
Forum: The Habsburg-Ottoman Borderlands: New Insights
for the Study of the Nineteenth-Century European Legal and
Social Order

Introduction¹

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IN HIS EFFORTS TO SMUGGLE BOOKS from Habsburg Croatia into his home in Ottoman Bosnia and Herzegovina after the revolutions of 1848-49, the Catholic priest and well-known Illyrian nationalist activist, Ivan Franjo Jukić, found himself wrestling with the world of borders: “To get a supply of books from Zagreb, by what route?” he contemplated in a letter to a fellow Ottoman Christian. “I don’t know that myself. . . . I’ve been probing and trying for nine years now, and as you know yourself, sometimes a half-year passes before I get them from Zagreb.”² While Jukić had a contact in the Habsburg border city of Brod, convincing someone to carry the materials across the border required personal connections, cash payments, and some finesse. Ottoman censors regularly confiscated reading materials, demanded bribes to make deliveries, or detained suspects.³ Both Habsburg and Ottoman officials policed their shared border, requiring travelers to apply for permits to cross. Across the region, governments built detention and quarantine facilities to confine suspicious border crossers, a convention becoming commonplace around the world.⁴ The border between Bosnia and Herzegovina and the autonomous province of Serbia was more porous, as was its meaning, because it separated two regions under Ottoman suzerainty; however, there, too, the border became increasingly guarded, especially as the Serbian

¹With gratitude to Irina Gigova Ganaway, Alison Frank Johnson, Andrea Orzoff, and Matthew Worsnick for their insightful criticisms, to Vladislav Lilić for raising provocative questions about the nineteenth-century legal order, and to Daniel Unowsky, for encouraging a Balkan historian to cross historiographical boundaries and comment upon such excellent new scholarship.

²Ivan Franjo Jukić, “Letter from Ivan Franjo Jukić to Brother Bono Perišić, May 5, 1849,” in *Dokumentarna građa* [Documentary sources] (Sarajevo: 1970), 80-81. On Jukić’s work and prominent role in defining notions of political belonging in Bosnia, see Edin Hajdarpašić, *Whose Bosnia? Nationalism and Political Imagination in the Balkans, 1840-1914* (Ithaca, 2015), chapter one.

³See for example, Matija Mažuranić, *Pogled u Bosnu* [A glimpse into Bosnia] (Zagreb, 1842), 6-8 and various letters in Jukić’s collection, such as in *Dokumentarna građa*, pp. 11 and 68.

⁴See Mažuranić, *Pogled u Bosnu*, 15. For a broader discussion of quarantine at the border and larger Habsburg-Ottoman relations, see Marcel Chahrour, “‘A Civilizing Mission’? Austrian Medicine and the Reform of Medical Structures in the Ottoman Empire, 1838-1850,” *Studies in History and Philosophy of Science Part C: Studies in History and Philosophy of Biological and Biomedical Sciences* 38, no. 4 (2007): 687-705; Tatjana Buklijas and Emese Lafferton, “Science, Medicine and Nationalism in the Habsburg Empire from the 1840s to 1918,” *Studies in History and Philosophy of Biological and Biomedical Sciences* 38, no. 4 (2007): 679-86. On nineteenth-century imperial quarantine practices more broadly, see Birsén Bulmuş, *Plague, Quarantines and Geopolitics in the Ottoman Empire* (Edinburgh, 2012), chapter six and Michael Christopher Low, “Empire and the Hajj: Pilgrims, Plagues, and Pan-Islam under British Surveillance, 1865-1908,” *International Journal of Middle East Studies* 40, no. 2 (2008): 269-90.

principality began to issue passports. Every border crossing became a point of potential conflict over what would be filtered out or let in: people, goods, books, ideas.

Change was palpable across the Habsburg-Ottoman borderlands over the long nineteenth century. As nebulous political boundaries slowly became marked by customs houses, border posts, and quarantine stations, frontier lands, long dominated by military garrisons and military ambitions, became a new stage for diplomatic, legal, and economic negotiation.⁵ This was in no small part because across Europe, subjecthood, as a legal category, was being redefined through a complex web of nationality and citizenship laws that emerged alongside new Enlightenment ideas for thinking about rights and political belonging.⁶ As the laws changed in various domestic contexts and the political languages changed internationally, the status of individuals moving across these borderland regions also shifted. As if these variations in subjecthood and nationality were not complicated enough, contests over Ottoman lands, as well as revisions to the legal status of particular Ottoman provinces, raised questions about the boundaries of Ottoman laws and the legitimacy of the Porte's European possessions. In the early to mid-nineteenth century, several Ottoman provinces in the European borderlands, notably Serbia, Wallachia, and Moldova, achieved a semisovereign status that would be revised and reworked against the backdrop of a shifting international legal system; they would achieve "independence" in 1878 (though such independence came within the context of a hierarchy of European states).⁷ In the late nineteenth century and into World War I, core Ottoman lands became sites of more direct European intervention: Bosnia and Herzegovina and the *sançak* of Novi Pazar fell under different forms of Habsburg occupation; the Russian military occupied lands in Ottoman Bulgaria and Anatolia; and the British occupied Ottoman Egypt.

As the political boundaries of Southeastern Europe changed in the long nineteenth century, so, too, did the meaning of the Habsburg-Ottoman border: the edge of Europe slowly became saturated with legal meaning. Borderland towns and provinces often became places where consular and military officials first encountered challenges created by legal systems in flux. Questions of political belonging and sovereignty were continuously reinterpreted as the various states operating in the borderlands sought to centralize legal structures and strengthen their position vis-à-vis their neighbors. Jurisdictional battles over local, superficially mundane issues became elevated to the status of international conflict simply because they were unfolding on the Ottoman border. Indeed, the border became much more

⁵For reports on the ways that the border was being reframed diplomatically, see, for example, the dispatches in *The Historical Boundaries between Bosnia, Croatia, and Serbia 1815-1945*, ed. Anita L. P. Burdett (Cambridge, 1995), 3-24.

⁶For examples of these laws in the regions under investigation in this forum, see, for example, Marc Cornwall, "The Habsburg Empire," in *What Is a Nation? Europe 1789-1914*, eds. Timothy Baycroft and Mark Hewitson (Oxford, 2006); Benno Gammerl, *Subjects, Citizens, and Others: Administering Ethnic Heterogeneity in the British and Habsburg Empires, 1867-1918* (New York, 2017); Constantin Iordachi, "The Ottoman Empire: Syncretic Nationalism and Citizenship in the Balkans," in *What Is a Nation*, 120-51; Will Hanley, "What Ottoman Nationality Was and Was Not," *Journal of the Ottoman and Turkish Studies Association* 3, no. 2 (2016): 277-98; Natasha Wheatley, "Making Nations into Legal Persons between Imperial and International Law: Scenes from a Central European History of Group Rights," *Duke Journal of Comparative and International Law* 28, no. 3 (2018): 481-94; Ulrike Von Hirschhausen, "From Imperial Inclusion to National Exclusion: Citizenship in the Habsburg Monarchy and in Austria 1867-1923," *European Review of History—Revue européenne d'histoire* 16, no. 4 (2009): 551-73; Konstantina Zanou, *Transnational Patriotism in the Mediterranean, 1800-1850: Stammering the Nation* (New York, 2018).

⁷On variations of sovereignty in Ottoman autonomous provinces, see Aimee M. Genell, "Autonomous Provinces and the Problem of 'Semi-Sovereignty' in European International Law," *Journal of Balkan and Near Eastern Studies* 18, no. 6 (2016): 533-54. See also Alexander Bitis, *Russia and the Eastern Question: Army, Government and Society, 1815-1833* (Oxford, 2006).

than a line to cross, it became a place to claim or deny political belonging and to clarify new, ambiguous concepts percolating in international law.

The four essays in this forum analyze the Ottoman-Habsburg borderlands as sites of legal encounters, diplomatic negotiation, and cultural contestation. In humanizing border interactions, they reveal how a range of ostensibly nonpolitical actors—merchants, journalists, engineers, an impoverished teenage boy and his sister—became entangled in debates over the changing political world: about the nature and meaning of belonging (in national, political, and confessional terms) and about the boundaries of legal categories of asylum, extraterritoriality, slavery, and rights. In contrast to studies of imperial borderlands that foreground political violence, these essays excavate other kinds of tensions and negotiations. While attention to Europe's imperial borderlands as sites of mass killings and expulsions has certainly produced excellent and important works, an overemphasis on themes of violence has also propagated many myths, most problematic among them the idea of the Balkans as an inherently violent space.⁸ There are other stories to be told about the centrality of borderlands and important historiographical silences to address. This forum offers an alternative analytical lens.

The Habsburg-Ottoman rivalry, which dominated regional policy in Southeastern Europe from the fourteenth to the nineteenth century, defined and transformed local concepts of frontier, borderland, and border, as well as ideas of jurisdiction, sovereignty, and rights. In the early modern period, the Habsburg borderland served as the “military frontier,” a place where Christians were invited to settle on the defensive line of Europe.⁹ The border also played an important role in the Habsburg imaginary and the European mental map: as Larry Wolff describes in *Inventing Eastern Europe*, it was one of the cultural frontiers of Europe.¹⁰ Beyond lay the imaginary East, a foreign and dangerous world defined by Muslims and dominated by the “Ottoman yoke.”¹¹

The Ottomans, of course, had their own understandings of their European borderland in the early modern era, one grounded in internal statecraft and a well-functioning bureaucracy that enabled them to protect the imperial periphery after their massive territorial losses in the seventeenth and eighteenth centuries.¹² These were potentially vulnerable lands, even as they were understood as central to the empire. Historian Kathryn Ebel's work reveals that in the Ottoman cartographic imaginary, the imperial frontier was not represented by physical points of border crossing, such as a river, mountain, or landmark, but by the urban centers in borderlands, where Ottoman courts, businesses, roadways, and markets cemented imperial

⁸For examples of important works that investigate themes of violence, see Omer Bartov and Eric D. Weitz, eds., *Shatterzone of Empires: Coexistence and Violence in the German, Habsburg, Russian, and Ottoman Borderlands* (Bloomington, 2013); Max Bergholz, *Violence as a Generative Force: Identity, Nationalism, and Memory in a Balkan Community* (Ithaca, 2016); Mark Biondich, *The Balkans: Revolution, War, and Political Violence since 1878* (New York, 2011); İpek Yosmaoğlu, *Blood Ties: Religion, Violence and the Politics of Nationhood in Ottoman Macedonia, 1878–1908* (Ithaca, 2013).

⁹Gunther E. Rothenburg, *The Military Border in Croatia 1740–1881: A Study of an Imperial Institution* (Chicago, 1966).

¹⁰Larry Wolff, *Inventing Eastern Europe: The Map of Civilization on the Mind of the Enlightenment* (Stanford, 1994), 39.

¹¹Paula Sutter Fichtner, *Terror and Toleration: The Habsburg Empire Confronts Islam, 1526–1850* (London, 2008).

¹²See the eloquent discussion of these Ottoman transformations in Christine Philliou, *Biography of an Empire: Governing Ottomans in an Age of Revolution* (Berkeley, 2011), chapter one. For recent treatments of the Ottoman military frontier in the early modern period, see Mark L. Stein, *Guarding the Frontier: Ottoman Border Forts and Garrisons in Europe* (London, 2007) and the many works by Gabor Agoston, such as “A Flexible Empire: Authority and Its Limits on the Ottoman Frontiers,” *International Journal of Turkish Studies* 9, no. 1–2 (2003): 15–32.

legitimacy and anchored the periphery to the imperial core.¹³ It is thus not surprising that, when faced with pressures on the borderland, the Ottomans would respond with innovative legal, economic, and taxation policies within these cities.

Importantly, the Habsburg-Ottoman borderland under investigation in this forum was also a “language frontier,” as Pieter Judson aptly describes such places.¹⁴ South Slavic languages were spoken by diverse communities of Muslims, Orthodox Christians, Catholics, and Jews, people who often engaged in commerce across fluid borders and also shared meaningful religious, cultural, and linguistic connections with people living in other states. These shared linguistic connections would form the basis of many South Slavic national and cultural movements that developed in the nineteenth century.¹⁵ They would also influence the kinds of networks that would be available to people seeking to bypass a border or to politicians aiming to challenge its legitimacy in the first place. To many nationalist activists at the forefront of nineteenth-century movements, the borders represented the stifling of their popular sovereignty and a regional political problem to transcend. By decentering Habsburg history and focusing on events in the periphery, these essays depart from dominant tropes of nationalism and nationalist movements that have long shaped narratives of nineteenth-century Balkan history and instead illuminate how imperial rivalries, legal ambiguities, and ideas of possession shaped the societies in which nationalist movements would emerge. They also posit the utility of analyzing the Habsburg-Ottoman borderlands for making sense of how notions of subjecthood and rights, as well as the larger idea of Europe, became tested and reframed through people’s daily lives and their engagements with contested political spaces.

Over the course of the late eighteenth and nineteenth centuries, these regional dynamics and geographic imaginaries became entangled with the European diplomatic dilemma that came to be known as the Eastern Question.¹⁶ Put simply, this amounted to the great powers competing for influence and power over Ottoman lands; they also contemplated, on a diplomatic level, their eventual political redistribution. They had two central concerns, which at times conflicted with one another. First was the issue of the European balance of power: to prevent Russian expansion into Ottoman imperial lands, the other great powers sought to buttress Ottoman sovereignty and control changes to the Ottomans’ political boundaries. At the same time, the proliferation of a new European civilizing discourse viewed the Islamic empire as inferior to Europe and began to see the liberation of Christians from the Ottoman yoke as a European mission.¹⁷ In the shifting European political imaginary of the nineteenth century, certain Ottoman European possessions with Christian majorities, such as Serbia, Romania, and Greece, became understood as illegitimate and thus detachable from the sultan’s

¹³This argument is made in Kathryn A. Ebel, “Representations of the Frontier in Ottoman Town Views of the Sixteenth Century,” *Imago Mundi* 60, no. 1 (2008): 1–22.

¹⁴Pieter M. Judson, *Guardians of the Nation: Activists on the Language Frontiers of Imperial Austria* (Cambridge, 2006).

¹⁵On the variety of South Slavic nationalisms in the nineteenth and early twentieth centuries, see part I of Ivo Banac, *The National Question in Yugoslavia: Origins, History, Politics* (Ithaca, 1984).

¹⁶On the emergence of the “Eastern Question” as it relates to Austria, see the classic work: K. A. Roider Jr., *Austria’s Eastern Question, 1700–1790* (Princeton, 1982). More recently, Holly Case probes the historical development and debates over the European “Eastern Question” in *The Age of Questions: Or, a First Attempt at an Aggregate History of the Eastern, Social, Woman, American, Jewish, Polish, Bullion, Tuberculosis, and Many Other Questions Over the Nineteenth Century, and Beyond* (Princeton, 2018), 70–71 and throughout chapter five; she also discusses the Ottoman response to such challenges to their sovereignty, and the ways that the Ottomans came to understand this as the “Western Question.”

¹⁷On the ways that European civilizing missions played out in Ottoman lands, see Davide Rodogno, *Against Massacre: Humanitarian Interventions in the Ottoman Empire, 1815–1914* (Princeton, 2012).

domain. And indeed, over the century they would be slowly separated through international treaties and awarded independent status. This Orientalist geographic imaginary undergirds many of the borderland dynamics described in this forum.

The Ottomans were well aware of these efforts to reframe their empire's position in the European system. They viewed the Eastern Question as an affront to their sovereignty and actively sought to strengthen imperial institutions in response. An exhaustive program of domestic legal reform, known as the Tanzimat (1839 and 1856), centralized and secularized certain legal structures and laws. The Sublime Porte also sought to clarify categories of Ottoman subjecthood and nationality. Through a series of laws, they gave Christians and Jews new rights and obligations within the Ottoman polity, while also codifying a socioreligious legal system wherein different confessional groups adjudicated their own socioreligious matters. Ottoman subjecthood was changing both as a result of domestic reforms and because of international pressures.¹⁸

For many Ottoman bureaucrats working in the borderlands, the multicentury threat of “Christian” advances posed an existential crisis. Even when it was not under attack, the border felt uncertain, as Edin Hajdarasic examines in his essay here, partly because of occasional conflict, partly because of mass migrations occurring throughout the seventeenth and eighteenth centuries. Ottoman officials in Bosnia and Herzegovina came to understand themselves, Hajdarasic argues, as operating in a state of “emergency,” which led to new repressive tax and land policies for Christians. Moving away from the world of diplomacy and military engagements and instead focusing on legal disputes over property and taxation, Hajdarasic reveals how social pressures on the borderland and the Ottomans’ perceived vulnerability contributed to a reformulation of the idea of Ottoman subjecthood in the nineteenth century. The region’s social fabric was gradually shattered as a result of Ottoman land and taxation policies, which led to a reformulation of how class and confession worked in society. This, in turn, would shape how various Bosnians would understand and utilize nineteenth-century political languages in an effort to redefine their status. Central to this analysis is Hajdarasic’s concluding reflection on how Christian activists in Bosnia and Herzegovina came to oppose their classification as *raya*, an Ottoman taxation category, and instead fought to be classified as “citizens and nationals” of the Turkish empire. But such categories meant vastly different things to people living in and moving through the Ottoman-Habsburg borderlands. Their subjectivity, we shall see in Alison Frank Johnson and Jared Manasek’s essays, was a product of both Ottoman policies and the shifting legal norms of the international order.

For people living on the Habsburg-Ottoman borderlands, the Eastern Question—typically understood as a diplomatic problem—was very much a matter of regional politics and everyday legal affairs. Within this system, Ottoman Christians could be savvy political actors.¹⁹ In sharp contrast to the image of the backward and repressed Christians living under an Ottoman yoke percolating in the nineteenth-century European imaginary, we see in these essays how Ottoman Christians negotiated with local authorities, learned new international protocols, and maneuvered across subjective legal worlds. At times, Ottoman

¹⁸On the Tanzimat reforms, see the classic works by Roderic Davison, *Reform in the Ottoman Empire, 1856–1876* (Princeton, 1963); Stanford Shaw, *History of the Ottoman Empire and Modern Turkey*, vol. 2: *Reform, Revolution, and Republic: The Rise of Modern Turkey, 1808–1975* (Cambridge, 1977); and Carter Vaughn Findley, *Bureaucratic Reform in the Ottoman Empire: The Sublime Porte, 1789–1922* (Princeton, 1980).

¹⁹This is an important theme in Hajdarasic, *Whose Bosnia* and Philliou, *Biography of an Empire*.

Christians wrestled with how the Habsburg Empire might serve as a legal protector—not as an occupier, but as a guardian of international law and a mediator with the Sublime Porte.

This is on view in Alison Frank Johnson's essay, which explores how the rights of Christians and the legal category of slavery were deployed in a Habsburg borderland town in 1852. Frank Johnson explores Ottoman-Habsburg-Serbian tensions over "sovereignty, jurisdiction, and personhood" at three levels: the local, the regional, and the international. Frank Johnson's narrative centers around a young Serbian-speaking Orthodox Christian, Milan Ilić, who was born in Ottoman Bosnia, and whose mother and sister had converted to Islam and lived in the harem of an Ottoman notable. Outraged over his young sister's unwilling conversion and desperate to free her from the harem, Ilić takes advantage of Habsburg antislavery laws to demand her freedom when the harem stopped in the Habsburg Danubian port town of Zemun on its way from Ottoman Bosnia to Ottoman Anatolia. By briefly leaving Ottoman territory, the convoy stepped into Habsburg legal domain, a fact of which Serbs were acutely aware. The case raised questions on how, in a world of interconnected borders, the Ottomans' understandings of legal categories (e.g., slavery, conversion, rights) would jibe with new European norms. Closely analyzing correspondence between the military governor and the foreign ministry, as well as correspondence with officials in Belgrade and Istanbul, Frank Johnson exposes the tangled lines of jurisdiction in mid-nineteenth-century Europe and the ambiguous nature of political belonging. People living in the borderlands were aware that the political norms and laws of different states were changing, and they understood that by crossing into Habsburg territory, they could stake claims according to Habsburg law. Desire for Habsburg intervention was not an invitation for colonial conquest but an act of asserting a voice as individuals in an international order. In this case, it seems to have been driven by a young man's desperation to be reunited with his sister.

But such border crossings raised much broader questions that the Habsburgs would need to ponder; especially notable are the ethics and legality of conversion in Ottoman lands, the boundaries of nationality and their relationship to legal subjecthood, and the nature of the semisovereign provinces that existed within the Ottomans' European lands.²⁰ It soon becomes clear in Frank Johnson's essay that her protagonist, Milan, is working in cahoots with Serbian politicians. Consequently, we see how Serbian actors tried to test the limits of their "autonomous" status within the Ottoman Empire and use Habsburg law and European legal norms to upend their ambiguous semisovereign status.²¹ Slavery became a lever through which these Serbian actors sought to make legal claims on behalf of individuals who they claimed as members of their nation, despite their legal status as Ottoman subjects. The Habsburgs became the arbiters of this ambiguity. Policing the border thus became a way of challenging Ottoman concepts of law and legality. As borderland subjects moved through and across borders, they found themselves at once the object of change and the agents of it.

Another legal concept was also beginning to take on new meaning in the Habsburg-Ottoman borderlands of the mid-nineteenth century: extraterritoriality. The principle of extraterritoriality, or the right for subjects of one state to be exempt from its legal

²⁰On the historical controversies over questions of conversion in these lands, see Tijana Krstić, *Contested Conversions to Islam: Narratives of Religious Change in the Early Modern Ottoman Empire* (Stanford, 2011). For an analysis of Ottoman policies of conversion in the nineteenth century, see Selim Deringil, "There Is No Compulsion in Religion": On Conversion and Apostasy in the Late Ottoman Empire: 1839–1856," *Comparative Studies in Society and History* 42, no. 3 (2000): 547–75.

²¹For a broader discussion on the complexities and varieties of sovereignty, see the seminal work by Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (New York, 2009).

jurisdiction and instead claim legal status within another state's jurisdiction, was not new; it had been part of Ottoman-European treaties for centuries, and had played out in consular courts across European and Ottoman lands.²² But the meaning of extraterritoriality and who was included slowly changed over the course of the nineteenth century, especially in relation to Ottoman Christians.²³ Most famously, the Treaty of Paris in 1856, which ended the Crimean War and was signed by Great Britain, France, the Ottoman Empire, Sardinia, and Russia, enshrined new ideas of subjecthood in international law by allowing European powers to claim jurisdiction over their citizens or nationals who lived in Ottoman lands. Exactly what this entailed and who counted as "foreign" engendered important debate within the Ottoman Empire and is the subject of a robust and dynamic literature both within Ottoman history and in the field of law and empire.²⁴ As the Habsburg, Ottoman, and Serbian states each sought to define their legal domain and buttress their legitimacy in the second half of the nineteenth century, the *act* of border crossing became internationalized, and questions of extraterritoriality became entangled with those of sovereignty and nationality.

A question that emerges in Jared Manasek's essay is where the Habsburg state would fit into this changing system of subjects and citizens, nationals, and extraterritoriality, and how Christians in the Ottoman borderlands understood these categories and sought to exploit them.²⁵ The essay begins with a politically charged border crossing in 1873: without asking permission from the Ottomans, a group of Orthodox Christian merchants from Bosnia crossed the Sava River into the Habsburg province of Croatia-Slavonia—a place to which they had regularly traveled for business, and where they had a network of merchant friends—and sought refuge. Their goal was not political asylum in the Habsburg Empire, as would be the case of later political refugees, but rather, to convince the Habsburgs to pressure the Ottomans to be more lenient with them. They had their own interpretation of the Treaty of Paris, Manasek suggests, believing that European powers had an "obligation" to protect them as Ottoman Christians. The great powers disagreed—or, at least, nobody wanted to get involved with the merchants' case—not the British, the Russians, the Italians, nor the Habsburgs. The Ottomans, meanwhile, were convinced that the Christian men were not mere merchants, but nationalist agitators and potential revolutionaries. In raising questions about the merchants' intentions and extracurricular activities, Manasek draws upon both Habsburg and Bosnian sources to show how a local dispute could become reinterpreted in different lenses and how local Christian communities used international legal ideas for

²²See for example, Maurits H. van den Boogert, *The Capitulations and the Ottoman Legal System: Qadis, Consuls, and Beratlis in the 18th Century* (Leiden, 2005) and Alexander H. De Groot, "The Historical Development of the Capitulatory Regime in the Ottoman Middle East from the Fifteenth to the Nineteenth Centuries," *Oriente moderno* 22, no. 3 (2003): 575–604.

²³For discussions on nineteenth-century European treaties concerning extraterritoriality as they relate to Ottoman domestic law, see chapter four in Turan Kayaoğlu, *Legal Imperialism: Sovereignty and Extraterritoriality in Japan, the Ottoman Empire, and China* (New York, 2010).

²⁴See for example, Lâle Can, "The Protection Question: Central Asians and Extraterritoriality in the Late Ottoman Empire," *International Journal of Middle East Studies* 48, no. 4 (2016): 679–99; Sarah Abrevaya Stein, *Extraterritorial Dreams: European Citizenship, Sephardi Jews, and the Ottoman Twentieth Century* (Chicago, 2016); Kayaoğlu, *Legal Imperialism*; Ziad Fahmy, "Jurisdictional Borderlands: Extraterritoriality and 'Legal Chameleons' in Precolonial Alexandria, 1840–1870," *Comparative Studies in Society and History* 55, no. 2 (2013): 305–29; Faiz Ahmed, "Contested Subjects: Ottoman and British Jurisdictional Quarrels in re Afghans and Indian Muslims," *Journal of the Ottoman and Turkish Studies Association* 3, no. 2 (2016): 325–46.

²⁵The question of sovereignty in the Habsburg Empire and its successor states is analyzed in Natasha Grace Wheatley, "Law, Time, and Sovereignty in Central Europe: Imperial Constitutions, Historical Rights, and the Afterlives of Empire" (Ph.D. diss., Columbia University, 2016).

personal gain. These are, to some extent, the same Christians of Hajdarasic's and Frank Johnson's essays, albeit now more attuned to the languages of citizenship and rights. Manasek also illuminates how new legal concepts of refuge, protections, and rights—ideas that would soon be fleshed out at the Congress of Berlin in 1878—were being gradually worked out on the ground by local and imperial actors caught up in an unstable political order.

The Berlin Congress marked an important turning point for the Habsburg-Ottoman borderland, for the political map of Southeastern Europe, and for questions of law and rights in European history broadly.²⁶ Serbia, Montenegro, and Romania won independence, and Austria-Hungary occupied the Ottomans' borderland province of Bosnia and Herzegovina, commencing a three-decade campaign to "civilize" the province and integrate it into "Europe."²⁷ Austria-Hungary also assumed a new regional policing function, seemingly on behalf of the other great powers, monitoring her various southern neighbors and threatening military intervention if they misbehaved.²⁸ Historians often depict the era of Habsburg occupation (1878-1908), when Bosnia was still under Ottoman suzerainty, as not particularly different from the period of Habsburg annexation after 1908. However, Leyla Amzi-Erdogdular persuasively argues that Ottoman suzerainty was not a mere formality of international law. To the contrary, before 1908, many Bosnians continued to understand themselves as Ottoman subjects, petitioning the Ottomans for assistance and intervention and anticipating the possibility of the restoration of power.²⁹ From the Austro-Hungarian perspective, however, the goal of occupation was to reintegrate the region into "Europe" and sever its cultural and legal ties to the Ottomans. They did so through modernization campaigns, military repression, and sophisticated administrative, legal, and cultural strategies designed to manage the distinctly multiconfessional province.³⁰

How did individual Habsburg soldiers, bureaucrats, journalists, engineers, and the imperial elite traveling into the province understand their new possession? And in what ways did they participate in the revision of the political and cultural imaginary of the European frontier? Maureen Healy takes up these questions through an analysis of Austrian descriptions of and responses to entering and possessing Bosnia and Herzegovina after 1878. She demonstrates how the idea that Europe somehow ended at a river was a mental map, an imaginary construct reified by public discourse and, eventually, in historiographies of the region as well. Among efforts to overcome "the border in the head," Healy reveals, were political and engineering "performances" upon the physical border. Soldiers, journalists, and the kaiser used appearances at and across the border to shape public perceptions. Meanwhile, Habsburg military engineers aimed to conquer the "massive malarial swamplands" that

²⁶Eric D. Weitz, "From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions," *The American Historical Review* 113, no. 5 (2008): 1313-43.

²⁷Robin Okey, *Taming Balkan Nationalism: The Habsburg "Civilizing Mission" in Bosnia 1878-1914* (New York, 2007).

²⁸For example, see Scott W. Lackey, "A Secret Austro-Hungarian Plan to Intervene in the 1884 Timok Uprising in Serbia: Unpublished Documents," *Austrian History Yearbook* 23 (1992): 149-59. We also see this in Tamara Scheer's analysis of the Austro-Hungarian role in the Ottomans' borderland province of the *sançak* of Novi Pazar: Tamara Scheer, *Minimale Kosten, absolut kein Blut: Österreich-Ungarns Präsenz im Sandžak von Novipazar (1879-1908)* (Frankfurt, 2013).

²⁹See Leyla Amzi-Erdogdular, "Alternative Muslim Modernities: Bosnian Intellectuals in the Ottoman and Habsburg Empires," *Comparative Studies in Society and History* 59, no. 4 (2017): 912-43.

³⁰See for example, Robert J. Donia, *Islam under the Double Eagle: The Muslims of Bosnia and Hercegovina, 1878-1914* (Boulder, 1981); Fabio Giomi, "Forging Habsburg Muslim Girls: Gender, Education and Empire in Bosnia and Herzegovina (1878-1918)," *History of Education* 44, no. 3 (2015): 274-92; Peter Sugar, *Industrialization of Bosnia-Hercegovina: 1878-1918* (Seattle, 1964).

constituted the border with Bosnia, an environmental and technological challenge that became redeployed in political terms. The act of building bridges not only changed the experience of crossing the border but also sought to change the meaning of the border. We come to learn through this analysis that the Habsburg possession of Bosnia and Herzegovina was not simply a colonial mission but also an assignment to reintegrate Europe's frontier. Indeed, Healy argues, the Habsburgs understood the entire project of occupying Bosnia and Herzegovina as a service to "Europe," one that combined environmental and modernization efforts with cultural ones. The European frontier needed to be reconquered. By doing this work, the Habsburg state would prove its own Europeanness and strengthen its position within the hierarchy of European states.

Through a close textual analysis of dozens of border accounts, Healy reveals a distinct Austrian "civilizational vocabulary" that developed as they embarked on this project. She draws special attention to the particularly ambiguous yet politicized term of the "Turk" to highlight Bosnia and Herzegovina's non-European qualities. We know that in the nineteenth century, local Christian Slavic-speakers used the term *poturčiti*, or "to become a Turk," to describe converts to Islam, fusing concepts of religion to those of political belonging.³¹ But the meaning of "becoming a Turk" or even "being a Turk" was changing both in new legal frameworks of subjecthood and nationality and also in the particularities of the Habsburg conquest of the Ottoman European borderlands. Through its military occupation, cultural program, and civilizing mission in Bosnia and Herzegovina, Healy suggests, Habsburg agents aimed to defeat the "Turk" by transforming him into a "European." And by the time Bosnia and Herzegovina was annexed in 1908 this project was largely successful in the Habsburg political imaginary, where these Muslims were understood to belong to the empire and also to the European project.

Ultimately, we see in each of these essays that the border was both an idea, a cognitive map of space, and also a tangible place whose *borderness* was reinterpreted through those who crossed it. The experience of the border proved unstable, and thus presented both a risk and an opportunity. It was a place where ambiguous ideas of Europe coincided with conflicting ideas of sovereignty, nationality, subjecthood, and rights, and a place where international legal norms were being worked out by local actors. The wide range of legal and social conflicts that occurred within these borderland spaces would, in turn, make their way back into the law and society of the metropolises they served.

A final note about the historiographical contributions of these essays. While analyzing any European borderland has its own peculiarities and difficulties, studying the Habsburg-Ottoman historical border, as Healy notes in her essay here, often requires crossing historiographical bridges. Ottoman history remains marginal within European history, and the historical profession consistently draws its own internal borders around what constitutes "European" or "Middle Eastern" history. Indeed, as any gathering of scholars working on the Balkans, Caucasus, or Central Asia soon reveals (much to our great frustration), the major U.S. conferences for those who study the Slavic world (ASEEES) and the Middle East (MESA) are usually held on the same weekend in November, thus requiring that we implicitly declare our professional loyalty, or at least that we commit to one set of conversations, networks, and debates at the expense of the other. That the scholars attending these two conferences were often discussing the same towns, peoples, and histories within

³¹See for example, Grgo Martić, *Zapamćenja (1829–1878)* [Memoirs] (Zagreb, 1906), 26–27 and Minutes of the Bosnian Franciscans in Sarajevo, 1 May 1856, in *Prilozi bosansko-hercegovačkoj istoriji XIX vijeka* [Contributions to Bosnia-Herzegovinian history of the 19th century] (Sarajevo, 1960), 94.

their own echo chambers reinforced historiographical divisions over time. One finds similar arrangements in publications: the online forum H-Net Habsburg rarely includes Ottoman material; H-Net Ottoman Empire rarely includes Habsburg material. An appealing possibility for future research, one discernable in some recent workshops, conference papers, and dissertation projects, would include more collaborative work among Ottomanists, Habsburgists, Russianists, and Balkan historians, who, together, could investigate similar questions from their own sources and languages, with the goal of not just crossing but also dissolving these historiographical borders.³²

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³²I have had the privilege to participate in two such events over the past two years: “The Decline and Fall of Empires: Habsburg & Ottoman,” 9–11 November 2018 at the Remarque Institute, New York University and “Law and Legality in Modern Eastern Europe,” 4–5 October 2019 at the Davis Center for Historical Studies, Princeton University. For examples of terrific dissertation projects on the Balkans that are crossing historiographical divides see Leyla Amzi-Erdogdular, “Afterlife of Empire: Muslim-Ottoman Relations in Habsburg Bosnia Herzegovina, 1878–1914” (Ph.D. diss., Columbia University, 2013); Harun Buljina, “Empire, Nation, and the Islamic World: Bosnian Muslim Reformists between the Habsburg and Ottoman Empires: 1901–1914” (Ph.D. diss., Columbia University, 2019); Jovo Miladinovac, “Mobilization of Manpower at the End and during the Change of Empires in the Multi-Confessional Borderland Sandžak (1900s–1920s),” Berlin Graduate School of Muslim Cultures and Societies (Free University, Humboldt-Universität zu Berlin, and Leibniz-Zentrum Moderner Orient), scheduled for defense in 2020; and Jelena Radovanović, “Property, Law, and the Making of the Serbian Nation-State in post-Ottoman Niš” (Princeton University), scheduled for defense in spring 2020.