

Kapitel 22

Birth, *Berat*, and Banishment



Translating Subjecthood between the Ottoman and Habsburg Empires at the End of the Eighteenth Century

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22.1 Introduction

In October 1782, Sultan Abdülhamid I (1725–1789) issued an order banishing the Jewish merchant family Camondo from Istanbul to the Ottoman island of Cyprus.¹ The reason for the exile and the imminent threat to the life and assets of Haim Camondo (ca. 1738–1805), the head of the family, were accusations of a conspiracy with the Grand Dragoman (chief interpreter of the Ottoman government) against the rulers of the Ottoman provinces Wallachia and Moldavia. As the Jewish merchant was the holder of two documents (*berats*) distributed by foreign embassies confirming his privileged legal and commercial status, the Camondo affair quickly came to concern the European ambassadors in Istanbul as well. After several days of negotiations, the Ottoman authorities allowed Haim and his family to escape the Ottoman Empire to the Habsburg port city of Trieste, sparing the merchant's life, and most of his possessions. How the European ambassadors, their governments, and Haim Camondo translated their understandings of legal belonging and identification to each other during the affair, omitting aspects which did not help their respective cases, will shed further light on notions of imperial subjecthood at a crucial period of transition of these concepts in the Ottoman and Habsburg empires.

¹HHStA StAbt, Türkei II, 78, Rathkeal to Haus, Hof, und Staatskanzlei, 10th of October 1782.

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In an observation stemming from the conjunction of translation studies and cultural anthropology, Doris Bachmann-Medick argues that “translation resists seeming purity of concepts such as culture, identity, tradition and religion and shows all claims of identity to be deceptive because identity is always infused with the other.”² This perspective on cultural translations as an avenue to avoid essentialising categories of identity provides the framework of the present study. Analysing the Camondo family as caught in a web of translation – be it linguistic, cultural, or legal – with both the benefits and disadvantages this position entailed, adds to our understanding of the history of trans-imperial subjects.³ Furthermore, the study of cultural translations is not merely an attempt to describe and understand the encounter of cultures, but also an effort reconstruct the different categories shaped by these cultures. Supplementing our knowledge of intermediaries, go-betweens, or trading diasporas, which stress the agency of historical actors, the perspective of translations examines the mobility of concepts and further scrutinises how legal, social, and commercial practices were transferred and disseminated, or else remained untranslatable.⁴

The study is also a contribution to the ongoing debates on “Who was an Ottoman?”⁵ It questions how the status and belonging of an individual could be identified when he or she crossed geographical, political, and legal boundaries.⁶ Through their efforts to assert Haim Camondo’s belonging or exclusion, we learn the diverse markers that constituted an imperial subject in the eyes of eighteenth-century European and Ottoman administrations and officials. We also witness how various actors translated their notion of identification and subjecthood into the others’ context, thereby juggling with the idea of trans-imperial subjecthood, often by following what they thought was the most successful and beneficial line of argument. As a result of their translations, as the study suggests, they were able to object or support the Ottoman government’s claim to hold the primary authority over Haim Camondo’s identification, and consequently his imminent exile. Rather than simply establishing the ambiguity of Haim’s identity, the Camondo affair allows us to scrutinise the different categories of political, legal and cultural belonging and their identification evoked and translated by the historical actors.

Aside from offering another contribution to questions about what it meant to be an Ottoman subject, the practice of translations also enables us to study mobile actors like the Camondos without disconnecting them from their administrative

²Bachmann-Medick (2016), p. 181.

³On trans-imperial subjects in the Mediterranean see Rothman (2012), p. 11–12.

⁴On trade diasporas, identities, and intermediaries in the Mediterranean and the Ottoman Empire see Dursteler (2006); Trivellato (2009); Rothman (2012); Smiley (2018).

⁵Aksan (2011); Boogert (2014); Smiley (2014).

⁶Denis (2013), p. 17.

and political frameworks. Although the object of study is a core family and specifically its most prominent member, rather than a larger group of people or network, its importance and influence allow us to draw broader conclusions about the negotiation practices of trans-imperial families and imperial administrations.⁷ Translations practices were employed by Ottoman authorities and European ambassadors in Istanbul in their continuous efforts to manage the subjects moving between their territories. This empire/family-focused approach is also reflected in the primary sources, which are drawn from the financial claims, petitions, diplomatic correspondences, and other bureaucratic exchanges, and not from letter-books and business papers of the Camondo family, as one has not (yet) been discovered for the eighteenth century.⁸ We learn about the family's banishment from the reports of the Habsburg and British ambassadors to their governments as well as from the personal notes and formal petitions of Haim Camondo. Moreover, these narratives are percolated with glimpses into the perspective of the Ottoman administration, supported by evidence from the Ottoman archives. We will examine all perspectives and the related questions regarding the identification of Haim's subjecthood.

The connection between imperial administration and trans-imperial families has become increasingly important in studies on Mediterranean Jews. As demonstrated by Francesca Trivellato and Eric Dursteler, Jewish merchants and intermediaries in the Mediterranean moved across national boundaries, interacted with state authorities, and claimed subjecthood "using it to obtain immunity from local prosecution and persecution".⁹ While research on the history of Mediterranean asserts the importance of Jewish intermediaries in the global trade in the eighteenth century, studies focusing on Jews in the Ottoman Empire suggest that the fortunes of its Jewish communities began to decline.¹⁰ Yet the story of the Camondo family scrutinises the claim of decline and supports notions of the continuous political and commercial significance of Jewish merchants in the Ottoman Empire and the Mediterranean. It remains to be clarified whether Jewish families playing a crucial role as commercial and diplomatic intermediaries were an exception or indicative of persisting activity and importance of the community. More histories about identification and subjecthood, with a particular focus on the role played by cultural translations, might provide some answers.¹¹

⁷Subrahmanyam (2002), p. 298; Trivellato (2009), p. 103.

⁸On the history of the Camondo bank in the nineteenth century see Archives Nationales du Monde du Travail, Roubaix (ANMT), Banque Camondo, 1 AQ.

⁹Trivellato (2009), p. 107; Dursteler (2006), p. 111; Krstić (2013), p. 450.

¹⁰This development is often perceived to have paralleled the decreasing economic, financial, and political stability of the Ottoman Empire Levy (1992), p. 79; Panzac (1992), p. 203; Ayalon (2012), p. 317; Philipps Cohen (2014), p. 6–7.

¹¹On studies on the history of identification see About et al. (2013).

22.2 The Commerce of the Camondos Between Ottoman and Habsburg Empires

The Camondo affair took place in a historical period which scholars have labelled variously “the Age of Revolutions” and a “global moment” in the Ottoman world.¹² These labels indeed reflect the major upheavals that took place in the Ottoman Empire over the course of the eighteenth and early nineteenth centuries, culminating in the period between the 1780s and the 1820s. The economic and monetary short-fallings of the central government, the rise of local notables in the provinces, and increasing Russian influence in the empire’s Danubian principalities all figured in the background of the downfall of the influential merchant Haim Camondo. The Camondo affair is thus part of a larger story of transformations sweeping across the Ottoman world leading to growing contact, confrontation, and negotiation with its Russian and Habsburg neighbours. For a better contextualisation of the affair, we will therefore first locate the legal, financial, and social standing of the family in eighteenth-century Ottoman Empire before turning to the events of October 1782.

The correspondence of various European ambassadors in Istanbul confirms that, before the family’s exile from the Ottoman Empire, the Camondo brothers, Haim and Abraham Salomon (d. 1783), were widely known to have the strongest trading house in Istanbul. Throughout the eighteenth century, they had traded between the Ottoman and European territories, enjoying protection at different points from the Polish, French, British, Dutch, and Habsburg embassies in Istanbul. Additionally, the family was directly involved in diplomatic exchanges between the Ottoman and European courts. For instance, in 1763, Abraham Salomon Camondo accompanied the Ottoman ambassador Ahmed Resmi Efendi (1700–1783) to Berlin as his banker and dragoman (interpreter).¹³ The family was also active in the European diplomatic circles in Istanbul. Right before the family’s expulsion, Haim Camondo assisted in the negotiations of the *Treaty of Friendship and Trade* between the Spanish and Ottoman courts in 1782.¹⁴ Besides their involvement in commerce and diplomacy, the Camondo brothers were also connected within the Ottoman administration. As bankers and money changers (*sarrafs*) they provided many Ottoman officials and dignitaries with credit and served as the paymasters for the Janissary corps (*ocak bazirgani*). The Camondo brothers were also important representatives of the Jewish community in Istanbul from at least the mid-eighteenth century onwards, where we find them administrating donations from Jews in Central and Eastern Europe to the Jewish community of Jerusalem.¹⁵ However, their prominent position and influence in

¹²Şakul (2009); Yayıoğlu (2016).

¹³GStA, HA I, rep. 11, no. 10644, Istanbul, April 1761 Abraham Camondo to Ephraim&Söhne.

¹⁴NA, FO 78/3, 25th Oktober 1782, Ainslie to the secretary of state, no. 249–50.

¹⁵Lehmann (2014), p. 32, 191.

the Ottoman world came to an abrupt break with the banishment of Haim and his family.

The Camondo family arrived in the Habsburg Empire at a crucial period for its Jewish population. Originally, when trading in the Habsburg territories, Jews from the Ottoman Empire such as Haim Camondo had benefited from the same privileges of freedom of movement and tax reductions which all Ottoman subjects had enjoyed since the Treaties of Karlowitz (1699) and Passarowitz (1718).¹⁶ Among other things, the treaties between the two empires provided for the reciprocal treatment of merchants – Habsburg merchants had tax advantages and legal security in the Ottoman Empire and Ottoman merchants could expect similar terms in the Habsburg territories. These agreements, however, posed a legal challenge for the Habsburg government concerning Jewish merchants. As a rule, the Habsburg administration considered all Jews either ‘foreigners’ (*Fremde*) or ‘tolerated’ (*Schutzjuden*).¹⁷ They were restricted in their choice of residence, profession, and subjected to special taxes.¹⁸ Yet, according to the treaties with the Ottoman Empire, Ottoman Jews had the right to engage in trade with all the privileges given to Ottoman Christian and Muslim subjects. This meant that there were three legal categories of Jews in the Habsburg Empire – tolerated Jews, foreign Jews, and Ottoman Jews – an uncomfortable fact for the Habsburg authorities, who periodically tried to change the situation and apply the same restrictions to Ottoman Jews as those that other Jews resident in their territories lived under.

This was the situation until January 1782, that is, only a few months before the Camondos arrived in the port city of Trieste when Emperor Joseph II (1741–1790) issued the Edict of Tolerance (*Toleranzpatent*). This decree gave the Jewish population more freedom to engage in commerce and to attend schools and universities.¹⁹ Aimed at ‘utilising the Jews for the state’, the Edict of Tolerance turned out to be a very timely ordinance for the Camondo family. After they arrived in Habsburg Trieste, Haim and his sons were able to establish successful trading companies, trade in the Habsburg cotton industry, and even head a Triestine insurance bank.²⁰ They also joined the ranks of prominent Jewish families in the port city, founding the first Sephardi school and taking part in discussions about reform and enlightenment.²¹ But they also managed to maintain

¹⁶Burger (2014), p. 75.

¹⁷On the legal status of Jews in the early modern Holy Roman Empire see Gotzmann (2017), p. 121–128.

¹⁸Burger (2014), p. 24.

¹⁹Burger (2014), p. 19.

²⁰FHKA NHK Kaale ÖAkten 1844, Commercialia und Fabriken, 1793–1794; FHKA NHK Kommerz Lit Akten 911, 1794, Banco d’Impreslito, no. 1027; FHKA NHK Kommerz O+NÖAkten 132, 1798, Befugnis zu dem türkischen Transitohandel, no. 304; FHKA NHK Kommerz OÖ+NÖ Akten 324, 1796, Cotton Fabriken, no. 1321–1344.

²¹Cervani and Buda (1973), p. 108–109.

their links with Ottoman diplomacy, with Haim Camondo's son acting as a translator and guide for Ebubekir Ratib Efendi (1750–1799), the Ottoman ambassador to Vienna in 1791–1792 and later advisor of Sultan Selim III (1761–1808).²²

The family's exile to the Habsburg Empire was, in fact, not the end of their Ottoman story. Haim's grandsons, Isaak and Abraham, returned to Istanbul in the early nineteenth century, establishing one of the first Ottoman banking houses named I. Camondo & Cie. Eventually, the family came to prominence as bankers of Ottoman sultans and Grand Viziers, reformers of the Ottoman Jewish communities, and philanthropists in the course of the nineteenth century.²³ Their wealth and influence were so legendary that they were nicknamed the "Rothschilds of the East" – a fact often reiterated in the secondary literature.²⁴ Yet, while we have a rough idea how Jewish court families such as the Rothschilds became important, though somewhat precarious, financial and political players in the early modern European world, our understanding of Jewish families in the Ottoman economic and political context before the nineteenth century remains limited, with the eighteenth century a particularly large lacuna.²⁵ We will thus now try to shine some more light on the Camondo's eighteenth-century story and turn to the markers of the Haim's subjecthood referred to by the main actors of the Camondo affair: the Habsburg and British ambassadors, the Ottoman and Habsburg governments, and Haim Camondo.

22.3 The Camondo Affair

22.3.1 *The Narrative of Habsburg Internuncio Baron Herbert von Rathkeal*

On the 10th of October 1782, the Imperial Internuncio, Baron Herbert von Rathkeal (1735–1802), sent a report to the Habsburg chancellor regarding an affair involving the Ottoman Jewish merchant Haim Camondo. Rathkeal explained that a few days previous, the ruler of the Moldavian principality, Constantine

²²BOA, HAT, 1344.52516 C; Findley (1995), p. 48.

²³Galante (1986); Rodrigue (1991); Shaw (1991); Şeni (1995), (1997); Assouline (1999); Hülkiender (2003); Jamgocyan (2013); Barış (2018).

²⁴Şeni (2007), p. 382.

²⁵For studies dealing with Jewish commerce and finance in the Ottoman Empire in the eighteenth century see Gerber (1981), (2007); Bornstein-Makovetsky (1989); Goffman (2002); Cezar (2005); Trivellato (2009); Bölükbaşı (2014); on Jews at Ottoman and Islamic courts see Roth (1977); Murphey (2002); Schroeter (2002); Rozen (2015); Ben-Naeh (2018); On Jews in European banking and commerce see Ries and Battenberg (2002); Aust (2018); on the court Jews and the Rothschild family see Israel (1985); Mann and Cohen (1996); Ferguson (1998); Aspey (2008); Mintzker (2017).

Demetrius Mourouzis (1730–1787), had revealed an alleged conspiracy between Haim Camondo and the Grand Dragoman, Michael Drakos Soutzos (1730–1803), to the Grand Vizier. The goal of the conspiracy seems to have been the deposition and replacement of the current rulers of Wallachia and Moldavia. Outraged over the affair, the Grand Vizier issued an imperial order (*ferman*) banishing Haim to the castle in Famagusta on the Ottoman island of Cyprus. Yet, before the Ottoman authorities were able to carry out the order, the merchant learned of the imminent threat and escaped to the residence of the Imperial internuncio in the Istanbul neighbourhood of Pera. Haim then begged Rathkeal to protect him as a “native subject of the Habsburg Empire” (“als geborener kk Untertan”), who was also in the possession of a *berat*.²⁶ After his initial hesitation, Rathkeal agreed to try to protect the Jewish merchant.

The question of birth and *berat* was indeed crucial to the whole Camondo affair. A consular or dragoman *berat* was a deed of appointment issued by the central Ottoman chancery in the name of the sultan. It was initially aimed to be a legal tool for the administration of non-Muslim Ottoman subjects who worked for foreign embassies or consulates. Yet throughout the eighteenth century, many of the *berats* were sold to so-called honorary dragomans, also referred to as *beratlis* or protégés, who did not do any work at the embassies and consulates.²⁷ The terms of these *berats*, along with general Ottoman foreign relations, were regulated by the *ahdnames* or Capitulations granted by the sultans unilaterally to various European courts.²⁸ According to these treaties, the Ottoman government would issue a certain number of *berats*, which the embassy could then, in turn, distribute to the dragomans at its embassies and consulates. The costly *berats* gave their holders the extensive privilege of enjoying various tax exemptions while being entitled to reduced customs tariffs as well as access to foreign consular law and protection. In a sense, this meant that dragomans and protégés fell under the legal authority of a foreign consul or ambassador, although their legal status remained nevertheless that of Ottoman subjects. To make things more difficult, the possession of multiple *berats* was rare but not unheard of. Wealthy non-Muslims holding one *berat* from one European power made regular attempts to buy a second *berat* from a different European embassy.²⁹ Families also continually chose to distribute their legal affiliations with different embassies among sons, brothers, and fathers.³⁰ Legal pluralism was also not uncommon in the Ottoman Empire, which preferred that local or foreign authorities dealt with intra-communal disputes before turning to the superordinate Ottoman or Islamic law. This often created ambiguous juridical situations as in the present case. Haim Camondo’s

²⁶HHSStA StAbt, Türkei II, 78, Rathkeal to Haus, Hof, und Staatskanzlei, 10th of October 1782. All translations are my own.

²⁷Boogert (2013), p. 518.

²⁸Papp (2009), p. 21–22; Boogert (2005), p. 7.

²⁹Artunç (2014), p. 36.

³⁰Artunç (2014), p. 36.

possession of a Habsburg *berat* placed him simultaneously under both Habsburg and Ottoman jurisdiction, with the Ottoman law usually keeping the upper hand. But his claim to have been born as a subject of the Habsburg Empire complicated the situation even further as it contradicted the spirit of the *berats*, which were issued exclusively to non-Muslim subjects of the Ottoman Empire, not to foreign subjects.

Two weeks after having sent his first missive, Rathkeal composed another report, now elaborating in detail on Haim's legal status as well as his downfall and exile.³¹ He explained that Haim had been born in Brody, which at the time of his birth belonged to the Kingdom of Poland. He had then moved with his father to Hotin which was at that time part of the Ottoman Empire. The family eventually relocated to Istanbul, where they lived "like Turkish Jews". When the Camondos became rich, according to Rathkeal, Haim Camondo came to distrust the "weak" Polish protection and acquired a British *berat*.³² In 1776, when the town of Brody was under Habsburg rule after the partition of Poland, Camondo managed to secure a second *berat*, this time from the Imperial internuncio, Johann Amadeus von Thugut (1736–1818). Yet the acquisition of this *berat* had remained confidential. Rathkeal explained that, after being made imperial internuncio in 1779, he had continued to keep Haim's status as a Habsburg protégé secret to use him to gather information about Ottoman officials and notables. When three years later the alleged conspiracy between Haim and the Grand Dragoman was discovered and the Ottoman government threatened the merchant with exile, the internuncio decided to intervene on behalf of his secret informant.

Espionage between the Ottoman and Habsburg empire in the early modern period was a fairly common practice with both sides carefully trying to conceive the identity of their informants.³³ Informants were crucial assets for their governments and their activities could tip the scales of political decisions in one direction or another. There is even some evidence that Haim might have played some sort of role in the Habsburg's occupation and annexation of Bukovina after the Treaty of Küçük Kaynarca (1774).³⁴ Rathkeal's agreement to argue in favour of Haim not only against the Ottoman charges of treason but also vis-à-vis the Habsburg authorities, who until this point had not confirmed the merchant's claim to Habsburg subjecthood, testifies to the importance of the informant.

³¹HHStA StAbt, Türkei II, 78, Rathkeal to Haus, Hof, und Staatskanzlei, 25th of October 1782.

³²BOA, A.DVNSDVE.d 35.1.

³³The Jewish merchant was one of many in a long history of espionage and information gathering between the Ottoman and Habsburg empires (Ágoston 2007; Yeşil 2011; Gürkan 2015, 2017). While these studies address the role of Jews, in particular the Nasi family, in espionage and information gathering, most of the studies dealing with Jewish spies focus on their activities at European courts (Barber 1990; Cassen 2017).

³⁴NA, FO 78/3, 25th Oktober 1782, Ainslie to the secretary of state, no. 249–50; FHKA NHK Kommerz OÖ+NÖ Akten 302, *Fiat Extract. Protoc[oll] an die vereinigte böhmisch-oesterreichische Hofkanzley*, 24th of March 1806.

Rathkeal's main strategy was to assert that Haim was a native Habsburg subject and consequently amenable to Habsburg juridical and political authority. In his report to the Habsburg chancery, the internuncio added that Haim had provided the previous ambassador, von Thugut, with written confirmation of his birthplace from a rabbi in Brody.³⁵ Rathkeal then defended his decision to protect Haim by arguing that the question of birth was a crucial criterion for determining subject status. Confirmation of birthplace by a religious authority such as the rabbi was thus a form of identification and strong evidence for Haim's claim of Habsburg subjecthood. Yet in his exchange with the Ottoman government, as Rathkeal explained to the Habsburg government, he decided to omit the rabbi's testimony.³⁶ He argued that it would undermine Thugut's claims regarding Haim's birthplace and his status as a Habsburg subject. As the internuncio seems to have realised, a certificate issued by a rabbi in Brody as a source of identification for the Habsburg embassy did not translate into the Ottoman context. On the contrary, as the internuncio indicated, the Ottoman authorities would have viewed the rabbi's confirmation as a sign of uncertainty on the part of the Habsburgs regarding Haim's belonging. The testimony and the personal identification by the Habsburg ambassadors weighed more heavily than a certificate of birth by a Jewish community leader.

In an attempt to find a solution that would not antagonise the Ottoman government or, even worse, expose the Habsburg network of spies, Rathkeal sent his embassy dragoman to the Reis ül-Küttab (chief scribe in charge of the foreign affairs), Seyyid Mehmed Hayri Efendi, and offered to punish Camondo "in accordance with his crimes". It seems that Rathkeal had also recognised that, for the Ottoman government, subjecthood was determined by who could exercise legal authority and putting Camondo to punishment under the Habsburg law would have been a clear affirmation of his Habsburg subjecthood. Indeed the Reis ül-Küttab rejected Rathkeal's proposition because Camondo was "not an imperial, but a Turkish subject". Thereupon Rathkeal decided to try another tack to gain the upper hand in the conflict. The internuncio put forward a second proposition, offering to surrender Haim to the Ottoman justice for further investigation of the merchant's place of birth. This was an attempt to deceive the Ottoman official, as Rathkeal himself would admit. Similar to his first suggestion, he knew that the surrender of Haim Camondo by the internuncio would also be de facto confirmation of Habsburg authority over the merchant. Hayri Efendi, however, recognised the ploy and rejected this proposal as well. Rathkeal's attempts to outwit the Reis ül-Küttab in his understanding of the subject status were for now futile.

³⁵On the religious character and function of birth registration in early modern England see Szreter (2012).

³⁶I have not (yet) been able to discover the testimony by the Rabbi in the archives.

The situation eventually reached a practical resolution without any formal decision: after several days of back and forth negotiations, Hayri Efendi allowed Haim to escape the Ottoman Empire and to keep his fortune. Giving in to the Rathkeal's demands but not receding from the claim to Haim's status as an Ottoman subject, the Reis ül-Küttab insisted however that the merchant and the rest of his family had to leave Ottoman capital immediately. Following the compromise with the Ottoman government, Haim and twelve of his closest family members left Istanbul for the Habsburg port city of Trieste within a matter of days. The preservation of his possessions during the hasty departure must have been of grave concern for Haim, as at the end of the eighteenth-century confiscations of the fortunes of wealthy Muslims and non-Muslims had become increasingly common due to economic pressures on the Ottoman government. Being a foreign protégé was usually a way to circumvent this danger and protect one's property and money, yet this status was not enough in Haim's case as he had been accused of treason.³⁷ In fact, Haim Camondo's exile to the fortress in Cyprus while still under Ottoman jurisdiction would have inevitably meant the loss of his assets and perhaps his life.³⁸

The escape to Trieste was indeed a reasonable compromise for the Jewish merchant, as he now would be able to expand his businesses and trade in the Habsburg port city under the recently introduced Edict of Tolerance while his fortune and properties in the Ottoman Empire remained protected. Although some of Haim's possessions in Istanbul were saved, the demand for the Camondos immediate departure from Istanbul would have grave economic consequences for them. Their flight from Istanbul was neither cheap nor easy. Haim paid a Venetian vessel a large sum for the unplanned, rushed unloading of its cargo and immediate transit across the Mediterranean. He was also forced to cover all of his debts and close his open accounts, leaving his numerous properties in Istanbul under the responsibility of his brother and a Dutch trading house. Most importantly, Haim and his family had to leave without collecting on any of the loans granted to influential Ottoman bureaucrats and other prominent officials such as the ruler of Wallachia.³⁹ Concluding his report to the chancery, Rathkeal remarked that if anyone other than Haim Camondo had been banished, they would undoubtedly have gone bankrupt.

³⁷Faroqhi argues the connection between the protégé status and the protection of wealth (Faroqhi 2008), p. 22.

³⁸Similar cases have been demonstrated by Boogert (2010), p. 224–23; Zeevi and Buke (2015), p. 29; Hadjikyriacou (2016), p. 247–248.

³⁹HHStA StAbt, Türkei II, 78, Rathkeal to Haus, Hof, und Staatskanzlei, 25th of October 1782; FHKA NHK Kommerz Lit Akten 1040, Haim Camondo. Triest 11ter April 1788.

22.3.2 *The Narrative of British Ambassador Robert Ainslie*

The events of the Camondos' expulsion were also described by Robert Ainslie (1730–1812), the British ambassador to Istanbul, in his correspondence with the secretary of state. We learn from Ainslie that Haim Camondo was officially holding a *berat* from the British embassy and thus under its protection, a circumstance which had prompted the Ottoman authorities at first to approach the ambassador about the affair. On the evening of 5th of October 1782, only a day before Camondo's escape to the Habsburg internuncio, Ainslie reported that the Reis ül-Küttab had sent a messenger to warn the British embassy about the impending arrest of its protégé.⁴⁰ The Ottoman government gave the British ambassador the opportunity to withdraw his protection from Haim. Ainslie related that Hayri Efendi had made sure to emphasise that it was not unusual to arrest or even execute Ottoman subjects under foreign protection. The Reis ül-Küttab reminded the British ambassador of the fate of other protégés who had been punished for the similar crimes of which the Ottoman government had accused Haim. However, Reis ül-Küttab explained that he had chosen to postpone the arrest until the following day, thereby offering the British ambassador the chance to avoid further involvement in the affair. Indeed, the next morning, Ainslie informed the Ottomans that he was withdrawing his protection from Haim and that the *berat* would be given to someone else. In a later report, Ainslie explained his decision by arguing that he was not ready to risk his reputation at the Ottoman court over a Jewish merchant's affairs. Only in the encrypted part of correspondence do we learn of one of the main reasons behind Ainslie's decision on the question of Haim's status and subjecthood. The British ambassador clarified that, despite the secrecy of the Habsburg *berat*, he knew about Haim's spying activities as "a German agent".⁴¹ It seems that it was not in the British ambassador's interests to out the Habsburg spy to the Ottoman authorities, perhaps because it entailed the admission that he had known about the treacherous activities of his protégé all along, but Ainslie was also not ready to take the side of the Habsburg ambassador and defend Haim.

While remaining neutral on Haim's activities as a Habsburg informant, Ainslie's stance on the merchant's subjecthood, and how it should be identified, was quite clear. The British ambassador first explained the details of Haim's escape to the Habsburg embassy as well as Rathkeal's claim of Haim being an "Austrian subject". He then reiterated the Ottoman claim that, although Haim had claimed Brody as his birthplace, he actually "was born, and bred up, in this [Ottoman] Empire, his Father having emigrated from Poland upwards of fifty Years since to Chotzin, where he lived, and died".⁴² He elaborated that Camondo had

⁴⁰NA, FO 78/3, 25th Oktober 1782, Ainslie to the secretary of state, no. 247.

⁴¹NA, FO 78/3, 25th Oktober 1782, Ainslie to the secretary of state, no. 250.

⁴²NA, FO 78/3, 25th Oktober 1782, Ainslie to the secretary of state, no. 256.

obtained a British *berat* fourteen years ago “and to the very last, acted as Rajà [or *reaya*, a tax-paying subject often used to designate non-Muslim subjects of the Ottoman Empire] under the English Protection” since then.⁴³ But the assertion that Haim had been born in the Ottoman territories and lived and acted like an Ottoman subject was of secondary significance for the British ambassador, as this could have raised questions regarding the status of many of British subjects with long-term trading relations with the Ottoman Empire. Instead, Ainslie emphasised that “independent of every other Proof, the very Act of soliciting a Barat by a Memorial addressed to the Porte, in which he [Haim Camondo] takes the quality of a Subject of this Empire, is equivalent to an act of Naturalization, which Act is besides confirmed by his holding this Barat, and enjoying its Effect, and Protection to the very last.”⁴⁴ In other words, in the eyes of Ainslie, the act of requesting and purchasing a *berat* identified Haim as an Ottoman subject.

This argument was, in fact, in line with the spirit of the *berats* and *ahdnames*. When asserting his position in the affair, Ainslie then stressed another important consequence of Haim’s claim. Since the Jewish merchant argued that he was a Habsburg subject, because he had been born in Polish territories that were later ceded to the Habsburg Empire, his claim could eventually come to “determine the situation of perhaps one hundred thousand Subjects in the same Predicament.”⁴⁵ Clearly, Haim was not the only individual who had been born in a place that changed hands from one state to another, and permitting his retrospective identification could set an incalculable precedent for the determination of subjecthood. In the reasoning of the British ambassador, identification and legal belonging were mainly determined by political and economic benefits, with him choosing to translate or to omit certain aspects of what it meant to be or not to be a trans-imperial subject.

22.3.3 *The Perspective of the Ottoman Government*

While there was no single legal category for whom the Ottoman authorities considered their subjects, there was a framework of factors that determined an individual’s legal and political belonging.⁴⁶ The Camondo affair helps us to understand this framework and its encounter with European forms of identification. Ottoman sources before 1782 mention Haim as an Ottoman non-Muslim subject – no different than any other non-Muslim subject of the empire. In commercial disputes, for instance, he is referred to as “a Jew named Kamondo”

⁴³NA, FO 78/3, 25th Oktober 1782, Ainslie to the secretary of state, no. 256–57.

⁴⁴NA, FO 78/3, 25th Oktober 1782, Ainslie to the secretary of state, no. 248.

⁴⁵NA, FO 78/3, 25th Oktober 1782, Ainslie to the secretary of state, no. 248.

⁴⁶Isom-Verhaaren and Scull (2016), p. 13.

(*Kamondo nam yahudi*) or “a Jewish merchant” (*yahudi tüccar*).⁴⁷ It is thus not surprising that the Reis ül-Küttab questioned the internuncio about the reasons why Haim would have felt the need to acquire a Habsburg *berat*, if he was indeed a Habsburg subject.⁴⁸ Hayri Efendi rightfully claimed that in theory, only Ottoman subjects could and needed to buy *berats*, thus asserting that the holding of such a document was proof and identification of Haim’s status as an Ottoman subject.⁴⁹

But the *berats* remained a side note in the argument of the Reis ül-Küttab. The main claim of the Ottoman government rested on Haim’s birthplace and his identity – the *berat* simply supported the facts established by these markers of identification. Hayri Efendi insisted that Camondo was born in Hotin (on Ottoman soil) not in Brody (in Polish and later Habsburg territories) and had led a way of life like the Turkish Jews, or “Lebensart [...] wie die türkischen Juden” as Rathkeal’s report transmits Hayri Efendi’s remarks.⁵⁰ Regional provenance was indeed significant in the Ottoman understanding of identity and subject status, with these often being reinforced by traditions, language, clothing, and food.⁵¹ The Ottoman government thus relied on personal and local knowledge when identifying Haim as an Ottoman subject.

Besides bringing the tension between identity and identification to the fore, the Camondo affair also enables us to understand how the Ottoman authorities were able to re-interpret the *berats* in relation to whomever they were negotiating with. In the warning to the British ambassador, the Ottoman government stressed that it was ready to pursue its cause to the end, especially considering the gravity of the accusations of treason against Haim. Yet the Reis ül-Küttab was still reluctant to arrest Haim without providing the opportunity for Ainslie to remove himself from the affair. While firmly asserting that the Jewish merchant was an Ottoman subject, the Ottoman government still took the British embassy’s legal protection of Haim into consideration. On the other hand, we know from Rathkeal’s account that the Ottoman government rejected two separate offers from the Habsburg embassy to ‘deliver’ Haim to Ottoman justice. While the Reis-ül Küttab considered the British embassy to have some sort of legal authority over the merchant, he did not accept similar claims advanced by the Habsburg internuncio, as this would have implied confirmation of Haim’s Habsburg subjecthood. Eventually, sparing Haim’s life and allowing him to keep his commercial assets in Istanbul through exile to Trieste was not necessarily a simple concession on the part of the Ottomans. At the end of the eighteenth century, the confiscation of assets and banishment of influential individuals could lead to unpredictable

⁴⁷BOA, IE.HR 18.1642; For the British *berat* see BOA, A.DVNSDVE.d 35.1.

⁴⁸As we know, European embassies sold the *berats* usually to Ottoman non-Muslim subjects, not to their subjects, who would have already enjoyed all the legal and tax advantages of foreign merchants in the Ottoman Empire.

⁴⁹HHStA StAbt, Türkei II, 78, Rathkeal to Haus, Hof, und Staatskanzlei, 25th of October 1782.

⁵⁰HHStA StAbt, Türkei II, 78, Rathkeal to Haus, Hof, und Staatskanzlei, 25th of October 1782.

⁵¹Dursteler (2006), p. 14.

consequences.⁵² Exile and seizure of property entailed a complete restructuring of financial, political, and social systems revolving around a powerful official, banker, or merchant. The confiscation of the Camondo family's possessions would likely have caused such a disruption in Istanbul's commercial and financial networks.⁵³ Leaving Haim's status ambiguous while banishing him to Trieste instead of Ottoman Cyprus without dissolving the family's assets and properties allowed the Ottoman government to ensure that business as usual continued in the capital. It also gave the Ottomans the flexibility to translate their understanding of subjecthood and identification according to beneficial circumstances.

As the *berats* were not conceived for purposes of outside identification but as instruments that rendered individuals associated with foreign embassies better legible for the Ottoman government, their translation into the context of a foreign state was particularly complex.⁵⁴ Even after leaving Istanbul for exile in Trieste, the Camondos never actually ceased to be considered Ottoman subjects. For instance, in a note sent to Sultan Selim III in 1791, the Ottoman ambassador to Vienna, Ebubekir Ratib, mentioned a Jewish *sarraf* Camondo living in Trieste who had damaged the former Grand Vizier.⁵⁵ After almost ten years, the Ottomans had neither forgotten the affair nor did they alter their claim to Haim's belonging. His alleged treason did not prevent Ratib Efendi from employing his son, Isaak, as his translator in Vienna. Isaak's work at the Ottoman embassy in Vienna seems to have earned the family the right to return to Istanbul, where they eventually founded their successful banking house in the early nineteenth century.

22.3.4 *Haim Camondo in Dialog with the Ottoman and Habsburg Authorities*

It is important to remember that the claims of early modern actors did not focus exclusively on legal or political divides. They often quoted natural law, divine commands, and other norms without linking them explicitly to specific jurisdictions.⁵⁶ Their identifications were also not always connected to the state and the bureaucracy, but more often than not to commercial practices and religious registration.⁵⁷ In the case of trans-imperial subjects such as Haim, the commercial consequences of the right or wrong identification could be quite significant, as

⁵²On the confiscation and networks see Antonis Hadjikyriacou's study on the case of provincial ruler Hadjiyorgakis Kornosios (Hadjikyriacou 2016).

⁵³Hadjikyriacou (2016), p. 248.

⁵⁴On the theory of legibility of subjects as the central drive for registrations see Scott (2009).

⁵⁵BOA, HAT, 1344.52516 C; Findley (1995), p. 48; Findley (2019), p. 38; Yeşil (2011), p. 475.

⁵⁶Benton and Ross (2013), p. 6.

⁵⁷Szreter (2012); Higgs (2013), p. 165.

they allowed the trade with certain privileges or prevented business opportunities, sometimes even leading to bankruptcy. So what were the consequences of the identification as a Habsburg subject for the Camondos' businesses after they escaped to Trieste? And how did Haim Camondo himself navigate his identification and legal belonging before, during, and after the affair?

A year before the expulsion, in 1781, Haim had made a first attempt to obtain confirmation of Habsburg subjecthood from the Habsburg embassy in Istanbul by claiming Brody as his birthplace.⁵⁸ The internuncio then forwarded Haim's petition to the Habsburg authorities in Vienna. This request was indeed exceptional, not only in the Ottoman context but also when considered in the context of Habsburg regulations concerning its Jewish population. If accepted, it meant that Haim would have swapped the advantageous position of Ottoman subject for the relatively disadvantageous status of a tolerated Habsburg Jew. This swap, however, seems more comprehensible when considering that Haim was at that point already providing the Habsburgs with "useful information about Ottoman officials" – likely the reason he sought refuge from Ottoman justice and felt entitled to apply for Habsburg subjecthood in the first place.⁵⁹ In all probability, he had hoped to ameliorate his position as a tolerated Jew by new business opportunities or special privileges from Joseph II, as it indeed happened a year later.⁶⁰ But in 1781 the chancery replied to Rathkeal that there was no precedent of such document, which would be nothing more than a certificate of birth ("Geburtsbrief") issued by any local authority and not worth the signature of the sovereign.⁶¹ The authorities then asked Rathkeal to provide more evidence, if he thought that Haim should be considered as an agent or court Jew. But no proof ever came from Istanbul and being born in Habsburg lands, and even more so in formerly Polish territories, was not just yet sufficient reason for the authorities to confirm Haim as an Imperial subject. So his first request was denied.⁶²

The situation was very different a year later following Emperor Joseph II's issuance of the Edict of Tolerance. As the general spirit of the Edict attests, the economic usefulness of the Jewish population had become of significance for the Habsburg Empire. This development was in Haim's favour, although he may not have initially realised it. In taking refuge from the Ottoman authorities

⁵⁸The petition and its content is frequently mentioned by the Habsburg internuncio, but I could not yet locate the original request in the archives (HHStA StAbt Türkei II 75 Rathkeal to Haus, Hof- und Staatskanzlei, 11th of July 1781; Türkei II 76, Rathkeal to Haus, Hof- und Staatskanzlei, 14th of May 1781; Stk Notenwechsel Hofkanzlei 103, Rathkeal to Haus, Hof- und Staatskanzlei, 26th of May 1781).

⁵⁹HHStA StAbt Türkei II 75, Rathkeal to Haus, Hof- und Staatskanzlei, 14th of May 1781.

⁶⁰HHStA Stk Notenwechsel Hofkanzlei 103, Haus, Hof- und Staatskanzlei to Rathkeal, 7th of June 1781; FHKA NHK Kommerz Lit Akten 1040.

⁶¹HHStA Stk Notenwechsel Hofkanzlei 103, Haus, Hof- und Staatskanzlei to Rathkeal, 7th of June 1781.

⁶²HHStA StAbt Türkei II 76, rescript to Rathkeal, 20th of June 1781.

at the Habsburg embassy in Istanbul in October 1782, Haim continued to insist on his birthplace in Brody as a marker of Habsburg subjecthood with the rabbi's letter as confirmation. However, in his communication with the Habsburg chancery, Rathkeal, likely aware of the legal and social changes taking place at home, first stressed Haim's usefulness as an informant and his economic benefit as a knowledgeable merchant, only then following with the argument about the merchant's birthplace.⁶³ While Haim's claim to Habsburg subjecthood was more than shaky, the internuncio translated the merchant's argument into the current political debates about Jewish emancipation in the reforming Habsburg Empire. His reference to Haim's usefulness for the Habsburg Empire proved the internuncio right, and shortly after arriving in Trieste, Haim travelled to Vienna where he appealed to Joseph II, who finally granted him the status he sought as a tolerated Jew.

Haim's ability to employ the identification as a Habsburg subject to his economic advantage becomes even clearer in his petition from 1783, less than a year after he escaped to Trieste. Asking the Habsburg government for help in recovering his financial losses from the Ottoman Empire, Haim invoked his status as a royal imperial Galician subject ("königlich kaiserlicher Galizischer Untertan").⁶⁴ He then requested the help of the imperial internuncio in acquiring a *ferman* from the Ottoman government, or, as Haim explained a save conduct common in Christianity ("eines in der Christenheit gewöhnlichen Salvus Conductus"), either for himself or for his son to travel to Istanbul.⁶⁵ As the safe conduct was a document often used to identify its carrier and enable him or her to travel safely to a foreign territory, it would enable members of Camondo family to return to Istanbul and recover at least some of their remaining assets in Istanbul. There was no doubt that Haim identified himself as a Habsburg subject, but he was not yet certain enough to enter the Ottoman territories without further assurance of this status. Indeed, in May 1785, Rathkeal requested a save conduct from the Ottoman government, which denied such a *firman* for Haim but issued one for his son, Abram Camondo. Interestingly, the *firman* confirmed the identification of Abram as a Habsburg merchant ("nemçelu tüccar").⁶⁶ Although the Ottoman government remained firm on Haim's status as an Ottoman subject, there seems to have been some flexibility on the identification of his descendants.

⁶³HHStA StAbt, Türkei II, 78, Rathkeal to Haus, Hof, und Staatskanzlei, 25th of October 1782.

⁶⁴HHStA StAbt Türkei II 80, Haim Camondo to Joseph II, 28th of March 1783.

⁶⁵HHStA StAbt Türkei II 80, Haim Camondo to Joseph II, 28th of March 1783.

⁶⁶BOA, C.HR 126.6283; on the safe conduction letters see Groebner (2004), p. 114–119.

Despite the grave losses inflicted on him by the Ottoman government, Haim's attachment to the Ottoman Empire is revealed in his journal listing the financial claims of the family in detail. There was indeed a lot to be claimed. In this journal, the merchant emphasised the effects of the exile from his homeland ("patrie") on him and his family.⁶⁷ Haim demanded almost 400 000 piastres of damages, consisting of the loans he had given to Ottoman officials, the forced sale of his properties in Istanbul below value, and the expenses of his and his family's journey to Trieste.⁶⁸ While claiming assistance from the Habsburg authorities, the merchant still could not refrain from calling the Ottoman Empire his homeland. To Haim, there seem to have been little connection between identity and identification – a fact that the merchant did not try to omit when communicating with the Habsburg authorities. Commerce, finance and the continued success of his businesses were the central prerogatives determining how Haim Camondo translated his claims of political and legal belonging, but apart from of this identification, the Ottoman Empire was still part of his identity.

22.4 Conclusion

This article brought various ways of identification used by early modern actors while negotiating Haim's subjecthood and legal belonging into dialogue. Unlike many of the imposters of the sixteenth and seventeenth century, who were able to adopt imaginary or real identities when crossing from the Ottoman, or more distant, territories into the European context, eighteenth-century actors such as Haim were not inventing their identity but their identification.⁶⁹ Neither of the European ambassadors nor Haim had objections to the family's identity as Ottoman Jews, it was the various ways of identifying a person over time and place, such as the proof of birth and the *berats*, that allowed different perspectives on his subjecthood. In the case of the British ambassador, the decisive document was the *berat*, whereas for the Habsburg internuncio and Haim Camondo it was the birth certificate. The Ottoman government, on the other hand, while acknowledging that the merchant's birthplace and his *berat* might have complicated Haim's status, insisted that it was his identity

⁶⁷The journal was written in French, yet bringing another language (besides German, English, and Ottoman Turkish) into the debate over belonging and identification (FHKA NHK Kommerz Lit Akten 1040, Haim Camondo. Triest 11ter April 1788).

⁶⁸FHKA NHK Kommerz Lit Akten 1040, Haim Camondo. Triest 11ter April 1788.

⁶⁹An argument brought forward by Valentin Groebner's research on the history of identification documents Groebner (2004), p. 123; For a poignant example of an early modern imposters see Eliav-Feldon (1999), p. 204.

or way of life as an Ottoman tax-paying Jew that determined his subjecthood. Our efforts to reconstruct the cultural translation that accompanied these different views on subjecthood suggest that at the end of the eighteenth century Ottomans and Europeans were speaking on similar terms when it came to identity, but on different terms when it came to the identification.

The examination of the Camondo affair also gave us the opportunity to see how different bureaucracies and actors negotiated what it means to be a trans-imperial subject. As there was no clear definition of what made someone a subject of a government, identification often depended on the individual understanding and goals as well as commercial and political benefits of the actors involved. On the other hand, identification was essential for the imperial authorities, who needed their subjects to be legible to tax, conscript, or else provide justice to them. At the end of the eighteenth century, trans-imperial families like the Camondos were capable to resolve the tension between the individual and state identification in their favour, or at least try to do so. The understanding of identity and identification was fluid and open to negotiation between the individual and the state and cultural translation between imperial bureaucracies. In the course of the nineteenth century, disputes over the legal and political boundaries of protégés and subjects now turned citizens would increase and pose new challenges to the status of Jews and other non-Muslims in the Ottoman Empire.⁷⁰

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⁷⁰Stein (2016), p. 7.

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