

Research Report: "Law and Trade: Legal and Economic Institutions Regulating the Trade of Ottoman Subjects with Venice between 1573 and 1645"

In the early modern era trade between the Ottoman Empire and European states was a bilateral business. Until recently, most of the historiography of the Mediterranean trade has focused almost exclusively on the commercial activities of subjects of European states in the Levant and on the mercantilist policies of these states, while it has almost completely neglected the participation of individuals from the Ottoman Empire to this flow of trade. Generations of scholars have depicted the Ottoman Empire as little concerned with the commercial undertaking of its subjects towards Europe and the protection and promotion of trade in general. Furthermore, numerous economic historians have stressed the backwardness of legal and commercial institutions of the empire in comparison to those developed in the contemporary Europe in order to explain what they perceived as the negligible participation of Ottoman to the Mediterranean trade. My aim with this research and with my future PhD dissertation is to begin to readdress these established assumptions about the Ottoman Empire's passivity towards trade with Europe and the backwardness of its commercial and legal institutions by carrying out an extensive archival research in Venice and in other Mediterranean cities. I believe that a more accurate description of the economic organization of private merchants, the administration of justice, and diplomatic negotiations will highlight considerable similarities between the Ottoman Empire and Western Europe. Thanks to the generous economic support provided by The History Project and the Institute for New Economic Thinking, I have been able to begin my archival research in Venice and Zadar during June and July 2015. I chose the Republic of Venice as the setting of my analysis since it was the major center of Ottoman commercial deployment in the early modern era and its archives hold a large amount of documents about merchants from the Ottoman Empire which has been greatly neglected by historians of the Mediterranean so far. As the time period of study, I focused on the long period of peace between the Peace of Cyprus in 1573 and the onset of the long War of Crete in 1645, during which the Ottoman trade with Venice reached its utmost intensity.

I stayed in Venice for more than one month, between June the 2th and the first week of July. In this city, I had the chance to work extensively in the State Archives of Venice (*Archivio di Stato di Venezia*). In these archives I analyzed mostly the archival series *Bailo a Costantinopoli* which contains the rich collection of documents produced by the *bailo*, Venice's ambassador and consul in Istanbul in the early modern era, and his officials. Within this extensive collection, I focused on the legal and notarial records kept in the archives of the *bailo*'s chancery. As consul, the *bailo* held a court where he adjudicated civil cases involving members of the Venetian community in the Ottoman capital, and at his court there were also public notaries who registered any kind of economic transactions. Apart from members of the Venetian nation in the Ottoman capital, numerous non-Venetian individuals, mostly Ottoman subjects but also individuals from several European states, turned to *bailo*'s court to litigate a large variety of civil disputes with Venetian subjects and to use its notary services. The extant notarial and legal documents of the *bailo*'s chancery, which are written in Venetian Italian, begins in 1580 and, apart from the war years between Venice and the Ottoman Empire, it continues up to 1797, the year of the dissolution of the Republic of Venice. They constitute an extremely rich archival collection, containing thousands of legal and economic

documents, which until now have been little studied by historians of the Mediterranean trade in the early modern era. During my research in Venice, I worked on the records between the years 1580 and 1600, which are held in the boxes numbered 263 to 270. Each box (*busta*) contains the records of both the *bailo*'s civil tribunal and the Venetian notaries operating at the *bailo*'s chancery. In each box, these documents are organized in two registers, each of them containing between 100 and 600 pages. For my research topic these records are extremely important since they include numerous and important information about the commercial activities of individuals from the Ottoman Empire with Venice at the end of the sixteenth century. The numerous Ottoman subjects who turned to *bailo*'s chancery belonged to the different religious and ethnic communities of the Ottoman Empire. Among them, the most numerous were Orthodox Greeks from Istanbul and the Aegean islands, Sephardic Jews from Istanbul and Thessaloniki, and Turkish Muslims from Istanbul and Anatolia. At the *bailo*'s chancery, they submitted complaints against Venetian individuals (mostly commercial partners of their), appointed legal representatives who were to go to Venice (or to the Venetian possessions in the eastern Mediterranean) and act on their behalf for commercial and legal matters, registered commercial partnerships and contracts of sale with Venetian subjects, and notarized legal documents issued by Ottoman courts or commercial letters with both Ottoman and Venetian subjects. In the records of the *bailo*'s tribunal, the latter passed sentences in favor or against these Ottoman subjects.

While I was analyzing these records I began to create a database with Excel which contains information on all the Ottoman subjects who appeared in the *bailo*'s chancery. In this database, whose structure is still far from being definitive, I aim to list each case in which an Ottoman subject turned to the *bailo*'s chancery and organize the information along the different denominational categories, such as the religious affiliation, subjecthood, and the typology of legal act and economic transaction, employed by the officials at the *bailo*'s chancery to identify individuals. The choice of denominational categories for classifying individuals, their legal acts, and economic transactions has proved to be a difficult process so far and I still need to find effective solutions to organize all the information contained in the records in comprehensive categories. The major hurdle in this regard is that our modern historiographical categories for distinguishing among individuals and their economic activities often did not correspond to those employed by legal officials in the early modern era, as the case of the notion of "subjecthood" well shows (see below).

In the Venetian Archives, apart from the archives of the *bailo*, I also began to study other archival series which contain other information on the commercial activities of Ottoman subjects in Venice. Above all, I began to investigate the extensive records of a Venetian notary, Profetini Giovanni Battista, who was active between 1623 and 1644. His records are kept in the archival series *Notarile, Atti*. The notary Profetini dealt with several merchants from the Ottoman Empire, mostly Orthodox Greeks from northwestern Greece, but also with some Muslims from Istanbul (but now Jews). His records are organized into large registers which cover two years each and contains more than 500 pages each. I focused on the years between 1624-1636, which correspond to the registers numbered 10,988 to 10,111. This large collection of documents includes valuable information on the appointment of legal representative and commercial agents to operate both in Venice and in the Ottoman Empire, inheritance-related issues, but also, in few cases, on disputes between commercial partners. Overall, the study of notarial records is only the starting point of a future much-larger work on the Venetian notaries who dealt with merchants from the Ottoman Empire which I hope to begin during my next research in the Venetian archives. As in the case with the records of the *bailo*'s notary court, I will focus on the reasons why Ottoman subjects turned to a Venetian notary, such as power of attorney and the registration of commercial partnerships and

contracts of sale. Furthermore, I think that it is important to compare the notary records of the Venetian notaries with those of the *bailo*'s court in order to evaluate the likely differences in the ways the Ottoman subjects were categorized along denominational categories of subjecthood, religion, and ethnicity, and the likely different reasons why they turned to Venetian notaries in Venice and in Istanbul.

Lastly, in the Venetian archives I also briefly looked at the archives of the *Cinque Savi alla Mercanzia*, the Venetian Board of Trade. In early modern era, this important magistracy regulated the trade between Venice and the Ottoman Empire and it had administrative and juridical authority over the Ottoman merchant communities residing in Venice. In the vast archives of the *Cinque Savi* I focused on the series *Terminazioni*, which begins in 1629. This series contains the legal and economic records of the civil and commercial court of the *Cinque Savi* which include a remarkably high number of trade-related disputes involving Ottoman subjects. Due to time constraints, I could analyze only the first *busta* (years 1629-1630, in total 201 pages), which contains numerous disputes involving mostly Balkan Muslims, Sephardic Jews from Istanbul and the Balkans. Most of these disputes arose from fraud- and debt-related issues among commercial partners, and from taxation-related matters between the merchants and the Venetian custom officials. Overall, these records are very promising because they show how Ottoman subjects in Venice litigated their disputes with both Venetian and Ottoman subjects. During my next research in Venice, I will definitely continue working extensively on this archival series. As in the case with the records of the Venetian notaries in Venice, I think it is important to compare the records of the tribunal of the *Cinque Savi* with those of the tribunal of the *bailo* in Istanbul.

Overall my sojourn in Venice enabled to collect a vast amount of data for my future PhD dissertation which I now need to carefully analyze and organize in an appropriate manner in order to be able to understand key-features of the intensive cross-cultural trade between the Ottoman Empire and the Republic of Venice in the early modern era. In reading and organizing the collected data I faced many conceptual difficulties that forced me to rethink our analytical categories for understanding the complexity of cross-cultural trade. Above all, I had to reflect on the concept of subjecthood in the early modern Mediterranean. The numerous Ottomans in all the archival series I explored escape our modern historiographical definition of subjecthood as a legal status. This particularly true for Sephardic Jews (but also for the Orthodox Greeks) who easily moved across the political and legal regimes of the Ottoman Empire and the Republic of Venice. They turned to both Ottoman and Venetian tribunals for any legal and economic matters, and they were subjected to the authority of both. Before working extensively on my documents, I usually regarded subjecthood in the early modern era as depending mostly on the place of birth and residence (especially in the case of the Ottoman Empire). However, the numerous cases of Jews and Christians who, despite being born or residing in Ottoman cities, appealed to the *bailo*'s court in Istanbul and were subjected to its legal authority in civil matters encouraged me to rethink our notion of subjecthood in the early modern era. After my archival research, and following the insights of leading historians of early modern Mediterranean and Europe, such as Eric Dursteler, Simona Cerruti, Reinhold C. Mueller on citizenship in the early modern era, I started to consider the importance of acquaintance and social relationships in creating the notion of subjecthood in the early modern era. Many non-Muslim individuals born in the Ottoman Empire who turned to the *bailo*'s court seem to have built connections with the *bailo*, his officials, and Venetian merchants that enabled them to be considered as *de-facto* members of the Venetian nation. Furthermore, in the majority of the documents of the *bailo*'s chancery, the Venetian notaries, and the court of the *Cinque Savi*, there is no mention of a notion Ottoman "subjecthood" (apart from few cases where Christians and Jews are referred either

as “carazari”, that is, payers of the Ottoman poll-tax on non-Muslims, or as “sudditi turcheschi”, that is, subjects of the Ottoman sultan). The omission of a category of “subjecthood” seems to have been deliberate, although I need an extensive analysis of the collected data (for which I hope Excel will help me) to reach an exhaustive conclusion on this regard. This ambiguity of the legal status of Ottoman non-Muslims apparently did not apply to Ottoman Muslims, who in the Venetian sources seem to have been treated almost always as Ottoman subjects (apart from few instances of Muslims from the Safavid Empire). Overall, the difficulty of defining subjecthood in the early modern Mediterranean complicates my efforts to define who was an “Ottoman merchant”. I will need to focus extensively on this issue because it is crucial to my future dissertation project.

After Venice, in the second week of July I moved to Zadar where I stayed for about two weeks, between 7 and the 21 July. In this city I had the chance to work for the first time in the State Archives of Zadar (*Državni Arhiv u Zadru, DAZD*). These rich archives contain most of the records produced by the Venetian administration of the Dalmatian cities during the early modern era. As in Venice, my primary purpose of my research in these archives was to collect data on the commercial activities of Ottoman subjects with Venice between 1573 and 1644. In these archives, I focused on the rich documentation produced by Venetian officials in the city of Split, which, following the development of its port (*Scala di Spalato*) in the 1590s, became the main transit port for Ottoman merchants going to and returning from Venice. The documents about this city are kept in the archival series *Općina Splita (Comune di Spalato)*. In this series, I searched for legal and administrative documents produced by the city authorities in the years 1605-1618. I focused on these years because they witnessed the fast development of the port of Split into the major transit port in the Adriatic Sea between Venice and the Ottoman Balkans. I analyzed altogether 12 boxes (*kutuja*) numbered 203/210/213/214/217-221. Most of the documents are the legal records of the chancery of the city of Split. At this chancery, numerous officials, such as different legal authorities, public notaries, and, for the most important cases, even the chief Venetian official in the city (*conte e capitano*), listened to and passed sentence on criminal and civil legal lawsuits, registered economic transactions, the appointment of legal and commercial representatives, and contracts of sale. Most of the individuals who appear in the records of the Split’s chancery were Venetian subjects from Split and other Dalmatian towns, however there were some Ottoman subjects, above all Sephardic Jews and Bosnian Muslims. As in the case with the legal documents produced by Venetian notaries and tribunals in Venice and Istanbul, it is difficult to define who was an “Ottoman subject” among the non-Muslims who turned to the Split’s chancery because there is no reference to a distinct category of subjecthood in the documents. This difficulty is again evident in regard to the Sephardim who moved easily across the borderland between the Republic of Venice and the Ottoman Empire in the Balkans and sojourned and conducted business for long periods in territories of both these two polities.

Overall, my research in Zadar Archives produced only anecdotal information because the number of cases involving Ottoman subjects which I have been able to find is rather limited. Some of them are extremely interesting since they contain valuable information on commercial networks and the conduct of trade. For instance, I found rare examples of commercial letters between business partners residing in Venetian and Ottoman territories, and letters from the *bailo* in Istanbul and Ottoman authorities on the behalf of preeminent merchants. However, the little number of cases involving Ottoman subjects hinders the same quantitative analysis which I can carry out with the legal and notary records from the *bailo*’s chancery and the *Cinque Savi*. The scarce number of Ottomans in the Split’s chancery, above all of Bosnian Muslims who were the biggest community of Ottoman merchants transiting to or from Split, can be partly explained by the fact that

caravans from the Ottoman Balkans did not enter the city and many of the merchants stayed in city's Lazzaretto (quarantine station for travelers) where both Venetian and Ottoman legal officials were present. I have not been able to find so far documents produced by these officials in the Lazzaretto, but I will concentrate on tracing them on my next visit to Zadar. I also need to better understand the functioning of the Lazzaretto outside the town which I can accomplish mostly by reading secondary literature both in Italian and in Croatian, which is language which I began to learn the past year.

Apart from Venetian sources, in the Zadar Archives I looked at the extensive collection of Ottoman documents produced by Bosnian administrative and legal authorities. This collection, which is called *Mletački Dragoman*, has never been studied extensively by Ottomanist scholars, although it contains a great deal of information about the regulation of trade between the Ottoman Bosnia and the Venetian Dalmatia (such as security issues, custom dues, and the forbidden goods). Unfortunately, most of the document dates after the Peace of 1669, therefore they deal with historical period later than that of my research. However, these documents are extremely important because they show the active diplomacy of Ottoman provincial authorities in promoting the trade between the empire and the Republic of Venice.

In conclusion, my summer research allowed me to locate and collect a vast amount of documents concerning legal and economic institutions allowing individuals from the Ottoman Empire to sojourn and trade in Venice in the sixteenth and seventeenth centuries. The collected data shows the commercial networks of several Ottoman merchants trading with Venice, the trade-related disputes in which they were involved, the civil and commercial tribunal in Istanbul, Venice, and Zadar to which their turned, and the economic transactions they carried out with both Venetian and Ottoman subjects. A careful analysis of this data with new analytical tools and against the backdrop of new and old historiographical paradigms, and further archival research will enable me to readdress one of the most controversial pervasive tenet of the historiography of Mediterranean trade in the early, namely, the passivity of the Ottoman officials towards the trade with Europe and the inadequacy of its commercial and legal institutions for the promotion of trade.