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Venetian Merchants in Thirteenth-Century Alexandria and the Sultans of Egypt: an Analysis of Treaties, Privileges and Intercultural Relations

Pierre Moukarzel

ABSTRACT

During the thirteenth century, competition among the Italian merchants in Alexandria increased and each community sought wider trading privileges. Access to Alexandria's markets was an important addition to Venetian economic power, complementing the contemporary Venetian presence in Aleppo, in Acre and other Frankish ports, and in Constantinople after the fourth crusade in 1204. Venice differed from Pisa and Genoa in the thirteenth century because it was the only Italian merchant city that had signed four trade agreements with the sultans of Egypt. The Venetian treaties with the sultans formed the base of developing the Venetian maritime trade with Alexandria. They obtained privileges that allowed them to exercise commercial supremacy in the eastern Mediterranean. Unlike the other Italian communities settled in the sultan's lands, the Venetian merchants' privileges remained fixed and continued through the fourteenth and fifteenth centuries. This article aims to study and analyse commercial and diplomatic relations between Venice and the sultans, the Venetian merchants' privileges and their political and juridical status in Egypt.

KEYWORDS

Venice; Egypt; Sultans;
Privileges; Treaties

Introduction

During the thirteenth century, the Italian merchant cities of Venice, Pisa and Genoa concluded commercial treaties with the sultans of Egypt. Venice concluded four such treaties between 1208¹ and 1254, Pisa two in 1208 and 1215,² and Genoa only one in 1290.³ Separating Islamic countries from the Latin world, the Mediterranean in the Middle Ages was also the meeting place of these two spaces. If confrontations and conflicts existed between the two shores of the Mediterranean, they did not prevent diplomatic and commercial relations from being established and developing. Venice, like Genoa and Pisa, had maintained regular relations with Egypt and developed a diplomatic and commercial policy across the Mediterranean but differed from its rival cities in the thirteenth century

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¹While many historians have considered that the sultan al-ʿĀdil b. Ayyūb (r. 596–615/1200–1218) concluded a treaty with the Venetians in 1217, Wilhelm Heyd has explained that this is a mistake and that the correct date is 1208. Wilhelm Heyd, *Histoire du commerce du Levant au moyen âge*, volumes I–II, trans. Furcy Reynaud (Amsterdam: Adolf M. Hakkert, 1959), I: 401–4.

²Michele Amari, *I diplomi arabi del Real Archivio Fiorentino* (Florence: Felice Le Monnier, 1863), pp. 280–9.

³Antoine Silvestre de Sacy, "Pièces diplomatiques tirées des archives de la république de Gênes", in *Notices et extraits des manuscrits de la bibliothèque du roi, et autres bibliothèques*, volume XI (Paris : Imprimerie royale, 1827), pp. 35–42.

because it was the only one to have signed four commercial treaties with the sultans of Egypt, which allowed it to pursue a firm policy to seize trade and to exercise commercial supremacy in the eastern Mediterranean.

On the one hand, the thirteenth century was marked by an increase in military operations against the Frankish states in Syria and the organisation of numerous military campaigns intended to halt or slow the advance of Muslim power or to conquer new areas and retake the Holy Land. But on the other, competition among Italian merchants became greater than before. The Venetians and the Pisans seemed to maintain official relations with the sultans by concluding commercial treaties, but the role of Pisa had declined since the beginning of the thirteenth century.⁴ The Genoese, for their part, adopted a different policy and preferred to form friendly relations with particular sultans. Thus, social relations were established between certain Genoese merchants and Ayyūbid sultans. In 607/1210, a Genoese merchant called Killiam al-Faranjī al-Janawī arrived in Egypt. He succeeded in establishing ties of friendship with the sultan al-ʿĀdil Abū Bakr b. Ayyūb (r. 596–615/1200–1218), to whom he presented gifts, and asked to be part of his court. Despite the warnings of the sultan's entourage against the Genoan, who could only be a spy for the Franks, the sultan disregarded his counsellors's concerns and granted him residence in the governmental palace (*dār al-wizāra*).⁵ In addition, the Genoese were very active in the slave trade and the sultans used Genoese merchants to ask for services, and especially to play the role of intermediaries between the sultans and the Mongol khans of Persia and the Golden Horde to maintain the slave trade with Egypt. This might explain why, throughout the thirteenth century, the Genoese only signed one agreement, with the sultan al-Manṣūr Qalāwūn (r. 678–689 /1279–1290), in 1290, after the fall of Tripoli to the Mamluks in 1289.⁶

Documentary sources originating from or concerning the Venetian colonies in the Levant are abundant. The investigation and editing, in both full-text publications and summaries, of the decisions and observations of the Venetian government, commercial treaties and diplomatic correspondence with rulers in the Mediterranean regions, began in the middle of the nineteenth century with the collections of G.L.F.Tafel and G.M.Thomas, C.N.Sathas, L.Mas Latrie and were continued throughout the twentieth century. A recent research programme, the *Pacta Veneta* series published by Marco Pozza and others⁷, has presented the treaties between Venice and other rulers in the Levant, aiming to produce either a critical re-edition of known documents or the publication of new material but without specifically studying or analysing the treaties between Venice and Egypt in the thirteenth century. Some historians such as Wilhelm Heyd, Subhi Labib, Eliyahu Ashtor and others have mentioned the treaties concluded between Venice and the sultans of Egypt during the thirteenth century, referring to their clauses but without analysing their content. They have not made a specific study of them or explained the context in which they were concluded or the protocol that was followed in writing the texts. Neither has any comparison been made between

⁴Mohamed Ouerfelli, "Les traités de paix et de commerce entre Pise et l'Égypte au moyen âge", in *L'autorité de l'écrit au moyen âge (Orient-Occident)* (Paris: Publications de la Sorbonne, 2009), pp. 45–57.

⁵Aḥmad b. ʿAlī al-Maqrīzī (d. 845/1442), *Al-Sulūk li-maʿrifat duwal al-mulūk*, volumes I–VIII, ed. ʿAbd al-Qādir ʿAṭā (Beirut: Dār al-kutub al-ʿilmiya, 1997), I: 291.

⁶Peter M. Holt, *Early Mamluk Diplomacy (1260–1290): Treaties of Baybars and Qalawun with Christian Rulers* (Leiden: E.J. Brill, 1995), pp. 141–2.

⁷Marco Pozza, *I trattati con Aleppo, 1207–1254, [Pacta Veneta, volume II]* (Venezia: Il Cardo, 1990), p. 32.

these treaties and those made with the Genoese and Pisans in the same century, or those made earlier and later. The treaties and the commercial privileges granted to the Venetians and other European trading cities by sultans of Egypt have attracted the attention of historians but they have rarely studied the strategy adopted in these treaties to bring them into harmony with Islamic law and to avoid protests from Muslim jurists. The commercial treaties avoided the question of holy war (*jihād*) and focused instead on measures that should be taken to treat the Venetian merchants well. This article will investigate diplomatic and commercial relations between the sultans of Egypt and Venice during the thirteenth century and highlight in the way these treaties differ from those with other Italian merchant cities: How did the sultans grant the Venetians commercial privileges without being in conflict with Islamic law? How did they deal with Venetian doges? Did they adopt a lenient policy as part of a long tradition of successful economic relations? What was the importance of these treaties? To answer these questions, the article will first present the context of the Venetian treaties and then analyse their content, making comparison with other privileges granted to Italian merchants, and the reconciliation of the treaties with Islamic law.

Context of the Venetian treaties

Relations between the Italian cities and the Levant began before the Crusades. From the ninth century, Venetian ships frequented Alexandria, and, during the tenth and eleventh centuries, traders from Amalfi and Genoa settled in Alexandria and Fustât, living in enclosed buildings with warehouses for their goods.⁸ There is little information on the commercial activities of Italians in Egypt in the eleventh century, which took place inside their establishments, managed by agents who represented the local authorities. The role of the Amalfitans diminished gradually in the first half of the twelfth century, when they were supplanted by Pisans, Venetians and Genoese.⁹

The development of trade between Europe and Egypt saw an important expansion as a result of favourable conditions and privileges granted by the Ayyūbid and Mamlūk sultans during the twelfth and thirteenth centuries. The concession made by the sultan for a group of foreign traders to live on his territory protected them insofar as it recognised them legally and not only granted the protection of their persons and goods, but specifically gave the traders a legal and social status. The Venetians presented their requests to the sultans, who decided whether or not to approve them.

Analysis of the Venetian treaties

The extant texts of agreements concluded between Venice and the sultans of Egypt provide plentiful material and important information about the protocol adopted in diplomacy, the presence of Venetian traders in Alexandria during the thirteenth century, their

⁸Jules Sottas, *Les messageries maritimes de Venise aux XI^e et XVe siècles* (Paris: Société d'éditions géographiques, maritimes et coloniales, 1938), p.16; Claude Cahen, "Le commerce d'Amalfi dans le Proche-Orient musulman avant et après la croisade", *Comptes Rendus des Séances de l'Académie des Inscriptions et Belles-Lettres* (1977): 291–6; Benjamin Z. Kedar, "Mercanti genovesi in Alessandria d'Egitto negli anni sessanta del secolo XI", in *Miscellanea di Studi Storici II* [Collana Storica di Fonti e Studi, volume XXXVIII] (Genova: Istituto di Medievistica, 1983), pp. 291–300.

⁹Bruno Figliuolo, "Amalfi e il Levante nel medioevo", in *I comuni italiani nel regno crociato di Gerusalemme*, ed. Gabriella Airaldi and Benjamin Z.Kedar (Genova: Istituto di Medievistica, 1986), pp. 584–7, 591, 595–9.

commercial activities and their relations with the local authorities. But these texts issued by the chancellery of the sultans of Egypt are only copies translated into Latin in which it is sometimes difficult to identify the realities of the time, so we cannot compare them with their Arabic versions.¹⁰

a) Composition

The Latin copies of the agreements were composed and written formally, in the presence of negotiators and with the use of translators, on the basis of a previously written Arabic, following the practice of earlier centuries. It seems that Venetian envoys at the sultan's court in Cairo were provided with authentic full texts of historical agreements and they had to secure the revision or confirmation of many clauses that contained the expression *secundum quod est usus et costume* (according to the use and custom). This circumstance was not strange for a government as well organised as that of Venice. It is undeniable that great attention was given and a certain solemnity observed in writing and interpreting the texts, primary acts as well as their authentic copies. Clauses that had ensured long-term and substantial profits to the Venetian merchants were renewed. Certain clauses and stipulations were standard, whilst others were new and unique. The treaties concluded during the thirteenth century were a new revision of previous agreements that had been limited to simply reproducing and copying almost literally the Ayyūbid models of the twelfth century. As soon as the Venetian ambassadors arrived in Cairo carrying a letter from their sovereign, who accredited them and gave them authority to negotiate, they were received by the sultan. The streets were decorated for the occasion, candles were lit along the way and music accompanied the diplomatic convoy as it passed through a large crowd. The official celebration took place at the Citadel, with a military parade, audiences and banquets.¹¹ It was not impossible that the ceremony at the conclusion of an agreement remained virtually unchanged between the thirteenth and the fifteenth centuries, although the formulas adopted at the chancellery noting the negotiation and completion of the act were varied.¹²

The agreements that regulated the relationship between the sultans and Venetians are the primary source that allows us to address the issue of the Venetian merchant community living in Egypt, especially in Alexandria. Their main purpose was to define the rights and duties of the Egyptian authority *vis-à-vis* the Venetian traders, resolve

¹⁰There are plenty of Arabic and Latin versions for a later period, which make it possible to reconstruct the Arabic text. For example, the Florentine treaty written in Arabic concluded with the sultan in 1497, which was a copy of the Italian version of the Venetian treaty concluded in 1442, shows that these translated texts retained the original and accurate terms of the treaties concluded with the sultans. John Wansbrough, "Venice and Florence in the Mamluk Commercial Privileges", *BSOAS* 28 (1965): 483–523.

¹¹Doris Behrens-Abouseif, *Practising Diplomacy in the Mamluk Sultanate: Gifts and Material Culture in the Medieval Islamic World* (London: I.B.Tauris, 2014), p. 13.

¹²The accounts of the official reception given by the sultan at the Citadel in Cairo in the fifteenth century dwell at length on the grandeur of the sultan and the magnificent architecture of his palace, on costumes, decorations, carpets, rites, music and exchanges of gifts. The sultan solemnly welcomed the ambassadors, sitting on his throne with a sword and a shield to his right and surrounded by armed men, with all his counsellors, secretaries, clerks and other scribes standing in order according to their rank. Slaves played lutes and flutes, sang and beat kettledrums and drums. Dante Catellacci, "Diario di Felice Brandacci ambasciatore con Carlo Federighi al Cairo per il comune di Firenze (1422)", *Archivio Storico Italiano*, ser. IV, 8 (1881): 157–88, 326–34, p.172; *Le voyage d'outremer de Jean Thenaud, gardien du couvent des Cordeliers d'Angoulême, suivi de la relation de l'ambassade de Domenico Trévisan auprès du sultan d'Egypte – 1512*, ed. Charles Schefer (Paris: Ernest Leroux, 1864), pp. 183–4.

difficulties and remove political, economic and administrative obstacles that prevented the progress of the trade. The texts demonstrate how a Muslim power managed and negotiated the presence of Christian merchants in its territories. In general, they are sources that contain for the most part technical provisions strictly related to business practices and customs dues, and little about the personal status of the traders (such as security, lack of collective responsibility, death and shipwrecks, justice rendered by local authorities and the sultan).

b) Forms of address

A sophisticated protocol was followed in the form and style of the written texts exchanged between the Venetian doges and the sultans. Diplomatic style had its own peculiarities, in which phrases, sentences and words were selected to show the grandeur of the rulers and to express their mutual respect. In the thirteen century, the Ayyūbid sultans used a series of titles when introducing themselves in the treaties concluded with the Venetian doges: “friend of the caliph, friend of the caliph of Baghdad, friend of the emir of faithful”;¹³ “the highest Lord, the Emperor of the faithful who is the sword of the world and of the law, the king of kings, king of justice and of the world”.¹⁴ The sultans wanted to present themselves as the supreme representatives of Islam in the eyes of both Muslims and Christians, and they described their military and religious duties, showing themselves as great conquerors and commanders of armies with the responsibility of bearing the flag of Islam and defeating its enemies. Also, and in many different ways, they emphasised their function as supreme judges ruling and defining right from wrong. Offering more juridical guaranties for the Venetians, the sultans presented themselves as “the kings of justice”, “the sword of the world and the law”, to show themselves as the only guarantors of the restoration and preservation of justice whose main interests were to seek justice, to correct oppression, to give justice to the poor and protect them and plead their causes. They used the title “friend of the caliph” to show the relationship between secular power and spiritual authority and to present themselves as rulers of the Muslim community paying allegiance to the ‘Abbāsid caliph and being ready to defend him. This shows that the caliph, though weak, was still recognised as the head of the Muslim community and the official administrator of the holy law.

The first Mamlūk sultans adopted twelve titles to introduce themselves when negotiating with Venetian rulers: in the treaty concluded with Venice in 1254, the titles of the sultan al-Mu‘izz Aybak (r. 648–655/1250–1257) were

the consolidator king (*al-Malik al-Mu‘izz*), the lord of the free men, the connoisseur of all good, the great, the saviour, the skirmisher, the precious in law and in the world, the sultan of the Muslims, the sultan of all the sultans, the king of the Bedouins and the non-Arabs (*al-‘ajam* / Persians), who holds in his hands the house of Mecca and of its appurtenances, the lord and the sultan of Egypt and Jerusalem.¹⁵

¹³Gottlieb Lukas Friedrich Tafel and George Martin Thomas, *Urkunden zur älteren Handels- und Staatsgeschichte der Republik Venedig mit besonderer Beziehung auf Byzanz und die Levante. Vom neunten bis zum Ausgang des fünfzehnten Jahrhunderts*, volumes I–III [Vienna: Fontes Rerum Austriacarum, Oesterreichische Geschichts-Quellen, Nachdruck der Ausgabe Wien, 1857] (reprinted Amsterdam: Hakker, 1964), II: 185, 192, 416.

¹⁴*Ibid.*, 185, 192.

¹⁵*Ibid.*, 490.

The great number and variety of titles reflected the grandeur, the position and the power of the sultan, presenting him as the only defender and protector of Islam and of all the Muslims. The sultan used titles to legitimise his origins, his position and his government, insisting on his nobility, his religious and high secular rank as the leader of the Muslim world, and his superiority over all the sultans and kings.

After introducing themselves, the sultans addressed the Venetian doges using terms and titles that expressed recognition of their nobility, power and courage and religious prestige, too, followed by calls for God's blessing on them. This was a protocol adopted by the chancellery of the Ayyūbid and Mamlūk sultans from the thirteenth century up to the end of the Mamlūk period; it uses a specific series of titles although they may vary in number and in significance. In the 1208 treaty, the titles used by the sultan to address the Venetian doge were: "the strong lion, the leader of the wise men, the best soldier, the companion of the connoisseurs, the sword of the Christian law, the greatest of all the nations of the Latins, the captain of the army of all Christians", followed by calls for God's blessing: "May God increase the life of the doge, give him health and honour, and protect his property, his works and his plans for the good of his own people".¹⁶ The Ayyūbid sultans insisted on the courage of the Venetian doge as the commander of the army of all Christians, his position and his power making him the only defender and protector of all Christians.

In the 1254 treaty, the titles of the Venetian doge Reniero Zeno (r. 1253–1268) were: "the great, the noble, the most honest and virtuous, the just, the dearest captain, the upright and learned". In addition, the dominion of the doge, his territories and possessions, were added to his titles: the doge of Venice, Dalmatia, Croatia, Constantinople, Crete, Negroponte. Calls for God's blessing came after the doge's titles: "May God give life to the doge", and at the end "May God increase his life and his dominion, God be with his decisions and let him be with all those who are satisfied in God".¹⁷ In the same style as that used by the Mamlūk sultans, the Venetian doges were given a variety of titles expressing religious prestige and emphasising their great nobility. This was followed by an assertion of the doge's dominion over all his territories and possessions.

This form of address to the Venetian doge reflected the sultan's particular respect for him: he is a great and ambitious ruler exercising his authority over a large part of the Byzantine Empire, including the capital Constantinople. The use of particular and distinguished honorific titles and terms for the doge when concluding a treaty constituted a basic diplomatic process to enable the success of the negotiations. So, despite reactions against the Europeans on the part of Muslim jurists, who considered them to be infidels (*kuffār*) and enemies of Islam, and even though European monarchs were designated in chancellery books as kings of the infidels (*mulūk al-kuffār*), the sultans adopted prestigious titles and formulas to address the Venetian doges. They presented them always as honourable and noble kings, and as heads of a respectable and venerable religion. The sultans were interested in the good progress of business and the growth of trade with Europe, particularly Venice, and commercial exchanges in the Mediterranean were dependent on good relations between the sultans and the Europeans.

¹⁶*Ibid.*, 185.

¹⁷*Ibid.*, 490.

It was in the context of profits, interests and occupation of important posts on the commercial map that negotiations were taking place. All the display, such as the ceremonial protocol, traditions and customs with which the sultans presented themselves and addressed the Venetian doges cannot be understood outside of a systematic collection of regulations for the good functioning of the trading networks that linked Venice to the Ayyūbid and Mamlūk sultanate.

c) Taxation

Clauses were repeated in all the agreement texts to ensure the security of traders and their goods on land and at sea in all areas under the sultan's authority, and to solve problems that might arise at the customs house (*al-dīwān*).¹⁸ The entrance to the port of Alexandria and the passage through the customs office constituted an area of power where foreign traders were in the closest contact with the representatives of the local authority. Passage through the customs office was a constraint imposed on foreign traders and was a site of conflict between the local government and foreign traders over the method of levying taxes. The traders were anxious to preserve their acquired privileges and the Egyptian officials representing the government used every means to collect taxes and maintain control over trade. This framework within which business took place created serious problems for the traders through the risk of confiscation of their property and goods, and prevented them buying and selling freely. The measures taken by the Egyptian authorities were considered by traders as abuses that violated the treaties concluded with the sultans. For this reason, the function of the customs office was regulated by treaties containing a great number of clauses dealing with issues of disputes that might occur during the course of the commercial operations at the customs office. They covered taxation, control, buying and selling, scribes, middlemen and interpreters, and transport of merchandise to the warehouses or to the traders' *funduq*. In 1238, a scribe was seconded to the customs office at the port of Alexandria to undertake the registration of goods and duties collected from the Venetian traders, and in 1254 a new clause was added, specifying that the scribe should be a Christian.¹⁹ Other clauses in the agreements guaranteed the traders' freedom to sell and buy the products they needed as they wished, and specified that ships could load and unload their merchandise using their own small boats and equipment, thus avoiding paying additional taxes, and they were allowed to enter the port and leave it without obstacles. In addition, the warehouses containing the goods belonging to the Venetians would be opened by the guards for the time of sale without the traders being required to pay a fee.²⁰ Taxes could be divided in two categories: the canonical, which were required by Islamic law, and the non-canonical, which were imposed by Muslim authorities. The Venetians particularly asked that the amount of taxes, tolls and tips they were obliged to pay should be fixed. The ships carrying merchandise had to pay a duty of one-fifth (*al-khums*), but it might rise above that amount. According to Ibn Mamāti (d. 606/1209), the officers at the customs house might charge 35 *dīnār* duty on each

¹⁸For more information about the customs structure in Alexandria in the Middle Ages, see Alessio Sopraccasa, *Venezia e l'Egitto alla fine del medioevo: Le tariffe di Alessandria* [Études Alexandrines XXIX] (Alexandria: Centre d'Études Alexandrines, 2013).

¹⁹Tafel and Thomas, *Urkunden*, II: 340, 488.

²⁰*Ibid.*, II: 187–8, 339–40, 488.

100 *dīnār* (35%) or less than 20 *dīnār* (less than 20% or 1/5) and in both cases the duty was also called *al-khums*.²¹ Al-Qalqashandī (d.821/1418) quoted Shāfiʿī Islamic law as requiring that any foreign merchant arriving with merchandise in a Muslim country by sea must pay duty of one-tenth (*al-ʿushr*). This duty varied with the level of Muslim interest in the merchandise and might even be waived. It might exceed the one-tenth or fall by half, depending on the Muslims' needs for imported goods. The same trader would only pay once a year. Al-Qalqashandī added that, even if the trader returned to his country (*bilād al-kufr*) and then came back for trade within the same year, he would not be charged unless a compromise was reached on payment of additional duty.²² In 1238 and 1254, some imported products such as furs, skins, pearls and gems were exempted from taxes and did not need to be declared at the customs office.²³ This was a cultural choice made by the sultans and the Egyptian noble class, which led to economic dependence on foreign countries and particularly on Italian cities to provide specific luxury items. This allows us to conclude that the taxes collected from Italian ships bringing merchants and goods to Alexandria varied with import and export needs and was a fiscal policy adopted by Egyptian leaders to regulate trade. Furthermore, the Egyptian authorities encouraged Venetian traders to bring gold and silver by fixing the taxes collected on their sale and their stamp in the workshop of the State in Alexandria (*ceccam*) and abolishing any additional taxes:²⁴ the quantities of gold and silver, unrefined or in the form of coins, were auctioned off and a part of Eastern currencies used by the Venetian traders came from stamps made in Alexandria from Venetian gold and silver coins.²⁵

A comparison of the taxes paid by Venetian merchants in Alexandria with those paid by the Pisans and Genoese shows that Venetians enjoyed reductions of between 2% and 4% on taxes and fees compared with the Genoese and between 6% and 8% compared with the Pisans. The Venetians paid 10% on all their merchandise, apart from 2% on gold and silver,²⁶ while the Genoese in 1290 only paid 10% on certain kinds of goods such as camlets, *sciamito* (a heavy and thick silk fabric), *zendado* (a kind of rather smooth silk taffeta), silk sheets, woollen cloth of all colours, linen from Reims and other types of linen, gold wire and wood.²⁷ For goods sold by weight, such as olive oil, they paid 12%, while furs and gems were exempted from taxes. They were free to sell gold and silver, which they brought in different forms, as they wished, but they had to pay 6⅓% on the gold, and 4¼% on silver and on gold and silver coins.²⁸ As for the Pisans, in 1154 they obtained the privilege of paying the same taxes as were collected

²¹ Al-Asʿad Ibn Mamāti, *Kitāb qawānīn al-dawāwīn*, ed. Aziz Suryal Atiya (Cairo: Maktabat Madbūli, 1943), p. 326.

²² Abū al-Abbās al-Qalqashandī (d. 821/1418), *Ṣubḥ al-aʿshā fi ʿīnāʾat al-inshā*, ed. Muḥammad Ḥusayn Shams al-Dīn, volumes I–XIV (Beirut: Dār al-kutub al-ʿilmiya, 1988), III: 531.

²³ Tafel and Thomas, *Urkunden*, II: 339, 487.

²⁴ *Ibid.*, 340, 489.

²⁵ The Venetian gold ducat was coined in 1284, before that the Venetians started importing Byzantine gold coins. For more information, see Frederic C. Lane and Reinhold C. Mueller, *Money and Banking in Medieval and Renaissance Venice* (Baltimore, MD: John Hopkins University Press, 1985).

²⁶ The rate of 10% on goods and 2% on gold and silver paid by Venetian merchants in Alexandria remained fixed during the fourteenth and the fifteenth centuries. George Martin Thomas, *Diplomatarium Veneto-levantinum sive acta et diplomata res venetas graecas atque Levantis illustrantia (1300–1350) (1351–1454)*, volumes I–II [Venice: Venetiis Sumptibus Societatis, 1880–1899] (reprinted New York, 1966), I: 292. In 1207–1208 in Aleppo, Venetians paid 12% on imports and exports, 6% on silver. Marco Ponza, *I trattati con Aleppo 1207–1254*, [Pacta Veneta, volume II] (Venice: Il Cardo, 1990), p. 32.

²⁷ Ibn Mamāti enumerated 46 types of wood, among them a timber brought by Genoese to Alexandria called *shūh Janawa*. Ibn Mamāti, *Kitāb*, 364.

²⁸ De Sacy, "Pièces diplomatiques", 35–9. The taxes paid by the Genoese were referred to in the treaty in bezant and *miliarensis*: 1 bezant = 24 carats = 48 *miliarensis*.

from Muslims and Greeks, and later in 1173 they paid 10% only on wood, iron and tar, and 20% for grain. But in 1215–1216, the tax they were charged rose to 16% on their merchandise and 10% on gold and silver.²⁹ Moreover, the taxes paid by Venetians in Alexandria remained fixed and they enjoyed some exemptions while in Acre in the thirteenth century they rarely benefited from total exemptions and paid a long list of taxes varying between 4½% and 20% according to the type of merchandise.³⁰

c) Security

The treaties contained clauses offering a guarantee that Venetian traders would not to be held collectively responsible for the mistakes and misdeeds of one of them.³¹ An act of piracy against a Levantine vessel, or an attack against a coastal city was usually followed by the arrest of all the merchants and the confiscation of their property until a new embassy was sent to Cairo to settle the case. These clauses appeared in the treaties between Venice and the sultans after confiscations or taking of hostages. The constant repetition of clauses concerning the traders' collective responsibility allows us to consider the actual application of this privilege: did the sultans fail to keep their promises or was it simply a certain standard followed and adopted in the drafting of treaties that did not reflect the reality at the time the treaty was concluded? Both assumptions may be correct at the same time, but it must be added that, if the Venetians introduced into each treaty with the sultan a clause dealing with the issue of the traders' collective responsibility,³² it was a preventative measure to ensure the safety of their nationals in case of any unforeseen incident that may threaten their trade and stay in Egypt.

The treaty concluded in 1208 guaranteed the security and protection not only of Venetian traders but also of pilgrims travelling on board Venetian ships to visit the Holy Sepulchre in Jerusalem.³³ It seems that, during the thirteenth century, pilgrims came on Venetian ships to Alexandria and then travelled by land to Jerusalem through areas dominated by Muslims, benefitting from the good political relations between Venice and the sultan of Egypt. But the clause concerning the safety of pilgrims and their goods does not appear in the treaties of 1238 and 1254; this may have been due to a drop in the number of pilgrims landing in Alexandria. Pilgrim traffic was oriented toward Acre.³⁴

On the issue of shipwreck, treaties incorporated clauses guaranteeing safety for men and goods. The sultan promised in 1238 not only that Venetians' goods would be restored but also that his subjects would help the Venetians recover them.³⁵ In addition, when a trader died, his will was respected and executed, with his assets given to the person he

²⁹Amari, *I diplomi*, 247, 258.

³⁰Auguste Arthur Comte Beugnot, *Assises de Jérusalem ou recueil des ouvrages de jurisprudence composés pendant le XIII^e siècle dans les royaumes de Jérusalem et de Chypre*, volumes I–II (Paris : Imprimerie royale, 1843), II: 173–8.

³¹Tafel and Thomas, *Urkunden*, II: 338, 486.

³²For information about the question of traders' responsibility, individual and collective, see: Avner Greif, "Institutional Foundations of Impersonal Exchange: From Communal to Individual Responsibility in Pre-modern Europe", *Journal of Institutional and Theoretical Economics* 158 (2002): 168–204.

³³Tafel and Thomas, *Urkunden*, II: 187.

³⁴Acre fulfilled an exclusive role in pilgrim traffic during the thirteenth century, especially after the loss of Jerusalem in 1244 and the establishment of an institutionalised pilgrimage in Acre itself after 1258. David Jacoby, "Pilgrimage in Crusader Acre: The Pardons d'Acre", in *De Sion exhibit lex et verbum domini de Hierusalem: Essays on Medieval Law, Liturgy, and Literature in Honour of Amnon Linder*, ed. Yitzhak Hen [Cultural Encounters in Late Antiquity and the Middle Ages] (Turnhout: Brepols, 2001), pp. 105–17.

³⁵Tafel and Thomas, *Urkunden*, II: 338, 484.

had designated, and his body could be buried without the payment of any fees. If a trader died intestate, his possessions were given to the consul to be sent to Venice, but if it happened that the consul was not present in Alexandria, they were forwarded to the Venetian *baiulus* in Acre.³⁶

d) Housing (*funduqs*)

The treaties included clauses concerning the question of Venetian traders' housing and living conditions: merchants enjoyed a number of privileges that allowed them to have a *funduq* in Alexandria, a bath, an oven, a water tank, and even the right to maintain a church. The *funduq* of the Venetians, and of the Italian communities in general, in Alexandria was not only serve to house the traders and provide a warehouse for their goods. It also constituted a gathering place for foreign traders in the city, forming an autonomous unit that incorporated certain functions necessary for the life of the community separate from the local inhabitants, protecting the traders in case of disturbances in the city.³⁷ The Venetians, along with the other merchant communities, did not own their *funduq*. It was made available to them by the Egyptian authorities and was closed to other nationalities. The only door was carefully guarded and entry was controlled by the consul, who was responsible for the *funduq* and all those who lived in it. Without his agreement nobody could enter or bring his goods there.³⁸ It is very likely that Venice had obtained a *funduq* in Alexandria in 1172, thanks to the excellent relationship between the doge Sebastiano Ziani (r.1172–1178) and the sultan Ṣalāḥ al-Dīn al-Ayyūbī (r. 569–589/1174–1193).³⁹ The acquisition of this *funduq* may also be related to the Venetians' increased commercial activity in Egypt, following their exclusion from Byzantine trade in 1171.⁴⁰ In 1208, the sultan confirmed their right to possess their own *funduq* called “Soguediki”, probably a corruption of the Arabic name *Sūq al-dīk* (the market of the rooster).⁴¹ They later obtained a second *funduq* and the treaty concluded with the sultan al-ʿĀdil Sayf al-Dīn (r. 635–637/1238–1240) in 1238 including a clause confirming their possession of it.⁴² This privilege granted to the Venetians was related to the increased number of Venetian

³⁶*Ibid.*, 339, 486. The Venetian *baiulus* or *bailo* in Acre was responsible for all the Venetian consuls living in the East. The word *baiulus* originally meant originally “porter”. The term was first used in Latin translations of Arabic documents of the second half of the twelfth century (such as the treaty concluded between Ṣalāḥ al-Dīn al-Ayyūbī and the Pisans in 1174). It initially referred only to Muslim officials, which may hint at its being literal translation of the word *wazīr*, which also originally meant “porter”. See Amari, *I diplomati*, 257–61. The *baiulus* was more important than the consul and he had also a diplomatic function, while a consul was seldom charged with international politics. Maria Pia Pedani Fabris, “The Oath of a Venetian Consul in Egypt (1284)”, *Quaderni di Studi Arabi* 14 (1996): 215–22, p. 215.

³⁷Dominique Valérian, “Les fondouks, instruments du contrôle sultanien sur les marchands étrangers dans les ports musulmans (XIIe-XVe siècle)?”, in *La mobilité des personnes en Méditerranée de l'Antiquité à l'époque moderne: Procédures de contrôle et documents d'identifications*, ed. Claudia Moati (Rome: École française de Rome, 2004), pp. 677–98, esp. 681–4.

³⁸Olivia Remie Constable, *Housing the Stranger in the Mediterranean World. Lodging, Trade, and Travel in Late Antiquity and the Middle Ages* (Cambridge: Cambridge University Press, 2003), p. 282.

³⁹Jacoby, “Les Italiens”, 79.

⁴⁰On 12 March 1171, the Byzantine Emperor Manuel I Komnenos arrested all the Venetians settled in the emporium and confiscated their goods. In September 1171, war was declared between Venice and the Empire as a result of the attack launched by the Venetians on Negroponte. Relations between the Venice and the Byzantines were suspended till 1189. Sottas, *Les messageries*, 20–1; Jean-Jacques Marc Armingaud, *Histoire des relations de Venise avec l'Empire d'Orient depuis la fondation de la République jusqu'à la prise de Constantinople au XIIIe siècle* (Paris: Imprimerie Impériale, 1868), pp. 98, 109.

⁴¹Tafel and Thomas, *Urkunden*, II: 189.

⁴²Tafel and Thomas, *Urkunden*, II: 338.

traders visiting Alexandria, and the fact that many of them extended their stay beyond a brief call or stopover in Alexandria for economic or maritime reasons. A clause in the treaty of 1238 mentions that the Venetian consul was assisted in fulfilling his tasks by two *fonticarii*, each of whom managed one of the two *funduqs*, and they exercised a juridical function delegated to them by the consul. In addition, they were able to enter and leave the *funduqs* as they wished.⁴³ The treaty concluded with Sultan al-Mu'izz Aybak (r. 648–655/1250–1257) in 1254 included a clause insisting on the closure of the *funduqs* on Fridays at the time of prayer, when Muslims gathered in mosques and the streets became empty, but on other days it was left to the consul to decide.⁴⁴ These measures imposed by the Egyptian government were aimed at protecting the Venetian traders and avoiding possible incidents with the local population in Alexandria. One of the functions of these two *funduqs* was to ensure that Venetians would have access to their own law and dietary customs (pork, wine, etc ...) while in a Muslim city. Inside their two *funduqs*, the Venetian traders were allowed to drink and sell wine: from 1208, they had been allowed the privilege of bringing wine to Egypt without obstacles for their own use inside their *funduqs* and the sultan gave orders to the custom offices in Cairo and Alexandria not to bother them when they were transporting it. But in 1254, Sultan al-Mu'izz Aybak granted them the privilege of selling wine inside their two *funduqs* in Alexandria. In addition, he authorised them to build an oven inside one of the *funduqs* to make their own bread.⁴⁵ The traders were strictly forbidden to enter into commercial transactions concerning wine with the Muslim inhabitants: according to Islamic law, trade in wine was allowed among *dhimmīs* but it was forbidden among Muslims or between Muslims and *dhimmīs*.⁴⁶ Access to the *funduq* was not in fact forbidden to Muslims or other subjects of the sultan, but their dealings with the Venetian traders were under the control of the local governors, who were obliged to show conformity with Islamic law inside a big city such as Alexandria because of the pressure from religious scholars (*'ulamā'*), who insisted on its rigorous application. These measures guaranteed the traders a certain level of protection from the local population in the city, particularly in the event of any disturbance. In addition, it was more convenient for the traders to be separate from the rest of the inhabitants because, even though Muslims and Christians could share an oven, the local authorities were concerned about the possibility that the traders, who were western foreign Christians, might contaminate the oven by using it to cook pork or dishes containing pork fat. Despite the risk of fire, it was safer to locate the traders' ovens within the *funduqs*, and also more convenient for the local inhabitants when the *funduqs* were locked at night.⁴⁷ The inside of the Venetian *funduq* in Alexandria was thus a free space in which the local authorities did not interfere. In treaties, there is no mention of conflicts between Venetians and the Egyptian government inside the *funduq*; it was the space that treaties clearly specified was reserved for the Venetian traders. The renunciation of the authority to intervene in the *funduq* contributed to giving this building a particular

⁴³*Ibid.*, 338.

⁴⁴*Ibid.*, 486. It seems that after the reign of Sultan Qalāwūn, the function of the *fonticarii* was abolished: The chronicler Shāfi' bin 'Alī (d. 730/1313) wrote that, during the reign of Sultan Qalāwūn, the local authorities in Alexandria kept the keys of the European *funduqs* at night and at the time of the prayer on Fridays. Shāfi' b. 'Alī, *Kitāb al-faḍl al-ma'thūr min sirat al-malik al-mansūr*, ed. 'Umar 'Abd al-Salām Tadmuri (Beirut: Al-Maktaba al-'Asriyya, 1998), p. 122.

⁴⁵Tafel and Thomas, *Urkunden*, II: 193, 339, 486.

⁴⁶Antoine Fattal, *Le statut légal des non-musulmans en pays d'islam* (Beirut: Dar El-Machreq, 1995), p. 151.

⁴⁷Constable, *Housing the Stranger*, 275.

status of “extraterritoriality”, creating a space aside where derogation from the common rules of Islamic law could be applied, and where the sovereignty of the Muslim power was not practised. This did not amount to the modern concept of diplomatic immunity, though there were diplomatic privileges.⁴⁸

The Egyptian authorities were also interested in maintaining security and hygiene in the area surrounding the *funduq*. In the treaty of 1254, there is a clause indicating that the fish market in front of the Venetian *funduq* should be relocated to another part of the city.⁴⁹ In addition, after the treaty concluded in 1238, the sultans granted privileges to the Venetians authorising them to maintain a church and to use a bath, both located outside their two *funduqs*, without paying fees.⁵⁰ These were the church of St Michael and the bath called *chalige*, probably a corruption of the Arabic word *al-khalij* (the canal that crossed Alexandria).⁵¹ They did not belong to the Venetians but were exclusively at their disposal so members of other European communities were forbidden to enter them and the treaty concluded in 1254 with Sultan al-Mu'izz Aybak granted the Venetians a new privilege, specifying that the private owner of the bath would put it in good condition at his own expense.⁵²

Comparing the situation of the Venetians in Alexandria ruled by Muslims with their quarters in Acre and Tyre, and Constantinople before 1204, they enjoyed exceptional privileges. They had two *funduqs* inside the city, while the Pisans and the Genoese had only one each, and were allowed from 1254 to sell wine inside them. In addition, the Venetians were protected from the local authorities even in time of war, while in cities ruled by Franks they did not always succeed in maintaining their privileges because of changes of circumstance and competition with Pisans and Genoese.⁵³ On the other hand, the Venetians were also present in Aleppo and Latakia, which were ruled by Ayyūbids and from 1207–1208 were granted a *funduq*, a bath, an oven and a church, but the treaties did not contain any clause authorising the sale and drinking of wine inside the *funduq*.⁵⁴ Even though wine was officially prohibited, it appears that in Alexandria the restrictions were less onerous than in other places with a Muslim majority and Europeans living in Alexandria could only purchase wine from inside the Venetian *funduq*.

e) The Venetian consuls

The Venetian consuls, enlightened representatives of the interests of their communities who dealt with the affairs of their traders, obtained privileges that allowed them to carry out their activities without the intervention of Egyptian officials to stop them. They took charge of legal and administrative procedures for their nationals. In 1238, the treaty concluded between Venice and Sultan al-ʿĀdil Sayf al-Dīn recognised the jurisdiction of the consul in disputes between Venetians Christians (Latins) by applying Venetian law, while the Egyptian juridical authorities settled disagreements between Venetians

⁴⁸*Ibid.*, 281; Valérian, “Les fondouks”, 691–2.

⁴⁹Tafel and Thomas, *Urkunden*, II: 488.

⁵⁰*Ibid.*, 339.

⁵¹*Ibid.*, 487.

⁵²*Ibid.*, 487.

⁵³Michel Balard, “Les républiques maritimes italiennes et le commerce en Syrie-Palestine (XI^e–XIII^e siècles)”, *Anuario de Estudios Medievales* 24 (1994): 327–32.

⁵⁴Pozza, *I trattati*, 32, 41, 53.

and Muslims.⁵⁵ The Venetian consuls enjoyed the privilege of having a house and a staff at their disposal.⁵⁶ Furthermore, according to the treaty concluded in 1254, the consul, his three assistants and the two *fonticarii* were the only individuals exempted from paying the *jāliya* (or *jizya*), which was collected by the Egyptian authorities from all foreign traders who extended their stay in Egypt for longer than one year.⁵⁷ It seems that this privilege was exceptional and given uniquely to the Venetians. The Pisan and Genoese consuls did not have the privilege exemption for themselves and their servants from the *jizya*, unlike the Venetian consul; the treaties did not contain any clause concerning this privilege. The treaty of 1254 fixed the annual salary of the Venetian consul in Alexandria at 1,000 bezants, to be paid by the Venetian doge or the Venetian *baiulus* in Acre.⁵⁸ The consul sometimes remained in his position for more than a year. In 1271, the *Maggior Consiglio* of Venice fixed the period of service of the consul of Alexandria at two years, like other officers occupying posts overseas, but the consul sometimes returned to Venice before the expiry of his mandate.⁵⁹ The treaties ensured him the freedom to travel as he wished.

The reading and the interpretation of the treaties between Venice and the sultans shows that, from a legal point of view, and even in the actual application, the nationals of Venice constituted a group independent of other Italian communities that had settled in Alexandria. They did not form a juridical community or even a social community, since they were located in their own *funduqs* led by their consul; also, they had their own churches and all the buildings they needed were separated from other communities. The clauses in the treaties show that everything was done between Venice and the sultans to maintain the safety of the Venetians and their goods, and to avoid problems with the sultan's subjects. Privileges offered to Venetian merchants allowed them to be accepted by the native population and to settle among them without danger. So they found in Alexandria a place that was familiar to them, adapted to their needs and activities, and a system that facilitated their arrival and their stay and organised their business and contacts with local inhabitants. Despite the treaties, however, Venetians always encountered difficulties in trade during their stay in the Levant. They had acquired a recognised place but one that was fragile and unstable and which varied according to circumstances and political and military changes.

⁵⁵*Ibid.*, 338. Sultans had an interest in appearing as just and ideal rulers who adhered to correct Islamic codes. The Ayyūbid al-Kāmil Muḥammad (r. 615–635/1218–1238) built a special house of justice (*dār al-adl*) within the Cairo Citadel around 1207 to hear *mazālim* (injustices). After the Ayyūbids, Sultan al-Zāhir Baybars (r.658–675 /1260–1277) decided to install his own *dār al-adl* below the Citadel in 1264. Albrecht Fuess, "Zulm by Mazālim: The Political Implications of the Use of Mazālim Jurisdiction by the Mamluk Sultans", *Mamluk Studies Review* 13 (2009): 121–47, pp. 124–5.

⁵⁶In 1284, the consul in Alexandria had to be accompanied by three servants and a secular priest who had to be also a notary; he had to give them clothes worth ten liras. Pedani Fabris, "The Oath", 218 ; David Jacoby, "Le consulat vénitien d'Alexandrie d'après un document inédit de 1284", in *Chemins d'Outre-Mer: Études d'histoire sur la Méditerranée médiévale offertes à Michel Balard* (Paris: Publications de la Sorbonne, 2004), pp. 461–74, esp. 464.

⁵⁷Tafel and Thomas, *Urkunden*, II: 486; Ibn al-Naqqāsh (fl. seventh/fourteenth century), "Fetoua relatif à la condition des zimmis, et particulièrement des chrétiens, en pays musulmans, depuis l'établissement de l'islamisme, jusqu'au milieu du VIII^e siècle de l'hégire", ed. M.Belin, *Journal Asiatique* 19 (1852): 97–139, pp. 111, 118–19.

⁵⁸Tafel and Thomas, *Urkunden*, II: 486. Good bezant was equivalent to the *dinār* (gold coin minted in Islamic countries) but they were not the same currency. Bezant was the Byzantine gold coin.

⁵⁹David Jacoby, "L'expansion occidentale dans le Levant: Les Vénitiens à Acre dans la seconde moitié du treizième siècle", *Journal of Medieval History* 3 (1977) : 225–64, p. 231. Documents show that from 1264 a local *Maggior Consiglio* probably composed of twelve members assisted the consul in Alexandria following the example of the Venetian communities in the coastal cities of the eastern Mediterranean. *Ibid.*, 232–3.

The treaties do not mention the traders being authorised to be accompanied or joined by women of their own religion. The lack of this privilege did not favour the lengthening of their stay and opposed the formation of a new local population.⁶⁰ Despite the privileges granted to the Venetians concerning the duration of their stay in Alexandria, the space in their *funduqs* restricted their demographic and social integration in Alexandria and contributed to the growth of their residential and social segregation, forming a barrier against their moving closer to the local population and the integration in eastern society. Thus, the nature of the presence of Venetians in Alexandria was illustrated by two phenomena: they retained their own individual names, and they formed a social group distinct from its oriental surroundings. The traders were identified by the city they were from; they are referred to in the treaties as Venetians or, when the reference includes merchants of other European communities, as Christians, but at no time are they described or presented as local inhabitants of Alexandria. Although Venetian merchants enjoyed commercial facilities, they never received privileges that gave them complete freedom of trade. For strategic and economic reasons, they remained under the control of the Egyptian authorities in Alexandria during their residency in their *funduqs* and also when they frequented markets or moved about within the city: it seems that public places were open to traders, but they were prohibited from entering mosques.⁶¹

The sultans were interested in protecting the Venetians in Alexandria as a necessary contribution to public prosperity and the benefit of the Treasury. Their presence in Alexandria was not threatened by the wars between crusaders and Muslims because the treaties guaranteed their protection and they were not even affected by the severe measures imposed by the sultans on *dhimmīs*.⁶² Apart from inevitable occasional abuses and sporadic incidents, Venetians traders usually lived without too much trouble in Alexandria, which had a Muslim majority population. The problems at the customs house and the tendency of the Egyptian authorities to retaliate against the guilty for any wrongdoing occasionally endangered these groups of traders. It was a wise decision by the sultans to limit punishments for Venetians, or European traders in general, to imprisonment and caning, in the interests of the sultanate and to prevent the deterioration of relations with European monarchs. The application of the death penalty or punishing traders with mutilation could cause the suspension of trade with Europe and the loss of merchant communities from Alexandria.⁶³ The sultan's judicial function was of greater significance and was institutionalised and closely associated with the prerogative of the ruler, so that it resulted in the creation of what was in effect a royal court of justice with a known and regular procedure: this was the court of justice court for *mazālim*. The sultan presided over this court, applying justice to give the Europeans their rights, to protect them and

⁶⁰In the fourteenth and the fifteenth centuries, Venetian merchants had female servants. But all the free women who appear in the registers of Venetian notaries in Alexandria were of Greek origin and most of them were widows of innkeepers, and old women. In addition to servants, the merchants also had slaves, more often, slave-girls. Eliyahu Ashtor, *Levant Trade in the Later Middle Ages* (Princeton, NJ: Princeton University Press, 1983), pp. 407–8.

⁶¹Symon Semeonis, "Le voyage de Symon Semeonis d'Irlande en Terre Sainte", ed. Christine Deluze, in *Croisades et pèlerinages: Récits, chroniques et voyages en Terre Sainte XIIe-XVIe siècle*, ed. Danielle Régnier-Bohler (Paris: Robert Laffont, 1997), 959–996, p. 974.

⁶²Emmanuel Sivan, "Notes sur la situation des chrétiens à l'époque ayyubide", *Revue de l'Histoire des Religions* 172 (1967): 117–30, p. 124.

⁶³Yvon Linant de Bellefonds, "kānūn", in *Encyclopédie de l'Islam*, new edition, volumes I–XII (Leiden: Brill, 1991), VI: 580.

to show them consideration. It was a form of international law resulting from the combination of the *sharī'a* provision regarding relations with non-Muslim territories and the treaties concluded with Venetian doges, which governed relations between the Egyptian authorities and the Venetian merchants settled in Egypt.⁶⁴ On the other hand, there was a particular institution, the “community responsibility system”, which enabled Venetian merchants to commit to keeping their contractual obligations in impersonal exchanges. Commitment was achieved by providing local and partial courts with incentives to protect the property rights of merchants and to enforce contracts impartially on their behalf. By fostering impersonal exchange and institutional development, the community responsibility system laid the foundations for its own replacement by overarching systems of law-based exchange.⁶⁵

Thus, in “minority”–“majority” relations, Venetian merchants appeared privileged with respect to the juridical law. The sultans concluded treaties offering privileges to the traders in order to increase business profits, which led to a system for the dispensation of justice that had a religious origin but was modified according to circumstances and the interests of the sultans. These latter wanted to attract Venetians to the markets of Alexandria to develop and expand their commerce. They granted privileges to the traders by concluding treaties, but at the same time the local authorities in Alexandria did not lose any opportunity to collect money (administrative fees, customs dues and taxes) from them. The most important aspect was the perception of money, because all relationships with Venice were essentially based on material interests. The main objective of the sultans was to accept the “infidel” and take advantage of his wealth in order to provide resources for the Treasury. Venice opposed these measures, constantly requesting privileges according to customs and traditions to increase their trading profits and, with such a system of government greedy for money, they sought above all to avoid financial demands in their complaints to the sultans. These relationships played out within the framework of competing interests between the two shores of the Mediterranean.

The treaties and Islamic law

The treaties concluded during the thirteenth century were a new revision of previous agreements. Arabic was the language of the original texts issued by the sultans' chancellery and it was then translated by the consuls and their interpreters to provide a copy for the European envoys. Until the middle of the fourteenth century, the texts were translated into Latin, but later they were translated into various European vernaculars. The extant treaties between Venetian and the sultans in the thirteenth century are only copies written in Latin and we are not able to compare them with their Arabic versions. It is disputed whether these versions, which completely replaced the Arabic texts, really gave the Venetians, through the medium of a translation alone, gave a clear, exact and complete enough sense of the original Arabic for all the needs of relations and trade between Venetians and the sultans. The treaties did not show such formal attestations of the original

⁶⁴Jorgen S. Nielsen, *Secular Justice in an Islamic State: Mazālim under the Bahārī Mamlūks, 662/1264–789/1387* (Istanbul: Nederlands Historisch-Archaeologisch Instituut te Istanbul, 1985), pp. 112–13; Peter M. Holt, “The Position and Power of the Mamlūk Sultan”, *BSOAS* 38 (1975): 237–49, p. 247.

⁶⁵Avner Greif, “The Birth of Impersonal Exchange: The Community Responsibility System and Impartial Justice”, *Journal of Economic Perspectives* 20 (2006): 221–36.

Arabic versions, but the reference to the translator outlined at the end indicated that the Venetian text was compiled from a first copy written in Arabic and based on previous petitions or negotiations.⁶⁶

The Venetian treaties in the thirteenth century were safe-conducts (*amān*) more than real treaties.⁶⁷ The *amān* corresponded to the term *sint salvi et securi*, which appeared several times in the clauses of the treaties.⁶⁸ Venetian traders were not subject to the *dhimma* status, which protected non-Muslims from a levy, but they enjoyed a promise of protection (*‘ahd al-amān*), which meant that a non-Muslim who came from “the land of the war” (*dār al-ḥarb*) was legally protected following a treaty between the sultan and the European trading cities which fixed frames of a particular status of the current law in the countries subjected to the sultan. Non-Muslims were granted two types of *amān*: general (*‘amm*) and particular (*khāṣṣ*). The first was granted to an unlimited number of persons, such as the inhabitants of a particular region, and was only given by the sultan or his deputy (*al-nā’ib*), in the case of a truce, for example, while the second was granted to one person or a limited number of persons by any Muslim taxpayer, even including those who did not have the ability to fight (such as slaves, women, old men, the mentally impaired and the insolvent).⁶⁹

The *amān* offered an easier basis for the establishment of commercial relations with European states than did the law of armed truce. It was valid when there was a state of war between Muslims and the community to which the non-Muslim in question belonged or when war had been temporarily suspended by a treaty or truce. With the development of trade between Christian powers and the Muslim world from the end of the twelfth century, the institution of the *amān* was in practice replaced by treaties concluded between the sultan and the main European merchant cities, particularly the Italian cities, which provided more security and more rights to foreigners, traders and pilgrims. The *amān* given by the sultan did not have its origin in the Muslim notion of *amān*. It was not about protection for a limited period of time so that, once the indicated period had expired, the protected person/s would be in danger (according to the various schools of Muslim law, the duration of the *amān* might not exceed one year), but was rather more a kind of treaty between the sultan and European merchant cities.⁷⁰ In the treaty of 1254, Venetian traders were allowed to leave Alexandria in time of war unimpeded, with their goods and all other persons travelling with them on board their ships.⁷¹ And because of the development of trade during the thirteenth century, treaties were not limited to ten years, as was claimed by Islamic jurists.⁷² The sultans were able to maintain this situation, which sometimes aroused religious protests, by taking advantage of political and legislative powers granted by Muslim jurists who were forced to support such changes in the execution of Islamic law in the higher interest of the Muslim community: although

⁶⁶Tafel and Thomas, *Urkunden*, II: 489–90.

⁶⁷For more information about treaties and alliances concluded between the sultans and the Frankish States, see Michael Köhler, *Alliances and Treaties between Frankish and Muslim Rulers in the Middle East: Cross-cultural Diplomacy in the Period of the Crusades*, trans. Peter M. Holt, ed. Konrad Hirschler (Leiden: Brill, 2003); Holt, *Early Mamluk Diplomacy*.

⁶⁸Tafel and Thomas, *Urkunden*, II: 187, 191, 337, 416, 484.

⁶⁹Al-Qalqashandī, *Ṣubḥ*, XIII: 322.

⁷⁰For more information, see: John Wansbrough, “The Safe-Conduct in Muslim Chancery Practice”, *BSOAS* 34 (1971): 20–35.

⁷¹Tafel and Thomas, *Urkunden*, II: 484.

⁷²Al-Māwardī (d. 450/1058), *Al-aḥkām al-sultāniyya wa-l-wilāyat al-dīniyya*, ed. Aḥmad Mubārak al-Baghdādī (Kuwait: University of Kuwait, 1989), p. 69.

some jurists were convinced that any innovation (*bid'a*) that was not based on a previous ruling dating from the time of the Prophet was bad, they found themselves obliged by circumstances to make some concessions.⁷³ The sultans were absolute sovereigns whose political independence was recognised by jurists and the latter applied theories to justify in law the existence of such potentates, for whom there was no place in the original concept of the Muslim caliphate. Hence, the focus of jurists' interest moved away from the theoretical legitimate leader to the legitimate exercise of power.⁷⁴ The jurists called for harmonisation between the law and procedures of Islamic jurisprudence (*fiqh*) and the practical requirements of government (*siyāsa*), and admitted that the sultans had the right to pass legislation in order to govern effectively.⁷⁵ As the only true protector of Muslims and the only one who had the power to ensure the interests of Muslims and maintain order in the country under his authority, the sultan was designated as the leader of the believers and the companion of the caliph, and he was considered as the only guarantor of justice and security. This justified the power of the sultan and gave him an almost divinely-approved position that allowed him to bypass the need to justify his actions and the laws he promulgated. The power of the sultan had been the result of divine providence, and his subordinates had thus necessarily to follow his orders as if they came from God himself.⁷⁶

In conclusion, the general safe-conducts (*amān 'āmm*) granted by the sultans to the Venetians saw a development in the thirteenth century, when commercial and political relations between Egypt and the European merchant cities intensified, so they contained not only clauses guaranteeing security for persons and properties but also a great many clauses concerning commercial privileges. They might also be issued in the form of a decree (*marsūm*) composed from orders containing the claims of the Venetians and the privileges granted to them in Egypt and all regions under the sultan's authority. The sultan's decree was sent like a circular to all the emirs, governors and high officials of the provincial administration on the understanding that they would adopt it and execute the sultan's orders. So the agreements concluded between the Venetians and the sultans in the thirteenth century were developed versions of general safe-conducts and/or decrees, while peace agreements with Franks in Syria were truces. The commercial treaties took the form of a unilateral dispensation by the sultan, whereas a truce was a bilateral agreement. A comparison between the two types of contract shows that the form and style of writing the texts were different, although they shared some clauses related to the merchants' privileges.⁷⁷

According to the Islamic legal theory, there was a difference between the land of Islam (*dār al-islām*) and the land of war (*dār al-ḥarb*) and relations between these two worlds should be one of war (*jihād*), indicating that Islam was meant to encompass the whole

⁷³James Robson, "Bid'a", in *Encyclopédie de l'Islam*, New Edition, volumes I–XII (Leiden-Paris: Brill, 1975), I: 1234.

⁷⁴Holt, "Position and Power"; Jean-Claude Garcin, "Le sultan et pharaon (la politique et le religieux dans l'Égypte mamluke", *Hommages à François Daumas*, volumes I–II, ed. Institut d'Égyptologie (Montpellier: Université Paul Valéry, 1986), I: 261–72; J.H. Kramers and C.E. Bosworth, "Sultān", in *Encyclopédie de l'Islam*, New Edition, volumes I–XII (Leiden: Brill, 1998), IX: 885–6.

⁷⁵F.E. Vogel, "Siyāsa", in *Encyclopédie de l'Islam*, New Edition, volumes I–XII (Leiden: Brill, 1998), IX: 723–4; Joseph Shacht, "Fikh", in *Encyclopédie de l'Islam*, New Edition, volumes I–XII (Leiden: Brill, 1977), II: 911.

⁷⁶Patricia Crone, *God's Rule: Government and Islam. Six Centuries of Medieval Islamic Political Thought* (New York: Columbia University Press, 2005), p. 378; Louis Gardet, *La cité musulmane: Vie sociale et politique* (Paris: Librairie Philosophique J. Vrin, 1954), p. 165; Garcin, "Le sultan", 269.

⁷⁷Holt, *Early Mamluk Diplomacy*, 8–11.

world, if necessary by force. But these theories were not in conformity with the circumstances and exigencies of the sultans and Islamic rulers who were in contact with Frankish states and European merchant cities, in particular the Italians. The sultans tried to maintain their interests by safeguarding all the conditions necessary to develop commercial activities in Egypt in order to increase their revenues by taxing transit trade between India and Europe. They preferred the establishment of good and fruitful relations with the Venetians, who were very active in Egypt in the thirteenth century. Furthermore, the duration of the Venetian treaties, which were general safe-conducts (*amān ʿāmm*), was different from that of truces: al-Qalqashandī mentions that, according to Shāfiʿī law, a truce should not exceed four months if the Muslims were strong and secure, but if the Muslims were in a state of weakness and fear it could extend to ten years, and that could be further extended for other ten years, two or three times as long as it continued to be effective.⁷⁸ Of course, sultans were not weak and fearful in their truces with Frankish states or in their treaties with Venetians; rather, this was a policy adopted by the sultans and supported by the jurists, resulting in a strategy that had a religious origin but which had been modified to suit the circumstances and the interests of the sultans and the Muslim community.

Conclusion

The treaties concluded between Venice and the sultans of Egypt during the thirteenth century were the result of a policy adopted by the sultans to develop trade and increase their incomes, allowing Muslims to receive all the European products they needed without the risks of travelling to Europe. All the material opportunities and the juridical guaranties offered to the traders were under the supervision of the Egyptian government, which asserted its presence within the commercial context through collection of taxes, control on trade and other methods. The Venetian treaties with the sultans in the thirteenth century formed the basis on which Venetian sea trade during the period following the fall of the Latin States in the Levant in 1291 was re-organised and developed. Unlike the other Italian communities settled in the sultan countries, the Venetians' privileges remained fixed and continued through the fourteenth and fifteenth centuries. The clauses of the Venetian treaties in the thirteenth century differed from those of the fourteenth and fifteenth centuries in only five points: freedom to settle in Alexandria and Syrian cities and ports; the exemption of all Venetian merchants from paying the *jizya*; the increase of the powers of the court of *mazālim*; authorisation to wear oriental dress when travelling outside the city to purchase local products; authorisation to ride on horseback, which was a right strictly denied to the sultan's non-Muslim subjects.⁷⁹

The treaties concluded between Venice and the sultans of Egypt show that both parties had the political will to maintain residential segregation and to limit contacts with local inhabitants to avoid harmful clashes. But the separation of the Venetian merchants from the population served as a mean of political and fiscal control, for the Egyptian authorities as well as for the Venetians. It was in the context of trade that Venetians settled in

⁷⁸Al-Qalqashandī, *Ṣubḥ*, XIV: 8.

⁷⁹Pierre Moukarzel, "La législation des autorités religieuses et politiques sur les marchands européens dans le sultanat mamelouk (1250–1517)", in *Religious Cohabitation in European Towns (10th–15th Centuries)*, ed. Stéphane Boissellier and John Tolan (Belgium: Brepols, 2014), 121–139, pp. 130–3.

Alexandria during a period that was undergoing political, military and economic change, but, even if they lived in a predominantly Muslim town, their relations with the natives did not go beyond trade and, despite staying for long periods (at least a year and sometimes more), they remained strangers who did not belong to this world that was different in civilisation, culture and religion.

The privileges granted by the sultans to the Venetians allowed them to enjoy a status distinct from that of other minority groups in Alexandria but their situation, although it was recognised officially, remained fragile and dominated by the consent of the sultan, who could change his attitude depending on where his interests lay. The main goal for the sultans was to regulate trade with Venice by directing it towards particular markets and by controlling operations and activities of the Venetian merchants, which brought revenues to the state treasury.

Although the treaties granted the Venetians freedom to carry on business in Alexandria and to move about within the territories subject to the sultan, they lived in their *funduqs* according to their own rules established by the government of their city, separated from the rest of the inhabitants. It is true that treaties between Venice and the sultans of Egypt established valid rules for organising the presence of traders in Alexandria, even if they were in contradiction to the current Islamic law, but traders remained foreigners in an indigenous society, despite long stays in the city and their constant presence in the markets. They had no particular interest in the places where they operated and the framework within which trade took place was not important for them. Their whole interest was limited to having a space in which they could form an organised network to exchange goods and control seasonal fluctuations and market prices in order not to miss opportunities to buy and sell. This reflects more clearly the background to the problem of their integration in the indigenous society and participation in the life of the place in which they were located.