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Monitoring migrations: the Habsburg-Ottoman border in the eighteenth century

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CHAPTER 4: COMPREHENSIVE BORDER CONTROLS

From the 1720s until the mid-nineteenth century, every person entering the Habsburg Monarchy from the Ottoman Empire should have been subjected to control at the land borders. A formal goal of the border-control regime was to temporarily exclude persons showing signs of epidemic diseases. Once when they got well, formerly pestilent travelers would be in principle welcome. That policy would distinguish the Habsburg-Ottoman border from other contemporary and later control policies in Europe at that time, which focused on closely supervising or systematically excluding certain individuals and groups. Border controls were potentially a powerful tool for demographic policies, which brings us to the following questions: was the Habsburg Monarchy subjecting everyone crossing the border to control, without exception? What population policies and ideas motivated the Habsburg administration? Were border controls used to exclude certain individuals and groups?

Other contemporary statewide mobility-control regimes, some much older, usually targeted specific types or groups of migrants.³⁷⁵ The purpose of mobility controls was often to regulate labor markets and poor relief, two closely connected areas.³⁷⁶ In the Habsburg Monarchy the *Polizeiordnung* of 1552 regulated the mobility of poor migrants according to domicile, tying responsibility for the poor and

³⁷⁵ For example, in 1462, the French King Louis XI regulated the mobility of soldiers on leave by requiring them to possess passports, to distinguish them from deserters. Other travelers were not affected. Groebner, *Der Schein der Person*, 124-26.

³⁷⁶ Statewide regulations of labor mobility were temporarily introduced in the fourteenth century, after the Black Death in England (1351), France (1353), and in Portugal, to address labor shortages. Lucassen and Lucassen, "Migration, Migration History," 20; Lucassen, "Eternal Vagrants," 225-28; Lis and Soly, "Labor Laws in Western Europe," 310.

beggars to the communities of origin.³⁷⁷ The poor relief was similarly controlled in many other parts of Europe, with the distinction between domestic and foreign beggars, as well as between those able to work and those who had to rely on the support of others. Some groups, like Jews and Gypsies, were specially monitored because they were not perceived as a part of local communities.³⁷⁸ In the eighteenth century, central governments became increasingly more involved, either by expanding the control to new groups or by creating central registers and prescribing identification documents. A general trend was to separate “genuine” travelers, such as working poor and soldiers on leave, from undesirable beggars, vagrants and deserters.³⁷⁹ From the 1720s, the Habsburg Monarchy centrally regulated the mobility of unemployed poor, vagrants and beggars, particularly their expulsion (*Schub*). Local communities escorted non-local poor to their borders, where they were taken over by the next community. They would be ultimately accompanied in this way to their community of origin, responsible for helping them, or to their home country, if they were foreign subjects.³⁸⁰ During their *Wanderjahre*, journeymen in the Holy Roman Empire traveled freely from one city to the other, looking for work. In the 1720s, the Habsburg government closely regulated their migrations too, including the obligation to leave after a set number of days if no permanent work was found. The goal was to prevent the concentrations of unemployed migrants. The supervision was delegated to local guilds.³⁸¹ During the eighteenth century, authorities in some places also

³⁷⁷ Wendelin, “Schub und Heimatrecht,” 181; Lucassen, *Zigeuner*.

³⁷⁸ Raeff, *The Well-Ordered Police State*, 68-69, 89-91; Lucassen, *Zigeuner*; Elisabeth Schepers, “Regieren durch Grenzsetzungen. Struktur und Grenzen des Bettelrechtes in Bayern im 16. und 17. Jahrhundert,” in *Menschen und Grenzen in der Frühen Neuzeit*, 245-47, 249-50, 257.

³⁷⁹ Denis, “The Invention of Mobility,” 371.

³⁸⁰ Wendelin, “Schub und Heimatrecht,” 235-40.

³⁸¹ Ehmer, “Worlds of Mobility,” 177-79, 192-94. To differentiate them from beggars, itinerant workers in France in the eighteenth century needed to possess certificates that would refer to their

increasingly supervised foreigners. The control of foreigners in Paris, where a special police was established in the 1780s to supervise *non-regnicoles* and Jews, served as a model for other European cities, such as Vienna.³⁸² But even when statewide, these controls were selective, focused on some groups that were deemed potentially problematic. The majority of travelers were not controlled.³⁸³ Middle and upper classes were habitually exempted from controls up to the early twentieth century.³⁸⁴

Where comprehensive mobility controls existed, targeting all migrants, they were local or temporary. Gatekeepers controlled all travelers entering walled cities. In eighteenth-century Brussels, only the highest dignitaries and the holders of special letters of safe conduct were exempted from checks at the city gates. All others, including nobles, were subjected to control and registration.³⁸⁵ Mobility-control regimes that targeted all migrants across wider areas were not permanent. Such a regime was created during plague epidemics, as in Provence in France (1720-1723). All migrants were systematically controlled not only at the sanitary cordon separating

home community, and from the 1770s, a *livret d'ouvrier*, to separate them clearly from beggars. Supervision policies intensified in France during the Regency (1715-1723), with central registers and compulsory travel documents for itinerant workers or peasants to fight vagrancy and for soldiers on leave, to fight desertion. Vincent Denis, "Administrer l'identité," paragraphs 2-9; Denis, "The Invention of Mobility," 362-63, 369-70.

³⁸² Denis, "The Invention of Mobility," 367-69.

³⁸³ While the mobility of journeymen in the Habsburg Monarchy was regulated, they were not registered among migrants in Revolutionary France in 1807-1812 because they needed to do "their tour" to finish learning their trade and did not require closer attention by the state. Vincent Denis, "Surveiller et décrire: l'enquête des préfets sur les migrations périodiques, 1807-1812," *Revue d'histoire moderne et contemporaine* 47, no. 4 (October-December 2000): 711.

³⁸⁴ Their travel documents often did not contain physical descriptions because it was considered demeaning to refer them in such manner. Fahrmeir, "Governments and Forgers," 228-29.

³⁸⁵ Daniel Jütte, "Entering a City: on a Lost Early Modern Practice," *Urban History* 41, no 2 (May 2013): 204-210, 212-23.

pestilent areas from the rest of France, but also on the border of France and Spain, for example.³⁸⁶

During the nineteenth century, migration controls continued to be selective and focused on exclusion. A temporary surge in mobility control of broader sections of the population followed the French Revolution.³⁸⁷ Between 1815 and circa 1850, passports were in wider use in Europe, to monitor the mobility of lower classes and suspected revolutionaries. From the 1850s, passport and visa requirements were gradually abolished,³⁸⁸ but exclusionary migration controls did not vanish. They reappeared during the 1880s and 1910s in white-settler nation states (United States, Canada, Australia, South Africa) targeting undesirable immigration from Asia. After 1914, similar exclusionary migration policies were gradually introduced by other states, under various justifications (to protect the labor market, welfare state), with the right to exclude entrance becoming an important element of the international system of sovereign nations.³⁸⁹ While nation states established gradually a more direct relationship with their citizens, the emphasis remained, as before, on exclusion.³⁹⁰

³⁸⁶ Denis, "The Invention of Mobility," 363-64.

³⁸⁷ From 1792, all citizens in France needed passports to leave their districts, while all foreigners needed to be registered. Vincent Denis, "Administrer l'identité:" paragraphs 16, 18; Denis, "The Invention of Mobility:" 372-75. Similar regulations were introduced soon in other parts of Europe, as in Veneto. Andrea Geselle, "Domenica Saba Takes to the Road: Origins and Development of a Modern Passport System in Lombardo-Veneto," in *Documenting Individual Identity*, 203-217.

³⁸⁸ Fahrmeir, "Governments and Forgers," 233; Komlosy, "State, Regions, and Borders," 163, 168; McKeown, *Melancholy Order*, 41.

³⁸⁹ McKeown, *Melancholy Order*, 2-10, 16, 149-51, 319-24.

³⁹⁰ Torpey, "Coming and Going," 248-49, 256-57; Caplan and Torpey, "Great War," 1-2;

A comparison of contemporary Habsburg economic and population theories with the treatment of immigrants and refugees³⁹¹ would not only indicate whether the borders were open to all incoming healthy migrants or whether the entry of certain migrants was discouraged or prevented to enter, but would also reveal the motives behind Habsburg migration control policies. I also take a closer look at the pull factors beyond the border, the laws and regulations that controlled residence and naturalization of Ottoman migrants in the Habsburg Monarchy to determine their relationship with border controls.

Everyone Was Controlled

How were different categories of migrants dealt with? I focus specifically on two societal poles: on the one side of the spectrum, privileged individuals (diplomats, high dignitaries), routinely exempted elsewhere from other nominally comprehensive controls, even at city gates; and on the other side, traveling poor and vagrants, usually targeted by mobility-control policies.

Highest state dignitaries, diplomats, diplomatic envoys and some nobles did receive privileged treatment on the Habsburg-Ottoman border. There was, however, no complete exemption from control procedures. In November 1738, the Sanitary Court Commission approved a shorter quarantine in the place of their choice to high noble military commanders, such as Count Königsegg and Prince Bevern, returning from a campaign against the Ottomans.³⁹² In 1759, at the moment when the Banat and

³⁹¹ In this period, many states saw population as wealth. Before Malthusian overpopulation fears became prevalent in the mid-nineteenth century, the states were more concerned about emigration, perceived as a loss of wealth and desertion. McKeown, *Melancholy Order*, 37.

³⁹² Excerpt from the protocol of the HKR from 12 and November 1738, the imperial decision from 14 November 1738, 1738 November 28, p. 241-243, KA ZSt MilKom Sanitätshofkommission Bücher 1.

Slavonian quarantine stations were closed, and a strict cordon drawn, the Banat administration made an exception for the son of the Pasha of Orşova and gave him access to the Mehadia spa (Bäder), very popular among the Ottomans.³⁹³ Diplomats and diplomatic couriers could expect to undergo a shortened quarantine outside the quarantine station, in a more comfortable accommodation. The Habsburg envoy Heinrich Christoph Baron (Freiherr) Penckler, returning in 1755 from his post at the Ottoman court, was allowed to undergo a shortened quarantine of only eight days in the town of Zemun, not in the quarantine station, but in the private home of the town's commander, the Major (Obrist Wachtmeister) Baron von Rittberg. The Ottoman envoy Halil Effendi and the Habsburg translator Seleskovitz, who was escorting him, were treated in the same manner later that year.³⁹⁴

Privileges were not, however, routine or absolute. The Sanitary Deputation in Vienna had to approve each privileged treatment. It could deny requests, as in 1763 to the returning Habsburg permanent diplomatic representative at the Ottoman court, Josef Schwachheim. Upon learning about a plague epidemic, which had spread before the returning envoy began his journey, in July 1763 the Sanitary Deputation reversed its initial decision to shorten quarantine time for him to twelve days. It instructed the commander of Slavonia, Count Mercy, to send the diplomat and his retinue to a full quarantine.³⁹⁵

³⁹³ Vienna, 29 January 1757, to TLA, 1757 Januarius 19; Vienna, 9 February 1757, to TLA, 1757 Februarius 4; 1759-September-18; 1759-October-8 KA ZSt MilKom Sanitätshofkommission Bücher 3.

³⁹⁴ Slav. GK, Osijek, 15 February 1755, IAB, ZM, 1755-1-14, in Ilić, *Beograd i Srbija*, 33.

³⁹⁵ Vienna, 18 March 1755, to Slav. SK, 1755 Martius 3; Vienna, 13 September 1755, to Slav. SK, also to the Hof- und Staats Kanzlei, 1755 September 5; Osijek, 28 August 1755, from Slav. SK, 1755 September 7; Osijek, 15 September 1755, from Slav. SK, 1755 October 2, KA ZSt MilKom Sanitätshofkommission Bücher 2; Vienna, 19 April 1763, to the Hof- und Staats Kanzlei, 1762 Majus 1; Vienna, 19 July 1763, to the Count Mercy, Nota to the Hof- und Staats Kanzlei, 1763 Julius 14, KA ZSt MilKom Sanitätshofkommission Bücher 3. The other major group enjoying privileges were

Elsewhere in Europe, from the late Middle Ages, mobility-control regimes concentrated usually on the other end of the social hierarchy, targeting beggars and vagrants.³⁹⁶ Both the Habsburg Monarchy and the Ottoman Empire distrusted poor and unemployed travelers or considered them dangerous. During the eighteenth century, the Habsburg Monarchy put a lot of effort into deporting domestic and foreign vagrants to their home communities or abroad if they were foreign subjects.³⁹⁷ The Ottomans were also very wary of vagrants. From the 1690, the Ottoman Empire

diplomatic couriers. The Janissaries assigned to serve the Habsburg envoy at the Ottoman court were sent as messengers to Zemun. The Janissaries of the envoy Penkler were given a special house in the town of Zemun, separate from other travelers. When other travelers were required to undergo forty-two days of quarantine, diplomatic messengers were subjected only to a half of that time, to three weeks. SHK, 13 October 1742, 1742 October 5; SHK, 8 November 1743, 1743 November 1; SHK, 22 September 1751, 1751 September 7, KA ZSt MilKom Sanitätshofkommission Bücher 1; 1743-Novembris-1, KA ZSt MilKom Sanitätshofkommission Akten 1; Slav. Generalkommando, Osijek, 18 December 1753, IAB, ZM, 1753-1-22, in Ilić, *Beograd i Srbija*, 31. As with envoys, the exemptions were not unconditional. Because of a plague in Istanbul, the Janissaries coming from the internuntius Schwachheim in 1759 were ordered to undergo full quarantine, although again not in quarantine station but in a separate accommodation. This applied also to internuntius's assistants (the members of his household), like Mohrenheim, serving as messengers. Vienna, 27 August 1759, to Slav. SK, 1759 Augustus 12; Vienna, 19 September 1759, to Slav. SK, 1759 September 12; Vienna, 16 October 1759, to Slav. SK, 1759 October 8; Vienna, 17 November 1759, to the Karlovac Generalate Command, 1759 November 4; KA ZSt MilKom Sanitätshofkommission Bücher 3. The Sanitary Deputation reprimanded the Slavonian Sanitary Commission in April 1754 for approving, without asking Vienna, only fourteen days of quarantine in Zemun for the English Cavalry Captain (Rittmeister) Riou, coming from Istanbul. Vienna, 9 April 1754, to k. k. Geheime Hof- und Staatskanzley, 1754 Aprilis 5, KA ZSt MilKom Sanitätshofkommission Bücher 2.

³⁹⁶ During the eighteenth century, it could be a serious offense to travel without identification documents. Valentin Groebner, "Describing the Person: Reading the Signs in Late Medieval and Renaissance Europe: Identity Papers. Vested Figures and the Limits of Identification. 1400-1600," in *Documenting Individual Identity*, 16, 20-21.

³⁹⁷ Wendelin, "Schub und Heimatrecht," After 1775, with a custom union being introduced in Czech and Austrian provinces, the mobility of general population was under increasing state supervision, with passports necessary for travels outside home districts. These measures targeted poor subjects. Komlosy, "State, Regions, and Borders," 138-39.

began to perceive nomadism as problematic.³⁹⁸ For example, it required Balkan Gypsies, when traveling, to carry receipts indicating that they paid taxes.³⁹⁹ More aggressive measures against vagrancy were apparently also present. While preparing for a clandestine trip to inspect plague rumors in the Ottoman Empire in 1755, a Habsburg sanitary informant Dimo Sifkovith was provided with bogus merchant capital. It had to be clandestine, because the Ottomans would not allow a Habsburg state agent to collect information freely in their domains. To travel with no restrictions, he also needed to present himself as merchant and a legitimate traveler. The Pančevo quarantine director Paitsch explained to the Temesvár provincial administration that otherwise, he could be perceived as a vagabond, with Ottoman provincial authorities curbing his mobility or expelling him back to the Habsburg territory, endangering the whole mission.⁴⁰⁰ In 1787, Jovan Mihailovics, a twenty-one-year-old Zemun native, secretly boarded an Ottoman ship and crossed to Belgrade on the way to Grocka, where he was invited to work as a tailor. When stopped by Ottoman guards in Belgrade, however, he could not show a Habsburg passport that would confirm him as legitimate traveler. He was then sent to the commander of guards, Delli-Amed, who accused Jovan of being a vagrant (Herumläufer) and threatened him with an impalement or decapitation (ich lass dich spissen oder köpfen), to scare Jovan away. It worked and three days later a frightened Jovan returned to Zemun.⁴⁰¹ Close

³⁹⁸ Kasaba, "L'Empire ottoman, ses nomades et ses frontières:" 112-18, 123.

³⁹⁹ Eyal Ginio, "Neither Muslims nor Zimmis: The Gypsies (Roma) in the Ottoman State" *Romani Studies*, series 5, vol. 14, no. 2 (2004): 132-33.

⁴⁰⁰ Sanitäts-Diarium von der Contumaz Station Banzova, 11 November 1755, pro Mense November 1755; 27 Dezember 1755, pro Mense Dezember 1755; 5 January, 10 January 1756, pro Mense Januar 1756; 3 February 1756, pro Mense Febr. 1756, FHKA NHK Banat A 123.

⁴⁰¹ IAB, ZM, 1787-5-804, in Ilić, *Beograd i Srbija*, 697-98.

supervision of mobility of poor individuals and groups existed, therefore, in both empires.

In addition, both Habsburgs and the Ottomans introduced measures to supervise the mobility of the general population, particularly in border areas.⁴⁰² For centuries, the Ottoman central government and provincial governors issued passports to foreign diplomats and to merchants operating in frontier provinces, so as not to mix them with enemy spies.⁴⁰³ In the 1690s, the Ottomans transformed the poll tax non-Muslims had to pay (*cizye*) from a collective tax into a personal tax. From that moment on, each poll-tax payer would receive a personal receipt with his name and physical description, as a kind of identity document when traveling. This measure, targeting tax evasion, also brought the mobility of non-Muslim Ottoman subjects, who made up the majority of the population in Ottoman European provinces, under state supervision.⁴⁰⁴

There were also active measures from the Habsburg side to ensure a closer supervision of the migrants crossing the Habsburg-Ottoman border, particularly the obligation of migrants to possess travel documents, issued by relevant authorities and

⁴⁰² In principle, no travel documents were necessary to travel through the sultan's lands. In theory, foreigners could stay in the Ottoman Empire up to one year under the ruler's protection and then choose either to leave or to naturalize. In practice, foreigners were allowed to prolong their stay and to keep their protected status indefinitely. De Groot, "The historical Development of the Capitulatory Regime:" 576-79, 582, 588-91, 603; Aleksandar Fotić, "Institucija amana i primanje podaništva u Osmanskom carstvu: primer sremskih manastira 1693-1696," *Istorijski časopis* 52 (2005): 226, 248-51.

⁴⁰³ Pedani, *Dalla frontiera al confine*, 104-107, 110-11; Jan Schmidt, "Manuscripts documenting relations between the Ottoman empire and the West in the Leiden University Library: treaties, passports and letters," in *The Ottoman Capitulations: Text and Context*: 705, 707-14. The Ottomans could also temporarily freeze mobility in entire provinces during tax surveys, as in 1578 in the Banat of Temesvár to ensure that all individuals were recorded. Káldy-Nagy, "The Administration of the Şanjāq Registrations:" 190-92. In 1767, Ottoman authorities requested itinerant Orthodox clergymen to possess passports issued by their Church. Slavko Gavrilović, "Ka srpskoj revoluciji," in *Istorija srpskog naroda* (Belgrade: Srpska književna zadruga, 1994), vol. 4, no. 2: 351-53.

⁴⁰⁴ Özcan, Abdülkadir, ed. *Anonim Osmanlı Tarihi (1099-1116 / 1688-1704)*. Ankara: Türk Tarih Kurumu Basımevi, 2000, 19. I thank Sinan Dinçer for this reference.

containing personal descriptions.⁴⁰⁵ In the Habsburg-Ottoman convention of Constantinople of 1741, in subsequent Ottoman *fermans*, as well as in the Habsburg Court order from 16 June 1768, the Ottoman non-Muslim subjects were required to carry their personal tax receipt (proving that they had paid poll tax, mentioned above), called *Karatsch-Paß* or *Karatsch-Zettel*, with their “Namen, Beinamen und Eigentumes” specified.⁴⁰⁶ These requirements were not fulfilled in 1766, with the Sanitary Court Deputation complaining that the Ottoman subjects, both Muslims and non-Muslims, quarantined in border stations, did not possess such documents.⁴⁰⁷ After 1768, the regulation was implemented more successfully. In 1768, personal health certificate forms contained a place and province of origin of an “Ottoman merchant” (türkisches Hanndelsmanns), the description of “Statur,” hair, beard, face, date of arrival and signature of both the director and the surgeon of the border station where the migrant spent quarantine.⁴⁰⁸ When in 1773 Jovan Radojevics attempted to cross to the Habsburg Monarchy from the Ottoman Empire secretly and was caught by border

⁴⁰⁵ In December 1737, during the Habsburg-Ottoman war of 1737-1739, the Sanitary Court Commission required travelers to possess passports signed by both local sanitary commissions and local military commanders, with both “Personen und Effecten wohl beschrieben.” In July 1738, it emphasized that a “Beschreibung der Statur” was necessary in these documents; that the officers were to be described too; that soldiers on leave should strictly follow the routes prescribed in travel documents. A health certificate (Sanitäts Foede), “ein authenische Zeugnus der [...] der institutmäßig gemachten Contumaz,” was to contain not only personal description, but also a detailed description of goods. SHK, Vienna, 24 December 1737, 1737 December 2; SHK, Vienna, 30 July 1738, 1738 Julius 43; SHK, Vienna, 16 August 1738, 1738 Augustus 33; 1738 September 33; SHK, 12 October 1738, 1738 October 19; SHK, 16 September 1751, 1751 September 9, KA ZSt MilKom Sanitätshofkommission Bücher 1; Vortrag der SHK, [March 1739], KA ZSt MilKom Sanitätshofkommission Akten 1.

⁴⁰⁶ Engel, “Beschreibung des Königreichs Slawonien,” vol. 2, 971-78; Jordan, *Die kaiserliche Wirtschaftspolitik im Banat*, 146-201.

⁴⁰⁷ SHD, Vienna, 5 March 1766, 1766 Martius 4, KA ZSt MilKom Sanitätshofkommission Akten 2.

⁴⁰⁸ Personal Sanitäts Foede, Sanitäts Commissions Protocoll, Karlovac, 25 August 1768, 1768 Augustus 13, KA ZSt MilKom Sanitätshofkommission Akten 2.

guards, they requested that he showed either a proper Habsburg travel document or an Ottoman one.⁴⁰⁹ Similar requirements existed when traveling in the other direction. In 1778, people wishing to travel from the Habsburg Monarchy to Ottoman Belgrade had to apply first to the Belgrade governor for an Ottoman passport. Only with the passport would they be allowed to cross the border.⁴¹⁰

The Habsburg Monarchy thus closely supervised migrants. There were practical questions, which could encourage it to use this supervision to selectively deny entrance to certain individuals and groups. Poor and destitute migrants did arrive at the Habsburg border. They often could not finance the crossing of the border, including paying cleaning taxes for themselves and their belongings and buying food and other provisions while being quarantined, let alone their further stay in the Monarchy. How would poor migrants support themselves once inside the monarchy? However, poor migrants were not only allowed to enter. They were often welcome.

⁴⁰⁹ “Eine Teskera, das ist Haracs oder Kopfcontributionszettul.“ IAB, ZM, 1773-2-29, in Ilić, *Beograd i Srbija*, 369-72. Personal descriptions, used to describe slaves, remained problematic when used for better-off passengers. It was difficult to standardize personal descriptions before the use of photography. Peter Becker, “The Standardization Gaze: The Standardization of the Search Warrant in Nineteenth-Century Germany.” In *Documenting Individual Identity*, 145-51; Yaron Ben-Nach, “Blond, tall, with honey-colored eyes: Jewish ownership of slaves in the Ottoman Empire,” *Jewish History* 20: 315-32.

⁴¹⁰ Taube, *Historische und geographische Beschreibung*, vol. 3, 108-110. Passports were dispensed carefully on the Habsburg side. In 1786, local authorities were allowed to issue travel permits only to reliable and well-behaving locals, for short trips to Ottoman border settlements. For other kinds of trips and for the rest of the population passports were to be issued by provincial and central authorities. Engel, “Beschreibung des Königreichs Slawonien,” vol. 2, 978-81. From 1822, Habsburg subjects also needed Ottoman “Teskere” to travel to the Ottoman territory. Franz Raffelsperger, *Der Reise-Secretär: ein geographisches Posthandbuch für alle Reisende, Kaufleute, Post- und Geschäftsmänner* (Vienna: J. G. Heubner. 1831), vol. 3: 32. Imbro Tkalac, who traveled with a friend in 1841 from Habsburg Korenica in Lika to Ottoman Bihać, decided not to apply for a passport from the provincial command in Croatia, but for a travel permit (Passierschein), which he could get more quickly. He also received Ottoman “Teskere” from Bihać beforehand. Only then did he set out to visit the Ottoman border town for three days. Tkalac, *Jugenderinnerungen*, 318-19, 334-35, 348.

Various factors worked in favor of poor migrants. Basic human sympathy or pity was cited as a motive in the official correspondence. The director of the quarantine station in Mitrovica, Alteriet, paid from his own pocket the costs incurred by poor travelers.⁴¹¹ This approach enjoyed official support. In 1769, a Wallach Theodor Boilla, originally a Habsburg subject born in Banat, appeared at the quarantine station Kostajnica, having escaped enslavement by an Ottoman (bei einem Türken). The quarantine director accepted him out of pity and paid his quarantine costs. The director subsequently requested a refund from the Croatian Council (Consilio Croatico). The Croatian Council was in a dilemma over whether it was allowed at all to accept into quarantine poor migrants who could not pay for themselves, and asked the Sanitary Deputation for advice. The Deputation concluded that destitute Christian escapees should be accepted into quarantines, since it would be cruel to expose them to severe corporal and capital punishments by returning them to the Ottoman Empire. As a show of the ruler's mercy the *Hofkammer* should pay their subsistence, since all migrants were subjected to sanitary procedures with no exemptions.⁴¹²

⁴¹¹ Osijek, 28 July 1756, from Slav. SK to SHD, 1756 Julius 10, KA ZSt MilKom Sanitätshofkommission Bücher 2. In October 1755, Johann Paitsch, the Pančevo quarantine director, gave refuge and support to Stanko Petrovith, enslaved in the Ottoman Empire since the late 1730. Johann Paitsch to TLA, Pančevo, 7 October 1755, Sanitäts-Diarium von der Contumaz Station Banzova pro Oktober 1755, FHKA NHK Banat A 123.

⁴¹² Protocullum Deputationis Aulica in Re Sanitatis, for the empress Maria Theresa, 16 October 1769, 1769 November 3, KA ZSt MilKom Sanitätshofkommission Akten 2. The Monarchy also supported more organized effort to help ransom Christian captives from the Ottoman Empire. In July 1756, about fifty ransomed Christians arrived with the members of the Trinitarian Order to Zemun. Slavonian SK to SHD, Osijek, 19 July 1756, 1756 Julius 32, KA ZSt MilKom Sanitätshofkommission Bücher 2. Giving refuge to slaves could also lead to disputes with the Ottomans. A complaint from an Ottoman Muslim Nonmero Hassan in 1755, who asked for a return of his escaped slave Georg Andrea, reached the Chancellor Haugwitz. The outcome of this complaint is not known. SHD, Vienna, 22 February 1755, to Slavonian SK; to k. k. Hofkammer; a private letter of the Chancellor Haugwitz to the Count Mercy, the commander in Slavonia, 1755 Februarius 4, KA ZSt MilKom Sanitätshofkommission Bücher 2.

While some migrants were privileged, nobody was exempted from the mobility controls. Merchants, usually not controlled elsewhere, had to pass through regular treatment. Even diplomats, nowadays still one of the most privileged categories of travelers, were not exempted. In this respect, the border regime on the Habsburg-Ottoman border differed not only from contemporary mobility-control regimes, but also from later ones.⁴¹³ The mobility control of migrants had a universal character.

Remigranten, Transmigranten, Emigranten, Trespassers

If we take a closer look at the controls on the Habsburg-Ottoman border, we will notice that a large segment of migrants enjoyed privileged treatment. The privileged group was composed of individuals and groups coming from the Ottoman Empire and expected to permanently settle in the Habsburg Monarchy and to become Habsburg subjects. The treatment cannot be explained by the high social status of the travelers, as was the case with diplomats and high state dignitaries, or by their prominent economic status, as with merchants. To understand their treatment, it is necessary to take a closer look at the prevailing ideas about state, economy, population and migration in the Habsburg monarchy at that time.

Prevailing economic theories in first decades of the existence of the border sanitary cordon were mercantilism and cameralism. They perceived the state as a taxable demographic and economic unit, emphasizing the relationship between population and production growth. Mercantilism supported population growth. More people made more products, which should be reflected in rising exports and increased

⁴¹³ Well-off train and ship travelers enjoyed free travel with no or only few formalities even at the beginning of the twentieth century. Torpey, "Coming and Going," 241-43; Lucassen, "'A Many-Headed Monster,'" 243-55.

inflow of gold and silver, taxes, and state power. Mercantilism, however, offered few clear and systematic instructions on how to transform this goal into administrative policies. In the Habsburg Monarchy, as in many states that made up the Holy Roman Empire, some mercantilistic ideas were taken over by cameralism. The underpinning idea of cameralism was the trust in an active state role and the belief that what is beneficial for the state is beneficial for its subjects. Cameralists believed that rational administration played a major role in improving prosperity through reforms. A prevailing tenet among Cameralists was that the strength of a state depends on the number of its inhabitants and that a growing population was a good indicator of good political and social institutions. A growing population would mean a growing economy, rising tax incomes, increasing armies and a bigger pool of talents. Population could be increased, according to cameralists, in two major ways. One way was to increase the existing population. Cameralistic ordinances supported the growth in production and the expansion of agriculture and promoted measures improving public health, including combatting epidemic diseases, to stimulate natural growth of domestic population. Vienna encouraged natural population growth and internal colonization in the centrally governed border province of Banat, a model province for state intervention and reforms. The fertility of indigenous Banat Romanians and Serbs was perceived as high, but not sufficient to increase the number of inhabitants in the province as quickly as necessary. The other way to increase the population was to encourage immigration from other states.⁴¹⁴ Beginning in 1721, several waves of

⁴¹⁴ The Habsburg Monarchy supported the immigration of not just qualified artisans, but also of peasants. It also promoted internal migration, such as the removal of Protestants from Austrian and Bohemian lands and their settlement in the eastern provinces, or the settlement of vagrants and criminals in Banat to transform them into useful tax-paying subjects. Jordan, *Die kaiserliche Wirtschaftspolitik im Banat*, 79-98; Charles Ingrao, "The Problem of 'Enlightened Absolutism' and the German States," *The Journal of Modern History* 58 (Supplement: Politics and Society in the Holy

German migrants, coming from the Holy Roman Empire, were settled in Banat. During the reigns of Charles VI (1711-1740) and Maria Theresa (1740-1780) Germans were favored as agriculturally more progressive than the domestic population. The costs of this centrally directed internal colonization, including recruitment, transport, help and support during the first years in Banat were, however, high. For example, between 1764 and 1774 the state spent 951,340 guildens on German settlers in the German Banat Border Regiment in the southeastern part of the province.⁴¹⁵

A much closer and cheaper source of new settlers was the Ottoman Empire. Johann Philipp Count Harrach, the president of the War Council, suggested in 1743 introducing incentives to increase immigration from the Ottoman Empire.⁴¹⁶ At that moment, the Ottoman Empire had been already for centuries a common source of new settlers. The Ottoman conquest of the Balkans produced waves of immigration to the Hungarian Kingdom from the first half of the fifteenth century. Before 1699, not only during the times of open warfare but also during alternating periods of low-intensity peacetime conflict (Kleinkrieg), both Habsburgs and Ottomans tried to attract migrants from the other side, to strengthen their economy and defense, while weakening the adversary. Sometimes migrations were forced, with population taken after raids of enemy areas. In other cases they were voluntary, with migrants

Roman Empire, 1500-1806) (December 1986): S171-S178; Whelan, "Population and Ideology:" 38-49, 63-69; Raeff, *The Well-Ordered Police State*, 70-71, 92-94; Ehmer, "Bevölkerung:" 94-97, 99-100; Simon, "Bevölkerungspolizei:" 119-20; Mattias Asche, "Peuplierung," in *Enzyklopädie der Neuzeit*, vol. 9: 1042-45; Ehmer, "Populationistik;" Behrisch, *Die Berechnung der Glückseligkeit*, 17-23, 27-41, 56-65, 75-80.

⁴¹⁵ Hietzinger, *Statistik der Militärgränze*, vol. 1: 177-79; Jordan, *Die kaiserliche Wirtschaftspolitik im Banat*, 7-11, 21-28, 79-81, 83-98; Fata, "Donauschwaben," 536-37; Steiner, *Rückkehr unerwünscht*, 55, 119-20, 126-27.

⁴¹⁶ Gavrilović, *Prilog istoriji trgovine i migracije*, 111-14, 116-20

responding to invitations and guarantees, or crossing the border on their own initiative.⁴¹⁷ The movements of migrants continued to follow the Habsburg-Ottoman wars of 1683-1699, 1716-1718, 1737-1739 and 1788-1792. The majority of these migrants were refugees, involuntary migrants who were not receiving sufficient protection from the state that came to control their home area during military confrontations or at the end of the war.⁴¹⁸ Thousands of Balkan Christians retreated with Habsburg armies because the approaching Ottomans could perceive them as disloyal, as, for example, in 1690 and in 1739, during the “First” and “Second Serbian Migrations.”⁴¹⁹ Habsburg-Ottoman peace treaties legalized these wartime migrations, also allowing border populations in the immediate aftermath of the war to choose whether they wanted to stay with new rulers or to go to former ones.

A somewhat more complicated situation emerged during conflicts, where one side was not directly involved, but still had to deal on their borders with refugees. Between 1768 and 1774, the Ottomans were involved in a war with Russia, while the Habsburg Monarchy stayed neutral. In the summer of 1769, as the Russian-Ottoman conflict approached the Habsburg territory, thousands of migrants from Moldavia and Poland reached the Habsburg borders. The Sanitary Deputation in Vienna and the Court War Council discussed how to give them refuge without endangering public health. There were several categories of refugees. In June 1769, the Sanitary Court Deputation ordered the opening of the Rodna Pass in order to accept returning

⁴¹⁷ Ivić, *Migracije Srba u Hrvatsku*, 5-6, 16-19, 32-37, 39, 150-55.

⁴¹⁸ Thus, Muslims and Jews left Hungary after 1699 and 1718, and northern Serbia after 1718, while Germans left northern Serbia and Belgrade in 1739, after it returned to Ottoman rule.

⁴¹⁹ It is difficult to determine the number of people participating in the two “Serbian Migrations,” with estimations ranging from 40,000 to 200,000. Rajko L. Veselinović, “Srbi u Velikom ratu 1683-1699,” in *Istorija srpskog naroda* (Belgrade: Srpska književna zadruga, 1994), vol. 3, no. 1: 530-42 530-37; Sundhaussen, “Südosteuropa,” 294-98.

Habsburg subjects, Moldavian merchants, and “poor refugees.” Following the report of the Court War Council that the migrants coming from Poland and Moldavia were not accepted quickly enough because of the strict sanitary provisions, Maria Theresa ordered that assistance be provided and that officials explore whether it was possible to relax some rules. The Sanitary Deputation ordered the Transylvanian Sanitary Commission to shorten the quarantine time to ten days. While better-off refugees, Greek merchants and Moldavian nobles (Bojaren) needed to pay for quarantine costs and provisions, the Deputation ordered that wooden houses be built for poor refugees and that they be provided with firewood and other necessities for free, while their belongings were exempted from customs. Former Habsburg subjects, who had emigrated in previous years to Moldavia and Wallachia, considered whether to go back to Habsburg rule after the fiscal burden in the Ottoman Empire increased. To encourage the return of these “Remigranten” to Habsburg subjecthood, a general pardon was declared. The Habsburg Monarchy also accepted refugees, who were not previously Habsburg subjects, encouraging them to stay permanently in the Habsburg Monarchy. In the summer of 1769 Maria Theresa and Baron Koller advised border military and sanitary authorities to encourage newly arrived refugees to settle permanently in Habsburg territory.⁴²⁰

⁴²⁰ The return of former Habsburg subjects to the Monarchy continued in the following years, with, for example, another provisional quarantine facility established in a valley near Vršac, for fifty-three families of former Habsburg subjects from the Military Border in 1771. About 200 Wallachian families, former Habsburg subjects, returned “ex Turcico” in December 1772 to Banat. To the Transylv. SK, Vienna, 4 July 1769; [Billet] of the Empress/Queen Maria Theresia to the Baron Koller, 1 July 1769, 1769 Julius 2, KA ZSt MilKom Sanitätshofkommission Akten 2; Decree to the Transylvanian SK, Vienna, 18 June 1769, 1769 Junius 14; SHD to Transylvanian SK, Vienna, 4 July 1769, 1769 Julius 2; Nota to HKR, Vienna, 14 July 1769, 1769 Julius 5; Insinuation to the k. k. Hofkammer, Vienna, 22 July 1769, 1769 Julius 15; Insinuation of the k. k. Hofkammer, Vienna, 28 October 1769, 1769 November 25; Decree to Transylvanian SK, Vienna, 6 November 1769, 1769 November 8; SHD to Slavonian SK, Vienna, 28 May 1770, 1770 Majus 12; HKR to SHD, Vienna, 18

The Habsburg Monarchy saw the Russian-Ottoman war of 1768 as an opportunity to pursue its demographic policies, aimed at increasing the number of domestic subjects. The arriving Ottoman subjects, called “Transmigranten⁴²¹ oder herüberrettenden türkischen Familien” or “Transmigranten oder aus denen türkischen Landen übersiedelnden Katholischen Christen und nicht unierten Griechen” were financially supported throughout the war. Adults received two *Kreuzer* per day and children one *Kreuzer*. Central bodies took measures to ensure that the refugees stay and naturalize. In 1769, the War Council requested that border authorities check whether newly arriving migrants left debts behind them in the Ottoman Empire, which could complicate their naturalization. In July 1770, the Sanitary Court Deputation ordered the Transylvanian Sanitary Commission to settle poor Ottoman refugees away from the boundary after they passed quarantine and to use force if necessary to prevent them from returning to the Ottoman Empire.⁴²² Border guards in Banat stopped and returned 100 families attempting to return to the Ottoman Empire after the Russian-Ottoman war ended in 1774.⁴²³

May 1771, 1771 Junius 12; SHD to TLA, Vienna, 4 September 1771, 1771 September 5, KA ZSt MilKom Sanitätshofkommission Bücher 5; SHD to TLA, Vienna, Insinuation to k. k. Hofkammer, Vienna, 19 December 1772, 1772 December 8, KA ZSt MilKom Sanitätshofkommission Bücher 6.

⁴²¹ The terms *Transmigranten* and *Transmigranten-Familien* were used during the eighteenth century to denote very diverse voluntary and involuntary population movements. During the nineteenth and twentieth centuries the meaning was narrowed to denote forced migration of Protestant migrants. During the eighteenth century, about 3,500 Protestants were exiled from Austria and Bohemia to parts of Hungary where Protestants were tolerated. Steiner, *Rückkehr unerwünscht*, 248-49, 496.

⁴²² *Protocollum Deputationis Aulica in Re Sanitatis*, to the Empress Maria Theresa, 16 October 1769, 1769 November 3, KA ZSt MilKom Sanitätshofkommission Akten 2; SHD to TLA, Vienna, 7 March 1770, 1770 Majus 2; SHD to TLA, Vienna, 28 June 1770, 1770 Junius 15; SHD to Transylvanian SK, Vienna, 26 July 1770, 1770 Julius 21, KA ZSt MilKom Sanitätshofkommission Bücher 5; Gavrilović, *Prilog istoriji trgovine i migracije*, 111-14.

⁴²³ Gavrilović, *Prilog istoriji trgovine i migracije*, 116-20. Preventing migrants from returning to the Ottoman Empire was problematic, since the Ottoman-Habsburg treaties guaranteed Ottoman subjects safe return home. As a member of the Ottoman border commission in 1740 emphasized: “I am... a

Permanent migrations during wars in which only one side was involved could be justified to some degree. The refugees came at their own initiative, searching for a safe place after their original state could not provide sufficient security of life and property. They afterwards received financial help and privileges from the Habsburg authorities and made a formally free decision to stay. The Ottoman Empire, interested in keeping friendly relations with the Habsburgs during and after the war, did not insist on getting its former subjects back. The Habsburg Monarchy, however, also encouraged the immigration of Ottoman subjects when both empires were at peace.

In the Ottoman Empire, peasants were in principle free to move.⁴²⁴ Although some international arrangements allowed the emigration of Christians, such as the Russian-Ottoman peace treaties of 1774 and 1792,⁴²⁵ the peasants were expected to use free mobility to move around Ottoman dominions, not beyond. In 1764, Ottoman border guards killed two members of a group that was crossing the Ottoman-

subject of the Sublime Porte, and in the stipulations of the peace treaty it is explicitly stated that the Ottoman subjects, who are in your [Habsburg] lands... could have free passage [to the Ottoman Empire] whenever they want.” “Ich bin ja kein Niemand, sondern bin ein Untertan der Hohen Pforte, und in den Bestimmungen des Friedensvertrages heißt es ausdrücklich, daß Untertanen der Pforte, die sich in Euren Landen befinden, wie auch Untertanen Eures Staates, die sich in unseren Landen befinden, jeweils in ihr Land zurückzubegleiten sind.” Later, while discussing the request of the Ottoman commissioner for the Habsburgs in Transylvania to imprison Ottoman Tschusch Mustafa, Nu’ mân Efendi objected: “Zumal es doch in den Bestimmungen des Friedensvertrages heißt, daß ihre Leute, die sich auf unserem Gebiet aufhalten, und unsere Leute, die sich auf ihrem Gebiet aufhalten, jeweils freies Geleit in ihr eigenes Land haben.” Prokosch, *Molla und Diplomat*, 162, citation 164, citation 174. The measures preventing Ottoman peasants from returning to the Sultan’s lands were not always effective. Of 4,761 immigrants from the Ottoman Empire who arrived from Ottoman “Dalmatia” and Venetian Dalmatia between 1773 and 1775, and were settled in Srem, by 1777 302 managed to escape to the Ottoman Empire. An even bigger number died by 1777, 1,006 persons. Gavrilović, *Prilog istoriji trgovine i migracije*, 114.

⁴²⁴ Adanir, “Religious Communities and Ethnic Groups,” 64-66.

⁴²⁵ Iannis Carras, “Connecting Migration and Identities: Godparenthood, Surety and Greeks in the Russian Empire (18th – Early 19th Centuries),” in *Across the Danube*, 66.

Habsburg border to emigrate.⁴²⁶ Peacetime emigration from the Ottoman Empire to the Habsburg Monarchy, particularly if the Habsburgs would be perceived as trying to induce Ottoman subjects to leave, would also not be in the spirit of good neighborliness. When in May 1762 a large group of Ottoman immigrants, 678 persons, crossed the border near the quarantine station Mitrovica in Srem, one of the concerns of the Sanitary Court Deputation was how the Ottomans were going to react. If the Ottomans were to request their subjects back, the Sanitary Court Deputation admitted, the Habsburg Monarchy would probably have to comply.⁴²⁷

The arrival of immigrants was covertly encouraged during peacetime, with Habsburg authorities introducing additional flexibility in the border regime to facilitate their crossing. The immigrants were allowed to cross the border outside official crossing points and to undergo quarantine outside stations. This was a special privilege, not enjoyed by other categories of travelers, including diplomats. They were, nevertheless, not exempted from quarantine. Provisional isolation and quarantines, under military watch and under supervision from the nearby quarantine station, were organized for them at the place of arrival. Summary tables of goods and immigrants (settlers) entering a particular station, compiled by the directors at the end of each year, reveal that the majority of Ottoman immigrants entered the Habsburg Monarchy

⁴²⁶ Gavrilović, *Prilog istoriji trgovine i migracije*, 111-14.

⁴²⁷ The quarantine funding and capacity problems for the group were resolved by organizing a provisional quarantine in a forest and by supporting the arrived families with food. All those investments of funds and resources would be lost, warned the Sanitary Court Deputation, if the Ottomans were to request their subjects back. Despite all these risks, the Sanitary Deputation approved the arrival of immigrants in this case. Military authorities in Slavonia urgently needed new settlers to replace the losses suffered by the border regiments of the Military Border in the Seven Years' War (1756-1763). Vienna, 25 May 1762, to Slav. SK, 1762 Majus 2; Vienna, 25 June 1762, to Slav. SK, 1762 Junius 8; Vienna, 10 July, to the Count Merchy, commander in Slavonia, 1762 Julius 1, KA ZSt MilKom Sanitätshofkommission Bücher 3; SHD protocol from 16 May 1762, 1762 May 5, KA ZSt MilKom Sanitätshofkommission Akten 1.

outside official border crossings. For example, the list of immigrants that passed through the Pančevo quarantine station in 1754, numbered seventy-four persons. Most immigrants there, forty-seven, were not registered in the quarantine monthly tables, because they did not enter through the quarantine station. Even the immigrants that appeared in the Pančevo quarantine tables crossed the border elsewhere, for example downstream near the Habsburg village of Omoljica or further downstream near the Habsburg village of Kovin.⁴²⁸ Like the Habsburgs, Ottoman authorities tried to prevent tax-paying subjects from leaving. The Habsburg authorities therefore had an interest in encouraging prospective immigrants from the Ottoman Empire to cross the border outside of official border crossings, away from the gaze of Ottoman authorities. For Habsburg authorities it was easier to deny their involvement if the migrants did not enter through official crossings and regular procedures.

The immigrants arrived for different reasons. They could be escaping temporary anarchy or vicious attacks by robbers. In 1704, the inhabitants of three Habsburg villages in Srem collectively moved to the Ottoman Empire fleeing from robber bands' violence.⁴²⁹ Economic motives apparently played an important role too, particularly the wish to evade the tax burden. In the 1740s, Wallachia and Moldavia, two Ottoman vassal principalities, may have lost a half of their peasant population, who emigrated both to the Ottoman Balkan provinces and to the Habsburg territory to escape the heavy tax burden.⁴³⁰ As mentioned above, many refugees arriving at the Habsburg

⁴²⁸ For example, the following crossings in the Pančevo quarantine tables fit into this category: Rade Gregorovich, the Peter Mihai Group, Radoslav Ignat, Theodor Radovith group, Wassilia, in June-July 1752; Stan Markovith group in November 1753, Kontumaz-Tabellen, Pančevo; Consignation, was pro 1754 vor emigrirte Familien ex Turcico in hießiger Contumaz, die quarantine gehalten, Pančevo, 31 December 1754, Johann Paitsch, Cont. Director, FHKA NHK Banat A 123.

⁴²⁹ Gavrilović, *Hajdučija u Sremu*, 10-17, 20, 32, 35-36, 47, 241-45.

⁴³⁰ Aksan, *Ottoman Wars 1700-1870*, 141.

borders during the Russian-Ottoman War of 1768-1774 were former Habsburg subjects, emigrating previously to the Ottoman Empire because of high Habsburg taxes. When taxes in the Habsburg Monarchy were lower, migrations intensified in the opposite direction. In 1755, the Pančevo quarantine director Paitsch complained that, after the Ottomans lowered their taxes in the autumn of 1755, the inflow of immigrants to Pančevo all but stopped.⁴³¹ It is no wonder then that the Habsburg border authorities used tax exemptions and incentives as a main tool to attract new settlers from the Ottoman Empire. In 1749, the War Council decided to exempt new Ottoman settlers from taxes and duties during the first five years of their life on the Military border. During the 1760s and the 1770s, many immigrants were settled in Banat, the most thinly populated part of the Military Border.⁴³²

In the period when Habsburg Hungary was still sparsely inhabited it was expedient for the Habsburg Monarchy to populate it as quickly as possible. Ottoman migrants were coming from nearby areas. They often came at their own initiative, fleeing from high taxes and hunger, not only from the Ottoman Empire, but also from Venetian possessions on the Adriatic. Since they funded the trip themselves up to the border, the costs for their settlement were therefore lower than for German colonization from the Holy Roman Empire. By the 1780s, it was not as easy as before to find suitable settlement locations for newly arriving migrants.⁴³³ In 1786 Engel, describing the structure and history of the Military Border, noticed that, due to the arrival of “Transmigranten Familien” from the Ottoman Empire and Venetian

⁴³¹ When “in den Türkischen mit der Contribution etwas leidtlicher zu gehet, kommen wenig oder gar keine Transmigranten mehr herüber.” Johann Paitsch to TLA, 31 October 1755, Sanitäts-Diarium von der Contumaz-Station Panzova pro October 1755, FHKA NHK Banat A 123.

⁴³² Hietzinger, *Statistik der Militärgränze*, vol. 1: 176-77; Gavrilović, *Prilog istoriji trgovine i migracije*, 111-14, 116-20; Fata, “Donauschwaben,” 536-37.

⁴³³ Gavrilović, *Prilog istoriji trgovine i migracije*, 116-20.

Dalmatia in previous decades, the population of the Military border had increased significantly.⁴³⁴

The migrations were controlled in both directions. Even though the emigration-control duty was rarely emphasized, it was no less important than immigration checks. The borders needed to be crossed in a proper, controlled way in both directions. “The upcoming Turks or Greeks... can only enter through quarantine stations, following the regular cleaning procedure.” “If imperial subjects [...] would go to Belgrade or further into Turkey [Ottoman Empire], they should apply for a passport at a General Command [beforehand].”⁴³⁵ In fact, in healthy times, for Habsburg subjects, it was a

⁴³⁴ Engel, “Beschreibung des Königreichs Slawonien,” vol. 2: 379-80; Grete Klingenstein, “Modes of Religious Tolerance and Intolerance in Eighteenth-Century Habsburg Politics,” *Austrian History Yearbook* 24 (1993): 1-7. The Habsburgs could afford to be more selective in the subsequent decades. When in 1785 a unit of *Freikorps*, made up previously from 100 Ottoman and Venetian subjects volunteering to fight against the Dutch in the Kettle War (1784), was disbanded, some of its members were settled in the Habsburg Monarchy, while others were deemed unsuitable and were expelled back to the Ottoman territory. “die zur Ansiedlung nicht qualifiziert waren, wurden ad Turcicum geschoben” Engel, “Beschreibung des Königreichs Slawonien,” vol. 2: 618-23. By 1813, the interest in Ottoman migration decreased further. That year, the Monarchy accepted about 100,000 refugees after the Ottomans suppressed the First Serbian Uprising (1804-1813). After the Ottomans offered general amnesty, the Habsburgs did not prevent the great majority of refugees from returning, with only a fraction remaining and naturalizing. Hietzinger, *Statistik der Militärgränze*, vol. 1: 178-79. Malthusian overpopulation claims did not become influential in demographic policies in Europe before the mid-nineteenth century. McKeown, *Melancholy Order*, 37. Since the colonization in Hungary continued in the nineteenth century, this would suggest that in 1813 Ottoman migrants were less favored as colonists than several decades before.

⁴³⁵ “Türken oder Griechen... müssen sie mit einen Pass von jenseitiger Obrigkeit versehen seyn und nirgends als bey der Contumaz eingelassen werden, und zwar mit Observirung der normalmässigen Reinigung”. “[wenn] kayserliche Unterthanen wichtige Verrichtung in Handlungsgeschäften haben und nach Belgrad oder weiter ad Turcicum zu gehen hätten, sich immediate bey einen hohen Generalcommando umb ein Pass zu melden haben. Komen sie zurück, so werden sie bey keinen anderen als dem Contumazthor eingelassen, wo sie die neu vorgeschriebene Reinigung passiren müssen”. Zemun, 7 August 1785, IAB, ZM, 1785-3-238, in Ilić, *Beograd i Srbija*, 592-93. To send a commercial agent to the Ottoman Empire, a merchant from Zemun, Alexa Ratkovics asked for a

graver sin to exit the Monarchy without proper authorization, than to enter it illegally. Border controls helped preserve the existing pool of productive tax-paying subjects and serving soldiers.

From the beginning, prevention of desertion⁴³⁶ remained one of the official duties of the sanitary cordon and border guards. The Ottoman side did not return Habsburg deserters. Only their weapons would be sent back. The deserters received passports from border Pashas, such as the Pasha of Belgrade for further travel.⁴³⁷ Even when border controls failed to prevent desertion to the Ottoman Empire, the Habsburg border authorities worked to catch the returning deserters. Former soldiers from the imperial army arrived at the Habsburg-Ottoman border sometimes years after they had deserted, attempting to sneak back into Habsburg territory and to continue their return journey to Germany, Italy or France. Daniel Müller, a forty-five-year-old Lutheran born in Waldeck, a deserter from a Waldeck infantry regiment, was brought on 10 May 1756 to the Pančevo quarantine station. Destitute and with a cold, he had crossed the border on the Danube and wandered for four days before being stopped by a hussar. He explained that he had deserted and crossed the border into the Ottoman Empire three years earlier.⁴³⁸ Another deserter, Caspar Auman, from a Baden Baden regiment was caught two months later trying to cross the border through the Danube

passport from the commander of Zemun. IAB, ZM, Rathspatocoll 1784, p. 267, in Ilić, *Beograd i Srbija*, 534.

⁴³⁶ According to the 1751 patent on desertion, all soldiers not with their units and without passport would be considered deserters. Imperial-royal patent on desertion, Innsbruck, 13 April 1751, IAB, ZM, 1784-2-130, in Ilić, *Beograd i Srbija*, 12.

⁴³⁷ Taube, *Historische und geographische Beschreibung*, vol. 3: 106-108.

⁴³⁸ Sanitäts-Diarium von der Contumaz-Station Panzova pro May 1756, Pančevo, 31 May 1756, to TLA, 15 May 1756, FHKA NHK Banat A 123.

island Čakljanac (Czaklaner Insull).⁴³⁹ After passing the quarantine, both deserters were extradited to the military to be prosecuted for desertion.

The fight against emigration was one of principal tasks of the guards on the sanitary cordon. In 1752, Dr. Grosse, while inspecting the Transylvanian border stations, noted that one of main responsibilities of the border mobility-control regime was to prevent Habsburg peasants and soldiers from escaping to Ottoman Wallachia and Moldavia.⁴⁴⁰ Imperial patents from 19 July 1762 and 16 November 1763 prohibited unauthorized illegal emigration, prescribing five years of hard labor (Schanzarbeit) as a punishment. Attempts to leave were prosecuted harshly too. In 1771, five naturalized Habsburg subjects travelled from Srem to Mehadia under false excuses. They planned to cross there into the Ottoman Empire and enlist into the Russian army to participate in the war against the Ottomans. High water levels prevented them from realizing their plan. Their arrival was suspicious to local authorities. After their true intentions were revealed, they were arrested and prosecuted. They were all found guilty, with suggested sentences of five years of hard labor.⁴⁴¹ The descriptions of the Military Border from the late eighteenth century emphasized the prevention of emigration as one of the cordon's important duties. In

⁴³⁹ Director Paitsch to TLA, Pančevo, 26 July 1756; 29 July 1759, Sanitäts-Diarium von der Contumaz Station Panzova pro Mense July 1756, FHKA NHK Banat A 123. From TLA, 31 July 1756, 1756 September 7; From TLA, 7 August 1756, 1756 September 8; Temesvár, 10 August 1756, from TLA, 1756 September 20; Vienna, 11 April 1757, to TLA; 1757 Aprilis 5, KA ZSt MilKom Sanitätshofkommission Bücher 2.

⁴⁴⁰ Anmerkungen über den von H. Dr. Grosse ... Vorschlag wie die Siebenbürgische Gräntzen gegen der Moldau und Wallachey könn besser zu verwahren wären, Vienna, 1752, 1755 8, KA ZSt MilKom Sanitätshofkommission Akten 1.

⁴⁴¹ IAB, ZM, 1771-2-23, in Ilić, *Beograd i Srbija*, 314-17.

1778, borders soldier guarded the border day and night so that nobody could travel to the Ottoman Empire without a passport, emigrate or escape justice.⁴⁴²

The patent of Joseph II from 10 August 1784 outlawed emigration. All migrants with no intention to return as well as those exiting their *Kreis* or *Bezirk* without a passport and the knowledge and consent of its authorities were defined as emigrants. Exempted from this regime were the nobles older than twenty-eight years, and partially merchants and journeymen. All other subjects above seven were subjected to emigration supervision. Neighbors were obliged to report someone's absence. If a reported person did not return, the property would be confiscated and inheritance rights lost.⁴⁴³ The duty of neighbors to closely supervise each other in the fight against emigration complemented the work of border guards.⁴⁴⁴ The measures were relatively effective, since in 1786 the emigration of whole families from the Military Border were rare.⁴⁴⁵ The measures prohibiting emigration, therefore, had the same goal as policies encouraging immigration, to increase the number of productive tax-paying inhabitants. This was also reflected in the policies against border trespassers. While trespassing was harshly prosecuted, death sentences were avoided. Prison sentences

⁴⁴² "Die eigentliche Bestimmung dieser Grenz-Soldaten ist, sowohl in Friedens- als in Kriegszeiten, die Gränzen zu decken und dieselben Tag und Nacht zu bewachen [...] daß keiner ohne Paß in die Turkey gehe, daß die Ausreiser, übel Thäter und andere die über die Gränze ins türkische Gebieth flüchten wollen angehalten werden." Taube, *Historische und geographische Beschreibung*, vol. 3: 81.

⁴⁴³ Imperial Patent from 10 August 1784, IAB, ZM, 1833, P. 1343, in Ilić, *Beograd i Srbija*, 435-59.

⁴⁴⁴ "Auf der türkischen Gränze liegt die Verhinderung des Auswanderung dem Cordon, und in den Dörfern jedem Unterthan selbst ob, weswegen immer im Nachbar für dem andern responsibel bleibt." Engel, "Beschreibung des Königreichs Slawonien," vol. 1: 190, 274.

⁴⁴⁵ Engel, "Beschreibung des Königreichs Slawonien," vol 2: 541. In the early nineteenth century the border regime seems to have been less preoccupied with emigration. In 1835, the emphasis of border controls was on fighting smuggling, desertion and the immigration of "worthless shady characters." Jowitsch, *Ethnographisches Gemählde*, 48. Negative views of emigration survived for much longer, having a revival in the Habsburg Monarchy and its successors in 1889-1989, with new curbs on emigration. See Zahra, "Travel Agents on Trial," 161-93.

were routinely shortened, with the goal of returning lawbreakers to the general tax-paying population more quickly.

Clandestine cordon crossing outside quarantine stations was criminalized in the Habsburg Monarchy already during provisional sanitary cordons at the beginning of the eighteenth century. On the face of it, the system was very severe.⁴⁴⁶ Harsh sentences reflected the high stakes involved. One pestilent migrant sneaking in without undergoing quarantine could cause an epidemic in the Habsburg Monarchy. This did not happen often, but when it did, it was difficult to contain. In November 1762, a local plague epidemic was reported in Banat, first in the village of Brestovac near Pančevo and the village of Uljma, between Pančevo and Vršac. Despite immediate closures of pestilent settlements, the disease spread to the nearby villages of Omoljica, Pločica and Leopoldova (Čenta). This whole area of southern Banat remained surrounded by a provisional cordon and separated from the rest of the Monarchy until May 1763.⁴⁴⁷ Such outbreaks were relatively rare, but expensive and disruptive.

A patent published by Empress Maria Theresa on 25 August 1766, in force until 1805, prescribed death sentences for many offences against the sanitary cordon both

⁴⁴⁶ A very strict regulation was complemented by a juridical system with martial courts. In 1739 and 1740, Emperor Charles VI issued a patent that threatened anyone illegally crossing the provisional *Pestkordon* between Lower Austria and Hungary with the death sentence. The helpers, and particularly dishonest officials, were to receive the same punishment. *Festsetzung der Todesstrafe für diejenigen, die unerlaubt den um Niederösterreich gelegten Kordon gegen die Pest überschreiten*, 16 January 1740, FHKA SUS Patente 74.2.

⁴⁴⁷ Vienna, 22 November 1762, to TLA, 1762 November 21; Vienna, 8 December 1762, to TLA, 1762 December 15; to Slav. SK, Vienna, 14 December 1762, 1762 December 18; Vienna, 10 March 1763, to TLA, 1763 Martius 9; Vienna, 28 March 1763, 1763 Martius 24; Vienna, 8 April 1763, to TLA, 1763 Aprilis 6; Vienna, 3 May 1763, to TLA, 1763 Majus 6, KA ZSt MilKom Sanitätshofkommission Bücher 3.

in healthy and in pestilent times: for persons detected crossing the border outside border quarantines who would defy official warnings to return; for transgressors coming from pestilent provinces, detected only after they already entered; for migrants who reported a false place of origin to avoid long quarantine; for the locals who helped the transgressors; for migrants travelling with false health certificates to avoid quarantine; for persons who made these documents, officials who let them pass or did not report them in twenty-four hours; for officials who let quarantined persons exit their isolation earlier than authorized. The patent allowed no appeals to mercy.⁴⁴⁸

The typical court case for border transgression proceeded in the following manner. After being discovered, persons illegally crossing the border would be put into quarantine with their belongings, as well as the individuals with whom they had

⁴⁴⁸ Erneuerung der Kontumaz-Ordnung, 25 August 1766, FHKA SUS Patente 159.31. The severity of the legislation was amended formally in 1769, by clarifying that the harshest sentences would apply only in pestilent times, while in healthy times sanitary offenders were to be subjected to the regular criminal procedure. To the Slav. SK; to the Transylv. SK, the SK in the Generalate of Karlovac; also to the Banatische LA; to Commercial- Intendenza in Triest; also to HKR; to Obriste Justitz Stelle; to Ministerial Banco Deputation; Commerciens Rath; to the Hungarian and Transylvanian Chancelleries. Vienna, 9 February 1769, Freih[err] von Koller. The original in the Austrian and Bohemian Court Chancellery; Nota to the HKR; to the Obriste Justiz Stelle; to the Ministerial Banco- Deputation; to the Commerciens Rath; Inclyta to the Hungarian Chancellery; to the Transylv. Chancellery, Vienna, 9 February 1769, 1769 Februarius 3, KA ZSt MilKom Sanitätshofkommission Akten 2. A new law of 1805 further amended the harshness of sanitary law by reserving death sentences as possible punishments for trespassers, but not for Habsburg officials and other local helpers. Hietzinger, *Statistik der Militärgränze*, vol. 2, no. 2, 449: Merchants engaged in smuggling received two punishments, one for avoiding customs and the other for sanitary transgression. In 1753, Nikola Stojadinovich, a fisherman from Zemun and his partner, a Greek merchant Emanuel Hagy-Chyuro were arrested for smuggling sixty-eight otter furs, avoiding quarantine. If merchants were Ottoman subjects, the punishment for smuggling was the payment of double customs. If they were Habsburg subjects, their goods would be confiscated, with a third of the value going to a person who alerted the authorities. The punishment for avoiding proper quarantine was one year of hard labor in irons (Schanz Arbeit in Eisen) for both in the fortress of Petrovaradin. SHD, Vienna, 24 December 1753, to Slav. SK and Nota to HKR. 1753 December 12; Vienna, 16 February 1754, to Slav. SK, 1754 Februarius 5, KA ZSt MilKom Sanitätshofkommission Bücher 2; Engel, "Beschreibung des Königreichs Slawonien," vol. 2: 1025.

established contact, as was the case with three Ottoman subjects, Jovan Savich, Andrea Jovanovich and Sava Alexich in April 1755.⁴⁴⁹ After the full quarantine, the offenders would be brought to a local court. In military townships, such as in Zemun, they would be interrogated in front of all town councilors, who met twice a week. The investigation report and the suggested sentence would be then sent to the appropriate provincial military command and ultimately to the Court War Council in Vienna, for approval. The Sanitary Court Deputation would also be informed, and in the case of appeal, the Deputation would give a recommendation to the ruler.⁴⁵⁰ The final decision would be then sent through the War Council to the appropriate provincial command for execution. Beside prescribed death sentences, the other recommended punishment was hard labor, usually “trench digging” (*Schanzarbeit*).⁴⁵¹

When applied, however, sanitary criminal law was usually more lenient than prescribed. All sentences were often reduced on appeal or later. The death sentences were exceptional, and usually enforced against serving border soldiers. In 1763, the Sanitary Court Deputation confirmed the death sentence against two soldiers from the Karlovac Generalate, Arsenie Pricza and Stojan Mandich, for clandestine border

⁴⁴⁹ Vienna, 5 April 1755, to Slav. SK, 1755 Aprilis 1, KA ZSt MilKom Sanitätshofkommission Bücher 2.

⁴⁵⁰ The higher instance, a court body to which an appeal could be made by migrants convicted by a court in the first instance, was not always the Court Sanitary Deputation. In December 1753, for appeals of border transgressors convicted in Banat the appropriate place to appeal was the Banat Court Deputation. Vienna, 29 December 1753, to TLA, 1753 December 16, KA ZSt MilKom Sanitätshofkommission Bücher 2. Engel, “Beschreibung des Königreichs Slawonien,” vol. 2: 1045.

⁴⁵¹ Persons sentenced to *Schanzarbeit* could work on various places. Until 1776, many convicts, “Schanzgräber,” were engaged in earthworks on the Petrovaradin Fortress, the most important Habsburg fortification in this part of the frontier. Taube, *Historische und geographische Beschreibung*, vol. 3: 94.

crossing and for helping others to avoid the cordon.⁴⁵² Other death sentences were often commuted on appeal. In 1770, three border soldiers from Brod in Slavonia were first sentenced to death for sanitary transgressions. On appeal, however, the Sanitary Court Deputation commuted them to corporal punishments. Petar Karamanovich was to receive 100 blows, Miro Kacsich, was to run the gauntlet⁴⁵³ twice, and his son Marian once.⁴⁵⁴ Even these commuted sentences were uncharacteristically harsh. It was much more usual to commute death sentences into multi-year hard-labor punishments. In 1757, a group of twenty immigrants and Transylvanian civilian border guards (*plăieși*) was sentenced to death, for crossing the border illegally or for allowing these illegal migrations to happen. The Court Sanitary Deputation in the second instance commuted punishments into hard-labor sentences. The illegal immigrants were sentenced to three months in prison or of trench digging. The Deputation was less merciful towards guards, sentencing them from two to four years of trench digging.⁴⁵⁵

The most common sentences seemed to be from three months to a year of trench digging, as in case of Nicola, a Wallach sentenced to one year in August 1757.⁴⁵⁶

⁴⁵² Maria Theresia to the Interims- Commando in dem Carlstädter Generalat, Vienna, 1 October 1763, 1763-October-2, KA ZSt MilKom Sanitätshofkommission Akten 2; SHD to the Interimis- Commando in the Karlovac Generalate, Vienna, 2 October 1763, 1763 October, KA ZSt MilKom Sanitätshofkommission Bücher 3.

⁴⁵³ *Gassenlaufen* – to pass through a row of 300 soldiers beating a person with sticks. This was a less dishonorable but cruel and potentially deadly sentence.

⁴⁵⁴ The comment of the Slav. SK on The Rescript [from SHDeputation], Vienna, 3 February 1770; protocol of the Slavonian SK, from 20 February 1770, [Osijek], 1770 Martius 9, KA ZSt MilKom Sanitätshofkommission Akten 2.

⁴⁵⁵ Vienna, 28 May 1757, to Transyl. SK, 1757 Majus 12a, KA ZSt MilKom Sanitätshofkommission Bücher 2.

⁴⁵⁶ Vienna, 27 August 1757, to Slav. SK, 1757 Augustus 8, KA ZSt MilKom Sanitätshofkommission Bücher 2. There did not seem to be any difference between cases that preceded the strict 1766 quarantine transgression patent and those occurring after its promulgation. In fact, those before were

Compulsory labor, particularly working on trenches and fortresses (Schanz- und Festungsarbeit), was a standard punishment since at least the early seventeenth century, when convicts were sent to the military borders of Varaždin and Karlovac. Another compulsory labor punishment was to pull ships upstream (Schiffziehen) on the Danube.⁴⁵⁷ Actual sentences longer than several months were unusual; those longer than one or two years were exceptional. The offenders serving longest sentences were usually released after few months or a year. In addition, the convicted who were Ottoman subjects were sent to the Ottoman Empire if such a request was made.⁴⁵⁸ In July 1754, the Sanitary Court Deputation initially sentenced Risto Janovich, a *Hirschen-Würth* who secretly crossed to the Habsburg Monarchy, as well as the Habsburg subjects who helped him, to three years of trench digging in Petrovaradin (Peterwardein) fortress. However, at the request of the Ottoman Pasha of Belgrade, the Sanitary Deputation ordered in December that Risto be released, after it was confirmed that he was an Ottoman subject. After his release, ten Habsburg subjects sentenced for helping him to cross the border illegally were released as well, effectively serving only six months of their three-year sentence.⁴⁵⁹ This would suggest

often stricter, as with Milos Hero, sentenced to five years of hard labor. Vienna, 12 May 1759, to Slav. SK, 1759 Majus 15, KA ZSt MilKom Sanitätshofkommission Bücher 3. There also did not seem to be major differences in punishing border transgressions in pestilent and non-pestilent years.

⁴⁵⁷ Steiner, *Rückkehr unerwünscht*, 37, 40-41.

⁴⁵⁸ Like Soliman Mechmet, arrested in 1763 for secretly crossing the border, and then sent across the border at the request of Ottoman authorities. Vienna, 27 December 1763, to HKR, 1763 December 14, KA ZSt MilKom Sanitätshofkommission Bücher 3.

⁴⁵⁹ Vienna, 13 July 1754, to Slav. SK, 1754 Julius 6; Ollmütz, 7 September 1754, to Slav. SK; also to k. Hofkammer, and to HKR, 1754 September 1; Vienna, 16 December 1754, to Slav. SK; also to HKR, 1754 December 4; Vienna, 11 January 1755, to Slav. SK; also to HKR, 1755 Januarius 1, KA ZSt MilKom Sanitätshofkommission Bücher 2. The procedures were even more forgiving if the persons involved had higher rank. Although not exempted from the border mobility-control regime, nobles were subjected to a different set of rules, more respectful of their social status. Countess Telecky exited pestilent Transylvania in the autumn 1738 without quarantine and permission. Instead of being

that the principal purpose of harsh nominal sentences was deterrence, not punishment. People, as productive members of society, were too valuable to be lost or to be excluded for a long time. Relatively lenient Habsburg sentencing policies formed part of Habsburg population policies, aimed at increasing the number of tax-paying inhabitants. In a similar manner, criminals from Austria were deported to Banat, where they were to start their new life as colonists.⁴⁶⁰

Border Controls and Tolerance

Examined separately, border controls at the Habsburg-Ottoman border appear to have been universal, subjecting all migrants to controls and compulsory quarantine, and inclusive, accepting all healthy migrants who wanted to enter the Habsburg Monarchy. Border controls alone were just one of the elements that influenced migrants' decisions over whether and what kind of journey to begin from the Ottoman Empire to the Habsburg Monarchy. The treatment of migrants immediately beyond the border mattered as well: What professional and personal prospects did migrants have in the Habsburg Monarchy? How much travel freedom did they have? Where could they reside and for how long? In what kinds of professions were they allowed to engage? Would they be allowed to practice their religion freely? Would they be able to

arrested, she was asked to undergo quarantine and to pay a fine of 1,000 gulden. The sum was later decreased at the request of her husband. SHK, 16 October 1738, 1738 October 16, pp. 210; SHK, 19 February 1739, 1739 Februarius 10, p. 298, KA ZSt MilKom Sanitätshofkommission Bücher 1.

⁴⁶⁰ Steiner, *Rückkehr unerwünscht*. Lenient penal policy complemented measures that encouraged immigration and curbed emigration. Lenient policy toward transgressors continued in the nineteenth century. Tkalac, who crossed the border in the mid-1830s for a one-day visit to the Bosnian town of Velika Kladuša, with the secret approval of guards from both sides, noted that the provisions against trespassing were not harshly enforced during peaceful and healthy times. Tkalac, *Jugenderinnerungen*, 134-51.

integrate into local communities? Would they be allowed to naturalize?⁴⁶¹ All these elements could encourage or discourage migration.

In early modern times, important factors influencing migrations were religion, gender, class and wealth. The religion of migrants was particularly salient. The *Ius soli* principle, by which a person born in a country inevitably acquired subjecthood rights, was prevalent in large monarchies. The second generation of immigrants thus became the subjects of the host country at the moment of their birth. If they belonged to the same religious denomination as the host population, their integration and assimilation would be further speeded. Religion could also be an obstacle to successful integration. Legal and career limitations of non-Muslims in Islamic countries or of Jews in Christian Europe, for example, prevented integration, creating segregation and parallel societies.⁴⁶² For this reason, I examine how the principal confessional groups were treated after crossing the border and entering the officially Catholic Habsburg Monarchy. A spectrum of different and nuanced arrangements existed for non-Catholic Christians, Muslims and Jews.

Orthodox Christians made up the largest group of migrants who crossed the Habsburg-Ottoman border. Compared to other non-Catholic Christians, they had a better-regulated legal status in the Habsburg Monarchy, being formally acknowledged

⁴⁶¹ These questions remained relevant also in the post-Cold War world in public discussion about immigration: which migrants were acceptable and what rights and obligation would they be allowed to acquire in comparison with “autochthonous population.” Ulbe Bosma, Gijs Kessler and Leo Lucassen, “Migration and Membership Regimes in Global and Historical Perspective: an Introduction,” in *Migration and Membership Regimes in Global and Historical Perspective*, 1.

⁴⁶² Lucassen and Lucassen, “Mobilität,” 629; Leo Lucassen, “Towards a Comparative History of Migration and Membership in Southeast Europe (1500-1900),” *Ethnologia Balkanica* 13 (2009): 30-31, 33; Dirk Hoerder, Jann Lucassen and Leo Lucassen, “Terminologies and Concepts of Migration Research,” in *The Encyclopedia of Migration and Minorities in Europe: from the 17th Century to the Present*, ed. Klaus J. Bade, Pieter C. Emmer, Leo Lucassen and Jochen Oltmer (Cambridge: Cambridge University Press, 2011), xxxvi.

as a separate tolerated community in Hungary before the Edict of Toleration (1781).⁴⁶³ Many lived on the Habsburg Military Border, where Orthodox subjects and, more importantly, priests had been tolerated since the sixteenth century.⁴⁶⁴ The position of Orthodox Christians in the Habsburg Monarchy improved substantially in 1690. At the height of the successes in the War of the Holy League (1683-1699), Emperor Leopold I first issued an “Invitation” to Balkan Christians to rise against their Ottoman rulers, guaranteeing their existing religious and other rights. In August and December 1690 and in August 1691 Leopold I granted privileges that formally acknowledged the Orthodox Church in Hungary (at that moment led by the exiled Serbian Peć Patriarch Arsenius III), exempting it from taxes and from the jurisdiction of Hungarian Catholic hierarchy. The center of the metropolitanate was Krušedol in Srem, later Karlovci. The privileges transplanted to the Habsburg Monarchy the non-territorial communal autonomy, which Orthodox enjoyed in the Ottoman Empire.⁴⁶⁵ They were confirmed by Leopold I’s successors, including Maria Theresa. The Orthodox Metropolitan of Karlovci represented the Orthodox community in the Habsburg Monarchy. During most of the rule of Maria Theresa the relationship was maintained through the *Illyrische Hof Kommission*, founded in 1745, renamed the

⁴⁶³ They enjoyed much better status than segregated Protestant communities, where periods of quiet toleration were followed by not very effective forceful collective conversions. Klingenstein, “Modes of Religious Tolerance:” 1-7, 12-13.

⁴⁶⁴ During the seventeenth century, the Habsburg administration and Catholic Church tolerated even occasional visitations by Orthodox bishops from the Ottoman Empire, from the Patriarchate in Peć. The attempts to introduce a Union with the Catholic Church met the resistance of Orthodox subjects and had little support from the Habsburg military authorities, who were careful not to estrange the population needed for military defense. Rajko L. Veselinović, “Srbi u Hrvatskoj u XVI i XVII veku,” in *Istorija srpskog naroda*, vol. 3, no. 1: 471-87.

⁴⁶⁵ Adanir, “Religious Communities and Ethnic Groups,” 66-67.

Illyrische Hofdeputation in 1747. Unlike with Protestants, Vienna did not perceive the lack of religious conformity as a potential lack of political loyalty.⁴⁶⁶

Orthodox migrants could thus not only enjoy the same commercial privileges and free-travel provision as the other Ottoman subjects. They could join local Orthodox communities in Hungary; they could participate in public religious services; finally, they could integrate and naturalize and become Habsburg subjects, assimilating completely into the local Orthodox population, which composed a majority in most of Banat, as well as in many parts of southern Hungary, Slavonia and Croatia.⁴⁶⁷ In the eighteenth century, Orthodox religious rights became in fact better protected in the Habsburg Monarchy than they were in the Ottoman Empire. The career opportunities were better, too. Orthodox subjects could enter the military where they could be promoted to officers' ranks. The Edict of Toleration further increased their rights and freedoms. This regime encouraged residence and immigration, and the creation and maintenance of extensive trade networks, crucial for commerce. Many of these networks were composed of "Greeks," naturalized Habsburg subjects.⁴⁶⁸

⁴⁶⁶ Both the Catholic Church and the Hungarian estates continued to contest these privileges, without much success. These contentions and pressures subdued after the 1750s and 1760s, at the very time when pressures on Habsburg Protestants increased. Taube, *Historische und geographische Beschreibung*, Vol. 1: 71-73; Jowitsch, *Ethnographisches Gemählde*, 141-42; Klingenstein, "Modes of Religious Tolerance:" 1-7; Rajko L. Veselinović, "Srbi u Velikom ratu 1683-1699:" in 524-28, 552-54, 558, 560-63; Marija Petrović, "Josephinist Reforms and the Serbian Church Hierarchy in the Habsburg Lands" (PhD diss., University of Oxford, 2009), 39-47, 49, 55-75.

⁴⁶⁷ Taube, *Historische und geographische Beschreibung*, Vol. 1: 59-60; Jowitsch, *Ethnographisches Gemählde*, 55-56, 59-62.

⁴⁶⁸ Some "Greeks" were ethnic Greeks. Greek language was at this time the lingua franca of trade and was used not only by Greeks, but also by Slavs, Aromanians and Albanians. "Greek" was also a synonym for Orthodox Christians, short for Greek Orthodox Christians (similar to Roman Catholic Christians). Stoianovich, "The Conquering Balkan Orthodox Merchant:" 245-47, 277-79, 290-91, 304; Bur, "Handelsgesellschaften," 269-90; Katsiardi-Hering, "Migrationen:" 133; Faroghi, "The Ottoman Empire Confronting the Christian World," 95, 106; Ioannis Zelepos, "Griechische Händler und Fanarioten in Süd- und Südosteuropa von der Frühen Neuzeit bis zum 19. Jahrhundert," in

In the first half of the eighteenth century, as a religious minority, Orthodox Christians were occasionally singled out and perceived negatively. In 1710, during a plague epidemic, the Court Sanitary Commission excluded Orthodox Serbs (Raitzen) and Jews from Inner Austria, even if they possessed proper and valid travel documents. It was perceived that they were more likely to transfer plague than the general population.⁴⁶⁹ During the next plague epidemic, this prohibition was repeated on several occasions in 1738 and 1739. In addition to Jews, a general prohibition of internal mobility for various groups of Orthodox Christians (Serbs, Greeks, Romanians) and for Armenians was temporarily enforced. As stated in a report from October 1738, “Serbs, Greeks, Jews and other vagabonds should not [be allowed to] pass.”⁴⁷⁰ This kind of negative profiling of Orthodox Christians disappeared in the second sanitary cordon after 1740.⁴⁷¹

In the late 1760s and the early 1770s, distrust and a negative image was limited to Ottoman Orthodox Christian clergy. During the Russian-Ottoman War of 1768-1774, the Sanitary Court Deputation warned border authorities to keep a watchful eye in

Enzyklopädie Migration in Europa, 615-16; Sundhaussen, “Südosteuropa,” 292, 298-300; Olga Katsiardi-Hering, “Grenz-, Staats- und Gemeindekonstruktionen in der Habsburgermonarchie: Identitätendiskurs bei den Menschen aus dem Süden,” in *Griechische Dimensionen südosteuropäischer Kultur seit dem 18. Jahrhundert. Verortung, Bewegung, Grenzüberschreitung*, ed. Maria Oikonomou, Maria A. Stassinopoulou and Ioannis Zelepos (Frankfurt am Main: Peter Lang, 2011), 236, 238-44.

⁴⁶⁹ The Court Jews with Court passports were exempted. Pest-Ordnung, 14 October 1710, FHKA SUS Patente 43.15.

⁴⁷⁰ 1738 Julius 8; 1738-Julius-36; SHK, 30 July 1738, 1738-Julius-43; “Raitzen, Griechen, Juden, und andere Vagabunden sollen nicht passieren” SHK, 8 October 1738, 1738-October-12; 1739-Junius-16; 1739-Julius-3; 1739-September-3, KA ZSt MilKom Sanitätshofkommission Bücher 1.

⁴⁷¹ The order of the Sanitary Court Deputation from 1762, to expel Macedonian petty traders from the Karlovac Generalate in order to improve health conditions was untypical for the second half of the eighteenth century. Bartenstein to Maria Theresa, Vienna, 26 October 1762, 1762 October 23; Bartenstein to Maria Theresa, Vienna, 31 October 1762, 1762 December 17, KA ZSt MilKom Sanitätshofkommission Akten 1.

particular on Orthodox clergy, on “Geistlichkeit, Mönchen, verwittibten Poppen, und Studenti Graeci non uniti Ritus” coming from the Ottoman Empire.⁴⁷² Emperor Joseph II proposed refusing entry altogether to Ottoman Orthodox clergy without proper travel documents. If they were allowed to permanently settle in the Habsburg Monarchy, they would take away positions from domestic priests, since there was little use for them in other professions, argued the emperor. The Illyrian Court Deputation, the court body that had jurisdiction over Habsburg Orthodox subjects, concluded in 1770 that refusing entry would expose them to terrible retributions and death from the Ottomans. The deputation successfully argued that they should be let in, in accordance with the decision of Maria Theresa to give refuge and bread to all Christian refugees from the Ottoman Empire. Ottoman Orthodox clergy were expected, however, to return to the Ottoman Empire once the war between the Sultan and Russia was over.⁴⁷³

It appears in the treatment of Ottoman Orthodox clergy that the principal reason for their undesirableness was not their confession, but their profession and their Ottoman subjecthood. At the same time central institutions debated how to keep as many as possible other Ottoman Orthodox Christians in the Habsburg Monarchy. Future Habsburg subjects who would engage in agriculture, trade and commerce, and contribute to public prosperity and the state’s purse were welcome. Foreign clergy, on the other hand, were regarded as a public burden, draining the funds and resources that

⁴⁷² Insinuation to the Transylvanian Hof-Kanzley, Vienna, 21 April 1770, 1770 Aprilis 15; *Schreiben* of the SHD president the Baron Koller to the president of the Transylvanian SK, the Count O’Donel, Vienna, 7 May 1770, 1770 Majus 3; Decree to the SK in Karlovac; to TLA; to the Hungarian Hof Kanzley, Vienna, 16 November 1770, 1770 November 7, KA ZSt MilKom Sanitätshofkommission Bücher 5.

⁴⁷³ Gavrilović, *Prilog istoriji trgovine i migracije*, 120-25.

could otherwise be used productively.⁴⁷⁴ In the Ottoman Empire, the Orthodox clergy often acted as representatives of Orthodox Christian communities, collecting taxes for the Ottoman state. For this reason, the Habsburg authorities could perceive Ottoman Orthodox clergy as politically suspicious agents of the Ottoman state. The Habsburg Monarchy had its own, domestically educated Orthodox Christian clergy, represented by the politically loyal Karlovci Orthodox Metropolitanate. Even the Habsburg Orthodox Metropolitan of Karlovci, Jovan Đorđević (1769-1773), complained that he had no control over Ottoman Orthodox Christian clergy refugees once they entered the territory of the Monarchy, while he had to take responsibility for them. He suggested not letting them in. In the end, central government showed more compassion for their fate than did their Orthodox brethren under Habsburg rule. The Ottoman Orthodox clergy were accepted and sent to Orthodox monasteries, to remain under the supervision of the metropolitan of Karlovci. They were expected to return to the Ottoman Empire once the war between the Sultan and Russia was over.⁴⁷⁵

Ottoman Orthodox clergy refugees remained under close supervision during the war, refusing any attempts to integrate them into Habsburg society. In November 1770, the Illyrian Court Deputation reversed the naturalization of four Ottoman monks. The same year it called for stricter punishment of the Orthodox monk, Jeronim Nikolić, recognized as a former Habsburg subject, who had emigrated without permission years before. Born originally in the Habsburg Monarchy, Nikolić was initially a monk in a monastery on Fruška gora, in Habsburg territory. In 1760, he secretly emigrated to the Ottoman Empire, justifying this by his wish to go on

⁴⁷⁴ The Habsburg Monarchy, which radically decreased the number of Catholic clergy and abolished many Catholic monasteries about a decade later, was not interested in adding more Ottoman Orthodox Christian priests and monks.

⁴⁷⁵ Gavrilović, *Prilog istoriji trgovine i migracije*, 120-25.

pilgrimage to the Holy Land. Instead of returning to his homeland, he became an Ottoman subject, visiting Habsburg lands with Ottoman passports on several occasions to collect charity. In 1770, he crossed into the Habsburg Monarchy again, this time without permission and travel documents. For illegal entry and for unlawful emigration, Nikolić was arrested and sentenced to the loss of his clerical status and two years of prison. At that moment, the Illyrian Court Deputation intervened, arguing that such a person should be shown no mercy and should be sentenced to death for sanitary transgression. Finally, he was sentenced to six years of prison, which he himself had to finance.⁴⁷⁶

The experience of Muslims after crossing the border and undergoing quarantine was different. Muslims were not tolerated in the Habsburg Monarchy. They could not become Habsburg subjects and keep their religion. After the Habsburg conquest of Hungary, Slavonia and parts of Croatia in the War of the Holy League (1683-1699), thousands of Muslims left the provinces.⁴⁷⁷ There was also intolerance toward converts. After the Habsburg conquests of Ottoman Lika in Croatia, for example, a minority of Muslims that stayed was baptized, but 882 of them fled eventually, nevertheless, since they continued to be distrusted and persecuted.⁴⁷⁸ A request for conversion remained a necessary prerequisite for naturalization throughout the

⁴⁷⁶ Gavrilović, *Prilog istoriji trgovine i migracije*, 120-25.

⁴⁷⁷ About a half of the population of Ottoman Slavonia settled subsequently in Bosnia. Sundhaussen, "Südosteuropa," 985-87. There was a belief, not shared by all Islamic legal scholars, that pious Muslims should leave the territories controlled by non-Islamic countries and settle with their families in an Islamic state. Some muftis allowed Muslims to stay with their families in infidel countries for pragmatic reasons. Sanjay Subrahmanyam, *Three Ways to Be Alien: Travails and Encounters in the Early Modern World* (Waltham, MA: Brandeis University Press, 2011), 13.

⁴⁷⁸ Enes Pelidija, "O migracionim kretanjima stanovništva Bosanskog ejaleta u prvim decenijama XVIII stoljeća," in *Migracije i Bosna i Hercegovina* (Sarajevo: Institut za istoriju, 1990), 119-31; Kaser, Grandits and Gruber, *Popis Like i Krbave 1712*, 10, 18, 20-22; Kaser, "Siedler an der habsburgischen Militärgrenze," 985-87; Sundhaussen, "Südosteuropa," 294-98.

eighteenth century. The conversion was to be followed by the pledge of allegiance (Huldigungseid) to the Habsburg ruler.⁴⁷⁹ In 1768, during the Russian-Ottoman War of 1768-1774, the Viennese War Council decided to allow entry and to give assistance and support only to Christian refugee families, while the Muslim families would be let in only if they converted to Christianity.⁴⁸⁰

Other countries at the time excluded Muslims as possible subjects. In France, while naturalizations of Protestants and some Jews continued to happen occasionally even after the Edict of Nantes was revoked in 1685, Muslims were allowed to become French subjects only if they converted to Catholicism.⁴⁸¹ This was not the only possible arrangement. The Ottoman Empire itself, like other Islamic states, tolerated “the people of the Book,” Jews and Christians, with appropriate legal accommodations.⁴⁸² Finally, some non-Islamic states accepted Muslims as subjects. Unlike the Habsburgs, Russian sovereigns not only kept Muslim subjects in conquered areas. They also encouraged Muslim immigration. For example, Muslim merchants from Bukhara and Tashkent were invited to settle in Russian towns, such as Tobolsk.⁴⁸³

⁴⁷⁹ Taube, *Historische und geographische Beschreibung*, vol. 1, 59-60, vol. 2, 27-28; Taube, *Historische und geographische Beschreibung*, vol. 3, 59-60; Faroghi, “The Ottoman Empire Confronting the Christian World,” 95.

⁴⁸⁰ Gavrilović, *Prilog istoriji trgovine i migracije*, 111-14.

⁴⁸¹ Peter Sahlins, “Fictions of a Catholic France: The Naturalization of Foreigners. 1685-1787,” *Representations* 47 (1994): 89-99, 101-102. Exclusion of Muslims continued in the next centuries. The United States excluded Muslim immigrants in the late nineteenth century based on discretion with an explanation that they were ineligible as polygamists. McKeown, *Melancholy Order*, 209.

⁴⁸² Non-Muslims enjoyed inferior legal status and fewer career opportunities compared to Muslims. The Ottoman Empire abolished the legal differences between Muslims and non-Muslims in 1839 and in 1856. Adanir, “Religious Communities and Ethnic Groups,” 56, 72-73.

⁴⁸³ Khodarkovsky, *Russia's Steppe Frontier*, 188-89, 217.

Muslims were not only unacceptable as permanent residents in Habsburg lands. They were also closely supervised while traveling or temporarily residing in the Monarchy. Border authorities insisted on the separation of Muslims from the rest of the population, particularly in border towns. Muslim travelers were to be accommodated in separate lodgings, a building called *han* (Haan). In Pančevo the *han* was placed right next to the quarantine station. There, Muslim merchants waited for their goods to be released from quarantine. The separation was not always respected, and the orders to accommodate Muslims separately were periodically repeated. In 1753, the Zemun military command and the Slavonian General Command investigated the unsupervised exit of four “Turks” from the town “Haan.”⁴⁸⁴ The Slavonian General Command ordered in 1771 the Zemun magistrate to convert one house into a *han*, for the accommodation of “Türken.” They were to be lodged there exclusively and put under night watch so that nobody could sneak out. The official reason for this measure was to prevent eventual incidents.⁴⁸⁵ In 1767, to prevent Ottoman subjects from spending nights in inns and coffeehouses, the Slavonian military command forbade serving wine after ten o’clock.⁴⁸⁶

Muslims were perceived as a group with a different set of norms and values, hard to reconcile with those prevailing in the Habsburg Monarchy. Muslim merchants often had the status of soldiers, Janissaries, enjoying tax exemptions in the Ottoman Empire. They seem to travel armed through the Habsburg Monarchy. In 1770 it was specified that they, like all migrants, needed to leave their arms before entering

⁴⁸⁴ Vienna, 27 September 1753, to Slav. SK, 1753 September 8, KA ZSt MilKom Sanitätshofkommission Bücher 2.

⁴⁸⁵ Slav GK, Verordnung, 5 February 1771, IAB, ZM, 1771-2-24, in Ilić, *Beograd i Srbija*, 303.

⁴⁸⁶ Slav GK, to ZM, Osijek, 22 December 1767, IAB, ZM, 1767-2-28, in Ilić, *Beograd i Srbija*, 259-60.

quarantine.⁴⁸⁷ They were used to a privileged status in Ottoman society. In January 1755, the president of the Hungarian *Hofkammer* complained to the State and Court Chancellor Count Haugwitz that a “Turk” Janissary Hussein Bassa, quarantined in Zemun, had attacked two quarantine servants and killed one of them, Sabatian Wander. Count Haugwitz subsequently sent a protest to the Pasha of Belgrade through the commander of Slavonia.⁴⁸⁸ The Habsburg authorities, fearful that eventual disputes could escalate into serious incidents may have believed that the separation of Muslims would decrease the danger. The incidents that occurred were often explained by citing irreconcilable differences between Muslims and non-Muslims. Also in 1755, a “Turk,” lodging in a private house, attempted to sexually assault the hostess Maria Stephanoviz, and then beat her husband who tried to confront him. In reaction, the Slavonian General Command instructed the Zemun municipality to separate the accommodation of Ottoman Muslims, suggesting that the mixing of Ottoman Muslims (Türken) with domestic subjects led to incidents.⁴⁸⁹

⁴⁸⁷ No. 1152. Generalsanitätsnormativum, 2 Januar 1770, 3-112, *Sammlung aller k. k. Verordnungen und Gesetze vom Jahre 1740. bis 1780.*, vol. 6: 82.

⁴⁸⁸ SHD to the Hof- und Staatskanzlei and to Slavonian SK, Vienna, 28 January 1755, 1755 Januarius 6; SHD to Slavonian SK; to k. k. Hofkammer; the Chancellor Haugwitz to the Count Mercy, the commander of Slavonia, Vienna, 2 February 1755, 1755 Februarius 4, KA ZSt MilKom Sanitätshofkommission Bücher 2.

⁴⁸⁹ Species facti, Zemun, 13 November 1755, IAB, ZM, 1755-1-5, in in Ilić, *Beograd i Srbija*, 50-51. A similar house existed in Pančevo in 1756. Johann Paitsch to TLA, 10 February 1756 Sanitäts-Diarium von der Contumaz Station Banzova, pro Mense Febr. 1756, FHKA NHK Banat A 123. Following the publication of the very rigorous law addressing trespassing the cordon in 1766, the Sanitary Court Deputation sent explanatory instructions to quarantine and border authorities. The border officials and soldiers were advised to show respect and utmost moderation when dealing with “Turkish subjects and to born Turks in particular” (die Türkische Unterthanen, und bevorab die gebohrne Türcken). If they were caught trespassing, they were first to be asked in friendly manner and with nice words to return to Ottoman territory, thus avoiding arrest. It was better to send an Ottoman ship to the other side of Danube than to put a crew under arrest for attempted smuggling. Maria Theresia, Vienna, 5 March 1766, 1766 Martius 4, KA ZSt MilKom Sanitätshofkommission Akten 2.

Although some Muslim merchants, surveyed in Vienna in 1766-1767, had resided in the Monarchy for fifteen years or more,⁴⁹⁰ most came to buy or sell goods, returning thereafter to the Ottoman Empire. Muslim men who resided temporarily in the Habsburg Monarchy were not allowed to bring their wives.⁴⁹¹ No Muslim women and only one child were registered in the preserved Pančevo quarantine monthly tables of migrants between February 1752 and July 1756.⁴⁹² The restrictions on permanent residence in the Monarchy, as well as nominally free, but closely regulated and monitored, mobility disadvantaged Muslim merchants from the Ottoman Empire in comparison to Ottoman Christian subjects. It inhibited the creation of Muslim merchant networks, which could successfully compete on the Habsburg market. Muslims made up a tiny minority of travelers who crossed the Habsburg-Ottoman border. Only 2.8% of persons in the Pančevo quarantine tables that registered entries in 1752-1756 were Muslims.⁴⁹³ This would suggest that the regulation of residence and naturalization played a major role in shaping migrations between two empires.

⁴⁹⁰ HHStA StAbt Türkei V 27, Konv. 7, Konskription der Türken und türkischen Untertanen in Wien, 1766. See David Do Paço, *L'Orient à Vienne aux dix-huitième siècle* (Oxford: Voltaire Foundation, 2015), 95-98 for individual examples.

⁴⁹¹ Similar prohibitions of settlement of Muslim families existed in Venice from the fifteenth century. Pedani, *Dalla frontiera al confine*, 104-107, 110-11.

⁴⁹² Kontumaz-Tabellen, Pančevo, FHKA NHK Banat A 123. The Ottoman Empire also did not encourage permanent emigration and naturalization of its subjects. In the 1790s the Ottoman central government, though its chief dragoman Constantin Ypsilanti disputed the tax requests by the City of Amsterdam from Greeks, who lived there for years and bought houses. Ypsilanti argued that they remained, nevertheless, Ottoman subjects, with their families still living in the Ottoman Empire. Hakkı İsmail Kadı, "On the Edges on an Ottoman World: Non-Muslim Ottoman Merchants in Amsterdam," in *The Ottoman World*, 284-86.

⁴⁹³ Kontumaz-Tabellen, Pančevo, FHKA NHK Banat A 123.

Like Muslims, Ottoman Jews⁴⁹⁴ did not profit from the 1718 free travel and commercial privileges as much as Ottoman Orthodox subjects did. According to the survey from 1755, there were twenty-one male Jews in Zemun, seventeen of them Habsburg subjects (fourteen owned their houses), and four Ottoman subjects.⁴⁹⁵ Using the privilege granted to all Ottoman subjects to travel freely through Habsburg dominions, Sephardic Jews formed a community in Vienna only in 1778,⁴⁹⁶ decades after Ottoman Orthodox merchants did. This was very different from the situation about a century before, when Ottoman Jews had a big merchant network in Ottoman Hungary and other Ottoman European provinces.⁴⁹⁷ The Habsburg Monarchy offered much less freedom than the Ottomans to Jewish merchants. By the 1750s, the Jews

⁴⁹⁴ Jews were not tolerated in most communities in the Habsburg Monarchy. During plague epidemics in the first half of the eighteenth century, they were singled out as the likely carriers of pestilence along with other mobile groups and religious minorities: Greeks, Armenians, Serbs, Romanians. Their freedom of mobility was temporarily limited in 1710. In 1738, they were qualified, together with Greeks and Serbs as “vagabonds.” Pest-Ordnung, 14 October 1710, FHKA SUS Patente 43.15; 1738 Julius 8; 1738-Julius-36; 1738-Julius-43; “Raitzen, Griechen, Juden, und andere Vagabunden sollen nicht passiren” SHK, 8 October 1738, 1738-October-12; 1739-Junius-16; 1739-Julius-3; 1739-September-3, KA ZSt MilKom Sanitätshofkommission Bücher 1. Jews continued to be discriminated against in the second half of the eighteenth century. They were, for example, formally forbidden to reside in Slavonia and in the Slavonian Military border, except in Zemun, where they had a synagogue. Individual Jewish petty merchants were present, but rare, in the other parts of the border. From the sole reign of Joseph II (1780-1790) Jewish economic activity and the number of Jews increased, but insufficiently to create a strong independent merchant network in border areas.

⁴⁹⁵ Conscription deren zu Semlin befindlichen... Juden, Zemun, 31 October 1755, IAB, ZM, 1755-1-45, in Ilić, *Beograd i Srbija*, 49.

⁴⁹⁶ Klingenstein, “Modes of Religious Tolerance:” 9-12.

⁴⁹⁷ Taube, *Historische und geographische Beschreibung*, vol. 1: 59-60; vol. 2: 27-28; vol. 3: 59-60; Engel, “Beschreibung des Königreichs Slawonien,” vol. 1: 72-73; vol. 2: 574-81, 759-60, 762, 764-66; Hietzinger, *Statistik der Militärgränze*, vol. 1: 204; Jowitsch, *Ethnographisches Gemählde*, 55-56, 59-62; Tkalac, *Jugenderinnerungen*, 303-04; Stoianovich, “The Conquering Balkan Orthodox Merchant:” 245-47, 298-300; Slavko Gavrilović, *Jevreji u Sremu u XVIII i prvoj polovini XIX veka* (Belgrade: Srpska akademija nauka i umetnosti, 1989), particularly 47-99. Zelepos, “Griechische Händler und Fanarioten,” 615-16; Jessica V. Roitman, “Sephardische Juden im Europa der Frühen Neuzeit,” in *Enzyklopädie Migration in Europa*, 976.

had even a more modest role in the traffic between the Ottoman Empire and the Habsburg Monarchy than Muslims did. In the Pančevo quarantine tables of 1752-1756 only 1.3 % of persons passing through quarantine were Jews⁴⁹⁸.

The differing treatment of Orthodox Christians, Muslims and Jews in the Habsburg Monarchy after they crossed the border suggests that residence and naturalization regulation and practices played an important role in migration control, decisively shaping its outcomes. When regarded as a whole, these “membership regimes,” defined as “the complex of rules, regulations, customs and values surrounding the entry and long-term settlement of migrants in a new polity,”⁴⁹⁹ reveal a more nuanced and complex picture of migration controls, with religion playing a major role. While the border controls were universal and inclusive, residence and naturalization possibilities facilitated Christian migration, while curbing non-Christian traffic to temporary stays. Traveling families recorded in the Pančevo quarantine

⁴⁹⁸ Kontumaz-Tabellen, Pančevo, FHKA NHK Banat A 123.

⁴⁹⁹ (Bosma, Kessler and Lucassen, “Migration and Membership Regimes,” 10-11) The subjecthood in the Habsburg Monarchy was a relationship between a person and a specific “crown.” In Hungary, to which border areas with the Ottomans formally belonged, full citizenship was reserved only for nobles and for the citizens of royal cities. Pálffy, *Povijest Mađarske*, 77, 82-83. The regulation of residence and naturalization in early modern Europe was heterogeneous. In the United Provinces, citizenship was defined locally, with the Dutch citizenship being the sum of local citizenships. Citizenship was not universal. In addition to citizens, there were many people defined as inhabitants, not enjoying the political, economic and legal advantages of citizenship. For example, only citizens could be members of guilds. Maarten Prak, “Burghers into Citizens: Urban and National Citizenship in the Netherlands during the Revolutionary Era (c. 1800),” *Theory and Society* 26, no. 4 (special issue on recasting citizenship, 1997): 403-407. In France, membership was statewide. It was defined negatively, by making a difference between domestic subjects, *regnicoles*, who could leave inheritance to other domestic subjects, and foreigners, *non-regnicoles*, whose inheritance belonged to the French king. Sahlins, “Fictions of a Catholic France:” 85-92. In Spain, the subjecthood was not a personal relationship between the Spanish king and a person, but between the person and a specific “crown” (for example of Castile, Aragon, Navarra). Sahlins, *Boundaries*, 113-14.

records of 1752-1756 were virtually all Christians (333 of 335 recorded persons).⁵⁰⁰

The Habsburg immigration policy could be regarded as formally inclusive when it comes to the act of crossing the border. But at the same time this characterization needs to be qualified by pointing out that it hides a spectre of exclusion and selectiveness when it comes to residence and naturalization possibilities. In addition to migrants' perceived economic usefulness, religion continued to play a decisive role, opening up long-term prospects for Christian migrants, while closing them for non-Christians.⁵⁰¹

Border controls on the Habsburg-Ottoman border in the eighteenth century can be designated as universal. They targeted all travelers wanting to enter the Habsburg Monarchy from the Ottoman Empire, each individual and every category, unlike other contemporary mobility controls in Europe at the time. Nobody, not even diplomats and other high dignitaries, could receive complete exemption from compulsory quarantine. In this respect these controls were more systematic than some of the most comprehensive mobility controls at that moment, the controls at the city gates, where rare immunities did exist. The basic rationale for the comprehensive character of the controls on the Habsburg-Ottoman border was obvious. All migrants, regardless of their status, could be infected and bring plague and other contagious diseases into the Habsburg Monarchy. The diseases could be stopped at the borders only if everyone was controlled.

⁵⁰⁰ Kontumaz-Tabellen, Pančevo, FHKA NHK Banat A 123.

⁵⁰¹ Confession kept playing an important role even for Christians. Immigrants kept their separate confessional identities after naturalization. Such an approach preserved diversity and segmented parallel societies. The Habsburg Monarchy also preserved ethnic diversity on the village levels. Lucassen and Lucassen, "Mobilität," 632-33; Bosma, Kessler and Lucassen, "Migration and Membership Regimes," 10-12;

Privileges did exist, such as a shortened quarantine time, below the minimum of twenty-one days, or being quarantined outside quarantine stations. They were not reserved, however, only to the persons of higher status. The most exceptional privilege, permission to cross the border outside official border crossings and to undergo quarantine at a provisional location, was granted to common peasant immigrants, reflecting the strongly pro-immigration nature of Habsburg demographic policies. Mercantilistic, cameralistic and physiocratic theories that were influential in the Habsburg Monarchy in the eighteenth century, all favored population growth. A growing population was expected to lead to greater production and exports, greater trade surpluses, higher fiscal incomes and bigger armies. Immigration was a relatively fast manner to increase the population, particularly in sparsely populated regions on the border with the Ottomans. German immigrants from the Holy Roman Empire were preferred, but their settlement was slow and expensive. To settle border areas quickly, the Habsburg Monarchy promoted the cheaper settlement of Ottoman peasants.

Border controls were used as a tool for the facilitation of peacetime immigration from the Ottoman Empire. Military authorities organized provisional quarantines for large groups of immigrants, distributed food, permitted crossings outside official border crossings, decreased quarantine time below necessary minimums, for example for refugees escaping to the monarchy during the Russian-Ottoman war of 1768-1774. This was done with the expectation that the refugees would settle permanently in Habsburg territory. Border authorities received instructions to settle refugees away from the border and to prevent them, also by force if necessary, from returning to Ottoman territory. Similar policies were enforced in peacetime. The Habsburg side refrained from open involvement to avoid disputes with the Ottomans, opting instead

for entrusting recruitment of prospective immigrants to private persons. New settlers were attracted by promises of multi-year tax exemptions.

Other border procedures encouraged population growth as well. One of the major tasks of the border, at least from the 1750s, was to prevent the emigration of Habsburg subjects. The border population was required to cooperate. Border inhabitants were encouraged, through shared responsibility, a threat of harsh sentences and more positive incentives, such as rewards, to supervise and report each other. Border control was an emigration-preventing tool. Even the discrepancy between nominal harsh sentences and actual more lenient punishments for border transgressions could be explained as a manifestation of pro-population growth policies. People were too valuable to lose to capital punishment or to long prison sentences.

While border controls were not selective or exclusionary, the selective and exclusionary nature of Habsburg residence and naturalization regulations had a serious impact on the confessional composition of migrants. Christians made up twenty-four of every twenty-five migrants entering the Habsburg Monarchy from the Ottoman Empire. The number of Muslims and Jews was modest. Residence prospects and the toleration of religious autonomy mattered. These factors have to be given serious consideration when examining the effects of border controls. When it comes to the long-term prospects of migrants, they appear to carry much more weight.

Despite being universal and facilitating entrance into the Habsburg Monarchy, the border controls were still very expensive and time-consuming. Every migrant had to prolong the journey by from twenty-one to forty-two days. Everyone except destitute immigrants also had to fund their accommodation and provision during quarantine. Did border controls, despite their open-door character and inclusionary

nature, still curtail migrations by their mere existence? The next two chapters deal with this issue.