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## CHAPTER 1: THE NEW BORDER ARRANGEMENT

On 26 January 1699, in the small village of Karlovci, on the right bank of the river Danube, about seventy-five kilometers upstream from the Ottoman fortress of Belgrade, a peace congress was brought to a close. It ended the war between the Ottoman Empire on the one side and four allies, the Habsburg Monarchy, the Republic of Venice, the Russian Empire and the Polish-Lithuanian Commonwealth on the other. In the Habsburg-Ottoman Peace Agreement, the Ottoman Empire acknowledged recent Habsburg conquests and Vienna's control over most of Hungary. In addition to this, the bilateral agreement of 1699, usually known in the German spelling as the Peace of Carlowitz (or Karlowitz), completely reversed previous frontier arrangements.<sup>45</sup> The two sides agreed for the first time to separate their possessions by a clearly defined linear boundary in a systematical way.

The peace articles dealing with the new border stipulated that a special commission, led by a Habsburg and an Ottoman commissioner should demarcate the borderline within a two-month period in the spring of 1699. This was to be done as accurately as possible, "by placing poles, stones and trenches as border marks." The borders were defined as sacrosanct, inviolable and unchangeable. "Those who would dare to violate, change, move, pull or remove the border marks were [...] to be severely and exemplary punished."<sup>46</sup> The purpose of the border was to clearly

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<sup>45</sup> I use the term "border" as a general term, the "frontier" to refer to a border zone, which could be more or less deep and could include border districts and defensive forts and the "boundary" to designate the actual line of separation.

<sup>46</sup> The Peace Treaty between the Habsburg Monarchy and the Ottoman Empire, Karlovci (Carlowitz), 26 January 1699 (hereafter "Carlowitz Peace Treaty 1699"), published in Ešraf Kovačević, *Granice bosanskog pašaluka prema Austriji i Mletačkoj Republici po odredbama Karlovačkog mira* (Sarajevo:

separate Habsburg and Ottoman jurisdictions. From that moment on, it was explicitly forbidden to “interfere in the dominion of the other side or to claim any jurisdiction there, [...] request any [...] taxes.”<sup>47</sup>

Where did these new border provisions, which would have a major impact on border population and migrations between two empires, come from? Why were they introduced in the peace treaty? How were they enforced and with what consequences? Some scholars presumed that the new border concept and procedures were a Habsburg idea of international relations imposed on the vanquished Ottomans. The Habsburg-Ottoman Peace of 1699 was a turning point in Habsburg-Ottoman relations in other respects as well. After three centuries of expanding, the Ottoman Empire lost a significant chunk of its European possessions. The conflict began in 1683 as an Ottoman-Habsburg conflict with the unsuccessful Ottoman siege of Vienna, with Poland, Venice and Russia joining later. The Habsburg Monarchy was militarily the most successful member of the coalition. After a series of successes and few setbacks, the Monarchy secured the largest territorial gains among the allies, significantly changing the political division of the Hungarian plain and the northern Balkans. Central and southern Hungary came under the control of Vienna, as did Transylvania, Slavonia, and parts of Srem (Syrmia) and Ottoman Croatia. The Ottomans retained the rest of Croatia, the southeastern tip of Srem and the Banat of Temesvár, their biggest remaining Hungarian possession.

The year 1699 was identified as the moment when the concept of the “ever-expanding [Ottoman] frontier,” deeply influenced by the spirit of *ghaza*, holy war,

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Svjetlost, 1973), 64-76 (Serbo-Croatian translation), 165-84 (copy of the Ottoman *ahdname*); the Latin (Habsburg) version in *Treaties et cetera between Turkey and Foreign Powers, 1535-1855* (London: Foreign Office, 1855), 47-59, articles 5, 6, 18.

<sup>47</sup> “Carlowitz Peace Treaty 1699,” article 6.

ended. The acceptance of linear borders was regarded as a break in the continuity of Ottoman history since 1300.<sup>48</sup> The acceptance of the territorial integrity of a neighboring Habsburg state after 1699 would signal a clear break with the Islamic view that Ottoman sultans could make truces with infidel states only to overcome temporary setbacks until the enemy could be defeated and its territory annexed to the land of Islam (dār al-Islām). Abou-el-Haj has named the change “the closure of the Ottoman frontier, when the concept of the ‘open frontier,’ which characterized the Ottoman Empire from its foundation, was abandoned.” The clear demarcation of the “permanent political-linear boundary” and “adherence to the concept of inviolability of the territory of a sovereign state” indicated that the Ottoman Empire accepted modern principles of international law in order to protect its remaining possessions. Ottoman society responded to these dramatic changes in principles with rebellion and the deposition of sultan Mustafa II (1695-1703), who concluded the peace that contained these humiliating provisions.<sup>49</sup>

It is, however, difficult to find the origin of the new border regime on the Habsburg side. No similar arrangement existed on Habsburg borders with their other neighbors, where they maintained “historical” borders, based on historical rights. Actual divisions of domains were determined at the local or provincial level. Compared to these, the post-1699 “artificial” Habsburg-Ottoman border was anomalous, regulated by the central government and with little regard to local claims and historic rights.<sup>50</sup> The “historic” borders were demarcated decades later than the Habsburg-Ottoman boundary. For example, the outer borders of the Habsburg

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<sup>48</sup> Heywood, “The Frontier in Ottoman History,” 240-44; similar conclusions in Panzac, “Politique sanitaire:” 88-89)

<sup>49</sup> Abou-el-Haj, “The Formal Closure:” 467-69; Abou-El-Haj, “Ottoman Attitudes toward Peace Making:” 135-37.

<sup>50</sup> Evans, “Essay and Reflection:” 490.

Kingdom of Bohemia were precisely demarcated only in the late eighteenth century.<sup>51</sup>

Where did this idea of systematical linear delimitations then come from?

Was this a one-off solution for a specific problem with very limited influence and ramifications? Or was it just the beginning of a larger process that would redefine the relationship between the state and its subjects? New linear borders implied greater involvement of central governments in local border life, as well as closer regulation of rights of use, access and cross-border mobility in general. Regulation brought greater certainty. It also meant less freedom for locals to regulate their own lives and activities in the border area. How did the new border arrangement affect everyday mobility in the border zone? Compared to the preceding period, mobility was restricted and more closely regulated. At the same time, greater state involvement could have meant a greater protection for individuals moving in the border zone.

In this chapter I examine the origin of the new Habsburg-Ottoman border arrangement: how did it compare not only to frontier arrangement elsewhere in Europe, but also the arrangements of the Ottomans with their other neighbors? why was it introduced and how was it enforced? I will also explore how the new territorial division affected mobility in the border area, use of resources and migrations.

## **The Habsburg-Ottoman Border and Contemporary Border Arrangements in Europe**

On closer inspection, Western or Southern Europe did not seem to be a likely site for a new border order. In 1699, linear borders were quite exceptional in the rest of Europe. Most outer land borders on the continent were not formally demarcated

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<sup>51</sup> Ziegler, "Die bayerisch-böhmische Grenze," 117, 121, 128.

before the middle of the eighteenth century (and many much later). At the local level, a village was perceived as series of rights of use, enjoyed by its inhabitants, not as a physical space inside imagined lines.<sup>52</sup> Early modern states were largely uninterested in areas where no subjects lived and where no rights and revenues could be claimed. State sovereignty was based on the ruler and did not derive independently from the territory or from the subjects. To some extent, a ruler could treat dominions like private property. They could be divided, swapped or carved out for a dowry. This is how in 1640, after the death of the Duke John III, the Duchy of Saxe-Weimar was divided between his three sons into the duchies of Saxe-Weimar, Saxe-Eisenach and Saxe-Gotha.<sup>53</sup> Outward expansion was seen as the acquisition of new feudal rights. This traditional concept of government that emphasized rights and jurisdictions was named “jurisdictional sovereignty,” or “old dynastic realm.”<sup>54</sup>

When two states had to agree on a new border, after changes in possession, they appointed border commissaries to create delimitation documents. Instead of describing a new borderline as precisely as possible, because of the priority of rights and jurisdiction over the physical space, traditional delimitation documents were instead exhaustive inventories of every new village, town, fortress, and estate, including acquired rights and jurisdictions. This is how the borders between the Kingdom of France and the Duchy of Lorraine were determined in 1661 and between France and the Spanish Netherlands after the Treaty of Aix-la-Chapelle (1668). The commissaries usually did not have to go onto the terrain. When they occasionally

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<sup>52</sup> Sahlins, *Boundaries*, 157.

<sup>53</sup> Reiner Prass, “Die Etablierung der Linie. Grenzbestimmungen und Definition eines Territoriums: Sachsen-Gotha 1640-1665,” *Historical Social Research* 38, no. 3 (2013): 131-32.

<sup>54</sup> Febvre, “Frontière,” 18-19; Biggs, “Putting the State on the Map,” 385-86; Andreas Osiander, “Sovereignty, International Relations and the Westphalian Myth,” *International Organization* 55, no 2 (Spring 2001): 281-82.

went to a border area, it was usually an area of great defensive significance, for example around a major border fortress. There, the lines were drawn because they were necessary for defense, not because they were important for sovereignty. Maps and cartographers did not play a crucial role in the process. When they existed, topographical representations were inaccurate, sometimes with conveniently invented mountain ranges.<sup>55</sup>

No systematic central technical body of knowledge existed, such as precise demarcation protocols or detailed maps, that could be referred to independently. If two states wanted to resolve a border dispute, they could not do it without involving proprietors and older members of the local community. An impasse could arise when the testimonies of two communities were contradictory. From 1722 to 1800, Saxony and Prussia unsuccessfully attempted to resolve a border dispute and realize their respective claims on Koben Mill taxes and duties using local testimonies. There was no official border delimitation, let alone a mutually agreed border demarcation, to

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<sup>55</sup> Peter Sahlin, "Natural Frontiers Revisited: France's Boundaries since the Seventeenth Century," *The American Historical Review* 95, no. 5 (1990): 1432; Nordman, *Frontières de France*, 125, 128-29, 143, 150, 167, 169, 205-207, 209, 214-15, 223-25, 227-28, 259, 265-71, 273. The fact that many seventeenth-century peace treaties explicitly mentioned fixing new frontiers, and instructed special border commission to carry out the job, did not necessary mean that these commissions were producing linear borders. Martin van Creveld, *The Rise and Decline of the State* (Cambridge: Cambridge University Press, 1999), 143-44; Dirk Hoerder, "Transcultural States, Nations, and People," in *The Historical Practice of Diversity: Transcultural Interactions from the Early Modern Mediterranean to the Postcolonial World*, ed. Dirk Hoerder, Christiane Harzig and Adrian Shubert (New York: Berghahn Books, 2003), 21. They were traditional exhaustive inventories instead, not the divisions of physical territory. The idea that exclusive territorial sovereignty was introduced in Europe in 1648 by two Westphalian treaties of 1648 (the treaties of Münster and Osnabrück) reflected principally the obsession of nineteenth- and twentieth-century states and its historians with the question. Osiander, "Sovereignty, International Relations and the Westphalian Myth," 252, 259-68.



which they could refer. This dispute was “resolved” only when Prussia annexed the wider surrounding area during the Napoleonic wars.<sup>56</sup>

Overlapping jurisdiction, territorial fragmentation with numerous enclaves or exclaves were not seen as problematic, because sovereignty was not defined in territorial terms. The various state jurisdictions (military, legal, fiscal, commercial regulation, ecclesiastical) did not always match, crossing the outer borders of states.<sup>57</sup> Changes in political rule often had little effect on other jurisdictions, for example ecclesiastical.

This did not mean that linear boundaries did not exist as a concept before the eighteenth century. There was a long history of linear delimitations starting at least with Ancient Greeks and Romans. Border signs marked some points where the lands of Ancient Greek poleis touched each other. However, most outer borders were not marked.<sup>58</sup> Ancient Romans used linear boundaries, which enjoyed sacrosanct status, to separate private properties, not external frontiers.<sup>59</sup> The border demarcation and mapping in the duchy of Saxony-Gotha in the 1660s was limited to internal borders, separating the forest districts (Forstbezirke), an important princely resource, from the

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<sup>56</sup> Bernard Heise, “From Tangible Sign to Deliberate Delineation: The Evolution of the Political Boundary in the Eighteenth and Early-Nineteenth Centuries. The Example of Saxony,” in *Menschen und Grenzen in der Frühen Neuzeit*, 172-76.

<sup>57</sup> Sahlins, *Boundaries*, 28-29.

<sup>58</sup> Christel Müller, “Mobility and Belonging in Antiquity: Greeks and Barbarians on the Move in the Northern Black Sea Region,” In *Migration and Membership Regimes in Global and Historical Perspective: an Introduction*, ed. Ulbe Bosma, Gijs Kessler and Leo Lucassen (Leiden: Brill, 2013), 35-36.

<sup>59</sup> Sextus Pompeius Festus, *De verborum significatum quae supersunt cum Pauli epitome*, quoted in Dieter Werkmüller, *Recinzioni, confini e segni terminali*, in *Simboli e Simbologia nell'alto medioevo*, Spoleto 1976, 641-59 in particular 641. I thank Maria Pia Pedani for this reference.

rest of the country.<sup>60</sup> In medieval and early modern times, if there was a river, a stream or a sea separating a community in a kingdom from a community in an adjacent realm, the border could be regarded as technically linear. Sometimes border stones, indented trees, and mounds of earth were used to divide arable land between two states. In most other cases, where pastures, woods, or deserts were involved, the rights of use could be overlapping or shared by two or more communities. In scarcely populated areas, linear borders were rare or non-existent. With non-territorial organization of rule, based on rights and jurisdictions, linear external borders were not necessary to define sovereignty.<sup>61</sup>

The examples that are sometimes cited to demonstrate the existence of linear boundaries before the eighteenth century fail to demonstrate that the fixing of a linear boundary and its demarcation actually took place. The Verdun division of the Carolingian Empire of 843 was made on jurisdictional, not territorial, principles. In the Middle Ages the line of separation between the French King and his English vassal was often more important than the outer borders of France. The Tweed-Solway line, which separated England from Scotland since the thirteenth century, and the border between Portugal and Spain, fixed from the fifteenth century, were both stable, but not technically linear, represented by a clearly and systematically demarcated line in the terrain.<sup>62</sup> Stability did not imply linearity.

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<sup>60</sup> Forests were an important source of income for Saxon dukes, whose government sought to delimitate and define them as precisely as possible. The boundaries of villages and towns, as well as outer borders, were, however, not demarcated precisely before 1728. Prass, "Die Etablierung der Linie," 135-37.

<sup>61</sup> Sahlins, *Boundaries*, 2, 52; Evans, "Essay and Reflection," 481-85; Stauber and Schmale, "Einleitung: Mensch und Grenze," 13-14; Power, "Introduction," 4; Pedani, *Dalla frontiera al confine*, 10-12, 45-46; Reinhard Stauber, "Grenze," In *Enzyklopädie der Neuzeit* 4: 1107, 1109.

<sup>62</sup> The lines determined by treaties of Tordesillas (1494) and Saragossa (1529) that divided the non-European parts of the globe between Spain and Portugal were ideally linear. Vogler, "Borders and Boundaries," 36. It would be difficult to see them as real political borders. The perception that city-

Jurisdictional sovereignty was prevalent throughout Europe until the nineteenth century, when it was replaced by “territorial sovereignty” and “territorial state,” in which the sovereignty was primarily defined as the control of physical space, with most other aspects of state authority and power organized in territorial terms.<sup>63</sup> Systematic delimitations and border demarcations, similar to the Habsburg-Ottoman practices after 1699, started in Southern, Western and Central Europe around the middle of the eighteenth century. This “movement of delimitations” involved most European countries.<sup>64</sup> Both large and small states participated: France, Spain, the Habsburg Monarchy, Prussia, Bavaria, other German principalities, Swiss cantons, and Italian principalities (such as Sardinia and Venice). Early systematical delimitations were carried out in the late 1730s and were in full swing in the 1760s-1780s. The French Revolution and the ensuing wars interrupted the process, which was resumed in 1815 and continued deep into the nineteenth century. The process was slow and lasted for decades. It involved extensive work on the terrain by commissaries, long negotiations, exchange of territories to eliminate enclaves and

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states, possessing relatively greater and more effective administrations than large monarchies, precisely and systematically fixed their borders earlier (Jordan Branch, *The Cartographic State: Maps, Territory, and the Origins of Sovereignty* (Cambridge: Cambridge University Press, 2014), 25, 27) is also not confirmed by examples of actual demarcations. Nordman, *Frontières de France*, 75-77; Lottes, “Frontiers between Geography and History,” 16-17; Ziegler, “Die bayerisch-böhmische Grenze,” 117, 121, 128; Ellis, “Defending English Ground,” 76; Lottes, “Frontiers between Geography and History,” 50-51, 53; Vogler, “Borders and Boundaries,” 30-31. Other works dated transformation of zonal frontiers into clear boundaries in Europe to the fourteenth, fifteenth, sixteenth or seventeenth centuries, as well as the borders in Eastern Asia between Russians, Manchus and Mongols to the seventeenth century. See Peter C. Perdue, “Boundaries, Maps and Movement: Chinese, Russian, and Mongolian Empires in Early Modern Central Eurasia,” *The International History Review* 20, no. 2 (1998): 264-65, 267; Kasaba, “L’Empire ottoman, ses nomades et ses frontières,” 114, 126; Michael Khodarkovsky, *Russia’s Steppe Frontier: The Making of a Colonial Empire, 1500-1800* (Bloomington: Indiana University Press, 2002), 2, 224.

<sup>63</sup> Febvre, “Frontière,” 18-19.

<sup>64</sup> As defined in Nordman, *Frontières de France*.

exclaves, oaths of allegiance from new subjects, detailed mapping, the production of border protocols, and planting border signs. Numerous teams of notaries, interpreters, engineers, secretaries, geometers and other government officials participated in these operations. Central bureaucrats and diplomats supervised their work. The goal of negotiations was a compromise that would produce territorial cohesion (fiscal, judicial, military), disregarding historical rights and claims. Unpopulated places and deserts where no subjects lived and where no rights and revenues could be claimed were precisely divided too. Systematical demarcations and mapping created an independent central technical body of knowledge, which, in ideal circumstances, did not need to rely on local expertise and involvement. These would make state territory more “legible.” By defining political power in spatial terms, the new rulership became less personal. It became much more difficult for rulers to alienate or to divide their realms, because they would undermine their legitimacy. In Europe, territorial sovereignty was universally accepted by 1815.<sup>65</sup>

The explanations that trace back the western model of linear borders to Western European colonies or to the influence of the development of cartography on governing circles are not sufficiently persuasive. According to the “colonial reflection” hypothesis, linear borders emerged first in colonies of Western European states and

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<sup>65</sup> James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (Yale University Press, 1999); Febvre, “Frontière,” 16-17; Sahlins, *Boundaries*, 93-100, 238; Sahlins, “Natural Frontiers Revisited,” 1435-43; Nordman, *Frontières de France*, 53-60, 297-307, 317-21, 338-40, 348-49, 356-59, 363-65, 375, 381, 383, 415-22; Biggs, “Putting the State on the Map,” 374, 385-96, 398-99; Wolfgang Reinhard, “Zones of Fracture in Modern Europe: a Summary,” in *Zones of Fracture in Modern Europe: the Baltic Countries, the Balkans, and Northern Italy*, ed. Almut Bues (Wiesbaden: Harrassowitz, 2005), 272; Steven G. Ellis and Raingard Eßer, “Introduction: Early Modern Frontiers in Comparative context,” in *Frontiers and the Writing of History*, 13-14; Stauber, “Grenze,” 1110; Jordan Branch, “Mapping the Sovereign State: Technology, Authority, and Systemic Change,” *International Organization* 65, no. 1 (January 2011): 1-7; Prass, “Die Etablierung der Linie,” 144-45

were later transferred to Europe. Due to the lack of ancient historical rights and jurisdictions in America, European powers used geographic references, including latitudes or longitudes to separate possessions much earlier than in Europe. The fact that fixing frontiers is explicitly mentioned in some treaties would suggest that there were indeed systematical delimitations that created linear borders on the terrain. For example, the Treaty of Utrecht of 1713 prescribed special commissioners to determine borders between French and British colonial possessions in America.<sup>66</sup> There is no evidence, however, that the delimitations were actually carried out on the terrain. In addition, one would expect to see the major European colonial powers, as the logical first recipients of the supposed transfer of delimitation techniques, lead the way with linear delimitations in the Old World. However, this was not the case. The earliest delimitations in Southern, Western and Central Europe were carried out between the states with no colonies. For example, Savoy demarcated the border with Swiss Valais in 1737, with Geneva in 1754, as well with Habsburg Milan in 1751. The earliest known systematic introduction of linear boundaries in the New World is the border demarcation on the Caribbean island of Hispaniola from 1776/1778, between the French colony of Saint-Domingue (today Haiti) and the Spanish Santo Domingo (today Dominican Republic). The two states involved had already started to delimit their boundaries in Europe.<sup>67</sup>

The supposed decisive influence of cartography is questionable under closer inspection. Medieval and many early modern maps, reflecting the understanding of a state as an inventory of possessions, were focused on quality, showing important fortresses, cities, and roads, not on quantity or accurately representing physical space

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<sup>66</sup> Jordan Branch, "'Colonial reflection' and territoriality: The peripheral origins of sovereign statehood," *European Journal of International Relations* 18, no. 2 (June 2012): 288-89.

<sup>67</sup> Nordman, *Frontières de France*, 356, 363-65.

or distances. The translation of Ptolemy to Latin in 1415 enabled exact positioning of each point on Earth by using its longitude and latitude and astronomical observation. The technique of triangulation, introduced by Gemma Frisius in 1533, made accurate measurements of distances and heights possible. Combined with printing, the new maps did represent space and terrain with increased mathematical exactness. The promotion of the importance of physical space and in particular outer borders did have an influence on the ideas and concepts of rule in the West.<sup>68</sup> However, this change was gradual and not complete by the middle of the eighteenth century. For a long time, the production of maps was based on individual initiatives and sporadic measurements, with estates or rulers occasionally as clients, as was the case with the diet of Upper Austria in 1619, or Frederick III of Denmark in 1650.<sup>69</sup> It took years or decades and immense funds, even in smaller states, to carry the systematic land surveys necessary for precise mapping.<sup>70</sup> The mapping of France, based on systematic triangulation, was a multigenerational effort, lasting from 1679 to 1744. Other European states followed with similar projects in the eighteenth century and later. State participation provided the necessary resources, the institutionalization of

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<sup>68</sup> The hypothesis that modern cartography played a major role in the emergence of linear borders was expressed in Biggs, "Putting the State on the Map," 387-92, 398-99 with reserves and limitations; and somewhat uncritically by Branch, "Mapping the Sovereign State," 1-9, 14-18; Branch, *The Cartographic State*. Political allegiance was depicted on some maps by placing a flag of the sovereign on an image of a city or a fortress, not by drawing linear boundaries. Textual descriptions and the length and width of a state defined in days of travel were often more important for state portrayal than cartographic representations. Heise, "From Tangible Sign to Deliberate Delineation," 180-85; Biggs, "Putting the State on the Map," 377-80, 385-86; Branch, "Mapping the Sovereign State," 9-10; Branch, *The Cartographic State*, 62, 145.

<sup>69</sup> Vann, "Mapping under the Austrian Habsburgs," 161; Jeppe Strandsbjerg, "The Cartographic Production of Territorial Space: Mapping and State Formation in Early Modern Denmark," *Geopolitics* 13 (2008): 351.

<sup>70</sup> About Jesuit mapping efforts in China in 1709 and the first mapping of border regions in Russia in 1699 see Perdue, "Boundaries, Maps and Movement," 274-284; Sunderland, *Taming the Wild Field*, 37.

knowledge and continuity, essential for such undertakings. New maps divided space into homogenous territorial units, much before actual delimitations.<sup>71</sup>

However, this transition was too incomplete in 1699 to serve as a model for the Habsburg-Ottoman case. Even when they began spreading on the terrain in the 1730s, linear inter-state borders were not represented consistently on contemporary maps. Up until the second half of the eighteenth century, it was not unusual to represent internal and external borders in the same manner, or to show non-territorial hierarchical political formations, such as the Holy Roman Empire, as equally important as the physical borders of Habsburg and Hohenzollern dominions in Europe. Maps representing actual political divisions decisively prevailed only after 1815, at the same time when linear borders did. The evolution of maps and the fusion of political authority with space seem to be concurrent rather than subsequent processes.<sup>72</sup>

The history of mapping in Habsburg-Ottoman delimitations fails to show that the cartography was the factor that exerted decisive influence on the introduction of the new linear border arrangement. The Habsburg side and its border commissioner, Count Luigi Ferdinando Marsigli, the Habsburg plenipotentiary for the demarcation of frontiers,<sup>73</sup> introduced mapping of the frontier in 1699-1701,<sup>74</sup> to learn more about

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<sup>71</sup> Biggs, "Putting the State on the Map," 381-85; Branch, "Mapping the Sovereign State;" Branch, *The Cartographic State*.

<sup>72</sup> Biggs, "Putting the State on the Map," 387-96.

<sup>73</sup> The Habsburg border commissioner in 1699, Count Luigi Ferdinando Marsigli, previously served in campaigns in Hungary and in the Balkans. He studied the history, geography, and nature of the region. In an effort to introduce the learned European public to the region and to impress his patrons in Vienna, Marsigli produced a series of maps and drawings with the help of an assistant, Johann Christian Müller. He was subsequently appointed to be first a technical councilor to the Habsburg delegation at the Congress of Carlowitz and then the Habsburg plenipotentiary for the demarcation of frontiers. He traveled with his Ottoman border commissioner counterpart, Ibrahim Effendi, along the border between Transylvania and Dalmatia for two years, 1699-1701, marking the boundary and mapping the border area. See Stoye, *Marsigli's Europe*, 133-40, 151-215.

newly conquered border regions.<sup>75</sup> The cartographic representation of the frontier followed the actual demarcation. During the eighteenth century the role of mapping was transformed from complementary to prescriptive. The process was slow. The Convention of Istanbul from 2 March 1741 that defined the division of Danube River islands had an attached map that was to serve as the guidance for the border demarcation. However, after the Ottoman border commission alerted their Habsburg counterparts that the map was not accurate, both sides decided to dismiss it and to rely on the work on the terrain instead.<sup>76</sup> Later maps seemed to be more authoritative. A border map served as a model to delimit the borders of the newly acquired Bukovina in 1775, for example. On the same occasion, the Ottomans also agreed to recognize the Habsburg unilateral demarcation of the border between Habsburg Transylvania and the Ottoman vassal principalities of Wallachia and Moldavia. The basis was again a map. The Habsburg authorities placed the border marks, imperial eagles, on the outer borders of Transylvania.<sup>77</sup> A map was attached to the separate Habsburg-Ottoman Delimitation Convention from 4 August 1791. Red and yellow lines indicated how the Habsburg territory should be expanded in the valley of the river Una. The chief Habsburg border commissioner, Baron Mauritz Schlaun and his Ottoman counterpart Ismael Ismeti Effendi Rusnamehji, used this map as a guideline

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<sup>74</sup> *Mappa geographico Limitanea in qua Imperiorum Caesarei et Ottomannici Confinia in almae pacis Carlovitzensis congressu decreta et duobus utriusque imperii Commissaris instituta solenne expeditione*, [c. 1700] (Album), KA KPS KS B IX c 634.

<sup>75</sup> See Kołodziejczyk, *Ottoman-Polish Diplomatic Relations*, 57-67; Kołodziejczyk, "Between Universalistic Claims," 207, 209.

<sup>76</sup> Prokosch, *Molla und Diplomat*, 121-24, 128-29, 132-42.

<sup>77</sup> Four articles about the territorial connection between the Habsburg provinces of Transylvania and Galicia and Lodomeria, Constantinople, 7 May 1775, HHStA StAbt Türkei III 7.



in the process of demarcation.<sup>78</sup> Maps played an increasingly important role in delimitations, particularly in the second half of the eighteenth century, but the development of cartography did not inspire or cause the post-1699 Habsburg-Ottoman border arrangement.

Pre-1699 Habsburg-Ottoman frontier arrangements had some common elements of jurisdictional sovereignty. The Habsburgs perceived their possessions as a collection of lordships, connected thorough the ruler and the dynasty.<sup>79</sup> The Ottomans also could define their rule as a collection of towns and villages listed in their provincial tax registers (*sancak-defters*).<sup>80</sup>

At the same time, the pre-1699 Habsburg-Ottoman border shared some characteristics with open frontiers. The division of rule between the Habsburgs and the Ottomans in Hungary during the sixteenth and seventeenth centuries was the result of the Sultan's uncompleted conquest of the kingdom. After the decisive victory at Mohács in 1526, Sultan Suleiman I first tried to keep the Kingdom of Hungary under indirect control through his Hungarian vassal, King John Szapolyai (1526-

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<sup>78</sup> The article 3 of the Separate Peace Convention [about borders], 4 August 1791, Sistova, HHStA StAbt Türkei III 7.

<sup>79</sup> Vann, "Mapping under the Austrian Habsburgs," 153.

<sup>80</sup> Both Ottoman and Habsburg border authorities regarded the Ottoman survey of 1546, so called *Halil Bey's defters*, as authoritative documents to support or dispute tax claims over particular villages, for example between the Ottoman Hungary and the vassal principality of Transylvania in 1572. J. Káldy-Nagy, "The Administration of the *Şanjāq* Registrations in Hungary," *Acta Orientalia Academiae Scientiarum Hungaricae* 21 (1968): 183-85; Gábor Ágoston, "Where Environmental and Frontier Studies Meet: Rivers, Forests, Marshes and Forts along the Ottoman-Hapsburg Frontier in Hungary," in *The Frontiers of the Ottoman World*, ed. A. C. S. Peacock (Oxford: Oxford University Press, 2009), 63-64, 66; Palmira Brummett, "The Fortress: Defining and Mapping the Ottoman Frontier in the Sixteenth and Seventeenth Centuries," in *The Frontiers of the Ottoman World*, 31-32, 48; Gábor Ágoston, "Defending and Administering the Frontier: the Case of Ottoman Hungary," in *The Ottoman World*, 225; Dariusz Kołodziejczyk, "Between Universalistic Claims and Reality: Ottoman Frontiers in the Early Modern Period," in *The Ottoman World*, 208-209, 211-12.

1540). He failed, however, to prevent the consolidation of the rule of the rival claimant to the throne, Ferdinand I Habsburg (1521-1564), in the western and northern part of the kingdom. In 1541, the Ottomans annexed southern and central Hungary to their empire, leaving the eastern parts to their vassal princes of Transylvania. Each side continued to formally insist on its exclusive right to all of Hungary, with the Ottomans progressing slowly westwards and northwards and extending their already larger portion in the next century and a half.

Thanks to these competing claims, the Habsburg-Ottoman frontier was a zone that stretched tens of kilometers into both empires. It was an area of political instability. The conflicts involving smaller units and smaller sieges, so-called *Kleinkrieg*, continued even during official peace times. For example, peacetime incursions involving up to 4,000 men were mutually tolerated in the first half of the seventeenth century.<sup>81</sup> The line of division could change not only during war, but in peacetime too. The frontier was heavily fortified in depth, with a system of major and minor fortresses on both sides. The Habsburg side organized the Military Border, *Militärgrenze*, approximately 1,000 km long, stretching from the Adriatic Sea to Upper Hungary (now Slovakia), and dotted with fortresses (120-130 in the sixteenth and 80-90 in the seventeenth century). The Military Border was manned by paid garrisons and unpaid local militia, which enjoyed tax exemptions and other privileges

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<sup>81</sup> Gábor Ágoston, "The Ottoman-Habsburg Frontier in Hungary (1541-1699): A Comparison," in *The Great Ottoman – Turkish Civilization*, vol. 1: 287; Charles W. Ingrao, *The Habsburg Monarchy, 1618-1815*, 2nd ed. (Cambridge: Cambridge University Press, 2000), 34. Lesser incursions were not considered as a sufficient reason for the escalation into a full conflict even after the Ottoman-Hungarian treaty of 1483. Mark Stein, "Military Service and Material Gain on the Ottoman-Habsburg Frontier," in *The Frontiers of the Ottoman World*, 458. Similar understandings also existed between the Ottomans and Russians. The Peace Treaty of Istanbul of 1711 stipulated that raids by nomads were beyond the control of the Sultan and the Czar and would not be considered as breaches of the treaty. Khodarkovsky, *Russia's Steppe Frontier*, 139.

in exchange for their participation in defense against the Ottomans. The Ottoman frontier was also heavily fortified, with about 130 fortresses in the seventeenth century (most being conquered from the Habsburgs).<sup>82</sup> The provinces in the interior subsidized both borders. Austrian duchies funded the Military Border between the Adriatic Sea and the Danube River, while the Bohemian lands financed the border between Danube and Transylvania.<sup>83</sup>

The atmosphere of violence and insecurity was part of border life<sup>84</sup> particularly during wars and in their aftermaths. The people outside fortifications were particularly vulnerable. Sometimes the border zone was intentionally depopulated, as in parts of sixteenth-century Slavonia, to weaken the enemy. In other cases, both empires claimed the same inhabitants.<sup>85</sup> From their fortresses in the Habsburg part of the kingdom, Hungarian nobility and the Catholic Church forced the inhabitants of the Ottoman part to pay taxes and duties to them. Many were thus taxed twice, both by their Ottoman masters and by their titular Hungarian lords. This practice of dual rule or condominium (*munāṣafa*), with unclear and overlapping jurisdictions, stretched deep into Ottoman Hungary. In the sixteenth century, the Hungarian estates and the

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<sup>82</sup> Kaser, *Freier Bauer und Soldat*, 512-20; Pedani, *Dalla frontiera al confine*, 15-16; Ágoston, "Defending and Administering the Frontier," 227-28; Szabolcs Varga, "Croatia and Slavonia in the Early Modern Age," *Hungarian Studies* 27, no. 2 (2013): 269-70. Compared to the Russian-Tatar border the network of fortification was denser. Unlike Russians, the Habsburgs faced not nomads, but a sedentary empire. The border could move less. On the Russian-Tatar border see Khodarkovsky, *Russia's Steppe Frontier*, 47-50, 131-32, 140-41; Willard Sunderland, *Taming the Wild Field: Colonization and Empire on the Russian Steppe* (Ithaca: Cornell University Press, 2004), 24-25, 29.

<sup>83</sup> The Ottoman by Sultan's Balkan provinces, the Habsburg frontier by the Austrian and Bohemian crown lands. Michael Hochedlinger, *Austria's Wars of Emergence: War, State and Society in the Habsburg Monarchy 1683-1797* (London: Longman, 2003), 84, 86-91.

<sup>84</sup> Pedani, *Dalla frontiera al confine*, 59-60; Ágoston, "Defending and Administering the Frontier," 230-31.

<sup>85</sup> Ivić, *Migracije Srba u Hrvatsku*, 39, 148; The Russian-Ottoman treaty of 1739 specified that there would be a buffer zone between two Empires. Sunderland, *Taming the Wild Field*, 46.

Church collected taxes from two thirds of Ottoman Hungary, and from half of the Ottoman Hungarian territory in the seventeenth century.<sup>86</sup> The Ottoman governors couldn't even prevent Transylvanian nobles, their nominal vassals, from collecting taxes from the sultan's Hungarian subjects. Küçük Mehmed Pasha, the Ottoman governor of Temesvár in 1662-1663, thus complained to the Transylvanian Prince Mihály Apafi, apparently without much success: "We have written to you several times regarding the situation of [... our peasant subjects]. Let [the noblemen] withdraw their hand from them, for they are [sultan's] subjects [...] and cannot pay their taxes twice."<sup>87</sup>

The Habsburg-Ottoman border arrangement was thus very unlike the border imposed in 1699. It seemed to oscillate, depending on the period in Habsburg-Ottoman relations, between a relatively stable traditional jurisdictional separation and a more changeable and less strictly defined open zonal frontier.<sup>88</sup> The Habsburg side of the zonal frontier was organized as a Military Border, settled with peasants who

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<sup>86</sup> Condominium existed both between the Habsburgs and Ottomans, and between the Ottomans and their Transylvanian vassals. According to some estimates, it covered almost all Ottoman Hungary, with the exception of Serb-settled Syrmia (Srem) in the south. Orthodox Christian settlers from the Balkans refused to pay taxes to Hungarian lords. See Gábor Ágoston, "A Flexible Empire: Authority and its Limits on the Ottoman Frontiers," in *Ottoman Borderlands: Issues, Personalities and Political Changes*, 24; Géza Pálffy, *Povijest Mađarske: Ugarska na granici dvaju imperija (1526.-1711.)* (Zagreb: Meridijani, 2010), 44; Ágoston, "Defending and Administering the Frontier," 230-32; Varga, "Croatia and Slavonia:" 271-72.

<sup>87</sup> Irina Marin, *Contested Frontiers in the Balkans: Habsburg and Ottoman Rivalries in Eastern Europe* (London: I. B. Tauris, 2013), 13.

<sup>88</sup> The border violence was not entirely uncontrolled. In the sixteenth century, both the Ottoman and the Habsburg sides avoided militarily justifiable scorched-earth tactics because they needed frontier resources, above all food and wood for their fortresses and garrisons. Second, clearly separated borders were not necessary for peace. Ottoman borders with Poland-Lithuania were not clearly separated for decades. Yet the two countries had, most of the time, friendly relationships and there was no condominium dispute. Pálffy, *Povijest Mađarske*, 144; Kołodziejczyk, "Between Universalistic Claims," 209.

provided military service in exchange for tax exemptions on their land plots. The border arrangement introduced by the Peace of Carlowitz 1699 replaced the zonal frontier with a demarcated sacrosanct, inviolable and unchangeable boundary.<sup>89</sup> The territorial jurisdictions were clearly separated. Cross-border claims from subjects of the other side were explicitly forbidden and condominium was outlawed.<sup>90</sup>

### **The Origins of the New Border Regime**

The Ottoman state, from its foundation in the fourteenth century, showed considerable pragmatism both in internal and foreign policies. Ottoman legal practice devised solutions that reconciled formal respect for Islamic law with factual peace and cooperation with Christian states. In Zsitvatorok in 1606, the Ottomans allowed the Habsburg side to use the negotiated final draft of the peace treaty (*temessük*), less formal in its form and apparently treating both parties as equals, as the final agreement. At the same time, a unilaterally issued '*ahdname*, where the ultimate source of authority was the mercy of the Ottoman ruler, was presented to the Ottoman public.<sup>91</sup>

More importantly, the Ottomans were familiar with systematic delimitations of outer borders well before 1699, as parallel histories of Venetian-Ottoman and Polish-Ottoman delimitations demonstrate. The first known Venetian-Ottoman delimitation was carried out in the fifteenth century, after the Ottoman-Venetian peace treaty of 1479. Following their conquest of the Serbian Despotate (1459), the Despotate of

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<sup>89</sup> "Carlowitz Peace Treaty 1699," articles 5, 6, 18.

<sup>90</sup> "Carlowitz Peace Treaty 1699," article 6.

<sup>91</sup> See Kołodziejczyk, *Ottoman-Polish Diplomatic Relations*, 3-7, 47-56, 68-85; Kołodziejczyk, "Between the Splendour of Barocco and Political Pragmatism:" 673-77, 679; de Groot, "The historical Development of the Capitulatory Regime:" 575-604, 575-76, 579, 595.

Morea (1460) and the Kingdom of Bosnia (1463), the Ottomans came into direct contact with Venetian coastal territories on the Aegean, Ionian and Adriatic seas. A war between Venice and the Ottoman Empire ensued (1463-1479). The border provisions, based on the Ottoman-Venetian peace treaty of 1479, had many elements of the post-1699 Habsburg-Ottoman arrangement. The territorial division was based on the actual military control of territory (*uti possidetis*, ‘*alā ḥalihi*’), disregarding “historical” boundaries. Some forts were demolished and the building of new ones was prohibited. Moreover, new linear borders were drawn. The border commission, established by the Ottoman-Venetian treaty, delimited and demarcated new borders by 1481 and produced an official delimitation protocol. In the same manner, borders were drawn and demarcated after subsequent Ottoman-Venetian conflicts, sanctioning territorial changes, up until 1718, when two states ended their last war.<sup>92</sup>

Similar border practices existed between the Ottoman Empire and the Polish-Lithuanian Commonwealth. The Ottomans were interested in protecting their relatively populous vassal Principality of Moldavia and surrounding areas. Already in 1542, they suggested to the Polish side to precisely draw the borders. The first delimitation was carried out much later, in 1633. The next one started in 1673, after the Ottoman conquest of the Polish province of Podolia. Interrupted by the resumption of hostilities, it was finally executed in 1680 and is well documented. The border was again revised and demarcated in 1703.<sup>93</sup> The practice of drawing linear

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<sup>92</sup> Pedani Fabris, “The Ottoman Venetian Frontier,” 174; Pedani, *Dalla frontiera al confine*, 39-42; de Groot, “The historical Development of the Capitulatory Regime:” 588-89.

<sup>93</sup> Kołodziejczyk, *Ottoman-Polish Diplomatic Relations*, 57-67. There were references to other delimitations. The Ottomans may have demarcated their boundaries with Moldavia in the fifteenth century, while the principality was still independent from the sultan. In 1619, Sultan Osman II ordered the demarcation of borders with Safavid Persia, another major Muslim power. The Ottoman-Safavid border was determined by the Accord of Amasya of 1639, but it is not clear whether the demarcation on the terrain happened as well. Rudi Matthee, “The Safavid-Ottoman Frontier: Iraq-i Arab as Seen by

boundaries seemed to be, therefore, quite well established in the relations between the Ottoman Empire and foreign powers, at least in the regions where sedentary populations lived. Drawing a linear border was not always possible in areas populated by nomads.<sup>94</sup>

Ottoman-Venetian and Ottoman-Polish delimitation procedures were also standardized and uniform. The commissaries consulted old documents, including maps, visited the terrain and interviewed local dignitaries and witnesses. They supervised the placement of border marks, as well as the demolition of some fortresses. At the end, delimitation protocols were produced and exchanged. The protocols were often made in two languages. A local judge, *kadı*, would sign in the name of the Ottoman state. For the Ottoman side, the official demarcation document was a *hududname*, produced afterwards in the sultan's court.<sup>95</sup> *Hududname* or *sinurname* were the documents that were used not just for demarcating outer, but also the Ottoman inner borders. They recorded the separation of the territories of pious foundation, *vakıfs*, from state-owned lands.<sup>96</sup> The outer borders were therefore to enjoy the same respect and sacrosanct status as *vakıfs*. The most probable source of

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the Safavids,” in *Ottoman Borderlands: Issues, Personalities and Political Changes*, 168-70; Kołodziejczyk, “Between Universalistic Claims,” 208.

<sup>94</sup> See Kasaba, “L’Empire ottoman, ses nomades et ses frontières,” 112-18, 123, with a discussion of sedentarization efforts in the Ottoman Empire after 1689/1691, particularly during the nineteenth century.

<sup>95</sup> The Ottoman-Venetian border was marked with piles of stones, crosses incised in trees, or big rocks. In the demarcations of 1703 and 1720, the Ottomans use a crescent as their symbol for border poles. On the Ottoman-Polish frontier, the mounds of earth with poles in their centers marked the border in 1680. The Ottoman side of the pole was shaped like turbaned head, the Polish side as a cross. See Pedani Fabris, “The Ottoman Venetian Frontier,” 172, 175-76; Pedani, *Dalla frontiera al confine*, 43-49; Kołodziejczyk, *Ottoman-Polish Diplomatic Relations*, 57-67.

<sup>96</sup> Kołodziejczyk, *Ottoman-Polish Diplomatic Relations*, 57-67.

linear borders between the Ottoman Empire and its neighbors are thus Ottoman legal and administrative practice related to *vakıfs*.

The alternative explanation, that the Ottomans initially adopted these practices from the Venetians and then compartmentalized them as a specific model to deal with their other Christian neighbors is less probable. That a zonal frontier was unacceptable for Venetians, since it would introduce political instability in narrow strips of their possessions along coastlines,<sup>97</sup> is understandable. This argument works less well for Poland-Lithuania or the Habsburgs. More importantly, it fails to explain the use of the same procedure for the delimitations of Islamic pious foundations. Such administrative transfer is less plausible. Not only Ottoman central diplomats, but also their provincial administration was well acquainted with the practice, as suggested by the role of local *kadıs* in the procedure. This would suggest that it was used more often, not just for outer borders.

The linear border between the Habsburg Monarchy and the Ottoman Empire was an Ottoman suggestion. The Habsburg plenipotentiaries at the Peace Congress in Carlowitz 1698-99, Count Wolfgang Öttingen and Count Leopold Schlick, initially suggested forming a frontier buffer zone. A demilitarized and inhabited ‘no man’s land’ would separate the two empires and would include the territory along the rivers Mureş (Maros, Moriš) and Tisza (Tisa). The Ottoman plenipotentiaries, Rami Mehmed Pasha and Alexander Mavrocordato, however, refused to accept this suggestion and proposed instead to clearly separate the territories by drawing the boundary on the surface of the two rivers. Mavrocordato referred to a well-established Ottoman procedure of delimitation. He suggested designating special border commissioners who would mark the new Habsburg-Ottoman border in a “clear and

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<sup>97</sup> Pedani Fabris, “The Ottoman Venetian Frontier,” 171; Pedani, *Dalla frontiera al confine*, 39-40.



unmistakable” manner by placing border marks on the terrain. The Ottomans also suggested demolishing some frontier fortifications and prohibiting the building of new ones. The Habsburg delegation agreed.<sup>98</sup> The competing claims of the Habsburgs and the Ottomans to the whole of Hungary after 1526 produced a specific situation, not existing elsewhere along Ottoman frontiers, in which both sides exercised some jurisdictions over the same territory and the same subjects. The post-1699 arrangement would, therefore, be a kind of normalization, possible only after one side, in this case the defeated Ottomans, renounced its claim to all of Hungary.<sup>99</sup>

The exchange and adoption of administrative practices between two empires was quite common and uncontroversial. The Ottoman and Habsburg frontiers in Hungary before 1699 were very similarly organized, with provinces from the interior of both empires subsidizing border *paşaliks* on the one side and border captaincies (generalcies, “borders”) on the other.<sup>100</sup> This would suggest that there were some influences in administrative and military organization. The non-territorial communal autonomy that the Emperor Leopold I granted to the Orthodox Peć Patriarch Arsenije III Čрноjević showed a striking similarity to the millet system in the Ottoman Empire, including the freedom of belief, lower tax rates and the right to elect a community

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<sup>98</sup> Rifa’at A. Abou-El-Haj, “Ottoman Diplomacy at Karlowitz,” *Journal of the American Oriental Society* 87, no. 4 (1967): 503-506; John Stoye, *Marsigli’s Europe, 1680-1730: The Life and Times of Luigi Ferdinando Marsigli, Soldier and Virtuoso* (New Haven, CT: Yale University Press, 1994), 174-75.

<sup>99</sup> That would make the Habsburg-Ottoman frontier atypical before 1699, not after the Carlowitz Peace. See Suraiya Faruqi, “The Ottoman Empire Confronting the Christian World (1451-1774): a Discussion of the Secondary Literature Produced in Turkey,” in *The Ottoman Empire, the Balkans, the Greek Lands: Toward a Social and Economic History, Studies in Honor of John C. Alexander*, ed. Elias Kolovos Phokion Kotzageorgis, Sophia Laiou and Marinos Sariyannis (Istanbul: Isis Press, 2007), 91-93.

<sup>100</sup> Hochedlinger, *Austria’s Wars of Emergence*, 84, 86-91; Ágoston, “Defending and Administering the Frontier,” 223-27.

leader.<sup>101</sup> There were also more explicit administrative transfers. During their conquest of the Balkans and the Hungarian plain, the Ottomans adopted and integrated many local customs and taxes, for example the local taxation customs in Banat in 1567 for the collection of the poll tax on Christians and Jews (*cizye*).<sup>102</sup> On their part, when they conquered Banat in the War of 1716-1718, the Habsburgs adopted the Ottoman administrative division of the province, replacing *kazas* with districts, but keeping the *kazas*' names and jurisdictions.<sup>103</sup> Sometimes the borrowings were temporary and very specific, suggesting a high level of mutual trust. During the 1739-1740 delimitation and demarcation of the Danube river islands, the Ottoman border commissioner relied not only on the Habsburg translator for official communication, but also on the work of Habsburg military engineers and geometers for triangulation measurements.<sup>104</sup>

These examples suggest that linear delimitation and demarcation as an administrative transfer would be in line with previous practices. The use of the model seemed to be reserved for this specific border. Other Habsburg external and internal borders were territorialized decades later when “the movement of delimitation” was in full force in the rest of the Europe. The Habsburg Military border presents a good example. While its limits with the Ottoman territory were clearly demarcated after 1699, it was not separated in a clear territorial manner from the Habsburg areas under

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<sup>101</sup> Fikret Adanir, “Religious Communities and Ethnic Groups under Imperial Sway: Ottoman and Habsburg Lands in Comparison,” in *The Historical Practice of Diversity*, 54-86, 66-67.

<sup>102</sup> Káldy-Nagy, “The Administration of the Şanjāq Registrations:” 193-94.

<sup>103</sup> Ten Ottoman *kazas* became eleven Habsburg districts, with Csanád-Becs *kaza* divided into two districts. Géza Dávid, “The *Eyalet* of Temesvár in the Eighteenth Century,” *Oriente Moderno* 18 n. s. (vol. 79), no. 1 (1999): 120-21.

<sup>104</sup> Erich Prokosch, trans., *Molla und Diplomat. Der Bericht des Ebû Sehil Nu'mân Efendi über die österreichisch-osmanische Grenzziehung nach dem Belgrader Frieden 1740/41* (Graz: Verlag Styria, 1972), 29-31, 41-50.

civil rule for several more decades. Border soldiers enjoyed non-territorial privileges. In the new Slavonian Border, organized after 1699 along the River Sava, the population under military authority lived in the same villages with the peasants subjected to civil rule. There were numerous civil and military enclaves and exclaves. They were separated only from 1743-1745, when the new Slavonian border was demarcated to separate it from the civil Slavonia and Srem. The territories were exchanged to remove enclaves and exclaves. The exchange of population, resulting in all the remaining Military Border population being subjected to military authorities, continued into the 1750s. The reaction of some nobles, who organized bands to demolish new border signs erected between the Military Borders of Varaždin and Karlovac and their estates between 1769 and 1784, suggests that the linear border remained an alien concept, even at the time when it started to be accepted in the rest of Europe.<sup>105</sup>

The Carlowitz Habsburg-Ottoman border arrangement owed much to the preceding Ottoman-Venetian and Ottoman-Polish border regulations. They could be regarded, therefore, as starting points. In the following evolution, the demarcated boundary, used by the Ottomans and other states as one of various possible frontier arrangements, was transformed into the only possible border organization. The Habsburg Monarchy adopted and further developed it. A comparison with the

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<sup>105</sup> In 1578, only forts in the Varaždin Generalcy (Military Border) were defined as being part of the military border. Even when the process of territorialization was finished, some exclaves, such as Žumberak, survived. Military officers and civilian cadaster keepers revisited these internal borders each spring, renewing damaged border signs. Franz Stefan Engel, "Beschreibung des Königreichs Slawonien und Herzogthums Syrmien," 1786, 2 vols., KA KPS LB K VII I, 47 E (hereafter Engel, "Beschreibung des Königreichs Slawonien"), vol. 2: 299-300, 306. KA – Kriegsarchiv, Austrian State Archive (Österreichisches Staatsarchiv), Vienna, Austria, abbreviated here as KA (alternative abbreviation is AT-OeStA KA). This was the process that continued well into the nineteenth century. The whole surface of the state was being mapped, too, and entered into cadasters. Evans, "Essay and Reflection:" 492-94; Nordman, *Frontières de France*, 327, 329, 519-21, 524.

Ottoman-Venetian and Ottoman-Polish delimitations indicates how the development of the Habsburg-Ottoman border diverged from the previous models.

Between the Venetians and their Ottoman neighbors the principle of border inviolability was not consistently respected. In the 1520s, local Ottoman authorities in Dalmatia unlawfully seized a part of Venetian territory, divided it into *timars* (state fiefs), and assigned its tax incomes to local *sipahis*, provincial cavalry. Only after long negotiations with the Ottoman court, did the Venetians receive their possessions back.<sup>106</sup> Territorial separation depended overwhelmingly on the adherence of the stronger partner, the Ottomans.

Venice was a city-state with an overseas empire. Its borders with the sultan were discontinuous, often separating small coastal possessions from the large Ottoman hinterland. The Polish-Lithuanian Commonwealth was in some respects more comparable to the Habsburg Monarchy. It was a large composite monarchy, with long land borders with the Ottoman Empire. Poles seemed to embrace demarcated linear boundaries with little enthusiasm, as a temporary solution. There is asymmetry between the Polish and Ottoman versions of demarcation documents. In the Ottoman delimitation protocol of 1680, the focus was on the borderline; in the Polish version on villages. The Polish commissioners were content to name the villages that belonged to each side, implying that village boundaries were state boundaries. This makes the Polish delimitation protocol an inventory of possessions and rights, closer to traditional practices in Western Europe.<sup>107</sup> For the Habsburg Monarchy the 1699

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<sup>106</sup> Pedani Fabris, "The Ottoman Venetian Frontier," 172; Pedani, *Dalla frontiera al confine*, 42-44, 46, 64-67, 70.

<sup>107</sup> Kołodziejczyk, *Ottoman-Polish Diplomatic Relations*, 545-54, 626-40; Kołodziejczyk, "Between Universalistic Claims," 211.

delimitation became the standard border arrangement with the Ottomans. Vienna adhered to it when it was victorious in 1699, 1718, 1791, and when it was not in 1739.

In the Habsburg case, the introduction of linear boundaries was a progressive and irreversible development. After defining “new” borders, the “old” ones were fixed as well. This was not the case with Poland-Lithuania, which successfully sabotaged the delimitation with the Cossacks in 1680. Poland-Lithuania wanted in that case to avoid unambiguously separating jurisdictions and explicitly recognizing the sultan’s sovereignty over the Cossacks in order to preserve its territorial pretensions.<sup>108</sup> The Habsburgs progressively expanded linear borders to the whole length of the Habsburg-Ottoman frontier. In 1699, the whole eastern section of the Habsburg-Ottoman border, which separated Habsburg Transylvania from the Ottoman vassal principalities Moldavia and Wallachia, remained un-demarcated. The Treaty of Carlowitz defines it as the old border, “before this war,”<sup>109</sup> even though the circumstances radically changed, with Transylvania exchanging Ottoman suzerainty for Habsburg rule in 1699.<sup>110</sup> This situation was seen as anomalous by the Habsburg side, which took the initiative and demarcated it in the 1770s.<sup>111</sup>

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<sup>108</sup> Kołodziejczyk, “Between Universalistic Claims,” 211.

<sup>109</sup> “Carlowitz Peace Treaty 1699,” article 1. The Treaty of Passarowitz (article 1) repeats this definition, with, of course, the exception of the part of the border between Transylvania and the Lesser Wallachia, which was under Habsburg rule from 1718 to 1739. The Peace Treaty between the Habsburg Monarchy and the Ottoman Empire, Požarevac (Passarowitz), 21 July 1718 (hereafter “Passarowitz Peace Treaty 1718”), published in *Istorijski izveštaj o Požarevačkom miru, od Vendramina Bjankija* (Požarevac: Narodni muzej, 2008), 224-49; also in *Treaties et cetera between Turkey and Foreign Powers*, 67-79.

<sup>110</sup> Marsigli, initially planned to demarcate and map this part of the border as well, but in the wake of the War for the Spanish Succession he was ordered to leave it as it was. See Stoye, *Marsigli’s Europe*, 206-207.

<sup>111</sup> Madalina-Valeria Veres, “Putting Transylvania on the Map: Cartography and Enlightened Absolutism in the Habsburg Monarchy,” *Austrian History Yearbook* 43 (2012): 151-54.

## **Linear Demarcation and the Division of Border Resources**

The new border arrangement redefined border life and cross-border mobility in territorial terms. This was obvious during delimitation and demarcation procedures. Border commissions working on the terrain had a duty to draw a borderline in a precise manner, to demarcate it clearly, separating land plots and defining the accessibility and use of border resources.

The work on border delimitation would begin immediately after a peace treaty was concluded. Both Ottoman and Habsburg central governments would name the commissioners for border delimitation and demarcation. In 1699-1701, the Habsburg commissioner Marsigli was tasked to demarcate the whole border between Transylvania and Venetian Dalmatia. In the later demarcations there were several groups of border commissioners, each for a separate section of the border. Thus in 1739 Major General Baron Engelshofen, the governor of Banat, was the Habsburg commissioner for the demarcation of the Danube section of the new border, between Belgrade and Orşova. One of the advantages of the division of delimitations duties was that local officials serving as commissioners were more familiar with circumstances, interests and military considerations in the section they were responsible for, in comparison with the members of the central governments. The work started with commissioners from both sides meeting and showing their accreditations. On both sides border troops and military provided guides and workforce necessary for demarcation. Local inhabitants were consulted as well. In 1740 the Ottoman commissioner for the Danube section summoned the oldest

villagers from the region to ask them about the names of thirty-two river islands near the village of Ostrovo.<sup>112</sup>

Both “wet” borders, following rivers and streams, and “dry” borders,<sup>113</sup> where the boundary left major rivers and went into dry terrain, were demarcated with increasing precision. The text of the Habsburg-Ottoman demarcation protocol of 1700, which dealt with the westernmost “dry” section of the border, between Ottoman Bosnia and the Habsburg Croatian Military Border, was still imprecise. The position of border marks was defined referring to prominent local landmarks: hills, mountains, valleys, summits, planes, ridges, slopes, rivers, rocks, springs, streams, rivers, fords, roads, meadows, cultivated fields. These topographic features were duly named, but their use for orientation is vague: “near,” “between,” “with a view of,” “right opposite.” Often individual trees (oaks, poplar, hornbeams, birch, and rowan tree) were taken as points of orientation. The description of the disputed section around the Bosnian town of Novi, done one year after the official commission finished its work, was particularly poor, with individual houses named after their owners chosen as landmarks. This created a potential problem for future border commissions. Trees could fall down and population could change, making recorded points of orientation obsolete. Instead of using cardinal directions for orientation, the protocol orientates

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<sup>112</sup> In 1739, the Ottoman commissioner for the same section of the border was el-Hacc Mehmed Efendi Mevkufatî, who previously served in Istanbul and in a number of provinces but not in the region that was being delimited. Ottoman delegation had a specialist for Islamic law. In 1739 Mullah Ebû Sehil Nu'mân Efendi, a member of the entourage of the Ottoman commissioner, appointed to closely follow the procedure and to issue a juridical certificate (hüccet) at the end that the demarcation protocol (border instrument) was in accordance with the Islamic law, left a description of the delimitation negotiations. Prokosch, *Molla und Diplomat*, 10-12, 19-22, 70-73.

<sup>113</sup> Gunther E. Rothenberg, *The Military Border in Croatia, 1740–1881: a Study of an Imperial Institution* (Chicago: University of Chicago Press, 1966), 46-49.

border marks “left of” or “right of.” The length between the 128 border marks was not indicated (except in one case).<sup>114</sup>

In the subsequent delimitations, land-surveying techniques improved accuracy and the language of demarcation protocols became more precise. In 1739-1741 the Habsburg commission engaged military engineers and geometers, who systematically used measurement instruments and triangulation to estimate distances in the Danube.<sup>115</sup> The delimitation protocol of 1795, after the last Habsburg-Ottoman war, which ended with the Peace Treaty of Sistova (1791), was very detailed. Although victorious, the Habsburg side, confronted with domestic unrest and the French Revolution in Europe, decided to renounce its conquests and to establish pre-war borders, with two exceptions. The Ottoman side “voluntarily” agreed to transfer two relatively small territories to Habsburg control. The first was the town of Old Orșova (Orșava), on the left (Habsburg) bank of the river Danube.<sup>116</sup> The second border transfer involved much more delimitation. The border between the Habsburg Military

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<sup>114</sup> Ešraf Kovačević, *Granice bosanskog pašaluka prema Austriji i Mletačkoj Republici po odredbama Karlovačkog mira* (Sarajevo: Svjetlost, 1973), 255-74; When a new Habsburg-Ottoman border commission, appointed after the Peace of Passarowitz (1718) set out in 1719 to renew the border marks on the small section of the border where there were no territorial changes, between the Habsburg region of Lika in Croatia and neighboring Ottoman territory of Bosnia, they were still able to locate twenty-five of twenty-seven border marks. Grenzscheidung Instrument, Mutilić (Muttelicz), 11 October 1719, M. E. Freiherr Teuffenbach and Nicolaus Petrovich, HHStA StAbt Türkei III 7. HHStA – Haus-, Hof- und Staatsarchiv (HHStA), Austrian State Archive (Österreichisches Staatsarchiv), Vienna, Austria, abbreviated here as HHStA (alternative abbreviation is AT-OeStA HHStA).

<sup>115</sup> Prokosch, *Molla und Diplomat*, 78-97, 103-104, 109-10.

<sup>116</sup> The 1739 Peace Treaty and the 1741 Border Convention left an Ottoman enclave Old Orșova (Orșava) on the north bank of the river Danube surrounded by Habsburg territory, a source of frustration for Habsburg authorities for decades. In 1775, the Habsburg envoy at the Ottoman court, Baron Franz Maria Thugut, expressed the frustration of border authorities by calling this “mélange respectif de territoire” a major disturbance in the fight against smuggling and epidemic diseases. Vienna unsuccessfully attempted to acquire this territory through negotiations in 1775. Four articles about the territorial connection between the Habsburg provinces of Transylvania and Galicia and Lodomeria, Constantinople, 7 May 1775. HHStA StAbt Türkei III 7, article 4.



Border in Croatia and the Ottoman western Bosnia moved several kilometers to the east, and a narrow, but long strip of land along the river Una came under Habsburg control.<sup>117</sup> The whole section of the border had to be redrawn and re-demarcated. Each border mark, “humka” (Hunke, Hügel), an earth mound with a round wooden pole in its midst, was described precisely.<sup>118</sup> A pole had a border-mark number and also the Habsburg and Ottoman coats of arms, thus emphasizing the symbolic value of the boundary for the territorial sovereignty.<sup>119</sup> In 1740 the Ottoman commissioner emphasized that the mounds should be erected in such a manner that a person standing on the top of one mound could see the top of the next one.<sup>120</sup> To make the demarcation line more recognizable in the uninhabited mountains of Plješevica, additional unnumbered border marks were introduced in 1791-1795. Where the new boundary left “natural” borders, streams and rivers, and turned into an “artificial line,” ditches were dug to show its direction. Its route was not described as “to the left” or

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<sup>117</sup> Four articles about the territorial connection between the Habsburg province of Transylvania and provinces Galicia and Lodomeria, Constantinople, 7 May 1775; the Peace Treaty of Sistova, 4 August 1791; Separate Peace Convention regarding the Borders, Sistova, 4 August 1791, HHStA StAbt Türkei III 7.

<sup>118</sup> “Diese Gränzzeichen heißen Hunken (ein türkisches Wort) und bestehen in einem aufgeworfenen Erdhügel, aus dessen Gipfel ein runder Pfahl hervorragt.” Friedrich Wilhelm von Taube, *Historische und geographische Beschreibung des Königreiches Slavonien und des Herzogthums Syrmien: sowol nach ihrer natürlichen Beschaffenheit, als auch nach ihrer itzigen Verfassung und neuen Einrichtung in kirchlichen, bürgerlichen und militarischen Dingen*, 3 vols. (Leipzig, 1777-1778), vol. 3: 87.

<sup>119</sup> Demarcation Instrument, 23 December 1795, Novi, HHStA StAbt Türkei III 7; Carl Bernhard von Hietzinger, *Statistik der Militärgränze des österreichischen Kaisertums: Ein Versuch*, 2 vols. (Vienna: Carl Gerold, 1817-1823), vol. 1: 50.

<sup>120</sup> “Die Regel für die Errichtung der Hunkas auf gleicher Höhe verlangt, daß man über die Spitze der letzten Hunka hinweg jeweils die Spitze der vorigen Hunka sehen können muß.” Prokosch, *Molla und Diplomat*, 132.

“to the right” as in 1699-1700, but with reference to cardinal directions (going southward, southeastward or eastward), with the length indicated.<sup>121</sup>

Once erected, border marks were not to be crossed any more by the opposite side, border commissioners included.<sup>122</sup> *Hunken* were important not only in the “dry” border, where prominent topographical marks were not always available,<sup>123</sup> but also on the “wet” border, where rivers divided Habsburg and Ottoman jurisdictions. The formal charge against Jovan Radojevics, the boatman from the Introduction who attempted to cross the border illegally in 1773, was that he, unauthorized, walked over the “Hügel” that marked the border on the river Danube.<sup>124</sup> An immediate consequence of a border demarcation was a mobility restriction and closely regulated access to border resources.

The preoccupation with separation of river islands reflected an increasingly strict and precise interpretation of linear territorial separations. The Carlowitz Peace of 1699 placed a large part of the borderline on rivers. While Vienna retained control over river islands in the rivers Mureş, Tisza and Una (from Novi downstream), the islands on the river Sava were shared with the Ottoman side (Račanska ada,

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<sup>121</sup> Demarcation Instrument, 23 December 1795, Novi, HHStA StAbt Türkei III 7. There is no comparable evolution in the Ottoman-Polish demarcation protocols. Instead, there is a regression in details and precision. The Ottoman-Polish protocol from 1703 was short and referred to general topographical features, usually without directions or length in hours of walking. Kołodziejczyk, *Ottoman-Polish Diplomatic Relations*, 555-80, 626-35.

<sup>122</sup> Prokosch, *Molla und Diplomat*, 149.

<sup>123</sup> Hietzinger, *Statistik der Militärgränze*, vol. 1: 54-55.

<sup>124</sup> IAB, ZM, 1773-2-29 Historical Archives of Belgrade (Istorijski arhiv Beograda), Serbia, in Tanasije Ž. Ilić, *Beograd i Srbija u dokumentima arhive Zemenskog magistrata od 1739. do 1804. God.*, vol. 1 (1739-1788) (Beograd: Istorijski arhiv Beograda, 1973), 369-72. ZM –Zemunski magistate, IAB – Istorijski arhiv Beograda, Belgrade, Serbia, abbreviated here as IAB, ZM. Earth mounds with poles were also used to demarcate Habsburg internal border in the second half of the eighteenth century, such as the border between the Military Border and civil authorities.

Županjska ada, Rastovačka ada, Brodska ada).<sup>125</sup> This produced a narrow zone of dual rule, condominium. In addition, it was not clear whether the subjects could use the whole river, for example for fishing, or only the half that was closer to their shore. The Peace of Passarowitz (Požarevac) in 1718 delayed the resolution of these uncertainties, by temporarily pushing the borderline away from major rivers. The ambiguities reappeared with the Peace of Belgrade in 1739, when the Habsburg-Ottoman border finally settled down on the Una, Sava and Danube rivers. This time, all islands were divided. A procedure for newly emerging ones was introduced (they should be attributed to the side whose shore they were closer to). Although the usage of rivers remained nominally shared, the surface of the water was divided in the middle between the Habsburg Monarchy and the Ottoman Empire. Fishermen were not allowed to cross this imaginary line.<sup>126</sup> Detailed maps of divisions of the Danube river islands<sup>127</sup> present additional evidence of the importance of clear territorial divisions.

The work on delimitations could last from a couple of months to a couple of years. The work of border commissions could be extended for months, even years in case of disputes, particularly when they involved central governments. Everything needed to be settled before the commissioners from both sides would formally end the process by comparing border protocols (instruments) to remove eventual differences, and exchanging them. Following the Treaty of Belgrade of 1739, the Ottoman-

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<sup>125</sup> “Carlowitz Peace Treaty 1699,” articles 2 and 5. Kovačević, *Granice bosanskog pašaluka*, 255-74.

<sup>126</sup> The Peace Treaty Between the Habsburg Monarchy and the Ottoman Empire, Belgrade, 18 September 1739 (hereafter “Belgrade Peace Treaty 1739”), in *Treaties et cetera between Turkey and Foreign Powers, 1535-1855* (London: Foreign Office, 1855), 93-106, articles 1, 2, 4, 7; The Convention about Limits between the Habsburg Monarchy and the Ottoman Empire, Constantinople, 2 March 1741 (hereafter “Border Convention 1741”), in *Treaties et cetera between Turkey and Foreign Powers, 1535-1855* (London: Foreign Office, 1855), 108-112, articles 1, 2, 4.

<sup>127</sup> HHStA StAbt Türkei IX, 1741 Donaugrenze Serbien-Banat.

Habsburg commissions for the border between Bosnia, on the one hand, and Croatia and Slavonia, on the other, working on long sections of “dry border,” where the commissioners could not use prominent natural features, such as rivers, as borders, finished its job several months before their colleagues working on the much shorter and apparently much simple Danube section, where the river was to be the border.<sup>128</sup> Even apparently clear treaty provisions could be open to interpretation. The Treaty of Belgrade of 1739 stipulated that when the border followed rivers, it should be drawn in the middle and that river islands should belong to the side to which they are closer. With its varying widths and water levels, changing river islands and marshes, the middle of the river Danube was complicated to find. One option was to follow the main current, *Talweg*, where the river was the deepest. The Habsburg commissioner for the delimitation of Danube in 1739-1741, General Engelshofen, suggested putting a boat in the middle of the river near Belgrade and letting the main river current carry it downstream, with no steering until it reached the end point, Orșova fortress. The river islands to the left would belong to the Habsburg Monarchy, and the ones on the right to the Ottoman Empire. According to Engelshofen, this would be the quickest and easiest way for delimitation since the whole operation should not have taken more than two days. The Ottoman side dismissed this idea and opted instead for a mathematical middle determined through triangulation measurement.<sup>129</sup> However, this was not simple either. The two commissions spent a hundred days disputing over the Ostrovo Island. At that moment, the island was closer to the Ottoman bank of the Danube, but the Habsburg delegation argued that they should wait for a lower water level when the parts of the island closer to Habsburg bank would appear too.<sup>130</sup> Even

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<sup>128</sup> Prokosch, *Molla und Diplomat*, 153-69, 195-97.

<sup>129</sup> Prokosch, *Molla und Diplomat*, 27.

<sup>130</sup> Prokosch, *Molla und Diplomat*, 78-97, 103-104, 109-10, 232-37.

when they agreed on distances, commissions could have different views on relevance. According to the Ottoman commissioner, the only relevant measurement is the closeness of the “head” of an island, the part furthest upstream, to the nearest bank.<sup>131</sup> All these disputes remained unresolved until the Habsburg-Ottoman Convention from 2 March 1741, negotiated between the Habsburg ambassador, Count Ulfeld, and the Grand Vizier, El-Hatschi Achmed, in Istanbul, divided the river islands by listing five on the Sava and Danube rivers that were to be Ottoman, while assigning all other to the Habsburgs.<sup>132</sup>

In the delimitation agreement from 1795 jurisdictions and border resources were separated clearly. Thus, the part of the boundary between Habsburg Croatia and Ottoman Bosnia, near the settlements of Velika Kladuša and Cetingrad followed the left bank of a small stream named Đurin (Jurin) Potok. The stream itself was thus not shared, but attributed to the Habsburg Monarchy. Unless explicitly exempted, other border resources were also strictly divided. On the westernmost 150-170-km section of the Habsburg Ottoman borders, the following joint rights of use or of access were explicitly mentioned: the shared use of about twenty kilometers of the river Korana, for irrigation, cattle and the transport of logs, five individual mountain springs, the brook Tiškovac (Tiskovaz) and a road nearby, as well as the Archangels Church, which was on Ottoman territory, but remained open to use as a place for pilgrimage

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<sup>131</sup> Prokosch, *Molla und Diplomat*, 37-40.

<sup>132</sup> Prokosch, *Molla und Diplomat*, 225-31. Although formally Habsburg territory, the half of Ratno Island closer to the Belgrade fortress was acknowledged to be also the barren space around city walls, the glacis, giving the guards a good view of the area immediately surrounding the Belgrade Fortress. The annual procedure of clearing the half of the island toward Belgrade of trees and bushes was described in 1772. In November, the Magistrate of the Habsburg town of Zemun assembled a group of fifty people. They were sent, accompanied by the military, to Ratno Island. With utmost discretion and silence they were ordered to cut trees and shrub. IABM, ZM, 1772-2-29, in Ilić, *Beograd i Srbija*, 351-53.

by the Habsburg subjects.<sup>133</sup> All other resources were assigned exclusively to one or the other side.

As elsewhere in Europe, the central Habsburg governments showed little consideration for local proprietary rights and claims when fixing new borders. However, the transfer of sovereignty could lead to the loss of ownership rights. In peace treaties, the conquered Ottoman lands were transferred to the Habsburg state, to be sold to private persons or annexed to the Military Border and then distributed to local families. Eventually the Peace of Sistova of 1791 recognized previous ownership rights of those Ottoman subjects, whose lands were divided by the new Habsburg-Ottoman boundary. They were requested, however, to choose between Ottoman or Habsburg subjecthood and to sell their possessions on the other side of the border.<sup>134</sup> This was not a typical situation elsewhere in Europe. For example, after 1659 some landowners in French Cerdagne kept their Spanish subjecthood or chose to remain Spanish subjects. They were allowed to keep their possessions, to collect their incomes and feudal dues, and to enjoy exemption from French taxes.<sup>135</sup> On the Habsburg-Ottoman border cross-border possessions were not allowed.

The people most affected by new border arrangements often had very little say. Sometimes their voice was heard, particularly if they were state actors. In 1741, the Janissaries and volunteers from the Ottoman fortress of Ada Kaleh shadowed the Ottoman commissioner and his entourage while they were demarcating the nearby border. They succeeded through threats and pleas in moving the new boundary away from some, but not all, of the gardens and vineyards they claimed possession of. In the end, unsatisfied with their limited success, they became more aggressive, calling

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<sup>133</sup> Unnaer Demarkations Instrument, Novi, 23 December 1795, HHStA StAbt Türkei III 7.

<sup>134</sup> The Article 8 of the Sistova Peace Treaty, Sistova, 4 August 1791, HHStA StAbt Türkei III 7.

<sup>135</sup> Sahlins, *Boundaries*, 144-55.

the Ottoman delegation traitors and shooting over their heads. The Ottoman commissioner was forced to return to Istanbul through Habsburg territory and Wallachia.<sup>136</sup> Other similar attempts were even less successful. On 21 March 1792, a group of 150 people from Ottoman Tržac crossed the river Korana and the border that was still not demarcated. They started to cultivate land on the Habsburg bank, trying to regain their former property rights. They were warned the next day by the Habsburg staff officer inspecting the border that this was prohibited since the boundaries were inviolable and sent back. Their repeated pleas to get permission to return were rejected. The Habsburg bank of the Korana River was subsequently made inaccessible and border posts were strengthened. The Habsburg border commissioner, General Schlaun, sent a formal complaint to the Ottoman governor of Bosnia, Hacı Saly Pasha, and to the Ottoman border commissioner, Ismael Ismeti Effendi.<sup>137</sup> We do not know what the Ottoman response was, but it seems that his protest was effective, since similar incidents were not mentioned in later documents.

The linear border seems to be used, however, to reconcile two disparate concepts of land ownership. In the Ottoman Empire most arable lands were possessed by the Treasury and were leased to the subjects who cultivated them and paid taxes. The lease could be inherited, but the land was not privately owned.<sup>138</sup> The members of the Ottoman administrative-military elite, such as *sipahis*, could enjoy the fiscal

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<sup>136</sup> Prokosch, *Molla und Diplomat*, 134-49.

<sup>137</sup> General Schlaun to Hacı Saly Pasha, Ottoman governor in Travnik and to Ismael Ismeti Effendi, Ottoman border commissioner, Zagreb, 24 March 1792; Hofkriegsrat to the General Schlaun, Vienna, 2 April 1792; HKR to the General Schlaun, Vienna, 12 May 1792, HHStA StAbt Türkei III 7.

<sup>138</sup> Ottoman subjects owned personal property, village and town houses, shops and other buildings, gardens and vineyards and were free to sell them or to give them away. Real estate, *mülk* lands could be inherited, but also arbitrarily taken away, while the privileges of pious estates, *vakıfs*, should have been, at least nominally, extended every thirty years. Káldy-Nagy, "The Administration of the Şanjāq Registrations:" 181-83, 185, 210-11, 220, 222.

contribution from the state-owned arable lands, but could not claim ownership. When the Ottomans conquered land of their Christian neighbors or vice versa, there was no automatic acknowledgement of previous possession rights. The possessions of local nobles would be confiscated by the Ottoman state, while the Ottoman state land would be taken over by the Habsburg Treasury (Hofkammer). Fixing a border by compiling an inventory of rights and jurisdictions was not an option, because these rights and jurisdictions were not mutually recognized. Linear delimitations were a compromise to separate possessions, while avoiding adherence to either of the two concepts of land ownership.

### **Mobility and Safety**

The strict separation of jurisdictions and of territories went hand in hand with the strict regulation of mobility. Both empires implicitly assumed the right to allow or to deny cross-border access and to control mobility in normal peaceful circumstances. Immediately after the Treaty of Carlowitz (Karlovci) of 1699 and the first systematical demarcation of the Habsburg-Ottoman border, the two states were preoccupied with clear territorial separation of jurisdictions, pacifying the frontier regions, and suppressing banditry. Apart from those who threatened state and personal security, the Habsburgs and the Ottomans were not much concerned about the travel of the majority of migrants.<sup>139</sup> The peace agreement generally guaranteed free trade for merchants from both sides and provided official Habsburg couriers with Ottoman travel documents.<sup>140</sup> The delimitation agreements from 1700 and 1701 did not discuss the restriction of mobility explicitly or implicitly. Subjects of both sides could cross

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<sup>139</sup> “Carlowitz Peace Treaty 1699,” articles 6, 8, 9.

<sup>140</sup> “Carlowitz Peace Treaty 1699,” articles 14 and 17.



the border and enter the territory of both respective states without special formalities. The Ottoman side explicitly declared that it was neither possible to control the border, nor was it possible for the Ottoman authorities to introduce restrictions to the free travel of their subjects. When a large group of sixty Ottoman merchants crossed the border from the Ottoman Banat and entered the Habsburg territory in late 1706, they stopped to pay customs and taxes not at the boundary, but at their first major stop, the town of Szeged (Segedin).<sup>141</sup>

During the eighteenth century, the Habsburg authorities became increasingly sensitive to illegal border crossings and the Ottomans tolerated close border supervision from watchtowers placed close to the boundary. The Treaty of Belgrade (1739) and subsequent border agreements introduced strict control of cross-border mobility, putting the boundary in the middle of the Sava and Danube rivers. All unsupervised and unauthorized border crossings were considered illegal. The only activity that was allowed on the opposite bank and that did not require a special authorization was pulling barges upstream when it was easier to use that side, but only under military supervision.<sup>142</sup> People fishing on border rivers regularly approached the imagined boundary that ran in the middle of the stream. This produced a number of situations perceived as provocative by Habsburg authorities. Around 1755 a group of Ottoman fishermen, together with two Ottoman Muslims (*würklichen Türken*),<sup>143</sup> crossed the half of the river Danube via the island of Boriza (now under Đerdap/Iron Gate Lake) to fish near the Habsburg village of Svinița (Sninza) on the other side. The

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<sup>141</sup> Jovan Pešalj, "Early Eighteenth Century Peacekeeping: How Habsburgs and Ottomans Resolved Several Border Disputes after Carlowitz," in *Empires and Peninsulas: Southeastern Europe between Carlowitz and the Peace of Adrianople, 1699-1829*, ed. Plamen Mitev, Ivan Parvev, Maria Baramova, and Vania Racheva (Berlin: Lit Verlag, 2010), 32-36.

<sup>142</sup> "Belgrade Peace Treaty 1739," article 7; "Border Convention 1741," articles 1, 2 and 4.

<sup>143</sup> The documents use the name "real Turks" to refer to Ottoman Muslims, often Janissaries.

Habsburg commander asked them to return, but they refused. The incident escalated all the way to the Habsburg envoy at the Ottoman court, Schwachheim, who lodged an official protest. After an investigation, the Grand Vizier underlined the prohibition of fishing across the middle of the river.<sup>144</sup> Fishermen from the Habsburg border town of Zemun, near Belgrade were often involved in border incidents. The Habsburg authorities increasingly regulated fishermen's mobility. In November 1763, the General Commando of the Slavonian Military Border ordered that fishing should start one hour before sunrise and that it should finish one hour after sunset.<sup>145</sup> In 1774, only the members of Zemun fishermen's guild were allowed to fish on the border, with a special pass and under the supervision of the Habsburg guard from the shore.<sup>146</sup> Exceptions had to be authorized by the authorities.

Linear delimitations made cross-border mobility and migration more regulated, but also safer. They pacified the border. Two empires mutually guaranteed peace and security, outlawed state violence and incursions during peace, and worked together against non-state actors, such as bandits and smugglers. A clear territorial separation of jurisdictions and the responsibility to ensure security, run investigations and to provide compensation to injured parties, all gradually created a safer environment for cross-border mobility and migrations. The precondition for the new territorial border arrangements was the pacification of international relations and border areas in particular. A similar process was visible elsewhere in Europe during the "movement of delimitations." The negotiating parties were treated as equal, irrespective of their

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<sup>144</sup> The translation of the imperial order (firman) from the beginning of November 1755 to the Firari Mustafa Passa, governor of Belgrade, kadı of Belgrade, and to the Janissary Agha, HHSStA StAbt Türkei III 4.

<sup>145</sup> Slavonian General Command (Slav. GK) to the Magistrate of the Town Zemun (ZM), Osijek, 1 November 1763, IAB, ZM, 1764-1-3, in Ilić, *Beograd i Srbija*, 184.

<sup>146</sup> IAB, ZM, 1775-1-51, in Ilić, *Beograd i Srbija*, 428-32.

military strength. Border negotiations were instigated to precisely delimit space, not to make territorial claims.

The Habsburg-Ottoman treaty of 1699 put a great emphasis on peace and security on the border, as well as on the close supervision of violence. The first step was to partially demilitarize the border. At the Peace Congress in Carlowitz 1698-1699, the Ottoman delegation did not only suggest introducing the linear border between the Habsburg Monarchy and the Ottoman Empire. The sultan's negotiators also suggested demolishing some frontier fortifications and prohibiting the building of new ones. The Habsburg delegation, which initially insisted on razing just the fortification from the part of the Banat of Temesvár they were to evacuate, accepted this stipulation to be applied to the whole border.<sup>147</sup> A number of border fortresses were torn down, and "the building of new fortifications under any pretext" was forbidden. Most border settlements were to be left unfortified ("open").<sup>148</sup> The supervision infrastructure was at this moment regarded with suspicion, as a threat to pacification. Following the Treaty of Carlowitz of 1699, the Habsburg side erected a number of watchtowers and dug some defensive trenches along the Sava and Danube river border. This was in line with the pre-existing models of defensive fortifications against raids, sudden attacks and abductions. After Ottoman complaints, in 1709 a joint Habsburg-Ottoman border commission found them to be contrary to the treaty of 1699 and the new border regime, they were razed to the ground.<sup>149</sup> The demilitarization was not absolute. During the first two decades of the eighteenth century, twenty-four fortresses were

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<sup>147</sup> The Ottoman effort to keep a foothold in Syrmia (Srem) near Belgrade resulted in the division of Syrmia between two sides with a straight line, exemplifying the "artificial" demarcated border of 1699. Abou-El-Haj, "Ottoman Diplomacy at Karlowitz," 503-506; Stoye, *Marsigli's Europe*, 174-75.

<sup>148</sup> "Carlowitz Peace Treaty 1699," articles 2, 4 and 7.

<sup>149</sup> Pešalj, "Early Eighteenth Century Peacekeeping," 40-41; Kovačević, *Granice bosanskog pašaluka*, 255-74.

built along the Una and Sava rivers, on the newly pacified Habsburg-Ottoman linear border, and a little later the Ottoman fortress of Vidin was rebuilt to sustain an artillery attack.<sup>150</sup> This was, however, only an adjustment to the fact that the border now ran through previously well-protected internal Ottoman provinces, which would be too exposed without at least some new defensive strongholds. The pre-1699 density of fortifications was never reached again. At the Peace Congress of Passarowitz in 1718, the Ottoman side made a similar suggestion, to prohibit building new fortifications and towns, allowing just repairs of the existing ones, and it was again accepted.<sup>151</sup> The purpose of these measures was to discourage violence by leaving both sides more exposed and vulnerable to retribution, increasing the potential costs of violence. With no complete chain of border fortifications to guard the interiors of the two empires, both the Habsburgs and the Ottomans were forced to think twice before escalating disputes into hostilities.

The second step was, accordingly, to explicitly and completely forbid cross-border violence during peacetime by military and paramilitary. “It is strictly prohibited henceforward [...] to assemble and send armed units [across the border] to invade, raid, pillage and submit the subjects [of the other side] to violence.” Those who disobeyed were threatened with severe punishments, while victims were promised the full restoration of stolen property or compensations.<sup>152</sup> This new regime was successfully implemented within a couple of years. Violence and other peacetime

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<sup>150</sup> See Burcu Özgüven, “*Palanka* Forts and Construction Activity in the Late Ottoman Balkans,” In *The Frontiers of the Ottoman World*, 175; and Rossitsa Gradeva, “Between Hinterland and Frontier: Ottoman Vidin, Fifteenth to Eighteenth Centuries,” in *The Frontiers of the Ottoman World*, 336.

<sup>151</sup> Drag. M. Pavlović, “Požarevački mir (1718. g.),” *Letopis Matice srpske* 207, no. 4 (1901): 62-63.

<sup>152</sup> “Carlowitz Peace Treaty 1699,” article 8. Duels were also forbidden “Carlowitz Peace Treaty 1699,” article 11.

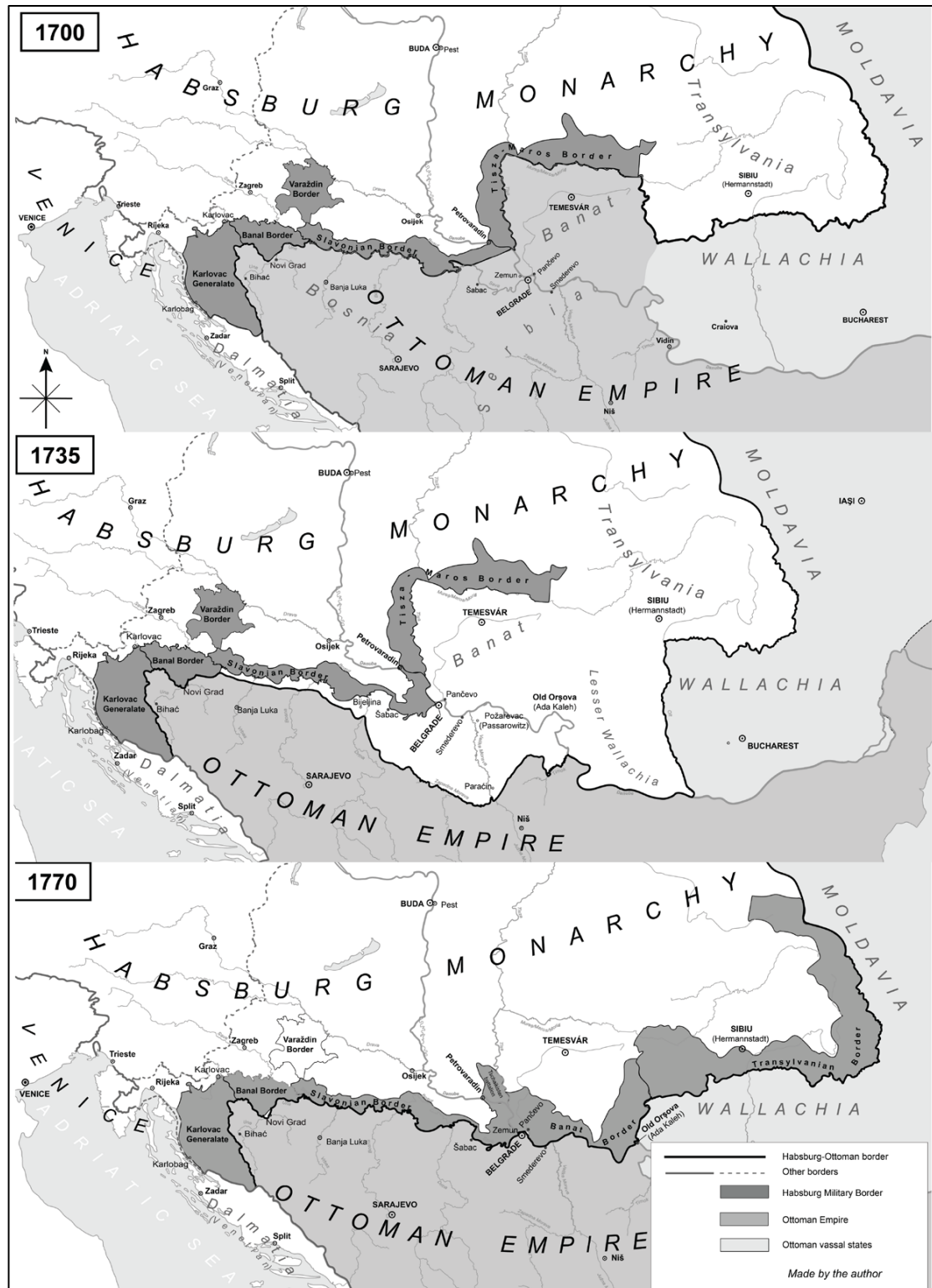
excesses, not unusual in the previous era, disappeared.<sup>153</sup> During the eighteenth century border incidents involving state actors were rare. They were the products of the state temporarily and partially losing control, and they did not come close to the serious incursions of previous centuries. From November 1755 until January 1756 there was a revolt in Belgrade, leading to insecurity and the rise of robbery aimed at the local population and or cross-border migrants, but not attacks on the Habsburg border guards.<sup>154</sup>

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<sup>153</sup> In some cases ensuring border security was critical. In 1716, just before the Habsburg-Ottoman War of 1716-1718, the Porte ordered border commanders to strictly avoid any actions that could be interpreted as contrary to the Peace Treaty of 1699, particularly border infringements. Drag. M. Pavlović, "Požarevački mir (1718. g.)," *Letopis Matice srpske* 207, no. 3 (1901): 40.

<sup>154</sup> Johann Paitsch to the Temesvarer Landesadministration (Provincial administration of the Banat of Temesvár – TLA), 30 November 1755, 2 December 1755, 23 December 1755, 10 January 1756; 31 January 1756; Sanitäts-Diarii von der Contumaz-Station Panzova pro January 1755, October 1755, November 1755, December 1755, January 1756, FHKA NHK Banat A 123. In 1777, badly paid Janissaries, ignoring the orders of Ottoman governors, were identified as one source of some border incidents. Taube, *Historische und geographische Beschreibung*, vol. 2: 93-98.

**Figure 1.1. The Habsburg-Ottoman Border and the Military Border 1700-1770**



The Carlowitz Treaty enshrined the procedures and mechanisms to deal with eventual border incidents and disputes. To prevent escalation, a special border commission was to be formed “with equal numbers of righteous, impartial, clever, experienced and peace-loving members from both sides” to investigate all disputes, hear witness testimonies and give instructions on how to resolve them. More difficult cases were to be forwarded to central governments for decision.<sup>155</sup>

The pacification process is reflected in the history of the Military Border. Military defense against the Ottomans ceased to be its primary role. The Habsburg side needed years to realize that the pacification was permanent. In the first two decades after the Karlowitz Peace, Vienna was worried that the Ottomans could use its involvement in the War of the Spanish Succession (1701-1714), as well as the Rakoczi Rebellion (1703-1711) to attempt to re-conquer Hungary.<sup>156</sup> One of the stated reasons for the 1703 revolt in Edirne, in which the Sultan Mustafa II (1695-1703), who concluded the Karlowitz Peace, was deposed, was that he conceded too much territory to Christians.<sup>157</sup> After 1699, four Habsburg border captaincies (generalcies, “borders”) of the old Military Border in Hungary were dissolved, because the border moved hundreds of kilometers to the southeast. This was, however, followed after 1699 by an immediate organization of new Military Border sections along the new borderline. Two new “borders” were organized to completely cover the border between Croatia and Transylvania, where the Habsburgs and Ottomans were in direct contact: the Danube-Sava Border and, further to the east, the Tisza-Máros

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<sup>155</sup> “Carlowitz Peace Treaty 1699,” article 11.

<sup>156</sup> Karl A. Roider, *Austria's Eastern Question, 1700-1709* (Princeton: Princeton University Press, 1982, 21-30, 44-48.

<sup>157</sup> Virginia H. Aksan, *Ottoman Wars 1700-1870: An Empire Besieged* (Harlow, UK: Pearson, 2007, 36-37.

Border.<sup>158</sup> The Military Border moved with the frontier, in accordance with the old defensive pre-1699 roles. However, in 1718, when Habsburg territory expanded further to the south, the Military Border did not move. By then it was already apparent that it had lost its major defensive function in the new border arrangement.<sup>159</sup> There had been no Ottoman raids in the peacetime after 1699. The rivalry for Hungary, which lasted for nearly two centuries, was resolved in 1718, with the Austrians conquering the last pieces of Hungarian lands, the Banat of Temesvár and the southeastern tip of Srem, as well as additional glacis in the Balkans. The Military Border struggled to find a new purpose, with some parts successfully surviving, like the Varaždin Border, while others not escaping the fate of being dissolved. The Tisza-Máros Border was thus dissolved in 1751-1752.<sup>160</sup> When the Military Border was eventually extended eastwards into Bačka, the Banat of Temesvár and into Transylvania in the 1760s, the main reason was not to provide a better defense against the Ottoman Empire. The Military Border became instead a source of inexpensive recruits for the other Habsburg theaters of war and a free workforce for cross-border mobility controls.

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<sup>158</sup> The abolishment of Varaždin Generalcy in Slavonia was also expected after 1699. It was prevented by the Styrian estates, which controlled its military and funding and successfully pleaded in Vienna against the dissolution. The only “borders” whose future was not under question was the Karlovac Generalcy and the Petrinja (Banal) Border, both territorially expanded during the 1680s and the 1690s and both still bordering the Ottomans. Hochedlinger, *Austria's Wars of Emergence*, 84, 240-42.

<sup>159</sup> The realization was dated several decades later, in the middle of the eighteenth century, by Kaser, *Freier Bauer und Soldat*, 512-20. If the Ottomans were still perceived as a threat in the early eighteenth century, it would be difficult to explain why the Habsburgs failed to organize new military borders after 1718 in Banat, Serbia, Wallachia and Bosnia, all under full control by the central government at that time.

<sup>160</sup> Sonja Jordan, *Die kaiserliche Wirtschaftspolitik im Banat im 18. Jahrhundert* (Munich: Verlag R. Oldenbourg, 1967), 83-98.



The relative weakness of autonomous local and provincial powers and the existence of the centrally controlled Military Border gave the Habsburg central government more direct influence on frontier life. Unlike in other border regions of the Habsburg Monarchy, local and provincial authorities in the parts of Hungary that bordered the Ottomans stayed weak for decades. They struggled to organize noble assemblies. The Hungarian estates were not represented in the border delimitations following the 1699 treaty, although formally the borders of the Kingdom of Hungary were being determined. In addition, the Military Border was exempted from their jurisdiction and centrally controlled. In the regions on the border with the Ottomans, the central government in Vienna had more tools and fewer obstacles to introduce new policies than its counterparts elsewhere in Europe. It could use border military forces to suppress border violence, enforcing pacification.

While the violence by state actors was quickly put under control, the private violence was more difficult to control, banditry in particular. Robber bands could not be completely eradicated from the border region, despite substantial progress during the eighteenth century. The border regime was, namely, only one factor with an impact on banditry. The internal political and economic situation in both Empires was often more influential. Food crises, recruitments, tax increases or a Janissary rebellion could all lead to the decrease of security and protection and the increase of banditry. Thus between 1778 and 1788, between the War of Bavarian Succession and the last Habsburg-Ottoman war, there was a temporary uptick in the number of robber attacks, related to recruitment for and desertions from the Habsburg army.<sup>161</sup>

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<sup>161</sup> Slavko Gavrilović, *Hajdučija u Sremu u XVIII i početkom XIX veka* (Belgrade: Srpska akademija nauka i umetnosti, 1986), 91, 108, 113-26.

In normal years, when there were no disorders and when the economic situation was not particularly bad, the fight against banditry was more successful. The commanders on both sides of the border were made explicitly responsible to eradicate banditry, not to give it a refuge, to work together with the other side, to extradite caught robbers or to resettle repentant and reformed criminals far away from the border.<sup>162</sup> The border authorities had a number of tools available. On the one hand, there were harsh measures, like exemplary public torture and the execution of convicted robbers, collective responsibility of villages on whose territories robbers operated, pulling down isolated houses that robbers could use as a refuge and the compulsory concentration of villages for better supervision and defense. On the other hand, military authorities on the border promised rewards for information about robbers' whereabouts, as well as amnesties and resettlement for repentant former robbers, often under the condition that they kill or capture their former fellows.<sup>163</sup> Precisely separated and defined territorial jurisdictions assigned clear responsibilities to both sides, so that illegal activities would be quickly and efficiently put to an end. Habsburg and Ottoman border authorities were responsible for providing security to the subjects of the other side. If they failed to do so, they were obliged to compensate the victims for all the damages incurred. When in 1765 a robber band in Habsburg Srem took away about 20,000 guildens from an Ottoman merchant, the local authorities did not wait for Ottoman complaints. They immediately set out to find the robbers and to compensate the victims.<sup>164</sup>

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<sup>162</sup> "Carlowitz Peace Treaty 1699," article 9; "Passarowitz Peace Treaty 1718," article 14; "Belgrade Peace Treaty 1739," article 18.

<sup>163</sup> Gavrilović, *Hajdučija u Sremu*, 12-19.

<sup>164</sup> Gavrilović, *Hajdučija u Sremu*, 101-102.

Close and timely cooperation of the authorities on both sides of the border was often crucial for success against banditry. In 1745, the Band of Dijak, pursued by Habsburg authorities, was caught on Ottoman territory. Its members were executed in Belgrade.<sup>165</sup> In October 1786, a group of robbers, consisting of Habsburg subjects and operating in the Ottoman Empire, was pursued near Požarevac in a chase organized by local Muslim and non-Muslim inhabitants. One robber was killed, while two were caught alive. Jussuf Kussni, deputy (Kaimmekam) of the Belgrade governor, extradited the two to the commander of Habsburg Zemun for punishment.<sup>166</sup>

The separation of jurisdictions in the border area could also complicate investigations and arrests. The bordering states had to correspond, cooperate and to work quickly, which was not always possible. The situation was even more difficult when there were three states and three jurisdictions, such as between Habsburg Croatia, Ottoman Bosnia and Venetian Dalmatia. When goodwill was lacking on one side, the whole system of robbery suppression could be brought to a halt. Well-connected and resourceful robber bands could use the strict separation of jurisdictions to their advantage. By the spring of 1758, the band of robbers known as “Satschwitsche,” composed of an extended family originally from Gacko (Ghatschka) in Herzegovina, became infamous in the wider region of Herzegovina, Dalmatia, west Bosnia and Habsburg Lika. Led by “Erz-Rauber” Istanscha (Staniša?), and consisting of male members of his extended family, the band first robbed the merchants on the road from Dubrovnik through Trebinje to Sarajevo in central Bosnia. From one Dubrovnik merchant they thus stole 3,600 Dubrovnik Thalers (Wishlin, vižlin) near Sarajevo. Pursued by Ottoman authorities, they moved with their families to Venetian territory near the fortress of Imotski (Eimutschka) from where they continued their

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<sup>165</sup> Gavrilović, *Hajdučija u Sremu*, 87.

<sup>166</sup> IAB, ZM, 1786-1-161, in Ilić, *Beograd i Srbija*, 663-64.

attacks. The Ottomans alerted the Venetian general in Dalmatia and Albania.<sup>167</sup> The robbers and their families, timely informed, escaped the approaching Venetian troops, which burned down the houses of the robber families and made local officials responsible for tolerating this group. The robbers then found refuge in the third country, in Habsburg Lika, near the triple border of Lika, Dalmatia and Bosnia. On the written request of the Ottoman governor of Bosnia *Elhadschi* Mohammed Pasha to arrest and extradite the whole group, the commander of this section of the Military Border, the General Petazzi, caught Istanscha and his brother Ilija, bringing them to his command in Karlovac for investigation, while the rest of the group was put under surveillance. As the testimonies of the Pasha's emissary Mihat from Sarajevo and his legal representative Mohamed proved the allegations, the deputy commander of the Karlovac Generalate ordered the seizure of the group's property as compensation to the robbed Ottoman merchants and the extradition of Ilija and Istanscha to the Ottoman authorities for trial, since they were Ottoman subjects. The gang of robbers, however, apparently successfully used the spoils from their crimes not only to sustain the network of informants on the territories of Venice, the Habsburg Monarchy and the Ottoman Empire, but also to pay local officials to let them escape. The extradition failed. On the boundary between Habsburg Slunj and Ottoman Cetin, Mihat and Mohamed, witnessed what they perceived as a staged brawl between the robbers and their Habsburg military escort. They could only protest when the robbers were, instead of being extradited, supposedly returned to arrest in Gospić in Lika and were later allowed to escape again to Venetian territory. At that moment *Elhadschi* Mohamed Pasha appealed to the Habsburg court and Chancellor Kaunitz, warning that in the case of further inaction he would be forced to seek help from the Ottoman

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<sup>167</sup> Here referring to Venetian Albania, a region of southeastern Herzegovina and coastal Montenegro, not to present day Albania.

Court.<sup>168</sup> The criminals used clearly separated jurisdictions to escape justice, aware of the fact that the respective authorities were not allowed to pursue them across demarcated boundaries. The official cross-border cooperation included the correspondence between border commanders in two languages, Ottoman Turkish and German, with translators, formal requests and separate investigations. The procedure could be long, giving criminals ample time to escape extradition by crossing to other territory. An added sabotage on the part of mid- and low-level officials could be decisively crippling in the fight against cross-border crime.

The persistence of border bandits should not be seen as a failure of the border regime. Robber bands operated also in the interior of both Empires. They were present also in the interior of Habsburg Srem and Banat.<sup>169</sup> More importantly, there was a clearly decreasing occurrence of banditry during the eighteenth century. Robbery was a greater problem in the early eighteenth century, particularly in sparsely inhabited areas with a dispersed population. During that time there were dozens of robber bands, counting from three to fifteen persons, just in the relatively small region of Srem. Some robber attacks were so vicious that the peasants from the three villages of Molovin, Gibarac and Kaletinac decided to collectively emigrate to the Ottoman Empire to find refuge from the terror of multiple robber bands. At that moment the Ottoman Empire apparently provided better security to its subjects. In 1722 the War Council in Vienna instructed General Petrasch, the Commander of Slavonia, not to give passports to Ottoman subjects if they planned to pass through

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<sup>168</sup> The translation of a letter of Muhamed Pasha to the Commander of the Karlovac Generalate, Travnik, 19 May 1758; the translation of the letter of Elhadschi Muhamed Pasha, the governor of Bosnia, to the Prince Kaunitz, Travnik, 12 June 1758, HHStA StAbt Türkei III 4.

<sup>169</sup> TLA to Hofkammer, Temesvár 4 December 1773; zum Rath Protocolle, 27 December 1773, 1773 December 377; Hofkammer to TLA, Vienna, 2 April 1774, 1774 April 38, FHKA NHK Kaale Ö Akten 1537. See Gavrilović, *Hajdučija u Sremu*.

insecure areas because of potentially high subsequent compensation costs.<sup>170</sup> The rate of banditry steeply diminished after 1745, with the territorialization of the Petrovaradin regiments apparently playing the main role.<sup>171</sup> In addition to the existing clear territorial separation of jurisdictions between the Habsburgs and the Ottomans, the new arrangement also separated the Military Border from civil Slavonia, removed civil enclaves and mixed settlements, putting all border inhabitants under military jurisdiction. Territorially defined jurisdiction that spread deeper into the interior was necessary to deal more successfully with banditry. It would suggest a strong positive correlation between territorialization and successful population supervision, particularly mobility control. These changes made life both for border residents and for travelers from both empires much safer.

Linear delimitations between the Habsburgs and the Ottomans predated similar processes in other parts of Europe. They owed a lot to the Ottomans. The Ottoman negotiators in Carlowitz 1699 suggested the linear demarcations as the best way to clearly separate jurisdictions. It was a well-established procedure in the Ottoman Empire already in the fifteenth century, a model with which its administration was very familiar and which it used both for inner (state lands/pious foundations) and outer boundaries. This was no surprise. The Ottoman central administration was capable of directing and carrying out systematic land surveys of newly acquired possessions decades and centuries before large monarchies in other parts of Europe could. It was also able to develop advanced, centrally directed border procedures. These practices and procedures were adopted by the Habsburgs and used in subsequent delimitations with the Ottomans. Compared to similar cases that predated

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<sup>170</sup> Gavrilović, *Hajdučija u Sremu*, 10-17, 20, 32, 35-36, 47, 241-45.

<sup>171</sup> Gavrilović, *Hajdučija u Sremu*, 91, 95.

the Habsburg-Ottoman delimitation (between the Ottoman Empire, on the one hand, and Venice and Poland-Lithuania, on the other), the Habsburg side had a more active role in the development of linear delimitations. It improved principles and techniques of linear separation.

The transfer of administrative practice of delimitation from the Ottoman Empire to the Habsburg Monarchy seems to be in line with previous and later similar exchanges, where, for example, tax collection, provincial organization or non-territorial regulation of autonomy was taken over by the conquering side. As with these other cases, the use of delimitations seems to have been limited to the border with the Ottoman Empire, more specifically to the western section from the Banat of Temesvár to the Adriatic Sea. The border between Transylvania and the Ottoman vassal principalities of Moldavia and Wallachia, as well as other Habsburg external and internal borders were demarcated from the middle of the eighteenth century, as a part of pan-continental “movement of delimitations.”

The new territorially defined arrangement affected mobility and migrations in the border area. The transformation of jurisdictional to territorial sovereignty changes the relationship not only between the state and physical territory, but also between the state and individual subjects. The separation of territory and resources, implemented with greater precision over the century, implied increased involvement of the Habsburg central government. Individual and collective possessions and rights of use were clearly separated and defined, and their use was regulated. Compared to the situation elsewhere in the Monarchy, the local population had less influence on the regulation of border life. They had to follow the rules and regulations that were agreed in Habsburg-Ottoman treaties or promulgated by central bodies in Vienna, by the military administration and the War Council in particular.

The Habsburg Monarchy controlled entry to its jurisdiction more and more by using the border as the point where access to border resources and to the border area in general could be allowed or denied. This was a new function of the border, which grew increasingly important with the advance of the territorial state. In normal circumstances outer boundaries were not points of control at that time elsewhere. On the Habsburg-Ottoman border, however, cross-border mobility was limited, closely regulated and supervised. This changed migrants' experiences of the border crossing, restricting the freedom of movement and making mobility and migration more visible.

On the other hand, pacification and defortification of the frontier, the prohibition of violence by state actors, the clear obligation of border authorities to provide safety and security in the border zone to the subjects of both empires, including the fight against banditry, could have facilitated permitted mobility and migrations. A greater presence of border military and a closer control of the border population promised to make travel in the border region as safe as travel inside the respective empires. An unambiguous territorial separation of powers and a clear definition of responsibilities in the border region of Srem, for example, led to a significant drop in banditry. This facilitating function of linear and closely supervised borders is particularly significant. It suggests that precisely demarcated borders with restricted and closely regulated mobility could have a contradictory impact on migrations and mobility. They restricted the movements but also increased certainty and safety for migrants. A few decades after the Treaty of Carlowitz of 1699, the Habsburg Monarchy introduced new border policies with similar contradictory effects. The goal of compulsory quarantines, introduced at the Habsburg-Ottoman border in the 1720s, was to stop contagious diseases on the border. It tried to make cross-border migration even safer by further restricting mobility and by closely supervising cross-border migrations.