

## THE BACKGROUND OF RUSSIA'S CLAIMS TO THE TURKISH STRAITS

A REASSESSMENT\*

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The USSR placed on the agenda of the Big-Three wartime conference at Yalta in February 1945 the question of the Turkish Straits, a 200-mile-long natural waterway connecting the Black Sea with the Mediterranean. Of this waterway less than 60 miles, the Bosphorus coming from the Black Sea and the Dardanelles going to the Aegean, are true straits, joined by the inland Sea of Marmara. Ever since 1841 the transit of naval vessels through the Straits has been regulated by international agreement. The latest regime was established by a convention signed at Montreux in July 1936, authorizing Turkey (Articles 20 and 21) to remilitarize the strategic waterway and, if it were "threatened with imminent danger of war" or actually engaged in war, at its discretion to permit or disallow the passage of warships through the Straits.

With the Montreux regime the Soviet Government was dissatisfied, and at Yalta Joseph Stalin declared that it was outmoded and prejudicial to the Russian position. He therefore proposed to his two Western allies that the convention should be revised to allow Russian warships free passage at all times through the Turkish Straits, since "it was impossible to accept a situation in which Turkey had a hand on Russia's throat."<sup>1</sup> Stalin's statement reopened a question that he had first raised with Churchill and Roosevelt at Tehran in

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<sup>1</sup> *Foreign Relations of the United States, Diplomatic Papers: The Conferences at Malta and Yalta, 1945*. (Department of State Publication 6199, Washington, 1955), p. 903.

November 1943 and in bilateral talks with Churchill in Moscow the following October. The Soviet leader then held that Japan played an even greater role than did the USSR under the Montreux Convention, which in any case was linked to the defunct League of Nations. The instrument was concluded in circumstances of British-Soviet estrangement, observed the Russian leader; but surely the United Kingdom would not want "to strangle Russia with the help of the Japanese."<sup>2</sup> Under the convention, he complained, Turkey enjoyed the right of closing the Straits not only in time of war but even in a state of threatened war.

Foreign Minister Viacheslav Molotov in talks with the Turkish Ambassador at Moscow, Selim Sarper, in June 1945 elaborated upon the Soviet position. The Soviet Government acknowledged that Turkey had acted with good will during World War II and had conducted itself satisfactorily in defending the Straits. But such good will alone, asserted Molotov, could not assure the security of the USSR. A nation of 200 million could not rely wholly on the intentions of Turkey in such a matter but had to consider Turkey's capabilities for defending the Straits. In response to Sarper's direct inquiry, Molotov conceded that Russia wanted bases on Turkish territory.

Sarper informed the American Embassy at Moscow on 24 June 1945 that he suspected Moscow of seeking to assimilate Turkey into the Soviet security system. More specifically, as regards the Straits, Sarper felt that the Soviet aim was twofold: to shut the Black Sea to the warships of states not in the Soviet orbit and to assure free access of Soviet warships through the Straits to the Mediterranean. In Ankara early in July Prime Minister Şükrü Saracoğlu confided in U. S. Ambassador Edwin C. Wilson that<sup>3</sup>

We ardently wish friendly relations with Russia and have done everything possible to bring this about. We are fully prepared to discuss [the] revision of [the] Straits Convention. [The] Matter of passage through [the] Straits is of more interest to [the] maritime powers

<sup>2</sup> *Idem.*

<sup>3</sup> *Foreign Relations of the United States, Diplomatic Papers: The Conference of Berlin (The Potsdam Conference) 1945.* (Department of State Publication 7015, Washington, 1961), vol. 1, p. 1035.

than to us. Our concern is [the] safeguard of our territory. We will not accept Soviet domination.

The Soviet representatives raised the issue again with Britain and the United States at Potsdam on 22 July 1945. Churchill stated that Turkey would never agree to the Russian proposal for a Soviet base in the Straits and for exclusive control over the Straits regime by Russia and Turkey. The following dialogue then took place<sup>4</sup>:

MOLOTOV said that similar treaties had existed in the past between Russia and Turkey.

CHURCHILL asked if he meant the question of a Russian base in the Black Sea Straits.

MOLOTOV replied that he meant treaties which provided for the settlement of the Straits question only by Turkey and Russia. He referred to the treaties of 1805 and 1833.

CHURCHILL said he would have to ask his staff to look up these ancient treaties....

What Churchill, Attlee—who became Prime Minister before the Potsdam Conference adjourned—and their staffs may have discovered they did not subsequently disclose. At any rate, the Western Powers, while supporting Turkey's position on the Straits, nevertheless agreed that each of the Big Three would engage in direct talks with Turkey for the purpose of revising the Montreux Convention "to meet present-day conditions." After a year of diplomatic exchanges the matter ended in a stalemate, with the Soviet Union still insisting on sharing the defense of the Straits with Turkey. The USSR, since Potsdam, has not again formally asserted that its desire is based on rights accorded in "ancient treaties." But neither has it repudiated this claim. Nor is there any indication that the Soviet Union has given up its aspirations at the Straits. It is therefore high time that the Russian claim to treaty precedents is exposed for what it is—a long-perpetuated diplomatic and literary fraud.

Before this piece of deception is ventilated, it would be well to fix in mind the precise nature of the Straits question in its historical context. As long as the Black Sea was an Ottoman lake, and the only approaches to it from open waters or from the rivers that emptied

<sup>4</sup> *Ibid.*, vol. 2, p. 258.

into that sea flowed through the Sultan's territory or tributary principalities, he could - and did - decide freely what ships might visit what parts of his realm and under what conditions. Foreign war vessels had no excuse whatsoever for plying Ottoman inland waters, except on rare calls of courtesy or repair, unless in time of war they should have sought to breach the Padishah's naval defenses. But at the Straits and in the Ottoman-dominated river mouths of the Black Sea, such attempted breach would have entailed overwhelming risks. The Sultan's closure of the Straits and the Black Sea thus need not have been - and probably was not - more than implicit. What his practices regarding foreign commercial traffic in these inland waters may have been, in the sixteenth and seventeenth centuries, we do not really know. The evidence is far from clear, and the practices in any case probably varied. But by the eighteenth century commercial ships arriving from the Mediterranean were seemingly permitted to pass through the Dardanelles into the Sea of Marmara only as far as Istanbul, at the southern end of the Bosphorus. From that point northward, all trade with Black Sea ports apparently moved on Ottoman bottoms, as was probably true also of the riverine commerce with these ports<sup>5</sup>.

The moment Russia acquired control over primary river exits to the Black Sea (such as those of the Dnepr and the Don - the second connected to the Black Sea via its satellite, the Sea of Azov) and thus could validly claim riparian status, as had occurred at the close of the six-year war with the Ottoman Empire in 1774, the basic situation was bound to change. The treaty of Küçük Kaynarca, which brought that war to its formal close, stipulated (Article 11) that<sup>6</sup>

there shall be a free and unimpeded navigation for the merchant-ships belonging to...[Russia and the Ottoman Empire] in all the seas which wash their shores; the Sublime Porte grants to Russian merchant-vessels...a free passage from the Black Sea into the White

<sup>5</sup> Cf., for example, Great Britain, *Parliamentary Papers, 1878*, "Treaties and other Documents relating to the Black Sea, the Dardanelles, and the Bosphorus: 1535-1878," C. 1953, Turkey No. 16 (1878); see also James T. Shotwell and Francis Deák, *Turkey at the Straits: A Short History* (New York, 1950) pp. 14-16.

<sup>6</sup> From text in J. C. Hurewitz, *Diplomacy in the Near and Middle East* (Princeton, 1956), vol. 1, p. 57.

[Mediterranean] Sea, and reciprocally from the White Sea into the Black Sea, as also the power of entering all the ports and harbors situated either on the sea coast, or in the passages and channels which join those seas.

Russia thus opened to its commercial shipping at one and the same time not the Straits alone but all other water lanes with outlets on the Black Sea, and expressly the Danube River, penetrating the heart of Europe. But what concerns us here is the Russian right of free merchant navigation through the Straits. This right was progressively conferred upon the other European Powers,<sup>7</sup> although it was the Ottoman practice to make express provision for the privilege in the case of each capitulatory state requesting it under most-favored-nation treatment. Indeed, the Ottoman Government in 1822 notified all Powers that "the passage of the Bosphorus is closed to the ships of nations to whom the Porte never accorded the right of entry to... [the Black] sea."<sup>8</sup> By 1840-41 the right might have been claimed by all the capitulatory Powers. But not until the Treaty of Paris in 1856 was the principle of commercial freedom made universal. Article 11 declared that "The Black Sea...waters and its ports...[are] thrown open to the mercantile marine of every nation...." Article 12 went on to stipulate that<sup>9</sup>

Free from any impediment, the commerce in the ports and waters of the Black Sea shall be subject only to regulations of health, customs, and police, framed in a spirit favourable to the development of commercial transactions.

The question of commercial traffic through the Straits, it is clear, was resolved peacefully and in the best interests of all concerned.

There still remained, however, the problem of the transit of war vessels through the Straits. This problem, too, was resolved by ag-

<sup>7</sup> Among those states acquiring the right before 1840 were: Austria in 1784, the United Kingdom in 1799, France in 1802, Prussia in 1806, Norway, Sweden, and Spain in 1827, the United States in 1830, Tuscany in 1833, and Belgium in 1838.

<sup>8</sup> For English translation of text see Turkey No. 16 (1878), p. 11.

<sup>9</sup> From English text in Hurewitz, *op. cit.*, p. 156; the abrogation in 1871 of Article 11, because of its further provision for the neutralization of the Black Sea, did not affect the principle of commercial freedom.

reement among the Big Powers of Europe and the Ottoman Empire. The convention signed in London on 13 July 1841 (Article 1) expressed the Sultan's firm resolve

to maintain for the future the principle invariably established as the ancient rule of his Empire, and in virtue of which it has at all times been prohibited to the Ships of War of Foreign Powers to enter the Straits of the Dardanelles and of the Bosphorus; and...so long as the Porte is at peace...[to] admit no foreign Ship of War into the said Straits.

In the same article the European powers pledged "to respect this determination of the Sultan, and to conform themselves to the principle above declared." The Sultan reserved (Article 2) "to himself...to deliver firmans of passage for light vessels under flag of war...employed...in the services of the Missions of foreign powers."<sup>10</sup> Thus the Big Powers, acting in Concert, established an international regime - that survived, without major change, until World War I - for regulating the movement of armed vessels through the Straits: closure in time of peace, full Ottoman discretion in time of war. With this regime Russia was basically displeased, and the reasons for its displeasure lay in its failure to snatch the Straits from the Ottoman Empire in the period between 1798 and 1840.

As an expanding Great Power, already in possession of the largest single land mass in the world under one government, Russia was struggling at the close of the eighteenth, and in the opening decades of the nineteenth, century to break out of its almost landlocked bonds on the west to become a naval power as well. Frontage on the Black Sea did not satisfy such ambition for, without mastery over the Straits, this was a closed body of water. To fulfill its aspirations for projective naval power at the southwest corner of its still growing empire, Russia therefore struggled to establish itself on the Mediterranean. This dictated ownership of the Straits. Russian imperialism against the Ottoman Empire in these years, however, was of the creeping rather than galloping variety. The stages by which the Tatar khanates were shuffled into the Russian Empire well illustrated this. These Muslim principalities in and around the Crimea were not seized out-

<sup>10</sup> From text, Hurewitz, *op. cit.*, p. 123.

right in 1774, after victory in battle; they were merely detached from all forms of dependence on the the Sublime Porte. Only nine years later were they unilaterally incorporated into the Tsarina Catherine's domain, but not until a triumphant second war in 1792 did she finally compel the Sultan to acknowledge Russian possession of the territory.

It was one thing to annex Tatar khanates that were semi-independent to begin with, for they had surrendered to the Osmanli crown only their external, but none of their internal, sovereignty. It was something else again to seize the Straits, which coursed through Ottoman territory and alongside Istanbul, the capital of the Padishah's dominions, and separated his European from his Asian districts. Seizure of the Straits could be accomplished only by making the Sultan a vassal or by destroying his empire altogether, since the Ottoman capital would first require subduing before the Bosphorus could be taken. Although Russia in the last third of the eighteenth century had twice defeated the Ottoman Empire, neither victory came easily. The Muslim state, despite its progressive decay, displayed unusual staying powers and seemed far from prepared either to commit suicide or even to surrender any of the Padishah's patrimony, least of all his capital. Moreover, the subordination or destruction of the Ottoman Empire, with its still sprawling provinces in southeastern Europe, was bound to alter the balance of power on the Continent and thus could hardly fail to excite the hostility of the other Big Powers. If Russia proved shy in its manner of assimilating the Tatar khanates, it was certain to be doubly so in its efforts to take over the Straits.

In the attempt to procure mastery over the Straits, then, Russia could seek to arrange with other interested Big Powers in Europe an agreed partition of the Ottoman Empire, with the Straits zone set aside for Russia. Or the Tsar could extract from the Sultan, as part payment for a reciprocal favor, the right to share with him control over the narrows, in the hope that, once installed as co-director, the self-styled autocrat might imperceptibly relieve the Padishah of his remaining managerial responsibilities and ultimately wrest title to the real estate through which the waterway cut, without stirring European antagonism. The choices were not mutually exclusive, and the Tsarist regime for over a century shifted back and forth between

the two and, since the policies proved ineffectual, became ambivalent. This ambivalence the Tsars bequeathed to the Commissars.

That Russia was far from confident in formulating its Straits policies or happy with the results, as it took in 1798-1806 its first tentative steps to procure mastery over the waterway and as it resumed the tactics in 1833-1840, could scarcely be gleaned from official Tsarist-and Soviet-Russian accounts of the developments in this period. The classical Tsarist Russian work on the subject was by Sergei Goriainov, at the time director of the imperial archives in St. Petersburg. *Bosfor i Dardanelly*, originally published in the Russian capital in 1907, appeared in French translation (*Le Bosphore et les Dardanelles*) three years later. The book was most unusual, for it was based almost wholly on records-largely unpublished-in the Foreign Ministry at St. Petersburg. The author referred nowhere to available published literature on the Straits question. The work was palpably intended as an official statement and was used as such. For lack of alternative sources of pertinent Russian documentation, it was also used by Western and Turkish as well as Russian scholars.

The Goriainov book, however, was nothing but a political tract disguised as scholarship. Goriainov's manipulation of the facts would normally have interested only the historians, had it not been for the fact that his thesis has continued, since World War II, to enjoy the blessings of the Soviet Government, as attested by the most comprehensive postwar Soviet study of the Turkish Straits problem. Entitled *Chernomorskiie proliivy: mezhdunarodno-pravovoi rezhim* (The Black Sea Straits: International Legal Regime), it was written by B. A. Dranov and published by the USSR Ministry of Justice in Moscow in 1948. A lecture on the Straits question by Professor K. V. Bazilevich, issued as a brochure in 1946, followed the Goriainov line even more slavishly than Dranov<sup>11</sup>. In the 1950 edition of *Diplomatic Dictionary*, edited by Andrei J. Vyshinskii, there are two pertinent unsigned entries, one on the Straits and the other on Russo-Turkish treaties of alliance. Slanted and in part erroneous, the treatment was nevertheless more accurate-as far as it went-than that of the St.

<sup>11</sup> *O chernomorskikh proliivakh* [On the Black Sea Straits] (Moscow, 1946), pp. 13-15 and 28.



Petersburg archivist, although there was no allusion whatsoever to the latter's misrepresentation.<sup>12</sup>

Philip E. Mosely was the first Western scholar to discredit one of Goriainov's central arguments: that the separate and secret article of the Russo-Ottoman treaty of defensive alliance, concluded at Hünkâr İskelesi on 26 June/8 July 1833, provided for closing the Dardanelles to warships of third Powers and for opening the Bosphorus and the Dardanelles to those of Russia. Goriainov admitted that the wording of the treaty text was "defective" in this respect. But he based his claim on "the sense of the treaty as a whole," which by confirming the validity of earlier Russo-Ottoman treaties allegedly renewed also secret Article 7 of the the Russo-Ottoman alliance of 1805. It was this article, argued Goriainov, that "accorded to Russian ships of war the right to pass freely 'in every instance' through the Bosphorus, from the Black Sea into the Mediterranean."<sup>13</sup> Mosely shows that such a blanket renewal of all prior Russo-Ottoman agreements,<sup>14</sup>

if interpreted literally, would mean that many contradictory clauses of earlier treaties were automatically continued in force. It is the clauses of the treaty [not the blanket renewal] ... which have force in international law. The 1805 treaty had been denounced in 1806 by Turkey, and clause VII of it had never since been appealed to in practice. Why was Goriainov so anxious to make valid this highly captious and, from a juridical point of view, artificial reasoning? It may be guessed that as a representative of pre-War [tsarist] Russian diplomacy, he desired to justify the historic urge to secure a "Russian" solution of the Straits problem.

<sup>12</sup> *Diplomaticheskii Slovar'*, vol. 2 (Moscow, 1950), pp. 463 and 546-47.

<sup>13</sup> Serge Goriainov, *Le Bosphore et les Dardanelles* (Paris, 1910), pp. 43-44.

<sup>14</sup> Philip E. Mosely, *Russian Diplomacy and the Opening of the Eastern Question in 1838 and 1839* (Cambridge, 1934), pp. 12-13. In the light of Molotov's claim to bases in the Straits area, it is worth noting that Mosely discovered in a footnote to an 1838 report by Count Nesselrode to Tsar Nicholas I an isolated reference to the fact that the Tsar "had planned the occupation of a fortified point on the Bosphorus during the events of 1833 in Turkey." As Mosely points out, "not all the Russian intentions in 1833 have been cleared up even now" (pp. 22-23). See also Harold Temperley, *England and the Near East: The Crimea* (London, 1936), pp. 412-14.

Carrying forward Mosely's study, which was limited to the 1830's, we may well question Goriainov's explanation of the nature and significance of the 1805 treaty and his supporting evidence.

Stripped to essentials, the Goriainov thesis held that, in secret clauses of bilateral treaties of defensive alliance of 23 December 1798 [3 January 1799] and 11/23 September 1805, both concluded on Ottoman initiative, the Sublime Porte voluntarily consented to the principle of shutting the Black Sea unconditionally to the warships of third Powers, as a means of promoting the "mutual tranquility" of the signatories. Any attempted infringement of that principle the two allies would view as a hostile act. The Sublime Porte thus recognized, Goriainov contended, that Russia enjoyed "the right to defend its [Black Sea] coastal possessions on the same footing as the Sultan...who, by force of circumstances, could no longer consider himself the sole master of the entire Black Sea." Article 7 of the 1805 treaty, continued Goriainov, established the further principle that the Sultan, who remained in possession of the Straits, nevertheless shared its defense with Russia, and to this end the Sublime Porte pledged "to furnish every assistance to the passage of Russian war vessels through the Bosphorus and the Dardanelles." This freedom of naval passage was to be accorded "in every instance" under Article 7 of the 1805 treaty but particularly, under Article 4, to Russian war vessels bearing reinforcements and supplies to Russian garrisons on the Ionian Islands, which in 1799 had been captured by Russian and Ottoman naval forces and transformed into an independent republic under nominal Ottoman suzerainty and Russian military guarantee. The Sublime Porte, succumbing to French machinations, denounced the 1805 treaty before the end of 1806, argued Goriainov, but the precedents were nevertheless reaffirmed by the treaty of Hünkâr İskelesi in 1833.<sup>15</sup>

But it was precisely Article 7 of the 1805 treaty, so central to the Goriainov thesis, that was controversial. According to Goriainov, this article read as follows:<sup>16</sup>

The two High Contracting Parties agree to consider the Black Sea as closed and not to permit the appea-

<sup>15</sup> Goriainov, *op. cit.*, pp. 4-10, 43-44, 87.

<sup>16</sup> *Ibid.*, p. 6; see appendix for original French text.

rance therein of any flag of war or armed vessel of any power whatsoever, and if [any] should attempt to appear there in arms, the two High Contracting Parties undertake to regard such an attempt as a *casus foederis* and to oppose it with all their naval forces, as being the only means of assuring their mutual tranquility; it is understood that the free passage through the Canal of Constantinople will continue in effect for the vessels of war and military transports of His Imperial Majesty of All the Russias, to which in every instance the Sublime Porte will furnish every assistance and grant every facility that may be required.

In 1915 two Russian scholars, Baron B. E. Nol'de and Count Sergei Gagarin, separately and for different reasons criticized the Goriainov work. An international lawyer of high repute, Nol'de developed a position on the strategic waterway that must have been most unpopular at a time when his government was persuading its wartime allies to accept a Russian solution of the Straits question. Probably unaware of the archivist's falsification of the evidence, Nol'de simply dismissed the 1805 treaty as "stillborn...the result of a casual combination of the period of coalitions against the great Napoleon, entered into, to top it all, for only nine years." As Mosely was to do later, Nol'de primarily flailed at Goriainov's freewheeling interpretation of the 1833 treaty which, the Baron charged, attempted "in an ex-post-facto manner" to prove that it "opened the Straits for Russia." This contention, argued Nol'de,<sup>17</sup>

is scarcely convincing, if the [1833] agreement stipulated explicitly that all of Turkey's responsibilities under the terms of the treaty were limited to the above-mentioned [secret] provision on closing the Straits to the West. To imagine that in Hünkâr İskelesi Russia's right to pass through the Straits was legalized means to violate the texts and burden the past with something about which the participants of the 1833 correspondence and negotiations and their immediate

<sup>17</sup> B. E. Nol'de, *Vneshniaia Politika* [Foreign Policy] (St. Petersburg, 1915), p. 78; this analysis appears in Chapter 2, entitled "*Bosfor i Dardanelly*."

successors did not even think. Not in one of the documents of the time cited by Goriainov is there a hint of this belated interpretation.

Of a quite different nature was Count Gagarin's analysis, which catered to the prevailing attitude in Russia on the Straits question. Still he called attention to the difference between Goriainov's Article 7 and the French translation of the Turkish text appearing in Noradounghian:<sup>18</sup>

The two contracting parties, having agreed on the closure of the Black Sea, declare that any attempt by any power whatsoever to violate it shall be considered a hostile act against them. Consequently, they pledge to oppose with all their naval forces the entrance into that sea of every vessel of war and every ship carrying military stores.

The fact that the clause on free transit for Russian naval vessels - so indispensable to the Goriainov thesis - was missing from the Noradounghian version did not excite Gagarin's curiosity, because for him as for Goriainov, "The Straits were not only opened to Russian naval vessels but Turkey's obligation to assist [these vessels] by every means was assured."<sup>19</sup> Gagarin also noted an oversight by Goriainov: the Straits provision in secret Article 1 (as rendered by Noradounghian) which stipulated that "At the very least, the Ottoman Government...will make possible, for the duration of the war, passage through the Straits of Constantinople of vessels of war and transports that Russia may be obliged to send into inland waters."<sup>20</sup> This omission by Goriainov, as we shall see, was deliberate.

<sup>18</sup> Sergei Gagarin, "Konstantinopol'skiie prolivy," *Russkaia mysl'*, April 1915, pp. 105-06; English translation from Hurewitz, *op. cit.*, p. 76; French text in Gabriel Noradounghian, *Recueil d'actes internationaux de l'empire ottoman*, vol. 2 (Paris, 1900), p. 76.

<sup>19</sup> Gagarin, *op. cit.*, p. 106. "Russia will never reconcile itself," observed Gagarin in the conclusion of his two-part article (*ibid.*, May 1915, p. 66), "to any solution of the Eastern question which would not offer it full and unlimited control over Constantinople and the Straits. Sooner or later it will be so. Any other solution will be but a half-measure and will not give Europe a durable peace."

<sup>20</sup> *Ibid.*, April 1915, p. 106; Noradounghian, *op. cit.*, p. 75; and Hurewitz, *op. cit.*, p. 75.

No Western scholar, it seems, has sought to explain the divergence between the Goriainov and Noradounghian texts. In an international legal analysis of 1917, Coleman Phillipson and Noel Buxton showed no awareness of the disparity and accepted Goriainov's claims without challenge, citing in full his version of Article 7.<sup>21</sup> Sir James Headlam-Morley, in a posthumous report on the Straits originally prepared in 1922 for the Foreign Office when he was serving as historical advisor, leaned heavily on the Russian archivist's interpretation and, indeed, reproduced his version of Article 7 with no mention of alternative texts, about which he may not have known.<sup>22</sup> While more concerned with the treaty of Hünkâr İskelesi and its consequences, Harold Temperley nevertheless stated in 1936 that Article 7 "unquestionably does give Russian warships access to the Mediterranean."<sup>23</sup> Vernon J. Puryear in 1951 endorsed without qualification Goriainov's account of the negotiations and significance of the 1805 alliance.<sup>24</sup> Boris Muravieff's approval of the Goriainov line led him in 1954 to reproduce the Goriainov version of Article 7 in French in the narrative and in "the Russian original" in an appendix, because of "the extreme importance of...[its] stipulations."<sup>25</sup> In a work published by the Department of State at the time of the 1945-47 Soviet-West dispute over the Turkish Straits, Harry N. Howard merely offered without comment the Goriainov and Noradounghian versions of the controversial Article 7; he did not include any of the

<sup>21</sup> *The Question of the Bosphorus and the Dardanelles* (London, 1917), pp. 32-37.

<sup>22</sup> *Studies in Diplomatic History* (London, 1930), Chapter 8 (pp. 212-53), especially pp. 220-24.

<sup>23</sup> Temperley, *op. cit.*, p. 413, note 107 and p. 410, note 78; also Sir Charles Webster, *The Foreign Policy of Palmerston, 1830-1841* (London, 1951), vol. 1, pp. 305-06.

<sup>24</sup> *Napoleon and the Dardanelles* (Berkeley and Los Angeles, 1951) pp. 64-65 and 100; also Piers MacKesy, *The War in the Mediterranean, 1803-1810*, (London, 1959), pp. 154-55.

<sup>25</sup> *L'Alliance russo-turque au milieu des guerres napoléoniennes* (Neuchâtel, 1954), pp. 197-202 and annex XVII, p. 405. Contrast with André N. Mandelstam, "La Politique russe d'accès à la Méditerranée au XXe siècle," in *Académie de Droit International, Recueil des Cours*, vol. 47 (1934) pp. 599-800. A former dragoman at the Russian Embassy in Istanbul (1899 to 1914), Mandelstam devoted only a few lines (pp. 604-05 and 607-09) to the 1798/1799 and 1805 treaties. He cited Noradounghian's Article 7, significantly without mentioning the Goriainov variant, of which Mandelstam must certainly have known.

secret clauses on the Straits in the 1798/1799 treaty.<sup>26</sup> In my *Diplomacy in the Near and Middle East* I too furnished both texts of Article 7 and in my prefatory comments followed the explanations by Headlam-Morley, Puryear and Temperley. Moreover, since I could not at the time locate a copy of the 1798/1799 secret clauses, I omitted the public treaty as well and published only the United Kingdom's act of adherence to the Russo-Ottoman alliance.<sup>27</sup>

Cemal Tukin, who has written the most comprehensive work in Turkish on the Straits question on the basis of Ottoman archival materials as well as European literature, examined in full the texts of the secret treaties of 1798/1799 and 1805. He called attention to the fact that Article 7 of the later instrument was identical with Article 4 of the earlier one. But even Tukin ignored Goriainov's extravagant claims resting on the latter's variant text of Article 7. More sensitive to Goriainov's assertion that the Ottoman Empire's two alliances with Russia in the Napoleonic period were erected on Ottoman initiative, Tukin cites Turkish sources to argue that in both instances the Tsar was the pursuer, and the Sultan, the pursued.<sup>28</sup>

If Western and Turkish scholars had not grasped the Russian game, why should the Soviet Government give it away, more particularly since the USSR by its own admission in invoking the "precedents" of 1805 and 1833 harbored aspirations at the Straits no different from those of Tsarist Russia? Little wonder that Dranov, writing under the imprint of the Soviet Ministry of Justice in 1948, endorsed and indeed surpassed the extravagance of the Goriainov explication. Dranov alleged that the 1798/1799 alliance changed the Straits regime in Russia's favor, because the secret treaty "distinguished sharply between Black Sea and non-Black Sea Powers" and stressed the "special role of Russia-the greatest Black Sea Power-in the regime," by recognizing "that the forces of the owner of the Straits did not suffice to defend the safety of the entrance into the

<sup>26</sup> *The Problem of the Turkish Straits* (Department of State Publication No. 2572, Washington, 1947), pp. 14-15; see also *Potsdam Conference Papers, op. cit.*, vol. 1, p. 258, note 3.

<sup>27</sup> Hurewitz, *op. cit.*, pp. 65-67 and 72-77.

<sup>28</sup> Cemal Tukin, *Boğazlar Meselesi* (Istanbul, 1947), pp. 65-107; the Turkish text of Article 7 (1805) is reproduced on p. 106, note 4.

Black Sea and [thus] the combined efforts of both Black Sea Powers were required."

In turning to the 1805 treaty, Dranov handled the Gagarin-Goriainov differences cleverly by citing the two versions but immediately dismissing the need to resolve the question of textual authenticity, since "upon careful analysis the discrepancy between the two... proves not to be great and serious." Both texts, he argued, made Russia and the Ottoman Empire jointly responsible for the defense of the Straits; and Goriainov's additional clause on free transit of Russian warships<sup>29</sup>

in essence...does not change anything because the provisions concerning free passage...and the cooperation of the Turkish Government are contained in Articles 1 and 4. We do not even mention that "counteraction against the passage" of foreign vessels through the Straits implies the right of passage...for the vessels of the Power obliged to enforce this "counteraction."

Dranov also ridiculed Nol'de's views on Hünkâr İskelesi as contrary to reason. How could Russia render its proffered aid to Turkey under the 1833 agreement, inquired Dranov,<sup>30</sup>

if it is assumed that closing the Dardanelles, qualified in the agreement's secret article as an action "in favor of the Russian Court," is also extended to Russia, if Russian warships, defending the safety of the Straits, might not pass through the Straits in both directions? Is it not obvious that in this case the agreement becomes an empty shell, absurdity, nonsense?

The Soviet Government manifestly was banking on the fact that the masterpiece by Goriainov, having been accepted for so many years by so many non-Russian experts, was not going to be exposed as the fraud that it was.

The odds favored the Russians. The patent treaty of 1798/1799 was published soon after it entered into effect; so, too, was the treaty

<sup>29</sup> Dranov, *op. cit.*, pp. 63-67.

<sup>30</sup> *Ibid.*, p. 93.

of Hünkâr İskelesi, including the secret article.<sup>31</sup> In 1912 Goriainov himself published in the Tsarist Foreign Ministry's almost forgotten journal, which was launched earlier in the same year, the authentic French text of the 1805 public and secret treaties together with a copy of the instructions to the Russian Minister at Istanbul. In 1961 the Soviet Ministry of Foreign Affairs, in the second volume of a new series of Tsarist documents, reproduced the treaty texts together with a photograph of the Turkish version and a Russian translation of the French original.<sup>32</sup> But neither the Tsarist nor the Soviet regime ever released the text of the earlier secret treaty. Nor did Goriainov or Dranov.<sup>33</sup>

The very failure of the Tsarist regime to disclose in full the 1798/1799 instrument and its tardy publication of the 1805 treaty eloquently testified that the secret Straits clauses of both had led to a dead end. Had these stipulations developed - as Goriainov, Dranov and Molotov maintained - into durable privileges for the Russians and durable commitments for the Ottomans, their prompt publication would have been dictated for precedential reasons, if for no others. The closest that the Tsarist government came to issuing the first secret treaty was a paraphrased summary in an officially sponsored history of the Russo-French war of 1799.<sup>34</sup> This Dranov cited as his source

<sup>31</sup> G. F. de Martens, *Recueil général de traités*, 1st ed., Göttingen, 1801, VII, pp. 214-18 [1798/1799]; and Great Britain, *Parliamentary Papers*, 1836, vol. 50, No. 85 [Hünkâr İskelesi].

<sup>32</sup> Russia, *Ministerstvo inostrannykh del, Izvestiia*, I, Bk. 5 (St. Petersburg, 1912), pp. 244-49; the instructions to Italinskii (pp. 235-37) do not furnish any fresh evidence on the Straits question. *Ministerstvo inostrannykh del SSSR, Vneshniaia politika Rossii XIX i nachala XX veka. Dokumenty Rossiiskogo ministerstva inostrannykh del*, 1st. ser., II [April 1804 to Dec. 1805], ed. by A. L. Narochinskii (Moscow, 1961), No. 184, pp. 582-94.

<sup>33</sup> Of the seven pertinent articles in the two secret treaties (1-4 [1798/1799] and 1, 4, and 7 [1805]) Goriainov furnished the purported texts of only the last two; Dranov, only the 1805 trio in Russian translation of the Noradounghian French translation from the Turkish, which was itself a translation from the original French, plus the divergent Goriainov Art. 7.

<sup>34</sup> D. M. Miliutin, *Istoriia voiny Rossii s Frantsiei v tsarstvovanie Pavla I v 1799 godu* [History of the Russo-French War of 1799 in the Reign of Paul I] (1st ed., St. Petersburg, 1852) 3 vols., a work started by Lt. - Gen. Aleksandr I. Mikhailovskii-Danilevskii, who completed before his death in October 1848 only Part 1, comprising the first 13 chapters of vol. 1. Part 1, chap. 10, mentions both the public and



of the 1798/1799 arrangement.<sup>35</sup> As for the 1805 secret treaty, no Western scholars appear to have been aware of the 1912 publication; and until 1961 no Russian scholars, if cognizant of the published text, seem to have referred to it.

This accounted in part for the total silence on both "ancient treaties" in official British documentary collections: one comprising Russo-Ottoman agreements from 1774 to 1849 and issued during the Crimean War; and the other, of instruments on the Black Sea and the Straits from 1535 to 1877 and put out on the eve of the Congress of Berlin.<sup>36</sup> Even the noted British international lawyer T. E. Holland said nothing about the secret clauses in a special study of the treaty relations between the two Black Sea Powers in the eight decades following Küçük Kaynarca.<sup>37</sup>

Ahmed Âsım, the principal contemporary Turkish chronicler of Selim III's reign, summarized in detail both instruments of 1798/1799 but mentioned neither one of 1805.<sup>38</sup> Not until 1871-1872 did the text of the 1798/1799 secret treaty finally appear in Osmanli Turkish, as an appendix in *Tarih-i Cevdet*; this was reproduced in 1882-1883 together with the Osmanli text of the 1805 secret treaty in the Sublime Porte's official treaty series, published by the Ministry of War.<sup>39</sup> But only Turkish scholars seem to have used these texts. The later secret treaty, but not the earlier, also came out in French translation

the secret treaties of 1798/1799 (Russ. ed., 1, pp. 112-12; Ger. ed. [München, 1856] 1, pp. 92-93); a more detailed summary of the two may be found in footnote 169 of both editions, where the author disclosed that he had consulted the original texts at the Foreign Ministry archives in St. Petersburg.

<sup>35</sup> Dranov, *op. cit.*, p. 63; also Sergei Zhigarev, *Russkaia politika v vostochnom voprose* [Russian Policy in the Eastern Question] (Moscow, 1896), p. 246; and P. H. Mischef, *La Mer noire et les détroits de Constantinople* (Paris, 1899), pp. 200-4.

<sup>36</sup> Great Britain, *Parliamentary Papers, 1854*, vol. 72, No. 88, "Treaties (Political and Territorial) between Russia and Turkey, 1774-1849"; and *Parliamentary Papers, 1878*, C. 1953, Turkey No. 16 (1878), "Treaties and other Documents relating to the Black Sea, the Dardanelles, and the Bosphorus: 1535-1877."

<sup>37</sup> *The Treaty Relations of Russia and Turkey from 1774 to 1853* (London, 1877).

<sup>38</sup> Ahmed Âsım Ayntâbi, *Âsım Tarihi* (Istanbul, n. d.), vol. 1, pp. 65-68.

<sup>39</sup> Ahmed Cevdet Paşa, *Tarih-i Cevdet*, vol. 8 (Istanbul, 1288 A. H. [1871-72]), pp. 343-47; and *Muahadat Mecmuası*, vol. 4 (Istanbul, 1298 A.H. [1882-83]), pp. 19-27 (1798/1799) and pp. 41-48 (1805).

from the Turkish<sup>40</sup> and in modern Turkish.<sup>41</sup> Since only one signatory released the earlier secret instrument in its own language, and since neither party indicated the original language of negotiation or valid text of either treaty, there appeared no certain way of establishing authenticity by the published record.

Textual analysis apart, there remained many questions to answer. Why did the Russian Government withhold the 1805 secret treaty for so long and fail to publish the earlier one altogether, if the precedents were so vital to the Russian claims? Why did Goriainov in his book offer "textual" evidence from the 1805 but not from the 1798-1799 treaty, if the earlier instrument first enunciated the principle of Black Sea closure to foreign warships and if the second alliance grew out of the first? Would the answers to these questions explain why the Soviet Government in 1945 said nothing about the 1798/1799 treaty? Did the Sublime Porte in fact consent to share the Straits' defense with its northern neighbor in the Napoleonic period?

Answers to these bedeviling questions were found in 1958-1959 in widely separated places. The problem of textual authenticity was the first to be resolved. At Istanbul, in the Prime Ministry archives, where are housed the vast bulk of the massive and as yet largely unworked imperial Ottoman records, I located the original instruments of the 1798/1799 alliance; and in the (Ottoman) Foreign Ministry archives, where are stored many of the nineteenth-century files on the Sublime Porte's external relations, I discovered the Russian ratified text of the 1805 secret treaty. However, such is the state of Ottoman archival collections of this period that the stages of negotiation of the two treaties and the manner of their execution cannot be reconstructed accurately.

Fortunately, the United Kingdom mediated the negotiation of the two Russo-Ottoman alliances and the recurrent disputes to which their execution gave rise. While copies of the 1798/1799 and 1805 Russian draft proposals for the secret treaties were found in the Public Record Office at London, the instruments as finally signed and ratified by Russia and the Sublime Porte could not be tracked

<sup>40</sup> Noradounghian, *op. cit.*, vol. 2, pp. 74-77.

<sup>41</sup> Nihat Erim, comp., *Devletlerarası Hukuku ve Siyasi Tarih Metinleri*, (Ankara, 1953), pp. 227-32.

down, despite Britain's adherence to the first alliance and its indispensable help in bringing the second into being. With this exception, which proved unimportant in view of the materials uncovered in Istanbul, it was possible in London to assemble testimony that furnished an almost blow-by-blow account both of the framing of the alliances and their implementation. More than that, contemporary British evidence on the unfolding of Russia's Straits policies in this period came from a source consistently friendly to Russia. Here then was a puzzle that could not be put together until the major pieces had been gathered in widely separated places.

The Russian and French originals of the 1798/1799 alliance were signed by General Vasilii Tomara, the Russian Minister at the Sublime Porte and the Tsarist plenipotentiary in the negotiations.<sup>42</sup> The Turkish originals, signed by Seyyid Ibrahim Ismet Bey and Ahmed Âtif, the Reisülküttap, were missing, for they obviously had been exchanged for the instruments bearing the Russian seals and signatures, in accordance with Ottoman diplomatic practice of the day.<sup>43</sup> This would suggest that the Russian and Turkish texts were viewed as valid, and that the French one was agreed.<sup>44</sup> The act of ratification of the 1805 secret treaty, with Tsar Alexander I's seal and signature, appears in Russian, signed at Breslau on 3 [15] November 1805, and the treaty text in French, establishing beyond contention that the French text was the valid one.<sup>45</sup>

<sup>42</sup> Republic of Turkey, Başbakanlık Arşivi, Muahedeler Tasnifi, No. 418/1-3; see appendix for the French text of Articles 1-4. This series, which comprises the original instruments signed by the negotiators and/or ratified instruments deposited at the Babiali (Sublime Porte), seems to have been organized in its present form as recently as World War II. It appeared complete for the period after the creation of the Ottoman Foreign Ministry in 1835, but contained only a scattering of earlier instruments.

<sup>43</sup> The Turkish texts, probably copies of the originals sent to St. Petersburg, may be found in the Başbakanlık Arşivi, Hatt-i Hümayûnlar Nos. 52808 (public treaty) and 52804 (secret treaty and special act).

<sup>44</sup> Actually, from the evidence at hand, it seems clear enough that the instruments were first drafted in the French language and then translated into Russian and Turkish.

<sup>45</sup> Republic of Turkey, Dış İşleri Bakanlığı Arşivi (Istanbul), Dosya 886; see Appendix for French text of Articles 1, 4, and 7.

The Goriainov book, it will be recalled, cited the 1805 alliance only. Its version of Article 4 is virtually identical in language and punctuation with the original.<sup>46</sup> So, too, is its text of Article 7 up to the point ending with the phrase "assuring their mutual tranquillity." The source of Goriainov's inserted clause on unlimited transit through the Straits for Russian warships, in the absence of firm testimony, can only be conjectured. It seems logical to assume that it may have appeared originally as a suggestion from Andrei Italinskii, the Russian Minister at Istanbul.<sup>47</sup> If so, this could not be corroborated at either Istanbul or London. However that may be, the fact remains that Goriainov tampered with the text, adapting it to suit his own ends. Before an explanation of his behavior is attempted, we might well take a close look at the Russo-Ottoman alliances.

The Russian contention that Napoleon's occupation of Ottoman Egypt in mid-1798 induced the Sublime Porte to implore Tsarist help and that the performance was repeated in 1804-05 under renewed circumstances of French expansion sounds persuasive but has only one flaw. It simply is not true. Admittedly, the Ottoman Government found in the seizure of its territory by the French a basis for common action with Russia. Yet it is a matter of record that the Sublime Porte did not immediately throw itself into the Russian embrace. The memories of recent Russian aggrandizement in the Crimea at Ottoman expense were still too fresh. Indeed, the shoe was on the other foot. Ever since the French defeat of Austria in the fall of 1797, Russia had been pressing the Ottoman Government to join forces against an expansionist France. The resolve of the Sublime Porte against any form of cooperation with its northern neighbor was finally weakened by news of Napoleon's appearance in the eastern Mediterranean.<sup>48</sup> But even then the Sultan and his vezirs dragged

<sup>46</sup> The inconsequential variations are merely grammatical, not substantive.

<sup>47</sup> In a despatch dated 23 January/4 February 1805, No. 94, to the Ministry of Foreign Affairs at St. Petersburg; alleged citation by Goriainov, *op. cit.*, p. 6, note 1.

<sup>48</sup> This topic is thoroughly explored by Thomas Naff in *Ottoman Diplomacy and the Great European Powers, 1797-1802* (an unpublished doctoral dissertation at the School of Oriental and African Studies, University of London, 1960), pp. 130-6, 238-48, and 268-74.

their feet, refusing to formalize any defensive arrangement with Russia without the simultaneous participation of the United Kingdom.

Unlike Russia, the United Kingdom at that time had no clearly defined strategic interests in the eastern Mediterranean. The significance for Britain's position in India of the continued survival of the Ottoman Empire was articulated only intermittently. Whitehall's Mediterranean policy in the early years of the Napoleonic wars aimed, above all, to drive the French out of Egypt and Malta. The United Kingdom accordingly harbored no designs on Ottoman territory. The Sublime Porte thus suspected Britain less than it did Russia, and without Britain's decision to adhere to the Russo-Ottoman alliance of 1798/1799, there would probably have been no alliance at all. What is more, the British Government at this time saw no danger to its imperial position in the transit of Russian war vessels through the Straits. On the contrary, any allied addition to British naval power in the Mediterranean was to be welcomed.<sup>49</sup> Britain served as an ideal mediator, assisting Russia to get its warships through the Straits and giving the Sublime Porte a sense of added security.

In the end the Sublime Porte helped forge with Russia an alliance to which Britain adhered on terms of full equality for all signatories, and the Ottoman Government comported itself accordingly. It accepted Russian naval cooperation against France in the Adriatic but instructively did not invite the assistance of Russian land forces to which it was entitled under secret Article 6.<sup>50</sup> From Britain the Ottoman Government procured military and naval cooperation in

<sup>49</sup> Cf., for example, F. O. 65/40, Sir Charles Whitworth to Lord Grenville, 3 August 1798, No. 33 and 6 August 1798, No. 34; 78/20, Grenville to Spencer Smith, 14 September 1798, No. 4; 78/24 Grenville to Lord Elgin, 2 December 1799, No. 5; 65/54 Warren to Hawkesbury, 13, 20, and 27 April 1804, Nos. 23-25, and 29; and 78/42, Straton to Hawkesbury, 28 May 1804, No. 33.

<sup>50</sup> In the negotiation of this article, the Kaymakam Pasha conveyed to Sultan Selim III a sense of anxiety over Russian insistence that the Sublime Porte assume financial responsibility for provisioning the forces; the Ottoman negotiator feared that, if such payments could not be made, Russia might demand territory in compensation. The Sultan instructed the Kaymakam Pasha that, "If I could be certain that they [the Russians] will bring and take their soldiers according to our will, I should not dwell on the matter of the supply fund." Başbakanlık Arşivi, Hatt-ı Hümayûnlar No. 15008, Kaymakam Pasha to Padishah, 9 Cemazievvel 1213 [20 November 1798].

expelling French forces from Egypt and unlimited territorial guarantees, which though clearly framed against France, might also be invoked against Russia, whose thinly disguised imperial policies, even under alliance, gave the Sultan's vezirs pause. Russia, in fact, viewing the alliance as unequal, patronized and bullied the Sublime Porte. The Russian interest in the alliance, after all, transcended the Ottoman since, quite apart from the common allied goal of containing France, the Russians still privately cherished Ottoman territory, particularly the Straits, and tried to make the alliance serve both ends at once.

The Russian attitude sharpened Ottoman suspicions and rendered an unsteady partnership unsteadier. The alliance nearly fell apart in 1800-01 when Tsar Paul I broke away from the coalition to join France in a variety of schemes against Russia's erstwhile allies, including one for the destruction of the Ottoman Empire. Tsar Alexander I, on his ascent to the throne in March 1801, returned to the fold. But the alliance for all practical purposes fizzled out in the Franco-Ottoman peace at Amiens (1802). For more than two years thereafter Russia, Britain and the Ottoman Empire, each in rotation as the changing situation seemed to demand, raised the question of revitalizing the alliance system. That the Sublime Porte late in 1804, as Goriainov suggested, put forward the proposal that actually led to the opening of the negotiations for alliance renewal is definitely not borne out by the record.

In fact, the contrary seems true. As early as April 1804 the Russian Foreign Minister, Prince Adam Chartoryskii, informed his ambassador at Istanbul, Adrei Italinskii, of impending plans to reinforce Russian garrisons on Corfu for defense against France. Chartoryskii accordingly instructed Italinskii to procure assurances for the free movement of Russian naval vessels through the Straits in both directions by impressing upon the Ottoman Government "not only not to alter the existing system in any way but...to maintain and even to renew its alliance with his [Russian] Imperial Majesty and, without obligation to declare war upon France, to continue to maintain in a state of defense preparedness those [Ottoman] provinces exposed to invasion by the French."<sup>51</sup> Russian pressure for resurrecting the

<sup>51</sup> Ministerstvo inostrannykh del SSSR, *Vneshniaia politika Rossii XIX i nachala*

alliance was stepped up in August, when Chartoryskii cautioned Italinskii to avoid any action that might irritate the Ottoman Government.<sup>52</sup> By this time the Tsarist Foreign Minister was bewailing the fact that the 1798/1799 alliance, "while assuring the [Sublime] Porte everything, gave us no positive advantage; we could hardly procure from this government the execution of those stipulations that it had conceded to preserve the appearance of reciprocity."<sup>53</sup>

Once the talks were formally launched in February 1805, the Ottoman Government continued far less enthusiastic than Russia about resuscitating the old alliance or structuring a new one. At the outset Selim III adamantly refused to negotiate any secret terms, on the ground that his country was at peace with France. He instructed the Reis Efendi, however, to inform the Russian Minister that such a secret alliance might be concluded in the event of a French declaration of war on the Sublime Porte or on Russia.<sup>54</sup> But even in the negotiation of the public treaty, the Sublime Porte remained most suspicious of any clauses for inviting Russian troops to Ottoman soil, and over Italinskii's objections there was inserted in Article 4 the following phrase: "the routes to be followed by these troops will be indicated in advance by the state requiring assistance." Such a clause, the Reis Efendi argued, would enable the Sublime Porte to prevent "the passage of Russian troops through Wallachia and Sofia."

The Russo-Ottoman negotiations proved inconclusive until late<sup>55</sup> in July and then were consummated only because of the energetic mediation of the newly arrived British Ambassador. Indeed, as late as 3 September 1805, less than three weeks before the signature of the renewed Russo-Ottoman alliance, the British Ambassador at St. Petersburg, Lord Granville Leveson-Gower, reported on the authority of the Russian Foreign Minister the Tsar's willingness to accede

*XX veka. Dokumenty Rossiiskogo ministerstva inostrannykh del*, 1st ser., vol. 2, Chartoryskii to Italinskii, 16/28 April 1804, Doc. 11, pp. 23-25.

<sup>52</sup> *Ibid.*, Chartoryskii to Italinskii, 13/25 August 1804, Doc. 43, pp. 115-16.

<sup>53</sup> *Ibid.* Chartoryskii to S. R. Vorontsov (London), 18/20 August 1804, Doc. 45, pp. 119-23.

<sup>54</sup> Başbakanlık Arşivi, Hatt-i Hümayûnlar No. 146H, Padişah to Sadrazam, 1219 [1804-05]; rough date supplied by cataloguer, precise date by context.

<sup>55</sup> *Ibid.*, No. 7104B, summary proceedings of Russo-Ottoman treaty negotiations, Reis Efendi to Padişah, 17 Zilhicce 1219 [20 March 1805].

to Ottoman conditions for treaty revision, provided there were no further delays. Otherwise<sup>56</sup>

the Court of Petersburg would for its own Security feel it necessary to order the march of a Russian Army into [Ottoman] Moldavia and Wallachia and the Russian Fleet in the Black Sea to sail for the Straights [sic] of Constantinople. Prince Czartoryski intends to remit a considerable Sum of Money to [the Russian Minister at Istanbul]...in the Hope that the Distribution of it, may induce those who possess the confidence of the Sultan to counsel a compliance with the Proposition of the Russian Government.

These instructions actually arrived after the treaty was signed, with all clauses objectionable to the Sublime Porte deleted. However, the wrath of the Russian Court so late in the negotiations and its willingness to resort to bribery and force hardly suggested Ottoman fervor for the alliance.

The Sublime Porte's confident belief in a renewal of Britain's earlier guarantees doubtless eased the British mediatory role; and Britain's failure to adhere to the 1805 alliance, for reasons wholly accidental, contributed in no small measure to the Sublime Porte's early denunciation of the latest Russo-Ottoman treaty. The general character of the negotiations or of alliance systems, however, are not matters for exploration here.<sup>57</sup> All we need consider are the provisions on the use of the Straits by Russia under the two alliances.

Actually substantial units of the Russian Black Sea navy were for the first time permitted transit through the Bosphorus early in September 1798, nearly four months before the formal conclusion of the initial Russo-Ottoman alliance. This permission was granted, not for the defense of the Straits, but expressly for mounting a combined Russo-Ottoman naval offensive against the French in the

<sup>56</sup> F. O. 65/58, Grenville to Mulgrave, 3 September 1805, No. 39.

<sup>57</sup> Cf., for example, F. O. 78/45, Arbuthnot to Mulgrave, 18 July 1805, Nos. 2, 3, and 8; 4 August 1805, No. 9; 10 August 1805, No. 10; F. O. 78/46, Arbuthnot to Mulgrave, 24 September 1805, No. 19; also F. O. 65/58, Granville to Mulgrave, 3 September 1805, No. 39; 65/59, Granville to Mulgrave, 14 September 1805, No. 40.



Ionian Islands and the adjacent mainland.<sup>58</sup> Little wonder that the Kaymakam Pasha advised the Padishah that "it is not proper to allow the Russian fleet to cruise independently. It must be mingled with the Ottoman fleet in these parts [Morea, Albania and the Venetian Bay]." <sup>59</sup> In taking note that Russian naval forces had already gone through the Straits, secret Article 1 left no doubt that this happened after agreement between the parties on joint action against the common enemy in the Mediterranean. For this same wartime objective the Sublime Porte pledged to continue allowing Russian warships "to navigate the Canal of Constantinople." Article 2 stated that the Russian fleet would be made available for the war's duration for use against the common enemy. The Sublime Porte for its part promised to permit these ships to return to the Black Sea at the close of hostilities and

so long as the war may last and the Russian Black Sea fleet may be stationed in the Mediterranean, the warships and other armed Russian vessels, in view of the need for procuring munitions or reinforcements, shall have free entry and exit through the Canal of Constantinople....The [Russian] warships and other vessels shall be subjected only to the single formality, at the entrance of the Canal either on the Mediterranean side or that of the Black Sea, of identifying themselves as Russian, following the particular procedure that shall be agreed upon with the Russian Minister at the Ottoman Porte.

The article manifestly sought to minimize the formalities required for the movement of Russian warships through the Straits. But this was not unconditional "free passage" in the sense that Goriainov and Dranov sought to convey. It was passage limited to the immediate emergency and conditioned by the needs of war, by the presence of the Russian Black Sea fleet in the Mediterranean on allied duty, by

<sup>58</sup> F. O. 78/20, Spencer Smith to Grenville, 30 December 1798, No. 45, enclosed minutes of negotiations by Ottomans on 10 September 1798 with Russians and British for naval action in the Mediterranean. See also M. P. Pisani, "L'Expédition russo-turque aux îles Ioniennes," *Revue d'histoire diplomatique*, vol. 2 (1888), pp 190-222

<sup>59</sup> Başbakanlık Arşivi, Hatt-i Hümayûnlar No. 15426, Kaymakam Paşa to Selim III, 28 Rebiülevvel 1213 [9 September 1798].

the demands for replenishing its supplies and ranks, and above all by the voluntary cooperation of the Sublime Porte which neither surrendered any sovereignty over the Straits nor shared with others its defense. Russia was, in brief, to enjoy naval transit not as of right but only on Ottoman sufferance. That this was so is underlined by Article 3, which laid down that the passage of the Russian fleet and its free communication between the Black and Mediterranean seas

may not establish the right or serve as a pretext for claiming future free passage of war vessels through the Canal; this passage is solely reserved for the situation of a common war or the despatch of such aid as the Ottoman Porte might demand in virtue of the Treaty of Alliance and subject to prior agreement.

Goriainov may hardly be blamed for not wishing to disclose the Straits terms of the 1798/1799 alliance. Dranov, too, conveniently overlooked these limiting conditions, while Molotov simply did not mention the instrument.

This still leaves for accounting Article 4, which stipulated the closure of the Black Sea to all warships and armed vessels "of any Power whatsoever," making it the responsibility of Russia and the Ottoman Empire jointly to resist with all their naval might any attempted forced entry by such vessels. Did not the inner "logic" of such proposed "counteraction" imply not only sharing in the defense of the Straits but, as Dranov argued, "the rights of passage through the Straits for the vessels of the Power obliged to enforce this 'counteraction' "? A superficial reading of the article, out of context of the treaty and the times, might support Dranov's inner logic. But for reasons of claiming a precedent, as Goriainov and Dranov were doing, such a reading is inadmissible. To the Ottomans, Article 4 merely reaffirmed the existing situation, for no Power, not even Russia, was challenging the Sublime Porte's right of absolute discretion in opening or closing the Straits. The Ottoman Government was giving nothing up. It was agreeing simply - for the duration of the war and, at the most, of the alliance - to shut the Bosphorus to foreign warships, including incidentally those of Russia, if the Sublime Porte so desired. Should hostile warships nevertheless manage to penetrate the Dardanelles and reach Istanbul and then seek to shoot their way into

the Black Sea, the Sublime Porte would really be in serious straits. In such an extremity it would be useful to be able to invoke a treaty obligation - even one of Russia. But that prospect was so remote as to cause the Sublime Porte no uneasiness, and if the clause gave the Russians any satisfaction, the Sultan and his vezirs had no objection to its inclusion.

What satisfaction did Article 4 give the Russians? It did nothing but close the Bosphorus - not the Dardanelles - to the warships of other European Powers. It definitely did not open the Straits to Russian warships. Yet the Tsarist regime appeared pleased with this article, taken together with the preceding three which were probably intended as the thin edge of the wedge with which, while barring the movement of warships of other European Powers through the Bosphorus, Russia expected first to pry open the waterway for unconditional use by the Russian navy, then to claim a share in the defense of the narrows, and finally to take full possession. Such a scheme would explain the significance of the Russo-Ottoman convention of 21 March/2 April 1800 on the seven Ionian islands,<sup>60</sup> wrested a year earlier from the French by combined Russian and Ottoman naval action. The former Venetian archipelago was formed (Article 1) into a self-governing "Republic under the suzerainty of the Sublime Porte." However, the Tsar promised "on his own behalf and that of his successors to guarantee the integrity of the dominions of the said Republic [and] to maintain its constitution as well as the perpetuity of the privileges which shall be granted to them [Russia and the Ottoman Empire]." For the war's duration Russian and Ottoman military and naval forces were to be stationed (Article 5) in the Septinsular Republic as long as they were "required by the prevailing circumstances" provided that "after the cessation of hostilities the two above High Courts shall terminate their military presence on the said islands and without fail withdraw their squadrons and their troops."

Here was a closely calculated move by the Tsar and his advisors. The stationing of Russian military and naval forces on the Ionian islands for the war's duration - and with a perpetual guarantee the Russians could be expected to find pretexts for keeping their forces

<sup>60</sup> French text Noradounghian, *op. cit.*, vol. 2, pp. 36-41.

on or returning them to the islands after the war - it would be possible to continue sending at appropriate intervals Russian naval vessels through the Straits in both directions. In brief, if the Tsar were to dominate the Straits without first destroying the Ottoman Empire or arousing the opposition of the European Powers, it would be necessary for Russia to become firmly implanted in the Mediterranean. The Sublime Porte (and the European Powers) would presumably become inured to the sight of Russian men-of-war sailing up and down the Straits, and the Russian Government must have hoped that the practice would in time become customary and might then be claimed as a right.<sup>61</sup>

In the circumstances, Russia tended to observe the letter of the treaty stipulations on the Straits. Russian naval traffic never became heavy or sustained in the first phase of the alliance. Most of the Black Sea warships employed in the Adriatic campaign passed through the waterway before the formal conclusion of the alliance, and most of them returned to the Black Sea in September 1800. By the time of the peace of Amiens in 1802 only three Russian frigates remained in the Adriatic, and one of them was sold.<sup>62</sup> In 1803 the two Russian frigates returned to Sevastopol, and one of them was sent back to the Ionian Islands almost immediately. Thus until early 1804 the movement of Russian naval vessels through the Straits virtually ground to a halt. On each occasion of passage up to that time, the Russian Minister at Istanbul notified the Sublime Porte in advance, and the units did not enter the waterway in either direction until their transit had received Ottoman approval.<sup>63</sup> The movement was closely observed by the British Ambassador, who detected only one infraction of treaty rights at the time that the main body of the Russian fleet in the Adriatic returned to the Black Sea. "I am extremely mortified to say," wrote Lord Elgin,<sup>64</sup>

<sup>61</sup> Cf., for example, P. H. Mischef, *La Mer noire et les détroits de Constantinople* (Paris, 1899), p. 206, note 2.

<sup>62</sup> R. C. Anderson, *Naval Wars in the Levant, 1559-1853* (Princeton, 1952), pp. 427-28.

<sup>63</sup> Elgin (Istanbul) to Grenville (London): F. O. 78/29, 14 April 1800, No. 441; 78/30, 23 September 1800, No. 86; 78/31, 15 March 1801, No. 27 and 25 March 1801, No. 36; and Anderson, *op. cit.*, p. 427.

<sup>64</sup> F. O. 78/30, Elgin to Grenville, 23 September 1800, No. 86.

that a very undue and illiberal advantage has been taken of the good faith of the Turks upon this occasion, the Russians having brought back three ships from the Baltic Squadron...which have been refitted in England, in lieu of three much worse ships, built in the Black Sea. It is well known, that the latter description of Vessels are very inferior to those built in the north.

That Russia did not, at the time, believe that it enjoyed unlimited freedom of naval transit through the Straits is conclusively confirmed by Goriainov himself and by the new series of Tsarist Foreign Ministry documents. In October 1802 General Tomara, on the eve of his departure from İstanbul, requested Foreign Minister A. R. Vorontsov for permission, should the Sublime Porte allow "free sailing in the Black Sea to commercial vessels of all friendly nations", to demand that "our warships pass equally freely between the Black and Mediterranean seas." Vorontsov on 2/14 December 1802 advised Andrei J. Italinskii, the new Russian Minister to the Sublime Porte,<sup>65</sup>

That there is at present no need for such a demand, especially in view of the fact that, if it proved necessary for our warships to sail from the Black Sea to the Mediterranean, *i. e.* Corfu [an Ionian island], it will be more appropriate to obtain the permission of the Porte at the time, for which apparently there is no need to expect the least difficulty. Efforts to obtain such a privilege [full freedom of transit] prematurely, on the other hand, would, without any benefit to ourselves, set the precedent for others, and especially the French, to present the Turkish Government with similar demands.

<sup>65</sup> Ministerstvo inostrannykh del SSSR, *Vneshniaia politika Rossii XIX i nachala XX veka: Dokumenty Rossiiskogo ministerrstva inostrannykh del*, 1st ser., vol. 1 (March 1801 to April 1804), edited by A. L. Narochnitskii (Moscow, 1960), No. 139, p. 349; the only other document on the Straits is No. 180, pp. 432-33, in which Vorontsov on 16/28 May 1803 applauded Italinskii's having reminded the Sublime Porte to shut the Bosphorus to the warships of all nations. "We affirm our complete approval of this rule by not requesting any exception from it ourselves."

This helps explain why Russia was not pressing for the right of unlimited naval transit in this period - why, indeed, it was not visibly abusing its limited privileges.

Russian interest in use of the Straits was reawakened early in 1804, when the Imperial Government at St. Petersburg grew anxious over the French military build-up in Italy. In February, Russian warships and transports, with troop reinforcements for the Ionian islands, began to trickle through the waterway in accordance with the 1798/1799 agreement. But the Sublime Porte proved far from cooperative, in part because the alliance had petered out and in part because the French Ambassador protested. In mid-April the British Ambassador in St. Petersburg, at the request of Tsar Alexander I, took the unusual step of writing by Russian courier directly to the British Minister at Istanbul with instructions "to support the Russian Minister in his representations to the Porte" for permission "to send a considerable reinforcement of Troops and Ships of War to Corfu to be in readiness to act as occasion may require if the French make any initial Movements in that Quarter."<sup>66</sup>

The Russian sense of urgency was occasioned by worry over<sup>67</sup>

The safety of the Seven [Ionian] Islands until the arrival of [the] Russian forces...as the French had been increasing their army in Naples and meditated an attack; and...they were very desirous therefore that the letter I wrote to Lord Nelson might arrive in time to induce his Lordship to attend to the protection of the Seven Islands, and that the British naval force there should not be diminished.

The British Ambassador reported that the Russians were planning to send to Corfu at an early date most of the 60 vessels in the Russian Black Sea fleet with some 20,000 troops.<sup>68</sup>

<sup>66</sup> F. O. 65/54, Admiral Sir John Borlase Warren to Lord Hawkesbury, 13 April 1804, No. 23.

<sup>67</sup> Report of conversation between Warren and Russian Foreign Minister Prince Czartoriskii on 6/18 April 1804 in F. O. 65/54, Warren to Hawkesbury, 27 April 1804, No. 29.

<sup>68</sup> F. O. 65/54, Warren to Hawkesbury, 13 April 1804, No. 24.

Foreign Minister Chartoryskii confided in Ambassador Warren that "Russia had much difficulty in transporting so large a body of troops, as the Turks were always jealous and occasioned some delay in their passage to the Mediterranean."<sup>69</sup>

The reinforcement of the Russian garrisons and fleet on the Ionian Islands to the stated level took well over a year. As late as August 1805 the British Ambassador reported that<sup>70</sup>

2,000 Russian troops in recent days passed through the Straits to Corfu. A line of Battle ship with 1,000 Men on board is now in the Bosphorus; the Remainder of the Reinforcements, so as to make the whole number in the Ionian Republic amount to 20,000 Men, may be expected very shortly.

Throughout this period Ottoman obstruction at the Straits, thanks to French diplomatic intervention, became progressively more irritable to Russia. So great had grown the exasperation by the summer of 1805, that the Russian Minister at Istanbul was instructed, before knowledge of successful British mediation reached St. Petersburg, if the Sublime Porte persisted in "obstinately" rejecting secret articles proposed by the Tsarist regime - permission for Russian and British forces to occupy Ottoman territory for the war's duration and the grant to Russia of the right to intervene on behalf of the Sultan's Greek subjects<sup>71</sup>

to let the Negotiation be continued during the remainder of the summer, [so] that the Reinforcements intended for Corfu might in the intermediate Time be able to Effect their passage.

There is little testimony here of Russian enjoyment of free sailing through the Straits, and even less of Russian self-assurance in the matter, for by then the Tsarist Government must have become painfully aware of its vulnerability in the Mediterranean. Without freedom of movement through the Straits for servicing these forces, the Russians would have had to support their units in the Mediterranean from the Baltic. Little wonder that the Tsarist Government began to view the

<sup>69</sup> F. O. 65/54, Warren to Hawkesbury, 20 April 1804, No. 25.

<sup>70</sup> F. O. 78/45, Charles Arbuthnot to Lord Mulgrave, 10 August 1805, No. 10.

<sup>71</sup> F. O. 78/45, Arbuthnot to Mulgrave, 4 August 1805, No. 9.

1798/1799 treaty provisions on the Straits as having worn visibly thin. From the end of 1804 through September 1805 it was not the Sublime Porte but Russia that actively pressed for alliance renewal.

This time, however, the conditions for negotiation were far from satisfactory. Not in occupation of any Ottoman territory, the French were free to conduct their obstructive diplomacy. The Russians, moreover, had not yet framed a fresh alliance with the United Kingdom. The Anglo-Russian accord, signed on 11 April 1805, did not go into effect until 28 July. The delay sprang largely from Russian insistence that Britain surrender Malta. The Tsarist regime must earnestly have believed that the unshared possession of that island might anchor Russia more securely in the Mediterranean than did the existing arrangement for the Ionian archipelago. In the end, however, Russia had to acquiesce in Britain's retention of Malta.<sup>72</sup> At Istanbul itself, British mediation in the treaty negotiations had to await the arrival of the new British ambassador in mid-July 1805.

The three articles on the Straits in the Russo-Ottoman secret treaty, finally signed on 11/23 September 1805, represented, even on paper, no startling advance for Russia. Article 7, as already pointed out, was an exact replica of the 1798/1799 provision for the closure of the Black Sea. Article 4 stated that.

for the entire duration of the presence of Russian troops on the territory of the Septinsular Republic, the Ottoman Porte shall facilitate the passage through the Canal of Constantinople of Russian warships destined to replace the naval forces in the said islands or to supply and relieve the troops stationed there.

Whereas the original Convention on the Ionian Islands of 1800 (Article 5) limited Russian and Ottoman military presence on the Ionian archipelago to the duration of the war, the new secret treaty agreed that Russian troops "shall not be recalled until the situation which motivates their presence is overcome." In this connection, it might also be observed that Article 3 of the 1805 secret treaty

<sup>72</sup> Sir A. W. Ward and G. P. Gooch, editors, *The Cambridge History of British Foreign Policy*, vol. 1 (Cambridge, 1922), pp. 331-48 *passim*; Piers Mackesy, *op. cit.*, pp. 46, 54, 67-68; and William Hardman, *History of Malta, 1798-1815* (London, 1909).



confirmed the 1800 Convention on the Ionian Islands and widened Russian rights of intervention to include the former Venetian districts on the Adriatic mainland annexed by the Ottoman Empire. Finally, Article 1 of the 1805 treaty, after explaining that the renewed alliance was dedicated to containing France and restoring the balance of power in Europe, went on to declare that

the Sublime Porte shall for the duration of such a war facilitate the passage through the Canal of Constantinople of warships and military transports that His Majesty the Emperor may be obliged to send into the Mediterranean.

The privilege under Article 1 seemed designed to provide for any contingency in which the Ionian Islands might be taken from Russia and the Sublime Porte; or alternatively to enable Russia to reinforce military and naval units operating anywhere in the Mediterranean.

The Russo-Ottoman alliance of 1805 proved far more fragile than its antecedent. At the time of its signature Russia was striving, almost desperately, to shore up its military and naval establishment on the Ionian Islands. Here was the sole Russian base in the Mediterranean area, and for its buttress were assembled warships from the Baltic<sup>73</sup> as well as the Black Sea fleets, and accompanying the latter through the Straits were troop transports. Ever since early 1804 the French diplomatic mission at İstanbul maintained a watch on the Bosphorus, reporting to Napoleon every Russian military vessel that sailed north or south past the Ottoman capital. Through the French Embassy at Istanbul and in direct appeals to Sultan Selim III, Napoleon had sought to persuade the Sublime Porte to close the waterway to Russian traffic.<sup>74</sup> "If Russia has 15,000 men at Corfu, do you sup-

<sup>73</sup> Anderson, *op. cit.*, pp. 428-30 and 438.

<sup>74</sup> Among the Osmanli documents of the period are Turkish translations of guarded requests in 1804, spaced a month apart, from General (later Marshal) Guillaume Brune, the French Ambassador, for the closure of the Straits and for non-renewal of the alliance with Russia and Britain; Başbakanlık Arşivi, Hatt-i Hümayunlar Nos. 1506 and 1505. "These favors have been requested from Your Majesty [Sultan Selim III] numerous times," bewailed Brune in the second memoire, "both before and after the arrival of the French Ambassador in your country. Besides this, four different letters have been presented to Your Majesty on this subject. Your silence however, has continued for exactly forty-five days."

pose that this is [directed] against me?" wrote Napoleon to Selim on 30 January 1805<sup>75</sup>.

Are you so blind as not to see that one day, either under the pretext of returning to Russia the troops at Corfu, or under that of increasing its forces [there], a Russian squadron and army...may invade your capital, and your empire will have ceased with you.... Awake Selim....Your true enemies are the Russians because they wish to reign over the Black Sea and they cannot do so without possessing Constantinople.

As early as January 1806 Pierre Ruffin, the French Chargé d'Affaires in Istanbul, sent to Paris a copy of the recent secret Russo-Ottoman treaty<sup>76</sup>. By the late spring Napoleon took determined steps to nullify the Russian advantage, for he was no less anxious to keep potentially hostile naval power in the Mediterranean to a minimum than was Britain - with Russia in tow - to preserve naval supremacy. Early in May, Napoleon named as ambassador to the Sublime Porte General Horace Sébastiani, who had served as trouble shooter in the Ottoman Empire before and after the peace of Amiens in 1802. "The aim of all negotiations," Foreign Minister Talleyrand on 21 June 1806 instructed Sébastiani, on the eve of his departure for Istanbul,<sup>77</sup>

must be the closure of the Bosphorus to the Russians and the prohibition of the passage from the Mediterranean into the Black Sea of all their armed or unarmed ships. It is ridiculous to suppose that a ship is armed with cargo because its portholes are closed. The aim of the negotiations must be not to permit any Greek to navigate under a Russian flag.

<sup>75</sup> From text in Baron I. de Testa, *Recueil des traites de la porte ottomane avec les puissances étrangères* (Paris, 1865) vol. 2, pp. 271-72.

<sup>76</sup> Archives du Ministère des Affaires Étrangères, Correspondance Politique, Turquie, vol. 211, Ruffin to Talleyrand, 13 January 1806, No. 47. Although Ruffin mentioned in the letter that a copy of the treaty was enclosed, I could not locate it.

<sup>77</sup> *Ibid.*, vol. 212, Talleyrand to Sébastiani, 21 June 1806, No. 2; the phraseology used by Talleyrand is almost identical with that proposed by Napoleon on 9 June, *Correspondance de Napoleon Ier* (Paris, 1863), vol. 12, No. 10, 339, pp. 449-50.

At about the same time Napoleon again called upon the Sultan "to prevent Russian ships from passing through the Bosphorus, and not to permit any Greek ship to navigate under a Russian flag."<sup>78</sup>

At the time of the British mediation of the Russo-Ottoman negotiations in the summer of 1805, the Sublime Porte expected the United Kingdom formally to join the alliance, as it had in 1799. This step, however, Britain never took, although it gave its blessings to the alliance and particularly to the Straits clauses, which were viewed in London as a means of propping up the allied naval position in the Mediterranean. The Foreign Office in London seemed to have forgotten all about its outpost in Istanbul, to which it failed to send a single instruction for more than a year, from 16 September 1805 to 14 November 1806. The unguided British Ambassador, Charles Arbuthnot, despite recurrent doubts of how his substantive decisions and diplomatic behavior were being regarded by His Majesty's Government,<sup>79</sup> nevertheless remained faithful to his original instructions to work intimately with the Russian Minister in the "common" cause of containing Napoleonic France. When the Foreign Office finally rediscovered its forgotten man at the extremity of Europe, it directed him - in line with his own recommendations - to offer peace or war to the Ottoman Government, specifying as one of the conditions that<sup>80</sup>

By treaty the Porte is...bound to permit the Passage of Russian Ships of War, with the necessary transports to convey stores and Provisions, thro' the Canal of Constantinople... let the Passage of the Russian ships be granted, free from impediment, according to the Terms of the Treaty, and all Appearance of Hostility on the part of Great Britain shall immediately cease.

The United Kingdom was thus not only standing aloof from the alliance but actually siding with Russia, as the latter became

<sup>78</sup> *Ibid.*, 20 June 1806, No. 10, 382, pp. 474-75; on French diplomatic activities (as in Istanbul in this period see Puryear, *op. cit.*, *passim*).

<sup>79</sup> Cf., e. g., F. O. 78/51, Arbuthnot to Fox, 28 August 1806, No. 55; 8 September 1806, No. 56; 30 October 1806, No. 80; and F. O. 78/55, 15 January 1807, No. 1.

<sup>80</sup> F. O. 78/52, Howick to Arbuthnot, 20 November 1806, No. 2.

progressively more minatory, so that the Sublime Porte lost even its original lukewarm interest in the Russian alliance. Goriainov claimed that this alliance was destroyed by French machinations. We can now see that Sébastiani, who arrived in Istanbul on 9 August 1806, found it easy to detach the Ottoman Empire from any lingering fidelity to what had become a meaningless obligation. Sébastiani's manner was certainly more flamboyant than that of either Italinskii or Arbuthnot. But the Frenchman's diplomatic tactics, as he endeavored to browbeat the Sublime Porte into severing its ties with Russia and England, differed in no way from Italinskii's—nor, for that matter, from those of the unpiloted Arbuthnot, who before Sébastiani's arrival, had come to feel that the Ottoman Government understood only the language of force. Incidentally, it is instructive that Russia early in 1806, at a time when it began to encounter stiffening Ottoman resistance at the Straits, nevertheless persisted in its singleminded scheme of attempting to establish the precedent of free transit in both directions. "But should the Court of Petersburg," observed the friendly Arbuthnot, in commenting on Russian men-of-war sailing northward toward the Black Sea,<sup>81</sup>

instead of instantaneously marching a powerful Army to the Frontiers, leave its Minister here without other instructions than the mortifying ones of suing for free passage for the troops which are to return from the Mediterranean, which return itself has given a most unfortunate idea of Russian Weakness, we must in that case be prepared for all the evil which can arise from Turkish pusillanimity when increasingly worked upon by French Arrogance and Presumption.

Before the year's end the Sublime Porte declared war on Russia, and by February 1807, following the ill-fated English naval demonstration at Istanbul under Admiral Duckworth, war also broke out between the Ottoman Empire and Britain.<sup>82</sup>

<sup>81</sup> F. O. 78/49, Arbuthnot to Mulgrave, 6 February 1806, No. 4.

<sup>82</sup> On 25 January 1807, Arbuthnot, 36 hours after receiving Lord Howick's instructions of 14 November 1806 (the first after the long silence), conferred for four hours with Mehmed Galib (the Reis Efendi) and three of his colleagues. The English and Ottoman summaries of the conference leave no doubt that by then Arbuthnot, once his proposed policy of forceful demonstration had received Foreign

Soon after Napoleon's victory over Russia at Friedland in mid-June 1807, Tsar Alexander at Tilsit ceded the Ionian archipelago to France. The Tsar also pledged to return the Russian Mediterranean fleet to the Baltic and to the Black Sea bases from which the units had been assembled. Damaged in an Atlantic gale in November 1807, the men-of-war heading for the Baltic took shelter in Lisbon, where in September 1808 they were surrendered to the British, who by that time were at war with the Russians. The Black Sea vessels, whose return to home base the Sublime Porte refused to sanction, were eventually transferred to the French.<sup>83</sup> The 1805 treaty thus, far from establishing a precedent for joint Russo-Ottoman defense of the Straits, constituted a prelude to the end of the first serious effort by Russia to become a Mediterranean Power.

Without the Ionian archipelago or its equivalent, Russia could not pursue its tactics of familiarizing the Ottomans and the European Powers with the spectacle of Tsarist warships plying up and down the waterway. Without establishing a Mediterranean base, in which Russia and the Ottoman Empire shared an interest, as the two Powers had done at the outset in the Adriatic, Russia could not persuade the Sublime Porte to allow even limited naval use of the artery. Indeed, the whole Russian effort in this direction was set back for more than a quarter of a century, following the undignified expulsion from the Mediterranean. But Hünkâr İskeleyi did not give Russia the right to even restricted naval transit - not even on the basis of the Goriainov argument.

The Russian imperial archivist, it will be recalled, contended that Hünkâr İskeleyi gave Russia more than had appeared on paper because of its alleged confirmation of the 1805 treaty. But the 1805 treaty authorized Russian naval use of the Straits only for reinforcing the Russian garrisons on the Ionian Islands or for combat in the Mediterranean Sea during the war for which the alliance was concluded.

Office approval, sided unequivocally with Russia against the Sublime Porte. From that point on, given the difficulties of communication between Istanbul and London, war between Britain and the Ottoman Empire was unavoidable; Başbakanlık Arşivi, Hatt-i Hümayunlar, No. 6971; and enclosure of F. O. 78/55, Arbuthnot to Howick, 27 January 1807, No. 9.

<sup>83</sup> Anderson, *op. cit.*, pp. 457-59.

The Ionian Islands, however, had passed in 1807 to French, and two years later to British, possession; and the Napoleonic wars had ended in 1815. What the Tsarist regime procured in 1833 was the Sultan's promise to close the narrows to all foreign warships whenever Russia was engaged in a defensive war. As Foreign Minister Count Nesselrode explained to Tsar Nicolas I in January 1838, until Hünkâr İskelesi<sup>84</sup>

no *direct engagement* existed by which the Porte was held toward us equally to maintain the closure of the Dardanelles in case of war between Russia and other Powers. It is this gap that our Treaty of Alliance of 26 June/8 July 1933 served to fill. [Italics in original.]

Nesselrode therefore, strongly advised the Tsar against trying to persuade the Sublime Porte to permit units of his Baltic fleet to sail through the Straits into the Black Sea. "The maritime Powers," observed the Foreign Minister,

have sought in vain to invalidate our treaty of alliance. Our efforts have succeeded in inspiring the Sultan with the firmness and courage to maintain his engagements toward us in all their integrity.

But in order to encourage the Porte to persist in this attitude, Your Majesty has always loyally adhered to the axiom neither to stipulate nor demand for us this same right of passage through the Dardanelles that it is in our great interest to see denied to all other Powers.

The treaties oblige Turkey, as a result of the actual state of our relations, to close the entrance of the Dardanelles to foreign flag [s] of war but these instruments do not oblige it in any way to open [that entrance] to us.

The treaty of Adrianople, confirmed by that of Constantinople [Hünkâr İskelesi], stipulates explicitly in our favor the free passage of *merchant* ships only; but no stipulation authorizes us to demand the admission of our vessels of war into the Bosphorus. [Italics in original.]

<sup>84</sup> Mosely, *op. cit.*, p. 143; the full French text of the Nesselrode memorandum appears as Appendix A, pp. 141-47.

Hünkâr İskelesi, however, was not destined to live long. In the quarter-century interval between the earlier and later alliances, the United Kingdom had been converted from a friend of Russian naval privilege at the Straits to its foe. As the greatest sea Power, Britain, after finally articulating a firm and clear policy for the eastern Mediterranean, managed by 1840-41 to internationalize the Straits regime with its provisions for the closure of the waterway to all warships in either direction, except light vessels serving the diplomatic missions.

What still requires explanation is Goriainov's falsification of the evidence to begin with. Here we can only fall back on conjecture until the Russians themselves reveal the true facts. Mosely's observation that the Goriainov interpretation of Hünkâr İskelesi was probably intended to prepare the way for a "Russian" solution of the Straits problem would apply equally to the 1798/1799 and 1805 treaties. What is more, perhaps Goriainov's handling of the question was meant to strengthen Foreign Minister Aleksandr Izvolskii's unsuccessful efforts at the time to persuade the European Powers to endorse Russia's claims to the Straits.<sup>85</sup>

The Soviet Government has given no indication of abandoning its designs on what it terms "the Black Sea Straits." Neither is there any reason to suppose that the USSR will drop the pretense that the realization of this aim is merely a reassertion of time-honored rights. Indeed, the latest edition of the Soviet textbook on international law, published in 1957, declares flatly that<sup>86</sup>

In accordance with bilateral Russo-Turkish treaties signed in 1798, 1805 and 1833, Turkey undertook not to permit the passage through the straits of men-of-war of non-Black Sea Powers and not to hinder the passage of Russian men-of-war. Thus, the principle was established that passage through the Black Sea Straits was open to the men-of-war of Black Sea Powers (at that time Turkey and Russia).

One cannot be certain, therefore, that Moscow will not resort once again to plain, old-fashioned imperialism to achieve its "manifest" - if frustrated- destiny at the Turkish Straits.

<sup>85</sup> W. L. Langer, "Russia, the Straits Question, and the European Powers, 1904-08," *English Historical Review*, vol. 44, (1929), pp. 59-85.

<sup>86</sup> F. I. Kozhevnikov, ed., *International Law: A Textbook for Use in Law Schools* (English edition, Moscow, n. d.), p. 231; the work was prepared for the Institute of State and Law of the Academy of Sciences of the USSR, and chapter 5, in which this discussion appears, was written by S. V. Molodtsov.

APPENDIX I<sup>1</sup>  
ARTICLES ON STRAITIS IN 1798/1799  
RUSSO - OTTOMAN SECRET TREATY

Articles.  
Separés et Sécrets  
Article Premier.

Le Traité d'Alliance défensive entre Leurs Majestés L'Empereur de toutes les Russies et L'Empereur Ottoman, conclu actuellement ayant pour base de préserver l'Intégrité de Leurs Possessions, de maintenir la tranquillité de Leurs Sujets respectifs et de conserver les autres Puissances dans l'état respectable où Elles se sont trouvées jusqu'ici en formant une balance politique si nécessaire pour le maintien du repos général; Leurs Majestés Impériales prenant en mûre délibération les circonstances presentes et considerant que le Gouvernement actuel de France persiste ouvertement dans le pernicieux dessein de détruire la Religion, de renverser les Trônes et de bouleverser tout ordre consideré jusqu'à present comme le meilleur, et qu'après avoir soumis par ses Conquetes et par la propagation de ses principes destructeurs differens pays, il a tourné ses armes contre les Possessions de la Porte Ottomane, afin de leur faire éprouver le même sort, ont crû de Leur devoir d'entrer en pourparlers et d'établir entre Elles des communications franches et telles qu'elles conviennent entre deux Souverains liés par l'amitié la plus sincère et par la meilleure intelligence.

Sa Majesté Impériale de toutes les Russies ayant en conséquence reconnu que la guerre actuelle était un cas légitime d'Alliance et un objet digne de Sa sollicitude pour le rétablissement de la tranquillité et la répression des projets pérnicieux des français a résolu de venir au secours de Son Allié Sa Majesté L'Empereur des Ottomans. Il a ordonné à cet effet, avant même la confécion du Traité d'Alliance et sur la première demande de Sa dite Majesté que Ses forces navales

<sup>1</sup> Başbakanlık Arşivi, muahedeler tasnif, no. 481/2. Spelling and punctuation of the original documents are retained in the appendixes.



de la Mer Noire passassent dans le Canal de Constantinople, après un concert préalable avec la Porte Ottomane et qu'elles allassent chercher dans la Méditerranée l'ennemi commun pour agir contre lui. Le secours que Sa Majesté Impériale de toutes les Russies destine pour les cas present et celui qu'en vertu de ce Traité d'Alliance, Elle fournira pour les cas à venir sera composé du nombre de Vaisseaux de guerre suivant: savoir, Un Vaisseau de quatre vingt quatre Canons, deux de soixante quatorze Canons, trois de soixante dix Canons, et six de cinquante Canons, c'est-à-dire, douze Vaisseaux de ligne, non compris les batimens légers et plus petits, destinés pour le service de la flotte. Les dits Vaisseaux, ainsi que leurs Equipages devront toujours être complets pendant tout le tems de la guerre. La Porte Ottomane laissera passer ces forces par le Canal de Constantinople dans la Mer Blanche et dès que les flottes Russe et Ottomane y seront rendues, on réglera leur Croisière et leurs opérations contre l'ennemi commun, de la manière que les Commandants respectifs le trouveront le plus convenable; dans le bût de faire échouer toutes les entreprises des français et de détruire leur navigation militaire et marchande dans la Méditerranée. Et comme Sa Majesté Le Roi de la Grande Brétagne en raison de Sa guerre avec les français fait cause commune avec les deux alliés, les Commandans de Leurs forces navales devront entretenir des rélations avec le Commandant de la flotte ou des Escardes détachées Anglaises dans la Méditerranée et leur donner toute assistance dans les cas ou l'utilité commune pourra exiger un renfort ou une coopération.

#### Article Sécond.

Sa Majesté L'Empereur de toutes les Russies promet de laisser la susdite partie de Sa flotte de la Mer Noire, pour être employée contre l'ennemi commun, tant que durera la guerre et qu'il y aura quelque danger pour les Etats et les Possessions de Sa Majesté L'Empereur Ottoman. Cette flotte rétournera après la conclusion de la Paix dans les Ports Russes de la Mer Noire, et lors de son rétour la Porte Ottomane lui prétera tous les secours dont elle pourroit avoir besoin, et que l'on doit attendre d'une Puissance amie et alliée; mais tant que la guerre durera et que la Flotte Russe de la Mer Noire se trouvera dans la Mediteranée; les Vaisseaux de guerre et autres batimens armés Russes, vû le besoin d'être pourvûs de munitions, ou

d'avoir des renforts auront une libre entrée et sortie par le Canal de Constantinople. Cette même liberté existera pour la navigation dans la Mer Blanche et au delà, aussi bien que pour le retour dans la Mer Noire. Les Vaisseaux de guerre et autres batimens ne seront soumis à l'entrée du Canal tant du coté de la Mediteranée que de celui de la Mer Noire qu'à la seule formalité de se faire reconnoitre pour Russes suivant la manière particulière, dont il sera convenu, avec le Ministre de Russie près la Porte Ottomane. Pareillement les Vaisseaux de ligne et autres batimens Russes pourront durant le cours de la presente guerre contre les français, entrer dans les Ports et Rades de la Sublime Porte, soit pour y hiverner soit pour s'y mettre à l'abri du mauvais tems, soit pour s'y réparer ou pour tout autre besoin quelconque en avertissant amicalement de leur entrée le Comandant du Port.

#### Article Troisième.

En témoignage de la sincérité avec la quelle Sa Majesté L'Empereur de toutes les Russies est convenu d'assister la Porte Ottomane pour repousser l'injuste agréssion de l'ennemi, Sa Majesté Impériale promet que le passage de Sa flotte de la Mer Noire dans la Mer Blanche par le Canal de Constantinople et la libre communication pour les batimens de guerre, ainsi que le retour de la dite Flotte dans les Ports Russes de la Mer Noire, stipulés par le second article séparé, ne pourront pas donner de droit, ou servir de pretéxte pour prétendre à l'avenir le libre passage du Canal pour les Vaisseaux de guerre; ce passage n'est uniquement reservé que pour le cas d'une guerre commune ou de l'envoi des secours que la Porte Ottomane pourrait demander en vertu du Traité d'Alliance et à la suite d'un concert préalable. La navigation Russe dans les Eaux Ottomanes se fera d'ailleurs d'après les mêmes Principes et stipulations énoncés dans les Traités antérieurs de l'Empire de Russie avec la Porte Ottomane.

#### Article Quatrième.

Les deux Parties contractantes sont convenues de considerer la Mer Noire come fermée et de n'y permettre l'apparition d'aucun Pavillon de guerre ni bâtiment armé de quelque Puissance que ce soit, et dans le cas ou quelqu'une d'Elles tenterait d'y paroître en armes, les deux Hautes Parties contractantes s'engagent de regarder une pareille tentative comme Casus foederis et de s'y opposer de toutes Leurs forces navales, comme étant l'unique moyen d'assurer Leur tranquillité réciproque.

APPENDIX II<sup>1</sup>  
ARTICLES ON STRAITS IN 1805  
RUSSO-OTTOMAN SECRET TREATY

Article Premier.

Leurs Majestés l'Empereur et Padichah de toutes les Russies et l'Empereur des Ottomans, prénant en mûre considération les circonstances présentes de l'Europe et la conduite du Gouvernement François, la quelle dictée par son ambition et ses projets d'aggrandissement, est contraire aux principes de la justice et de l'équité, a produit le bouleversement de l'équilibre politique, et a rendu précaire la situation de tous les Etats exposés à des agrésions hostiles de sa part, en considérant surtout l'existance de ses vues et de ses projets contre les Etats de la Sublime Porte, ont reconnu nécessaire de s'ouvrir entre Eux franchement et sans réserve sur tous ces importants objets, ainsi que le demande la plus sincère amitié qui subsiste entre Leurs Majestés, et dont le maintien et la solidité est affermie pour l'avenir par le traité d'alliance défensive renouvelé; à la suite de ces ouvertures, il a été réciproquement convenu, que, si pour empêcher et anéantir les projets d'agrandissement ultérieur du Gouvernement françois pour operer le rétablissement de l'équilibre politique et pour procurer la sûreté et la tranquillité de tous les Etats, que le dit Gouvernement menace, quelques unes des grandes Puissances de l'Europe se déterminoient à réunir leurs efforts et à former une Coalition, et que dans ce cas, Sa Majesté Impériale de toutes les Russies se décideroit, pour le bien de ses Alliés et celui de toute l'Europe, à prendre une part active dans une telle coalition défensive dans son principe, la Sublime Porte désirant contribuer aux heureux résultats de la dite coalition défensive, résultats, qui en produisant le bien général de l'Europe, seront en particulier de la plus grande efficacité pour mettre l'Empire Ottoman hors d'atteinte des projets sinistres de la France, fera cause commune avec son auguste allié l'Empereur de toutes les Russies, ou fournira au moins à Sa Majesté impériale le secours

<sup>1</sup> Dış İşleri Bakanlığı Arşivi (Istanbul), Dosya 886.

mentionné dans l'article second du présent traité d'alliance défensive, et d'une manière conforme aux stipulations du même Traité; en même tems la Sublime Porte prendra soin de faciliter le passage par le Canal de Constantinople aux vaisseaux de guerre et transports militaires, que Sa Majesté l'Empereur aura besoin d'envoyer dans la Méditerranée, pendant la durée d'une telle guerre, et Elle se conformera aux vues salutaires de Sa dite Majeste Son Allié.

#### Article Quatrième.

Sa Majesté Impériale de toutes les Russies, en vertu du premier article de la Convention conclue entr 'Elle et Sa Majesté l'Empereur Ottoman le 21 Mars 1800, c'est-à-dire le 8me jour de la Lune de Zilcaadé, l'an de l'Egire 1214, s'étant engagée tant pour Elle que pour Ses successeurs, de garantir l'intégrité des Etats de la République des Sept-Isles unies, et vû les circonstances actuelles de l'Italie, la prevoyance exigeant la présence des troupes Russes dans les susdites isles, il est convenu qu'elles ne seront point rappellées, jusqu'à ce que l'Etat de choses qui motive leur séjour soit écarté.

En reciprocité de cette marque d'amitié sincère de la Cour de Russie la Porte Ottomane pendant toute la durée du séjour des troupes Russes sur le territoire de la République Sept-Insulaire, facilitera le passage, par le Canal de Constantinople, des vaisseaux de guerre Russes, destinés à remplaer les forces navales qui se trouvent dans les dites Isles, ou à ravitailler et rëlèver les troupes qui y sont stationnées.

#### Article Septième.

Les deux Parties Contractantes sont convenues de considérer la Mer Noire comme fermée, et de n'y permettre l'apparition d'aucun pavillon de guerre, ni bâtiment armé de quelque Puissance que ce soit, et dans le cas ou quelqu'une d'Elles tenterait d'y paroître en armes, les deux hautes Parties Contractantes, s'engagent de regarder une pareille tentative comme *Casus Foederis*, et de s'y opposer de toutes leurs forces navales, comme étant l'unique moyen d'assurer leur tranquillité reciproque.

### APPENDIX III<sup>1</sup>

#### GORIAINOV VERSION OF ARTICLE 7 OF 1805 RUSSO-OTTOMAN SECRET TREATY

Les deux hautes parties contractantes sont convenues de considérer la mer Noire comme fermée et de n'y permettre l'apparition d'aucun pavillon de guerre ou bâtiment armé de quelque puissance que ce soit, et, dans le cas où quelqu'une d'elles tenterait d'y paraître en armes, les deux hautes parties contractantes s'engagent à regarder une pareille tentative comme *casus foederis* et à s'y opposer de toutes leurs forces navales, comme étant l'unique moyen d'assurer leur tranquillité réciproque; bien entendu que le passage libre par le canal de Constantinople continuera d'avoir lieu pour les bâtiments de guerre et transports militaires de S. M. impériale de toutes les Russies, auxquels dans chaque occasion la Sublime Porte prêtera, autant qu'il dépendra d'elle, toute assistance et accordera toute facilité.

<sup>1</sup> Serge Goriainov, *Le Bosphore et les Dardanelles* (Paris, 1910), p. 6.

