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## A “Nest of Pirates”?

Guillaume Calafat

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STUDI E MATERIALI DI STORIA DELLE RELIGIONI

84/2 (2018)

**Contacts on the Move**

Dipartimento di Storia, Culture, Religioni



SAPIENZA  
UNIVERSITÀ DI ROMA

Morcelliana

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Fondata nel 1925 da Raffaele Pettazzoni

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*(Raffaele Pettazzoni 1925)*

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# STUDI E MATERIALI DI STORIA DELLE RELIGIONI

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## Contacts on the Move

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## A «Nest of Pirates»?

### Consuls and Diplomatic Intermediaries in Algiers during the 1670s

Whether they were peaceful or conflictual, the relations between Christian and Muslim countries in the Mediterranean gradually shaped a set of common diplomatic norms and practices. The considerable number of peace and trade treaties concluded between European and North African sovereigns reveal a long common history involving economic exchanges and commercial, political and military negotiations. Bearing witness to this history is, notably, the impressive compilation of documents regarding the «relations of Christians with North-African Arabs in the Middle-Ages» published by Louis de Mas Latrie in 1866<sup>1</sup>; with the explicit purpose of «enlightening the public administration and the natives themselves on the state and civilization of the country before Turkish domination», the historian from École des Chartes collected, under the reign of Napoleon III, a set of treaties concluded between, on the one hand, Italian maritime republics (Pisa, Venice, Genoa), and Spanish kingdoms (Aragon, Two-Sicilies), and on the other hand, the Hafsid sultans of Tunis, the Mamluks in Egypt, Béjaïa, Tlemcen and Fes<sup>2</sup>... These texts, which were usually short-lived – lasting from five to fifteen years on average –, settled the organization of the *funduk*, economic privileges and the presence of European merchant colonies in North-African port and trading cities, while attempting to regulate trade and navigation. As corsairing intensified in the Mediterranean Sea, the treaties involved an increasing number of clauses dealing with the exchange and ransoming of captives<sup>3</sup>.

During the 16th century, the expansion of the Ottoman Empire placed North African kingdoms, Morocco excepted, under the tutelage of the Sublime Porte; from then on, Western European powers gave priority to establishing diplomatic relations with the Ottoman Empire, notably to settle trade and military issues with the provinces of Algiers, Tunis and Tripoli. For that reason, the Ottoman sultan granted «Capitulations», conceived of as a set of rights and privileges granted to the subjects of European powers, which notably settled economic agreements and specified the terms of the presence of Christian merchants in the Empire's towns and harbors. However,

<sup>1</sup> L. de Mas Latrie, *Traité de paix et de commerce et documents divers concernant les relations des Chrétiens avec les Arabes de l'Afrique septentrionale au Moyen âge...*, Plon, Paris 1866, 2 vols.

<sup>2</sup> *Ibi*, p. 1.

<sup>3</sup> D. Valérian, *Le rachat des captifs dans les traités de paix de la fin du Moyen Âge. Entre diplomatie et enjeux économiques*, in «Hypothèses» (2006), pp. 343-358.



the Ottoman Porte apparently struggled to enforce some of the Capitulations' clauses in North African Ottoman provinces, notably those dealing with the so-called *corso* and the ransoming of captives. Apart from the Capitulations granted by the Ottoman Empire, from the 17<sup>th</sup> century on, France, the United Provinces and England started to build direct relationships with the Ottoman provinces in North Africa, and concluded separate peace and trade treaties with them. Despite the great number of treaties ratified between European and North African states, especially in the second half of the 17<sup>th</sup> century, the theoreticians of the law of nations still debated about the actual sovereignty of North African provinces vis-à-vis the Ottoman Empire<sup>4</sup>. Were the provinces of Algiers, Tunis and Tripoli pirate states, «enemies of the human kind» (*hostes humani generis*)<sup>5</sup>? Or were they states in their own right, and therefore potential enemies or allies, with whom one could act according to the shared norms of war and peace legislation<sup>6</sup>?

### 1. Diplomacy and incommensurability

Although the treaties mentioned the Capitulations and acknowledged *de jure* the Ottoman sovereignty over North Africa, Europeans increasingly recognized the provinces' *de facto* partial political autonomy throughout the second half of the 17<sup>th</sup> century: this trend was reinforced by the relative weakening of the Ottoman naval power and by the gradual assertion of a law of nations, conceived of as a set of positive diplomatic texts, which involved treaties concluded with other European states, as well as with the Ottoman provinces<sup>7</sup>. However, to consider diplomatic relations between North Africa and Europe only by looking at borders and the extension of *jus gentium* would yield limited and potentially faulty results: in discussing the inclusion or exclusion of North African provinces within the law of nations, as it was defined by 17<sup>th</sup> century European jurists and lawyers, Europe is considered the main focus and the benchmark of diplomacy. This is not only a historio-

<sup>4</sup> J. Manfred Mössner, *Die Völkerrechtspersönlichkeit und die Völkerrechtspraxis der Barbarenstaaten, Algier, Tripolis, Tunis, 1518-1830*, de Gruyter, Berlin 1968; C. Windler, *La Diplomatie comme expérience de l'Autre. Consuls français au Maghreb (1700-1840)*, Droz, Geneva 2002, pp. 223-245.

<sup>5</sup> D. Heller-Roazen, *The Enemy of All. Piracy and the Law of Nations*, Zone Books, New York 2009, pp. 105-107.

<sup>6</sup> G. Calafat, *Ottoman North Africa and ius publicum europaeum. The case of the treaties of peace and trade (1600-1750)*, in A. Alimento (ed.), *War, Trade and Neutrality. Europe and the Mediterranean in the seventeenth and eighteenth centuries*, FrancoAngeli, Milan 2011, pp. 171-187.

<sup>7</sup> C. Cau, *Groot Placcaet-boeck, vervattende de placaten... van de... staten generael der Vereenighde Nederlanden*, s'Gravenhage 1658-1664; F. Léonard, *Recueil des traités de paix, de trêve, de neutralité, de confédération, d'alliance, et de commerce: faits par les Rois de France, avec tous les princes, et potentats de l'Europe, et autres depuis près de trois siècles*, Paris 1693; J. Dumont, *Corps universel diplomatique du droit des gens; contenant un recueil des traités d'alliance, de paix... de toutes les conventions... & autres contrats, qui ont été faits en Europe, depuis le regne de l'empereur Charlemagne jusques à présent; avec les capitulations imperiales et royales... & en général de tous les titres... qui peuvent servir à fonder, établir, ou justifier les droits et les interets des princes et etats de l'Europe...*, P. Brunel, R. and G. Wetstein, Amsterdam 1726-1731.

graphical bias, since the marginalization of non-European – and non-Christian – diplomacy was already ongoing at the time. The science of treaties and the rules of embassy and legation contributed to the political and theoretical invention of a «European public law» (*jus publicum europaeum*)<sup>8</sup>; the very expression seemed to exclude any possible form of diplomatic and judicial homology between Europe and the rest of the world.

Normative differences between societies often have been identified with cultural or semiotic differences. Strongly advocating the rejection of the «cultural incommensurability» paradigm as being overly simplistic and static, Sanjay Subrahmanyam precisely described one of the problems it raises:

«There is a tendency to think of “cultural incommensurability” as particularly acute at moments of “encounter”, when two disparate (and perhaps historically separated) politico-cultural entities come into contact. We think of Cortés and Moctezuma, Pizarro and Atahualpa, Captain Cook in Hawai’i, or Vasco da Gama and the Zamorin of Calicut. It is rare to talk of ‘incommensurability’ in relation to an Englishman visiting seventeenth-century Denmark, or when the Safavids send an ambassador to the Mughals»<sup>9</sup>.

Challenging the notion of cultural difference as being proportionate to geographical distance does not mean radically relativizing particulars and differences; it rather prompts us not to exaggerate their importance structurally in the case of contacts between distant countries nor to minimize them in the case of supposedly closer societies. The relations between Christian Europe and North African Ottoman provinces are emblematic in that regard. They fundamentally eschew the discourse on the intercultural «encounter», «first contact» and «incommensurability», insofar as Europeans and North Africans did not precisely «discover» one another during the early modern period: the Louis de Mas Latrie’s compilation, like other sources, provides clear evidence of century-long interactions. Similarly, it undoubtedly would be naïve to believe that the lasting history of peace and trade treaties obliterates mutual misunderstandings and disagreements. In short, the study of diplomatic relations between Europeans and North Africans is probably less loaded with differentialist preconceptions than that of encounters in the Americas, India or Oceania, while allowing a reflection on the diplomatic practices and ongoing rules, beyond the sole perspective of European powers.

Neither should peace and trade treaties be reduced to bilateral relationships: they involved relations between the Ottoman Empire and its provinces, as well as intra-European rivalries in North Africa and around the Mediterranean Sea, and necessarily imply an interconnected, simultaneous

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<sup>8</sup> G. de Mably, *Des Principes des négociations, pour servir d’introduction au ‘Droit public de l’Europe fondé sur les traités’*, The Hague 1757.

<sup>9</sup> S. Subrahmanyam, *Beyond Incommensurability. Understanding Inter-Imperial Dynamics*, in «Theory and Research in Comparative Social Analysis, Department of Sociology, UCLA» 32 (2005), available online at: <<http://escholarship.org/uc/item/9vs8x4sk>>, p. 4.

and reticular history of diplomatic relations<sup>10</sup>. Limiting oneself to the clauses of the treaties does not provide a clear understanding of the evolution of political and diplomatic power relations in the Mediterranean region in the 17<sup>th</sup> century<sup>11</sup>. In general, the treaties' content varied very little, since European powers mostly were trying to bring prior agreements with the Ottoman provinces up to date; it is partly on account of these frequent updates that the historiography has long considered that North Africans did not abide by the treaties, further fueling the dark legend of a restless «nest of pirates». This judgment showed little consideration for the treaties' norms of validity in North Africa where, ever since the Middle Ages, texts had a limited term that particularly depended on the reign and political legitimacy of their contractors<sup>12</sup>. It also betrayed little consideration for the treaties' conditions of ratification, which, from the second half of the 17<sup>th</sup> century on, undoubtedly were imposed rather than negotiated, especially by the French and the English. Indeed, European naval armies did not refrain from actual demonstrations of strength in order to demand the conclusion of peace and trade treaties – not only intended for North African provinces but also for the Ottoman Empire and their European rivals.

## 2. *Negotiating the concessions*

The experience of famous French consul Laurent d'Arvieux (1635-1702) in Algiers, in 1674-1675, gives precious information on the practices of diplomatic negotiations in North Africa<sup>13</sup>. At that time, the Ottoman province of Algiers provided a major vantage point of the competition between European diplomatic agents in North Africa, as well as of Algerian foreign policy strategies<sup>14</sup>. After a particularly disastrous war against the English, the old *ra'īs* Hāj Muḥammad b. Maḥmūd Trīk was elected Dey in 1671, following popular unrest – actually sharing power with his son-in-law, *chaouch* (or *ciaus*) Bābā Ḥasan, called a «governor», *ḥākīm* or *kāhīya* in the titulature<sup>15</sup>.

<sup>10</sup> See in particular M. van Gelder - T. Kristić, *Introduction: Cross-Confessional Diplomacy and Diplomatic Intermediaries in the Early Modern Mediterranean*, in «Journal of Early Modern History» 19 (2015), pp. 93-105.

<sup>11</sup> About the so-called «Capitulations», see: G. Poumarède, *Jalons pour une nouvelle histoire des capitulations franco-ottomanes*, in L. Bély (ed.), *L'invention de la diplomatie: Moyen Âge - Temps modernes*, Presses Universitaires de France, Paris 1998, pp. 71-85.

<sup>12</sup> M. Querfelli, *Les traités de paix et de commerce entre Pise et l'Égypte au Moyen Âge*, in *L'autorité de l'écrit au Moyen Âge (Orient-Occident)*, Publications de la Sorbonne, Paris 2009, p. 46; C. Windler, *La diplomatie*, cit., pp. 223-225.

<sup>13</sup> For more details about d'Arvieux, see: M. Hossain, *L'Empire ottoman dans les 'Mémoires' et dans les manuscrits du chevalier d'Arvieux*, in B. Bennassar - R. Sauzet (eds.), *Chrétiens et musulmans à la Renaissance*, Honoré Champion, Paris 1998, pp. 179-188.

<sup>14</sup> G. Weiss, *Captives and Corsairs: France and Slavery in Early Modern France*, Stanford University Press, Stanford 2011.

<sup>15</sup> L. Merouche, *Recherches sur l'Algérie à l'époque ottomane, II. La course, mythes et réalité*, Bouchène, Paris 2007, p. 228-229; T. Shuval, *Remettre l'Algérie à l'heure ottomane. Questions d'historiographie*, in «Revue des mondes musulmans et de la Méditerranée» 95-98 (2002), pp. 423-448; p. 443; about Bābā Ḥasan's official titles: A.H. de Groot, *Ottoman North Africa and the*

The power of the pasha sent by the Ottoman Empire for a limited number of years seemed only dignitary<sup>16</sup>. D'Arvieux's mission in Algiers was essentially twofold: first, he was to maintain peace so as to prevent exposing French ships to the attacks of Algerian vessels, as France was in the midst of war with Holland; secondly, he was to revive the economic affairs of the Bastion de France, by trying to reconcile the local governor, linked to the Dey's entourage, with the Company's senior partners<sup>17</sup>.

Although the negotiations on the concessions took up a large part of d'Arvieux's time as a consul, the other part of his mission was dedicated to avoiding breaking off the peace with the province, which would have been detrimental to trade and navigation in the Mediterranean region<sup>18</sup>. The issue of the «observance of treaties» – in that case a reference to the treaty of May 17, 1666, which d'Arvieux included in his *Memoires*<sup>19</sup> – gave rise to an interesting controversy between the «powers» in Algiers and the consul. The Dey and his son-in-law essentially reproached d'Arvieux with three kinds of contraventions. First, they complained about the many escapes of Christian slaves, who used French ships anchored in the Algiers harbor to flee, a fact that deeply vexed slave owners, and even caused riots in the city<sup>20</sup>. This practice violated the prevailing ransoming and exchange procedures, which were fundamental to establishing an – always fragile – trust relation and to maintaining peace; consequently, there were increasing attempts, throughout the second half of the 17<sup>th</sup> century, at organizing the exchange of captives, by punishing captains found guilty of favoring what one was then used to calling «onboard escapees»<sup>21</sup>. These escapees were considered by the powers in Algiers as handling stolen goods, and placed European negotiators in North Africa in a difficult position, since they generally did not have other options but to pay important compensations to slave owners or to local authorities<sup>22</sup>.

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*Dutch Republic in the Seventeenth and Eighteenth Centuries*, in «Revue de l'Occident musulman et de la Méditerranée» 39 (1985), pp. 140-141.

<sup>16</sup> L. d'Arvieux, *Mémoires du chevalier d'Arvieux, envoyé extraordinaire du Roy à la Porte, consul d'Alep, d'Alger, de Tripoli et autres Échelles du Levant, contenant ses voyages à Constantinople, dans l'Asie, la Syrie, la Palestine, l'Égypte et la Barbarie... recueillis ... et mis en ordre par le R. P. Jean-Baptiste Labat, C.-J.-B. Delespine*, Paris 1735, vol. V, p. 87.

<sup>17</sup> *Ibi*, p. 72.

<sup>18</sup> L. Merouche, *Recherches*, cit., pp. 162-163.

<sup>19</sup> L. d'Arvieux, *Mémoires*, cit., pp. 209-217. This treaty was confirmed on February 11, 1670, by the Marquis de Martel: Bibliothèque Nationale de France (BNF), *Ms. Français*, 17195, f. 230.

<sup>20</sup> L. d'Arvieux, *Mémoires*, cit., pp. 72, 107; E. Plantet, *Correspondance des deys d'Alger avec la Cour de France, 1579-1833, recueillie dans les dépôts d'archives des affaires étrangères, de la marine, des colonies et de la chambre de commerce de Marseille et publiée, avec une introduction, des éclaircissements et des notes*, F. Alcan, Paris 1889, vol. I, pp. 70-72; Archives Nationales de Paris (ANP), *Affaires Étrangères*, B<sup>1</sup> 115, f. 193-194.

<sup>21</sup> W. Kaiser - G. Calafat, *The Economy of Ransoming in the Early Modern Mediterranean. A Cross-Cultural Trade Between Southern Europe and the Maghreb (16th-17th centuries)*, in F. Trivellato et al. (eds.), *Religion and Trade: Cross-Cultural Exchanges in World History, 1000-1900*, Oxford University Press, Oxford 2014, pp. 108-130.

<sup>22</sup> L. d'Arvieux, *Mémoires*, cit., pp. 102, 161.

The second offense stressed by Algerian powers referred to a blind spot in the peace treaty of 1666, which did not precisely determine the role of Frenchmen recruited on enemy ships; although d'Arvieux claimed that certain clauses of the treaty (notably art. III and IV) protected the French who sailed on foreign ships, the province of Algiers interpreted them differently<sup>23</sup>. Claiming good faith, they considered a valid prize all Frenchmen sailing on enemy ships, stating that «they serve their enemies and privateer with them»<sup>24</sup>. The Dey was referring to the many French privateers who fought Algiers flying the Maltese, Sardinian or Tuscan flag – a trend that lasted until the 18<sup>th</sup> century<sup>25</sup>. Conversely, in order to back his request, he deemed fair that the French should capture Algerians found on enemy ships, whether coming from Salé or Tripoli<sup>26</sup>. Although passengers were supposedly spared, their status on enemy ships frequently raised suspicion, leading to several captures that the French deemed abusive<sup>27</sup>. In this controversy, merchandise seemed less problematic than men found on board. For the Dey of Algiers, the enemy flag committed the crew and its passengers, but the friend's flag did not, for that same reason, protect enemies on board French ships. If they were more than three, foreign enemies found on board French ships were considered rightful capture and turned into slaves<sup>28</sup>. Actually, d'Arvieux was right to say that the provision which legitimized the capture of Frenchmen found on foreign ships – undoubtedly the one which hurt the interests of French monarchy the most – was not explicitly entailed in the 1666 treaty. However, the Dey tried to back this interpretation by stressing two arguments in the negotiations with d'Arvieux: first, he upheld the principle of good faith, that it is fair to capture those who fight on the side of the Algiers's enemies;

<sup>23</sup> E. Rouard de Card, *Traités de la France avec les pays de l'Afrique du Nord: Algérie, Tunisie, Tripolitaine, Maroc*, Pédone, Paris 1906, pp. 33-34: «Art. III. Comme aussi ne sera permis que dans les ports de France soient armés aucun vaisseau pour course sur ceux d'Alger: et en cas que quelques sujets de Sa Majesté se missent au service d'autres princes et fissent le cours sous la bannière d'iceux, Sa Majesté les désavouera et ne leur donnera aucune retraite dans ses ports pour y conduire les Turcs desdites villes du Royaume; et si tant est qu'ils y abordassent, Sadite Majesté les fera mettre en liberté avec leurs navires et facultés. De même s'il était mené par les corsaires des autres Royaumes et pays de la domination du Grand Seigneur quelques Français par force dans la Ville et Royaume d'Alger: Il leur sera donné à l'instant liberté avec une entière restitution de leurs biens.

Art IV. *Que tous les esclaves français qui sont dans les villes et étendue du Royaume d'Alger, pris sous quelque bannière que ce soit et qui pourraient être pris à l'avenir, de quelque qualité et condition qu'ils soient, sans en excepter aucun, seront mis en liberté et rendus de bonne foi, ainsi que les Janissaires qui sont en France, pris sous la bannière et dans les vaisseaux de la Ville et Royaume d'Alger, seront pareillement rendus».*

<sup>24</sup> E. Plantet, *Correspondance des deys d'Alger*, cit., p. 73.

<sup>25</sup> J. Mathieux, *Sur la marine marchande barbaresque au XVIII<sup>e</sup> siècle*, in «Annales. Économies, Sociétés, Civilisations» 13, 1 (1958), pp. 88-90.

<sup>26</sup> E. Plantet, *Correspondance des deys d'Alger*, cit., p. 73; L. d'Arvieux, *Mémoires*, cit., p. 95.

<sup>27</sup> In particular, the controversial capture of twenty French passengers sailing to Rome, including the coin collector J. Foy-Vaillant: L. d'Arvieux, *Mémoires*, cit., pp. 126-129; E. Plantet, *Correspondance des deys d'Alger*, cit., p. 75; H. Delmas de Grammont, *Un académicien captif à Alger: 1674-1675*, A. Jourdan, Algiers 1883.

<sup>28</sup> L. d'Arvieux, *Mémoires*, cit., pp. 94-95; E. Plantet, *Correspondance des deys d'Alger*, cit., p. 73.

second, he questioned the validity of the 1666 treaty, which had not been concluded under his reign, and refuted the very idea of a literal observance of its clauses<sup>29</sup>. Although one should by no means minimize the diplomatic strategies and maneuvers of the Dey (or of his son-in-law), it would probably be as incorrect to ignore the claims which testified to a different conception of the treaty's validity: without challenging the peace with France, the powers of Algiers requested signs of friendship and cooperation, which involved a revision or, more precisely, a new interpretation of the 1666 treaty.

The third and final point on which negotiations stalled was undoubtedly the most problematic for the French, since it directly threatened the peace with Algiers, and was an obvious reason for breaking it off. In his letters, Dey Trik complained to d'Arvieux and to Louis XIV about the use of many Algerian slaves in France's galleys<sup>30</sup>; this was a manifest breach of the treaties, of which the French consul was highly aware, to the extent that he repeatedly asked Colbert to free Algerian captives, arguing that the preservation of peace depended on it<sup>31</sup>. However, d'Arvieux did not suggest unilateral restitution, but rather an exchange with the Frenchmen detained in Algiers<sup>32</sup>. Therefore, in times of peace but in a context of frequent abusive captures, the captivities of Frenchmen in Algiers and of Algerians in France could be considered as forms of pragmatic warrantees, which highlighted the precariousness of peace treaties and the lack of mutual trust; hence, although d'Arvieux requested the restitution of Algerian slaves in the interest of trade, he nonetheless wished for a future war against the province in the same letter to Colbert<sup>33</sup>. Moreover, the number of French galleys significantly increased in the 1670s, while an arsenal was being built in Marseille<sup>34</sup>. That is why French consuls in Malta and Livorno bought numerous «Turks» sold off at auction by Christian privateers in order to fill the galleys<sup>35</sup>. On the Algerian side, the capture of Frenchmen

<sup>29</sup> L. d'Arvieux, *Mémoires*, cit., pp. 167-168: «Le dey me répondit que ces articles n'avaient point été faits de son temps, et que tous les traités qu'il voulait observer consistaient dans un seul article, sans s'embarrasser l'esprit de tant d'écritures inutiles, qui était que la Milice d'Alger avait la paix avec la France, et qu'elle ne toucherait point aux Français ni à leurs effets, ni aux Bâtimens qui portent la bannière de France; mais que voulant avoir la guerre avec toutes les autres, ils prendraient indifféremment tous les Français qu'ils trouveraient avec elles sans distinctions, parce que les soldats et les matelots français se voyant pris, ne manquent pas de se dire passagers pour éviter l'esclavage, et les contestations qui surviennent à ce sujet troublent la bonne correspondance qu'ils prétendaient conserver avec nous».

<sup>30</sup> E. Plantet, *Correspondance des deys d'Alger*, cit., p. 76; quoted also in L. d'Arvieux, *Mémoires*, cit., pp. 184-187.

<sup>31</sup> ANP, *Affaires Étrangères*, B<sup>1</sup> 115, ff. 215-218, 222-223, 228-230.

<sup>32</sup> ANP, *Affaires Étrangères*, B<sup>1</sup> 115, ff. 224-225; L. d'Arvieux, *Mémoires*, cit., pp. 352-356, quoted also in E. Plantet, *Correspondance des deys d'Alger*, cit., pp. 77-79.

<sup>33</sup> ANP, *Affaires Étrangères*, B<sup>1</sup> 115, f. 223. According to d'Arvieux, the King must «conserver cette apparence de paix jusqu'à ce qu'il plaise à Sa Majesté de réprimer leur insolence par la force de ses armes».

<sup>34</sup> A. Zysberg, *Les galériens. Vies et destins de 60 000 forçats sur les galères de France, 1680-1748*, Le Seuil, Paris 1987, p. 420. French galleys were 21 in 1671, 40 in 1694; on Marseille's arsenal: A. Zysberg, *L'arsenal, cité des galères à Marseille au siècle de Louis XIV*, in «Dix-septième siècle» 253 (2011), pp. 639-656.

<sup>35</sup> ANP, *Affaires Étrangères*, B<sup>1</sup> 698, f. 246v.

was from then on considered legitimate retaliation, which Algerian captains could easily justify by alleging similar identification problems, as in the case of an owner from Agde who was considered a Catalan (thus a Spaniard) and held captive in the province<sup>36</sup>. Dey Trik frequently reminded the French that his power was collegiate and that he had to make do with the *tā'ifa*, the guild of ships' captains, a powerful lobby in the Dīwān, eager to privateer on French vessels to compensate and to avenge abusive captures<sup>37</sup>. Some, in Algiers as in France, had a vested interest in maintaining a degree of ambivalence in the diplomatic relationships between the two countries.

The disagreements between Algiers and France fueled intense discussions in the Dīwān and considerably thwarted d'Arvieux's negotiations. Consequently, the consul tried to stress the French's «good intentions», exemplified by the restitution and indemnification of an Algerian crew captured in Collioure, allegedly by mistake<sup>38</sup>. He pointed out to Algerian powers that ship captains from the Ottoman province would be very welcome in French harbors<sup>39</sup>. Interestingly, the anecdote told by d'Arvieux shows actual *quid pro quo* and observance of the treaties, which the consul had every reason to make largely public: more generally, it reveals how the work of European consuls in North Africa could be facilitated (or made more difficult) by the behaviors observed in the harbors and towns on the northern shore of the Mediterranean.

Conversely, despite diplomatic conventions, moments of deep tension could arise; for instance, d'Arvieux related how he had to intervene for Algiers' powers to grant the title of *pādīšāh* – «which means Emperor or King» – to Louis XIV in their letter of September 23, 1674<sup>40</sup>. To back his request, he referred to the title used by the Ottoman sultan in the Capitulations. He added that it would be disrespectful not to place these letters in satin purses, since they were intended for the king of France<sup>41</sup>. Despite his concern with protocol, consul d'Arvieux committed a number of diplomatic *faux pas*, notably on his arrival when he offered the same presents (jams and Holland sheets) to the pasha of Algiers as to the Dey and his son-in-law. Paving the way for a difficult stay, Hāj Muḥammad and Bābā Hasan returned the gifts to the consul, not only because they would have preferred to receive money, but also because d'Arvieux had not distinguished them from the pasha – who, in reality, was of a lesser political rank and appointed by the Ottoman Empire for a limited

<sup>36</sup> ANP, *Affaires Étrangères*, B<sup>1</sup> 115, f. 257.

<sup>37</sup> L. d'Arvieux, *Mémoires*, cit., pp. 93, 168 and 185.

<sup>38</sup> *Ibi*, p. 92; see also the letter sent by Seignelay to Marseille «intendant» Arnoul about this precise case, quoted in H. Delmas de Grammont, *Relations entre la France et la Régence d'Alger au XVII<sup>e</sup> siècle*, A. Jourdan, Algiers 1879-1885, vol. IV, pp. 252-253; on the role played by d'Arvieux and the Chamber of Commerce of Marseille in the faking of this French misdemeanour: ANP, *Affaires Étrangères*, B<sup>1</sup> 115, ff. 205-206.

<sup>39</sup> L. d'Arvieux, *Mémoires*, cit., p. 159.

<sup>40</sup> *Ibi*, pp. 103, 104-108; also quoted in E. Plantet, *Correspondance des deys d'Alger*, cit., pp. 71-74.

<sup>41</sup> L. d'Arvieux, *Mémoires*, cit., p. 103.

number of years<sup>42</sup>; the consul should have better assessed the actual political hierarchies in the province. Although d'Arvieux valued these presents at two hundred piasters each, the Dey and his son-in-law probably considered they were quite modest for a first meeting<sup>43</sup>. This refusal was certainly not the sign of a cultural incommensurability but rather a diplomatic tactics of the *Dīwān*. Generally, the French consul failed to secure allies in the province and, according to him, repeatedly offended the *Dīwān* with abrupt claims – putting his own life in danger<sup>44</sup>. His mission, which was cut short by the powers in Algiers when they asked for his leave, proved a partial failure: peace was preserved, but d'Arvieux's mission had revealed its great precariousness<sup>45</sup>.

### 3. Jewish Middlemen in Algiers: the Algerian-Dutch treaty of 1679

As Laurent d'Arvieux left Algiers in May 1675, the States-General of the United Provinces decided, almost simultaneously, to send envoy Thomas Hees to the North African province to negotiate peace<sup>46</sup>. The two events were, of course, closely linked: the noticeable cooling of Franco-Algerian relations, which started before d'Arvieux's assignment in North Africa, paved the way for a rapprochement between Algiers and Holland, then at war with the province and with France. English consul Samuel Martin had repeatedly informed his superiors that a war between Algiers and France was pending, and d'Arvieux's leave apparently confirmed his predictions<sup>47</sup>. The Dey Hāj Muḥammad and Bābā Ḥasan sent a letter to Stadhouder William III on May 18, 1674 to try and revive the good relations between the two countries that had

<sup>42</sup> L. d'Arvieux, *Mémoires*, cit., pp. 88-89.

<sup>43</sup> On the general issue of gifts and presents, see C. Windler, *La diplomatie*, cit., pp. 485-535.

<sup>44</sup> L. d'Arvieux, *Mémoires*, cit., pp. 170-172.

<sup>45</sup> The Sieur de Latour, senior partner of the «Compagnie du Bastion» considered that d'Arvieux had abandoned his post (ANP, *Affaires Étrangères*, B<sup>1</sup> 115, ff. 237-238). The English consul Samuel Martin confirmed d'Arvieux's version: National Archives London [NAL], *State Papers [SP], Foreign, Barbary States*, 71 [SP 71]/2 [Algiers 1671-1684], f. 58.

<sup>46</sup> S. de Vries, *Handelingen en geschiedenissen voorgevallen tusschen den staet der Vereenighde Nederlanden en dien van de zee-roovers in Barbaryen, als der rijcken en steeden van Algiers, Tunis, Salee en Tripoli van't jaer Christi 1590 tot op't jaer 1684, met ondermengingh van verscheydene aenmercklijckheden: nevens des namen en prijsen der honderd en agh-en-tseventigh slaven uyt orde der staten van Holland en West-Friesland gelost in't jaer 1682...*, Jan ten Hoorn, Amsterdam 1684, p. 126; G. van Krieken, *Corsaires et marchands. Les relations entre Alger et les Pays-Bas, 1604-1830*, Bouchène, Saint-Denis 2002, p. 68. E. Heinsen-Roach, *The Reluctant State: the Dutch Republic and the Ransoming of Captives*, in «Dutch Crossing» 40, 3 (2016), pp. 168-186; M. van Gelder, *The Republic's Renegades: Dutch Converts to Islam in Seventeenth-Century Diplomatic Relations with North Africa*, in «Journal of Early Modern History» 19 (2015), pp. 175-198.

<sup>47</sup> NAL, SP 71/2, f. 36: «Your honour will quickly bee informed of a Warr with these people [the French] and that Crowne [Algiers], which will bee of noe small advantage to our Marchants in the Mediterranean & Strengthening our Peace here, of which your Honour may not doubt»; and after d'Arvieux's leave: f. 58: «as an English Vessel is takeing leave of this place for Marsillia, the Government hath sent for Monsieur Chev. D'Arvieux, the French Consull, and after some unhand-some treatement hath ordered him forthwith to imbarke for France upon the sayd Vessel, & the next shipp that goes out wee expect will have orders to make prize of all the French they meete at Sea».



been established in the early 17<sup>th</sup> century<sup>48</sup>. The letter implied, among other things, that Dutch ships would be able to find shelter in the Mediterranean and in Algiers's harbor and, more important, hinted at a possible peace and trade treaty<sup>49</sup>. The main overseers of the rapprochement were in fact Sephardi Jewish merchants who had settled in Algiers and Amsterdam. In Algiers, Jacob de Paz, who specialized in the redeeming of captives, offered to act as a go-between with local powers in a letter written in Spanish, while in Amsterdam, Luis d'Azevedo and his son, Doctor Mose Rafael Salom, acted as an intermediary in the negotiations<sup>50</sup>. A squadron of four Dutch vessels, which was to join admiral Ruyter's fleet, arrived in Algiers and hoisted the white flag to negotiate peace on October 12, 1675<sup>51</sup>. The squadron was greeted by the town's rulers, showing that they were favorably disposed towards Dutch envoys.

A doctor in Amsterdam whose brother contributed to the ransoming of captives, envoy Thomas Hees (1634-1693) wrote a captivating diary during his stay in Algiers, preserved at the National Archives in The Hague<sup>52</sup>. Like d'Arvieux, he recounted the importance of Bābā Ḥasan's power in the province, the numerous audiences at the Dīwān and the vicissitudes of diplomatic negotiations. However, Hees's mission lasted much longer (almost five years in total) and involved very different stakes, since its aim was to negotiate and define the clauses of a peace treaty that would be satisfactory for both countries. The talks largely stalled on the issue of the price and terms of the ransoming of Dutch captives imprisoned in times of war<sup>53</sup>. Contrary to consul d'Arvieux, Thomas Hees readily relied on local intermediaries who knew the Dīwān well, and particularly on Jacob de Paz, his «colleague» who was appointed a vice-consul in Algiers during the negotiations<sup>54</sup>. Having settled in North Africa in 1671, De Paz had built a network of relations with numerous traders in the province, as well as with Dutch captives who served in the houses of well-off Algerian *ra'īs*, such as Ibrāhīm Kuluḡlī<sup>55</sup>. He was also the Algerian intermediary of *De Paz and Ferrera*, a company from Livorno with agencies in Amsterdam and Smyrna – in 1643, the de Paz family already was considered one of the richest Sephardi families in Livorno<sup>56</sup>. A wealthy and

<sup>48</sup> Nationaal Archief, La Haye (NL-HaNa), *Staten-Generaal*, 12593.57, «Brief van de gouverneur van Algiers aan de Staten Generaal, vrede aanbiedend en credentie verlenend aan Jacob de Paz» (the letter is written in Ottoman Turkish, with a copy in French).

<sup>49</sup> NL-HaNa, *Staten-Generaal*, 12593.57

<sup>50</sup> *Ibidem*. On Jacob de Paz who studied at Leiden, see: Y. Kaplan, *Studentim yehudiim me-Amsterdam be-universitat Leiden ba-mea ha-yud-zayn*, in J. Michman (ed.), *Mekharim al Toledot Yahadut Holland*, MAGNES Press, Jerusalem 1988, vol. II, pp. 68-70.

<sup>51</sup> A. de Groot, *Ottoman North Africa*, cit., p. 139.

<sup>52</sup> NL-HaNa, *Eerste Afdeling*, 1317, in «Journel ofte Dagh-register van de Reijse naar Algier van Thomas Hees gedaan int jaar 1675», 27 July 1675–29 February 1680, vol. 2. The first volume of this diary was partly published (pp. 1 to 84) in H. Hardenberg, *Tussen Zeerovers en Christenslaven: Noordafrikaanse Rejsjournalen, ingeleid en toegelicht*, H.E. Stenfert Kroese, Leiden 1950.

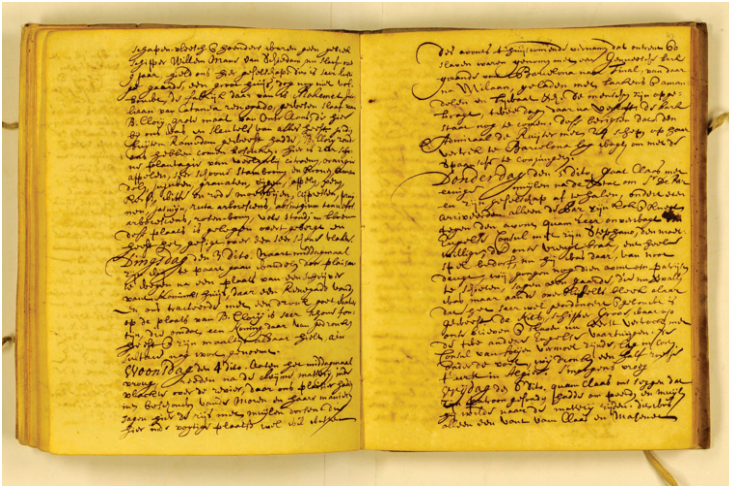
<sup>53</sup> S. de Vries, *Handelingen*, cit., p. 130.

<sup>54</sup> A. de Groot, *Ottoman North Africa*, cit., p. 140.

<sup>55</sup> NL-HaNa, *Eerste Afdeling*, 1317, vol. 1, pp. 45-47; L. Merouche, *Recherches*, cit., p. 205.

<sup>56</sup> R. Toaff, *La Nazione ebraica a Livorno e a Pisa (1591-1700)*, Leo S. Olschki, Florence 1990, pp. 64, 466; L. Frattarelli Fischer, *Vivere fuori dal Ghetto. Ebrei a Pisa e Livorno (secoli XVI-XVIII)*,

well-liked man in Algiers, Jacob de Paz was above all a «*groot vriend*» of Bābā Ḥasan<sup>57</sup>. Another intermediary between the Dīwān and Thomas Hees was a man named David Cohen – whom d'Arvieux called Aaron Cohen – presented as an «advisor», or even as the «secret minister» of the Dey and his son-in-law<sup>58</sup>. Cohen was indeed one of Hāj Muḥammad's favorite negotiators in dealing with European consuls; he explained to d'Arvieux, as he did to Hees and de Paz, the crucial role of presents – seen either as gratifications or as tributes – which had to be made regularly to rulers and their entourage, for them to be favorably disposed. Contrary to d'Arvieux, whose *faux pas* have been noted, Hees and de Paz always made sure to come to their audiences with the Dey with presents and promises of money<sup>59</sup> – they were ready to offer 4000 piasters to the Dey and his son-in-law in order to obtain peace<sup>60</sup>; when he arrived in Algiers, the United Provinces' envoy was allegedly willing to hand out two canons to the province immediately, if a peace was rapidly concluded<sup>61</sup>.



NL-HaNa, *Eerste Afdeling*, 1317, in «*Journal ofte Dagh-register van de Reijse naar Algier van Thomas Hees gedaan int jaar 1675*», cit., pp. 46-47.

Silvio Zamorani, Turin 2008, p. 143; see also O. Schutte, *Repertorium der buitenlandse vertegenwoordigers, residentie in Nederland 1584-1810*, M. Nijhoff, 's-Gravenhage 1983. Is there any family link between Jacob de Paz and the Silvera clan of Lisbon? See F. Trivellato, *The Familiarity of Strangers: The Sephardic Diaspora, Livorno, and Cross-Cultural Trade in the Early Modern Period*, Yale University Press, New Haven 2009, p. 34.

<sup>57</sup> NL-HaNa, *Eerste Afdeling*, 1317, vol. 1, p. 36.

<sup>58</sup> *Ibi*, p. 109; L. d'Arvieux, *Mémoires*, cit., pp. 180-181.

<sup>59</sup> A. de Groot, *Ottoman North Africa*, cit., p. 140.

<sup>60</sup> NL-HaNa, *Eerste Afdeling*, 1317, vol. 1, p. 56.

<sup>61</sup> *Ibi*, pp. 36-37.

Cohen did not only provide information on local diplomatic practices. The range of his skills had caught Thomas Hees's attention:

«[Cohen] largely trades with the wealthiest people in town. He also handles the sale of slaves, and for the most part, at the highest prices. De Pas told me that this Jew is favorably disposed towards us and may be very useful. One should employ somebody of experience, who knows the Turkish and Moorish tongues. One should be able to trust him...»<sup>62</sup>.

The details in this extract are especially helpful to understand the complex interconnections of diplomatic intermediations in North Africa in the second half of the 17<sup>th</sup> century. Indeed, Thomas Hees spoke Dutch, Swedish, French and German; he undoubtedly had a smattering of Italian but did not understand Arabic or Turkish<sup>63</sup>. De Paz was fluent in Dutch and Spanish, and probably in Italian as well; he must have had a basic knowledge of Arabic, insufficient however to speak to Algiers' rulers in this language. During Hees's first audience, in which he spoke Dutch, de Paz required the help of an interpreter and initially spoke to the Dey in Portuguese – which was probably his native tongue, being the dominant language in the Sephardi community of Livorno<sup>64</sup>. However, when they paid homage to the pasha, Hees spoke French while de Paz spoke the *lingua franca*<sup>65</sup>; the talk with the pasha involved a great number of pleasantries and the fact that no translator is mentioned in the diary apparently indicates that the Dey understood his two guests, or even possibly that he also spoke the *lingua franca*. In any case, the story provides clear evidence of its use in North Africa, notably in a diplomatic context<sup>66</sup>.

Therefore, David Cohen proved to be a precious linguistic intermediary, well-connected in the Dīwān and speaking perfect Ottoman Turkish and Arabic. On the other hand, d'Arvieux wrote in his *Memoires* that he rarely used translators in Algiers – or as few as possible. At first glance, the French consul's proficiency in these two languages might be thought an advantage in negotiations; but he himself put his failure in Algiers down to his knowledge of Turkish, which apparently made him suspicious to the Arabic-speaking leaders<sup>67</sup>. One could, however, offer a different hypothesis and interpretation: d'Arvieux lost many local supporters who might have interceded in his favour at the Dīwān by refusing to rely on interpreters; he did not hire David Cohen, which probably proved a strategic mistake; similarly, he refused the services of a French intermediary named Sīdī 'Alī (or Bābā 'Alī, depending on the sources), a Parisian converted to Islam, who became a janissary and a close relation to the vicar apostolic Jean Le Vacher, who succeeded

<sup>62</sup> NL-HaNa, *Eerste Afdeling*, 1317, vol. 1, p. 54.

<sup>63</sup> Hees studied medicine in Angers: O. Schutte, *Repertorium*, cit., pp. 725-726.

<sup>64</sup> NL-HaNa, *Eerste Afdeling*, 1317, vol. 1, p. 31.

<sup>65</sup> *Ibidem*.

<sup>66</sup> J. Dakhliā, *Lingua franca: histoire d'une langue métisse en Méditerranée*, Actes Sud, Arles 2008, p. 104.

<sup>67</sup> L. d'Arvieux, *Mémoires*, cit., p. 208.

to d'Arvieux as French consul<sup>68</sup>. On the contrary, Thomas Hees sought the support of these specialists and rewarded them with many presents, since they offered crucial political expertise during the negotiations, beyond mere linguistic skills<sup>69</sup>. In that sense, the multilingualism of these intermediaries was fundamentally linked to a fine knowledge of accepted diplomatic strategies in Algiers.

#### 4. *Diplomatic Rivalries and European Propaganda*

Thomas Hees did everything in his power to conclude peace rapidly and take advantage of a situation that was apparently favorable to the United Provinces, after d'Arvieux's leave. However, he and Jacob de Paz had to wait nearly five years for a treaty to be ratified between the States-General and Algiers. A few months after Hees's arrival in North Africa, the French and English consuls both noted that the negotiations of their counterpart with the Diwān were making no headway, and even claimed that the Dutch diplomat would soon return home<sup>70</sup>. The success of Thomas Hees's mission actually depended on multiple and competing factors and interests, which called for patience. During the first encounter with Bābā Ḥasan, the actual leader of the province, Hees explained that Algiers could not simultaneously be at peace with France, England and the United Provinces<sup>71</sup>; the reasons why involved both local and foreign political considerations: in Algiers, a simultaneous peace with the three great European naval and commercial powers would have deprived the ships' captains corporation of an important source of revenue; it could also have vexed slave owners who would have had no other option but to part with their workforce; the discontent could then directly have threatened the power of the Dey and his son-in-law. From a diplomatic perspective, the Ottoman province had every reason to take advantage of intra-European rivalries, exacerbated by the Franco-Dutch war (1672-78), as well as to carefully manage its alliances, depending on the military actions of European navies in the Mediterranean.

This policy combining rapprochements and ruptures with European states did not suit Thomas Hees's and Jacob de Paz's negotiations; Father

<sup>68</sup> L. d'Arvieux, *Mémoires*, cit., pp. 80-81. See also: *Successi ultimi dell'armata del Re Christianissimo contro la città d'Algieri*, per Giacomo Antonio Pelizza da S. Matteo, Genoa 1683: «e con simile, ò pure istesso pretesto erano ricercati alcuni altri Francesi per trattarli malamente, e frà gli altri il Sig. Stella e Babà Ali, Parigino rinnegato, che haveva servito per Torcimano, & il Padre Francesco compagno di detto Padre le Vacher; i quali si erano salvati appresso il Bassà» (Archives du Ministère des Affaires Étrangères et Européennes (AMAE), *Mémoires et documents*, Algérie, 12, f. 168v).

<sup>69</sup> NL-HaNa, *Eerste Afdeling*, 1317, vol. 1, p. 64.

<sup>70</sup> Consul Le Vacher wrote to Marseille's rulers in February 1676: «Un Envoyé de Hollande est arrivé ici depuis quelques mois pour demander la paix, laquelle il n'a pu obtenir, quelque instance qu'il ait faite et quelques donatives très considérables qu'il s'est offert de donner pour ce sujet» (quoted in: H. Delmas de Grammont, *Relations*, cit., vol. IV, 269); Samuel Martin, two months after Le Vacher, informed Joseph Williamson that «the Dutch Envoy continues still here expecting some of their shipp's to carry him off without advising any thing with these people» (NAL, *SP 71/2*, f. 97).

<sup>71</sup> NL-HaNa, *Eerste Afdeling*, 1317, vol. 1, p. 56.

Le Vacher, who maintained good relationships with the *Dīwān*, strove to preserve peace with the province of Algiers, an effort backed by French naval victories over Holland and Spain in Syracuse and Palermo in 1676. On the English side, consul Samuel Martin spared no effort to «break the neck» – in his own words – of any attempt at an Algerian-Dutch treaty.<sup>72</sup> Interestingly, Samuel Martin's maneuvers can be linked to the opposition to a pending peace with Holland, voiced by the Captain of Algerian ships, as well as from Algerian ship owners. As he explained in a report about the province he sent to his administration in June 1675:

«I made it my study first to understand the Natives of the Country, whose proper dialect is Arabeek, which I Begin non to read & write as well as speake, and by that meanes I have had the opportunity to collect this from the Hoggias, or principall Secretaries, & from the Oldest & most experienced Soldiers, Inhabitants, & from the Cadees themselves in whose hands those Records that are is kept»<sup>73</sup>.

Learning the local language implied a progressive immersion in Algerian society, which Martin secured thanks to numerous *regalios*<sup>74</sup>. The English consul's tendency to *regalare* Algerian authorities was considered by d'Arvieux either as «zeal and caution» or, at other times, as «a cowardly expedient»<sup>75</sup>. It actually revealed the two functions of Samuel Martin, who acted both as a diplomatic representative and as a redeemer of captives, in close association with the English merchant William Bowtell<sup>76</sup>.

The diplomatic rivalries between European consuls in North Africa did not stop them from enjoying cordial relationships. Laurent d'Arvieux was hosted by Samuel Martin, whom he called «a friend» in his *Memoires*<sup>77</sup>; the English consul seemed to have had the same esteem for him<sup>78</sup>. The two men dined and drank together, and Martin showed d'Arvieux the surroundings of Algiers<sup>79</sup>. As for Thomas Hees, he mentioned the many visits of the English consul in his diary, especially in the early days of his stay in Algiers; they dined together and often played a card game named *lanturulu* – forerunner of the *belotte* – occasionally got drunk together, and went on a few walks and hunting parties<sup>80</sup>.

<sup>72</sup> NAL, SP 71/2, f. 78.

<sup>73</sup> NAL, SP 71/2, f. 61v. These words are the beginning of Samuel Martin's «The Present State of Algiers», written in 1675. A year later, an anonymous version is published in London: *The Present State of Tangier in a Letter to his Grace, the Lord Chancellor of Irelande, and one of the Lords Justices there, to which is added The Present State of Algiers*, Henry Herringman, London 1676, pp. 71-135.

<sup>74</sup> NAL, SP 71/2, f. 43v.

<sup>75</sup> L. d'Arvieux, *Mémoires*, cit., pp. 161-163. D'Arvieux wrote: «Les Anglais ont toujours des fonds entre les mains de tous leurs Consuls d'Afrique pour retirer les Esclaves de leur Nation qu'ils seraient en droit de réclamer selon leurs Traités. Cette manière est plus abrégée, et les Anglais ne laissent pas de publier qu'on leur a rendu leurs compatriotes, et se font honneur de ce dont ils ne sont redevables qu'à leur argent» (pp. 120-121).

<sup>76</sup> NAL, SP 71/2, f. 201A.

<sup>77</sup> L. d'Arvieux, *Mémoires*, cit., p. 196.

<sup>78</sup> NAL, SP 71/2, f. 32.

<sup>79</sup> L. d'Arvieux, *Mémoires*, cit., p. 209.

<sup>80</sup> NL-HaNa, *Eerste Afdeling*, 1317, p. 1.

However, Hees preferred the company of Jacob de Paz, as well as of a number of converts and captives of Dutch origin. Did he suspect that Samuel Martin «spared noe Charges to breake of the designe of a peace with these people [Algerians] & the Dutch»<sup>81</sup>? In February 1676, Hees wrote a long letter to the Dey to express his surprise and disappointment with the Algerians' refusal to conclude peace with the States-General; in that letter, written in French and reproduced in his diary, he tacitly accused the privateers' corporation, ship owners and slave masters when he mentioned «a few people, taken with their particular interests, who are not ashamed of making such a useful and salutary peace treaty vanish by way of wrong and false reports»<sup>82</sup>. The «wrong and false reports» were an explicit reference to the protests of certain slave owners against the unseemly noise caused by the singing of psalms at Thomas Hees's house, where the Protestant service took place<sup>83</sup>. Being «Tagarines» for the most part, that is to say «Moriscos» originally from the Crown of Aragon and having settled in Algiers in the early 17<sup>th</sup> century, the masters of Dutch captives and ship owners formed a powerful lobby within the Ottoman province; contrary to Samuel Martin, Hees probably had not fully realized how important they were politically<sup>84</sup>.

However, Thomas Hees and Jacob de Paz did not lose heart; although the prospect of quick treaty vanished in the spring of 1676, the two men tried to reach an agreement with Bābā Ḥasan on the ransoming of Dutch captives, which they considered a preliminary step, paving the way for the possible ratification of a peace and trade treaty<sup>85</sup>. As Anglo-Algerian negotiations made no headway, the two Dutch envoys, still helped by David Cohen, ensured Bābā Ḥasan that the United Provinces were willing to offer «extraordinary» presents to obtain peace<sup>86</sup>. Eight cast-iron canons, cannonballs and powder were promised to ratify the treaty, which finally was signed on April 29, 1679<sup>87</sup>. Hees and de Paz sent copies in Turkish, Arabic and French to the States-General<sup>88</sup>. The twenty-one clauses were in many regards a landmark in the diplomatic re-

<sup>81</sup> NAL, *SP 71/2*, f. 95.

<sup>82</sup> NL-HaNa, *Eerste Afdeling*, 1317, vol. 1, p. 94.

<sup>83</sup> *Ibi*, p. 83.

<sup>84</sup> *Ibi*, p. 74. The English consul wrote: «The Thagareens, or banished Moores from Andalusia [sic], of which there is about 800 families; they are the principall People that deales in Slaves, & are great Armadors to fit out Shippes against the Christians, being for the most part very rich» (NAL, *SP 71/2*, f. 64v-65).

<sup>85</sup> G. Van Krieken, *Corsaires et marchands*, cit., p. 69.

<sup>86</sup> S. de Vries, *Handelingen*, p. 133. In 1676, after Hess's arrival in Algiers, Samuel Martin found the *regalios* made by the Dutch envoy unreasonable: «First, they would have all the Dutch Slaves belonging to any place but Hamburg to be freed at 50% advance on the first Cost which is more then 3000 persons, next that they should visit their Shippes for Strangers, Goods & Passengers, that they should give them two peeces of Brass Ordnance & 500 Barelles of powder with divers other things that I doe not beleewe De Rutter will Consent to» (NAL, *SP 71/2*, f. 91v).

<sup>87</sup> NA-HaNa, *Eerste Afdeling*, 1317, vol. 2, pp. 145-147; see also: *Le Mercure hollandais, contenant les choses les plus remarquables de toute la Terre, arrivées en l'an 1679 et sur tout les Traités de paix faits entre toutes les Couronnes de l'Europe, enrichi de tailles douces*, Henry Boom, Amsterdam 1681, pp. 261-283.

<sup>88</sup> NA-HaNa, *Staten-Generaal*, 12593.63 and 12593.64.

lations between Algiers and the United Provinces: first, they guaranteed joint protection to Jews and Christians who came from the United Provinces (art. 2, art. 12, art. 15 and art. 19); these clauses attested the paramount role of Sephardi companies, such as Jacob de Paz's and Luis d'Azevedo's, in the trade between Holland and North Africa, in relation with the free port of Livorno<sup>89</sup>. In that regard, the mention of Jacob de Paz as the United Provinces' envoy, at the top of the treaty, together with the name of Thomas Hees, is not only a way to acknowledge his zeal. It acted far more as an incentive guarantee, aimed to attesting the full protection that Jewish traders and ship owners received under the Dutch flag – a potentially lucrative protection for the States-General. However, the clauses which favoured Sephardi traders raised concerns from Dutch Christians: appointed consul in Algiers in 1681, Carel Alexander van Berck opposed de Paz, accusing him of misappropriation and concealment of stolen goods; he then suggested, to no avail, to modify the «Jewish peace» of 1679 and to remove the references to «Jews» in the treaty<sup>90</sup>.

Furthermore, the 1679 treaty stressed a fundamental principle that the English had not managed to establish, despite several attempts at intimidation from Rear-Admiral John Narborough's squadron during the 1670s<sup>91</sup>. Articles 4 and 5 stipulated that the friend's flag would protect both cargo and crew – while the enemy flag did not guarantee any protection, as noted above in the controversies with the French. The stakes were high for Dutch ship owners specialized in maritime freight, who were trying to insure the integrity of both the cargo and passengers. For their part, the Algerians probably thought that yielding on this point and clarifying the extent of the friend's flag's protection would favor trade with the province. A letter from Hāj Muḥammad and Bābā Ḥasan, sent to the States-General together with the copy of the 1679 treaty, significantly emphasized that point: «the effects of a good peace will be the prosperity of your government as well as ours... Therefore, you will be kind enough to allow your subjects to sail freely and to bring us all kinds of goods, so that they should draw a profit from them»<sup>92</sup>. Peace, trade and prosperity were associated closely in the rhetoric of the trading diplomacy, and certain negotiators, who had a vested interest in trading with North Africa, were eager advocates of an entente with the province.

The signing of the 1679 treaty between the province of Algiers and the United Provinces did not however imply its ratification: the peace only was confirmed when the promised presents arrived in Algiers on April 22, 1680. French propaganda against the «ignominious», «shameful» and «bought» peace was less an incentive to wage war against Algiers than it expressed fear that the new alliance between «the infidels and the heretics» should ruin

<sup>89</sup> A. de Groot, *Ottoman North Africa*, cit., pp. 140-142.

<sup>90</sup> G. van Krieken, *Corsaires et marchands*, cit., p. 73.

<sup>91</sup> *Le Mercure hollandais*, cit., p. 277; NA-HaNa, *Eerste Afdeling*, 1317, vol. 2, pp. 126-136; S. de Vries, *Handelingen*, cit., pp. 144-145.

<sup>92</sup> NA-HaNa, *Staten-Generaal*, 12593.63; *Le Mercure hollandais*, cit., pp. 281-282.

the trade with the French king's subjects, especially with the Bastion<sup>93</sup>. By listing the many presents offered to Algiers' powers, mentioning the length of the negotiations, and insisting on the implication of Jews in the treaty's ratification, the French tried to discredit the maneuvers of the United Provinces, considered as the sign of military and political weakness; increasingly, the (prestigious) «imposed» peace was opposed to the (shameful) «negotiated» peace, which made relationships with Algiers a good indicator of the power of European states – at once military, economical, diplomatic, and symbolic. However, one is entitled to think that this configuration, especially prominent in times of peace in Europe – as was the case after the 1678 treaty of Nijmegen – largely heralded the French bombings of 1682 and 1683.



Michiel van Musscher, *Thomas Hees (geb 1634/35). Resident en commissaris der Staten Generaal bij de regeringen te Algiers, Tunis en Tripolis, met zijn neven Jan en Andries Hees en een bediende, 1687, oil on canvas, 76x63cm, Amsterdam, Rijksmuseum.*

<sup>93</sup> «Relations d'un voyage de Barbarie fait par le Sieur Dancour pour le commerce du Bastion de France dans laquelle outre plusieurs curiosités sont contenues quelques particularités dont on peut tirer des lumières importantes au service du Roi», J.-P. Vittu (ed.), *Un document sur la Barbarie en 1680 et 1681: la relation de voyage du Sieur Dancour*, in «Les Cahiers de Tunisie» 25, 99-100 (1977), pp. 295-319: p. 318. Dancour considered the French consul Le Vacher responsible for this Algerian-Dutch treaty: «cette paix [...] ne se serait jamais faite et [...] aurait été adroitement et facilement empêchée, si le Roi eut eu un consul dans Alger, où il n'y a que des Pères de la Mission qui font cette charge, gens de bien, totalement appliqués aux missions fondées en faveur des esclaves, en sorte qu'ils ne se sont pas mis en peine d'empêcher l'alliance de ces infidèles avec ces hérétiques, qui n'ont point d'autre intention en ce rencontre que de ruiner le commerce des sujets de sa Majesté».



## 5. Conclusion

Preserved in Amsterdam's Rijksmuseum, a 1687 painting shows Thomas Hees sitting, wearing an Oriental costume, smoking a tobacco pipe; behind him, a few corals and swords evoke Algiers, as does the atlas laying open on the table, revealing a map of North African provinces. Obviously, the painting reflects a certain Orientalist trend, but it also stages – with the book on the table, written in Arabic, and Hees's Oriental costume, which contrasts with his nephew's European dress – the involvement of the Dutch envoy in Algerian society as well as, perhaps, a form of nostalgia. By contrast, the misfortunes of Laurent d'Arvieux and Samuel Martin reflect the misunderstandings, hardships and risks associated with North African missions. Thanks to the peace and trade treaties concluded between North African provinces and European states, it is possible to write a common, entangled history of 17<sup>th</sup> century trading diplomacy in the Mediterranean, implying both conflict and negotiation. The agents who negotiated these treaties, their forms and their clauses, were not reducible to ideal-types of «intercultural mediators», supposedly positioned between two reified and separate cultures; instead, sovereigns, political advisors, soldiers, diplomats, merchants, doctors, captains, ship owners, religious, converted, translators, dragomen and captives all took into account – to varying degrees according on their skills – the necessarily contingent, precarious and sometimes improvised nature of negotiations. In that regard, the variety of diplomatic experiences mentioned in this paper means that one should not pinpoint a single intermediary profile, but instead stress their hybrid and mobile nature, and consider their local involvement – that is to say, their ability to simultaneously mobilize several levels of interference, involving a large body of linguistic, political and legal interpreters, in several segments of society. The experiences of Laurent d'Arvieux, Samuel Martin, Thomas Hees and Jacob de Paz, and that of Hāj Muḥammad, Bābā Hasan and David Cohen prompt us to reflect on changes in diplomatic situations, on the evolution of their strategies – which involved compromise or even the search for a consensus – but also to ponder the evolution of their own skills and the degree of their social and political expertise. In that regard, linguistic brokerage far exceeded the sole realm of translation; it should instead be considered, more largely, as a way to obtain major political supports, which encourages us not to dissociate diplomatic situations from local social contexts.

## ABSTRACT

*This article aims to study the treaties of peace and trade ratified between Western European States and North African Ottoman provinces. Based on the law of nations, consular correspondence, diaries and gazettes, it describes the concurrence of diplomatic and political European mediators in Algiers during the 1670s, i.e. the Franco-Dutch War and after. This article*

*focuses both on French consul Laurent d'Arvieux and Dutch envoy Thomas Hees. An Arab and Ottoman Turkish speaker, d'Arvieux was sent to Algiers by Colbert to defend French interests (of the so-called «Bastion de France») and to negotiate, with dey Hāj Muḥammad and his nephew Bābā Ḥasan, the maintenance of peace between France and Algiers. The relations between d'Arvieux and Algerian «Powers» turned sour. The article analyzes the several points of disagreement. The stay of d'Arvieux in Algiers is compared with Thomas Hees's journey in Algiers, who managed, with the assistance of a Jewish middleman, Jacob de Paz, to conclude a treaty of peace and trade with the local «Powers». A third European emissary is also scrutinized to understand the stakes of Algerian and Ottoman diplomacy, namely the English consul Samuel Martin, who met both d'Arvieux and Hees. Those French, Dutch and English negotiations in Algiers reveal the crucial importance of North Africa in early modern Mediterranean diplomacy.*

*Quest'articolo si propone di studiare i trattati di pace e di commercio tra gli Stati europei occidentali e le province ottomane del Nord Africa. Basato sul diritto delle genti, le corrispondenze consolari, diari di viaggio e gazzette, descrive le concorrenze degli intermediari diplomatici e politici europei ad Algeri negli anni 1670, cioè durante la guerra d'Olanda e in seguito. L'articolo si interessa al console francese Laurent d'Arvieux e all'inviato olandese Thomas Hees. In grado di parlare sia arabo che turco ottomano, d'Arvieux fu mandato ad Algeri da Colbert per difendere gli interessi francesi (del cosiddetto «Bastion de France») e negoziare, col dey Hāj Muḥammad e suo nipote Bābā Ḥasan, il mantenimento della pace tra la Francia e la provincia ottomana di Algeri. Però, le relazioni tra d'Arvieux e le «potenze» d'Algeri si deteriorarono e l'articolo prova ad analizzare i diversi motivi del loro disaccordo. Il soggiorno di d'Arvieux ad Algeri è paragonato al viaggio di Thomas Hees nella stessa città, che riuscì, con l'aiuto dell'intermediario ebreo Jacob de Paz, a concludere un trattato di pace e di commercio con le «potenze» locali. Per capire meglio le realtà della diplomazia algerina e ottomana, viene preso in esame anche un terzo emissario europeo, ovvero il console inglese Samuel Martin, che ha incontrato sia d'Arvieux sia Hees. Queste negoziazioni francesi, olandesi e inglesi ad Algeri rivelano l'importanza cruciale del Nord Africa nella diplomazia europea dell'età moderna.*

## KEYWORDS

Algiers, Ottoman North Africa, Cross-Religious Diplomacy, Corsairs, Consuls  
 Algeri, Nord Africa ottomana, diplomazia inter-religiosa, corsari, consoli