



## The Intercultural Context of the French Ransom Economy During the Modern Era

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### ABSTRACT

In the modern era, notarial contracts for the redemption of French captives were undoubtedly considered legitimate by the parties involved, but the question of mutual recognition between the different religious authorities seems to remain unclear. The absence of mention of a double validation could suggest several things. Among them, the implicit trust in the application of existing notarial law as sufficiently representative of the two systems, underlined that cooperation between Christian and Muslim authorities was not always formalized by contractual practices, but rather by customary law not legally formalized. In other words, this omission in the normative development could reflect either non-conflictual cooperation or, on the contrary, tensions in the management of interreligious relations within the legal systems of the time.

### 1. Introduction.

In the modern era, notarial contracts for the redemption of French captives were undoubtedly considered legitimate by the parties involved, but the question of mutual recognition between the different religious authorities seems to remain unclear. The absence of mention of a double validation could suggest several things. Among them, the implicit trust in the application of existing notarial law as sufficiently representative of the two systems, underlined that cooperation between Christian and Muslim authorities was not always formalized by contractual practices, but rather by customary law not legally formalized.

In other words, this omission in the normative development could reflect either non-conflictual cooperation or, on the con-

trary, tensions in the management of interreligious relations within the legal systems of the time. This absence of precision also opens the way to a broader questioning on the mechanisms of regulation of contracts in multi-religious societies, where the balance had to be found between the legal norms of the different authorities.

The lack of harmonization of legal practices between merchant communities could certainly have implications for the stability of trade between Mediterranean countries, and affect the different merchant mobility. Despite the documentary and statistical gaps, the general idea was that merchants of various faiths dealt as much as possible with Trinitarian or Mercedarian monks, for the most part, commissioned by the King of France, and less with the different Muslim powers, validating the traditional doctrine that long-distance exchanges were made in isolation between members of a single group for the redemption of French captives.

Nevertheless, the role of these merchants was that they mastered and made the link between different financial systems,

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either by trading together or within the framework of trading posts or companies: France, on the one hand, with the distribution of bills of exchange as in Marseille, and the Ottoman Regencies, on the other, with a settlement of ransoms and taxes on the spot and in cash. The combination of these networks was based on a common commercial logic and a common system of reciprocity, based on trust and reputation. The redemption or exchange of captives, if it was the sign of a confrontation described classically in France between Christianity and Islam, saw its importance grow as the royal powers and religious orders installed a social conscience about the redemption of French captives held in the Ottoman Empire or its Maghreb provinces<sup>2</sup>.

## 2. Buyouts through a chancellery established on site.

Due to the lack of real respect for treaties or ordinances regulating the fate of captives, the rulers and merchants, in North Africa as in France, perhaps had an interest in maintaining a certain ambivalence in the diplomatic relations of the two countries. The 1670s also saw a significant increase in the number of French galleys, at the same time as the construction of an arsenal in Marseille, which ostentatiously staged the slavery of Muslims.

Also, to feed the benches of the galley slaves, the French consuls, active in Malta and Livorno in particular, continued to buy a good number of "Turks", sold at auction by the Christian pirate-corsairs. The French consul therefore had every interest in officially making great publicity for the principles of effective reciprocity and respect for treaties.

But the successive French consuls in office lacked alliances in the Regency. Moreover, on several occasions, it happened that the consul poisoned, instead of calming them, the relations between the Ottoman Echelles and France. For example, the Chevalier d'Arvieux (1635-1702), once he had taken up his post, offended the Diwan with his clumsiness – according to him, at the risk of his life.

Peace, trade and prosperity were in fact closely linked to a rhetoric of merchant diplomacy, because certain traders, closely interested in trade with the Maghreb, were ardent supporters of maintaining the agreement with the Regency. For example, Mr. Denis Dusault, the new concessionaire of the Bastion de France, presented Colbert with a long memorandum in January 1680, in which he insisted on the need to maintain good relations with Algiers while a breach of peace threatened. He reported on the complaints of the Diwan and acknowledged the Algiers-Dutch treaty of 1679. The principle of "free flag/free cargo" was, as a result, considered both as a mark of good faith and as a specificity of Maghreb maritime law – a specificity that would still be used in the 18th century. The signing of the treaty of

1679 between the Regency of Algiers and the United Provinces did not mean its ratification: peace was not confirmed until the promised gifts arrived in Algiers on 22 April 1680. During this period, the Algiers corsairs continued to chase Dutch merchant ships, as Baba Hasan had specified. When the eight cannons were landed in the port of Algiers, Thomas Hees was able to return, considering his mission accomplished. Some French and English merchants tried to alert their respective chancelleries by insisting on the harmful consequences of this peace for their trade.

French propaganda against the "ignominious," "shameful," and "bought" peace of the Dutch was less an incitement to war against Algiers than a fear that the new alliance "of these infidels with these heretics" would ruin the trade of the subjects of the King of France, with the Bastion of France.

By listing the many gifts offered to the powers of Algiers, by evoking the long duration of the negotiations, by also insisting on the investment of merchants of Jewish origin in the ratification of the treaty, the French attempted to discredit the maneuvers of the United Provinces, considered as symptoms of military and political weakness. A dichotomy then seemed to be created, opposing the imposed (prestigious) peace to the negotiated (shameful) peace, and making Algiers a revealer of the power – military, economic, diplomatic and symbolic – of the European states.

It will also be necessary to take into account the conditions of ratification of these treaties, which, from the second half of the 17th century, were probably less negotiated than imposed, in particular by the French and the English. Indeed, the European naval armies did not hesitate to undertake real demonstrations of force to demand the implementation of the peace and trade treaties.

These were not only directed against the Barbary ports, but were addressed both to the Porte and to European rivals. The most famous example of this is undoubtedly the double bombardment of Algiers by Abraham Duquesne, in 1682 and 1683. Experimenting with the power of a formidable invention – the mortar galley –, the French navy came to force the Diwan of Algiers to return the French slaves<sup>3</sup>.

Considering the bombardment of Algiers as a revelation of diplomatic or legal failures may seem insufficient. The episode simultaneously reflected two important contextual changes in the Mediterranean: on the one hand, the rapprochement of Algiers and the United Provinces, which confirmed the breach of peace between the Regency and France; on the other, the growing naval and military superiority of the French in the Mediterranean at the beginning of the 1680s. The idea of "reciprocity", which constituted one of the foundations of the negotiation between European states and the Maghreb Regencies, was thus swept aside by several dispatches that Louis XIV subsequently sent to Admiral Duquesne during the 1683 campaign. The king considered, in fact, that it was not necessary to "negotiate as equals with these corsairs [of Algiers]", and he formally op-

<sup>2</sup> KAISER Wolfgang, *Marseille im Bürgerkrieg. Sozialgefüge, Religionskonflikt und Faktionskämpfe in Marseille, 1559-1596* (Veröffentlichungen des Max-Planck-Instituts für Geschichte, 103). Göttingen, Vandenhoeck & Ruprecht, 1991. And [with Jochen Hoock et Pierre Jeannin] (dir.), *Ars mercatoria. Manuels et traités à l'usage des marchands, 1480-1820*, vol. 3: *Analyses, 1480-1700*, Paderborn, Schöningh, 2001. .

<sup>3</sup> BLACKBURN Robin, "The Making of New World Slavery: From the Baroque to the Modern," 1492-1800, *International review of social history*, 1998, p.337.

posed one of the main demands of the Diwan, namely the restitution of the Algerian slaves held in the galleys of France - a demand legitimized by previous treaties and that the powers of Algiers had always considered as a preliminary condition for peace and good understanding between the two states. The episode of the bombardment of Algiers therefore marked a desire for a unilateral and radical redefinition of the rules of the diplomatic and military game. Part of the population of Algiers responded to this intransigence by lynching around twenty French residents, including the consul, the Lazarist father Jean Le Vacher, who was tied to the mouth of a cannon and dismembered<sup>4</sup>.

Algiers was not the only city to suffer the firepower of the French navy, which bombarded Genoa with the same technique in 1684. The two events were immediately linked, both in engravings celebrating the victories of the Sun King at sea, and in pamphlets where Genoa and Algiers were personified and discussed their respective misfortunes. The military imbalance between the Algiers navy and the French navy had, of course, diplomatic implications: Abraham Duquesne's bombardment aimed to impose very unfavorable peace conditions on Algiers, including heavy war indemnities necessary to replenish the coffers of the Kingdom of France. Beyond the strict relationship between French diplomats and the port administrations of Algiers, the course of the bombing of Algiers began to take on a systematic aspect, just like the portrait of Father Le Vacher in the role of the true Christian martyr: a series of miracles would have surrounded his execution, especially since the consul would have refused to apostatize to spare him his death sentence<sup>5</sup>.

Some memoirs and travelogues nevertheless attempted to rectify the prejudices and commonplaces about the barbarity of the "Barbarians", conveyed according to them by the travelogues of the Redeemer Fathers to maintain charity and alms<sup>6</sup>. Thus, sent this time to Tunis in 1665, the knight Laurent d'Arvieux wrote for example (unless these were the words of Father Labat, the editor of the Memoirs):

"We imagine that the Christians who have the misfortune to be slaves in Barbary are tormented there in a most cruel and inhuman manner. There are people who, to excite the charity of the faithful, persistently tell these pious lies [...]. We see masters in Europe who are no more reasonable and who would perhaps be more barbaric than those of Tunis if they had slaves<sup>7</sup>. >

D'Arvieux concluded in his writings that he considered that the position of consul of Algiers, after his missions as envoy extraordinary to Constantinople, constituted a downgrade and an onerous burden "due to the frequent presents that had to be

made to the powers of the country, and the aid that had to be continually given to the slaves<sup>8</sup> >. The knight's reluctance also testified to the low prestige that the consular function could have at that time. In accordance with the 1681 Naval Ordinance, the "French Nation" was finally created in 1691, after having been demanded by the merchants of Tunis since 1685<sup>9</sup>. Besides the daily problems of the merchants' lives, especially their conflicts with the authorities, this assembly also possessed financial power.<sup>10</sup>

Two deputies were elected by the nation body each year. They had to be over twenty-five years old and have resided at least two years in Tunis to know its customs.<sup>11</sup> This assembly experienced some dysfunctions at the end of the 17th century, as shown by Auger Sorhainde's letter to the aldermen and deputies of Marseille, where he declared that Jean-Louis Michel and Simon Merlet, both deputies of the French Nation of Tunis, are "beyond excuse for being for such a long time without rendering the accounts of their administration". It was not until 1709 that an independent register was reserved for the deliberations of the Nation, with prior decisions being recorded in the registers of chancery acts. In addition, it should be noted that the consuls in Tunis were only appointed for a year or two. Perhaps it was too difficult or dangerous for them to remain in their missions any longer<sup>12</sup>.

It happened that the agreement concluded between the owner (or the Muslim intermediary) and the captive was ratified in the chancellery of the consulate, as shown by the sentence in Arabic written by Mahemet Ben Agy Mamet on December 24, 1688:

"Praise be to God! I went to the consulate and we agreed on what is written in the consul's register".

The use of intermediaries was then essential. Three of them are mentioned, namely Sidj Assen (renegade), Baba Saffou and Issouf, janissaries and intermediaries of Auger Sorhainde, French consul in Tunis<sup>13</sup>.

In the acts consulted<sup>14</sup>, between 1611 and 1614, sixteen French ships and twenty-two Provençal boats were seized by Tunisian pirate-corsairs<sup>15</sup>. In 1612 there was an agreement for

<sup>8</sup> PETIS DE LA CROIX Alexandre Louis Marie, *Lettres critiques...*, op.cit., p. 163.

<sup>9</sup> CADN, Consulat de France à Tunis, Registre des délibérations de la Nation française et provisions des consuls, carton 454 (18 décembre 1709-10 mai 1749).

<sup>10</sup> Enregistrée le 22 janvier 1692 à Tunis, CADN, Contrats, actes et procédures, 2 mai 1682, feuillet 93.

<sup>11</sup> Idem, enregistrée le 22 janvier 1692 à Tunis, CADN, Contrats, actes et procédures, 2 mai 1682, feuillet 93.

<sup>12</sup> CADN, Consulat de France à Tunis, Registre des délibérations de la Nation française et provisions des consuls, carton 454, 18 décembre 1709-10 mai 1749.

<sup>13</sup> Cette phrase fut traduite dans l'inventaire des actes de chancellerie par Pierre Grandchamp. Elle est suivie de la signature « Mohammed ben el Hadj Mohammed Landoulsi el Birsî », indiquant que le propriétaire avait effectué un pèlerinage à la Mecque.

<sup>14</sup> GUESDON Olivier, *Me voilà donc encore Barbaresque*, thèse sous la direction de François Brizay (Criham / Université de Poitiers), p. 283 et *Mémoire de M2, Sortir de la captivité, d'après les actes de chancellerie du consulat de France à Tunis entre 1680 et 1713*, p. 34 et suivantes.

<sup>15</sup> ACCIM G44, conseil municipal de Marseille à l'Amirauté, ACCIM AA544, Tunis, 15 mars 1614, ACCIM, AA 509. Tunis, 15 août 1614, ACCIM, G43, cité par P. Masson, 1896, p. 123.

<sup>4</sup> LESPAGNOL André, *La course malouine au temps de Louis XIV entre l'argent et la gloire*, Rennes, PUR, 1996, p.78.

<sup>5</sup> TOURNIER Jules, *Jean Vacher*, op.cit., p.170.

<sup>6</sup> BnF, ms fr18505, Pierre Ariste, *Traité des consulz de la nation françoise aux pays estrangers* (1667), et Jean Peter, *Les Barbaresques sous Louis XIV, le duel entre Alger et la Marine du Roi, (1681-1698)*, Paris, Economica, 1997, p.107.

<sup>7</sup> (d') ARVIEUX Laurent, *Mémoires du chevalier d'Arvieux...*, op.cit., t. III, pp. 457-458.

a partial exchange, but the Marseille merchant was criticized for being more interested in purebred Arabians than in rescuing French captives<sup>16</sup>. However, between 1613 and 1618, when one hundred and twenty Frenchmen found themselves prisoners in Morocco, the sultan refused the peace offers proposed by a Provençal nobleman and a Knight of Malta of Norman origin. Robert Boniface de Cabane, a Provençal aristocrat, made several trips to Morocco. Isaac de Razilly, Knight of Malta accompanied Claude du Mas, future consul, in his dealings with Sultan Zidan Abu Maali in 1619 and 1624<sup>17</sup>. In 1615 there were almost four hundred French captives in Tunis<sup>18</sup> and about fifty in Tripoli. Marseille therefore financed another attack. This had the effect the following year of imposing new conditions to reduce the conversion rates and increase the number of freed slaves.

It seemed customary for European merchants to go to the French consul to borrow money that was used for redemption or for pure commercial transactions. For example, he lent five hundred and sixty piastres to Nicolas Vidal, for the purchase of two pinques (type of boat), one hundred and twenty-five piastres to Jean Isnard for the last shipment of his tartane (type of boat) and even five thousand one hundred and fifty-five piastres of eight reals to Giacomo Philippo Bertholiate, to pay for goods loaded in Venice. In addition, he also lent thirteen Sicilians their Porte fees, to allow them to return to their island. In total, he was therefore able to collect seven thousand four hundred piastres for all his activities<sup>19</sup>.

The example of Tunis seems to us to clearly show the major role played by the consuls within the ransom economy. Indeed, many captives owed their release to the intervention of French consuls and to the money of merchants established on both sides of the Mediterranean. In Tripoli, it was the French consul who received the list of people whose ransom he was to monitor, which he transmitted either to other merchants on site or to other merchants based elsewhere, including Frenchmen from Livorno, who also played an important role in boosting this “ransom economy”, described by Wolfgang Kaiser. Thanks to the cooperation of Jewish merchants, for example, established in “Barbary”, they took charge of the ransom process from Livorno. Thus, Racomin Halfon often worked in partnership with the merchants Abraham and Isaac Del Rio<sup>20</sup>. The latter two received the purchase order from two other merchants from Livorno, Gaspard and Jean Francisco Veronne. Another example is the one of Mr. Curiel, a Jewish merchant from Tripoli,

who received his purchase orders from Joseph and Raphaël Franco, Jewish merchants from Livorno.<sup>21</sup>

The diplomatic role played by the consuls was also important in ensuring the smooth running of the process of ransoming captives. During almost the entire period of the Beglierbeys, the Regency's relations with France were cordial. The Barbary galleys found supplies and provisions in Marseille. It even happened that Henry II and Charles IX repeatedly warned the Algerians of the attacks that Spain was preparing against them<sup>22</sup>. Moreover, throughout the course of the history of France, this friendship or enmity with the Regency will depend on that with Spain<sup>23</sup>. However, following complaints from some merchants whose ships had been captured or pillaged by privateers, the lord of Petremol, ambassador to Constantinople, represented to the king that it was essential to have a consul in Algiers for the protection of trade. On September 15, 1564, it was the Marseillais Berthole that the city of Marseille appointed to this post: “His arrival caused great indignation in Algiers; any novelty was tolerated with difficulty, and this one was not to anyone's taste; there was the beginning of a sedition, and the newcomer was not given permission to disembark.” Twelve years passed in this way. In 1576, Captain Maurice Sauron presented himself again in Algiers. Pasha Ramdan, always trembling before the militia, did not dare to receive him. But this time, by letters from the Secretary of the Embassy Juyé and the Abbot of Lisle, the consul took effective possession of his office in 1577. He died in 1585, and Loys de la Mothe-Dariés was appointed in his place. He did not exercise his functions, and delegated them to Father Bionneau, who was then mistreated and imprisoned by Hassan Veneziano in 1586. He was replaced by Jacques de Vias, who was first represented by Captain Jean Ollivier. In 1588, the latter complained to Monsieur de Maisse of the hostility of the pasha.

As we have seen, these first consulates were not, until the Consul of Vias, royal offices. They belonged to the city of Marseille, whose aldermen appointed and paid the holders. Nevertheless, France was the only one to be represented by consuls during this period. It was, in fact, the only nation that had this privilege, recognized by the Capitulations<sup>24</sup>.

At the same time, merchants used this title for England, such as the Englishman John Tipton, delegate of the Turkey Company, who came to settle in Algiers in 1580, and at first only concerned himself with the affairs of his company. The French consul Jean de Vias seems to have had cause to complain of him and to combat the efforts he made to obtain a share of the trading posts or concessions, a denomination which included not only the Establishments created by the French on

<sup>16</sup> AMM, BB60, f° 133, accord franco-tunisien rédigé en espagnol, portant la signature de Jehan de Forbin, sieur de la Marthe, sieur de la Barben, conseil municipal de Marseille du 29 mai 1612.

<sup>17</sup> ACCIM, G43, 29 septembre 1615. D'après Jan Giacomo Belegno, dragon flamand, l'envoyé français échangea cent-trente-deux Turcs contre quatre-vingt-quatre Français. Trois cents Français restèrent en captivité (cité par J. Pignon-Reix, 1975).

<sup>18</sup>(de) Castries, Agents et voyageurs français au Maroc, Correspondance consulaire, Ernest Ledoux, 1911, [Lien en ligne BnF : <https://gallica.bnf.fr/ark:/12148/bpt6k1041289.texteImage>]

<sup>19</sup> PREDELLI Riccardo, I libri commemoriali della Repubblica di Venezia : regesti, t. III, Venise, Marco Visentini, 1883, n° 50 p. 12.

<sup>20</sup> ABECASSIS Frédéric, DIRECHE Karima, AOUAD Rita (dir.), La bienvenue et l'adieu. Migrants juifs et musulmans au Maghreb, XVe-XXe siècle, Casablanca, Karthala, La croisée des chemins, 2012, p.85.

<sup>21</sup> MANTRAN Robert, op.cit., Les Cahiers de Tunisie, N. 7, 1959, pp. 319-333.

<sup>22</sup> (de) SOSA Antonio, Fra Diego de Haëdo, « Topographie et histoire générale d'Alger », trad. Henri-Louis de Grammont, « Histoire des Rois d'Alger », Revue Africaine, 1880 à 1881, rééd. et présentation par Jocelyne Dakhli, Paris, Bouchène, 1998 et dans Monnereau et Berbrugger in Revue Africaine, TXIV, p.490.

<sup>23</sup> BARATIER Edouard, RAMBERT Gaston, REYNAUD François, op.cit., vol. II, p. 111.

<sup>24</sup> VAN DEN BOOGERT Maurits H., op.cit., p.37.

the coast, but also the recognized right to trade in certain cities. Long before Turkish power established itself in the Regency, Pisa, Genoa, Florence, Marseilles, and Barcelona carried on an active and profitable trade there, and some of their ships engaged in coral fishing<sup>25</sup>. The need to establish the conditions of a loan to help a captive return to Europe was almost never mentioned in the documents. Thus, the governor of Tabarka intervened on four occasions, thanks to his collaboration with the community of Jewish merchants. He had also intervened four times before, with various occasional merchants. It must be said that this Genoese trading post was ideally located off the coast of Tunis and served as a place of exchange and negotiation. In the case of these loans granted, it seems that the captives mostly entered in direct contact with their intermediaries. This was facilitated by the fact that the sums borrowed were generally of a smaller scale than the ransoms to be paid in the contracts of “riscatti”<sup>26</sup>.

Nevertheless, the study of captives in Algiers in the 16th and 17th centuries provides further details on the redemption process. Thus, some knew each other before capture. In some cases, the captive and his lender were from the same city. It should be noted, however, that lending money to an individual of the same origin facilitated, due to the trust established, the terms of repayment. Other common points between the redeeming captives and their beneficiaries emerged in the contracts, such as belonging to the same owner (twenty-two cases) or even detention in the same penal colony (six cases)<sup>27</sup>.

The bonds of sociability that were woven within the community of captives could lead those who earned the most money to transform themselves in turn into intermediaries or shrewd traders cooperating with the consuls. We refer to Jean-Baptiste Gramaye for this, who underlined the importance of these merchants. In addition, he pointed out, when he was present in Algiers in 1619, that the “English or Dutch residents” who did not have the title of consul, traded in the repurchase of captives with them.<sup>28</sup>

From the beginning of the 16th century, consuls reported in their acts that their interlocutors referred to the right of use established by custom or treaties: “stare usanza del mare”. In the 18th century, this right of use of the sea determined, for example, the regulations for passports, for safe conducts (aman), allowing freed captives to return home. Thus, the Milanese Father Félix Caronni was captured by a raïs and did not have a Cisalpine passport. He could not escape captivity, but he regained his freedom thanks to the intervention of the French and

Batavian consuls, Devoize and Nyssen.<sup>29</sup>

Therefore, we see how, over the centuries, the role of consuls has evolved significantly. From the opening of the first consulates, their role seemed to be limited to that of simple “informants”, then in the 16th century, they played the role of “guarantors”. This is why many Tunisian and French merchants contacted the chancelleries of the consulates, either so that they would play the role of guarantor in commercial transactions, or so that they would interfere in their favor with royalty. Similarly, the Bey of Tunis had contracts established with the French, Italians, Spanish, and later, the English and Dutch, legalized by European chancelleries. Following an ancient practice, an oath by each of the signatories on their own religion could be used to give probative value to acts. The beys of Tunis recognized the Christian and Jewish oath as legal proof.<sup>30</sup>

### 3. Consular cooperation with merchants.

We have mentioned previously that, from the 14th century, appeared in notarial acts some examples of exchanges of captives, sometimes even for goods, occurring during the conclusion of commercial transactions between French and Ottoman merchants.<sup>31</sup>

Generally speaking, and since their installation in the Echelles, the consuls served either as negotiators or as intermediaries in exchanges between Turkish captives and French captives<sup>32</sup>.

The triangle – “captive, patron, redeemer,” or even “captive, patron, mediator (often a merchant)” was linked most of the time by the pure interest in the gain inherent in this type of operation. The register of the notary Pierre Calvin thus contains numerous contracts between the merchant Thomas Colomier and Varois. In these acts, it was a question of the payment of the ransom or the purchase of “Moorish” slaves for the exchange of captives<sup>33</sup>. The sum paid was refundable in case the captive died or his ransom was too high. Additional clause: if the unfortunate man, after his release, was captured again by the “Moors” while returning from Africa, the ship’s master was obliged to ransom him at his own expense<sup>34</sup>.

Sometimes the slaves, considering that they had little chance of being redeemed and refusing to convert, actively intervened themselves in the transactions for their own liberation, announcing their next movements, suggesting possible exchanges, weaving information links that went from Barbary to Constantinople, to Naples, to Livorno, via Malta, Stromboli, to Palermo

<sup>25</sup> MASSON Paul, (1863-1938), *Les compagnies du corail, Etude historique sur le commerce de Marseille au XVIe siècle et les origines de la colonisation française en Algérie et Tunisie* /1928, BNF, Gallica, p. 127.

<sup>26</sup> GOURDIN Philippe, *Tabarka (XV e-XVIII e siècle : histoire et archéologie d'un préside espagnol et d'un comptoir génois en terre africaine)*, pp. 245-272 (XVe-XVIIIe siècle), Institut national du patrimoine de Tunis - École française de Rome, 2008, Rome, p.401.

<sup>27</sup> BOYER-XAMBEAU Marie-Thérèse, DELEPLACE Ghislain et GILLARD Lucien, *Banquiers et princes, monnaie et crédit dans l'Europe du XVIe siècle*, Turin, 1991, p.37.

<sup>28</sup> GRAMAYE Jean-Baptiste, *Alger XVIe-XVIIe siècle, journal de J-B Gramaye, « Evêque d'Afrique »*, édition d'Abd El Hadi Ben Mansour, Paris, Cerf, p. 123.

<sup>29</sup> Devoize à Delacroix, Tunis, 26 Germinal an IV, 15 avril 1796, Archives du MAE, Paris, Correspondance consulaire et commerciale, Tunis, Vol. 34, f° 114.

<sup>30</sup> AHN, Estado leg. 4802, Suchitra à Godoy, Tunis, 16 novembre 1793. Et Traité du 30 août 1685, dans Eugène PLANTET (éd.), *Correspondance des Beys de Tunis et des Consuls de France avec la Cour*, 1577- 1830, Paris 1893, 3 tomes, traité du 9-11-1742.

<sup>31</sup> ADBDR, Fonds Laget-Maria, f° 16, v° , acte notarié du 18 mars 1383, échange du marin Davin contre un captif « maure ».

<sup>32</sup> BOUTIN Abel, *Les Traités de paix et de commerce...*, op.cit., p.287.

<sup>33</sup> ADBDR, Fonds Verdillon 52, f° 2,3,21,22, 34, série d'actes notariés autour de 1400.

<sup>34</sup> MAROT Louis, *Relation de quelques aventures maritimes de L.M, pilote réal des galères de France*, Paris, Gervais Clouzier, 1673.

and Trapani, in short, following the same routes as the Barbary race. Other coastal ships went to Rome, Corneto or Gaeta to load grain, while galleys from Valencia stopped at Marseilles so that Perpignan inhabitants could load on board cloth for the ports of the kingdoms of Sicily<sup>35</sup>.

Furthermore, it seems to us, on reading all the documents from the various notarial funds of Marseille, Montpellier, Nice, Barcelona and Majorca, that the Marseille merchants only occasionally bought or sold a slave for their personal needs, on the orders of the King<sup>36</sup> or one of his high-ranking subjects, or when they had fallen into the hands of human spoils of war which they wished to part with<sup>37</sup>.

Reading the funds in the National Archives, we will see later, other motivations could motivate them, in the context of an exchange or a more lucrative commercial operation of exporting goods and captives, for example, a barter with exchanges of rare goods. But in this case, the notarial archives rarely mentioned them. They appeared rather in port documents, because of the taxes to be paid, or in private correspondence between merchants or between consuls and merchants, which makes it impossible to do an exact accounting work.<sup>38</sup>

In another Marseille notary register dating from the beginning of 1492, other merchants, of the Jewish religion, who arrived on board the galley belonging to the merchant-shipowner Bartholomé Capelli living in Marseille, sought to exchange “Moorish” captives to recover “a certain quantity of merchandise and the effects of the said Jews in Nice (at the port of Villefranche-sur-Mer) captured by armed brigands”<sup>39</sup>.

This human trade was also the reason why a closer fraternity was woven between communities that apparently had nothing to do with each other, on each of the shores of the Mediterranean. Family ties or merchant networks, depending on nationalities and religions, explained, for example, that Corsican or Italian traders, established in Marseille or Arles, came to the aid of their compatriots in captivity in Barbary through the French consul in Algiers. Other redemptions were carried out in co-operation with Muslim merchants or dragomans by merchants from La Rochelle or Marseille<sup>40</sup>.

This is why the case of the Marseille merchant Bertrand Forbin illustrates for us a general model of the redemption of

captives in the 15th century. Bertrand Forbin, like many of his merchant competitors at that time, carried out two parallel activities: that of a merchant in goods and that of an intermediary for the redemption of captives<sup>41</sup>. The Forbins were known for having carried out the redemption of one hundred and eighteen Aragonese Jews who reached the Phocaean port on August 21, 1492. Isodore Loeb mentions this redemption operation in 1884 in the *Revue des Etudes Juives*<sup>42</sup>. Charles Forbin had agreed to lead the negotiations and to advance, out of consideration “for some Jews from the quarry and the community of Jews from Marseille serving as intermediaries”, the sum of one thousand five hundred écus for their redemption, which he gave to the captain of the galleon. On 22 August of the same year, the freed persons undertook before a notary to reimburse Charles Forbin within four months. In this contract, the Jewish community of Marseille, acting on its behalf and that of Aix, promised to feed and maintain the new arrivals and to prevent them from fleeing, failing which it would have to reimburse the remaining sum to be paid.

Charles Forbin also got reimbursed by many Jewish merchants<sup>43</sup>. The Jewish merchant community of Aix will proceed in the same way in 1493, 1494 and 1495<sup>44</sup>.

At the end of their lives, the Forbin merchants were still doing large-scale business in Marseille, without having to mount long-distance expeditions. They sent wine to Rome, used their foreign correspondents, notably the agents of the German Society, with whom Bertrand Forbin was on excellent terms, to buy back captives or slaves for high-ranking people. But the exchange from person to person – a Christian for a Moor – always remained conditional on the two subjects of the exchange remaining alive, and the price was only established in the event of an unforeseen event<sup>45</sup>.

Some exchanges were made in parallel, in two ways: two captives, two families, two owners, two guarantors – or even more –, not to mention the mediators. The “head for head” exchange of captives was also practiced in individual redemptions, especially if the captive learned that a relative or acquaintance of his owner was in captivity in his hometown. In this case, he would warn his family and tell them how to proceed, who to interest in the exchange, how to avoid the risks of unguaranteed transactions when it was not a warning of the good faith of the contracting parties. However, it could also happen that the two captives to be exchanged were not “equivalent”, due to age, sex, social status, and that, consequently, other contributions in goods or money were needed. Most often, the reports were established at several levels and the negotiation

<sup>35</sup> LOPEZ Maria Dolores, «La Corona de Aragón y el Norte de África: las diferentes áreas de intervención mercantil Catalano-aragonesa en el Magreb a finales del siglo XIV y principios del XV», *Acta histórica et archivológica media valía*, 11-12, 1990-1991, p. 315.

<sup>36</sup> ADBDR, B1261, Mores, Turcs et Grecs étaient nombreux sur les galères de Marseille. Dans un inventaire de 1544, 210 Turcs et 79 Mores servaient sur ces navires.

<sup>37</sup> KAISER Wolfgang, « Voisins barbares, étrangers proches... », op.cit., p.123.

<sup>38</sup> ADBDR, IX B 1, f° 406-408, annexe f° 407-408 « avec enregistrement des lettres patentes du Roi, 26 octobre 1575, permettant aux gouverneurs de la confrérie établie à Naples pour le rachat des captifs de pouvoir faire passer par la ville de Lion et de Marseille des sommes d'argent pour les faire arriver en Alger. » et ADBDR, IX B 1, f° 407-408, 1er Janvier 1576 : les sommes variaient de 500 à 10.000 écus.

<sup>39</sup> ADBDR, 391 E 189, f° 214v°, acte du 2 janvier 1492.

<sup>40</sup> ADBDR, 357 E 80 f° 44-45, 738, acte du 3 octobre 1585 ; ACCIMP J 1584 et notamment les actes pour les cas de Remuzat et autres marchands corsés : ADBDR 357 E 72, f° 1021, acte du 3 septembre 1578.

<sup>41</sup> VALERIAN Dominique, *Les archives de Marseille... », op.cit., Annales du midi*, n° 88, 1968, pp. 255-281.

<sup>42</sup> LOEB Isaac, « Un convoi d'exilés d'Espagne à Marseille en 1492 », *Revue des études juives*, t. IX, 1884, p. 66-76.

<sup>43</sup> ADBDR, 391 E 147, f° 86-89.

<sup>44</sup> ADBDR, 391 E 147, fos 89, 90, 96v° .

<sup>45</sup> GRANDCHAMP Pierre, *La France en Tunisie, (1582-1600)*, Tunis, Société Anonyme de l'Imprimerie, 1920, Tome 1 et 2, p.118, 16 mai 1610 et : Biagio Valadit, patron marseillais, reçoit d'un patron corse, Domenico di Giovanni, un prêt de 40 écus d'or d'Espagne pour payer son rachat auprès de Mamet Agi, janissaire de Tunis. Biagio « remboursera la somme en travaillant comme marinier jusqu'à entier paiement ». Ibid., t. II, p. 115.

could be concluded more surely when the consul dealt with several buyouts at the same time, at advanced stages of negotiations, with a system in place of credits and debts, obligations and suspensions which meant that all the transactions had an interest in succeeding.

Such an interweaving of transactions could certainly optimize profits, but at the same time multiplied the risks and could be the cause of bankruptcies, with the possible disappearance of traders or intermediaries who had been active for a long time. Sometimes, it could happen that merchants who bought Christians and Muslims indifferently ended up being victims of the scale of the transactions. Especially when some slave owners wanted to be paid immediately and the fragility of the treasury of some merchants would then put in economic peril, or even ruin the entire network of creditors, mediators, and debtors. It was also possible that a "momentary" or instantaneous barter occurred, because it was accomplished on the spot, by exchanging respective goods and captives. Otherwise, it was an anticipated barter, more complex and more widespread: the merchant established in the Echelles, a barter specialist, received the goods for exchange from the European trader. It was then up to him to find buyers among the population or to identify the owners of the captives to be exchanged. On the agreed date, he had to return with the prisoners or the goods that he had undertaken to provide in payment. Bartering upset many, but the frequent presence of caravans necessitated this recourse, even if its use remained limited in a few cities such as Smyrna. But the Muslim authorities were worried about seeing the practice insidiously gain the whole of Turkey, spreading the seeds of unfair competition between the Echelles and detrimental to the interests of the Europeans, especially when there was an exchange of goods with captives or slaves. Thus, the leagues were set up by the French, unions of sellers and buyers anxious to maintain a decent relationship, from their point of view, in the terms of exchange<sup>46</sup>.

In addition to the "classic" captives and the renegades, we can add that this typology of captives intended for exchange appeared when the role of the consuls became important. It was explained by the conditions set by the owners in Barbary. They agreed to proceed with the release of their captives, on condition that they could exchange them<sup>47</sup> or exchange them with other "Moorish" captives employed on French<sup>48</sup> or Spanish galleys<sup>49</sup>.

Indeed, many Muslims found themselves captive in Christendom, and most often slaves on the galleys of Malta, Spain, France or Italy. Considered as spoils of "good war" - since they were "infidels" for the Christians - they were mostly resold on the slave markets of Valencia, Barcelona, Genoa or Livorno, the hub and exchange of the slave trade in the Mediterranean<sup>50</sup>. However, neither the missions of the religious orders nor the diplomatic missions were really concerned with private exchanges for the ransom of "Moorish" captives<sup>51</sup>.

The studies of the archives consulted (in Marseille, Arles, Nantes, Paris) show on the contrary the simultaneous presence of different forms of redemption in the notarial acts. If the exchanges carried out by individuals seemed to have been largely in the majority, it was undoubtedly because they were simply less visible<sup>52</sup>.

Finally, we noticed that the island of Tabarka (Genoese), the Bastion of France and other coral fishing trading posts frequently served as privileged places for negotiations<sup>53</sup>. Thus, "Gentleman in Ordinary of the King's Chamber", Jean-Baptiste de Coquiell, who later became the governor of the Bastion of France, signed documents renewing French commercial concessions on July 7, 1640 and attempted to exchange thirty-six Turks for two hundred French captives, but negotiations lasted until 1648<sup>54</sup>.

#### 4. Commercial companies formed by merchants of all origins.

These trading posts or companies formed by merchants of different origins are also less well known and seemed important to us to highlight: Catholics, Orthodox and Muslims, established for example in Malta, carried out these exchanges, following negotiations most often verbal<sup>55</sup>.

Several European merchants came to settle on the island of Malta, for example. They tried to make their trade prosper there: the Italians, who had been settled there since the 16th century, mainly from Naples and Sicily, were joined by Greeks (from Langos, Cyprus, Cirigo, Chios), who had been there since the Hospitallers had settled with a community of former Rhodians. But it was mainly the French merchants, from the beginning of the 16th century, (from Marseille and Provence like Matthieu Vassal, Antoine Béranger, the Daniel family, etc.) who invested in the Maltese market, due to a relaxation of the

<sup>46</sup> NAV (Notarial archives of Valetta), actes des Archivio della Congregazione per la Dottrina della Fede (ACDF): St. St., M 4-b (2), Privilegi ai mercanti e agli Ebrei, f° 15r, 1605; ACDF, St. St., Q 3-d, f° 123r, acte du 23 novembre 1607, ACDF, St. St., HH 3-b, non folioté, [en ligne: <https://www.vhmmml.org/readingRoom/view/215064>]

<sup>47</sup> ADBDR, Fonds Verdillon 43, f° 86, acte notarié du 19 juin 1387 : un habitant de San Remo reçut quarante florins d'un Marseillais en promettant de lui ramener une esclave de Gênes.

<sup>48</sup> ADBDR, Fonds Chanot, reg. 19 à 24, f° 97, et folios 123, 152, acte notarié faisant mention d'un "factor" de Julien de Casaulx, pour l'achat d'une esclave à Gênes en 1374.

<sup>49</sup> ADBDR, Fonds Verdillon, 10, f° 52, acte notarié du 20 septembre 1359, Symon d'Apt drapier de Marseille échangea avec Pierre Gras de Montpellier, un barbaresque olivâtre de vingt-quatre ans, contre quarante cordes de toiles de chanvre estimées à un montant de quarante florins.

<sup>50</sup> MANNING Patrick, "Contours of Slavery and Social Change in Africa", *American Historical Review*, vol. 88, no 4, 1983, p. 835–857, 1983, p. 835.

<sup>51</sup> WINDLER Christian, « Diplomatie et inter-culturalité, les consuls français à Tunis (1700-1840) », *Ludwigs-Universität Freiburg im Breisgau, Revue d'Histoire Moderne et Contemporaine*, 50-4, octobre-décembre 2003, Genève, p.29.

<sup>52</sup> VERLINDEN Charles, « Marchands chrétiens... », op.cit., *Bulletin de l'Institut Historique Belge de Rome*, 1981, fasc. LI : 19-86.

<sup>53</sup> PLANTET Eugène, op.cit., Tome 1, 46, nr I, p.55 et CADN, CA, vol. I, ff.76-78.

<sup>54</sup> (De) Card Rouard, *Une compagnie française au Maroc*, p.22-26. [En ligne: <https://ia800704.us.archive.org/30/items/unecompaniefnan00roua/unecompaniefnan00roua.pdf>]

<sup>55</sup> ACCIM, BB 40, f° 197, acte notarié mentionnant l'échange.

regulations imposed by the Order of Malta, concerning the entry of French ships into the port. Indeed, with the dual objective of supplying the island market and reselling or exchanging captives and slaves, the knights now agreed to grant a patent to any Maltese or foreign merchant, Christian or not, wishing to get involved in the trafficking of captives, and more generally in Mediterranean trade. The negotiation of captives appeared as a means of introducing to Malta goods that were lacking on the island, both consumable and non-consumable.<sup>56</sup>

Not only could captives or slaves be exchanged for goods, but the merchants who acted as intermediaries for the redemption often took advantage of a trip to Muslim lands to bring back products that were lacking in the island market: leather, animal skins, wax, wool, olive oil, wheat, chickpeas, fresh or dried fish from Barbary, more luxurious products from the Levant (spices, silks, carpets, cottons, etc.). Finally, credit transactions, carried out according to the legal customs and traditions of each place, were confirmed, if necessary, on the other side of the Mediterranean<sup>57</sup>.

But it is especially in the 17th century that we find documents revealing another method of redemption. This consisted of bringing Muslim and Christian captives to the same place. The example of Sebastiano Capello and Agy Alli Mamet Triarchi shows us that they were both taken to the island of Tabarka, a Genoese trading post off the coast of Tunisia. The transport costs were then the responsibility of each intermediary. Jean Pignon recalls that this trading post was traditionally the place of exchange between Muslim and Christian captives<sup>58</sup>. The Genoese consul of Tabarka could then play his role during the exchange, according to the act of April 14, 1683, “following the ratification which will be given by the Lord of Tabarka”.

## 5. Religious helped by the Ottomans.

The impressive compilation of documents concerning the “relations between Christians and the Arabs of North Africa in the Middle Ages”, made by René de Mas-Latrie in 1866, attests in detail to the role of religious orders and their difficulties in negotiating ransoms to bring Christian captives back home. The historian of the École des Chartes gathered, under the orders of Napoleon III, and with the explicit aim of “enlightening the public administration and the natives themselves on the state and civilization of the country before Turkish domination”, a long series of treaties concluded between, on the one hand, the Italian maritime republics (Pisa, Venice, Genoa) and the Spanish kingdoms (Aragon, Two Sicilies) and, on the other hand, the

Hafsid sultans of Tunis, Mamluk Egypt, Bougie, Tlemcen, Fez, etc.<sup>59</sup>

It appears that these texts were generally of limited duration, – from five to fifteen years on average. They organized the operation of the fondouks, delimited the economic privileges and the presence of European colonies in the ports and trading cities of North Africa. They sought to regulate trade and navigation. As privateering intensified in the Mediterranean, the treaties included more clauses concerning exchanges and the redemption of captives.

Contemporary historiography shows that diplomatic relations in the Mediterranean experienced a major turning point in the sixteenth century, with the expansion of the Ottoman Empire. The latter placed the kingdoms of North Africa, excluding Morocco, under the tutelage of the Porte. From then on, the powers of Western Europe favored the establishment of diplomatic relations with Istanbul, including to settle commercial and military questions with the Regencies of Algiers, Tunis and Tripoli.

This is why, in the 16th century, the action of religious missionaries for the redemption of French captives was more effective and more structured. Based on the lists or “catalogues of redeemed Christian slaves” published in the 17th and 18th centuries by the Trinitarians and the Mercedarians, Gillian Weiss (op.cit.) counts 3,733 captives in total. The notion of “common good” was put forward by the captives in their supplications. Private individuals and families concerned then demanded the professionalization of the offices of consuls and diplomatic envoys to better rationalize the process of redeeming captives<sup>60</sup>.

Thanks, especially to the city of Marseille, to the processions of ransomed captives, organized upon their arrival at the port after their end of quarantine, the actions of these redeeming monks were more visible and popular. However, the missions of the religious were also organized with the use of intermediaries, merchants, who offered their logistical and financial services (see below on the action of the Jewish merchants of Livorno in the 17th century). In Marseille, the Trinitarians, present in the city from the 13th century, had, from the 15th and early 16th centuries, kept written traces of their ransoms of captives in the form of lists. The “classical” historians, perhaps with the aim of subsequently justifying French colonialist aims, used these lists as well as the petitions and accounts of their captivity and the suffering endured as testimonies of the unbearable Ottoman yoke. Other Christian captives held in the Ottoman Echelles wrote or had written when they could not write, letters intended for their families and supplications sent to the King or to religious orders in which they requested their release. The multiplicity of these sources has therefore fed a large literature on the very harsh conditions of Christian slaves in Islamic lands, but not the reverse: we have not found in the archives any traces of testimonies or supplications from Muslims held in Provençal or French ports.

<sup>56</sup> FONTENAY Michel, La place de la course dans l'économie portuaire : l'exemple de Malte et des ports barbaresques, *Annales ESC*, 43-6, 1988, pp. 1321-1347.

<sup>57</sup> BOUBAKER Sadok, « Réseau et techniques du rachat des captifs... », pp.79-86, [Lien en ligne : [https://www.academia.edu/5315473/R%C3%A9seaux\\_et\\_techniques\\_de\\_rachat\\_des\\_captifs\\_de\\_la\\_course\\_%C3%A0\\_Tunis\\_au\\_XVIIe\\_si%C3%A8cle](https://www.academia.edu/5315473/R%C3%A9seaux_et_techniques_de_rachat_des_captifs_de_la_course_%C3%A0_Tunis_au_XVIIe_si%C3%A8cle)]

<sup>58</sup> PIGNON Jean, Un document inédit sur la Tunisie au XVIIIe siècle, p.109-110, P.U.F, 1979.

<sup>59</sup> (de) MAS-LATRIE René, *Traité de paix et de commerce*, op.cit., pp.210 et s.

<sup>60</sup> ACCIM, G40, f° 123, rachat par des familles, 1643.



From 1590, the redemptions by the Trinitarians of Marseille are known to us, but the archived acts are damaged or have disappeared, destroyed by the Calvinists<sup>61</sup>. On peut juste y voir un décompte croissant des rachats jusqu'au XVII<sup>e</sup> siècle, lié aux nombreuses missions. Mais aucun renseignement ne nous est donné sur les coûts du rachat.

Au XVIII<sup>e</sup> siècle, la brouille entre Trinitaires et prieurs continua. Par contre, à la Ciotat ou Cassis (où une confrérie trinitaire avait été créée en 1644), des legs furent faits dans les testaments pour servir au rachat.

We can just see a growing count of the buyouts up to the 17th century, linked to the many missions. But no information is given to us on the costs of the buyout.

In the 17th century, the quarrel between Trinitarians and priors continued. On the other hand, in La Ciotat or Cassis (where a Trinitarian brotherhood had been created in 1644), legacies were made in wills to serve for the buyout<sup>62</sup>. The ransoms were carried out by religious orders, but they also affected the merchant economy. We find traces of this from the 17th century, when many foreign merchants, for example Spanish, Italian, Dutch, participated, in collaboration with the monastic orders, in this ransom economy. The Marseillais were numerous to come and settle in the port of Valletta, specialists in the negotiation of the ransoms of Christians, Knights of Malta and sometimes even Muslims, slaves of the Order. Finally, the Greeks (islands of Langos, Cyprus, Cirigo, Chios etc.) played a much less important role than that of the Marseillais or Italians (Venice or Ragusa)<sup>63</sup>. But above all, two Maltese religious orders shared the redemption of slaves. These were the Order of Malta itself, then, from the 17th century, the Brotherhood of Charity<sup>64</sup>. The Order of Malta granted safe conducts allowing merchants and intermediaries to enter or leave the port without control. At the head of the political organization of the island, the Order of Malta was kept informed of all redemption procedures on the island, whether they concerned Christians.

Finally, it should be noted that from the 17th century, when the action of the redemptive orders in North Africa was strengthened, the foundation of hospitals for captives in Algiers and Tunis allowed them to increase the strength of their positions for mediation between the two shores of the Mediterranean. Most of the Mercedarian monks wanted to justify their presence in France where the Trinitarians dominated<sup>65</sup>.

By the beginning of the century, the Mercedarians had managed to curb accusations of excessive Hispanophilia by gaining

the protection of influential lineages such as the Medici. They then set up a mother house in Paris. Jean Latomy, a brother from Toulouse, published a work in 1618 showing, for example, that the King of France financed the Mercedarians, that Pierre de Nolasque, the founder of the order, counted among his relatives' members of a French family, and that the white cross that appeared on the Mercedarian banner was a French symbol<sup>66</sup>.

The Mercedarians gained power over the Trinitarians when Peter of Nolasque was canonized four years before John of Matha, the founder of the Trinitarians. Winning this ransom race in the Mediterranean was a decisive victory for the French Mercedarians, even though the ransoming of fifty captives, judged to be in danger of apostasy, cost the brothers a year of close fighting and considerable expense.

However, we have not been able to really date the first ransoming missions of these orders. The most numerous and best-known date back to the 17th century, even though these orders were established or active in France as early as the 13th century. Perhaps the traces of earlier missions are in Spain or they were much less the subject of publications or were less linked to the wishes of the King of France to protect his subjects from Muslim heresy.

In September 1620 for example, from Salé and thanks to the help of the Mercedarians, seventy additional captives, freed through the Crown, were able to return to France. In October 1629, in fact, the governor of Salé had agreed to respect a five-month truce and the surrender of all French slaves at market price. But it took another year, with the displacement of Razilly and De Chalard, sent by the King, with the capture of three ships from Salé, for the liberation to be effective. A second truce was concluded with Salé on September 3, 1630<sup>67</sup>.

We thought that the installation within the same city of two religious orders working for the same goal could have made the redemptions more complicated. On the contrary, it seems that it was the guarantee of greater efficiency. As we have seen previously, these redemptions were not always the work of the redeeming orders. Individual redemptions were possible, although more difficult. Organized by the captives themselves or their family with their own money, they often meant heavy financial sacrifices and were therefore mainly reserved for wealthy men. The trade in captives in Tunis show a peaceful cooperation between the monastic orders<sup>68</sup>. Despite the writings preserved in Narbonne, Arles and Marseille, we have not been able to find any established correspondence between Trinitarian and Mercedarian monks, or later, with French Dominican monks<sup>69</sup>. Maximum efficiency seemed to be achieved when the

<sup>61</sup> Sur le rôle des ordres religieux en Languedoc, Alexandre C. Germain, *L'œuvre de la rédemption des captifs à Montpellier*, Publications de la Société de Montpellier, tome V, 1860-69. L'auteur y déplore notamment la destruction par les Calvinistes en 1562 des archives des Trinitaires.

<sup>62</sup> ADBDR 139, E. Cassis, BB9, F° 111-117, donations par les moines trinitaires.

<sup>63</sup> AOM, 423, fol.234, 13 mai 1553 (Michel de Tarente) et AOM, 442, f° 248, 21 décembre 1585, sur le marchand ragusain Marino di Nicolo, rachat de Maltais et chevaliers de l'Ordre, puis rachat d'esclaves musulmans originaires du Levant.

<sup>64</sup> BROGINI Anne, *Malte, frontière de la Chrétienté (1570-1630)*, Ecole Française de Rome, 2006, p. 253-331.

<sup>65</sup> (de) ALBUQUERQUE Ruy, *As represalias*, *Estudo de Historia de direito português*, Sec. XV e XVI, Lisbonne, 1972, vol 2, p.96.

<sup>66</sup> LATOMY Jean, *Histoire de la fondation de l'ordre Nostre Dame de la Mercy pour la rédemption des captifs*, Sébastien Huré, 1618, p.423.

<sup>67</sup> PENZ Charles, 1944, op.cit., p.38.

<sup>68</sup> ADBDR, Fonds Laget-Maria, 148, f° 251, 260, 263 et suivants : actes mentionnant que des galères appartenant à des Marseillais et Toulonnais étaient nolisées par Grégoire XI pour son retour à Rome. Puis d'autres galères marseillaises étaient louées par le Saint-Siège.

<sup>69</sup> Pour la série BB : Archives départementales de l'Aube - Tome 1 : Inventaire des Archives communales antérieures à 1790 - Archives communales de Narbonne, Narbonne (France) – Gallica (Bnf.fr) et Tome 2 : rédigé par MOUYNES Germain, Ville de Narbonne, Inventaire des Archives communales

two orders jointly carried out a redemption. These developed especially during and after the 16th century: one was carried out on average every three or four years during the first half of this century, and most of them left from Marseille<sup>70</sup>. Often, under the impetus of the State, which requested such an undertaking, these general redemptions were decided jointly between the two orders. For example, that of May 1700 was led by Fathers François Godefroy, François Comelin and Philemmon de la Motte. The mission left Marseille for Algiers, then for Tunis and Tripoli, and brought back sixty-five slaves. This form of group redemption proved less expensive when a fixed price could be set for an entire group of captives and the orders incurred joint expenses to travel to Barbary. In this way, a captive cost an average of eight hundred pounds, while an individual redemption could reach the sum of 1,500 pounds, almost double<sup>71</sup>.

When communication could be established between the two orders in Marseille for the planning of a trip to Barbary that required perfect organization to be crowned with success, the results regarding the redemptions were convincing and gave Marseille a greater scope. Thus, cohabitation, which had been revealed as a weak point in the first decades following the arrival of the Mercedarians in Marseille, became on the contrary a strong point on which the King of France could also count. The city, well located, also made it possible to relay in a practical way the decisions taken at Versailles. It was like an outpost at the gates of Barbary, where redemption projects could be born and come to fruition<sup>72</sup>.

## 6. Le rôle des Eglises protestantes dans le rachat des captifs français.

English, Dutch and German Protestants also raised funds for the Huguenots held in North Africa. One of the responsibilities of the pastors based in Rotterdam, for example, was to ensure that the sums collected were properly accounted for. Thus, in the "Relation de la captivité de M. Brassard à Alger"<sup>73</sup>. English, Dutch and German Protestants also raised funds for the Huguenots held in North Africa. One of the responsibilities of the pastors based in Rotterdam, for example, was to ensure that the sums collected were properly accounted for. Thus, in the "Relation de la captivité de M. Brassard à Alger," the captive born in 1620 had been taken by the corsairs at the age of 66 or 67, off the coast of Bordeaux, and taken to the penal colony of

Algiers. It could happen that, just like the Catholics, the Protestant captives refused any conversion and were thrown into the sea<sup>74</sup>.

The list of freed captives given in the documents published by Count Henry de Castries did not mention Protestants. On the other hand, a list of captives in Tetouan with thirty names of captives from Le Havre, Honfleur, Nantes, Les Sables-d'Olonne and Saint Gilles, expressly mentioned two "Huguenots", Jacques and André David, from Les Sables-d'Olonne and Saint Gilles<sup>75</sup>.

In La Rochelle, the Brothers of the Redemption and the Protestant churches helped with the redemption, mainly for the fate of ship captains caught on the coral route and their crews. In 1653, for example, the monks entered into a redemption contract with the merchants Nicolas Bonneau and Pierre Bergier. They were to provide them with 15,000 livres in Salé and Tetouan.<sup>76</sup>

The account left by the Brothers of the Redemption tells us of the success of the voyage, the first act of which was kept by the notary of La Rochelle. The Protestant churches therefore also took care of their coreligionists. For example, in 1649 and 1654, the Consistory of La Rochelle provided twelve thousand, then one thousand eight hundred pounds for the payment of the ransom of captives, a list of which was provided by the minister Cherbonnier of the time. In 1661, for Algiers, the Protestant churches gave the merchants the large sum of thirteen to fourteen thousand pounds.<sup>77</sup>

The Consistory of Saintes also participated in the payment of sums for the redemption of its inhabitants. From 1657 to 1681, more than 3,000 pounds were allocated. In 1654, Samuel Robert noted in his journal that he had made personal alms of ten pounds following a collection "for the poor captives of our religion who are in Turkey...". The names of the ministers appeared in some acts. In others, they were minor nobles or Protestant bourgeois from the Marennes region who made donations. Thus in 1661, Judith Chasseloup, from an old Protestant family from the "Isles of Saintonge", wrote to "Monsieur Nicolas Bonneau her cousin" to ask him "to accept a power of attorney... for the assurance of two hundred pounds above what has been given and what the churches have promised to provide for the redemption of Isaac Trichereau who is in Algiers" and to ask him to "do his utmost to procure his freedom".

A notarial deed drawn up between the parents of the captive or their representative and the merchant going to Morocco listed the instructions by which the latter was to attempt the ransom with recurring details: amount of the ransom, payment terms, interest rates and repayment terms, guarantees and risks accepted by both parties. The merchant undertook to try to free

antérieures à 1870. Et Annexes de la série AA., n° VIII p. 11, IV p. 7, LXXIV p. 123.

<sup>70</sup> (Père) DE LA MOTTE Philémon, (Trinitaire), Voyage pour la rédemption des captifs aux royaumes d'Alger et de Tunis, fait en 1720, par les PP. François Comelin, Philémon de La Motte et Joseph Bernard - Première [-Deuxième], Liste des esclaves chrétiens rachetés à Alger, avec le journal de leur route et de leur réception dans les principales villes du royaume. - La Tradition de l'Eglise pour le soulagement ou le rachat des captifs, P. Machuel.

<sup>71</sup> WINDLER Christian, La Diplomatie au Maghreb comme expérience de l'autre, Consuls français au Maghreb, 1700-1840, RHMC 50, 4, 2003.

<sup>72</sup> Relation d'un combat donné le 8 octobre 1674 par un vaisseau marchand de Marseille commandé par le capitaine Marin de la Ciotat contre quatre vaisseaux de Tripoli en Barbarie, Bibliothèque Mazarine, 2000, pièce 52.

<sup>73</sup> Les protestants français et l'Algérie, BSHPF 79, 1930, p.151-164.

<sup>74</sup> BSHPF 110, 1964, p.55-58 : deux lettres des protestants captifs à Alger, de 1687 dont « Daniel Poyen à Messieurs les Pasteurs & Anciens des Eglises Françaises », Alger, 10 Novembre 1687.

<sup>75</sup> BnF, NAL, 2226, n° 1A, 1618, rachat de captifs « huguenots ».

<sup>76</sup> ADCM, Minutes Cherbonnier, cité dans Marcel Delafosse, « Les Rochelais au Maroc au XVIIe siècle : commerce et rachat de captifs », Revue d'Histoire des Colonies, 35, 1948, p.79-82.

<sup>77</sup> Minutes Cherbonnier, 20 mars et 4 août 1649, 12 mai 1661. « Journal de S. Robert », Archives Historiques de la Saintonge, XI, 348.

the captive at his place of detention but he did not intend to run all the risks of return, shipwreck, death, etc. He always took out insurance in the event of the captive being recaptured by the Barbary pirates: "in the event that the said captive after his ransom or freedom should again withdraw from the said Salé to this country retaken by the Turks... the price of the said redemption will remain lost for the said Bonneau". In the last years of the 17th century, he also made it a condition of this clause that the captive return by borrowing his ship. In addition, he asked for a guarantee for the payment and in Salé sometimes demanded an acknowledgement of debt from the freed captive<sup>78</sup>.

If the parents of the captives frequently agreed to pay the costs in Barbary for the ransom, they requested in this case a certificate of these costs by the captive himself, a Consul or Christian merchants. The essential clauses obviously concerned the ransom itself. It was divided into two parts, one actually paid, another that Nicolas Bonneau had to advance. For the first part entrusted to Nicolas Bonneau, the parents agreed to take the risks during the entire journey (except for two cases, when the merchant had taken risks, for a commission of 16 and 22%). If the redemption did not take place, this part was returned with, exceptionally, a slight interest (5.5%).

As for the journey to Algiers on the contrary, the acts were more detailed and the demands of the merchants greater. Nicolas Bonneau took a commission of 4% on this money paid in advance. The exchange and the duties to be paid in the Barbary ports also had a cost, but the acts did not allow them to be quantified exactly. For Algiers, it seemed to be between 17 and 19% with 4% of freight, 3% for the duty of the ports in Algiers, the rest being undoubtedly represented by the exchange. This last exchange expense was eliminated when, which happened on several occasions, the parents provided eight-real coins that were current in Morocco or Algiers. The parents offered between 150 and 1,600 livres for the redemption of a captive. Thus, for example, the wives and sisters of three sailors from Mornac each pledged two hundred livres, "without any limitation nor restriction".

But the merchant Nicolas Bonneau, even with a guarantee, certainly limited himself to reasonable sums. In general, the parents offered from two hundred to five hundred pounds.

About fifteen receipts inform us of the prices actually paid in Salé, ranging from two hundred to one thousand two hundred pounds, or, with costs, from 230 to 1,560 pounds, with an exceptionally high price of 4,800 pounds. In Morocco, to the price paid for the captive and the costs mentioned above were added other costs: food, gifts to the guards, etc., and also the passage costs in the event of return, from fifteen to eighteen pounds<sup>79</sup>.

The presence, admittedly quite rare, of Turkish ships from Morocco in La Rochelle gave rise to curious scenes. Thus, in 1636, the King's ship, "La Marguerite", brought back to La Rochelle a ship from Salé, captured by the naval army of the Count of Harcourt, on the coast of Galicia. On board the "Turk"

were ten captured English sailors, before the ship itself was chased away.

La Rochelle residents, English and Normans then stormed the Moroccan ship and freed the Christian prisoners. The Moroccan captain, a Genoese renegade named Morat-Rais, complained that these English belonged to him and could not be freed. Four escaped Englishmen were then found in the port's taverns and were returned to him. But not for long, since in March 1637, Morat-Rais and his son were taken prisoner at the Tour de la Lanterne in La Rochelle. They will only regain their freedom shortly afterwards<sup>80</sup>.

In 1638, it was the same Morat-Rais who, "lieutenant of the King of Morocco", was in command in Salé, besieged by "the Morabit Cid Mahomet Lagache". He in turn had several French sailors released in exchange for food. In 1679, a similar scene occurred again. "Turks" arrived in La Rochelle with a prize from the English. The officers of the Admiralty had to negotiate with them<sup>81</sup>.

In Morocco, Razilly's efforts concerning the captives having been unsuccessful, he had sent, from his ship anchored in front of Rabat, the king's envoy, Du Chalard, who stayed in Salé to take care of their release. He wrote to them on September 24, 1629 "to wait patiently for the outcome of the operations while keeping their faith in God, without apostasy and their trust in the king." The requests were about to come to fruition when a storm forced Razilly to weigh anchor and head to sea. The captives were not freed until September 1630. A truce, signed on September 3, established a French consul in Salé, and decreed that the free exercise of the Catholic religion was assured. There was no question of non-Catholics. As a result of Razilly's negotiations, Pierre Mazet, "Catholic merchant of Marseilles" was commissioned as consul by a letter dated September 3, 1639. He had already been in Morocco during the captivity of Father d'Alençon. He was trading in Salé in 1626. Well regarded by the governors, Razilly arranged, after the treaty of September 1631, the establishment of French consuls in all the ports of Morocco. He confirmed Prat in Salé, Mazet was designated for Marrakech and Mr. Bourgaronne for Safi. In fact, Mazet remained in Safi and Bourgaronne seems to have been under his orders. Imprisoned in 1632 by order of Moulay-el-Walid, he was still in prison in 1637. He could not resist the mistreatment. All his property had been taken and dissipated. It is thought that he must have died in Marrakech before 1635<sup>82</sup>.

They therefore re-embarked and returned to France. But the merchants and the Christian captives only occasionally received religious help when Trinitarian and Mercedarian monks passed through. The king, informed that Prat refused to lend his consular chapel to the Recollects, ordered him to give them a suitable and convenient place to exercise their spiritual functions as "chaplains of Salé and Tetuán"<sup>83</sup>. Prat therefore had a chapel built which was completed when the Trinitarian Fathers Aurox and Héron arrived in Salé in 1654. This relieved the

<sup>78</sup> Min. Cherbonnier, op.cit.

<sup>79</sup> PANZAC Daniel, *La Caravane...*, op.cit., pp. 73-76.

<sup>80</sup> PLANTET Emile, *Les Consuls de France à Alger*, Etudes, 1930, p 79.

<sup>81</sup> DELAFOSSE Marcel, op.cit, et AD Charente Maritime, 1. B 5678, n° 92.

<sup>82</sup> PANZAC Daniel, *La Caravane maritime...* op.cit., pp. 73-76.

<sup>83</sup> EL JETTI Mohammed, op.cit., p.175.

French captives who praised it in a letter to Razilly dated 9 August 1629. And the French ships docking in Salé had to pay a tax to finance the maintenance of the Chapel<sup>84</sup>.

To conclude on the role of religious orders, it should be noted that the captive slaves were distributed across several penal colonies, the number of which varied depending on circumstances. In the second half of the 16th century in Algiers, Haëdo mentioned two: the Grand bagn and the Bastarde. The first was reserved for important captives, such as consuls or religious. The second bagn brought together ordinary people, who could come and go without any constraint.

Sometimes, as in 1644, for want of being able to immediately pay the sums demanded for the release of the captives, a redeeming father could be left as a pledge, as witnessed by Edmond Egreville, religious of the Merci:

"Our religious who has remained as a pledge for the remainder of the sums of their redemption awaits your help, and perhaps more than five hundred souls, whom the miseries of their slavery endanger both the Faith and their lives<sup>85</sup>. >

Towards the middle of the 17th century, Emanuel d'Aranda tells us that there were five penal colonies: the galleys, the beylik, Sidi Muda, Saint Catherine and Vilaga. The penal colonies were like an improvised city: the captives could practice all sorts of trades there to survive; there were makeshift hospitals run by the Fathers, as well as chapels for worship.

By demanding the purchase of several captives simultaneously, the intermediaries on site managed to obtain a common price for all the captives. Hence the interest in using merchants who were used to negotiating. For the redemption of Palermo in September and October 1681, Captain Nicolas Vidal was chosen as an intermediary on four occasions. The two Neapolitan religious institutions also used the French and English consular network.

We therefore see a complex chain of redeemers emerging, since the information passed through different merchants to be transmitted to Tunis. In the 16th century, between 1575 and 1692, 5,120 men and four hundred and eight women were the French survivors of forty-eight operations carried out in Algeria and Morocco by the redeemers of Mercy and Trinity. Between 1674 and 1677, the corsairs took one hundred and ninety-one Spanish, French and Dutch ships. Forty-seven ships per year... for a booty amounting to 508,626 ducats. Renegades testified to having taken, per year, approximately two hundred and twenty-seven Christian captives, or in ten years, 2,500 people<sup>86</sup>.

We note that the commercial circuit and the privateering circuit frequently overlapped. Indeed, the redeemed slaves returned to Christendom on merchant ships with a safe-conduct. The Christians received money from the Moors and vice versa;

"the usual interest being 33%. The guarantees were offered by specialized or non-specialized mediators; with a return trip often booked with the same shipmasters or merchants from Lucca, Malta, Marseille, Venice, England, Corsica, Genoa, or even with inhabitants of Palermo and Trapani. Those who went to Barbary for a commercial operation sought to optimize their profit, by doing other business at the same time, including the redemption of captives. Thus, responsible for selling one or more of the captives' goods, the redeemers also became agents of this particular "trade". Consuls or merchants of various origins could indeed play a role of mediator in conflicts when they broke out, between exasperated captives and redeemers overwhelmed by events.

The list of freed captives given in the documents published by Count Henry de Castries<sup>87</sup> did not mention any protestants. On the other hand, a list of captives in Tetouan with thirty names of captives from Le Havre, Honfleur, Nantes, Les Sables-d'Olonne and Saint Gilles, expressly mentioned two "Huguenots", Jacques and André David, from Les Sables-d'Olonne and Saint Gilles. Thus, Thomas Le Gendre recounted that at the time he was in Morocco (i.e. between 1618 and 1625) he could attest to the tolerance of the power in place at that time for both religions.

## 7. The role of Jewish merchants in Maghreb ports.

In the 17th century, in the Maghreb ports, it was the Jewish merchants, who came from France, who occupied, with their intermediaries installed in Livorno, a preponderant place in these negotiations. They also enriched themselves, thanks to the exchange of currency (see at the end of the section on Livorno). Then, the institutions aimed to better manage the buybacks, to ensure a better continuity of the operations carried out on a case-by-case basis. We have noted that, to avoid the hazards of the missions, their dangers and the arbitrary determination of the buyback prices, the Genoese were the first to introduce a system of continuous buyback, with a sort of double-entry accounting<sup>88</sup>.

Others made loans with interest. The interest on money in Tunis was 3% per lunar month, therefore for an exorbitant agio of 36% per year. If the captive, once his price had been negotiated with his owner, was unable to raise the necessary money, he then had to contact intermediaries who were responsible for renegotiating his repurchase with his owner or paying the missing sum. Very often, these intermediaries were religious institutions or companies of Christian, Muslim or Jewish merchants. After having carried out work to locate the captives sought, it was then necessary to discuss the fixing of the repurchase price

<sup>84</sup> ARNOUX Nazaire et HERON Jean, *La miraculeuse rédemption des captifs faite à Salé... par les religieux de l'Ordre de la Sainte-Trinité*, Paris, Julien Jacquin, 1654.

<sup>85</sup> EGREVILLE Edmond, *La vive Foy et le récit fidèle de ce qui s'est passé au voyage de la Rédemption des captifs françois, faite en Alger, par les pères de l'ordre de notre Dame de la Mercy les mois de mars et avril 1644*, Paris, Louys Feuge, 1645, p. 5.

<sup>86</sup> BNM, mss. 2963, AHN, Codices, legs 118 et 120, BNM, mss. 6569, AHN Cod.leg. 119, AHN, Codigo.legs 117-147, capture de navires chrétiens en 1675.

<sup>87</sup> (De) CASTRIES Henry, (De) COSSE BRISSAC Philippe et CENIVAL Pierre, *Les sources inédites de l'histoire du Maroc de 1530 à 1845*, Archives et bibliothèques d'Angleterre, série 1, Tome 2. Publiées par H. de Castries, [puis] par Pierre de Cenival et Philippe de Cossé-Brissac], Ed. P. Geuthner (Paris), 1918-1935.

<sup>88</sup> BONAFFINI Giuseppe, *La Sicilia e i Barbareschi, incursioni corsare e riscatto degli schiavi, 1570-1606*, Palermo-Sao Paulo, I.L.A Palma, 1983, p. 25 et Andrea Addobbati, *Commercio, rischio, guerra, il mercato delle assicurazione marittime di Livorno, 1694-1795*, p. 103.

with the owner. By consulting different corpora from different countries, we have already noted (see above) that the price of the captive could be extremely variable according to the chosen criteria. It also depended on the way in which the negotiations were conducted. The age, the work force, the corpulence, the dexterity, but also the social condition of the captive, were determining factors<sup>89</sup>.

The last quarter of the 16th century thus saw the establishment for France, by developing in Marseille and in other coastal cities such as Six-Fours, Toulon, Nice, of necessary networks passing through traders established in Barbary. These regulated supply and demand by charging dearly for their mediation. It was also on these traders that the various congregations and brotherhoods relied to set up the redemption in the cities where they had established themselves. The merchants could also use renegades who came to France or Italy to offer their services.

As early as 1625, it clearly appears that the religious who requested "insurance" for the redemption of a captive could not leave to rescue him without the authorization of the royal monarchy. This had the role of "closing" the negotiation loop by issuing a pass and legally and economically covering the redeeming fathers, to ensure the smooth running of the operation. The choice of these redeeming fathers, unlike the scribe, was the authority of the Provincial Fathers of Mercy and Trinity or of Saint-Jean de Matha. They had volunteers, most of them priests who already had previous experience of ransoming captives. In France, the archives show that redemption contracts and ransom payments generated various benefits for each of the parties involved in the operation. The procedure could be quite fluid: a relative of the captive would commit to a Trinitarian or Mercedarian monk. The latter could have recourse to a merchant who himself would get in touch with his trusted man – normally the one who would embark to go and free the captive, with goods that could be negotiable on board, and all signed a document at the notary's office, a sort of release permit, where the money had to be returned within a year by the freed captive.

The list of captives to be freed was placed in the hands of the redeeming monks, in accordance, for example, with the instructions received from the King or the merchants. The task of the scribe in Barbary was very different. It was for him to inspect the contracts concluded between France and the Maghreb. The soldiers captured during the raids of the corsairs were the first on the lists. Then came the least socially and economically protected: the elderly, women, children and captives without family or support.

A count of captives was made on departure from North Africa and on arrival in Europe. This gave rise to a sort of "procession" ceremony, with a parade that brought together the most prominent personalities of the cities, listed on the route sheets of the redeeming monks. As soon as this ceremony was over, the redeemers were summoned by the City Council to produce the list of people released, as well as the total cost of all the captives. In the event that they disobeyed and did not produce the list (within three months), the monks then had to pay

a fine. We have not found evidence of the payment of these penalties, but only evidence of accounting irregularities noted by the councils of the cities of Montpellier, Arles, Narbonne on certain expeditions<sup>90</sup>. Upon arrival in Algiers, there was a reception provided by a Muslim official, the consul of the area, the port keeper, and the administrator of the city's hospitals for captives. The latter went to the "house of redemption," a kind of residence, where the monks deposited the money for the ransom of the captives, under the watchful eye of a Christian and Muslim escort. During this time, the port keeper immobilized the ship so that no captive could escape, until the negotiations between the redeeming monks and the owners were completed and the redemption was published<sup>91</sup>.

The lists of captives were drawn up in advance, so that they could not be changed afterwards. This strict order had to be followed. First, those who interested the King of France or his family were redeemed. Redemption was done obligatorily and according to a very strict order. The negotiations were long and procedural, especially since the King and the aristocracy put pressure on them to ensure that only the captives they had financed were released. It should be noted that a distinction was made between services in kind and monetary gifts for ransoms. In 1663, for example, eight captives were called "convicts of the king", fifty-three belonged to a Muslim merchant, and the rest were the property of members of the "diwan"<sup>92</sup>.

It is interesting to note that in some cases Jewish or "Moorish" merchants facilitated the work of the redemptive monks<sup>93</sup>. In 1579, in Tetuán, another example, Jacob Crudo, Mordafay Alia and Abraham Menagi ransomed almost a third of the captives. Finally, in 1624, in Salé, Fez and Tangier, sixty captives, who belonged to Blanco Volcain, were freed<sup>94</sup>. Offerings and gifts could greatly facilitate negotiations. Jewels and goods, such as this emerald, offered in 1609 to the Diwan, seemed to improve the conditions of liberation. In 1660, coral, barrels of oil and tobacco for the regent and the port keeper, chocolate, in 1686, helped to speed up the negotiation<sup>95</sup>. From 1643 onwards, however, there was a decrease in the numbers and proportion of royal captives. Ultimately, from the second half of the 17th century onwards, the resources of the kings diminished for the payment of ransoms. The expenses related to the war had become the priority, and the number of captives ransomed decreased accordingly. Despite this, thanks to American alms and sums collected from family members, it seems that the amounts collected were enough to provide sufficient "liberalities" to en-

<sup>90</sup> PORT Célestin, *Essai sur l'histoire du commerce maritime de Narbonne*, Bibliothèque de l'Ecole des Chartes, 1855, p. 261.

<sup>91</sup> MATHIEX Jean, « Trafic et prix de l'homme en méditerranée aux XVIIe et XVIIIe siècles », *Annales, ESC*, 2, 1954, p. 157.

<sup>92</sup> AHN, cod.leg. 140, 118 et 120, 1660.

<sup>93</sup> ACCIM, J 1889, « Commerce de Barbarie », « Tunis – Correspondance avec le Diwan (1621-1634) », « Extrait de la lettre écrite par le Diwan des janissaires de Tunis à Monseigneur de Guise et Messieurs les Consuls et seigneurs de cette ville, traduite le 3 mars 1621 ».

<sup>94</sup> ACCIM, H 55, « Commerce avec l'Italie – Livourne », 24 décembre 1692 : « Mémoire sur le prétendu droit de primage ».

<sup>95</sup> GELABERT Juan Eloy, *La bolsa del rey, Rey, reino y fisco en Castilla (1598-1648)*, Barcelona, 1997, p.381.

<sup>89</sup> BLANC Alphonse, *Le livre de comptes de Jacme Olivier*, 1899 t. II-A, Bnf, [En ligne: <https://gallica.bnf.fr/ark:/12148/bpt6k55403b.texteImage>]

sure the redemption of many captives<sup>96</sup>.

## 8. Transculturality of French captive buy-back contracts.

Captives, as we have seen previously, could not be sold without the establishment of a contract that was written in clear and precise language. Most often written in Latin, Italian or French, the latter contained a description of the slave, his age, his country of origin, his sex, and his price. Many testimonies also attested to the use of these forms of contracts in the Middle Ages in Islamic countries, especially in Andalusia and in the markets of the Arab Middle East, but we were unable to list them or obtain an exact count. For example, the registers of the courts of justice and the documents archived in Tripoli contained many of these contracts. It seems that the rules required that it was essential to carefully mention the identity of the seller on the contract. However, if the buyer or the writer of the contract had difficulty knowing the identity of the seller, one or the other would have to call upon a guarantor who would attest to the authenticity of the contract<sup>97</sup>.

This was a measure adopted especially by the suppliers of captives, often non-Muslims, who went to markets where they sold or bought back captives and slaves. Many of these documents containing these guarantees, requested from merchants who came to the markets of Fezzan, Benghazi, Tripoli, Egypt and Iraq, were thus able to be preserved. These guarantee requirements also concerned sales on credit. For example, when a merchant bought a certain number of captives, it could happen that he only paid after having sold them on the markets of northern Libya or in the Arab East: "Abd Al-Naba Al-Hüssri and 'Abdulll Al-Masra, traders left Murzouk to go to Benghazi with three slaves or again "Abdu Al-Naba Mūma stood surety for them for six months. A merchant named Mufti Ben A'iled left Murzuk and headed for Benghazi with eight slaves. Al-ʿaraf SūlaymIn stood surety for him for six months<sup>98</sup>.

From the records of these courts, we note that in the event of a violation of the terms of the contract by one of the parties, it could be canceled or re-examined. For example, it could happen that this led to a renegotiation of the contract, with a price reduction.

In the markets, the person called "chief broker" supervised the sales. No captive or slave could be sold without his mediation. To prevent traders from selling children native to the country, his mission was to organize the operations and especially to identify the captives. According to the court records, the percentage on a sale received by the broker was estimated at 0.5% of the price of the captive or slave. The chief broker was present in all the markets, including those of Tripoli, Ghadames, Ghat and Mourzouk. However, the percentage received by the bro-

kers in the last markets mentioned was lower than that which they received in the Tripoli market<sup>99</sup>.

From 1693 to 1783, in the chancellery of Tripoli, about three hundred and eighteen redemption contracts were signed and almost as many Christian captives were freed by the Porte. We do not have the details for what concerned the French captives. These acts of redemption generally targeted men taken from ships after shipwreck or fire during the race<sup>100</sup>. According to the Nantes archives, the redemption contract could be individual or collective. In the latter case, a single act could concern two, three or six people, or even larger groups of captives, which made it difficult to calculate the exact number of captives redeemed, especially since the lists were often either incomplete or indecipherable<sup>101</sup>.

It should be noted that in addition to the French language, most of the time, the contracts used Italian, proof of cooperation between merchants from various nationalities. Indeed, the French consulate having been created only from 1577 in Tunis, it represented, until the middle of the 17th century, all the French present in the Regency but also those of the Christian religion<sup>102</sup>. Its chancellery ensured the recognition and recording of legally validated acts, which would be recognized by other European jurisdictions<sup>103</sup>. Similarly, the contract was drawn up in the chancellery and in the presence of "trustworthy witnesses"<sup>104</sup>. This expression was serving as a proof in the event of a breach of the clauses of the contract, and was showing the need to have a document read and understood by all raised the question of the language of the contract. For example, drawn up by the Venetian notary of Tunis in 1472, this document specified that the three Christian witnesses knew Arabic, which guaranteed their understanding of the transaction. In another, drawn up in Barcelona between a certain Abū 'Imran, ambassador of the Sultan of Tlemcen, and Catalan merchants, the Muslim signed in Arabic, after his trustees and before the witnesses<sup>105</sup>. If necessary, the use of dragomans made it possible to ensure immediate oral translation. There has been a long discussion on the possible influence of the Muslim contract on the "commanda" of the Latin world<sup>106</sup>. We can see the very great resem-

<sup>99</sup> MORINEAU Michel, « Flottes de commerce et trafics français en Méditerranée au XVII<sup>e</sup> s. », *Revue XVII<sup>e</sup> siècle*, 1970, n° 86-87, p. 135-171.

<sup>100</sup> La « Porte » ou « Sublime Porte » est le gouvernement central de l'Empire ottoman.

<sup>101</sup> CADN, Ac/ 44, contrat du 23 juin 1703. Cas d'Angelo Cutayau, maltais, qui retrouva sa liberté en échange du nommé Barjet Aghety, tripolitein esclave à Malte. Et cela se fit sans aucun frais dès l'arrivée d'Aghety à Tripoli. L'échange sera ensuite approuvé par le pacha : CADN, Ac/46, contrat du 23 décembre 1757.

<sup>102</sup> LAFI Nora, 1997, *Tripoli de Barbarie : port de mer, port du désert (1795-1835)*, in C. VILLAIN-GANDOSSI (dir.), *Méditerranée Mer Ouverte : XIX<sup>e</sup> et XX<sup>e</sup> siècles*, Paris, Éditions de la Maison des sciences de l'homme, pp. 657-666.

<sup>103</sup> D'après CAROF Marie-Marguerite, *Correspondance consulaire; consulats, mémoires et documents (Affaires étrangères BI et BIII), répertoire*, op.cit.

<sup>104</sup> (Anonyme) *Relation véritable contenant le rachat de plusieurs captifs... Détenus à rançon à Alger... Paris, Vve Du Pont, 1672.*

<sup>105</sup> UDOVITCH A., *At the origins of the Western Commenda, Islam, Israel, Byzantium*, 1962, Chicago Press, p. 51.

<sup>106</sup> ASLANIAN Sebouh David, "Commenda and the family firm in Jul-

<sup>96</sup> BEIK William, *The absolutism of Louis XIV as social collaboration*, dans *Past & Present Society*, Oxford, 188, 2005, p. 195-224.

<sup>97</sup> Ibn 'ABIDAN MOHAMED, *Commerce en Libye*, Beyrouth, 2000, vol II, pp.691-694.

<sup>98</sup> MIEGE Jean-Louis, *La Libye et le commerce transsaharien au XIX<sup>e</sup> siècle*, Persée, 1975, N° XIX.

blance between the two types of association contracts<sup>107</sup>.

As for the mention of the signature, the redemption contracts also indicate that literate captives had to affix it when they were redeemed: they represented 23%, compared to 77% of illiterate ones. It should be noted that the social origin of the captives was not indicated in the redemption contracts, but, given the high percentage of illiterate one could guess their modest extraction. Most “were previously peasants, fishermen, ordinary soldiers or simple sailors unable to write or sign – the officers and masters were enlisted as crew members rather than as rowers<sup>108</sup>”. This was the case for the ransom of fifty-eight crewmen from a ship taken by the Barbary pirates of Algiers in 1644<sup>109</sup>.

Thus, for certain acts of ransoming captives, in 1643, former partners of the merchant Nicolas Bonneau of La Rochelle, in litigation with him, requested, during an investigation entrusted to the factor of a merchant of London, the opinion of Christian merchants of Salé on the accounts of their adversary. The language generally used in this case was Spanish. Jewish merchants, and often Muslims, served as brokers in these transactions<sup>110</sup>.

This use of writing was not, however, without posing problems of validity in an intercultural context. Indeed, it brought together merchants of different languages, origins, and religions. In addition, their standards, and practices in matters of commercial law were often, if not opposed, at least dissimilar. Finally, the legal statuses of their companies could also cause a certain compartmentalization<sup>111</sup>.

Hence the question of the legality of such contracts that arose between Muslims and Christians. This was important, to also regulate relations with the dhimmis, as any citizen of a Muslim state who was not of this confession (Jews and Christians), benefited from the protection of the sovereign and of a certain autonomy. In return, he had to submit to obligations and prohibitions that demonstrated his inferior status, such as, for example, being subject to specific taxes.

In principle, such associations between Muslims and Christians were prohibited, because they implied a formal equal-

ity between contracting parties, which would have called into question the social and political hierarchies. In theory too, this question of the conclusion of contracts between merchants of different nationalities was the subject of debate, among Maliki jurists. The Tunisian mufti Al-Rammal (1348-1349) thus considered that a Muslim could not lawfully deal with a “dhimmi”, and, conversely, a “dhimmi” should avoid doing business with a Muslim. However, the legal rules in practice concerning the “dhimmis” often served as a reference for regulating relations with Latin merchants, but they were not applied mechanically. If this absence of official regulation existed, it could disappear for cases of piracy, for which the provisions of a peace treaty, signed by the Muslim sovereign with the royalty of the country, were used. This is what G. Airaldi affirms in her collection, where she evokes the difference between the Saracen identity and the Arab identity<sup>112</sup>.

## Conclusions.

Still exceptional in the 17th century, the one-year clause on the repayment period would be used more frequently in the 18th century. It was necessary to go to the ports of the Mediterranean coast to find slave and captive markets where the redemption appeared on the tablets of the scribes of the “Batistan”<sup>113</sup>. The presence in these ports of merchants on perpetual commercial missions meant that they naturally served as intermediaries between the buying countries and the selling countries, or for captives wishing to enter into contact with their families and ask them to pay the price of their ransom, without going through redemptions by religious missions<sup>114</sup>.

Thus, in Malta, Turkish captives or Ottoman renegades had to resort to the help of Christian merchants on site or to coreligionists who had been freed (crippled, sick), and could have no use value<sup>115</sup>. These obtained a safe conduct from the master of the captive to return to collect from the families the amount of the ransom in cash or in jewels, in jars of olive oil or in bales of silk. Otherwise, the other solution was to have recourse to letters of credit with the Jewish merchants of Livorno<sup>116</sup>.

If the ransom economy generated practically incessant conflicts, it nevertheless allowed the creation of a dense network of intermediaries, coming from different geographical areas, with diverse religious beliefs, who realized, thanks to these transactions, significant financial profits and removed from the ransom economy its aspect of volatility.

Above all, it seemed essential to us to underline the various cooperations between public or private agents of the redemp-

fan Society”, *Journal of the Economic and Social History of the Orient*, 01 Jan 2007, [en ligne: [https://brill.com/view/journals/jesh/50/23/article-p124\\_3.xml?language=en](https://brill.com/view/journals/jesh/50/23/article-p124_3.xml?language=en)]

<sup>107</sup> PRYOR John Henry, *The Commenda in Mediterranean maritime commerce during the thirteenth century: a study based on Marseille*, University of Toronto, 1974.

<sup>108</sup> A.M (Archives municipales) de Montpellier, Archives du clergé régulier (787-1794) : 50 H 47-50, Rachat des captifs, 1638-1774.

<sup>109</sup> A. M Montpellier, 50H47-50, Liste des captifs chrétiens rachetés par les Mercédaïres à Alger (1644); Rachat de dix-sept esclaves en la ville de Tunis par le commandeur du couvent de Marseille (1666), État des esclaves de la ville d’Agde qui sont en Barbarie (1670), Rachat de nombreux captifs en la ville de Salé (1674), Transfert de fonds par l’intermédiaire de Pierre Rey, patron d’Agde (1675), Retour d’Afrique des Pères Duflacq et Just, rédempteurs (1686), Rachat de quarante-six esclaves en la ville de Meknès (1690), “Relation succincte de plusieurs aventures arrivées dans le cours de la rédemption des captifs ... de 1704 à 1712 et 1644 à 1774”.

<sup>110</sup> A.D de la Charente Maritime, Min. Cousseau, 25 avr. 1635 (trois actes au même taux) et B 5669, 26 août 1670.

<sup>111</sup> AIRALDI Gabriella, «Genovesi nel mondo islamico», “carta saracenicica” e “carta in arabico”, *Critica storica*, nouv. sér., 9 (1972), p. 117, IX, et pp. 106-121.

<sup>112</sup> AIRALDI Gabriella, “Genovesi nel mondo...”, op.cit. pp. 106-121.

<sup>113</sup> FOURQUIN Guy, *Histoire économique de l’Occident médiéval*, Paris, Armand Colin, 1990, p. 77. « Batistan » : slave market by the port.

<sup>114</sup> FONTENAY Michel, « La place de la course... », op.cit., *Annales ESC*, 43 (6), pp. 1321-1347 et op. cit., 2002, Pour une géographie de l’esclavage... , op.cit., [en ligne : <http://cdlm.revues.org/index42.html>].

<sup>115</sup> SCHMUCKER Walter, *Die Maltesischen Gefangenschaftserrinnerungen eines Türkischen Kadi von 1599*, « Archivum ottomanicum », II, 1970, p. 191-251.

<sup>116</sup> AOM (Archives de l’Ordre de Malte), National Library of Malta, AOM 473, f° 246, contrat avec des marchands juifs livournais, 10 juin 1650.

tion, from France or in North Africa, for the diplomatic, reli-

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<sup>117</sup> ACA, Cancillería, Reg 2242, f<sup>o</sup> 136v (17/4/1399), lettre de Jacques II à Philippe le Bel, 13 juillet 1310, Teruel et lettre patente de Philippe le Bel du 26 avril 1313, C, reg. 336, f<sup>o</sup> 114.

gious, or "commercial" redemption of these captives whatever their religion was<sup>117</sup>. It also seemed important to us to show how such a structuring of these exchanges took place during the Modern era, giving its basis to a structured ransom economy which preceded the development of the black slave trade.