

2012-11-21

# Consuls, Corsairs, and Captives: the Creation of Dutch Diplomacy in the Early Modern Mediterranean, 1596-1699

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UNIVERSITY OF MIAMI

CONSULS, CORSAIRS, AND CAPTIVES: THE CREATION OF DUTCH  
DIPLOMACY IN THE EARLY MODERN MEDITERRANEAN,  
1596-1699

By

Erica Heinsen-Roach

A DISSERTATION

Submitted to the Faculty  
of the University of Miami  
in partial fulfillment of the requirements for  
the degree of Doctor of Philosophy

Coral Gables, Florida

December 2012

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Consuls, Corsairs, and Captives: the Creation of Dutch  
Diplomacy in the Early Modern Mediterranean, 1596-1699.

(Ph.D., History)

(December 2012)

Abstract of a dissertation at the University of Miami.

Dissertation supervised by Professor Mary Lindemann.

No. of pages in text. (418)

In the seventeenth-century western Mediterranean, the conflict between the Dutch Republic and North African principalities over the issues of corsairing and the capture of Christians created a type of diplomacy that significantly deviates from our traditional understanding of how early modern diplomacy evolved, namely as an exchange of resident ambassadors between European states. As a study in the *New Diplomatic History*, this dissertation emphasizes the significance of cultural practices and political interests between Europe and other parts of the world. Over the course of the seventeenth century, North African society greatly influenced the rhythms and patterns of the evolving diplomatic relations, practices, and policies in the western Mediterranean in four particular ways. First, Europe and the Maghreb employed a mixed group of negotiators to conduct their affairs and did not exchange resident ambassadors as sovereigns in Europe usually did. Dutch consuls, whose role as merchant-consuls transformed into that of state-representatives, became the pre-eminent diplomats conducting the Republic's affairs in North Africa. Second, Dutch and North African negotiators sought to combine commercial and political interests rather than follow the grand political agendas that governments in Europe often developed and pursued. Third, because the Dutch and North

Africans did not exchange plenipotentiary resident ambassadors, Dutch consuls stationed in the Maghreb were forced to adjust to North African customary practices, especially those of ransoming captives and lavish gift-giving. Finally, these adjustments to North African negotiating practices, especially the giving of gifts that eventually became a form of paying tribute, demonstrate how early modern diplomacy in the western Mediterranean did not evolve in a linear manner. Thus, by examining Dutch-North African relations in the seventeenth century, this study raises new questions about the origins and the development of early modern diplomacy and invites us to rethink the position of European states in global power relations.

To my parents, Jan and Jannie Heinsen

## Acknowledgements

I owe a great debt of gratitude to Mary Lindemann, my advisor, for all her encouragement, criticisms, and brilliant insights. No matter what the distance or the occasional language barrier, she has always been there for me and still is. She has read and commented on, endlessly and tirelessly, innumerable drafts of chapters. Without her, I could not have written the dissertation I did. But of all things, her greatest gift was to teach me what it means to be an historian. I can only hope to have acquired a fraction of her historical acuity. I am also grateful to the members of my dissertation committee: Hugh Thomas for teaching high standards of interpreting source material; Ashli White for expanding my world beyond the history and historiography of Europe; and Frank Palmeri for showing me that reading English novels is not just fun but also a source of inspiration for the field of history. Michael Miller, Guido Ruggiero, Robin Bachin, Karl Gunther, Edmund Abaka, and Julia Clancy-Smith have all made valuable comments along the way. I also would like to thank Rudolf Dekker and Maartje van Gelder in Amsterdam. My discussions with them helped me to rethink significant concepts of the dissertation. No less important are my friends and fellow students, with whom I shared many a laugh and a scream: Silvia Mitchell, Simonetta Marin, Jacqueline Grant, Lauren Lane, Stephen Lazer, and Carolyn Zimmerman.

The generous support of several institutions has greatly facilitated my research in the Netherlands, Germany, and the United States. The Department of History at the University of Miami funded initial summer research in the Netherlands and provided an additional research assistantship. The Max and Peggy Kriloff Graduate Student Travel Scholarship and the Provost Travel Award of the College of Arts and Sciences funded



travel to the Netherlands. Also, the University of Miami College of Arts & Sciences Dissertation Award allowed me to spend valuable time completing the dissertation. In addition, the American Friends of the Herzog August Bibliothek Travel Grant paid for my journey to Wolfenbüttel, Germany. Finally, the Friends of Princeton University Library Research Grant helped me to uncover Portuguese sources. During these trips, the kindness and assistance of curators, archivists, and librarians have made my research pleasant and worthwhile. I would like to thank, in particular, Marijke Best of Archief Eemland in Amersfoort, Evelien St. Nicolaas of the Rijksmuseum in Amsterdam, and Sandra Law of Interlibrary Loan at the University of South Florida in Tampa.

My family and friends have patiently withstood many storms. The understanding my father, my mother (if she had still been alive), and sister Marleen have shown for my academic endeavors know no boundaries. I do not know how to return their unconditional love and support, but I can only hope to give my niece Eline and nephew Tom the same. Friends, far away, turned out to be close by, always caring and knowing where to find me with a funny story, a sigh, or plain gossip: so, thank you, Caro van Eijden, Femke Linnartz, Willemijn Zeevenhooven, Eric Bervoets, Kelly Briley, Olaf Herlaar, Ingrid Donsu, Jelle Piersma, Janneke van der Hulst, Tineke Hulsbergen, and Sandra Biesterveld, for your warm friendship. Without my husband Steve the journey of writing the dissertation would have been barren. His intellectual curiosity is a driving force, always inspiring me to think one step further. More times than he might have imagined, his quips and sheer being have saved my sanity. Every adventure begins and ends with him.

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## Abbreviations

Acta	<i>Acta der Particuliere Synoden van Zuid-Holland, 1621-1700</i> , ed. W.P.C. Knuttel. RGP Kleine serie, 5 vols. The Hague: Martinus Nijhoff, 1908
AE	Archief Eemland, Amersfoort, Netherlands
AM	Stadsarchief Amsterdam, Netherlands
BGLH	Klaas Heeringa, <i>Bronnen tot de Geschiedenis van den Levantschen Handel, 1590-1726</i> . RGP, 2 vols. The Hague: Martinus Nijhoff, 1917.
BSG	<i>Besluiten Staten-Generaal 1626-1630</i> , eds. I.J.A. Nijenhuis et al. URL: <a href="http://www.inghist.nl/Onderzoek/Projecten/BesluitenStaten-generaal1626-1651">http://www.inghist.nl/Onderzoek/Projecten/BesluitenStaten-generaal1626-1651</a> [11/05/2007] [accessed 01/25/2011]
GE	Gelders Archief, Arnhem, Netherlands
GR	Groninger Archieven, Regionaal Historisch Centrum, Groningen, Netherlands
GPB	<i>Groot Placaet Boeck, vervattende de placaten, ordonnantiën ende edicten van de Staten Generaal, de Staten van Holland en Westvriesland en de Staten van Zeeland</i> , eds. Cornelis Cau, Simon van Leeuwen, and Jacobus Scheltus. 5 vols. The Hague, 1658-1725.
HA	Noord-Hollands Archief, Haarlem, Netherlands
HAB	Herzog August Bibliothek, Wolfenbüttel, Germany
IISG	International Institute for Social History, Amsterdam, Netherlands
KB	Koninklijke Bibliotheek The Hague, Netherlands
LEI	Regionaal Archief Leiden, Netherlands
NA	National Archives, The Hague, Netherlands
PNVSH	<i>Particuliere Notulen van de vergaderingen der Staten van Holland, 1620-1640</i> , eds. Nicolaes Stellingwerff and Sijbrant Schot. RGP Grote serie. The Hague: Instituut voor Nederlandse Geschiedenis, 1992
PUL	Princeton University Library, Princeton, NJ, US
RAIEO	Gabriel Effendi Noradounghian, <i>Recueil d'actes internationaux de l'empire Ottoman</i> . Vol.1, 1300-1789. Paris: Librairie Cotillon, 1897

- RO Gemeentearchief Rotterdam, Netherlands
- RSGNR *Resolutiën der Staten Generaal. Nieuwe Reeks 1610-1670*, ed. A.Th. van Deursen, J.G. Smit, and J. Roelevink. RGP Grote serie, 7 vols. The Hague: Instituut voor Nederlandse Geschiedenis, 1971-1994
- SIHM Castries, Henry de. *Les Sources inédites de l'histoire du Maroc de 1530 à 1845. Première série - Dynastie Saadienne 1530-1660. Archives et bibliothèques des Pays Bas*. 6 vols. Paris: Ernest Leroux, éditeur, 1906, The Hague: Martinus Nijhoff, 1906-1923
- TR Tresoar, Fries Historisch en Letterkundig Centrum, Leeuwarden, Netherlands
- UBA Universiteitsbibliotheek Amsterdam, Netherlands
- VP Peace Palace, The Hague, Netherlands
- WF Westfries Archief, Hoorn, Netherlands
- ZA Zeeuws Archief, Middelburg, Netherlands

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## Introduction

In the seventeenth-century Mediterranean, diplomatic relations between Europe and North Africa were, as Abdallah Laroui observed, “hardly deserving of the name.”<sup>1</sup> Christian states, including the rising merchant empires of England and the Dutch Republic, had concluded treaties with the kings of Morocco and the regencies of Algiers and Tunis in order to prevent North African corsairs from seizing richly loaded merchant vessels and enslaving the Christian crews. In addition, they had dispatched consuls to oversee relations with the rulers in the western Mediterranean. Diplomacy in North Africa, nonetheless, did not fare well. Europeans accused the Maghrebian states of repeatedly breaking treaties and treating Christian consuls in North Africa as hostages rather than as diplomats. They believed that states in the Maghreb disregarded the conventions of international law and, as Fernand Braudel contended, undermined all diplomatic efforts to resolve the problem.<sup>2</sup> Many historians, therefore, find the idea of diplomacy in North Africa highly problematic.

The type of diplomacy that developed in North Africa, however, cannot be judged according to the traditional norms of what early modern diplomacy was or should have been; that is, as an international institution that allowed sovereign states to maintain permanent relations with one another through resident embassies. By examining Dutch consuls’ efforts to liberate Dutch captives from seventeenth-century North Africa, my

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<sup>1</sup> Abdallah Laroui, *The History of the Maghrib. An Interpretive Essay*, trans. Ralph Manheim (Princeton, NJ: Princeton University Press, 1977), 244, 253-54.

<sup>2</sup> Godfrey Fisher, *Barbary Legend. War, Trade, and Piracy in North Africa 1415-1830* [1957] (Westport, CT: Greenwood Press, 1974), vi, 145; Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II* [1949]. Translated by Siân Reynolds, vol.2 (New York: Harper & Row, 1973), 870.

dissertation argues that negotiating the freedom of Christian captives resulted in an alternative form of diplomacy, one that reflected the rise of merchant empires. This type of diplomacy in the western Mediterranean did not necessarily aim to build permanent relations between European and North African states, but rather to remove impediments to safe navigation and trade in the Mediterranean on an ad hoc basis. European consuls, not resident ambassadors, represented the interests of the state in towns like Algiers and Tunis. Muslim rulers refrained from establishing resident embassies too; indicating that they were similarly uninterested in seeking permanent relations with Christian states. Nonetheless, at the same time, they contributed to the shaping of diplomacy in the western Mediterranean. Dutch consuls, for example, adapted North African customs of negotiation, primarily through lavish gift-giving and the ransoming of captives, to such an extent that they began to pay tribute to Muslim rulers at the end of the seventeenth century. Early modern diplomacy in the western Mediterranean therefore also demonstrated the limits of the Dutch trading empire there.

The development of early modern diplomacy in North Africa thus follows a different narrative script than the traditional one that sees modern diplomacy emerging as the teleological outcome of Italian Renaissance practices. Most famously, Garrett Mattingly argued that “Renaissance diplomacy” originated in Italy as a secular, rationalized political enterprise that quickly spread throughout Europe from the late fifteenth century onwards. Its most characteristic feature, the resident embassy, helped professionalize European diplomacy by, among other things, distinguishing the ambassador from the consul.<sup>3</sup> For years, scholars have generally accepted the Italian roots

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<sup>3</sup> See forward of Garrett Mattingly, *Renaissance Diplomacy* (Boston: Houghton Mifflin Company, 1955); Mattingly elaborated on Jacob Burckhardt's argument that in the Italian Renaissance “the art of political



of western diplomacy, acknowledging that the establishment of resident embassies marked the origin of western and thus modern diplomacy.<sup>4</sup>

Although no historian contests the idea of Renaissance diplomacy as the foundation for modern diplomacy or, for that matter, its Italian roots, scholars have nonetheless come to question the exclusive nature of the resident embassy as critical in the process. In re-assessing the field of diplomacy, John Watkins, for example, criticized the limits of the resident embassy as a model to study diplomatic developments within Europe but also in relation to non-Christian cultures, thus emphasizing the importance of writing a “new diplomatic history.”<sup>5</sup> This redefined field aims to free diplomacy from the restrictions of political history and to take into account its cultural and social aspects. No longer are treaties and ambassadors the sole objects of diplomatic studies; rather, the diplomat’s entire field of operations has become a topic of scrutiny. New studies illuminate, for instance, how diplomats exchanged tangible, luxury items and *objets d’art* to forge and maintain commercial and political interests. Scholars have thus established

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persuasion” marked the beginning of western diplomacy. This allowed Mattingly to explain the rational and secular character of the burgeoning diplomatic relations between Italian city-states. Jacob Burckhardt, *The Civilization of the Renaissance in Italy. An Essay. Introduction by Hajo Holborn* (New York: The Modern Library, 1954), 77.

<sup>4</sup> See, for instance, Laurence W. Martin, ed., *Diplomacy in Modern European History* (New York: MacMillan Co, 1966), 3; M.S. Anderson, *The Rise of Modern Diplomacy, 1450-1919* (London: Longman, 1993), 1-20. Dutch historians dealing with North Africa have interpreted diplomacy in a similar manner. G.W. Vreede, *Inleiding tot eene geschiedenis der Nederlandsche diplomatie* (Utrecht: J.G.Broese, 1858); K. Heeringa, “Een Bondgenootschap tusschen Nederland en Marokko,” *Onze Eeuw* 7, 3 (1907): 6-119; G. S. van Krieken, *Kapers en kooplieden: de betrekkingen tussen Algiers en Nederland, 1604-1830* (Amsterdam: Bataafsche Leeuw, 1999); G.R. Bosscha Erdbrink, *At the Treshold of Felicity. Ottoman-Dutch Relations during the Embassy of Cornelis Calkoen at the Sublime Porte, 1726-1744* (Ankara: Türk Tarih Kurumu Basimevi, 1975).

<sup>5</sup> John Watkins, “Toward a New Diplomatic History of Medieval and Early Modern Europe,” *Journal of Medieval and Early Modern Studies* 38, 1 (Winter 2008): 2-14. See also, Mary Lindemann, “The Discreet Charm of the Diplomatic Archive,” *German History* 29, 2 (June 2011): 283–304; Jeremy Black, *A History of Diplomacy* (London: Reaktion Books, 2010), 11.

that gift-giving inherently belonged to diplomatic practice.<sup>6</sup> The examination of these cultural aspects of diplomacy not only supports a broader understanding of political negotiations, but also elucidates the development of diplomacy itself.

In addition, historians have begun to question the geographical isolation in which Renaissance diplomacy supposedly developed. They do not reject the idea that Italy is the birthplace of modern diplomacy, but do highlight the influence of the Ottoman Empire in setting rules and conditions for diplomats in Constantinople and how, accordingly, the interactions between east and west also shaped modern western diplomacy. The Ottoman Empire regulated European commercial and diplomatic traffic through capitulations (*ahdnames*), a set of unilateral privileges that the sultan bestowed upon each Christian state. Legal scholars have long been interested in the legal ramifications of the capitulations, singling out how the capitulations allowed Europeans to use their own laws to settle disputes within their trading communities. Most scholars have accepted this privilege as a precedent for the modern notion of extraterritoriality. Recently, as well, historians have begun to interpret these and other privileges in an intercultural diplomatic framework. Daniel Goffman, for instance, has argued that Florentine, Genoese, and Venetian diplomats in Constantinople learned about the Ottoman concepts of extraterritoriality and reciprocity and used the concepts to establish the framework of

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<sup>6</sup> Diana Carrió-Invernizzi, "Gift and Diplomacy in Seventeenth-Century Spanish Italy," *The Historical Journal* 51, 4 (2008): 891-892, 896-897; Maija Jansson, "Measured Reciprocity: English Ambassadorial Gift Exchange in the 17<sup>th</sup> and 18<sup>th</sup> Centuries," *Journal of Early Modern History* 9, 3-4 (2005): 362-363; Jeanette Falcke, *Studien zum diplomatischen Geschenkwesen am Brandenburgisch-Preussischen Hof im 17. und 18. Jahrhundert* (Berlin: Duncker & Humblot, 2006), 312. Similarly, in the 1960s, Jan Heringa discussed how ceremonial aspects of diplomacy reflected the ways in which European states over the course of the seventeenth century came to accept the Dutch Republic as a sovereign power. Jan Heringa, *De Eer en hoogheid van de staat. Over de plaats der Verenigde Nederlanden in het diplomatieke leven van de zeventiende eeuw* (Groningen: J.B. Wolters, 1961), 526.

diplomatic institutions in Italy.<sup>7</sup> Historians and legal scholars thus call attention to the interaction between European states and the Ottoman Empire as an essential element in developing diplomatic practices and structures. They claim, in other words, that the “east” greatly contributed to forging western diplomacy and, thus, that modern diplomacy is not necessarily western in origin.

In discussing the contributions of the “east,” however, historians mostly take into account the Ottoman Empire and not North Africa. One exception is Christian Windler. He has argued that the encounters between French consuls and Tunisian rulers in the eighteenth century created an intercultural diplomatic framework within which both operated.<sup>8</sup> Windler’s study is one of the few that highlight the importance of North Africa in shaping Mediterranean diplomacy, independent from what the Ottoman Empire did. Usually when scholars have written about diplomacy in North Africa, they have always done so in the context of what early modern Europeans considered the region’s most infamous realities: piracy and slavery. These phenomena formed the “scourge” of Christendom, a word chosen by Robert Playfair and one that reflected late nineteenth- and early twentieth-century scholarship on the “failed” diplomacy in the “Barbary” states as a justification for the French colonization of North Africa in 1830.<sup>9</sup> The negative

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<sup>7</sup> Daniel Goffman, “Negotiating with the Renaissance State: The Ottoman Empire and the New Diplomacy.” In *The Early Modern Ottomans. Remapping the Empire*, eds. Virginia H. Aksan and Daniel Goffman, 61-74 (Cambridge, UK: Cambridge University Press, 2007); For the implications of the capitulations on diplomatic relations and international law, see Arthur Nussbaum, *A Concise History of the Law of Nations*, rev.ed. (New York: The MacMillan Company, 1958), 54-60; Maurits H. van den Boogert, *The Capitulations and the Ottoman Legal System. Qadis, Consuls, and Beraths in the 18th Century* (Leiden, Boston: Brill, 2005), 19-61; J.H. Kramers, *Analecta Orientalia. Posthumous Writings and Selected Minor Works* (Leiden: E.J. Brill, 1954), 78-107.

<sup>8</sup> Windler, Christian, *La Diplomatie comme expérience de l’autre. Consuls français au Maghreb (1700-1840)* (Genève: Librairie Droz S.A., 2002), 33.

<sup>9</sup> Robert L. Playfair, *The Scourge of Christendom. Annals of British Relations with Algiers prior to the French Conquest* [1884] (Freeport, NY: Books for Libraries Press, 1972), 4-5. See also Gillian Weiss for a

connotation of “Barbary,” denoting a place inhabited by infidels, renegades, barbarians, and pirates, expressed Europe’s perception that North African states were lawless entities that constantly broke treaties.<sup>10</sup> Thus, this focus on diplomacy generally emphasized a dichotomy in the region between law-abiding Europeans and the lawless peoples of North Africa.<sup>11</sup> In this interpretation, diplomacy is understood in traditional terms, that is, as serving to regulate relations between independent states and demanding the honoring of treaties as the sole means of sustaining alliances. These works thus cast diplomacy as a somewhat static field in which only the rule of law dictated conduct and practices.

Not all scholars, however, regarded early modern relations between Europe and the Maghreb as full of fraud and conflict. Fernand Braudel and Godfrey Fisher, for example, contended that piracy was not solely a North African but rather a global phenomenon that crossed the boundaries of religions and states. Christian complicity in piracy and captivity showed that relations between Europe and North Africa did not inevitably involve “them against us,” but were rather more fluid and complicated than earlier accounts have credited.<sup>12</sup> Although both scholars accepted a traditional definition of diplomacy, they opened the door to an examination of east-west relations that considered seriously the motivations and interests of the North African states. In the

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discussion on nineteenth-century historiography and the justification of French colonization. Gillian Weiss, *Captives and Corsairs. France and Slavery in the Early Modern Mediterranean* (Stanford: Stanford University Press, 2011), 4.

<sup>10</sup> Jean Monlaü, *Les États Barbaresques* (Paris: Presses Universitaires de France, 1964), 8, 9. For more specific uses of the term Barbary, see Fisher, *Barbary Legend*, Appendix B, 310-311.

<sup>11</sup> Not surprisingly, many studies have been devoted to the role of the French, English, Dutch, and later, American navy to establish Europe’s version of law and order in the Mediterranean. For the Dutch see, for instance, Richard Ernst Jacob Weber, *De Beveiliging van de Zee tegen Europeesche en Barbarijsche Zeeroovers, 1609-1621* (Amsterdam: Noord-Hollandsche Uitgeversmaatschappij, 1936).

<sup>12</sup> Braudel, *The Mediterranean*, 865-869; Fisher, *Barbary Legend*, 1-16.

1970s, Abdallah Laroui even went further, downplaying piracy and slavery and European diplomatic attempts to resolve them as “futile and ephemeral.”<sup>13</sup>

In recent years, however, scholars have returned their attention to the captivity of Christians and Muslims in the Mediterranean. Basing their analyses on numerous captivity accounts, that is, narratives written by liberated slaves about their experiences in North Africa, these historians view captivity as an important phenomenon that has largely been ignored or neglected.<sup>14</sup> Others, most notably Linda Colley, Nabil Matar, and Gillian Weiss, have demonstrated that these accounts, if critically analyzed, are useful in understanding the construction of English and French identity and nation-building.<sup>15</sup> By re-evaluating relations between Europe and North Africa through the lens of captivity, their work returns North Africa and captivity to the realm of European diplomatic history.

Indeed, captivity changed diplomacy. Diplomacy, as it is traditionally understood, served to maintain regular, peaceful, relations between independent states through a network of resident embassies. This system of relations rested on two principles. First, the state was sovereign and could therefore pursue its own interests. Second, only by accepting the sovereignty of the other could a state maintain equal relations.<sup>16</sup> The captivity of Christian seafarers, however, exposes the relationship between the Dutch Republic and North Africa as one of inequality and disequilibrium. Dutch and English

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<sup>13</sup> Laroui, *Maghrib*, 244, 253-254.

<sup>14</sup> Robert C. Davis, *Christian Slaves, Muslim Masters: White Slavery in the Mediterranean, the Barbary Coast, and Italy, 1500-1800* (New York: Palgrave MacMillan, 2003), xxiv.

<sup>15</sup> Linda Colley, *Captives. Britain, Empire, and the World, 1600-1850* (New York: Pantheon Books, 2002; New York: First Anchor Book edition, 2004), 3-4, 17-20; Nabil Matar, *Britain and Barbary, 1589-1689* (University Press of Florida, 2005), ix-x; Weiss, *Captives and Corsairs*, 11-15.

<sup>16</sup> Mattingly, *Renaissance Diplomacy*, 294-295; Goffman, “Negotiating,” 61.

sovereignty rested on the dominion of the seas to sustain their global maritime commerce. Colley's argument that English, Scottish, Welsh, and Irish captives in North Africa challenged England's claims as a global sea-power underscores how captivity weakened sovereignty. The Dutch, vying with the English for control of the seas, similarly considered maritime commerce of vital importance to the Republic, because it helped them finance the war of independence against Spain. Trade formed the "soul of the nation."<sup>17</sup> Any attack on Dutch merchant vessels, therefore, simultaneously attacked the sovereignty of the Republic.

The captivity of Christians undermined the sovereignty of the Protestant states, but strengthened that of principalities in the Maghreb. Some early modern European authors perceived that rulers in the Maghreb carried the title "king" not because European monarchs considered them "crowned and blessed (...) potentates," but out of "respect for their custom to enslave."<sup>18</sup> The exchange of Christian captives for ransom sustained the social and economic structures of North African society and allowed the Ottoman regencies to act as independent states. Thus, captivity exposed essential differences between Europe and North Africa that prevented them from establishing permanent diplomatic relations, because to recognize sovereignty of the other was to deny one's own.

In its combination of the fields of old and new diplomacy as well as the subfield of captivity, this dissertation argues that captivity gave rise to a form of early modern

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<sup>17</sup> Octroy Johannes van den Broeck, 18 Feb. 1625, Klaas Heeringa, *Bronnen tot de Geschiedenis van den Levantschen Handel*, vol.1 (The Hague: Martinus Nijhoff, 1910), 954-957.

<sup>18</sup> "respect von ihren slavischer hergebrachter gewohnheit," Zacharias Zwanssig, *Theatrum Praecedentiae oder eines theils Illustrer Rang-Streit andern theils Illustre Rang-Ordnung* (Frankfurt: Thomas Fritschen, 1709), 107; Braudel, *The Mediterranean*, 870; Monlaü, *Barbaresques*, 67-68.

diplomacy in North Africa, whose history differs from our traditional understanding of how diplomacy originated and evolved. The Dutch Republic initiated diplomatic relations with North Africa to resolve the problems of piracy and captivity that, in their view, harmed Dutch trade in the Mediterranean. Although they sought contact in an “old-fashioned” way by forming alliances, signing treaties, and sending diplomatic representatives, they were not interested in maintaining permanent relations with North Africa by establishing resident embassies. Rather, they scaled diplomacy to meet very particular goals. They believed that captivity of Dutch seafarers violated the principles of free trade and, therefore, demanded the liberation of their captives without paying ransom. Needless to say, this demand caused friction with North African rulers throughout the seventeenth century, but demonstrates once more how captivity frustrated Dutch claims to maritime sovereignty. The Republic nonetheless still relied on diplomacy to obtain the freedom of captives. The tendency of Muslim rulers to refrain from establishing resident embassies in Europe indicates that they considered diplomatic contact with Christian states to be only temporary. They entered into diplomatic negotiations sometimes to conclude military alliances and other times to promote their own commerce. North Africans, in other words, neither expressed a desire to maintain permanent relations with Europe nor, for that matter, did they regard diplomacy as an end in itself. Thus, the traditional view that diplomacy originated and evolved to maintain equal relations between independent states fails to capture the character of Dutch diplomacy in North Africa. Diplomacy in the western Mediterranean reflected the interests of the Dutch Republic as a merchant empire in the seventeenth century. Consuls, rather than resident ambassadors, worked to liberate captives and secure freedom of trade

on a case by case basis and thereby adopted North African customs of diplomatic conduct.

Early modern diplomacy in the western Mediterranean served to promote Dutch commerce at large and merchants' interests in particular. Historians have long attributed the rise of the Dutch as a global merchant empire to the close collaboration between government and merchants. Regents (town and state rulers) often combined their political office with business; many ran major trading houses. As merchants, they often formed organizations to promote their interests. For its part, the government helped establish companies, such as the Dutch East India Company, to protect commercial and political interests.<sup>19</sup> Not surprisingly, Dutch and other European mercantile pursuits in the Mediterranean spurred the rise of diplomatic relations with the Levant to protect their investments. The result was the establishment of French, English, and Dutch embassies and consulates throughout the eastern Mediterranean.<sup>20</sup> The founding of consulates in North Africa served a similar purpose in promoting and protecting trade and, in particular, trying to facilitate the liberation of Dutch captives seized from merchant ships.

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<sup>19</sup> Marie Christine Engels, "Kooplieden en politiek. Botsende belangen in de handel in ruwe zijde aan het begin van de zeventiende eeuw," In *Ondernemers en bestuurders. Economie en politiek in de Noordelijke Nederlanden in de Late Middeleeuwen en Vroegmoderne Tijd*, eds. Clé Lesger and Leo Noordegraaf, 195-201 (Amsterdam: NEHA, 1999); Victor Enthoven, "Een symbiose tussen koopman en regent. De tweetrapsraket van de opkomst van de Republiek en Zeeland," In *Ondernemers en bestuurders*, Lesger, 203-236; Jonathan Israel, *Dutch Primacy in World Trade, 1585-1740*, reprint (Oxford, NY: Clarendon Press, 2002), 16-17; Weber, *Beveiliging*, 79; S. van Brakel, *De Hollandse handels-compagnieën der zeventiende eeuw. Hun ontstaan, hunne inrichting* (The Hague: Martinus Nijhoff, 1908), XXIII-XXVIII.

<sup>20</sup> Jonathan Israel, "The Dutch Merchant Colonies in the Mediterranean during the Seventeenth Century," *Renaissance and Modern Studies* XXX (1986): 87-128; G.R. Berridge, *British Diplomacy in Turkey, 1583 to the present* (Leiden: Martinus Nijhoff, 2009), 283-284; Mattingly, *Renaissance Diplomacy*, 179-180. For North Africa: Paul Masson, *Histoire des Établissements et du Commerce Français dans l'Afrique Barbaresque (1560-1793) (Algérie, Tunisie, Tripolitaine, Maroc)* (Paris: Librairie Hachette, 1903), 57, 65; Braudel, *Mediterranean*, 148, 495; Hermann Wätjen, *Die Niederländer im Mittelmeergebiet zur Zeit Ihrer Höchsten Machtstellung* (Berlin: Karl Curtius, 1909), 57, 81; Fisher, *Barbary Legend*, 307.



While historians such as Hermann Wätjen and Jonathan Israel acknowledge the central role of consuls in sustaining these commercial-diplomatic networks, it remains unclear in their works what the role of consuls actually meant for the development of diplomatic representation. The Republic's decision to give consuls a pivotal role in North African diplomacy is crucial in understanding this vital redefinition of diplomatic practices in the Mediterranean. In traditional narratives, scholars consider the separation between the role of the consul and that of the ambassador a defining moment in the development of modern diplomacy. Ambassadors engaged in politics; consuls took care of commerce.<sup>21</sup> The absence of resident embassies in North Africa, however, meant that Dutch consuls became increasingly involved in political affairs. Ottoman and North African officials urged the Dutch Republic to send consuls to the Maghreb to mediate disputes, especially those concerning the redemption of slaves. The Dutch government consented and assigned consuls in the Maghreb a new role: that of state representatives. They were not only responsible for handling commercial affairs; they also assumed political roles in maintaining peace treaties and negotiating the liberation of slaves. Thus, whereas in Europe and the Levant, Dutch consuls merely promoted trade interests for local merchant communities, consuls in North Africa promoted the interests of the state, *combining* commercial and political objectives. They became the vehicles of early modern diplomacy in the Maghreb and the history of consulates in North Africa manifests how diplomacy evolved.

The absence of North African resident ambassadors in the Dutch Republic, or anywhere else in Europe for that matter, forced Christian states to negotiate on North

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<sup>21</sup> Mattingly, *Renaissance Diplomacy*, 68; Watkins, "Toward a New Diplomatic History," 5.

African soil. This situation gave Maghrebian leaders two advantages in the great game of diplomacy. It determined the kind of diplomatic representation dispatched, namely consuls, and it also defined the rules of conduct and practices of negotiation. Two customs in particular came to characterize diplomacy in North Africa: giving gifts and ransoming captives. Gift-giving, as several historians have established, formed an integral part of diplomatic negotiations. In North Africa, Dutch consuls, too, gave gifts to Muslim rulers to facilitate negotiations. In the second half of the seventeenth century, however, gift-giving often “went wrong.” Algerian rulers demanded gifts in exchange for treaties, thus transforming gift-giving as a gesture of respect into a form of paying tribute.<sup>22</sup> Moreover, the practice of gift-giving was easily misconstrued. So, too, were the conditions under which captives were to be freed. The Dutch had originally protested against the giving of lavish gifts and the necessity of paying to ransom captives. The Dutch claimed that the seizing of their people violated the principles of free trade and freedom of the seas. North African rulers saw it differently, however. They insisted that the ransoming of captives was a condition for maintaining diplomatic relations. In response, the Dutch abandoned the idea of obtaining the “free” liberation of captives and paid ransom in order to protect their merchant fleet from corsairs’ depredations. To a large extent, these transformations in diplomatic practices signaled the beginning of the decline of Dutch sea power in the Mediterranean.

The manner and extent to which consuls adjusted to customary practices in North Africa demonstrate the influential role the Maghreb played in shaping diplomacy and

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<sup>22</sup> Christian Windler argued that the gift as tribute was susceptible to interpretation. For example, Tunisian rulers interpreted the gift of weapons as a tribute to their rule; European officials, on the other hand, interpreted it as Tunisian dependence on European skills and technology. Windler, *La Diplomatie*, 489-490, 536. See his chapter “Présents ou Tributs?,” 485-548.

should make us realize that diplomacy is a two-way street. Diplomatic historians, in examining relations in North America between English, French, and American diplomats on the one hand, and delegates from Native American tribes on the other, have shown how negotiations between different cultures led both sides to adapt the diplomatic practices of the other and acknowledge common interests in what Richard White famously identified as the “middle ground.”<sup>23</sup> Although both the Dutch and the North Africans found common ground in face of a common enemy, Spain, they never established a “middle ground” in the western Mediterranean. The rules developed differently in the Maghreb. Dutch consuls found they had little power to influence their Muslim hosts and, as sometimes nervous guests at foreign courts, had to adjust to local practices rather than being able to impose their own standards.

The extent to which the Dutch, and other European states for that matter, complied with North African demands, thus demonstrates that the Dutch were willing to shift their rules of conduct even to a point where they began to pay tribute. Paying tribute to non-western states questions the “whiggish” assumption that the evolution of diplomacy proceeded according to western norms of doing and thinking about diplomacy.<sup>24</sup> Clearly, it was not the Europeans who dictated the terms of diplomatic interactions here. North African rulers forced Europeans to adjust repeatedly to their demands and thus rather successfully challenged Dutch (and European) commercial

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<sup>23</sup> Richard White, *The Middle Ground. Indians, Empires, and Republics in the Great Lakes Region, 1650-1815* (Cambridge, NY: Cambridge University Press, 1991), x. Fred Anderson and James Merrell have also emphasized the participation of “alternative” diplomats in negotiations in North America. Fred Anderson, *Crucible of War. The Seven Years’ War and the Fate of Empire in British North America, 1754-1766* (New York: Alfred A. Knopf, 2000), xviii. James H. Merrell, *Into the American Woods. Negotiators on the Pennsylvania Frontier* (New York: Norton & Company, 1999), 38.

<sup>24</sup> Black, *A History of Diplomacy*, 17.

expansion. In the process, they also helped shape early modern diplomacy during the seventeenth century.

### ***Sources and Method***

My dissertation merges old diplomatic methods with “new” social and cultural analyses of how early modern diplomacy worked. A comparison of the intentions and policies of the Dutch government in treaties and state resolutions to consuls' experiences at the courts of Morocco and the Ottoman regencies, illustrates how cultural practices and political strategies overlapped in early modern diplomatic proceedings. The dissertation begins in 1596, with the earliest documents recording the appointment of Bartholomeus Jacobsz as agent to Morocco. It ends in 1699 when consul Cornelis Smit left Morocco. Within this period, the Dutch government appointed two agents, thirty consuls, and two extraordinary ambassadors to Algiers, Tunis, Tripoli, and Morocco.

These representatives left behind a rich variety of documents addressed to the Estates General in The Hague. Their letters and reports accounted for the manner in which consuls fulfilled their tasks and reveal what happened in the towns where they resided. The sources also include bills for reimbursement; final reports upon their return to the Republic (*verbaelen*); and their grievances (*remonstrantien*). The most important sources are the consular letters in which consuls not only reported local events but also assessed their progress in accomplishing their missions. They also added their advice and their personal opinions. Although the letters are official reports to the state, they also function as “ego documents,” that is, “documents in which an ego intentionally or

unintentionally discloses, or hides itself.”<sup>25</sup> These texts are therefore autobiographic. In one respect, of course, it is difficult to describe consular correspondence as a form of autobiographical writing because consuls were clearly not concerned with reflecting on and portraying their lives in a public manner or in self-fashioning. Nonetheless, elements of self-revelation seem obvious. Reflections on their situation, personal and political, formed crucial elements in the letters. Consuls’ commentaries on problems they encountered, such as the difficulties they experienced in achieving the liberation of captives, the pressure to give gifts, or detailing their debts, disclose not only how cultural aspects shaped diplomacy but also how consuls experienced their office.<sup>26</sup> The letters thus reveal how individual experiences in another culture promoted, and sometimes hindered, diplomatic relations.

These consular letters are preserved in the National Archives in The Hague. A separate archive contains records from the *Directorate of the Levant Trade and Navigation*, an organization that promoted merchants’ interests in the Mediterranean but that was not a company like the Dutch East India Company, for example. In the early twentieth century, Klaas Heeringa assembled and published all sources relating to Dutch trade in the Mediterranean in the early modern period.<sup>27</sup> He included many consular letters that reveal the blend of commercial and political activities the Dutch state

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<sup>25</sup> Rudolf Dekker, ed., *Egdocuments and History. Autobiographical Writing in Its Social Context since the Middle Ages*. (Hilversum: Verloren, 2002), 7.

<sup>26</sup> Niels Steensgaard observed how Dutch consuls in the Levant wrote more extensive letters than, for instance, the Venetians, who had a long tradition of maintaining consulates overseas. Niels Steensgaard, “Consuls and Nations in the Levant from 1570 to 1650,” *The Scandinavian Economic History Review* XV, 1-2 (1967): 31.

<sup>27</sup> Klaas Heeringa, *Bronnen tot de Geschiedenis van den Levantschen Handel, 1590-1726* [hereafter BGLH], RGP, 3 vols. (The Hague: Martinus Nijhoff, 1910, 1917).

undertook. Because consuls often sent copies to the Amsterdam town council, whose regents invested heavily in the Mediterranean trade, the City Archives of Amsterdam also contains a considerable number of these records, especially those from the late seventeenth century.

The Dutch government based in The Hague produced a substantial number of documents that detail the central role the Estates General took in establishing diplomatic relations. Resolutions issued by the Estates General provide a window into the decision-making process concerning politics and consulates in the Mediterranean. These resolutions often became the basis for instructions to consuls dispatched to the Mediterranean; they allow us to compare what the state expected from its representatives in North Africa with consuls' own experiences and observations. The state redefined the role of merchant-consuls into that of state representatives and expected them to act accordingly. Nonetheless, because the Estates General rarely provided its consuls with the wherewithal to function effectively in North Africa, a constant discrepancy existed between governmental policies and the actual conditions consuls experienced.

The Archives of the Estates General in the National Archives also contain letters from the Moroccan king as well as those from the *pashas* of Algiers and Tunis. Although few in number, they nonetheless reveal the interests of the North African principalities and their often convoluted internal politics. Together with the consular letters they demonstrate the agency of Muslims in the western Mediterranean in establishing and shaping diplomatic relations and practices. Other governmental sources include international treaties and capitulations.

Diplomatic treatises are a second group of sources indispensable for anyone who attempts to understand the deeper workings of early modern diplomacy. Perhaps best known as guide books on how to be "the perfect ambassador," they often gave advice on how other diplomats, like consuls, should function. They allow us to comprehend how early modern Europeans understood diplomacy and what they expected from diplomats in terms of gift-giving or negotiations. They thus provide material to compare Dutch consuls' conduct and experiences in diplomatic affairs in North Africa with contemporaries' view of how diplomacy should be conducted.

A third group of documents repose in Dutch local archives: slave lists, church records, notary records, correspondence of town councils, and private letters from captives and their families. This material shows that individuals and institutions (church, town councils, and admiralties) all expected the Estates General to act as the central agent in foreign affairs. The government in The Hague fulfilled this role in terms of general diplomacy and in fitting out naval forces. But the Estates General generally refrained from ransoming captives. Even when they consented to do so as in a treaty with Salé in 1651, they only reluctantly began to collect money in the Republic for that purpose. After 1685, the government let civic authorities take over the costs of redemption, reverting to an earlier system that characterized the period before 1651. Finally, in order to set the Dutch and western Mediterranean experiences in broader comparative frames, I have relied on Portuguese pamphlets printed in Lisbon and a series of travel accounts. Dutch captivity writings are rare. I have mined the few that are available, using English and French accounts as counterpoint.

In sum, “old-fashioned” diplomatic sources can still tell us a lot about individual experiences, cultural practices, commercial pursuits, and political and colonial ambitions, especially when read “against the grain” and in conjunction with more impressionistic sources. They support the view that early modern diplomacy in the Mediterranean evolved as an alternative form of diplomacy that was primarily focused on preserving a merchant empire and whose diplomats, therefore, were willing to adapt to “the other” to achieve that objective. The dissertation consists of two parts. The first half discusses how the Dutch Republic and the North African states established diplomatic relations (Chapter One); how they, in the process, forged diplomacy by redefining the role of consuls (Chapter Two); and, finally, included the redemption of slaves as a diplomatic task (Chapter Three). Chapters Four and Five further examine the position of the consul by discussing the degrees of immunity North Africans granted European diplomats and exploring the competition that existed between Dutch consuls and Jewish mediators at Maghrebian courts. Chapter Five also marks the beginning of the second half of the dissertation that focuses on the “decline” of Dutch diplomacy from 1651 when the Dutch consented to ransom captives. The refound strength of the North African states vis-à-vis Constantinople and the decline of Dutch sea power allowed Algerian and Tunisian rulers to demand the ransoming of Dutch captives *en masse* and forced the Dutch state to play a prominent role in financing redemption (Chapter Six). The final chapter explores how North African demands for gifts in exchange for treaties marked the beginning of paying tribute and the end of Dutch diplomacy such as it had developed during the course of the seventeenth century.



### *A Brief History of the Dutch Republic*

In 1600, the Dutch Republic was still a new state. Until 1579, it had been part of the Low Countries, a conglomeration of regions that stretched from the northwest of Europe to present-day northern France. In 1515, the Low Countries, then ruled by the House of Burgundy, came into the hands of the Habsburgs. Charles V, the Spanish-Habsburg monarch, and his son and successor Philip II, ruled the Low Countries from an increasingly centralized government in Brussels and sought to suppress the spread of the Reformation movement in the north. These initiatives led several provinces to revolt in 1566.<sup>28</sup> The breakaway of the Northern Netherlands from Spanish dominion was a gradual process and some say, a coincidence.<sup>29</sup> Two events, in particular, marked the transition from vassal to sovereign state. In 1579, provinces and towns in the north allied themselves in the Union of Utrecht. The alliance severed ties with the southern Netherlands and that was a crucial step towards self-governing. In addition, the Estates General issued the Act of Abjuration in 1581, proclaiming Philip II to be an unjust ruler, even a tyrant, for violating local rights and privileges. The Act further declared him no longer sovereign of the Northern Netherlands.<sup>30</sup> The Estates General subsequently invited King Henri III of France and then queen Elizabeth of England to rule the Netherlands; both declined.<sup>31</sup> The search for a monarch illustrates that the republic as form of

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<sup>28</sup> J.J. Woltjer, *Tussen vrijheidsstrijd en burgeroorlog. Over de Nederlandse opstand, 1555-1580* (Amsterdam: Uitgeverij Balans, 1994), 9; Maarten Prak, *The Dutch Republic in the Seventeenth Century. The Golden Age*, trans. Diane Webb (Cambridge University Press, 2005), 16.

<sup>29</sup> Woltjer, *Vrijheidsstrijd*, 131; Prak, *The Dutch Republic*, 24.

<sup>30</sup> Jonathan I. Israel, *The Dutch Republic. Its Rise, Greatness, and Fall, 1477-1806*, paperback with corrections (Oxford, NY: Oxford University Press, 1998), 209; Prak, *The Dutch Republic*, 20.

<sup>31</sup> England and France had no desire to turn Spain into a formidable enemy. Israel, *The Dutch Republic*, 219.

government was an unintentional outcome of the revolt. With no monarch as head of state, the Dutch were left on their own. The political system they consequently developed baffled many contemporaries.

The “Republic of the Seven United Netherlands” formed a loose union. The collaboration between relatively autonomous regions, which historians refer to as “particularism,” was a unique form of government in comparison to the monarchies and empires typical in early modern Europe. Still, the union of provinces did not entail an equal distribution of power. The most powerful of all provinces, Holland, ruled the Republic *de facto*. The working of the States of Holland, the province’s governing body, reveals the “discord” between apparent collaboration and real power. Delegates from eighteen voting towns and the nobility assembled in the States of Holland. For each issue on the agenda, delegates conferred with their town councils, rendering decision-making slow and elaborate. This “consultative process,” however, was undone as local councils often decided to vote with Amsterdam, the largest and most prosperous of the eighteen towns. Holland and Amsterdam also dominated the Estates General, the highest political organ in the Republic. The Estates General, seated in The Hague (located in the south of Holland), was in charge of war and peace, church affairs, foreign policy, and all matters concerning overseas operations, ranging from navigation and traffic to the administration and establishment of colonies. Resolutions had to pass by majority vote, but Holland decided most matters, partly because it contributed the lion’s share of the Republic’s revenue in taxes, almost fifty per cent.<sup>32</sup>

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<sup>32</sup> The Estates General also ruled the *Generaliteitslanden*, that is, those regions that the Dutch conquered after the Union of Utrecht in 1579. Provinces could send a maximum of six delegates to the Estates General, but had only one vote. Israel, *The Dutch Republic*, 276-278; 285-287; 292-293; 297.

Within this political system, the offices of pensionary and stadholder were crucial. Between 1588 and 1618, Johan van Oldebarnevelt fulfilled a double function as secretary of the States of Holland and pensionary in the Estates General. Van Oldenbarnevelt's participation and mediating function in the two most important political bodies in the Republic gave him enormous influence in making state policy. The pensionary had a counterweight in the stadholder.<sup>33</sup> The stadholder, always a member of the House of Orange, oversaw the justice and administration of the province(s) by which he was appointed. The stadholder of Holland and Zeeland wielded most power as captain-general of the Union's army and commander of the navy.<sup>34</sup> Depending on the person fulfilling the positions, the pensionary and stadholder sometimes complemented each other. Usually, however, they battled over policies of war and peace, or, the monarchical ambitions of the stadholders.<sup>35</sup> The lack of a noble figure at the center of power and the amalgamation of many decentralized institutions puzzled foreign contemporaries. Nonetheless, the balance fitfully struck between political discord and unity sustained the rise of the Dutch Golden Age and the Republic's expansion into a global trade empire.<sup>36</sup>

From the 1580s onwards, a combination of factors allowed the Dutch to surpass their competitors and become the largest economic power in the world.<sup>37</sup> In the sixteenth century, Holland already controlled the Baltic trade by transporting bulk goods for the

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<sup>33</sup> Only members of the House of Orange served as stadholders.

<sup>34</sup> Israel, *The Dutch Republic*, 304-306.

<sup>35</sup> As descendants of William of Orange, the highest rank noble man who led the revolt against Spain until his murder in 1584, the stadholders always aspired a monarchical position in the Republic. The tension between stadholder and pensionary was a running theme in the history of the Dutch Republic.

<sup>36</sup> Prak, *The Dutch Republic*, 4.

lowest prices. Holland's experiences with shipbuilding and seafaring enabled its traders to accomplish long-distance voyages. What they lacked were capital and contacts. Flemish merchants, who fled to Amsterdam after the Spanish sacked Antwerp in 1585, provided these essentials. The arrival of Flemish immigrants allowed the Dutch to combine forces, seek new trading routes, and open new markets. In the 1590s, they began trading in the Caribbean, West Africa, Russia, the Mediterranean, and Asia.<sup>38</sup> The new markets gave the Dutch access to the rich trades, that is, luxury goods which required low bulk packaging. They thus successfully combined bulk products and high value merchandise. In addition, the Dutch played a central role in mediating markets worldwide; Amsterdam became the largest entrepôt in the world.<sup>39</sup> Although the Baltic trade remained the "mother-trade," Dutch commercial enterprises elsewhere were considered equally important in supporting commercial and political interests.

Van Oldenbarnevelt, as pensionary, greatly stimulated the expansion of trade as a way to pursue war against Spain. The Spanish monarch considered the revolt an act of disobedient rebels and continued to send troops, hoping to regain control over the Northern Netherlands. It would not be until the Peace of Westphalia in 1648 that the war between the Republic and Spain officially ended. War with Spain was, however, a costly affair. In 1602, therefore, Van Oldenbarnevelt initiated the merger of several companies

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<sup>37</sup> Jan de Vries and Ad van der Woude, *The First Modern Economy. Success, failure, and perseverance of the Dutch economy, 1500-1815* (Cambridge, UK: Cambridge University Press, 1997), 712.

<sup>38</sup> Prak, *The Dutch Republic*, 97-99.

<sup>39</sup> Rich trades "comprised the traffic in high-value merchandise of low bulk." In the Mediterranean, these products were mainly spices, silks, and cloth. Israel, *Dutch Primacy*, 6, 7, 53; Prak, *The Dutch Republic*, 97-99.

into a stockholding company, the Dutch East India Company (VOC). The VOC spread the risks of the investors and eventually allowed for enormous returns on investments.<sup>40</sup>

The Dutch certainly considered the rich trades in the Levant important to the expansion of their trading network and their survival as an independent state. Their emergence in the Mediterranean thus belonged to the project of building a commercial empire worldwide. Dutch merchants, often of Flemish descent, established trade connections in the Mediterranean in the 1580s and 1590s, the so-called *Straatvaart*, when they began to export kersey cloth, salted fish, and herring to northern Italy and explored new trade possibilities in the Muslim Mediterranean with Morocco and Syria.<sup>41</sup> The most visible and substantial trade in those early years was the export of Baltic grain to Italy, but Dutch merchants also eagerly pursued the trade in luxury products, such as silk and spices, from the Levant to bolster their trading networks elsewhere.<sup>42</sup>

Several factors hindered speedy expeditions to the Ottoman Empire, however. For one, the lack of the Ottoman privilege to engage in the Levant trade, the capitulations, forced Dutch merchants to sail under either English or French protection.<sup>43</sup> Furthermore, Philip III, in an on-going effort to defeat the rebels, imposed an embargo on the Dutch in

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<sup>40</sup> De Vries, *The First Modern Economy*, 388.

<sup>41</sup> Many Flemish merchants settled in the Republic after the fall of Antwerp in 1585. Wätjen, *Die Niederländer im Mittelmeergebiet*, 5; Maartje van Gelder, *Trading Places. The Netherlandish Merchants in Early Modern Venice* (Leiden: Brill, 2009), 44-48; Luuc Kooijmans, *Vriendschap en de kunst van het overleven in de zeventiende en achttiende eeuw*. Amsterdam: Bert Bakker, 1997), 18-22; A.H. de Groot, *The Ottoman Empire and the Dutch Republic: a History of the Earliest Diplomatic Relations, 1610-1630*. (Leiden: Nederlands Historisch-Archeologisch Instituut Leiden/ Istanbul, 1978), 86, 87.

<sup>42</sup> Between 1590 and 1594, 1602-1604, 1609-1613, and 1618-1619 the Dutch exported grain *only* in times of Italian shortages. Israel, *Dutch Primacy*, 53, 56. In the early 1600s, merchants Jan Corver, Jan Munter, Gerard Reynst, and Pieter Bas sailed to the Greek islands and Syria to buy cotton, silks, mohair, currants, figs, and other fruits. The fruits were necessary to offset the Spanish embargo which prevented the Dutch to import fruit to the Baltic. Israel, *Dutch Primacy*, 58-60; Van Gelder, *Trading Places*, 47-48.

<sup>43</sup> De Moucheron apparently sailed under English flag. Groot, *Ottoman Empire*, 87.

1598. The embargo prevented Dutch merchants from selling products from the Iberian peninsula (salt, fruits, and other colonial products) that were in demand among Ottoman buyers in exchange for Levant spices, silk and other luxury goods.<sup>44</sup> Until Spain revoked the embargo as part of the Twelve Year Truce in 1609, the volume of Dutch trade in the Mediterranean remained relatively low. Thereafter commerce grew substantially. Still, before 1609, Italy and the Levant proved profitable markets for the supply of spices, silk, mohair, and other luxury products in exchange for Baltic grain, bullion, and refined woolens. Many merchants, therefore, were eager to invest in trade expeditions to the Mediterranean.

Participating in Mediterranean trade, however, also exposed ship crews to a high risk of capture and enslavement. Pirates conducted a form of guerilla warfare at sea that targeted merchant vessels loaded with precious goods. The two most powerful states in the Mediterranean, Spain and the Ottoman Empire, maintained a balance of power, however, partly because many pirates operated on their behalf. Christian pirates and privateers sailed from bases in the Spanish vassal states of Sicily, Malta, and Livorno, pricking the Ottoman Empire by attacking Muslim seafarers and navies. Similarly, Muslim corsairs used port towns in Morocco and the Ottoman regencies in North Africa as bases from which to target Europeans. The most notorious, Salé, Algiers, and Tunis, often re-used Christian vessels in their own fleets, sold the stolen cargoes in a commercial network that spanned from Italy to Morocco, and enslaved Christians with the purpose of exchanging them for ransom.<sup>45</sup> Although these port cities aided the

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<sup>44</sup> Israel, *Dutch Primacy*, 59.

<sup>45</sup> To understand Christian complicity in building an illegal network sustaining the capture and ransoming of captives, see especially Wolfgang Kaiser, "Introduction." In *Le Commerce des Captifs. Les*

Ottoman Empire, their profits also sustained the economies and social structures of Salé and Algiers.<sup>46</sup> Piracy and slavery, in other words, crossed religious, economic, and political borders. Christian and Muslim victims therefore experienced the same effects: loss of life, liberty, and goods. Once Dutch merchants passed the Straits of Gibraltar at the end of the sixteenth century, they, too, fell prey to corsairs. The first Dutch response was to seek contact with Morocco and find a diplomatic solution. These negotiations laid the foundation for a Dutch diplomatic-mercantile network that, over the course of time, redefined early modern diplomacy in the western Mediterranean.

### ***Definitions***

In order to avoid the negative connotations of the term “Barbary,” I use the geographical terms North Africa and western Mediterranean, or the Arabic term Maghreb, unless the context requires otherwise. North Africa comprised the republic of Salé, the kingdom of Morocco, and the regencies of Algiers, Tunis, and Tripoli.

The Dutch Republic is known under different names, such as the Republic of the Seven United Provinces, the Union, the Republic, the Netherlands, and the Low Countries. Present-day Belgium was known as the Spanish Netherlands in the early modern period. I use mostly the Republic, or simply the Dutch, although the other terms occasionally appear. In terms of Dutch institutions, the Estates General and the States of Holland governed the Republic. The phrase “the Dutch government” refers to the Estates

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*Intermédiaires dans l'échange et le rachat des prisonniers en Méditerranée, XVe - XVIIIe siècle*, ed. Wolfgang Kaiser, 1-14 (Rome: École Française de Rome, 2008), 14.

General only, because this political body was responsible for all foreign affairs, including those in the Mediterranean. Other terms used for the Estates General are the Generality and The Hague. The term States of Holland will be used when appropriate, that is, to refer specifically to Holland and not the Republic as a whole.

Dutch sources use “slaves” and “captives” interchangeably. I do the same. Pirates refer to individuals from all backgrounds who either operated with or without state commission. Privateers refer to Christian pirates operating under state commission. Corsairs are Muslim pirates from North Africa.

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<sup>46</sup> Nabil Matar, “Introduction: England and Mediterranean Captivity, 1577-1704.” In *Piracy, Slavery, and Redemption. Barbary Captivity Narratives from Early Modern England*. Selected and edited by Daniel J. Vitkus, 1-52 (New York: Columbia University Press, 2001), 9; Weiss, *Captives and Corsairs*, 12.



## Chapter 1. The Origins of Dutch Diplomacy in North Africa, 1596 -1622

In late summer 1615, Hillebrant Quast and Jan Pellecoren, commanders in the Dutch navy, lay at anchor in the bay of Algiers with five warships. They found themselves in a difficult position. The Dutch government had given them strict orders to liberate Dutch captives from Algerian captivity. The captives, mostly crew members from merchant vessels trading with Italy and the Levant, had been captured by corsairs from North Africa and sold on the slave market in Algiers. Pellecoren tried to persuade Algerian officials ashore to release the captives. He based his claim on the capitulations (*adhnames*) that sultan Ahmad I (r.1603-1617) had bestowed upon the Dutch Republic in 1612. The capitulations gave the Dutch the right to trade in the Levant, but also stipulated the *gratis* release, that is, payment without ransom, of all Dutch captives in the Ottoman Empire, including from its vassal state Algiers. Algerian officials, however, steadfastly refused to free Dutch captives on those terms. Pellecoren had no choice but to return to his ships empty-handed. He and Quast considered the Algerian refusal a violation of law and, therefore, unacceptable. In retaliation, they raised the blood flag (a red flag that signaled attack), fired shots at the city, and claimed all Algerians to be “rabble.”<sup>47</sup>

Pellecoren’s original use of the word *canaille* to describe the inhabitants of Algiers reflects how Europeans in general viewed North Africans in the seventeenth century: as bandits who robbed the Europeans of their goods, enslaved Christian crews, and flouted international law. Given Europe’s firm belief in the law of nations, it seems indeed paradoxical that the Dutch state, as well as England and France, actively pursued diplomatic relations with the “lawless” kingdoms and regencies of seventeenth-century

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<sup>47</sup> Resolution Estates General, May 26 1615, BGLH, 1: 662-664; Weber, *Beveiliging*, 95- 97.

North Africa.<sup>48</sup> If diplomacy sustained relations between independent states on equal footing, as traditional historiography has argued, then why would Europeans seek to set up diplomatic exchanges with states they believed had no respect for international law? The mission of Quast and Pellecoren, after all, illustrated the usual reality of European relations with North Africa; a series of violent confrontations rather than attempts to build lasting ties. The frequent breaches of treaties and the sometimes abominable treatment of European consuls also did not contribute to the existence of “meaningful” European diplomatic relations with North Africa.

All this is undeniable and yet, as this chapter argues, diplomacy *did* develop in North Africa in a full-fledged form, albeit on different terms than traditionally understood. Dutch diplomats sought to use the tenets of international law to overcome precisely those “habits” they associated with the North Africans: piracy and the seizing of captives. The type of diplomacy that consequently developed reveals that European relations with Maghrebian states were neither as paradoxical nor as senseless as it might first seem.

The traditional historical interpretation of what early modern diplomacy is and how it evolves goes a long way to explaining why most historians have failed to recognize that the relations between Europeans and North Africans really represented an important form of diplomacy.<sup>49</sup> A half century ago, Garrett Mattingly argued that during

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<sup>48</sup> Arthur Nussbaum defined the law of nations as “the law governing relations among independent states,” although it would perhaps be more accurate to say that it was the *search* for such a law. Nussbaum, *Law of Nations*, 14; Mattingly, *Renaissance Diplomacy*, 283; Benedict Kingsbury and Benjamin Straumann, *The Roman Foundations of the Law of Nations: Alberico Gentili and the Justice of Empire* (Oxford, NY: Oxford University Press, 2010), 1, 2.

<sup>49</sup> Fisher, *Barbary Legend*, vi, 145; Braudel, *The Mediterranean*, 870; Laroui, *Maghrib*, 244, 253-254. Anderson speaks of a strong European state-system, and a weaker, “less-developed periphery.” Anderson, 31.

the Renaissance, Italian city states laid the foundations for modern diplomacy. Rulers became aware that it was cheaper and more effective to establish resident embassies than to wage unceasing warfare. Therefore, they dispatched ambassadors to foreign courts to promote the “preservation and aggrandizement” of their states.<sup>50</sup> Because Renaissance diplomacy reflected the rise of sovereign states in Europe, resident embassies quickly spread throughout Europe after the French invasion of Italy in 1495. Together, these formed a network of permanent diplomatic posts that, admittedly with ups and downs, maintained regular, peaceful relations between independent European states for centuries to come.

Compelled by the force of the “Mattingly paradigm,” historians since 1955 have usually linked the development of early modern diplomacy to the existence of the resident embassy. The reverse was almost tautological: no resident ambassador, no diplomacy. Only the mediation of ambassadors, who, equipped with rhetorical and negotiating skills, represented the interests of their state at foreign courts and signaled the intent to maintain regular relations with a foreign prince. Without the resident embassy, in other words, virtually no international relations existed. If we apply these criteria to North Africa as the *sine qua non* of diplomacy, it is easy to see why so many historians have found the idea of diplomacy in the Maghreb problematic. While Christian ambassadors began to reside at courts throughout Europe and even in the Ottoman Empire upon invitation of the sultan from the fifteenth century onwards, the Maghreb never hosted Christian resident embassies nor did Muslim rulers establish permanent diplomatic representation in Europe. The resident embassy, in short, was absent in European-North African relations. If the resident embassy and its goal of maintaining

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<sup>50</sup> Mattingly, *Renaissance Diplomacy*, 63.

long-term political relations is the norm used to detect and interpret the evolving nature of diplomacy, then the entire North African region fails to fulfill the definition.

Yet these appearances deceive and European consuls residing in port cities such as Algiers and Tunis, as well as North African ambassadors and other delegates on temporary missions to Amsterdam and London, indeed forged important diplomatic links between east and west. Their existence indicates that another form of early modern diplomacy emerged in the Mediterranean, albeit one that historians have not yet recognized as such. Instead of establishing permanent embassies in North Africa, Dutch diplomacy depended on consuls who promoted commerce at large and the liberation of captives in particular. Consuls pursued ad hoc solutions and adapted North African customs of negotiation that, over the course of the seventeenth century, eventually resulted in their paying tribute to Muslim rulers. In other words, Dutch diplomacy did not aim to regularize permanent relations between east and west through resident embassies and follow the western course of developing diplomacy. Instead, it adapted Maghrebian rules of conduct and diplomatic practices to promote the commercial interests of the Dutch state in individual instances. Although the origins and form of this diplomacy thus differed from the model usually advanced, diplomacy in the western Mediterranean did not, for all that, radically differ from what we presume diplomacy to be, that is, as a tool of sovereign states to benefit their interests. Indeed, Dutch diplomacy in the western Mediterranean fully reflected the spirit and ambitions of the Dutch Republic as a merchant empire.

This chapter demonstrates how, beginning in the late 1500s, the Dutch sought to promote and protect trade in the Mediterranean through the customary way of concluding

treaties. It examines the treaties that the Republic signed with the kingdom of Morocco and the Ottoman regencies to reveal how the Protestant Republic built and nurtured its commercial-diplomatic network in the Muslim Mediterranean. Analyzing international agreements might easily fall into the category of old-fashioned and boring, yet their clauses and articles, as Peter Coclanis has recently observed, reveal “hidden dimensions” of otherwise “inexplicable” events and processes. Coclanis himself, for instance, demonstrated how early modern Europeans used treaties to regulate political and economic power in east Asia.<sup>51</sup> In the Mediterranean, the Dutch Republic similarly instrumentalized international law to promote commercial interests, including the redemption of slaves. Whereas Coclanis, however, focused primarily on treaties between European states, treaty-making in the Mediterranean reveals the crucial role Muslim rulers played in shaping international law. An analysis of these treaties demonstrates three ways in which the origins of Dutch diplomacy in North Africa deviated from the standard interpretation of how early modern diplomacy emerged and yet created another, equally important set of diplomatic relations.

The Republic’s attempt to curb piracy and facilitate redemption by law is the initial theme that marks the emergence of Dutch diplomacy in North Africa. The Dutch strongly believed that the seizure of Dutch seafarers infringed the principles of free trade, a concept that they considered of vital importance in defending their quest for “dominion” over the seas. The Dutch government consequently argued that the capture and enslavement of Dutch seafarers violated free trade and the unhindered navigation of the seas; thus Dutch captives should be released without paying ransom as a matter of

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<sup>51</sup> Peter A. Coclanis, “The Hidden Dimension: “European” Treaties in Global Perspective, 1500-1800.” *Historically Speaking* (January 2010): 12-14.

international law. These claims, not surprisingly, met fierce opposition in North Africa, producing an impasse that was not broken until 1651 when the Republic concluded a treaty with Salé in which they consented to ransom captives instead of insisting on their “free” release. Nonetheless, Dutch efforts to obtain the *gratis* liberation of captives through treaty-making in the early decades of the seventeenth century demonstrate that the Republic fully intended to use international law to regulate commercial affairs in the Mediterranean.

Dutch diplomacy, secondly, originated in and served the mercantile world. The interaction between Dutch merchants and the political authorities is a well-known phenomenon in the history of the Republic. Not surprisingly, it manifested itself as well in affairs touching North Africa.<sup>52</sup> Amsterdam merchants trading with Morocco suggested that the Dutch government seek a treaty with the Moroccan king Ahmad al-Mansur (r.1578-1603) and provided the first diplomatic agents from their own ranks. The close collaboration between traders and *regents*, often one and the same men in the early decades of the seventeenth century, reveal that commerce preceded Dutch diplomacy in North Africa. Many historians have drawn the same conclusion, but failed to notice that these early commercial-diplomatic networks also challenge our traditional understanding of early modern diplomacy. Dutch diplomacy in the Mediterranean principally sought to resolve disputes with states that obstructed commerce (those in North Africa) and build relations with those who promoted it (the Ottoman Empire). The goal was not expressly to use diplomacy to maintain “political” relations with the Muslim Mediterranean, although the two objectives were not mutually exclusive. The overtures and subsequent

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<sup>52</sup> Israel, *Dutch Primacy*, 16, 17; Weber, *Beveiliging*, 79; Brakel, *Hollandse Handels-compagnieën*, xxiii-xxviii.

evolution of Dutch-North African diplomatic relations demonstrate that early modern diplomacy did not necessarily constitute a network of resident embassies that sustained political relations, rather it served to promote and protect the commercial interests of merchant empires. These solutions were usually more specific and often even temporary in nature.

Finally, the treaties reveal that North African authorities also played a major role in shaping early modern diplomacy. Moroccan, Ottoman, Algerian, and Tunisian rulers had only one thing to gain by halting corsairs' piracy; it would open the door for an alliance with the powerful Republic against the mutual archenemy Spain. As a result, Muslim rulers pursued agreements with the Republic as eagerly as the Dutch sought treaties with the Islamic world. The recognition that non-European states actively helped create and define international law is not new. More than forty years ago, C.H. Alexandrowicz argued that in the early modern period Asian states helped expand the idea of the law of nations beyond Europe's borders.<sup>53</sup> In the Mediterranean, historians have similarly maintained that the capitulations can also be viewed as prescribing the rights and status of diplomats and foreigners in the Ottoman Empire.<sup>54</sup> The power of the Ottomans as a dominant force in shaping Mediterranean diplomacy has long overshadowed the role of the Moroccan king, as well as officials in Algiers and Tunis, in the history of relations with European states. The 1610 and 1622 treaties between the Dutch Republic and the North African states, however, demonstrate that rulers in the

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<sup>53</sup> C.H. Alexandrowicz, *An Introduction to the History of the Law of Nations in the East Indies (16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> centuries)* (Oxford, UK: Clarendon Press, 1967), v.

<sup>54</sup> Boogert, *The Capitulations*, 10-11; Kramers, *Analecta Orientalia*, 80-81; Karl-Heinz Ziegler, "The Peace Treaties of the Ottoman Empire with European Christian Powers." In *Peace Treaties and International Law in European History*, ed. Randall Lesaffer, 338-364. Cambridge, UK, Cambridge University Press, 2004.

Maghreb also sought to build political alliances with the Dutch Republic in exchange for commercial favors. Trade and military assistance formed the common ground on which the Protestant state and Muslim powers based their relations.<sup>55</sup> Although the Muslim's interest in military alliances with the Dutch waned over the course of the seventeenth century, the influence of North African society in the shaping of diplomatic practices nonetheless persisted and even grew. The agency of the Maghrebian rulers shows that early modern diplomacy did not develop as a Dutch or European import to the region, but rather arose in interaction between different cultures.

This chapter follows, in chronological order, the ways in which Dutch-North African relations evolved. The first section focuses on Morocco between 1596 and 1610 and analyzes how the captivity of Dutch seafarers forced the Republic to seek diplomatic contact with Morocco and how the Estates General and the Moroccan king sealed an alliance with a treaty in 1610. For the period 1612-1615, the scene shifts to Constantinople where Cornelis Haga, the newly appointed Dutch ambassador there, drew on Ottoman support to force the regencies of Algiers and Tunis to abide by the capitulations. Because the Ottoman regencies in North Africa enjoyed almost complete independence from Constantinople, the Dutch Republic was forced to begin separate diplomatic relations with Algiers and Tunis and to establish a consulate in the Maghreb. The last section turns to North Africa and discusses how, between 1616 and 1622, the Dutch combined diplomacy and naval power to compel the *gratis* liberation of their captives. When diplomacy failed and the Dutch navy weighed in, war with Algiers and

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<sup>55</sup> Richard White introduced the term “middle ground” to define French-Indian relations in eighteenth-century North America. He argued that both sides adopted elements of “the other” to reach common ground. At this stage in Dutch-Muslim relations in the Mediterranean, however, common ground refers to shared interests, not (yet) adoption of certain elements of another culture. White, *The Middle Ground*, x.



Tunis seemed inevitable. The end of the Twelve Year Truce with Spain in 1621, however, forced the Dutch to reconsider their policies and they concluded an alliance with Algiers and Tunis in 1622. The treaties lacked clauses on either free trade or on the liberation of Dutch captives and thus reflect the end of an era in which the Dutch attempted to regulate piracy and captivity by the application of international law.

### ***Dutch-Moroccan Overtures, 1596-1610***

The capture and enslavement of Dutch sailors by corsairs along the Spanish and Moroccan coasts forced the Dutch Republic to seek diplomatic contact with the kingdom of Morocco. Captivity undermined Dutch sovereignty and, of course, imperiled trade. The captives were all men serving in the vast Dutch merchant marine: sailors, captains, surgeons, cooks, and cabin boys. The Dutch perceived their captivity as a symbolic, yet very real threat, to attempts to assert free access to the seas and secure independence from Spain. Thus, beginning in 1596, the Republic repeatedly dispatched agents to the court of Mulay Ahmad al-Mansur to pursue a treaty and secure the liberty of the captives. Moroccan rulers, however, had nothing to gain by halting the corsairs. Port towns like Salé thrived on the sale of stolen goods and enjoyed a well-developed and profitable business in the ransoming of captives. Only when Zaydān (r.1603-1618), al-Mansur's son and successor, realized the potential of the Dutch as an ally against Spain, equally Morocco's enemy, did he agree to a treaty in 1610. The accord marked the first alliance between the Protestant Republic and a Muslim state in the Mediterranean. An analysis of the origins of that agreement demonstrates how the captivity of Dutch sailors necessitated diplomatic overtures, yet it also exposes the fundamental contradictions between the

intentions of the Dutch and Moroccan states as well as their divergent interests. In the end, however, both sides found common ground in commerce and military alliance, yet did not find it useful to establish resident embassies.

Beginning in the late sixteenth century, Dutch merchants established and expanded trade networks in the Mediterranean. Particularly critical here were the connections Flemish merchants maintained with the Mediterranean. When these merchants fled Antwerp in 1585 and settled in the Northern Netherlands, they carried with them valuable contacts and capital.<sup>56</sup> The Della Faille family, for example, built a trading house whose reach extended throughout northern and southern Italy as well as into North Africa.<sup>57</sup> Information on competitors, familiarity with local customs, and personal contacts made the vast network of merchant families a vital resource for the Dutch Republic everywhere in the Mediterranean. Consequently, the young republic considered merchants a crucial element in sustaining their commercial and their political interests overseas. It is therefore no surprise that the Dutch merchant community in Morocco was one of the first to press the government to seek a diplomatic solution to the threat of piracy and the enslavement of their employees.

In 1596, merchants from Amsterdam urged the town council to send Bartholomeus Jacobsz, a fellow trader, to the Estates General in The Hague to complain about the damage pirates had done to their property and investments, not to mention the loss of lives and the misery caused on families and relatives left behind. Jacobsz reported that Dutch merchant vessels from Venice, Livorno, Pisa, and Genoa, among other places,

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<sup>56</sup> Wätjen, *Die Niederländer im Mittelmeergebiet*, 5; Van Gelder, *Trading Places*, 44-48.

<sup>57</sup> W. Brulez, *De firma Della Faille en de internationale handel van de Vlaamse firma's in de 16e eeuw* (Brussels, 1959), 124-145; Kooijmans, *Vriendschap*, 18; Groot, *Ottoman Empire*, 86-87.

encountered “evident dangers . . . from the Spaniard[s] and the Moors [alike].”<sup>58</sup> Sailors ended up in North African captivity, were enslaved and set to rowing Spanish galleys, and often died in battle.<sup>59</sup> The ongoing armed struggle for independence from Spain prevented the Dutch from concluding commercial or diplomatic relations with Philip III to ensure the safety of their merchant fleet in the Mediterranean. Thus, they turned their attention to Morocco to solve a series of outstanding commercial and political problems. In their petition, the Amsterdam merchants observed that the English capitulations of 1581 protected English trade from corsair depredations; “[people of] that nation cannot be captured in Barbary or Turkey.”<sup>60</sup> The Amsterdam merchants believed that a separate alliance with the Moroccan king would achieve the same results as the English capitulations with the Ottoman emperor had done. Jacobsz therefore requested the Estates General to seek an alliance with Mulay Ahmad al-Mansur in order to promote commerce, prevent the capture of so many “poor subjects,” and redeem those already seized.<sup>61</sup>

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<sup>58</sup> “want comende opte custe offte reen van Babarien worden gecaptiveert, comende in de Spaengaerts handen worden ommegebracht ofte op geleye geworpen, alsoo myne Edele Heeren dat wel weeten. Waerdoor veel benaude moeders ende kynderen gemaect worden, jae veel weduwen ende weesen, alsoo het tot diversche reyse gesciet is, dat schepen-volck genomen es van de Spaingaerden door dien sy nyet en costen van Barbarien aendoen ofte hare havens ofte reen nemen.” Request Amsterdam merchants, Oct. 15 1596, Henry de Castries, *Les Sources inédites de l’histoire du Maroc de 1530 à 1845. Première série - Dynastie Saadienne 1530-1660. Archives et bibliothèques des Pays Bas* [hereafter SIHM] Paris: Ernest Leroux, éditeur, 1906, The Hague: Martinus Nijhoff, 1906-1923, 1: 19.

<sup>59</sup> Scant evidence prohibits us from determining how many Dutch citizens were held captive or died in the 1590s. Two documents from around 1609 suggest that about twenty five Dutch men were held captive in Morocco and Fez. List captives in Barbary, August 7 1609, National Archives [hereafter NA], toegang 1.01.02, inv. nr. 6888. The second document is undated.

<sup>60</sup> Request Amsterdam merchants, Oct. 15, 1596, SIHM, 1: 15-20. Besides Ottoman-English relations, Queen Elizabeth and al-Mansur had also been pondering an alliance against Spain since the 1580s. Richard L. Smith, *Ahmad al-Mansur. Islamic Visionary*, The Library of World Biography (New York: Pearson Longman, 2006), 58-62, 138-140. For the English capitulations, see Alfred C. Wood, *A History of the Levant Company* [1935], 2<sup>nd</sup> impression, (New York: Barnes & Noble, 1964), 11.

<sup>61</sup> Request Amsterdam merchants, Oct. 15, 1596, SIHM, 1: 15-20.

Jacobsz's request reveals how the twin problems of piracy and slavery drove merchants to seek state intervention and to establish diplomatic contacts with the Islamic world.

The close collaboration between merchants and government continued over the next decades. The Dutch government requested the merchant Jacob Bartholomeusz to act as Dutch representative at the court of Mulay Ahmad al-Mansur because otherwise they had no representative there<sup>62</sup> This observation reveals that the young Republic stood at the beginning of its overseas diplomatic development, had little experience or personnel, and could only rely on merchants and mercantile expertise. Similarly, in 1605, the Republic appointed Pieter Maertensz Coy from Schiedam, another merchant, as agent to Morocco in a renewed attempt to obtain a treaty. The appointments of Bartholomeusz and Coy as agents to Morocco were thus natural consequences of an expanding Dutch mercantile network, whose participants turned to the state in order to protect their trade and their people in the volatile world of the western Mediterranean. Early modern Dutch diplomacy, at least at first, therefore, operated as a commercial support network with the explicit goal of protecting and promoting the interests of merchants and the state alike.

In seeking a treaty with the Moroccan king to minimize the number of sailors captured and to facilitate their redemption, the Dutch also followed the example of the English in adapting to Mediterranean diplomatic customs: to appease the king they presented him with freed Moroccan slaves as a gift.<sup>63</sup> In 1596, the Dutch delegation

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<sup>62</sup> Resolution Estates General Bartholomeusz, Oct. 15, 1596, SIHM, 1: 21-23; Letter of Estates General to Mulay al-Mansur, Oct.15, 1596, SIHM, 1: 24-30. A letter from Jacobsz. to the States General in April 1609 suggests that Jacobsz accepted the mission and became the first Dutch agent to North Africa. Letter of Bartholomeus Jacobsz to Estates General, April 23, 1609, SIHM, vol.1 , 331-333.

<sup>63</sup> The English appeased the Turks by handing them Turkish and Moorish slaves whom admiral Drake had liberated from Ingen. Request Amsterdam merchants, Oct. 15, 1596, SIHM, 1: 15-20. The custom occurred well into the eighteenth century. In 1766, for instance, the Moroccan king sent ambassador Hamet Elgazal to the Court of Madrid. Elgazal made a grand tour to the Spanish strongholds in North Africa and the

brought with them Mahumeth Oachia, a Moroccan slave whom the Dutch had liberated from Spanish captivity. They hoped he would tell the Moroccan king that he had been treated in the Netherlands with courtesy and kindness.<sup>64</sup> When, however, the Dutch received no response to this overture and the capture and enslavement of Dutch seafarers continued unabated, they asked Pieter Maertensz. Coy to head up a second mission. Coy took about 135 Moorish and Turkish slaves with him, all of whom the Dutch had liberated from Spanish vessels at Sluis, a port town close to the Dutch-Flemish border in the Republic.<sup>65</sup> Hoping that returning Muslim slaves to their homes would generate good will and facilitate further negotiations, the Dutch took some pains to treat these ex-captives well as they were conveyed back to North Africa. Each slave, for instance, received a pound of bread or biscuits, half a pound of cheese, and a mug of beer daily.<sup>66</sup> The return of the Moorish and Turkish captives thus formed part of a diplomatic strategy to facilitate the redemption of Dutch slaves.

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Spanish peninsula. He brought along Spanish captives to give to the Spanish king as a gesture of goodwill. *Nova relaçãõ da embaixada que mandou o imperador de Marrocos a el-rey catholico: e da viagem que fez o embaixador Cide Hamet Elgazel*. (Lisboa, 1766).

<sup>64</sup> Mahumeth Oachia was enslaved in the town of Calis Malis. When the Dutch, in a collaborative effort with the English, attacked and plundered the town, they freed Mahumeth Oachia and brought him back to the Republic. This probably happened under admiral Essex's command of the Anglo-Dutch fleet against Cadiz in 1596. Letter of Estates General to Mulay al-Mansur, Oct. 15, 1596, SIHM, 1: 24-30; Jaap R. Bruijn, *Varend Verleden. De Nederlandse oorlogsvloot in de zeventiende en achttiende eeuw*. (Meppel: Uitgeverij Balans, 1998), 5.

<sup>65</sup> Weber, *Beveiliging*, 9. In the war with Spain, Dutch vessels broke a blockade of Spanish ships at Sluis, in Zeeland, on May 26, 1603; R.B. Prud'Homme van Reine and E.W. van der Oest, *Kapers op de kust. Nederlandse kaapvaart en piraterij, 1500-1800* (Flushing: Uitgeverij ADZ, 1991), 39; Groot, *Ottoman Empire*, 92.

<sup>66</sup> Other instructions included that, twice a week, captives ate a warm meal, such as peas, grits, fish, or meat. Upon arrival in Morocco, each slave received another three or four pounds of bread and a piece of cheese. Coy could spend twelve guilders to dress them. After delivering the captives in Morocco, Captain Gerritsz had to sail to Algiers and deliver the remaining slaves over there. Resolution Estates General, March 29, 1605, SIHM, 1: 53-55; Letter of Coy to Estates General, April 4, 1605, SIHM, 1: 56-58; Contract for transportation, April 29, 1604, SIHM, 1: 65-70.

Despite the careful preparations of the Dutch, however, a raging civil war prevented Moroccan rulers from immediately responding to these initiatives. Since al-Mansur's death in 1603, his three sons Mohammed ech-Cheikh, Abdallah Abou Farès, and Zaydān had been fighting over the throne. In January 1606, Abou Farès thanked Coy heartily for his presents and the released slaves, but delayed a year before allowing the Dutch to trade freely in Morocco and before promising to receive Dutch subjects with "*courtoisie et bon visage*."<sup>67</sup> Although the Moroccan king officially permitted Dutch merchants to trade, his oral concession made little real difference to the Republic; merchants had been trading with Morocco since at least the 1590s. More importantly, the king did not give the Dutch what they really desired. He withheld a treaty and refused to liberate captives. Coy's first attempt, therefore, had failed. Since Coy had been appointed for a period of two years, however, he remained in Morocco and continued to pursue a treaty. Despite these initial setbacks, the Dutch held on tenaciously to the idea that the solution to the questions of piracy and captivity in the Mediterranean lay in international law.

The ongoing civil war probably frustrated any effort on the part of the quarreling Moroccan claimants to the throne to engage in productive diplomacy. But there were other reasons why the Moroccans refused to treat with the Dutch on the issue of pirate attacks and the persistent problem of the enslavement of Dutch seafarers. Piracy itself was one of these. Although the Dutch complained about the misdeeds of Moroccan corsairs, they also remained aware that piracy was not solely a North African problem. Indeed, Coy knew that Dutch and English pirates roaming the Moroccan coast also

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<sup>67</sup> Letter of Coy to Estates General, Marrakech, July 15, 1605, SIHM, 1: 95; Letter of Joseph Scaliger to François van Aersens, Leiden, Jan. 27, 1606, SIHM, 1: 155-157.

formed a significant threat to his mission. He warned the Estates General “how beyond measure, some pirates, both English and Dutch, steal and rob here on the coast, in such degree that no ship can arrive [safely] at the moorings. No matter what nation [the ships] are from, [the pirates] take them; none of which I can explain to the [Moroccan] king.”<sup>68</sup> Coy rightfully wondered how he could petition the Moroccan king to control Moroccan corsairs, if the Dutch and English failed to restrain their own.

Coy’s complaint revealed the larger issue of piracy facing the Dutch government. Dutch and English privateering had quickly arisen at the end of the sixteenth century when both countries, each for its own reasons, battled Spain and commissioned private citizens (privateers) to attack belligerent, that is, Spanish ships and seize their goods.<sup>69</sup> The widely accepted image of powerful Dutch and English navies is deceptive here. At this stage, Dutch naval strength in no way rivaled Spain’s. Privateers had, however, made a difference and were crucial in undermining the power of the Spanish navy and in building the national maritime power of the Dutch.<sup>70</sup> By 1606, however, many

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<sup>68</sup> “In myn voorgaenden hebbe Uwe Mogende Heeren [geadvertteert] hoe buyten maeten sommige pieraten, zoo Engelschen als Neederlanders, hier op de coste steelen en roven, in sulcken voegen datter gheenighe schepen op de reede connen comen, van wat natie dat het sy, ofte sy nement, alle het welck ick voor den Coninck niet can verdedighen. Uw Mogende Heeren zullen gelieven hier in ordre te stellen, om clachten te evitteeren.” Letter of Coy to Estates General, Marrakech, Jan. 2, 1607, SIHM, 1: 177-178.

<sup>69</sup> Kenneth Andrews, ed., *English Privateering Voyages to the West Indies, 1588-1595; documents relating to English voyages to the West Indies from the defeat of the armada to the last voyage of Sir Francis Drake, including Spanish documents contributed by Irene A. Wright* (Cambridge, UK: Cambridge University Press, 1959), 6. The Burgundy rulers allowed admirals to commission privateers in 1488, but retracted this right in 1540. When Philips III imposed an embargo on Dutch trade with the Iberian peninsula in 1598, Dutch authorities declared Portuguese and Spanish vessels to be “a good price,” creating new privateers and freebooters. Louis Sicking, *Zeemacht en onmacht. Maritieme politiek in de Nederlanden, 1488-1558* (Amsterdam: De Bataafsche Leeuw, 1998), 215; I.J. Loo, “Kaapvaart, handel en staatsbelang. Het gebruik van kaapvaart als maritiem machtsmiddel en vorm van ondernemerschap tijdens de Nederlandse Opstand, 1568-1648,” in *Ondernemers en bestuurders. Economie en politiek in de noordelijke Nederlanden in de late middeleeuwen en vroegmoderne tijd*, eds. Clé Lesger and Leo Noordegraaf, 349-368 (Amsterdam: NEHA, 1999), 356; Israel, *Dutch Primacy*, 56.

<sup>70</sup> The Dutch navy needed all its vessels for the protection of the Dutch coast against the *Duinkerkers*, Flemish privateers who operated under Spanish authority against the Dutch. The Dutch *Watergeuzen* (Sea-

freebooters had become outright pirates, using their commission letters as a pretext to molest anyone they chose. Operating quite indiscriminately along the Moroccan and Spanish coasts, they targeted persons and goods that belonged to states and sovereigns with whom the Dutch government was allied as well as with enemies of the Republic.<sup>71</sup> Dutch piracy hindered international trade and therefore eroded the relations that the young Republic maintained with neighboring states in Europe and with North Africa.

In a 1606 resolution, the Estates General ordered privateers “of all nationalities” who sailed under Dutch government licenses (*lettres de marques*) north of the Tropic of Cancer, to return to the Republic immediately and account for their “excesses” at the court of admiralties.<sup>72</sup> By holding pirates accountable for their deeds, the Dutch government proclaimed piracy unlawful, at least in the northern seas. More important, the order included the persecution of pirates of *all* nationalities. It reveals that the Dutch government did not consider piracy to be an issue solely between Muslims and Christians. Rather, it defined piracy as disruptive of international order and a clear breach of freedom of the seas no matter who was involved. Thus, although the 1606 promulgation did not directly address the situation in Morocco, its all-encompassing

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beggars) had been essential in fighting Spain in Dutch waters. In extension of defending their sovereignty in Europe, the Dutch and English states also allowed privateers to attack Portuguese and Spanish vessels overseas. One of the results was the expansion of Dutch and English sea power in the East and West Indies. Dutch privateers also included English men until 1605. After 1605, a new commission would cost *fl*20.000. De Bruijn, *Varend verleden*, 25; Weber, *Beveiliging*, 3, 29; Loo, “Kaapvaart,” 356, 357; Prud’Homme, *Kapers op de Kust*, 12; J.C.A. de Meij, *De Watergeuzen. Piraten en bevrijders* (Haarlem: Fabula - Van Dishoeck, 1980).

<sup>71</sup> Placard Vrijbuiters, July 10, 1606, *Groot Placaet Boeck, vervattende de placaten, ordonnantiën ende edicten van de Staten Generaal, de Staten van Holland en Westvriesland en de Staten van Zeeland* [hereafter GPB], ed. Cornelis Cau (The Hague, 1651), 1: 19-20.

<sup>72</sup> By distinguishing the seas north and south of the Tropical Cancer, the Estates General made an exception for those privateers who served the state, the East India Company, and the Guinea companies operating in West Africa.



nature helped justify Coy's position. He could continue to ask the Moroccan king to halt pirate attacks on Dutch vessels by arguing that the Dutch themselves were trying to stem piracy north of the Tropic of Cancer. In understanding relations between Europe and the Maghreb this is important. At least in the early 1600s, the Dutch battled piracy as a way to strengthen relations with Muslim states and not as an attack *on* those very same states.

The Estates General deployed its navy to enforce the 1606 order and punish those who violated it. Paradoxically, however, enforcing the law harmed the relations with Morocco even though it was supposed to bolster them. In 1607, when Vice-Admiral Joris van Spilbergen seized two Dutch pirate ships in the port of Safi, he entered Moroccan territorial waters without permission. It did not matter that Van Spilbergen shipped pirates, goods, and prisoners back to the Admiralties in Amsterdam, the Moroccan king considered the actions of the Dutch navy, even against other Dutch, a violation of his jurisdiction.<sup>73</sup> In retaliation, he ordered the governor of Safi to enslave the Dutch sailors who had just been seized by an English pirate. In addition, he incarcerated Coy and his assistant, David de Weert. Unfortunately for the Estates General, its attempt to fight Dutch pirates in order to preserve relations with Morocco backfired.<sup>74</sup>

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<sup>73</sup> Similarly, in spring 1606, two Dutch pirates, Jan Jacobsen Melcknap from Hoorn and Jan Jarcksen Breederode from Enkhuizen, as well as an English man, Daniel Clemens from London, each seized merchant vessels and sold the contrabande goods (sugar and corn) in Safi. The Estates General promptly ordered the admiralties to punish them for violating their commissions and to set an example of "law and justice." *Memorie on European pirates*, May 1607, SIHM, 1: 224-226; *Letter of Coy to Estates General, Marrakesh*, May 18, 1606, SIHM, 1: 151-153; *Resolution Estates General Melcknap*, Sept. 11, 1606, SIHM, 1: 158-159; *Resolution Estates General*, Aug. 25, 1607, SIHM, 1: 251-252; *Instruction Spilbergen*, May 9, 1607, SIHM, 1: 222-223.

<sup>74</sup> The French agent tried to save Coy but could do nothing more than get him in a better prison. *Letter of Coy to Estates General, Marrakech*, May 18, 1606, SIHM, 1: 151-153; *Letter of David de Weert to Jacobsz, Safi*, June 3, 1607, SIHM, 1: 227-231; *Letter of Arnoult de Lisle, Marakech*, June 4, 1607, SIHM, 1: 232-234.

The Dutch government pleaded with the Moroccan king to release Coy and the Dutch sailors, arguing that Van Spilbergen had orders to move against pirates who assailed friend and foe alike. The government also enlisted the aid of other Europeans by asking Arnoult de Lisle, the French agent in Morocco, to intervene on behalf of the Dutch. In addition, the Estates General requested James I to put a halt to English piracy and to assist in obtaining the release of Coy. These efforts paid off. On 19 June 1607, the king sent Coy home, returning all his possessions in good condition and, according to Coy, “up to the value of a pin.”<sup>75</sup> Coy’s release spelled the end of his mission. The king reassured him “for the fourth time” that he would permit the Dutch to trade as they had always done. But the king refused to discuss a treaty and he would not release Dutch captives. He used the excuse of being too busy fighting his enemies to deal with the question of redemption; besides, he found the Christian captives useful in manning his army.<sup>76</sup> Thus, at the end of his two-year assignment, all Coy had been able to gain was an oral concession that the Dutch could trade freely in Morocco. Based on this report, the Estates General decided to recall Coy in December 1607, because “your stay in Barbary can no longer serve the United Provinces.”<sup>77</sup> The development of diplomatic relations with Morocco had stalled.

The deployment of the navy to enforce the 1606 order, however, unexpectedly helped nurture diplomatic relations with Morocco. In February 1607, the government

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<sup>75</sup> Resolution Estates General release Coy, July, 23 1607, SIHM, 1: 241-242; Letter of Estates General to Zaydān, July 27, 1607, SIHM, 1: 246-248; Resolution Estates General, Aug. 3, 1607, SIHM, 1: 249-250; Letter of Coy to Estates General, Marakech, Sept. 15, 1607, SIHM, 1: 253-258.

<sup>76</sup> “alwaer ick tot heden toe geweest ben sonder yedt wt te rechten (...)” Letter of Coy to Estates General, Marakech, Sept. 15, 1607, SIHM, 1: 253-258.

<sup>77</sup> Resolution Estates General extension mission Coy, Dec. 12, 1607, SIHM, 1: 264. Resolution Estates General dismissal Coy, Dec. 13, 1607, SIHM, 1: 265-266.

instructed Admiral Jacob van Heemskerk to pursue all Dutch freebooters operating along the Moroccan coast, capture and return them for punishment, because they “robbed neutrals ... violating their instructions and commissions.”<sup>78</sup> While searching for Dutch pirates, Heemskerk encountered a Spanish warfleet off the coast of Gibraltar on 25 April 1607. Since the Republic was still at war with Spain, the admiral seized the occasion to destroy almost the entire enemy fleet of ten large galleons.<sup>79</sup> Heemskerk’s crushing defeat of a Spanish armada suddenly gave new meaning to the anti-Spanish rhetoric that the Estates General had frequently deployed in order to appeal to the Moroccan kings. The 1596 request to Mulay Ahmed al-Mansur recounted, for instance, how the Dutch had sacrificed “goods, blood, body, and life” to free themselves from Spanish tyranny.<sup>80</sup> Similarly, in 1605, the Estates General had requested the use of the port of Larache “to harm the king of Spain and the Spaniards.”<sup>81</sup> The act of brute force in 1607 achieved more than all the earlier rhetoric. The great loss of Spanish lives (about 4000 men) and twenty-one ships suddenly showed the Mediterranean world that the Dutch navy had to

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<sup>78</sup> Resolution Estates General Heemskerk, Feb. 8, 1607, SIHM, 1: 181-182. To emphasize the importance of capturing pirates along the African coast between Gibraltar and Morocco, the Estates General wrote Heemskerk a personal letter in addition to his written and oral instructions. Letter of Estates General to Heemskerk, SIHM, 1: 183-185.

<sup>79</sup> Interpretations of Heemskerk’s victory in terms of intention and outcome, date, and numbers vary. Israel, De Bruijn (April 25), and Den Tex (April 24) claim that Van Heemskerk was ordered to defeat the Spanish. The resolution of the Estates General, however, indicates that Heemskerk’s mission was to fight pirates. The encounter with the Spanish was a coincidence. This can be confirmed by Den Tex’s statement that the fleet had not been recalled, but “was engaged in privateering off the Spanish coast.” Moreover, the States of Holland and Van Oldenbarnevelt considered Heemskerk’s victory at sea also a victory at home against Maurits’s war policies on land. Resolution Estates General on Heemskerk, Feb. 8, 1607, SIHM, 1: 181-182; Letter of Estates General to Heemskerk, March 6, 1607, SIHM, 1: 183-185; Israel, *Republic*, 402; De Bruijn, *Varend Verleden*, 28; Jan den Tex, *Oldenbarnevelt* (Cambridge, UK: Cambridge University Press, 1973), vol.2, 363, 374.

<sup>80</sup> “goet, bloet, lyff ende leven” Resolution Estates General, Oct. 15, 1596, NA, 1.01.02, inv.nr. 6888.

<sup>81</sup> “den coninck van Spaignen ende de Spaignaerden affbreuck te doen”, Resolution Estates General, March 18, 1605, SIHM, 1: 50-52.

be reckoned with. The Battle of Gibraltar, as it became known, drew the interest of Muslim states which then began to seek alliances with the Dutch in face of a common enemy: Spain.<sup>82</sup> Thus, where freed slaves, gifts, and the battle against European pirates failed to advance diplomacy in the western Mediterranean, an unexpected naval battle turned the tide, marking a new departure in the history of Dutch diplomatic relations with the Islamic world.

The Battle of Gibraltar clearly demonstrates the role that North African rulers played in forging political and diplomatic bonds with the west. Shortly after the Estates General had recalled its agent, thus breaking off negotiations, the Moroccan king Zaydān suddenly expressed interest in an alliance with the Dutch. The reversal of initiatives, from the Estates General to the Moroccan king, is very significant, because most historians have focused on the Dutch as a driving force in the unfolding of Dutch-North African relations. The few records available, however, show that Moroccan rulers were powerful historical agents in their own right, often acting with just as much determination as the Dutch. Zaydān's consolidation of power in 1608 allowed him to focus on Morocco's position in the Mediterranean and especially its relation to the Spanish monarch. The Battle of Gibraltar convinced him that the Dutch were worthy military allies against Spain. Thus, Zaydān's commitment to rolling back Spanish power in the eastern Mediterranean motivated him to send a representative, Samuel Pallache, a merchant from the Jewish-Sephardic community in Morocco, to the Republic.

Pallache requested three warships to transport three hundred Moroccan troops to Tetuan, a city strategically located in northern Morocco at the Straits of Gibraltar, facing

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<sup>82</sup> Krieken, *Kapers en kooplieden*, 19; Groot, *Ottoman Empire*, 94; Weber, *Beveiliging*, 20.



Fig. 1.1 Battle of Gibraltar, April 25, 1607, painting by Cornelis van Wieringen. Commissioned by the Admiralties of Amsterdam in 1621. © Rijksmuseum, Amsterdam.

Spain.<sup>83</sup> Although the Republic and Morocco shared a common enemy in Spain, Zaydān's request for Dutch naval support in 1609 probably did not accord well with the geopolitical interests of the Dutch at the time.<sup>84</sup> Pallache's arrival in The Hague coincided with Dutch-Spanish negotiations over the Twelve Year Truce. The financial burdens of waging war had increased to such an extent that both the Republic and Spain welcomed a temporary halt to hostilities.<sup>85</sup> In that context, providing military assistance to the Moroccans did not seem prudent to the Dutch. If Zaydān employed Dutch warships

<sup>83</sup> Letter of Zaydān to Estates General, Marakech, July 21, 1609, SIHM, 1: 357-358; Request Samuel Pallache to Prince Maurits, Feb. 21, 1609, SIHM, 1: 309.

<sup>84</sup> Wätjen, *Mittelmeer*, 49; Vreede, *Nederlandsche diplomatie*, 413.

<sup>85</sup> Israel, *Dutch Republic*, 404, 405. For a complete insight into the negotiations and consequences of the truce, see Israel, *Dutch Republic*, 399-410.

against the Spanish, that would undermine the Truce. It was a difficult decision, but the Estates General finally granted the king's wish and ordered Wolffaert Hermansz to take two warships, each carrying one hundred and fifty soldiers, to Safi where he was to await the king's further orders.<sup>86</sup>

The Dutch decision to grant Zaydān's request seems more commercially than militarily motivated. Revealing, for instance, is the answer of the Estates General to the Admiralties of Amsterdam, when the latter inquired whether they should dispatch the ships to Zaydān while civil war still raged in Morocco: "After deliberation, our answer is 'yes' in order to win the king's favor, and therewith [achieve] the general free traffic of the inhabitants of the United Provinces."<sup>87</sup> In other words, the Dutch government sent its warships as a way to maintain favorable trade conditions and not primarily to provide military assistance. The instructions given to Wolffaert Hermansz support this conclusion. Hermansz, too, was to pursue "that for which Pieter Maertensz Coy has been sent to Morocco," that is, to facilitate concluding a trade agreement and achieving the liberation of Dutch citizens from Moroccan captivity.<sup>88</sup> The Estates General anticipated

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<sup>86</sup> Resolution Estates General military assistance, Feb. 21, 1609, SIHM, 1: 311, 312; Instruction Hermansz, March 3, 1609, SIHM, 1: 314-315; Instruction Admiralties of Amsterdam, March 5, 1609, SIHM, 1: 316-317.

<sup>87</sup> "Is na deliberatie verstaen jae, omme daer door te gewinnen gunste ende faveur van den coninck tot dese Landen, ende by consequentie de generale vrye trafficque voor de ingesetenen van de Vereenichde Provincien." Resolution Estates General, April 18, 1609, SIHM, 1: 329-330. The Moroccan king promised to pay for the ships and Pallache guaranteed Maurits that no Moor would embark the ships before the latter had been paid for: "Ofrese el dicho Samuel Pallache de que no dexen en Acafi embarcar ningun Moro hasta tanto que esten pagas las despezas de los tres nabios." The Estates General instructed Hermansz to ensure that the king would reimburse the costs of the ships. Letter of Samuel Pallache to Prince Maurits, Feb. 21, 1609, SIHM, 1: 309; Instruction Hermansz, April 9, 1609, SIHM, 1: 324-328.

<sup>88</sup> "permettre de bonne foy aux habitants et subjects de ces Provinces-Unies generalement la navigation, negociation, trafficque et commerce de toutes marchandises et denrées dans tous les royaumes et pays, havres, villes et places de Vostre Majesté ..." Letter of Estates General to Zaydān, April 11, 1609, SIHM, 1: 322-323; Instruction Hermansz, March 3, 1609, SIHM, 1: 314-315.

that a commander of warships would be better placed to negotiate a treaty than a merchant like Coy; such a commander could bring force, or threat of force, to bear. Hermansz's assignment also reveals that merchants, although always a critical force in shaping and defining Dutch diplomacy in the Mediterranean, did not solely determine policies. Hermansz's double assignment, as commander and negotiator, reflects the often dual nature of those involved in early modern diplomacy.

The Dutch warships arrived too late in the port of Safi to join up with the Moroccan fleet that had already sailed. Their presence nonetheless convinced Zaydān that Morocco and the Dutch Republic had found common ground. He thanked the Estates General for the gesture that "like the spring arrived after the first rains" and announced his appointment of an ambassador, "the brave and distinguished" *caid* (senior official) Hammou ben Bachir to the Dutch Republic.<sup>89</sup> Zaydān's appointment of Bachir signified that the Moroccan king now intended to develop a set of more intense diplomatic ties to the Dutch. In the early modern period, Muslim states dispatched only temporary ambassadors and even that rarely.<sup>90</sup> Bachir's appointment signaled Zaydān's recognition of the Dutch Republic as a sovereign state and his sincere wish to forge a Muslim-Protestant front against Spain.

A key factor in Zaydan's decision to ally with the Dutch was the information Bachir had gathered while in the Republic. Bachir had reported favorably on the strength of the Dutch state and its military machine. The Moroccan ambassador traveled with

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<sup>89</sup> "Nous en avons été satisfaits et l'accueil que nous leur avons fait était semblable à celui que présente le printemps après les premières pluies." Letter of Zaydān to Estates General, July 21, 1609, SIHM, 1: 351-356; Second letter of Zaydān to Estates General, Marakech, July 21, 1609, SIHM, 1: 357-358.

<sup>90</sup> After the Russians defeated the Ottomans and concluded the Peace of Küçük Kaynarca in 1774, the Ottoman Empire began to establish resident embassies in Europe. Anderson, *Modern Diplomacy*, 71.

Pallache to the Republic to express gratitude for the Dutch warships, explaining that “His Majesty” understood the delicate position of Dutch troops on Moroccan soil in the face of the truce just concluded with Spain.<sup>91</sup> More importantly, Bachir and Pallache also paid a visit to Amsterdam, the fastest growing entrepôt in Europe, and thus learned firsthand how powerful the Republic really was. Although it is unclear what information Bachir gathered, it was well received in Morocco.<sup>92</sup> When Zaydān replaced Bachir with Ahmad ben Abdallah in 1610, the latter announced upon his arrival in The Hague that, “based on the power that Your Lords hold, his Majesty would like to continue the alliance.”<sup>93</sup> Zaydān requested three or four more Dutch warships in exchange for which he offered the Estates General a loan of 1 to 1,5 million [currency unclear, EH]. He also proposed that ports in both countries should be open to allied merchant and war vessels, and that both countries should exchange ambassadors. Critically, he proposed that these terms be written down in a *sedula real* (royal document).<sup>94</sup> In other words, Zaydān finally offered the Republic what it had often sought: a written treaty instead of merely oral concessions.

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<sup>91</sup> Resolution Estates General, Oct. 10, 1609, SIHM, 1: 365. The Moroccan king assumed that the Dutch-Spanish deal was a permanent treaty rather than a temporary truce. Castries, *Sources*, 1: 368. “Y es que la Magestad de Marocos puso dificultad en que quisiesen enbiar gente de aquí, por respecto de las treguas que se avian concluydo con el rey d’Espana, cuya causa fuy para que el Rey no supliese los dineros que eran necessarios.” Letter of Hammou ben Bachir to Estates General, Oct. 12, 1609, SIHM, 1: 366-367; Second letter of Hammou ben Bachir to Estates General, Oct. 12, 1609, SIHM, 1: 368; Third letter of Hammou ben Bachir to Estates General, Oct. 12, 1609, SIHM, 1: 369-370.

<sup>92</sup> An ambassador often functioned as “an honourable spy,” attempting to discover the secrets at the courts of his host. François de Callières, *The Art of Diplomacy* [1716]. Edited by H.M.A. Keens-Soper and Karl W. Schweizer. Leicester: Leicester University Press, 1983, 80.

<sup>93</sup> “del poder que V.A. tiene, queriendo haser Su Magestad alianse con V.A. y continuarla.” Letter of Estates General to Abdallah and Pallache, June 26, 1610, SIHM, 1: 521-522. Proposal by Estates General for alliance, June 29, 1610, SIHM, 1: 523-524.

<sup>94</sup> Letter of Estates General, July 1, 1610, SIHM, 1: 525; Letter of Abdallah and Pallache to Estates General, July 8, 1610, SIHM, 1: 526-527; “A lo qual disen los dichos criados que, para el alianse, tiene dicho Su Magestad que, en el tiempo que V.A. uvieren menester dineros, que prestara un million hasta uno y medio, y assy lo dixo el alcaide Hamu ben Bxir que antisipo en la embaxada, y en ‘sta sedula real que



Thus, after Jacobsz's first attempt failed in 1596 and Coy's mission ended fruitlessly in 1607, the Moroccans finally seemed willing to sign a treaty. The timing of Zaydān's proposal was crucial. The Estates General expected Dutch trade with Portuguese and Spanish port cities to increase after Philip III lifted the embargo with the Iberian Peninsula as part of the Twelve Year Truce. Dutch voyages from Portugal and Spain to the Baltic jumped from nineteen in 1608 to sixty-eight in 1609. Similarly, Dutch remittances to the Levant more than tripled between 1604 and 1613.<sup>95</sup> All this mirrored the growth of Dutch trade, but there was also a downside: having more traders active in the Straits of Gibraltar also raised the risk of capture at sea and enslavement ashore. The Estates General hoped that an alliance with the Moroccan king would offer the means to liberate existing captives and to reduce, if not prevent, the future capture and enslavement of Dutch crews. After months of deliberations with the Council of State, and reassurances that the Moroccan king would indeed supply the money promised without demanding reimbursement, the Estates General ratified the alliance with Morocco on 16 December 1610.<sup>96</sup> It was the first treaty the Dutch concluded with an Islamic state in the Mediterranean.

The treaty marked a pivotal moment in seventeenth-century international law; in it the Dutch and Moroccans agreed on common interests. Scholars usually consider the

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nosotros traímos lo significa Su Magestad.” Second letter of Abdallah and Pallache to Estates General, July 8, 1610, SIHM, 1: 528-529.

<sup>95</sup> Israel, *Dutch Primacy*, 93, 99.

<sup>96</sup> Castries explains the ‘vagueness’ of the gift of money. Although the text speaks of “borrowing,” later documents suggests that the Estates General considered it a payment for the first two warships sent. Resolution Estates General, Dec. 16, 1610, SIHM, 1: 569-570; Letter of Abdallah and Pallache to Estates General, Dec. 16, 1610, SIHM, 1: 567-568; Resolutions Estates General, Sept. 17, 1610, Oct. 1, 1610, Nov. 2, 1610, Dec. 15, 1610, SIHM, 1: 540-541, 547, 565-566; Resolutions Council of State, Dec. 14, 1610, SIHM, 1: 542-544, 562-563.

treaty as a military alliance against Spain. Article 15 stipulated that the Moroccan king could hire or purchase men, ships, weapons, and ammunition in the Republic. Zaydān considered this military assistance crucial, because weaponry, ship building materials, and skilled labor were hard to find in North Africa. Article 15 is, however, the only article that specifically addresses military issues. The majority of clauses defined the conditions under which subjects of both the Republic and Morocco could trade freely. Thus, it seems clear that the common interests of the Moroccans and the Dutch rested not only on an alliance against Spain, but also on facilitating mutual trade. The Dutch regents probably conceded the right to purchase arms in the Republic in exchange for concessions they deemed critical: the Moroccan recognition of freedom of trade and navigation.

Moroccan and Dutch representatives concluded the treaty at a crucial moment, just when the Dutch Republic had signed the Twelve Years' Truce with Spain. One hotly disputed question in the negotiations leading up to the Truce was the right of the Dutch to trade in the East Indies, a region Portugal and Spain had previously dominated. Jacob van Heemskerck, the sea-captain who had defeated the Spanish war fleet at Gibraltar in April 1607, had four years earlier challenged the Portuguese by capturing the *Santa Catarina*, a Portuguese merchant vessel, in the Straits of Singapore. Because Heemskerck had operated under a *lettre de marque* and the value of the booty was enormous, the international community, Portugal and Spain in the vanguard, branded the act reprehensible.<sup>97</sup> The Dutch East India Company thereupon urged the young Dutch lawyer

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<sup>97</sup> Martine van Ittersum, *Profit and Principle: Hugo Grotius, Natural Rights Theories and the Rise of Dutch power in the East Indies, 1595-1615* (Leiden: Brill, 2006), 30-52; Peter Borschberg, "The Seizure of the *Sta. Catarina* Revisited: The Portuguese Empire in Asia, VOC Politics and the Origins of the Dutch-Johor Alliance (1602-c. 1616)," *Journal of Southeast Asian Studies* 33, 1 (2002): 33-34. Hugo Grotius, *The Free*

Hugo Grotius to write a defense of Heemskerck's actions. The result was *Mare Liberum*, the famous legal treatise in which Grotius vindicated Heemskerck's capture of the Portuguese carrack as an act of just war. Grotius, of course, argued that the use of sea was common to everyone and that, therefore, "all men should have free liberty of negotiation among themselves."<sup>98</sup> In other words, Grotius justified Dutch privateering acts as an expression of the right to free trade and unhindered navigation.

Although scholars consider *Mare Liberum* a foundational document in the field of international law, its immediate repercussions were of a more practical and immediate nature.<sup>99</sup> *Mare Liberum* provided Dutch regents with the legal basis to define the terms of commerce, to call for an end to pirate attacks on Dutch merchant vessels, and to achieve the liberation of captives. Article 14, for instance, enunciated a basic principle of free trade: it prohibited the formation of monopolies. The article apparently responded to an earlier conflict between Dutch merchants and Samuel Pallache, the king's agent, over the latter's octroy allowing him the exclusive right to import linen. Pallache's octroy prevented Dutch merchants from trading linen in Morocco, thus greatly reducing their incomes. They complained to the Estates General that Pallache's position as the king's diplomat gave him an unfair advantage over free traders like themselves. The Dutch government sought to resolve the problem by asking the Moroccan king to guarantee the

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*Sea*. Translated by Richard Hakluyt with William Welwod's Critique and Grotius's Reply. Edited and with an Introduction by David Armitage. (Indianapolis: Liberty Fund, 2004), xii-xiii.

<sup>98</sup> Grotius, *The Free Sea*, 49.

<sup>99</sup> Van Ittersum speaks in this context of "one of the most successful political and intellectual partnerships in history, which lasted for over a decade and marked a new departure in natural law and natural rights theories." Van Ittersum, *Profit and Principle*, liii.

freedom of trade and to refrain from granting octroys.<sup>100</sup> Although we do not know the outcome of these negotiations, article 14 resolved the matter in favor of the Dutch and exemplified how the Dutch and Moroccans turned trading principles into international law by including them in the treaty.

Although the treaty's articles never explicitly condemned corsairing, its stipulations strongly suggest that the Dutch considered corsairing in the Mediterranean unlawful. Articles 1, 3, and 5, for instance, emphasized the right of free passage for those possessing proper documentation and sought to guarantee them freedom from attack by corsairs or privateers. Similarly, the king of Morocco ordered that pirates upon arrival in Morocco would return stolen goods to their rightful owners and provide compensation.<sup>101</sup> Because Grotius defended Heemskerck's privateering in Asia as an act of just war, undertaken to protect Dutch interests against its enemies, the 1610 treaty that condemned corsairing seemed to set a double standard. The state placards of 1606, however, specifically targeted Dutch privateers operating north of the Tropic of Cancer, including in the Mediterranean. Regents thus sought to distinguish geographical areas where piracy and privateering were to be tolerated and where not. Thus, the Dutch hoped to prevent pirate attacks on their merchant fleet by basing their agreement with Morocco on this geographical distinction.

Considering the implicit condemnation of piracy as a violation of free trade set down in this document, it seems to follow that the Dutch would also consider captivity

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<sup>100</sup> Art. 14 of Dutch-Moroccan Treaty, GPB, 2: 2266. For the conflict over Pallache's monopoly, see: Instructions Hermansz, April 9, 1609, SIHM, 1: 324-328; Letter of Estates General to Zaydān, April 11, 1609, SIHM, 1: 322-323; Letter of merchant Jacobsz to Estates General, April 23, 1609, SIHM, 1: 331-333; Resolution Estates General transportation Heyllen, May 5, 1609, SIHM, 1: 337; Letter of Estates General to Zaydān, May 21, 1609, SIHM, 1: 344-345.

<sup>101</sup> Art. 1, 3, 4, 5 of Dutch-Moroccan treaty, GPB, 2: 2263.

and slavery unlawful. Nonetheless, the treaty did not condemn the practice of slavery outright and remained vague on the conditions under which Dutch captives were to be released. Article 16 simply stipulated that the king would liberate all Dutch captives in Morocco, but was not clear as to whether the king would manumit the slaves or allow them to be ransomed.<sup>102</sup> Similarly, the article prohibited the sale of Dutch captives in the future. But again, the wording is vague. Forbidding the sale of captives obviously did not prevent seizing them. Nonetheless, article 16 was the first Dutch attempt to use law to regulate how to handle the question of captivity.

In short, the treaty gave the Dutch, at least on paper, the best of both worlds. It promised to promote trade, liberate slaves, and also control piracy. The only tricky part was that the treaty did not provide for the diplomatic representation the Moroccans desired. The Moroccan ambassador returned home and the Dutch government did not appoint a resident ambassador to North Africa. Instead, the Jewish merchant Samuel Pallache and his family served as diplomatic go-betweens between the Moroccan king and the Dutch ruling elite.<sup>103</sup> The decision (implicit or explicit) not to establish resident embassies, either in the Dutch Republic or the kingdom of Morocco, characterized diplomatic relations between Europe and North Africa in the early modern period. Instead, consuls and occasionally Jewish mediators, rather than formally-appointed resident ambassadors, would assume major roles in sustaining relations between east and west. And even the appointment of consuls took time. In Morocco, for example, the first

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<sup>102</sup> Art. 1,2,3 of Dutch-Moroccan treaty, GPB, 2: 2266.

<sup>103</sup> Mercedes Garcia-Arenal and Gerard Wiegers refer to the Moroccan king as the “master” of the Pallache family. Mercedes Garcia-Arenal and Gerard Wiegers, *A Man of Three Worlds. Samuel Pallache, a Moroccan Jew in Catholic and Protestant Europe*. Trans. Martin Beagles. With a foreword by David Nirenberg and Richard Kagan. (Baltimore and London: The John Hopkins University Press, 1999; English Translation, 2003), viii-ix.

Dutch consul, Jurriaen van Bijstervelt, would not arrive until 1636.<sup>104</sup> Nonetheless, the 1610 treaty between the Dutch and Moroccans demonstrated that creating lawful relations between a Muslim kingdom and a Protestant republic, even without establishing resident embassies, belonged to the possibilities of seventeenth-century diplomacy. As it turned out, the Dutch-Moroccan treaty also opened the doors to Constantinople.

### ***Constantinople, 1610-1615***

In 1612, sultan Ahmed I bestowed capitulations (*ahdnames*) on the Dutch Republic. Capitulations granted Christian states the right to trade with the Ottoman Empire and regulated the exchange of diplomats and merchants. The Dutch capitulations of 1612 formed the beginning of a centuries' long friendly relationship between the two states. The right to participate in the rich trades in the Levant undoubtedly served the interests of the Dutch.<sup>105</sup> No longer dependent on English or French protection, the Dutch could now expand their commercial networks. This concession included the right to establish an embassy in Constantinople and set up consulates throughout the Levant to facilitate commercial transactions. More importantly, the capitulations allowed the Dutch a means to prevent the capture and enslavement of Dutch seafarers. In addition, they provided a written contract that allowed the Dutch to retrieve their subjects from captivity without paying ransom. Furthermore, the capitulations also offered assistance in forcing

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<sup>104</sup> Albert Ruyl was appointed as temporary commissioner in 1623-1624, but had to collaborate with the Pallaches. O. Schutte, *Repertorium der Nederlandse vertegenwoordigers residerende in het buitenland 1584-1810* (The Hague: Martinus Nijhoff, 1976), 382; O. Schutte, *Repertorium der buitenlandse vertegenwoordigers residerende in Nederland 1584-1810* (The Hague: Martinus Nijhoff, 1983), 579.

<sup>105</sup> Rich trades “comprised the traffic in high-value merchandise of low bulk.” In the Mediterranean, products included spices, silks, and cloth. Israel, *Dutch Primacy*, 6-7, 53.

the Ottoman regencies in North Africa to abide by the sultan's law. The clauses on the redemption of Dutch slaves, in particular, highlight two important points. First, early modern diplomacy in the Mediterranean revolved around captivity and commerce. Second, the shape of that diplomacy resulted as much from the interests and collaboration of Muslim states as from the initiatives of Europeans, including the Dutch.

By 1610, Algiers and Tunis had become centers of piracy. An influx of Moriscos from Spain and a change in naval equipment that Braudel referred to as a “technical revolution of decisive importance” were equally responsible.<sup>106</sup> The technological revolution introduced the use of ships with multiple masts and more complicated sail systems in the place of galleys and galliots. Sailing ships not only added speed to corsairing expeditions and greatly facilitated the capture and seizure of other vessels, they also allowed corsairs to sail into the Atlantic Ocean and venture as far north as the English, Irish, and Icelandic coasts.<sup>107</sup> A Dutch pirate by the name of Simon de Danser apparently had shown North African corsairs how to use sails effectively and to maneuver through the Straits of Gibraltar. In Tunis, an English pirate known only as Ward taught corsairs the same sailing practices as De Danser in Algiers, promising the Tunisian *pasha* Kara Osman a share in the profits.<sup>108</sup> The “cross-over” of De Danser,

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<sup>106</sup> Braudel, *Mediterranean*, 882. After Spain's expulsion of Moriscos in 1609, many had fled to Salé, present day Rabat, where their arrival led to a boom in piracy. Weber, *Beveiliging*, 51; Julian S. Corbett, *England in the Mediterranean. A Study of the Rise and Influence of British Power within the Straits. 1603-1713* (London: Longmans, Green, 2d ed., 1917), vol.1, 17-18.

<sup>107</sup> Matar, “Introduction,” 8.

<sup>108</sup> Braudel, *Mediterranean*, 884-886. Weber assumes that other people than just Ward and the Danser acted as renegade captains, because Danser operated in Algiers only between late 1607 and 1609. Weber, *Beveiliging*, 52-53. See also Corbett, *England in the Mediterranean*, vol. 1, 11-18; L.C. Vrijman, *Kaapvaart en zeerooverij. Uit de geschiedenis der vrije nering in de Lage Landen*. (Amsterdam: P.N. van Kampen & Zoon N.V., [1938]), 198-200; Alberto Tenenti, *Piracy and the Decline of Venice, 1580-1615*, trans. Janet Pullan and Brian Pullan (Berkeley: University of California Press, 1967), 83-84.

Ward, and other European pirates helped make Algiers and, to a lesser extent Tunis, hotbeds of corsairing activities. These events demonstrate how fluid the relationship was between Christians and Muslims in forging Mediterranean piracy and the slavery that resulted from it.<sup>109</sup>

While in the process of establishing diplomatic relations with Morocco, the Dutch Republic simultaneously sought contact with Algiers and Tunis as well as with the Ottoman Empire. In 1605, the Estates General ordered Gerrit van Staveren, the captain who had brought agent Coy and the majority of freed Moroccan slaves to Morocco, to deliver the remaining Algerian slaves to Algiers. In 1608, the Estates General put 1200 guilders at the disposal of one Frederick Claesz to use when he approached officials in Algiers.<sup>110</sup> Neither initiative bore fruit. In addition, the Dutch government frequently requested that Ottoman officials restore seized goods and persons, pointedly reminding them that the Dutch had released Muslim slaves from Sluis in 1605. Despite this gesture of goodwill, the Ottomans ignored the overture.<sup>111</sup> The Dutch simply had to wait for the Ottomans to take the first step, because only the sultan could bestow the *ahdnames*. Although the diplomatic advances did not result at this point in anything substantive, they nonetheless attest to the active way in which the Dutch government sought to use diplomacy to resolve the dual problems of captivity and piracy.

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<sup>109</sup> Cornelis Pijnacker, extraordinary ambassador, counted fifty five renegade captains in Algiers active in the years 1625-1626. Of these renegates six came from the Republic, one from Antwerp, and one from Hamburg. Pijnacker also counted and distinguished numerous "Turks." Cornelis Pijnacker, *Historysch verhaal van den steden Thunes, Algiers ende andere steden in Barbarien gelegen* [c. 1625]. Ingeleid en toegelicht door Gerard S. van Krieken (The Hague: Martinus Nijhoff, 1975), 86-88; Vrijman, *Kaapvaart*, 204; Prud'Homme, *Kapers op de Kust*, 47.

<sup>110</sup> Instruction Gerrit van Staveren, April 29, 1605, NA, 01.01.02, inv nr 12578.3; Weber, *Beveiliging*, 89; Krieken, *Kapers en Koopliden*, 11.

<sup>111</sup> Groot, *Ottoman Empire*, 92-93.



Certainly, the political situation in the Mediterranean in the early seventeenth century worked in the favor of the Dutch. Spain's strongholds, Naples and Sicily as well as its allies, the Knights of Malta, the Duke of Tuscany, and the Pope, continued to challenge the sultan's maritime power in the Mediterranean. They frequently dispatched expeditions to fight the Ottoman navy.<sup>112</sup> Despite the occasional naval aid the North African regencies provided to the sultan, the Ottomans lacked crucial allies. Khalil Pasha, admiral of the Ottoman fleet in 1609, was one of the few Ottoman officials who favored approaching European states for assistance. He had good reasons to turn to the Dutch. France had proven to be unreliable; England was not yet powerful; and Venice remained neutral after the Battle of Lepanto in 1571.<sup>113</sup> The Dutch, however, had defeated a strong Spanish squadron at the Battle of Gibraltar in 1607. In addition, the willingness of the Republic to engage in diplomatic relations with the Moroccan king while at peace with Spain, even if only temporary, convinced Khalil Pasha that Dutch regents regarded Muslim states in a positive way. The sultan was equally impressed, as it turned out, with Dutch efforts to liberate Moors from Spanish captivity and return them to Morocco and Algiers in 1605.<sup>114</sup> The sultan, therefore, decided to offer the Dutch the capitulations.

The offer was by no means altruistic. Although the capitulations were a set of concessions, that is a "promise" by the sultan rather than a negotiated treaty, they clearly

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<sup>112</sup> James Tracy, *Emperor Charles V, Impresario of War. Campaign Strategy, International Finance, and Domestic Politics* (Cambridge, UK: Cambridge University Press, 2002), 145-149, 170-176.

<sup>113</sup> Groot, *Ottoman Empire*, 7, 48.

<sup>114</sup> Wätjen, *Mittelmeer*, 58; Groot, *Ottoman Empire*, 95; Heeringa, *Bronnen*, 1: 180-181.

served the interests of the Ottoman Empire.<sup>115</sup> In 1535, for instance, Suleiman the Lawgiver granted the French commercial privileges, including exemption from taxes and levies on goods, in exchange for military assistance against the Habsburg Empire.<sup>116</sup> The French appointed Jean de la Forest the first French ambassador to the Porte. The sultan did not, however, appoint a resident ambassador to France or to any other European state for that matter. Rather, when occasion warranted, he dispatched extraordinary embassies on special missions. The French-Ottoman alliance demonstrates that, although the capitulations might not have been bilateral in terms of an exchange of privileges and diplomats, they certainly implied a commonality of interests and intention.<sup>117</sup> Similarly, the Dutch received the capitulations only in exchange for a favor. On behalf of the sultan, Khalil Pasha proposed to grant the Dutch Republic free trading privileges with the Levant. He was clear in what he expected in return; namely “that you persecute [Spain] and her goods and also her ships, and that you offer her no protection. ... And if you will do this, [the sultan] will be your friend in public, in love, and in good relations.”<sup>118</sup> In

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<sup>115</sup> After the fall of Constantinople in 1453, the sultan first granted them to the Genoese and the Venetians on the condition of maintaining peaceful relations with the Ottoman Empire. Boogert, *Capitulations*, 7, 19; Mattingly, *Renaissance Diplomacy*, 180.

<sup>116</sup> Mattingly, *Renaissance Diplomacy*, 179-180; Groot, *Ottoman Empire*, 48; Gabriel Effendi Noradounghian, *Recueil d'actes internationaux de l'empire Ottoman* [hereafter RAIEO], vol.1, 1300-1789 (Paris: Librairie Cotillon, 1897), 1: 29.

<sup>117</sup> Over the course of the sixteenth century, the French, and later the English, transformed commerce, their pretext, into “the principal business of [their] embassy.” The English received capitulations in 1580. Their first ambassador was William Harborne, a merchant; tellingly, his expenses were paid for by a company of English merchants. Wood, *Levant Company*, 8-13; Berridge, *British Diplomacy in Turkey*, 1; Mattingly, *Renaissance Diplomacy*, 179-180.

<sup>118</sup> “Ende wij begheeren van u, dat ghij mede doet als wij doen, ende dat ghij haer vervolght ende haer goederen ende oock haer schepen, ende dat ghij haer gheen bescherminghe en doet. Dit heeft mij den koningh belast, dat ick u schrijven soude; ende soo ghij dit sult doen, soo sal u vrientdschap voortganck hebben alle sijn daghen, daerbij voeghende, dat hij u vriendt wil zijn in ‘t openbaer, in liefde ende goede correspondentie.” Heeringa, *Bronnen*, 1: 180-181.

other words, in 1610, Khalil Pasha offered the Dutch government the much sought-after capitulations in exchange for a military alliance against Spain.

The sultan's offer posed a dilemma for the Dutch government, however. The regents probably realized that an alliance with another Muslim state, besides Morocco, would provoke the Spanish monarch and threaten to undo the Twelve Years' Truce. Unlike the French king, Francis I, the Dutch were not interested in a general military alliance with the Ottoman Empire; rather, they wanted to use his authority to control the corsairs. Khalil Pasha, well informed about European power politics thanks to his extensive network of contacts, anticipated the Dutch concerns.<sup>119</sup> In offering the capitulations, he also promised that the sultan would order the North African *pashas* to halt the seizure of Dutch vessels and remove any remaining impediments to Dutch trade; it was an offer the Republic could not refuse.

At this point, the Estates General sought the advice of the States of Holland and the Levant merchants. The latter favored a small mission to explore the possibility of gaining the capitulations and redeeming Dutch slaves throughout the Ottoman Empire, including in the North African regencies. The Dutch worried that other European powers would object and so the mission had to be kept secret. Moreover, the merchants were not willing to pay for a resident embassy.<sup>120</sup> Thus, the compromise was to appoint an extraordinary ambassador, Cornelis Haga, a young lawyer from Schiedam who had successfully solved a diplomatic dispute with the Swedish king and who had previously

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<sup>119</sup> Khalil Pasha also maintained friendly ties with the French ambassador, Baron de Salignac, and the Venetian baillo. Groot, *Ottoman Empire*, 52, 59.

<sup>120</sup> Groot, *Ottoman Empire*, 101-102.

traveled to the Ottoman Empire.<sup>121</sup> The incorporation of the merchants' recommendation in the ambassador's instructions illustrates once more that in developing diplomatic relations with the Muslim world, merchants' interests usually coincided with, or actually drove, those of the Dutch state.<sup>122</sup>

Understandably, the other European diplomats in Constantinople opposed Haga's mission and wished to prevent the Dutch from obtaining the capitulations. They rightfully perceived that his embassy was commercial in nature and, if successful, would cross with their own interests.<sup>123</sup> When Haga arrived in Constantinople, the English and French ambassadors snubbed him, sending only their secretaries to greet him officially. The Venetians ignored his arrival entirely. To undercut Haga, the French and Venetian ambassadors spread the word that the Dutch were subjects of the king of France rather than citizens of an independent republic. They also tried to bribe Ottoman officials. The French, for instance, brought extra gifts, including cloth from Paris. Khalil Pasha, however, ensured that the Dutch presents were more than sufficient. He drew up a list of all presents Haga had carried with him, stored them in his house to show other officials, and later reprimanded the Dutch ambassador for omitting velvet and satin "as was

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<sup>121</sup> Groot, *Ottoman Empire*, 98.

<sup>122</sup> For the increase in trade, see De Vries, *The First Modern Economy*, 380-381.

<sup>123</sup> Spain and Habsburg Austria neither favored the prospect of a strong and commercial prosperous Republic and attempted to prevent the arrival of the ambassador's suite in Constantinople. Officials from Archduke Ferdinand of Austria, for instance, arrested and interrogated Haga and his assistant Lambert Verhaer, a native from Antwerp and long-time resident in Constantinople. For more details on their journey, see: Groot, *Ottoman Empire*, 103-105.

customary.”<sup>124</sup> Haga complied with Khalil’s wish for adding these essential items. With Khalil’s assistance, the Dutch gifts paid off.

In July 1612, Ahmad I signed the capitulations and accompanied it with a letter confirming his friendship with the Dutch.<sup>125</sup> Although the Dutch capitulations resembled those the French and English enjoyed, the Dutch capitulations, nonetheless, formed an important moment in how the Dutch Republic would be regarded in the Mediterranean.<sup>126</sup> It not only marked the first official diplomatic relations between the Dutch and the Ottomans, it also explicitly recognized the Republic as a sovereign state. Until then, Dutch and Flemish merchants often traded in the Levant under English or French flags, because the capitulations of England and France permitted them to offer protection to foreigners under the same conditions their own merchants and subjects received.<sup>127</sup> The three percent tax that the English and French consuls could subsequently levy on Dutch goods was apparently so lucrative that the two frequently quarreled over the right to protect the Netherlanders until the Venetian *baillo* (diplomat-in-residence) finally settled the dispute in favor of the English in 1609.<sup>128</sup> The 1612 capitulations allowed Dutch merchants to trade in the Levant under their own flag for the first time and to retain

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<sup>124</sup> Memoriael Haga, received by Estates General on Dec. 4, 1612, BGLH, 1: 208, 212, 220-221, 223; Groot, *Ottoman Empire*, 107-111; Wood, *Levant Company*, 47.

<sup>125</sup> Capitulations, July 1612, GPB, 3: 383-390.

<sup>126</sup> The 1535 French capitulations had become a model for treaties with other European sovereignties. Its articles on the jurisdiction of French diplomats and residents were also used for other Christian states. Mattingly, *Renaissance Diplomacy*, 179, 180. Boogert, *Capitulations*, 6.

<sup>127</sup> Art.8, 23, and 32 of the French capitulations, 1604, RAIEO, 95-96, 98, 100.

<sup>128</sup> An additional act of the French Capitulations of 1604 suggests that the dispute revolved around the protection of foreigners in general, not the Dutch and Flemish in particular. RAIEO, 1: 108-110; Groot, *Ottoman Empire*, 87-90.

consular fees rather than handing them over to the English or French.<sup>129</sup> In addition, the sultan determined that the Dutch ambassador would hold equal rank to the other ambassadors at court and permitted him to appoint consuls throughout the Ottoman Empire; a privilege that greatly facilitated trade.<sup>130</sup> In short, by defining Dutch diplomatic jurisdiction and granting them commercial privileges valid throughout their empire, the Ottomans underwrote the sovereignty of the Republic and upheld its right to trade in the Levant.<sup>131</sup>

The Dutch capitulations had much in common with capitulations granted to other Christian states, yet differed in two crucial points.<sup>132</sup> First, the Dutch obtained the right to transport merchandise for the enemies of the Ottomans.<sup>133</sup> The prospect of assuming a dominant role in the rich trades, that is, carrying luxury products in exchange for bulk goods by offering low freight costs, must have been one of the Dutch motives to insist on the right to carry merchandise for enemies of the Ottomans; a right the Dutch interpreted as integral to free trade in its widest sense.<sup>134</sup> Another reason was more pressing. North African corsairs used the transportation of goods for the enemy as an excuse to inspect

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<sup>129</sup> Art. 3 of Capitulations, GPB, 3: 384.

<sup>130</sup> Art. 2 and 34 of Capitulations, GPB, 3: 384, 387. In the Levant, the Dutch established consulates in Aleppo (1613), Larnaca (1613), and Zante (1618). The Estates General also appointed consuls in Italy: in Livorno (1612), Venice (1614), and Genoa (1615). Israel, *Dutch Trade*, 98; Schutte, *Repertorium Nederlandse vertegenwoordigers*, 382.

<sup>131</sup> Art. 2, 3 and 16 of Dutch capitulations, GPB, 3: 384, 385; Art. 3, 12, and 16 of French capitulations, 1604, RAIEO, 1:94, 96-97; Art. 1, 3, 7, and 34 of English capitulations, 1675, RAIEO, 1: 147-148, 155.

<sup>132</sup> Each capitulations addressed specific issues. The French, for instance, received the right to fish along the North African coast; a privilege that the English and Dutch capitulations lacked. Art. 21 of French capitulations, 1604, RAIEO, 1: 98.

<sup>133</sup> Art. 5, 6, 7 and 23 of Capitulations, GPB, 3: 384-386.

<sup>134</sup> The Moroccan treaty contained a similar article. Art. 3 of Dutch-Moroccan treaty, 1610, GPB, 2: 2261-2267.



Fig. 1.2 Part of the Capitulations of 1612. © National Archives, The Hague.

vessels. As a result, corsairs frequently confiscated ships and merchandise and enslaved the crews. The Dutch argued that these inspections “conflicted with the freedom of commerce [and were] only a pretext to continue piracy.”<sup>135</sup> By incorporating in the capitulations the right to transport trading goods for the enemies of the Ottoman Empire, the sultan appeased the Dutch. He simultaneously revoked the legal basis that allowed North African corsairs to inspect Dutch vessels and seize goods and people.

This new situation posed problems for North African rulers on diplomatic and practical economic grounds. It was unthinkable, as the Tunisian ruler Yusuf Dey explained to Ambassador Haga in 1614, that the Dutch *as a friend* would transport merchandise of the enemies of the Ottomans, especially that coming from Spain or Italy. In diplomatic terms, trading with the enemies of your ally was simply “not done.” The *pasha* therefore questioned the sultan’s decision to forbid North Africans from

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<sup>135</sup> “strijdende jegens de vrijheyt van de commercie, jegens de hoocheyt van de landen, ende alleen streckende tot occasie, om onder sodanigen deckmantel de voorige piraterie te continuëren,” Letter of Haga to Estates General, Constantinople, Feb. 13, 1614, BGLH, 1: 655-657.

confiscating the goods of belligerent powers carried on Dutch merchant ships. The French, English, and Venetians, he claimed, had neither requested nor received this privilege. Yusuf suggested that the right to carry belligerent goods violated common usages and diplomatic mores.<sup>136</sup> Furthermore, to deny North African corsairs the right to inspect Dutch vessels would trigger disputes among all parties involved that would prove exceedingly difficult to resolve. The right to transport the cargo of belligerent powers thus exposed the tension between the political goals of Ottoman officials, the economic interests of North African *rais* (corsairing captains) and *janitsars* (Ottoman soldiers) and the ambitions of the Dutch merchant community.

Second, although the Dutch capitulations contained no philosophical arguments that either justified or condemned slavery, its practical guidelines helped define the legal aspects of Mediterranean slavery in an international setting. All capitulations promised to halt the capture and enslavement of Christians, but the Dutch capitulations differed from the French and English ones by offering them by far the best protection against search and seizure. Indeed, several articles stipulated that Dutch merchants, whether sailing on their own or on enemy ships, could not be taken into captivity and the same provisions applied to non-Dutch merchants and their goods on Dutch ships. The French articles stipulated only that French traders selling victuals to the enemy or trading in wheat were inviolate. This article left a loophole for the corsairs to seize Frenchmen engaged in the trade with other goods. The English capitulations also lacked any provision to prevent the

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<sup>136</sup> The 1604 French capitulations and the 1675 English capitulations did not address this right. Yusuf suggested instead that they should behave as friends customarily do: by showing courtesy at sea, handing over documents, treating friends with some small presents, and allowing North African seamen to continue their inspections. Letter of Haga to Estates General, Constantinople, Feb. 13 1614, BGLH, 1: 655-657; Joseph Chitty, *A Practical Treatise on the Law of Nations, Relative to the Legal Effect of War on the Commerce of Belligerents and Neutrals; and on Orders in Council and Licenses* (Boston: Bradford and Read, 1812), 3, 11.



capture and enslavement of English merchants and seafarers.<sup>137</sup> The Dutch capitulations protected everyone engaged in Dutch trade, regardless of nationality, from being captured.

In addition, the Dutch capitulations specified the terms for the release of captives more explicitly than either the French or English ones did.<sup>138</sup> The French and English capitulations prescribed that their people when captured, sold, and enslaved in the Ottoman Empire, had to be freed, but they did not indicate whether release implied that Christian states had to ransom their captives or if the sultan was to liberate them without ransom.<sup>139</sup> The Dutch articles clearly stated that slave owners, if ordered to release slaves, could request reimbursement, not from the Dutch, however, but from the persons who had sold the captives to them. In other words, the Dutch capitulations stipulated that the Republic could claim their slaves *for free* because the financial responsibility lay with the seller of the slaves.<sup>140</sup> Clearly, these articles deviated from customary practices in the Mediterranean on ransoming slaves. They demonstrate once again the extent to which Ottoman officials sought to accommodate the Dutch. Moreover, the contractual nature of the capitulations put the restitution of goods and the liberation of slaves on a firm legal basis. The legalization of these actions was extremely important to the Dutch, because they considered the *gratis* release of slaves to be compensation for the unjust taking of

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<sup>137</sup> Art. 5, 7, 20, 23 of Dutch capitulations, GPB, 3: 384-386; Art. 12 and 14 of French capitulations, 1604, RAIEO, 1: 96.

<sup>138</sup> In the Dutch capitulations, 10 of the 63 articles dealt with slavery; the French 4 out of 50; the English 2 out of 75.

<sup>139</sup> Art. 14 of French capitulations, 1604, RAIEO, 1: 96; Art. 2 of English capitulations, 1675, RAIEO, 1: 147; Art. 21 and 37 of Dutch capitulations, 1612, GPB, 3: 386-387.

<sup>140</sup> Art. 21 and 37 of Dutch capitulations, 1612, GPB, 3: 386-387.

captives in the first place and also for impeding free trade. By ordering Dutch captives to be released without the payment of ransom, the Ottomans, at least from the Dutch point of view, admitted that the Dutch possessed the *legal* right to claim the liberation of their captured citizens anywhere in the Ottoman Empire.

The enforcement of these provisions, however, raised considerable difficulties as Khalil Pasha had foreseen. He had warned Ambassador Haga that most Dutch captives had been sold to different masters and thus it would be difficult for the sultan to achieve their redemption.<sup>141</sup> Also, in anticipation of North African resistance to the provisions, the Ottomans stipulated that the Dutch could claim the release of captives at the Ottoman court if the corsairs refused to obey the sultan's orders. The *beylerbeyi*, governor-generals, and the governors subordinate to them were then responsible for making appropriate arrangements.<sup>142</sup> The invocation of Ottoman judicial powers not only emphasized Ottoman sovereignty over the Algerian and Tunisian regencies, but also provided the Dutch with a judicial alternative in case the North Africans refused to release captives.

Overall then, the capitulations directly advanced Dutch interests, especially because they stipulated contractually the privileges of transporting goods for belligerent powers and redeeming Christian slaves without paying ransom. The unusually favorable rights granted to the Dutch testify to the strength of Khalil Pasha's wish to form a military alliance with the Republic. To him, the capitulations served as a negotiating tool.

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<sup>141</sup> Letter of Haga to Estates General, Constantinople, Feb. 13, 1614, BGLH, 1: 655-657.

<sup>142</sup> Art. 19 of Dutch capitulations, 1612, GPB, 3: 386. The English capitulations similarly stipulated that Ottoman judges would punish North African corsairs, if they would not abide by the Capitulations. They could also claim the restitution of goods. Art. 47 of English capitulations, 1675, RAIEO, 1: 159.

He viewed them a gift in exchange for Dutch military assistance against Spain. The only concession the Republic made was to allow Muslim corsairs to use Dutch ports, as had been similarly specified in the 1610 Dutch-Moroccan treaty.<sup>143</sup> To show Ottoman goodwill and sincerity, Khalil Pasha assisted Ambassador Haga in enforcing the sultan's orders in North Africa by dispatching delegates to demand the liberation of Dutch captives and to halt further hostilities against the Dutch merchant fleet.

The Dutch-Ottoman missions of the early 1600s, however, also exposed the weakness of Ottoman authority in North Africa. Shortly after Ahmad I signed the capitulations, Ambassador Haga organized the first mission to the Maghreb in August 1612. He picked Giacomo Belegno, a Christian *dragoman* (interpreter), to lead the mission.<sup>144</sup> When the delegation arrived in Tunis, *pasha* Yusuf received the news of the capitulations and declared the liberation of all Flemish (!) slaves. Belegno, however, received only thirteen old sick slaves, although there were an estimated seventy-five in Tunis. He had even less success in Algiers, where he collected only four of the fifty-two Dutch slaves.<sup>145</sup> Worse was to come. While Belegno was in North Africa, corsairs seized twenty small Dutch ships and enslaved about twenty men, thus increasing the number of captives for whom the *raïs* would most certainly demand ransom. If the Republic wanted to redeem the remaining captives, Belegno rightfully predicted, they would have to

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<sup>143</sup> Art. 19 of Dutch capitulations, 1612, GPB, 3: 386.

<sup>144</sup> Khalil Pasha allowed Haga to bring along Khalil's steward Homer aga, whom Haga described as a "qualified" Turk. Letter of Haga to Estates General, Constantinople, Aug. 24, 1612, BGLH, 1: 647-649.

<sup>145</sup> Letter of Jacimo Belegno, Jan. 8, 1613, NA, 1.01.02, inv nr 6889. The pasha promised to liberate more, but Belegno did not believe that the Tunisians would release more than fifteen slaves for free.

pay.<sup>146</sup> In short, these events illustrate that the ruling elites of Algiers and Tunis had no reservations about defying the sultan's mandate. Haga's first Dutch-Ottoman mission had failed. The Algerians and Tunisians had successfully resisted the requirements of the capitulations.

Not all was lost, however. The Tunisian *pasha* and Ottoman officials offered a solution. Several times between 1612 and 1615, they advised the Dutch ambassador to send a consul to North Africa as a mediator; a proposal that eventually materialized in the selection of Wijnant de Keyser as the first Dutch consul for Algiers and Tunis in 1616. Historians have generally viewed this appointment as an initiative undertaken jointly by Ambassador Haga and the Dutch state.<sup>147</sup> Sources reveal, however, that Haga was actually following the recommendations of Ottoman and Tunisian officials in Constantinople. Already in 1612, for instance, Haga had reported that the newly appointed Tunisian *pasha*, then waiting in Constantinople for transportation to North Africa, had recommended that a consul be dispatched to the Maghreb because "the authority of the consul should give corsairs more respect for [the Dutch Republic]; if no one is there to reclaim the stolen goods and to protect the citizens of your High and Mightinesses, it would not be possible to abolish pirate attacks on [Dutch ships]."<sup>148</sup> In

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<sup>146</sup> Letter of Jacimo Belegno, Jan. 8, 1613, NA, 1.01.02, inv nr 6889. Four captives wanted to join the North African corsairs, but Belegno was able to convince them to travel with Homer Aga to Marseille instead. Letter of Jacimo Belegno, Nov. 21, 1613, NA, 1.01.02, inv nr 6889.

<sup>147</sup> Krieken, *Kapers en Koopliden*, 13; Weber, *Beveiliging*, 98; Wätjen, *Mittelmeer*, 81.

<sup>148</sup> "dat door de autoriteyt van den consul de rovers te meer respect tot onse natie soude moeten dragen; dat anderssints, niemandt daer sijnde om de gerooffde goederen te reclameren ende de persoonen, als ingesetenen van U.H.M.E., te beschermen, niet practibel soude sijn om dese piraterie op de onse geheelijck af te schaffen." Letter of Haga to Estates General, Constantinople, Oct. 25, 1613, BGLH, 1: 651-653. Haga and the pashas emphasized the need for a consul on several occasions. In 1614, the Tunisian commissioners and Khalil Pasha perceived that two consuls, one in Algiers and one in Tunis, would "ensure navigation and prevention from further inconveniences." Letter of Haga to Estates General,

other words, Haga and his Muslim counterparts argued that a consul would have the authority to mediate the restitution of seized goods and the liberation of slaves.<sup>149</sup> For just that reason, France and England regularly dispatched consuls to Algiers.<sup>150</sup> Haga, referring to Yusuf as “right-minded and honest ... unlike the usual Turks,” followed the *pasha*’s recommendation and endorsed the appointment of a consul: “I think it appropriate to have a consul reside [in Barbary], [who is] experienced in the Italian or Spanish language.”<sup>151</sup> The advice of Muslim officials, Mediterranean customs, and the reach of Ottoman jurisdiction together had impelled the ambassador to recommend establishing a consulate in North Africa. Although at first glance it might seem unimportant to know who first suggested the appointment of a consul to North Africa, it is actually significant that it was not the Dutch but the Tunisian *pasha* who took the initiative. The intercession of the Tunisian *pasha*, like the provisions of the capitulations more generally, emphasizes the two-sided character of the negotiations that shaped early modern diplomacy in the western Mediterranean. The Dutch were by no means passive, but it was the agency of the Muslim states, and, for that matter, of individuals like Khalil

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Constantinople, Feb. 13, 1614, BGLH, 1: 655-657; Letter of Haga to Estates General, Constantinople, Aug. 24, 1612, BGLH, 1: 647-649.

<sup>149</sup> Consuls also derived legal authority from the capitulations. Ottomans would release slaves if the consul confirmed that the slaves in question were Dutch. Art. 32 of Dutch capitulations, 1612, GPB, 3: 387.

<sup>150</sup> The French established consulates in Tunis and Algiers in 1574 and 1579 respectively. The first English consulate in Algiers dates from 1585. Braudel, *Mediterranean*, 148, 495; Fisher, *Barbary Legend*, 305.

<sup>151</sup> “(...) ick achte dat oorbaerlijck soude sijn een consul te doen resideren, sijnde zodanich, die hem onder die Barbarische natie soude kennen genereren ende hem nae den tijt ende plaets accomoderen, ervaren in de Italiaensche ofte Spaensche sprake; dat sodanigen persoon van U.H.M.E. ende S.E. met seer bondige bryeven aen de pashas van Tunis, Algiers ende Tripoli, oock apart aen de andre officieren ende bevelhebberen ende de gantsche gemeente van de respectie plaetse geschreven, versien sij.” Letter of Haga to Estates General, Constantinople, Oct. 25, 1613, BGLH, 1: 651-653.

Pasha who recognized the value of a Dutch “alliance,” that contributed to how diplomacy and diplomatic relations would subsequently evolve.

The Estates General, however, at first failed to heed Haga’s proposals. After the Battle of Gibraltar, the Dutch government began to rely on its newly acquired reputation as a naval power in the Mediterranean to resolve the North African question. The Dutch anticipated that Khalil Pasha would honor his alliance with the Republic and use his authority to control North African piracy practices in order to please them. Khalil’s promise to insist on the liberation of Dutch slaves in Algiers and Tunis led Haga to believe that, with Ottoman assistance, a second mission could yield positive results.<sup>152</sup> Unfortunately, this mission, led by Efraim Abensanchio, Haga’s main Jewish *dragoman*, was equally disappointing. In 1615, Abensanchio only received three slaves in Tunis and fifteen in Algiers, while corsairs continued to capture Dutch ships and enslave crews.<sup>153</sup> Despite the care and the costs Haga had committed to this expedition, it had failed.<sup>154</sup>

In light of these dismal results and the substantial costs incurred, the Dutch government began to doubt the wisdom of sending Dutch-Ottoman delegations to North Africa. The second mission, in particular, revealed discrepancies between the ambassador

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<sup>152</sup> Letter of Haga to Estates General, Constantinople, Feb. 13, 1614, BGLH, 1: 655-657.

<sup>153</sup> The fact that Haga gave Abensachio a variety of orders depending on the outcome already testifies to his own doubts about the success of the mission. Letter of Haga to Estates General, Constantinople, April 18, 1615, BGLH, 1: 660-661; Letter of Haga to Estates General, Constantinople, Dec. 26, 1615, BGLH, 1: 671-674.

<sup>154</sup> Homer aga, Khalil’s steward, had accompanied Abensachio on his mission, and had, against Haga’s orders and probably with the blessing of Khalil Pasha, accompanied the redeemed Dutch slaves back to the Republic. There, he was “well received, gebancketteert and feestelijck onthaelt.” In addition to a generous reception in the Republic, Homer could also inform Khalil pasha of the number of ships in Dutch ports that reflected the wealth and power of the Republic as a useful ally against Spain. In short, it seems likely that Khalil Pasha sent Homer to the Republic to retrieve information on the powerful status of the Dutch similar to Zaydān’s earlier dispatch of Hamir. The Estates General, meanwhile, was less pleased. Homer’s unexpected arrival had costed them a fortune, and it therefore pressed Haga to avoid such missions in the future. Letter of Haga to Estates General, Constantinople, Dec. 26, 1615, BGLH, 1: 671-674.

and the Dutch state over the course diplomacy in the western Mediterranean should follow. Haga enjoyed good relations with Khalil Pasha, who personally assisted the Dutchman whenever he could. Haga's explanations of the subtleties of Mediterranean diplomacy were wasted on the regents in The Hague, however, and they became increasingly impatient not only with the difficulties involved but even more with the costs incurred. Haga's reports, as informative as they are, did little to move the regents to act. The liberation of captives dragged on and on.<sup>155</sup> Worse still, the number of captives increased as corsairing activities continued unabated. In this situation, diplomacy and more forceful action ran parallel courses. While Haga had appointed his *dragoman* Abensanchio to lead the second mission from Constantinople to North Africa in April 1615, the Estates General in The Hague simultaneously ordered Captain Hillebrant Geerbrantsz Quast to take five warships on a separate mission to Algiers and Tunis and demand "the release and liberation of all inhabitants and citizens of the United Netherlands from the prisons and slavery."<sup>156</sup> If Quast encountered any corsairs on his way, he could capture them to exchange for Dutch captives. If his mission failed, he was free to "seize and treat" [read: drown, EH] any corsairs he encountered on the way back to the Republic.<sup>157</sup> In short, what Abensanchio was supposed to accomplish by diplomatic means, Quast and his fellow negotiator Jan Pellecoren were to attempt by naval power.

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<sup>155</sup> In the Republic, captives and town councils requested the state's aid in redemption. See, for instance, Petition captives to the states of Holland, Zeeland, and Westvriesland and the Prince of Orange, Algiers, July 18, 1615, NA, 1.01.02, inv.nr. 6889.

<sup>156</sup> "(...) uuyt de gevanckenisse ende slavernije aldaer ontslagen ende vrijgelaten moegen werden alle die inwoenderen ende ingesetenen van de Vereenichde Nederlanden." Quast also had to demand free navigation for Dutch ships according to the Capitulations and the restitution of seized ships and goods. He would have to hand the Algerian and Tunisian rulers letters and gifts as instructed. Instructions Quast, May 26, 1615, BGLH, 1: 662-664.

<sup>157</sup> Instructions Quast, May 26, 1615, BGLH, 1: 662-664.

Despite these orders, the Quast-Pellecoren duo was not successful either. Although they managed to liberate some Dutch slaves in Tunis on the orders of Yusuf Dey, they left Algiers empty-handed. The Algerians demanded ransom and Pellecoren naturally refused.<sup>158</sup>

A letter from Yusuf Dey to the Estates General in response to the two Dutch-Ottoman missions and to that of Quast and Pellecoren illustrates that political tensions within Algerian and Tunisian society considerably complicated Dutch-North African relations in general and the liberation of captives in particular. Appointed by the Ottoman emperor for a period of three years, the *pasha* functioned as a front man for the *janitsars* who held political power and maintained a firm grip on the corsairing community.<sup>159</sup> If Yusuf ordered the *janitsars* to release slaves without ransom being paid, it would probably cost him his position if not his head. The arrival of the Dutch delegations, backed by Ottoman support, had forced Yusuf to follow the orders of the sultan and release some slaves. He explained the precarity of his position in so doing: “although this regency stands under my protection, I consider it wise not to upset our soldiers. They have bought Dutch captives before [the sultan granted the Dutch the capitulations]. It seems therefore appropriate [to prevent them from] losing their money. To appease [the soldiers], I have paid them [the ransom] of [those captives] released.”<sup>160</sup> In short, Yusuf

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<sup>158</sup> Weber, *Beveiliging*, 95-97.

<sup>159</sup> Fisher, *Barbary Legend*, 89-95.

<sup>160</sup> “(...) hoewel dat het gebieth dese conincrijks onder mijn bescherminge sate, nochtans oock behoorlick is, dat ick geenen onlust en maecke bij onse soldaeten, dewelcke dese Nederlanders gekocht hebben met haer gelt, al voor den peys; daeromme het behoorlick scheen te wesen, dat se niet van haere penningen verliesen; ende ick om hun te contenteren, hebbe hun betaelt, waervan getuyge zal wezen derselver voorschreven ambassadeur, dewijle dat van dien tijt aff, dat hij dezelve ontboden hadde, zij meestdeels gerelaxeert geweest zijn, mits dat ick gecontribueert hebbe te geven, soeveel als sij hun gekost hebben.”



claimed that he had liberated Dutch captives by paying for their release out of his own pocket, thus compensating the soldiers for their financial loss. Here he had abided by the capitulations, but clearly would not be able to do so in the future. Yusuf's letter thus reveals how tensions within North African society hampered Dutch efforts to claim the free liberation of captives. Perhaps the *pasha* truly desired to follow the sultan's orders. Ironically, however, he had to disobey Constantinople in order to maintain his own position in Tunis.

For that same reason, Yusuf denied Dutch demands to stop North African inspections of their merchant vessels. Yusuf warned the Estates General that halting corsairing attacks on Dutch merchants was inconceivable if Dutch captains did not abide by *his* rules. If captains from the Republic resisted inspection, if their documentation was inadequate, or if they carried the goods of belligerent powers, corsairing captains had the right to seize the vessel, its cargo and crew, and sell both.<sup>161</sup> The voice of the North African corsairing community clearly resonated in Yusuf's letter. If the failure of Haga's missions had not yet convinced the Dutch of the independent status of the North Africans, then Yusuf's proclamation certainly did. By openly defying the capitulations and imposing contrary rules, the *pashas* sent a clear message to the Dutch and Ottomans: diplomatic attempts to force them to abide by the capitulations were useless. They insisted on continuing corsairing activities in the usual manner. Thus matters among the North Africans themselves and between them and the Republic and the Ottoman sultan had come to a head.

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Yusuf claimed that he had released some 70 of the 100 Dutch slaves to respectively Belegno, Abensachio, and Pellecoren. Translated letter of Yusuf, Aug. 21, 1615, NA, 1.01.02, inv nr 6890.

<sup>161</sup> Translated letter of Yusuf, Aug. 21, 1615, NA, 1.01.02, inv nr 6890.

In response to this undeniably unhappy turn of events, the Dutch government criticized the Ottomans for their inability to control the North African regencies. The Estates General notified Khalil Pasha of “the rebellion and the disobedience of the viceroys [*pashas*] in Algiers and Tunis, who refuse to obey and respect the octroys and commands of the Grand Lord in liberating and handing over the subjects of [the Republic].”<sup>162</sup> The Dutch deliberately chose words like “rebellion” and “disobedience” to encourage the sultan to impose tighter control over his empire. The Estates General suggested using “fair remedies to preserve his majesty’s imperial authority ... of these lands [in the Maghreb].”<sup>163</sup> In offering the sultan its assistance, the Dutch Republic was actually only creating a pretext to cover the *carte blanche* use of Dutch naval forces against North Africa. The unsuccessful Dutch-Ottoman missions between 1612 and 1615 convinced the Republic that diplomacy orchestrated from Constantinople was ineffective and perhaps not as sincere as it appeared on paper. It seemed therefore natural to seek diplomatic contact with North Africa directly while simultaneously sending the Dutch navy to the western Mediterranean to enforce the capitulations.

In sum, the period 1612-1615 proved a turning point in the way the Republic pursued diplomacy in the Mediterranean. The capitulations had helped formulate a policy the Dutch government pursued through the first half of the seventeenth century; that of claiming the liberation of captives without paying ransom. Attempts to force Algiers and Tunis to abide by the capitulations and release Dutch captives on these terms soon made the Dutch aware that both regencies operated quite independently from Constantinople

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<sup>162</sup> Resolution Estates General, Sept. 20, 1615, BGLH, 1: 671.

<sup>163</sup> “dat H.H.M. daertegen behoorlijck remediën gebruycken voor de conservatie van Z.M. keyserlijke autoriteyt ende van dese landen.” Resolution Estates General, Sept. 20, 1615, BGLH, 1: 671.

and would reject those articles in the capitulations that benefitted the Republic, if they harmed North African interests. The Maghreb required its own diplomacy.

### ***Algiers and Tunis, 1616-1622***

Unable to force the regencies to abide by the capitulations even with the assistance from Constantinople, the Dutch government gave in to the pressure Ambassador Haga and the *pashas* exerted. In 1616, the Republic appointed Wijnant Keyser as the first Dutch consul in Algiers and Tunis.<sup>164</sup> The arrival of Keyser heralded the beginning of direct diplomatic relations between the Republic and the Ottoman regencies, but not the end of Dutch efforts to claim the *gratis* release of their captives. On the contrary, the government deployed Dutch diplomatic initiatives and the navy to remind officials in the Maghreb of their obligation to obey the sultan and his laws. Captivity and ransom, however, were fundamental pillars of North African society and thus Muslim officials strongly opposed any attempts that denied them ransom for captives. The conflict inevitably resulted in a war that did not end until 1622 when the Dutch Republic concluded treaties with Algiers and Tunis. The period 1616-1622, therefore, seems to support a traditional interpretation: the “failure” of diplomacy when dealing with the “lawless” states in North Africa that disregarded international law. A closer look at the treaties, however, demonstrates how the regencies used law just as much as the Dutch did. In the 1622 treaties, Algiers and Tunis denied the Dutch “rights” to transport the goods of belligerents, to claim the return of stolen vessels and cargoes, and to demand free redemption of their slaves. These treaties demonstrate that early

modern diplomacy in North Africa did indeed depend on treaty-making. Yet they also expose the undervalued role of the North Africans in shaping international law. Thus, 1622 marked the end of an era in which the Dutch hoped to regulate piracy and redemption through law.

Although the Dutch government tried to rely on diplomatic initiatives to resolve the problems of piracy and captivity from the moment it encountered them along the Moroccan coast at the end of the sixteenth century, it had never regarded diplomacy as the sole solution. Since 1609, the Dutch navy had escorted merchant vessels from the East Indies to the Republic in order to protect them from pirates. When merchants trading with the Levant asked for the same protection, the admiralties provided it. From 1611, two to three warships patrolled the Mediterranean each year. The strong presence of a Dutch naval convoy in the Mediterranean substantiated contemporaries' view of the Republic as a sea power; any true sea power protected its merchant fleet.<sup>165</sup> The impressive growth in the number of corsairing fleets and their improved organization in the second decade of the seventeenth century, however, forced the admiralties to modify their policy because the Dutch were no longer simply encountering the odd pirate vessel or two; they were now faced with entire corsairing fleets.<sup>166</sup> Two or three warships patrolling each year no longer sufficed to protect Dutch merchant vessels. The idea of "annihilating pirates," therefore, gained popularity among the Dutch seafaring

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<sup>164</sup> Resolution Estates General on Keyser, April 23, 1616, BGLH, 1: 679.

<sup>165</sup> Weber, *Beveiliging*, 3, 71-79; De Bruin, *Varend verleden*, 30.

<sup>166</sup> Weber, *Beveiliging*, 103.

community. As a result, diplomatic initiatives faded and the call for strong naval involvement became louder.

In 1616, the Estates General allocated the navy a supportive role in Wijnant Keyser's mission. A warship under the command of Lambert Hendrikszoon transported the consul to Algiers while two others cruised the Mediterranean in pursuit of corsairs. Keyser's assignment was temporary; he was given only twenty days to redeem 130 Dutch slaves from Algerian and Tunisian captivity and was not to pay ransom for them. Because Ambassador Haga's previous expeditions to North Africa had taken place without the support of the admiralties, the Estates General now hoped that the presence of a Dutch vessel of war in the harbor would facilitate the consul's mission. Keyser brought along a copy of the capitulations to underscore his demands.<sup>167</sup>

The naval show of force availed Keyser little; he succeeded in liberating only thirty-five of the 130 captives. Worse yet; he *ransomed* them.<sup>168</sup> Not only did he thus abandon the Dutch principle of “free liberation,” he also accepted a proposal by Ali Cadi, the *pasha* of Algiers, that defined the rules for confiscating Dutch ships and liberation of slaves similar to those “as we [in Algiers] have kept with the French for more than four hundred years.”<sup>169</sup> Four hundred years might be somewhat exaggerated, but Ali’s point was that customary practices in North Africa justified corsairs’ capture of Dutch ships,

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<sup>167</sup> Resolution Estates General on Keyser, April 23, 1616, BGLH, 1: 678-688; Weber, *Beveiliging*, 98.

<sup>168</sup> Letter of Keyser to Estates General, Algiers, Sept. 12, 1616, NA, 1.01.02, inv.nr. 6890.

<sup>169</sup> Letter of Ali Cadi, Algiers, Sept. 17, 1616, NA, 1.01.02, inv.nr. 6890; Letter of Keyser to Estates General, Algiers, Sept. 12, 1616, NA, 1.01.02, inv.nr. 6890.

seizure of goods, and the enslavement of seafarers if crews resisted inspection.<sup>170</sup> In other words, like *pasha* Yusuf in Tunis, Ali too, rejected the novelty of the capitulations. He dismissed the Dutch right to transport enemies' goods and to claim the liberty of captives without paying ransom. To appease the *raïs* and *janitsars* in Algiers, he ordered his corsairs to continue business as usual.<sup>171</sup> Like Yusuf Dey in Tunis, Ali feared reprisals by corsairs and *raïs* if he tried to restrain them. By accepting the agreement, however, Keyser acknowledged that Algiers could act independently of Constantinople. He thus undermined Dutch attempts to have Algerians abide by the capitulations and acknowledge the sultan as their sovereign.

Keyser's mistake, or perhaps his deliberate disobedience to The Hague's orders, forced Ambassador Haga to become involved with politics in North Africa once more. Haga relied on his personal relations with the Ottomans to gain support for Dutch policies in North Africa while trying to undo what Keyser had wrought. In May 1617, he reversed Keyser's accord and concluded a different one with Algerian delegates in Constantinople that confirmed the 1612 capitulations. The sultan, Haga assured the Estates General, would not permit any Dutch subjects, ships, or goods to be sold in Algiers or elsewhere in his empire. To defuse the tensions that had arisen around the inspection of ships, the Dutch compromised by proposing a strict procedure to follow at sea. In addition, Haga took great pains to ensure that consul Keyser as well as the governments in Algiers, Tunis, and The Hague understood the provisions of the new accord. The Algerian

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<sup>170</sup> Ali offered to redeem slaves, taken before August 1615, for ransom; and to release those captured after August for free, with the exception of those who had resisted inspection. Letter of Ali Cadi, Algiers, Sept. 17, 1616, NA, 1.01.02, inv.nr. 6890.

<sup>171</sup> Letter of Ali Cadi, Algiers, Sept. 17, 1616, NA, 1.01.02, inv.nr. 6890.

delegates, who left Constantinople with an armada and sailed to North Africa, would take authentic copies with them to hand to the Dutch consul. Haga would use regular mail to send the documents to the United Provinces for publication, thus ensuring that ignorance would not be an excuse for violating the new agreement. Meanwhile, Haga, skilled in Mediterranean diplomacy, treated his Muslim counterparts and hosts to a celebratory banquet to demonstrate his friendship and goodwill. The expense, as he explained to the Estates General, was money well spent; it would help prevent misunderstandings and hostilities in the future.<sup>172</sup> Haga's skills and goodwill gestures won over Ottoman support to the Dutch position, partly because it also benefitted them: Algiers and Tunis acknowledged the capitulations in the new accord and publicly submitted to Ottoman supremacy.

The ambassador's accord encouraged the Dutch government to renew its legal claims. Because Keyser's assignment had failed, however, the Estates General reduced his authority and chose a naval commander for its new man in North Africa. In August 1617, Hillebrant Geerbrantsz Quast, who had accompanied Jan Pellecoren two years earlier on his unsuccessful mission, received orders to take eight warships to Algiers and "kindly request and insist on" the return of confiscated ships and goods and the release, without payment, of captured captains and crews.<sup>173</sup> The Estates General ordered Keyser to assist Quast and forbade him to spend any money in ransoming slaves. The Estates General also declined to send a present that Keyser had promised the *pasha*.<sup>174</sup> Clearly,

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<sup>172</sup> Letter of Haga to Estates General, Constantinople, May 27, 1617, NA, 1.01.02, inv.nr. 6892.

<sup>173</sup> Letter of Estates General to divan Algiers, Aug. 24, 1617, BGLH, 1: 752.

<sup>174</sup> "alsoe wij achten, dat d'authoriteyt meer sal moveren als eenich present, ende wij zijn oyck nyet gewoon presenten te senden an dieghene, die ons beschadigen." Instructions Keyser, Aug. 22, 1617, BGLH, 1: 751.

the Dutch government believed that a show of naval force would be more effective than playing the subtle game of Mediterranean diplomacy and gift-giving, or, for that matter, relying on Keyser's by now somewhat dubious skills as consul.

Quast's instructions to arrange the liberation of Dutch captives without paying ransom obviously was in line with the capitulations. At this point, it might seem somewhat baffling as to why the Dutch government kept insisting on the *gratis* release of slaves in the light of so many failed attempts to achieve it. The Estates General dismissed the most logical solution, ransoming slaves, for pragmatic reasons. Because the captives were employed in the merchant marine and "had not served the state," the government refused to take responsibility for ransoming them. To burden slaves with paying for their own freedom was also not feasible, because "most are ... folks of small means, who could not afford their ransom."<sup>175</sup> Hence, the Dutch continued to insist that slaves be liberated without ransom. The state was willing to pursue the liberation of its *burgers* but not at all costs; they would try diplomacy and naval force, but balked at paying.

There existed, however, yet another alternative: an exchange of captives. Pauw considered this a pernicious idea that "served neither state nor navigation" because it would undermine Dutch attempts to regulate redemption through international law.<sup>176</sup> The Estates General, however, left commander Quast free to exchange captives, although emphasized that it was vastly preferable to obtain Dutch captives without exchanging them for other prisoners or paying for their release.<sup>177</sup> Quast, more war commander than

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<sup>175</sup> "sulcke gevangens in den dienst van den lande nyet en syn uuygesonden geweest" and "dat die meest sijn slechte luyden ende van cleyne middelen, die hare rantsoenen nuet en souden kunnen opbrengen" Resolution Estates General, Nov. 10, 1618, BGLH, 1: 790-791.

<sup>176</sup> Resolution Estates General, Nov. 10, 1618, BGLH, 1: 790-791.

<sup>177</sup> Instructions Quast, May 26, 1615, BGLH, 1: 662-664.



diplomat, eagerly jumped through this loophole. On his way to North Africa, he managed to capture seventy corsairs and exchanged them in Algiers for seventy-one Dutch slaves.<sup>178</sup>

Unfortunately for Dutch diplomacy, the admiralties also gave Quast the right to apply the technique of *voetspoelingen*. *Voetspoelingen* [“foot washing”] entailed throwing pirates overboard to let them drown; a practice that had originated as punishment against European pirates some decades earlier. In 1587, the Estates General had proclaimed all Flemish privateers to be pirates and had ordered Dutch captains to toss them overboard when captured.<sup>179</sup> In 1617/1618, the Estates General’s orders reflected war-minded regents under the leadership of Prince Maurits of Orange, who distrusted the Algerians and Tunisians and pursued a *vernietigingskruistocht*, a crusade of extermination, against those involved in piracy and slave-taking.<sup>180</sup> Quast’s unsuccessful talks with Algiers about free trade confirmed the Dutch point of view that Algiers was an unreliable partner. When Quast departed the city in February 1618, he captured corsairs on his way back to the Republic and had no qualms about throwing eighty-one of them overboard.<sup>181</sup>

Quast’s actions signaled the end of diplomacy and the start of all-out war. In May 1618, the Estates General appointed Lambert Hendrikszoon to lead a punitive expedition, notified Ambassador Haga in Constantinople to defend the decision at the Ottoman court,

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<sup>178</sup> Weber, *Beveiliging*, 116-117.

<sup>179</sup> A.P. van Vliet. *Visserij en Kapers. De zeevisserij vanuit het Maasmondgebied en de Duinkerker kapers (ca. 1580-1648)* (Den Haag: Stichting Hollandese Historische Reeks, 1994), 105.

<sup>180</sup> Weber, *Beveiliging*, 120.

<sup>181</sup> Weber, *Beveiliging*, 119; Krieken, *Kapers en Kooplieden*, 18.

and requested support from the governments of France, England, and Venice.<sup>182</sup> In July 1618, the Dutch, in collaboration with the Spanish, engaged twenty Algerian ships at Gibraltar. After two days of fighting, the combined Dutch-Spanish forces captured twelve vessels. Hendrikszoon threw the prisoners overboard. He then sailed to Algiers and, when he perceived that the city's fortress was too strong to storm, exchanged cannon shots with the fortress.<sup>183</sup> In response, Algerian officials incarcerated Keyser.<sup>184</sup> In its eagerness to eliminate piracy, the navy put the consul's very life in danger.

The imprisonment of Keyser exposed internal divisions within the Dutch political system. Prince Maurits, as head of the admiralties, had insisted on a policy of destruction and *voetspoelingen* because he considered Algiers to be an "untrustworthy nation."<sup>185</sup> The Estates General, on the other hand, consisted of regents whose commercial interests often led them to opt for diplomacy over war. To appease both sides, the Estates General compromised. The Republic would continue to wage war with Algiers in public, while Jan Manrique, Keyser's secretary, and captain Joris van Cats would join Quast's fleet in Malaga to negotiate for Keyser's release.<sup>186</sup> Officials in Algiers, threatened by the possibility of facing combined Christian forces, accepted the offer of Manrique and Cats to end hostilities. They released Keyser and, in January 1619, sent Manrique back to the

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<sup>182</sup> Heeringa, *Bronnen*, 1: 786.

<sup>183</sup> Letter of Lambrecht Hendriksz to Estates General, Sept. 5, 1618, BGLH, 1: 785-786; Letter of Haga to Estates General, July 6, 1619, NA, 1.01.02, inv.nr. 6894; Krieken, *Kapers en Kooplieden*, 18.

<sup>184</sup> Resolution Estates General, Nov. 10, 1618, BGLH, 1: 90-791; Krieken, *Kapers en Kooplieden*, 18.

<sup>185</sup> Resolution Estates General, Nov. 10, 1618, BGLH, 1: 790-791.



Fig. 1.3 Captain Lambert Hendrikszoon orders to hang 125 captured corsairs or have them drown with tied arms in the port of Algiers, ca. 1619, engraving by Jan Luyken. 1682-1684.  
© Rijksmuseum, Amsterdam.

Republic with a proposal for peace.<sup>187</sup> Although Prince Maurits and the Admiralties of Amsterdam wished to continue the war against Algiers, the Estates General demurred. It feared fighting a war on two fronts after hearing rumors that Spain had equipped a war fleet to send against the Dutch when the Twelve Years' Truce ended in 1621. It, therefore, overruled the Prince of Orange and ordered Quast to accept a truce with Algiers.

The armistice between Algiers and the Dutch Republic did not last long. The Dutch managed to capture two corsairing vessels in the years 1619/1620, while North Africans seized twelve Dutch ships in 1619 and seventy-six in 1620. The number of

<sup>186</sup> Resolution Estates General, Nov. 10, 1618, BGLH, 1: 790-791; Secret Resolution Estates General, Nov. 10, 1618, BGLH, 1: 791; Weber refers to Joris van Cats as a "seaman," who negotiated with the Dutch renegade Soliman Reis. The contents of these talks are unknown. Weber, *Beveiliging*, 129-133.

<sup>187</sup> Keyser's first reports date from March 1619, BGLH, 1: 792.

slaves in Algerian hands increased to 300.<sup>188</sup> The prospect of the end of the Truce with Spain in 1621, however, once more forced the Estates General to take a firm stand on the need to make peace with Algiers as the best way to deal with the corsairs. The Levant trade was booming and the Republic could not afford to be at war with almost all the western Mediterranean. Spain possessed strongholds in Naples and Sicily, while Algiers and Tunis controlled the waters off the North African coast. Whereas war with Spain was inevitable, peace with the Maghreb was an option. Ending the quarrel over corsairing would allow the Dutch safe ports in North Africa. Algiers and Tunis, for their part, were also willing to halt hostilities. When a large English war fleet under the command of Vice-Admiral Robert Mansell appeared off the Algerian coast, Maghrebian rulers agreed to receive a Dutch ambassador to negotiate a peace; they had no desire to fight both England and the Dutch Republic at the same time.<sup>189</sup>

In the circumstances of this new situation in the western Mediterranean, the Estates General appointed Cornelis Pijnacker, professor at the University of Groningen, as extraordinary ambassador to North Africa. Pijnacker proposed that the Dutch and North Africans ally against Spain; a collaboration that encouraged the Algerians “to consider our peace more lasting and our friendship stronger” and to invite The Hague to combine the Dutch war fleet with that of Algiers to “punish” and “destroy” Spain, “helping and assisting each other as loyal allies and unified brothers.”<sup>190</sup> Common

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<sup>188</sup> Weber, *Beveiliging*, 131-136; Krieken, *Kapers en Kooplieden*, 18, 19.

<sup>189</sup> Krieken, *Kapers en Kooplieden*, 20, 21; Playfair, *The Scourge of Christendom*, 38.

<sup>190</sup> “daeromme houden wy onse Vrede voor veel vaster, ende onse vrundtschap veel stercker.” Art. 4 of Dutch-Algerian treaty, 1622, GPB, 2: 2291.

“Naar believen kunt u hier oorlogsschepen naar toe sturen om samen met onze oorlogsschepen tegen de koning van Spanje te gaan, onze capitale en gemene vijand, om hem afbreuk te doen, en hem te castigeren,

ground, or at least the useful illusion that both states shared an interest in defeating Spain, helped the Dutch Republic re-establish diplomatic relations with North African states.

The Dutch proposal to combine Dutch and North African forces against Spain made it possible for Pijnacker to reach an agreement of peace and cooperation with the Maghreb. The alliance with Algiers and Tunis, however, came at a price. The Estates General had instructed Pijnacker to conclude an accord that conformed to the conditions and stipulations of the 1612 capitulations and the 1617 agreement.<sup>191</sup> The treaties that Pijnacker signed on behalf of the Dutch in 1622, however, left little of the Dutch principles of free trade intact. The Dutch argued that the closure of all Spanish and Portuguese harbors to the Republic, as a result of the renewal of war with Spain, would prevent Dutch merchants from carrying goods of the belligerent powers. It was therefore no longer necessary for Algerian and Tunisian corsairing captains to inspect Dutch merchant vessels. The argument carried no weight, or not enough, and the 1622 treaties stipulated that Algiers and Tunis had the right to stop and inspect vessels and also mandated that the Dutch punish those who transported enemy goods.<sup>192</sup> Similarly, Pijnacker received instructions to claim the release of all Dutch slaves without ransom.<sup>193</sup> The treaties did not, however, specify conditions for the *gratis* liberation of slaves. In fact, the Tunisian treaty did not deal with the subject of releasing captives at all; the

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wij zullen tesamen als vrienden en broeders, zullende elkander helpen en bijstaan als getrouwe bondgenoten en verenigde broeders toebehoort.” Art. 10 of Dutch-Algerian treaty, 1622, GPB, 2: 2292.

<sup>191</sup> Instructions Pijnacker, May 21, 1622, BGLH, 1: 858-864. Pijnacker’s knowledge of “eastern” languages and his family connections with the Amsterdam merchant Bartolotti made him a good candidate. Schutte, *Repertorium*, 374.

<sup>192</sup> Art. 3 of Dutch-Tunisian treaty, 1622, GPB, 2: 2294; Art. 9 of Dutch-Algerian treaty, 1622, GPB, 2: 2292.

<sup>193</sup> Instructions Pijnacker, May 21, 1622, BGLH, 1: 858-864.

Algerian treaty only mentioned the exchange of Dutch slaves for Algerian ones from Malta.<sup>194</sup> In other words, the treaties marked the end of Dutch attempts to enforce principles of free trade in the western Mediterranean and in relations with North Africa.

The 1622 treaties, however, heralded the beginning of official diplomatic relations between the Dutch Republic on the one hand, and Algiers and Tunis on the other. Just as the Ottomans had recognized Dutch sovereignty by granting them the capitulations in 1612, now the Dutch acknowledged the sovereignty of the corsairing cities in the Maghreb. The establishment of a Dutch consulate in Algiers symbolized this new relationship. Algiers and Tunis promised to honor and respect the Dutch consul like his counterpart in Constantinople. The governments in Algiers and Tunis also defined the consul's fiscal prerequisites and his official position.<sup>195</sup> In Tunis, for instance, the consul received duties on all incoming and outgoing Dutch vessels in exchange for validating licenses.<sup>196</sup> Algiers explicitly stipulated that the consul was responsible for the Dutch captives until they were exchanged for Algerian slaves from Malta.<sup>197</sup> By including stipulations on the position of the consul in the treaties, similar to those in the capitulations, Algiers and Tunis emphasized their desire to be recognized as independent in their actions from Constantinople. The Dutch consulates in Algiers and Tunis represented the existence of diplomatic relations between states that, ironically, were not officially sovereign. More importantly, the failure to enforce the *gratis* liberation of

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<sup>194</sup> Art. 12 of Dutch-Algerian treaty, 1622, GPB, 2: 2292, 2293.

<sup>195</sup> Art. 13 of Dutch-Algerian treaty, 1622, GPB, 2: 2293; Art 10 of Dutch-Tunisian treaty, 1622, GPB, 2: 2296.

<sup>196</sup> Art. 10 of Dutch-Tunisian treaty, 1622, GPB, 2: 2296.

<sup>197</sup> Art. 12 and 13 of Dutch-Algerian treaty, GPB, 2: 2292, 2293.

Dutch captives by law meant that the Dutch consul would, in the future, have to assume a more central role in redeeming slaves.

In sum, the period between 1616 and 1622 at first seems to confirm the traditional understanding that real diplomatic relations with North Africa were almost impossible. The Dutch government had clearly failed in their handling of the redemption of captives and was equally unsuccessful in protecting its merchant fleet through the mechanism of treaty-making. Algerian persistence in following customary rules and Dutch insistence on pursuing international law were both so rigid that the conflict could not be resolved peacefully; thus war resulted in 1618. The episode, therefore, apparently reflects a dichotomy between the law-abiding Europeans and the “lawless” states of Algiers and Tunis. But only “apparently,” because when Algiers faced a war on different fronts, officials were prepared to conclude peace with the Dutch Republic and draw up new treaties. These treaties certainly benefitted North African corsairs: none of the Dutch principles of free trade appeared in the articles. In other words, Algiers and Tunis instrumentalized international law just as much as the Dutch did. They, too, saw the benefits of a written contract. Early modern diplomacy in the Maghreb should thus not be interpreted as a simple verification of a traditional interpretation – that North Africans dismissed or flouted the principles of international law --, but rather studied in terms of treaty-making as a reflection of the interests of all states involved. Unfortunately for the Republic, just when the treaties were concluded, the era in which redemption by law seemed possible was ending.

## *Conclusion*

The origins of Dutch diplomacy in North Africa demonstrate how early modern diplomacy in the Mediterranean developed according to different rhythms and followed a different pattern than most studies of diplomacy have postulated as typical. Many scholars have denied that diplomacy, as normally understood, existed in the western Mediterranean. To understand how diplomacy actually developed between the Dutch and the North Africans, we need to use a different measure than earlier historians have provided. These include day-to-day developments, the vicissitudes of a developing merchant empire, the significance of political fissures in the Muslim world and the Dutch Republic alike, and the rise of international law focusing on the freedom of the seas. The commercial interests of the Dutch Republic undoubtedly drove the development of diplomatic relations with the Muslim world in the Mediterranean. The captivity of Dutch seafarers, who literally and symbolically carried Dutch trade, violated Dutch-held principles of free trade and sovereignty. Captivity thus formed the reason that the Dutch instrumentalized international law to shape and define policies on piracy and captivity in the Mediterranean. Yet, diplomacy was not a one-way street. The capitulations and the treaties the Republic and North African states concluded reveal the agency of North African society in forging diplomatic relations. The powerful Ottoman Empire perhaps best illustrated how east-west diplomacy was possible, yet the Moroccan king, as well as the Algerian and Tunisian rulers, similarly defended their interests and initiated negotiations with Christian states. Their attempts to win the Dutch as an ally against Spain reveal the agenda of North African states as a search to find common ground with Christian Europe. That endeavor also shaped early modern diplomacy. Similarly, the



*pashas*' suggestion to send a Dutch consul to Algiers and Tunis to cement relations formed perhaps the most influential intervention of all, because it largely defined the type of diplomatic representation the Dutch and North Africans would maintain for the remainder of the early modern period. The tendency of Muslim officials to refrain from establishing resident embassies in the Dutch Republic, or anywhere else in Europe, also confirms how relations between east and west deviated from the course that traditional historiography on diplomacy has prescribed: neither side was interested in building permanent political relations through resident embassies. The military alliances and commercial treaties were on-the-fly solutions to pressing problems rather than foundations for a long-term diplomatic network that covered Europe and North Africa.

Thus, the first stage of establishing diplomatic relations in the Maghreb reveals one of the many ways in which early modern diplomacy originated and the often crooked path its development followed. Merchant diplomacy reflected the rise and interests of the Dutch as a trade empire; it was unilateral and ad hoc in nature. Moreover, the role of North Africa in shaping the course of early modern diplomacy was considerable. Indeed, the failure of the Dutch to enforce the *gratis* liberation of their captives through international law led the Dutch government to give its consuls in North Africa a prominent role in liberating captives. The experiences of Dutch consuls on-the-ground, starting with Wijnant Keyser in 1616, would now determine how diplomacy evolved and the role that commercial interests would assume in that evolution.

## Chapter 2. Redefining the Consul

When Abraham Wicquefort wrote in 1682 that “the right of embassy is the most illustrious mark of sovereignty,” he also argued that the ambassador was the king among diplomats.<sup>198</sup> Only the ambassador possessed the status and authority to represent a sovereign power and negotiate the political affairs of the state. He thus emphasized what generations of historians have later argued: the resident ambassador was the center of the political machinery of European international relations and, as such, solely defined “true” early modern diplomacy. A history of early modern diplomacy that focuses only on the role of the resident ambassador, however, casts a woefully inadequate picture of diplomacy and its evolution in North Africa. The history of the seemingly more modest position of consul in the Maghreb tells a different story and one more reflective of the actual situation. The appointment of Wijnant Keyser as the first Dutch consul to Algiers and Tunis in 1616, for example, marked a redefinition of the Dutch consular role. Not longer were consuls to be merchant-consuls, that is, those who headed local merchant communities abroad; they were now diplomats representing and acting on behalf of the state. The Dutch government charged them with all the tasks one would normally expect of an ambassador: maintaining regular relations with Algerian and Tunisian leaders by concluding treaties and giving gifts; assisting Dutch merchants; negotiating the liberation of enslaved Dutch sailors; and acting as conduits of information especially, but not exclusively, on commercial matters.

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<sup>198</sup> “Que l’Ambassadeur est un Ministre, dont l’Etat ne peut se passer, & que le Droit de l’Ambassade est la plus illustre marque de la Souveraineté,” Abraham Wicquefort, *L’Ambassadeur et ses Fonctions*, Livre Premier (The Hague, 1724), 2.

Describing the consul as a state representative engaged in promoting the larger commercial and political interests of the state differs from a customary understanding of what a consul was or did; namely, a merchant who acted as spokesman for local merchant communities in Europe and the Levant. Diplomatic historians have usually regarded consuls as possessing neither the status, nor the rank, nor the duties of an ambassador. Older interpretations indeed sharply distinguished the office of consul from that of the ambassador. In the world of early modern European diplomats, ambassadors took center stage in representing sovereigns and handling political affairs. English, French, and Spanish monarchs as well as the Venetian *doge*, for example, sent their ambassadors to reside at foreign courts to handle disputes, renew alliances, or ratify treaties, and, just as important, to gather information and function as an “honest spy,” as Wicquefort described them. This exchange of resident ambassadors, as Garrett Mattingly explained, anchored an early modern European diplomatic network and regulated relations between independent states.<sup>199</sup> In this system, ambassadors formed the essential building blocks of diplomacy and represented its professionalization.<sup>200</sup> Consuls in Europe, as envoys promoting commerce, played no role here.

In the Muslim Mediterranean, however, the separation between commercial and political tasks blurred. Christian states often sought to profit from the rich trades in several ways. Junko Takeda, for example, has recently argued that the commercial relations between Marseille and the Ottoman Empire not only sustained the “state-building initiatives” of the French crown, but also bolstered local power and identities,

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<sup>199</sup> Mattingly, *Renaissance Diplomacy*, Foreword.

such as of Marseille.<sup>201</sup> The position of the French ambassador in Constantinople, therefore, promoted what late seventeenth-century French administrators began to see as a virtue for building a state: merchant enterprise.<sup>202</sup> The Dutch and English had already recognized the contribution of commerce to state-building dating from their earliest ventures into the Mediterranean in the sixteenth century. In 1585, the English, for instance, appointed a merchant, William Harborne, as their first ambassador to the Ottoman court.<sup>203</sup> Similarly, the first Dutch ambassador, Cornelis Haga, arrived in 1612 to secure commercial privileges for the Dutch Republic. These examples show that the strict separation between ambassador and consul, and therefore, between political and commercial tasks, did not apply to European diplomacy in the Ottoman Empire.

The Dutch consul in North Africa similarly personified this blurring of diplomatic ranks. The Dutch government redefined the function of consuls to fit the requirements of “doing” diplomacy in the Maghreb and protect its commerce more effectively. One major problem troubling Dutch-North African relations was, as we have seen, continued piracy and, especially, the seizing and enslaving of Dutch seafarers. Just as annoying was the loss of cargo. The consul in North Africa took responsibility for remedying all these negative side-effects of Dutch commerce in the Mediterranean, no matter whether he was stationed in Salé or Tunis. This combination of commercial and political tasks

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<sup>200</sup> M.S. Anderson, though, observed that this professionalization did not occur sudden. It was often hard to find capable diplomats. Ambassadorial posts were often filled in a haphazard way: by family members and by sheer luck. Anderson, *Modern Diplomacy*, 80-81.

<sup>201</sup> Junko Takeda, *Between Crown and Commerce. Marseille and the Early Modern Mediterranean* (Baltimore: The John Hopkins University Press, 2011), 1-6.

<sup>202</sup> Takeda, *Between Crown and Commerce*, 5, 39.

<sup>203</sup> Wood, *Levant Company*, 8-13; Berridge, *British Diplomacy*, 1.

distinguished consuls in North Africa from their counterparts in Italy and the Levant and provided them with a unique position in the early modern mercantile-diplomatic world. In the absence of a resident ambassador in the western Mediterranean, the consul acquired the status of sole state representative.

Although the Dutch government redefined the role of consuls, it also left it ambiguous. The manner in which the Dutch government financed the consulates, for example, did not reflect consuls' status as a major representative. The Estates General expected consuls to finance the consulates as if they were merchant-consuls, that is, consuls heading a merchant community and levying consular fees to sustain their position.<sup>204</sup> As will become evident, the underfinancing of consulates greatly hampered consuls' functioning as state-representatives. Keyser and other consuls, therefore, sought to remedy the deficits by seeking their own profit. In response, the government and its trading community strongly disapproved of consuls' supplementary income and sought to resolve the financial problems by streamlining commercial and diplomatic traffic in the Mediterranean through the founding of the *Directorate of the Levant Trade and Navigation* in 1625.<sup>205</sup> The Directorate, however, never fundamentally altered the financing of the consulates in North Africa. Thus, the discrepancies between a consul's

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<sup>204</sup> Early modern Europeans referred to merchant communities abroad as "nations." Niels Steensgaard described them as a "society of merchants of common origin." Recent studies, however, offer different definitions. Daviken Studnicki-Gizbert, for instance, considers the Portuguese nation a diaspora, while Albert Girard coined them colonies. Maartje van Gelder concluded that the Flemish-Dutch communities in Italy resembled the Portuguese ones; that is, as a group of people of different social, religious, and economic backgrounds who shared the same origins and operated with similar communities in the context of an international network. See, Steensgaard, "Consuls and Nations in the Levant," 14-15; Daviken Studnicki-Gizbert, *A Nation upon the Ocean Sea. Portugal's Atlantic Diaspora and the Crisis of the Spanish Empire, 1492-1640* (Oxford, NY: Oxford University Press, 2007), 10; Van Gelder, *Trading Places*, 130.

<sup>205</sup> The official title reads "De Kamer der Directeuren van den Levantsen handel en de navigatie in de Middellandsche Zee. See: Approval town council Amsterdam, Apr. 25, 1625, NA, 1.03.01, inv.nr. 26. Also: Recommendation Merchants, Apr., 5, 1625, NA, 1.03.01, inv.nr. 87.

diplomatic assignment and the expectations of what a consul should and should not do, all contributed to the creation or redefinition of a diplomatic position that came to deviate significantly from that of consuls and ambassadors in Europe but also in the Levant.

This chapter analyzes how the Dutch government redefined the function of consul in North Africa. First, it discusses how the Estates General took over the appointment of consuls from merchant communities in Italy and the Levant and began to build a consular-diplomatic network in the eastern Mediterranean to sustain its embryonic trade empire. The next section examines how the government turned consuls in North Africa into state representatives to protect its carefully constructed trade relations in the Levant from corsairing activities in North Africa. The third section analyzes how the government financed missions, or rather, hardly did. Throughout the period, insufficient funds hampered the consul's tasks and led some, like Wijnant Keyser, to seek illegal ways to supplement his income. Thus, the newly established Directorate reflects an attempt to tackle the complicated situation of consuls in North Africa. The Directors took over the financing of consulates, but, in fact, did not resolve the structural problem of underfinancing. Instead, the Directorate channeled merchants' complaints and questioned the function of the consulates, thus exposing the fragile foundations of the diplomatic missions to Algiers and Tunis. Finally, the government's attempts to turn the port of Stora, located between Algiers and Tunis, into a Dutch trading post, exemplifies how the policy of insufficiently funding consulates frustrated the Republic's trade ambitions. Consuls' efforts to seek personal profit led to the loss of Stora; a valuable connection between North Africa and commercial centers in Italy and the Levant, where Dutch merchant communities had settled early on. In sum, setting up the first Dutch consulates

in Algiers and Tunis did not proceed smoothly, yet its residential character, ambiguous definition, and poor financing shaped early modern diplomatic practices in unexpected ways.

### ***From Merchant-Consul to State-Consul in Italy and the Levant***

The governmental appointment of Keyser and his successors as consuls to North Africa was an innovation. In the late medieval Mediterranean, consuls were not commissioned by the state, but selected by a *nation*, that is, an assembly of merchants resident in foreign ports or trading towns. Its members usually chose one of their own to represent them and handle legal disputes.<sup>206</sup> These nations developed mostly in the Levant, where Venetian merchants and consuls had a long history of trading and negotiating with the Ottomans. These arrangements often served as an example for other Christian states that sought to participate in the “rich trades.”<sup>207</sup> Initially, Dutch merchant communities in Italy and the Levant also selected their own consuls but, around 1600, the Estates General began to take over the appointments. The intervention of the state reveals that the government considered consuls a vital component in consolidating and expanding trade opportunities in the eastern Mediterranean. By turning consuls into state-representatives, the Estates General made mercantile interests an affair of state rather than the private business of local merchants. A closer look at how consuls became state

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<sup>206</sup> Steensgaard, “Consuls in the Levant,” 14, 15, 26. Leos Müller, *Consuls, Corsairs, and Commerce. The Swedish Consular Service and Long-distance Shipping, 1720-1815* (Stockholm: Uppsala Universitet. Studia Historica Upsalicensia 213, 2004), 75, 76.

<sup>207</sup> See article Steensgaard on comparing models, “Consuls in the Levant.” On the Dutch, see Israel, “The Dutch Merchant Colonies in the Mediterranean,” 87-128. For Venetian consuls, see Mattingly, *Renaissance Diplomacy*, 67-70.

representatives in Italy and the Levant demonstrates how the Dutch government, rather quickly, began building its merchant empire in the Mediterranean in collaboration with merchants and how this carefully orchestrated process justified the appointment of Keyser and other consuls in North Africa.

As in other European states, Dutch consular representation developed first in local merchant communities. Historians, however, disagree about the exact manner in which this took place. Jonathan Israel contends that in the early 1600s, Dutch merchant colonies in Italy and the Levant originated “under the control and supervision of the Protestant state,” and that, from 1609 onwards, merchants with interests in these communities urged the government to establish a consular-diplomatic network to protect and promote trade.<sup>208</sup> Israel thus linked the development of the Dutch consular network to the rise of merchant communities in the Mediterranean. Recent studies by Maartje van Gelder and Marie-Christine Engels, however, have cast doubt on the idea that the Dutch government deliberately founded merchant colonies. The Flemish origins of many Dutch merchant houses in Italy, such as the Della Failles who moved their headquarters from Antwerp to the Dutch Republic, offer a clear indication of how the expansion of trade networks represented an organic development that occurred within existing mercantile communities rather than a state initiative.<sup>209</sup>

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<sup>208</sup> Israel, “Merchant Colonies,” 92.

<sup>209</sup> Van Gelder, *Trading Places*, 44-48, 120, 165; Marie-Christine Engels, *Merchants, Interlopers, Seamen and Corsairs: the ‘Flemish’ Community in Livorno and Genoa (1615-1635)*, (Hilversum: Verloren, 1997), 125-126; Wätjen, *Die Niederländer im Mittelmeergebiet*, 5.  
Another example: Daniel van der Meulen (1554-1600), related to the Della Faille family through his marriage to Hester, daughter of Jan della Faille, founded a Neopolitan company with his brother Andries and Nicolaas de Malapert, and invested in trade expeditions to North Africa. With his brother-in-law Jacques della Faille he also organized two expeditions to the Levant. Another Della Faille member was in charge of exporting goods to Morocco and Barbary. Kooijmans, *Vriendschap*, 18-22; Groot, *Ottoman Empire*, 86, 87.



Van Gelder's and Engels's emphasis on the gradual development of Dutch trading establishments in Italy and the Levant also weakens Israel's second contention. He explains that merchants with investments and contacts in the Mediterranean requested the government to send diplomatic representatives to safeguard and promote their businesses. The involvement of merchants in shaping the government's trade policies abroad indeed formed a *leitmotif* running throughout the history of Dutch global commercial expansion; the Mediterranean was no exception. Yet, by selecting 1609 as a starting point, Israel suggests that no consuls existed to represent the merchant community previous to the merchants' requests.<sup>210</sup> In his interpretation, the Dutch state created a consular network from scratch.

But as Van Gelder and Engels show, Flemish-Dutch merchant communities were already electing their own consuls before the Estates General took over appointments. Dutch merchants began to trade with Italy and the Levant at the end of the sixteenth century, while Flemish merchants had established trading contacts in Italy by transporting products over land since the Middle Ages. The fall of Antwerp in 1585 and the ensuing immigration of many Flemish merchants to the Dutch Republic ensured that Flemish and Dutch merchants joined their interests in Italy, as exemplified by the selection of their own consul, the merchant-consul.<sup>211</sup> In Venice, they commissioned the Venetian Giulio

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<sup>210</sup> In 1609, the Republic signed a Twelve Years Truce with Spain, that lifted the Spanish embargo on Dutch trade on the Iberian peninsula and enabled them to rapidly expand trade. Israel, "Merchant Colonies," 92-93.

<sup>211</sup> Similar developments took place in Archangel, Russia. J.W. Veluwenkamp, "Merchant Colonies in the Dutch Trade System (1550-1750)," in: C.A. Davids, W. Fritschy and L.A. van der Valk, eds., *Kapitaal, Ondernemerschap en Beleid. Studies over Economie en Politiek in Nederlands, Europa, en Azië van 1500 tot Heden. Afscheidsbundel voor prof. dr. P.W.Klein.* (Amsterdam: NEHA, 1996), 141-164, 148.

di Franceschi to handle their affairs in 1607.<sup>212</sup> Similarly, in 1611, the combined German, Flemish, and Dutch nations in Livorno selected the Austrian Matheo Bonado.<sup>213</sup> In Genoa, the German consul Christoph Ulrich Koch represented the German, Dutch, and English merchant communities until about 1615.<sup>214</sup> In the Levant, merchants in Aleppo picked Arnoult de la Valee from Dordrecht to act as consul and began paying him duties in 1608.<sup>215</sup> Thus, merchants did not seem overly concerned with a consul's "national" identity. Rather, they deemed it prudent to collaborate with old trading partners and select the most capable representative to mediate their interests with local officials, regardless of the man's origins.

The prerogative of Dutch merchant communities to select their own consuls, or their collaboration with others in doing so, did not last long. An anonymous letter from 1610/ 1611, probably written by merchants from Amsterdam, argued for the establishment of a consular network to support the aspirations of the young Republic as a trading nation. This letter implied that consuls should not promote individual merchant communities but rather the entire Dutch state. Convinced that the Levant trade would easily surpass trade with the East Indies, the merchants recommended that the Dutch government establish embassies and appoint consuls "so that our nation will become known as a trading nation."<sup>216</sup> Johan van Oldenbarnevelt, the powerful state pensionary

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<sup>212</sup> The community, who selected Di Franceschi, consisted of at least 24 merchants and almost 30 shipmasters. Van Gelder, *Trading Places*, 162.

<sup>213</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 445. Engels claims he already operated from 1597 onwards to represent the German and Flemish nations, Engels, *Merchants, Interlopers*, 125.

<sup>214</sup> Engels, *Merchants, Interlopers*, 126. Schutte, *Repertorium Nederlandse vertegenwoordigers*, 441.

<sup>215</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 349.

<sup>216</sup> Letter concerning trade in the Levant, 1611, BGLH, 1: 429-431.

whose policies rested on the belief that successful trade opportunities guaranteed the Republic's independence from Spain, welcomed such requests. Cornelis van der Mijle, his son-in-law, had already accepted the post of first Dutch extraordinary ambassador to Venice in 1609; the appointment of Cornelis Haga to Constantinople followed a year later.<sup>217</sup>

In response to the letter of the Amsterdam merchants and, we may assume, similar requests, the government founded a string of new consulates throughout the Mediterranean and replaced the existing merchant-consuls with state-appointed ones beginning around 1612. In Aleppo, Cornelis Pauw, son of the Amsterdam mayor Reinier Pauw, succeeded Arnoult de la Valee in 1613. Nicolaas van Rhijn replaced Christoph Ulrich Koch as consul in Genoa two years later. In 1618, the Estates General appointed Nicolo Orlando, a Venetian, as consul for the Dutch trading community in Smirna; obviously it trusted foreign consuls to promote Dutch interests.<sup>218</sup> Indeed, the case of the Venetian Orlando demonstrates that the consul's nationality mattered less than who appointed him. The state's intervention in appointing consuls and replacing merchant-consuls sent a message to local Dutch merchant communities in the Mediterranean that the prerogative to select consuls was no longer theirs but the Republic's.<sup>219</sup>

Not everyone greeted the change with approval. Some Dutch merchant communities in Italy successfully prevented state-appointed consuls from heading their nations. Their resistance suggests a conflict of interests between local trading houses and

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<sup>217</sup> Van Gelder, *Trading Places*, 159; Israel, *Merchant Communities*, 92-93.

<sup>218</sup> Engels, *Merchants and Interlopers*, 126; Schutte, *Repertorium Nederlandse vertegenwoordigers*, 327, 349, 441.

<sup>219</sup> The appointment of consul Johan van Daelhem in Livorno in 1612 was preceded by those of ambassadors Van der Mijle in Venice (1609) and Haga in Constantinople (1610/12).

Amsterdam merchants. Indeed, whereas powerful merchants in Amsterdam with large shares in the Mediterranean trade favored establishing consulates under the supervision of the Dutch state, the Flemish-Dutch merchant houses in Italy resisted state intervention for fear of losing their independence.<sup>220</sup> In Venice, as Maartje van Gelder has contended, the Estates General stripped Gillis Ouwercx, the state-appointed consul, of all jurisdictional power over the community in order to appease the concerns of the local Dutch-Flemish merchants.<sup>221</sup> Not until 1658 did the government end these problems by stipulating that the state-appointed consul in Italy and France possessed no jurisdiction over merchant communities. Thus, in Italy merchants prevented the consul from heading their communities and reduced his role to that of commercial envoy whose principal task lay in assisting non-resident merchants and captains in need. The “coup” by the Dutch government, that is, to take over all consular appointments in Dutch merchant communities, did therefore not succeed everywhere in Italy. Its failure documents the existence of internal conflicts within the Dutch trading community.

Nonetheless, the intervention of the state in the first years of the seventeenth century was, apart from some merchant communities in Italy, overall a success. Within a decade, the Dutch government had replaced most merchant-consuls with state-appointed consuls in merchant communities. Wherever new groups of merchants settled state-appointed consuls cared for local commercial affairs. The Dutch consular network in the

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<sup>220</sup> A divided merchant community in Livorno requested as well as objected to the appointment of Johan van Daelhem as consul in 1612. Van Daelhem stayed and the previously merchant-consul Matheo Bonade continued his duties for the Flemish and German merchants instead. For more details on consuls in Livorno, see Engels, *Merchants, Interlopers*, 125-129. For the share of Amsterdam in the Levant trade, see Piet Boon, *Bouwers van de zee: zeevarenden van het Westfriese platteland, c. 1680-1720* (The Hague: Stichting Hollandse Historische Reeks, 1996), 100.

eastern Mediterranean thus originated as a tacit agreement between merchants who wished to participate in the rich trades and a government seeking to direct this growth towards the benefit of the Dutch state. Merchants' recommendations for, and objections to, the appointment of consuls confirm the dynamic interaction between government and merchant communities in building a consular-diplomatic network in the Mediterranean. The shift from merchant-consul to state representative, in other words, illustrates how Dutch consuls in the Mediterranean promoted the interests and aspirations of the Dutch Republic in Italy and the Levant. To protect its mercantile activities in the eastern Mediterranean from corsairing activities initiated in North Africa, however, the Dutch government had to extend its consular network to the western Mediterranean. The naming of Wijnant Keyser as consul to Algiers and Tunis in 1616 was the result.

### ***Representing the State in North Africa***

In 1616, the Dutch government appointed Wijnant Keyser as consul in Algiers and Tunis as part of its widening commercial interests in the Mediterranean. Keyser was the first of twenty-six consuls and two extraordinary ambassadors who negotiated Dutch affairs in the Maghreb between 1616 and 1699. But what precisely did it mean for Keyser and his successors to represent the state in North Africa and, perhaps more importantly, how does their role change our understanding of the development of early modern diplomacy? A comparison of these men with consuls in the eastern Mediterranean reveals that the function of consul in the Maghreb developed differently than in the Levant.

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<sup>221</sup> Maartje van Gelder contends that the friction around Ouwerex's appointment did not stem from patriotic feelings (such as a Dutch consul presiding over Flemish merchants), as Jonathan Israel claimed, but rather from fears that the consul claimed jurisdiction over the community. Van Gelder, *Trading Places*, 158-168.

Corsairs who captured Dutch seafarers and sold pirated goods largely determined what consuls in Algiers and Tunis would do: redeem slaves, reclaim stolen goods, and maintain treaties to prevent future damage to the Dutch merchant fleet. Thus, these consuls acquired a particular role as state representatives promoting and protecting the larger commercial and political interests of the Dutch state in the Mediterranean and not just representing the affairs of local merchants. The redefined function of the consul in North Africa demonstrates that the Dutch Republic, and France and England for that matter, challenged the widely accepted notion in European diplomatic circles that only a resident ambassador could represent the state and its political affairs.

Known alternatively as a resident ambassador, extraordinary ambassador, or minister plenipotentiary, the ambassador occupied the highest rung in the diplomatic hierarchy because he acted in the sovereign's stead and served the common good of the state.<sup>222</sup> Because consuls represented merchant communities, they enjoyed little status (if any) in diplomatic hierarchies. The German author Gottfried Stieve, for instance, argued that consuls' task in promoting "just and only" the interests of merchant communities and not that of the sovereign made them nothing more than commercial envoys.<sup>223</sup> Stieve, himself specialized in court ceremony, disdained commerce. For him, only the ambassador counted as a state representative *pur sang*. Other treatises on early modern

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<sup>222</sup> Ambassadors were those "(...) qui sous la seureté de la foy publique autorisee par le droit des gens, sont employez pour negocier avec les Princes ou Republicques estrangeres les affaires de leurs maistres, & y representent avec dignité leurs personnes & leur grandeur pendant la legation," Ian Hotman, *De la charge et dignité de l'ambassadeur* [1603] (Düsseldorf, 13<sup>th</sup> ed., 1663), 2, 3; Candorin [Conrad von Hövel], *Vollkommener Teutsche Gesandte* (Frankfurt: Joh. Georg Drullmann, 1679), 3; Gofffried Stieve, *Europäisches Hof-Ceremoniel* (Leipzig, 1723), 215, 291. Contemporaries also distinguished delegates lower in rank, such as commissioners and envoys. These functions also promoted the political interests of the sovereign and were fully authorized to do so. Candorin, *Vollkommener Teutsche Gesandte*, 1, 2.

diplomacy repeated Stieve's view.<sup>224</sup> They argued that a consul's pre-occupation with commercial pursuits and self-interest were no match for the refinement of an ambassador's political negotiations at the highest courts in Europe. The idea that consuls in Europe could represent the sovereign state was simply unimaginable. Thus, early modern Europeans considered the function of ambassador, with his responsibility for political affairs, far superior to that of the consul who engaged in the less virtuous business of commerce. Political commentary thus excluded consuls from the diplomatic and political idiom.

Early modern treatises on diplomacy not only distinguished consuls from ambassadors; they also acknowledged that the position of consuls in the Muslim Mediterranean differed from consuls stationed in Europe.<sup>225</sup> The French ambassador Ian Hotman, for example, listed consuls in Algiers, Tunis, Tripoli, and other places in the Ottoman Empire among agents *and* ambassadors. In particular, the French diplomat admired the Venetian consuls stationed in Egypt. They had, he insisted, the best knowledge of merchandise prices, but were also founts of important information from all parts of the world. As such, they served, like ambassadors in Europe, as "intelligence agents." Although consuls promoted the interests of merchants, towns, and communities instead of the prince, Hotman still considered them state representatives, because "the

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<sup>223</sup> "nur bloß und alleine den Nussen ihrer negotierenden Nation." Stieve could have referred to nation as state, but it seems likely that he meant merchant community. He contrasts *Nation-Bedienter* (consuls) to *Hof-Bedienter* (agents). Stieve, *Europäisches Hof-Ceremoniel*, 334.

<sup>224</sup> Stieve, *Europäisches Hof-Ceremoniel*, 216.

<sup>225</sup> In the Dutch case, Schutte maintains that the titles of consul, consul-general, and vice-consul were specific for the Mediterranean, whereas these functions elsewhere were named commissioner, commissioner-general and vice-commissioner. Schutte, *Repertorium Nederlandse vertegenwoordigers*, XI.

prince” approved their nomination and authorized them (*Creditive*).<sup>226</sup> Hotman and his contemporaries thus believed that a mandate from the sovereign defined consuls in the Muslim Mediterranean as governmental delegates rather than as temporary subjects of the state where they would reside.<sup>227</sup> In other words, according to Hotman, the authority to represent one’s sovereign characterized a true representative of the state, no matter what commercial duties attached to his office.

Hotman observed how Venetian consuls promoted the commercial interests of the Republic of Venice; yet other European states, too, had made similar headway in turning consulates to the benefit of the state. In comparing the position of Venetian, French, English, and Dutch consuls in the Levant, Niels Steensgaard noted that each European consul there represented the “Crown or political authority.”<sup>228</sup> Nonetheless, the distinction between the involvement of political and commercial institutions in delegating consuls was not clear cut. Venetian consuls, for instance, were formally appointed by the Senate, but, from 1583 onwards, such appointments required the consent of the *Cinque Savii*, the Venetian board of trade. The Dutch consulates closely resembled the Venetian model; the government appointed consuls in close collaboration with its merchants and, later, under the supervision of the *Directorate of the Levant Trade and Navigation*. In contrast, the English Crown had authorized its Levant Company to conduct commerce

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<sup>226</sup> Hotman, *De La charge et dignité*, 11, 12; Karl Heinrich Ludwig Pölit, *Die Staatswissenschaften im Lichte unsrer Zeit. Fünfter und lesster Theil. Practisches (europäisches) Völkerrecht; Diplomatie; und Staatspraxis* (Leipzig: J.E. Hinrichsche Buchhandlung, 2d ed., 1828), 310, 311.

<sup>227</sup> Christian Heinrich von Römer, *Versuch einer Einleitung in die rechtlichen, moralischen und politischen Grundsätze über die Gesandtschaften und die ihnen zukommenden Rechte* (Gotha: Carl Wilhelm Ettinger, 1788), 122, 134; Jean Gottlieb Uhlich, *Les Droits des Ambassadors et des autres Ministres publics les plus éminents, avec un tableau, qui represente les ministres negocians aux plusieurs cours de l’Europe dans les annees 1730 & 1731* (Leipzig, 1731), 13.

<sup>228</sup> Steensgaard, “Consuls in the Levant,” 25.



and, in 1605, granted its members the right to appoint their own consuls. Strictly speaking, the English consul represented the Company, not the government. For most of the seventeenth century, a French consul could buy his office and he also possessed the right to farm out the consulate.<sup>229</sup> In other words, all European consuls in the Levant represented, directly or indirectly, the interests of their “home authority.”

It is tempting to regard the office of consul in Algiers and Tunis as similar to that existing in the Levant. Because the Ottoman Empire officially ruled these regions through *pashas* (governors), one might expect that the laws of the sultan to pertain to the Ottoman regencies as well. Circumstances in the western Mediterranean, however, differed from those in the eastern half. Algiers and Tunis operated with considerable independence from Constantinople. For example, they did not always abide by the capitulations, especially when the sultan’s promises to Christian states undermined their position as corsairing centers. In fact, their support of corsairs, in particular the enslavement of Christian seafarers and the sale of stolen goods, had forced the Dutch to recognize the relative independence of the regencies in the Maghreb and seek direct diplomatic contact with them by appointing Keyser consul.

Consular representation in North Africa was, however, questionable from a European legal point of view. Hugo Grotius proclaimed that the right of every nation to send and receive delegates only applied to sovereign, that is self-governing, states; “pirates and robbers, who do not make a state, cannot base any claim to the right on the law of nations.”<sup>230</sup> Hence, they were likewise excluded from the “right of embassy.”

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<sup>229</sup> Steensgaard, “Consuls in the Levant,” 25-34.

<sup>230</sup> Hugo Grotius, *The Law of War and Peace. (De Jure Belli ac Pacis)*. A New Translation by Louise R. Loomis with an Introduction by P.E. Corbett. Roslyn, NY: Walter J. Black, 1949), 194. Although Grotius

Europeans, who considered North African principalities “dens of robbers” with no respect for the rule of law shared Grotius’s view.<sup>231</sup> Their flouting of international law, especially in international waters, theoretically denied North African states the right to send and receive diplomatic representations.

Reality, as always, proved more complicated. Some European authors, like Zacharias Zwanssig, claimed that slavery provided rulers in North Africa with both authority and sovereignty precisely because they held “the others” in captivity.<sup>232</sup> European states had therefore no choice other than to recognize this connection and acknowledge Algiers and Tunis as independent entities. Although early modern diplomats never directly discussed the redemption of slaves as belonging to the diplomat’s repertoire of duties, Zwanssig’s interpretation nonetheless justified the practice of sending consuls with a mandate to Algiers and Tunis. By assigning consuls the duty of liberating captives, redemption thus became an affair of state.<sup>233</sup> Keyser’s initial assignment “to defend the subjects [of the Republic]” and free 130 captives distinguished the consul in North Africa from his counterparts elsewhere in the Mediterranean.<sup>234</sup>

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did not specifically mention North African corsairs, he published *De Jure Belli ac Pacis* in 1625, in the midst of intense relations between the Republic and Algiers and Tunis. Given his previous engagements in Dutch politics, not to mention the publication of his *Mare Liberum* in 1609, he most likely referred to Mediterranean corsairs in his analysis of pirates and robbers in 1623/1624.

<sup>231</sup> Braudel, *Mediterranean*, 870.

<sup>232</sup> “respect von ihren sclavischer hergebracht gewohnheit,” Zwanssig, *Theatrum Praecedentiae*, 107.

<sup>233</sup> Candorin, in fact, mentions the exchange and ransoming of captives as a diplomat’s task. It is not clear, however, whether he refers to situations in Europe or in North Africa. Candorin, *Vollkommener Teutsche Gesandte*, 11.

<sup>234</sup> “aldaer d’ondersaten van dese landen ende haere goederen te deffenderen ende beschermen tegen die seeroovers” Resolution Estates General Wijnant de Keyser, April 23, 1616, BGLH, 1: 678-688, 679.

Evidence suggests, however, that consuls in Italy and the Levant also liberated captives. Cornelis Berck in Livorno, for instance, assisted a couple of Dutchmen, who were held as captives on the galleys of the Duke of Tuscany in 1630, in regaining their freedom.<sup>235</sup> It is less clear to what extent consuls in the Levant occupied themselves with the redemption of captives. The 1612 capitulations certainly stipulated that they could demand the liberation of Dutch captives and Ambassador Cornelis Haga in Constantinople assiduously sought to free Dutch captives from Ottoman captivity.<sup>236</sup> In doing so, he probably relieved consuls under his jurisdiction from that task. It seems that consuls in the Levant were generally more involved in supervising trade and less in the liberation of captives.<sup>237</sup> In contrast, the Estates General specifically ordered Keyser and his successors in the Maghreb to liberate captives. In other words, it is the *scale* of redemption that distinguished consuls in North Africa from their counterparts elsewhere. While consuls in the Levant occasionally worked to liberate slaves, this requirement formed a major part of a consul's duties in North Africa.

However important redemption alone did not define the role of consul as a state representative in North Africa. The promotion of commerce itself, intricately related to slavery, was just as critical. Once again, consuls' tasks in these matters differed from consular activities in Italy and the Levant. Although the Estates General expected Wijnant Keyser in Algiers and Cornelis Pauw in Aleppo to promote the commercial interests of the state, Pauw specifically had to "protect the *nation* [italics mine] and

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<sup>235</sup> Engels, *Merchants, Interlopers*, 127.

<sup>236</sup> Art. 32 of Capitulations, GPB, 3: 387.

<sup>237</sup> Dutch participation in the rich trades boomed after 1609. Israel, *Dutch Primacy*, 97. For Haga's efforts, see Groot, *Ottoman Empire*, 124.

promote trade” in Aleppo.<sup>238</sup> Keyser’s instructions, however, lacked any reference to a nation of Dutch merchants in Algiers. Instead, his assignment charged him with the defense of “the subjects of these lands and her goods and to protect them from corsairs.”<sup>239</sup> The instruction suggests that he was responsible for the interests of the entire Dutch trading community in the Mediterranean, including all local merchant communities in ports and trading towns, such as Aleppo, Smirna, or Livorno. In other words, the Estates General commissioned Keyser specifically to protect existing commerce in the Levant and, not more expansively, to promote trade relations with North African traders.

The reasons for this subtle difference between stimulating trading and protecting existing commerce was that, with the exception of a handful of individual traders, no organized Dutch merchant communities existed in Algiers and Tunis. The absence of Dutch nations did not mean, however, that the consul had no dealings with Dutchmen. There were enough captains, renegades, merchants, naval officers, and, above all, slaves there to make Keyser’s official life miserable. Apart from sharing Dutch roots, this rag-tag group did not organize itself into a meaningful community.<sup>240</sup> The absence of local Dutch merchant communities in North Africa enabled the government to appoint Keyser without experiencing any opposition from an already resident group. Thus, the Estates

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<sup>238</sup> “die totte inleydinge ende onderhoudinge van zijnen staet noodich zijn, met alle appendentiën ende dependentiën van dien, sulcx als d’eere ende reputatie van den lande, bescherminge van de natie ende vorderinge van de negocie sal vereysschen, mette beste mesnage, alles in conformité ende gelijck als doen die minste van d’ander naciën, die tot Aleppo consuls onderhouden.” Resolution Estates General Cornelis Pauw, 1612, BGLH, 1: 437-440, 439.

<sup>239</sup> Resolution Estates General Wijnant de Keyser, April 23, 1616, BGLH, 1: 678-688, 679.

<sup>240</sup> So far, no sources, including Heeringa’s *Bronnen tot de Geschiedenis van de Levantsche Handel*, suggest otherwise.

General was also able to define the consul's task in broader commercial terms than in either the Levant or Italy.

Besides liberating captives and reclaiming ships, the consul also had to maintain the treaties the Republic had earlier concluded with Algiers and Tunis. The treaties possessed a preventive character, although by 1622, the Dutch trading community was somewhat skeptical of the possibility of using treaties to halt the taking of captives and the confiscation of vessels and goods. Nonetheless, Keyser received specific instructions to uphold the 1622 agreements. This particular task separated him from his counterparts in Italy and the Levant, because Dutch ambassadors in Venice and Constantinople usually performed this duty.<sup>241</sup> The maintenance of treaties raises a critical point. As much as the Dutch consul in North Africa played a significant role in the development of early modern diplomacy, his status never equaled that of an ambassador. When the Dutch government decided to negotiate treaties, it did not assign consuls to perform this task but rather preferred to dispatch extraordinary ambassadors (Cornelis Pijnacker and Thomas Hees) or special envoys, such as Admiral De Ruyter. Nonetheless, the absence of Dutch resident ambassadors in North Africa forced the consul to act as the sole, official representative of the government, responsible for nurturing diplomatic relations and protecting trade with the Levant.

In short, the office of consul in North Africa developed on its own terms. By liberating captives, maintaining treaties, reclaiming stolen goods and vessels, and assisting individuals engaged in trade and shipping, Dutch consuls acted as state representatives in a wide variety of political and commercial instances. They did not head

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<sup>241</sup> Hotman also suggested that the lack of an ambassador allowed Venetian consuls in Egypt to take on an advisory function, Hotman, *De La charge et dignité*, 11-12.

the existing Dutch mercantile nations, but rather attempted to promote the interests of the larger Dutch trading community in the Mediterranean while assisting local individual merchants when in need. In contrast, their counterparts in Italy functioned as commercial envoys. Consuls in the Levant more resembled those in North Africa, although the presence of ambassadors in Constantinople circumscribed their field of actions. The absence of a resident ambassador in the Maghreb, in short, allowed consuls in Algiers and Tunis to act more expansively. The government's role and the peculiar situation in the Maghreb in redefining the profile and tasks of the consul demonstrates that the course of early modern Dutch diplomacy in North Africa depended on what consuls did.

### *Financing the Consulate*

The consul in North Africa thus served as a state representative responsible for the protection of shipping and citizens *and* the promotion of state affairs. The manner in which the Estates General originally financed the consulates in North Africa, however, reveals that the government had not yet fully comprehended the dimensions of these tasks nor considered how to provide their representatives with the wherewithal to accomplish them. As a result, Wijnant Keyser was forced to make money for himself, although he probably anticipated doing so from the onset; an attitude of which the Dutch trading community strongly disapproved. They believed that Keyser's attempts to pursue profit and personal gain conflicted with his duties to promote their affairs and that of the state. Their complaints eventually led the Estates General to dismiss Keyser in 1625 and replace him with Pieter Maertensz Coy, the agent who had served earlier in Morocco. The Keyser affair demonstrates that no one had yet figured out exactly how to shape the

consular office in North Africa: discrepancies existed between the government's definition of the consul as state representative and the expectations of the merchant community. In this situation, the financing of the consulate proved a crucial issue. Keyser, as the first consul, thus became a test case that eventually defined early modern diplomatic practices in the Mediterranean.

Despite assigning Keyser the role of governmental official, the government expected him to finance the consulate as if he were a merchant-consul. The Estates General, in accordance with the 1622 treaties allowed the consul to levy consular fees in Algiers and Tunis as a percentage similar to what French and English consuls received. These arrangements reveal the Republic's intent to model Dutch consulates in North Africa after existing European ones, including its own elsewhere.<sup>242</sup> Dutch consuls in the Levant, for example, also relied on consular duties of three percent on trade goods for part of their income.<sup>243</sup> Niels Steensgaard, in comparing various European consular institutions in the early seventeenth-century Levant, argued that this "system of payment was a weak point." When consuls' incomes declined due to a deceleration of commercial traffic or the emergence of sudden and unexpected expenses, such as the *avania* (arbitrary taxes levied by Ottoman officials), the government had to find ways to prevent consuls from plunging into debt.<sup>244</sup> The Estates General, for instance, granted consul Cornelis Pauw in Aleppo a share of the revenues from the vice-consulate of Cyprus to cover his

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<sup>242</sup> The Estates General, in the meantime, examined what percentage French, English, and other consuls received as consular duties in North Africa and which ports or places they used. Resolution Estates General, Wijnant de Keyser, 23 April 1616, BGLH, 1: 678-688.

<sup>243</sup> Art. 16 of Capitulations, GPB, 3: 385.

<sup>244</sup> The *avania* were "arbitrary payments extorted from the nation as a whole by the Turkish authorities to meet their own or their clients' claims." Steensgaard, "Consuls in the Levant," 20.

expenses.<sup>245</sup> If the consulate in Aleppo was underfunded, the situation for consuls in the Maghreb was worse. Despite the ups and downs of trade in the Levant, it was still a regular legal trade. Legal commercial traffic with North Africa, however, excluding the sale of captives and stolen goods, was sporadic and not very voluminous. Too few merchants arrived to guarantee a steady income for the consuls.<sup>246</sup> Indeed, throughout the seventeenth century the absence of normalized trade relations between the Republic and Algiers and Tunis prevented Dutch consuls from enjoying sufficient fees to sustain their consulates. The government's expectations that the consul would complement his income by levying consular fees thus proved to be illusory or even delusory.

Steensgaard's suggestion that consular fees provided the only source of revenue for Dutch consuls in the Levant is, however, also incorrect. In fact, the Estates General compensated consuls in North Africa for their services, albeit inadequately. Because Wijnant Keyser initially received a temporary assignment, the government allowed him a one-time grant of twelve hundred guilders for his "expenditures and efforts." Among the consul's expenses, the government reckoned the transportation of 130 captives back to the Republic (whom Keyser had to liberate without paying ransom) and the costs of paying a substitute in Tunis. In addition, the consul needed a *janitsar* for protection and an interpreter. Regents also calculated an amount of 600-700 guilders in gifts for the

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<sup>245</sup> French consuls were also in trouble: the French neither distinguished between consular fees and consular income. In contrast, Venetian and English consuls received a fixed income. The English treasurer collected consular rights and supplementary fees to pay directly for the consul's wages, ordinary expenses, the maintenance of buildings, and other expenses. Steensgaard, "Consuls in the Levant," 25-36.

<sup>246</sup> Israel argues that the Levant trade suffered from its ups and downs. After 1623, for instance, Dutch trade almost collapsed. Israel, *Dutch Primacy*, 150-151. Also, the absence of Dutch trade records for North Africa suggests that trade with North Africa was individual rather than collectively organized.



rulers of Algiers and another 800-900 for those in Tunis.<sup>247</sup> As this list reveals, maintaining a consulate in North Africa involved not only covering the consul's living expenses, but also paying for the services of others as well as for gifts to the Algerian hosts. It is likely that Wijnant Keyser received compensation on an annual basis when he assumed his office permanently in 1622. The Estates General, for instance, determined in 1625 that his successors would receive the same amount (twelve hundred guilders) annually.<sup>248</sup> By compensating consuls with a fixed amount each year and permitting them to levy consular fees, the Estates General laid down a firmer basis for funding Dutch consulates in North Africa.

It was, however, not a totally successful strategy. Keyser quickly pointed out a discrepancy between the funding policies of the state and the consul's position. Because the Republic regarded taking captives as a violation of free trade, the Estates General instructed Keyser to demand the freedom of 130 persons then held in captivity. He was, however, not to pay for their release. Thus, the Estates General reimbursed him solely for costs of their transportation back to the Republic. But Keyser *ransomed* thirty-five slaves instead of negotiating their *gratis* liberation.<sup>249</sup> Likewise, he wrote to the Estates General that he had not "demanded" the liberation of slaves held in Tunis but had ransomed them instead because "the expense was not too great." He attached a bill for the regents of

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<sup>247</sup> Jan Anthonissen, Keyser's interpreter, received an amount of 100 *daelders*. Assumedly, the government paid for the gifts, because Keyser's compensation of twelve-hundred guilders would not be sufficient to cover this. Resolution Estates General Wijnant de Keyser, April 23, 1616, BGLH, 1: 678-688.

<sup>248</sup> Resolution Estates General, Feb. 1, 1625, *Resolutiën der Staten Generaal. Nieuwe Reeks 1610-1670* [hereafter RSGNR], ed. A.Th. van Deursen, J.G. Smit, and J. Roelevink. RGP Grote serie, 7 vols. The Hague: Instituut voor Nederlandse Geschiedenis, 1994), 7: 249.

<sup>249</sup> Letter of Keyser, Sept. 12, 1616, Algiers, NA, 1.01.02, inv.nr. 6890.

Medemblick, a town in North Holland, home to most of the captives.<sup>250</sup> City magistrates, suddenly finding themselves confronted with unexpected expenditures, protested Keyser's habit of issuing bills of exchange drawn on them to pay for the release of captives from their towns. The government expressed equal displeasure.<sup>251</sup> Keyser's resort to bills of exchange and the government's admonition illustrate a profound problem in how Dutch consulates operated: the consul received neither sufficient money to accomplish his tasks nor leeway in how he promoted the affairs of state. In short, the Republic failed to recognize the exigencies of dealing with Maghrebian states.

When required by the state to defend his expenses, Keyser presented the ransoming of slaves as an "act of charity."<sup>252</sup> Perhaps he also realized that "demanding" the free liberation of captives from North African rulers was misguided. For centuries, redemptive orders, Jewish mediators, and individual merchants had ransomed Christian captives. To deviate from this customary practice was unlikely to succeed. He thus informed Ambassador Pijnacker of the costs "normally" necessary to redeem a single slave from Algerian captivity. Keyser's list reflected the daily experiences of a consul negotiating on the ground and provided a realistic picture of the often convoluted financial procedures involved in redemption. The Ottoman-appointed *pashas*, officials of the *diwan*, and those in charge of the corsairing community, all demanded cash payments in return for liberating slaves. Also, he was often faced by sudden additional demands for "rocks" (diamonds), tobacco, wine, and brandy to maintain friendly relations with Algiers

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<sup>250</sup> Letter of Keyser, Jan. 25, 1617, Algiers, BGLH, 1: 709-711.

<sup>251</sup> Letters of Keyser, Feb. 2 and March 5, 1617, Algiers, BGLH, 1: 712-721, 712. Keyser did not doubt that the towns would "care for the payments." Letter of Keyser, July 4, 1617, Algiers, BGLH, 1: 734, 735.

<sup>252</sup> Letter of Keyser, March 5, 1617, Algiers, BGLH, 1: 712.

and Tunis. Equally necessary was the need to lay on feasts for Algerians in order to acquire and preserve their friendship. Other expenses included the fees on bills of exchange and reimbursements for the owners of slaves. The consul calculated that, in 1622, the liberation of the average slave costed 1636 *doubles* equivalent to 409 pieces of eight.<sup>253</sup> Liberating captives thus apparently exceeded the money at his disposal. This situation indicated the greater financial problems to come, especially when consuls, like Keyser, felt morally obliged to ransom slaves but lacked the funds to do so.

Additional factors made it difficult for Dutch consuls to maintain themselves: most significantly, they were forbidden to trade.<sup>254</sup> Consistent with their profile as public servants, the government did not permit them to engage in commercial affairs on their own account; a provision incumbent on other European consuls in the Levant. The French and Venetian governments, for instance, prohibited their consuls from trading and forbade them to engage in any business. The French often broke these rules in order to supplement their meager incomes.<sup>255</sup> It is perhaps for the same reason that the Estates General began to receive complaints about Wijnant Keyser. One of the first accusations, in July 1617, proved perhaps the most astonishing, not because of their allegations but its source. The Dutch renegade Suleiman Ra'is, formerly known as "Veenboer," suspected

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<sup>253</sup> Response Keyser to Pijnacker, Appendix B, Oct. 15, 1622: "onkosten die ordinarie gedaen moeten worden om eenen slaeff binnen Argieri vrij te maecken," Report Pijnacker concerning complaints against Keyser, around May 1623, BGLH, 1: 902-903.

<sup>254</sup> Keyser's instructions did not include a provision preventing him from trading. Delegates of the States of Holland, however, specifically prohibited future consuls to trade in Algiers and Tunis. They recommended that "consuls niet mogen handelen, noch door haarzelve noch per factorie, direct of indirect, omdat haar ambt alleen is "om wel te letten, dat de capitulatiën, commandementen ende accorden bij de baschats ende corsaren mogen werden achtervolcht." Article Two of Memorie of Delegates States of Holland, July 1624, BGLH, 1: 929-931.

<sup>255</sup> Steensgaard, "Consuls in the Levant," 25-28. Paul Masson spent a whole chapter on the abuse in the Levant as a result of the bad organization of the French consulates. Masson, *Histoire du Commerce Français dans le Levant*, 77-95.

that Keyser had come to Algiers solely for the purpose of filling his own pockets. He reported to the Estates General that Keyser had “become an oppressor [of the Dutch merchants] by his blind greed.”<sup>256</sup> Veenboer accused Keyser of exceeding his mandate as a consul by levying consular fees higher than he was entitled to and extracting money from Dutch captains and traders instead of assisting them.<sup>257</sup> Captain Jacob Martzon Coster, for example, paid Keyser 500-600 pieces of eight, for which Keyser could not account. Moreover, the consul had promised other men that he would safeguard their money, but then, and for reasons unknown, he refused them access to his house.<sup>258</sup> The Estates General might never have believed the accusations of a renegade like Veenboer, were it not for the growing number of other critics who questioned Keyser’s actions.<sup>259</sup>

Whether true or not, these accusations show what merchants and other contemporaries expected a good consul to be.<sup>260</sup> Most revealing is a letter from merchant Jacob Mille to Jacob Jacobsz Hinlopen in Amsterdam, in which he linked the question of

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<sup>256</sup> Letter of Suleiman Ra’is/ Veenboer to the Estates General, July 2, 1617, Algiers, BGLH, 1: 740-741.

<sup>257</sup> Veenboer’s conversion to Islam might have been motivated by religious fervor but it seems that a sense of adventure and self-enrichment also played a role. He became an admiral in the Algerian navy and participated in raids on Dutch vessels, although Keyser proclaimed he left the crew alone. Letter of Keyser, April 1, 1617, Algiers, BGLH, 1: 721, 724. Also, Veenboer presented himself in dual identity - he spoke of “we Turks” and “our Dutch nation” in the same letter -, he seemed divided between the interests of his old and his new “fatherland.” Letter of Suleiman Ra’is/ Veenboer to the Estates General, July 2, 1617, Algiers, BGLH, 1: 740-741. See also chapter on Veenboer in Vrijman, *Kaapvaart*, 200-217.

<sup>258</sup> Letter of Suleiman Ra’is/ Veenboer to the Estates General, July 2, 1617, Algiers, BGLH, 1: 740-741.

<sup>259</sup> Heeringa mentions that the Estates General discussed complaints against Keyser from skipper Marten Simonssen from Edam, skipper Sichel Diercx from Woggenom, officer Jan Jacobz from Edam, and cook Outer Frassen from Hoorn. The Estates General rejected more complaints Heeringa, *Bronnen*, 1: 864.

<sup>260</sup> Keyser defended himself, claiming “to employ myself day and night, without sparing myself troubles or danger, to liberate and help the slaves; not to tiranize anybody, as he [Soliman/Veenboer] falsely accuses me of.” “(...) te weten mij t’employeeren bij daegen en nachten, sonder eenige moeyte offt perijckel t’ontsien, omme te libreeren, dat genomen hebben, ende de slaeven te helpen, maer niet omme ijmant te tiranniseeren, als hij mij valschelijck is beschuldigende.” Letter of Keyser, Nov.5, 1617, Algiers, BGLH, 1: 762.

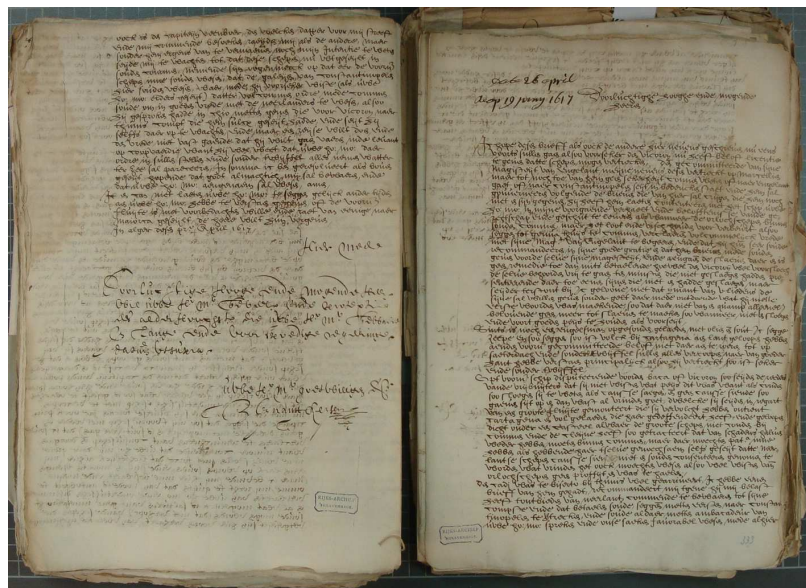


Fig. 2.1 Letters of Wijnant Keyser, 1617. © National Archives, The Hague.

a consul's morality to the conditions in North Africa.<sup>261</sup> Algiers and Tunis were such “godless” centers of piracy and mischief, Mille contended, that to participate in any of their illegal practices inevitably corrupted a Christian; he would have to “set aside the fear of God and a good conscience and become brothers and companions of the robbers.”<sup>262</sup> In short, to turn a profit one had to cooperate with North Africans and even acquiesce in their methods. Critics accused Keyser and his brother of doing precisely that. Keyser's “latest invention to play patron,” Mille wrote, was to charge high consular fees, exceeding the three percent permitted, to Dutch captains arriving in Algiers. If captains protested, then the corsairing community confiscated their vessel and cargo.

<sup>261</sup> Jacob Mille could be the same person as Giacomo Mille, who served as consul in Cyprus and as chancellor in Aleppo, starting in 1615. Schutte, *Repertorium Nederlandse vertegenwoordigers*, 355.

<sup>262</sup> “Voorder dewijl hier geweest ben, sien wel groote navigatie van Algier herwaertsover ende weder geschiet, waerdoor wel sien het een goddeloos weesen aldaer te sijn. Daer sijn wel groote conquesten te doen, maer die hem daerin wilt steken, moet de vreese Godes ende goede consientie gans aen d'een sijde stellen ende weesen freres et compagnons met de rovers.” Letter of Jacob Mille to Jacob Jacobsz Hinlopen in Amsterdam, Dec. 15, 1624, BGLH, 1: 952. Mille wrote a similar letter to Willem Muilman, dated Dec. 29, 1624, BGLH, 1: 953-954.

Keyser's brother, Isaac, subsequently bought and resold the goods, acting for the consul who was not allowed to trade. Dutch traders thus paid the consul a heavy price. In short, "forgetting his ... duties" in pursuit of self-interest, the consul ruined compatriots instead of assisting them.<sup>263</sup> Mille thus accused Keyser of abusing his office, collaborating with the corsairs, and, in the process, undermining "national" trade interests. Although Mille might have had his own reasons to criticize the consul's actions (he would later be nominated but not selected to become consul in Algiers), his allegations echoed a more general discontent with Keyser's conduct.<sup>264</sup>

In response to the accusations, the Estates General dismissed the consul in February 1625 and appointed as consuls Pieter Maertensz Coy in Algiers and Lambert Verhaer in Tunis. The government did not explain why it repealed Keyser's patent as consul, but empowered Ambassador Pijnacker to arrest Keyser and his brother Isaac if they decided to remain in Algiers. Apparently, the Estates General had taken the complaints seriously.<sup>265</sup> Fellow Dutchmen and the government both considered Keyser's alleged actions inappropriate. The seventeenth-century mercantile-diplomatic world considered the consul's pursuit of personal profit unacceptable. The outcries over Keyser's allegedly illegal practices demonstrate that Dutch merchants did not consider the consul a fellow merchant, but rather a state-representative responsible for facilitating their business transactions and the affairs of the state. In condemning him for what his

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<sup>263</sup> "Vergetende daermede sijn schuldige plicht (...) in de plaetse van de goede ondersaten ende de gerechticheyt van dien voor te staen, hun volcomelijck te ruineren." Letter of Jacob Mille to Jacob Jacobsz Hinlopen in Amsterdam, Dec.15, 1624, BGLH, 1: 952.

<sup>264</sup> Heeringa, *Bronnen*, 1: 950. Eventually, Pieter Maertensz Coy, not Mille, served as consul in Algiers and Lambert Verhaer in Tunis.

<sup>265</sup> Resolution Estates General, Feb.1, 1625, RSGNR, 7: 249.

critics perceived to be immoral conduct in a “godless” world, however, they failed to acknowledge, initially at least, the problems he faced in financing his consulate. His budget as state-representative proved insufficient to meet the large expenditures required to negotiate Dutch affairs with North African officials. Keyser’s troubles thus illustrate some of the difficulties involved in constructing the first consular post in North Africa.

### ***The Directorate and Consular Practice***

The establishment of the *Directorate of the Levant Trade and Navigation in the Mediterranean Sea* in 1625 demonstrated that regents and merchants alike sought a more structured approach to the complicated situation of commerce and diplomacy in the *Straatvaart* (Dutch trade in the Mediterranean). The Directorate soon began to assume administrative tasks from the government, correspond with diplomats in the Mediterranean, and advise the Estates General on commercial-diplomatic affairs in the region. The creation of the Directorate streamlined all affairs concerning trade and navigation in the Mediterranean. Although historians often regard the Directorate as a “link between government and society,” the Directors’ view on the North African consulate reveals that the interests of the government and that of the Directorate did not always mesh.<sup>266</sup> The Directorate questioned the financing and the *raison d’être* of the state-appointed consuls in the Maghreb and thus did not want to continue paying for consuls who were unable to prevent corsairs’ depredations on Dutch merchant vessels. Yet, and despite these reservations, the Directorate continued to finance the consulates in conformity with the government’s policies, that is, by taxing merchants. The Directorate

did not alter the financial structures nor resolve the ambiguity of the consul's position. Its criticism nonetheless reveals that the merchant community hardly supported the consulates in North Africa, morally or financially, and thus it undermined diplomatic efforts in North Africa.

Ironically, Keyser's contested position in North Africa partially led to the foundation of the Directorate.<sup>267</sup> In 1625, merchants trading with the Levant worried about the continuing seizure of Dutch vessels by Algerian, Tunisian, and other corsairs, despite the capitulations granted by the sultan of the Ottoman Empire and the 1622 peace agreements with Algiers and Tunis. The agreements of 1622, however, allowed corsairing captains to inspect Dutch vessels for goods belonging to the enemy. The Dutch had always opposed this, fearing it was merely an excuse to seize vessels. Indeed, while inspecting Dutch ships, corsairs claimed to have found flags and passports from states at war with the Ottomans and North Africans, such as Denmark, the Hanse towns, and Spain. They used that evidence as a reason to confiscate vessel and goods and enslave the crews.<sup>268</sup> Merchants complained and clearly blamed Keyser for failing to protect them. His assignment in Algiers and Tunis aimed precisely at holding the North Africans accountable for the terms of the capitulations and peace agreements and for preventing future hostilities. Merchants' disquietude fed the concerns Ambassador Haga in

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<sup>266</sup> Weber, "Beveiliging," 79; Israel, *Dutch Primacy*, 16, 17.

<sup>267</sup> In July 1624, the States of Holland proposed to make changes for the new consuls, such as higher compensations and explicitly prohibiting them from trading. Recommendations Delegates States of Holland concerning Affairs in Algiers and Tunis, July 1624, BGLH, 1: 929-931. The establishment of the Directorate in 1625 seems to have partly taken over the recommendations.

<sup>268</sup> The merchants also blamed seafarers themselves for troubles at sea, because they did not insure crew, vessel, and cargo. They argued that the mistakes of a few, that is the skippers, costed the majority dearly. Letter of merchants, April 25, 1625, NA, 1.03.01, inv.nr. 26.



Constantinople had already expressed. Haga and thirty-eight merchants involved in the *Straatvaart* therefore petitioned the regents of Amsterdam to authorize five or six of the most experienced and influential merchants in the Italian and Levantine trade to form an association to oversee all commercial and diplomatic affairs in the Mediterranean. The town council of Amsterdam granted the merchants' request and authorized the establishment of the *Directorate of the Levant Trade and Navigation in the Mediterranean Sea*.<sup>269</sup> Albert Schuyt, Hellebrandt d'Otter, Elias Trip, Gerrit Hudde, Marcus Vogelaer, Philippo Calandrine and Jan Bicker became the first directors of the Directorate that operated from Amsterdam.<sup>270</sup>

The Directorate was, however, by no means a company like the East India Company (VOC) or the English Levant Company. The VOC and the English Levant Company, for instance, had received charters from the Dutch and English governments and enjoyed a monopoly of trade with the East Indies and the Levant.<sup>271</sup> In contrast, the Directorate neither traded on its own account nor had shareholders. Rather, it functioned as an "advocacy group" for merchants in the Levant while overseeing tasks previously administered by the government, such as collecting taxes, issuing passports, checking vessels' armaments, proofing insurance policies, and monitoring and promoting

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<sup>269</sup> "De Directeuren van den Levantschen Handel en de Navigatie in de Middellandsche Zee." Instruction Directorate, 1625, NA, 1.03.01, inv.nr. 87. Merchants' request described the Directorate's tasks as follows: to check whether merchant vessels bound for the Mediterranean were properly armed and insured; to correspond with the ambassador and consuls in the Levant and Barbary; and, last, to "procure everything else" to remain friends with the official rulers of "Barbary."

<sup>270</sup> The Directors, appointed for a period of two years, only received small expenses, but no wages. Heeringa, *Bronnen*, 1: 505-506; Instruction Directorate, 1625, NA, 1.03.01, inv.nr. 87.

<sup>271</sup> Israel, *Dutch Primacy*, 151; Wood, *Levant Company*, 20; Mordecai Epstein, *The English Levant Company. Its Foundation and Its History to 1640* (New York: Burt Franklin, 1908), 37.

commerce in the Mediterranean.<sup>272</sup> Although the Directorate was not a trading company, it nonetheless resembled the VOC in certain ways. The merchants serving on the board of directors, similar to those of the VOC, pursued their own as well as state interests. The Directorate, therefore, also exemplified the dynamic interaction between government and merchants by serving the Republic's commercial interests in the Mediterranean from 1625 until its dissolution in 1826.

Scholars have paid considerable attention to the use of force that the VOC applied in the East Indies to achieve its commercial goals (although recently, some historians have also begun to explore the combined diplomatic, commercial, and military endeavors of the VOC in East Asia).<sup>273</sup> Whereas the Estates General granted the VOC governmental representation by means of its right to conclude treaties with foreign sovereigns, the Directorate's diplomatic power was limited to advising the government. Still, the Directors' right to correspond with Dutch merchants and consuls in Italy, the Levant, North Africa, and later, France and Spain, vastly increased its store of knowledge on both commerce and politics in the Mediterranean region. Thus the Directors were particularly well-placed to advise the government on, for instance, how to redefine consular jurisdiction in Italy, re-adjust fees, and regulate the receipt and distribution of rights in the Levant, all, of course, within the limits the capitulations had set.<sup>274</sup> In short, the

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<sup>272</sup> Israel, *Dutch Primacy*, 16, 17; Weber, *Beveiliging*, 79; Brakel, *De Hollandse Handels-compagnieën der Zeventiende Eeuw*, XXIII-XXVIII; Bosscha Erdbrink, *At the Treshold of Felicity*, 10-11.

<sup>273</sup> Borschberg, "The Seizure of the *Sta. Catarina* Revisited," 31-62.

<sup>274</sup> Resolution Estates General, July 24, 1658, NA, 1.03.01, inv.nr. 87; Resolution Estates General, April 12, 1675, NA, toegang 1.03.01, inv.nr. 87; Forms and Rules Embassy and Consulate Rights Levant, 1675, NA, toegang 1.03.01, inv.nr. 87. The Directorate was also directly involved with people who worked under the ambassador and consuls in the Ottoman Empire, such as the chancellor and the tesaurier. Schutte, *Repertorium Nederlandse vertegenwoordigers*, xii. Similarly, they kept an agent in The Hague, Bosscha Erdbrink, *Treshold of Felicity*, 11.

Directorate exerted considerable influence on consular practices and policies in Italy and the Levant throughout the seventeenth and eighteenth centuries.

The Directorate's influence did not, however, fundamentally alter the procedures of consulates in Morocco, Algiers, Tunis, and later Tripoli; rather it formalized existing practices. The Directors' right to recommend consuls, for instance, remained a pure formality. Merchants from Amsterdam and elsewhere had already nominated Cornelis Pauw (1612) and Wijnant Keyser (1616) as consuls in Aleppo and Algiers respectively.<sup>275</sup> The same merchants, or at least members of their circle, served the newly-established Directorate and continued to advise the state on other candidates for diplomatic posts throughout the Mediterranean. Thus, the Directorate formalized a custom that pre-dated its foundation; that is, it recommended aspirants for the office of consul. It did not take over the appointment and instruction of consuls from the Estates General.

Similarly, the Directorate did not fundamentally modify the way the government financed consulates. From 1623 onwards, the Estates General raised *lastgelden*, a tax on cargo bound for the Mediterranean, in order to pay for the expenses of Dutch commercial-diplomatic enterprises in the Levant. Whether the 1623 and 1625 orders included the payment of consuls in the Maghreb is unclear, but the orders of 1627 and 1630 leave no doubt: captains paid sixteen *stuivers* for each *last* (load) to cover "the expenses of the agents in Algiers and Tunis" and another four *stuivers* to the Directors of

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<sup>275</sup> Resolution Estates General Keyser, April 23, 1616, BGLH, 1: 678-688; Resolution Estates General Cornelis Pauw, 1612, BGLH, 1: 437-440.

the Levant Trade.<sup>276</sup> The revenue from these imposts, however, fell short of the amounts necessary. In 1628, for instance, the bills of the Dutch diplomats in North Africa totaled 41,352 guilders; the *lastgelden* generated only about 1265. Because the *lastgelden* also covered the damages done to Dutch navigation in general, they by no means solved the continuing vexed problem of financing consulates. Keyser proposed increasing the *lastgelden* to three hundred guilders per vessel to match the amount the French levied in Marseille. However, since barely twenty *stuivers* per load over the last twenty years had been raised, the Directors did not consider the vastly greater sum of three hundred guilders a viable option.<sup>277</sup> Moreover, the Directors lacked the power to enforce the collection of taxes. Thus, when the Directorate began to oversee the levying of the *lastgelden* from 1633 onwards, the Directors began to impose inspections beyond the port of Amsterdam to ensure conformity with the collection of taxes.<sup>278</sup> None of this produced for the consul an income commensurate with his rank as a state representative or his status as a diplomat.

The Directors also questioned the value of continuing diplomatic representation in North Africa altogether. The Directors wondered why merchants should continue to pay for consuls if the latter could not prevent pirate attacks on Dutch merchant vessels. A point in case, the Directors argued, was the recent capture of the vessel of Lucas

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<sup>276</sup> Captains could charge two thirds to the cargo's owners and one third to the ship's owner. Art.11 of *Order op de Straatvaarders*, Second Part, 1623 en 1625, GPB, 1: 914; *Order Lastgelden*, 1627 and 1630, GPB, 1: 914, 915.

<sup>277</sup> Remonstrantie of Directors, May 1628, BGLH, 1: 1034-1035.

<sup>278</sup> Letter of Directors to Estates General, Aug.23, 1628, BGLH, 1: 1035. The Directorate appointed commissioners to ensure the levying of taxes on the isles of Texel and Vlieland. See information provided by A.H.H. Van den Burgh, National Archives, 1.03.01, *Aantekeningen*, 1881, 1882, 15-16. The *konvoimeester* of the admiralties continued to collect the *lastgelden*. Heeringa, *Bronnen*, 1: 965. Bosscha Erdbrink, *Threshold of Felicity*, 11.

Wyndelsen Mes in 1628. Corsairs had sold cargo and ship for a good price and enslaved the crew, despite the peace agreements the consuls supposedly maintained. The Directors therefore insisted that the consuls in Tunis and Algiers “are really of no ... benefit for the trade and navigation of [the Republic].”<sup>279</sup> If consuls could not deliver, then merchants saw no reason to foot the bill. Merchants thus continued to regard consuls as the commercial envoys of trading communities rather than as representatives of the state. The Directors suggested that, if the Estates General considered consuls beneficial, then the government itself should pay them rather than have merchants do so.<sup>280</sup> In short, the issue of financing the consulates in North Africa exposed how the Directors distinguished commercial from state interests. They recognized no further value of the Dutch consul in North Africa beyond the commercial one.<sup>281</sup>

In short, while the Directorate took responsibility for overseeing all aspects of trade and navigation in the Mediterranean, it hardly changed the essentials of diplomatic affairs in North Africa. The Estates General continued to appoint and instruct consuls in the Maghreb for the remainder of the seventeenth century, although it left the financing of these consulates to the Directors. The Directorate’s levying of *lastgelden* additionally demonstrates that it continued to rely on mechanisms already established by the Estates General. The foundation of the Directorate as a platform for merchants, however, reveals that the Dutch trading community in the Mediterranean only valued and supported the

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<sup>279</sup> “Eerstelijck op het licentieren van d’agenten tot Thunis ende Algier... welcke agenten voor de negotie ende navigatie deser landen daer gantsch geen dienst ende profijtt en doen.” Letter of Directors to Estates General, Oct. 1628, BGLH, 1: 1036.

<sup>280</sup> Remonstrantie of Directors to Estates General, Oct. 1628, BGLH, 1: 1034-1035.

<sup>281</sup> Merchants would frequently complain about financing consulates in North Africa. Resolution Estates General, Dec.14, 1679, NA, 1.03.01, inv.nr. 87; Estates General, July 30, 1692, NA, 1.03.01, inv.nr. 87.

office of consul for the benefit of commerce not for the promotion of state affairs. By questioning the validity of the consul's office, the Directorate thus exposed the uneasy relationship existing among merchants trading with the Levant, the government, and consuls in North Africa. The very establishment of the Directorate, in other words, exposed the fragile foundations of the Dutch consulates in North Africa that can be seen in the example of Stora.

### ***Stora: The Consequences of Underfinanced Consulates***

The port of Stora was one of a number of small harbors and trading forts along the North African coast that frequently switched hands between North African and European rulers. Around 1560, the French had obtained a concession to use a fort known as *Bastion de France* in the gulf of Stora. The *diwan* of Algiers destroyed the fort in 1604 and when the French attempted to regain the concession during its war with Algiers between 1610 and 1628, the Dutch and English saw an opportunity to move in.<sup>282</sup> The manner in which the Dutch government attempted to obtain the right to use Stora as a station for restocking merchant and war vessels once again reveals the ambiguous position the consul had as a state-representative. Stora provided an excellent opportunity to expand the foundations of the Dutch merchant empire. The mediation of consul Wijnant Keyser and Ambassador Cornelis Pijnacker was crucial in obtaining the concession. Nonetheless, Keyser and Pijnacker also recognized the potential of making large profits in Stora. One suspects that their chronically empty coffers made the possibility even more attractive to

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<sup>282</sup> The English Levant Company in Algiers, for instance, obtained a temporary concession in 1607. Henri Delmas Grammont, *Histoire d'Alger sous la domination Turque, 1515-1830* (Paris: Ernest Leroux, 1887), 148; Paul Masson, *Barbaresques*, 8-9, 17.

them. They therefore tried to gain the concession for themselves, rather than creating an opportunity for the entire Dutch trading community. The Stora episode demonstrates the consequences of two realities: insufficient funds to maintain a consulate and the expectation that consuls should act on behalf of the state and its merchants. The Directorate acknowledged the gap but only made half-hearted attempts to fund subsequent consuls adequately. By then, it was too late: Pijnacker's dubious efforts to gain the concession led to the loss of Stora to the French.

Before the Estates General learned about Stora, Pijnacker and Keyser seemed to have been thinking about how to acquire its concessions for themselves. Correspondence between them reveals how Keyser, in particular, interpreted his role as consul in a more proactive way than the Estates General probably intended. Already in 1623, Pijnacker had suggested to Keyser that exploiting the port of Stora promised to yield great profits.<sup>283</sup> Keyser seemed to agree, suggesting that the Dutch should trade in North Africa and occupy all "free" places along the coast before the English and French did.<sup>284</sup> On his own initiative, he discussed with several Dutch merchants the idea of leasing other ports, such as Bona, for a yearly sum of 4000 guilders to the *pasha* of Algiers.<sup>285</sup> The Estates General, however, remained ignorant of these negotiations. Keyser only acknowledged them in 1628 when Pijnacker accused him of having objected to the government's efforts to exploit Stora, although he privately aimed to obtain a charter himself. Keyser justified his actions by arguing that he had acted "not for his own profit but for the well-being of

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<sup>283</sup> Letter of Pijnacker to Keyser, March 24, 1623, BGLH, 1: 883-885.

<sup>284</sup> Keyser writes that incorporating "free places" would be easier than to chase the French and English out. Letter of Keyser to Pijnacker, Sept. 6, 1623, BGLH, 1: 913-915.

<sup>285</sup> Letter of Keyser to Estates General, 1628, BGLH, 1: 1048-1051.

the fatherland.”<sup>286</sup> Algiers and Tunis would only concede the rights to Stora if the Dutch, no matter whether they were merchants or government officials, would engage in trade with North African merchants; an argument Keyser had raised years earlier.<sup>287</sup> Although Keyser might have been right in his assessment that normalizing trade relations with Algiers and Tunis would guarantee friendly relations (indeed, for decades to come the Algerians would complain about the absence of Dutch commerce in North Africa), he and Pijnacker had nonetheless acted in an “undiplomatic” manner. Instead of informing the government about the possibilities of Stora, as diplomats should have done, they kept the information to themselves.

Whatever Keyser’s and Pijnacker’s plans might have been, they ended in February 1624, when the merchant Johannes van den Broecke, neither Keyser nor Pijnacker, suggested to the Estates General the idea of establishing a Dutch trading and supply post in Stora.<sup>288</sup> A committee examined Van den Broecke’s request and concluded that Stora would be an excellent choice. It would offer a safety haven for Dutch vessels in distress, allow them to take on fresh water and food, and give them a secure place to repair damages. Furthermore, the coastal waters provided opportunities for profitable coral fishing. Finally, its location recommended it as a trading post. In short, Stora would

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<sup>286</sup> “Niet om eygen baet maer ter contrarie tot welstant van ‘t vaederlant.” Letter of Keyser to Estates General, 1628, BGLH, 1: 1048-1051, 1050. With the frequent arrival of Dutch merchants, Keyser imagined, the government could have incorporated the *Bastion de France*. Trade with the Bastion would generate high profits and level the expenses of incorporation. In addition, the Bastion would have been a means to “contain” the corsairs of Algiers and Tunis. An English-Algerian peace settlement, however, had prevented Keyser from pursuing the negotiations.

<sup>287</sup> Keyser already suggested in 1617, for example, that the Estates General dispatch merchants on its war vessels to please the Turks. Letter of Keyser to Estates General, Feb. 12, 1617, BGLH, 1: 717.

<sup>288</sup> Available records do not throw any light on the person of Van den Broecke, but given his request he was at least a merchant or entrepreneur. Apparently, Van den Broecke was also commissioned as consul by Res. Feb. 18, 1625, Schutte, *Repertorium Nederlandse vertegenwoordigers*, 375; Engels, *Merchants, Interlopers*, 203.



excellently serve the interests of the Dutch state and its mercantile community if it could be secured. In February 1625, therefore, the Estates General acceded to Van den Broecke's request and granted him and his associates an octroy to exploit trade from Stora for a period of twelve years on condition that they offered to shelter all Dutch vessels there.<sup>289</sup>

The port of Stora, however, was obviously not on Dutch territory. After handing Van den Broecke the octroy, the Estates General had to seek permission from Ottoman and North African officials for Stora's use.<sup>290</sup> Given the nature of the request, that is, for extraterritorial rights, the government did not employ consuls on this task but deployed two ambassadors instead. The diplomatic efforts of Ambassador Haga in Constantinople and Extraordinary Ambassador Pijnacker in Algiers and Tunis in this instance reveal how sensitive were the relations between Constantinople and its vassal states as well as how a difference in skills and attitude influenced the process. Ambassador Haga, for instance, carefully set to work in Constantinople. According to diplomatic custom, he treated his hosts generously. On several occasions, he gave Khalil Pasha, vizier at the Ottoman court in Constantinople, gifts of porcelain and treated Tunisian delegates to a banquet to bring the Dutch cause to their attention.<sup>291</sup> He argued that allowing the Dutch to use Stora would help the Republic attack their common enemy, Spain.<sup>292</sup> Khalil Pasha, however,

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<sup>289</sup> Merchant vessels had to pay "recognition" for protection; war vessels were exempt. Octroy Johannes van den Broek, Feb. 18, 1625, BGLH, 1: 954 -957.

<sup>290</sup> The Estates General explicitly prescribed that if no permission was granted within a period of two years, the octroy would be void. Octroy Johannes van den Broek, Feb. 18, 1625, BGLH, 1: 954 -957.

<sup>291</sup> De Groot, *Ottoman Empire*, 77.

<sup>292</sup> Instructions Estates General to Haga, May 13, 1625, BGLH, 1: 965-966; Letter of Haga to Estates General, Constantinople, Oct. 18, 1625, BGLH, 1: 980-982; Letter of Haga to Estates General, Dec. 1, 1625, BGLH, 1: 982; Letter of Haga to Estates General, Constantinople, Jan. 24, 1626, 982-983; Letter of



Fig. 2.2 Left: Portrait of Cornelis Pijnacker, by Steven van Lamsweerde 1654. © Rijksmuseum, Amsterdam. Right: Portrait of Cornelis Haga (1578-1654), ca. 1645. © Rijksmuseum, Amsterdam.

was reluctant to concede the port to the Dutch. In the past, he had permitted the French to use Stora, whereupon the Tunisians had complained that “[he] had brought Christians into their house.” Since that almost cost him his life, as Khalil Pasha told Haga, he no longer intended to interfere in affairs concerning the regencies in North Africa anticipating that replacing the French with the Dutch would raise the same difficulties.<sup>293</sup> In other words, Haga’s overtures exposed the fragile and often tense relationships between Constantinople, on the one hand, and Algiers and Tunis on the other.

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Haga to Estates General, Constantinople, Feb. 7, 1626, BGLH, 1: 984; Letter of Haga to Estates General, March 7, 1626, BGLH, 1: 985-986.

<sup>293</sup> Khalil Pasha claimed that the rulers of Algiers and Tunesia had complained to the grand vizir Nassuff Pasha about his concession and that Nassuf had consequently tried to murder him. Letter of Haga to Estates General, Oct. 18, 1625, Constantinople, BGLH, 1: 980-982; Letter of Haga to Estates General, Constantinople, 7 Feb. 1626, BGLH, 1: 984.

Because the Ottoman regencies in North Africa contested the sultan's power, the Estates General instructed Cornelis Pijnacker to request from local officials in Algiers and Tunis permission to activate Van den Broecke's octroy while Haga applied his diplomatic skills in Constantinople. Dispatched on a second mission, Pijnacker had no choice than to act on behalf of the state and ignore his own interest in Stora. His reports, however, reveal that he did little to further the cause. After postponing his journey for unknown reasons, Pijnacker finally arrived in Algiers in December 1625. He found fifteen letters from Ambassador Haga waiting for him. Haga urged him "to see what you can do in the *diwans* of Algiers and Tunis." Haga suggested that a large "gesture" was necessary to obtain the rights of Stora "because ... such graces and favors will not be granted without [giving] large presents."<sup>294</sup> Nothing in Pijnacker's report suggests that he followed this sage advice. He only held one meeting with the *pasha* of Algiers. Worse, based on this encounter, he concluded that he should contact Ottoman officials in Constantinople, hoping that their intervention would persuade the Algerians to grant the concession to the Dutch. In doing so, he undermined Haga's overtures in Constantinople. The Dutch had conceived of a two-pronged approach: Haga was to work at the Ottoman court while Pijnacker was supposed to do the same in North Africa. It is hard to tell whether Pijnacker gave up trying to obtain the concession for Stora because he simply felt the task futile or whether he was still seeking to further his own ends.<sup>295</sup> Whatever the

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<sup>294</sup> Report Pijnacker on his second mission, Jan.6, 1627, BGLH, 1: 997-1002.

<sup>295</sup> Ibid.

reason, Pijnacker's limited diplomatic efforts allowed Thomas Freius, a French consul from the Provence, to help regain French privileges in the port.<sup>296</sup>

Contemporaries were convinced that Pijnacker had scuttled the mission for his own motives. Pijnacker tried to shift the blame, suggesting that years earlier Keyser had obstructed efforts to gain concessions in Stora. The Directors, too, were skeptical and complained that Pijnacker in Algiers "has accomplished nothing for the benefit of the state or trade. On the contrary, he has neglected the case for the worse, and he has paid more attention to [furthering] his own interests. For God's will, that he would have stayed at home! We would have saved money and been no worse off."<sup>297</sup> The Directors' aggrieved tone expressed true concern for Dutch commerce. Contemporaries expected the consul to refrain from doing business on his own, especially if such activities threatened the prospects of the entire Dutch trading community. Pijnacker's efforts to gain concessions to use Stora for his own benefit rather than for all Dutch merchants proved why the Directorate and the government forbade consuls to do business on their own account; it would inevitably harm Dutch commerce as a whole. The loss of Stora confirmed their worst fears.

Pijnacker's mission also, and perhaps curiously, had a positive effect. The Directorate realized that the insufficiency of consular funds had caused Pijnacker to strike out on his own. It therefore tried to improve the financial situation of new consuls by consenting to pay Coy and Verhaer an extra 2000 pieces of eight to prevent "consuls

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<sup>296</sup> Krieken, *Kapers en Kooplieden*, 33.

<sup>297</sup> Letter of Directors Levant Trade to Estates General, May 6, 1626, BGLH, 1: 987-988. Merchants, for instance, had offered the Estates General to advance 20,000 guilders for Pijnacker's second mission; an amount, they suggested, the state could repay with the revenue from taxes on convoys and cargo (the *lastgelden*). The Estates General had accepted the offer. Heeringa, *Bronnen*, 1: 951.

from falling onto hard times by lack of money.”<sup>298</sup> The gesture was a drop in the bucket and Lambert Verhaer, for example, frequently petitioned the Estates General to release him citing infrequent and insufficient payments.<sup>299</sup> Pieter Maertensz Coy voiced similar complaints until his sudden death in 1629.<sup>300</sup> The Directorate did not, therefore, resolve the discrepancy between the insufficiency of the consul’s income and diplomatic demands placed on him. Closing the financial gap would have prevented diplomats from seeking to profit at the expense of the Dutch trading community and, in addition, would have given consuls Verhaer and Coy more ability to conduct diplomatic affairs.

The case of Stora, in short, demonstrates how consuls’ search for profit could frustrate the larger ambitions of the state. Pijnacker and Keyser disappointed as diplomats. By not informing the government about the possibilities of Stora and actually negotiating a deal with the *pasha* for their own benefit, they undermined the position of the Estates General. Such chicanery sent a message to North African rulers that Dutch diplomats often acted independently of their sovereign. This left the impression of a weak government and created room for other European states, such as France, to regain lost grounds. Insufficient funding of the consulates weakened the position of consuls as state-representatives and hampered attempts to establish more productive relations with the North African states. At this stage, clearly, Dutch diplomacy was evolving in capricious ways. It had been established to further Dutch commerce yet it remained insufficiently supported, both in monetary and political terms, to achieve this goal.

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<sup>298</sup> Letter of Directors Levant Trade to Estates General, May 6, 1626, BGLH, 1: 987-988.

<sup>299</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 370, 381.

## ***Conclusion***

In sum, the formation of Dutch consulates in North Africa supports the argument that early modern diplomacy did not necessarily depend on resident ambassadors, but rather mostly on consuls. The Dutch consul in the Maghreb, appointed and authorized by the government, assumed the position of state representative according to the norms of early modern diplomats. He engaged in a blend of political and commercial tasks aimed at promoting Dutch commerce, rather than acting solely as a commercial representative for local merchant communities like his counterparts in Europe did. Moreover, the redemption of slaves as part of promoting the common good justified his status as state representative in North Africa and distinguished him visibly from consuls in the Levant.

The shaping of the consul as state representative in the Maghreb did not, however, proceed smoothly or without opposition. Merchants, in particular, questioned the value of the consul in North Africa and contested his role as state representative. They, and others, had not yet shed the idea that the consul was primarily a commercial envoy. Consuls themselves still held to this position as well. The way the Dutch funded, or failed to fund, the consulates formed one principal reason causing these antagonisms and ambiguities. The government expected the consul to finance himself as if he were a merchant-consul by allowing him to levy consular fees and forbidding him to trade. The result was an underfunded and largely ineffective consulate. That situation forced the first consul, Keyser, to engage in illegal trade to supplement his income. Merchants complained bitterly that Keyser's conduct harmed their interests. Because the government paid consuls' expenditures by levying taxes on merchants trading in the Mediterranean,

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<sup>300</sup> Heeringa, *Bronnen*, 1: 1022.

merchants threatened to stop paying these taxes if Keyser did not do his job. Although the founding of the *Directorate of the Levant Trade and Navigation* demonstrates that government and merchants realized what the problem was, the Directorate never resolved the structural problems of financing the consulates. It simply replaced the government in supervising the collection of taxes. The discrepancy between the consul's function and the funding of his consulate thus remained a problem for decades to come.

The ambiguity of the consul's function, in short, makes clear the problems involved in creating diplomacy and diplomatic representations in North Africa. The consul by no means equaled an ambassador in rank. In the absence of a Dutch resident ambassador in the Maghreb, however, the consul fulfilled duties normally associated with an ambassador, such as maintaining treaties. More importantly, the captivity of Dutch seafarers gave him the mandate to act as a state representative. Thus, the unusual combination of executing the "political" tasks of an ambassador and promoting the commercial interests of the Dutch merchant community provided the consul in North Africa with a unique albeit also fraught position in the early modern diplomatic world. The consequences of this ambiguity on the consul's ability to liberate captives would soon become clear.

### Chapter 3. Consuls and the Liberation of Captives, 1616-1630

When consul Wijnant Keyser set foot in Algiers on 22 August 1616, he entered not only a bustling town but also a world that had long set its own rules and conditions for capturing and releasing Christian captives. A century earlier, Aruj and Kheir-ed-Din, better known as the Barbarossa brothers, had transformed Algiers from an insignificant village under Spanish control to a strategic naval outpost for the Ottoman Empire.<sup>301</sup> Built against a steep hill overlooking the Mediterranean, and according to Kheir-ed-Din's instructions, Algiers's outer walls were at least thirty feet high and protected by canals on land. On the seaside, the town stood on rocks so close to the water that waves pounded against its high walls and sometimes splashed over. A man-made harbor sheltered the entrance of town by connecting it to a fortified castle off-shore.<sup>302</sup> Through here, at the end of the sixteenth century, a stream of socially diverse people passed to populate the town and, one way or the other, to sustain Algiers as the center of Muslim corsairing. Andalusian Moriscos, expelled from Spain in 1492, formed a large part of the estimated 60,000 Algerians. Some Berber tribes, such as the Kabylia warriors, occasionally assisted the *janitsars* to maintain order in town or wage war. Renegades often took part in the *ta'ifa* (society) of seamen roaming the seas in search of booty. A range of Ottoman, Arab, and Jewish merchants traded captives on markets in town.<sup>303</sup> Although this eclectic mix

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<sup>301</sup> Fisher, *Barbary Legend*, 41-65; Jamil M. Abun-Nasr, *A History of the Maghrib* (Cambridge, UK: Cambridge University Press, 2d ed., 1975), 164.

<sup>302</sup> Cornelis Pijnacker, *Historysch verhael van den steden Thunes, Algiers ende andere steden in Barbarien gelegen* [c. 1625]. Ingeleid en toegelicht door Gerard S. van Krieken (The Hague: Martinus Nijhoff, 1975), 64.

<sup>303</sup> Olfert Dapper, *Beschreibung von Afrika* (Amsterdam: Jacob Mörs Buch und Kunst Handlern, 1671; reprint, New York: Johnson Reprint Corp., 1967), 245; Abun-Nasr, *A History of the Maghrib*, 166, 167.



of people used Christian slaves for a variety of purposes, they mainly wished to exchange them for ransom: the profits filled their pockets and the state treasury. They therefore welcomed those who came to redeem slaves and sought to enforce their customary rules of redemption upon the visitors.

In writing the history of redemption in the Mediterranean, scholars have often overlooked the commercial interests of both North Africans and Europeans alike in favor of emphasizing the religious duties of ecclesiastical institutions, such as the Mercedarian and Trinitarian orders, to liberate captives.<sup>304</sup> Recently, however, historians have begun to note how both Muslims and Christians created and sustained large commercial networks involved in captive taking and trading. Filipe Barata, for example, has argued that Portuguese merchants, after the conquest of Ceuta in 1415, pressured King Afonso V (r.1438-1481) to intervene on behalf of the large and growing number of Christian captives. Although the king's intervention proved temporary and limited, his orders to establish a tribunal that would set guidelines for how slaves were to be ransomed helped shift the nature of Mediterranean captivity and slavery "from the redemption of souls to the commerce of slavery."<sup>305</sup> The Battle of Lepanto in 1571, in which Spain and its allies prevailed over the Ottoman Empire, further opened the way for the commercialization of captivity. The conflict ended the era of great armadas battling at sea. Thereafter, the

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<sup>304</sup> The Trinitarians believed that there was an intricate link between body and soul. Filipe Themudo Barata, "Le Rachat des captifs. Une affaire d'état au Portugal au XVe siècle." In *Le Commerce des captifs. Les Intermédiaires dans l'échange et le rachat des prisonniers en Méditerranée, XVe - XVIIIe siècle*, ed. Wolfgang Kaiser, 109-122 (Rome: École Française de Rome, 2008), 110. See also: James William Brodman, *Ransoming Captives in Crusader Spain. The Order of Merced on the Christian-Islamic Frontier* (Philadelphia: University of Pennsylvania Press, 1986), ix; Bruce Taylor, *Structures of Reform. The Mercedarian Order in the Spanish Golden Age* (Leiden: Brill, 2000), 25-29.

<sup>305</sup> The redemption of captives under the auspices of Alfonso V would last until his death in 1481. After that, the religious orders took charge again. Barata, "Le Rachat des Captifs," 112, 118, 120.

Spanish and the Ottomans existed in a balance of power that left room for the continuation of small warfare in the form of corsairing and piracy. In Braudelian terms, corsairing was a form of conflict that greatly enhanced the trade in captives.<sup>306</sup>

Historians thus argue that in the sixteenth-century Mediterranean the commercialization of captives created an extensive network of institutions, agents, and routes having the sole purpose of facilitating the purchase and sale of captives.<sup>307</sup>

Although the Trinitarian, Mercedarian, and other redemptive orders continued to dominate the process of redeeming Christians from Muslim slavery, a range of other institutions also began to collect ransom.<sup>308</sup> In sixteenth-century Italy, for instance, newly founded brotherhoods and charitable organizations, such as the *Santa Casa della Redenzione di Cattivi* in Naples (1548) and its civic counterparts, the *Provveditori sopra Ospedali e Luoghi Pii* (1586) in Venice and the *Magistrato del Riscatto* (1597) in Genoa, redeemed slaves. In addition to ecclesiastical and civic institutions, individual mediators, such as the Iberian *alfaques* specifically designated to liberate captives from North Africa and Jewish merchants active in ports on either side of the Mediterranean, also played an essential role in ransoming captives.<sup>309</sup> Thus, by the end of the sixteenth century, the entire western region of the Mediterranean had transformed into

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<sup>306</sup> Braudel, *Mediterranean*, 865, 888; Wolfgang Kaiser, "Introduction," 5; Ellen Friedman, *Spanish Captives in North Africa in the Early Modern Age* (Madison, WI: University of Wisconsin Press, 1983), xviii, xxiv.

<sup>307</sup> Kaiser, "Introduction," 13-14; Braudel, *Mediterranean*, 888.

<sup>308</sup> Between the beginning of the *Reconquista* and the 1680s, for instance, the Trinitarians liberated an estimated 5792 Portuguese captives. Barata, "Le Rachat des Captifs," 111.

<sup>309</sup> Kaiser, "Introduction," 10-11; Barata, "Le Rachat des Captifs," 118-121; Braudel, *Mediterranean*, 889.

an “*économie de la rançon*,” a term coined by French historians to emphasize the transformation of redemption into a commercial enterprise.<sup>310</sup>

In the sixteenth century, the Dutch Republic and England began to trade with Italy and the Levant and their presence greatly strengthened this *économie de la rançon*. Nabil Matar contends that the arrival of the northwestern Europeans in the Mediterranean significantly diminished commercial prospects for merchants in the Maghreb. They responded by capturing Christians as retaliation and compensation. Matar thus supports Braudel’s suggestion that an increase in trading activities triggered more privateering that, in turn, led to more slaves. Indeed, the rise of Dutch and English trading activities in the Mediterranean, at the expense of North African commerce, contributed to an “explosion” in the number of Christian captives in the seventeenth-century Mediterranean.<sup>311</sup> Thus, when Keyser set up shop in Algiers in 1616, he found himself immersed in a thriving world of commercialized redemption.

Like many before him, Keyser came to Algiers to redeem Christian slaves. Unlike many others, however, the Dutch regents had instructed Keyser to demand the unconditional liberation of Dutch slaves. Because the Estates General considered captivity a violation of the principles of free trade, it strictly forbade the consul to ransom them. Legally supported by the 1612 capitulations that required Algiers and Tunis to release Dutch captives for free, the Dutch refused to acknowledge corsairs’ actions as

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<sup>310</sup> Kaiser, “Introduction,” 14; Sadok Boubaker, “Réseaux et techniques de rachat des captifs de la course à Tunis au XVIIe siècle.” In *Le Commerce des captifs. Les Intermédiaires dans l’échange et le rachat des prisonniers en Méditerranée, XVe - XVIIIe siècle*, ed. Wolfgang Kaiser, 25-46. Rome: École Française de Rome, 2008, 25.

<sup>311</sup> Braudel, *Mediterranean*, 887; Matar, “Introduction,” 12-13.

rightful or to support the *économie de la rançon*.<sup>312</sup> It was a policy doomed from the start. Certainly, before Keyser's arrival, Algerian and Tunisian officials had reassured the Estates General that a Christian consul would have the authority to negotiate the liberation of captives and reclaim stolen goods.<sup>313</sup> By giving the consul "the authority to negotiate," however, these officials, deeply involved in commercialized redemption, expected that the consul would pay for the release of captives and not claim them for free. Thus, right from the start, the Maghreb and the Dutch Republic held opposite expectations of how a consul should redeem slaves.

The situation in the Maghreb forced consuls to adapt local customs rather than following Dutch policies. Indeed, a reconstruction of consuls' activities between Keyser's arrival in 1616 and the outbreak of hostilities involving the Republic and Algiers in 1630 shows that Dutch diplomacy in the Maghreb mostly evolved out of consuls' daily encounters with North African political elites, the conditions of captivity, and the "rules" of redemption; guidelines set in The Hague bore considerably less weight. The analysis of diplomats' daily experiences, as Christian Windler argues, is crucial to understanding the development of early modern diplomacy. His model of "inter-cultural diplomacy" maintains that even in the eighteenth century, French diplomats did not follow European law and standards but rather created their own norms and practices in their encounters with Tunisian society.<sup>314</sup> Encounters between Dutch consuls and Algerian and Tunisian

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<sup>312</sup> See especially Art. 19 of Dutch capitulations, GPB, 3: 386.

<sup>313</sup> Letter of Haga to Estates General, Constantinople, Oct. 25, 1613, BGLH, 1: 651-653; Letter of Haga to Estates General, Constantinople, Feb. 13, 1614, BGLH, 1: 655-657; Letter of Haga to Estates General, Constantinople, Aug. 24, 1612, BGLH, 1: 647-649.

<sup>314</sup> Windler, *La Diplomatie*, 33, 34; Christian Windler, "Diplomatic History as a Field for Cultural Analysis: Muslim-Christian Relations in Tunis, 1700-1840." *The Historical Journal* 44, I, (2001): 84.

officials, and especially those pertaining to the redemption of slaves, similarly shaped early modern diplomatic practices in the western Mediterranean. Consuls' increasing role in ransoming captives made them active, if reluctant, participants in the *économie de la rançon*. Although the Estates General did not significantly modify its general policy of refusing to ransom captives, consuls found it difficult, if not actually impossible, to follow these guidelines. Consuls had to deal with Maghrebian realities and thus, willingly or unwillingly, mediate between the interests of the Dutch Republic and the demands of the North Africans. Thus, early modern diplomacy inevitably mixed the often irreconcilable imperatives of customary practices, state policy, and consuls' day-to-day encounters with the Muslim world.

Only by following the strategies and experiences of several Dutch diplomats as they sought to redeem slaves do the contours of Dutch diplomacy emerge as a set of real practices. First, a closer examination of Keyser's efforts in Algiers and Tunis reveals how pressure from North African rulers forced Keyser to apply several strategies in order to redeem 130 slaves in the years 1616/1617, including ransom. The Estates General and other Dutch authorities criticized Keyser's decision to ransom captives. They soon discovered, however, that negotiating on foreign soil hindered them from successfully claiming the liberation of captives for free. In the early 1620s, the Malta exchange, as we shall discuss later, exemplified how unexpected forces, namely captives' families in both the Republic and Algiers, could easily rechannel the course of diplomatic events and prevent The Hague from steering its policies in the Maghreb in a way more favorable to the Dutch. Local conditions in North Africa continued to force the Dutch to re-adjust its diplomacy. Indeed, the captivity of German sailors from the Hanse towns confirmed the

necessity and, perhaps, inevitability of Dutch consuls ransoming captives. Lacking Catholic institutions and their experience in redemption, the Protestant North depended on diplomacy as the only viable way to liberate captives. Although the Estates General changed its policy and allowed its consuls to ransom German captives, albeit at the expense of the Hanse towns, its agreement to pay ransom indicated a triumph for North African officials: Dutch diplomacy had adjusted to Maghrebian customs.

### ***Keyser's Experiences, 1616-1622***

Keyser's experiences in Algiers demonstrate that liberating captives was a tedious and difficult process. It was one thing for regents in The Hague to proclaim that the capture of seafarers violated free trade and that their release should be unconditional and *gratis*; it was quite another for the consul to arrive in the fortified city of Algiers without any previous experience and have to deal with a culture that held different norms in matters of redemption. Claiming the release of enslaved Dutch seafarers by insisting on the implementation of the capitulations, as the Estates General expected the consul to do, did not always work. Algerian officials, themselves constrained by internal conflicts, refused to comply and forced the consul to try other methods, especially to ransom captives. Keyser, who felt compassion for captives' fates and fearful about the tendency of some to convert to Islam, used several strategies to redeem slaves. A comparison of the similarities and differences between Keyser's actions and the practices of the redemptive orders underscores how the consul disregarded the orders of the Estates General and quickly adapted to the long-standing Mediterranean custom of ransoming slaves.

Soon after Keyser's arrival in Algiers, the difficulties had already become clear. Although the Estates General had required Keyser to demand the *gratis* liberation of 130 Dutch captives, Keyser instead had reached an agreement with Ali Cadi, the *pasha* of Algiers, to ransom thirty-five. Because the consul was not authorized to conclude treaties with Algiers, least of all one in which he promised to ransom slaves, he was clearly disobeying orders. The Estates General quickly ordered Ambassador Haga in Constantinople to nullify the agreement, which Haga did in May 1617.<sup>315</sup> The damage, however, was already done. Keyser had ignored the instructions of the Dutch government and simultaneously complied with the rules of the *économie de la rançon*; a situation that the Estates General desperately wanted to avoid. Indeed, Keyser's adoption of Mediterranean practices gave Algerian and Tunisian officials the impression that Keyser had set a precedent for other Dutch diplomats to follow. Thus, the liberation of the thirty-five captives, ironically, marked a bad start for Dutch diplomacy in the Maghreb or at least for the policies the Estates General hoped to apply.

Keyser, however, had not given in to the Algerian and Tunisian ruling elite willingly. Upon his arrival, he immediately became entangled in political conflicts that had split the Algerian establishment between *diwan* and *pasha*. The *diwan* was a military council dominated by *janitsars*, who maintained order in Algiers and thus fulfilled an important function in governing the city. The *pasha*, the Ottoman appointed governor, paid *janitsars*' wages with revenues from corsairing.<sup>316</sup> The dependence of the *pasha* on

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<sup>315</sup> Resolution Estates General Keyser, April 23 and May 28, 1616, BGLH, 1: 678-688; Weber, *Beveiliging*, 98; Letter of Ali Cadi, Algiers, Sept. 17, 1616, NA, 1.01.02, inv.nr. 6890; Letter of Keyser to Estates General, Algiers, Sept. 12, 1616, NA, 1.01.02, inv.nr. 6890; Letter of Haga to Estates General, Constantinople, May 27, 1617, NA, 1.01.02, inv.nr. 6892.

<sup>316</sup> The revenues from corsairing were distributed according to a code. In Algiers, for example, the *pasha* received one eighth of the total. The remainder of the loot was divided in half: 50% for shipowners and

the *diwan* allowed the latter to contest the governing power of the *pasha* and, thus, of Constantinople. One such conflict occurred just upon Keyser's arrival. The consul witnessed how a powerful group of *janitsars* "violently" approached the *pasha* and demanded money by force. The *cadi*, an Ottoman judge who himself had just arrived from Constantinople, intervened and restored order. Without his interference, Keyser observed, the soldiers would have certainly killed the *pasha*.<sup>317</sup> The uproar prevented the consul from acting immediately and claiming the *gratis* release of the Dutch captives. Thus, the consul very quickly realized that Ottoman rule over Algiers was riven with tensions that would affect his ability to execute orders from The Hague.

The violent conflicts within the Algerian elite, however, also carried over to the way those in charge approached the consul and his mission. Passages in Keyser's letters suggest that officials used force on him or at least applied substantial pressure. The *pasha* could obviously not afford to bow to the demands of the Dutch consul to liberate all Dutch captives without compensation because that would prevent him from paying the *janitsars*. He had already publicly sold his slaves, household goods, and even the gifts that Keyser had brought him in order to convince the *janitsars* that he really had no money to pay them. Both factions, that is, the Ottoman officials and the *diwan*, therefore sought to persuade the consul to ransom captives in order to generate revenue. When Keyser nonetheless insisted on their *gratis* release in conformity with the policy of the Estates General, soldiers surrounded him and "raged," pressuring the consul to consent to

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captains (*ra'is*) and the other half for *janitsars* and crew members. Other principalities followed similar codes, although the rise of Mulay Rashid and his brother Mulay Isma'il in Morocco in 1666 considerably altered the provisions of the code. Most importantly, after 1666 all Christian slaves became property of the Moroccan king. Leila Maziane, *Salé et ses corsaires (1666-1727). Un Port de course Marocain au XVIIe siècle* (Caen: Presses Universitaires de Caen, 2007), 353-357; Krieken, *Kapers en Kooplieden*, 8.

<sup>317</sup> Letter of Keyser to Estates General, Algiers, Sept. 12, 1616, BGLH, 1: 691.



ransoming slaves in an accord with the *cadi*.<sup>318</sup> In addition, the *cadi* himself summoned Keyser at night and persuaded him, too, to purchase captives for cost price, that is, the price initially paid for a captive on the slave market. The *cadi*'s wish that the Dutch not inform the Ottoman sultan about a separate accord between the Republic and Algiers testifies that the Algerians were disobeying Constantinople in this instance. Under such duress, the consul, not surprisingly, concluded the aforementioned agreement, albeit much to the dismay of the Estates General.<sup>319</sup>

Pressure from North African officials to ransom slaves, however, was not the only factor that made Keyser ignore his instructions. Like many Christians, Keyser sincerely believed that liberating slaves was a Christian act of charity; the exact means assumed lesser importance in his eyes. He was particularly concerned with some captives' tendency to convert to Islam. Witnessing their impatience and desperation to be freed, he realized that the longer they remained in captivity, the greater the chances they would convert. He therefore chose to ignore his orders and ransom slaves, arguing that otherwise captives "will become renegades and robbers."<sup>320</sup> Unfortunately, the Estates General did not heed Keyser's warning to shift course dramatically nor did it, apparently, listen to his implicit suggestion that it was necessary for the state to provide funds for ransom. In 1631, the *Directorate of the Levant Trade and Navigation* in Amsterdam also reported that "hearing nothing about preparations for their liberation [captives] apparently become enemies and robbers ... out of desperation; especially when they see that the

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<sup>318</sup> Letter of Keyser to Estates General, Algiers, Sept. 12, 1616, BGLH, 1: 691, 692.

<sup>319</sup> Keyser also excused himself for his bad handwriting: the use of tables was unknown and he had to write the letter on his knee. Letter of Keyser to Estates General, Algiers, Sept. 17, 1616, BGLH, 1: 694.

<sup>320</sup> Letter of Keyser, Algiers, Jan. 25, 1617, BGLH, 1: 710; Letter of Keyser, Algiers, June 16 – July 8, 1617, BGLH, 1: 734, 735.

Spaniards take care of their [captives] by sending each year a considerable sum for redemption.”<sup>321</sup> Only in the second half of the seventeenth century, when the Dutch government began to collect ransom to liberate captives, did warnings about the risk of conversion begin to disappear from diplomatic correspondence. Nonetheless, the issue of conversion illustrates how Keyser’s growing insights into the circumstances of captivity in the Maghreb affected his decision.

In addition to ransoming captives to prevent them from converting to Islam, Keyser also acted out of sheer compassion. He frequently conveyed his hopes that he could release captives soon “because [their captivity] is terrible to watch.”<sup>322</sup> Keyser’s sorrow about slaves’ fate formed a familiar theme among Dutch diplomats stationed in the Maghreb. Encountering conditions of captivity, such as the arrival of newly captured sailors in the harbor and their sale on the slave market, aroused feelings of compassion that led many diplomats to remind regents of their patriarchal duties to liberate slaves. In 1612, for instance, Ambassador Haga hoped that the “fatherly care” of the regents would facilitate the redemption of Dutch slaves from Tunis.<sup>323</sup> Likewise, the Directorate of the Levant Trade urged the Estates General in 1631 to apply “fatherly care” in preventing the captivity of sailors and confiscation of goods.<sup>324</sup> The call for patriarchal intervention did not abate over the course of the seventeenth century. In the 1670s and 1680s, ambassador

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<sup>321</sup> Letter of Directors Levant to Estates General, March 1631, BGLH, 1: 1051-1052.

<sup>322</sup> “Dat de slaven mogen worden gelost, want het is ellendig om aan te zien.” Letter of Keyser to Estates General, Algiers, Feb.2 - March 5, 1617, BGLH, 1: 712-721, 718.

<sup>323</sup> “Ick hope, hoe de saecke soude mogen gaen, dat bij dese middel door de vaderlijke sorge van U.H.M.E. ende mijne schuldige devoiren de verlossinge volgen sal.” Letter of Ambassador Haga to Estates General, Constantinople, Aug. 24, 1612, BGLH, 1: 649. *Idem* NA, 1.01.02, inv.nr. 6888.

<sup>324</sup> Remonstrantion Directorate to Estates General, March 1631, BGLH, 1: 1051-1052.



Fig. 3.1 “Ways in which Christian Slaves are sold in Algiers,” engraving by Jan Luyken, 1684.  
© Rijksmuseum, Amsterdam.

Thomas Hees and consuls Jacob Tollius and Christoffel Matthias all described the desperation of captives waiting to be ransomed. They thus appealed to the charitable duties of regents to succor the needy.<sup>325</sup> In doing so, diplomats indirectly criticized the Estates General for doing too little too late to free Dutch captives. The ideas of consuls and the Dutch state, however, on the matter of ransom diverged significantly. Consuls believed that ransoming captives was a moral duty, but the Estates General, in contrast, never seemed to supply enough support and funds to match the profile of caring “fathers” to which the consuls appealed.

After Keyser ransomed the thirty-five captives, he made arrangements to transport them back to the Republic and then renewed his efforts to free the remaining 115 Dutch

<sup>325</sup> Ambassador Hees conveyed in 1675, for example, that “it is hard to express, how these poor folks look forward to their freedom.” Letter of Thomas Hees to Magistrates of Amsterdam, Algiers, Nov. 14, 1675, AM, 5027, inv.nr. 241; Letter of Jacob Tollius to Estates General, Algiers, June 5, 1680, NA, 3.01.18, inv.nr. 381; Letter of Christoffel Matthias to Estats General, Algiers, May 4, 1684, NA, 3.01.18, inv.nr. 382; Letter of Christoffel Matthias to Magistrates of Amsterdam, Algiers, March 20, 1684, AM, 5027, inv.nr. 243. Letter of Consul Christoffel Matthias to Estates General, Algiers, May 4, 1684, NA, 3.01.18, inv.nr. 382.

slaves, with or without ransom. Comparing Keyser's efforts to those of friars from Iberia highlights how he began to participate in the *économie de la rançon*, yet also how his position as state representative forced him to resort to different strategies. Perhaps the most important difference between the consul's circumstances and that of the redemptive fathers was funding. In Spain, friars did not depart for North Africa until they had collected sufficient money and received permission from the Council of Castille or Aragon to undertake their mission. At their disposal stood a combination of *limosnas* (alms for the general fund) and *adjutorios* (donations for specific individuals).<sup>326</sup> In contrast, the Estates General refused to provide Keyser with any funds for ransoming slaves. It allowed Keyser a one-time compensation and the right to collect and keep three percent consular fees. The Estates General, however, did not permit him to trade on his own account. Thus, whereas redemptive fathers arrived with cash in hand to liberate slaves, the consul hardly had sufficient funds at his disposal to cover his own costs of living, let alone pay ransom.

The underfunding of the Dutch consulate forced Keyser to seek money elsewhere to sustain his work as consul. Although the Estates General forbade Keyser to engage in commerce, his critics suspected that he did so under the cover of the merchant activities of his brother Isaac, who also resided in Algiers. His family's commercial activities probably provided him with extra income. In addition, Keyser profited from his position as financial mediator for the Dutch seafaring community. Captains complained that he charged more than three percent consular fees or demanded additional taxes from

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<sup>326</sup> In the sixteenth century, the Crown ordered that two thirds of the ransom should consist of goods to be sold in North Africa for profits. Friedman, *Spanish Captives*, 108, 121.

them.<sup>327</sup> In July 1617, for example, Keyser announced a two percent augmentation as “embassy” fees.<sup>328</sup> Moreover, Dutch seafarers often deposited cash with Keyser to be retrieved later, often as bills of exchange. These practices instantly provided Keyser with money to spend.<sup>329</sup> Finally, in later years, the consul also seems to have pawned his own goods. At least, in 1622, he reported briefly to have pledged “everything there was,” although it is not clear whether his financial troubles arose from advancing slaves’ ransom or from his own debts.<sup>330</sup> Indeed, to what extent Keyser used these sources of income to pay for captives’ ransom remains unclear, but, thus far, offers the only explanation as to how Keyser was able to ransom captured Dutchmen.

In contrast to friars who arrived in North Africa with ready money, then, the consul had to *advance* money out of his own pocket to pay for captives’ release. Even on those occasions where he could free captives on credit, he still would eventually have to repay his debts.<sup>331</sup> Thus, the consul did everything he could to be reimbursed sooner rather than later. He sent bills detailing his expenditures for ransom to towns in the Republic, but complained that they reimbursed him with letters of credit rather than cash that would have allowed him to pay debts or ransom more captives. Then he had to pay

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<sup>327</sup> Letter of Suleiman Rais to the Estates General, July 2, 1617, Algiers, BGLH, 1: 740-741; Letter of Jacob Mille to Jacob Jacobsz Hinlopen in Amsterdam, Dec. 15, 1624, BLGH, 1: 952. Mille wrote a similar letter to Willem Muilman, Dec. 29, 1624, BGLH, 1: 953-954.

<sup>328</sup> Letter of Keyser to Estates General, Algiers, June 16 - July 8, 1617, BGLH, 1: 733-737, 735.

<sup>329</sup> Letter of Keyser to Estates General, Algiers, Nov. 26, 1622, BGLH, 1: 865-867.

<sup>330</sup> Letter of Keyser to Estates General, Nov. 26, 1622, BGLH, 1: 865-867.

<sup>331</sup> French consuls also advanced ransom money and so did, occasionally, Christian renegades. Weiss, *Captives and Corsairs*, 30.

interest to convert letters of credit into cash.<sup>332</sup> Keyser also accompanied freed slaves to Mallorca, where his contact, one Wilm Janssen Dissel, repaid Keyser the sums he had spent thus far.<sup>333</sup> In addition, the consul arranged captives' transportation back to the Republic in phases, either using Dutch warships or English merchant vessels. In fall 1616, Commander Lambert Hendrikszoon took the first captives back home, and, in January 1617, carried another fifty-four.<sup>334</sup> In July 1617, some redeemed slaves traveled to the Republic via Livorno on a Dutch ship; the others, apparently, on an English one.<sup>335</sup> Keyser thus spent quite some time and money in his attempts to ransom captives.

Hercules Rusca, one of the freed slaves from Tunis, however, did not seem grateful for Keyser's intervention. He complained that Wijnant Keyser "behaved weakly" by paying full price for Dutch slaves whereas the French consul had only offered half.<sup>336</sup> By comparing Keyser's supposed clumsiness to the shrewdness of French diplomats, Rusca tried to underscore the inexperience of Keyser in negotiating ransom. Still, Rusca's complaint should be contextualized. The redemptive fathers, for instance, did not have a free hand in negotiating captives' ransom either. Algerians tightly controlled the process

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<sup>332</sup> Keyser suspected that the towns' mediators made a forty per cent profit by exchanging cash for credit letters. Letter of Keyser to Estates General, Nov. 19, 1616, BGLH, 1: 701.

<sup>333</sup> Letter of Keyser to Estates General, Mallorca, Nov. 19, 1616, BGLH, 1: 702; Idem NA 1.01.02, inv.nr. 6890; Letter of Keyser to Estates General, Tunis, Dec. 3, 1616, BGLH, 1: 703-704.

<sup>334</sup> Letter of Keyser to Estates General, Algiers, Oct. 8, 1616, BGLH, 1: 694-698. Idem NA, 1.01.02, inv.nr. 6890; Letter of Keyser to Estates General, Algiers, March 5, 1617, BGLH, 1: 712.

<sup>335</sup> Letter of Keyser to Estates General, Algiers, July 15 - Sept. 3, 1617, BGLH, 1: 742-751, 742; The Dutch renegade Soliman Reis also offered Keyser to transport freed slaves back to Holland, but the consul thought it wise to decline the offer. Reis's offer underscores how commerce, faith, identity, and captivity all intersected. Letter of Keyser to Estates General, Algiers, April 15, 1617, BGLH, 1: 724-726, 725.

<sup>336</sup> "hem in Algier seer slap soude gedragen hebben." Letter of Hercules Rusca to States of Holland, Zeeland en Westvriesland, Tunis, Jan. 31, 1617, BGLH, 1: 711-712.

of redemption. When the redemptive fathers arrived in sixteenth-century Algiers, for instance, the governor quickly inquired how much money they had brought with them. He would then demand some of it to cover import duties and more for the release of state-owned slaves. After this initial payment, the friars lost control of their money. While staying at the *casa de la limosna*, a house specifically assigned to friars, a guard locked up the money and kept the key. The friars could thus not redistribute the money freely and depended on the governor to get access to it.<sup>337</sup> The limited financial freedom the Spanish friars enjoyed indicates that North African rulers did not necessarily distinguish different types of redeemers, but simply tried to extort ransom money whenever and from whomever possible.<sup>338</sup> To accuse the consul of mismanaging funds was therefore premature. The consul, like the friars, had limited options.

The consul's efforts to ransom captives did not mean that he ignored his initial instructions, namely to claim the *gratis* freedom of captives. On the contrary, Keyser tried to comply whenever possible, because obtaining slaves' freedom *gratis* obviously saved him enormous amounts of money. In Tunis, for instance, Keyser obtained fifteen slaves for free in this manner.<sup>339</sup> Keyser and his successors had the best chance to demand the immediate release of captives seized *after* the signing of treaties, because their subsequent capture constituted a breach of peace. Arguing this point proved difficult, however. The treaties stipulated that corsairs maintained the right to inspect

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<sup>337</sup> In contrast, the Spanish garrison in Ceuta, Morocco, left Spanish redeemers with room to negotiate the liberation of captives on more favorable conditions. Friedman, *Spanish Captives*, 131-132, 142.

<sup>338</sup> Like the Spanish friars, for example, Keyser, too, had to pay extra fees: ten percent on top of ransom and twenty per cent extra for those released for free. Letter of Keyser to Estates General, Algiers, March 5, 1617, BGLH, 1: 714.

<sup>339</sup> Letter of Keyser to Estates General, Mallorca, Nov. 19, 1616, BGLH, 1: 701-702. *Idem* NA 1.01.02, inv.nr. 6890; Letter of Keyser to Estates General, Tunis, Dec. 3, 1616, BGLH, 1: 703, 704.

Dutch merchant vessels for goods from states that were at war with Algiers, Tunis, and the Ottomans. When corsairs insisted on inspecting Dutch vessels, however, they often encountered opposition that led them to feel entitled to seize the vessel and its crew. The Dutch concluded that North Africans' inspections merely formed an excuse to continue corsairing.

Nonetheless, within this tug of war and words, consuls managed to free crews, even those that resisted inspection. During Dutch-Algerian hostilities in the years 1616-1623, for example, Algerian corsairs seized an astounding 210 Dutch vessels. Of those, Keyser had managed to retrieve twenty-four vessels and liberate their crews. In 1619, for example, he had liberated Adriaen Drooge (originally from Schiedam) and his vessel loaded with salt, despite the fact that Drooge had killed corsairs while defending his ship.<sup>340</sup> Dutch complaints of "unjustified" captures were thus not totally lost in the melee of war, captivity, and trade. Indeed, the 1622 treaties no longer contained any articles allowing the Dutch to reclaim captives, but Keyser's efforts and those of other consuls makes it clear that negotiations on a local level nonetheless created opportunities to liberate captives that did not always exist in the grander scheme of diplomacy.

Keyser's role as the savior of Dutch captives thus grew over the years. The consul, however, had not always felt as confident about his position as consul or his ability to redeem slaves. "The world knows it is peace," he wrote early 1617, "but the [Algerians] continue to take captives; traders run the risk of captivity and

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<sup>340</sup> List of liberated vessels by Wijnant Keyser (1616-1625), circa 1628, BGLH, 1: 1039-1041.



enslavement.”<sup>341</sup> The realization that redemption was not a one-time fix but a continuous process made Keyser doubt whether he should stay on as consul even though he had only been in Algiers six months: “I am confused and hold one thousand thoughts on what I should do. If I receive permission to leave, then the poor slaves left behind have nobody to take up their cause.”<sup>342</sup> Keyser’s remark raises an interesting question; one that reveals the unique position of the Dutch consul among fellow redeemers in North Africa. If Keyser left, then who indeed would represent Dutch captives? Captives from the Dutch Republic depended greatly on the involvement of consuls to secure their freedom. True, occasionally Dutch captains arrived with ransom raised privately in the Republic to liberate captives and sometimes merchants stepped in to negotiate the release of slaves. But these interventions remained few and sporadic. In contrast, consuls belonged to the Dutch diplomatic-mercantile corps and, like the redemptive orders, could sustain redemptive practices over the long run.

Keyser’s experiences, however, indicate that this consular network did not always operate smoothly. The Dutch consul obviously corresponded with the Estates General, but the exchange of reports and instructions proceeded very slow and sometimes the instructions received were outdated. Ambassador Haga in Constantinople also did his utmost to liberate captives and used his well-established relations with Ottoman officials

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<sup>341</sup> “alle de werelt weet oock niet beter, 't en is vrede, en soo moechten d'een en d'ander innebrengen ende weder tot slaeven maeken; oock de coopvaerders, die commen, moechten daerover in lijden commen,” Memorie of Keyser to Estates General, Feb. 12, 1617, BGLH, 1: 712-721, 716.

<sup>342</sup> “Nu ic wete hier niet veel op te seggen, maer ben confuys ende in duser gedencken, wat ic doen sal, want neme ic licentie om te vertrecken, mij die gevende, soo blyven hier de arme slaven, die der resterren, sonder ymant voor hun te connen doen,” Memorie of Keyser to Estates General, Feb. 12, 1617, BGLH, 1: 712-721, 716.

to assist the consul in North Africa.<sup>343</sup> But Constantinople lay far removed from Algiers and Haga's influence on affairs in the Maghreb was not always successful, as his failed missions between 1612 and 1615 demonstrated. More productive were Keyser's relationships with Gasparo van Aeken, an agent he had appointed in Tunis, and Jan Manrique, his secretary.<sup>344</sup> Soon after Keyser arrived in Algiers in 1616, it became apparent that he would need help in representing the Dutch in the existing hostile environment. Moreover, he could not be in two places, Tunis and Algiers, simultaneously.<sup>345</sup> Thus, he appointed Gasparo van Aeken as agent in Tunis charged with liberating captives there. Keyser himself attended to these tasks in Algiers.<sup>346</sup>

Van Aeken, however, encountered many obstacles liberating captives. His troubles in Tunis were closely related to the way North African rulers defined the role of consuls. Gasparo van Aeken had been a captive in Tunis who had gained his freedom with the aid of Keyser sometime between August 1616 and January 1617. Soon thereafter, Keyser appointed him as agent in Tunis. Yusuf Dey, however, refused to treat Van Aeken as a representative of the Dutch Republic.<sup>347</sup> Hercules Rusca, himself a freed

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<sup>343</sup> Heeringa, *Bronnen*, 1: 871, n1-2.

<sup>344</sup> Letter of Keyser to Estates General, Algiers, Jan. 25, 1617, BGLH, 1: 710. Keyser also requested the Estates General to appoint a consul in Tripoli. Letter of Keyser to Estates General, Algiers, March 5, 1617, BGLH, 1: 714.

<sup>345</sup> In contrast, Portuguese slave lists suggest that friars always operated in groups. In 1720, for example, fathers Joseph de Payva and Simão de Brito; the president of the Tribunal; Duke Estribeyro; and father Joseph de Carvalho, general procurator for the captives, traveled on the same expedition. *Gloria Tibi Trinitas. Relaçam do Resgate que por Ordem del Rey Nosso Senhor Dom Joam V, rey de Portugal. Lisboa Occidental*. Na Officina de Miguel Manescal, Impressor do Santo Officio & da Serenissima Casa de Bragança, 1720.

<sup>346</sup> Van Aeken claimed that he was appointed by Keyser and Captain Lambert Hendrikszoon. Letter of Gasparo van Aeken to Estates General, Tunis, March 13, 1619, BGLH, 1: 794-795.

<sup>347</sup> Van Aeken had been captured on the vessel of Jacob Stuerm. Letter of Hercules Rusca to States of Holland, Zeeland en Westvriesland, Jan. 31, 1617, Tunis, BGLH, 1: 711-712.

captive, suggested that the *dey* expected the Dutch consul to be a free, not *freed*, Christian from the Republic who could symbolize the independent status of Tunis or Algiers vis-à-vis Constantinople. Van Aeken, because of his former status as captive, did not fit the image of a free man directly appointed by the Estates General to represent Dutch interests. He could therefore not offer the Tunisian ruler the diplomatic status other European consuls bore.

The obstacles Van Aeken faced in fulfilling his mission, however, also derived from another expectation North Africans held of European consuls; namely they expected them to *ransom* captives. Van Aeken followed Dutch state policy and claimed their *gratis* release instead. In response, Yusuf Dey claimed that the treaties were “mere pieces of paper” and insisted he would not abide by the capitulations and 1617 accord. Nonetheless, he handed Van Aeken seven captives (four from Rotterdam and three from Lübeck) and allowed the consul to ransom a “young man” for whom money “was set aside.”<sup>348</sup> The Dutch considered the number of captives released piddling and did not believe Van Aeken’s mission successful. Van Aeken, too, considered his task impossible, partly due to the insufficient financial support he had received from the Estates General. He complained that Keyser counseled him to be patient, but: “[my] patience has lasted for two years. I cannot take care of slaves ‘with patience’ or [maintain] my own household.”<sup>349</sup> Not surprisingly, he ran up huge debts and requested the Estates General to relieve him. Van Aeken’s brief mission thus reveals the intricate problems of

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<sup>348</sup> Letter of Hercules Rusca to States of Holland, Zeeland en Westvriesland, Jan. 31, 1617, Tunis, BGLH, 1: 711-712; Heeringa, *Bronnen*, 1: 723, n1.

<sup>349</sup> “Ick hebbe aen Sr. Wijnant de Keyser dickwils mijnen noet gheschreven, maer krijghe gheen antwoord als: „ hebt pattintie, het sal haest beteren". Dese pattintie heeft al over 2 jaer gheduert; ick en can die slaeven met gheen pattintie onderhout gheven ende oock en can gheen huyshouden met pattintie.” Letter of Gasparo van Aeken to Estates General, Tunis, March 13, 1619, BGLH, 1: 794-795.

establishing and maintaining a consulate: first, insufficient funds hindered the consul in running a consulate and, second, Maghrebian rulers often forced him to ransom captives for money and thus ignore orders of the Dutch government.

The person who stayed by Keyser's side most of the time in Algiers was Jan Manrique, his secretary. Manrique came to play his own part in developing diplomatic relations with the North Africans. The hostilities with Algiers and Tunis had cost the Dutch dearly especially if one recalls Keyser's list of 210 captured vessels. The Estates General, also aware that the Twelve Years Truce would end in 1621, ordered Jan Manrique and one Jacob Cats to inquire whether Algiers and Tunis would be interested in halting hostilities and concluding an enduring peace.<sup>350</sup> The Estates General probably chose Manrique because, in his capacity as Keyser's secretary, he had gained considerable experience in dealing with Maghrebian culture. Manrique's mission succeeded and the Estates General authorized him, on a second mission, to conduct negotiations and replace Keyser if the latter desired to retire. As Keyser wished to remain in Algiers, the Estates General appointed Manrique consul in Tunis instead. When Manrique, however, joined the embassy of the newly appointed Ambassador Cornelis Pijnacker in Algiers and asked for financial assistance to take up his post, the ambassador claimed he had never received orders to do so and refused. Manrique, having witnessed the financial problems of Keyser and Van Aeken, declined the offer and returned with Pijnacker to the Dutch Republic.<sup>351</sup> As a result, Keyser remained consul in Algiers *and* Tunis.

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<sup>350</sup> Verbael Jan Manrique and Joris van Catz, 1620, NA, 1.01.02, inv. nr. 6888.

<sup>351</sup> Resolution 1025, May 29, 1621, *Resolutiën der Staten Generaal. Nieuwe Reeks 1610-1670* [hereafter RSGNR], ed. A.Th. van Deursen, J.G. Smit, and J. Roelevink. RGP Grote serie, 7 vols. The Hague:

By 1622, Keyser had become disgruntled with his position, and in particular, with the hypocrisy of Dutch captains. His critics repeatedly accused him of trading illegally, although he had actually taken great financial risks to liberate captives and care for them. In November 1622, he learned that either the Estates General or the Admiralties of Amsterdam had held up his bills of exchange at the request of several captains and others involved in these exchanges; they claimed that Keyser had forced them to pay for the care of their crews. In response to these accusations, which Keyser labeled as “filthy,” he defended himself by emphasizing that captains had a moral duty to care for the crews:

[I] have told and admonished captains who come here with their crews to act as folks with honor. They should take care of crews who have served them and have been their *tafelbroeders* [comrades] and not leave them behind; especially since your High and Mightinesses did not instruct me, yes, even forbade me to do anything at the expense of the country. However, when [these captains] refused to give, I have done so for the honor of the fatherland; also for those [enslaved crews] who did not have captains. I have assisted them all with money and [even] pawned my [moveable goods] for up to 3, 4, 5% per month. So, I do not know what more I can do.<sup>352</sup>

Keyser also pointed out that captains and others assumed that the Estates General paid the consul to provide for captives and ransom them: “[Captains] think: ‘why should

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Instituut voor Nederlandse Geschiedenis, 1971-1994, 5: 163; Instructions Manrique, Estates General, June 4, 1621, BGLH, 1: 849-850; Verbael Jan Manrique, circa 1623, BGLH, 1: 885-893, 893.

<sup>352</sup> “Seecker, 't en sijn anders niet als vuylicheden, die niet en mogen bestaen, ende onder correctie, doen dit anders niet als op 't seggen van d' een en d' ander: „wat hebdi te betaelen, den “consul sal van de heeren Staeten wel betaelt worden” en diergelijcke; ende voorwaer, de saeke is dus gepasseert: de schippers hier comende met hun volck, soo hebbe hun geseyt en vermaent te moeten doen als lieden met eeren, en besorgen, dat dat volck, die hun wel gedient hadden en taeffelbroeders geweest, dat sij die moesten besorgen en niet verlaeten, alsoo ick geen last van U. H. M., jae verbot hadde om yet te mogen doen tot cost van 't lant; doch soo sij 't niet en begeerden te doen, dat ick 't dan ter eeren van 't vaderlant doen soude, gelijk ick aen andere dede, die geen schippers en hadden, ende dienvolgende hebbe haer geassisteert met gelt, ende mijselven verpanten verset, met 3, 4 a 5 percent ter maent; soo ick weeteniet, wat meer doen can.” Letter of Keyser to Estates General, Nov. 26, 1622, BGLH, 1: 865-867.

we pay? The consul is paid by the [Estates General]’.”<sup>353</sup> Thus, when Keyser insisted that captains take responsibility for their crews and contribute to Keyser’s expenses, the captains assumed that Keyser profited at their expense. But the consul, who had ransomed captives on his own initiative and run into debt doing so, felt betrayed. He had acted out of a sense of moral duty and compassion. In return for his kindness, he protested that even the Admiralties of Rotterdam, his home town, had “defamed” him.<sup>354</sup> Keyser requested the Estates General to be released from his duties in 1622 but, for reasons unknown, changed his mind and remained in Algiers until 1627.

The conflict between Keyser on the one hand, and merchants and captains on the other, reflect how ill-defined the Dutch consulate in North Africa was and how that lack of clear definition generated a host of problems. Merchants believed that the Estates General sustained Keyser’s consulate while, in fact, it restricted the consul’s options and rarely provided adequate funding. More importantly, the Estates General’s instructions that Keyser obtain the release of captives without paying ransom was chimerical and could not work in the political circumstances that pertained in North Africa. Indeed, Dutch authorities left room, unwillingly, for other forces to shape the role of the consul in North Africa. Keyser, himself driven by compassion and a sense of Christian duty, helped redirect the course of Dutch policy into ransoming captives. Algerian rulers, caught in a power struggle, pressured him to adjust to their method of redemption. The *pasha* paid *janitsars’* wages with the revenue of corsairing and both parties, therefore, wanted to ensure that Dutch consuls would participate in commercialized redemption. Thus, Keyser

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<sup>353</sup> Ibid.

<sup>354</sup> Ibid.

and to a lesser extent, Gaspar van Aeken and Jan Manrique, learned to bend to conditions in Algiers and Tunis and thereby shaped Dutch diplomacy in ways that differed from what the Estates General intended.

### ***The Malta Exchange***

Keyser, Van Aeken, and Manrique thus all participated in the *économie de la rançon* in the western Mediterranean and, indeed, did much to sustain it. Certainly, the methods they worked out, and worked on, did not coincide with the wishes of the Estates General. If ransom was anathema to the Dutch and an unpaid liberation of slaves equally unpalatable for the North Africans, then an exchange of prisoners seemed an ideal solution. The treaties of 1622 with Algiers and Tunis indeed stipulated an exchange of Muslim captives held in Malta for Dutch ones in Algiers. Once again, however, and even though the exchange was eventually successful, all did not develop as the Estates General had envisioned. Local conditions frustrated any simple implementation of Dutch wishes or a single-minded adherence to official diplomatic policy. Rather, in order to organize a successful exchange of captives, Dutch diplomats on the spot and the merchants who assisted them, willingly or not, acceded to customary practices of captivity and redemption in the Mediterranean. The constant adjustments that had to be made to diplomatic practices and policies reflect once more the fluid nature of redemptive efforts and early modern diplomacy itself.

In February 1621, Cornelis Pauw, consul in Aleppo, described to the Estates General the journey he had made on board a Dutch warship, *De Bul*, under command of Captain Thomas Pietersz from Amsterdam. En route, Pietersz had seized a corsairing ship

and captured its thirteen-member Muslim crew. In the process, he had also recaptured a Dutch vessel named the *Bierenbroodpot* from Hoorn. Because the crew of the *Bierenbroodpot* had escaped on a small boat and the vessel was unmanned, Pietersz stored the vessel temporarily at Malta.<sup>355</sup> Simultaneously, Cornelis Pauw placed the Muslim prisoners in the hands of the Grandmaster of Malta, Alof de Wignancourt. Wignancourt received Pauw cordially and showed him around the fortress in Valletta, one of the bastions that he had built to fortify the small island of Malta.<sup>356</sup> Offering Pauw a tour reflected Wignancourt's pride in the island that, ruled by the Order of the Knights of St. John since 1531, served as a military stronghold for Christian Europe and its Mediterranean outpost. The knights' involvement in capturing Muslim seafarers and selling them on slave markets in Constantinople, Algiers, and Livorno, however, made Malta the Christian equivalent of Algiers.<sup>357</sup> The choice of Malta as the place to harbor the reconquered Dutch vessel and hold the Muslim captives reveals that the Dutch did not hesitate to rely on existing Catholic networks and institutions in the Mediterranean. It also made them equally complicit in sustaining the Mediterranean system of captivity and redemption.

The captured Muslims in Malta offered the Republic an excellent opportunity to exchange them for enslaved Dutchmen held in Algiers. Exchanging prisoners was a form

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<sup>355</sup> Resolution 1530, Estates General, Aug. 7, 1621, RSGNR, 5: 236; Heeringa, *Bronnen*, 1: 851.

<sup>356</sup> Resolution 996, Estates General, May 26, 1621, RSGNR, 5: 160. Based on the report of Cornelis Pauw dd. Malta Feb. 20, 1621.

<sup>357</sup> Other Christian states that licenced Christian privateers were the King of Sardinia, the Grand-Duke of Tuscany, the King of Spain's Viceroy in Sicily, and the Prince of Monaco. The Order of St. John is also known as the Order of the Hospitallers. The Ottomans drove them off the island of Rhodes in 1522. Charles V gave them Malta in 1531. Peter Earle, *Corsairs of Malta and Barbary* (London: Sidgwick & Jackson, 1970), 11-12, 101.



of liberating captives commonplace in northwest Europe and in the Mediterranean.<sup>358</sup> The French, the English, and the Dutch all were involved. Keyser reported in February 1617, for example, that, to the dismay of the Algerians, the English consul had arrived with “a ship load full of Turkish and Moorish passengers,” presumably ready to swap them for captured Englishmen. The French applied similar tactics. Soon after the English consul arrived, the brother of the French consul brought forty Muslim captives, recently purchased in Marseille, to exchange for an estimated four hundred (!) French captives. He also promised the release of an additional ninety Muslim captives still rowing the galleys of the French king along with a present of two cannons.<sup>359</sup> Dutch captains and merchants also engaged in the practice of exchange when the opportunity arose. The Dutch captain Quast brokered seventy captured corsairs for seventy-one Dutch captives.<sup>360</sup> An interesting exception was the Crown of Castille that refrained from these practices until the mid-eighteenth century when it handed over “large numbers of North African galley slaves” in return for Spanish captives.<sup>361</sup>

An exchange of prisoners offered the Dutch a convenient way of liberating their captives without paying ransom, thus upholding – at least to some extent – the principle that the Estates General did not pay for the liberation of illegally captured seafarers. Captives’ families, always dependent on local communities to gather ransom, would certainly consider the possibility of an exchange as a godsend. Their requests for

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<sup>358</sup> The *Hollandsche Mercurius* reported that in 1653, for instance, the Dutch and English had exchanged captives among themselves. *Hollantsche Mercurius, Historisch wijs Vervattende het Voornaemste in Christeneyck anno 1650 voorgevallen* (Haarlem: Pieter Casteleijn Boeck, 1651), 5: 98.

<sup>359</sup> Memorie of Keyser to Estates General, Feb. 19, 1617, BGLH, 1: 712-721, 719.

<sup>360</sup> Weber, *Beveiliging*, 116, 117.

<sup>361</sup> Friedman, *Spanish Captives*, 157.

financial aid from local authorities form a common thread throughout the seventeenth century. In anticipation of Jan Manrique's mission in 1619, for instance, captives' relatives in Schiedam pushed the town magistrate to provide money for redemption.<sup>362</sup> When news about Pijnacker's upcoming peace mission to Algiers and Tunis leaked out in early 1622, the town magistrate of Hoorn and the Admiralties of Amsterdam quickly reminded the Estates General of captives still languishing in Algiers and Tunis.<sup>363</sup> The Estates General thereupon ordered the Admiralties of Amsterdam, Middelburg, Enkhuizen, and Rotterdam to compile lists of captives held in Algiers and Tunis and to send those to the newly appointed Ambassador Cornelis Pijnacker.<sup>364</sup> Thus, pressure from below encouraged the Estates General to act more quickly in arranging an exchange of captives.

Word of the Muslim captives on Malta, however, soon reached not only the Dutch Republic but also Algiers. There, the same dynamic between citizens and government existed and forced Dutch diplomats to review and revise their plans. In June 1621, the Estates General had ordered Manrique, Keyser's secretary, to inquire whether Algiers and Tunis were interested in peace but did not mention the Maltese prisoners.<sup>365</sup> Manrique, Keyser, and later, Pijnacker, however, soon realized that it would be impossible to initiate peace talks with the Algerians or even expect them to abide by the

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<sup>362</sup> Schiedam offered to pay fifty guilders per captive, of which twenty four were meant for transportation and food, and another twenty six for ransom and other expenditures. The magistrates of Schiedam warned that from then on "wives or friends of the prisoners, as is possible within their powers, will have to leave the town unburdened." Resolution Schiedam, June 15, 1621, BGLH, 1: 850-851.

<sup>363</sup> Resolution 2786 Estates General, March 10, 1622, RSGNR, 5: 430.

<sup>364</sup> Resolution 2846 Estates General, March 17, 1622, RSGNR, 5: 437; Resolution 3238 Estates General, May 10, 1622, RSGNR, 5: 492; Resolution 3317 Estates General, May 20, 1622, RSGNR, 5: 502; Resolution 3631 Estates General, June 30, 1622, RSGNR, 5: 552.

capitulations without first resolving the “issue” of Malta. Following frequent attempts to negotiate a deal in fall 1621, Manrique and Keyser encountered an uproar in the *diwan*. Algerian women had gathered there to demand justice for their captured husbands, who, they claimed, had been “given” to the Grandmaster of Malta. Just as local authorities in the Dutch Republic intervened on behalf of Dutch relatives, so, too, did the *diwan* heed to the women’s demands. The *diwan* decided on the spot that all Dutchmen present in Algiers would not be allowed to leave town before the release and return of the Maltese prisoners; only then would Algiers abide by the capitulations. Keyser and Manrique apologized for holding the Muslim prisoners on Malta and asked permission to depart for the Republic to discuss the matter; they promised to return with presents. The *diwan*, however, stood by its decision to declare all citizens of the Dutch Republic in Algiers, whether free or slave, hostages until the Dutch liberated the twelve Muslim captives.<sup>366</sup>

The *diwan*’s sudden decision altered the way the Dutch thought about exchanging prisoners. In June 1621, for example, the Estates General had already decided, upon request of “women and kin in Algiers,” to ask the Grandmaster on Malta to release the captives to consul Keyser.<sup>367</sup> The text of the resolution reveals two important details. First, the Estates General intended to use the captives for exchange, that is, swap the twelve Muslim captives from Malta for the same number, or possibly more of Dutch prisoners held in Algiers. Second, the exchange would occur at the consul’s discretion; that is, the Estates General left it up to the consul to choose the appropriate moment to

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<sup>365</sup> Instructions Jan Manrique, June 4, 1621, BGLH, 1: 849-850.

<sup>366</sup> Report Jan Manrique to Estates General, Nov. 1621, BGLH, 1: 885-893- 887; Letter of Hussein, pasha of Algiers to Estates General, April 1622, BGLH, 1: 855.

<sup>367</sup> Resolution 1210, June 23, 1621, RSGNR, 5: 189.

act. The Algerian women had forced a change in diplomatic course upon foreign diplomats and their own government. The exchange would include not only Dutch captives but also all other Dutchmen held in town as hostages. In addition, the exchange became necessary to re-establish peaceful relations.

Back in The Hague, the Estates General still hoped to follow its own script. In May 1622, it instructed the newly appointed ambassador, Pijnacker, not to initiate a discussion with the Algerians on the Maltese prisoners. Only if Algiers raised the matter, could Pijnacker declare that the Estates General was prepared to free the captives.<sup>368</sup> Interestingly, the instructions did not mention the possibility of swapping them for the Dutch captives in Algiers. Instead, in a separate article, Pijnacker was required to secure the release of “all citizens of [the Republic], young and old, circumcised or not, who live in slavery and are imprisoned or might be found [living in Algiers] in other circumstances.”<sup>369</sup> This separate article should probably be read as another attempt by the Estates General to force Algiers to abide by the capitulations and liberate captives according to the Dutch conditions. Thus, Pijnacker, who possessed the admiralties’ lists of all captives, attempted to convince the *pasha* to allow all Dutchmen depart from Algiers, regardless of the planned exchange.<sup>370</sup>

Negotiating on the territory of your host, however, has its disadvantages. More than a month before Pijnacker’s arrival, Algerian rulers had already forced Keyser to collaborate. In late July 1622, the *diwan* summoned Keyser. Algerian women were still

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<sup>368</sup> Instructions Pijnacker by Estates General, May 21, 1622, BGLH, 1: 858-864, point 23, 862.

<sup>369</sup> Instructions Pijnacker by Estates General, May 21, 1622, BGLH, 1: 858-864, point 21, 861.

<sup>370</sup> “Rapport Pijnacker tot Tunis en Algiers in de Jaren 1622 en 1623.” In *Berigten van het Historisch Genootschap te Utrecht*. 7/2, 2nd ser. 2nd part, 279-329 (Utrecht: Kemink en Zoon, 1862), 296, 300-301. Pijnacker arrived in Algiers on September 3, 1622. Pijnacker, *Historie*, 52.

lamenting the captivity of husband and children on Malta and impatiently waited their arrival. The *pasha* angrily demanded to know from Keyser where the captives were while the crowd called for Keyser's immediate "crucifixion." Keyser believed that Algerian officials would not allow the crowd to harm him because his intervention was necessary to ensure the return of the Maltese captives. He was right. The *pasha* stepped in to save him but also made him promise to deliver the prisoners within three months.<sup>371</sup> The treaty that Ambassador Pijnacker had concluded a couple of months later stipulated that the Dutch slaves had to remain in the consul's custody until the arrival of the Algerian captives. If any Dutchman escaped, the consul had to pay restitution.<sup>372</sup> The *pasha* thus held the consul personally responsible for the return of the Muslim captives from Malta. Even Ambassador Pijnacker had to stand bail for the Malta prisoners.<sup>373</sup>

In this situation, the Dutch had little option other than to retrieve the captives from Malta. Pijnacker's appointment of Guilielmus Wijntges to represent him and Wijntges's subsequent problems in reclaiming the Muslim prisoners illustrate how laborious diplomatic negotiations in the early modern Mediterranean world could be and how much flexibility they required. Wijntges arrived on Malta November 5, 1622, but was prevented from sailing into the port and going ashore. Grandmaster Wignancourt, who had welcomed consul Pauw so warmly the year before, had been replaced by Ludovico Mendez Vasconcelos, a Spaniard. Considering the renewed hostilities between the Dutch Republic and Spain, it is not surprising that Mendez initially refused to allow

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<sup>371</sup> Memorie of Keyser to Estates General, March 4 - Dec. 24, 1622, BGLH, 1: 867-878, 871.

<sup>372</sup> "Doch niettegenstaande zullen alle Nederlanders, UUEE onderdanen (zij zijn vele of weinige in getale) alhier blijven in handen van uw conusl, totdat bovengemelde personen uit Malta hier gekomen zijn. Als dat zo is, mogen zij tesamen vertrekken." Art. 7 of Dutch-Algerian treaty, 1622, GPB, 2: 2292.

<sup>373</sup> "Rapport Pijnacker," *Berigten*, 298; Krieken, *Kapers en kooplieden*, 22.

the Dutch to drop anchor. Only when Wijntges convinced the knights of the friendly relations that then existed between the Dutch Republic and Malta, was the first problem resolved. The next turned out to be just as tricky. The conditions under which Pauw had handed the captives to the Grandmaster of Malta were unclear. Had he presented them as a gift, asked the Grandmaster to care for them, or had he sold them to the Maltese? The Algerian women, Manrique, and Pijnacker all claimed that Pauw had given them as a gift, while the *pasha* of Algiers believed they had been sold.<sup>374</sup> Either way, the Maltese demanded that the Dutch pay an estimated 6500 *zichynen* for the twelve prisoners. Only after Wijntges promised to mediate the liberation of two Maltese captives in Algiers did he receive the twelve Muslim prisoners without ransom and set sail for Algiers.<sup>375</sup> The obstacles Wijntges faced demonstrate not only how agile a diplomat had to be in order to resolve sensitive issues of captivity and redemption, but also how the captivity of Christians in Muslim hands could quickly overcome religious differences between European states and, at least sometimes, cause diplomatic ranks to close.

When Wijntges returned to Algiers with the prisoners in early 1623, he found “everybody very pleased, because peace was now tied in a fixed and iron bond.”<sup>376</sup> He emphasized that re-establishing diplomatic relations with Algiers and Tunis depended on

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<sup>374</sup> “Rapport Pijnacker,” *Berigten*, 315; Letter of Hussein, pasha of Algiers to Estates General, April 1622, BGLH, 1: 855.

<sup>375</sup> Report Doctor Guilielmus Wijntges to Estates General, April 14, 1623, BGLH, 1: 893-896.

<sup>376</sup> Report Doctor Guilielmus Wijntges to Estates General, April 14, 1623, BGLH, 1: 893-896. The *Diwan* of Algiers reported that the exchange had taken place in February 1623. Letter of *Diwan* of Algiers to Estates General, Feb. 1623, points 6 and 21, BGLH, 1: 881-883. Confirmed by letter of Keyser to Estates General, Algiers, Feb. 14-20, 1623, BGLH, 1: 878-881. The States of Holland received word from ambassador Pijnacker on Jan. 23, 1623 that “all our captives in Turkey are free or will be”, Resolution 2565, *Particuliere Notulen van de vergaderingen der Staten van Holland, 1620-1640*, eds. Nicolaes Stellingwerff and Sijbrant Schot. RGP Grote serie [hereafter PNVSH] (The Hague: Instituut voor Nederlandse Geschiedenis, 1992), 579.

the successful “exchange” of prisoners. Keyser must have been relieved for very personal reasons. His cause for concern was real. He reported how crowds swarmed to the harbor upon the arrival of new ships, whether from the Dutch Republic or elsewhere, hoping to find the captives from Malta on board. The agitation sometimes assumed such dimensions that crew members almost fell overboard; Keyser feared for his own safety.<sup>377</sup> The return of the Malta captives, however, restored Keyser’s freedom. The Algerians also kept their end of the bargain. They exchanged twelve Dutch captives and some other men and boys, although the numbers are unknown. In addition, they declared all Dutchmen – almost 150 – free, except those who had converted.<sup>378</sup> Thus, the exchange was a good deal for the Dutch. Yusuf Dey of Tunis was equally content. He expressed his gratitude to the Dutch for keeping their word. For his part, he reassured the Estates General of his commitment to the treaty.<sup>379</sup> The unexpected exchange of prisoners thus turned out to be, at least for the Dutch, a cost effective way to liberate captives and re-establish friendly relations with the Maghreb.

Whether the Dutch could continue to exchange prisoners in the future remained unclear. The French and English attempts to retrieve captives through prisoner swaps depended on the strength of their navies and their success in capturing Muslim

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<sup>377</sup> Letter of Keyser to Estates General, Algiers, Nov. 26, 1622, BGLH, 1: 865.

<sup>378</sup> Letter of Keyser and Manrique to Estates General, April 29, 1622, BGLH, 1: 856-857; Letter of Keyser to Estates General, Algiers, Feb. 14-20, 1623, BGLH, 1: 878; Report Doctor Guilielmus Wijntges to Estates General, April 14, 1623, BGLH, 1: 893-896.

<sup>379</sup> Among those were: Tunisian corsairs would only confiscate *belligerent* goods from the Dutch vessels, reimburse the captains for the loss, and release crew and vessel. Also, Dutch merchant- and war vessels were welcome in the port of Tunis to refresh or to trade. Letter Yusuf Dey of Tunis, to Estates General, Nov. 29, 1622, BGLH, 1: 867.

corsairs.<sup>380</sup> The extent to which the Dutch navy could play a similar role was less evident. In spring 1621, the Dutch admiralties had ended their attempts to exterminate piracy in the Mediterranean and had shifted instead to a policy of convoying Dutch merchant vessels through the Straits of Gibraltar.<sup>381</sup> The change from persecuting corsairs to protecting the fleet meant fewer captives. Still, the Directors of the *Levant Trade and Navigation* held onto the possibility. In 1633, for instance, they suggested an exchange of Moors from Morocco, Tunis, Algiers, and Salé who apparently were in Dutch hands, by sending them to Livorno and Genoa, where they could be traded for Dutch captives.<sup>382</sup> To what extent this plan was realized is unclear.

The Malta exchange thus appeared to be somewhat of an anomaly, indicating the random, sometimes even impulsive, character of redemptive practices and diplomacy alike. Indeed, if anything, the entire episode illustrates that the desire for the return of the Maltese captives was not an initiative of governments but rather was mostly driven by families in the Dutch Republic and Algiers alike. Captivity and redemption touched ordinary lives on both sides in similar ways, often transcending the political and commercial interests of the state. The encounters Dutch diplomats had with Algerian women revealed particularly well how incidents on-the-ground shifted the diplomatic course, perhaps not always in “big” ways but certainly appreciably. Thus, early modern diplomacy in the Mediterranean did not always evolve according to grand schemes. Rather, it developed in a contest between official policies and local circumstances.

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<sup>380</sup> Gillian Weiss has argued that the French only thought of exchanging prisoners from 1634 onwards. Even then, French monarchs resisted “large-scale swaps” because it would deprive them from rowers on French galleys. Weiss, “Back from Barbary,” 105, 137.

<sup>381</sup> Weber, *Beveiliging*, 154-156.

<sup>382</sup> Letter of Directors Levant Trade to Estates General, April 3, 1633, NA, 1.01.02, inv.nr. 6902.



Because all face-to-face negotiations took place on North African soil, Maghrebian society inevitably shaped early modern diplomatic practices significantly.

### ***The Hanse Towns and “Protestant” Diplomacy***

Although the Malta exchange turned out favorably for all parties and promoted more cordial diplomatic relations, not everyone was satisfied. Emden, a Hanse town with close ties to the Dutch Republic, had been originally included in the treaty between the Republic and Algiers. Its captives, however, had been specifically excluded from the Malta exchange.<sup>383</sup> Emden, thereupon, required the intervention of Dutch diplomats in liberating German captives still held in Algiers and Tunis; its town council and other Hanse towns repeated this request several times in the first half of the seventeenth century. The willingness of the Estates General to engage its diplomatic corps in Algiers and Tunis on behalf of Emden, Hamburg, and Lübeck highlighted not only a change in the policies of the Estates General but, more importantly, the significance of early modern diplomacy in the redemption of slaves from the Protestant North as a whole. Indeed, the petitions of the Hanse towns signaled how diplomacy had become a pre-eminent tool for Protestant sovereignties to achieve the liberation of their captives. The Hanse towns, like the Dutch Republic, were predominantly Protestant and had no Catholic redemptive orders on which to rely. Because the Hanse towns lacked the commercial and military power necessary to establish diplomatic relations with North

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<sup>383</sup> Art. 12 of Dutch-Algerian treaty, 1622, GPB, 2: 2292, 2293; Letter of Keyser to Estates General, Feb. 14-20, 1623, Algiers, BGLH, 1: 878; Letter of *diwan* of Algiers to Estates General, Feb. 1623, point 14, BGLH, 1: 881-883.

African states, they asked the Dutch Republic, with whom they held close religious and economic ties, for assistance.

The Estates General, however, only consented on the condition that the Hanse towns foot the bill. Although the Estates General did not provide funds, allowing consuls to ransom German captives marked a first step for the Dutch in “giving in” to Mediterranean customs of redemption. With the approval of the Estates General, consuls followed Keyser’s example and obtained captives’ freedom by paying for it. Thus, to a certain extent, Dutch diplomats acted like redemptive fathers. Because the Hanse towns did not offer money up front to ransom slaves, however, diplomacy in the name of Protestant states remained random and fragmentary. To liberate German captives, Dutch diplomats, once again, had to advance ransom. Pijnacker’s correspondence and his many attempts to retrieve money from the Hanse towns after his return to Europe reveal not only how inadequate financing hindered the successful redemption of Dutch *and* German slaves alike, but also how these financial arrangements made the ambassador resent his commission. In comparison to Keyser’s benevolent attitude, Pijnacker’s grievances show that diplomats reacted differently to their circumstances, applied their own strategies, and followed their own moral compass to resolve the liberation of captives. Thus, individual circumstances and personalities could strongly color diplomacy.

In the early decades of the seventeenth century, however, Dutch diplomacy offered the Hanse towns one of few reliable alternatives to redeem slaves. Around 1600, the Hanse towns had lost their competitive edge in the Mediterranean, overshadowed by Dutch capitalistic ventures and technological innovations, such as the *fluit*.<sup>384</sup> Ships from

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<sup>384</sup> The *fluit* could transport bulk good for a cheaper price. *Der Deutsche Seehandel im Mittelmeergebiet bis zu den Napoleonischen Kriegen* (Neumünster: Karl Wachholtz Verlag, 1933), 34-35.

Lübeck, Emden, and Hamburg consequently sailed to the Mediterranean in smaller numbers, yet still fell prey to corsairs. Lübeck, for instance, lost twenty-two ships between 1615 and 1629.<sup>385</sup> Many German sailors ended up in North African captivity and their family members, like Dutch ones, appealed to town councils for aid. The magistrates of the Hanse towns, however, no longer were strong enough in either naval or commercial terms to negotiate treaties with the corsairing states; nor did the losses justify the costs.<sup>386</sup> They could therefore not rely on a diplomatic solution as the Dutch did. To resolve the question of redemption, they approached the Estates General, banking on the close commercial, social, and religious bonds existing between the Dutch Republic and the Hanse towns.

Indeed, the Hanse towns had few agents of their own who could mediate the redemption of slaves. An exception was Rabbi Joseph, who went to Algiers in 1620 on behalf of Hamburg.<sup>387</sup> Town magistrates, however, mostly relied on Dutch consuls and their diplomatic network. The magistrate of Hamburg, for example, requested the Estates General in 1619 to enlist Dutch consuls in an attempt to liberate forty-three captives. The magistrates fretted that the captives would convert to Islam since “we are all human and not all equally strong and firm in our faith,” and appealed to a Christian duty of rescuing

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<sup>385</sup> Gerd Westerwold from Hamburg lost one of the first ships in 1601. Lübeck lost 22 ships between 1615 and 1629. Beutin, *Deutsche Seehandel*, 37-38.

<sup>386</sup> Beutin, *Deutsche Seehandel*, 38-39.

<sup>387</sup> Apparently, one Francois van IJperseel began to work for Hamburg in 1626 and the Dutch merchant family Van den Broecke in Livorno also mediated the release of German captives. Beutin, *Deutsche Seehandel*, 39-41. Beutin speaks of a Dutch merchant named “ten Broeck” but most likely refers to a family member of Bernard van den Broecke, if not Bernard himself. Van den Broecke and Joris Jansen established a trading house in Livorno, a topic examined by Engels, *Merchants and Interlopers*, 17.

the “poor, men, children, and kindred.”<sup>388</sup> The Estates General regarded the call of the Hanse towns for the liberation of German captives as a common Christian cause and instructed its diplomats to help redeem the German slaves. In 1623, Pijnacker similarly received instructions to redeem ninety-seven captives from Lübeck then being held in Algiers and Tunis.<sup>389</sup> The Hanse towns’ emphasis on enlisting the aid of Dutch consuls, such as the magistrates of Hamburg did again in January 1622 in the case of the slave Jacob Barghman, reveals that the German town councils considered Dutch diplomats in the western Mediterranean the primary mediators in liberating German captives.<sup>390</sup>

The magistrates of Emden, a city in northwest Germany (East Frisia) close to the Dutch border, also requested the Republic to mediate the release of their captives several times, in 1622, 1626, and 1627.<sup>391</sup> Emden had long maintained a special relationship with the Dutch Republic. Not only had it served as a safe haven for Dutch Calvinists during the Revolt against Spain, it had also stationed a Dutch garrison to defend the city against its own overlord, the duke of East-Friesland.<sup>392</sup> Emden had sought to be included in the

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<sup>388</sup> “wie wir dan alle Menschen unde nicht alle gleich sterck unde fest im glauben sein.” Request magistrate Hamburg to Estates General, May 30, 1619, NA, 1.01.02, inv.nr. 6894.

<sup>389</sup> Beutin, *Deutsche Seehandel*, 40.

<sup>390</sup> Resolution 2692 Estates General, Feb. 25, 1622, RSGNR, 5: 416. Based on request magistracy Hamburg d.d. Jan. 30, 1622.

<sup>391</sup> Resolution 2581 Estates General, Feb. 7, 1622, RSGNR, 5: 401. Based on a request by the magistracy Emden d.d. Jan. 17, 1622; Resolution Estates General to instruct consul Coy to help free captives from Emden, May 20, 1626, nr 11, *Besluiten Staten-Generaal 1626-1630*, eds. I.J.A. Nijenhuis et al. URL: <http://www.inghist.nl/Onderzoek/Projecten/BesluitenStaten-generaal1626-1651> [11/05/2007] [accessed 01/25/2011] [hereafter BSG]. Wijnant Keyser liberated German captives, too. Beutin, *Deutsche Seehandel*, 40.

<sup>392</sup> In 1658, the Republic dominated the territories in East-Friesland. Gees van der Plaat, *Eendracht als Opdracht. Lieuwe van Aitzema's bijdrage aan het publieke debat in de zeventiende-eeuwse Republiek*. (Hilversum: Uitgeverij Verloren, 2003), 56.

treaties that the Republic signed with Algiers and Tunis in 1622.<sup>393</sup> The Algerians and Tunisians consequently promised that the treaty also pertained to seafarers from Emden whom they would not harm as long as they carried passes signed by Prince Maurits.<sup>394</sup> If Emden had hoped to liberate its captives through the provisions of the 1622 treaty between the Dutch Republic and Algiers, then it was in for a rude awakening. In conformity with the treaty, the Dutch had exchanged twelve Algerian captives held in Malta for their own men and those who had sailed under the Dutch flag.<sup>395</sup> The Emden captives, however, had not been included in this exchange. The Algerian *diwan* promised that subjects from Emden sailing in the Mediterranean would remain unharmed as long as they sailed under the flag of the Prince of Orange.<sup>396</sup> The *diwan*'s reassurance, however, did nothing for the captives from Emden, as well as those from Hamburg and Lübeck, who were already enslaved. The case of Emden made it thus painfully clear how dependent the Hanse towns were on the aid of Dutch diplomats for the liberation of their citizens.

The Dutch consuls and ambassador, however, found themselves in a precarious situation. They could not ransom Dutch captives, at least not with grants from the Estates General. They were even less able to save German captives. Indeed, in a resolution

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<sup>393</sup> Beutin, *Deutsche Seehandel*, 40. Emden also requested in 1627 to be included in the next treaty with Algiers and ensure the liberation of its captives. Resolution Estates General, April 3, 1627, nr.7, BSG.

<sup>394</sup> Art. 14 of Dutch-Algerian treaty, 1622, GPB, 2: 2293, 2294. The Tunisians similarly acknowledged that the treaty pertained to the citizens of Emden. They added that they could return home if they no longer desired to "provide services;" a cryptic description that perhaps referred to captives' labor or their conversion to Islam. Art. 7 and 8 of Dutch-Tunisian treaty, 1622, GPB, 2: 2295, 2296.

<sup>395</sup> Art. 12 of Dutch-Algerian treaty, 1622, GPB, 2: 2292, 2293.

<sup>396</sup> Letter of Keyser to Estates General, Feb. 14-20, 1623, Algiers, BGLH, 1: 878; Letter of *Diwan* of Algiers to Estates General, Feb. 1623, Art. 14, BGLH, 1: 881-883; Art. 14 of Dutch-Algerian treaty, 1622, GPB, 2: 2293, 2294.

dealing with the clauses of the treaties of 1622, the Estates General explicitly stipulated that the Republic would not pay for the liberation of slaves who had come from Emden. The *bassa* and *diwan* made it clear, however, that the twenty-six captives could be freed if more gifts were given to the *bassa*.<sup>397</sup> But giving gifts, like ransoming, cost money. Emden had agreed to pay the Dutch *lastgelden* to cover expenditures in the Mediterranean. To what extent this sufficed to cover cost of the redemption of German captives is not clear. Similarly, the reluctance of the other Hanse towns to pay up front was not based on ill-will, but on a familiar problem: the lack of public funds to do so. In Hamburg, German seafarers established their own insurance fund, the “*Cassa der Stück von Achten*” (Pieces of Eight Chest) in 1622, specifically to gather ransom money. The town magistrate followed in 1641 by founding the *Sklavenkasse* (Slaves’ Fund). Contributions to both, however, remained insufficient.<sup>398</sup> As a result, the Dutch consuls and ambassador had no money readily available to facilitate the redemption of slaves, whether Dutch or German. The Estates General and the Hanse towns both expected Dutch diplomats to advance the ransom and to request reimbursement later.

Ambassador Pijnacker, understandably, was reluctant to ransom captives before he received money for them. He wrote Keyser that the town councils of Lübeck and Emden should give him the money before he, Pijnacker, ransomed their slaves. He added

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<sup>397</sup> Resolution Estates General, May 5, 1623, BGLH, 1: 899-900.

<sup>398</sup> Walter Kresse, *Von armen Seefahrern und den Schifferalten zu Hamburg* (Hamburg: Hans Christians Verlag, 1981), 33-34, 38; Carsten Prange, “Hamburg und die Barbaresken. Herausforderungen der Hamburger Kauffahrer durch die Korsaren.” In “*Gottes Freund – aller Welt Feind.*” *Von Seeraub und Konvoifahrt. Störtebeker und die Folgen*, ed. Jörgen Bracker, 152-174 (Hamburg: Museum für Hamburgische Geschichte, 2001), 156.

that “whores know better by expecting to be paid beforehand.”<sup>399</sup> This is interesting language for an ambassador, but it nonetheless expressed Pijnacker’s discontent at having to advance large sums of money, or even going into substantial debt with no guarantee of reimbursement. Indeed, Pijnacker appeared ruthless in comparison to Keyser’s more benevolent attitude towards liberating captives, thus revealing how personal involvement and predilections could strongly direct the course of redemption. In May 1626, for instance, Pijnacker informed Keyser that he no longer wished to fulfill his duties: “I desire to be released from the importunity of these slaves, who, without regard to the realities, believe they have the greatest right to their liberty, and break our heads with their ... endless lamentations.”<sup>400</sup> While early modern Europeans might have believed that ransoming captives was a Christian duty, insufficient financial and logistical support meant that liberating captives as a diplomatic task was a fraught mission. Not every diplomat felt morally obliged to rescue captives, even if he had been assigned the task or was explicitly expected to do so. Pijnacker, therefore, liberated slaves selectively. He only ransomed four of the ninety-seven captives from Lübeck and ten captives from Emden.<sup>401</sup>

Indeed, given Pijnacker’s many attempts to be reimbursed for his efforts upon return to the Republic, his fears were apparently well founded. It took him years to

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<sup>399</sup> “ende nyet laten ancomen op ‘t gelt geven, als ‘t gedaen is; de hoeren weten beter, die gelt tevooren nemen.” Letter of Pijnacker to Keyser, Jan. 28, 1624, BGLH, 1: 922-923.

<sup>400</sup> “Tck verlange ontslegen te wesen van de importuniteit van dese slaven, dewelcke sonder aenschouw van eenige redenen meenen al te gaeder even groot gelijk te hebben tot haere liberteit, ende breecken ons het hooft met haer limerie ende oneindelijke lamentation.” Letter of Pijnacker to Keyser, Tunis, May 27, 1626, BGLH, 1: 988-989.

<sup>401</sup> Beutin, *Deutsche Seehandel*, 40-41. In November 1629, the Estates General wrote on Pijnacker’s behalf to the magistrate of Lübeck to receive the remainder of the money.

recover even part of his expenditures from the Estates General and the Hanse towns. Heeringa reports that the regents believed that the costs Pijnacker claimed were excessive. Between October 1626 and February 1629, a committee investigated his outlays and years went by before Pijnacker received even partial compensation.<sup>402</sup> During this period, he also approached the Estates General for assistance in dealing with the Hanse towns. In July 1627, he requested the Estates General to intervene on his behalf in Emden and Lübeck.<sup>403</sup> He listed 1184 *Taler* in expenditures for the four (of the ninety-seven) captives from Lübeck he had redeemed, for which Lübeck only reimbursed him two hundred. In 1629, he tried again without success.<sup>404</sup> Pijnacker also failed in Emden. In March 1627, he claimed 600 guilders for liberating ten captives from Emden, but apparently received no answer to his plea for repayment. On 18 and 21 October 1628, he pressed the Estates General to ask a delegation from Emden, then present in The Hague, to reimburse him. Apparently, Pijnacker never received anything; half a year later, he was still pleading with the Estates General to discuss the matter with delegates from Emden.<sup>405</sup> Pijnacker's futile attempts thus clarify, or perhaps even justify, in retrospect, his reluctance to follow orders and redeem slaves.

Insufficient funding explains the inability of Dutch diplomats to establish procedures to ransom captives from the Dutch Republic and the Hanse towns consistently

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<sup>402</sup> Heeringa, *Bronnen*, 1: 1008, n. 1.

<sup>403</sup> Resolution Estates General, July 8, 1627, nr.12, BSG.

<sup>404</sup> Beutin, *Deutsche Seehandel*, 40-41. In November 1629, the Estates General wrote on behalf of Pijnacker to the magistrate of Lübeck to receive the remainder of the money; Resolution Estates General, 8 March 1627, nr. 8, BSG; Resolution Estates General, Nov. 7, 1629, nr.17, BSG.

<sup>405</sup> Resolution Estates General, March 8, 1627, nr.8; Resolution Estates General, Oct. 18 and 21, 1628, nr.4 and 24; Resolution Estates General, March 28, 1629, nr.12, BSG.



and efficiently. Moreover, state ambitions also hindered the development of diplomatic policies that would address the shared interests of Protestant states in the Mediterranean. The collaboration between the Dutch Republic and the Hanse towns ended in the 1660s. Upon learning of the 1662 accords between the Dutch Republic and Algiers and Tunis, the magistrates of Emden and Hamburg again requested the Estates General to include them. The Dutch regents had to refuse because they had already signed the treaties. They believed that the distance with North Africa was too great to re-negotiate conditions at that point, not to mention the exuberant costs obtaining such agreements would occasion.<sup>406</sup> Despite the reasonable objections the regents conveyed, Lieuwe Aitzema, historian and resident of the Hanse towns in The Hague, concluded that Christians were not one whit better than the “Turks.”<sup>407</sup> He observed that “the Christians feel lord and master of the sea, willing to wage war [with one another] for fear of losing commerce and inconvenience their neutral neighbors.”<sup>408</sup> Aitzema thus perceived that competition among Christian states prevented them from forming a united front against the Turks and resulted in the enslavement of Europeans, which was a “great punishment” for their disunity.<sup>409</sup> Aitzema’s comments reveal his desire for a “Protestant” diplomacy that would form a permanent and unified response to the challenges Maghrebian society imposed upon European commerce.

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<sup>406</sup> Lieuwe van Aitzema, *Saken van Staet en Oorlogh in ende omtrent de Vereenigde Nederlanden* (The Hague, 1669), 3: 1320 and 4: 1083, 1185.

<sup>407</sup> Lieuwe van Aitzema studied law in Franeker, Paris, and Orleans. He became resident of the Hansa towns in The Hague from 1625 onwards and held this position for the remainder of his life. *Plaat, Eendracht als Opdracht*, 9.

<sup>408</sup> “Doch wat salmen segghen van de Turcken? De Christenen onder elchander maecken ‘t niet beter: sich machtigh Prins aen de Zee ghelegghen soo haest als hy Oorloch heeft/ uyt vreesse dat de Commerciën uyt sijn Landt mochten verhuysen/ incommodeert terstondt sijn neutrale nagebuyren.” Aitzema, *Saken van Staet en Oorlogh*, 3: 1320.

Nonetheless, the Hanse towns' petitions, either asking the Estates General to include them in the agreements that the Republic signed with Algiers and Tunis or enlisting the help of Dutch consuls in liberating German captives, underscore the importance of Dutch diplomacy in North Africa. The Germans believed that resident Dutch diplomats and their networks provided the only viable institutional alternative for redeeming German slaves in a structured way. The additional task of ransoming Hanse captives, however, complicated the missions of Dutch diplomats. Pijnacker's exhaustive attempts to be reimbursed for ransoming captives illustrate the devastating effects on redemptive practices such initiatives could have. Certainly, the lack of a regular means of funding diminished captives' chances of regaining their freedom. Obviously, not all participants were willing to go into debt to fulfill their Christian duties. As a result, diplomatic efforts to redeem slaves remained a chancy affair. Because Protestant states lacked Catholic institutions fully prepared to take on and finance the ransoming of captives, diplomacy offered the only reasonable alternative. The early decades of the seventeenth century thus proved a testing ground for the Dutch Republic and other Protestant sovereignties, like the Hanse towns, where they learned to formulate and execute policies capable of meeting the challenges of North African society and diplomacy.

### ***Conclusion***

The scrutiny of diplomatic experiences in liberating slaves has revealed that regents in The Hague could not always control diplomatic events or even their own

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<sup>409</sup> Ibid.

representatives in North Africa. Their grand schemes laid down guidelines for diplomats to follow, but consuls, as they encountered life and politics in the Maghreb, altered, dismissed, or accepted these plans depending on the situation. The extensive reports from the first consul, Wijnant Keyser, have shown graphically how local conditions inevitably influenced diplomats' decisions. Ransom had been a well-established, customary way of obtaining the release of captives in North Africa. Maghrebian officials used the profits to cover important expenses, such as the wages of *janitsars* who maintained order in town and threatened to destabilize political life if not paid. Algerian and Tunisian rulers therefore did not hesitate to pressure Dutch consuls to ransom captives despite their orders from The Hague to obtain the *gratis* release of captives. Consuls' encounters with customary redemptive practices in North African culture thus demonstrated that the Dutch government's insistence on *gratis* release, even when backed by Ottoman law in the capitulations, proved unrealistic. Indeed, Algiers and Tunis allowed this claim to lapse in the 1622 treaties, forcing the Estates General to permit the ransoming of captives at the request of third parties as long as the Dutch state itself was not held responsible for footing the bill. This change in policy, in the first decades of the seventeenth century, signaled a first step towards accepting North African demands that captives must be ransomed.

The Dutch adoption of Mediterranean redemptive practices, however, also highlights an important aspect of Dutch diplomacy in the Maghreb. Requests from the Hanse towns to enlist Dutch diplomats in liberating German captives marked a growing reliance on diplomacy as the only viable way for Protestant states to retrieve their citizens. Whereas Catholic Europe could rely on redemptive orders, Protestant Europe

lacked institutions that boasted centuries of experience in redemption. The commercial motives of Protestant states in the Mediterranean inevitably led them to employ an institution that enjoyed the best access to Maghrebian courts: consular diplomacy. Indeed, the liberation of captives from the Protestant North justified the presence of consuls in North Africa.

The insufficient funding that accompanied early modern diplomacy unfortunately rendered the redemption of slaves a selective and problematic process. It also caused diplomats to run the high risk of incurring vast debts. Some consuls, therefore, did not feel compelled to redeem slaves even if they had received explicit instructions to do so. Adjustments to North African customs and demands proved inevitable in order to make early modern diplomacy in the western Mediterranean work. Thus, in the early decades of the seventeenth century, Maghrebian society molded European “Protestant” diplomacy to its own design. Indeed, as we shall see in the next chapter, North African customs and ideas on diplomatic immunity explain the vulnerable position of the European consul in the Maghreb and show how these differences between Europeans and North Africans further affected the course of early modern diplomacy.

## Chapter 4. Diplomatic Immunity

In *De Jure Belli ac Pacis*, the Dutch lawyer Hugo Grotius proclaimed that “an ambassador must be free from all coercion.” By accepting an embassy, Grotius contended, a foreign court obliged itself to provide ambassadors and their suite security according to the law of nations and must allow an embassy to do its “sacred” work.<sup>410</sup> The question is whether this law also applied to the European delegations in North Africa. Consul Wijnant Keyser, who in 1627 returned to the Dutch Republic two years after the publication of *De Jure Belli ac Pacis*, could have told Grotius a thing or two about his ordeals in Algiers and the difficulties he experienced while engaged in his “sacred” work. During his eleven years as consul, Keyser had been imprisoned twice and tortured once; his house had been plundered several times; his brother Isaac had survived being stabbed in the back; and, upon his departure, he was forced to leave his family behind as collateral for his debts.<sup>411</sup>

Keyser’s experience with the coercive forces of his Algerian hosts was not unique. Examples of European consuls who were incarcerated or physically abused in North Africa during the early modern period abound. In 1622, “the old Algerian *bassa*” released the English consul from a long imprisonment.<sup>412</sup> In 1669, the Tunisians dragged George Durant, the French resident, to the house of the English consul where they broke his arms and legs because they suspected him of collaborating with the Moroccans with

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<sup>410</sup> Grotius, *Law of War and Peace*, 198-200.

<sup>411</sup> Krieken, *Kapers en kooplieden*, 19, 28-29, 32.

<sup>412</sup> Memorie of Wijnant Keyser, Algiers, March 4 - Dec. 24 1622, BGLH, 1: 867-878, 878. The English consul was probably either James Frizell or Richard Forde. Fisher, *Barbary Legend*, Appendix A, 307.

whom they were then at war.<sup>413</sup> Even well into the eighteenth century, a Spanish *padre* wrote from prison in Tunis that the Dutch consul François Levett and his wife and children had joined him in the dungeon. Algiers had just conquered Tunis and the Dutch consulate presumably formed part of the booty.<sup>414</sup> In 1760, the Dutch commander Joannes Veltkamp retold the story of a French consul who, some fifty years earlier, was tied to a cannon and blown apart.<sup>415</sup> Veltkamp's account and others told of how European consuls were molested or imprisoned as retaliation for specific actions. When these reports reached Europe, they contributed to the idea that North Africans were "barbarians" who treated Christian consuls as nothing more than hostages and denied them the right of diplomatic immunity.<sup>416</sup>

This chapter looks beyond the reports of the bad treatment of consuls to examine the evolution of diplomatic immunity in the seventeenth-century Maghreb.

Despite these sometimes horrific stories, it argues that North African society helped shape the early modern debate on diplomatic immunity. Forms of immunity differed. In

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<sup>413</sup> S. de Vries, *Betreffende de Handelingen en Geschiedenissen tusschen den Staat der Vereenigde Nederlanden en die van de Zee-Roovers in Barbaryen*. Part two in Pierre Dan, *Historie van Barbaryen en des zelfs Zeeroovers. Behelzende een beschrijving van de koninkrijken en steden van Algiers, Tunis, Tripoli, en Salé*. [1637], Trans. G. van Broekhuizen (Amsterdam, 1684), 117.

<sup>414</sup> *Copia de huma carta escrita por hum Religioso da redempção de Hespanha, que assiste na cidade de Tunes; na qual se dá noticia das grandes crueldades, que os argelinos uzaraõ com os religiosos, e mais Catholicos que estavaõ na mesma cidade, e sacrilego atrevimento com que profanaraõ a Igreja que na mesma cidade havia; cuja carta foy escrita a outro religioso, e agora se communicou ao publico* (Lisbon, 1757); Schutte, *Repertorium Nederlandse vertegenwoordigers*, 372.

<sup>415</sup> Joannes Veltkamp, "Journaal gehouden op 's lands oorlogschepen de "Glinthorst en het "Zeepaard" door opperheel- en geneesmeester op 's lands vloote, ten dienste voor de Admiraliteit Amsterdam, June 20, 1759 – June 10, 1764," Nationaal Scheepvaartmuseum Amsterdam, A.1710(03). Veltkamp was in Algiers in 1760. With special thanks to Maartje van Gelder, University of Amsterdam, for providing the reference.

<sup>416</sup> Holding diplomats as hostages had been common practice in medieval Europe and the Mediterranean. By 1700, however, Europeans opposed the habit to detain ambassadors for reprisals. Linda S. and L. Marsha Frey, *The History of Diplomatic Immunity* (Columbus: Ohio State University Press, 1999), 99; E.R. Adair, *The Exterritoriality of Ambassadors in the Sixteenth and Seventeenth Centuries* (London: Longmans, Green, 1929), 67.

discussing the privileges of the Ottoman capitulatory system, Maurits van den Boogert distinguished residential privileges from those related to trade and from rules subjecting foreigners to the Ottoman court.<sup>417</sup> If we apply the same tripartite distinction to North Africa, then it turns out that consuls in the Maghreb enjoyed a range of privileges pertaining to their residency and their function as commercial mediators that protected them from prosecution. They possessed the freedom to exercise their own faith, exert jurisdictional power over merchant communities, travel freely, and not pay poll-tax. One can therefore not speak of a “lack of immunity” in North Africa.

Admittedly, the Europeans considered the third category - immunity from what Grotius termed “lawless violence” and from being prosecuted at foreign courts – the most important and here things differed. Considering the changes that the function of ambassador had undergone in Europe, early modern jurists considered extraterritoriality an important part of immunity. Indeed, a major transformation in diplomatic practices was underway and it involved the establishment and proliferation of resident embassies in Europe and the Ottoman Empire. This change had begun to challenge the customary laws on diplomatic immunity that dated from the late fifteenth century. During the course of this transformation, the resident ambassador metamorphosed into an “honorable spy,” for whom espionage (sometimes defined as a “political crime”) formed an integral and expected part of his tasks. Medieval civil and canon law, however, had allowed a resident ambassador no immunity; he and the members of his suite were responsible for any crime, political or otherwise, committed during their mission. Because the ambassador’s new tasks consisted of ferreting out the “secrets” of his foreign hosts, medieval laws in no way protected him from criminal prosecution. Medieval civil and canon law thus failed to

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<sup>417</sup> Boogert, *The Capitulations*, 30.

address the new situation of the diplomatic representative. These legal deficiencies prompted early modern jurists to develop new laws in order to provide resident ambassadors and their suites with adequate legal protection.<sup>418</sup>

Diplomats, jurists, and rulers in the Ottoman Empire simultaneously engaged in discussions about the inviolability of diplomats. Indeed, the Ottomans had been involved in forging conventions on immunity as early as 1535.<sup>419</sup> In that year, Suleiman the Lawgiver (r.1520-1566) granted the French the capitulations and allowed them to trade in the Levant in return for peaceful relations with the Ottoman Empire.<sup>420</sup> In addition, he famously stipulated that French residents had the right to judge their subjects according to their own laws and customs. Other Christian states, most notably the English and the Dutch, received capitulations in 1580 and 1612 respectively and enjoyed the same privilege to settle disputes within their merchant communities. Thus was a first step in developing the idea that the diplomat did not become a subject of the foreign prince when residing at his court but instead remained subject to his own sovereign and his own laws. The capitulations were thus key to the development of the concept of immunity and early modern diplomacy more broadly.<sup>421</sup>

The capitulations, however, never allowed European diplomats full immunity. Ottoman subjects, for instance, could bring cases against consuls and *dragomans* to the Imperial Council, an institution that functioned simultaneously as cabinet and supreme

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<sup>418</sup> See chapters 4 and 27 for a discussion on diplomatic immunity in Mattingly's *Renaissance Diplomacy*, 45-46; Frey, *Diplomatic Immunity*, 7-8.

<sup>419</sup> Mattingly, *Renaissance Diplomacy*, 179-180; Ziegler, "The Peace Treaties," 344-345.

<sup>420</sup> Boogert, *The Capitulations*, 19.

<sup>421</sup> Grotius, *Law of War and Peace*, 195; Mattingly, *Renaissance Diplomacy*, 179-180; Boogert, *The Capitulations*, 6; Ziegler, "The Peace Treaties," 342-344.



court. Furthermore, the Ottoman *cadi*, who operated as Islamic judge and civil administrator, handled commercial disputes between Ottoman subjects and foreigners.<sup>422</sup> In other words, Christian diplomats never enjoyed immunity from suits filed against them by Ottoman subjects. In those instances, the different institutions of the Ottoman legal system held the foreign community accountable. The question is to what extent the capitulations, embedded in this legal framework, also pertained to the sultan's regencies in the western Mediterranean. The sultan obviously viewed Algerians, Tunisians, and later the Tripolese, as his subjects who had the right to appeal to the Ottoman courts when they held consuls and other Christian foreigners accountable for crimes and misdemeanors.

Algiers and Tunis, however, defied Ottoman rule and tried to assert their independence from Constantinople at every turn. Not surprisingly, therefore, North African states followed their own trajectory in formulating concepts on the immunity of consuls from prosecution and lawless violence. An examination of the Dutch treaties with Algiers, Tunis, Salé, and Morocco, the capitulations, and consular correspondence, reveals that the development of immunity in the Maghreb was neither a linear process nor a certainty. North Africans stipulated clauses on immunity following their attempts to break from Ottoman influence (Algiers, Tunis) or maintain their independence (Morocco). In 1622, Algerian and Tunisian officials nonetheless promised to abide by the capitulations. Political *coups* in Algiers in 1626 and 1659, however, effectively reduced

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<sup>422</sup> The *cadi* handled cases until an amount of 4,000 *akçe* before it was turned over to the Imperial council. Cases brought before the Imperial council were expensive, probably reducing the number of cases. See sections on The Qadi and The Imperial Council in Boogert's *The Capitulations*, 42-47 and 47-52.

the office of Ottoman governor to a symbolic figure.<sup>423</sup> Consequently, the treaties with the Republic in 1662 and 1679 refrained from any references to the capitulations and addressed consular immunity in compliance with the interests of Algerian society. Similarly, the powerful regime of Mulay Isma'il in Morocco ensured that the treaty with the Dutch in 1683 contained guarantees of the consul's safety that only pertained to Moroccan-Dutch relations. Thus, the lingering power struggles within the Muslim Mediterranean profoundly affected the debate on consular immunity. The correlation between the presence of explicit articles on consuls' immunity in international treaties and the power struggle with Constantinople shows that the Maghreb perceived the function of European consuls in yet another way: as symbolizing their independence from the Ottomans.

Equally important, three recurring themes characterize the reasons why North African officials held Dutch consuls hostage or imprisoned them. Consuls were detained in cases of murder, debt, or the escape of slaves. Two cases offer significant insights: that of Wijnant Keyser who was jailed as retaliation for the death of Muslim corsairs and that of Christoffel Matthias held hostage in compensation for a runaway English slave. Both cases demonstrate that the perceived lack of immunity from prosecution and lawless violence in North Africa rested on differing opinions of what constituted a crime and whether the consul bore responsibility for it. The Estates General sent consuls as state representatives to the Maghreb and North Africans received them as such. Whereas early modern Europeans, however, considered the position of diplomat reason enough to grant

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<sup>423</sup> Abun-Nasr, *A History of the Maghrib*, 175.

the delegate immunity from foreign courts, North Africans believed the opposite.<sup>424</sup> They did not hold consuls and their suite immune from civil or criminal offenses no matter what the actual complicity or involvement of the consul. In their view, the very function of state representative rendered the consul accountable for any mischief on the part of the state, any of its subjects, or the consul himself. Thus, in the seventeenth century, North Africa and Europe followed divergent paths in their understanding of the relationship between state representation and diplomatic immunity.

Nonetheless, both held to some concept of immunity. Immunity, however, appeared in different forms. Residential and trade privileges guaranteed that the consul could live and work in comparative safety in North Africa. His status as state representative, however, did not automatically exempt him from prosecution in local courts. Articles that addressed the consul's immunity, especially in cases of debt and the flight of slaves, even if the consul was not himself involved, must be placed within the framework of Ottoman influence on North African sovereignty and in interaction with the Dutch Republic. In other words, clauses pertaining to the immunity from prosecution and lawless violence were few and seem ad hoc rather than as part of a systematic interpretation of either customary or religious laws. It was perhaps precisely the different cultural interpretations of immunity and state representation, however, that promoted the development of the concept of diplomatic immunity, and eventually extraterritorial rights,

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<sup>424</sup> By the middle of the seventeenth century, the Dutch Republic believed that the ambassador, meaning representative in general, remained a subject of the one who sent him. The States of Holland proclaimed the inviolability of the ambassador, his suite, and his goods in an Edict on March 29, 1651. Cornelis van Binckershoek, *De Foro Legatorum Liber Singularis. A Monograph on the Jurisdiction over Ambassadors in both Civil and Criminal Cases*. A Photographic Reproduction of the Text of 1744 with an English Translation by Gordon J. Laing and an Introduction by Jan de Louter (Oxford, UK: Clarendon Press, 1946), 27-28.

in the early modern world. As we shall see in the next section, residential and trade privileges in the Maghreb also formed part of that conversation.

### ***Consular Immunity in the Maghreb***

The early modern discussion of immunity revolved around the question of extraterritoriality. Should a diplomat at a foreign court be considered a subject of his own sovereign or that of the foreign prince? Should he consequently be accountable to the jurisdiction of his home country or that where he resided? The Ottoman Empire had set an example of how extraterritoriality could work in early modern diplomatic relations. The situation in North Africa proved less clear. Even if the regencies rejected Ottoman dominion, the entire Maghreb, including Morocco, still fell under the Dar-al-Islam, the domain of Islam.<sup>425</sup> Not surprisingly, therefore, some privileges granted to consuls in the Maghreb resembled those of the *dhimmi*, a term in Islamic law that defined Jews, Christians, and other non-Muslim peoples as subjects of a Muslim sovereign to whom they paid tribute or annual taxes in return for protection of life, limb, and property.<sup>426</sup> Still, North African rulers never considered European consuls their subjects and acknowledged their peculiar status as foreign diplomats. They therefore also granted them privileges pertaining to their diplomatic function. Algiers and Tunis always developed these privileges in negotiation with the Dutch and in rhythm with the ways in

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<sup>425</sup> Outside the Dar-al-Islam was the Dar-al-Harb: "domain of war, yet to be converted." Frey, *Diplomatic Immunity*, 395.

<sup>426</sup> Allan R. Meyers, "Patronage and Protection: The Status of Jews in Precolonial Morocco," in: Shlomo Deshen and Walter P. Zenner, eds., *Jews among Muslims. Communities in the Precolonial Middle East*. (New York University Press, 1996), 87-91; *Islamic Desk Reference*. Compiled from *The Encyclopedia of Islam* by E. van Donzel (Leiden: Brill, 1994), 84.

which they distanced themselves from Ottoman control over the course of the seventeenth century.

The attempts of the Estates General in 1616 to have Algiers and Tunis abide by the capitulations turned out to be futile. The Algerian *pasha* even convinced the Dutch consul Wijnant Keyser to accept a new treaty with Algiers; a move that the Estates General and Thomas Hees, the Dutch ambassador in Constantinople, managed to undo a year later when the *pasha* promised to honor the sultan's laws. In 1622, after some years of conflict, the Republic signed separate treaties with Algiers and Tunis and thus acknowledged the *status aparte* of both regencies within the Ottoman Empire. Subsequent treaties in 1662 and 1679/1680 confirmed the independent path that the North African states took in their relations with Europe.<sup>427</sup>

Nonetheless, in 1622, when the *pasha* had not yet been removed as the nominal ruler in Algiers and Tunis, officials promised to abide by the capitulations and to treat the Dutch consul like his counterpart in Constantinople.<sup>428</sup> Early modern Europeans, the Dutch included, often considered the capitulations immutable. Thus, the Republic must have been pleased with North African guarantees to grant their consul capitulatory privileges. Maurits van den Boogert, however, has argued that the capitulations were integrated into the Ottoman legal system and thus subject to additions, alterations, and revocations. The sultan, for example, maintained the right to revoke capitulations if a Christian state did not keep up its part of the bargain, namely to live and trade with

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<sup>427</sup> Alexander H. de Groot, "Ottoman North Africa and the Dutch Republic in the Seventeenth and Eighteenth Centuries," *Revue de L'Occident Musulman et de la Méditerranée* 39 (1985): 131-147, 134.

<sup>428</sup> Art. 13 of Dutch-Algerian treaty, 1622, GPB, 2: 2293; Art. 10 of Dutch-Tunisian treaty, 1622, GPB, 2: 2296.

Ottoman subjects in peace. In addition, the capitulations formed part of a system that also consisted of *berats* and *fermans* and defined European privileges in detail greater than in the capitulations themselves. *Berats* were Ottoman deeds of investiture that confirmed the appointment of European consuls, vice-consuls, and their *dragomans*. *Fermans* were imperial decrees that stipulated additional privileges, such as exempting Europeans from paying newly introduced taxes. When France, for instance, managed to expand its original privileges, other European states quickly applied for similar *fermans*. As a result, Christian ambassadors frequently asked for new *fermans* until the costs for obtaining them grew so great that it was more cost-effective to renegotiate the capitulations. The capitulations thus formed part of a “network of interconnected charters of privileges” that were flexible in nature and certainly not a set of permanently acquired rights as Europeans liked to think of them. In Ottoman language, the capitulations were imperial, not sacred, and thus subject to change.<sup>429</sup>

What exactly did these privileges entail, especially in terms of diplomatic immunity, that made Europeans consider them “sacred” in the first place? The capitulations, in essence, offered three sets of privileges that determined the position of Christian diplomats and merchants in the Levant: those concerning their residency; those treating their right to trade; and those specifying their relationship to the Ottoman legal system.<sup>430</sup> The articles relating to residency pertained in the North African regencies as well. The capitulations stipulated, for instance, that Christians could produce and

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<sup>429</sup> Boogert, *The Capitulations*, 19-25. For Dutch exempts from paying taxes on clothes and food for daily use, see Art. 55 of Dutch capitulations, 1612, GPB, 3: 389.

<sup>430</sup> Boogert, *The Capitulations*, 30.

consume wine and wear their own clothes.<sup>431</sup> In Algiers, slaves were apparently the only ones allowed to run the many bars in town that served wine, bread, and all sorts of meat to Christians, renegades, and, occasionally, Muslims.<sup>432</sup> The free Europeans in town, that is the French, English, Dutch, and Hanseatics, dressed in their own garb according to their country of origin and could as such be easily distinguished from slaves who only wore “a coat with a sailor’s cap.” Jews had to wear a black hat and black clothes.<sup>433</sup> Interestingly, Ambassador Cornelis Haga in Constantinople opted to adjust to the Ottoman way of life and grew a long beard much to the dismay of his fellow Dutchmen.<sup>434</sup>

Housing arrangements for consuls in the Maghreb deserve mention, too. Because Christians could not live with Muslims, consuls had two options: either rent a room in the homes of Jewish families, who lived in a separate quarter of Algiers, or rent a house in another part of town.<sup>435</sup> Dutch diplomats mostly chose the second option. In 1663, for instance, Andries van den Burgh listed rent for a house among his expenditures.<sup>436</sup> Likewise, Ambassador Hees reported that Jacob de Paz, a Jewish merchant in Algiers who acted as provisional consul, had rented a house for him in anticipation of his arrival

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<sup>431</sup> In the Levant, the article on wine required an annual *ferman*. Boogert, *The Capitulations*, 32; Art. 15 of Dutch capitulations, 1612, GPB, 3: 385. Reconfirmed in 1681, Art. 12, GPB, 5: 390-391.

<sup>432</sup> Pierre Dan, *Historie van Barbaryen en des zelfs Zeeroovers. Behelzende een beschrijving van de koninkrijken en steden van Algiers, Tunis, Tripoli, en Salé*. [1637], Part 2 by S. de Vries. Trans. G. van Broekhuizen (Amsterdam, 1684), 82.

<sup>433</sup> “einen Seerock mit einer Schiffmüse.” Dapper, *Beschreibung von Afrika*, 245; Dan, *Historie*, 82.

<sup>434</sup> Groot, *Ottoman Empire*, 197, 326 n. 34.

<sup>435</sup> The French father Pierre Dan observed that Algiers lacked inns. Muslim visitors stayed with friends and acquaintances. Dan, *Historie*, 82.

<sup>436</sup> Letter of Van den Burgh to Estates General, Algiers, April 13, 1663, BGLH, 2: 502-505.

in 1675.<sup>437</sup> Self-contained living arrangements obviously made sense for a state representative. Not only did the consul's house have to function as his living quarters but also as his office. His entourage, consisting usually of a secretary, a cook, and several servants, constituted his household.<sup>438</sup> Although interpreters also worked for the consular office, they probably did not form part of the household. Interpreters were usually renegades, appointed by Algerian and Tunisian officials to aid newly arriving consuls. Because they had converted to Islam, they probably had their own living quarters. Interestingly, Van den Burgh mentioned that the *diwan* had assigned him a house.<sup>439</sup> This corresponds to a sixteenth-century practice in which the *diwan* allocated houses to Spanish friars engaged in redemption.<sup>440</sup> Apparently, North African authorities desired to regulate the housing of Christian foreigners, whether consuls or friars. It is unclear whether they allowed European consuls to live anywhere in town or directed them to a separate quarter as in Constantinople where Pera up the hill on the north side of the Golden Horn served as the designated quarter for foreign diplomats.<sup>441</sup>

The most important question, however, was to what extent the consul's house and consulate could be seen as a precursor of the embassy in, for example, its function as asylum. The use of the physical space appeared rather ambiguous. On the one hand, the experiences of David de Vries in Salé demonstrate that the consul's house could also be

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<sup>437</sup> "Journael ofte Dagh-Register van de reyse naar Algier van Thomas Hees, gedaen int jaar 1675." In *Tussen Zeerovers en Christenslaven*, ed. H. Hardenberg, 13-72 (Leiden: H.E. Stenfert Kroese's Uitgevers, 1950), 38.

<sup>438</sup> Letter of Jacob Tollius to Fagel, The Hague, Dec. 17, 1679, NA, 3.01.18, inv.nr. 381.

<sup>439</sup> Letter of Van den Burgh to Estates General, Algiers, April 13, 1663, BGLH, 2: 502-505.

<sup>440</sup> Friedman, *Spanish Captives*, 132.

<sup>441</sup> Groot, *Ottoman Empire*, 107.



his prison. When in 1654 the Salese governors learned of the murder of Morisco seafarers by the Dutch admiral Cornelis Tromp, they immediately put guards in front of De Vries's house to prevent him from fleeing to nearby Marmora. Furthermore, they seized in retaliation a Dutch *fluit*, "Den Tyger," and locked up the captured crew in the consul's house.<sup>442</sup> On the other hand, the consulate also offered a sanctuary for captives and crew members: consuls often housed or fed fellow Dutchmen in need. Consuls Pieter Maertensz Coy, David de Vries, and Johan Smits-Heppendorp learned to their dismay how much asylum-giving could burden their household budget.<sup>443</sup> The double function of the consul's house as place of confinement and sanctuary reflects the ambiguous role of consul as something like a hostage yet also a state representative.

North African society recognized the consul's house as a designated space where Christian foreigners lived and socialized. Indeed, in their homes consuls enjoyed one of the most famous privileges for diplomats in the Muslim world: to exercise their own faith freely. This privilege was an extension of the right to worship granted to indigenous Catholics and Jews. The existence of chapels and synagogues in Algiers and Tunis manifested the religious tolerance of the Muslim Mediterranean.<sup>444</sup> Dutch consuls were assumedly Protestant and would have opted for services at home. Few Dutch diplomats actually mentioned the privilege of worshipping. Consul Tollius was an exception. He reported from Algiers that the Dutch could "freely exercise their religion," but then

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<sup>442</sup> Letter of David de Vries to the Estates General, Salé, July 20, 1654, SIHM, 5: 396-402.

<sup>443</sup> Letter of David de Vries to Admiralties of Amsterdam, Salé, Aug. 25 1656, SIHM, 6: 288-297; Krieken, *Kapers en Kooplieden*, 32; Letter of Johan Smits-Heppendorp, Salé, July 1687, AM, 5027, inv.nr. 244.

<sup>444</sup> In the sixteenth century, a variety of friars offered services to the enslaved: Mercedarians, Spanish Franciscans, Dominicans, and Trinitarians. Friedman, *Spanish Captives*, 77-79; Ambassador Thomas Hees even visited a synagogue, illustrating the scope of tolerance. "Journael Thomas Hees," 57.

complained that the Estates General failed to send a minister to educate the faithful and console the slaves.<sup>445</sup> By allowing Christian diplomats to practice their own religion, Maghrebian rulers upheld the old tradition of religious tolerance in Islamic society. Thus, and contrary to European perceptions of lawless states, even the centers of corsairing provided foreign diplomats with the privilege to worship in their own ways.

These privileges strongly resembled those the *dhimmi* possessed. Diplomats and *dhimmi* also shared another visible feature of tolerance in the Dar-al-Islam: both groups had permission to bury their dead according to their own laws and customs in designated Jewish and Christian cemeteries. Ambassadors Cornelis Pijnacker and Thomas Hees observed that Jewish and Christian cemeteries lay just outside Algiers and Tunis. Pijnacker even described in detail the burial rituals of all religions, including that of Muslims and tribal peoples.<sup>446</sup> A couple of years after Pijnacker's departure, one Dutch consul, Pieter Maertensz Coy, was interred in the Christian cemetery of Algiers.<sup>447</sup> The similarity between privileges granted in the capitulations to Christian diplomats and those assigned to the *dhimmi* in the Dar-al-Islam raises the question whether or not Muslim society distinguished Christian consuls from the *dhimmi*.

To Europeans, these distinctions mattered greatly. If diplomats were considered *dhimmi*, then they would be subjected to the foreign ruler and his courts with no guarantee of diplomatic immunity. The Ottomans, however, were actually one of the first

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<sup>445</sup> A couple of years earlier, ambassador Hees reported that Joannes Cappel held services at his house, but Cappel was a captive; thus confirming Tollius's complaint about a lack of Dutch ministers present in Algiers. Letter of Jacob Tollius to Fagel, Algiers, June 5, 1680, NA, 3.01.18, inv.nr. 381; "Journael Thomas Hees," 44.

<sup>446</sup> Pijnacker, *Historische Beschrijvinge*, 130-135; Ambassador Thomas Hees frequently walked outside of town, sometimes visiting cemeteries. "Journael Thomas Hees," 42.

<sup>447</sup> Krieken, *Kapers en Kooplieden*, 45.

polities to distinguish diplomats from the *dhimmi*. Indigenous non-Muslim adult males in the Levant, for instance, had to pay a poll-tax, the *haraç*, and through it acknowledged the sultan as their ruler. The capitulations, on the other hand, exempted Dutch diplomats and residents from paying the *haraç* in addition to enjoying freedom from a wide range of other taxes on items such as clothes and food for personal use.<sup>448</sup> To what extent the North Africans did not expect European consuls to pay a poll-tax is a bit harder to establish. One assumes that consuls Wijnant Keyser and Andries van den Burgh would have specifically mentioned this tax in the bills they submitted to the Estates General. Most importantly, as Boogert has argued, counts the symbolic meaning of exemptions. Consuls and merchants in the Levant could easily afford to pay the rather low poll-tax, yet the fact that they were exempted conveyed the idea that the Ottomans did not consider European diplomats subjects of the Ottoman Empire as the *dhimmi* were.<sup>449</sup>

The perception that diplomats owed loyalty to their Christian sovereign, and not to the sultan, facilitated the development of another cherished privilege for European diplomats: the Ottomans allowed Christian diplomats to resolve problems within their merchant community according to their own laws and customs. This right, too, supported a claim to the extraterritorial rights of an embassy.<sup>450</sup> Once again, however, the extent to which consuls in North Africa also enjoyed these rights greatly depended on the evolving relationship between the Ottoman Empire and its regencies. In 1659, for example, a revolution occurred in Algiers, whereby the *diwan* bypassed the *pasha* and made the *dey*

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<sup>448</sup> Boogert, *The Capitulations*, 33. Art. 33 and Art. 55 of Dutch capitulations, 1612, GPB, 3: 387, 389.

<sup>449</sup> Boogert, *The Capitulations*, 33. Response Keyser to Pijnacker, Appendix B, Oct. 15, 1622, Report Pijnacker concerning complaints against Keyser, around May 1623, BGLH, 1: 902-903; Letter of Van den Burgh to Estates General, Algiers, April 13, 1663, BGLH, 2: 502-505.

<sup>450</sup> Art. 10 of Dutch capitulations, 1612, GPB, 3: 385.

the nominal ruler.<sup>451</sup> This critical rejection of Ottoman authority immediately manifested itself in the treaties that Algiers subsequently concluded with European states. In 1662, Algerian officials did not promise to honor the capitulations (as had been done in 1622). Instead they recognized the consul as the competent authority over the Dutch merchant community.<sup>452</sup> Similarly, in 1679/80, the Algerians and the Dutch once again endorsed the right of the consul to exercise jurisdiction over all merchant residents in Algiers. The consul, for example, would handle the affairs of deceased members of that community. In addition, he acted as a judge. Finally, the consul could live in peace and freedom and exercise his Christian faith; a clause that would reappear in the 1683 accord with Morocco.<sup>453</sup> While these arrangements repeated clauses from the capitulations, the Maghrebian rulers nonetheless sent a clear message to Constantinople: they wished to operate independently from the sultan. By insisting on their right to determine how Christian diplomats would act in North Africa, they emphasized their independent status and similarly demonstrated another aspect of independence: the right to act magnanimously and grant privileges to foreign diplomats.

To a certain extent, the situation in Morocco resembled that in the Ottoman regencies. Strong rulers like Achmad al-Mansur (r.1578-1603) and Isma'il (r.1672-1727) had managed to sheer away from the Ottoman sphere of influence. In this situation, the Moroccans could not accept the capitulations because doing so would indicate that they

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<sup>451</sup> Abun-Nasr, *A History of the Maghrib*, 175.

<sup>452</sup> “De kooplyuden, onderdanen van de Hee-ren Staten, hebbende eenigh verschil onder haer, en sullen geen anderen Rechter kennen als haren consul, dewelcke volgens het gevolg der saec-ken oordeelen sal.” Art. 12 of Dutch-Algerian treaty, Nov. 30, 1662, GPB, 4: 294.

<sup>453</sup> Art. 13, 15, and 17 of Dutch-Algerian treaty with Algiers, 1679, GPB, 3: 1408-1409; Art. 17 of Dutch-Moroccan treaty, 1683, GPB, 4: 301.

acknowledged the Ottoman sultan as their sovereign. Thus the extraterritorial rights Moroccan rulers willingly bestowed upon European partners had to be stipulated in international treaties that further marked and strengthened their claim of independence from Constantinople. The treaty between the Republic and the Moroccan king in 1610, for example, contained provisions that protected Dutch ship crews and merchants from being arrested without due process and allowed five or six of the most principal Dutchmen to handle the inheritance of deceased Dutch subjects who died intestate.<sup>454</sup> Although these articles referred to the rights of foreign merchants rather than merchant-diplomats in Moroccan territory, they nonetheless reflected the independence the Moroccan king was asserting vis-à-vis the sultan in Constantinople. The Salese governors (1651 and 1657/58) had not addressed the possible jurisdiction of the consul. The 1683 accord with Mulay Isma'il, however, demonstrated once again the power of a central ruler by allowing consuls to handle the affairs of all deceased Dutch subjects and act as judges.<sup>455</sup>

A case in 1686, however, illustrates the limitations of that treaty's rulings. In that year, the consul Johan Smits-Heppendorp learned that Jacob Cammeron, a Swedish captain from Stockholm, had sexually abused a Dutch boy about fifteen years old.<sup>456</sup> The consul had two reasons to keep the case quiet. First, a Christian was the accused. Given

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<sup>454</sup> Art X and XI of Dutch-Moroccan treaty, 1610, GPB, 2: 2265.

<sup>455</sup> Art. 13 and 15 of Dutch-Moroccan treaty, 1683, GPB, 4: 300-301.

<sup>456</sup> Smits-Heppendorp described in detail the events that occurred in Algiers on the vessel "King David" after the captain sent the crew ashore. The captain misbehaved frequently. The boy, an orphan from Friesland by the name of Blom, did not dare to tell the navigating officer and crew. The latter thought the boy looked sick and pale, and suspected something was wrong when the captain held the boy in his cabin "way too long." The crew was prepared to testify as witnesses. Smits-Heppendorp did not explain how and why Blom ended up in Salé, Morocco. Letter of Johan Smits-Heppendorp, Salé, March 28, 1686, AM, 5027, inv.nr. 244.

the tense relations then existing between Muslims and Christians, the consul wished to keep his Muslim hosts in the dark. Second, he felt he could not charge the captain himself, because he claimed that the Estates General had not given him civil and criminal jurisdiction. He therefore hoped that the Dutch authorities would take care of the matter when the Swedish captain arrived in Holland.<sup>457</sup>

At first sight, the hesitancy of Smits-Heppendorp to intervene because he lacked authority is somewhat curious. The 1683 accord clearly stipulated his power in such instances. A closer look at his legal position, however, clarifies why Smits-Heppendorp believed he possessed only limited jurisdictional authority. Although diplomats in the Levant could handle disputes within their own community, Europe's own laws and customs restricted the authority of diplomats. In civil cases, the diplomat had notary powers, but in criminal cases, such as sexual abuse, a diplomat could only arrest the suspect and ship him home for trial.<sup>458</sup> The same rules probably applied in Morocco. Second, the capitulatory system stipulated that if a dispute arose between members of different merchant communities, then European diplomats could resolve the matter in one of two ways. According to custom, the consul of the defendant usually handled the case.<sup>459</sup> Because no Swedish consul resided in Salé or elsewhere in Morocco to defend the accused, however, Smits-Heppendorp could not proceed in this manner.<sup>460</sup> The other option was to request the intervention of a *cadi* or *beylerbey*. Such a request, however,

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<sup>457</sup> Letter of Johan Smits-Heppendorp, Salé, March 28, 1686, AM, 5027, inv.nr. 244.

<sup>458</sup> Boogert, *The Capitulations*, 36-37.

<sup>459</sup> Boogert, *The Capitulations*, 41.

<sup>460</sup> Sweden did not appoint consuls in the Muslim Mediterranean until the eighteenth century: in Algiers (1729), Smyrna (1736), Tunis (1737), Tripoli (1739), and Morocco (1764). Müller, *Consuls, Corsairs, and Commerce*, 41.

would nullify the jurisdictional authority of European diplomats and, as Smits-Heppendorp feared, publicly damage the reputation of Christianity.<sup>461</sup> The consul therefore felt he had no option except to notify the Dutch authorities and hope that they would try the accused in the Republic. The consul's report thus reveals the jurisdictional limitations of the European diplomatic corps in handling criminal cases involving Europeans. Not Muslim authorities but rather Europe's own laws and customs had imposed these limitations.

The European restrictions incumbent on consuls in their capacity as judges over local merchant communities highlight another important facet of diplomatic immunity in the Muslim Mediterranean: Christian diplomats were not immune from the jurisdiction of their Islamic hosts. As we have seen, consuls certainly enjoyed several privileges in North Africa. Members of European communities, however, did not operate in a vacuum. Trading goods or negotiating the release of slaves outside one's own community with, for example, fellow Europeans, Jewish mediators, and Muslim officials, sooner or later led to disputes over failed transactions, corruption, or even murder. The Ottomans required that disputes between Ottoman subjects and members of foreign communities be heard in an Ottoman court; either the *mahkema* presided over by the *cadi* or the Imperial Council.<sup>462</sup> Hence, as Maurits van den Boogert has argued, the Ottomans incorporated Christian diplomats into their legal system and ensured that foreign diplomats were not immune from prosecution by Ottoman law when disputes arose with Ottoman subjects.

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<sup>461</sup> Until 1740, the capitulations did not stipulate how European nations could handle disputes among themselves. Boogert, *The Capitulations*, 35-36.

<sup>462</sup> Europeans could also make use of the *mahkema* to record notary deeds. Boogert, *The Capitulations*, 43.

The many reports on consuls incarcerated in the Maghreb indicated that North African officials indeed subjected foreign diplomats to local laws and customs. To what extent they adapted the Ottoman legal system for the purpose of prosecuting consuls, however, is hard to establish. After Algerians and Tunisians promised to abide by the capitulations in 1622, they made no similar concessions in any other treaties with the Dutch Republic ever again. Nor did they specify a general principle that Christian consuls would be subjected to their jurisdiction while in the Maghreb. The exception was the 1662 Dutch-Tunisian treaty in which Tunis stipulated that the consul and other Dutch subjects fell under the jurisdictional authority of the *dey*.<sup>463</sup> Although the clause did not expand on the conditions under which such subjection would occur, it led the Dutch jurist Cornelis van Binckershoek to conclude that consuls were not “entirely immune” from the jurisdiction of the dominions in which they resided.<sup>464</sup>

The accountability of diplomats to Muslim jurisdiction was something Europeans most feared. Perhaps they dreaded not so much the law courts, but rather the conditions under which subjection to Muslim courts took place, the lack of protective laws, or, worse, no law at all. Indeed, the threat of “lawless violence” colored all relations between the Dutch Republic and the various Maghrebian states. Consuls often believed that they could become slaves themselves. In 1681, while consul Alexander van Berck waited for a ship to bring him to Algiers, he wrote to Dutch state officials, that “all my life, I have

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<sup>463</sup> “Den consul, of eenige onderdanen van haer Hoogh Mog, tot Tunis in verschil zijnde, en sullen niet gehouden zijn haer tot eenige Recht-bancke te begeven, als voor den Dey, onder den Koningh, van welcke sy alleen Sententie sullen ontfangen.” Art. 7 of Dutch-Tunisian treaty, 1662, GPB, 4: 292. Interestingly, the 1662 treaty with Algiers stipulated the opposite, that is, that the Dutch consul served as judge for Dutch subjects. Art. 12 of Dutch-Algerian treaty, 1662, GPB, 4: 294.

<sup>464</sup> Binckershoek, *De foro legatorum*, 54.



been miserable and desperate about the idea that I could become a slave in Barbary.”<sup>465</sup>

At one point or another during their tenure of office in the Maghreb, the consuls David de Vries, Wijnant Keyser, and Christoffel Matthias all expressed anxiety about being enslaved, having their property confiscated, or facing death.<sup>466</sup> Not only consuls, or sailors for that matter, anticipated the worst; so, too, did commoners in the Republic.<sup>467</sup> In 1624, for instance, David Beck, a schoolmaster in The Hague who had never set foot outside the Republic, described in his diary on 13 October a nightmare he had: arriving at the court of the Turkish emperor he and a friend were captured and imprisoned.<sup>468</sup> His entry illustrates how deeply the fear of captivity and enslavement had permeated the seventeenth-century Dutch imagination.

Lawless violence against diplomats, however, was not necessarily or solely a North African vice. In 1620, the people of Marseille took retribution for the deaths of French seamen at the hands of corsairs. They stormed the Algerian embassy and murdered forty-eight Muslims, including the ambassador and several merchants from the

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<sup>465</sup> “que je serois bien miserable toutte ma vie de me voir Esclave sche les Barbares un coup ineparable pour moij et qui me metteroit au desespoir.” Letter of Alexander van Berck, April 23, 1681, AM, 5027, inv.nr. 242; Letter of Alexander van Berck, Marseille, April 18, 1681, NA, 3.01.18, inv.nr. 379.

<sup>466</sup> Letter of David de Vries to Estates General, Salé, July 20, 1654, SIHM, 5: 396-402; Krieken, *Kapers en Kooplieden*, 18; Letter of Christoffel Matthias, Algiers, July 31, 1685, AM, 5027, inv.nr. 243.

<sup>467</sup> Captain Jan Jansz. Bestevaer, for example, was prepared to sail to Greenland, Iceland or wherever he might encounter English and French corsairs in 1673. He refused, however, to sail to places where the ‘Turks’ could capture him. A.Th. van Deursen, *Een Dorp in de polder. Graft in de zeventiende eeuw* (Amsterdam: Uitgeverij Bert Bakker, 1995), 303.

<sup>468</sup> I would like to thank Rudolf Dekker, who referred to the diary and quote of David Beck. “hebbende doch een beswarl[ijcke] nacht konnende niet in slaep comen voor naer middernacht, ende sliep doch ongerustel[ijck] wordende elck uijr wacker, door sware droomen, droomende onder ander, dat ick met B. Hendrick te Constantinopelen an des Turcksen keijzers hof quam (aldaer gezonden in Commissie) wel onthaelt werden, geconvoyeert (door eenen hellebardier) door al de stat, wiens gelegentheijt bou, policie, ceremonien ende gods-dienst der Turcken wy met plaijsier zaghen, maer werden eyndelyck (als verspieders ende vreemdel[ingen]) in onsen herberg in boeijen geslagen ende gear-resteert van wegen de Turckschen keijser, door zijnen Sergeant, waer over ick al weder met grooten schrick wacker wert, ende dat duerde al

Maghreb and the Levant. The city council of Marseille acknowledged that the inviolability of the ambassador had been violated. It promised the Algerian *pasha* that the city would punish the perpetrators yet also described the crowd's behavior as "unexpected" and "accidental."<sup>469</sup> Similarly, in 1644, "misunderstandings" between residents from The Hague and the servants of an unidentified foreign ambassador led a Dutch crowd to attack the ambassador's residence at night, bang on the doors, and smash the windows. Whereas city officials in Marseille had still been somewhat ambivalent in their reaction in 1620, the States of Holland was more straightforward in condemning the deed, although the violence had not ended in murder. The States of Holland argued that the aggressive actions of the crowd violated the "public security" of the ambassador and his family and, thus, the law of nations. Such breaches of the peace should not occur in "a land of law." The States consequently passed decrees in 1644 and 1651 outlawing the use of violence against foreign diplomats and their suite and punished the rioters severely.<sup>470</sup> In other words, Dutch authorities responded to the problem of random violence against foreign diplomats by issuing laws to protect them.

Dutch authorities, however, were not sure what to expect from their Muslim allies in the Mediterranean. Despite alliances and treaties, the Dutch remained wary of the pirate states in North Africa. Were they, too, to be treated as falling within the law of nations? Countless articles in the capitulations and treaties with the North African states sought to prevent the "molestation" of consuls, merchants, and other Dutch subjects and

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de nacht." David Beck, *Spiegel van mijn leven; een Haags dagboek uit 1624*. Ingeleid en van aantekeningen voorzien door Sv. E. Veldhuijzen (Hilversum: Verloren, 1993). Entry on Oct. 13, 1624.

<sup>469</sup> Weiss, *Captives and Corsairs*, 16-17; Grammont, *Histoire d'Alger*, 155-156.

<sup>470</sup> Decree States of Holland "geen publiek offens tegen uitheemse ministers," Oct. 25, 1644 and March 29, 1651, GPB, 1: 525-526.

thus seemed to answer that question in the negative. The 1612 capitulations alone, for instance, included at least sixteen clauses addressing this matter in a variety of ways. A number of articles stipulated that no Dutch person could be enslaved. Others promised the prevention of violence in matters of trade and disputes. Article 35, for example, forbade anyone to “force” their products on Christian merchants or otherwise inconvenience them. Article 36 prohibited anyone to take the law into his own hands to “get even” with a Dutch subject. Such cases would be handled by the *cadi* and in presence of the *dragoman*.<sup>471</sup> The 1657/1658 treaty with Salé similarly prescribed that Dutch subjects residing or trading in Salé should “not be treated improperly or badly, ... either by words or by throwing stones, filth, or other such things.”<sup>472</sup> Finally, the capitulations and treaties also guaranteed consuls and merchants safe passage within their territories.<sup>473</sup>

The clauses that ensured Dutch subjects safe passage are particularly revealing. In early modern Europe, diplomats used safe conducts to guarantee a representative, at least in theory, the right to travel unmolested through different states in order to arrive safely at the court of his host. Early modern authors on diplomacy emphasized the significance of these passes. Just as a delegate could not negotiate without a sovereign’s *Creditive* that justified a delegate’s status as state representative and allowed him to negotiate on behalf

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<sup>471</sup> Art. 35 and 36 of Dutch capitulations, 1612, GPB, 3: 387. It was also repeated in other treaties. See for example, Art. 16 and 19 of Dutch-Algerian treaty, 1679, GPB, 3: 1409; Art. 9 of Dutch-Moroccan treaty, 1610, GPB, 2: 2265.

<sup>472</sup> ““t zy aldaer woonende, of komende te handelen, niet onbehoorlick en werden bejgent, ofte qualijck getracteert, hetzy met woorden, werpen van steenen, vuyligheden, ofte diergelijcke,” Art. 9 of Dutch-Salese treaty, 1657/1658, GPB, V2: 2505.

<sup>473</sup> Art. 2 of Dutch-Tunisian treaty, 1622, GPB, 2: 2293; Art. 18 of Dutch-Algerian treaty, 1679, GPB, 3: 1409; Art. 2, 3, and 24 of Dutch capitulations, 1612, GPB, 3: 384, 386; Art. 1 of Dutch-Moroccan treaty, 1610, GPB, 2: 2262.

of his government, neither could the delegate do so without possessing a safe conduct.<sup>474</sup> The rise of resident embassies, however, relieved diplomats of the need to obtain safe conducts in the Levant. The capitulations, for instance, trumped the need for *amans* (safe conducts).<sup>475</sup> Similarly, the 1610 agreement with Morocco stipulated that the Dutch and Moroccans, as “friends,” would not have to carry safe conducts or similar travel permits within their territories.<sup>476</sup> The attempts of Dutch negotiators to arm themselves with precautionary measures nonetheless testify that the safety of diplomats while traveling was not yet a universally accepted or acknowledged principle, especially not in states that lived off piracy and sometimes treated European consuls abominably.<sup>477</sup>

A closer look at what motivated North African rulers to incarcerate Dutch consuls or hold them hostage, however, reveals that they did not punish consuls randomly but instead acted quite purposefully and in three instances: to settle debts, to revenge the murder of Muslim seafarers, and to demand compensation for escaped slaves. Debt, in particular, constituted a serious issue in both Christian and Muslim states. As long as debtors and creditors belonged to the same European community, potential disputes could be resolved internally. Zacharias Cousart, the Dutch consul in Tripoli, for example, owed Ambassador Thomas Hees money, but this matter remained between them.<sup>478</sup> Once a

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<sup>474</sup> Jean de la Sarraz du Franquesnay, *Le Ministre public dans les cours etrangeres, ses fonctions et ses prerogatives* (Amsterdam, 1731), 10; Frey, *Diplomatic Immunity*, 94-95, 134-136; Adair, *Exterritoriality of Ambassadors*, 111.

<sup>475</sup> Boogert, *The Capitulations*, 30-31.

<sup>476</sup> Art. 1 of Dutch-Moroccan treaty, 1610, GPB, 2: 2262.

<sup>477</sup> Keyser, for instance, insisted that Pijnacker received a safe conduct to travel within Algiers. The pasha and *diwan* responded that safe conducts were no longer “fashionable.” “Rapport Pijnacker,” *Berigten*, 287-288.

<sup>478</sup> Letters of Zacharias Cousart, May 27 and July 10/20, 1686, AM, 5027, inv.nr. 246.

Dutch consul, however, owed money to Muslim subjects, or even *dhimmi*, and could not pay his debts, he enjoyed no immunity from prosecution. Upon his departure from Algiers, for instance, consul Wijnant Keyser had to leave his wife and child behind as bail until he could redeem unpaid bills that exceeded 6500 guilders. He owed, among others, the Algerian treasurer Hammuda. Only when Antonio Keyser, Wijnant's son from a previous marriage, traveled to Algiers in 1629 to arrange payments to his father's creditors, could Wijnant's family return to the Republic.<sup>479</sup> The arrangement demonstrates that even the consul's personal entourage was not immune from persecution.

Diplomats in debt, however, were a common phenomenon throughout the early modern world. No matter whether it concerned the Spanish ambassador to England or the Dutch consul in North Africa, the debts of foreign diplomats proved a bigger challenge to their hosts than any involvement in conspiracy or espionage. Grotius had proposed to resolve it first in peaceful ways by politely requesting the ambassador to settle his debts before departing. Until the late eighteenth century Europeans indeed agreed that the debt of an ambassador prevented him from enjoying full diplomatic immunity.<sup>480</sup> Thus, when Europeans negotiated treaties with Muslim allies in the Mediterranean, they probably accepted provisions that required diplomats to settle their debts. In 1616, for instance, Yusuf Dey refused to release Nicolas Schuit, not because he considered Schuit a captive, but rather because Schuit owed money to slave owners, the escape of whose "property" he had facilitated. Not until Schuit paid compensation would Yusuf release him. The

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<sup>479</sup> Krieken, *Kapers en Kooplieden*, 29, 33-34.

<sup>480</sup> Frey, *Diplomatic Immunity*, 227-230; Grotius, *Law of War and Peace*, 200.

Dutch, it seemed, did not object; indeed, they had consented to a similar provision earlier in the capitulations.<sup>481</sup>

Treaties with Salé, Algiers, and Tunis in the second half of the seventeenth century, however, explicitly stipulated that the consul and his suite could not be held accountable - in person or goods - for debts incurred, neither by the consul himself nor by third parties in his entourage.<sup>482</sup> The two cases treated in the next section demonstrate that the Dutch also tried to protect the consul from prosecution in instances other than those involving debt. Clauses in treaties with Maghrebian states show that the perceived lack of immunity from prosecution depended on the different interpretations that North African society had about diplomatic representation and inviolability. As it turned out, Maghrebian society held the consul accountable for deeds committed by the state and the subjects he represented, no matter whether he was involved or not. Thus, diplomatic immunity in North Africa turned on an understanding of what constituted a crime and whether the consul should be held personally responsible.

### ***Case 1: Murder or Justice?***

In late April 1617, an unnamed Morisco from Spain arrived in Algiers claiming that some seven months earlier Dutch war commanders had thrown more than thirty Muslim seafarers overboard off the coast of Portugal. Eight to ten others, himself

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<sup>481</sup> Letter of Yusuf Dey, Tunis, Aug. 21, 1615, BGLH, 1: 666-671, point 11 (669); Art. 27 of Dutch capitulations, 1612, GPB, 3: 387.

<sup>482</sup> Art. 4 of Dutch-Salese treaty, 1657/ 1658, GPB, 2: 2503; Art. 8 of Dutch-Tunisian treaty, 1662, GPB, 4: 292; Art. 11 of Dutch-Algerian treaty, 1662, GPB, 4: 294.

included, had been released.<sup>483</sup> Following the Dutch maritime practice of “foot washing,” that is, throwing pirates overboard, the captain of the warship had not hesitated tossing the Algerians into the water and watching them drown.<sup>484</sup> When news of these murders reached Algiers, it caused an uproar. The Dutch consul in North Africa, Wijnant Keyser was the one, however, who paid the price. Less than a year into his tenure, he found himself arrested and incarcerated in retaliation for the killing of these thirty Muslim seafarers. Keyser spent a couple of weeks in prison before he was released.<sup>485</sup>

Keyser’s detailed reports on his arrest and imprisonment as punishment for the Dutch captain’s murder of North African corsairs demonstrates that early in their relations with North Africa, the Dutch learned that Maghrebians held different ideas on the consul, state representation, and diplomatic immunity as well as on what constituted crime. Thus, the North Africans believed that the murder of Muslim subjects warranted the punishment of Keyser as personally responsible for crimes committed by the state he represented or by its citizens. The Dutch, however, interpreted the death of the seamen differently. They believed it a just punishment for corsairs who seized Dutch vessels and enslaved crews. The consul should therefore be immune from any repercussions, especially because he was innocent. The situation might have ended in a deadlock were it not that tense relations between Algiers and Constantinople greatly influenced the

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<sup>483</sup> Letter of Keyser to Estates General, Algiers, May 1, 1617, BGLH, 1: 728-729; Weber, *Beveiliging*, 106. The Estates General reported that the captain had released four men (not eight to ten) because they pretended to be Christians. After the freed men told their story in Algiers and caused a breach of peace, the Estates General concluded that “it would have been better if they had also been thrown overboard.” Resolution 827 Estates General June 10, 1617, BSG 3: 134.

<sup>484</sup> Vliet, *Vissers en Kapers*, 105.

<sup>485</sup> Keyser reports of his arrest on May 1<sup>st</sup> and writes on June 16<sup>th</sup> about his release. Letters of Keyser to Estates General, Algiers, May 1 and 6, and June 16, 1617, BGLH, 1: 728-737.

outcome of Keyser's case. In 1617, the *pasha* still governed the city-state in name of the sultan, whereas the *diwan* would eventually push the *pasha* aside and take control. The struggle between *diwan* and *pasha* was already manifest in discussions over the fate of the consul. The *diwan* insisted on beheading the consul whereas the *pasha* took the larger interests of the sultan into consideration and, eventually, managed to have Keyser released. Thus, power struggles within the Ottoman Empire influenced the debate on consular immunity in the seventeenth-century Mediterranean. Opposing ideas on consular immunity formed the rationale underlying the actions of both the Dutch and North Africans.

Once the killing of the Muslim seafarers became known in Algiers, the *pasha* immediately summoned the Dutch consul to his palace to explain what happened. Keyser expressed disbelief and promised the *pasha* that the Republic would punish or provide restitution for any wrongdoing its subjects had caused. Even though innocent of the actual crime, Keyser found it necessary to defend himself using the only means at his disposal: his safe-conduct. According to its terms, the *pasha* "could not molest him."<sup>486</sup> The Estates General, indeed, had ordered Wijnant Keyser to obtain a safe-conduct upon his arrival in Algiers, anticipating just such circumstances.<sup>487</sup> The instructions were detailed: Keyser had to remain on board and notify the Algerian *pasha* of his arrival and request a safe conduct for himself, his suite, and the crew of the warship *before* disembarking. Furthermore, the Estates General stipulated that the safe conduct should specify that Keyser and his suite were free to pass between ship and land and to enter the

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<sup>486</sup> Letter of Keyser to Estates General, Algiers, May 1, 1617, BGLH, 1: 728-729.

<sup>487</sup> Resolution Estates General Wijnant Keyser, April 23, 1616, BGLH, 1: 678-688.



palace of the *pasha* without having to fear harm. Keyser should also receive a guarantee that commander, crew, and ship could safely depart if negotiations broke down or that consul and suite could stay in Algiers with no restrictions on their freedom. Only when Keyser had obtained a safe conduct to his satisfaction, was he to go ashore and start negotiations on behalf of the Estates General by greeting the *pasha* with all civility and politeness, giving him presents and a letter from the Estates General.<sup>488</sup> The extensive and detailed instructions demonstrate that the Estates General had thoroughly taken into account the various scenarios in which its representative could come to harm and wrote its instructions accordingly. Without a safe conduct no negotiations could begin.

Keyser's references to the document during his audience with the *pasha* imply that he indeed had enjoyed freedom of movement within Algiers. It is very unlikely, however, that the safe-conduct contained any provisions that protected the consul if he or his fellow countrymen committed a crime. When the Dutch entered into relations with Algiers for the first time in 1616, they assumed that the capitulations also applied to the Ottoman regencies in North Africa and that Keyser would enjoy the same privileges as his counterparts in the Levant. The capitulations, however, provided no immunity for diplomats in disputes with Ottoman subjects. Hence, no legal provisions existed to protect the consul, neither in the capitulations nor, we may reasonably assume, in Keyser's safe conduct.

The lack of diplomatic immunity from criminal prosecution was not, however, an unusual situation. In Europe, consuls enjoyed no immunity from criminal persecutions, because, it was argued, that would give them an unfair competitive edge over native

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<sup>488</sup> Art. 2 and 3 of Instructions Keyser, May 28, 1616, BGLH, 1: 682-686.

merchants. Consuls were simply expected to submit to the jurisdiction of the countries in which they resided.<sup>489</sup> In North Africa, however, the consul did not merely act as spokesman for the local merchant community as did his counterparts in Europe and the Levant. Instead, he conducted political and commercial affairs on behalf of the state; indeed, that was his delegated task. Thus, in many respects, his role approximated that of a resident ambassador or envoy. The question of diplomatic immunity from civil or criminal jurisdiction therefore assumed greater importance for consuls in the Maghreb when compared to, for example, consuls in Europe. A consul in North Africa who lacked legal protection was subject to the rulings, or even the whims, of the authorities in Algiers. It was a situation that hampered diplomatic efforts and even could jeopardize the consul's life.

Keyser's initial fears of physical harm proved all too substantial. His detailed reports to the Estates General in The Hague reveal that Algerians held Keyser accountable for the murders on the high seas in his capacity as representative of the Dutch state. They viewed the death of those the Dutch defined as pirates as a crime. The consul's vivid description of his treatment at the palace illustrates the issues and the conflicting positions involved. After hearing Keyser's defense, the *pasha* decided to postpone the case until the *diwan*, the military council in Algiers, convened the following Saturday. When Keyser walked downstairs after this audience, he confronted a hostile crowd of men and women who called for justice. People demanded to know who, if anyone, would "take responsibility for the Christian." When from upstairs in the palace a resounding "nobody" rang out, the consul feared the worst. The crowd maintained that

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<sup>489</sup> Adair, *Exterritoriality of Ambassadors*, 62-63.

“he came here to fool us claiming that he wished only to establish peaceful relations” but instead “he threw our people overboard.” The *pasha* ordered Keyser to remain silent and spoke soothingly to the Algerians who refused to listen but rather insisted upon the consul’s instant execution by hanging and then burning his corpse.<sup>490</sup> The angry crowd, in other words, considered the death of the Muslim seafarers an atrocity and one that ruptured the existing peaceful relations between the Dutch Republic and Algiers. It viewed the murder of these thirty men as, literally and symbolically, a crime against Algiers. Thus, the consul, as representative of the Dutch state, had to bear the blame even if the commander of the warship was the guilty party.

The Algerian crowd exerted considerable pressure on the *pasha* and the *diwan* to decide the fate of Wijnant Keyser. This was a type of popular involvement in diplomatic affairs that would recur frequently in North Africa. In the 1620s, for example, Keyser had feared for life and limb when faced with crowds who impatiently awaited the arrival of Muslim captives from Malta.<sup>491</sup> Similarly, consul David de Vries described in 1652 how mobs in Salé surrounded his house and howled for his head in retaliation for the death of Muslim prisoners aboard a Dutch ship.<sup>492</sup> In the Maghreb, crowds often played a significant role in the relations with consuls. It is not clear to what extent rulers could control crowds, were willing to give in to their grievances, or actually orchestrated these demonstrations of outrage and anger. In Keyser’s case in 1616, the *pasha* resisted the crowd’s demands and determined that the *diwan* should preside over the case. He thus

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<sup>490</sup> Letter of Keyser to Estates General, Algiers, May 1, 1617, BGLH, 1: 728-729.

<sup>491</sup> Letter of Keyser to Estates General, Nov. 26, 1622, BGLH, 1: 865.

<sup>492</sup> Letter of David de Vries to Estates General, Salé, June 4, 1652, SIHM, 5: 329-338, 337.

prevented the lynching of the consul.<sup>493</sup> The following Saturday, the *diwan* discussed the case.<sup>494</sup> It soon became clear that the consul's fate depended on the often tense relationship between the *janitsar*-dominated *diwan* and the Ottoman appointed *pasha*. These two divided on the question of whether the consul was guilty or not for crimes committed on orders of the Dutch state. The members of the *diwan* argued that the consul, as a representative of his government, should be punished regardless of whether he was personally involved: his status as a diplomat did not exonerate him. In that interpretation, he was not immune. Hence, the *diwan* sided with the Algerian people and proposed a death sentence for the consul and thirty-two other Christians as punishment for the wanton murder of thirty-two Muslims.<sup>495</sup>

The *pasha*, on the other hand, distinguished the diplomat from his state. He contended that the consul could not be held personally responsible for crimes others had committed. Thus, Keyser and the other Dutch residents incarcerated with him were innocent of wrongdoing and could not be punished. He pronounced them free and able to leave Algiers. The *pasha's* decision caused an uproar in the *diwan*. Its members responded that declaring the consul innocent was a foolish act because "such people could not be trusted."<sup>496</sup> The *diwan's* strong objections, and its categorical denial of any form of inviolability in respect to the consul, reveal that a general mistrust of Christians and diplomats defined early relations between the Dutch Republic and the principalities

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<sup>493</sup> Letter of Keyser to Estates General, Algiers, May 1, 1617, BGLH, 1: 728-729.

<sup>494</sup> Letter of Keyser to Estates General, Algiers, May 6, 1617, BGLH, 1: 729-731.

<sup>495</sup> Whereas Keyser spoke of about thirty Muslims in his letter of May 1<sup>st</sup>, in that of May 6<sup>th</sup> he mentions thirty-two Christians in retaliation for the thirty-two Turks without counting himself.

<sup>496</sup> Letter of Keyser to Estates General, Algiers, May 6, 1617, BGLH, 1: 729-731.

in the Maghreb. This vigorous and heated debate over the consul's guilt reflected the volatility of relations between Christians and Muslims and also the seriousness of internal divisions within the Ottoman Empire and their significance for diplomatic relationships. The *pasha* could exert little control over the *diwan*, the most powerful council in Algiers, and thus his pronouncements did not always carry weight. The *janitsars* who made up the *diwan* closely collaborated with corsairing captains to promote piracy because it was their main livelihood. They had no interest in maintaining peace with Christian states for the simple reason that peace would significantly decrease their profits from the sale of captured vessels.<sup>497</sup> The *pasha*, on the other hand, represented the larger interests of Sultan Ahmad I, one of which was to retain the Dutch Republic as an ally against Spain, the archenemy of the Ottomans.

One could argue, of course, that the *diwan* was merely following the laws of the sultan. If a Christian state could not live in peace with the Ottomans, then the sultan had the power to revoke the capitulations. The *pasha*, however, acting on behalf of the sultan, probably considered that the death of the Dutch consul would jeopardize or even destroy newly established relations. Moreover, naval power in 1616 made the Dutch useful as allies and their enmity could substantially weaken Ottoman dominance in the eastern Mediterranean. Hanging Keyser, in other words, did not lie within the political interest of the Ottomans. The *pasha* thus overruled the *diwan*'s objections and decided to wait for the return of the corsairs to confirm or deny the murders. At the same time, and perhaps to placate demands for revenge, he insisted that Keyser urge the Dutch government to

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<sup>497</sup> Fisher, *Barbary Legend*, 89-90.

punish the evil-doers.<sup>498</sup> Keyser's survival thus turned on two incalculable factors: what Muslim eye-witnesses would say once they returned to Algiers and what the Estates General would decide.

If the Dutch government considered Keyser's arrest retaliation for actions undertaken by a Dutch naval captain, then one would expect the Estates General to protest the violation of diplomatic immunity that the consul's arrest and imprisonment signified. Curiously, however, this was not the case. The response of the Dutch government, instead, reflects a position and a perception that Garrett Mattingly considered to be purely medieval in character: "a crime committed in the interests of one's country and in obedience to higher authority is not a crime at all."<sup>499</sup> More than a month after receiving the consul's letter, the Estates General dispatched seven warships to Algiers. It thus ignored the advice of the *pasha* and Keyser who had asked that the "disturbers of the peace," that is the murderers, be punished to spare the lives of the consul and the other Dutch prisoners.<sup>500</sup> The Estates General's decision to adopt an aggressive stance rested on a very different interpretation of what had happened to the Muslim seafarers. The Dutch government considered their killing not a crime, but rather an act of justice meted out to corsairs who stole goods and captured Dutch sailors. The Estates General, therefore, had no intention of punishing the captain responsible for what it considered justice, not murder. Instead, it initiated a "crusade of extermination" to deal with piracy once and for all in the greater interests of protecting Dutch commerce in the

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<sup>498</sup> Letter of Keyser to Estates General, Algiers, May 6, 1617, BGLH, 1: 729-731.

<sup>499</sup> Mattingly writes: "(...) no government can be expected to do justice when its own vital interests are involved. Mattingly, *Renaissance Diplomacy*, 50.

<sup>500</sup> Heeringa, *Bronnen*, 1: 731; Letter of Keyser to Estates General, Algiers, May 6, 1617, BGLH, 1: 729-731.

Mediterranean.<sup>501</sup> In so doing, the Dutch government willingly risked the lives of the Dutch consul and Dutch residents in Algiers.

The consul, in other words, proved to be a pawn – and an expendable one - in the larger conflict between the Dutch Republic and the Ottoman regencies in the western Mediterranean in the early years of their diplomatic relations. The safety of the consul depended on a balance between legal principles and pragmatism that both Christians and Muslims maintained. Fortunately for Keyser, the balance tipped over to the self-interest of the Ottomans. Before the war fleet left the Republic, Cornelis Haga, the Dutch ambassador in Constantinople, managed to renew a treaty with the Algerians, requiring them to abide by the capitulations.<sup>502</sup> In the meantime, the *pasha*, working with some members of the *diwan*, managed to buy time until the corsairs, who might have witnessed the killings, returned to testify. Keyser, in short, received a stay of execution. When corsairs finally appeared and said “nothing but good things” about the Dutch, Algerian officials released the Dutch consul and the thirty-two other prisoners, thereby emphasizing their desire to maintain peace with the Dutch Republic.<sup>503</sup> Pragmatism trumped legal principles.

More importantly, the case of Keyser revealed deeper cultural differences that to a large extent decided the development of diplomatic immunity in the Maghreb; namely, whether the murder of the Muslim corsairs constituted a crime or an act of justice and whether the consul was responsible for the perceived crime. The Estates General

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<sup>501</sup> Weber, *Beveiliging*, 120.

<sup>502</sup> Report ambassador Cornelis Haga to Estates General, Constantinople, May 27, 1617, BGLH, 1: 732-733.

<sup>503</sup> Heeringa, *Bronnen*, 1: 731. Letter of Keyser to Estates General, Algiers, July 4, 1617, BGLH, 1: 734-737.

considered the killing of the Muslim seafarers justified, because it involved corsairs who attacked Dutch merchant vessels and enslaved their crews. It therefore interpreted Keyser's arrest and the Algerians' refusal to grant him immunity as retaliation. The Algerians, on the other hand, perceived these murders as a crime and a violation of the peace accords recently concluded between the Dutch Republic and Algiers. They thus held Keyser accountable and considered his imprisonment just. The insistence of the Dutch and Algerian governments alike that their actions in regard to Keyser's ordeal were proper and justifiable suggests that diplomatic immunity had not become a universally-accepted principle. Rather, each state used it to promote its larger interests and repeatedly renegotiated and redefined it in various situations.

As a result, the Estates General did not hesitate to risk the life of the consul by refusing to honor Algiers's request to punish the captain responsible for the murders and by sending a war fleet to North Africa instead to "annihilate the pirates."<sup>504</sup> In its all-out war on piracy in the Mediterranean, the government presumably considered the potential loss of the consul's life collateral damage. The actions of the Estates General demonstrate that the consul's life and safety depended not merely on the whims of "barbarians," but were also subordinate to the larger interests of the Dutch state. Similarly, Keyser's fate depended on relations within the Muslim world, that is, between Algiers and the Ottoman Empire. In Keyser's case, to be sure, it was a matter of life and death. The *pasha* hoped to save the consul's life, whereas the *diwan* tried to end it. Keyser's ordeal thus depended just as much on political frictions in the Muslim Mediterranean as on the policies the Estates General pursued.

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<sup>504</sup> Weber, *Beveiliging*, 120.



### ***Case 2: Christoffel Matthias and the Escaped Slaves***

The punishment - or murder - of Muslim corsairs was not the only issue that put consuls' lives at risk. North Africans also held consuls accountable for escaped captives. Algerian and Tunisian officials took the flight of slaves very seriously because allowing slaves to escape undermined their relative independent status within the Ottoman Empire. Christian slaves symbolized the strength of Algiers and Tunis as Muslim strongholds in the Mediterranean. In the early 1600s, therefore, the Estates General immediately ordered its seafaring community to abstain from taking captives or even renegades on board, because it feared jeopardizing its relations with Algiers and Tunis. Maghrebian officials began to use international treaties to curb the problem in the second half of the seventeenth century. They made consuls responsible for slaves on the run whether a consul was complicit in the escape or not. In those same treaties, Dutch negotiators tried to soften the impact of this article by insisting that Maghrebians could not physically harm consuls and captains. The case of consul Christoffel Matthias, who became entangled in a confrontation with Algerian officials over a runaway slave, illustrates how difficult it was to establish a concept of diplomatic immunity in Dutch-Muslim relations based on legal principles that both parties would uphold. During peace negotiations, both sides had agreed on formulating articles concerning runaways. In practice, however, the Dutch Republic and Algiers differed on whether the flight of slaves should be regarded as a crime and to what extent consuls should be held accountable for runaways, even if they had not been involved.

In the early decades of relations between the Republic and the Maghreb, the issue of escaped slaves seemed to present little problem. No Dutch treaty with Morocco

(1610), Algiers and Tunis (1622), or Salé (1651, 1658) included clauses referring to such incidents. Decrees passed by the Estates General reveal, however, that captives and renegades tried to escape with the aid of Dutch captains early in the seventeenth century. Already in the fall of 1616, consul Keyser reported that he, together with judicial officials from Algiers, had to remove slaves off privateering ships and return them to the *bagnos*.<sup>505</sup> Keyser warned the Estates General that the collusion of captains and their crews in assisting runaways was undertaken without his consent or that of the *diwan* and substantially endangered not only his position but also diplomatic relations with Maghrebian rulers.<sup>506</sup> The Estates General, recognizing that escape was a natural byproduct of captivity and slavery, consequently forbade captains to take stowaways on board or to “kidnap” slaves or renegades, from whatever nationality, without the explicit consent of the North African principalities.<sup>507</sup>

Long before the 1660s, the Dutch *Orders on the Levant Trade* and Keyser’s warnings reveal the danger escaped slaves presented and the attempts the Dutch authorities made to solve the problem. Only in the second half of the seventeenth century, however, do clauses in treaties show that Algiers and Tunis began to hold Dutch consuls responsible for escaped slaves. The 1662 articles, for instance, stipulated that if slaves, regardless of nation, ran away from Algiers or elsewhere, or tried to swim to and climb aboard a Dutch ship, the consul had to return the slave to his owner.<sup>508</sup> The 1679/1680

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<sup>505</sup> Letter of Wijnant Keyser, Algiers, Oct. 8, 1616, BGLH, 1: 694-698, 695.

<sup>506</sup> Memorie of Wijnant Keyser, received by Estates General April 26, 1623, BGLH, 1: 896-898, 898.

<sup>507</sup> Resolution Estates General, May 5, 1623, point 2, BGLH, 1: 899-900; Art. 5 of *Order op de Straatvaart*, Part 2, 1623 and 1625, GPB, 1: 913.

<sup>508</sup> Art. 14 of Dutch-Algerian treaty, 1662, GPB, 4: 294; Art. 11 of Dutch-Tunisian treaty, 1662, GPB, 4: 292.

treaty with Algiers and the 1683 treaty with Morocco similarly held consuls accountable. Consuls were, for example, to warn the North Africans of the impending arrival of warships to allow precautions to be taken.<sup>509</sup> Thus, in the second half of the seventeenth century, North African rulers began to rely on international law to regulate what they perceived to be a serious problem; namely the loss of personal income involved in the escape of slaves and the symbolic undermining of their independence from Constantinople.

The clause requiring consuls to report incoming war vessels suggests how limited the possibilities of escape really were. Corsairing ports like Salé, Algiers, and Tunis were fortresses. Within their walls, captives could walk around “freely,” but outside these towns hostile land provided no refuge.<sup>510</sup> The only feasible way to make it back to Europe was to wait for the arrival of European warships, swim out to the vessels or hide in wherries, climb on board to safety, and hope that no North African officials, or Christian consuls for that matter, noticed. The flag under which the ship sailed did not matter as long as it was Christian. When the Dutch admiral Michiel de Ruyter, for instance, declared war on Algiers in 1662, one Spaniard, one Venetian, and three Dutch slaves managed to reach the departing fleet and be taken on board.<sup>511</sup>

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<sup>509</sup> Art. 11 of Dutch-Algerian treaty, 1679, GPB, 3: 1407; Art. 11 of Dutch-Moroccan treaty, 1683, GPB, 4: 299.

<sup>510</sup> In 1830, an anonymous traveler described the land as mountainous and covered by forests. *Historische, geographische und politische Beschreibung von Algier. Mit einer Karte und einem Plan der Stadt Algier und deren Umgebungen* (Hamburg: Hoffmann und Campe, 1830), 10.

<sup>511</sup> Krieken, *Kapers en Kooplieden*, 46. The role of Christian vessels in captivity and slavery in the Mediterranean thus forms a stark contrast to its role in the Atlantic slave trade. See especially Marcus Rediker, *The Slave Ship. A Human History* (New York: Viking, 2007), 1-13.

Consuls were less inclined than captains and crews to assist slaves in escaping. North Africans considered consuls punishable if they knew about planned escapes and did nothing to prevent them. The 1662 agreements stipulated that if consuls possessed information about ships sailing off with runaway slaves on board, they would then be held financially responsible and had to reimburse the market price of the slave to his owner. Tunis added that even if consuls were unaware of the facts, they still would have to pay 300 pieces of eight for each loss.<sup>512</sup> Algiers, however, preferred to claim the return of the slave. This, of course, proved an impossible task. It seems unlikely that runaways would voluntarily return ashore or that Dutch authorities would willingly ship them back to the Maghreb. The improbability of these conditions offered North African officials other ways to demand compensation, including confiscating the consul's personal goods or threatening to enslave the consul as "compensation." Dutch negotiators, therefore, ensured that the 1680 and 1683 treaties contained provisions that reduced the consul's liability: if the consul had been unaware of the escape, then neither he nor the slave could be seized or punished.<sup>513</sup> That a specific article was needed to address the matter suggests that the molestation of the consul in such situations had indeed become common.

The case of the Dutch consul Christoffel Matthias, whom the *dey* Hajj Hussein Mezzomorte held responsible for an escaped English slave on board a Dutch ship in 1685, demonstrates that these precautions did not necessarily guarantee the consul's safety; there existed a gap between text and practice. In the summer of 1685, Johan Peijn,

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<sup>512</sup> Art. 14 of Dutch-Algerian treaty, 1662, GPB, 4: 294; Art. 11 of Dutch-Tunisian treaty, 1662, GPB, 4: 292.

<sup>513</sup> Art. 11 of Dutch-Algerian treaty, 1679, GPB, 3: 1407; Art. 11 of Dutch-Moroccan treaty, 1683, GPB, 4: 299.

a Dutch captain sailing under English flag, departed from Algiers and returned to the Dutch Republic. He had allowed an anonymous English slave to remain on board of his aptly named vessel *Land of Promises* (“Land van Beloften”). It is unclear whether Matthias possessed knowledge of this escape, but Hajj Hussein held the consul and the Estates General accountable for the escape according to the specifications of the 1679/1680 treaty. The *dey* demanded that Matthias advance two thousand *rijksdaalders* as reparation and that the Estates General set an example by punishing Peijn. If the Dutch did not comply, the *dey* warned that the next Dutch captain arriving in the harbor of Algiers “would pay the price.” In addition, he recalled an earlier promise to Matthias to liberate two Dutch slaves. Instead of handing them over to the consul, the *dey* put them in chains and forbade Matthias to complain.<sup>514</sup>

Matthias nonetheless protested “how little such threats corresponded to the good relations between the [Estates General] and his Excellence.”<sup>515</sup> He contended that Algerian officials had received the Dutch Ambassador Hees with all *egard*, yet did not observe the articles of peace, in particular those that protected consuls and captains when slaves escaped. The warning that the next captain would be physically punished violated those stipulations. Algerian officials, however, took what they referred to as “the kidnapping of slaves” rather seriously. Captivity and slavery justified the existence of Algiers and gave its rulers, especially the *diwan*, authority vis-à-vis the sultan in Constantinople. The *dey* saw himself virtually compelled to apply the most rigorous

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<sup>514</sup> Letter of Christoffel Mathiass, Algiers, July 3, 1685, AM, 5027, inv. nr. 243; Letter of Christoffel Matthias, Algiers, Dec. 18, 1685, NA, 3.01.18, inv.nr. 382; Letter of Christoffel Matthias, Algiers, Nov. 23 1685, NA, 3.01.18, inv.nr. 382.

<sup>515</sup> Letter of Christoffel Matthias, Algiers, Nov. 23, 1685, NA, 3.01.18, inv.nr. 382.

means to prevent such incidents.<sup>516</sup> Hajj Hussein even contemplated breaking the article that guaranteed the protection of a public minister, that is the consul, for his person and his goods. Matthias immediately rejected the idea, answering that the *dey* “could seize from me whatever he pleased, but that I would pay nothing out of free will.”<sup>517</sup> The consul’s answer was a brave one, because the *dey*’s idea of breaking the clause illustrate how fragile Matthias’s position really was.

Matthias clearly feared that he would be enslaved and that his house would be seized. To avoid the same fate as the English crew, whose members had to draw lots to determine which one of them would be enslaved in retaliation for aiding an escaped slave, consul Matthias urged the Estates General and the regents of Amsterdam to send him two thousand *rijksdaalders* as soon as possible.<sup>518</sup> The Estates General, however, declared the Algerian claim unfounded. Captain Peijn, it concluded, was wrongly accused of kidnapping the English slave and the Estates General therefore refused to compensate anyone for a “loss” it considered unsubstantiated.<sup>519</sup> Hajj Hussein, for his part, found the explanations given by the Estates General unsatisfactory. He pointed out that the “incident” actually involved four English slaves. Three had been recaptured and returned for punishment. The fourth successfully made his escape on *The Land of Promises* and,

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<sup>516</sup> Letter of Christoffel Matthias, Algiers, Sept. 20, 1685, AM, 5027, inv.nr. 243; Letter of Christoffel Matthias, Algiers, Nov. 23, 1685, NA, 3.01.18, inv.nr. 382.

<sup>517</sup> Letter of Christoffel Matthias, Algiers, Nov. 23, 1685, NA, 3.01.18, inv.nr. 382.

<sup>518</sup> Letter of Christoffel Matthias, Algiers, July 31, 1685, AM, 5027, inv.nr. 243; Letter of Christoffel Matthias, Algiers, Oct. 10, 1685, AM, 5027, inv.nr. 243.

<sup>519</sup> Matthias refers to a resolution of the Estates General of Oct. 1685. Letter of Christoffel Matthias, Algiers, Dec. 18, 1685, NA, 3.01.18, inv.nr. 382.

upon arrival in Cadiz, informed his three compatriots still in Algiers of his arrival.<sup>520</sup> Such a public announcement was proof positive, if one needed it, that the Dutch were facilitating the escape of slaves. Thus, the *dey* insisted on retaining the consul as a hostage until he was adequately compensated for the loss.

When Matthias petitioned Dutch authorities to be released from his post, the Estates General responded favorably. The consul worried, however, that the *dey* would not allow him to depart until the issue of the escaped slave was resolved.<sup>521</sup> Larger political interests, however, facilitated Matthias's departure. In February 1686, a Dutch vessel arrived to deliver Dutch passports. The consul considered the documents crucial, because he could hand them to Dutch captains as proof of their nationality. This, Matthias hoped, would severely limit the chances that corsairs would seize ships, cargoes, and crews. The documents also offered the consul a chance to visit the *dey* and communicate to him the wish of the Estates General to maintain peace. In addition, he complained about the disproportionately severe measures that the *dey* had taken to ensure compensation for the escape of the English slave on *The Land of Promises*, that is, his own "undeserved treatment" and the transport, against treaty stipulations, of two Dutch slaves from Salé to Algiers. The *dey* thereupon retracted his claims. This somewhat surprising outcome had probably less to do with Matthias's consular skills and more with the self-interest of the *dey*. In March 1686, the *dey* broke the treaty with the Dutch because he feared the French and English navies more. War with the Republic would

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<sup>520</sup> Letter of Christoffel Matthias, Algiers, Dec. 18, 1685, NA, 3.01.18, inv.nr. 382.

<sup>521</sup> Letter of Christoffel Matthias, Algiers, Dec. 18, 1685, NA, 3.01.18, inv.nr. 382.

naturally generate more Dutch captives and the *dey* presumably was not going to waste time over one slave. Matthias was thus allowed to depart.<sup>522</sup>

Although the matter blew over, the entire episode illustrates that North African officials considered the escape of slaves a crime for which consuls were accountable. From the 1660s onwards, the Maghrebians began to use international treaties to stipulate penalties that threatened the consul when Christian slaves escaped. The Dutch, in the same articles, tried to keep the consul out of harm's way. The case of Christoffel Matthias, however, reveals that the Dutch Republic and Algiers both interpreted the text of a treaty according to self-interest. The Estates General did not consider escape a crime as the Algerians believed it to be, but rather a just act that "undid" corsairing. That this attitude put the consul's life at risk seemed less of a concern than the desire to emphasize Dutch principles on free trade and the freedom of the seas. This decision sharply contrasted to the intent expressed in the treaties to protect consuls. In turn, these texts also reveal what Maghrebian rulers expected of the consul's role in maintaining diplomatic relations. It did not matter to them whether consuls were accomplices in helping slaves escape or not: as representatives of the state, they were automatically held responsible for the actions of their compatriots and, for that very reason, could never receive diplomatic immunity. Thus, cultural differences between the Republic and Algiers once again exacerbated the situation for the consul when held responsible for crimes he did not commit. More importantly, the attempts to find common ground in international treaties only to have them violated on both sides proved how difficult it was

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<sup>522</sup> Letter of Christoffel Matthias, Algiers, Feb. 9, 1686, AM, 5027, inv.nr. 243; Krieken, *Kapers en Kooplieden*, 55.



to establish generally accepted principles of diplomatic immunity in Dutch-North African relations.

### ***Conclusion***

The European image of lawless “Barbary” states who ignored “generally accepted” rules of diplomatic immunity needs revision. Immunity was a concept both sides accepted, albeit in different forms. The Maghreb offered consuls privileges pertaining to daily life that resembled those the *dhimmi* possessed. Consuls enjoyed the right to live as Christians, that is, to worship freely, drink alcohol, and dress in western garb. Their exemption from paying the poll-tax designated them as foreigners who owed no loyalty to Muslim rulers. The definition of consuls as “foreigners” subject to their own sovereign and his laws formed a key aspect in the development of the concept of immunity in the early modern period. It also allowed consuls to resolve civil and criminal cases that arose in their communities.

European diplomats, however, enjoyed no immunity when Ottoman subjects held them accountable for crimes or misdemeanors. In North Africa, Maghrebians stipulated their own articles on consular immunity in international treaties, thus ignoring the capitulations to demonstrate their independence from Constantinople. Nonetheless, these articles often resembled provisions in the capitulations and thus show that the North Africans, like the Ottomans, held consuls accountable for a range of crimes inflicted upon Muslim subjects.

A closer look at the treaties that Algiers, Tunis, Salé, and Morocco concluded with the Dutch also reveals that European and North Africans held different opinions on

the function of a consul, on state representation, and on the issue of immunity. Early modern European jurists and lawmakers considered the diplomat a negotiator who should be shielded from harm and persecution in order to fulfill his role. North African authorities, however, believed that the consul, in his position as state representative, was accountable for crimes committed by the state and the subjects the consul represented, no matter whether the consul himself was actually involved, complicit, or knowledgeable. An additional problem, as the cases of Wijnant Keyser and Matthias Christoffel have illustrated, was the varied definition of what constituted a crime. The Dutch considered the killing of Muslim corsairs by Dutch seamen and the escape of Christian slaves just acts. Neither one nor the other justified the incarceration or punishment of consuls. Maghrebians, not surprisingly, defined murder and the abetment of the escape of slaves, whether tacitly or actively, as crimes for which consuls should be held responsible under Muslim laws and customs.

The opposing ideas of what consular immunity entailed hindered the development of a body of legal principles that both Europeans and North Africans could both acknowledge and accept. Instead, the articles negotiated in the treaties sealed agreements on specific issues. Because negotiated provisions could not reflect either Dutch or Maghrebian principles fully, both sides did not hesitate to violate them, always excusing their transgressions as just acts. This conflict often resulted in creating dangerous situations for consuls in the Maghreb. The physical threats consuls suffered only fed a mutual distrust that did not promote peaceful diplomatic relations and made it virtually impossible to establish a legally-sanctioned and legally-recognized principle of diplomatic immunity in seventeenth-century North Africa.

## Chapter 5. Public Ministers and Jewish Competitors, 1650-1675

In May 1682, Carl Alexander van Berck indignantly wrote the Estates General to reconsider the idea of having two consuls present at the court of Algiers. He complained that “what good one does today, the other will undo tomorrow. This does not benefit the honor of the state, peace, nor the common good.”<sup>523</sup> Berck referred to himself as the good consul. His nemesis was Jacob de Paz, a Jewish merchant from Amsterdam who resided in Algiers and had served as provisional consul until Berck’s appointment and arrival. Berck’s grievances, however, suggest that De Paz continued to play an influential role at court and acted as a competitor. The influential presence of De Paz in the life and politics of Algiers and the Republic alike was not uncommon. In the early modern world, the Jewish-Sephardic community often mediated affairs between the Muslim Mediterranean and Christian Europe. The Iberian expulsion policies between 1492 and 1609 had launched a diaspora of Jewish-Sephardic families who subsequently settled in port cities all over Europe, the Levant, and North Africa. The vast network of contacts, linguistic skills, and familiarity they maintained with Christian and Muslim culture made Jewish merchants sought-after mediators in attempts to forge commercial and diplomatic relations between east and west.<sup>524</sup>

The Dutch Republic was no exception, and it, too, relied on Jewish mediators. Mercedes García-Arenal and Gerard Wiegers, for example, have convincingly argued how the Pallaches, a Jewish-Sephardic family from Morocco, settled in Amsterdam and

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<sup>523</sup> Letter of C.A. van Berck to Estates General, Algiers, May 3, 1682, NA, 3.01.18, inv.nr. 379.

<sup>524</sup> Jonathan Israel, *European Jewry in the Age of Mercantilism, 1550-1750* (Oxford: Clarendon Press, 2d ed., 1989), 24-34; Jonathan Israel, *Diasporas within a Diaspora. Jews, Crypto-Jews, and the World Maritime Empires (1540-1740)* (Leiden: Brill, 2002), 153.

quickly attained a prominent position facilitating trade and peaceful relations between the Moroccan king and the Estates General during the first half of the seventeenth century.<sup>525</sup> The Dutch, however, never employed the Pallaches as their representatives despite the protection they received from the Prince of Orange. Instead, Samuel Pallache, his brother Joseph, and nephew David successively acted as agents of the Moroccan king, exemplifying a common practice among Moroccan rulers to rely on Jewish agents as liaisons with Christian Europe.<sup>526</sup> The Estates General, in contrast, only enlisted three Jewish merchants as Dutch representatives in North Africa during the entire seventeenth century: Henrico D’Azevedo (1659) assumed a temporary mission while Jacob de Paz (1680-1681) and D’Acosta D’Alvarenque (1683-1684) served as provisional consuls in Algiers.

Jewish diplomats serving the Estates General were thus few in number, yet their impact on negotiations between Muslim and Christian states proved great. Dutch consuls frequently and vehemently complained about the all-too-strong influence Jewish representatives exercised at courts in the Maghreb and how this eroded their own positions. They could not compete with the capital and skills that Jewish mediators used to smooth relations with North African court officials and rulers, be it the governor of Salé, the king of Morocco, or the *dey* of Tunis. Although the role of the Sephardic-Jewish community in bridging Christian and Muslim worlds is well-known, the grievances of Dutch consuls against Jewish agents like D’Azevedo and De Paz nonetheless offer an opportunity to probe how the strained relationship between Dutch consuls and Jewish

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<sup>525</sup> García-Arenal and Wiegers, *A Man of Three Worlds*, vii-xii.

<sup>526</sup> Nabil Matar, *Europe through Arab Eyes, 1578-1727* (New York: Columbia University Press, 2009), 115.

agents further defined the role of Dutch consuls and shaped early modern diplomacy in North Africa.

The agitation revealed itself most persistently after 1648. In that year, the treaties of Münster and Osnabrück (Peace of Westphalia) recognized the Republic as a sovereign state. The eighty years of war between Spain and the Republic thus ended. Whether the Peace of Westphalia truly formed a break in Dutch history remains a debatable question.<sup>527</sup> European states had already acknowledged the independence of the Republic at least since 1609. Venice and the Ottoman Empire, for example, had received the first Dutch ambassadors, Cornelis van der Mijle and Cornelis Haga, in 1609 and 1612.<sup>528</sup> As a consequence, European rulers hardly changed their ceremonial concerning the Republic and its diplomats after 1648. Although France, Spain, and the Holy Roman Empire, for instance, refused to address the Estates General as their “High Mightinesses” (*Hoog Mogenden*), they received Dutch ambassadors with the honors due a sovereign state.<sup>529</sup> Thus, Westphalia only formalized what European states already practiced since the early seventeenth century: treating the Republic as sovereign.

Nonetheless, the Münster accords proved a triumph for the Dutch in other ways. Westphalia officially recognized the Republic as independent, thus giving the Dutch a

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<sup>527</sup> Scholars in international relations consider the Peace of Westphalia a “key departure in the establishment of the modern state system.” Jeremy Black argues, however, that it was more an opportunity to “address current and new issues.” Black, *A History of Diplomacy*, 63-66. Similarly, Garrett Mattingly suggested, that “the old structure of habit and custom” did not change after the Peace of Westphalia. Mattingly, *Renaissance Diplomacy*, 43-44.

<sup>528</sup> In addition, the Twelve Years’ Truce (1609-1621) not only reflected Spain’s tacit recognition of Dutch sovereignty, but its articles also formed the basis for the Westphalia accords. Poelhekke, J.J. *De Vrede van Münster* (The Hague: Martinus Nijhoff, 1948), 7, 204, 273; Heringa, *Eer en Hoogheid*, 526.

<sup>529</sup> For a detailed explanation of how European ceremony reflected Europe’s perception of the sovereignty of the Dutch Republic, see Heringa’s, *Eer en Hoogheid*, 531-532.

legal basis upon which to assert their power in the western Mediterranean. Until the 1650s, the problem of the Dunkirk pirates had distracted the Estates General from the situation in the Maghreb. Once Dunkirk temporarily fell into French hands (1646) and the Republic signed a peace accord with Spain (1648), the Estates General immediately focused on the Mediterranean again. The lifting of the Spanish embargoes on Dutch trade in 1648 revived Dutch commerce in the Mediterranean, but also sparked multiple corsairs' attacks on the Republic's merchant fleet. The Republic responded by dispatching war fleets to the Mediterranean. The first of these expeditions resulted in a treaty with Salé, an independent republic on Morocco's west coast, in 1651.

The treaty with Salé signaled a turning point in Dutch-North African relations. The Republic, as the Dutch historian Gerard van Krieken has observed, agreed for the first time, and in an international treaty, to ransom captives. Thus, the release of captives for ransom became a condition of maintaining diplomatic relations.<sup>530</sup> The clause set a precedent for future accords with North African states and demonstrated that the Dutch had surrendered to North African demands for ransom. The treaty thus illustrated the beginning of a more submissive role of the Dutch toward states in the Maghreb.

The promise to ransom slaves strained the relationship between consuls and state on the one hand, and that of consuls and Jewish agents on the other. In Salé, Jewish merchants had ordinarily organized redemptions, but the treaty of 1657 specifically maintained that "only the consul of the Dutch Republic" could ransom slaves.<sup>531</sup> The

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<sup>530</sup> Gerard van Krieken, *Kapers en Kooplieden*, 40; Laura van den Broek and Maaïke Jacobs, eds. *Christenslaven: De slavernij-ervaringen van Cornelis Stout in Algiers (1678-1680) en Maria ter Meetelen in Marokko (1731-1743)*, met medewerking van Gerard van Krieken (Zutphen: Walburg Pers, 2006), 23.

<sup>531</sup> Art. 7 of Dutch-Salé treaty, 1657/ 1658, GPB, 2: 2504.

article thus intended to break the monopoly of Jewish merchants on ransoming captives in Salé and curtail their agency in Dutch-Moroccan relations.<sup>532</sup> In Algiers and Tunis, on the other hand, the Estates General did not hesitate to appoint Jewish merchants as representatives. Albeit few in number, they not only ransomed captives; they also made broader diplomatic overtures to the governments of Algiers and Tunis. Not surprisingly, Dutch consuls, whose financial resources remained limited, perceived Jewish mediators to be undermining their own position. They generally found Jewish agents “arrogant,” accused them of dealing in contraband goods, and did not consider them worthy to serve as “publique ministers,” a term that consuls *and* the Estates General began to use after the Peace of Westphalia to identify consuls in North Africa.

Indeed, in early modern European diplomacy, the title of public minister had become a general term applied to any diplomat, no matter what his rank. Emer de Vattel described him as “any person entrusted with the management of public affairs, but is more particularly understood to designate one who acts in such capacity at a foreign court.”<sup>533</sup> Because Dutch and North African negotiators incorporated the words “consuls and other public ministers” in pacts with Salé (1651) and Algiers (1679), they confirmed that consuls were generally accepted as public ministers in relations between the Republic and the Maghreb.<sup>534</sup> Not surprisingly, therefore, Carl Alexander van Berck and

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<sup>532</sup> Salese authorities relied on Jews of Amsterdam to mediate the ransoming of captives to their families. Israel, *Diaspora*, 301-302.

<sup>533</sup> Emer de Vattel, *The Law of Nations* [1758]. Edited and with an Introduction by Béla Kapossy and Richard Whatmore (Indianapolis: Liberty Funds, 2008), 682; Heringa, *Eer en Hoogheid*, 27-28.

<sup>534</sup> Dutch-Salé treaty, 1651, GPB, 1: 127-132; Dutch-Algerian treaty, 1679, GPB, 3: 1406-1410.

Christoffel Matthias referred to themselves as public ministers in 1682 and 1685.<sup>535</sup>

Similarly, Johan Smits-Heppendorp suggested that the position of consul equaled that of public minister.<sup>536</sup>

In early modern Europe, however, opinions differed on whether the consul should be considered a public minister and therefore a member of the diplomatic corps.

Although many early modern Europeans observed that consuls in North Africa were indeed considered as such, not every commentator accepted the norm. The French diplomat François de Callières and the German lawyer Jean Gottlieb Uhlich, for instance, disagreed on the grounds that anyone not appointed as ambassador was simply an envoy and therefore not worthy to hold the title of public minister. The well-known Dutch diplomat and author Abraham Wicquefort and the French Ambassador Jean de la Sarraz, on the other hand, contended that consuls who carried credentials were authorized to act on behalf of their sovereign and should certainly be regarded as public ministers even if they did not bear the actual title.<sup>537</sup> Thus, the debate on “public minister” revolved around the now familiar question whether consuls belonged to Europe’s diplomatic hierarchy or not. For consuls in North Africa, however, the title was important, because the term public minister lifted the consul from being a mere commercial agent responsible for regulating affairs between merchants and local officials and raised him to the ranks of a state representative assigned to maintain treaties and redeem slaves. The title as such

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<sup>535</sup> Letter of Christoffel Mathias to Gaspar Fagel, Algiers, Nov. 23, 1685, NA, 3.01.18, inv.nr. 382; Letter of C.A. van Berck to Estates General, Algiers, May 3 1682, NA, 3.01.18, inv.nr. 379.

<sup>536</sup> Letter of Smits-Heppendorp to mayors Amsterdam, May 16, 1703, toegang 5027, inv.nr. 244.

<sup>537</sup> François de Callières, *The Art of Diplomacy* [1716], edited by H.M.A. Keens-Soper and Karl W. Schweizer (Leicester: Leicester University Press, 1983), 105; Uhlich, *Les Droits des Ambassadeurs*, 13; Sarraz du Franquesnay, *Le Ministre public dans les Cours etrangeres*, 84; Wicquefort, *L’Ambassadeur*, 5.



confirmed the unique development of the role of Dutch consuls in North Africa since the early decades of the early seventeenth century, an evolution that differed significantly from the experiences of his colleagues in Europe and the Levant.

Few early modern authors have addressed the role of Jewish representatives in diplomacy. One exception was the German author Conrad von Höveln, alias Candorin, who probably spoke for all and expressed it most clearly: “Jews cannot send delegates because they no longer have a state.”<sup>538</sup> It naturally followed that they could not represent European governments either. Indeed, France, Austria, and the Holy Roman Empire never used Jewish diplomats. Instead, they relied on “court Jews,” men who rarely resided at court but who supplied rulers with loans and arms and acted as unofficial mediators between states, that is, they functioned outside official diplomatic channels.<sup>539</sup> In contrast, Muslim rulers in the Mediterranean, in particular the Moroccan king, appointed Jewish merchants as agents for the same reason that European states relied on them in their capacity as court Jews: they facilitated the trade in arms, acted as financiers, and served as mediators with other governments.

Nonetheless, and perhaps curiously, rulers in Algiers and Tunis expressed reservations about the few Jewish representatives the Estates General appointed. The Dutch consul, in his role as public minister, represented a Christian state. His presence in the Maghreb therefore symbolized the independence of Algiers and Tunis vis-à-vis Constantinople. Jewish delegates could never perform that function, despite all their advantages: money to buy gifts, skills in negotiating, and knowledge of Maghrebian court

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<sup>538</sup> Candorin, *Vollkommener Teutsche Gesandte*, 37.

<sup>539</sup> The phenomenon of “Court Jewry” took a flight between 1650 and 1713, Israel, *European Jewry*, 123; García-Arenal and Wiegers, *A Man of Three Worlds*, 130.

society. Thus, despite the lack of resources and the abominably poor knowledge of diplomatic ceremony that some Dutch consuls displayed, Algerian officials preferred to do business with Dutch consuls rather than Jews. Thus they, too, helped define the consul as a Christian public minister specifically commissioned to redeem slaves on behalf of the Estates General.

In sum, Dutch consuls and Jewish agents were more or less counterparts, operating simultaneously but also competing to represent European diplomacy in North Africa. Both groups considered early modern relations between Christian Europe and Muslim North Africa their exclusive domain and were very reluctant to share it. Consuls' grievances against Jewish competitors expose the different conditions under which both operated and highlight the advantageous position of Jewish mediators often enjoyed. The friction with Jewish representatives and contact with Algerian and Tunisian rulers, however, also make evident the stages by which the consul evolved into a public minister during the second half of the seventeenth century. The development of Dutch diplomacy in North Africa thus proved a continuous tussle between different representatives. The first signs of this contest had already appeared in Morocco in the early decades of the 1600s.

### ***Diplomacy in Morocco: Jewish Mediators and the Arms Trade, 1610-1650***

In the first half of the seventeenth century, Dutch diplomatic relations with Morocco evolved differently than they had in either Algiers or Tunis. Three factors shaped diplomatic practices in Morocco between 1610 and 1650: the dominance of Jewish agents, the trade in arms, and the limited role of Dutch consuls. The trade in arms,

as legalized in the treaty of 1610, became perhaps the most important form of commerce between Morocco and the Dutch Republic at the beginning of the seventeenth century. Sephardic-Jewish merchants in both the Republic and Morocco sustained this particular commerce that inevitably helped a town like Salé, and to a lesser extent Tetuan, grow into centers of piracy. One Jewish family so involved was the Pallaches from Fez, who had originally been expelled from Spain in 1492.<sup>540</sup> They actively engaged in the arms trade but soon added other enterprises to their family business. Most importantly, the family became the main liaison between Morocco and the Dutch Republic. The Pallaches, in fact, monopolized diplomatic representation with the Dutch Republic to such an extent that Dutch consuls hardly had any role in sustaining Moroccan relations, let alone in liberating captives. Only in 1650, when David de Vries offered his services as consul and helped the Dutch negotiate a treaty with Salé, did Dutch consuls consistently begin to assume a more substantial role in maintaining relations with Morocco.

In the Maghreb, Morocco held a unique position. Its history of independence from rule by foreign powers accounts for the type of diplomacy Moroccan rulers pursued with European states in the sixteenth and seventeenth centuries. Unlike Algiers, Tunis, and Tripoli, Morocco did not belong to the Ottoman Empire. During the Battle of the Three Kings in 1578, Achmad al-Mansur had successfully fought off Turkish and Portuguese conquerors and, during his reign as sultan, managed to keep Morocco independent; that independence lasted until it became a French protectorate in 1912. The absence of the Turks, however, did not necessarily create political stability. Between the death of al-Mansur in 1603 and the rise of the 'Alawite dynasty in 1668, civil war and disunity

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<sup>540</sup> García-Arenal and Wieggers, *A Man of Three Worlds*, ix, xx, xxii.

plagued the country. Al-Mansur's three sons fought over the throne, dividing the country and establishing centers of power in the south (Marrakesh) and north (Fez). The lack of a strong central government, both before and after al-Mansur's reign, accounted for the success that Christians had in establishing *presidios* (garrisons) along the Moroccan coast. The Portuguese took Ceuta in 1415, Tangier in 1471, Larashe in 1473, Azammur in 1486, and Agadir in 1505; territories that had been in Spanish hands since Portugal had become part of Spain in 1580. With enemies on Moroccan territory and long periods of civil-political unrest, Morocco's independence constantly threatened to collapse.<sup>541</sup>

Moroccan rulers were naturally concerned with Spain's possession of strategic ports in Morocco.<sup>542</sup> In order to combat Iberian influence, the Moroccans needed allies and, in particular, the war materiel that these allies could produce. When the English replaced the Genoese and Spanish as Morocco's trading partners in the second half of the sixteenth century, Sultan al-Mutawakkil insisted in 1572 that the English could only obtain saltpeter (an ingredient of gunpowder) in exchange for cannon balls. Although Queen Elizabeth was reluctant to provide war materiel to a Muslim country, some London merchants proceeded nonetheless; this marked the beginning of the regular importation of European weaponry into Morocco.<sup>543</sup> The story more or less repeated itself with the arrival of the Dutch, although the Estates General had fewer hesitations about supplying military equipment to Muslims. Indeed, in the seventeenth century, the Dutch Republic functioned as arsenal of the world, exporting arms and materials to

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<sup>541</sup> Abun-Nasr, *A History of the Maghrib*, 202-234.

<sup>542</sup> Israel, *Diaspora*, 154-156.

<sup>543</sup> Abun-Nasr, *A History of the Maghrib*, 214-215. Nabil Matar argued that English merchants considered Morocco a possible object of colonization. Matar, *Britain and Barbary*, 38.

Denmark, Brandenburg, France, Sweden, England, and Russia, and even to Native Americans in Manhattan.<sup>544</sup> The provision in the 1610 Dutch-Moroccan treaty that legalized the trade of weapons by allowing the Moroccan king to buy ammunition and other military and naval supplies in the Dutch Republic thus fitted a larger pattern, although the Dutch alliance with a Muslim state raised eyebrows in Europe. Zaydān eagerly exploited the possibility as did his successors.<sup>545</sup> Thus, the trade in weapons and military equipment became an important feature of Dutch relations with Morocco, similar to the way the English, too, traded in arms.

The Sephardic Jewish diaspora in the Republic and Morocco facilitated this trade. Salé, situated north and south of the Bou Ragra river on Moroccan's west coast, became a favorite place of refuge for those expelled from Spain between 1492 and 1609. On the north side, *conversos* settled after their expulsion in 1492. Likewise, many Moriscos found their way to the town's southern side when they, too, were driven from the Iberian peninsula in 1609.<sup>546</sup> Not surprisingly, Spanish policies turned Salé into a hotbed of anti-Spanish feelings. A collaboration between Moroccan rulers, Jewish diplomats and merchants, and Moriscos (often acting as corsairs) to exchange captives for Dutch arms

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<sup>544</sup> The Dutch East and West India companies, the state army and the admiralties were the most important customers. Not surprisingly, therefore, Dutch manufactured weapons were also found in the Spanish and Portuguese colonies in the Americas, along the Guinean coast of Africa, and in Asia. H.Ph. Vogel, "De Republiek als wapenexporteur 1600-1650." In *Het Arsenal van de wereld. De Nederlandse wapenhandel in de Gouden Eeuw*, eds. Jan Piet Puype and Marco van der Hoeven, 13-21 (Amsterdam: De Bataafsche Leeuw, 1993); Jan Piet Puype, "Hollandse vuurwapens uit Indiaanse vindplaatsen van de zeventiende eeuw." In *Het Arsenal van de wereld. De Nederlandse wapenhandel in de Gouden Eeuw*, eds. Jan Piet Puype and Marco van der Hoeven, 52-61 (Amsterdam: De Bataafsche Leeuw, 1993).

<sup>545</sup> Memorie of Youssef Biscaino, The Hague, July 31, 1624, SIHM, 4: 1-9.

<sup>546</sup> The Spanish crown helped the population of Salé expand once more when it conquered La Mamora in 1614 and many corsairs from Larache and Mamora moved to town, gaining considerable influence. Israel, *Diaspora*, 291. Maziane, *Salé et ses corsaires (1666-1727)*, 63, 89-115.

testify to a shared desire to combat the Iberians.<sup>547</sup> The growth of Salé, together with nearby Rabat and the fortified Kasbah of Saleh-Rabat, as centers of corsairing led their rulers to declare Salé an independent “pirate republic” in 1626/7.<sup>548</sup> The separation from the Sa’adian dynasty lasted for the next forty years and forced the Dutch Republic to forge separate diplomatic relations with Salé, partly to facilitate its own export of war materiel to Morocco. Already in 1629, for example, the Estates General acknowledged Salese independence by approving a request of Mohamed Vanegas, representative of Ahmad ben Ali Becher, governor of the Alcazar in Salé, to import 30,000 pounds of cannon balls and 6000 pounds of gunpowder from the Republic. The involvement of Vanegas’s interpreter, the Jewish Aaron Querido, illustrates particularly well how Sephardic-Jewish connections sustained an arms trade that formed a vital ingredient of Dutch diplomatic initiatives in Morocco overall and especially in Salé.<sup>549</sup>

In this business of importing weapons and facilitating diplomacy, the Pallaches monopolized relations between Morocco and the Dutch Republic from roughly 1610 to 1650.<sup>550</sup> The best known member was Samuel Pallache. In spring 1608, Samuel and his brother Joseph sought permission from the Estates General to establish themselves as merchants in the Republic and to move their families from Fez to Holland. The move to Amsterdam allowed Samuel Pallache to travel to the court of Zaydan in Safi and present

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<sup>547</sup> García-Arenal and Wieggers, *A Man of Three Worlds*, xxii.

<sup>548</sup> Israel, *Diaspora*, 291, 299.

<sup>549</sup> Israel, *Diaspora*, 300-301.

<sup>550</sup> García-Arenal and Wieggers noted that the Pallaches, the “Barbary Jews,” never married within the community of Portuguese Jews in Amsterdam. Samuel resided in The Hague, thus making close connections with the Sephardic Jews in Amsterdam less likely. García-Arenal and Wieggers, *A Man of Three Worlds*, 129.

himself as a potential go-between between the Moroccan king and the Dutch Republic.<sup>551</sup> Zaydan's acceptance of Pallache's offer was not unusual. In the Islamic world, as we have seen, prominent Jews commonly took mediating roles in maintaining relations between the Maghreb and Europe.<sup>552</sup> Thus, Pallache's commission reflected the type of diplomatic representation that characterized relations between Christians and Muslims in North Africa. The 1610 treaty never prescribed the exchange of *resident* ambassadors between the Moroccan court and The Hague. Instead, the Moroccan king appointed temporary ambassadors and, most importantly, agents like the Pallaches, to handle Moroccan affairs abroad.

The Dutch government rarely dispatched any consuls to Morocco between 1610 and 1650. While Samuel Pallache (1604-1616), his brother Joseph (1610-1637), and Joseph's son David (1637-1650) acted more or less continuously as agents for the Moroccan king, Dutch consuls appointed by the Estates General resided only briefly in Morocco, less than a total of two years.<sup>553</sup> Commissioner Albert Ruyl served on a failed mission (1623-1624), and consuls Jurriaen van Bijstervelt (1636-1638), Hendrick Dopper (1643-1644) and Jan Sautijn (1648) also had less impact on Dutch-Moroccan relations than the Pallaches did, especially given the short duration of their tenure. Van Bijstervelt died sometime before 1650. Hendrick Dopper closed an agreement on free trade in 1644

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<sup>551</sup> Resolution Pallache, Estates General, April 18, 1608, SIHM, 1: 273-275; Resolution Estates General, April 19, 1608, SIHM, 1: 276-277; Letter of Coy to Estates General, Marakech, Oct. 6, 1608, SIHM, 1: 297-303. For greater detail on the settlement of the Pallaches in the Republic, see García-Arenal and Wiegers, *A Man of Three Worlds*, 54-55.

<sup>552</sup> Matar, *Europe through Arab Eyes*, 115. Jewish communities were dispersed throughout Morocco, with a minority of Jews engaged in government services and the masses holding a wide range of occupations. Meyers, "Patronage and Protection," 86.

<sup>553</sup> Schutte, *Repertorium buitenlandse vertegenwoordigers*, 579-580.

and returned to the Republic shortly after. Sautijn became consul of Safi in 1648 and that is practically all we know of his consular career.<sup>554</sup> A lack of information on these consuls does not necessarily mean that they assumed negligible roles in Dutch-Moroccan diplomacy. The much larger number of documents in the Dutch archives relating to the Pallaches, however, strongly suggests that their influence and activity were greater, while that of the consuls was far less impressive and played a little role in maintaining relations.

Samuel Pallache, however, took a great risk by expanding the family's activities into smuggling, espionage, and privateering; he treaded a thin line between trust and treason. Many Dutch scholars have therefore been quick to speak of the Pallaches's "cunning" behavior.<sup>555</sup> Considering their position as agents of the Moroccan king, suspicions about whether the Pallaches could really promote Dutch interests while also safeguarding their family interests were reasonable.<sup>556</sup> A case in point was an episode in 1623/4 when Albert Ruyl was serving as Dutch commissioner and was sent to explore, upon request of Zaydan, the possibility of turning the Aier lagoon on the Moroccan west coast into a viable port. The advantages for the Dutch were thought considerable. The Dutch could mine saltpeter, exploit the salt marshes, and potentially control the port of Aier. As it turned out, however, creating a deepwater port was technically not feasible and the supplies of salt were scarce. The entire project was a dismal failure.

The diary of Albert Ruyl, as scholars Mercedes García-Arenal and Gerard Wiegers have argued, offers a revealing look into the powerful position the Pallaches

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<sup>554</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 382.

<sup>555</sup> Heeringa, "Een Bondgenootschap tusschen Nederland en Marokko," 81-119; Vogel, "De Republiek als wapenexporteur 1600-1650," 19.

<sup>556</sup> García-Arenal and Wiegers, *A Man of Three Worlds*, 75.



held at the Moroccan court and illustrate how they related to the Dutch representative during the project. Joseph served as agent and Moses as secretary of Zaydan. Joseph and Moses Pallache, who considered rival claims not in their best interest, showed Ruyl no mercy: they prevented him from having direct contact with Mulay Zaydan and from carrying out his main task of inspecting the lagoon. Not surprisingly, Ruyl's reports turned into "one long litany of complaints against Jews," but Ruyl also pointed out the obvious: the Pallaches favored the Moroccan king at the expense of the Dutch authorities. The Pallaches told Ruyl that they indeed served Zaydan, although it is unclear how exactly their obstruction of Ruyl's commission benefitted the Moroccan king. Not surprisingly, Ruyl complained about the "untrustworthy" nature of Jews and wondered how the Estates General could approve of their involvement in diplomacy in the first place.<sup>557</sup>

The answer to Ruyl's rhetorical question was probably "reasons of state." The Estates General encouraged the position of the Pallaches as Moroccan agents to mediate the sales of arms; thus reinforcing Morocco's position as an ally against Spain.<sup>558</sup> It is no coincidence that once Spain became a friend of the Dutch in 1648, the role of the Pallaches and other Jewish agents as liaisons in the Mediterranean diminished until Mulay Isma'il sought a Dutch alliance in the 1680s again. Beginning in 1650, Dutch consuls, as we shall see, would permanently represent the Republic in Morocco although Jewish mediators would continue to have a say in Dutch diplomacy in the Maghreb. Indeed, if anything, Ruyl's experiences reveal how difficult it was for consuls to operate

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<sup>557</sup> See entire section on the Aier project, García-Arenal and Wieggers, *A Man of Three Worlds*, 106-113.

<sup>558</sup> García-Arenal and Wieggers, *A Man of Three Worlds*, 130-131; Israel, *Diaspora*, 304.

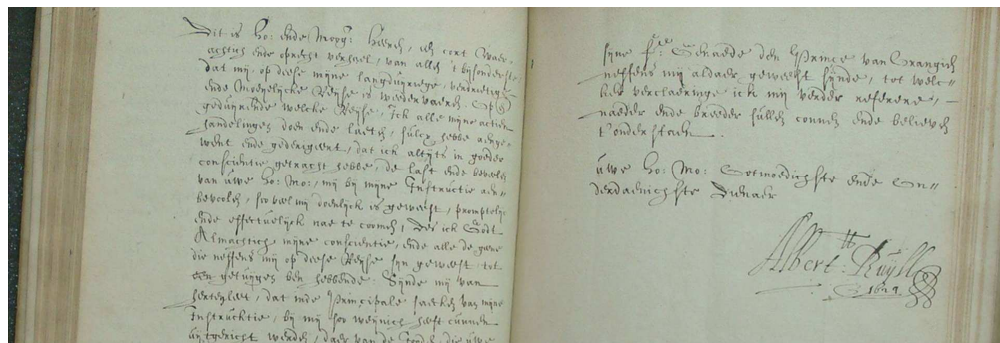


Fig. 5.1 Signature of Albert Ruyl, 1624. © National Archives, The Hague.

in a world where Jewish rivals claimed a monopoly on knowledge about court rituals and negotiations. Ruyl was apparently so frustrated that he physically attacked Joseph Pallache and his sons David and Isaac. This incident, along with a report from the Morisco Ambassador Yussef Biscaino on Ruyl's imprudent behavior on other occasions, led the Estates General to place Ruyl under house arrest and, completing the humiliation, forbade him to enter The Hague.<sup>559</sup> The protection that the House of Orange bestowed upon Samuel Pallache, in particular, might explain why the Estates General honored the Jewish agents and allowed the Pallaches to retain an influential position, that of mediating Dutch-Moroccan affairs.<sup>560</sup> The favoritism shown to the Pallaches exposes the unwillingness of the Estates General to support its consuls. Ruyl's experiences in Morocco thus prove to be one of the most visible examples of the power Jewish mediators could exert at the expense of Dutch consuls.

<sup>559</sup> García-Arenal and Wiegiers, *A Man of Three Worlds*, 112-113.

<sup>560</sup> Prince Maurits, for instance, wrote on behalf of Samuel when the latter was on trial in England for privateering. After Samuel's death in 1616, Maurits escorted the corpse through Amsterdam together with members of the Estates General and the Dutch Council of State. García-Arenal and Wiegiers, *A Man of Three Worlds*, 91, 99.

The dominant position of the Pallaches and the limited role of Dutch consuls in diplomatic relations with Morocco before 1651 also inhibited the ability of consuls to liberate Dutch captives without ransoming them. As in Algiers and Tunis, the Estates General had not charged Ruyl, or any other consuls, with *ransoming* captives on behalf of the Estates General, because that violated state policy. The instructions for Ruyl only concerned the investigation of the Aier project. The credentials for Jurriaen van Bijstervelt and Hendrick Dopper, as well as those for Jan Sautijn, specifically addressed their handling of commercial affairs for several ports in Morocco, including Salé and Safi. They were to assist Dutch merchants and captains on all occasions and maintain treaties just as their counterparts in Algiers and Tunis did.<sup>561</sup> Because the 1610 treaty guaranteed the free movement of merchant vessels, the Dutch considered corsairs' actions in seizing captives both unlawful and a violation of the treaty. The consuls therefore had to claim the *gratis* release of all Dutch captives. Hardly any correspondence of consuls Van Bijstervelt, Dopper, and Sautijn still exists, but it is not hard to imagine that Moroccan slave owners would hesitate to give away captives for free if Jewish mediators were willing to pay ransom.

Occasionally, the Estates General allowed others, especially Dutch captains, to ransom captives, but never with state funds. In 1640/41, for instance, the Estates General appointed the Dutch captain Liederkerke as temporary ambassador charged with the task of liberating forty-five captives from Santa Cruz. The Estates General reassured Liederkerke and his wife that he was not accountable for the expenses: a sum of more

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<sup>561</sup> Commission Jurriaen van Bystervelt, The Hague, Dec. 29, 1635, SIHM, 4: 385-390; Commission Hendrick Dopper, The Hague, May 23, 1643, SIHM, 5: 12-18; Letter of Estates General to Mulay Mohammed ech-Cheikh el-Asegher (accreditation Jan Sautijn), The Hague, Sept. 7, 1648, SIHM, V: 154-156.

than 20,000 guilders and interest plus more than 15,000 guilders for gifts to court officials. Most astounding, *after* Liederkerke sent in the bill, the Estates General ordered a committee of five men to “to find the money” to reimburse the captain.<sup>562</sup> In other words, Liederkerke, similar to the Dutch consuls in Algiers and Tunis, had to advance the money and then wait for reimbursement from third parties. Liederkerke’s case thus serves to illustrate how the Estates General applied the same policies throughout the entire Maghreb in the first half of the seventeenth century; it allowed diplomatic representatives to ransom captives but refused to assume the financial responsibility. This is probably the reason why the Estates General considered the involvement of Jewish mediators convenient because ransoming captives thus remained in private hands and made no demands on the state’s coffers.

Indeed, the one-time involvement of Liederkerke and the instructions the few Dutch consuls appointed to Morocco received highlight the influential role of Jewish merchants and Moroccan agents in redeeming Dutch slaves and transporting them back to the Republic.<sup>563</sup> In Salé, Isaac Pallache made a living off ransoming Dutch prisoners.<sup>564</sup> Similarly, Jacques Fabre, a Frenchman who temporarily served as agent for the Moroccan king, mediated in the ransoming of Dutch captives. Fabre’s case also illustrates an important facet of redemption in Morocco: the link to the trade in arms. Zaydan himself, in fact, had advanced the captives’ ransom and instructed Fabre to collect the money in

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<sup>562</sup> Resolution Estates General concerning Liederkerke, March 8, 1642, SIHM, 5: 1-3; Resolution Estates General in response to Willemina van Braeckel’s request, The Hague, Sept. 28, 1641, SIHM, 4: 1-3, 527-529.

<sup>563</sup> Jonathan Israel argues that the Sephardic-Jewish connections with Amsterdam ensured that Dutch captives were not enslaved and quickly liberated. Israel, *Diaspora*, 296, 301-302.

<sup>564</sup> Letter of Isaac Pallache to Estates General, April 13, 1623, SIHM, 3: 244-246; García-Arenal and Wiegers, *A Man of Three Worlds*, 105-106, 121; Israel, *Diaspora*, 296.

the Republic and oversee the delivery of bronze cannons.<sup>565</sup> Likewise, in 1639, the brothers Cohen offered to free Dutch captives in exchange for arms. Benjamin Cohen claimed that he had ransomed seventeen members of the captured crew of Captain Gerrit Pietersen from Hoorn for 1600 pieces of eight. Benjamin's brother Josef, then living in the Republic and working on the orders of the Salese ruler Cid Maamed, requested the Estates General to sell him 200 *quintalen* gunpowder for a reasonable price in exchange for freeing captives and arranging their return on the vessel of Claes Wiboutsen.<sup>566</sup> In short, Moroccan rulers actively engaged Jewish intermediaries, whether merchants or agents, to redeem slaves in exchange for weapons. Dutch consuls, constrained by the instructions of the Estates General to liberate captives for free, and forbidden to pay ransom, stood on the sidelines. Cohen's brief mention that he had ransomed the captives upon request of the consul, probably Jurriaen van Bijstervelt, suggests that consuls in Morocco, given their little success in receiving slaves for free, acknowledged the monopoly of Jewish merchants in the ransoming of slaves.

By the 1640s, the mechanisms of Dutch diplomacy in Morocco had become clear. The Pallache family maintained relations between the Estates General, the king of Morocco, and the governors of Salé. Contact revolved mainly around the importation of weapons from the Republic into Morocco as part of the Dutch-Moroccan alliance against Spain. Jewish-Sephardic merchants, who organized the redemption of slaves in general, also arranged the liberation of Dutch captives. As a result of the strong presence of Jewish merchants and agents serving the Moroccan rulers, the Dutch consuls stationed in

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<sup>565</sup> García-Arenal and Wieggers, *A Man of Three Worlds*, 105-106.

<sup>566</sup> Request Joseph Pallache to Estates General, March 26, 1639, SIHM, 4: 482-485.

Morocco, always few in number before 1651, had little role in communicating between governments or in achieving redemptions. Thus, in the first half of the seventeenth century, Dutch diplomacy in Morocco differed from that in Algiers and Tunis. This duality demonstrates that the Estates General adapted to regional social-political differences. The situation in Morocco revealed that the state did not rely on its own consulates to run affairs, but continued to depend on older mechanisms, in particular the mediation of Jewish merchants.

This status-quo of Dutch-Moroccan diplomatic practices, however, did not last. The Republic itself had considerably blurred the lines between legitimate arms trade, corsairing, redemption, and diplomacy. Providing war supplies to a corsairing republic like Salé backfired. Already in 1612, voices in the Dutch Republic began to criticize the legitimization of the trade in war supplies in the 1610 Dutch-Moroccan treaty and saw how it could be turned against the Republic.<sup>567</sup> Not surprisingly, by late 1649, the Admiralties of Amsterdam alerted the Estates General of the growing power and influence of Salé. The peace between the Dutch Republic and Spain in 1648 agitated many Moroccans, because the commercial and diplomatic relations between the Republic and Morocco were based on fighting Spain as the common enemy; even though this never materialized in real action.<sup>568</sup> The Dutch truce with Spain now opened a breach in the Dutch-Moroccan alliance and soon the corsairs' seizures of Dutch vessels resumed. Between 1647 and 1649, some nineteen or twenty Salese corsairing vessels, cruising

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<sup>567</sup> “ende oubehirlycken handel is streckende, uyet alleene tot versterckinge van de zeerovers, maer oick tot bederff' van de vroomen cooplyden ende tot merckelycken grooten interest van de gemeene saecke,” Resolution Estates General, 1612, BGLH, 1: 645.

<sup>568</sup> Israel, *Diaspora*, 304, 310.

Atlantic waters, severely damaged Dutch merchant fleets.<sup>569</sup> The admiralties feared that the North Sea, too, would soon be infested by corsairs. The Peace of Westphalia had officially ended Dunkirk piracy and the Republic was not anxious to see a new wave of privateers preying on its ships just off the Dutch coast.

Thus, in April 1649, and again in February 1650, the Admiralties of Amsterdam dispatched war fleets to patrol the waters between Cape Saint-Vincent and the coast of Morocco as well as the Straits of Gibraltar. Their most important task was to prevent any commerce or contact between the corsairs of Salé and those of Algiers and Tunis.<sup>570</sup> Cadiz served as a point of refreshment, repair, and shelter for the Dutch war fleet, and the consul there, Jacob van den Hove, reported Dutch successes in capturing Salese prizes, ranging from two to twenty-two cannons. When Dutch war commanders found Christian slaves on board, they liberated them no matter what their origins. In conformity with their instructions, however, they also killed Moors or sold the healthy and wounded as slaves for the highest price.<sup>571</sup> No doubt existed in the mind of the Dutch and other Christians that these naval actions were just and justified. Van den Hove, for example, “was unable to say just how much [the Spanish] appreciate the Republic’s good work in destroying the common enemy.”<sup>572</sup> Thus, by 1650, the tables had turned. Whereas the Dutch forty years

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<sup>569</sup> Letter of Admiralties of Amsterdam to Estates General, Amsterdam, Nov. 12, 1649, SIHM, 5: 175-179.

<sup>570</sup> Instructions Admiralties of Amsterdam for Joris van Cats e.a., Amsterdam, April 1649, SIHM, 5: 160-163; Instructions Admiralties of Amsterdam for J. van Galen e.a., Amsterdam, Feb. 1650, SIHM, 5: 180-191.

<sup>571</sup> Letter of Jacob van den Hove to Estates General, Cadiz, June 20, 1649, SIHM, 5: 166-167; Letter of Jacob van den Hove to Estates General, Port Sainte-Marie, July 4, 1649, SIHM, 5: 168-170; Letter of Jacob van den Hove to Estates General, Cadiz, Nov. 1, 1649, SIHM, 5: 171-174.

<sup>572</sup> “Ick kan Uwe Hoog Mogende niet genoehsaem te kennen geven, hoe hooch alhier geëstimeert wort het goede werck, ‘t welck Uwe Hoog Mogende door haere oorlochscheepen tot afbreck van den algemeinen vyandt koomen te verrichten.” Letter of Jacob van den Hove to Estates General, Cadiz, June 20, 1649, SIHM, 5: 166-167; Letter of Jacob van den Hove to Estates General, Port Sainte-Marie, July 4, 1649,

earlier had granted the Moroccans the right to buy weapons in the Republic to combat Spain, the reversal of fortunes now joined the Spanish and Dutch in applauding the destruction of Moroccan corsairs. The actions of the admiralties, in particular a blockade of the port of Salé, bore fruit. Saïd Adjenoui, the governor of Salé, offered to halt hostilities and initiate talks.<sup>573</sup> The negotiations would prove a turning point in Dutch-North African relations.

### ***The Treaty with Salé and its Repercussions, 1651-1657/58***

In 1651 and 1657, the Dutch Republic concluded two treaties with Salé that transformed Dutch-North African relations. The Estates General agreed, for the first time, to ransom slaves; a policy that, in turn, allowed a newly appointed consul, David de Vries, to challenge the influential role Jewish mediators had previously assumed in Dutch-Moroccan relations. The Estates General contended that the capture of merchant mariners violated principles of free trade. It had therefore, until 1651, always insisted on the *gratis* release of captives as a basis for sustaining friendship with the Muslim Mediterranean, despite the fact that such rarely materialized. In the 1651 negotiations with Salé, however, the Estates General for the first time consented to *ransom* captives.<sup>574</sup> The consent did not mean that the Estates General had abandoned the principles of free trade nor did it imply that the Dutch state itself would finance the redemption of slaves

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SIHM, 5: 168-170; Letter of Jacob van den Hove to Estates General, Cadiz, Nov. 1, 1649, SIHM, 5: 171-174.

<sup>573</sup> Letter of Admiralties of Amsterdam to Estates General, Amsterdam, Sept. 13, 1650, SIHM, 5: 203-208.

<sup>574</sup> Art. 1 of Dutch-Salese treaty, Feb. 9, 1651, GPB 1: 129; Krieken, *Kapers en Kooplieden*, 40; Broek, *Christenslaven*, 23.



from Salé. Nonetheless, the promise signaled that the Dutch were now officially accommodating themselves to the usual practice in North Africa of liberating Christian captives, that is, by ransoming them. Because the Estates General also accepted this provision in subsequent treaties with Salé (1657/58), Algiers (1662, 1679/80), and Tunis (1679/80), the year 1651 heralded the dawn of a new period in the relations between the Dutch Republic and North Africa and one in which the Dutch assumed a more submissive role.

In 1657, a second, treaty with Salé introduced another novelty. It specifically assigned the task of ransoming captives to the consul, as a public minister. The consul's new assignment seems, at first sight, a natural consequence of the change in policy the Estates General pursued. If the state now agreed to ransom slaves, then consuls, as the only officially appointed state-representatives in residence, would naturally follow these orders in addition to claiming the freedom of captives unlawfully taken. Given the large stake Jewish merchants held in the redemption business, however, the clause also clearly sought to curb Jewish influence in Salé. Consul David de Vries played an influential role in these efforts, although his success proved ephemeral.<sup>575</sup> He could not end the Jewish tradition of representing Moroccan rulers, of monopolizing the redemption of slaves, or of conducting a profitable trade in arms; three factors that made Jewish merchants powerful mediators. Had it not been for the hostilities between the Republic and Salé, the conflict between Dutch consuls and Jewish mediators would perhaps not have mattered. Under the 1651 conditions for peace, however, the task of liberating Dutch captives became a responsibility of the Dutch state and, thereafter, a diplomatic necessity. It

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<sup>575</sup> The death of David Pallache in 1649 facilitated his attempts to elevate his own role as consul. García-Arenal and Wieggers, *A Man of Three Worlds*, 119.

changed consuls' perception of their position in North Africa and increased the need to separate themselves from Jewish agents.

In early 1651, however, the imminent change in Dutch-North African relations was not yet obvious. The Republic was at the zenith of its power. With the peace of 1648, Spanish embargoes ended and the Iberians granted other favorable measures to the Dutch that helped the Republic revive its commercial enterprises in the Mediterranean. By 1650, for instance, the Dutch had replaced the English in the export of Spanish wool controlling 80% of the trade.<sup>576</sup> As a result, Dutch war fleets began to convoy its merchant vessels in the Mediterranean and blockaded the port of Salé. Confident that the strategy would work, the Estates General gave the Dutch naval commanders, most notably Gideon de Wildt and Cornelis Tromp, a list of conditions to pursue in case Saïd Adjenoui, the governor of Salé, proposed to halt hostilities and negotiate peace. These were free trade and navigation for Christian vessels; safety for the Dutch merchant fleet; and most importantly, the immediate release of all Dutch captives without ransom.<sup>577</sup>

The governor agreed to most of the conditions, but balked at releasing captives without ransom. As in Algiers, the receipt of ransom money sustained the existing social-political system in Salé. Thus, Saïd Adjenoui, acting on behalf of the sovereign Sidi Abdallah, could not give away captives for fear of losing his position.<sup>578</sup> He therefore demanded that the Dutch ransom their captives at cost price (the price initially paid for a captive on the slave market).<sup>579</sup> The Estates General, upon deliberation with its delegates,

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<sup>576</sup> Israel, *Dutch Primacy*, 197-200.

<sup>577</sup> Instructions Admiralties of Amsterdam for J. van Galen e.a., Amsterdam, Feb. 1650, SIHM, 5: 180-191.

<sup>578</sup> Maziane, *Salé et ses Corsaires*, 265; Castries, SIHM, 5: xxv-xxvi.

<sup>579</sup> Letter of Admiralties of Amsterdam to Estates General, Amsterdam, Sept. 13, 1650, SIHM, 5: 203-208.

the Admiralties of Amsterdam, and the Prince of Orange, decided to accept the governor's amendment to pay cost price for captives' release instead of claiming *gratis* liberation.<sup>580</sup> The Estates General emphasized that the state would not bear the costs of the operation and expected that local Dutch communities and merchants in the Levant trade would pick up the tab instead. It thus continued its policy of refusing to finance redemption itself. Nonetheless, the clause is of major importance for understanding the evolution of Dutch-North African diplomacy. For decades, the Dutch had insisted on the need to honor international treaties and had fought Maghrebians over the interpretation of clauses concerning the inspection of vessels, the justification of captivity, and the conditions for release. Perhaps it was for this reason that, with one stroke of the pen, the Estates General agreed to participate in commercialized redemption in the western Mediterranean, thus accommodating itself to the wishes of their North African counterparts instead of imposing upon them what it perceived to be just expectations conformable to international law.

Still, the Dutch considered the concession to ransom the captives at cost, not market, price reasonable, because it meant that the enslaved fellow Christians would not be sold for profit; a practice they abhorred. During the negotiations, consul De Vries had already warned the Estates General that the Salese did not want to liberate captives as a group but singly. De Vries feared that this might play into the hands of private owners who could suddenly demand the right to sell Dutch slaves at a profit or, worse, transport them to slave markets in Algiers and Tunis.<sup>581</sup> His warning did not fall on deaf ears.

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<sup>580</sup> Resolution Estates General, The Hague, Sept. 22, 1650, SIHM, 5: 209-210; Instructions for Gideon de Wildt, The Hague, Sept. 23, 1650, SIHM, 5: 211-214.

<sup>581</sup> Memoir David de Vries, Salé, Oct. 8, 1650, SIHM, 5: 215-220.

Several articles stipulated that slave owners could not profit from the sale of captives nor transport them elsewhere for sale.<sup>582</sup> The agreement on cost price seemed to eliminate the risk of price inflation and profiteering. In that context, De Vries had also suggested that it would be advisable to rely on Salese sales records as proof of the cost price of each slave.<sup>583</sup> Saïd Adjenoui and the senior officials of Rbat, Mohameda ben Amer and Abdala ben Abdala El Caceri, dutifully forwarded to the Estates General lists of Dutch Christians held in Salé and elsewhere.<sup>584</sup> By accepting these documents, the Republic implicitly acknowledged the legitimacy of ransoming Dutch captives.

The idea of paying cost price might have been intended to smooth the transition to the policy of ransoming captives or to make it more palatable. If so, the strategy failed. By insisting on a time limit for completing the process, the North Africans had clearly gained the upper hand in these negotiations and in their relationship with the Dutch overall. When the treaty was finally signed on February 9, 1651, the Estates General had only three months to collect funds and transfer them to Salé to pay for captives' release. Obviously, three months was an extremely short period in which to achieve this, especially considering the distance and difficulties of communication. If the Republic failed to meet this deadline, then the Salese could break the treaty and seize Dutch vessels, placing the Maghrebians in a very advantageous position. The decision to accept the necessity of ransoming captives within the set time limit forced the Estates General to take charge of collecting the money. Although this also represented a new departure, the

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<sup>582</sup> Art. 1, 3, and 4 of Dutch-Salése treaty, Feb. 1651, GPB, 1: 129.

<sup>583</sup> Memoir David de Vries, Salé, Oct. 8, 1650, SIHM, 5: 215-220.

<sup>584</sup> Letter of Saïd Adjenoui to Estates General, Salé, Feb. 10, 1651, SIHM, 5: 246; Letter of Caïds de Rabat to Estates General, Rbat, Feb. 10, 1651, SIHM, 5: 247-248.

Estates General nonetheless relied on existing ways of collection, ordering the admiralties to approach families and friends first for assistance in order to avoid the necessity of financing the redemption with state money. In the Republic, the collection of ransom had always been locally organized and executed. Captives' family and friends, civic authorities, and parishes all collaborated in the task. The amount necessary to ransom the Dutch captives on record was estimated at 60,000 guilders.<sup>585</sup> In addition, local authorities continued to involve Jewish merchants in liberating captives. In spring 1651, for instance, the authorities of Rotterdam asked Henrico d'Azevedo, a Jewish merchant from Amsterdam who traded bullion with Salé, to ransom captured crewmembers of "De Calckbrander" and of "Jacob Otto" then being held in Salé and Algiers.<sup>586</sup> The Rotterdam request thus reveals that the Estates General's involvement had not yet altered customary practices. Rather than collecting the ransom locally and handing it over to the admiralties, the mayors had approached a Jewish merchant, Henrico d'Azevedo, directly. The prominent role of D'Azevedo highlights the continued significance of Dutch and Moroccan Jewish communities in the business of redeeming slaves.

Less visible perhaps, but ultimately more important, was the involvement of consul David de Vries in Dutch-Moroccan relations in the 1650s. The commission of De Vries eerily resembled that of Samuel Pallache some decades earlier. Pallache had offered his services to the Moroccan king in 1608 and so did David de Vries to the Estates General in 1650. Like Pallache, De Vries had previously led an eventful life. He

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<sup>585</sup> Resolution Estates General, The Hague, April 14, 1651, SIHM, 5: 268-269; Memoir David de Vries, Salé, Oct. 8, 1650, SIHM, 5: 215-220.

<sup>586</sup> Letter of Henrique d'Azevedo to Magistrate Rotterdam, Amsterdam, May 7, 1651, Gemeentearchief Rotterdam [hereafter RO], 1.01, inv.nr. 2838; Israel, *Diaspora*, 308.

had owned a sugar mill in Brazil, lost it to the Portuguese, and had been captured in Bahia. On a return voyage to Portugal as captive, Salese corsairs had seized the Portuguese vessel and taken him prisoner. In Salé, with the aid of friends, he managed to ransom himself for the large sum his captors had set in accordance with his high status in Brazil. Upon recommendation of count Johan Maurits of Nassau-Siegen, under whose rule De Vries had lived in Brazil, he received the consulate in October 1650.<sup>587</sup> The similarities between De Vries and Pallache, especially the importance of a connection with the House of Orange-Nassau that both enjoyed, reflect how close together Dutch consuls and Jewish agents operated, and competed with one another, in conducting diplomatic relations between the Republic and Morocco.

Still, important differences existed that distinguished Jewish mediators from Dutch consuls. In the seventeenth century, the Estates General never appointed Jewish merchants as official Dutch representatives in Morocco. Instead, between 1651 and 1699, the Dutch consuls David de Vries (1651-1662), Lieve Kersteman (1663-1668), Johannes Smits-Heppendorp (1669-1695), and Cornelis Smits (1696-1699) represented the Estates General in Morocco.<sup>588</sup> It was the appointment of David de Vries as consul in 1650, however, that gave Dutch consuls an edge over Jewish merchants. While in Salé, for example, De Vries had assisted the Dutch sea commanders in negotiating the 1651 treaty with Salé. Crucially, the treaty enabled him to ransom captives on behalf of the Republic.

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<sup>587</sup> Memoir David de Vries, Salé, Oct. 8, 1650, SIHM, 5: 215-220; Letter of Prince Johan-Maurits of Orange to Estates General, Cleves, Oct. 8, 1650, SIHM, 5: 221-223; Resolution Estates General on David de Vries, The Hague, Oct. 12, 1650, SIHM, 5: 224-225. Ordinary Captain Cornelis Tromp transported De Vries from Cadiz to Salé in 1651. Ronald Prud'homme van Reine, *Schittering en Schandaal. Biografie van Maerten en Cornelis Tromp* (Amsterdam: Uitgeverij De Arbeiderspers, 2001), 198.

<sup>588</sup> David de Vries was appointed in 1650, but arrived in Salé in 1651. Schutte, *Repertorium Nederlandse vertegenwoordigers*, 383-384.

In late September 1651, he was able to retrieve twenty-one captives upon his arrival apparently with funds collected in the Republic and almost eight months after the signing of the treaty.<sup>589</sup> In April 1651, the Admiralties in Amsterdam warned the Estates General that the Republic might fail to meet the deadline, but the delay did not seem to bother the Salese governor.<sup>590</sup> Apparently Sidi Abdallah was more interested in an uninterrupted flow of arms in return for slaves than in strict adherence to an arbitrary deadline. De Vries seems to have recognized this and requested the Estates General to provide some 10-20,000 pounds of gunpowder to exchange for twenty men still remaining in captivity.<sup>591</sup>

Although the Estates General had accepted the customs of the Mediterranean world in agreeing to ransom captives, it still expected its consuls to claim the freedom without ransom of “new” captives, that is, those captured after the signing of the treaty and whose seizure the Dutch, who based their arguments on the treaty’s clauses, considered a violation of international law. Thus, De Vries engaged both in ransoming slaves long held in captivity and in pressing for the *gratis* release of those newly taken. In December 1651, for example, De Vries freed two Dutch captives from a French and English ship and, in October 1653, one from a Portuguese caravel.<sup>592</sup> Furthermore, he

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<sup>589</sup> Letter of Said Adjenoui to Estates General, Salé, Oct. 2, 1651, SIHM, 5: 285-286; “Aengaende de slaeven alhier, die voor myn compste door de Joden, met myn compste nu niet gelost en syn, als alleen 21 personen, soo groot als cleen, syn in grooten elende alhier, worden seer qualyck van haere heeren bejegt, die uyt spyt en boosheynt niet en weten wat leet de arme menschen aendoen sullen.” Letter of David de Vries to Estates General, Salé, Oct. 3, 1651, SIHM, 5: 287-295. The text can be interpreted in two ways: either De Vries did not ransom captives at all or “only” twenty-one captives.

<sup>590</sup> Letter of Admiralties of Amsterdam to Estates General, Amsterdam, April 4, 1651, SIHM, 5: 265-267.

<sup>591</sup> Letter of David de Vries to Estates General, Salé, Oct. 3, 1651, SIHM, 5: 287-295.

<sup>592</sup> Letter of David de Vries to Estates General, Salé, Dec. 28, 1651, SIHM, 5: 315-319; Letter of David de Vries to the Estates General, Salé, Oct. 3, 1653, SIHM, 5: 351-354.

also claimed the return of seized Dutch vessels, such as “De Botvanger,” and other ships in December 1653 and January 1654.<sup>593</sup> The consul, however, could not prevent the sale of captives outside of Salé. Salese corsairs, for example, had seized the “Jonge Wildeman” in fall 1651 and brought it to Algiers, where they sold the eight-member crew.<sup>594</sup> Similarly, crew members of the “Oranjeboom” had been transferred to Algiers where the consul of Salé lacked all power to intervene.<sup>595</sup> Likewise, in December 1651, De Vries could do little when captain Lambert Dircksz. Tasman of “De Witte Valck” and his crew reported that “a heavy-set Moor” by the name of Rabadam had removed goods from their ship while sailing near Cape St. Vincent. When Tasman asked Rabadam for a list of stolen goods to show to his ship owner, the Salese corsair damaged the vessel to the point where it was no longer able to be sailed.<sup>596</sup>

The reports of De Vries thus reveal continuity and change. On the one hand, he fulfilled the ordinary task of a consul in demanding the release of captives based on legal agreements. On the other hand, his ransoming of the twenty-one captives reflected the change in policy the Estates General had made and the corresponding shift in his tasks. Soon, however, he would also discover that his success in releasing captives exposed the old battles over the legality of corsairing and raised questions about his role in redeeming slaves. Sidi Abdallah, for instance, came to regret that he had consented to an article in

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<sup>593</sup> Letter of David de Vries to Admiralties of Amsterdam, Salé, Dec. 10, 1653, SIHM, 5: 357-365; Letter of David de Vries to the Estates General, Salé, Jan. 21, 1654, SIHM, 5: 368-373.

<sup>594</sup> Letter of David de Vries to the Estates General, Salé, June 4, 1652, SIHM, 5: 329-338; Letter of Leyn Pietersen to Willem Bastinck, Algiers, Oct. 28, 1651, SIHM, 5: 304-309; Request Willem Bastinck to Estates General, Middelburg, Feb. 2, 1652, SIHM, 5: 320-321.

<sup>595</sup> Letter of David de Vries to Admiralties of Amsterdam, Salé, March 12, 1654, SIHM, 5: 376-379.

<sup>596</sup> Declaration Captain and Crew De Witte Valk, Amsterdam Dec. 12, 1651, SIHM, 5: 310-312. Letter of Admiralties of Amsterdam to Estates General, Amsterdam, Dec. 15, 1651, SIHM, 5: 313-314.



the 1651 treaty prohibiting the Salese from selling prizes to corsairs from Tunis, Algiers, Tripoli and elsewhere in the Ottoman Empire and specifying the immediate release of all prisoners.<sup>597</sup> He informed the consul that he believed his corsairs should be allowed to sell, exchange, or give away their prizes as they pleased. He drafted a counter-proposal detailing the rights of Salese corsairs to seize those vessels at sea whose captains did not fly the Dutch flag as well as sell goods and captives taken from them. Significantly, his argument that the ransoming of prisoners was a matter between consul and captains corresponded to an opinion Algerian and Tunisian rulers had expressed decades earlier when they persuaded the Dutch to send a consul to North Africa: in their eyes, the task of the European consul was to ransom, that is, *to pay* for Christian captives, not to claim their *gratis* liberation.<sup>598</sup> For centuries, Spanish and Portuguese fathers had been ransoming Christian slaves in the Maghreb. Thus, North African rulers argued that Dutch and English consuls should pay for the release of their captives too, despite or perhaps in addition to the involvement of Jewish merchants in liberating Dutch captives. De Vries could only reply that he was not authorized to change the treaty and need to consult with the Estates General.<sup>599</sup>

The talks between De Vries and Sidi Abdallah clearly demonstrate that North African rulers expected the consul to function as a paymaster in the negotiations over the release of slaves. Unfortunately, for the consul, the rising tension between Salese corsairs and the Dutch navy revealed that Maghrebian officials also saw the consul in yet another

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<sup>597</sup> Art. 4 of Dutch-Salese treaty, 1651, GPB, 1: 129.

<sup>598</sup> Contre-proposition de Sidi Abdallah, Kasba, Oct. 3, 1651, SIHM, 5: 300-303.

<sup>599</sup> Letter of David de Vries to Estates General, Salé, Oct. 3, 1651, SIHM, 5: 287-295.

role: namely, as a potential hostage for what they believed was a crime the Dutch had committed. In 1654, Rear Admiral Cornelis Tromp led a large expedition to convoy merchant vessels to Spain and the Mediterranean.<sup>600</sup> Cornelis was the son of Maerten Tromp, a revered admiral who had greatly contributed to the suppression of the Dunkirk pirates. In his younger years, Maerten had been captured twice: once by English pirates who kept him for two years and later in Tunis for another year.<sup>601</sup> It is unclear if his father's experiences influenced Cornelis, but he relentlessly pursued corsairs whenever the chance arose. In July 1654, *en route* to escort "Den Tyger" from Cadiz to Salé, he ordered the pursuit of "De Winthont," originally a Dutch vessel that now sailed under the Salese flag. Tromp, however, believed that the ship belonged to Algiers, with whom the Republic was at war. He fired on the ship, despite the fact that the Moorish crew had hoisted a white flag. Many crew members died in the battle, but others rowed to the coast and escaped. Tromp brought the vessel to Cadiz, where consul Jacob van den Hove immediately sealed the ship and confiscated the cargo.<sup>602</sup>

When this news reached the officials of Salé, they reacted immediately, forcefully, and indignantly. They placed guards around the residence of consul De Vries to prevent him from fleeing to Marmora and held the crew of "Den Tyger" prisoner in the consul's house. The governor and *caids* also summoned the consul to explain why Tromp had attacked a merchant vessel.<sup>603</sup> Upon the request of De Vries, Tromp went with his

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<sup>600</sup> Prud'homme, *Schittering en Schandaal*, 198, 218.

<sup>601</sup> Prud'Homme, *Schittering en Schandaal*, 26, 28, 189.

<sup>602</sup> Letter of David de Vries to the Estates General, Salé, July 20, 1654, SIHM, 5: 396-402; Cargo list of "De Windthondt," Cadiz, Aug. 15, 1654, SIHM, 5: 403-405; Letter of Jacob van den Hove to David de Vries, Cadiz, Aug. 16, 1654, SIHM, 5: 406-408; Prud'Homme, *Schittering en Schandaal*, 218.

<sup>603</sup> Letter of David de Vries to Estates General, Salé, July 20, 1654, SIHM, 5: 396-402.

flotilla to Salé to explain that he assumed the ship to be from Algiers and suggested that Sidi Abdallah should complain to the Estates General. Without waiting for an answer, he then left for Cadiz. Sidi Abdallah, however, had sent Tromp two barques with refreshments, worth about five hundred guilders, and was upset to learn that Tromp had neither waited for his reply nor acknowledged the gift. He decided that the Dutch would pay for Tromp's actions. He placed the consul under house arrest and imprisoned Captain Walichsen and the crew of the "Tyger."<sup>604</sup> The house arrest of De Vries was obviously retaliation for the murder of the Muslim seafarers. Sidi Abdallah considered the consul "as public minister ... responsible for the damage that the Republic's vessels cause to the vassals of His Excellency."<sup>605</sup>

To resolve the dispute, the Estates General dispatched Vice-Admiral Michiel de Ruyter. The choice of an admiral as a proper diplomatic envoy reflects the wide spectrum of representatives the Estates General relied on to conduct early modern diplomacy in North Africa. De Ruyter's handling of his mission also reveals how individual acts of courtesy, rather than brute force, could make a significant difference in resolving immediate problems.<sup>606</sup> When De Ruyter anchored his vessels in the harbor of Salé in fall 1654, he informed Sidi Abdallah of his desire to prevent further incidents, such as Tromp's actions, that "like small sparks [could] burst out into a great fire [threatening

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<sup>604</sup> Letter of David de Vries to Michiel de Ruyter, Salé, Oct. 11, 1654, SIHM, 5: 465-472.

<sup>605</sup> "sustineerende een consulle een publieck persoon is, oock meede Hare Hoog Mogende mijne heeren de Staten Generael hier representeerende, derhalven oock gehouden voor alle schade, die Haer Hoog Mogende scheepen van oorloge aen de fassalen van Sijn Exelentie coomen aen te doen, voor Hare Hoog Mogende te respondeeren." Letter of David de Vries to Michiel de Ruyter, Salé, Oct. 11, 1654, SIHM, 5: 470; Letter of David de Vries to the Estates General, Salé, Nov. 20, 1654, SIHM, 5: 535-541.

<sup>606</sup> Instructions De Ruyter, The Hague, June 21, 1655, SIHM, VI, 24-36.

our] friendship.”<sup>607</sup> The soothing words had an immediate effect. Sidi Abdallah released De Vries from house arrest and ordered the consul and two deputies to welcome De Ruyter with thirty sheep, four oxen, and other refreshments. As a sign of goodwill, Sidi Abdallah also freed a captive from Rotterdam.<sup>608</sup> De Ruyter, in return, gave the governor barrels of nutmeg, one or two pistols, and other such “little things” (the Estates General forbade him to give away gunpowder).<sup>609</sup> Weather conditions forced him to leave Salé prematurely, but De Vries praised the changes De Ruyter’s astute diplomacy had effected: “[the governor] treated me as amicably as he has ever done during my residency ... and [your courtesy] convinced him of your intent to resolve the disputes.”<sup>610</sup> The governor was willing to restart negotiations and renew the 1651 treaty. De Ruyter’s diplomacy thus illustrates how subtle gestures, albeit within sight of a Dutch naval force in the harbor, could also influence the course of diplomacy in North Africa, at least in the short run.

During the negotiations, De Vries had assisted De Ruyter. The presence of the consul during these proceedings was crucial because of his knowledge of local customs and his ability to keep track of confiscated vessels and captured sailors. De Ruyter for instance, asked De Vries for precise information on the number and names of Salese

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<sup>607</sup> “eer door dese en diergelijcke aengroeiende onlusten als cleyne vonxkens een groot vier van verwijderinge van vruntschap mochte coomen uytbersten.” Letter of Michiel de Ruyter to Sidi Abdallah, anchored nearby Salé, Oct. 13, 1654, SIHM, 5: 483-487.

<sup>608</sup> Letter of David de Vries to Michiel de Ruyter, Salé, Oct. 13, 1654, SIHM, 5: 488-490.

<sup>609</sup> Letter of Michiel de Ruyter to David de Vries, anchored nearby Salé, Oct. 13, 1654, SIHM, 5: 499-500.

<sup>610</sup> Letter of David de Vries to Michiel de Ruyter, Salé, Oct. 8, 1655, SIHM, 6: 76-79; Letter of Michiel de Ruyter to Sidi Abdallah, 25 miles north of Salé, Oct. 18, 1654, SIHM, 5: 501-504; Ronald Prud’Homme van Reine, *Rechterhand van Nederland. Biografie van Michiel Adriaenszoon de Ruyter*, 5<sup>th</sup> Expanded edition, (Amsterdam: Uitgeverij De Arbeiderspers, 2007) 90-91.

corsairs at sea and to whom they were accountable in order for De Ruyter to press his case with the governor of Salé more forcefully.<sup>611</sup> The negotiations, however, dragged on and the vice-admiral could not afford to remain in Salé any longer. He therefore authorized De Vries and Gilbert van Vianen, a legal official, to continue the proceedings.<sup>612</sup> When De Ruyter departed in October 1655, the consul, according to his own report, actually replaced De Ruyter as the prime diplomat in the area, having received the commission to continue the negotiations and conclude a treaty. He and Vianen reached an accord in March 1657.<sup>613</sup> The prominent role of De Vries in these negotiations reveals the difference between consuls in North Africa and those in the Christian Mediterranean. The Dutch consuls in North Africa had become diplomatic agents in the fullest sense of the word – able to negotiate treaties and act as the diplomatic representatives of their government in political and military matters – while their counterparts in the Christian Mediterranean possessed far fewer prerogatives, functioning solely as economic agents.

The treaty worked in the favor of the Salese, thus confirming the trend began in 1651 when North Africans had gained the upper hand vis-à-vis the Dutch Republic in diplomatic relations. Indeed, De Vries and Vianen could not ignore the precedent the previous treaty had set. They had to agree to ransom Dutch captives then held in Morocco, this time for market and not cost price, although De Vries could still claim the

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<sup>611</sup> Letter of Michiel de Ruyter to David de Vries, anchored nearby Salé, Oct. 13, 1654, SIHM, 5: 479-482.

<sup>612</sup> Letter of Michiel de Ruyter to Sidi Abdallah, anchored nearby Salé, Oct. 19, 1655, SIHM, 6: 117-122; Letter of Michiel de Ruyter to De Vries and De Vyanen, anchored nearby Salé, Oct. 22, 1655, SIHM, 6: 123-125; Letter of Michiel de Ruyter to Sidi Abdallah, anchored nearby Salé, Nov. 2, 1655, SIHM, 6: 204-206; Letter of David de Vries to Admiralties of Amsterdam, Salé, Aug. 25, 1656, SIHM, 6: 288-297.

<sup>613</sup> Letter of David de Vries to Estates General, Salé, March 25, 1657, SIHM, VI, 336-341.

*gratis* release of those captives captured *after* signing the treaty.<sup>614</sup> In addition, the treaty now allowed the Salese to transfer captives to other slave markets and sell them for profit, thus keeping captives out of the hands of Dutch officials. Moreover, the Dutch pledged to return the “Winthont” and its cargo to the Salese in addition to giving them a thousand pounds of gunpowder. De Ruyter considered it “a great disgrace that we yield so much to [the Salese]” and did not expect the Estates General to accept the terms.<sup>615</sup> The regents, however, ratified the treaty in May 1658.<sup>616</sup> The heavy losses inflicted on the Dutch fleet by the English during the first Anglo-Dutch War (1652-1654) probably convinced them to try to limit the damage to the merchant fleet as much as possible, even if it meant accomodating Salese demands.

The accord, however, also reflected the considerable influence of De Vries on the negotiations. Although the treaties of 1610, 1622, and 1651 had commented briefly on the role of consuls, they mostly referred to his right to levy consular fees. The 1657 accord, however, proclaimed the Dutch consul the sole person authorized to negotiate the release of captives, because “only the consul of the Dutch Republic possesses that authority.”<sup>617</sup> Thus, the Dutch and Salese specifically excluded Jewish merchants from

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<sup>614</sup> In addition, the treaty stipulated that he could claim any captured “parents or housewives seeking fortune in the world” and provide for their return home. “Parents” and “housewives” seem somewhat of an idiosyncrasy in a world inhabited by male marine sailors. But that was probably the point. The article implied that the Dutch considered the capture of these people improper and their release not negotiable under any circumstances. It was therefore the task of the consul to demand their immediate freedom. Art. 8 of Dutch-Salese treaty, 1657/1658, GPB 2: 2505.

<sup>615</sup> “Het is een groote schande dat wij dit volck soo veel toegeven ende Haere Hoog Mogende sullen het wel niet nemen...” Letter of Michiel de Ruyter to De Vries and De Vyanen, anchored nearby Salé, Oct. 22, 1655, SIHM, 6: 123-125; Broek, *Christenslaven*, 25.

<sup>616</sup> Ratification treaty with Salé, The Hague, May 25, 1658, SIHM, 6: 388-389.

<sup>617</sup> “maer sal alleen den Consul van wegen haer Ho: Mo: macht hebben, om sodanige personen te koopen, indien met de veroveraers in den prijs kan accorderen, anders sullen soo-danige gevangenen ofte slaven gehouden zijn, on-verkocht wederomme te embarqueren ende wech te voeren.”

participating. The article is even more remarkable because Salé had nothing to gain by prohibiting Jewish mediators from ransoming Dutch captives. Although the officials of Salé had frequently expressed their understanding that De Vries, as a public minister of the Republic, was responsible for ransoming slaves and commercial affairs, they expected him, of course, to do so in conjunction, or perhaps even cooperation, with Jewish merchants.<sup>618</sup> The Salese recognition of the central role of the consul in these activities was thus a significant concession on their part and one with considerable impact on the course of the development of the consular position in North Africa as well as on the evolution of Dutch-North African diplomacy more generally.

In the 1650s, however, the Dutch vehemently opposed Jewish mediation in liberating Dutch captives. A letter of De Ruyter to Sidi Abdallah in 1655 left no doubt: “I request that, if some Algerian vessel comes here to sell slaves, no Jews be allowed to negotiate, but [that instead] the consul is permitted to negotiate first.”<sup>619</sup> The admiral’s request implied that he disapproved of Jewish mediators buying and selling captives for profit. The admiral expected that the Dutch consul, as a public minister, and unlike the Jewish merchant, would act unselfishly in the interest of Dutch captives and their country. Thus, the Dutch and, unwillingly, the Salese found common ground in defining

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Art. 7 of Dutch-Salese treaty, 1657/1658, GPB, 2: 2504.

<sup>618</sup> Contre-proposition de Sidi Abdallah, Kasba, Oct. 3, 1651, SIHM, 5: 300-303; Letter of David de Vries to Michiel de Ruyter, Salé, Oct. 11, 1654, SIHM, 5: 465-472; Letter of David de Vries to the Estates General, Salé, Nov. 20, 1654, SIHM, 5: 535-541.

<sup>619</sup> “Voorders is mijn versoeck, soo eenige Argierse schepen hier eenige slaven quamen te vercoopen, dat doch geen Jooden daerin mochten negotieren, maer den heer consul ter eerster incoop mochten werden overgelevert.” Letter of De Ruyter to Sidi Abdallah, anchored nearby Salé, Oct. 30, 1655, SIHM, 6: 186-190.

the consul as the redeemer of Dutch slaves at the expense of Jewish merchants.<sup>620</sup> Indeed, the renewed treaty with Salé illustrated that not only had ransoming captives become essential to the maintenance of peaceful relations between the Dutch Republic and North African states but it also empowered the consul to deal with their liberation. As we shall see, however, it was one thing to distinguish the office of consul from that of the activities of Jewish merchants on paper, but it was another, especially in Algiers, to realize it in action.

### ***Dutch and Jewish Representatives in Algiers and Tunis, 1659-1675***

In the second half of the seventeenth century, Dutch-Salese negotiators attempted to curb the influence of Jewish mediators in favor of the Dutch consul. In these same years in Algiers, Dutch diplomats also struggled with Jewish competition. In 1659, the Estates General commissioned the Jew Henrico D’Azevedo to seek the liberation of captives and a treaty with Algerian rulers. In addition, Jacob de Paz (1680-1681) and D’Acosta D’Alvarenque (1683-1684) acted as provisional consuls. Thus, unlike in Morocco, the Estates General appointed Jewish agents to represent the Republic in Algiers. Although the three Jewish merchants only acted in a temporary capacity, Dutch consuls resented their presence. They felt that Jewish merchants, who were charged with negotiating the liberation of captives and who generally maintained better relations with Maghrebian officials, would undermine their already fragile authority in North Africa. Consuls believed that the liberation of captives defined their position as Christian public

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<sup>620</sup> De Vries believed it important to install a consul in Salé to prevent fraud. Memoir David de Vries, Salé, Oct. 8, 1650, SIHM, 5: 215-220.



ministers in the Maghreb. Not surprisingly, they felt threatened by the success of Jewish mediators in liberating captives and by the influence they exerted at North African courts, especially when the ransoming of captives had become a condition for preserving peace in the second half of the seventeenth century. Most Dutch consuls, therefore, disapproved of the decision of the Estates General to appoint Jewish representatives to act as public ministers. Interestingly, consuls received support from North African rulers, who, eager as always to bolster their independence from Constantinople, viewed the presence and authority of the Dutch Christian consul as a symbol of their claims to sovereignty.

The discrepancy between the expectations of consuls and those of the Estates General over the question of who better constituted a public minister became clear when, in 1659, the Estates General granted D’Azevedo his request to begin diplomatic overtures to end almost thirty years of war with Algiers. D’Azevedo had made valuable contacts in 1651 when he was sent to ransom captives from Rotterdam then being held in Salé and Algiers. The Estates General had little choice here. The revival of Dutch commerce in the Mediterranean after 1648 greatly increased the risk that merchants and sailors would fall prey to North African corsairs. The admiralties had therefore dispatched war vessels to cruise off the coast of Morocco and blockade the port of Salé. In 1655, the Estates General even ordered De Ruyter to “conquer, burn, or ruin” the city of Algiers. Weather conditions, however, prevented an attack on the Algerian fleet and De Ruyter considered the city as impregnable. Without firing a shot he resumed cruising Mediterranean waters.<sup>621</sup> De Ruyter’s instructions reflect the desperation that the Dutch felt. A solution that would promote free trade and stop corsairs from seizing their ships seemed as remote

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<sup>621</sup> Prud’Homme, *Rechterhand*, 92, 93; Krieken, *Kapers en kooplieden*, 36-39.

as ever. De Ruyter's assessment left the Estates General no alternative than to seek peace again. Thus, when D'Azevedo offered his services in 1659 to ransom Dutch captives and to probe whether Algiers was interested in terminating hostilities, the Estates General eagerly accepted.

D'Azevedo's commission coincided with a revolution in Algiers. Since 1587, Ottoman officials appointed a *pasha* for a term of three years to rule in each of the regencies of Algiers, Tripoli, and Tunis. In 1659, the *agha*, that is, the chief *janitsar* and head of the *diwan*, replaced the *pasha* and received all power to rule Algiers. Although the *pasha* had always taken a backseat role to the *diwan*, his replacement in 1659 clearly marked Algiers's independent position from Constantinople. The office of *pasha* became a title without content.<sup>622</sup> To affirm that Algiers would run its own political course, the *aghas* continued the policy of their predecessors and indicated that they were interested in starting negotiations with the Dutch Republic. Thus, D'Azevedo returned to the Republic with hopeful news. The Estates General dispatched De Ruyter again to accomplish a diplomatic mission.<sup>623</sup> The appointment of the vice-admiral reveals that the Estates General limited the role of D'Azevedo to initiating peace talks and left the actual negotiations in the hands of the naval commander as in 1657.

The Estates General decided to use an exchange of prisoners as a tool to hasten negotiations. De Ruyter captured 180 prisoners in fall 1661, but sold most of them on Malta. In 1662, he seized ninety-three men from a Tunisian ship near Sicily. The

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<sup>622</sup> Abun-Nasr, *A History of the Maghrib*, 175; Pierre Boyer, "La Révolution dite des "Aghas" dans la régence d'Alger (1659-1671)," *Revue de l'Occident musulman et de la Méditerranée* (1973) 13-14: 159-170, 162, 167.

<sup>623</sup> Krieken, *Kapers en Kooplieden*, 40.

Tunisian *dey* was more than happy to release sixty-seven Dutch captives in exchange for the ninety-three Tunisians and then offered the Estates General a peace treaty. De Ruyter agreed to its terms in fall 1662. The exchange of prisoners in Algiers proceeded in a similar manner. De Ruyter had captured “De Halve Maen,” an Algerian ship, after a fierce battle and great loss of life on both sides. In April 1662, De Ruyter traded sixty Algerian prisoners for forty Dutch ones, agreed on a truce, and concluded a preliminary treaty. In November 1662, he returned to finalize the treaty with Algiers and managed to have the decision to allow corsairs to inspect Dutch vessels reversed. De Ruyter, however, at the same time promised to ransom an estimated six hundred Dutch captives at cost price within fifteen months and to give Algerian authorities four bronze cannons. His willingness to ransom captives revealed the inevitable.<sup>624</sup> The treaties with Salé in 1651 and 1657 had a ripple effect: the rulers of Algiers now demanded *and* received Dutch acquiescence to the business of ransom. The Republic’s diplomatic position in Algiers, as in Salé, had been severely weakened.

During De Ruyter’s expedition in April 1662, he had appointed two provisional consuls, Andries van den Burgh, an officer from one of his vessels, in Algiers and Robbert de Rouck in Tunis, to maintain relations in his absence. De Rouck’s commission ended in 1666 and Van den Burgh only served two years before De Ruyter returned to Algiers in 1664 and war erupted again.<sup>625</sup> The experiences of Van den Burgh, in particular, demonstrate how he, in maintaining relations with the Algerian court,

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<sup>624</sup> For a detailed description of De Ruyter’s expeditions, see Krieken, *Kapers en Kooplieden*, 39-43; Prud’Homme, *Rechterhand*, 115-120; Art. 5 and 6 of Dutch-Algerian treaty, 1662, GPB, 4: 293. In Tunis, Dutchmen were free to leave. Art. 5 of Dutch-Tunisian treaty, 1662, GPB, 4: 292.

<sup>625</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 376; Krieken, *Kapers en Kooplieden*, 41.

immediately came into conflict with D’Azevedo, the Jewish merchant who had initiated the peace talks. When D’Azevedo appeared in Algiers on May 1, 1662, shortly after Van den Burgh’s appointment, the latter was hardly pleased to see him. Van den Burgh described D’Azevedo as an arrogant know-it-all, who claimed that nothing could be done without him. To Van den Burgh’s dismay, D’Azevedo did not address him properly either and “received the honors that belonged to others.”<sup>626</sup> D’Azevedo’s behavior was perhaps not the most conciliatory, but not inexplicable either given his value in contacts with Algiers and his experience in negotiating and ransoming captives in North Africa.

Consul Van den Burgh, on the other hand, regarded D’Azevedo as a competitor, and, in his view, an immoral one. He accused D’Azevedo of “avarice and greed.” A few years earlier, in 1659/1660, D’Azevedo had received orders to ransom captives in Algiers, but Van den Burgh charged that the Jewish merchant had found it more profitable to buy stolen goods than redeem slaves with the funds available to him. The consul commented wryly that this time D’Azevedo would be more successful. Because Algerian corsairs had seized few Dutch vessels and put them up for sale in 1662, D’Azevedo would have little opportunity to spend money on stolen goods and could therefore spend it all on redeeming slaves. In addition, the consul accused D’Azevedo of feeding the Estates General false information, exaggerating the number of slaves to exceed the 600 actually present. Thus, the consul implied that the Jewish merchant was trying to collect more ransom than actually needed in order to fill his own pockets.<sup>627</sup> It is

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<sup>626</sup> Letter of Van den Burgh to Estates General, Algiers, May 4, 1662, BGLH, 2: 501-502.

<sup>627</sup> Van den Burgh did not mention the exact number that D’Azevedo might have given to the Estates General, but suggested that it was much higher than “only” the roughly 600 captives the consul counted. Letter of Van den Burgh to Estates General, Algiers, May 4, 1662, BGLH, 2: 501-502.

unlikely that such a scheme would have worked because in the Republic, collections were based on slave lists that would easily expose such numerical discrepancies. Moreover, collections rarely generated a surplus. The situation might in fact have been quite different: D'Azevedo probably had no extra funds to expend and it is more likely that he actually advanced the price of ransom out of his own pocket.

At first sight, Van den Burgh's accusations appear anti-semitic. His portrayal of D'Azevedo fits a common contemporary image of Jews as greedy and mendacious.<sup>628</sup> Still, anti-semitism played a lesser role in Dutch criticism of Jewish mediators than one might first assume. Not all diplomats bore grudges against Jewish mediators; some even appreciated them and lauded their efforts. Ambassador Hees, for example, worked closely with Jacob de Paz; they often co-signed letters and reports to the Estates General. In addition, when Hees returned to the Republic in 1683, he appointed D'Acosta D'Alvarenque as provisional consul to handle Dutch affairs in his absence.<sup>629</sup> When the new consul Christoffel Matthias arrived in March 1684 to replace D'Alvarenque, he complimented the latter for his ability to maintain peace despite a politically disruptive change in regime.<sup>630</sup> Anti-semitism was thus not necessarily rampant in Dutch diplomacy or among Dutch diplomats.

Indeed, despite Van den Burgh's harsh words, his report was not necessarily anti-semitic either. It rather highlighted a persistent concern of the Dutch diplomatic-

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<sup>628</sup> Christian attitudes toward Jews varied by region and period, but mistrust was a common theme. Jonathan Dewald, ed., *Europe 1450-1789. Encyclopedia of the Early Modern World* (New York: Thomson Gale, 2004), vol. 3, *Gabrieli to Lyon*, 349-354.

<sup>629</sup> Letter of Thomas Hees to mayors Amsterdam, Alicante, Feb. 22, 1683, AM, 5027, inv.nr. 241.

<sup>630</sup> Letter of Christoffel Matthias to Fagel, Algiers, May 4, 1684, Matthias, NA, 3.01.18, inv.nr. 382. Letter of Christoffel Matthias to Fagel, Algiers, Dec. 18, 1685, Matthias, NA, 3.01.18, inv.nr. 382.

mercantile world in the Mediterranean, namely, that Dutch representatives used their position to make a profit either by participating in trade with the “robbers,” or worse, benefitting financially from ransoming captives. Contemporaries accused Wijnant Keyser of overstepping this line several times during his tenure. “True” consuls were not supposed to trade nor were they to gain from ransoming captives.<sup>631</sup> The Dutch considered the captivity of their crews lamentable; that Dutch representatives would profit from the sale of captives as slaves was execrable. Thus, when he condemned D’Azevedo, Van den Burgh represented him as a dishonest representative and one unworthy to be a public minister because of his actions, not necessarily because of his religion.

The general concern over the ethical behavior of a public minister linked up with the larger problem of redemption. Because Van den Burgh preceded D’Azevedo in diplomatic rank and the latter was apparently unable to show the consul any legitimizing document, Van den Burgh did not hesitate to prohibit the Jewish merchant from ransoming slaves. In response, D’Azevedo threatened the consul. Van den Burgh reported that D’Azevedo told him “in the presence of Rear Admiral [Willem] van der Saen, that he would write your High and Mightinesses in such a manner that I would regret not allowing him to redeem slaves at his discretion.”<sup>632</sup> In light of the 1659 commission he had received, D’Azevedo believed that he possessed the right to pursue his redemptive efforts where he left off. He therefore regarded Van den Burgh as the

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<sup>631</sup> This could be, for instance, profit on reselling captives to the Republic or use ransom money to buy stolen goods.

<sup>632</sup> Letter of Van den Burgh to Estates General, Algiers, May 4, 1662, BGLH, 2: 501-502.

interloper. He also insinuated that the consul was less capable than he in the business of liberating captives, or perhaps did not even possess a commission to do so.

Indeed, and contrary to the 1657 agreement with Salé, that with Algiers in 1662 did not assign the consul a specific role in ransoming captives; this omission had enabled David de Vries to become involved in paid redemption. Instead, De Ruyter had sailed back to the Republic to collect the necessary ransom while Van den Burgh himself refrained from ransoming captives. The Estates General had consented to the redemption of captives *en masse* in the hope that freeing all of them at once would be cheaper than liberating them in dribs and drabs. Thus, Van den Burgh feared, if he and D’Azevedo negotiated the release of these captives as individuals or in small groups, the danger existed of inflating the ransom price while undercutting De Ruyter’s chances of redeeming all Dutch slaves for cost price.<sup>633</sup> To deny D’Azevedo the chance to ransom as many Dutch captives as possible in De Ruyter’s absence was therefore not a good opportunity foolishly lost, but a neatly calculated strategic move. Van den Burgh’s actions to remove a Jewish rival from Algerian court had therefore probably little to do with anti-semitic feelings; it arose more out of a desire to facilitate redemptions and reduce the amounts needed to free captives.

The consul’s concerns over D’Azevedo’s potential to profit from ransoming captives, however, proved unfounded. When De Ruyter arrived in June 1664, in command of a squadron of twelve ships with four bronze cannons and with 80,000 guilders in ransom money on board, proceedings stalled. The new *agha*, ‘Ali, suddenly

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<sup>633</sup> In June 1662, the States of Holland budgeted 40,000 guilders to liberate captives through collections. The money would be sent to Van den Burgh. Minutes States of Zeeland, June 1662, Zeeuws Archief [hereafter ZA], 87, inv.nr. 4b.

asserted the right of inspection and demanded that the Dutch buy captives for market rather than cost price. After fruitless efforts to persuade ‘Ali to abide by the 1662 treaty, De Ruyter gave in and began to ransom captives for market price. Although he spent almost 50,000 guilders, he was, however, only able to redeem fifty-five captives. When the Algerians then also demanded that he pay to liberate three foreign slaves, De Ruyter reacted angrily and just as abruptly declared war on Algiers. He set sail with the cannons still on board leaving an unknown number of captives behind.<sup>634</sup> Peaceful relations between the Republic and Algiers had lasted no more than two years.

In hindsight, it seems strange that De Ruyter, in command of twelve war ships, let himself be intimidated and that he agreed to pay market rather than cost price. Once again, however, the Maghrebians held all the cards. In the winter of 1663/1664, Rear Admiral Tromp had managed to capture hundreds of Algerian crew members at sea. Rather than exchanging them for Dutch prisoners, however, Tromp had sold them as slaves. When news broke of Tromp’s actions, Algerian officials took Andries van den Burgh, his secretary, and his three servants, hostage in retaliation. De Ruyter could do nothing but exchange twenty-five Algerian captives for the release of Van den Burgh and his entourage. De Ruyter also proceeded cautiously with the new consul, Johan Bertram de Mortaigne, who had sailed with De Ruyter to replace Van den Burgh. ‘Ali had invited Mortaigne to come ashore. De Ruyter, however, believed that ‘Ali’s insistence on the right of inspection was nothing less than a pretext to seize Dutch merchant vessels. De Ruyter feared that war was at hand and it would then be impossible to retrieve the consul.

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<sup>634</sup> Heeringa, *Bronnen*, 486; Krieken, *Kapers en Kooplieden*, 45-46; Prud’Homme, *Rechterhand*, 123-127.



De Ruyter in fact was not content to wait for the outbreak of war; he proclaimed it himself.<sup>635</sup>

The failed negotiations between De Ruyter and ‘Ali help us understand why some historians would consider the idea of diplomacy in North Africa chimerical. Dutch relations with Algiers, at least peaceful ones, rarely lasted long throughout the entire seventeenth century. The Dutch staffed consulates in Algiers only from 1616-1630, 1662-1664, and 1679-1686. Thus, one cannot speak of permanent relations based on the exchange of embassies that represented sustainable diplomatic relations.

New overtures between the Dutch and Algerians in the 1670s, however, demonstrate the persistent *need* for diplomatic relations, even if the goals each sought and the strategies each employed differed. In 1674, for example, Jacob de Paz, a Jewish merchant from Amsterdam who resided in Algiers, encouraged Algerian rulers to extend offers of peace and friendship to the Estates General.<sup>636</sup> The Estates General welcomed De Paz’s intervention as they had D’Azevedo’s in 1659. The Republic had just decisively won the Second Anglo-Dutch War and successfully turned back the French invasion of the Republic. The wars had cost the Dutch dearly, however, and any hope of salvaging commercial prospects in the Mediterranean was greeted with enthusiasm. The Estates General appointed Thomas Hees, a physician from Amsterdam, as extraordinary ambassador in 1675 with the power to negotiate an agreement with Algiers and Tunis.<sup>637</sup>

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<sup>635</sup> Prud’Homme, *Rechterhand*, 123; Krieken, *Kapers en Kooplieden*, 45.

<sup>636</sup> The letter was delivered by a correspondent of Jacob de Paz in Amsterdam. At the same time, the Estates General also received a Spanish written letter by De Paz and a Dutch one by D. Moses Rafaël Salom, a son of Louis D’Azevedo from Amsterdam. Louis was a son of Henrico D’Azevedo. Heeringa, *Bronnen*, 486, 487.

<sup>637</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 364.

Together with De Paz, Hees finally came to an understanding with the Algerians in 1679. Hees went to Algiers a year later in the company of a newly appointed consul, Jacob Tollius, also a physician, who was dispatched as a token of goodwill to North Africa. The arrival of Tollius heralded the beginning of a six-year presence of Dutch consuls in Algiers until war broke out again in 1686: Jacob Tollius (1680), Jacob de Paz (1680-1681), Carel Alexander van Berck (1681-1682), D'Acosta Alvarenque (1683-1684), Christoffel Matthias (1684-1686), and Paulus Timmerman (1686).<sup>638</sup>

Jacob Tollius and Carl Alexander van Berck, Lord of Heiligenberg and one of the few aristocrats in the Dutch consular corps, resented the presence of Jewish representatives as much as their predecessor Van den Burgh had done. In August 1680, Tollius accused Jacob de Paz of dealing in contraband goods and rhetorically wondered if De Paz was not the same man who had killed another Jew in Amsterdam and abused his wife. Not surprisingly, the consul and the merchant were not on speaking terms. Indeed, De Paz refused to set foot in the consul's house.<sup>639</sup> Although the slandering of De Paz seems petty, it signaled a more persistent problem that related to the very essence of consular life. The position of D'Azevedo, De Paz, and, later, D'Acosta Alvarenque was more advantageous than that of Dutch consuls in one important respect. Unlike Dutch consuls, nothing prevented the Jewish representatives from continuing trade. The Estates General appointed D'Azevedo only on a temporary basis. Because he was not supposed to reside permanently in Algiers, his commission allowed him to engage freely in commercial enterprises. Similarly, De Paz and Alvarenque were appointed provisional

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<sup>638</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 376-377.

<sup>639</sup> Letter of Jacob Tollius to Gaspar Fagel, Algiers, Aug. 31, 1680, NA, 3.01.18, inv.nr. 381.

consuls while they were already active as merchants in the Maghreb. They, too, could continue to do business as usual; an opportunity that led consuls to accuse them of dealing in stolen goods. Although direct evidence is lacking, it appears that the Jewish merchants possessed another advantage: freedom of movement. While consuls could not leave their posts without the express permission of the Estates General, the merchants experienced no such restrictions. They could travel back and forth to the Republic and probably received more rapidly reimbursements for the money they had advanced to ransom captives. Although the consuls held higher status, the merchants enjoyed a more advantageous financial situation and were, therefore, often more effective in liberating captives than consuls could be.

The conditions pertaining to Dutch consuls, in contrast, had not changed since the *Directorate of the Levant Trade and Navigation* had taken over the responsibility of financing consulates in North Africa in 1625. Dutch consuls had to live from consular fees and a one-time fixed allowance. The small number of Dutch traders who came to Algiers and Tunis hardly yielded sufficient money for consuls to maintain themselves and consuls were still forbidden to trade. They could send in bills for reimbursement, but it often took years before they received compensation, if ever. As a result, the office of consul remained underfunded and that inadequacy hampered the consuls' ability to maintain diplomatic relations. Van den Burgh in Algiers and Rouck in Tunis, for example, experienced the same problems as did their predecessors earlier in the century. Van den Burgh compiled a list that he sent to the Estates General to support his request for reimbursements. His expenditures were the customary ones. In the first month after his arrival, the consul had already spent 1200 pieces of eight on advance rent for an entire

year, dinners for members of the *diwan*, and other payments to officials. He also listed costs incurred for the release and transportation of Dutch captives seized off vessels belonging to states with whom Algiers was at war. For caring for these captives at his house until they could return home, the consul reckoned 100 pieces of eight, 8.33 % of the total costs.<sup>640</sup> The sum of these expenditures ran Van den Burgh into debt and eventually resulted in his being held hostage. De Rouck fared no better in Tunis. The *diwan* there had repeatedly advanced him money to buy food. Such impecunious situations diminished the prestige of the consul. Not surprisingly, De Rouck lived in constant fear that the *diwan* would demand immediate repayment.<sup>641</sup> During the entire seventeenth century, probably no Dutch consul departed North Africa without leaving debts behind.<sup>642</sup>

Running up debts illustrates one of the fundamental problems of diplomatic representation in the Maghreb. What money could buy, that is, gifts and ransom, helped early modern diplomacy in North Africa work and gave Jewish representatives an edge. In the 1660s, for instance, Van den Burgh in Algiers and De Rouck in Tunis quickly found out the hard way how the lack of funds could frustrate their initiatives. Already in April 1663, the Algerian and Tunisian governments were harassing them about the

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<sup>640</sup> Payments to officials on festive days (Ramadan) amounted to 900 pieces of eight; annual payment for renting a house (designated by the *diwan*) (300); annual payment for each ship arriving in the port (100); dinners for members of the *diwan* and lesser officers (150); and for maintaining his household (1200). He also listed the names of 22 captains active in Algerian corsairing in the year 1663. Letter of Van den Burgh to Estates General, Algiers, April 13, 1663, BGLH, 2: 502-505.

<sup>641</sup> Letter of De Rouck to Estates General, Tunis, July 21, 1665, BGLH, 2: 536-537. See also Letter of De Rouck to Estates General, Tunis, April 20, 1663, BGLH, 2: 533-535.

<sup>642</sup> Debt was also common among diplomats in Europe and often hindered their work. See chapter 14 on indebted diplomats in the north of the Holy Roman Empire, Indravati Félicité, "Négociier pour exister. Les villes et les duchés du nord de l'Empire face à la France (1650-1730)" (PhD diss., University Paris-Sorbonne, 2012), 613-652.

absence of the promised ransom money and the lack of usual gifts.<sup>643</sup> In spring 1663, three Dutch war vessels arrived under the command of Gilbert van Vianen but carried neither ransom money nor gifts.<sup>644</sup> When Vianen left, *agha* Sha'ban Ibrahim reacted immediately, ordering his corsairs to inspect Dutch vessels for belligerent goods until the gifts arrived and the Dutch captives were properly ransomed.<sup>645</sup> Thus, the *agha* demonstrated that, as far as he was concerned, mutual relations rested on the ransoming of captives and the arrival of traditional gifts. Likewise, in Tunis, the consul reported rumors that corsairs were preparing to seize Dutch vessels.<sup>646</sup> The Estates General explained to consul De Rouck that the costs of waging war against the English prevented them from sending presents to the *dey* of Tunis, although it also expressed interest in learning what would constitute an appropriate present.<sup>647</sup> In both cases, the empty pockets of the consuls prevented them from reducing the threat of corsairing.

In contrast, the very ability to distribute presents allowed Jewish merchants and agents alike to acquire considerable influence at the Maghrebian courts. When consul Berck arrived in 1681, he reported that “the Jew De Paz nowadays thinks of himself as a

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<sup>643</sup> This was somewhat premature. The Dutch had fifteen months, since 30 November 1662, to ransom or exchange slaves. Letter of Van den Burgh to Estates General, Algiers, April 13, 1663, BGLH, 2: 502-505; Letter of De Rouck to Estates General, Tunis, Jan. 31, 1664, BGLH, 2: 535; Letter of De Rouck to Estates General, Tunis, May 31, 1665, BGLH, 2: 535-536.

<sup>644</sup> Letter of Van den Burgh to Estates General, Algiers, April 13, 1663, BGLH, 2: 502-505.

<sup>645</sup> The *diwan* asked the consul, conform the treaty, to give corsairs the necessary passes to facilitate the inspections, but Van den Burgh refused. Letter of Van den Burgh to Estates General, Algiers, May 25, 1663, BGLH, 2: 505-506.

<sup>646</sup> Letter of De Rouck to Estates General, Tunis, July 21, 1665, BGLH, 2: 536-537.

<sup>647</sup> Estates General to De Rouck, The Hague, Oct. 18, 1666, BGLH, 2: 539.

big shot.”<sup>648</sup> Berck attributed this directly to the relationship between gift-giving and credibility. Because they gave Algerian rulers gifts on a daily basis, Berck observed, Jews were tolerated. Only through their mediation could one get things done.<sup>649</sup> He therefore compared them to “bees collecting honey for the Algerian government.”<sup>650</sup> According to Berck, the strong position of Jewish mediators at North African courts also derived from their involvement in illegal trade. Only five months after his arrival, for instance, Berck claimed that associates of De Paz sometimes threatened him, leading him to conclude that De Paz “received protection [while] I am abandoned.” Hence, Berck claimed that under these circumstances, he could not compete with De Paz and warned the Estates General that supporting two resident ministers, that is, he and De Paz, did not promote the interests of the Dutch state; they were competing instead of collaborating. Feeling underappreciated for his “loyal and disinterested” services, he requested another post in France, Italy, Germany or “wherever” as long as it was in Christian Europe.<sup>651</sup>

The conflict between consul Tollius and Jacob de Paz similarly explains the source of resentment against Jewish mediators. Tollius, unlike De Paz, lacked the skills and funds to maintain proper relations with Maghrebian courts. Tollius often “summoned” de Paz to his house, but the latter refused to come.<sup>652</sup> De Paz, familiar with

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<sup>648</sup> “tegenwoordig van een heel sentiment gewoorden” Letter of Berck to mayors Amsterdam, Algiers, Oct. 15, 1681, AM, 5027, inv.nr. 242.

<sup>649</sup> Letter of Berck to mayors Amsterdam, Algiers, July 15, 1681, AM, 5027, inv.nr. 242.

<sup>650</sup> “want alles is hier te kreig door particulier intreste *exempel*’ an de jooden, die de beijen sijn en den honing van deese regeringe sammeln; daerom wordense geleeden; alhoewel de schadeleicke ex/instrumenten sijn, en het bederf van de Cristenheit.” Letter of Berck to mayors Amsterdam, Algiers, July 15, 1681, AM, 5027, inv.nr. 242.

<sup>651</sup> Letter of Berck to Gaspar Fagel, Algiers, May 3, 1682, NA, 3.01.18, inv.nr. 379.

<sup>652</sup> Letter of Jacob Tollius to Gaspar Fagel, Algiers, Aug. 31, 1680, NA, 3.01.18, inv. nr. 381.

Maghrebian court culture, had proven his abilities in negotiating a treaty with North African officials and did not feel the need to pay courtesy calls to someone clearly his inferior as a diplomat. Indeed, Tollius had offended the *dey* to such an extent that the latter requested the Estates General to replace him. Tollius's resentment against De Paz thus reflected Tollius's own inability to communicate with his hosts properly while De Paz possessed money and skills to succeed in handling delicate negotiations while also fitting into North African court ceremonial.<sup>653</sup> The experiences of Tollius and Berck repeated those of Albert Ruyl and the Pallaches in the 1620s. The conflicts between Dutch consuls and Jewish agents, whether serving the Moroccan king or the Estates General, reflect the grievances consuls experienced as a form of unfair competition. Jewish mediators expanded their sphere of influence and thus undercut the position of Dutch consuls.

Dutch consuls, however, received backing from an unexpected place. Contrary to what one might expect, Algerian rulers disliked having to negotiate with D'Azevedo and other Jewish mediators. Dutch captives told Van den Burgh that Maghrebians were "irritated" that the Estates General had commissioned a Jewish representative. They wondered "whether there were no Christians in Holland who could act as commissioners in Algiers?"<sup>654</sup> Similarly, in 1681, the *dey* of Algiers, Baba Hasan, informed consul Berck that he "no longer wished to release slaves to private mediators, Jews, or merchants, or to accept [their] money."<sup>655</sup> He probably considered the involvement of Dutch consuls more

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<sup>653</sup> See chapter seven.

<sup>654</sup> Letter of Van den Burgh to Estates General, Algiers, May 4, 1662, BGLH, 2: 501-502.

<sup>655</sup> Letter of Berck to mayors Amsterdam, Algiers, July 15, 1681, AM, 5027, inv.nr. 242.

profitable, because they would abide by the treaties and redeem all Dutch slaves at once, thus filling the pockets of Algerian slave owners. Indeed, the 1679 accord with Algiers, unlike the 1662 treaty, stipulated again that public ministers, that is, consuls and in this case Berck, must bear responsibility for the liberation of captives.<sup>656</sup> The *dey's* insistence that he would only negotiate with a Dutch Christian diplomat showed that North African rulers greatly valued the office of consul and simultaneously helped define it. Although no European resident ambassadors existed in the Maghreb, the consul was a legitimate diplomatic representative whose presence indicated and supported the sovereignty of republics like Salé, the Moroccan kingdom, or the Algerian and Tunisian regencies. Thus, in the second half of the seventeenth century, North African rulers and Dutch consuls came to share the same expectations of what constituted a public minister: a Christian consul appointed by the Estates General to represent Dutch affairs and ransom captives in the Maghreb.

The above examples demonstrate that the decision of the Estates General to rely on Jewish mediators marked a difference in opinion among the consuls, the Estates General, *and* North African rulers about what properly constituted a public minister. The Estates General did not hesitate to enlist Jewish merchants occasionally to initiate or seek North African compliance to international treaties. Most Dutch consuls and the Maghrebian establishment, however, considered only Christian Dutchmen appropriate as public ministers. Thus, in the second half of the seventeenth century, the confrontations between Dutch consuls, Jewish representatives, and Muslim court officials in Algiers reveal how the office of consul in North Africa evolved. Dutch consuls and North African rulers shared a preference for consuls to be Dutch Christians, but the reality of

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<sup>656</sup> Art. 12 of Dutch-Algerian treaty, 1679, GPB, 3: 1408.



underfunded consulates meant that Jewish mediators remained an important asset in the arena of Maghrebian diplomacy.

### ***Conclusion***

Examining the role of Jewish mediators in Dutch diplomacy demonstrates the many faces and forms that diplomacy took in the seventeenth-century western Mediterranean. Dutch diplomacy developed differently in Morocco than in Algiers and Tunis. In Morocco, the diaspora of the Sephardic-Jewish community helped define Dutch diplomacy before 1650. Here, Jewish merchants monopolized commercial and diplomatic relations. The willingness of the Estates General to rely on Jewish agents of the Moroccan king rather than on its own consuls and appointees testifies to a flexibility on the part of the Dutch state to adapt to local circumstances or perhaps the necessity of doing so. The few consuls, who periodically resided in Morocco, had little chance of liberating captives as long as they cleaved to a state policy mandating that they could only demand the immediate release of captives without paying ransom. The success of Jewish mediators in achieving the release of captives by paying ransom demonstrated that a “*gratis* only” policy was chimerical and eventually convinced the Estates General to assume financial responsibility for redemption if the captives were ever to return home.

The Peace of Westphalia, however, marked a change in the evolution of diplomacy in Morocco and Algiers and Tunis alike. Peace between the Republic and Spain immediately led to an increase in Salese corsairing attacks on Dutch merchant vessels, forcing the Republic to conclude a separate treaty with Salé that had far reaching consequences for the redemption of slaves and for Dutch-North African relations more

generally. When the Dutch consented for the first time in an international treaty to ransom captives, that agreement implied that the Republic had accommodated itself to the wishes and practices of North African society. It also meant that the ransoming of captives became a condition necessary for sustaining diplomatic relations with North Africa and marked the beginning of a more submissive role for the Republic vis-à-vis the Maghrebian states. The appointment of the Dutch consul in Salé, David de Vries, heralded not only the beginning of consistent representation by Dutch consuls in Morocco but also an attempt to curb the involvement of Jewish agents in ransoming captives. Precisely because the ransoming of slaves had become such a critical part of North African diplomacy, it needed to be set up on a more regular basis and entrusted to a public minister, that is, to a consul.

The conflicts between Dutch consuls and Jewish mediators over the task of redeeming slaves and maintaining relations, however, reveal how hard it was to break old habits. The Estates General and its ambassadors did not hesitate to employ Jewish merchants in seeking to open avenues of communication with Algiers or act as provisional consuls until new ones arrived. Many consuls on the spot, however, believed that the engagement of Jewish representatives eroded their position. They disapproved of the appointment of Jewish merchants, who, they insisted, traded in stolen goods and profited from ransoming captives while serving as Dutch representatives. Algerian rulers, too, disapproved of the intervention of Jewish mediators. Thus, by defining the consul as a Christian Dutchman who represented the state and bore responsibility for ransoming captives, Algerian rulers helped shape Dutch diplomacy while simultaneously asserting their own independence.

## Chapter 6. Redemption in the Republic

In January 1676, Dirck Engel, Cornelis Claess Berdes, and Jan Pieterken Biersteker, magistrates of Ransdorp, a small town in the north of Holland, organized the redemption of fellow resident Jan Jacobz who had been seized from a Hamburg vessel and sold on the slave market in Algiers at Pentecost 1675. Because Jacobz and his family were incapable of paying to liberate him, the magistrates requested residents of Ransdorp and several neighboring towns to donate money for Jacobz's release, arguing that, according to the apostle Paul, "they should carry each other's burdens."<sup>657</sup> More than 150 people from Ransdorp, Holysloot, Amsterdam, and neighboring villages pledged to contribute to Jacobz's liberation. This collection of signatures, recorded in a small leather-bound booklet, illustrates the way in which local communities in the Republic usually attempted to ransom slaves throughout the seventeenth century. It was an act of Christian compassion, but also a local affair orchestrated by civic authorities to rescue hometown individuals.

Beginning in 1651, however, diplomatic developments in North Africa challenged the self-evident nature of ransoming individual captives as a responsibility that local communities should assume. In international treaties with Salé (1651, 1657/68) and Algiers (1662, 1679/1680), the Estates General agreed to change state policy and consented to *ransom* all Dutch slaves immediately, that is, within specified time constraints.<sup>658</sup> The concession was remarkable, because, until 1651 the Estates General

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<sup>657</sup> Letter of magistrates Ransdorp, Dec. 31, 1675, AM, 761, inv.nr. 41.

<sup>658</sup> In the case of Salé, for example, the Dutch had three months to resolve the matter; in that of Algiers in 1662, fifteen months. Art.1 of Dutch-Salese treaty, 1651, GPB, 1:129; Art. 5 of Dutch-Algerian treaty, 1662, GPB, 4: 293.

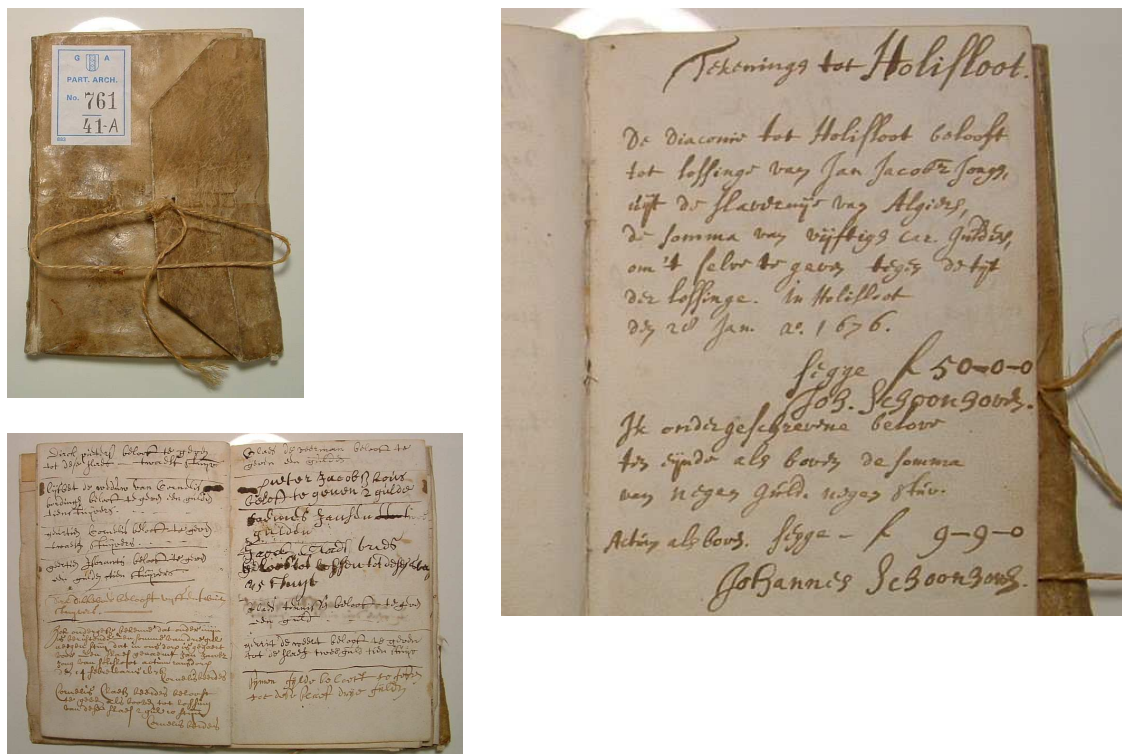


Fig. 6.1 Collection Booklet for Jan Jacobz, 1676. Amsterdam City Archives.

had refused to do just that: use state funds for ransom. It only allowed its agents to seek *gratis* release, to redeem slaves with money from third parties, or to claim the return of captives taken after the conclusion of treaties. It left the collection of funds in local hands. The large number of captives taken after 1648, itself a direct result of an increase of Dutch trade in the Mediterranean, however, required greater organization and coordination of redemption efforts. Regents acknowledged that only the Dutch government could collect enough money to ransom captives *en masse*. The Estates General therefore first collected money for this purpose in 1651, staged a general collection in 1663, and, urged on by Nicolaes Witsen, mayor of Amsterdam, launched a

third initiative in 1681. Witsen contended that if the Dutch ransomed all their captives at one stroke, it might soften the impact of corsairing on Dutch merchant fleets. He strongly believed that another general collection was necessary “in the interests of the state.”<sup>659</sup> Thus, after midcentury, assembling funds and organizing the release of captives as a group became a responsibility of the state.

The involvement of the Estates General in redeeming slaves *en masse* heralded the beginning of a prominent role for the Protestant state in Mediterranean redemptive practices. In southern Europe, Catholic monarchies usually played a subordinate role to ecclesiastical authorities in redemption endeavors. Still, the crowns of Spain, Portugal, and France approved holding collections, helped finance the projects, and defined redemption as a Christian cause. Philip II of Spain (r. 1554-1598), like King Alfonso V of Portugal (r.1438-1481), attempted to bring redemption under state control. In the second half of the sixteenth century, the councils of Castile and Aragon began to initiate expeditions, license redemptive orders, and to keep more accurate accounts. Despite Philip’s efforts to regulate the ransoming process, however, redemptive orders still dominated the process. Friars, not state officials, solicited the money from parishes, went on expeditions to North Africa to ransom large groups of captives, and, upon return home, led processions of the one-time slaves they had freed.<sup>660</sup>

For Protestant states, the problem was more difficult to resolve. The Dutch Republic, England, and the Hanse towns had banned Catholic institutions and therefore

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<sup>659</sup> Letter of Nicolaes Witsen to Caspar Fagel, probably written around 1681. J.F.Gebhard, Jr., *Het leven van Mr. Nicolaas Cornelisz. Witsen (1641-1717)* (Utrecht: J.W.Leefflang, 1882), 172-175.

<sup>660</sup> Friars did not always seek the collaboration of state officials either. Friedman, *Spanish Captives*, 107-108; Weiss, “Back from Barbary,” 213-269; Barata, “Le Rachat des Captifs,” 112, 118, 120.

could not rely on redemptive orders. They therefore greatly depended on Protestant parishes and local civic authorities to assist families in need and fund the redemption of captives. In England, as Nabil Matar has argued, this situation even influenced domestic politics. The collection and distribution of ransom for English captives favored those with court connections and left poorer ones unransomed.<sup>661</sup> The pleas of poor families and London merchants to receive financial aid fell on deaf ears with King Charles I. Parliament, therefore, became the savior of English slaves in North Africa and an important player in redemptive affairs in the Mediterranean. This turn of events, Matar asserts, intensified the power struggle between Parliament and monarch and sped the coming of the Civil War.<sup>662</sup>

The issue of captivity and redemption also presented a challenge to the politics of the Dutch Republic. The terms of the 1651 agreement with Salé required the Estates General to act as the central government it manifestly was not. The Estates General formed an independent political body, the Generality, that consisted of delegates from each of the seven provinces and that ruled by majority vote.<sup>663</sup> Thus, although the Estates General united the provinces and in one sense functioned as the *highest* political organ, it did not and could not act as a *central* government. Provincial delegates convened at meetings of the Estates General in The Hague and traveled back home to confer with their individual States before reaching decisions. Because Holland was the most populous, urbanized, and prosperous province and contributed almost half the Republic's

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<sup>661</sup> Matar, *Britain and Barbary*, 38-75, specifically 52.

<sup>662</sup> Matar, *Britain and Barbary*, 38-39.

<sup>663</sup> A number of Generality institutions supported the Estates General, including the Council of State, the Generality Accounting Office, and the Admiralty Colleges. The other Generality institutions were the

total tax revenues, most provinces tended to side with Holland. Thus, Holland usually dominated the agenda of the Generality and greatly influenced Dutch policy making.<sup>664</sup>

The Estates General, however, functioned as a central political body in a few areas. It oversaw, on behalf of the entire Republic, matters of defense, the trading companies, colonial administration, shipping, religion, and foreign affairs.<sup>665</sup> Indeed, the Estates General officially determined foreign policy. It also formally appointed and commissioned ambassadors and consuls.<sup>666</sup> Foreign governments and the Dutch themselves often viewed the Estates General as embodying the sovereignty of the Republic abroad. Thus, for the Estates General to act as central government in matters of redemption in the Mediterranean was not as unusual as it might first seem.

The Estates General, however, hesitated to take control over the entire redemption process. Whereas the Parliament in England eagerly stepped in to act as the central political body responsible for redeeming English slaves, the Estates General had to be *pushed*, and pushed hard, to do so. The Dutch Reformed Church, in particular, pressured the Estates General relentlessly to take political responsibility for large scale redemptions from start to finish, that is, to arrange the collection of funds, charge its diplomats to negotiate the release of captives, and organize their transportation home. Church elders argued that if ransoming captives had become a condition for maintaining diplomatic

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Generality Mint Chamber and the High War Council (Hoge Krijgsraad) that resided under the Council of State. Israel, *The Dutch Republic*, 293-296.

<sup>664</sup> Provinces could send a maximum of 6 delegates, but had only one vote. Israel, *The Dutch Republic*, 278, 285, 287, 292-293; Bruin, *Geheimhouding en Verraad*, 147. See especially chapter 8.

<sup>665</sup> Bruin, *Geheimhouding en Verraad*, 134; Israel, *The Dutch Republic*, 276.

<sup>666</sup> M.A.M. Franken, Franken, M.A.M. "The General Tendencies and Structural Aspects of the Foreign Policy and Diplomacy of the Dutch Republic in the latter half of the 17<sup>th</sup> Century," In *Acta Historiae Neerlandica III*, 1-42 (Leiden: E.J. Brill, 1968), 20.

relations with foreign states, then it followed that the Generality also must fund redemption. The Reformed Church assumed the role of watchdog but refused any greater role. Its backseat position in orchestrating collections forced the Estates General to deploy the entire Dutch state apparatus to redeem slaves from North African captivity, turn the organization of these redemptions into an affair of the state, and make it a diplomatic matter. As a result, the Dutch Protestant state became a major player in the redemptive process in the Mediterranean in the second half of the seventeenth century.

The decentralized government structure of the Republic nonetheless hampered the Estates General in the collection of funds. Most provinces considered the question of captivity and redemption solely a problem for Holland and not for them. Many refused to participate in the general collections. The lack of interest in saving captives from Holland, and to a lesser extent from Zeeland, highlights an important facet of Dutch policy making abroad and one that ultimately backfired in the second half of the seventeenth century. In the history of the Dutch Republic, the close relationship between merchants and regents (who were often the same people) formed a driving force behind the expansion of Dutch commercial and maritime power in the late 1500s and during the first decades of the 1600s. These merchants mostly resided in Holland and helped make the province exceedingly prosperous. Commercial expansion in the Mediterranean, however, had a price; captivity was one of them. In order to raise adequate funds, the Estates General depended on all provinces to participate in the general collections but most provinces refused to cooperate. The problem of captivity and slavery in North Africa thus illustrated a Dutch paradox: when the Estates General finally decided to act as a central institution, its indivisible partnership with Holland prevented it from unifying all



provinces in what it considered a common, Christian cause. Corsairing in the Mediterranean revealed that the decentralized political structure of the Republic reflected an engrained state of mind that often prevented cooperation.

### ***Local Redemption: Christian Charity and Civic Responsibility***

Some European captives held in North Africa came from wealthy or well-to-do backgrounds. Most, however, were men and women of middling or even small means whose families and friends generally were unable to pay for their release. Whether Catholic or Protestant, they all relied on churches, parishes, redemptive orders, and town magistrates to ransom them.<sup>667</sup> The limited financial means of Dutch consuls in North Africa forced Dutch captives and their family to rely on the quite well-developed institutions of poor relief in the Republic. Until 1651, when the Estates General first promised to ransom captives in Salé, redemptive practices in the Republic strongly resembled redemptive practices elsewhere in Europe, most notably in its Christian, localized character as well as in the major involvement of women. The absence of the Trinitarian and Mercedarian orders in the Protestant Republic gave a prominent role to Dutch civic authorities and the *diaconie*, the institution of poor relief run by the Reformed Church, in all aspects of individual redemption: financial, legal, and logistical. A strong sense of Christian charity and civic responsibility, that was not uniquely Dutch but European-wide, characterized endeavors to redeem captives in the first half of the seventeenth century.

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<sup>667</sup> Colley, *Captives*, 75-77; see Chapter two of Gillian Weiss, *Captives and Corsairs*, 27-51.

The problem of slavery affected many regions in the Republic beyond Holland. In 1612, the States of Friesland ordered its towns to notify them of any *burgers* held captive. Responses came from at least seven towns and *grieterijen* (rural magistracies), such as Harlingen, Bolsward, and Dokkum. Each town only registered a few captives: the port of Harlingen topped the list with seven.<sup>668</sup> Other provinces also dealt mostly with individual cases. Cornelis Ebckes from Groningen was a captive in Algiers and in 1660 approached the town council for assistance in obtaining his release.<sup>669</sup> Similarly, *burgers* from Amersfoort, a town in the center of the Republic, collected ransom for their fellow resident Hendrick Dircksz.<sup>670</sup> Much later, in 1743, officials from the Veluwe region in the east of the Republic reported an old case of five citizens from Apeldoorn who had been captured on board an English ship on their way from Amsterdam to the New Netherlands. Two had died in captivity and an Englishman had helped the other three gain their freedom.<sup>671</sup> Although these cases and others in the provinces of Groningen and Ommelanden, Friesland, Gelderland, and Utrecht underscore the fact that the problem of slavery and redemption in the Republic occurred in many provinces of the Republic, the records available also suggest the infrequency of such cases.

In contrast, the documentary record is much richer for the province of Holland. Holland and Zeeland, as coastal provinces situated along the North Sea, historically

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<sup>668</sup> Local slave lists from Friesland, Dec. 2, 8, 17, 21, 27, 1612 and Jan. 4 and 5, 1613, Tresoar, Fries Historisch en Letterkundig Centrum [hereafter TR], 5, inv.nr. 2694.

<sup>669</sup> Letter of Cornelis Ebckes, Algiers, April 10, 1660, Groninger Archieven, 2041, inv.nr. 1919.

<sup>670</sup> Call for collection magistrate Amersfoort, May 9, 1682, Archief Eemland [hereafter AE], 1.01, inv.nr. 38.

<sup>671</sup> The liberated captives returned to Apeldoorn, the town in the east of the Republic where they were originally from. No money had been collected or paid for their release. Letter of *landvorst* Veluwe to States of Gelre, April 17, 1743, Gelders Archives, 124, inv.nr. 1127.

dominated maritime trade and navigation in the Republic. Since the sixteenth century, entrepreneurs in Holland and Zeeland expanded commerce beyond the Baltic mother trade to include routes to Russia, Iceland, east Asia, west Africa, the Americas, and, of course, the Mediterranean. Zeeland mostly traded with territories along the Atlantic Ocean, while Holland specialized in commercial navigation to Asia and northern Europe.<sup>672</sup> Thus, a Dutch sailor captured and enslaved in North Africa, statistically speaking, usually resided in the province of Holland or Zeeland. Of a total of 489 slaves held in Algerian captivity in the 1680s, 278 came from Holland (c.57%) and 166 in Zeeland (c.34%). These 444 slaves constituted almost 91% of all prisoners (see table 5.1).<sup>673</sup> Of the 278 Hollanders, 122 had lived in Amsterdam. In other words, in the early 1680s, Amsterdam captives constituted almost 44% of Holland and 25% of all Dutch prisoners in Algiers. Captives of Friesland and Groningen made up around 6.5% and those of the remaining provinces tallied less than a handful. In short, Holland's dominance in shipping activities goes far to explain the documentary record and the reasons for the preponderance of Hollanders and Zeelanders in captivity.

The majority of captives from Holland, like those from England, were common merchant mariners.<sup>674</sup> Although information on wages for sailors and seamen in the

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<sup>672</sup> Rich with waterways, the province of Friesland also engaged in sea-transportation and trade, mostly in northern Europe. Prak, *The Dutch Republic*, 108.

<sup>673</sup> Report, no date, AM, 5028, inv.nr. 499, folio 3. The document has no date, but because it is kept in the folder with documents relating to the general redemption of 1681, the list most likely refers to the situation in May 1680 when Hees left Algiers for the Republic.

<sup>674</sup> Colley also counts small traders, fishermen, and soldiers among English captives. Colley, *Captives*, 54.

seventeenth-century Republic is fragmentary, in 1636 the average income for sailors in the merchant marine amounted to roughly eleven to thirteen guilders a month.<sup>675</sup>

Table 6.1

Number of Dutch captives in Algiers, divided per province, ca. 1680 <sup>676</sup>	
Holland	278
Zeeland	166
Gelderland	6
Groningen en Ommelanden	13
Friesland	19
Overijssel	3
Utrecht	2
Brabant	2
	489

Although ransom varied by rank and skill level, in 1662, the average price for a Dutch sailor in North Africa approached 500 guilders.<sup>677</sup> In 1682, a sailor's ransom amounted to between 125 and 250 pieces of eight; that of a captain or carpenter between 450 and 550.<sup>678</sup> Assuming that sailors' wages increased in the decades after 1636, a captured sailor would still need at least forty times his monthly pay to purchase his freedom.<sup>679</sup> Some captives and their families actually managed to scrape this together. The potter Heijndrick Jerenimusz Kootwijck from Purmerend, for instance, "employed all possible means" to acquire the staggering sum of more than 1146 guilders in cash and obligations

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<sup>675</sup> A.Th. van Deursen, *Plain Lives in a Golden Age. Popular Culture, Religion and Society in Seventeenth-Century Holland* [1978]. Trans. Maarten Ultee (Cambridge, MA, Cambridge University Press, 1991), 23. Calculations are based per month, because sailing was often seasonal work and sailors supplemented their income with other jobs. Boon, *Bouwers van de zee*, 152.

<sup>676</sup> Ibid.

<sup>677</sup> Krieken, *Kapers en Koopliden*, 41.

<sup>678</sup> List redeemed slaves Algiers, AM, 5028, inv.nr. 499, folio 3.

<sup>679</sup> Sailors' wages remained relatively stable after 1650. Boon, *Bouwers van de Zee*, 144.

to redeem his son Gerrit, who had been enslaved in Tunis two years earlier.<sup>680</sup> Because the wages of a potter probably amounted to something like twenty-three guilders per month, father Kootwijck needed almost fifty times his average monthly income to redeem his son.<sup>681</sup> The Kootwijck case demonstrates that for the average captive and his family ransom lay considerably beyond their means. Only help from the community made redemption possible.

Towns and rural communities that largely depended on maritime activities anticipated the problem by setting up redemptive funds (*Zeevarende Beurzen*) that functioned as a sort of insurance policy. Maassluis established one of the oldest in 1613. Other towns, especially in northern Holland, followed suit in the 1630s.<sup>682</sup> Sailors regularly contributed a small amount on a voyage-to-voyage basis; the exact figure depended on their destination and the perceived risk. In the first half of the seventeenth century, however, this money was not used to redeem Dutch captives in North Africa, but to free those imprisoned in Flanders by Dunkirk privateers licensed by the Spanish crown. In those cases, the money not only covered ransom, but also offset the costs of imprisonment and day-to-day expenditures.<sup>683</sup> After the Dunkirk threat faded with the signing of the Peace of Westphalia, members voted to extend coverage to cases of

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<sup>680</sup> Letter of magistrates Purmerend, Aug. 14, 1641, Noord-Hollands Archief [hereafter HA], 154, inv.nr. 28.

<sup>681</sup> Calculation is based on the daily wages of a potter in Amsterdam in 1640. Van Deursen, *Plain Lives*, 5. Eight *stuivers* daily is roughly 23 guilders per month (for a six day workweek) or more than 280 guilders per year.

<sup>682</sup> C.A. Davids, "De Zeeman." In *Gestalten van de Gouden Eeuw. Een Hollands groepsportret*, eds. H.M.Beliën, A.Th. van Deursen, and G.J. van Setten, 95-129 (Amsterdam: Uitgeverij Bert Bakker, 1995), 117.

<sup>683</sup> Deursen, *Plain Lives*, 220.

captivity in England, France, and North Africa.<sup>684</sup> Even then, as Van Deursen has pointed out, the *Zeevarende Beursen* never contained enough cash to ransom slaves from North Africa.<sup>685</sup> As a result, captives in North Africa still had to rely on relatives and friends back in the Republic to assist them financially and logistically.

Although various family members might seek aid, as the case of father and son Kootwijck illustrates, women appear to be a driving force in liberating husbands, sons, and brothers; a similar phenomenon occurred in England and France.<sup>686</sup> In Dutch seaports, the majority of husbands and wives labored together to make a living. Employment in the maritime industry was seasonal and women often complemented the family income by working as seamstresses and wet nurses; laboring in the spinning and sail-making industry; keeping small stores; selling second-hand goods; or running a brewery or inn.<sup>687</sup> Foreign visitors often expressed amazement at the large numbers of Dutch women who worked and traded autonomously, especially in areas where husbands were fishermen, traders, or sailors and thus often absent for months.<sup>688</sup> Although self-

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<sup>684</sup> Davids estimates that at least 43 funds existed in the early Republic. At the end of the seventeenth century funds extended coverage to include loss of goods or injury. Davids, “De Zeeman,” 117-118; Deursen, *Graft*, 303.

<sup>685</sup> Deursen, *Graft*, 304.

<sup>686</sup> See Gillian Weiss, “Humble Petitioners and Able Contractors: French Women as Intermediaries in the Redemption of Captives.” In *Le Commerce des captifs. Les Intermédiaires dans l’échange et le rachat des prisonniers en Méditerranée, XVe - XVIIIe siècle*, ed. Wolfgang Kaiser, 333-344 (Rome: École Française de Rome, 2008). In England, too, Colley refers to “parents and wives of almost a thousand English captives” who petitioned the English crown to intervene on their behalf. Colley, *Captives*, 57; Deursen, *Graft*, 302.

<sup>687</sup> Van Deursen, *Plain Lives*, 8, 21. See also Deursen, *Graft*, 119-121, and E.M. Kloek, “De Vrouw.” In *Gestalten van de Gouden Eeuw. Een Hollands groepsportret*, eds. H.M. Beliën, A.Th. van Deursen, and G.J. van Setten, 241-279 (Amsterdam: Uitgeverij Bert Bakker, 1995), 273.

<sup>688</sup> Kloek, “De Vrouw,” 249-250, 270-271; Donald Haks, *Huwelijk en Gezin in Holland in de 17de en 18de Eeuw. Processtukken en moralisten over aspecten van het laat 17de- en 18de-eeuwse gezinsleven* (Assen: Van Gorcum, 1982), 155.

sufficient women were common in the Republic, the average Dutch household depended on a double income and the loss of one working adult could easily lead to poverty.<sup>689</sup> The capture and enslavement of a husband or son in North Africa therefore caused great emotional distress and economic hardship for a family, especially when captivity lasted years, even decades.<sup>690</sup> Not surprisingly, women frequently approached town and village councils to request the collection of ransom and to arrange the liberation of husbands and sons. Trijntje Jansz from Schellinckhout, for instance, and Diewertje Cornelis and Neeltje Cornel from Hoorn, all petitioned their town councils for permission to take up a collection to free their husbands and sons from North African captivity.<sup>691</sup>

In France, women not only petitioned; they also sold property and goods and hired merchants to redeem French captives. They acted therefore as intermediaries in the redemption process.<sup>692</sup> Official town records in the Republic also show that Dutch women functioned as liaisons, at least on a local level, mediating between the family on the one hand, and civic and ecclesiastical authorities on the other. In Flushing, for example, housewives assembled to request that the States of Zeeland raise funds to redeem relatives and friends from Algerian captivity. The States permitted not only these

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<sup>689</sup> Deursen, *Graft*, 211. The average household in the province of Holland totaled around five members in the Noorderkwartier and four (and half) in the larger towns. Kloek, “De Vrouw,” 257.

<sup>690</sup> In 1712, the Trinidarians listed sixty-three liberated French slaves. Eight had been held captive for a couple of months to less than a year; thirty-six between one and ten years; and seventeen between eleven and forty five years. Printed list by Trinidarian order of liberated slaves in November and December 1719, 1720, Westfries Archief [hereafter WF], 215, inv.nr. 182.

<sup>691</sup> Request collection magistrates Schellinckhout, Nov. 23, 1685, WF, 689, inv.nr. 353; Permission collection magistrates Hoorn, Jan. 20, 1694, WF, 689, inv.nr. 353; Permission Winckel, Aug. 18, 1689, WF, 1048, inv.nr. 322.

<sup>692</sup> Gillian Weiss, “Humble Petitioners,” 334.

women but also others in similar situations to collect money by going door-to-door.<sup>693</sup> Similarly, in Rotterdam, housewives, mothers, and children collectively petitioned the Remonstrant Church for aid and eventually received five hundred guilders in relief.<sup>694</sup> Occasionally, women assisted each other in writing petitions. Elisabeth Wels became a widow after pirates killed her husband, Captain Joost Slinkman. His crew surrendered and Jacobus van Haeften, a citizen from Amersfoort, was taken captive. Haeften's wife, probably illiterate, asked Elisabeth Wels to compose a petition to the town council for help in liberating Jacobus.<sup>695</sup> In short, female relatives, especially wives and mothers, often collaborated in initiating the redemption process.

Although town records reveal women's mediating role in redemptive practices, less evidence survives that details how that process proceeded. We know virtually nothing about how women experienced redemption or how society viewed women's role in the process. Dutch historians, however, have found that women from the lower strata in the Republic, despite or perhaps because of their low social status, did not hesitate to act publicly in other circumstances. Rudolf Dekker, for instance, argued that women often participated in social revolts, especially protesting increases in food prices or government-imposed excise taxes on products such as grain, butter, or peat.<sup>696</sup> No obvious connection exists between social revolts and redemption, yet the women involved shared at least one reason to act: to restore the household to its former standard

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<sup>693</sup> Resolution States of Zeeland, Sept. 25, 1687, ZA, 87, inv.nr. 4b.

<sup>694</sup> Petition housewives, April 23, 1651, and response Remonstrant Church, April 23, 1651, RO, 1.01, inv.nr. 2838.

<sup>695</sup> Letter of Elisabeth Wels to magistrates Amersfoort, Amsterdam, Jan. 20, 1722, AE, 1.01, inv.nr. 1994.

<sup>696</sup> Rudolf Dekker, *Holland in Beroering. Oproeren in de 17e en 18e eeuw* (Baarn: Ambo, 1982), 24-29, 38, 51-60.



of financial well-being, however modest that may have been. In the case of captured husbands and sons, women desired the return of wage-earning male relatives.<sup>697</sup>

The desire of working women to restore the integrity of their households defines the liberation of individual captives as a “private” enterprise. The Synod of the Reformed Church in South Holland shared this view. Contrary to what one might expect, the Synod refused an anonymous woman’s plea for a financial contribution to ransom her husband. The delegates based their rejection on “similar decisions” in the past.<sup>698</sup> When one considers early modern European views on redemption as a Christian duty, the attitude of the Synod seems somewhat bewildering. After all, Mercedarian and Trinitarian orders liberated Huguenot captives and the Anglican Church came to the rescue of English ones by organizing state-wide collections in collaboration with the government in London.<sup>699</sup> Delegates from the Reformed Church, however, systematically refused individual petitions, because “such private requests are not admissible here [at the Synod].”<sup>700</sup> A closer look at the organization of the Reformed Church, however, explains why the Reformed Church expected its local divisions, the *classes*, to get involved instead.<sup>701</sup> The

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<sup>697</sup> During revolts people often claimed to restore old rights and privileges. Dekker, *Holland in Beroering*, 79. Weiss draws a similar conclusion for French women in restoring “social order by returning fathers and sons to their rightful positions within households.” Weiss, “Humble Petitioners,” 344.

<sup>698</sup> Art.8 of Acta der Particuliere Synoden van Zuid-Holland, 1621-1700, ed. W.P.C. Knuttel. RGP Kleine serie, 5 vols. [hereafter Acta] (The Hague: Martinus Nijhoff, 1908), Leiden, 1649, 3: 124. The only exceptions the Synod made was for a Muslim, converted to Christianity, and a preacher’s son captured in Turkey. See Art. 73 of Acta, Leiden, 1649, 3: 163; Art. 39 of Acta, Gorinchem, 1661, 4: 234.

<sup>699</sup> Weiss, “Back to Barbary”, 113. See also, Colley, *Captives*, 54.

<sup>700</sup> “Alsoo menighmael versoucken werden gedaen aen dese Synoden, om eenighe pennighen tot lossinghe van gevangenen in Turckye, is geoordeelt sodanighe particuliere versoucken hier niet ontfanckelijc te zijn.” Art. 10 of Acta, The Hague, 1654, 3: 394.

<sup>701</sup> A.Th. van Deursen, *Bavianen en Slijkgeuzen. Kerk en kerkvolk ten tijde van Maurits en Oldenbarnevelt* (Assen: Van Gorcum & Comp., 1974), 5.

Reformed Church was organized on several levels: the *classes* (local), the “particular” Synods (regional), and the “general” Synods (national). The *classes* formed the most important units within the Church because they oversaw and administered parishes’ affairs. Within each parish, the *diaconie* administered poor relief. Because the Dutch, like other early modern Europeans, considered ransom money part of poor relief, it fell to the *diaconie* to run collections.<sup>702</sup>

The Synod of the Reformed Church in South Holland thus re-directed the redemption of individual captives to the *diaconie*. Deacons provided care for those unable to support themselves and poor women were the most frequent recipients of such aid.<sup>703</sup> Because captivity mostly affected families who themselves often trembled on the brink of poverty, the shift from relief for the poor to ransoming a Christian captive seemed only a small step. The *diaconie* in Twisk, for instance, collected ransom for twelve captives from a variety of towns in North Holland: one guilder and ten *stuivers* for Willem Lambertz Hoorn from Amsterdam and one guilder and five *stuivers* for Jan Heindricksz from Hoorn.<sup>704</sup> Likewise, the deacons of Holysloot, more generously, promised fifty guilders for the release of Jan Jacobsz in Algiers.<sup>705</sup> Similarly, the

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<sup>702</sup> Deursen, *Bavianen en Slijkgeuzen*, 5.

<sup>703</sup> Deursen, *Plain Lives*, 55; Deursen, *Graft*, 119.

<sup>704</sup> Church book parish Twisk, April, 13 1664, WF, 957, inv.nr. 1. Deacons in Westwoude and Binnenwijsendt also collected ransom for the release of seven men from Enckhuijsen and Hoorn. Church book parish Binnenwijsendt and Westwoude, 1655, 1656, WF, 119, inv.nr. 1. It seems, though, that Protestant refugees from Piedmont received priority.

<sup>705</sup> Collection booklet for Jan Jacobz Jongs from Holysloot, Jan. 28, 1676, AM, 761, inv.nr. 41A.

Remonstrant Church in Rotterdam promised five hundred guilders to the female relatives of captured sailors.<sup>706</sup>

Churches also worked closely with local governments to redeem slaves. At least in northern Holland, from where the majority of Dutch captives came, local secular government and the Reformed Church often acted in unison. Indeed, they were often one and the same. Frequently, regents served simultaneously in local church councils and in town magistracies, thus considerably enhancing the public character of the Reformed Church.<sup>707</sup> Regents who governed orphanages, hospitals, and other charitable institutions as a Christian duty did not neatly distinguish ecclesiastical from secular interests: their charitable work simultaneously regulated the labor market, maintained social order, and disciplined the poor.<sup>708</sup> Likewise, when Amsterdam regents assigned the almshouse the duty of organizing collections and receiving donations for the redemption of Christian slaves, they acted as patriarchs in town and church alike.<sup>709</sup> The return of a sailor from captivity not only freed ecclesiastical and civic charity from the necessity of assisting his family, it also symbolized the redemption of a Christian soul and its return to the religious fold.<sup>710</sup> In redeeming individual captives, therefore, local magistracies and

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<sup>706</sup> Remonstrant Church, April 23, 1651, RO, 1.01, inv.nr. 2838.

<sup>707</sup> This led in some cases, like the town of Edam, to a blend of ecclesiastical and secular authorities. Deursen, *Bavianen en Slijkgeuzen*, 13, 21, 23, 30, 85.

<sup>708</sup> Hilde van Wijngaarden, *Zorg voor de kost. Armeenzorg, arbeid en onderlinge hulp in Zwolle, 1650-1700* (Amsterdam: Uitgeverij Prometheus/ Bert Bakker, 2000), 17, 18.

<sup>709</sup> H. van Eeghen, "Verlossing van Christenslaven in Barbarije," *Amstelodamum* 40 (May 1953): 70.

<sup>710</sup> Regents' involvement raised their social status and helped their career. Van Wijngaarden also insists on regents' altruistic motives and consequent bondage with the poor. Wijngaarden, *Zorg voor de kost*, 18.

churches served the purpose of restoring public order and assuring the well-being of the Christian community for which they shared responsibility.<sup>711</sup>

Nonetheless, despite the overlap of local magistracies and Reformed church councils in membership and worldview, they assumed separate redemptive practices. The church records available suggest that the *classes* and *diaconie* organized collections, donated sums, or provided poor relief; in short, they provided all the necessary financial services, but did not - or probably could not - arrange the logistics of slave redemption. They lacked the contacts in Mediterranean Europe and the linguistic skills that the Catholic ransoming orders possessed.<sup>712</sup> Records from town and village councils in northern Holland, however, reveal how often local magistrates facilitated redemption by creating a network of legal, financial, and logistic support to women and men who sought the return of their relatives. Thus, civic authorities handled *all* aspects of individual redemption, whereas the church only assisted in raising money.

Magistrates, for instance, not only permitted petitioners to stage collections within their jurisdiction, but also requested fellow officials in nearby towns, villages, and *heerlijkheden* (similar to English manors) to allow collections there as well.<sup>713</sup> The

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<sup>711</sup> Town magistrates sometimes delegated the managing of the ransom funds to others. In Hoorn, regents of the local orphanage managed the ransoms; in Rotterdam it was the *diaconie*. C.J. den Ridder, "Gedenk de gevangenen alsof gij medegevangenen waart. De loskoop van Hollandse zeelieden uit Barbarijse gevangenschap, 1600-1746," *Tijdschrift voor Zeegechiedenis* 5 (1986): 6.

<sup>712</sup> The Church of England and the Presbyterian Kirk in Scotland shared this lack of experience with the Dutch Reformed Church. Weiss argues that Protestant communities in France "often turned to an internal network of churches, families, and merchants." Colley, *Captives*, 54; Weiss, "Back from Barbary," 109.

<sup>713</sup> Permissions for collecting ransom: May 30, 1682, Abbekerk; Jan. 14, 1688, Oosthuijsen; Aug. 18, 1689, Winkel; Dec. 1, 1689, Abbekerk; Dec. 3, 1689, Schellinckhout; no date, Nibbinxwoud; all in WF, 1048, inv.nr. 322. Additional permissions for collection ransom individual slaves: Nov. 23, 1685, Schellinckhout; Jan. 8, 1686, Benningbrouk; Sept. 3, 1687, Nibbinxwoud; Jan. 20, 1688, Wijdens en Oosterleek; April 15, 1688; request to collect in Swaag, Dec. 3, 1689; Jan. 25, 1690, Schellinckhout; Feb. 12, 1691, Grootebroeck; Hoorn's permission to collection, Jan. 20, 1694; Jan. 10, 1695, Lutjebroek; all in WF, 689, inv.nr. 353.

mayors of Wijdenes and Oosterleek, for example, requested the community of Spanbroek to hold a collection for Simon Jansz in't Veld, captured in Algiers, promising to return the favor if, "God forbid," the Muslims captured and enslaved one of Spanbroek's *burgers*.<sup>714</sup> This local reciprocity (*akten van renversaal*) stemmed from the anticipation that neighboring villages or towns would need assistance, too, in raising ransom for their residents.<sup>715</sup> Considering the ratio of West Friesian men in the *Straatvaart*, this situation arose frequently.<sup>716</sup> In 1689, the regents of Venhuijsen reminded the town of Spanbroek how it had helped redeem one of Spanbroek's captives in 1685 and, now in 1689, "humbly called upon [...] Christian sentiments of generous compassion" to free Arie Jansz of Venhuijsen.<sup>717</sup> In short, shared experiences of captivity and Christian compassion joined towns and villages in North Holland together in a redemptive enterprise and provided justification for collecting outside one's own community.

Individual redemption was thus civic in nature as well as Christian. By permitting *burgers* to request financial aid from outside the community, town officials acknowledged the needs of their *burgers* and acted on their behalf. These activities illustrate that early modern concepts of citizenship were principally tied to local and

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<sup>714</sup> Wijdenes and Oosterleek's promise of reciprocity, March 1688, WF, 1048, inv.nr. 322.

<sup>715</sup> Ridder, "Gedenk de gevangenen," 8; Marco H.D. van Leeuwen, *Zoeken naar Zekerheid. Risico's, preventie, verzekeringen en andere zekerheidsregelingen in Nederland, 1500-2000. Vol.1, De Rijke Republiek: gilden, assuradeurs en armenzorg, 1500-1800* (The Hague: Verbond van Verzekeraars, 2000), 231.

<sup>716</sup> Foremost, skippers and sailors from the Noorderkwartier in Holland transported Amsterdam merchants on the *Straatvaart*. Boon, *Bouwers van de Zee*, 63.

<sup>717</sup> "ootmodelijk uw Christelijcke gemoederen tot een milde mededoogenheijt," Request from Venhuijsen, Oct. 8, 1689, WF, 1048, inv.nr. 322.

regional communities.<sup>718</sup> Some magistrates, for example, required proof of the captive's previous residency. When the village council of Opmeer requested the town of Swaagh to permit Gerrit Arissen Gent and Evert Willemsz to hold collections for Pieter Cornelisz then held in Algiers, they attached proof of his previous residency.<sup>719</sup> By enclosing documents attesting to the captive's identity, magistrates reassured fellow officials that he was a citizen of their community and thus a legitimate object of charity.

Civic authorities also supported captured *burgers* and their families by providing other financial resources. During collections relatives often went door-to-door with a sealed box (*bus*).<sup>720</sup> Another common practice, the *intekeningen*, entailed signing collection booklets (*collecte boekjes*), whereby the signatories promised to pay a sum once the liberated captive had returned to "Christendom." This system encouraged prominent and wealthy members of the community to promise money that would only have to be paid when a captive was actually released. In 1636, Cornelis Cornelisz Timmerman and Jan Dircksz Luijtsz, mayors of Catwoude, pledged the sum of 725 guilders to release their fellow resident Pouwel Jansz from Algerian captivity and promised to reimburse the anonymous "purchaser" upon Jansz's return to the Republic.<sup>721</sup> Similarly, Pieter Fraij, Pieter Heertse, and Cornelis Gorter, wealthy *burgers* from Edam,

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<sup>718</sup> Erika Kuijpers en Maarten Prak, "Burger, ingezetene, vreemdeling: burgerschap in Amsterdam in de 17e en 18e eeuw," In *Burger*, eds. Joost Kloek and Karin Tilmans, 113-132. Reeks Nederlandse Begripsgeschiedenis (Amsterdam: Amsterdam University Press, 2002), 113. Documents from the period 1657-1663, for example, demonstrate that the town council of Alkmaar actively engaged in collecting ransom for captured citizens. Regionaal Archief Alkmaar, 10.1.1.001, inv.nr. 2067.

<sup>719</sup> Opmeer's request, Dec. 29, 1657, WF, 689, inv.nr. 353.

<sup>720</sup> Van Eeghen, "Verlossing", 70; Resolution States of Zeeland, Sept. 25, 1687, ZA, 87, inv.nr. 4b.

<sup>721</sup> Pledge of Timmerman and Luijtsz, March 19, 1636, Monnickendam, HA, 154, inv.nr. 28; Deursen, *Graft*, 304.

stood surety for Lambert Dirckse Rood, also enslaved in Algiers, and promised to pay merchant David D’Azevedo for ensuring Dirckse’s release.<sup>722</sup>

In addition, civic commitment drove the most prominent *burgers* of North Holland towns to deploy their social network to make redemption work. Heijndrick Kootwijck, the potter mentioned above, managed to gather enough money to redeem his son Gerrit, but still relied on the mayors of Purmerend to organize the actual liberation. Regents often filled such requests by enlisting the aid of merchants from Amsterdam that dominated the *Straatvaart*.<sup>723</sup> In Kootwijck’s case, the mayors of Purmerend contacted the Amsterdam merchant Johan van der Straten, who enjoyed a considerable reputation for success in ransoming slaves. The magistrates pledged to reimburse Van der Straten upon the return of Kootwijck’s son, provided that the merchant did not spend more than the mayors had collected.<sup>724</sup>

The regents’ warning not to overspend recalls the precarious nature of ransoming slaves. Redemption might have been a Christian duty, but traders like Van der Straten did not offer their services for free. They advanced the ransom, negotiated the captive’s liberation, and transported the redeemed slave back home, adding their costs to the sum. The merchant Arie Albertsz Snoeck, for instance, agreed to transfer ransom money by bills of exchange over land to Livorno, contact fellow trader Van Neck upon arrival, and replace his name with Van Neck’s on the bills, thus allowing Van Neck to handle the actual redemption. Snoeck had to promise to “connect his person and goods, moveable

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<sup>722</sup> Letter from Edam, 1668, HA, 154, inv.nr. 28.

<sup>723</sup> Boon, *Bouwers van de zee*, 100.

<sup>724</sup> A testimony by Van der Straten that he acknowledged the request and a note that father Kootwijck had paid bail suggest that Gerrit had regained his freedom. Aug. 14, 1641, Purmerend; Jan. 18, 1645, Cootwijk, HA, 154, inv.nr. 28.

and immovable, present and future” to any debts he might incur.<sup>725</sup> The commitments of Van der Straten and Snoeck presented no novelties in the long history of European redemption efforts. In fact, all around the Mediterranean, commercial merchants dominated the ransoming business, as recent research demonstrates. Bankers, merchants, and miscellaneous others in Cadiz, Seville, Marseille, and Livorno offered financial and logistical services to support the commercial aspects of ransoming slaves.<sup>726</sup> Notary records of *burgers*’ promises to stand surety, reimburse ransoms, or repay debts, underscore the financial and commercial risks involved in long distance redemption.

In short, attempts to redeem a Dutch captive involved an entire network of community members from relatives, friends, and neighbors to deacons, town officials, notaries, and Amsterdam merchants. Dutch local civic and ecclesiastical authorities handled redemption as best they could. The more visible role of secular authorities in offering legal and logistic resources beyond the deacons’ financial assistance served both institutions’ desire to prevent poverty and assist those in need. Women, in particular, mediated between the family and civic authorities to restore the household. Although it is tempting to characterize redemptive efforts in towns, villages, and districts as a reflection of the decentralized Dutch Republic, studies on redemption in France, for instance, also emphasize its parochial and provincial character.<sup>727</sup> Similar to practices in other early modern European states, Dutch redemption in the first half of the seventeenth century depended on the engaged participation of the entire local community, while

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<sup>725</sup> Letter Aug. 8, 1639, Edam, HA, 154, inv.nr. 28.

<sup>726</sup> Kaiser, “Introduction,” 9.

<sup>727</sup> Weiss, “Back from Barbary,” 97.



simultaneously helping define that community's responsibilities to its citizens. Soon, however, it was not enough and the Synods of the Reformed Church stepped in to demand a state-led effort to redeem slaves.

### ***The Reformed Church: Redemption as Political Responsibility***

Around 1650, the Dutch Reformed Church initiated a debate on who should assume responsibility for large-scale redemption. As discussed earlier, the 1651 treaty with Salé required the Estates General to ransom all captured *burgers* within a specified period in exchange for peaceful relations. Thus for the first time in an international agreement, the Estates General abandoned its principle of demanding the *gratis* release of captives.<sup>728</sup> The switch in policy, however, did not mean that the Estates General immediately started organizing general collections. It still believed that redemption was a local, Christian responsibility and not one requiring state action. The Reformed Church, however, pressured the Estates General to orchestrate general collections. Church delegates began their campaign in 1649, when negotiations for the treaty with Salé took place, and continued them until 1677, when Ambassador Hees agreed to ransom captives in a preliminary agreement with Algiers. By emphasizing that large-scale redemption was a political, Christian responsibility rather than a task of the church, the Reformed Church abdicated a central role in liberating Christian captives from Muslim captivity.

The willingness of the Reformed Church to take a backseat to the Estates General may seem odd. Ecclesiastical institutions in Catholic Europe had long taken the lead in redeeming slaves in North Africa. Similarly, the Dutch Reformed Church was integral to

life and politics in the Republic. Article 36 of the Dutch Confession of Faith enjoined civic authorities to protect the church and allow the preaching of the gospel. In return for the promotion of the Reformed faith, the councils of the Reformed Church supported and assisted the magistrates. Because civic magistrates and council members of the church, in many small towns in Holland were frequently identical, the distinction between ecclesiastical and secular interests often blurred.<sup>729</sup> The collaboration between local civic and ecclesiastical authorities in helping families to liberate their captives reflected this close relationship.

At a “national” level, however, the Synods of the Reformed Church refused to take responsibility for a large-scale redemption, arguing that this task devolved properly on the Estates General. Demands for single redemptions had already strained local resources. Delegates to the Synod of South Holland reported, for instance, that the *diaconien* received “more and more daily requests” to assist needy captives.<sup>730</sup> Because the *diaconien* were themselves dependent on small gifts that rarely covered the needs of indigenous charity cases, they could not always honor additional requests for ransom.<sup>731</sup> These financial restraints made the Synod very reticent in assuming further tasks and responsibilities. In 1649, while diplomats were still negotiating a treaty with the Salese rulers, delegates at the Synod of South-Holland had already warned the Estates General that they “did not want to interfere too much.”<sup>732</sup> They pointed out that, in promising to

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<sup>728</sup> Dutch-Salese treaty, 1651, GPB, 1: 129; Krieken, *Kapers en Kooplieden*, 37.

<sup>729</sup> Van Deursen, *Bavianen en Slijkgeuzen*, 13, 21, 30.

<sup>730</sup> Art. 40 of Acta, Delft, 1657, 4: 34.

<sup>731</sup> Deursen, *Bavianen en Slijkgeuzen*, 109, 113.

<sup>732</sup> Art. 70 of Acta, Leiden, 1649, 3: 159-160.

arrange for a large-scale liberation of slaves, the Estates General sought to guarantee safe trade in the Mediterranean. The Synod viewed this goal as an affair of state and a matter affecting the interests of the entire Republic and not inherently a religious matter. In addition, the delegates to the Synod asserted that the Estates General was far better placed to redeem captives than the Reformed Church because the church lacked the ability to conclude international agreements.<sup>733</sup> The delegates therefore proclaimed collective redemption to be “mostly political” in nature, or, in other words, a task of the secular state.<sup>734</sup>

The delegates nonetheless expressed concern about the captives held in Salé and reflected on their own position, wondering “whether this Synod ... should not also help promote such a Christian work regarding [the liberation of] our captives.”<sup>735</sup> Minutes from the Synod of South Holland reveal that church deputies relentlessly lobbied the Estates General between 1647 and 1679 on the subject of ransoming *burgers* from North African captivity.<sup>736</sup> After the pensionary Adriaen Pauw, for example, informed the Synod in 1652 that the Republic and Algiers were at war, and that negotiations to liberate captives would necessarily cease, the deputies urged the States of Holland to help slaves regain their freedom despite the conflict.<sup>737</sup> Similarly, in 1655, the Synods of South and North Holland handed the Estates General “a very moving and persuasive petition”

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<sup>733</sup> Art. 43 of Acta, Schiedam, 1651, 3: 273.

<sup>734</sup> Art. 70 of Acta, Leiden, 1649, 3: 159-160.

<sup>735</sup> Art. 70 of Acta, Leiden, 1649, 3: 159-160.

<sup>736</sup> Although acta from the Synod of South Holland date from 1621 to 1700, resolutions on captivity and redemption in the Mediterranean only appear in the years 1648-1679.

<sup>737</sup> Art. 45 of Acta, Gorinchem, 1652, 3: 319.

requesting the redemption of slaves and used “all possible means” to convince the Estates General of its duty to do so. The Synod admonished church delegates to “keep a vigilant eye” on the Generality’s progress in handling redemption.<sup>738</sup> In addition, the Synods of North Holland, Utrecht, Gelderland, and Overijssel pressured provincial representatives to raise the issue with the Estates General, thus highlighting the Reformed Church’s fervent desire to promote the “Christian work” of redemption.<sup>739</sup> In short, rather than organizing general collections or dispatching expeditions to North Africa, such as the French and Spanish Mercedarian and Trinitarian orders did, the Synods of the Reformed Church in the Republic monitored the progress of the Estates General in redeeming slaves and repeatedly admonished the Generality to do more.<sup>740</sup>

Despite the 1651 agreement to ransom captives from Salé and the pressure the Synods of the Reformed Church applied, the Estates General still hesitated to use government funds (*gemene landsmiddelen*) to finance redemption directly. The Estates General believed it was already doing enough to resolve the problem of captured citizens in the western Mediterranean.<sup>741</sup> Its consular corps claimed the *gratis* release of captives,

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<sup>738</sup> Art. 43 of Acta, Woerden, 1655, 3: 462.

<sup>739</sup> The Acta recorded the extract resolutions of the other synods. Hence, they demonstrate that the other provinces decided to keep the liberation of slaves on the agenda between 1647 and 1654. Art. 8 of Acta, Delft, 1648, extract resolution Noort-Holland, 1647, 3: 102, 103; Art. 32 of Acta, Leiden, 1649, 3: 164; Art. 58 of Acta, Leiden, 1649, 3: 166; Art. 36 of Acta, Schoonhoven, 1650, extract resolutions from Gelderland 1649, 3: 224; Art. 41 of Acta, Utrecht 1649, 3: 225; Art. 36 of Acta, Overijssel 1650, 3: 226; Art. 33 of Acta, Schiedam, 1651, extract resolution Overijssel, 1651, 3: 283; Art. 26 of Acta, Brielle, 1653, extract resolutions from Noort-Hollandt, 1652, 3: 376; Art. 24 of Acta, Overijssel, 1652, 3: 377; Art. 24 of Acta, Groningen en Ommelanden, 1652, 3: 378; Art. 24 of Acta, The Hague, 1654, extract resolution Noort Holland, 1653, 3: 416; Art. 21 of Acta, Woerden, 1655, extract resolution Noord-Holland, 1654, 3: 478.

<sup>740</sup> Art. 21 of Acta, Ysselstein, 1665, 4: 355; Art. 21 of Acta, Woerden, 1664, 4: 326.

<sup>741</sup> Art. 43 of Acta, Schiedam, 1651, 3: 273; Art. 45 of Acta, Gorinchem, 1652, 3: 319; Art. 36 of Acta, The Hague, 1654, 3: 405. Ridder, “Gedenk de Gevangenen,” 5.

ransomed slaves upon request of third parties, and demanded the return of captives illegally taken. The five Dutch admiralties, located in Amsterdam (North Holland), Rotterdam (South Holland), Middelburg (Zeeland), Hoorn/Enkhuizen (Westfriesland), and Harlingen (Friesland), played a similarly influential role. Given the lion's share of Amsterdam merchants participating in the Levant trade, it is no surprise that the admiralty of Amsterdam took the lead.<sup>742</sup> It was particularly active, for example, in facilitating exchanges of prisoners, although those possibilities were drastically reduced by the infrequency of naval campaigns in the western Mediterranean. The admiralties, however, supported the policies of the Estates General more consistently by convoying merchant vessels to their destinations. The Generality, for example, frequently re-issued the *Order op de Straatvaart* of 1621 that required seafarers in the Mediterranean to sail under the protection of Dutch warships.<sup>743</sup> If seafarers ignored this order, then they had to bear the consequences and pay their own ransom.<sup>744</sup> Because crewmembers rarely had the wherewithal to achieve their own liberation, the order essentially made the admiralties responsible for redemption. Thus, when the treaty of Salé required large-scale collections to fund the liberation of captives, the Estates General immediately delegated the task of holding collections to the Admiralties of Amsterdam.<sup>745</sup>

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<sup>742</sup> Each division took care of the fleet, jurisdiction at sea, and the collection of taxes for the region it resided in. All admiralties operated under the auspices of the Generality, that is the Estates General. Israel, *The Dutch Republic*, 295-297; Bruijn, *Varend Verleden*, 16-17.

<sup>743</sup> *Orders op de Straatvaart*, 1621, 1622, 1623, 1625, 1627, 1632, 1641, 1646, 1652, GPB, I: 896-915; *Orders op de Straatvaart*, 1658, 1663 GPB, II: 493, 3039; *Orders op de Straatvaart*, 1668, GPB, III: 1356.

<sup>744</sup> See for instance Art. 24 of Acta, The Hague, 1673, 5: 16; Art. 25 of Acta, Woerden, 1674, 5: 61.

<sup>745</sup> "een yeder sulcks aengaende," Placard Admiralties of Amsterdam, April 5, 1651, RO, 1.01. Rotterdam seemed to be especially invested in these redemptive efforts, because most captives held in Salé had sailed on the *Calckbrander* from Rotterdam. RO, 1.01, inv.nr. 2838.

Similarly, when the Synods of the Reformed Church continued to urge the delegates of the Estates General in the 1650s to conduct extensive redemptions, the Estates General referred local church elders to the admiralties instead.<sup>746</sup> The Synod's delegates, true to their pledge to remain alert, consequently enlisted "all churches and *classes*" in Amsterdam, Rotterdam, Middelburg, Hoorn, Enkhuizen, and Harlingen to press the admiralties in these towns to convince the Estates General of the need to redeem Christian slaves.<sup>747</sup> Local church councils, aware that deputies of the voting towns also convened in The Hague on a regular basis, similarly reminded civic magistrates to act on behalf of Christian captives. Thus, church delegates approached the Estates General from several sides at once: they communicated with the Estates General and the different admiralties directly, but they also petitioned delegates from the States of Holland and the voting towns.<sup>748</sup> Hence, in the 1650s, a typical Dutch situation occurred: a battery of institutions on local and national levels seemed somehow involved in Mediterranean affairs, but nobody seemed willing to assume responsibility for collective redemption. The Church held the Generality accountable; the Estates General deemed it a matter for captains and ship owners; and the admiralties agreed with the Estates General.<sup>749</sup>

Negotiations with Maghrebian rulers in the early 1660s, however, gave the Reformed Church an opportunity to insist on a more vigorous state intervention. In 1662, admiral de Ruyter concluded a treaty with Algiers in which he agreed, within a period of

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<sup>746</sup> Art. 43 of Acta, Woerden, 1655, 3: 462.

<sup>747</sup> Art. 43 of Acta, Dordrecht, 1656, 3: 514-515.

<sup>748</sup> Art. 18 of Acta, Leiden, 1668, 4: 455-456.

<sup>749</sup> Art. 25 of Acta, Woerden, 1674, 5: 61.

fifteen months, to ransom a group of about six hundred slaves: some three hundred Dutchmen and an estimated three hundred German and Scandinavian sailors who had sailed on Dutch ships.<sup>750</sup> The time constraints and the large number of captives finally convinced the Estates General of the need to become directly involved. The foreign captives, however, presented a dilemma. Obviously, North African rulers did not care about European identities: their objective was to sell as many Christian slaves as profitably as possible. Who ransomed which slaves was basically irrelevant to them. Initially, therefore, the Estates General proposed to dedicate 300,000 guilders of government money (*gemene landsmiddelen*) and to mount a general collection in 1663. The States of Utrecht, however, vetoed the measure and the Estates General abandoned the plan.<sup>751</sup>

In proposing to collect ransom on a country-wide basis, however, the Estates General finally accepted responsibility for collective redemption and for organizing a general collection. With a little aid from North African corsairs, the pressure delegates of the Reformed Church had exerted on the Estates General bore fruit. While the documentary record is too thin to reconstruct entirely the way in which the Estates General set up the ensuing 1663 collection, it is clear that the Generality continued to rely on local authorities to facilitate the collection. Money, certainly, was to be raised locally. The States of Holland and Friesland requested towns and villages to provide them with information on captives. In Friesland, the town of Harlingen reported having five captives in Tripoli and Algiers; the parish of St. Anna, for example, identified one James

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<sup>750</sup> Art. 5 of Dutch-Algerian treaty, 1662, GPB, 4: 293; Letter of Van den Burgh to Estates General, Algiers, May 4, 1662, BGLH, 2: 501.

<sup>751</sup> Krieken, *Kapers en Kooplieden*, 43, 44.

Gerbrands as a prisoner.<sup>752</sup> In Holland, Leiden requested information from its residents, while Rotterdam meanwhile collected almost 3600 guilders.<sup>753</sup> The States of Zeeland, that often operated independently from the Estates General, enlisted the aid of consul Andries van den Burgh in Algiers to liberate their people.<sup>754</sup> By mobilizing local and provincial authorities to facilitate the 1663 general collection, the Estates General in essence exploited the existing framework of local redemption to solve a matter of national interest.

Admiral de Ruyter sailed to the western Mediterranean to ransom the captives in 1664. Fed up with Algerian demands for more money than initially agreed upon, De Ruyter stopped all negotiations and unilaterally declared war on Algiers. He departed with sixty captives on board and left the majority of slaves behind.<sup>755</sup> The ensuing war allowed Algerian corsairs to capture and enslave Dutch sailors in large numbers once again. Pensionary Caspar Fagel had viewed the 1663 collection an isolated event and still considered the Dutch merchant community primarily responsible for the redemption of its own people. The breakdown of negotiations between Admiral de Ruyter and ‘Ali Agha in Algiers in 1664 and the sharp increase in slaves taken in subsequent years, however, led delegates of the Synods of the Reformed Church to revive the flagging debate about redemption in the 1670s. Many arguments raised earlier reappeared. The

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<sup>752</sup> List slaves Tripoli, Oct. 15, 1663, Harlingen; List slaves Tripoli and Algiers, Oct. 26, 1663, Harlingen; Letter of Parish of St. Anna, Oct. 26, 1663, TR, 5, inv.nr. 2694.

<sup>753</sup> Letter of Mr. Martin Paauw, Aug. 22, 1663, RO, 1.01, inv.nr. 2839; Call for collection, Oct. 12, 1663, Regionaal Archief Leiden [hereafter LEI], 512, inv.nr. 186.

<sup>754</sup> Letters from Justus de Huijbert, June 6, 1662; June 27, 1662; July 4, 1662, ZA, 87, inv.nr. 4b.

<sup>755</sup> Admiral De Ruyter ransomed fifty-five slaves. Because five escaped slaves, three Dutchmen, one Spaniard, and one Venetian, reached De Ruyter’s fleet swimming, the total number of free(d) slaves on board was 60. Krieken, *Kapers en Kooplieden*, 46.



delegates insisted that the Estates General do whatever possible to redeem the slaves, while Fagel responded that liberation concerned ship owners and seafarers not the state. Besides, he feared that the large amount involved would only encourage the “Turks” to capture more Christians. Although the delegates accepted Fagel’s “political” arguments, they nonetheless requested “a wholesome resolution” from the Estates General on behalf of these “miserable folks.”<sup>756</sup>

Diplomatic developments in the Maghreb once again, however, forced a reconsideration. In 1677, Ambassador Thomas Hees had concluded a preliminary agreement with Baba Hasan of Algiers that specified the conditions of slaves’ release. Fagel, at first, remained adamant. Given the Republic’s precarious financial situation as a result of the 1672 French invasion and the Anglo-Dutch war of 1672-1674, the pensionary believed that collecting ransom was fiscally unwise and perhaps impractical.<sup>757</sup> When in 1679, however, Hees managed to transform a preliminary agreement into a treaty, the ransoming of slaves seemed unavoidable if the Republic wished to preserve diplomatic relations with Algiers. Witsen, mayor of Amsterdam, warned Fagel that, “if the state does not liberate the captives, peace [with Algiers] would not last.”<sup>758</sup> The situation left Fagel no alternative than to have the Estates General launch another general collection, this one in 1681. Thus, in the second half of the seventeenth

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<sup>756</sup> Art. 24 of Acta, The Hague, 1673, 5: 16. The admiralties sided with the pensionary. They believed that they should not finance redemption, if captains and seafarers refused to sail under convoy and were thus more or less responsible for their own captivity. They nonetheless supported the involvement of the Estates General in redemption as an act of charity. Art. 25 of Acta, Woerden, 1674, 5: 61.

<sup>757</sup> Art. 26 of Acta, Leerdam, 1675, 5: 104; Art. 33 of Acta, Dordrecht, 1676, 5: 153; Art. 19 of Acta, Leiden, 1678, 5: 242. The last entry concerning redemption in the Acta dates from 1679, referring to the 1677 accord. Art. 18 of Acta, Gouda, 1679, 5: 286.

<sup>758</sup> Gebhard, *Het leven van Mr. Nicolaas Cornelisz. Witsen*, 172-175.

century, diplomatic developments in North Africa gave the Dutch Reformed Church ammunition in its campaign to force the Estates General to take political and financial responsibility for liberating captives in the western Mediterranean. The Reformed Church thereby helped transform the redemption of Dutch slaves from a charitable and individualized project into a political affair.

### ***The General Collection of 1681***

How the Estates General organized the general collection of 1681 demonstrates that, in the second half of the seventeenth century, the redemption of Dutch captives had become a matter of state. Nonetheless, this did not mean that liberating captives had turned into a secularized enterprise. Redemption was still a Christian duty and continued to depend greatly on the collaboration of local civic and ecclesiastical authorities. In 1681, however, Pensionary Fagel agreed to launch a general collection to preserve diplomatic relations with the Maghreb and protect Dutch trade by fulfilling the terms of 1679/1680 treaty with Algiers and redeeming an estimated 489 slaves. He left the actual organization of the general collection to the States of Holland because the majority of captives came from Holland and, in particular, Amsterdam.

The *Gecommitteerde Raden*, the highest executive council of the States of Holland, took charge of the collection. The *Gecommitteerde Raden* was part of a system of working committees the Dutch had developed to bypass the potential pitfall of reacting inadequately to urgent matters due to its complicated decentralized government. These working committees, also known as *besognes*, specialized in specific fields of

government, including foreign affairs.<sup>759</sup> The engagement of the *Gecommitteerde Raden* here indicates that the Dutch considered redemption a foreign affair. The *Raden* set the date for the general collection in Holland for Wednesday 17 September, 1681.<sup>760</sup>

Although Holland initiated and administered this general collection, it technically possessed no jurisdiction over other regions. The collection was, therefore, only valid in Holland.<sup>761</sup> The commissioners of the *Raden*, however, urged the six other provinces to hold simultaneous collections. With the exception of the States of Zeeland, that scheduled its collection for Wednesday, 31 December, 1681, only Overijssel and the Generality Lands, regions in the south ruled directly by the Estates General, participated. Groningen in the far north refused.<sup>762</sup> The lack of interest other provinces displayed reflected a general tendency among them to abstain from getting involved in matters that, they believed, only concerned another province, especially when that province was Holland. The States of Holland possessed no legal authority to coerce the other provinces to participate. Thus, a “general” collection took place primarily in Holland.

The *Gecommitteerde Raden* notified magistrates, sheriffs, and courts in all towns and villages of the upcoming event and instructed them to appoint deputies to manage the details of the collections. The money was to be forwarded to David de Wilhelm, the receiver-general (*generaal-ontvanger*) of Holland. Local authorities appointed deputies

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<sup>759</sup> Franken, “Foreign Policy,” 22-23.

<sup>760</sup> Resolution States of Holland and Westvriesland, Aug. 24, 1681, AM, 5028, inv.nr. 499, folio 4.

<sup>761</sup> Resolution States of Holland, Sept. 25, 1681, NA, 3.01.18, inv.nr. 380.

<sup>762</sup> Call for collection States of Zeeland, Dec. 6, 1681, ZA, 87, inv.nr. 4b; Krieken, *Kapers en Koopliden*, 52.

and instructed them to go “along the houses.” They received no compensation.<sup>763</sup> The province of Zeeland made similar arrangements.<sup>764</sup> The Reformed Church, as before, assumed a secondary role. From their pulpits, ministers announced the date of the general collection and prized redemption as a Christian cause, urging everyone to make a “liberal and generous contribution.”<sup>765</sup> In Zeeland, too, preachers encouraged people to give liberally.<sup>766</sup> The Reformed church took only a facilitating role in the general collection, unlike the Anglican Church in England that, until 1720, took the initiative in raising ransom funds.<sup>767</sup>

In addition, the States of Holland relied on the Dutch diplomatic apparatus to arrange for negotiating ransom terms and transporting freed captives to the Republic. The *Gecommitteerde Raden* assigned these tasks to Ambassador Hees and consul Berck in Algiers.<sup>768</sup> Hees’s role evolved naturally from his activities in North Africa and was, in this regard, fully consistent with Garrett Mattingly’s profile of the professionalizing modern diplomat as “an agent [engaged] for the preservation and aggrandizement of the state.”<sup>769</sup> As such, Hees’s involvement in the redemption campaign of 1681 continued his earlier efforts to redeem captives. At the same time, his renewed engagement also

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<sup>763</sup> Resolution States of Holland, Aug. 24, 1681, AM, 5028, inv.nr. 499, folio 4.

<sup>764</sup> Call for collection States of Zeeland, Dec. 6, 1681, ZA, 87, inv.nr. 4b.

<sup>765</sup> Resolution States of Holland, Aug. 24, 1681, AM, 5028, inv.nr. 499, folio 4; Call for collection States of Zeeland, Dec. 6, 1681, ZA, 87, inv.nr. 4b.

<sup>766</sup> Call for collection States of Zeeland, Dec. 6, 1681, ZA, 87, inv.nr. 4b.

<sup>767</sup> Colley, *Captives*, 75-77.

<sup>768</sup> In the resolution of September 25, 1681, the *Gecommitteerde Raden* speak of the “former commissioner” Hees; yet, in that of March 25, 1682, they again refer to him as the commissioner. Resolutions States of Holland, Sept. 25, 1681 and March 25, 1682, NA, 3.01.18, inv.nr. 380.

<sup>769</sup> Mattingly, *Renaissance Diplomacy*, 63.

highlights the importance in the second half of the seventeenth century of Dutch diplomats and their networks in the overall project of liberating Christian slaves.

One piece of valuable information that Hees provided was the number of captives held in Algiers in 1677; he estimated that 400 Dutch seafarers plus 166 foreigners had been taken from Dutch ships.<sup>770</sup> The large number of prisoners and the sums necessary to obtain their release required the *Gecommitteerde Raden* to correlate Hees's list with captives' names as recorded in the Republic. The council therefore ordered the creation of more comprehensive slave lists, drawing on a practice that dated from the early seventeenth century. In 1612 and 1632, the States of Friesland and the States of Holland had already delegated the task of gathering information on captives to towns, villages, and rural magistracies.<sup>771</sup> In 1681, however, this information no longer sufficed. The amounts needed to accomplish large-scale redemption forced the *Gecommitteerde Raden* to demand proof of citizenship as well.<sup>772</sup> In 1681, therefore, Amsterdam, where the numbers of captured *burgers* was always greatest, broke down types of citizenship into *burgers* (holding civic rights), residents (those permanently living in town), and those who had merely sailed from its port.<sup>773</sup>

The lists, however, never recorded captives' confession. This absence suggests that citizenship rather than denomination was coming to define Dutch civic identity, at

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<sup>770</sup> Report Hees to Magistrates Amsterdam, May 17, 1677, AM, 5027, inv.nr. 241.

<sup>771</sup> Responses Dec. 2, 1612, Noordwolde; Dec. 8, 1612, *Teniauwaertat*; Dec. 21, 1612, Harlingen; Dec. 17, 1612, Gaasterland; Dec. 27, 1612, Bolsward; Jan. 4, 1613, *Wonserdeel*; Jan. 5, 1613, Dokkum, TR, 5, inv.nr. 2694; March 24, 1632, HA, 2166, inv.nr. 25x.

<sup>772</sup> In 1663, Holland ordered that relatives declare under oath where the captive was born or resided before his departure from the Republic. Placard Leiden, 12 Oct. 1663, LEI, 512, inv.nr. 186.

<sup>773</sup> Van Eeghen, "Verlossing," 71. For specifics of Amsterdam citizenship, see Kuijpers, "Burger," 115.

least where the redemption of captives was concerned. To underscore the pan-Christian aspect of redemption, Witsen, mayor of Amsterdam, had urged the *Gecommitteerde Raden* to liberate Dutch captives “without distinction of religion,” or, in other words, independent of a slave’s Protestant or Catholic affiliation.<sup>774</sup> Witsen’s appeal reflected the Christian spirit of redemption that never subsided, despite the secondary role the Reformed church played. Indeed, correspondence between regents and town councils continued to emphasize the Christian duty of redeeming slaves from Muslim captivity. The magistrates of Graft, a small village near Amsterdam, for example, justified holding a collection for the cook Jan Dircksz because they “did not doubt that the Lord would not leave such a work of love and generosity unrewarded, but would instead bless it, either temporally or in eternity.”<sup>775</sup>

The *Gecommitteerde Raden* thus adopted citizenship rather than religious affiliation as the primary criterium to identify slaves and prioritize their redemption. The identification of citizens was crucial because Algerian officials expected the Republic to ransom not only Dutch captives but foreign citizens as well. In 1662, for example, the Algerian rulers held a number of German and Scandinavian sailors in addition to many more Dutch captives.<sup>776</sup> Around 1680, Ambassador Hees feared that the Algerians would “thrust” the redemption of foreign slaves upon the Dutch state once again.<sup>777</sup> Hees’s immediate concern was financial. Early modern European states always lacked ready cash and the Republic proved no exception. The absence of a central tax system meant

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<sup>774</sup> Gebhard, *Het leven van Mr. Nicolaas Cornelisz. Witsen*, appendix IV, 19.

<sup>775</sup> Call for collection, July 6, 1662, Graft, HA, 154, inv.nr. 27.

<sup>776</sup> Krieken, *Kapers en Kooplieden*, 43-44.

<sup>777</sup> Gebhard, *Het leven van Mr. Nicolaas Cornelisz. Witsen*, Appendix, 16-18.

that public funds consistently failed to cover the cost of ransom. Hees rightly expected that the Republic would never be able to pay for the release of all Dutch slaves, let alone the foreign ones.<sup>778</sup> Indeed, the dire situation of public finances in the Republic in the early 1680s forced Dutch authorities to limit redemption to their own *burgers*.<sup>779</sup>

The lack of adequate public funds, combined with the absence of a central system of taxation, forced the *Gecommitteerde Raden* to supplement the revenue from the general collection with money from Holland's treasury and from private donations to the Almshouse in Amsterdam. In addition, the council counted on the proceeds of local redemption, that is money previously promised or given for the release of individual captives as recorded in the collection booklets.<sup>780</sup> The use of private funds raised difficult questions about the just distribution of money. Local magistrates objected to the idea that ransom collected for a particular captive would end up in a general collection for all slaves. They proposed to designate privately collected money for those for whom it was originally intended. Money collected in particular towns and villages was to be used to ransom captives from just those places. The *Gecommitteerde Raden* realized that choices would have to be made because it was financially impossible to redeem all Dutch slaves indiscriminately. It therefore required towns and villages to indicate the order in which its *burgers* were to be liberated. In addition, the council determined that captives from the States of Holland, having either been born there, resided, or sailed from there, receive priority over captives from other provinces. As with local redemptive efforts, a captive's

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<sup>778</sup> Gebhard, *Het leven van Mr. Nicolaas Cornelisz. Witsen*, Appendix, 16-18.

<sup>779</sup> Kuijpers, "Burger," 113.

<sup>780</sup> Resolution States of Holland, Sept. 25, 1681, NA, 3.01.18, inv.nr. 380.

local and regional citizenship proved the determining factor for his release.<sup>781</sup>

Paradoxically, then, this meant that large-scale redemption became selective redemption.

Selective redemption approaches Linda Colley's definition of "meanness" in the refusal of the English state to work towards liberating all its captive citizens before the 1650s, although she, too, acknowledges the limited resources the English government had at its disposal.<sup>782</sup> In the Republic, fragile state finances led the States of Holland to depend on towns and villages to collect money for ransom, even when these had no captives of their own to redeem. The initial results of the 1681 collection demonstrate that not all civic authorities accepted their responsibility cheerfully or even cooperated. Some towns, such as Haarlem and Leiderdorp, promptly held the collection on the assigned date and gathered about nineteen guilders and 143 pounds respectively.<sup>783</sup> But some smaller towns, such as Briele, Weesp, and Muijden, failed to collect anything by that date.<sup>784</sup> Gouda and Gorinchem organized collections that produced, respectively, 2019 and 990 guilders, but failed to inform the *Raden* whether any of their *burgers* were captives.

Some towns had been unable to collect enough money to ransom all their enslaved *burgers*.<sup>785</sup> The *Gecommitteerde Raden* had assembled information on the total

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<sup>781</sup> Resolution States of Holland, Sept. 25, 1681, NA, 3.01.18, inv.nr. 380.

<sup>782</sup> Colley, *Captives*, 53.

<sup>783</sup> To be more precise: Haarlem gathered nineteen guilders and ten *stuivers*; Leiderdorp 143 pounds and 15 shillings. Oct. 11, 1681, HA, 3061, inv.nr. 82; Sept. 17, 1681, Leiderdorp, LEI, 800, inv.nr. 19.

<sup>784</sup> The complete list named Schoonhoven, Briele, Weesp, Muijden, Woerden, Oudewater, Heusden, and Geertruijdenbergh. The document probably dates from 1682, AM, 5028, inv.nr. 499, folio 3.

<sup>785</sup> With the exception of Rotterdam, all listed ports were located in the north of Holland along the Zuiderzee. If we leave Rotterdam off the list (located in south Holland), then the northern towns counted 201 captured citizens or about 72% of all Holland's 278 captives, confirming the dominance of the *Noorderkwartier* in Mediterranean seafaring.



amount that David de Wilhelm, the receiver-general, had in his hands by March 1682, on the total number of Dutch captives in Algiers, and on Hees's estimate of the average per capita ransom price. The *Raden* calculated that Dordrecht, Haarlem, and Delft had gathered more than their share, while the majority of other towns on the list could not even afford to liberate half of its captured citizenry. Based on this information, the *Raden* estimated that the Republic could pay 750 guilders for each slave from Holland.<sup>786</sup>

Table 6.2

1682 List of towns with a shortage of collected ransom					
	Number of slaves	Times fl 750**	Collected*	Ergo shortage	Shortage in %**
Amsterdam	121***	90750	34647-4-0	56102-16-0	62%
Rotterdam	17	12750	6462-10-0	6287-10-0	49%
Alckmaer	15	11250	3871-0-0	7379-0-0	66%
Hoorn	25	18750	4405-19-0	14344-1-0	76%
Enckuysen	20	15000	2577-0-0	12422-10-0	83%
Edam	2	1500	741-19-0	758-1-0	50,5%
Munnickendam	5	3750	991-12-0	2758-8-0	73,5%
Medemblick	13	9750	1622-4-0	8127-10-0	83%
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Source: Resolution States of Holland, 25 March 1682, National Archives, 3.01.18/380.

\*34647-4-0=guilders-*stuivers*/pieces of eight

\*\* Columns and rows added to the original document. Shortages in percentages have been rounded up or down.

\*\*\* Another document lists 122 captives from Amsterdam. Report, no date, City Archives Amsterdam, 5028/499, folio 3.

To resolve the problem of shortages, the *Gecommitteerde Raden* introduced legal measures to force civic authorities to accelerate and intensify their efforts. The council threatened that “towns, villages, and places [would be] held accountable” if they did not participate in the general collection. At the instigation of Hillensburg, Hees's attorney,

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<sup>786</sup> Resolution States of Holland, March 25, 1682, NA, 3.01.18, inv.nr. 38.

the States of Holland extended the jurisdictional powers of urban magistrates to include nearby communities in an attempt to force them to comply. Otherwise, a bailiff would intervene and seize the money from the villages. The mayors of Medemblick promptly urged the village council of Twisk to remit a sum of 5000 guilders, stressing that Ambassador Hees was about to depart for Algiers.<sup>787</sup> Holland thus insisted that all towns and villages share the burden of collective redemption even if these rural communities had no captives to redeem.<sup>788</sup>

The ambassador himself urged towns outside of Holland to cooperate. Hees requested, for instance, that the town council of Amersfoort, located in the province of Utrecht, collect ransom for Hendrick Dircksz and forward the money to either the general receiver in Amsterdam, to Hees, or to Cadiz.<sup>789</sup> Amersfoort's reply indicated that the city was unaware that any of its *burgers* was held in captivity.<sup>790</sup> It had therefore never announced a collection. If Ambassador Hees had not explicitly informed Amersfoort of the need to ransom Hendrick Dircksz, then nothing at all would have been done for him. Records indicate instead that the town subsequently consented to a collection and forwarded the money to the receiver-general.<sup>791</sup> Hees's personal intervention reveals that, despite the collaboration of the Estates General and the States of Holland, redemption often depended on a diplomat's individual skills, persistence, and ability to mobilize support.

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<sup>787</sup> Letter of Magistrates Medemblick to the village council of Twisk, April 17, 1682, WF, 928, inv.nr. 169.

<sup>788</sup> Memorie of Hillensberg, n.d., NA, 3.01.18, inv.nr. 380.

<sup>789</sup> Letter of Hees, The Hague, May 2, 1682, AE, 1.01, inv.nr. 1994.

<sup>790</sup> Letter of magistrates Amersfoort, May 3, 1682, AE, 1.01, inv.nr. 1994.

<sup>791</sup> Call for collection, May 9, 1682, AE, 1.01, inv.nr. 38.

Hees's prodding bore fruit and several towns, including Briele, Weesp, and Muijden, belatedly organized their own collections. In addition, several people, such as the Prince of Orange, the Directors of the *Levant Trade and Navigation*, and a series of wealthy individuals in Amsterdam, donated amounts up to 1412 guilders each.<sup>792</sup> In addition, the surpluses Gouda, Gorinchem, Dordrecht, Haarlem, and Delft generated as well as the remainder of the ransom that Michiel de Ruyter had not used in 1662 (over 54,000 guilders), and the capital the Admiralties of Amsterdam provided (more than 8000 guilders), supplemented collections in Holland. This mixture of private and public money raised the total to more than 112,807 guilders.<sup>793</sup>

The general collection of 1681 put almost 113,000 guilders at Hees's disposal. The States of Holland charged Hees with the task of transferring the ransom money to bankers in southern Europe. Southern Europe was an obvious choice because towns along the Mediterranean coasts, such as Cadiz, Marseille, and Livorno had long functioned as "agencies of redemption," providing, among other things, transportation and credit.<sup>794</sup> The *Gecommitteerde Raden* sought the cheapest possible means of transmitting the funds and opted to remit the money to Don Morales, a banker to the Spanish monarch, by bills of exchange.<sup>795</sup> Hees would then claim the bills upon arrival in Cadiz. Bills of exchange were commonly used in seventeenth-century international business as a means of making deals, moving money across borders, and generating

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<sup>792</sup> Accounts David de Wilhelm, n.d., AM, 5028, inv.nr. 499, folio 3.

<sup>793</sup> Resolution States of Holland, March 25, 1682, NA, 3.01.18, inv.nr. 380.

<sup>794</sup> Kaiser, "Introduction," 9.

<sup>795</sup> Resolution States of Holland, Sept. 25, 1681, NA, 3.01.18, inv.nr. 380; Contract, March 25, 1682, AM, 5028, inv.nr. 499, folio 3.

credit. Although the system functioned satisfactorily in general business practices, it remained a delicate matter in the context of redemption. The money sent from the Republic to Spain, for instance, arrived in several stages and Morales refused to extend to Hees the remaining amount on credit. It took the Dutch ambassador almost two months and several trips to Seville before he had the money in hand and could depart for Algiers. Morales promised a final installment of 7000 pesos to the Dutch consul in Cadiz, who in turn would give it to Captain Pieteron. Pieteron would then follow Ambassador Hees to Algiers.<sup>796</sup> Despite occasional hiccups in the system, as Hees's experiences reveal, the fact that the Dutch government relied on European financial networks to transfer money rather than dispatching large sums of money on board its own ships, attests to the commonality and efficiency of financial methods that had been developed to facilitate mercantile trade over the course of the sixteenth and seventeenth centuries. More importantly, it illustrates how diplomats from the Protestant North depended on the experiences and financial knowledge of Mediterranean merchants and bankers in commercialized redemption.

Even with the funds available, negotiating the release of captives did not proceed smoothly. In the Maghreb, the number of captives constantly changed and the ransom price thus fluctuated. Indeed, as the ambassador neared the North African coast, he learned that the outbreak of the plague in Algiers had killed an unknown number of Dutch slaves.<sup>797</sup> Corsairs from Salé, meanwhile, had sold Dutch captives on the Algerian

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<sup>796</sup> Letters Aug. 10 and 24, 1682, Sept. 7 and 16, 1682, NA, 3.01.18, inv.nr. 380.

<sup>797</sup> Letter of Hees, Alicante, Oct. 12, 1682, AM, 5027, inv.nr. 241.

slave market, thus increasing the number.<sup>798</sup> North African rulers also sold slaves according to a calculation based on the slave owner's rank and market values.<sup>799</sup> Diplomats, in other words, needed to be flexible and deploy sophisticated negotiating skills to counter these unexpected and unpredictable, even capricious, changes. Once Hees set foot in Algiers, he protested against officials' intention to levy a five-percent increase over the agreed upon ransom. Since Sheriff Van de Putte, however, had set a precedent by accepting five-percent extra before Hees's arrival, the ambassador agreed to the fee and ransomed some "extra" slaves in order to further negotiations. Some captives, as it turned out, were *burgers* from Groningen. The ambassador had to ignore, therefore, for the time-being at least, the specified intention of freeing slaves from Holland first.

In his letter to the Estates General, Hees adopted an apologetic tone, but emphasized that he had done his best and that the majority of the ransomed captives had indeed come from Amsterdam.<sup>800</sup> In all, he liberated 176 slaves, whose price varied between 125 and 550 pieces of eight each.<sup>801</sup> Upon his departure in February 1683, the ambassador left about thirty-seven slaves behind: three captives from Gelderland, twenty from South Holland (of these fourteen came from Amsterdam), six from North Holland, two from Friesland, and six from Groningen.<sup>802</sup> In addition, he reported that he was unable to redeem *burgers* from Zeeland, although these did not appear on the original

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<sup>798</sup> Letter of Hees, Algiers, Nov. 21, 1682, AM, 5027, inv.nr. 241.

<sup>799</sup> Boubaker, "Réseaux et Techniques de Rachat des Captifs," 25.

<sup>800</sup> They had been "thrusted" upon him. Letter of Hees, Algiers, Nov. 21, 1682, AM, 5027, inv.nr. 241; List redeemed slaves Algiers, n.d., AM, 5028, inv.nr. 499, folio 3.

<sup>801</sup> Debet and credit of redemption, n.d., AM, 5028, inv.nr. 499, folio 3.

<sup>802</sup> Printed list slaves left behind in Algiers, 1683, AM, 5028, inv.nr. 499, folio 3.

printed list.<sup>803</sup> As Hees's experiences demonstrate, uncertainty continued to rule the process of ransoming captives. Diplomats had to be ready to deal with the whims of slave owners and the capricious mechanisms of the slave market in Algiers. Because the situation was so volatile and the price of redemption could change literally overnight, successful liberation required a negotiator able to call on the quite large sums that only a Republic-wide, or at least Holland-wide, collection could provide. Only thus was Hees able to liberate almost 80% of all Dutch captives in Algiers.

The Estates General, however, considered its engagement in redemption temporary, driven by its pledge in an international agreement to redeem slaves in order to maintain friendly and financially advantageous relations with the principalities of North Africa. Once Ambassador Hees had fulfilled these requirements, the commitment of the Dutch state ended and the Estates General considered its role in *ransoming* captives over. By 1683, the Estates General deemed it prudent to avoid consenting to any collective redemption in the future. In a peace treaty with Morocco concluded in that year, Article XII stipulated that “the Estates General, based on this treaty, is in no way bound to ransom any of her subjects or residents ... at present in slavery.”<sup>804</sup> The English government, similarly, in a 1682 treaty with Algiers agreed that it was “under no obligation to ransom its captives;” signaling in both cases how unique the role of state government had been in seventeenth-century commercialized redemption.<sup>805</sup>

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<sup>803</sup> Letter of Hees, Algiers, Nov. 21, 1682, AM, 5027, inv.nr. 241.

<sup>804</sup> “sullen de hoogst-gedachte Heeren Staten Generael, uyt kracht van dit Tractaet, geensins gehouden zijn eenige van hare Onderdanen of Inwoonders, zijnde tegenwoordigh in slavernye, of die voor het uytwisselen van gemelte ratificatie daer teo souden mogen komen te vervallen, vry te koopen, maer sal het absolut van haren vryen wille dependeren, sonder eenige limitatie.” Art. 12 of Dutch-Moroccan treaty, 1683, GPB, 4: 300.

<sup>805</sup> Colley, *Captives*, 53.

Although the Estates General and the States of Holland directly organized only two collections in 1663 and 1681, their temporary intervention was significant nonetheless. The leading roles these bodies assumed in taking responsibility for gathering funds endowed redemption in the Republic with a political character that it had not previously possessed. The state, not the Reformed Church, now had taken the initiative. Although the Reformed Church publicized the plight of Christian slaves, it was the States of Holland that collected the money from local communities. Dutch diplomats completed the process by arranging for the liberation and transport of slaves back to the Republic. Despite this seemingly straightforward set-up, however, the problems were several. Not all Dutch citizens throughout the Republic felt compelled to donate money and public assets could not make up the shortfall. Insufficient funds threatened to undermine the attempts of the Estates General to liberate all captives and thus abide by the 1679/1680 treaty with Algiers. To avoid similar problems in the future, the Estates General simply refused to ransom captives altogether, as the subsequent treaty with Morocco (1683) revealed. Amsterdam, however, could not and did not want to leave its citizens behind. It therefore took matters in its own hands.

### ***Amsterdam: Redemption and Civic Power***

The States of Holland and Amsterdam, in particular, insisted that redemption must continue, given the number of slaves from Amsterdam still held in North African hands. The manner in which the magistracy of Amsterdam organized efforts to liberate captives after 1681 reveals that the city had learned valuable lessons from its previous experiences. First, magistrates continued to rely on state diplomacy as an effective way of

negotiating the release of captives. They asked Ambassador Hees to stay involved, because his presence assured continuity in the redemption process. The Amsterdam town council regarded Hees's experience as mediator and consultant indispensable, thereby confirming the vital role of diplomats in Dutch practices of redemption.

Equally important, Amsterdam sought to deal with redemption in a "more competent and orderly fashion."<sup>806</sup> Amsterdam realized that the somewhat chaotic nature of the 1681 general collection provided no real solution to the long-term problem of captivity in the Mediterranean. Thus, in November 1684, the town council appointed Huijbartus Krieck and Lodewijk Mierinck to form a "Barbary Committee" and manage the redemption of slaves held in Tunis, Tripoli, and Salé.<sup>807</sup> The Barbary Committee operated until 1712 in close collaboration with the Amsterdam town council and formed part of a package of long-term, semi-institutionalized arrangements aimed at ransoming slaves. In 1682, for instance, the States of Holland had already proposed establishing a fund solely for that purpose, although this initiative seems to have had little or no effect.<sup>808</sup> Similarly, in 1685, Ambassador Hees suggested creating a uniform sea-pass that would help North African corsairs identify Dutch *burgers*.<sup>809</sup> The founding of the Barbary Committee thus fitted a pattern whereby regents finally acknowledged that captivity was a structural problem that required uniform and coordinated policies to remedy.

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<sup>806</sup> Resolution States of Holland, March 25, 1682, NA, 3.01.18, inv.nr. 380.

<sup>807</sup> Report Barbary Committee, Dec. 12, 1684, AM, 343, inv.nr. 646.

<sup>808</sup> Resolution States of Holland, March 25, 1682, NA, 3.01.18, inv.nr. 380. The last date recorded in the journal of the Barbary Committee dates from 1712.

<sup>809</sup> Each province maintained its own pass. In April 1686, the Dutch decided to create a uniform pass. In the same year, however, Algiers declared war. Krieken, *Kapers en Koopliden*, 54-55.



The Amsterdam Barbary Committee worked quite efficiently. First, as happened elsewhere, the Barbary Committee became an extension of existing organizations of poor relief and charity. Its directors, Krieck and Mierinck, also served as regents of the Almshouse.<sup>810</sup> The Almshouse had, until then, regularly received donations for Christian captives and kept track of captives in slave books.<sup>811</sup> The position of Krieck and Mierinck as regents of the Almshouse ensured that the Barbary Committee continued the caritative, local methods of raising money and facilitating redemption. Krieck and Mierinck, for instance, relied on the Almshouse's slave accounts to determine just who were current captives. Second, the Committee involved the Court of Holland in establishing citizenship, carefully distinguishing *burgers* and residents from those who had merely sailed from Amsterdam in order to reduce fraud. Between April 1683 and December 1684, Cornelis van Leeuwarden, public notary at the Court of Holland and who resided in Amsterdam, recorded some 135 witness accounts *pro bono*. The male and female witnesses who took the oath were not family members, but neighbors, acquaintances (often inn-keepers), and colleagues who possessed "familiar knowledge and contact" and could attest to a captive's citizenship and the circumstances of captivity.<sup>812</sup>

In addition, the Committee used insurance money to fund redemptions. In North Holland, sailors often paid a small sum to insurance associations, the *Zeevarende Beurzen*, to cover the risk of captivity. Originally, these funds pertained only to captives

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<sup>810</sup> Journal, Dec. 12, 1684, AM, 343, inv.nr. 646.

<sup>811</sup> Van Eeghen, "Verlossing", 70-71.

<sup>812</sup> Notary records, April 1683-Dec. 1684, AM, 5028, inv.nr. 499.

held mostly in Dunkirk.<sup>813</sup> In Amsterdam, however, insurance policies came to anchor the 1684 redemption efforts. In November of that year, the town council began summoning family members to the town hall to show proof of insurance.<sup>814</sup> The Committee expected policy holders to donate insurance money to the general cause of redeeming Amsterdam slaves. Some policy holders and beneficiaries, however, had lost their insurance booklets or burned them, some were dead, and others never received the money even though the insured captive had been released. An additional problem was that the insurers only reimbursed money on condition that a slave returned to the Republic. The Committee tried to circumvent this rule by asking the town council to intervene. The town council thereupon gave policy holders a document to claim the money from the insurers *before* the captive's release and return home. In that way, the captive could be ransomed with private insurance funds and lift the burden off the public treasury.<sup>815</sup>

This recovered insurance, together with publicly collected and privately donated money, added up to between 19,000 and 20,000 guilders; that total once again proved inadequate. The Committee allowed Hees to spend 15,000 guilders on ransoming captives from Tunis and Tripoli, thereby honoring the peace treaty with the latter. The ambassador saved the leftover amount for captives held in Salé.<sup>816</sup> After crossing non-Amsterdam residents and *burgers* off the list, however, the committee calculated that the

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<sup>813</sup> Exceptions were De Beurs van Hauwert (1678), Ylst (1693), and Broek in Waterland (after 1650). Ridder, "Gedenk de Gevangenen," 14-15; Deursen, *Graft*, 304.

<sup>814</sup> Report Barbary Committee, Dec. 9, 1684, Amsterdam, AM, 343, inv.nr. 646.

<sup>815</sup> Report on insurances, Nov. 24 and 30, 1684; Notification, probably from Dec. 4, 1684, AM, 343, inv.nr. 646.

<sup>816</sup> Report Barbary Committee, Dec. 7, 1684, AM, 343, inv.nr. 646.

15,000 guilders was still insufficient to free Amsterdam's twenty-two *burgers* held in Tunis and Tripoli.<sup>817</sup> In December 1684, therefore, the Committee assembled the captives' family members in the town hall, informed them that each captive had a credit of only 680 guilders, and asked them if they could make up the difference. As expected, no one could. The committee consequently decided that family members had to draw lots out of sheriff Bos's hat. Amsterdam, like the States of Holland, remained incapable of meeting the high ransoms North African slave owners demanded.<sup>818</sup>

In 1685, Hees departed for Tunis and Tripoli with instructions to ransom the captives who had been selected by lot and turn the armistice of Tunis into a peace treaty. Tellingly, when Hees inquired whether he could still ransom slaves if he reached no accord, the town council answered in the affirmative, demonstrating that the liberation of captives took priority "with or without peace."<sup>819</sup> The response signified an important difference between Amsterdam and the Estates General. Whereas the Estates General concluded treaties with North African states for the greater benefit of Dutch trade in the Mediterranean, Amsterdam was willing to negotiate for the sole purpose of ransoming slaves from the city.<sup>820</sup> A civil war in Tunis, however, prevented Hees from negotiating a treaty or ransoming slaves.<sup>821</sup> He returned to the Republic and deposited the ransom

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<sup>817</sup> Regents selected twenty citizens for liberation in Tunis and two in Tripoli. Report, Dec. 7, 1684, AM, 343, inv.nr. 646.

<sup>818</sup> Reports Barbary Committee, Dec. 7 and 9, 1684, AM, 343, inv.nr. 646.

<sup>819</sup> Report Barbary Committee, Dec. 12, 1684; Receipt Hees, Dec. 13, 1684, AM, 343, inv.nr. 646.

<sup>820</sup> Copy of Dutch-Tripolese treaty, June 21, 1683, AM, 5027, inv.nr. 241; Letter of Hees, Livorno, Aug. 2, 1683, AM, 5027, inv.nr. 241; Resolution States of Holland, March 25, 1682, NA, 3.01.18, inv.nr. 380.

<sup>821</sup> Hees liberated ten of the remaining slaves from Holland, but had to leave citizens from Zeeland behind. Krieken, *Kapers en Kooplieden*, 54.

money into Amsterdam's treasury in hopes that things would improve in the future.<sup>822</sup>

This signaled the end of the ambassador's mission. Nonetheless, Hees's experiences demonstrate that Amsterdam went to great lengths to rescue its citizens and the work of Krieck, Mierinck, and the Barbary Committee continued until at least 1712.<sup>823</sup>

Although external factors prevented Ambassador Hees from retrieving captives still languishing in Tunisian and Tripolitan captivity, the case of Amsterdam illustrates how redemption could reinforce the bond between city and citizen. In 1682, the artist Jan Luyken, one of the most famous Dutch illustrators of the seventeenth century, depicted 178 former slaves gathered at the town hall of Amsterdam in the act of thanking the mayors for their liberation from Algerian captivity (figure 6.2).<sup>824</sup> Luyken's engraving seems the only witness we have that hints at any public display of gratitude and Christian zeal in the Dutch Republic surrounding the redemption of slaves from "Barbary." The French and English, in contrast, eagerly demonstrated that the process of ransoming Christian slaves did not end in North Africa, but in Europe. In France, the redemptive fathers orchestrated forty-two quite elaborate processions through France between 1589 and 1785 to further the Catholic cause, garner patronage for their orders, and most importantly, collect money. Captives were morally and legally contracted to participate, and the procession began and ended in Marseille. They marched together manacled, wearing white gowns to represent angels, and walked all the way to Paris, thus

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<sup>822</sup> Report Oct. 10, 1685, AM, 343, inv.nr. 646.

<sup>823</sup> Their reports ended Oct. 21, 1712, AM, 343, inv.nr. 646.

<sup>824</sup> Jan Luyken, "Honderdachtenzeventig verlostte slaven uit Algiers bedancken de Edele Heeren Burgemeesteren van Amsterdam," 1682, AM, *afbeeldingsbestand* 10097007359.



Fig. 6.2. “178 Redeemed Slaves from Algiers Thank the Noble Lords Mayors of Amsterdam,” engraving by Jan Luyken, 1682. © Amsterdam City Archives.

symbolizing their re-conversion from Islam.<sup>825</sup> In England, too, public rituals celebrated the safe return of Protestant captives. The English counterpart to the French procession also entailed a carefully planned journey. Upon return to England, the former captives were escorted to London and, “dressed in their ‘slavish habits’ ... process through crowded streets to a special service of thanksgiving held at St. Paul’s Cathedral.”<sup>826</sup>

Although English commentators boasted that their processions were less spectacular than French “pompous” ones, the Dutch topped the bill in sobriety.<sup>827</sup> Luyken did not depict the event beginning in the streets and ending in church and palace, but, instead, situated it in Amsterdam’s spacious, stately town hall. In contrast to the symbolic clothes French and English former captives wore, the Dutch dressed in their own garments, as citizens.

<sup>825</sup> Weiss, “Back from Barbary,” 213-269.

<sup>826</sup> Colley, *Captives*, 78-79.

<sup>827</sup> Colley, *Captives*, 80-81.

The engraving portrays nothing more than regents and freed *burgers* facing each other. It remains unclear if the event really took place, yet Luyken clearly conveyed the relationship between citizens and city. The city had taken responsibility for guaranteeing citizens' liberty, and, in return, they showed gratitude and loyalty, thus tightening the bonds of civic society. In short, the engraving visualized the confluence of redemption and civic power in the Republic.

### ***Conclusion***

Redemption in the Republic began and ended with diplomacy in North Africa. The policies of the Estates General that forbade consuls from ransoming Dutch captives with state funds led captives and their families in the Republic to rely on the local community to help them collect money and to regain their freedom as had previously been done. Women and other family members, friends, town magistrates, clergy members, and merchants all engaged in the liberation and return of individual captives. Local pressure to free captives was an act of charity, but also part of a civic and social policy to restore households. Those measures complemented the States General's deployment of diplomacy in North African port towns.

The decision of the Estates General to ransom a group of Dutch captives from captivity in Salé in 1651, rather than insist on a *gratis* return as it had done in the past, however, changed redemptive practices in the Republic. Only a central governing body could gather the funds necessary to ransom all captives and, thereby, ensure the maintenance of friendly relations with Salé and later Algiers. Under pressure from the Reformed Church, the Estates General and the States of Holland arranged collections in

1663 and 1681, thus transforming the redemption of slaves into a state affair. The Reformed Church willingly took a back seat but continued to provide support in parishes in collaboration with local civic authorities.

Although the Estates General considered the two collections temporary expedients, its engagement nonetheless affected local redemptive practices. Because Amsterdam citizens made up the majority of captives, the magistracy of Amsterdam had a large stake in pursuing efforts to redeem slaves even when the Estates General no longer did. It therefore enlisted the aid of Ambassador Thomas Hees to conclude treaties with Tunis and Tripoli specifically with the goal of liberating captives. Hees's involvement illustrates best how diplomacy in North Africa extended to the Republic and sustained local redemptive practices. The Amsterdam regents counted on the ambassador's knowledge, skills, experience, and networks to free as many captives as possible. Simultaneously, however, the magistrates established the "Barbary Committee" to deal with redemption in a more structured manner: the 1681 collection had proceeded rather chaotically, especially in towns and villages often reluctant to participate. By investing in a separate institution, the Amsterdam magistrates responded to the experiences of the 1681 collection and consequently changed redemptive practices. In doing so, the magistracy acknowledged the persistent problem of captivity. Equally important, the persistent efforts of the magistracy to liberate captives tightened the bond between citizens and city. Redemption thus enhanced civic power.

To understand the importance of Dutch redemptive practices in the Mediterranean, the responsibility that the town council of Amsterdam, the States of Holland, and the Estates General took in gathering funds demonstrates that the Protestant

Republic depended on political bodies and its diplomatic apparatus to liberate captives.

Thus, in the western Mediterranean, Dutch political interests weighed more heavily than religious ones in the question of redemption.



## Chapter 7. Gift-giving and Tribute, 1675-1699

In the early twentieth century, the anthropologist Marcel Mauss concluded that in archaic societies gift-giving operated as a form of exchange that relied on the obligation to give, the obligation to receive, and reciprocity.<sup>828</sup> This cycle of gift-giving, Mauss contended, constituted a total system of services that enhanced peoples' legal, economic, and political interests.<sup>829</sup> Because the gift was never given freely, gift-giving created a system of social bonding: the receiver had to reciprocate. Natalie Zemon Davis analyzed the extent to which Mauss's gift theory and, in particular, the idea of social bonding, can be applied to historical processes in early modern Europe. She concluded that gift-giving functioned as a social network in which gifts could help people advance their social status, gain political advantages, or facilitate market transactions. When gift-giving went wrong, the "burden of obligation" still required people to fulfill their obligations; that is, to return the gift. In other words, gift-giving always created networks of personal debt and gratitude.<sup>830</sup> The exchange of gifts, as Davis argued, sustained virtually every social-political network in early modern society, including diplomacy.<sup>831</sup>

Historians have recently shown how diplomats used the gift as a form of communication to forge and maintain political and trading networks. Princes and

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<sup>828</sup> Marcel Mauss, *The Gift. The Form and Reason for Exchange in Archaic Societies.*, trans. by W.D. Halls with a forward by Mary Douglas (New York and London: W.W. Norton, 1990), 13-14.

<sup>829</sup> Mauss, *Gift*, 6.

<sup>830</sup> Davis, *Gift*, 124-125.

<sup>831</sup> Natalie Zemon Davis, *The Gift in Sixteenth Century France* (Madison, WI: University of Wisconsin Press, 2000), 9. For diplomacy as a gift network, see 161, n22.

ambassadors exchanged mostly tangible luxuries and *objets d'art* that easily crossed linguistic and cultural borders. To promote trade between England and Russia, English diplomats gave Muscovites handcrafted silver in return for Russian fur; Spanish ambassadors emulated gift-giving practices of Italian princes by exchanging costly paintings for Italian horses to smooth their rule of the vice-royalty of Naples; and German princes and Polish kings exchanged bronze sculptures and porcelain to maintain friendly but also geo-politically useful relations.<sup>832</sup> Historians have thus rejected “the false distinction between court ritual and the imagined ‘real substance’ of negotiations,” and established that gift-giving in the early modern period was a diplomatic practice.<sup>833</sup>

This chapter demonstrates how gift-giving in North Africa “went wrong” for Dutch consuls in particular and Dutch diplomacy in general. Dutch consuls acknowledged the significance of gift-giving in the Maghreb. They realized that gifts, whether in the form of objects of prestige, cash, or military materiel, were essential to gain access to Maghrebian courts. To *not* give significantly affected consuls’ status and ability to negotiate. Insufficient financial support from the Estates General, however, prevented consuls from frequently providing gifts to court officials and rulers. Consuls’ inability to give, and give handsomely, hampered them in fulfilling their mission, that is, in negotiating the liberation of captives and maintaining diplomatic relations with the Maghreb. Consuls thus came to understand that gift practices in the Maghreb were essential and that their inability to participate in a gifting network could exclude them from the diplomatic field.

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<sup>832</sup> Carrió-Invernizzi, “Gift and Diplomacy in Seventeenth-Century Spanish Italy,” 896-97; Jansson, “Measured Reciprocity,” 348-370; Falcke, *Diplomatischen Geschenkwesen*, 312.

<sup>833</sup> Watkins, “Toward a New Diplomatic History,” 2-14.

The consuls' view that gifting was an inevitable but also an immoral practice stemmed from different interpretations the Dutch and North Africans held on the role of gift-giving in early modern diplomacy. To the Dutch, the distinction between gift and bribe, especially when it concerned cash, often blurred. They believed that negotiations ought to occur according to the conditions agreed upon in treaties and not by bribing officials. This clash of interpretations proved to be a recurrent source of friction between Dutch diplomats and Maghrebian officials throughout the seventeenth century. North Africans frequently dismissed treaties in favor of receiving gifts. That rejection prompted many Dutch consuls to define Maghrebian rulers as "uncivil," because, in their view, civilized societies followed written law and refrained from taking bribes.

North Africans considered giving and receiving gifts a form of contract that created social obligations; that is, it was *another* form of civility. This problem of differing interpretations became increasingly apparent in the 1670s when diplomatic relations between the Dutch Republic and North African states shifted. Since the early 1600s, the Republic, then a powerful player in the Mediterranean, had provided materiel to North African states either as part of trade agreements or as gestures of goodwill. Maghrebian officials interpreted this welcome supply of arms as a sign of friendship and alliance. Once the Republic lost its political and military edge vis-à-vis the Maghreb in the 1670s, however, the meaning of war supplies as gifts changed, too. In 1679, the Dutch complied with the Algerian demand for eight cannons and large quantities of gunpowder and bullets in exchange for a peace treaty and the protection of trade. The gift given in return for protection indicated a significant shift in gift mode; now the Dutch were giving gifts as tribute-payers rather than as equals. The Dutch were willing to accept

this change as long as Algerian rulers would guarantee safe trade and allow the ransoming of captives. The Dutch, unable to dispatch war fleets to the Mediterranean, accepted that gift-giving, even giving that included war supplies, was the only effective way to negotiate in North Africa.

The Dutch were not the only Europeans who adopted this new gift mode. Historians have categorized similar proceedings between other Europeans and North Africans in the eighteenth century as “paying tribute.” Christian Windler, for example, has analyzed French-Moroccan relations and documented French concerns over a subservient relationship to the Algerians at the end of the eighteenth century. Likewise, Frank Lambert related how the newly established American republic pondered whether it should pay tribute in the form of money or gifts to obtain the release of American slaves from North African captivity.<sup>834</sup> Thus, the question as to how gift-giving practices in the Maghreb led so many Christian powers to pay tribute to “uncivil” Muslim North Africa has major implications for our understanding of the evolution of early modern diplomacy. The manner in which Europeans agreed to comply with North African demands and customs of gift-giving shows that diplomacy did not develop according to western customs and laws. Rather, it happened in reverse. Maghrebian society enforced its rules and conditions on European states and turned its diplomats into conduits for receiving tribute. Examining gift-giving practices in Dutch-North African relations thus reveals how the Maghreb shaped early modern diplomacy in forceful ways that raise questions

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<sup>834</sup> Frank Lambert, *The Barbary Wars. American Independence in the Atlantic World* (New York: Hill and Wang, 2005), 54; Richard B. Parker, *Uncle Sam in Barbary. A Diplomatic History* (Gainesville: University Press of Florida, 2004), 70-71.

about the traditional interpretation of diplomacy as an institution of solely European origin, a product of international law, and a marker of progress.

### ***Consuls, Gifts, and Bribes***

From the earliest days of contact between the Dutch Republic and the Maghreb, the exchange of gifts sustained Dutch-North African relations. Already in 1614, for instance, Yusuf Dey suggested to the Dutch Ambassador Cornelis Haga in Constantinople that one should treat friends with small presents.<sup>835</sup> North Africans, like Europeans, believed that exchanging gifts reflected mutual respect and amiability. The Estates General therefore included instructions on the giving of presents in their carefully phrased orders for diplomats. When Cornelis Pijnacker, for example, was about to embark upon a temporary mission to Algiers in 1622, provisions were made for him to be able to give gifts to the officials and rulers of Algiers.<sup>836</sup> Likewise, when in 1675 Ambassador Hees gave the Algerian *dey* Baba Hasan a golden chain, the *dey* reciprocated with a *kaftan*. The initial rite of giving gifts thus showed respect to the host and symbolized the good intentions with which the Dutch representative arrived.

The shared practice of giving, however, was deceptive. Dutch consuls and ambassadors soon became ambivalent about gift-giving practices in the Maghreb. In Europe, diplomats and their hosts both acknowledged the power of the giver. Mauss observed that “to give is to show one’s superiority, to be more, to be higher in rank,

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<sup>835</sup> Letter of Haga to Estates General, Constantinople, Feb. 13, 1614, BGLH, 1: 655-57.

<sup>836</sup> Resolution 2837, Estates General, March 17, 1622, RSGNR, 5: 436; See also: Resolution Estates General on Wijnant de Keyser, April 23, 1616, point 3, BGLH, 1: 678-688; Instructions Estates General to Cornelis Pijnacker, May 21, 1622, point 26, BGLH, 1: 858-864.

*magister*. To accept without giving in return, or without giving more back, is to become client and servant, to become small, to fall lower.”<sup>837</sup> Fear of losing power or “face” would naturally stimulate a receiver to provide an equal or larger gift. In the seventeenth century, a similar understanding existed that power was invested in the giver and not in the receiver. This recognition led ambassadors in Europe to return a gift with an equal or more splendid one or to give with greater display. The English Crown, for instance, kept detailed accounts of gifts given and received. Only by recording the value of each gift could the English ensure that they had returned something of equal value and thus prevent them from becoming indebted to the giver.<sup>838</sup> The instructions of the Estates General that consuls give presents to their hosts upon arrival strengthened, at least in Dutch eyes, the position of the consul as giver and reflected the more powerful status of the Dutch Republic vis-à-vis the North Africans.

The emphasis on *giving* gifts also shows that Europeans feared that accepting gifts was tantamount to accepting bribes. Indeed, Europeans were deeply concerned about the issue of bribery. Although contemporary handbooks on European diplomacy hardly dealt at all with the issue of gifting, they warned ambassadors to be wary of the pitfalls of receiving gifts that could shade over into accepting bribes.<sup>839</sup> The French diplomat Ian Hotman, for instance, recommended to his fellow ambassadors in 1603 that they “keep in

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<sup>837</sup> Mauss, *Gift*, 74.

<sup>838</sup> Jansson, “Measured Reciprocity,” 357-358.

<sup>839</sup> Anthony Cutler’s observation that presents were not a frequent topic in Byzantine and early Muslim works suggests that gift-giving practices were self-evident and therefore redundant in written texts. Anthony Cutler, “Significant Gifts: Patterns of Exchange in Late Antique, Byzantine, and Early Islamic Diplomacy,” *Journal of Medieval and Early Modern Studies* 38: 1 (Winter 2008): 84; Carrio and Jansson argue that early modern Europeans hardly wrote about gifting either. Carrio, “Gift and Diplomacy,” 886; Jansson, “Measured Reciprocity,” 355.

mind that honor prevails over profit: he who pretends to be inviolable in person also needs to have an invulnerable soul against the temptation of presents and corruption.”<sup>840</sup>

Thus, while an ambassador profited by accepting a gift, he could simultaneously stain his reputation as greedy or even treasonous if it seemed that he had actually accepted a bribe.

The Dutch Republic was similarly concerned with the questions as to what extent states should participate in gift-giving at all and how to avoid bribes. The absence of a stadholder and a court in Dutch politics between 1650 and 1672 led the Estates General to issue a resolution in 1651 that forbade members of government to participate in any form of gift-giving, that is to accept or give gifts however small, under penalty of permanently being barred from office.<sup>841</sup> To avoid bribery the Dutch thus thought it best to refrain from the practice of gift-giving entirely. The state pensionary, Johan de Witt, led by example: he refused to accept any presents or “tokens of esteem” offered him. He believed gifting to be an ill-concealed form of bribery that did not befit a true republican statesman.<sup>842</sup> In this respect, De Witt heeded warnings from early modern diplomats who cautioned fellow ambassadors about the dangers of accepting gifts. Dutch attempts to avoid any appearance of bribes by refusing to accept or give gifts, however, were short-lived. In 1670, the English ambassador received the “usual respect” of 6000 guilders

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<sup>840</sup> Ian Hotman, *De La Charge et Dignité de l’Ambassadeur* (Düsseldorf, 13<sup>th</sup> edition, 1663), 61.

<sup>841</sup> Placard Estates General on Prohibiting Gifts, GPB, 1: 402-403; René Huiskamp, “Tussen centrum en periferie. Giften en corruptie in de vroegmoderne politiek.” *Volkskundig Bulletin* 21,1 (May 1995): 31. The fact that François de Callières published a handbook on diplomacy in 1716, in which he still warned about the danger of gift-giving, proves that the gift also remained a powerful asset in European diplomacy. Callières, *The Art of Diplomacy*, page.

<sup>842</sup> Huiskamp, “Tussen centrum en periferie,” 30.

upon his departure from The Hague.<sup>843</sup> In a world where everyone was complicit in gift-giving, it was impossible to abstain.

Consuls' experiences in the Maghreb, however, proved how hard it was to avoid the moral dilemmas gifting presented. In 1616, consul Wijnant Keyser reported that the *cadi* in Algiers maintained important contacts in Sicily, Naples, and Florence. Keyser quickly observed that gift-giving maintained fruitful diplomatic relations and advised the Estates General to keep the *cadi* a friend by meeting his requests for presents that included "a beautiful bookcase to put his books in, an atlas of the entire world, a map and a globe of the world but without figures, [and] a beautiful bedframe."<sup>844</sup> The Estates General, however, took a rather different view of the matter. In response to Keyser's letter, it answered that "we consider that authority will motivate [him] more than any gift, and we are not accustomed to send gifts to those who damage us."<sup>845</sup> The Estates insisted that it was one thing to give gifts as part of common diplomatic ceremonies, but quite another to give "extra" gifts to those who demanded them and who simultaneously held Dutch captives. Dutch authorities, during their early relations with North African principalities, thus opposed practices that they perceived as "giving for the sake of giving." The Estates General viewed the request of the *cadi* as inappropriate.

This incident demonstrates that the Dutch and the North Africans interpreted differently the ways diplomatic relations should be maintained and the role of gift-giving therein. In essence, the Dutch believed that international treaties laid the basis for mutual

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<sup>843</sup> Anderson, *Modern Diplomacy*, 51.

<sup>844</sup> Letter of Wijnant de Keyser, Algiers, Oct. 8, 1616, Heeringa, 694-698, 697.

<sup>845</sup> "alsoe wij achten, dat d'authoriteyt meer sal moveren als eenich present, ende wij zijn oyck nyet gewoon presenten te senden an dieghene, die ons beschadigen...." Instructions Keyser, Aug. 22, 1617, BGLH, 1: 751.



contact and collaboration. Any requests for gifts, whether cash or something more tangible, smelled of bribery and represented a disregard for international law. In the early 1620s, for example, the Algerian *pasha* asked the Dutch Ambassador Pijnacker for 1000 pieces of eight for the treaty and threatened to order his corsairs to seize Dutch vessels if the ambassador did not deliver. Pijnacker responded indignantly “that I had not come to *buy* peace [*italics mine*].”<sup>846</sup> He argued that he had instead come as a friend to uphold a treaty. The ambassador believed that one should abide by written contracts rather than by bribing the other party with money and gifts.

Maghrebians, on the other hand, considered gifting itself a form of social-political contract from which one forged and developed relations. Gifting not only created obligations; it also generated opportunities. North African officials had few reservations about accepting gifts (which they did not consider bribes) as tokens of tribute and signs of loyalty. Keyser understood this when he recommended that the Estates General give the *cadi* a bed and the other goods he desired. In the Maghreb, things worked differently. Tribute in the form of gifts or cash formed an integral part of governing. In Morocco, for instance, regional and local governors administered the state in exchange for benefits in the form of land, offices, or taxes that the king granted them. In return, they handed the king part of their acquired wealth and supplemented that money with presents or annual feasts. The king then redistributed tribute money (*hadiyyas*) or deposited it in the state treasury. The entire Moroccan state apparatus (*makhzan*) thus relied on a tributary system.<sup>847</sup> North African officials expected foreign diplomats to participate in similar

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<sup>846</sup> “Rapport Pijnacker,” Berigten, 302.

<sup>847</sup> Johan de Bakker, “Slaves, Arms, and Holy War: Moroccan policy vis-à-vis the Dutch Republic during the Establishment of the ‘Alawi dynasty (1660-1727),” Ph.D diss., University of Amsterdam, 1991, 1-2.

practices and encouraged consuls to give them gifts to facilitate the handling of daily affairs, including negotiating the release of captives.

If Dutch consuls had to maintain relations at North African courts, then they, too, had to adjust to the Maghrebian ways of gifting, just as they had acceded to the custom of ransoming captives. The bills of consuls Wijnant de Keyser, David de Vries, and Jacob Tollius demonstrate how Dutch diplomats had indeed accepted Maghrebian practices over the course of the seventeenth century, offering diamonds, tobacco, wine, brandy or invitations to lavish dinners at the consul's residence.<sup>848</sup> In the late 1670s, Jacob Tollius calculated having spent about 43% of his budget on presents. These included the "regular" tokens of diplomatic courtesy, such as the "customary gifts," given Algerian officials on arrival.<sup>849</sup> Consuls expected reciprocity, not in the form of gifts but in favors: concessions that benefitted Dutch commerce, prevented the seizure of more captives, or assisted in the liberation of existing ones. The gifts given or, perhaps, the bribes proffered, thus became part of a wider spectrum of reciprocity from which both the Dutch and North Africans expected to benefit.

The consuls' adjustments to North African standards of gift-giving expose the extent to which the Dutch eventually were willing to modify their moral objections. Consuls realized that gifting would help them gain prestige, facilitate captives' release, and reacquire seized vessels and goods. Unfortunately, the Estates General and the Dutch merchant community did not finance consulates in North Africa sufficiently to enable

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<sup>848</sup> Response Keyser to Pijnacker, Appendix B, Oct. 15, 1622: "onkosten die ordinarie gedaen moeten worden om eenen slaeff binnen Argieri vrij te maecken" Report Pijnacker concerning complaints against Keyser, around May 1623, BGLH, 1: 902-903; Letter of Van den Burgh to Estates General, Algiers, April 13, 1663, BGLH, 2: 502-505; Letter of Tollius to pensionary Fagel, The Hague, Dec. 17, 1679, NA, 3.01.18, inv.nr. 381.

<sup>849</sup> Letter of Tollius to pensionary Fagel, The Hague, Dec. 17, 1679, NA, 3.01.18, inv.nr. 381.

consuls to participate in lavish gift-giving on a consistent basis or in the degree required. Consul Jacob Tollius foresaw the problem already in 1679 while still in The Hague waiting for transport to Algiers. He had compiled a list of ordinary and extraordinary expenditures. The wages for his entourage (five domestic servants, a secretary, a cook, an interpreter, guards, and lackeys) constituted an estimated 31% of his total budget; the number of gifts more, about 43%. Tollius realized that he was unable to pay for the entourage and the presents based on what his contract provided. His consular right to receive taxes on trade goods failed to make up the difference. Dutch regular trade with Algiers remained small and consuls did not receive enough support themselves and their household let alone procure suitable and sizeable presents for foreign rulers. Tollius therefore appealed to Pensionary Gaspar Fagel “to judge fairly what a consul in Algiers should receive.”<sup>850</sup> Tollius rightly believed that the underfunding of Dutch consulates would hamper consuls in displaying the wealth and splendor suitable to their station.

Fagel probably ignored Tollius’s request because, shortly after the consul’s arrival in May 1680, Tollius found his fears confirmed: “[I cannot convey to you] the amazement and astonishment of Baba Hasan and the *dey* that I have not brought the smallest present, not even one worth a shilling for the high rulers of Algiers. They had no other thought than that Your Noble Lord and Her High Mightinesses would provide me liberally with a considerable sum of several thousand *patacos* for the liberation of slaves and [to sustain] the glory and respect of my function. [Indeed], this government can hardly believe that my position is [not characterized by] splendor and liberality.”<sup>851</sup>

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<sup>850</sup> Letter of Tollius to pensionary Fagel, The Hague, Dec. 17, 1679, NA, 3.01.18, inv.nr. 381.

<sup>851</sup> “is alsoo weinig uijt te drucken, als de verwondering en versteltheid van Baba Hassan, en den Daij,

Tollius's report reveals that Hasan and the older *déy* not only expected to receive gifts and ransom; they also defined the consul's prestige and that of his country by his ability to give and give handsomely. Consul Berck, similarly, was convinced that if he would have had the "required presents and *pouvoir*," he could have resolved several difficult matters.<sup>852</sup> Likewise, consul Matthias observed that his English counterpart earned "great credit" by promising the Algerian authorities large quantities of gunpowder. Because "the Turks are won over by appearances," Matthias argued, a similar action could greatly strengthen his negotiating position.<sup>853</sup> In short, without a display of wealth and power, Dutch consuls were not able to force discussions about unresolved and messy diplomatic matters.

Thus, the practice of gift-giving in North Africa proved how complicated diplomatic relations between two different cultures could be. Consuls personified Dutch ambivalence towards gifting in the Maghreb. On the one hand, they believed that bestowing gifts upon officials to negotiate articles of the treaties was a form of bribery. They abhorred how Maghrebians disregarded international law. Gifting in North African society, however, was deeply embedded in its social-political structure. When Maghrebian officials accepted presents, they did not view these as bribes. Instead, they considered them gifts and signs of respect that facilitated negotiations. The reality of

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dat er voor d'hooge regenten van Algiers niet het minste present, ja niet ter waardige van ene schelling, met mij mede gekomen is: die geen andere gedachten hadden, dat als Uw Grootmog en haar Ho Mo mij niet alleen daarvan rijkelijk zouden voorzien hebben, maar ook een considerabele somme van enige duizenden patacos aan mij hebben mede gegeven, so tot lossinge der slaven, als tot meerder luister en respect van mijn functie, die hier zonder splendeur en liberaliteit niet wel, altoos niet met genoeg van deze regering kan waargenomen worden." Letter of Tollius to pensionary Fagel, Algiers, First letter June 5, 1680, NA, 3.01.18, inv.nr. 381.

<sup>852</sup> Letter of Berck to Estates General, Algiers, Feb. 16, 1682, NA, 3.01.18, inv. nr. 379.

<sup>853</sup> Letter of Matthias to pensionary Fagel, May 4, 1684, NA, 3.01.18, inv.nr. 382.

maintaining diplomatic relations with the Maghreb, therefore, forced consuls to participate in North African gift-giving if they wanted to fulfill their missions. The prestige attached to the ability to give, a position that would facilitate consuls' ability to negotiate the release of captives, softened some consuls' opinions on the gift as bribe: they came to regard it as a necessary if not ideal practice. Nonetheless, financial constraints often prohibited them from participating in gift-giving practices even when they wanted to do so. Events in the late 1670s and 1680s demonstrate with special clarity how a new gift mode fundamentally changed Dutch-North African diplomacy and made the position of consuls more precarious and difficult.

### *From Friends to Suppliants*

In the 1670s, the delicate relationships involved in diplomatic gift-giving shifted with changes in larger political circumstances. The 1672 French invasion of the Republic and then the end of the Third Anglo-Dutch War in February 1674 sealed the Republic's loss of power to the English and the French.<sup>854</sup> A similar process occurred in the Mediterranean. In 1674, the Dutch were at war with Algiers, Tripoli, and Tunis and only maintained normal diplomatic relations with Morocco. The Dutch Republic thus had to compete increasingly with France and England for concessions with North African polities. When in May 1674 the Algerian *dey* al-Hajj Muhammad offered to discuss with the Dutch a peace treaty with Algiers, the Estates General immediately took the opportunity to send Thomas Hees as an extraordinary ambassador to North Africa to

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<sup>854</sup> In Dutch history, 1672 is known as the "Year of Disasters," because of the French invasion, the naval wars with England, a crash at the Stock Exchange of Amsterdam, paralysis of Dutch trade and finances, and total demoralization. Israel, *Dutch Republic*, 796.

close the deal.<sup>855</sup> Over the next ten years, Hees undertook three missions. His first (1675-1680) resulted in a peace treaty with Algiers; his second (1683) in peace with Tripoli and an armistice with Tunis; and his third (1685) in a renewal of the peace treaty with Algiers.

Hees's first mission to Algiers and the negotiations that led to the 1679/1680 peace treaty are the most significant for understanding how the Dutch ambassador and consuls became suppliants to North African rulers and, in the process, how they participated in a significant transformation of early modern diplomatic relations in the western Mediterranean. During negotiations, Hees soon discovered that the loss of Dutch naval power in the western Mediterranean had appreciably weakened Dutch relations with the Maghreb. Although the Dutch continued to provide war supplies, the Maghrebians no longer viewed them as their friends or allies, but rather as their clients.

The new tributary relationship played out in several ways. When the Dutch finally delivered the war materiel, for example, Baba Hasan reciprocated with captured wild animals that symbolized his power over those he ruled, including the now tribute-paying Europeans. Second, Hasan was setting a precedent; his successor and the rulers of Tripoli subsequently all demanded weapons in return for treaties. Finally, Husayn also insisted that the Dutch hand over the arms in public, that is, in front of the palace rather than within the confines of the court, thus making the "gift" a public event that showed all who was now paying tribute to whom. Consuls Jacob Tollius (1680) and his successors Alexander van Berck (1681-1682), Christoffel Matthias (1684-1686), and Paulus Timmerman (1686) experienced first-hand how the new gift mode affected their position,

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<sup>855</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 364.

transforming them into hat-in-hand suppliants.<sup>856</sup> Like Ambassador Hees, they acknowledged the importance of gifts in maintaining relations but felt ambivalent about participating in Maghrebian customs. Some tried to adjust to the new reality of diplomatic relations, others continued to question the morality of gift-giving.

In 1675, however, nothing seemed to indicate that the soon to be reestablished relations would be any different than since the early 1600s. The Estates General prepared Hees's mission as it normally did. In October 1675, Hees arrived with four warships at the port of Algiers. He carried two types of presents as tokens of friendship: two cannons and a heavy chain with a golden eagle inlaid with emerald.<sup>857</sup> The cannons had practical value, especially because the North Africans had neither metal nor the skilled labor to produce them.<sup>858</sup> The Dutch and English frequently gave rulers in the Maghreb war supplies to smooth relations. They thus acted as potential friends and allies. For that reason, the cannons went with Hees. The chain was the more typical, tangible, and luxurious gift that diplomats commonly exchanged upon arrival or departure.<sup>859</sup>

Shortly after the ambassador's arrival, the Algerians granted him two audiences. During the absence of the Dutch in Algiers from 1664 until 1675, another political upheaval had rearranged the political order there. In 1671, the *agha*, who had overthrown the *pasha* in 1659, was replaced by the *dey*.<sup>860</sup> Hees first went to see *dey* al-Hajj

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<sup>856</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 376-377.

<sup>857</sup> Krieken, *Kapers en kooplieden*, 47-48.

<sup>858</sup> Letter of Smits-Heppendorp to Magistrate Amsterdam, July 15, 1687, AM, 5027, inv. nr. 244.

<sup>859</sup> The most valuable part was the chain itself: its length determined its value. Heringa, *Eer en Hoogheid*, 473, 479-480.

<sup>860</sup> Abun-Nasr, *A History of the Maghrib*, 175.

Muhammad in the company of Jacob de Paz, a Jewish merchant from Amsterdam who had settled in Algiers in 1671. Afterwards, the Dutch delegation paid court to the *pasha* in a second ceremony.<sup>861</sup> Hees, however, did not give the golden chain to either the *dey* or the *pasha*.

As it turned out, *dey* al-Hajj Muhammad left the actual governing of Algiers to his son-in-law, Baba Hasan, who was at the time fighting rebels near Tlemcen.<sup>862</sup> Hees therefore decided to wait until Hasan's return to give him the chain and commence actual negotiations. Because the Dutch war commanders could not afford to wait for Hasan's still unknown date of return, they departed with the cannons on board. De Paz, familiar with Maghrebian court rituals and the sensitive nature of gift-giving, asked the Dutch captains to provide a trumpet for the *dey*.<sup>863</sup> Hasan's return to Algiers in full glory some two months later made it evident that his victory over the rebels also dealt him a strong hand in negotiating with the Europeans. Shortly after De Paz invited Hees to watch Hasan's procession into town, Hasan received the Dutch delegation briefly and accepted the chain as an expression of traditional diplomatic courtesy.<sup>864</sup>

Despite the *dey's* overtures to the Estates General and Hasan's acceptance of the chain, however, Hasan told Hees that he was not interested in peace with the Republic because he had already signed treaties with England and France. His corsairs would profit more by remaining at war with the Dutch and by seizing their ships, crews, and goods.

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<sup>861</sup> "Journael ofte Dagh-Register van de reyse naar Algier van Thomas Hees, gedaen int jaar 1675." In *Tussen Zeerovers en Christenslaven*, ed. H. Hardenberg, 13-72 (Leiden: H.E. Stenfert Kroese's Uitgevers, 1950), 37-38.

<sup>862</sup> Letter of Hees to Magistrate Amsterdam, Algiers, Nov. 14, 1675, AM, 5027, inv. nr. 241.

<sup>863</sup> "Journael Hees," 40.

<sup>864</sup> Krieken, *Kapers en kooplieden*, 47-48.



Hasan's desire to continue the conflict with the Republic underscored his new-found strength vis-à-vis European states and in particular, the Dutch Republic.<sup>865</sup> While the Dutch desired a treaty to safeguard their commerce, Hasan sought to remain at war with at least one European state. This situation that would allow him to continue to seize enemy ships and slaves. Hees's arrival in 1675 was therefore badly timed; the Algerians were already at peace with France and England.<sup>866</sup>

Whether the gift of the cannons would have made a difference is doubtful. Hees realized that unless at least one Dutch warship was moored in the Algerian harbor, the gift of arms made virtually no difference. As long as Dutch war ships roamed Mediterranean waters, Maghrebian rulers considered the giver of war supplies a friend or ally; once the Dutch admiralties stopped dispatching war fleets to the Mediterranean, Dutch prestige plummeted. A point in case was that even though war broke out between England and Algiers in 1677, Hasan still declined Hees's overtures for a peace treaty; he was waiting for the English fleet to arrive and mend the broken relations.<sup>867</sup> Unfortunately for Hees, there was no sight of a Dutch fleet.

Worse, Admiral Michiel de Ruyter had died during the battle of Stromboli off the Italian coast in 1676. De Ruyter's defeat of the French had made a very strong impression on the Algerians. When the news broke that de Ruyter, the symbol of Dutch naval power, had died of wounds, Hasan ordered his corsairs to renew attacks on Dutch merchant

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<sup>865</sup> Krieken suspects that Jacob de Paz had lured the Algerian *deys* into signing a peace treaty with the Dutch in exchange for lucrative ransom, ships gear and military weapons. Krieken, *Kapers en kooplieden*, 48.

<sup>866</sup> Krieken, *Kapers en kooplieden*, 48.

<sup>867</sup> Letter of Hees and De Paz to Estates General, Algiers, Oct. 30, 1677, NA, 3.01.18, inv.nr. 380.

ships.<sup>868</sup> Knowing that North African rulers were more impressed with the actual presence of warships in their ports than sable-rattling rhetoric, Hees immediately urged the Estates General to dispatch a Dutch war fleet.<sup>869</sup> The gift of the cannons would be meaningless without the presence of the Dutch navy. Not the arrival of the Dutch navy, however, but failed negotiations between England and Algiers finally led Baba Hasan to make peace with the Dutch in 1679. The fact that the Dutch ambassador had to wait four years to negotiate an agreement confirmed that the Algerians no longer considered the Republic a powerful player or one they had to appease.

It was probably for those reasons as well that Hasan and other Algerian officials suddenly demanded a gift of eight iron forty-pounders complete with gunpowder and shot in exchange for a treaty.<sup>870</sup> The request marked a turning point in Dutch-North African relations. Ambassador Hees initially responded that he could not consent to such an “unusual” request. It was one thing to offer military goods and naval supplies on a voluntary basis as a means of forging relations; it was quite another to use them as payments to obtain a treaty. Of course, in daily negotiations consuls unwillingly bribed officials with gifts and cash to get favors. In addition, the Dutch also expected reciprocity for war supplies they had repeatedly bestowed upon Maghrebian rulers during the course of the century. The loss of Dutch seapower, however, changed the equation; the additional war supplies the Algerians now demanded were no longer gifts but tribute. In North African eyes, the absence of the Dutch war fleet in the Mediterranean meant that

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<sup>868</sup> Krieken, *Kapers en kooplieden*, 48.

<sup>869</sup> Letter of Hees and De Paz to Estates General, Algiers, Oct. 30, 1677, NA, 3.01.18, inv.nr. 380.

<sup>870</sup> Letter of Hees and De Paz to Estates General, Algiers, May 10, 1679, NA, 3.01.18, inv. nr. 380.

Dutch seafarers now depended on the protection of the Algerian fleet instead. Hasan, in exchange for that protection, wanted cannons and bullets.

The Dutch ambassador, realizing that the Dutch navy was not able to tip the balance in his favor and fearful that a refusal could derail negotiations, agreed to fulfill the Algerian government's request in exchange for the treaty.<sup>871</sup> The Dutch thus stood on the verge of submitting themselves to Algerian rule, at least in symbolic terms. Hasan's refusal to ratify the treaty as long as the Dutch presents had not arrived foreshadowed his desire to transform a diplomatic relationship based on mutual strength into a hierarchical and tributary one. While waiting for the Dutch to return with the war supplies, his corsairs freely roamed the seas and soon returned with twenty captured Dutch ships in tow. Only when a Dutch warship finally arrived with the promised cannons in spring 1680 did Hasan sign the agreement.<sup>872</sup> In return, Hasan presented the Estates General with two horses, a dead ostrich (it succumbed before being shipped), two lions who also passed away during the passage, three sashes, three rudders, and three sables.<sup>873</sup>

The gift of animals was especially important because it symbolized Hasan's powerful position in relation to the Dutch Republic. In the Middle East and North Africa the ideal ruler commanded birds and wild animals as King Solomon reputedly had done. By giving animals, a ruler expressed his sovereignty over all creation.<sup>874</sup> Hasan's gift of

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<sup>871</sup> Ibid.

<sup>872</sup> Report Hees to Estates General, Livorno, May 20, 1680, NA 3.01.18, inv.nr. 380.

<sup>873</sup> Heeringa, *Bronnen*, 3 : 493.

<sup>874</sup> In the eighteenth-century, Europeans began to review this type of presents as "barbaric." In the nineteenth century, however, they would themselves give wild animals to others to convey their colonial power. Christian Windler, "Tribut und Gabe. Mediterrane Diplomatie als interkulturelle Kommunikation." *Saeculum* 51, I (2000): 38, 49.

horses and lions thus figuratively conveyed his power as ruler of Algiers but also over Europeans who paid tribute. Whether Hees understood the full symbolic meaning of Hasan's gift is not clear, but he was not exactly impressed. He complained that the Algerians still refused compensation for the loss of the twenty ships and its crews. Hees obviously valued the international treaty even if it had not yet been ratified more than the gift of cannons and ostriches. Whether he fully comprehended its implied tributary message is not clear.<sup>875</sup>

Moreover, Hees also recognized the weaknesses of the Algerians. For one, Baba Hasan could not afford to fight three European states simultaneously, especially not considering the competing ambitions of the other North African polities that troubled his rule.<sup>876</sup> Thus, he could not overplay his hand and risk complete ruin. The French bombing of Algiers in 1682 and 1683 proved that European states would not always stand idly by. It also confirmed European technological superiority. The Maghreb lacked resources and skills to manufacture arms and thus depended on weapons from Europe, especially from the Dutch Republic and England. The North Africans might consider a gift of cannons a form of paying tribute; the Dutch and other Europeans considered them proof of how superior they were vis-à-vis North Africa in terms of military technology. Furthermore, although North Africans played a central role in commercialized redemption in the western Mediterranean, they nonetheless attempted to normalize trade relations with the Dutch and, presumably, other European states throughout the seventeenth century. They invited Christian merchants to trade in North Africa, even though Muslim merchants

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<sup>875</sup> Heeringa, *Bronnen*, 3: 493.

<sup>876</sup> William Spencer, *Algiers in the Age of Corsairs* (Norman: University of Oklahoma Press, 1976), 118.

were denied commercial access to European ports along the Mediterranean. Despite the inclusion of favorable trade opportunities in the treaties, the effects remained disappointing for North Africans.<sup>877</sup>

Despite all these strategic disadvantages, however, the Maghreb still held the most valuable trump card: Christian captives. The 1679/ 1680 Dutch-Algerian treaty reflected this unequal relationship in stipulating conditions for ransoming Dutch captives thus continuing the trend that the 1651 treaty with Salé had initiated.<sup>878</sup> Ambassador Hees returned to the Republic to oversee collections, as discussed in the previous chapter, for the purpose of buying Christians out of Muslim slavery. He left Jacob Tollius behind as the first consul since 1664 who was to follow up on the treaty with Algiers.

Immediately after his arrival in Algiers in May 1680, consul Jacob Tollius experienced exactly what a tributary relationship entailed. Very soon after his arrival, Hasan complained to Tollius that fourteen months had passed since the ratification of the treaty and that Ambassador Hees had broken his promise to return with either cash or goods. Hasan's complaint was somewhat premature. He had not ratified the treaty in 1679 but in May 1680. Hasan nonetheless used the 1679 agreement and declared that the delay in the delivery of presents and ransom prompted him to allow his corsairs to seize fifteen more ships.<sup>879</sup> In addition, he threatened to sell Dutch slaves presently held in Algiers on slave markets elsewhere if the Dutch failed to ransom them.<sup>880</sup>

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<sup>877</sup> Krieken, *Kapers en kooplieden*, 10.

<sup>878</sup> Art. 12 of Dutch-Algerian treaty, 1679/ 1680, GPB, 3: 1408. In addition, Algerians maintained the right to inspect Dutch vessels; a privilege the Dutch feared was an excuse to seize cargo and crew. Art. 4 of Dutch-Algerian treaty, 1679/ 1680, GPB, 3: 1407.

<sup>879</sup> Letter of Tollius to pensionary Fagel, Algiers, May 6, 1680, NA, 3.01.18, inv.nr. 381.

<sup>880</sup> Letter of Berck to Magistrate Amsterdam, Algiers, July 15, 1681, AM, 5027, inv. nr. 242.



Fig. 7.1 Peace Treaty between Algiers and the Estates General, engraving by Jan Luyken, 1684.  
© Rijksmuseum, Amsterdam.

Tollius, like Hees, did not seem to be impressed. He reminded the Estates General “not to imagine” that it had achieved enduring relations with Algiers simply because a treaty had been signed in exchange for arms. “The capture of Dutch ships by Algerian corsairs after the ratification of the peace treaty,” Tollius wrote, “should surely convince the pensionary [Gaspar Fagel] that a couple of cannons as presents are no guarantee of peace. Because commissioner Hees has assumed responsibility for this, however, I will not expand on the topic.”<sup>881</sup> Tollius’s criticism of Hees demonstrates that he disagreed with the Republic’s previous course of action. Although he recognized that “the power of

<sup>881</sup> “dat Uw Ed. wegens het verlies van zoveel schepen, die zoals ik in het voorgaande bekend heb gemaakt, door de Turken sedert de overeenkomst van de ratificatie van de vredestraktaten genomen en ten dele in mijn gezicht opgebracht, gevoelig en wellicht van andere sentimenten zijn, als men zich alhier door het overleveren van het canon inbeeldt. Maar alsoo de verantwoording daarvan de heer commissaris van Hees op zich genomen heeft, zal ik mij daarover niet verder largeren.” First letter of Tollius to pensionary Fagel, Algiers, June 5, 1680, NA, 3.01.18, inv.nr. 381.

gifts especially on the Turkish nation is well known,<sup>882</sup> he nonetheless considered it immoral for the Dutch state to give the North African war supplies but dragged their feet on sending money to liberate slaves.<sup>883</sup> He acknowledged the Dutch were “thrifty in nature,” but the delays were nonetheless “crude and more barbaric than human to [have us] live ... as such.”<sup>884</sup> Tollius, in other words, accused the Estates General of prioritizing commerce over the liberation of captives.

Tollius’s criticism was unwarranted. Hees and the *Gecommitteerde Raden* of the States of Holland had done their utmost to collect private and public funds in the Republic in order for Hees to return to the Maghreb and ransom Dutch captives. The consul’s personal experiences, however, fueled his criticism of the state’s decision to continue gifting in the name of the common good while supposedly neglecting the fate of Dutch captives. Upon Tollius’s arrival, he estimated that about six to seven hundred citizens were then held captive. The captives expressed “great disappointment” that he had arrived empty-handed because they “saw no other way out than through the consul’s intervention.”<sup>885</sup> Tollius’s encounter with Dutch slaves evoked his compassion and strengthened his sense of responsibility if it also emphasized his impotence. His inability to redeem slaves because he could neither give gifts nor pay ransom, in combination with the Algerian capture of the fifteen ships, confirmed his belief that gift-giving was

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<sup>882</sup> “Wat nu de kracht van giften uijt kan werken, principieel bij de Turkse natie, is niet dan al te wel bekend.” First letter of Tollius to pensionary Fagel, Algiers, June 5, 1680, NA, 3.01.18, inv.nr. 381.

<sup>883</sup> “Het gaat hier, gelijk in meer landen: men bedenckt zijn particulier interest met den dekmantel van 't gemeen.” First letter of Tollius to pensionary Fagel, Algiers, June 5, 1680, NA, 3.01.18, inv.nr. 381.

<sup>884</sup> “Het is wel waer, dat wij met onse langsaeme resolutien en uijtvoeringen vandien tot het eerste wat reden, maer door onse spaersamen aerdt, en particuliere passien noch maer tot dit laeste gegeven hebben: maer 't is wat te groff, en meer barbarisch, als enschelijck, soo met ons te leven.” Second letter of Tollius to pensionary Fagel, Algiers, June 5, 1680, NA, 3.01.18, inv.nr. 381.

inevitable yet also futile and immoral. He predicted that “as long as [gifts and ransom] are not delivered, I do not see peace lasting longer than a year.”<sup>886</sup>

Tollius was pointing out the obvious. Ransoming captives and gift-giving were features intricately related in early modern diplomacy in the western Mediterranean. He was not, however, in a position to participate in either the one or the other. It is perhaps for this reason that Tollius, often assessed as an other-worldly scholar, did not want to take part in court ceremonials or pay what he regarded as tribute.<sup>887</sup> Two months after his arrival, Hasan requested the Estates General to replace the consul because he had violated diplomatic courtesy; Tollius had refused to accept presents and not offered any either. Failure to present or accept gifts, however, was an insult that the Algerians obviously did not take lightly. In September 1680, the consul was on his way back home.<sup>888</sup>

If Tollius had displayed little tact, or perhaps to be fair, refused to play the role of a suppliant, his successor Carl Alexander van Berck actually assumed a position more subordinate than the Estates General would condone. In doing so, he undermined Dutch-North African relations rather than promoting the Dutch cause. Whereas Tollius charged that the Dutch government had entered into an immoral gift-exchange with North Africans to suit commercial interests, Berck urged the Dutch state to *optimize* gift-giving to advance the same ends. Berck was particularly aware of the need to compete with the

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<sup>885</sup> “zonder door mijn aankomst enigen uitweg te zien,” First letter of Tollius to pensionary Fagel, Algiers, June 5, 1680, NA, 3.01.18, inv.nr. 381.

<sup>886</sup> Letter of Tollius to pensionary Fagel, Algiers, June 5, 1680, NA, 3.01.18, inv.nr. 381.

<sup>887</sup> Krieken, *Kapers*, 50-51. Krieken, Introduction to *Christenslaven* by van den Broek and Jacobs, 33. Before Tollius arrived in Algiers he ran a Latin school in Gouda, a town in Holland. Schutte, *Repertorium Nederlandse vertegenwoordigers*, 376.

<sup>888</sup> Krieken, *Kapers en Kooplieden*, 50-51.



English and French in order to preserve the peace concluded in 1680. In 1681, he reported that the French had renewed their alliance with Algiers in exchange for magnanimous gifts. The English similarly distributed “very large presents” in exchange for prisoners. Berck warned the Estates General that “our antagonists” were doing everything possible to elbow the Republic aside and to obtain trade and diplomatic advantages for themselves. With so many competitors striving to please Maghrebian officials, Berck argued that the Estates General ought to deliver presents in the interest of the common good.<sup>889</sup> This, by the way, was the same consul who had complained bitterly about Jewish mediators offering presents to the *deys* “like bees.” Berck believed, however, that only gift-giving would appease North Africans and secure Dutch commercial interests in the Mediterranean. If the Dutch refused to distribute appropriate presents, the English would benefit and even be able to sign a peace treaty with Algiers at the expense of the Dutch. For Berck, gift-giving was not an immoral practice; it was a diplomatic necessity.<sup>890</sup>

Berck’s concerns about his inability to gift properly may have led him to abandon his mission precipitously and without the permission of the Estates General. The French and English consuls gossiped among themselves that Berck had departed from Algiers without permission and had also promised Hasan to deliver mortars, artillery, and gunpowder without the knowledge of Dutch authorities.<sup>891</sup> Lacking adequate support from the Estates General, Berck might have considered his vow to Hasan to retrieve the

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<sup>889</sup> Letter of Berck to Magistrate Amsterdam, Algiers, July 15, 1681, AM, 5027, inv.nr. 242.

<sup>890</sup> Letter of Hees to Magistrate Amsterdam, Alicante, Oct. 12, 1682, AM, 5027, inv.nr. 241.

<sup>891</sup> Letter of Hees to Magistrate Amsterdam, Algiers, Nov. 21, 1682, AM, 5027, inv.nr. 241.

war materiel personally from the Republic as the only way to leave Algiers alive, in one piece, and free. Indeed, from the beginning of his tenure in September 1680, Berck had been less concerned with the fate of the captives than with fears of his *own* enslavement. In late spring 1681, while waiting to take ship in Marseille for Algiers, he wrote that “if I am unlucky, I will be captured without being assured by Your High Mightinesses of my release. All my life I have been miserable with the thought of being enslaved by the Barbarians . . . which would cast me into despair.”<sup>892</sup> By promising extra war supplies, Berck played straight into the hands of Baba Hasan. His promise allowed Baba Hasan to portray himself as sovereign. Not unimportantly, the additional arms would help the *dey* retain power. At this point, having achieved much of what he desired, Hasan allowed Berck to leave Algiers.

Berck’s abrupt and, at least for the Dutch, somewhat mysterious departure had grave consequences for Dutch diplomatic relations with Algiers.<sup>893</sup> Ambassador Hees, charged with the ransoming of captives according to the 1679/1680 Dutch-Algerian treaty, encountered the effects of Berck’s precipitous actions on his return to North Africa in October 1682. Hasan refused to abide by the treaty if Berck did not return with the cannon and other war materiel he had promised.<sup>894</sup> Despite his successful liberation of 196 slaves, Hees could not conceal his consternation: “The ransoming of slaves and the tokens of honor have created goodwill, and it is to be suspected that the matter would

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<sup>892</sup> Letter of Berck to Magistrate Amsterdam, Marseille, April 23, 1681, AM, 5027, inv.nr. 242.

<sup>893</sup> On his way back to North Africa to ransom captives, Ambassador Hees was surprised to encounter consul van Berck on board of a Dutch ship near Cadiz. Berck explained that he was on a “special mission.” Hees countered that Berck’s task was “to liberate slaves” and that he therefore should have remained on his post in North Africa. Berck, however, was determined to continue his journey to the Republic. Letter of Hees to Magistrate Amsterdam, Alicante, Oct. 12, 1682, AM, 5027, inv.nr. 241.

<sup>894</sup> Letter of Hees to Magistrate Amsterdam, Algiers, Nov. 21, 1682, AM, 5027, inv.nr. 241.

have been [successfully] completed had Berck not ... messed up.”<sup>895</sup> In Hees’s view, the actions of one consul endangered the operation of the entire Dutch diplomatic offensive. Berck had used the concept of paying tribute to his own advantage rather than benefit the Dutch state or the captives.

All the cannons and mortars in the world, however, could not save Baba Hasan’s life. He was murdered in 1684 and succeeded by Hajj Husayn, who lived up to his nickname of Mezzomorte. In the Maghreb, the ascent of a new ruler required a renewal of the treaties his predecessor had concluded. The coup of Husayn would prove a test case for Hasan’s earlier attempts to turn the Dutch into suppliants. Ambassador Hees had, upon his departure to the Republic, appointed the Jewish merchant D’Alverenque as provisional consul until a new Dutch consul could arrive. Unlike many fellow consuls, the newly appointed Christoffel Matthias gladly accepted the advice of Jewish mediators. Upon arrival in March 1684, Matthias’s initial tasks in Algiers were to congratulate the new *dey* on his position and request a renewal of the peace treaty. The Jewish merchant Louis D’Azevedo, son of Henrico D’Azevedo, recommended giving gifts to Husayn and his chancellor to make up for Berck’s precipitous absconding. Although Matthias quickly learned the ins-and-outs of “Turkish” gift-giving customs, he, like Tollius, criticized its practice although his reasons differed.<sup>896</sup> Whereas Tollius considered gift-giving immoral, Matthias regarded it an unlawful diplomatic practice.

An incident in 1684 reveals Matthias’s irritation about gift-giving practices in North Africa and exposes once again how cultural differences could jeopardize

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<sup>895</sup> Letter of Hees to Magistrate Amsterdam, Alicante, Feb. 22, 1683, AM, 5027, inv.nr. 241.

<sup>896</sup> Letter of Matthias to Magistrate Amsterdam, Algiers, March 20, 1684, AM, 5027, inv. nr. 243.

diplomatic relations. In the fall of that year, Husayn had conquered Tunis. As part of the booty from that campaign he sent the Ottoman emperor in Constantinople a gift of slaves that included seven Dutch citizens. A gift of slaves was actually common practice throughout the Mediterranean and symbolized Husayn's aspirations to control his own population as well as keep the Dutch and other Europeans in a tributary and subordinate relationship. Learning about this, Matthias immediately protested that the renewed peace treaty forbade the Algerians to export Dutch slaves and thus prevent the Republic from ransoming them. Husayn, however, considered the same actions a legitimate part of warfare and statecraft. Sending slaves as gifts simply fulfilled another gift-cycle, that existing between him and the king. He thus queried why did Matthias "play the angry man?" Husayn had sent thirty English slaves on the same ship and the English consul had not complained.<sup>897</sup>

Matthias's protest reflected a long-held opinion by Dutch diplomats that treaties proved essentially worthless in North Africa.<sup>898</sup> Matthias complained that "all these meetings have taught me that this government is incapable of adhering to a treaty's stipulations. They sign a contract without examining it and then follow it to suit their own interests. I have always presented my objections as best as I thought matters could bear without causing a breach."<sup>899</sup> Matthias considered the peace treaty a legally binding agreement that both parties were pledged to uphold. In his view, gifts were only used to

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<sup>897</sup> Letter of Matthias to Magistrate Amsterdam, Algiers, Dec. 16, 1684, AM, 5027, inv. nr. 243.

<sup>898</sup> Letter of Matthias to Magistrate Amsterdam, Algiers, May 28, 1685, AM, 5027, inv. nr. 243; Letter of Matthias to Magistrate Amsterdam, Algiers, July 3, 1685, AM, 5027, inv. nr. 243. Other consuls similarly complained about the violation of treaties. Letter of Timmerman to Magistrate Amsterdam, Algiers, April 8, 1686, AM, 5027, inv. nr. 245; Letter of Smits-Heppendorp to Magistrate Amsterdam, Tangier, n.d., 1686, AM, 5027, inv. nr. 244.

<sup>899</sup> Letter of Matthias to Magistrate Amsterdam, Algiers, July 3, 1685, AM, 5027, inv. nr. 243.

obtain or maintain contracts. In contrast, North African rulers believed treaties signified only a ruler's personal commitment rather than creating a legally binding agreement between states which was how Europeans perceived them.

When Matthias requested the restoration of goods seized in May 1685 and based his appeal on the renewed peace treaty, Husayn responded that he did not want to take responsibility for his predecessor's actions and did not feel bound by the contract. Differing perceptions of what civilized behavior meant were here at play. Matthias had chided Husayn for lack of civility because, he argued, civil men would abide by the law and not break it.<sup>900</sup> The *dey* reacted angrily to this charge; for him civility rested in the display of respect through gift-giving rather than in words scrawled on a piece of parchment. Whether civility meant abiding by the letter of the law or the giving of presents, reality forced Matthias to admit that when "a treaty expires with the death of each *dey*, his successor either makes [a new] peace ... or breaks the agreement."<sup>901</sup> As a result, each civil war among the North African polities and each successful *coup d'état* voided all existing treaties, at least in the eyes of the North Africans. In the Maghreb, gift-giving signified the sovereignty of the individual ruler and not that of the state.

Nonetheless, Baba Hasan had set a precedent in establishing a tributary relationship with the Dutch.<sup>902</sup> In 1685, Husayn increased the pressure to pay tribute by demanding that he receive gifts in a public display for renewing the 1680 treaty. This

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<sup>900</sup> Letter of Matthias to Magistrate Amsterdam, Algiers, May 28, 1685, AM, 5027, inv. nr. 243.

<sup>901</sup> Letter of Matthias to Magistrate Amsterdam, Algiers, March 20, 1684, AM, 5027, inv. nr. 243.

<sup>902</sup> The Algerian *dey* demanded similar gifts from other European states. In 1679, he insisted on the delivery of an extensive number of military goods from the English admiral Sr. John Narbourn to renew the English-Algerian peace that had been broken in October 1677. Letter of Hees and De Paz, Algiers, May 10, 1679, NA, 3.01.18, inv. nr. 380.

demand exemplifies just why European authors repeatedly warned that giving gifts was a politically charged and potentially explosive diplomatic moment. In North Africa, the danger of losing independence lay in *giving*, not in *accepting*, a gift. Again, ambassador Hees felt he had little choice. During Hees's third mission in February 1685, Husayn and his officials expressed great dissatisfaction with the "particular tokens of honor" that Hees had bestowed upon them privately. They demanded that the Dutch ambassador present the Algerian royal house with a gift *in public* [italics mine]. Although Hees initially protested, he perceived that it was "wise" to give the Algerians one hundred barrels of gunpowder publicly. But the *dey* and his lieutenant considered the present a "trifle" and refused to accept it. To "secure peace" Hees then delivered 240 barrels of gunpowder and had it placed *in front of the palace* [italics mine]. This gesture pleased the Algerian rulers. They assured Hees that peace between Algiers and the Republic was now assured. Yet they also demanded that the Dutch had to deliver an additional 2713 pieces of eight over the two thousand already promised.<sup>903</sup>

The public act of giving, not once but twice, showed the world that the Dutch ambassador was indeed paying tribute. By publicly rejecting or accepting gifts Husayn displayed his authority as a sovereign ruler not only to the Dutch and other European diplomats but to his own subjects as well.<sup>904</sup> The Dutch, by complying with Husayn's demands for gifts larger than the previous ones, perhaps unconsciously and certainly unintentionally, fed the impression that they had submitted to North African power; that is, that they had paid tribute. Hees's goal, however, was to *preserve* Dutch sovereignty by

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<sup>903</sup> Letter of Hees to Magistrate Amsterdam, April 4, 1685, AM, 5027, inv. nr. 241.

<sup>904</sup> On Husayn's orders Baba Hasan had been killed in the midst of hostilities with France. Grammont, *Histoire d'Alger*, 251.

ensuring free trade and, especially, the liberation of captives. Indeed, Hees had undertaken his mission on the orders of the Amsterdam town council. The council had emphasized that he could conclude treaties solely to facilitate slaves' redemption. Amsterdam thus prioritized the liberation of its captured citizens over protecting commerce. Perhaps, therefore, Hees and his fellow diplomats were willing to participate in the public display of giving despite the risk of appearing to pay tribute.

Dutch consent to the conditions of the treaty with Algiers in 1679/1680 and its renewal in 1685 had a ripple effect in the region. On Hees's second mission in 1683, following the liberation of the 196 slaves, he had traveled to Tripoli and Tunis to sign peace treaties with their rulers. In June 1683, the *diwan* of Tripoli declared itself ready to conclude an enduring peace, "provided that this will be established in the same manner and under the same conditions as the peace between the Netherlands and the Algerians."<sup>905</sup> The Dutch once more had to supply arms in return for an accord; in this case, the gift consisted of hundred and fifty barrels of gunpowder, three cables, three thousand cannonballs of four to eight pounds each, and five masts eighty-five feet long, all of which the Dutch had to deliver within fourteen months in order to obtain the ratification of the treaty.<sup>906</sup>

Once Hees agreed to the conditions of the Tripolese rulers, he proposed to the Estates General in 1683 that his assistant Zacharias Cousart remain behind in Tripoli to represent the Republic and oversee the ratification of the treaty.<sup>907</sup> Unfortunately for the

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<sup>905</sup> "gelijk wij die sluiten mits dezen in manieren en op condities van de vrede die tussen de staat der gemelde Nederlanden en de Algerijnsche is opgerecht." Copy Dutch-Tripolese treaty, June 21, 1683, AM, 5027, inv. nr. 241.

<sup>906</sup> Written promise of Hees to rulers Tripoli, June 21, 1683, AM, 5027, inv. nr. 241.

<sup>907</sup> Letter of Hees to Magistrate Amsterdam, Livorno, Aug. 2, 1683, AM, 5027, inv. nr. 241.

Dutch consul, the Algerian scenario repeated itself in Tripoli. Three years later, the agreed upon gifts still had not arrived. In February 1686, Tripolese privateers attacked the *Dolfijn*, captured five crewmembers, and seized the ship's load of salt in protest of the delay. The Tripolese argued that their corsairs had the right to plunder Dutch ships because Tripoli was at war with Venice and Dutch ships carried Venetian products. Cousart could do nothing but wait for the Estates General to respond.<sup>908</sup> The consul's perilous position in Tripoli demonstrates once more how the absence of a Dutch war fleet negatively affected Dutch relations with North Africa by allowing Maghrebian rulers to offer protection only in exchange for war supplies. The Dutch had no choice but to accept this new gift mode.

All Hees's efforts, however, were short-lived and his successes ephemeral. Algiers declared war on the Dutch in 1686 and Tripoli did so in 1693. Berck's fear that lagging behind in gifting could endanger the peace treaty seems to have become a reality in March 1686. Husayn explained to Paulus Timmerman, Matthias's cousin and successor as consul, that he had declared war on the Dutch, because "Berck had promised his [Husayn's] predecessor Baba Hasan mortars, bombs, cannons, and other contraband goods. ... But learning of the death of Baba Hasan ..., the consul remained [in Italy without keeping his promise]." The *dey* therefore concluded that while the Estates General had considered Baba Hasan "a good king," they did not feel the same way about Husayn.<sup>909</sup> Husayn suggested that the Dutch had refused to pay him tribute, a situation that eventually led him to break the treaty with the Republic.

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<sup>908</sup> Letter of Cousart to Magistrate Amsterdam, Tripoli, Feb.10, 1686, AM, 5027, inv. nr. 246.

<sup>909</sup> Letter of Timmerman to Magistrate Amsterdam, Malaga, June 20, 1686, AM, 5027, inv.nr. 245.



Matthias, on the other hand, recognized the influence of larger political developments in the Mediterranean. England had managed to conclude a treaty with Algiers through their connections with the Ottoman sultan in Constantinople. In addition, the French bombardment of Algiers in 1682 and 1683 had forced the latter to sign a peace treaty with France. Thus, Matthias understood that the English treaty and the French attack had more effect on Husayn's declaration of war on the Dutch than did Berck's departure and the missing gifts. Matthias, reflecting on this unexpected war, did not wish to criticize Dutch regents but wondered if conflict could have been prevented had the Estates General displayed more of its naval power rather than focusing on providing gifts that had dubious effects.<sup>910</sup>

Matthias's opinion highlights how different cultural interpretations of gift-giving affected Dutch-Maghrebian relations from the 1670s onwards. The Dutch mostly considered gifts as a means to achieve particular goals and smooth diplomatic negotiations. The decline of Dutch maritime operations in the Mediterranean, however, allowed North Africans to change the meaning attributed to gifts of war supplies. The negotiations over the 1679/ 1680 peace treaty created a new gift mode that effectively established a tributary relationship between Europeans and North Africans and that set a precedent for other North African states to follow. In Morocco, too, the Republic accepted a quasi-tributary position. The captivity of Dutch citizens in combination with a weakened position on the bigger political stage left the Republic no real option other than to focus on diplomacy and accept coercive forms of gift-giving that were always less costly than waging war.

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<sup>910</sup> Letter of Matthias to Magistrate Amsterdam, Marseille, April 26, 1686, AM, 5027, inv.nr. 243.

### ***Morocco: Arms, Slaves, and Gifts***

Between 1651 and 1699, David de Vries (1651-1662), Lieve Kersteman (1663-1668), Johannes Smits-Heppendorp (1669-1695), and Cornelis Smits (1696-1699) represented the Estates General in Morocco.<sup>911</sup> Smits-Heppendorp was still engaged in consular affairs at the very end of the century and was the longest-serving Dutch consul in North Africa. His tenure demonstrates in particular the extent to which the Dutch had adjusted their diplomatic policies to fit the interests of the Moroccan emperor by the end of the seventeenth century. Since the early 1600s, Dutch-Moroccan relations had been primarily based on trade in arms and captives. In the last decades of the seventeenth century, however, Mulay Isma'il of Morocco, similar to the way in which Baba Hasan did, demanded a gift of weapons in exchange for a treaty that he and the Dutch ratified in 1684. Isma'il needed a regular supply of arms to mount a *jihad* that, among other things, included the expulsion of Christian and Ottoman powers from Moroccan soil. Over the years, however, he also began to demand arms and ammunition in exchange for the release of Dutch slaves, thus turning captives into a bargaining chip and transforming the trade in arms into a form of tributary-giving that forced the Dutch to comply if they wished to liberate their captives.

After being plagued by decades of political instability, Morocco came under the control of Mulay Rashid who founded the 'Alawite Dynasty in 1668 and who relied on the loyalty of tribal leaders to remain in power. In 1673, Mulay Rashid died and his half-brother Mulay Isma'il succeeded him. To avoid tribal schisms that threatened to undermine his government (*makhzan*), Isma'il, son of Mulay al-Sharif and a black slave

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<sup>911</sup> Schutte, *Repertorium Nederlandse vertegenwoordigers*, 383-384.

girl, built an army mainly consisting of former black slaves and freeborn African men. By the time of Isma'il's death in 1727, he controlled some 150,000 troops. These provided him with the necessary military force to keep him in the saddle and Morocco unified. He made Meknes the capital of his empire and built fortifications in eastern Morocco and on the slopes of the Middle Atlas. His enemies were many. Rivals challenged his rule throughout his reign. To curb Ottoman influence in Morocco, Isma'il invaded the Algerian regency repeatedly from the 1670s to the end of the century. Perhaps the presence of the Christian *presidios* on Moroccan soil formed the biggest challenge to his ambitions. Portugal still ruled Mazagan and Spain held Ceuta, Malila, Peñon de Velez, and Alhucemas. In addition, England possessed Tangier, a port town strategically located on the Straits of Gibraltar that the English King Charles II had held since 1661, when he had received it as part of the dowry of his Portuguese bride Catherine of Braganza. The defeat of the Christian enemy was an important goal of Isma'il's rule.<sup>912</sup>

The rise of Isma'il as ruler of all Morocco nullified Dutch treaties with Salé and required, as custom dictated, that the older treaties with Morocco be renewed. Maliki law, however, prohibited a Muslim ruler from maintaining military alliances with infidels. Isma'il, therefore, was initially not interested in making overtures to renew pacts with the Dutch Republic or any other Christian state for that matter. He soon changed his mind, however, for good practical and political reasons. The Dutch historian Johan de Bakker has argued that Isma'il's eventual overtures towards the Dutch sprang from his desire for *jihad*. At the end of 1679, critical voices inside Isma'il's court reminded him of his duties as the king of Islamic Morocco. Among these duties was the necessity of *jihad*, that is "to

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<sup>912</sup> Abun-Nasr, *A History of the Maghrib*, 224-231; Colley, 24, 36, 40.

exalt the word of God and ... to demand justice from the evildoer.”<sup>913</sup> To this end, the king transported all Christian slaves to Meknes to labor on public works. Less realistically, he invited the French king to convert to Islam. In addition, he provided men and arms to assist troops that were already beleaguering Tangiers in an attempt to drive out the English. Because the siege of Tangiers required a constant supply of ammunition, especially gunpowder, the commander ‘Umar b Hadu realized that he needed to secure a supply of arms from another Christian state; the Dutch Republic was an obvious choice. He persuaded Isma’il to seek an alliance with the Dutch in order to obtain a supply of war materiel from them.<sup>914</sup> Thus, like Mulay Zaydān in 1610 and the governors of Salé before him, Isma’il became interested in importing arms from the Republic.

Because Isma’il’s initially refused to deal with Christian states, ‘Umar b Hadu initiated contact with the Dutch through Don Manuel Belmonte, otherwise known as Isaac Nuñez, the Spanish agent-general in Amsterdam. Belmonte convinced the Dutch to offer gifts worth 16,000 guilders to Isma’il in hopes of concluding a treaty with Morocco.<sup>915</sup> The exchange of gifts for a treaty resembled the conditions imposed by Baba Hasan upon Ambassador Hees in Algiers in 1679. By consenting to the explicit exchange of weapons for an accord with Morocco, the Dutch once again found it necessary to adjust their diplomacy to North African practices albeit to their disadvantage. Since De Ruyter’s death in 1676, the Estates General had embarked on no further war expeditions in the Mediterranean and now lacked the means to do so. Thus, diplomacy was the only

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<sup>913</sup> Bakker, “Slaves, Arms, and Holy War,” 64.

<sup>914</sup> Bakker, “Slaves, Arms, and Holy War,” 62-68.

<sup>915</sup> Bakker rightfully notices that the gifts are not mentioned in the treaty. Later correspondence, however, reveals this particular exchange. Bakker, “Slaves, Arms, and Holy War,” 68.

means they had left to ensure safe trade and prevent Moroccan corsairs from capturing Dutch mariners. Because the king was experiencing problems in wresting Tlemcen from Algerian control, he realized the necessity of finding support, in both military and religious terms, for his actions. Thus, the king asked the *cadi* of Morocco for his opinion, that is, he required a *fatwa* to circumvent Maliki law and conclude an alliance with a Christian state to promote *jihad*. As Bakker explained, overtures to the Dutch now had a religious justification.<sup>916</sup>

Until the king requested a *fatwa*, the Dutch consul Johan Smits-Heppendorp had been left in the dark about his desire to acquire arms from Protestant Europe. Neither Dutch nor Moroccan officials had called upon his services to conduct the initial negotiations between the Republic and Morocco. Instead, Jewish merchants again held all the cards.<sup>917</sup> Besides engaging Belmonte, ‘Umar b Hadu had also ordered 1000 *quintal* gunpowder from the Jewish merchant Guido Mendez in Salé. Mendez’s correspondent in Amsterdam was Jacob de Olivera, who belonged to the Sephardic-Jewish community. Furthermore, when the Estates General showed interest in an alliance with the king, Isaac Bueño de Mesquita, a Dutch-Jewish merchant, obtained a copy of the letter of the Estates General expressing that intent and immediately traveled to Meknes to present it to the king, thus sandbagging Smits-Heppendorp.<sup>918</sup> At court, De Mesquita negotiated an agreement with Yusuf Maymorān, the Moroccan-Jewish representative of the king, that the Dutch would give him 600 *quintals* of gunpowder and a gilded state coach. Mesquita

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<sup>916</sup> Bakker, “Slaves, Arms, and Holy War,” 69-72.

<sup>917</sup> The treaty’s second article, stipulating that corsairs could neither capture Christians *or Jews* [italics mine], reveals the strong presence of Jewish mediators engaged in the negotiations. Art. 2 of Dutch-Moroccan treaty, 1683, GPB, 4: 298.

<sup>918</sup> Bakker, “Slaves, Arms, and Holy War,” 79.

apparently took it upon himself to represent the Dutch. Once again the network of Jewish-Sephardic merchants became active in mediating affairs between the Republic and Morocco. The connection with Amsterdam allowed them to profit greatly from the arms trade. To optimize his position, Mesquita even prevented Smits-Heppendorp from leaving Rabat by bribing the local governor just as De Paz family had hampered commissioner Albert Ruyl in the 1620s.<sup>919</sup>

To Mesquita's chagrin, however, the king decided to grant Smits-Heppendorp audience in 1681. Isma'il thus acknowledged that the consul, and not Mesquita, was the official representative of the Dutch Republic. The gesture is important because it echoes similar concerns the Algerians held. They, too, preferred to negotiate with the consul as an officially appointed diplomat rather than with "unofficial" Jewish mediators in spite of the latter's better contacts, skills, and knowledge of diplomacy in the Maghreb. Nonetheless, the baffling number of mediators involved, all from Moroccan-Jewish or Dutch-Jewish communities indicates how entrenched had become the position of the Jewish mercantile community in these relations and how forceful were their attempts to supersede the role of the Dutch consul in North African affairs.<sup>920</sup>

The large number of arms dealers active at the Moroccan court in search of favors helped Mulay Isma'il raise the stakes and establish a tributary relationship with the Dutch similar to what the Ottoman regencies had achieved a few years earlier. During the audience that the king had granted Smits-Heppendorp, Isma'il suddenly increased his demands for gifts in return for the treaty not yet signed. He now demanded not only the

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<sup>919</sup> Bakker, "Slaves, Arms, and Holy War," 79-84.

<sup>920</sup> Matar, *Europe through Arab Eyes*, 114-117; Bakker, "Slaves, Arms, and Holy War," 18.

600 *quintals* of gunpowder De Mesquita and Maymorān had already agreed upon, but also wanted an extra 600 gun barrels in place of the gilded state coach. Unlike the rulers of the Ottoman regencies, however, Isma'il did not rely on the Dutch consul to communicate his request to the Estates General. Instead, he appointed Yusuf Toledano, the nephew of Maymorān's wife, as an envoy extraordinary to the Republic.<sup>921</sup> There, in spring 1683, Toledano, along with David Bueño de Mesquita, negotiated the conditions of the treaty with the Estates General while Smits-Heppendorp remained in Morocco. The Estates General consented to the request for extra presents because it possessed virtually no other means to free citizens. Thus, as in Algiers, it accepted the role of tributary because it could not dispatch war fleets to achieve its goals. In August 1684, the Dutch vessel "Noorthollant" arrived in Tangier (the English had departed from there in the winter of 1683-84) carrying the ratified treaty and the gifts promised. This time, Smits-Heppendorp traveled to Meknes in the company of Yusuf de Mesquita, two Dutch Salese merchants, and Hayyim Toledano (brother of Yusuf) and personally presented the gifts to the king. Isma'il then signed and ratified the accord.<sup>922</sup>

Because 'Umar b Hadu had asked Belmonte to initiate peace talks on the same principles as Algiers had made in a pact with the Republic, the treaty resembled the 1679 agreement with the Algerians, especially on one crucial point.<sup>923</sup> In negotiating the

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<sup>921</sup> Bakker, "Slaves, Arms, and Holy War," 79-85. Yusuf's sister Rachel was married to Jacob Sasportas, a rabbi in Amsterdam. It shows the tied links again between the Sephardic communities in Morocco and the Republic.

<sup>922</sup> Bakker, "Slaves, Arms, and Holy War," 87-92. Toledano might have increased the gifts considerably on his own. While the Estates General had agreed on 600 gun barrels and 600 quintals of gunpowder (worth almost 21,000 guilders), Bakker reports that the French consul reported a gift of 1000 gun barrels, 1000 quintals of gunpowder, and two large cannons. Bakker, "Slaves, Arms, and Holy War," 90.

<sup>923</sup> Bakker, "Slaves, Arms, and Holy War," 68.

treaties, the Dutch had been careful not to repeat the mistakes made in 1662 by agreeing to ransom captives within a set period. The difficulties of the 1662 and 1681 general collections in the Republic were still fresh in Dutch memory. The Estates General clearly wanted to avoid organizing a general redemption that a restriction of time would mandate. Thus, the Dutch parties to the treaties had gone to great pains to emphasize that they would only consent to ransom captives freely and not because they were obliged to do so. Article XII of the Moroccan treaty, for example, revealed these objectives: “[the Estates General] is not bound to ransom her subjects or residents being in slavery at present ... It will absolutely depend on its free decision [to do so], without any limitations or restrictions of time, to employ her compassion ... to ransom [captives] on the condition that one can negotiate the ransom price with [slave] masters in the most reasonable fashion.”<sup>924</sup> The frequent references in the treaty to ransom without coercion suggests that the Republic was fed up with the pressure that North African slave owners and rulers had previously applied in negotiating the release of Christian captives.

Despite these carefully phrased texts, however, the Dutch still ransomed captives. The treaty stipulated that they would negotiate cost price no matter whether the slaves belonged to governors or rowed the galleys.<sup>925</sup> Consuls took an equally central part in liberating captives. Dutch commissioners and other ministers of state could ransom captives at cost, not market price. The treaty also expressly stipulated that consuls would have the right to conclude contracts and accords, open letters and other dispatches, issue passports, and “do everything else to expedite the redemption [of captives] and the

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<sup>924</sup> Art. 12 of Dutch-Moroccan treaty, 1683, GPB, 4: 300; Art. 12 of Dutch-Algerian treaty, 1679, GPB, 3: 1408.

<sup>925</sup> Art. 12 of Dutch-Moroccan treaty, 1683, GPB, 4: 300.



transport of redeemed slaves without anyone ... opposing them or harming the redeemed slaves."<sup>926</sup> In other words, the Dutch attempted to avoid engaging in a redemption process that seemed forced upon them rather than initiated by them.

The number of captives did not seem so enormous that it could not be dealt with through redemption. In spring 1683, about fifty Dutch citizens languished in captivity; in August 1684, there were about eighty.<sup>927</sup> Yet their redemption and that of future captives took about sixteen years to achieve; not until 1698 were all liberated. The additional demands that Isma'il repeatedly raised repeatedly delayed Dutch efforts. In July 1686, Smits-Heppendorp reported that the king wished to exchange captives for gun barrels. These were not the same gun barrels that had served as a gift when Isma'il first granted the treaty, but additional ones. The consul could not help but sigh that slavery in the Maghreb was "lamentable and deplorable ... and has no equal in the entire world."<sup>928</sup> Isma'il, like his predecessors, however, exploited a process that had defined relations between the Republic and Morocco since the early seventeenth century: the arms for slaves. He needed arms to fend off his enemies and consolidate his power. Thus, the Dutch consul could do nothing except urge the Estates General to send warships bearing the goods necessary for redemptions.<sup>929</sup> When François Smits-Heppendorp, the consul's brother, delivered 100 gun barrels in July 1687 for the redemption of four Dutch slaves and another 100 gun barrels as the first installment of the thousand specified for granting the treaty, Isma'il complained that the guns and the rudders also sent were damaged.

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<sup>926</sup> Ibid.

<sup>927</sup> Bakker, "Slaves, Arms, and Holy War," 91.

<sup>928</sup> Letter of Smits-Heppendorp, Tangier, 1686, AM, 5027, inv.nr. 244.

<sup>929</sup> Ibid.

Charges of damaged goods were a frequently applied tactic deployed in the hope of shaking loose additional weapons and ammunition.<sup>930</sup>

Although Isma'il released the four captives and allowed Smits-Heppendorp to select another four from his court to take with him, the consul suspected that the king would eventually demand more for their liberation than just gun barrels and ransom.<sup>931</sup> Indeed, a few months earlier, in May 1687, a corsair named Bustangi had captured citizens from Groningen despite the peace with the Republic. The king had bought the captives from Bustangi and now gave the consul permission to ransom them. In addition to his earlier demands, he required a delivery of 40,000 cannonballs (for the purpose of attacking Larache) and an agreement to free one Moorish slave for each Dutch one. He thereupon dispatched a representative, Hasan Mohammed Esquierdo, a former governor of Rabat and Salé, to the Republic to oversee the negotiations.<sup>932</sup> The sudden claim on the liberation of Moorish captives fitted Isma'il's profile as a religious leader. He had sworn to release Dutch slaves only in exchange for Moorish ones. Considering how many galleys the king had and the need for rowers, the delivery of Moorish slaves would significantly strengthen Isma'il's position in Morocco.<sup>933</sup> For the Dutch, however, this new demand posed a problem. Unlike Portugal, Spain, and France, the Republic held no Moorish slaves. Since De Ruyter's death in 1676, the Estates General no longer sent war

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<sup>930</sup> Letter of Isma'il to Estates General, July 25, 1687, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, n.d., AM, 5027, inv.nr. 244, which is the same as Heeringa, Letter of Smits-Heppendorp, July 26, 1687, 572-573; Bakker, "Slaves, Arms, and Holy War," 93-94.

<sup>931</sup> Letter of Smits-Heppendorp, Salé, July 1687, AM, 5027, inv.nr. 244.

<sup>932</sup> Letter of Smits-Heppendorp, Salé, 27 May 1687, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, n.d., AM, 5027, inv.nr. 244; Letter of Isma'il to Estates General, July 25, 1687, AM, 5027, inv.nr. 244; Bakker, "Slaves, Arms, and Holy War," 96, 99.

expeditions to the Mediterranean and thus the possibility of capturing Moorish seafarers and turning them into prisoners of war hardly existed. This left the Dutch only one option: to buy their citizens out of captivity. War with France and a large exchange of captives between Spain and Morocco, however, prevented the Dutch from easily obtaining Moroccan slaves.<sup>934</sup>

In March 1688, Smits-Heppendorp had to report that the redemption of slaves had not proceeded according to plan.<sup>935</sup> First, the Estates General only agreed to deliver 25,000 cannonballs. Next, when Esquierdo returned with a first instalment to Morocco in February 1688, the English confiscated 6000 of them, thirty-three barrels of gunpowder, and twenty barrels of sulphur.<sup>936</sup> Smits-Heppendorp and Esquierdo traveled to Meknes to give the king the remaining 900 gun barrels as gift in exchange for the treaty, despite orders of the Estates General not to unload these before the king agreed to the release of the “Bustangi” captives seized “unjustly” and until he promised to abide by the treaty. The gift, however, failed to attain its objective. Instead, the king upped his demands, requesting 25,000 cannon balls and twenty Moorish slaves in return for the Christian captives, whose number was now only forty-two. Thus, Smits-Heppendorp’s many efforts to redeem slaves all ran aground.<sup>937</sup>

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<sup>933</sup> By law, a king could release Christian captives for ransom or otherwise. Exchanges are not explicitly mentioned. Bakker, “Slaves, Arms, and Holy War,” 95.

<sup>934</sup> Bakker, “Slaves, Arms, and Holy War,” 128.

<sup>935</sup> Letter of Smits-Heppendorp, Salé, March 30, 1688, AM, 5027, inv.nr. 244.

<sup>936</sup> Bakker, “Slaves, Arms, and Holy War,” 105; Letter of Smits-Heppendorp, Salé, March 30, 1688, AM, 5027, inv.nr. 244.

<sup>937</sup> Three had passed away. Letter of Smits-Heppendorp, Salé, March 30, 1688, AM, 5027, inv.nr. 244. Bakker, “Slaves, Arms, and Holy War,” 106.

The consul chaffed at being detained for weeks at the court in Meknes, but those weeks allowed him to observe the coming and going of other merchants and diplomats and the role of gift-giving assumed in negotiations. To counteract the gift-giving practices of the Venetians, for instance, the consul recommended that the Estates General regularly send the king some fifty to sixty gun barrels; this was something like tribute on the installment plan. He thus acknowledged the significance of gifting in diplomacy, while also despising it. To the Estates General he wrote that “your High and Mightinesses would be amazed by the intrigues at this court. Gratitude for gifts [received] has hardly been expressed before a demand for more arises. . . . [Court officials] act like children, who long for everything they see or hear about, and do not want to miss out on anything. If one cannot satisfy them, they must be placated with sweet words.” The consul did not forget to add that “most of all, the Jews excel at whatever goes on [here] and manage to stay out of trouble.”<sup>938</sup> The more power Isma’il and his entourage tried to exercise over the Dutch, especially in their demands of arms and gifts in exchange for liberating captives, the harsher became the consul’s opinion on the Moroccan ruler and his subjects. Yet the king and his commanders still believed sincerely in *jihad* and they besieged Larache still in Spanish hands. Thus, Isma’il considered the supply of Dutch cannon balls and muskets necessary for a campaign against the unbelievers on Moroccan soil.<sup>939</sup> If he could increase the supply of arms and ammunition by using Dutch captives as bargaining material, then he did not hesitate to do so.

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<sup>938</sup> “zijn in gelijckenis als de kinderen, die naar alles haken al wat hooren off sien, en niets en willen missen als iets hebben, sien dat men haer altoos niet kan bevredigen, dan veele maelen met goede woorden moet paijen” and “de Joden, meest van alles, overschrijden wat daar passeert, zodanig weten te menageren dat van alle moeilijkheden mag zijn bevrijd.” Letter of Smits-Heppendorp, Salé, March 30, 1688, AM, 5027, inv.nr. 244.

<sup>939</sup> Bakker, “Slaves, Arms, and Holy War,” 106-109.

Another factor that frustrated the redemption of slaves in 1688 was that the Estates General repeatedly refused to approve a general collection.<sup>940</sup> The Estates General had organized the last general collection in 1681 and resisted doing so again. The Republic thus lacked a centralized and effective method to fund redemption. Even the mayors of Amsterdam, Rotterdam, Hoorn, and Vlissingen could not agree on whether to hold a general collection, leaving local authorities, especially in Amsterdam, to initiate redemptive efforts.<sup>941</sup> Although Bustangi's captives all came from Groningen, for example, it was the magistracy of Amsterdam that asked Smits-Heppendorp to compile a list of the crewmembers captured.<sup>942</sup> Thus, the consul was not wrong when he concluded that only Amsterdam showed much interest in "Barbary" affairs and he praised the magistrate of Amsterdam for its contributions to a successful conclusion of the treaty between the Republic and the king of Morocco as well as for its attempts to liberate captives.<sup>943</sup>

The lack of a general collection left the condition of the captives at the court of Meknes "lamentable," as Smits-Heppendorp put it. He therefore asked permission from the Estates General to employ "his person and goods" in mounting a private enterprise to release slaves; he would seek reimbursement at an unspecified later time.<sup>944</sup> The king reminded the consul that he was "mortal" and that taking responsibility for so many

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<sup>940</sup> Bakker, "Slaves, Arms, and Holy War," 106.

<sup>941</sup> Letter of Smits-Heppendorp, Salé, March 30, 1688, AM, 5027, inv.nr. 244.

<sup>942</sup> Letter of Smits-Heppendorp, Sept. 18, 1687, AM, 5027, inv.nr. 244.

<sup>943</sup> Letter of Smits-Heppendorp, The Hague, April 5, 1697, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, The Hague, Feb. 10, 1696, AM, 5027, inv.nr. 244.

<sup>944</sup> Letter of Smits-Heppendorp, Salé, March 30, 1688, AM, 5027, inv.nr. 244.

Christians would exceed his capability. Mulay Isma'il then reassured the consul that he would release some slaves immediately to please the Estates General and the remainder when the war supplies arrived. Isma'il thus allowed Smits-Heppendorp to depart with five slaves from his court; for a sixth ransom had been paid.<sup>945</sup> Nonetheless, the consul petitioned the Estates General to allow him to find and buy twenty Moorish slaves to exchange for Christians. Smits-Heppendorp probably proceeded with his plan.<sup>946</sup> He sought, for example, to include in his negotiations eighteen or nineteen French Protestants. He pleaded with the Estates General and the Prince of Orange to help him launch his private redemptive efforts.<sup>947</sup>

In 1691, the consul managed to liberate the Bustangi slaves after the Dutch finally delivered the 25,000 cannonballs.<sup>948</sup> In April of that same year, the consul also received permission to leave Morocco and return to the Republic in the company of Hayyim Toledano, who was to arrange for the delivery of additional war supplies and for the redemption of remaining Dutch captives. In the Republic, Toledano acquired extensive

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<sup>945</sup> These were: Jacob Markesen from Flushing, skipper of “De Witte Swaen”; Lucas Boudewijnsz from Flushing, skipper of “De Gekroonde Maria”; Jacob de Vos; Jan Luane from Amsterdam, skipper of “De Prince Wapen”; and Sijmon Roelofsz from Amsterdam. He could also take with him Jacob Garnzee from Rotterdam, whom the governor of Safi had already liberated in exchange for gunpowder. Letter of Smits-Heppendorp, Salé, March 30, 1688, AM, 5027, inv.nr. 244.

<sup>946</sup> Years later, in June 1699, Smits-Heppendorp wrote to Mayor Witsen of Amsterdam on behalf of liberated captives who tried to retrieve insurance money in vain. Regents had sided with the insurers; an act that the consul considered unjust. His request for permission to travel to those towns and places to collect money for the captured furthermore indicated that he had moved on with liberating captives privately. Letter of Smits-Heppendorp, The Hague, June 9, 1699, AM, 5027, inv.nr. 244.

<sup>947</sup> Benjamin Michel, a French surgeon, asked the Prince of Orange (then also king of England) and the Estates General to help him and his fellow Protestant captives out of captivity. Apparently, the Catholic French had been released, but not the Protestant ones. Michel requested if they could be joined in the Dutch redemption. Letters of Benjamin Michel to Estates General and Prince Maurits, Meknes, April 1, 1686, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, Salé, March 30, 1688, AM, 5027, inv.nr. 244.

<sup>948</sup> Bakker suspects that the delay in liberating the Bustangi slaves might have been due to an additional, private, promise the consul had made to settle his debts in Salé: the import of naval equipment. Bakker, “Slaves, Arms, and Holy War,” 113, 116.

private goods but also negotiated the release of forty-four captives originally from Holland. Because Zeeland refused to participate, captives from Zeeland were generally excluded as were French Protestant slaves. In early 1694, Smits-Heppendorp and Toledano sailed to Cadiz and then made a brief appearance in Tangier to deliver 600 gun barrels and 600 quintals of gunpowder. Exchanging Moorish captives for Dutch ones, however, proved the key. When Isma'il learned that the Dutch had no Moorish slaves on board, he fetched all the Dutch slaves who had been assembled in Tangier and put them back to work in Meknes. Isma'il made it his policy not to release Dutch slaves until the Dutch actually provided Moorish ones in exchange. In response, Smits-Heppendorp confiscated Toledano's commercial goods as surety for the Dutch captives who had not been freed. Isma'il thereupon declared war and permitted corsairs from Salé to seize Dutch ships.<sup>949</sup>

It was perhaps this endless, and in the end fruitless, bargaining that finally drove Smits-Heppendorp to call it quits. In the 1690s, he frequently requested that he be replaced. After serving for more than twenty-six years as consul, and suffering from pain and asthma, he no longer felt capable of making the arduous journey to North Africa. In 1695, he recommended that the Estates General appoint Cornelis Smit as consul to Morocco. His first task was to report the breach of peace to Dutch captives and merchants and to reassure captives that their liberation would proceed as planned despite the outbreak of hostilities.<sup>950</sup> Given the consul's extremely long tenure, his recommendation

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<sup>949</sup> Bakker, "Slaves, Arms, and Holy War," 116-117, 126, 129-132.

<sup>950</sup> Letter of Smits-Heppendorp, The Hague, Nov. 17, 1695, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, London, Jan. 5/15, 1692, AM 5027, inv.nr. 244; Letter of Smits-Heppendorp, London, March 4/14, 1692, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, The Hague, Nov. 25, 1695, AM, 5027, inv.nr. 244; Bakker, "Slaves, Arms, and Holy War," 116-117.

for his replacement received serious consideration. Smit was one of the captives whom the consul had liberated a few years earlier. He was a married man from Amsterdam who had been a slave at the court of the king for several years. After his liberation, he had traveled with Smits-Heppendorp to Cadiz and was there a close observer of all negotiations. He knew every Dutch captive and spoke both Spanish and Arabic. Smits-Heppendorp praised him as skilled and loyal.<sup>951</sup> The Estates General followed the consul's recommendation and appointed Smit commissioner.<sup>952</sup>

Despite Smit's many qualities and his vast experience in North Africa, it took him until 1698 to achieve what Smits-Heppendorp hoped would "end the Barbary work."<sup>953</sup> A combination of bad weather, miscommunication, scheming by Jewish and Moroccan mediators, and the continually increased demands of the king frustrated attempts to liberate all Dutch captives.<sup>954</sup> In December 1695, the Estates General decided that Smit would deliver the redemption goods to Morocco and return Toledano's private goods in hopes of resolving the diplomatic impasse. Storms in the English Channel, however, forced the convoy to weather in Portsmouth and the expedition was cancelled. Not until a year later, in December 1696, did Smit's convoy finally arrive at Cadiz in the company of a combined Dutch-English fleet.<sup>955</sup> Mulay Isma'il, however, refused to release the slaves

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<sup>951</sup> Letter of Smits-Heppendorp, The Hague, Nov. 25, 1695, AM, 5027, inv.nr. 244.

<sup>952</sup> Smits-Heppendorp requested the Estates General to give Cornelis Smit a gun that stood deposited in the weapons' chamber of Amsterdam's city hall. Letter of Smits-Heppendorp, The Hague, Dec. 5, 1695, AM, 5027, inv.nr. 244.

<sup>953</sup> Letter of Smits-Heppendorp, The Hague, Feb. 8, 1697, AM, 5027, inv.nr. 244.

<sup>954</sup> Again, Johan de Bakker has extensively and carefully reconstructed the redemptive efforts. See especially the sections on pp. 132-138; 141-144; 148-152; and 155-156.

<sup>955</sup> Letter of Smits-Heppendorp, The Hague, Feb. 10, 1696, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, The Hague, Sept. 2, 1696, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, The Hague,



when he learned that the Dutch did not have the twenty-five Moorish slaves with him. Smit thus had to return to England empty-handed and wait for further instructions from the Estates General. Only when the Estates General enlisted the aid of Smits-Heppendorp again and ordered him to purchase Moorish captives and the Jewish merchant Maymoran bought extra ones, was Smit able to finalize the deal in December 1698. This agreement included a payment for Dutch captives who had escaped because it was feared that the king would change his mind and not release them.<sup>956</sup> By late 1698, apparently all Dutch captives had been liberated from Moroccan captivity and affairs in Morocco had been resolved successfully, at least from the Dutch point of view.

“Finishing the job in Barbary” as Smits-Heppendorp envisioned it, was of course, a delusion. The repeated new demands Isma’il made in return for the liberation of Dutch captives clearly illustrated that the captivity of foreign citizens allowed the captor to determine the diplomatic course. Although the Dutch clearly resented the coercive tactics North Africans used in their negotiations, they believed they had little choice if they wanted to liberate their captives. Thus, by the end of the seventeenth century, Dutch diplomacy had almost entirely molded itself to the ways of the Maghreb.

### ***Conclusion***

A careful analysis of gift-giving practices between the Republic and North African states in the Maghreb in the last quarter of the seventeenth century reveals how

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Sept. 16, 1696, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, The Hague, Feb. 8, 1697, AM, 5027, inv.nr. 244.

Dutch diplomacy in the Maghreb reconfigured itself over the course of the seventeenth century. From the moment of first contact between the Dutch and the North Africans, gift-giving sustained diplomatic relations, but consuls soon discovered that the rules of giving and reciprocity differed in North African society from those typical in Europe. Gift-giving in the Maghreb permeated life from top to bottom. Whereas Maghrebians considered receiving gifts as signs of loyalty that facilitated their ability to take care of business, Dutch consuls usually considered the practice a form of bribery. The distinction between gift and bribe was not always clear. Dutch consuls felt forced to participate in giving gifts as the only way to conduct negotiations on a daily basis, especially when seeking to liberate captives and obtain the return of seized vessels and goods. Their limited financial resources, however, prevented them from fully participating in North African gift-giving and thus they were considerably disadvantaged in the diplomatic process as it proceeded in the western Mediterranean. Indeed, consuls' inability to give suitable gifts greatly diminished their credibility as representatives of the Dutch state and weakened their ability to negotiate. The resulting situation hampered the release of slaves and increased chances that privateers would continue to raid Dutch ships and capture their crews. Consuls' personal experiences and especially their powerlessness shaped their ideas on gift-giving as being either immoral, unlawful, or necessary. They criticized the Estates General for giving too much and too little and the North African rulers for being barbarous and uncivilized.

Still, the willingness of Dutch diplomats to adjust to the standards of Maghrebian gift-giving became an important feature of early modern diplomacy in the western

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<sup>956</sup> Letter of Cornelis Smit, Cadiz, Jan. 5, 1697, AM 5027, inv.nr. 244; Letter of Smits-Heppendorp, The Hague, April 4, 1697, AM, 5027, inv.nr. 244; Letter of Smits-Heppendorp, The Hague, April 5, 1697, AM,

Mediterranean that indicated, once more, the strong influence of North Africa on the shape of diplomatic practices took there in the seventeenth century. A change in the gift-mode in the 1680s illustrates an important reversal in power relations that transformed Dutch-North African relations into a tributary relationship. The ever less visible presence of the Dutch war fleet in the Mediterranean allowed the rulers of Algiers (1679/80), Tripoli (1683), and Morocco (1683/84) to demand weaponry in exchange for protection; in essence, they demanded that the Dutch pay tribute to Maghrebian rulers and do so publicly. The Estates General did not seem to be worried about this interpretation as long as North Africans guaranteed favorable trade conditions and held open the option of liberating slaves. The Moroccan king's repeated demands for more gifts – particularly in the form of weapons – and Dutch compliance demonstrates how adroitly the North Africans used captives to further their own diplomatic agendas. Thus, gift-giving in the western Mediterranean was not a meaningless court ceremony but, in fact, allowed North Africans to shape the diplomatic course to a much greater extent than Europeans, or at least the Dutch, were able to do.

## Conclusion

This dissertation has explored the evolution of Dutch diplomacy in the early modern Mediterranean. It has examined how Dutch diplomatic interactions with Maghrebian rulers and officials to a large degree focused on liberating Christians from North African captivity. This investigation led to the conclusion that early modern diplomacy in the western Mediterranean developed according to different rhythms and patterns than did ambassadorial diplomacy in Europe. Traditionally, scholars like Garret Mattingly have interpreted diplomacy as a political institution that arose as the exclusive domain of ambassadors and strictly within the borders of Europe. Practitioners of the New Diplomatic History, however, have recently begun to emphasize the significance of cultural practices and political interests in regions outside of Europe, most notably the Ottoman Empire, in shaping diplomacy. This dissertation similarly has shown that North African society greatly influenced the course of early modern diplomatic relations, practices, and policies in the western Mediterranean in ways that are usually not attributed to the “pirate republics” of the western Mediterranean.

Certainly, some scholars have found that Christian-Muslim conflicts over corsairing and captivity prevented the building of diplomatic relations in the western Mediterranean. I, however, argue the opposite: these conflicts actually gave rise to diplomacy, albeit in ways that differ from traditional analyses. In the seventeenth century, the ever-increasing presence of the Dutch and English in the Levant trade led to a dramatic increase in the number of Christian captives taken by North African corsairs. The Dutch Republic sought diplomatic contacts with Morocco, Algiers, and Tunis to protect its trade and liberate those captives. The Dutch and Maghrebians initially found

common ground in forming an alliance against Spain. In the long run, however, captivity proved an insurmountable obstacle to a development of diplomatic relations on permanent and equal terms. Simply put the captivity of Christian seafarers in North Africa served state interests in the Maghreb, while it undermined those of the Dutch and frustrated their desire for dominion of the seas. Any compromise was therefore temporary and as easily dissolved as concluded. As a result, Dutch-North African relations were constantly contested, producing volatile situations and only ad hoc and temporary solutions. Traditional interpretations regard this diplomacy as a failure, if they are willing to recognize it with the term “diplomacy” at all. In terms of the New Diplomatic History, however, it presents itself as a different form of a quite real diplomacy and one that invites us to rethink the position of European states in global power relations.

Dealing with corsairs and the resultant captivity of Christians by Muslims initiated Dutch-North African relations in the Mediterranean and, in fact, defined significantly the manner in which early modern diplomacy there would evolve. Four features in particular highlight these different diplomatic relationships that traditional historiography has tended to ignore or even failed to perceive. These demonstrate how diplomacy itself became an object of negotiation (and not only a *means* of negotiations) in the early modern world. First, the story of diplomacy in the western Mediterranean disproves the old idea that there can be no diplomacy without embassies and ambassadors. In the early modern period, Europe and the Maghreb never exchanged resident ambassadors as sovereigns in Europe customarily did. Instead, they employed a mixed group of negotiators to conduct their affairs. Acting for North Africa were rulers and their officials, such as the kings of Morocco and the *pashas*, *deys*, and *beys* of

Algiers and Tunis. The Moroccan kings, perhaps due to their independence from the Ottoman Empire, occasionally dispatched Muslim ambassadors to the Dutch Republic on temporary missions. They also appointed Jewish agents to mediate their affairs. Many studies have shown that these agents, mostly merchants belonging to the Sephardic-Jewish diaspora, played a dominant role in Christian-Muslim relations, including those between the Dutch Republic and Morocco. Yet these same rulers never established permanent diplomatic representations in the Dutch Republic or anywhere else in Europe.

In this situation, the role of Dutch consuls in representing the interests of the Dutch state in the Maghreb became especially critical. Over the course of the seventeenth century, besides two temporary ambassadors, the Estates General appointed two agent and thirty consuls in Morocco, Salé, Algiers, Tunis, and Tripoli. Three of these agents were Jewish merchants. Consuls served usually a few years before returning to the Republic, although some spent almost a decade in North Africa. These consuls did not function as representatives selected by local merchant communities as did their counterparts in Europe. Instead, the Estates General transformed the consul's role from that of merchant-consul into that of state representative solely responsible for commercial-political affairs and, in particular, charged with resolving the problems of seized vessels and captured crews in the wider Mediterranean. Thus, consuls and Jewish mediators, not resident ambassadors, became the diplomats who pre-eminently conducted negotiations for the Dutch Republic in North Africa.

This new consular function also reflected the second salient feature of early modern diplomacy in the western Mediterranean; namely, that Dutch and North African negotiators sought to combine commercial and political interests in a fluid manner rather

than follow grand political agendas as governments in Europe often pursued. The Dutch Republic, in its relations with the Maghrebian states, acted foremost as a merchant empire. It considered the captivity of its sailors a major obstacle to the expansion of its mercantile enterprises. Not surprisingly, Dutch merchants active in Morocco made overtures to the Moroccan king to resolve the very troublesome issue of corsairing and captivity. Because no merchant communities existed in Algiers and Tunis, the Dutch were initially unable to establish diplomatic relations there. The Dutch hoped to handle the problem of captivity in the western Mediterranean by asking the Ottoman sultan, under whose authority the regencies fell, to intervene. The capitulations the sultan had granted the Dutch in 1612 promised to resolve the problem in favor of the Dutch; that is, to free captives *gratis*.

Tellingly, the Ottoman regencies themselves initiated relations with the Republic by inviting the Dutch to appoint consuls in Algiers and Tunis. This invitation reflects a goodly part of the commercial dynamics driving early modern diplomacy in the western Mediterranean. Commercialized redemption contributed greatly to state treasuries and private purses in the Maghreb. Rulers therefore welcomed the consul as another redeemer *in spe*. Their political struggle to separate themselves from Constantinople or at least assert independence of action shaped their diplomatic activities. The presence of Dutch (and other European) resident consuls in North Africa symbolized the sovereignty of these regencies within the Ottoman Empire. In order to emphasize their independence, Algiers and Tunis also required the Dutch to conclude separate treaties with them rather than abide by the laws of the sultan in Constantinople. These agreements allowed them to negotiate the ransoming of captives, define the responsibility of the consul, and to

determine his “diplomatic” immunity. By highlighting the Maghrebian political motivations in forging and maintaining relations with European states, the dissertation discards the image of “pirate republics” and suggests that the story of diplomacy in the western Mediterranean is not merely a development affecting European states, but also one that facilitated state-building in North Africa.

The lack of an exchange of resident ambassadors in favor of resident consuls had equally profound consequences for the development of diplomacy. Negotiations took place mostly on North African soil and allowed Maghrebian states to impose their customs upon foreign diplomats. These customs, and the need to deal with them, form a third feature of early modern diplomacy in the western Mediterranean. European diplomats found it necessary to adjust to North African customary practices, especially in the ransoming of captives and the lavish giving of gifts. “New Diplomatic” historians have noted how common it was for diplomats and negotiators to adjust to foreign conventions in the early modern world. In eighteenth-century North America, for example, Europeans and Native Americans often appropriated features of each other in negotiations. Richard White speaks here of the creation of a “middle ground.”

Diplomacy in the western Mediterranean, however, failed to develop a middle ground. The captivity of Christian seafarers preempted such a *modus vivendi*, because European and North African interests opposed one another. The Dutch considered captivity to violate the tenets of free trade. They therefore initially insisted on the *gratis* release of captives and on guarantees that corsairs would no longer seize Dutch merchant vessels. Maghrebians, on the other hand, profited from corsairing and collecting ransom. The Dutch Republic eventually conceded, first by allowing consuls to ransom captives



with funds from third parties and, after 1651, by consenting to liberate Dutch captives *en masse* and organizing general collections in the Republic. The Dutch Republic thus began to participate in what was basically a North African practice: commercial redemption. The Republic was, in other words, unable to impose its own rules of conduct as we normally expect an expanding western power to do.

Second, a gift-giving practice shared through European and non-European diplomatic circles might have enhanced a sense of middle ground. Gifts forged and sustained relations in Europe and the Mediterranean and crossed religious and ethnic boundaries. This dissertation, however, argues that gift-giving in North Africa led to cultural misunderstandings that undermined rather than forged and strengthened relationships. The Dutch believed that gift-giving “went wrong” because gifts could hardly be distinguished from bribes. If consuls, for instance, wanted to follow up on the conditions agreed upon in the treaties, they had to bribe officials at Maghrebian courts with money and gifts of practical or symbolic value. Consuls objected to these demands because they felt entitled to the privileges stipulated in the treaties and also believed that they should not need to pay bribes. Their emphasis on the importance of the treaties as written contracts highlights another crucial difference. In Maghrebian society, the gift, rather than the international treaty, formed the binding contract. This situation did not mean that treaties did not matter in the Maghreb or that only gift-giving determined a diplomatic course. Gifts, however, symbolized the respect the giver gave to the receiver and allowed the receiver, in this case Maghrebian officials, to facilitate requests on the part of the giver. Gift-giving in North Africa formed an essential precondition for

opening and continuing negotiations; it thus forced consuls to participate in Maghrebian diplomacy.

Dutch adjustments to North African gift-giving practices reveal the fourth and final aspect of early modern diplomacy in the western Mediterranean: it did not evolve in a linear or teleological manner. This is an important point for understanding diplomatic relations between different cultures in the early modern world. Traditionally, scholars have emphasized how European diplomacy beginning in the Renaissance became more professional, institutionalized, and modern over time. A close examination of gift-giving in the Maghreb shows that diplomacy in the western Mediterranean developed in quite the opposite direction, at least from a European point of view. As long as the Dutch Republic was a mighty sea power and formed alliances with the Muslim Mediterranean against Spain, or at least gave that impression, Muslim rulers accepted Dutch gifts, especially arms, as a sign of friendship. Once Dutch global power began to wane in the 1670s, the meaning of Dutch gifts changed; the cannon became the tribute of a suppliant rather than the gift of a friend. This shift in power relations had grave consequences that became even more evident over the course of the seventeenth century. When Maghrebians began to demand gifts annually to maintain friendship with the Dutch, the captivity of Dutch seafarers forced the Republic to accept the terms. The gift as tribute thus symbolized a crucial transformation in early modern diplomatic practices in the western Mediterranean. European diplomats contested Maghrebian norms of negotiations yet bent to their dictates because they were unable to impose European rules and practices upon the other.

These characteristics of early modern diplomacy in the western Mediterranean have been shown to characterize the situation in North Africa. They might also apply to similar diplomatic contacts between cultures and peoples elsewhere in the early modern world. The dissertation thus invites more research on diplomatic engagements in global relations in hopes of determining the extent to which Europe's expanding power was indeed inevitable or linear. This analysis of the diplomatic relations between the Dutch and North Africans has shown how Muslim principalities in the Mediterranean challenged the Dutch and English quests for dominion of the seas and frustrated or at least complicated the expansion of their merchant empires. Seizures of ships and cargo, and more importantly of Christian seafarers, graphically illustrates just how vigorously and effectively Maghrebian society resisted Europe's encroaching power. Moreover, over time, the European, not least the Dutch, grasp on events in the Muslim Mediterranean diminished. The mere existence of diplomacy, after all, indicated a need, on the part of Europeans, to negotiate sensitive issues. Once the Dutch realized that naval force alone could not overcome the obstacles they faced, they fell back on a diplomacy that, however, did not always favor them or allow them to exert their will.

The use of diplomacy to liberate captives from a Protestant state brings us to a final historically relevant point: it offers material to compare captivity and slavery in a global context. Different European states dealt differently with the question of captivity and redemption in the western Mediterranean. For centuries, Catholic Europe depended on redemptive orders as the most reliable way to redeem slaves. The Dutch Republic, England, and, to a lesser extent, the Hanse towns, were all newcomers in the Mediterranean and had no experience in redemption. Most importantly, they were

Protestant. They had banned Catholic institutions from their lands and consequently lacked the redemptive orders that played such a critical role in the redemption of Catholic slaves. The Republic needed alternatives. By discussing the distinctive ways in which the Republic liberated its captives, the dissertation suggests that comparing European redemptive efforts might well reveal the unique characteristics of Europe's diplomatic relationships to the principalities in North Africa and vice versa.

Equally important, the dissertation raises new questions about the relationship between diplomacy and the phenomena of captivity and slavery beyond the Mediterranean. Some historians contend that on Africa's west coast Europeans did not just seize African slaves, but actually negotiated their price with African traders. Rulers in North- and West Africa thus shared a common practice in insisting on bargaining over the release of slaves, whether it concerned the ransoming of Christian captives in the Maghreb or the sale of African slaves on the Gold Coast. The check African rulers and middlemen imposed on European forces "getting" slaves thus invites the question whether African slave traders wielded as much power as North African rulers did and were similarly able to force Europeans to negotiate norms of diplomacy. The issue of captivity and slavery in a wider global context thus challenges us to rethink whether we should understand diplomacy as a universal phenomenon, or rather, as a set of different practices negotiated and applied to mediate encounters between different cultures.

The dissertation, in short, contends that diplomacy is useful as a category of analysis to examine different fields of historical and social investigation, including global relations in the early modern world, forms of human bondage, and, equally important, the development of early modern statecraft itself.

## Appendix

### List of Dutch Diplomatic Representatives in North Africa, 1596-1699

The following list contains the names of representatives the Estates General appointed. The years indicate the time between arrival and departure (or death). Occasionally, ambassadors and consuls made appointments on behalf of the Estates General. In these cases, their names appear behind the title of the appointee. I have followed Schutte's use of the titles of agent, commissioner, and consul. In practice, however, titles were used interchangeably. Omitted from the list are admirals and captains, like Michiel de Ruyter and Cornelis Tromp, because they served primarily as naval commanders not diplomatic agents per se.<sup>957</sup>

#### Morocco

1596	Bartholomeus Jacobsz	agent
1605-1609	Pieter Maertensz. Coy	agent
1623-1624	Albert Ruyl	commissioner
1636-1638	Jurriaen van Bijstervelt	consul
1643-1644	Hendrick Dopper	head consul
1648	Jan Sautijn	consul in Safi
1651-1662	David de Vries	head consul
1663-1668	Lieve Kersteman	consul
1669-1695	Johannes Smits-Heppendorp	consul
1688	Warner Poppe	consul (declined)
1691-1694?	Samuel Roy	provisional consul (Smits-Heppendorp)
1696-1699	Cornelis Smits	commissioner

#### Algiers

1616-1627	Wijnant de Keyser	consul
1619-1623	Jan Manrique	commissioner
1622-1626	Cornelis Pijnacker	extraordinary ambassador
1625	Johannes van den Broeck	consul in Stora
1625-1629	Pieter Maertensz. Coy	agent
1627	Hieronimus van Uffelen	commissioner
1629-1630	Jan Wendelsz	commissioner
1659	Henrico d'Azevedo	commissioner
1662-1664	Andries van der Burgh	provisional consul (De Ruyter)
1664	Johan de Mortaigne	consul-general
1676-1685	Thomas Hees	extraordinary ambassador
1680	Jacob Tollius	consul
1680-1681	Jacob de Paz	provisional consul (Hees)
1681-1682	Carel Alexander van Berck	consul
1683-1684	D'Acosta D'Alvarenque	provisional consul (Hees)

<sup>957</sup> The list is primarily based on O. Schutte, *Repertorium der Nederlandse vertegenwoordigers residerende in het buitenland 1584-1810* (The Hague: Martinus Nijhoff, 1976). Additional sources are diplomatic letters from the *Liassen Barbarije*, National Archives, The Hague.

1684-1686	Christoffel Matthias	consul
1686	Paulus Timmerman	consul
<u>Tunis</u>		
1616-1625	Wijnant de Keyser	consul
1619-	Gasparo van Aeken	consul (Keyser)
1625-1629	Lambert Verhaer	consul
1662-1672	Robbert de Rouck	consul
1675-1685	Thomas Hees	extraordinary ambassador
1683-1685	Coenraat Kerckhove	provisional consul
1684	Dirck Rijsselman	provisional consul (declined)
<u>Tripoli</u>		
1683-1685	Thomas Hees	extraordinary ambassador
1683-1693	Zacharias Cousart	consul

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6902 1633-1635; inv. nr. 6912 1673-1677

inv nr 12578.3 Act van accoord, te Amsterdam gesloten tussen Pieter Maertensz. Coy, als gecommiteerde van de SG en Thomas Gerritsz van Staveren, schipper op "de Hoop" inzake het vervoeren van slaven naar Saffi en Argil, 1605 april 29.

Nr. 1.03.01 Levantse Handel, 1614-1828

inv.nr. 26 1625-1660

inv.nr. 87 1625-1737, "Deel I"

Nr. 3.01.18 Raadspensionaris Fagel, 1669-1688

inv.nr. 379 Missiven van Carel Alexander van Berck, consul te Algiers, aan de Staten van Holland, Gaspar Fagel, en de Staten Generaal, 1681-1682

inv.nr. 380 Missiven van Thomas Hees, commissaris te Algiers tot loskoping van gevangengenomen slaven uit de Republiek, aan de Staten van Holland, Gaspar Fagel, en de Staten Generaal, 1677-1678, 1680-1683, 1685

inv.nr. 381 Missiven van Jacob Tollius, consul te Algiers, aan de Staten van Holland en Gaspar Fagel, 1679, 1680

inv.nr. 382 Missiven van Christoffel Matthias, consul te Algiers, aan de Staten van Holland en Gaspar Fagel, 1684-1686

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##### Gelders Archief (Arnhem)

Nr. 124 Hof van Gelre en Zutphen, 1209-1811

inv.nr. 1127 Brieven, ontvangen van overheden in de steden en ten platten lande, bevattende opgaven van ingezetenen, die zich in slavernij bevinden te Salée in Barbarije (Marokko), 1742, 1743

## Gemeentearchief Rotterdam

Nr. 1.01 Oud Archief van de Stad Rotterdam, 1340-1813

inv.nr. 2838 Stukken betreffende de lossing van een aantal slaven te Salé in Barbarye (Marokko) afkomstig van de schepen: de Kalkbrander, de Jacob Otto en de Koekbakker, 1651

inv.nr. 2839 Kwitantie van mr. Martin Paauw, ontvanger-generaal van de Staten van Holland, voor de opbrengst van een collecte in Rotterdam gehouden ten behoeve van de lossing van slaven in Noord- Afrika, 1663

## Groninger Archieven, Regionaal Historisch Centrum (Groningen)

Nr. 2041 Register Feith - stukken Stadsarchief Groningen, 1594 - 1815

inv.nr. 1919 Brief van Cornelis Ebckes te Algiers aan burgemeesteren en raad van Groningen ten einde hem uit zijn slavernij te willen verlossen, 1660

## Noord-Hollands Archief (Haarlem)

Nr. 154 Collectie van K. Grafdijk

inv.nr. 27-28 Slaven in Algiers en Zeevaart, 17<sup>th</sup> and 18<sup>th</sup> Century

Nr. 2166 Collectie stadspublicaties van het Stadsbestuur van Haarlem, 1605-1813

inv.nr. 25x Oproep om de in Barbarije (Maghreb) gevangen zittende personen aan te melden, 1632-03-29

Nr. 3061 Ambachts- en Gemeentebestuur van Zandvoort, 1455-1928

inv.nr. 82 Kwitantie van de ontvanger der gemene landsmiddelen voor het ambachtsbestuur betreffende de betaling voor het vrij krijgen van de slaven, gevangen te Algiers (onder belastingen), 1681

## Regionaal Archief Alkmaar

Nr. 10.1.1.001 Archief van de gemeente Alkmaar, 1325-1815

inv.nr. 2067 Lossing van slaven te Algiers, 1657-1663

## Regionaal Archief Leiden (Leiden)

Nr. 512 Inventaris van het huisarchief van de heeren van Warmond, 1347-1900

inv.nr. 186 Publicatie van het stadsbestuur van Leiden houdende een oproep om ingezetenen van Leiden, die in de gevangnissen van Algiers, Tunis en Tripoli zitten, bij de stadssecretarie aan te geven, 1663

Nr. 800 Dorps- en gemeentebestuur van Leiderdorp, 1561-1958

inv.nr. 19 ten behoeve van de armen en slaven van Algiers (collecte), 1681

## Stadsarchief Amsterdam

Nr. 343 Regenten van het Aalmoezeniersweeshuis en rechtsvoorganger, 1521-1841

inv.nr. 646 Notulen van Huybertus Kriek en Lodewijk Mierinck, regenten, als gecommitteerden voor de ontvangst van de penningen tot lossing der slaven van Tunis, Tripolis en Sale. 1684 - 1712

inv.nr. 647 Stukken betreffende de inzameling en uitkering van geld voor de lossing van slaven in Barbarije door hiertoe door burgemeesters gecommitteerden. 1681 - 1700



- Nr. 761 Archief van de Hervormde Gemeente te Holysloot, 1582 - 1977  
 inv.nr. 41 Rekest aan diverse instanties om (financiële) steun voor het loskopen van Jan Jacobsz., van Holysloot, gevangen genomen nabij Algiers, 1675  
 inv.nr. 41A Register, inhoudende aantekeningen van door de kerk van Holysloot in diverse Waterlandse dorpen ingezamelde gelden t.b.v. de vrijlating van Jan Jacobsz. Jongh, van Holysloot, 1676
- Nr. 5027 Burgemeesters: diplomatieke missiven van ambassadeurs, gezanten en residenten in het buitenland aan burgemeesters, 1631 - 1793  
 inv.nr. 241 Th. Hees, resident te Algiers, Tunis en Tripoli, 1675 - 1685  
 inv.nr. 242 C. A. van Berck, consul te Algiers en Marseille, 1681  
 inv.nr. 243 C. Matthias, consul te Algiers en Marseille, 1684 - 1686  
 inv.nr. 244 J. Smits Heppendorp, consul te Salé, 1685 - 1703  
 inv.nr. 245 P. Timmerman, consul te Algiers en Marseille, 1686  
 inv.nr. 246 Z. Cousart, consul te Tripoli, 1686 - 1694
- Nr. 5028 Archief van Burgemeesters: stukken betreffende verscheidene onderwerpen, 1456 - 1795  
 inv.nr. 499 folio 3, 4 Commissie van de Barbariische Zaken: 1683-1686
- Tresoar, Fries Historisch en Letterkundig Centrum (Leeuwarden)
- Nr. 5 Gewestelijke bestuursinstellingen van Friesland, 1580-1795  
 inv.nr. 2694 Stukken betreffende de door Gedeputeerde Staten gehouden onderzoeken naar de namen en verblijfplaatsen van in het Ottomaanse Rijk (met name in Algiers en Tunis) gevangen zittende ingezetenen van Friesland en betreffende de bijdragen die de Provincie zou moeten leveren aan de pogingen van de Staten-Generaal om deze gevangenen vrij te kopen, 1612-1613, 1663-1664
- Westfries Archief (Hoorn)
- Nr. 119 Hervormde Gemeente Westwoud-Binnenwijzend  
 inv.nr. 1 Kerkeboek, register met aantekeningen van diverse aard, 1647-1792
- Nr. 215, Oud-katholieke Parochie van de HH Gummarus en Pancratius, Enkhuizen  
 inv.nr. 182 Lijst van in november en december 1719 uit Barbarije losgekochte Franse slaven met opgave van leeftijd en duur van de gevangenschap, 1720
- Nr. 689 Dorp en gemeente Zwaag  
 inv.nr. 353 Stukken betreffende het houden van collecten loskopen van slaven, 1657-1730
- Nr. 928 Dorpsbestuur Twisk  
 inv.nr. 169 Brief van burgemeesters en regeerders van Medemblik aan het dorpsbestuur over voldoening van achterstallige gelden bestemd voor het vrijkopen van slaven in Algiers, 1682
- Nr. 957 Hervormde Gemeente Twisk  
 inv.nr. 1 Register van 1658, bevattende oa lijstje van toegezegde gelden voor het loskopen van slaven, c. 1660-1664

- Nr. 1048 Heren van Spanbroek en stede en dorpsbestuur Spanbroek  
 inv.nr. 322 Collecten tot lossing van Nederlanders, in slavernij in  
 Barbarije, Algiers en elders (van Spanbroek, 1672-1726)  
 Zeeuws Archief (Middelburg)
- Nr. 87 Verzameling Verheye van Citters, 1111-1824  
 inv.nr. 4b. Stukken rakende de lossing van slaven te Algiers, 1673-1766

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 na cidade de Tunes; na qual se dá noticia das grandes crueldades, que os  
 argelinos uzaraõ com os religiosos, e mais Catholicos que estavaõ na mesma  
 cidade, e sacrilego atrevimento com que profanaraõ a Igreja que na mesma  
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