Batı Makaleler I* [East West Articles I], Ankara, East West Publications, 2010, p. 267.

¹⁰ James B. Angell, *The Turkish Capitulations*, in "The American Historical Review", Vol. 6, 1901, No. 2, p. 254.

their properties were given to whoever they bequeathed. In case of their death without a will in the Ottoman domains, their consul would take possession of their property and remit it to their heirs.¹¹

Up to the end of the 16th century, the Ottoman Empire gave trade capitulations only to France, Venice and Poland. When France started to act under the influence of its rival Spain in 1573, the trust of the Ottomans in the French was shaken, and in 1575, Murad III was reluctant to recapitulate French concessions. On the other hand, upon the arrival of the letter of Queen Elizabeth I of England in 1579 asking for commercial benefits to be granted to British citizens, some Ottoman leaders emphasized the importance of gaining British friendship against Spain. Despite strong opposition from France, the Ottoman Sultan did not hesitate to issue an *ahdnâme* to England in 1580, based on French capitulations. Consequently, France had to settle for the new situation, but a bitter diplomatic struggle between France and England began in the Porte. This struggle was further exacerbated as privileges were granted to the other European states. So constantly, they sought *the most-favoured-nation status* to ensure extraterritorial rights, to force “foreigner” merchants to trade under their flags, to acquire the lowest possible tariffs and the best commercial terms for their communities and the most autonomy from the Ottoman Empire.¹²

On the other hand, the Ottoman Empire did not perceive the capitulations that it granted proportionally as a threat to itself for a long time. For the Ottoman government, capitulations were considered commercially in terms of its treasury, military needs, and subjects’ access to goods and services, as well as diplomatically in terms of rewarding present and future support against the Habsburgs.

However, in 1683, concessions began to be given in exchange for diplomatic support, and the institution of capitulation acquired a new form. Previously there was a tacit understanding that the Sultans, who bestowed privileges to the foreigners, could revoke these privileges whenever they wished.¹³ However, over time the Ottoman Sultans lost so much bargaining advantage that capitulations had to be renegotiated with each Sultan change. So, capitulations were no longer seen as privileges bestowed to European states by the Ottoman Sultan but as rights acquired by them.¹⁴

¹¹ Maurits H. van den Boogert, *The Capitulations and the Ottoman Legal System: Qadis, Consuls, and Beraths in the 18th Century*, Leiden, Brill Publication, 2005, p. 160.

¹² Halil İnalçık, *op. cit.*, p. 275.

¹³ *Ibidem*.

¹⁴ Feroz Ahmad, *Ottoman Perceptions of the Capitulations 1800-1914*, in “Journal of Islamic Studies”, Vol. 11, 2000, p. 2.

MEDIATION AS AN INSTRUMENT OF EXPANDING CAPITULATIONS: THE ROLE OF THE KARLOWITZ TREATY

The Ottoman Empire played a pivotal role in European diplomatic relations from the middle of the 15th century to the end of the 17th century. During this period, most European states also made alliances with the Ottomans to strengthen their positions against their rivals in power struggles. Thus, the Ottomans became involved in European diplomacy (politics) with the partnerships they made and changed the balances between European states in their favour. Since the Ottoman Empire was politically and militarily strong in the aforementioned period, it did not have any difficulties in getting its European counterparts to accept its diplomatic demands. On the contrary, most European countries endeavoured to acquire the right to have a resident representative in the Ottoman capital. However, by the end of the 17th century, when the political and military presence of the Ottoman Empire in Europe began to be threatened and endangered, it had to make concessions from the one-way diplomacy notion that it had been practising for centuries because it was no longer a state directing European diplomacy through alliances. On the contrary, the Ottoman Empire had become a state that needed diplomatic support from European states to get its counterparts to accept its claims.

Since 1683, the Ottoman Empire has relied on the mediation of England, France and the Netherlands to settle disputes with Austria, Russia, Venice and Poland. In line with their interests, these states also responded positively to the Ottoman request for mediation. Thus, they not only ensured that the Capitulations were regularly improved, but they also directed the Ottoman foreign policy by increasing their efficacy in Ottoman diplomacy. In this regard, the 1699 Karlowitz treaty was a turning point because it was the first one in which the Ottoman Empire agreed to accept the mediation of European states. The Ottoman Empire, which suffered severe land losses against the Holy League, gladly welcomed the mediation offers of England and the Netherlands. So much so that the Sultan sent letters of thanks to the Kings of England and the Netherlands for this *mediation*.¹⁵ In the 19th article of the treaty, particular emphasis was placed on the *mediation* of these envoys.¹⁶ This situation meant a significant loss of prestige for Ottoman diplomacy. Until the Karlowitz Treaty, while the *ahdnâmes* (peace treaties) were

¹⁵ See for the copy of letters: Silahdâr Fındıklılı Mehmed Ağa, *Silahdâr Tarihi* [Silahdâr Chronicle], Vol. 1-2, Istanbul, Devlet Matbaası, 1928, pp. 652-668.

¹⁶ See for the text of the treaty in Ottoman Archives: BOA. A. DVN. DVE. D. 59/3: pp. 31-34.

unilaterally determined and bestowed as a blessing by the Ottoman Sultans, they now turned into the documents on which the two sides negotiated and agreed together with the mediation of other states.

These mediation offers of England and the Netherlands emerged from these states' efforts to turn the political and military struggles occurring in Europe at that time in their favour, rather than a noble desire to stop the Ottoman Empire from losing any more ground. Britain and the Netherlands wanted their former allies, the Austrian Emperor, to remain strong against their shared rival France by creating peace with the Ottomans on the eastern front because of the conflict of succession in Spain between the King of France and the Austrian Emperor, which grew more intense. On the other hand, it can be said that the real reason underlying these mediation attempts was commercial. This conflict severely harmed the trade of these Levantine states. Therefore, these states wanted to restore their prosperity in the Eastern Mediterranean by securing peace. Another piece of evidence, in this case, was their attempt to seek more profitable economic privileges from the Ottoman Empire after Karlowitz. In other words, while the ambassadors were involved in international diplomacy in Karlowitz with the mediation initiative, they were trying to be engaged in regional diplomacy. They sought to elevate their people's economic and legal status within the Ottoman Empire.¹⁷ These two states persistently made mediation proposals to the Austrian Emperor and the Ottoman Sultan for these reasons.

On the other hand, France encouraged the Ottomans to maintain the state of the war to keep Austria fighting on two fronts. Despite the imminent peace between the Sultan and Kaiser in 1697-98, the resident French ambassador in Istanbul kept placing pressure on the Ottomans to continue their war with the Habsburgs. He did not even hesitate to give verbal assurances that France would continue its campaigns against the Habsburg Monarchy upon the death of the Spanish King.¹⁸ The Ottomans, worn out by the war, which had become increasingly exhausting for them, simply ignored the French approaches and accepted the English and Dutch mediation offer to make peace instead.¹⁹

¹⁷ Maurits H. van den Boogert, *The Spoils of Peace: What the Dutch Got Out of Carlowitz*, in Colin Heywood, Ivan Parvev (Eds.), *The Treaties of Carlowitz (1699). Antecedents, Course and Consequences*, Leiden, Brill Publication, 2020, p. 70.

¹⁸ Rifa'at A Abou-El-Haj, *Ottoman Diplomacy at Karlowitz*, in "Journal of the American Oriental Society", Vol. 87, 1967, No. 4, p. 499.

¹⁹ See for the detailed information about the successful mediation of the British

The Treaty of Karlowitz was not only the first negotiated treaty in which the Ottoman Empire accepted the mediation of foreign states but also became a trigger of significant changes in Ottoman diplomacy. Because of this mediation practice, European states began to intervene in the Porte's established diplomatic manners, emphasizing their superiority. However, up to this era, the Ottomans strictly did not allow the European representatives to emphasize the supremacy of their state or ruler in Istanbul.²⁰ Through this mediation, the importance of the resident representatives of these states in the Porte began to increase in Ottoman diplomacy. These ambassadors started to meet more often and intensely than before with the Ottoman statesmen. They were increasingly influencing the foreign policy of the Ottoman Empire through their interests.²¹

On the other hand, the terms of the Karlowitz treaty indicate that European states had gained sufficient authority to force further capitulations on the Ottoman Empire. Thus, a new era commenced in the Ottoman Capitulation system. The *Ahdnâmes*, which were previously granted unilaterally by the Ottoman sultan, would henceforth be reciprocal treaties. This change of mentality was reflected in the diplomatic language used in the texts of the *ahdnâmes*. For example, instead of "bestowed" or "granted", the expressions "affirmed" began to be used.²² At this point, European states would start to see the Capitulations as acquired rights and Ottoman obligations.²³ Therefore, the more the Ottoman Empire was weakened politically and militarily. In need of political support against its enemies, the more these obligations would expand proportionally, and European states would seek

ambassador in Istanbul, Lord Paget, in the Karlowitz negotiations: Colin Heywood, *This Great Work. Lord Paget and the Processes of English Mediating Diplomacy in the Latter Stages of the Sacra Lega War, 1697–1698*, in Colin Heywood, Ivan Parvev [Eds.], *The Treaties of Carlowitz (1699). Antecedents, Course and Consequences*, Leiden, Brill Publication, 2020, p. 40.

²⁰ Even the presence of a separate section titled Kanun-ı Elçiyân (envoys law) in the Ottoman codes was an evidence of this notion. See H. Ahmet Arslantürk (Ed.), *Abdurrahman Abdi Paşa Kanunnâmesi* [Abdurrahman Abdi Pasha Code], İstanbul, Okur Kitaplığı, 2012, p. 36.

²¹ Güneş Işıksel, *II. Selim'den III. Selim'e Osmanlı Diplomasisi: Birkaç Saptama* [Ottoman Diplomacy from Selim II to Selim III: A Few Detection], in Seyfi Kenan (Ed.), *Nizâm-ı Kadîm'den Nizâm-ı Cedîd'e III. Selim ve Dönemi*, İstanbul, ISAM, 2010, p. 315.

²² Halil İnalçık, *op.cit.*, p. 277.

²³ The first example in this context was the fact that, after much effort, Venedik envoy Soranzo was able to include the previous capitulations in Karlowitz's final peace treaty. See Johann Wilhelm Zinkeisen, *Osmanlı İmparatorluğu Tarihi* [History of Ottoman Empire], Vol. 5, İstanbul, Yeditepe Yayınları, 2011, p. 159.

ways to enhance these vested rights at every opportunity.²⁴

On the other hand, through the Karlowitz treaty, the Ottoman Empire's notion of ally has undergone significant changes. After the Karlowitz, Britain and the Netherlands began to replace France in the Ottoman Empire. In other words, France's primacy was challenged by England, whose power and prestige grew at an alarming rate. The British were by no means the allies of the Ottomans until this date. France was the Ottoman Empire's oldest and closest friend. However, when France came under the influence of Spain, this dominant position of France in the Empire began to fade.²⁵ However, this successful *mediation* in the Karlowitz treaty was a turning point in the relationship between England and the Ottoman Empire. On the other hand, the Ottoman Sultan's desire to take advantage of Queen Elizabeth's hostility towards Spain as a counterpoise to Philip II in the Mediterranean should be regarded as the main reason for the Ottoman-British rapprochement. The Ottoman Sultan was well aware that he could not expect assistance from the French King in the event of a conflict with Spain. At the same time, it was well known by the Ottoman Sultan that the French industry, ruined by prolonged internal disturbances, could not compete with English products.

Nevertheless, the Ottoman Empire required weapons in its wars with Iran. In other words, the Ottomans responded positively to the English approaches because they wanted access to the English silver, tin, gunpowder, and ships.²⁶ In addition to all this, the successful mediation of the English in the Karlowitz treaty secured them the position of the closest ally of the Sultan. From this date on, the French ambassadors in the Porte would engage in a bitter struggle to regain the preferential position that the British had stolen from them.

For instance, the French ambassador was fiercely envious of the British and Dutch ambassadors, who were the first resident representatives to receive sable fur from the Ottoman Sultan upon their return from the Karlowitz negotiations. The recently appointed French ambassador to the Ottoman Empire, M. De Ferriol, also requested that the same reward be bestowed to him during his admission to the audience. However, the ministers of the Porte informed that sable fur was bestowed

²⁴ Oral Sander, *Anka'nın Yükselişi ve Düşüşü. Osmanlı Diplomasi Tarihi Üzerine Bir Deneme* [The Rise and Fall of Phoenix. An Essay on the History of Ottoman Diplomacy], Ankara, İmge Kitabevi, 2000, p. 128.

²⁵ Michael Talbot, *British-Ottoman Relations, 1713-1779: Commerce, Diplomacy, and Violence*, in "State Papers Online, Eighteenth Century 1714-1782. Part IV: Scandinavia, Eastern Europe, and Turkey", Cengage Learning (EMEA) Ltd, 2018, p. 5.

²⁶ Arthur Leon Horniker, *Anglo-French Rivalry in the Levant from 1583 to 1612*, in "The Journal of Modern History", XVIII, 1946, No. 4, p. 304.

by the Sultan as a token of appreciation for the *mediation* services of M. Paget and M. Colyer in the Karlowitz negotiations.²⁷ However, the French ambassadors could not accept this situation and, for many years, struggled to wear sable fur.²⁸

On the other hand, throughout the 18th century, the British attempted to consolidate the preferential position they had gained in the Ottoman Empire as a “*mediator of the Karlowitz Treaty*”. England understood that providing the Ottoman Empire with this sort of diplomatic support would help it achieve its political and economic goals, both in Europe and the Mediterranean.

THE AFTERMATH: MEDIATIONS IN THE 18TH CENTURY

After the Treaty of Utrecht (1713) ended the War of the Spanish Succession, England, which managed to take control of the Strait of Gibraltar, also strengthened its position in the Mediterranean. In addition, England desired to draw the Ottoman Empire to its side both in its struggle for Mediterranean domination and in its competition with Russia. The Ottomans’ severe defeat against the Habsburgs in the Battle of Petrovaradin would give the British another opportunity to achieve this goal. In the negotiations of the Passarowitz Treaty (1718), England would once again defend the interests of the Ottoman Empire against the Habsburgs and the Venetians as a mediator with the Netherlands. In the aforementioned negotiations, Jakob Colyer, the Netherlands Ambassador in Istanbul at the time, represented the Netherlands. In contrast, Robert Sutton, the English Ambassador to Porte, represented England in such a way that, despite France’s desire to keep the Ottoman Empire at war with Austria, England ensured that the treaty was signed.²⁹

²⁷ The two mediators of the Karlowitz Peace Treaty, Jakob Colyer and Lord Paget were not only appreciated by ‘the Ottoman sultan, but also by the Kayser. When Lord Paget was recalled from Istanbul, on his way back home from Vienna in 1702, the Kayser not only paid all the travel expenses to Vienna, a right only granted to the Russian and Turkish envoys, but also he expressed his gratitude again during his acceptance to the presence. Like Kayser, Venice also expressed its gratitude to these mediators. See Johann Wilhelm Zinkeisen, *op. cit.*, p. 158.

²⁸ M. Charles Schefer (Ed.), *İstanbul’da Fransız Elçiliği. Marki de Bonnac’ın Tarihi Hatırat ve Belgeleri* [French Embassy in Istanbul. Historical Memoirs and Documents of the Marquis de Bonnac], Ankara, Türk Tarih Kurumu, 2007, p. 138.

²⁹ Güner Doğan, *İstenmeyen Barış Pasarofça’da Osmanlı-Venedik Diplomatları ve Diplomatik Tavırlar* [Undesirable Peace Passarowitz. Ottoman-Venetian Diplomats and Diplomatic

However, the Ottoman-British relations in the post-Passarowitz period would not continue as the two sides had hoped. Britain wanted to attract the Ottoman Empire to its side in the domination struggle with Russia in the Baltic Sea. For this, Britain would go to considerable lengths to disrupt the Ottoman-Russian relations in the post-Passarowitz period.³⁰ This attitude of England would cause the Ottomans to be suspicious of the British policies. Because of this policy, France would replace England as the mediator in the Ottoman-Russian conflict over Iran in 1724. Through the mediation of Jean Louis d'Usson, Marquis de Bonnac, his ambassador then in Porte, the King of France prevented a potential Ottoman-Russian war by securing an agreement between the two sides as the conflict was about to escalate into a war. Because the French government, in contrast to England, believed that Ottoman-Russian strife would only strengthen Austria, a state that was hostile to both the Ottomans and the French.

On the other hand, France's effort in this *mediation* role was partly due to its policy against Austria and partly due to its concerns about Russia. France campaigned for the Ottoman Empire's strengthening against Russian expansion beginning in the early 18th century. The primary reason for this was that the Ottoman domains were a profitable market for French goods. In other words, France desired to continue its political and commercial interests in the Ottoman territories through the wide-scaled capitulations it obtained.³¹

In addition, France attributed another meaning to this *mediation*. For a long time, France wished to reclaim the favourable position it had lost due to the *mediation* role of England in the Karlowitz and Passarowitz treaties. This situation was clearly detected in the memoirs of the French ambassador Jean Louis d'Usson, Marquis de Bonnac, who was a mediator in the negotiations between the Russians and the Ottomans. During the talks, the ambassador emphasized in his report to the French King that he had the dominance and authority that the British and Dutch ambassadors never attained in their mediation of the Karlowitz and Passarowitz accords. The ambassador said that he was the first of the French diplomats to wear sable fur on this particular occasion. Due to the mediation services provided by the Karlowitz Treaty, the French ambassadors had to fight for over

Attitudes], in Gültekin Yıldız (Ed.), *Harp ve Sulh. 300. Yılında Pasarofça Antlaşması Sempozyum Bildirileri* [Passarowitz Treaty Symposium Proceedings on the 300th Anniversary of War and Peace], İstanbul, Merkez Basım ve Yayınevi, 2019, p. 114.

³⁰ Fatih Yeşil, *Pasarofça Antlaşması ve Osmanlı Diplomasisindeki Değişim* [The Treaty of Passarowitz and the Change in Ottoman Diplomacy], in Gültekin Yıldız (Ed.), *op. cit.*, p. 107.

³¹ İsmail Hakkı Uzunçarşılı, *Osmanlı Tarihi* [Ottoman History], Vol. IV/I, Ankara, Türk Tarih Kurumu, 1988, p. 249.

25 years to obtain the sable fur that had been provided to the British and Dutch ambassadors. The French ambassador was confident that the Ottoman Sultan would expand the French concessions as a token of appreciation for the pertinent *mediation* service. He reported to his King that if the Sultan did not agree to the treaty's specific article of capitulations, which granted the French monarch authority over other Christian rulers, he would not sign it. Indeed, through this *mediation*, the French ambassador not only regained France the title of "*the most favoured nation*", but he also acquired the right to re-establish French consulates on islands, such as Sifnos, Naxos, Miconi, Mile and Santorini with a decree he received from the Sultan. Thus, the French ambassador could appoint consuls to each place mentioned above. This Ottoman Sultan's decree emphasized, "Marquis Bonnac also showed a new proof of his friendship with an honourable *tavassut* [mediation] in the negotiations at conferences on the occasion of the eternal peace between our Sublime Porte and the Tsar of Muscovy. In this respect, it was deemed appropriate to re-establish and confirm the consulates in the islands mentioned above, if deemed necessary".³² By giving this decree, the Ottoman Sultan emphasized that he saw this *mediation* as proof of the friendship of the French king and that these privileges were given in return for this friendship.

Approximately 11 years after this rewarding *mediation* service, France would again assure a much more profitable *mediation* opportunity by tackling the Ottoman-Russian and Austrian conflict. In 1736, Russia took action to realize the expansion policy by taking advantage of the Ottoman Empire's war with Iran. However, as Russia thought it could not achieve this goal alone, it signed a secret alliance treaty with Austria. According to this alliance treaty, Russia would attack the Ottoman Empire at an unexpected moment. At the same time, Austria, on the pretext of mediating between these two states, would distract the Ottomans and prevent them from making war preparations. After completing war preparations, Austria would declare war on the Ottoman Empire, and so they would force the Ottomans to fight on two fronts.³³ The subsequent events took place exactly to plan. First, Russia declared war on the Ottoman Empire, and then Austria kept the Ottomans distracted with the pretext of *mediation*. Although the Ottoman Empire

³² M. Charles Schefer, *op. cit.*, p. 328.

³³ The alliance treaty in question was signed between the emperor of Austria Karl VI and the Russian tsarist Anna Ioannovna in 1723. According to this agreement, if Austria participated in a possible Ottoman-Russian war as an ally of Russia it would get a share of the lands that would be taken from the Ottoman Empire at the end of the war. See for detailed information Karl Roider, *The Reluctant Ally. Austria's Policy in the Austro-Turkish War, 1737- 1739*, Louisiana: Louisiana State University Press, 1972, p. 84.

had to fight on two fronts, it achieved remarkable success on the Austrian front. Meanwhile, France, worried that Russia's expansion would damage its commercial interests in the Black Sea and the Mediterranean, offered *mediation* between the Ottoman Empire and Austria-Russia.³⁴ Initially, this *mediation* offer of France was not accepted by Austria and Russia. However, in the face of the Ottoman armies' victories on the Austrian front, Austria had to get this offer from France.

On the other hand, with the withdrawal of its ally Austria from the war, Russia, which was superior to the Ottomans but left alone, had to accept this offer. Besides, this was not the only factor that propelled Russia to peace. Meanwhile, the Swedish-French alliance and the Ottomans' negotiation for an alliance treaty with Sweden were possibly the foremost factors. Thus, Russia, whose plans to force the Ottomans to fight on two fronts failed, and its northern border was threatened too, had to accept to sign a treaty with the Ottomans. On the other hand, it was pretty ironic that France sought to negotiate an agreement between the Ottoman Empire and Austria because, before both the Karlowitz Treaty and the Passarowitz Treaty, France was continually pressing the Ottoman Empire to prolong the conflict with Austria. France made its mediation offer partly because it became superior to Austria, and partly because it did not want Russia to beat the Ottomans. Meanwhile, England and the Netherlands, who saw France's *mediation* attempts, also offered *mediation*. The Ottoman Empire thanked these two nations for their offer of mediation, but instead of accepting it, it chose to accept the offer made by France. The mediator Louis Sauveur, Marquis de Villeneuve, who was also the French Ambassador to the Porte at the time, made this offer, which was considered more appropriate for the Ottoman interests.³⁵ Since France was victorious in the Polish war of succession between France, Austria, and its ally Russia, and the two sides had not yet agreed to a treaty, the Ottoman administration did a very accurate job by preferring the French mediation offer. France, which assumed the position of mediator between Ottoman-Austria-Russia, was able to turn the negotiation table in favour of the Ottoman Empire.³⁶

On the other hand, Austria accepted the *mediation* of France only on the

³⁴ *Ibid.*, p. 119.

³⁵ See for the copy of the letter written by the Ottoman government to the French government stating that "if they would agree to the mediation, the Ottoman government would gladly accept it", in Mehmed Subhî, *Subhî Tarihi* [Subhi Chronicle] TBMM Kütüphanesi. Yazma Eserler [Parliament Library. Manuscripts] H. K. 3-a, p. 119.

³⁶ İsmail Hakkı Uzunçarşılı, *op. cit.*, p. 283-292.

condition that England and the Netherlands also would participate in the negotiations as co-arbitrators.³⁷ Meanwhile, another *mediation* offer that surprised the Ottoman Empire occurred. Nadir Shah, the shah of Iran, also made a *mediation* offer to the Ottoman Empire on this issue. It was quite surprising because Iran always deemed the Ottoman Empire's constant warfare on the northern and Western fronts more favourable for its interests. For this purpose, Iran had always sought an alliance with the Western enemies of the Ottoman Empire. Now, Nadir Shah was attempting such a *mediation* because he desired to improve diplomatic relations with the Ottoman Empire. Of course, the Ottoman government kindly turned it down.³⁸

Furthermore, this treaty differed from earlier accords formed through the mediation of other powers. The Belgrade Treaty (1739) was signed not only with the *mediation* of France but also under the guarantee of this state. That meant if Austria violated the treaty, it would be considered to have declared war on France. Thus, France separated Austria from its ally Russia. Actually, at the time of ratification, Austria declined to sign the treaty because Russia had passed the Prut River, entered Moldova, and occupied Jassy. Austria did not want to ratify the treaty. However, it did not dare to do so because the treaty was under the guarantee of France. This event once again proved the validity of the Ottomans' choice of French mediation.

On the other hand, Joseph von Hammer-Purgstall defined the Belgrade Peace Treaty as the most glorious peace signed by the Ottoman Empire in the 18th century.³⁹ François-Emmanuel Guignard, Comte de Saint-Priest, the French ambassador to the Porte between 1768 and 1785, described the same treaty as "*the masterpiece of French diplomacy*" in his work on the history of Ottoman-French diplomacy. As justification, he maintained that the Ottoman Empire had managed to hide its real weakness from Europe for 30 years by this treaty.⁴⁰ The Ottoman Empire, quite exhausted from a thirteen-year war with Iran on its eastern front, found itself in a challenging situation with the attacks of Russia and Austria. The Ottoman Sultan was grateful to France for rescuing him in such a troubled

³⁷ Karl Roeder, *op. cit.*, p. 124.

³⁸ See for the text of the correspondence of Mahmud I and Nadir Shah on this issue: BOA. DVNS. NMH. D. 7, p. 24-26.

³⁹ Ali İbrahim Savaş, *Osmanlı Diplomáticasına Ait Nâme-i Hümâyûn, Ahidnâme-i Hümâyûn ve Mektup Tahlilleri* [Nâme-i Hümâyûn, Ahidnâme-i Hümâyûn and Letter Analysis of the Ottoman Diplomatic], in "OTAM Dergisi" [Journal Of Ottoman Historical Studies Center], Vol. 7, 1996, p. 220.

⁴⁰ Christine Isom-Verhaaren, *Kâfirle İttifak. 16. Yüzyılda Osmanlı – Fransız Antlaşması* [Alliance with the Infidel. Ottoman-French Treaty in the 16th Century], Istanbul, Kitap Yayınevi, 2015. p. 31.

circumstance and turning the case in favour of the Ottomans with its *mediation*. Therefore, he expanded the capitulations of France as a token of his gratitude.

These new privileges were issued in seven articles in addition to the old *ahdnâme*. With the fifth article, the Frankish bishops and priests in the Ottoman domains were deemed to be under the auspices of the French King regardless of their nationality, and the rights previously provided to the French were likewise extended to them. The French King was also granted the jurisdiction of the Christian holy places in and around Jerusalem. With these newly added articles, which included more commercial, religious and diplomatic privileges, France consolidated its status as the “*most favoured nation*” in the Ottoman Empire. Moreover, by assuring the eastern trade with this treaty, from the second half of the 16th century, France turned its commercial struggle with Venice and England in its favour. One of the most notable differences between this covenant and the traditional Ottoman *ahdnâmes* was its duration. The traditional Ottoman *ahdnâmes* were in effect during the reign of each Sultan. Therefore, former *ahdnâmes* had to be renegotiated with each Sultan change. The term in question was eliminated in this *ahdnâme* issued to France.⁴¹ Thus, the Sultan gave up considerable bargaining power.

As can be seen, these capitulations given to France for the successful mediation of the Peace of Belgrade represented the most extensive set of privileges granted to Western power. The most remarkable element of this *ahdnâme* was the recognition of France as a *most favoured nation*. Far more significant than all of that was the fact that this *ahdnâme* would grow into one corpus of texts whose contents could be exploited by all foreign powers, great or small. In other words, by making these capitulations a precedent, the way was opened for all privileges to be granted to all powers represented at the Porte and the former privileges were now acquired rights.⁴² After that, the Ottoman Empire would find itself on a slippery edge, forced to grant more generous and generally unrequited privileges to almost all European Powers. Therefore, with this *ahdnâme*, the capitulations entered a new phase, and the Ottomans lost control over it.⁴³

On the other hand, Russia realized that the Ottoman Empire managed to sign profitable treaties with its enemies through the *mediation* of the European states.

⁴¹ Reşat Ekrem Koçu, *Osmanlı Muahedeleri ve Kapitülâsyonlar 1300-1920 ve Lozan Muahedesi* [Ottoman Treaties and Capitulations 1300-1920 and the Treaty of Lausanne], İstanbul, 1934, p. 443.

⁴² Alexander H. de Groot, *The Historical Development of the Capitulatory Regime in the Ottoman Middle East from the Fifteenth to the Nineteenth Centuries*, in “Oriente Moderno”, Nuova serie, Vol. 22 (83), 2003, No. 3, p. 604.

⁴³ Timur Kuran, *op. cit.*, p. 282-283.

Therefore, Russia turned down the *mediation* offer of Austria and Prussia, stating that it did not need *mediation* during the Treaty of Kuchuk-Kainarji (1774) negotiations with the Ottomans. Therefore, Russia believed it could more readily obtain its demands from the Ottoman Empire on its own.⁴⁴ Indeed, Russia had a point. For through this treaty, Russia had essentially accomplished its policy of sailing to the Mediterranean via the Black Sea and the Straits, paving the way for the annexation of Crimea. From this date on, Russia not only acquired the right to trade freedom for its merchants in the Ottoman domains but also got the right to provide foreigners with the privilege of sailing the Ottoman territorial waters under the Russian flag.

Furthermore, to revive trade in Crimea and its environs, Russia began to encourage Westerners and Ottomans' Greek, Armenian and Jew subjects to invest in the region. With its subsequent attempts, Russia showed that it would not be satisfied with the privileges it had obtained with Kuchuk-Kainarji and would seek to expand these privileges at every opportunity. For this purpose, on the one hand, Russia began to intervene in the domestic affairs of the Ottoman Empire under the pretext that its Orthodox subjects were protected by Ottoman rule while also interfering in the internal affairs of Crimea. In addition to all this, trying to control the Black Sea trade, Russia ensured the French the opportunity to trade in the Black Sea under the Russian flag. The Ottoman Empire, worried by these attempts of Russia, wanted to interfere in this situation but could not take the risk of a new war with Russia.

On the other hand, Russia was looking for pretexts to annex Crimea and was not hiding its readiness for a new war, if necessary. The Ottoman Empire, in the face of this hostile attitude of Russia, once again had to resort to the *mediation* of the British and French ambassadors (respectively, Sir Robert Ainsley and the Comte de Saint-Priest) in the Porte and agreed to leave Crimea to the Russians without war, through the *mediation* of the mentioned ambassadors (1784).⁴⁵ Thus, for the Ottoman Empire, *mediation* was no longer just a remedy used in the peace negotiations that ended the war, but also a tool used to resolve disputes it

⁴⁴ Ali İbrahim Savaş, *Osmanlı Diplomasisi* [Ottoman Diplomacy], İstanbul, 3F Publications, 2007, p. 34.

⁴⁵ Ali İhsan Bağış, *İngiltere'nin Osmanlı İmparatorluğu Toprak Bütünlüğü Politikası ve Türk Diplomasisinin Çaresizliği* [Britain's Territorial Integrity Policy of the Ottoman Empire and the Desperation of Turkish Diplomacy], in *Çağdaş Türk Diplomasisi: 200 Yıllık Süreç*. Ankara, Türk Tarih Kurumu, 15-17 Ekim 1997: *sempozyuma sunulan tebliğler* [Contemporary Turkish diplomacy: 200 years of process. Ankara, Turkish Historical Society, 15-17 October 1997: Papers submitted to the symposium], Ankara, Türk Tarih Kurumu, p. 46.

could not afford to engage in. Since England had been attempting to secure the benefit of the exemption from customs duty known as “*Mastariye*”⁴⁶ from the Ottoman Empire for the British merchants for a long time, this mediation meant obtaining further advantages from the Ottoman Empire for England. This exemption was granted to the French merchants with the capitulations of 1740. The British ambassador demanded this privilege in return for the *mediation* service. At this point, the Ottomans, who did not want to lose the support of England against Russia, were desperate and had to give this privilege, too.⁴⁷

When the Ottoman Empire, exhausted from the endless demands of Russia, which annexed Crimea in this way, declared war on Russia in 1787, Russia’s ally Austria also declared war on the Ottomans in the following year. However, the Ottomans suffered territorial losses on both fronts and had to resort to the *mediation* of Prussia, England and the Netherlands once again. Due to the concern created by the French Revolution in Europe, the states mentioned above agreed to mediate between the Ottoman Empire, Russia and Austria. As mediators, Sir Robert Murray Keith would represent Britain, Count Rénier von Häftten would represent the Netherlands, and the Marquis von Lucchesini would represent Prussia. By mediating the Ottoman Empire’s signing of the Treaty of Sistova (1791) with Austria and then the Treaty of Jassy (1792) with Russia, they ensured the end of the Ottoman-Austrian and Russian war. Particularly Ainslie, then the ambassador of England in the Porte, would try to act a significant role as an impartial mediator at the Treaty of Sistova in 1791 to repair British-Ottoman relations.

In the preamble of the Sistova treaty, it was stated that this treaty was signed by the *mediation* of the Kings of England, Prussia and the Netherlands. A *tavassut* [mediation] deed showing that the mediator envoys approved the treaty with their signatures and seals was added to the concluding part of the same treaty.⁴⁸ Special gifts were offered, particularly to the Prussian ambassador, who made substantial efforts to sign the treaty.⁴⁹

⁴⁶ It was a kind of tax, also called “*sarfiyat*”, collected from goods that came from abroad and were consumed within the country: Ahmet Tabakoğlu, *Türk İktisat Tarihi* [History of Turkish Economy], İstanbul, Dergah Yayınları, 1994, p. 258.

⁴⁷ Ali İhsan Bağış, *op.cit.*, p. 46.

⁴⁸ See for the text of treaty: BOA. A. DVN. DVE. D. 59/3: 31-34.

⁴⁹ Zülfiye Koçak, *Son Osmanlı-Avusturya Mücadelesinde Değişen Dengeler ve Zıstovi Antlaşması* [Changing Balances in the Last Ottoman-Austrian Struggle and the Treaty of Sistova], in “Gazi Akademik Bakış Dergisi” [Journal of Gazi Academic Perspective], Vol. 11, 2018, No. 22, p. 281.

MEDIATIONS FROM THE 19TH CENTURY

The use of *mediation* by European states as a tool of expanding the capitulations they acquired from the Ottoman Empire reached a peak in England, in the first half of the 19th century, especially during Lord Ponsoby and Lord Stanford Canning's missions in Istanbul, because the Ottoman Empire required mediation not only in solving foreign issues but also in solving domestic issues during this period. Firstly, the Ottoman Empire signed the *Hünkâr Iskelesi* Treaty with Russia in 1833 to solve its domestic matter with its governor of Egypt. However, the *Hünkâr Iskelesi* Treaty, in which the Russians managed to close the Black Sea and the Straits to foreign ships, caused other problems. The European states, especially England, did not recognize this treaty because it gave Russia extensive rights over the Straits.⁵⁰

In the following period, the British openly supported the Ottoman Empire by solving the Egyptian problem and ensuring that the Straits attained an international status with the 1841 Straits Agreement.⁵¹ Thus, on the one hand, England prevented Russia from having a say over the straits, and, on the other hand, it secured its eastern trade. In return for this political support, England signed the *Anglo-Ottoman Commercial Convention of 1838* (also known as a trade treaty of Balta Limanı) with the Ottoman Empire and managed to obtain significant commercial and economic privileges from the Ottoman Empire.⁵²

The primary purpose of this treaty was to extirpate the ever-increasing power of the Empire's troublemaking Egypt governor, Mehmed Ali Pasha. Just a few years earlier, he had dared challenge the Sultan. With this treaty, Britain not only got the right to expand capitulations indefinitely, which France obtained in 1740, but it also assured English merchants the right to buy and sell the goods they wanted without any exception in all Ottoman domains. In addition, with this treaty, Britain ensured the annulment of the old restrictions that prevented the freedom of movement of British merchants in the Ottoman territories.⁵³ In other

⁵⁰ Bayram Soy, *Lord Palmerston'un Osmanlı Toprak Bütünlüğünü Koruma Siyaseti* [Lord Palmerston's Policy of the Ottoman Territorial Integrity], in "Hacettepe Üniversitesi Türkiyat Araştırmaları Dergisi" [Journal of Hacettepe University Turkic Studies] (HÜTAD), Vol. 7, 2007, p. 148.

⁵¹ Bayram Soy, *op.cit.*, p. 155.

⁵² Ali İhsan Bağış, *op. cit.*, p. 52.

⁵³ B. Ali Eşiyok, *Osmanlı İmparatorluğu'nun Dünya Ekonomisine Eklemlenmesinde Bir Dönüm Noktası:1838 Serbest Ticaret Anlaşması* [A Turning Point at Adding Ottoman

words, this treaty took away the control of the Ottomans over the circulation of goods within their borders. It ensured English merchants' access to the Ottoman products and markets as they wished. All this meant a fatal blow to the economic freedom of the Ottoman Empire. Indeed, with the *Anglo-Ottoman Commercial Convention of 1838*, the Ottoman Empire had surrendered entirely its traditional economy, which it had tried to protect with the *yed-i vahit* (monopoly) customs system, to the capitalist economy. So much so that when the news of the agreement reached London, even the British foreign minister, Lord Palmerston, could not hide his astonishment at the unlimited privileges the Ottomans granted England and stated that no state could overturn its interests so much.⁵⁴ However, James Porter, the British ambassador to the Porte between 1746-1761, had said that it was difficult to demand more from the capitulations Britain received from the Ottoman Empire. Eventually, the Ottoman Empire had to abolish even various domestic monopolies. With the removal of the domestic monopolies, the Ottomans imposed a customs tax of only three per cent on imports and nine per cent on exports based on the value of the goods. In other words, with the *Anglo-Ottoman Commercial Convention of 1838*, the Ottoman Empire also consented to enforce substantially higher duties on exports than on imports. Indeed, not even the British could have predicted that.⁵⁵

For the Ottoman Empire, the Capitulations spiralled out of control. When a new privilege was granted to a state, not only the Great Powers like England, France, Russia, Austria, Hungary, Germany, and Italy, but also minor states were quick to seek the same privileges. The main reason for this was that European states considered Capitulations as their vested rights and the Ottomans' obligations in the period starting with Karlowitz rather than concessions bestowed by the Ottomans. This did not change after this treaty. After the Ottomans signed with Britain the *Anglo-Ottoman Commercial Convention of 1838*, they had to sign similar treaties between the years 1838 and 1856 with France, Russia, Sardinia, Sweden and Norway, Spain, the Netherlands, Belgium and Prussia. Smaller powers such as Denmark, Tuscany, the Hanseatic Cities, Portugal, the Two Sicilies, Greece and Brazil, Mexico, the Mecklenburg Duchies and Bavaria also signed the same treaty

Empire into The World Economy: 1838 Agreement of Free Commerce]. in "Mülkiye Dergisi" [Journal of Mülkiye] Vol. 34, 2010, No. 266, p. 81.

⁵⁴ Ali İhsan Bağış, *op. cit.*, p. 52.

⁵⁵ Halil İnalçık, *İmtiyâzât* [Privileges], in *Türkiye Diyanet Vakfı İslam Ansiklopedisi* [TDVİA], Vol. 5, p. 251.

in 1864, 1868 and 1870.⁵⁶

As can be seen, there was a vast abyss between the intentions of the Ottoman sultans who first gave the capitulations and the point reached in the nineteenth century. The concessions had become horrific and burdensome for the Ottoman Empire. Naturally, the Porte made repeated efforts to annul the capitulations. However, the great powers generally were unwilling to yield to their wish and give up their privileges.⁵⁷ Firstly, the Ottomans tried to do this at the Paris Congress of 1856. Grand Vizier Ali Pasha, who attended the Paris peace conference as the representative of the Porte after the Crimean War, considered this conference an opportunity to annul the capitulations. He stated that because the Ottoman Empire was now recognized as a European state, it should be treated by European law as a state with no capitulations. Therefore, capitulations should be annulled. The Great Powers, undoubtedly bewildered by Ali Pasha's rationale, admitted that he was right. However, they cheated, claiming that this was not a suitable time or place for a discussion. They suggested that this matter be postponed until a later conference.⁵⁸ Of course, such a conference was never convened. Aside from the request to abolish capitulations, the great powers considered capitulations as the main symbol of Ottoman impotence concerning Europe in the second half of the nineteenth century.

CONCLUSIONS

The Ottoman Empire, who for centuries had performed one-way and non-reciprocal implementations in its diplomatic affairs, sought for the first time the *mediation* of other states to make peace at the 1699 Karlowitz peace negotiation. This peace attempt marked a turning point for Ottoman diplomacy. It also marked the beginning of a new phase for the capitulatory system. Many historians believe that the capitulations are a great example of the Ottomans' practical approach to governance because they not only served the commercial interests of the Empire but also evolved to serve as the principal legal basis of the Ottoman Empire's diplomatic relations with the European states. Moreover, the Ottomans turned the capitulations into a diplomatic tool highly adaptable to the requirements of the ever-changing balance of power they encountered in their relations with the European states. In this context, up to the closing years of the seventeenth century,

⁵⁶ Reşat Ekrem Koçu, *op. cit.*, p. 162.

⁵⁷ James B. Angell, *op. cit.*, p. 258.

⁵⁸ Feroz Ahmad, *op. cit.*, p. 6.

the Ottoman Sultans used capitulations as a diplomatic instrument to make alliances and reward their enemy's enemy. However, in 1699, when *mediation* entered Ottoman diplomacy, the capitulation system evolved into a different phase.

This article seeks to contribute to a better understanding of how the European powers identified *mediation* as a helpful diplomatic instrument in expanding capitulations. In addition, in line with the negotiating theory, as the Ottomans militarily weakened and needed increasing political support (mediation), the European powers obtained greater privileges. Consequently, the Ottomans placed themselves on a flawed premise by generously expanding privileges to express their gratitude for the mediation provided by European states. It has also been demonstrated how the capitulations turned the Sublime Porte into a centre of diplomatic conflict and how, throughout time, European powers came to regard the capitulations as Ottoman duties and vested rights, as well as a symbol of Ottoman powerlessness vis-à-vis Europe.

On the other hand, not only Western nations but also the Ottomans indeed employed mediation as a technique of diplomacy. The Ottomans were able to conceal their true vulnerability from European states for many years via mediation. Because the central goal of this study was to draw attention to the link between mediation and the increase in capitulations, the Ottomans' use of mediation has only been covered briefly. However, it demands special attention and should be the topic of independent research.

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