

EMBARGO: THE ORIGINS OF AN IDEA AND THE IMPLICATIONS OF A POLICY  
IN EUROPE AND THE MEDITERRANEAN, ca. 1100 – ca. 1500

by

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To my family

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## CHAPTER 1 INTRODUCTION

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The Spanish word ‘embargo,’<sup>1</sup> attested in English since at least 1602 and perhaps as early as 1593,<sup>2</sup> may have made it into the language as a result of the Spanish embargo against England, 1568-1573.<sup>3</sup> In current Spanish “embargo” denotes (1) the act of ‘embargar,’ that is of the retention of goods by a legitimate source of authority, (2) obstructions of trade with another country, and (3) prohibition on the circulation of information.<sup>4</sup>

Another authoritative dictionary claims that the word denotes governmental prohibitions on the export of arms and other material useful in war, detention of goods by legitimate authorities, impediment in general, damage, and even indigestion.<sup>5</sup> In French, this originally Spanish word is commonly used to refer to bans on naval vessels, typically foreign, as well as to bans on the circulation of objects.<sup>6</sup> In Italian, embargo refers to the detention of ships of any country, typically in time of war, or to the total or partial

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<sup>1</sup> Throughout this dissertation I use double-quotation marks for quotations and single quotation marks for all other purposes. Although the borderline is sometimes blurred, I find this distinction useful, especially for highlighting the constructed nature of certain terms and concepts.

<sup>2</sup> For 1602: J.A. Simpson and E.S.C. Weiner, eds., *The Oxford English Dictionary* (Oxford: Clarendon Press, 1989), p. 157; for 1593: Robert K. Barnhart, *The Barnhart Concise Dictionary of Etymology* (New York: Harper Collins Publishers, 1995), p. 238.

<sup>3</sup> Editors of the American Heritage Dictionaries, eds., *Spanish Word Histories and Mysteries. English Words that Come from Spanish* (Boston: Houghton Mifflin Company, 2007), pp. 89-90.

<sup>4</sup> Manuel Seco, Olimpia Andrés, and Gabino Ramos, eds., *Diccionario del Español Actual* (Madrid: Aguilar Lexicographia, 1999), pp. 1735-1736.

<sup>5</sup> Real Academia Española, ed., *Diccionario de la Lengua Española* (Madrid: Real Academia Española, 2001), Vol. I, p. 876.

<sup>6</sup> Paul Imbs, gen. ed., *Trésor de la Langue Française* (Paris: Éditions du Centre National de la Recherche Scientifique, 1979), Vol. 7, pp. 877-878.

prohibitions on trade with another country.<sup>7</sup> Thus we can distinguish two main meanings in the current common usage of the word embargo: governmental prohibitions of trade with a foreign country in general, and prohibitions on navigation and detentions of ships in particular, which is what both Onion's *Dictionary of English Etymology* and the *Encyclopedia Britannica* focus on.<sup>8</sup> The origin of the word embargo has been traced to the vulgar Latin *imbarricare* meaning "to close with a bar," and *impedimento*, as in *sine ullo embargo* (without any impediment) with *impedire* originally meaning "to put shackles on the feet."<sup>9</sup> As denoting 'impediment, obstacle,' the word is attested as early as 1020.<sup>10</sup> This dissertation will not only clarify the relationship between "obstacles," ships, sources of power and authority, and foreign entities, but it will also show that above and beyond serving as virtual shackles on the feet of merchants, embargoes were also used to "put shackles" on their minds.

### 1.1. Economic Sanctions in Modern Discourse

Embargoes have permeated the news: we learn of the stated reasons behind the U.N. sanctions on Iran, of their known scope, and catch a glimpse of their effects.<sup>11</sup> We know that the U.S. imposed sanctions on the Mugabe government in Zimbabwe and on

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<sup>7</sup> Salvatore Battaglia, ed., *Grande Dizionario della Lingua Italiana* (Turin: UTET, 1973), Vol. 5, p. 116.

<sup>8</sup> C.T. Onions, ed., *The Oxford Dictionary of English Etymology* (Oxford: Clarendon Press, 1966), p. 308, Encyclopaedia Britannica, inc., ed., *The New Encyclopaedia Britannica* (Chicago: Encyclopaedia Britannica, 2002), Vol. 4, p. 469.

<sup>9</sup> Manlio Cortelazzo and Paolo Zolli, eds., *Dizionario Etimologico della Lingua Italiana* (Bologna: Zanichelli, 1999), p. 516 (embargo) and pp. 732-733 (impedire); Battaglia, *Grande Dizionario della Lingua Italiana*, 5, p. 116 (sine ullo embargo); Imbs, *Trésor de la Langue Française*, 7, pp. 877-878 (obstacle).

<sup>10</sup> Battaglia, *Grande Dizionario della Lingua Italiana*, 5, p. 116, Cortelazzo and Zolli, *Dizionario Etimologico della Lingua Italiana*, pp. 516, 732-733, Tullio de Mauro and Marco Mancini, eds., *Garzanti Etimologico* (Milan: Garzanti Linguistica, 2000), p. 657; Imbs, *Trésor de la Langue Française*, 7, pp. 877-878.

<sup>11</sup> New York Times, 26 Jan 2008, "Draft of New Iran Sanctions Restricts Cargo and Travel," p. A3, 22 Feb 2008, "Security Council Weighs New Sanctions on Iran," p. A13, 4 Mar 2008, "Security Council Imposes More Sanctions on Iran," p. A8, 28 Jun 2007, "Two Iranian Gas Stations Burned in Protests Over Rationing," p. A8, 26 Sep 2007.

Myanmar's Junta;<sup>12</sup> Russia on Georgia.<sup>13</sup> Such embargoes may be blips on a news screen. Ten U.S. presidents applied, however, economic sanctions on Cuba.<sup>14</sup> It is widely known that these never ousted Castro from power; it is probably less known that many Cuban-Americans support them ardently,<sup>15</sup> or that a Republican governor from the heartland recently attended a trade fair in communist Cuba to promote his state's agricultural produce.<sup>16</sup> On the one hand, the media empathizes with Cuban researchers whom the embargo keeps from workable internet access; on the other hand, we are warned that ecological devastation might follow an eventual lifting of the embargo.<sup>17</sup>

The press does not just report embargoes; it is often critical of them on both instrumental and moral grounds. Some see the Israeli sanctions on Gaza as counter-productive,<sup>18</sup> or as impacting negatively common people's daily life.<sup>19</sup> Others warn that "current sanctions against Burma punish the poor while showing no sign of moving the regime."<sup>20</sup> Having asserted "I'm against economic sanctions in almost every case," an author professes: "But Sudan is an exception, a rare instance where narrowly focused

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<sup>12</sup> New York Times, 3 Jan 2007, "Zimbabwe Sanctions," p. A20, Wall Street Journal, 24 Oct 2007, "U.S. Targets Myanmar Tycoon; Blacklisting of Tay Za is Seen as Way to Cut Off Junta's Financial Lifeline," p. A9, New York Times, 6 Feb 2008, "U.S. Imposes More Sanctions to Press Myanmar's Rulers," p. A10.

<sup>13</sup> Wall Street Journal, 28 Feb 2007, "Georgia Thrives Despite Russian Cloud," p. A6.

<sup>14</sup> New York Times, 20 Feb 2008, "Castro Quits One Role, but May Not Be Done Yet," p. A1.

<sup>15</sup> Wall Street Journal, 10 Sep 2007, "In Little Havana, Cuba Si, Obama No; Mr. Sopo Discovers Support of Democrat's Call to Ease U.S. Embargo Stirs a Generational Rift," p. A6.

<sup>16</sup> Gov. Dave Heineman of Nebraska, New York Times, 12 Nov 2007, "For U.S. Exporters in Cuba, Business Trumps Politics," p. A3. See also New York Times, 22 Jan 2008, "California: Trade Mission to Cuba," p. A19.

<sup>17</sup> New York Times, 25 Dec 2007, "Conserving Cuba, After the Embargo," p. F1. An editorial argues that the embargo "provided Mr. Castro with a built-in excuse for his own failed economic policies and ruthless political repression," New York Times, 20 Feb 2008, "And a Chance for Cuba – and the U.S.," p. A20.

<sup>18</sup> "sanctions 'only add to the desperation and Hamas's popular support," New York Times, 3 Mar 2008, "Slipping Away," p. A20, see also 8 Mar 2008, p. A14.

<sup>19</sup> New York Times, 17 Jan 2007, "A Young Woman's Wish, Entombed in Gaza's Isolation," p. B7; 13 Feb 2008, "2 Boys, 2 Sides, 2 Beds in an Israeli Hospital Ward," p. A3.

<sup>20</sup> Wall Street Journal, 15 Oct 2007, "How Do We Force Change Without Hurting Burmese?," p. A21.

divestment makes practical as well as moral sense.”<sup>21</sup> In Europe, the prime minister of the Netherlands speculated on a threat of economic sanctions to confront a proposed airing of an anti-Islamic film.<sup>22</sup> In Africa, the opposition in Kenya is said to have asked foreign governments to impose sanctions on their own country in response to the 2007 elections.<sup>23</sup>

The media has confined its analysis of embargo to foreign politics and morality. More surprisingly, so has scholarship within the interdisciplinary ‘sanctions debate.’ Political scientists have framed research chiefly around the question ‘How effective are they as foreign policy instruments?’ Human rights activists have chiefly asked ‘Is the use of embargoes justified on moral grounds?’

While both groups of scholars focus only briefly on the conceptualization of sanctions, it is nevertheless imperative to clarify at the outset that in this dissertation ‘embargo’ is used not as a common word, but as a concept; that is, as it is understood within the ‘sanctions debate.’ Within the ‘sanctions debate,’ ‘embargo’ is used to denote either a prohibition on export and import trade or only the former, in which case the latter is referred to as ‘boycott.’ Embargoes can be total or selective – on specified goods only – formerly called ‘contraband,’ but currently referred to as ‘strategic goods,’ such as arms. This narrower definition, however, is no more popular than the broader use of ‘embargo’ not as a tactical tool of, but as synonym for ‘economic sanctions.’

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<sup>21</sup> New York Times, 11 Feb 2007, “Death By Dollars,” section 4, p. 12. Sudan is somewhat of an exception in reporting: another author also argues that the U.S. needs to toughen its embargo and that Europe must follow, New York Times, 31 Mar 2007, “Talking Darfur to Death,” p. A14; yet another one examines the complicated situation that China faces vis-à-vis this embargo, New York Times, 23 Feb 2008, “China, in New Role, Uses Ties to Press Sudan on Troubled Darfur,” p. A9.

<sup>22</sup> New York Times, 1 Mar 2008, “The Netherlands: Premier Appeals Against Anti-Islam Film,” p. A7.

<sup>23</sup> New York Times, 12 Jan 2008, “Kenya’s Opposition Urges Mass Protests and Sanctions,” p. A3.

Many define the latter term narrowly, for example: “the actual or threatened withdrawal of economic resources to affect a policy change by the target.”<sup>24</sup> Others, however, add export controls used “to restrict economic and military capabilities” of a target.<sup>25</sup> For David Baldwin the use of economic means for the achievement of foreign policy goals within a system of power relations, which he terms “economic statecraft,” can indeed aim at the achievement of a wide spectrum of foreign policy goals.<sup>26</sup> Hufbauer, Schott, and Elliott’s influential *Economic Sanctions Reconsidered*, defines these “to mean the deliberate, government-inspired withdrawal, or threat of withdrawal, of customary trade or financial relations.”<sup>27</sup> Although it focuses on sanctions aimed at coercing policy changes, it also considers some long-lasting systems of export controls, strategic embargoes, which aim at debilitating the economy of the target.<sup>28</sup> Some refer to strategic embargoes, however, as “economic warfare.”<sup>29</sup> Perhaps the key difference between the concept of embargo as deployed within the ‘sanctions debate’ and the common usage of the word is that the former excludes from the notion of ‘economic

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<sup>24</sup> Steve Chan and A. Cooper Drury, “Sanctions as Economic Statecraft: An Overview,” In Steve Chan and A. Cooper Drury, eds., *Sanctions as Economic Statecraft. Theory and Practice* (New York, St. Martin’s Press, 2000), pp. 1-16.

<sup>25</sup> David Leyton-Brown, “Lessons and Policy Considerations about Economic Sanctions,” In idem, ed., *The Utility of International Economic Sanctions* (London: Croom Helm, 1987), pp. 304-305, quotation from p. 304.

<sup>26</sup> David A. Baldwin, *Economic Statecraft* (Princeton: Princeton University Press, 1985), especially pp. 29-50 (see his definition of embargo on p. 41). This is an influential work.

<sup>27</sup> Gary Clyde Hufbauer, Jeffrey J. Schott, Kimberly Ann Elliott, and Barbara Oegg, *Economic Sanctions Reconsidered*, 3<sup>rd</sup> edition (Washington D.C.: Peterson Institute for International Economics, 2007), p. 3.

<sup>28</sup> *Economic Sanctions Reconsidered*, 3<sup>rd</sup> edition, pp. 3-4.

<sup>29</sup> Tor Egil Forland, “Economic Warfare’ and ‘Strategic Goods:’ A Conceptual Framework for Analyzing COCOM,” *Journal of Peace Research* 28 (1991, 2): 191-204, especially 191-4. Many exclude economic measures taken in the midst of military action from their analysis; some talk of economic warfare to denote any economic actions as well as the destruction of economic targets during war, others, however, use it to denote long-term, strategic embargoes, On ‘economic warfare’ see Baldwin, *Economic Statecraft*, pp. 36-38, James M. Lindsay, “Trade Sanctions as Policy Instruments: A Re-Examination,” *International Studies Quarterly* 30 (1986, 2): 154 note 5, Forland, “Economic Warfare’ and ‘Strategic Goods,” pp. 191-194, Robert A. Pape, “Why Economic Sanctions Do Not Work?” *International Security* 22 (1997, 2): 93-97.

sanctions' the withdrawal of economic activity in the pursuit of purely economic goals, such as the lowering of the target's tariffs, policies often referred to as "trade wars."<sup>30</sup>

I use 'embargo' to refer to the cases in which the withdrawal of trade, whether export or import, was used in the pursuit of non-economic goals independently, concurrently, or as a precursor to military action. I use 'strategic embargo' to denote long-lasting systems of export controls and other economic measures (excluding military action against economic targets) functionally aimed at curtailing the military power of an enemy through impacting its economy. Trade bans were the key of the available tactics of economic sanctions in the period; hence 'sanctions' is used as a synonymous term.

The 'sanctions debate' has overwhelmingly focused on effectiveness.<sup>31</sup>

Understanding embargoes as an economic tool for the achievement of foreign policy goals, many have proclaimed them ineffective. Some have even claimed that embargoes' "political aim was never achieved" and questioned the functional explanation for the use of sanctions altogether by suggesting that embargoes can be seen as irrational policies, taken for the sake of doing something per se, "a spontaneous reaction in a case of tension."<sup>32</sup> Baldwin's *Economic Statecraft* and Hufbauer, Schott, and Elliott's *Economic Sanctions Reconsidered* truly sparked what became known as the 'sanctions debate' by asserting the opposite: that sanctions can actually work.<sup>33</sup> Not everyone agrees, however. For Robert Pape "the old conventional wisdom was right: there is little valid social

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<sup>30</sup> A helpful typology of sanctions can be found in the work of Tor Egil Forland, "The History of Economic Warfare: International Law, Effectiveness, Strategies," *Journal of Peace Research* 30 (1993, 2): 151-162.

<sup>31</sup> As "...the crucial question 'do they work' is actually the futurologists' 'will it work?' disguised in the present tense." T. Forland, "The History..." p. 153. Italics in the original.

<sup>32</sup> Otto Wolff von Amerongen, "Economic Sanctions as a Foreign Policy Tool?" *International Security* 5 (1980, 2): 159-167, quotations from p. 165 and p. 160 respectively.

<sup>33</sup> When Judith Miller argued in 1980 that the U.S. embargo against Uganda "helped set in motion the events that led to the fall" of Amin's regime in 1979, this was a lonely voice, Judith Miller, "When Sanctions Worked," *Foreign Policy* 39 (1980): 118-129, quotation from p. 119.

science support for claims that economic sanctions can achieve major foreign policy goals.”<sup>34</sup> Such views notwithstanding, in the 2007 edition of the very influential *Economic Sanctions Reconsidered* its authors defend their complex methodology designed to account for degrees of success and reassert their findings.<sup>35</sup> In fact, there is actually little debate. Those who assert that sanctions “never work” de-contextualize their study and measure success against maximalist objectives. Those who argue the opposite stress that sanctions can be seen as “rarely, if ever applied with one narrow goal in mind.,”<sup>36</sup> that “targets and goals are usually multiple,” or that “Success is a matter of degree.”<sup>37</sup>

Much of the sanctions debate has rested on the assumption that governments and international organizations deploy sanctions exclusively as foreign policy instruments. In addition, it is very common to consider embargoes a feature of modernity. Yet, there is nothing ‘modern’ about embargoes or about their effective conceptualization as tools of foreign policy. Popes found the withdrawal of trade to be a useful tool for coercing disobedient Christian cities into submission and for furthering the interests of the Papal States. Authors of medieval treatises on the recovery of the Holy Land saw in the

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<sup>34</sup> He reassesses the embargoes claimed as successful by Hufbauer, Schott, and Elliott, and concludes that only five, not forty, can be so considered (out of a total of 115), Robert A. Pape, “Why Economic Sanctions Do Not Work?” *International Security* 22 (1997, 2): 90-136, quotation from p.106.

<sup>35</sup> For them sanctions have been “at least partially successful in 34 percent” of the 174 cases now considered, *Economic Sanctions Reconsidered*, 3<sup>rd</sup> edition, p. 158, see the whole section on pp. 155-160. Kimberly Elliott accuses Pape of attacking a “straw-man,” Kimberly Ann Elliott, “The Sanctions Glass: Half Full or Completely Empty?,” *International Security* 23 (1998, 1): 50-65, quotation from p. 50. A recent study of U.N. arms embargoes shows cases of successful limitations of arms flows and of changes in the behavior of target regimes in the direction desired by the U.N. Security Council, Damien Fruchart, Paul Holtom, Siemon T. Wezeman, Daniel Strandow, and Peter Wallensteen, *United Nations Arms Embargoes. Their Impact on Arms Flows and Target Behaviour* (Stockholm: SIPRI, 2007).

<sup>36</sup> Lawrence J. Brady, “The Utility of Economic Sanctions As A Policy Instrument,” In Leyton-Brown, *The Utility of International Economic Sanctions*, p. 298, or that “Do sanctions Work?” is a “multifaceted and highly subjective, question,” *Economic Sanctions Reconsidered*, 3<sup>rd</sup> edition, p. 156.

<sup>37</sup> Baldwin, *Economic Statecraft*, p. 371, see also James M. Lindsay, “Trade Sanctions as Policy Instruments: A Re-Examination,” *International Studies Quarterly* 30 (1986, 2): 159.

withdrawal of trade a way to weaken the finances of Egypt's rulers that would result in debilitation of Egypt's military machine and hence facilitate a crusade against it.

Historians of pre-modern Europe, however, have not addressed 'the embargo question' as a primary research subject.<sup>38</sup> Their attention has been dedicated to the papal restrictions on trade with Egypt between 1291 and the 1360s,<sup>39</sup> or to embargoes deployed by England, Flanders, and the German Hanse.<sup>40</sup> Useful as such studies have been, treating embargoes as footnotes to either trade or crusade and adopting narrow temporal, spatial and conceptual limits cannot get to the heart of the embargo question.

Embargoes, in fact, may not be just about foreign politics. A study of the U.S. embargo on Cuba while agreeing that its imposition was due to foreign policy concerns, isolates the Cuban-Americans' support of the U.S. embargo in combination with their decisive role in presidential elections as the key factor underlying its longevity.

Concluding that "...U.S. national interests vis-à-vis Cuba have been taken prisoner by a small group of South Florida caudillos.," its author placed its success within the domestic

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<sup>38</sup> An exception is only Richard Trexler's masterful *The Spiritual Power: Republican Florence under Interdict* (Leiden: Brill, 1974). This was a successful interdict - a mixture of spiritual and economic sanctions - which aimed at coercing immediate policy changes. Unfortunately even the most recent and comprehensive study on interdicts, Peter D. Clarke, *The Interdict in the Thirteenth Century: A Question of Collective Guilt* (Oxford: Oxford University Press, 2007), dedicates only a few pages to the fact that these often included the use of embargoes, see Chapter 4 below.

<sup>39</sup> The most comprehensive analyses of this embargo are: Wilhelm Heyd, *Histoire du commerce du Levant au Moyen Age* (Amsterdam: A.M. Hakkert, 1967 [1885]), Vol. I, pp. 385-405; Vol. II, pp. 23-57; José Trenchs Odena, "De Alexandrinis. El Comercio prohibido con los musulmanes y el papado de Avinón durante la primera mitad del siglo XIV," *Anuario de estudios medievales* 10 (1980): 237-318; Eliyahu Ashtor, *Levant Trade in the Later Middle Ages* (Princeton: Princeton University Press, 1983), pp. 17-63. The best summary is to be found in Housley, *The Avignon Papacy and the Crusades, 1305-1378* (Oxford: Clarendon Press, 1986), pp. 199-214.

<sup>40</sup> Significant contributions can be found in: Philippe Dollinger, *The German Hansa* (Stanford: Stanford University Press, 1970 [1964]); John Munro, *Wool, Cloth, and Gold. The Struggle for Bullion in Anglo-Burgundian Trade, 1340-1478* (Toronto: University of Toronto Press, 1972); T. H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge: Cambridge University Press, 1977); idem, *England and the German Hanse, 1157-1611. A Study of Their Trade and Commercial Diplomacy* (Cambridge: Cambridge University Press, 1999).

sphere.<sup>41</sup> Others either completely disagree,<sup>42</sup> or have focused on the interplay between Congress and the President.<sup>43</sup> For some, the duration of sanctions in general depends largely on the nature of the governments involved.<sup>44</sup> There are those who would argue that domestic factors matter on the other side of the economic barrier too, namely, that the embargo actually suits Castro.<sup>45</sup> But whatever position one takes, the fact is that scholarship concerned with the embargo on Cuba, has suggested that there may be more to embargoes than issues of foreign policy.<sup>46</sup>

While political scientists have focused primarily on the effectiveness of sanctions as instruments of foreign policy, others, chiefly human rights activists, have concentrated on the morality of sanctions. For the economist R. T. Naylor embargoes tend to have unintended effects; they create massive “embargo-busting” criminal infrastructures, which remain in place after the sanctions are gone. Thus the long-term result of

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<sup>41</sup> Donna Rich Kaplowitz, *Anatomy of a Failed Embargo. U.S. Sanctions against Cuba* (Boulder, CO, L. Rienner, 1998), pp. 202-206, quotation from p. 205.

<sup>42</sup> See the following reviews of *Anatomy of a Failed Embargo*: Richard A. Nuccio, In *Journal of Latin American Studies* 31 (1999, 3): 783-785, and Jorge I. Dominguez, In *Political Science Quarterly* 114 (1999, 2): 320-321.

<sup>43</sup> By asserting that in the 1990s the U.S. embargo against Cuba was crafted within the framework of a complex interplay between the legislative and the executive branch, Daniel W. Fisk, “Economic Sanctions: The Cuba Embargo Revisited,” In Chan and Drury, *Sanctions as Economic Statecraft*, pp. 65-85. Others add agricultural and corporate interests, Patrick J. Haney and Walt Vanderbush, *The Cuban Embargo. The Domestic Politics of an American Foreign Policy* (Pittsburg, University of Pittsburg Press, 2005).

<sup>44</sup> Democracies are not likely to alter their policies upon regime change, but non-democratic regimes are, Fiona McGillivray and Alan Stam, “Political Institutions, Coercive Diplomacy, and the Duration of Economic Sanctions,” *Journal of Conflict Resolution* 48 (2004, 2): 154-172. It has also been argued that democratic states are more likely to impose sanctions than authoritarian regimes, David Lektzian and Mark Souva, “The Economic Peace Between Democracies: Economic Sanctions and Domestic Institutions,” *Journal of Peace Research* 40 (2003, 6): 641-660.

<sup>45</sup> Douglas Borer and James Bowen use an inductive approach and consider political inaction alongside political action to persuasively make this argument. They assert that Castro limits his otherwise vocal critique of the embargo to venues where it cannot be effective (U.N.) and does nothing through venues where action may actually prove successful (WTO), Douglas A. Borer and James D. Bowen, “Rethinking the Cuban Embargo: An Inductive Analysis,” *Foreign Policy Analysis* 3 (2007): 127-143.

<sup>46</sup> For some foreign policy concerns remain decisive, A. Cooper Drury, “Sanctions as Coercive Diplomacy: The U.S. President’s Decision to Initiate Economic Sanctions,” *Political Research Quarterly* 54 (2001, 3): 485-508, idem, “How and Whom the U.S. President Sanctions: A Time-series Cross-section Analysis of US Sanction Decisions and Characteristics,” In Chan and Drury, *Sanctions as Economic Statecraft*, pp. 17-36. Others, stress that “High-profile sanctions may well serve important domestic political purposes....” *Economic Sanctions Reconsidered*, 3<sup>rd</sup> edition, p. 6.

embargoes is a boom in criminal activity.<sup>47</sup> Most criticism of embargoes on non-instrumental grounds, however, stems from concerns with the immediate impact of embargoes on the target's population.<sup>48</sup> Studies backed by UNICEF identified children and women as taking "the brunt of war and sanctions" in Iraq; sharp increases in infant and maternity mortality rates, as well as in malnutrition have been observed.<sup>49</sup> The most conservative estimates attribute no less than 300,000 Iraqi children deaths to the embargo.<sup>50</sup> An economist argues that all Iraqis except Saddam's inner circle have suffered enormously because of the sanctions,<sup>51</sup> while a public health specialist notes that with the embargo and the fall of the Soviet Union the Cuban economy contracted by a third, medical advances in areas such as low-weight births were reversed, purchasing power plummeted, prices went through the roof.<sup>52</sup>

The U.N. has largely adopted such views. In 1995 then secretary-general Butros-Ghali argued that sanctions are a "blunt instrument" that afflicts vulnerable groups, complicates the work of humanitarian agencies, causes long-term damage to the

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<sup>47</sup> For him "embargo busting" can be seen as the reason for "transforming the world's arms black market from a marginal entity...into a veritable global supermarket," R. T. Naylor, *Economic Warfare. Sanctions, Embargo Busting, and Their Human Cost* (Boston: Northeastern University Press, 2001), p. 386. First printed in Canada as *Patriots and Profiteers* (Toronto: McClelland&Stewart, 1999).

<sup>48</sup> Note that during the Cold War the UN used sanctions only twice (against Rhodesia 1966 and South Africa 1977), but during the 1990s more than a dozen were imposed, Thomas G. Weiss, "Sanctions as a Foreign Policy Tool: Weighing Humanitarian Impulses," *Journal of Peace Research* 36 (1999, 5): 499, see also *Economic Sanctions Reconsidered*, 3<sup>rd</sup> edition, p. 132.

<sup>49</sup> United Nations, Executive Board of the United Nations Children's Fund, First Regular session 2005, Revised country programme document, Iraq, E/ICEF/2004/P/L.22/Rev.1, pp. 1-2, available at UNICEF's website at [http://www.unicef.org/about/execboard/files/2004-PL22Rev1\\_Iraq.pdf](http://www.unicef.org/about/execboard/files/2004-PL22Rev1_Iraq.pdf).

<sup>50</sup> Richard Garfield, "The Public Health Impact of Sanctions: Contrasting Responses of Iraq and Cuba," *Middle East Report* 215 (2000): 16-19, specifically p. 17.

<sup>51</sup> Abbas Alnasrawi, *Iraq's Burdens. Oil, Sanctions, and Underdevelopment* (Westport, CT: Greenwood press, 2002). per-capita GDP in Iraq is said to have plummeted from \$1,537 in 1989 to \$661 in 1991 to \$343 in 1996, *ibidem*, p. 102. An Iraqi-Dutch businessman turned scholar writes "The deprivation and suffering of the Iraqi people...has been truly catastrophic," Saif Abu Gulal, "UN Economic Sanctions and Iraq: A Critical Analysis of a Failed Policy," *Durham Middle East Papers* 69 (2002), p. 1.

<sup>52</sup> Garfield, "The Public Health Impact of Sanctions," pp. 18-19; also Richard Garfield and Sarah Santana, "The Impact of the Economic Crisis and the US Embargo on Health in Cuba," *American Journal of Public Health* 87 (1997, 1): 15-20.

productive capacity of target nations, and penalizes neighbors.”<sup>53</sup> Sharing this view, in his millennium report Kofi Annan called for re-thinking the use of embargoes.<sup>54</sup> A document of the U.N. commission of human rights claims: “The ‘theory’ behind economic sanctions is that pressure on civilians will translate into pressure on the Government for change. This ‘theory’ is bankrupt both legally and practically....”<sup>55</sup> It has even been suggested that humanitarians have to re-think their position vis-à-vis military action and embargoes.<sup>56</sup>

The instrumental question ‘Do they work?’ and the moral ‘Should they be used?’ dominate the discussion of sanctions. It has been pointed out, however, that embargoes might also have complicated symbolic sides. Hufbauer, Schott, and Elliott refuse to address the question,<sup>57</sup> but James Lindsay asserts that embargoes have to be analyzed both as international and domestic symbols.<sup>58</sup> “The Reagan administration embargoed

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<sup>53</sup> Quoted in T. Weiss, “Sanctions...,” pp. 499-500.

<sup>54</sup> “Because economic sanctions have proved to be such a blunt and even counter productive instrument, a number of governments, and numerous civil society organizations and think tanks around the world, have explored ways to make them smarter by better targeting them.” Kofi Annan, “We The Peoples. The Role of the United Nations in the 21<sup>st</sup> Century,” Millennium Report of the Secretary-General of the United Nations, <http://www.un.org/millennium/sg/report/index.html>, p. 50. In the late 1990s the UN considered that the “effectiveness of the sanctions regimes” is to be measured not only against “the maximization of the political impact on the regimes on the targeted governments, but also in terms of UN efforts to minimize the humanitarian consequences...,” Claude Bruderlein, “Coping with the Humanitarian Impact of Sanctions: An OCHA Perspective,” United Nations, Office for Coordination of Humanitarian Affairs-OCHA-Online OCHA publications, [http://www.reliefweb.int/OCHA\\_ol/pub/sanctions.html](http://www.reliefweb.int/OCHA_ol/pub/sanctions.html).

<sup>55</sup> United Nations, Economic and Social Council, Commission on Human Rights, Sub-commission on the Promotion and Protection of Human Rights, “The Adverse Consequences of Economic Sanctions on the enjoyment of human rights,” working paper prepared by Marc Bossuyt, E/CN.4/Sub.2/2000/33/21 Jun 2000, p. 13, available at

<http://www.unhchr.ch/Huridocda/Huridoca.nsf/0/c56876817262a5b2c125695e0050656e?Opendocument>.

<sup>56</sup> T. Weiss, “Sanctions...,” specifically p. 507. Others have focused on the accountability of international organizations, August Reinisch, “Developing Human Rights and Humanitarian Law Accountability of the Security Council for the Imposition of Economic Sanctions,” *The American Journal of International Law* 95 (2001, 4): 851-872, or have cautioned that target governments swiftly inflate the humanitarian problems caused by embargoes, Manuel Bessler, Richard Garfield, and Gerard McHugh, *Sanctions Assessment Handbook, Assessing the Humanitarian Implications of Sanctions*, United Nations Office for the Coordination of Humanitarian Affairs, New York, October 2004, PDF, specifically pp. 6-7, see also pp. 63-65, Available at <http://www.humanitarianinfo.org/sanctions/handbook/index.htm>.

<sup>57</sup> *Economic Sanctions Reconsidered*, 3<sup>rd</sup> edition, p. 7.

<sup>58</sup> J. Lindsay, “Trade Sanctions...,” p. 168.

Libyan oil to condemn Qaddafi's support for international terrorism... Jimmy Carter... hoped that the Soviet grain embargo would demonstrate American resolve."<sup>59</sup> Baldwin also insists that "if the principal alternative to economic sanctions is appearing to condone communism, racism, terrorism, or genocide, the observation that they are a 'notoriously poor tool of statecraft' may miss the point."<sup>60</sup> Yet what has been called the 'symbolic' side of sanctions has been left unexplored.

A partial exception is historian Shu Guang Zhang's work, which enriches the debate through a multifaceted analysis of the mechanics of the U.S. embargo against China (1949-1963). He finds that cultural factors influenced the U.S. decision to use sanctions and China's firm resistance to them had much to do with the ultimate failure of the Sino-Soviet alliance, the original goal of the embargo. Zhang's analysis is thus attentive to cultural factors, such as Chinese and Soviet anxieties as far as they concern the mechanics of the embargo, but it remains within the functionalist frame of the sanctions debate as far as the embargo's goals are concerned.<sup>61</sup>

How are we to analyze embargoes? For one, alongside the other policy choices available to those who use them.<sup>62</sup> Power relations as well as costs associated with the various options must be part of the analysis.<sup>63</sup> It might be especially helpful to remember Baldwin's dismissal of the dichotomy "instrumental and symbolic use of sanctions."<sup>64</sup>

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<sup>59</sup> J. Lindsay, "Trade Sanctions...", p. 156 and the literature quoted there.

<sup>60</sup> David A. Baldwin, "The Sanctions Debate and the Logic of Choice," *International Security* 24 (1999-2000, 3): 84.

<sup>61</sup> Shu Guang Zhang, *Economic Cold War. America's Embargo against China and the Sino-Soviet Alliance, 1949-1963* (Washington D.C.: Woodrow Wilson Center Press, 2001).

<sup>62</sup> Baldwin, "The Sanctions Debate and the Logic of Choice," pp. 82-84.

<sup>63</sup> "The more (net) value a policymaker derives from imposing sanctions, the most successful they are." Baldwin, "The Sanctions Debate and the Logic of Choice," p. 89.

<sup>64</sup> David A. Baldwin, "The Sanctions Debate and the Logic of Choice," *International Security* 24 (1999-2000, 3): 102-3.

## 1.2. Approach and Outline of This Work

The interdisciplinary ‘sanctions debate’ has provided fascinating results and offered useful research guidelines. Yet the withdrawal of trade (and its counterparts) has largely been theorized as an economic tool for the achievement of tangible, mostly foreign policy, goals. What, given this functionalist framework, has been left unexplored is the possibility that embargoes, particularly long-term ones may serve broader purposes and that they may be directed toward the population of the sender more than at the declared target. By their very nature sanctions map international space in opposing blocks. Strategic embargoes in particular persist for a long period of time and may serve three broad purposes: not only to strengthen solidarities within the two opposing blocks and to limit contacts between them, but also to stress the antithetical character of such blocks. When an embargo is constituted between blocks perceived to be culturally different from each other, might it also serve the broader purpose of preserving and re-enforcing this divide and the perceived identities on each side of it? I bring this question to a study of papal embargo from the era of Gregorian Reform to the time of the Reformation.

Although some social scientists have questioned the standard wisdom that embargoes are a feature of modernity, their speculations have rested on limited historical evidence.<sup>65</sup> What I hope to demonstrate here is that embargoes were a frequently employed and well-conceptualized policy tool already in the Later Middle Ages.

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<sup>65</sup> Baldwin, *Economic Statecraft*, pp. 70-71; Richard Ellings, *Embargoes and World Power. Lessons from American Foreign Policy* (Boulder: Westview Press, 1985), pp. 14-30. It is very common to refer to the famous Megaran Decree as a cause for the Peloponnesian War. Ellings also argued that Venice used embargoes during the Middle Ages, but he only pointed to minor and not always adequate cases, because he used the classic synthesis of Venetian history by Frederick C. Lane, *Venice. A Maritime Republic* (Baltimore: Johns Hopkins University Press, 1973), which is not very helpful for a discussion of embargoes.

While the study of embargo is clearly of interdisciplinary interest, I believe that a firm grounding in a particular discipline is the necessary prerequisite for any interdisciplinary discussion to be fruitful. This then is a historian's work, built on a rich documentary base. Some documents I have uncovered from Venetian and Papal archives; many have been garnered from published editions or documentary summaries that have pointed the way. Indeed the painstaking work of generations of historians who have published, or summarized, and indexed hundreds of thousands of documents is what makes this work possible in its current shape; I am deeply indebted to them. I use papal letters, canon law, papal income registers, supplications to the Papal Curia, decisions of Venetian councils, Venetian criminal records; diplomatic and business records from Italian cities and their offshoots in the East; from Southern France and Iberia. No work exists in the void; I use secondary literature to provide political, economic, and cultural contexts for the implementation of embargoes.

While this work relies on close textual analysis and attention to context-specific features, it differs from previous works discussing embargoes in the pre-modern world in key technical and conceptual ways. This is the first study to focus on the employment of embargoes in pre-modern Europe as a primary research subject, to use a very extensive database, and to connect the inquiry to the 'sanctions debate.' It acknowledges the main conceptual apparatus and assumptions that allow the evidence it discusses to yield meaning. Believing that history is a unique discipline in allowing diverse borrowings and experimentation, I borrow insights from widely different sources, yet the only conventions I follow are those of the historian. My dissertation also speaks to the present, offering support, on non-functional grounds, for the view that the employment of

embargoes that help to continuously identify ‘us’ and construct ‘them’ is inherently inimical to the enjoyment of human rights.

The key argument of this dissertation, then, has to do with the purposes of the papal employment of embargo and, hence, of long-lasting embargoes in general. How do I analyze the actions of the medieval and early modern Papacy? It is certainly no ‘discovery’ to say that the church did not distinguish between religious and other matters – economic, political – and that, to the extent we can disentangle these for analytical purposes, it typically privileged the former over the latter. Yet, to date studies addressing the papal employment of embargo have not taken into account the ecclesiastical worldview. By contrast, this study departs from the understanding that the goals pursued by the kind of clergy this work is most concerned with – some of the most zealous popes, canon lawyers, friars, who cultivated the monastic ideal of ‘contempt for the world’ - were firmly set in an imaginary ‘beyond,’ not ‘in this world.’ In the ideology of the Church what many disciplines would term ‘intangibles,’ was that which constituted ‘the really real.’ Thus some of the claims of this study are predicated upon the understanding that taking seriously the church’s own belief – that it mediated between physical existence and eternal salvation – can be analytically fruitful.

A related key point must be made. Twelfth- and thirteenth-century ecclesiastical policymakers codified their vision of Christian society in canon law. In preaching, they would probably read a biblical passage arguing that it had two distinct yet simultaneously valid meanings: one induced from specific historical circumstances; the other deduced from the supposedly divinely inspired authority of dogma. Yet their policies and legislation, at least those on trade with non-Christians, have been read ‘thinly,’ their

symbolic meanings left unexplored. In this work I seek to read their actions more ‘thickly.’ ‘Thin’ understanding here can derive not only through postulating a sharp divide between words and power, language and action. Part I of this dissertation takes issue with another approach that can have the same effect. This has two versions: (1) inquiry carried out within narrow temporal and spatial limits that fails to acknowledge the a-historical dimension of papal legislation and ecclesiastical action and (2) the *a priori* postulate (at which one can arrive from different theoretical starting points) that in complete disregard of a theology that formed ecclesiastical policymakers’ worldview their actions can be meaningfully studied only in a minutely contextual and localized manner. While contextualization is also key to this work, it functions in a very different way. Those who devised most of the sources on which the papal embargo is based dreamt of order that once devised was, as a vision and as a legal reality, deemed to be fixed and permanent until the expected end of the physical world.<sup>66</sup>

The context I develop is based in the rules and norms of behavior engendered within a particular historical conjuncture and internalized (or not) as a result. My secondary aim is thus to sketch the conditions that made possible the broader program of which the papal embargo was a part and to briefly investigate the nature of that program. When and under what circumstances ecclesiastical policymakers came to imagine a society with the one, ‘universal church’ at its apex? What tools did they employ to work for the practical implementation of their vision? What were the long-term effects of this vision? What conditions could undo it? These are the relevant questions here, not, for example, the quantity of arms and iron that were illegally smuggled through a small door

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<sup>66</sup> Unpacking symbolic meanings, of course, is not to be understood as dealing with matters that ‘lacked purpose.’ It is precisely the purpose of embargoes employed in the period 1100-1500 that is the main subject of this dissertation.

of the city walls of Pula, in Istria – a door intended for the bishop’s use – to be covertly loaded on Venetian galleys sailing to the Barbary Coast in order to be sold to the subjects of a Muslim ruler waging no war at any Christians.<sup>67</sup>

Concerned with behavior I seek to consider goals and costs. In this sense I borrow from economics the assumption of maximizing behavior, and I use a broad definition of ‘rational:’ any behavior that is coherent with the achievement of a given goal, that arranges means in order to achieve given ends.<sup>68</sup> This is not to imply that all people at all times use instrumental behavior; following the renowned economic historian Peter Temin, I see people “as behaving in different ways (modes) at different times and in different contexts.”<sup>69</sup> The point is twofold: (1) (which has little bearing on this work) that I understand customary or command behavior as the optimum way to further one’s goals in a given situation (as a choice) and (2) (with much bearing on this work) that instrumental behavior is in itself an abstraction of reality, an analytical category the use of which assumes that human action, no matter how conceptualized by those who carry it out, can be theorized *as if* it were the fruit of a cost-benefit analysis of available options under perfect information. We need not venture more deeply into this, however, for ecclesiastical policymakers, in full compliance with theology, built their tools on the basis of certainties. Typically, they displayed knowledge about the actions that led to

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<sup>67</sup> Which, nonetheless, is one of those episodes making archival research so attractive. I came across this one in the *Archivio di Stato*, the episode is briefly mentioned in Chapter 6.1.

<sup>68</sup> It is often thought that the ‘economic approach’ of which this assumption is an essential part is applicable only to economics understood as the study of the allocation of limited material resources for the satisfaction of unlimited material wants. I will not discuss this huge subject, but I take the view of those economists who define their discipline by its approach rather than the object of study, as Gary Becker, *The Economic Approach to Human Behavior* (Chicago: University of Chicago Press, 1976).

<sup>69</sup> Temin distinguishes between “instrumental,” “customary,” and “command” behavior. Instrumental behavior means the strive to attain particular goal no matter what the constraints; customary behavior denotes the reproducing of a previous pattern (without implying exact reproduction), finally, command behavior “consists of either issuing or following orders to perform or to refrain from performing a specific action.” Peter Temin, “Modes of Behavior,” *Journal of Economic Behavior and Organization* 1 (1980): 175-195, quotations from pp. 175-176.

salvation and those that led to damnation and took measures to clarify any uncertainties; for uncertainties were, of course, inherently inimical to ecclesiastical doctrine.

I have been drawn to think about *governmentality* by a lecture given by Michel Foucault under that name.<sup>70</sup> This, as I came to see it somewhat *post factum*, has a certain relevance to my work, which I hope that Part I successfully highlights. A ‘purist’ reading of Foucault might perhaps dismiss any relevance on the grounds, for example, that I am writing about a period before the formation of his component categories (population, government, political economy). Yet, I would argue, theoretical perceptions gained in one context can often be fruitfully deployed in another. For example, I borrow insights from symbolic anthropology, but I am not sure that the search for meaning and the search for a general law are easily or fruitfully distinguishable when dealing with ecclesiastical policymakers, nor do I make any claims that what I do would pass the anthropologist’s scrutiny in attempting a ‘thick analysis.’<sup>71</sup> Similarly, I argue that the church treated economic matters as ‘embedded’ within religious ones, or that functional concerns were embedded in symbolic ones, or political in religious. When I do so I do not thereby imply, however, that I myself view the pre-modern economy as ‘embedded’ in culture.<sup>72</sup> In a final example, I borrow conceptual insights from economic analysis, but I construct no formal models. Similarly, then, with Foucault: any incongruence in periodization and any incompatibility of constitutive elements notwithstanding, papal legislation and policies on trade can be usefully seen as one of a number of “tactics” employed “without

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<sup>70</sup> Michel Foucault, “Governmentality,” in Graham Burchell, Colin Gordon, and Peter Miller, *The Foucault Effect. Studies in Governmentality* (Chicago: The University of Chicago Press, 1991), pp. 87-104.

<sup>71</sup> For example Clifford Geertz, *The Interpretation of Cultures. Selected Essays* (New York: Basic Books, 1973).

<sup>72</sup> I see no reason for this work to explicitly address the well-known thesis of Karl Polanyi’s *The Great Transformation* (Boston: Beacon Press, 1957 [1944]), in the context of medieval European history. However, I am committed to studying this question in the future.

the full awareness of the people” by a power with a “finality of its own,” the welfare of souls.<sup>73</sup>

Borrowing broadly from both economic and cultural analysis, I conceptualize ecclesiastical policy making as a manifestation of what I call ‘spiritual rationality.’ That is, papal policies, no matter how they were conceptualized by those who coined them, persistently maximized the achievement of goals arranged within a stable hierarchy of moral concerns accounting for broadly construed costs in the process. Papal bans on trade with the ‘infidel’ served as vehicles disseminating messages, instilling perceptions. Their actual enforcement, although desirable, was of secondary concern. Such bans served as one of the tools that consistently identified The Faithful and constructed The Other. They reflected the papal monitoring of the fidelity of the former and showed the papal eagerness to dispose of the latter by their condemnation to ‘eternal death.’ They also spread the notion that contact with the Other was perilous to the soul. In this sense ecclesiastical policy-makers employed law as a tool for channeling the Christian flock along the path of salvation. Enforcement was highly contextual, as were the functional purposes of the withdrawal of trade. Yet, its symbolic aspect did not change. Generated at a time when the Church created a new vision of its role in society, the symbolic dimension of papal embargoes could not change without a fundamental alteration in the church’s self-definition.

Finally, we can return to the concept of ‘embargo’ itself. Understood exclusively as an economic tool for the achievement of foreign policy goals, ‘embargo’ or ‘economic sanctions’ captures only some facets of what it seeks to bring to light. The possibility that embargoes might serve non-functional purposes has been suggested, but left

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<sup>73</sup> Foucault, “Governmentality,” specifically pp. 94-95, 100.

unexplored. In addition, the discussion has been restricted to the ambit of a narrowly defined ‘political.’ It is time to align functional and symbolic concerns. Thus the ‘functional/symbolic,’ dichotomy is adopted here only for analytical purposes and concerns of narrative strategy.<sup>74</sup>

Understanding sanctions as a “multidimensional concept,”<sup>75</sup> I adopt a more interactive analysis between concept and evidence. I suggest that we can use the concept of embargo to better understand some facets of medieval and early modern history while also altering it and making it analytically more powerful, and multi-layered in the process. ‘Embargo’ should evoke not only the physical destruction of actual bodies through starvation, but also the discursive construction of the necessary Other whose destruction, is, if not necessarily desirable, at least permissible. It should also evoke the ‘normalcy’ of a state of conflict, not peace, which it itself perpetuates.

This dissertation consists of two large parts. Part I offers a study of the papal policy of embargo from its emergence (1151-1179) until the advent of the Reformation in the sixteenth century. Chapter 2 opens by presenting the first extant papal restriction of trade. In this chapter I discuss how this – and all subsequent documents – have been read, and why they have been read in that specific way. I then point to the problems of such reading. Having delineated two possible readings of this document, a functional and a symbolic one, I proceed to explain the possible backward linkages of each, without implying any linear ‘historical necessity.’ I then outline the broader economic, political,

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<sup>74</sup> It would be presumptuous to define here ‘culture’ or ‘religion.’ In this work the dichotomy functional/political/economic vs. symbolic/religious/cultural boils down to differentiating between tangibles and intangibles.

<sup>75</sup> D. Baldwin, “The Sanctions Debate...,” p. 106.

and ecclesiastical context within which the papacy adopted the embargo as a policy instrument.

If Chapter 2 deals with the ‘pre-history’ of the papal employment of embargo, Chapters 3 and 4 unveil the ways in which it was forged into an important instrument of papal policy. Chapter 3 brings to light the legal construction and practical implementation of the papal bans on trade with Muslims between 1179 and 1250 pointing to the meaning and the importance of the former and the inconsistencies of the latter. Chapter 4 first unveils the scope of an embargo that had been thought to apply only to certain Muslim lands. It then clarifies the relationship between embargo and crusade. Next, it contextualizes the embargo within broader ecclesiastical policies and hence formulates a hypothesis about the multilayered nature of papal embargoes.

Chapters 5 and 6 then demonstrate the validity of the hypothesis, so to speak, formulated at the end of Chapter 4. Chapter 5 focuses on the only period for which some papal embargoes have been discussed to date, 1270s-1360s. Rather than building on previous work, however, it covers much of that ground using the approach outlined in this introductory chapter. It also adds horizontal breadth and vertical depth to the existing understanding of papal embargoes in the fourteenth century. Chapter 6 first reveals the history and the scope and argues for the currency of papal embargoes during the fifteenth century, a period in which they have been deemed an anachronism (in the few instances in which they have been at all noticed). It then proceeds to bring home the points raised in Chapter 4 on the basis of examples from fifteenth century material. In the process, by way of conclusion to Part I, Chapter 6 shows how the papal embargo combined highly contextual concerns with a transcendent, almost a-historical dimension.

Part II, “*Devedo: The Venetian Response to the Conqueror*,” is composed of Chapters 7-9. It studies Venice’s employment of an embargo against the Ottoman Empire during the conflict of 1462-1479 in the context of Venice’s broader economic and political interests. Constructed almost entirely from archival material from Venice, it forms a contrast with Part I by showing that a polity in late medieval Europe could and did shape an embargo exclusively as a tool of foreign policy. Chapter 7 opens Part II by uncovering Venice’s major concerns upon the Ottoman takeover of Constantinople (1453) and outlines the papal Ottoman policies, the Venetian, Genoese and Florentine interests in eastern trade, and the delicacies of the political system established in Italy through the 1454 peace of Lodi. Using senatorial and other documents as opposed to narrative sources, which it nevertheless considers, Chapter 7 then offers a new explanation for the immediate reasons that led to the outbreak of the so-called “Venetian-Ottoman war of 1463-1479,” slightly re-dating the start of the conflict to 1462 in the process. It then points to the centrality of an embargo in the unfolding events and the tensions it caused in Venice’s Italian politics.

Chapter 8 first shows how and why the embargo became Venice’s main tool against Sultan Mehmed during the first half of 1464 and reveals the modes and the difficulties of its enforcement. It then identifies the period of 1467-1470 as the years in which Venice astutely manipulated existing law in order to at least occasionally enforce its embargo on non-Venetians. It also shows how the Venetian war, the embargo, and Venice’s Italian policies fit within the hierarchy of the political concerns of Venice’s ruling elite. Chapter 8, finally, discusses the period 1470-1473 as one in which the senate did its best to use not only the embargo, but also its counterpart – economic aid to allies –

to further its chances for success against Mehmed. It also explains the strains in Venetian-papal relations and points to new and important directions of Venetian foreign policy. Chapter 9 concludes Part II by discussing the closing years of the war, modes of embargo enforcement and embargo-transgression, and by questioning the prevalent explanation of the end of the conflict.

Having shown, in Part I, the need for a broad analysis of long-lasting embargoes employed by ideologically inimical powers and, in Part II, that embargoes in pre-modern Europe could indeed be used as economic tools for the achievement of foreign policy goals, I conclude by briefly addressing the emergence of the embargo as a foreign policy option. In Chapter 10 I seek to contextualize the appearance of the embargo as a well-conceptualized and frequently employed economic tool for the achievement of foreign policy goals by merchant governments and kings alike within the effects of the “Commercial Revolution,” furthering the argument that the emergence of embargoes as options of foreign policy had much to do with economic factors and little, if anything, with the emergence of nation states.

This, in sum, is a dissertation that has as its primary subject the withdrawal of trade in medieval and early modern Europe. Its secondary research subjects are (1) the goals and the policy tools of the papacy between 1150 and 1520 and (2) western-Ottoman relations in the second half of the fifteenth century. Its primary argument is twofold: embargoes are complex, multi-layered policy instruments of importance transcending the ambit of foreign policy that, starting in the central middle ages, were widely used in Europe and the broader Mediterranean in a variety of ways. The thesis establishes

embargo as a tool developed and deployed in complex, even contradictory, ways, some of which had important effects upon European means of self-definition, others, upon the way in which emerging nation states practiced foreign policy.

# **PART I**

## **‘SPIRITUAL RATIONALITY:’ PAPAL EMBARGO AS CULTURAL PRACTICE**

### **CHAPTER 2**

#### **IN BETWEEN THE “COMMERCIAL REVOLUTION” AND THE GREGORIAN REFORM: THE ‘PRE-HISTORY’ OF PAPAL EMBARGO**

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This chapter opens with the first extant papal restriction of Christian trade with Muslims: Canon 24 of the Third Lateran Council (1179).<sup>1</sup> It then proceeds to outline the way in which historians have read this bull and interpreted papal restrictions on trade with Muslims at large. I find in the writings of the Venetian crusading theorist Marin Sanudo a major reason why medievalists have viewed the papal policy of regulating Christian trade with Muslims as what can be termed ‘strategic embargo,’ an economic tool aimed at debilitating the economy of a target in order to weaken its military power. I then seek to demonstrate that Lateran III’s Canon 24 knitted together and did not differentiate between what we would call – and disentangle for analytical purposes – symbolic and functional concerns. The former can be traced to long-standing early medieval papal bans on the export of Christian slaves to non-Christians, governed by concerns with the potential loss of souls. The latter had a precedent in century-old Byzantine attempts to control trade between the Christian and Muslim shores of the Mediterranean and in Carolingian export controls. I then identify in the so-called “Commercial Revolution,” in

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<sup>1</sup> All dates in this dissertation have been converted to modern style. Whenever warranted, both in Part I and Part II, I deal explicitly with the issue of dating.

political changes of the twelfth century Mediterranean, and in the movement of Gregorian reform the broader developments that allowed the embargo to emerge as a new tool in the policy instrumentarium of the Roman Church. I suggest that this may have happened as a result of the failure of the Second Crusade.

### **2.1. By Way of Introduction: The Third Lateran Council, Marin Sanudo, and the Functional Reading of Papal Restrictions of Trade**

In March 1179 in the city of Rome Pope Alexander III (1159-1181) opened the proceedings of the Third Lateran Council. Probably conceived, and surely perceived, as the first general council of the church in centuries,<sup>2</sup> its primary goal was reconciliation: healing wounds produced in the ecclesiastical body by a prolonged political struggle between Pope Alexander and Emperor Frederick I (1152-1190).<sup>3</sup> In addition to the council's many canons on organizational issues, it also legislated on Jews, heretics, lepers, and trade with 'Saracens.' Canon #24 ("Ita Quorundam," subsequently made part of canon law, as X. 5.6.6) reads:

Cruel avarice has so seized the hearts of some that though they glory in the name of Christians they provide the Saracens with arms, iron, and timber for galleys, and become their equals or even their superiors in wickedness and supply them with arms and necessaries to attack Christians. There are even some who for gain act as captains or pilots in galleys or Saracen

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<sup>2</sup> Lateran I (1123) and Lateran II (1139) were later added to the councils considered ecumenical by the Catholic Church, but were not generally perceived as such at the time, see for example, Norman Tanner, ed., *Decrees of the ecumenical councils* (Washington, DC: Georgetown University Press, 1990), pp. 187, 195, 206. This is certainly the case of the documents that will concern us, which widely refer to the Third Lateran council simply as "the Lateran Council" (Lateran IV being "the general council"): canon law, more precisely the *Liber Extra*, in Aemilius Friedberg, ed., *Corpus Iuris Canonici* (Leipzig: B. Tauchnitz, 1922, henceforth: Friedberg I for *Decretum Magistri Gratiani* and Friedberg II for *Corpus Iuris Canonici*), and the letters of pope Innocent III: Registers 1-9 in Othmar Hageneder et al., ed., *Die Register Innocenz' III* (Graz: H. Böhlau, 1968-2007), Registers 10-16 in Jacques-Paul Migne, ed., *Patrologiae cursus completus...series Latina* (Paris: Garnier fratres, 1844-1864, henceforth PL): 10 (PL 215, 1103-1340), 11 (PL 215, 1339-1612), 12 (PL 216, 9-194), 13 (PL 216, 193-378), 14 (PL 216, 377-540), 15 (PL 216, 539-782), 16 (PL 216, 781-994).

<sup>3</sup> Tanner, *Decrees*, p. 205, Colin Morris, *The Papal Monarchy. The Western Church from 1050-1250* (Oxford: Clarendon Press, 1989), p. 180, Malcom Barber, *The Two Cities. Medieval Europe 1050-1320* (New York: Routledge, 2004 [1992]), p. 104. Between 1159-1178 Frederick had supported three anti-popes against Alexander.

pirate vessels. Therefore we declare that such persons should be cut off from the communion of the church and be excommunicated for their wickedness, that catholic princes and civil magistrates should confiscate their possessions, and that if they are captured they should become the slaves of their captors. We order that throughout the churches of the maritime cities frequent and solemn excommunication should be pronounced against them.<sup>4</sup>

Almost a century and a half later, Marin Sanudo Torsello the Elder delivered his “Book about the Secrets of the Faithful of the Cross” to the chancery of Pope John XXII (1316-1334) in Avignon.<sup>5</sup> Marin Sanudo, who when younger had made business trips to the East for his father, a prominent Venetian merchant, hoped that the pope would work for the practical implementation of his plan for recapturing the Holy Land. The strategy presented in the book had three elements: cessation of trade enforced through a naval blockade, a preliminary military expedition, and, finally, a large scale crusade. It is the first of these, namely the “way to debilitate the Sultan’s power,” that is of interest here.<sup>6</sup>

Sanudo’s proposal for what political scientists call a strategic embargo centers on depriving the sultan of tax revenues. Egypt is known for the spice trade, he writes, yet spices come to Egypt from India. “As water naturally flows into valleys, so goods are

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<sup>4</sup> Then the canon continues with dispositions against pirates and those who pillage shipwrecks, Latin text and this English translation in Tanner, *Decrees*, p. 223. I have corrected Tanner’s translation from “wood for helmets” to “timber for galleys;” I have also added “iron” which is present in the Latin text, but omitted in his translation, this matter is discussed below.

<sup>5</sup> Marin Sanudo (ca. 1270-1343) was a Venetian from a rich and influential family who lived and traveled across the eastern Mediterranean both as an agent of his father, a prominent merchant, and later in his life. It is not clear what his occupation was at that point, but he had enough time and money to write strategies on the recovery of the Holy Land and to travel around trying to get backing for their actual implementation. Quite a few scholars have written on his work and his attempts to popularize it. A good place to start would be C. J. Tyerman, “Marino Sanudo Torsello and the Lost Crusade: Lobbying in the Fourteenth Century,” *Transactions of the Royal Historical Society*, Fifth Series 32 (1982): 57-73, and especially Franco Cardini, “Per un’edizione del *Liber secretorum fidelium crucis* di Marin Sanudo il Vecchio,” In idem, *Studi sulla storia e sull’idea di crociata* (Rome: Jouvence, 1993), pp. 317-375; idem, “I Costi della Crociata. L’aspetto economico del progetto di Marin Sanudo il Vecchio,” ibidem, pp. 377-411. Angeliki Laiou, “Marino Sanudo Torsello, Byzantium and the Turks: The Background to the Anti-Turkish League of 1332-1334,” *Speculum* 45 (1970, 3): 374-392 sheds light upon Sanudo’s attitude towards Byzantium, towards the Turks, and on the relationship between his ideas and the so-called Holy League (Sancta Unio) of 1332-1334, but occasionally lacks precision when the embargo itself is concerned.

<sup>6</sup> “Pars Prima, continent modum debilitandi soldani potentiam....” Marino Torsello Sanudo, *Liber secretorum fidelium crucis*, ed., Joshua Prawer (Jerusalem: Massada Press, 1972), p. 22.

transported to places where they are most sought after.”<sup>7</sup> If trade with Egypt is halted Christian merchants will therefore obtain the products of India elsewhere, namely from the Mongol Empire. Trade with the Mongols can actually be attractive since the canella and the ginger delivered via Mongol ports (in the Black Sea), after all, command 10-20% higher prices than those purchased in Alexandria, because of their higher quality. Although transportation costs are higher, the lower custom dues offset the difference. In sum, ending trade with Egypt would not deprive the west of spices, but it would cause the sultan to lose the chief source of his revenue.<sup>8</sup>

There are more ways, Sanudo continues, through which Egypt can be hurt. Egypt exports sugar, silk, and flax, but the Christians can grow these on their own in Apulia, Sicily, Crete, Cyprus, and other places.<sup>9</sup> Slaves, on which Egypt relies for its army, should not be brought there by Christians,<sup>10</sup> who must also deny the Sultan, his merchants, and his people access to victuals and clothes, from which “they derive great utility.”<sup>11</sup> Denying Egypt timber, iron, and pitch, which it does not produce, would break its commerce and the Sultan’s tax revenues. Egypt would not be able to construct ships, which would break its commerce since the transportation costs involved in over-land trade exceed the value of the goods.<sup>12</sup> Egypt also relies on imports for other metals.<sup>13</sup>

Reminding his readers of earlier papal prohibitions, Sanudo proposes a “solemn

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<sup>7</sup> “Nam sicut aqua naturaliter labitur ad valles, sic mercimonia transferuntur ad loca, ubi magis requiruntur....” Sanudo, *Liber secretorum*..., p. 23.

<sup>8</sup> Sanudo, *Liber secretorum*..., p. 23.

<sup>9</sup> Sanudo, *Liber secretorum*..., p. 24.

<sup>10</sup> Sanudo, *Liber secretorum*..., p. 27.

<sup>11</sup> “...de quibus Soldanus, et mercatores, et populus suus magnam consequuntur utilitatem.” Sanudo, *Liber secretorum*... p. 25.

<sup>12</sup> This is how Sanudo put it: “Quod si Saraceni navigium non haberent, mercimonia, victualia, et eis necessaria non possent conduci in Babyloniam, vel ad Kayrum, ac ad Castrum: eò quod somagium esset maiorum expensarum quam res valerent....” Sanudo, *Liber secretorum*..., p. 25.

<sup>13</sup> Sanudo, *Liber secretorum*..., p. 24.

ban...throughout the world” on trade in “timber, iron, and pitch, and anything in general” with Egypt.<sup>14</sup> To achieve its full effect, the embargo would need a larger scope: it should cover all territories under Muslim (‘Saracen’) control in the Mediterranean; nor did the Turks in Asia Minor escape Sanudo’s attention.<sup>15</sup>

Draconian punishments and a naval blockade would ensure enforcement.

Transgressing the embargo would be treated as heresy, and would entail perpetual infamy and deprivation of testamentary rights.<sup>16</sup> The same penalties were to apply to Christians who knowingly bought in Christian lands merchandise that had originated in the banned regions.<sup>17</sup> Harsh punishments can be conceptualized as an alternative to strict policing, but Sanudo insisted on both. Ten galleys were to enforce a naval blockade to ensure that the measures proposed, that is, the strategic embargo, would work.<sup>18</sup> These would also keep Egypt from diplomatic exchange with Byzantium and also with the “Tartars” (The Golden Horde), thus impeding the spread of Islam to the north.<sup>19</sup> If Christians were to do all of this and treat would-be violators as heretics, God would help their cause.<sup>20</sup> In a concise and well-written summary, Sanudo stresses that the measures he proposes would

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<sup>14</sup> “...inhibitio solemnitas per totum mundum...celebretur. Videlicet quod lignamen, ferrum et pix, et generaliter aliquid alius, nullatenus portentur, vel accipiantur abinde.” Sanudo, *Liber secretorum...*, p. 27. Italics not mine.

<sup>15</sup> Sanudo, *Liber secretorum...*, pp. 28-29; on the Turks see p. 29, and especially the later marginal note on pp. 30-31 and the above-quoted article of Laiou, “Marino Sanudo...”

<sup>16</sup> Sanudo, *Liber secretorum...*, pp. 28, 30.

<sup>17</sup> Sanudo, *Liber secretorum...*, p. 29.

<sup>18</sup> Sanudo, *Liber secretorum...*, pp. 30-31. Laiou, “Marino Sanudo...,” p. 376 is mistaken in pointing out that the suggestion of a policing force was original; this distinction goes to Fidenzio of Padua, “Liber recuperationis Terre Sancte,” In Girolamo Golubovich, ed., *Biblioteca bio-bibliografica della Terra Santa e dell’ Oriente francescano 2* (Quaracchi near Florence: Collegio di S. Bonaventura, 1913), p. 46, who wanted a force of fifty, and in any case no less than thirty galleys. On Fidenzio and the other treatises of this genre see Chapter 5 below.

<sup>19</sup> Sanudo, *Liber secretorum...*, pp. 31-32.

<sup>20</sup> Sanudo, *Liber secretorum...*, p. 30.

quickly yield positive results by preparing the ground for a successful crusade.<sup>21</sup> As he puts it in the second book of his work, two or three years would suffice.<sup>22</sup>

Thus Marin Sanudo, who appears to have spent the latter part of his life promoting his ideas, framed them in a way that could easily fit the sanctions debate outlined in Chapter 1. He proposed a strategic embargo aimed at the achievement of a concrete and well-defined foreign policy goal, the restoration of Latin rule over the Holy Land. We would say then that Sanudo built a functional argument for the use of an economic tool for the achievement of a foreign policy goal by reflecting upon scarcity, supply and demand, costs and benefits. His argument for “prohibition” (he uses both *inhibitio* and *prohibitio*) carefully delineates a precise and extensive geographical scope of the embargo. Sanudo argues for the withdrawal of all Christian trade, but stresses the importance of what political scientists call ‘strategic goods.’

How did Sanudo see the papal prohibitions? In a short paragraph, he mentions that previous popes had already banned trade, primarily that in timber, iron, and pitch, with the lands of the sultan.<sup>23</sup> According to him they proclaimed such bans in order to impoverish the sultan’s coffers.<sup>24</sup> It is he, however, not a papal document that makes this argument. In Book 3, Sanudo outlines a chronology of events in the Holy Land. In that context he paraphrases Canon 24 of Lateran III. Although Sanudo does continue to call “impious” Christians excommunicated by its terms, he excises most of its references to moral issues, beginning with the sentence which made ‘cruel avarice’ the spur to their

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<sup>21</sup> “...terra Aegypti & residuum in tantum consumi poterunt, quod breviter Passagium in recuperationem Terrae Sanctae, & aliarum terrarum quas tenet Soldanus levius fieri poterit, in conversionem Soldani & Saracenorum, & recuperationem ad aedificationem Civitatis Sanctae Ierusalem, in consolationem & libertatem filiorum Christianorum, qui in illis partibus commorantur, ac etiam in augmentum totius fidei Christianae.” Sanudo, *Liber secretorum...*, p. 33.

<sup>22</sup> Sanudo, *Liber secretorum...*, pp. 34-35.

<sup>23</sup> Sanudo, *Liber secretorum...*, p. 26.

<sup>24</sup> Sanudo, *Liber secretorum...*, p. 26.

impiety.<sup>25</sup> In short, Marin Sanudo – the son of a prominent merchant, and, if not a merchant himself, probably his father’s agent – gave a merchant’s reading to Lateran III’s Canon 24 (“Ita Quorundam”). Sanudo’s conceptualization of the withdrawal of customary trade is as close to that of political scientists as it could have been. Since it is centered on what we identify as economic and political matters, not on religious or moral ones, I call it functional throughout my work.

Sanudo was the most sophisticated, but not the first crusading theorist to argue the case for economic sanctions (including a naval blockade) as a tool for the restoration of Latin control over the Holy Land. The former knight, then Friar Minor, Fidenzio of Padua, who composed his work in response to a request for advice by Pope Gregory X made on occasion of the Second Council of Lyon, had already clearly outlined the key ideas that appear in Sanudo’s proposal.<sup>26</sup> These crusading treatises as well as all other ones, although original as a genre, exposed no new ideas regarding an embargo. Except for the naval blockade as a means of enforcement, these proposals added nothing that cannot be found in earlier papal letters.<sup>27</sup> We should probably trace the roots of Fidenzio’s idea of a naval blockade against Egypt to the Upper Adriatic, where Venice

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<sup>25</sup> Sanudo, *Liber secretorum...*, p. 190.

<sup>26</sup> But the work was not completed until shortly prior to the fall of Acre in 1291, see my Chapter 5; Fidenzio of Padua, “Liber recuperationis Terre Sancte,” pp. 9-60, specifically pp. 46-49; for a recent study of the crusading treatises in English, see Anthony Leopold, *The Crusade Proposals of the Late Thirteenth and Early Fourteenth Century* (Aldershot: Ashgate, 2000). For the dating of his work *ibidem*, p. 16 and Sylvia Schein, *Fideles Crucis. The Papacy, the West, and the Recovery of the Holy Land 1274-1314* (Oxford: Clarendon Press, 1991), pp. 93-94. For Fidenzio’s originality: “...the majority of proposals written in this period favoured an embargo on trade with the Mamluks, and several authors discussed the vulnerability of the enemy to economic warfare in detail. Many of the assumptions which underlay this reasoning were originally discussed by Fidenzio of Padua, who drew on his knowledge of commerce in the east to argue the case for economic warfare.” Leopold, *The Crusade Proposals*, p. 119. Also, “...Fidenzio’s concerns influenced other writers: discussions centered on slave imports, tariff revenues and raw materials.” *Ibidem*, p. 126.

<sup>27</sup> For example Leopold has been right to use the conditional when stating that while the conviction that Egypt depended in imports was old “...the idea of a complete embargo on trade, as suggested by Fidenzio, may be new.” Leopold, *Crusade Proposals...*, p. 126.

strictly controlled navigation through patrol vessels.<sup>28</sup> Familiar with the region as he was Fidenzio, and later Sanudo, surely knew something about this long-standing Venetian practice. The reason for presenting Sanudo at the outset of this section is thus neither his unparalleled sophistication nor his originality, but because Sanudo's work circulated so widely that it did not need to be 'resurrected' by modern scholarship.<sup>29</sup> Generations of historians have in fact used his work as a source for late medieval history. It should not be surprising then that *Liber secretorum* has influenced the way in which medievalists have interpreted papal embargoes.

The eighteenth-century Venetian historians Vincenzo Formaleoni and Carlo Marin both used Sanudo and passed along an interest in his work.<sup>30</sup> For Formaleoni, Sanudo's plan was to provide Venice with a strategic commercial answer to Genoese dominance of Black Sea trade,<sup>31</sup> which had come at the time to rival the more traditional trade routes through Egypt and Syria.<sup>32</sup> Carlo Marin used the work of Sanudo to extrapolate data about Latin trade with Egypt.<sup>33</sup>

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<sup>28</sup> Galleys in open sea and boats in the lagoon; however, it sometimes also used castles on the shores.

<sup>29</sup> So many are the extant manuscript copies that their number has discouraged the publication of a critical edition, Cardini, "I costi della crociata," pp. 377-378.

<sup>30</sup> Vincenzo Formaleoni, *Storia filosofica, e politica della navigazione, del commercio e delle colonie degli antichi nel Mar Nero*, 2 vols (Venice: Formaleoni, 1788-1789), Carlo Antonio Marin, *Storia civile e politica del commercio de' Veneziani*, 8 vols (Venice: Stamperia Coleti, 1798-1808), IV, Book 3.

<sup>31</sup> Formaleoni, *Storia filosofica...*, I, pp. 41-46.

<sup>32</sup> The following works are a starting point for the study of medieval trade in the eastern Mediterranean: Heyd, *Histoire du commerce du Levant*, Robert S. Lopez and Irving W. Raymond, *Medieval Trade in the Mediterranean World* (London: Oxford University Press, 1955), Freddy Thiriet, *La Romanie vénitienne au Moyen Age. Le développement et l'exploitation du domaine colonial vénitien (XII<sup>e</sup>-XV<sup>e</sup> siècles)*, Ecoles Française d'Athènes et de Rome 193 (Paris: E. de Boccard, 1959), S. D. Goitein, *A Mediterranean Society. The Jewish Communities and the Arab World as Portrayed in the Documents of the Cairo Geniza* (Berkeley: University of California Press, 1967), Vol. I, Robert S. Lopez, *The Commercial Revolution of the Middle Ages, 950-1350* (Englewood Cliffs, NJ: Prentice-Hall, 1971), Michel Balard, *La Romanie Genoise (XII<sup>e</sup> – début du XV<sup>e</sup> siècle)*, In *Bibliothèque des Écoles françaises d'Athènes et de Rome* 235 (1978) and *Atti della società ligure di storia patria* n. s. 18 (42) (1978), Ashtor, *Levant Trade in the Later Middle Ages*, Halil Inalcik and Donald Quataert, ed., *An Economic and Social History of the Ottoman Empire 1300-1914* (Cambridge: Cambridge University Press, 1994), Angeliki Laiou, ed., *The Economic History of Byzantium: From the Seventh Through the Fifteenth Century*, 3 vols (Washington D.C.: Dumbarton Oaks, 2002). Especially helpful in connecting trade in the eastern Mediterranean to the rest of

A few decades later, G.B. Depping, who often used Sanudo and Marin for the pages of interest to us, framed his discussion of papal embargoes by introducing the two viewpoints that have dominated it ever since. The title of one of his chapters, “Obstacles to Trade in Levant,” well-encapsulates the more popular of these views.<sup>34</sup> By considering Sanudo together with another treatise, that of Ramon Lull,<sup>35</sup> Depping also effectively suggested the confinement of the study of papal embargoes to the issue of crusading treatises and plans for crusades against Mamluk Egypt after 1291. Depping, further, used Sanudo, rather than the decrees of Lateran III as his source for the origins of the papal policy of embargo.<sup>36</sup> It can come as no surprise then, that Depping saw the embargo in what I call here purely functional terms.<sup>37</sup>

When Wilhelm Heyd gathered into one fundamental work the results of nineteenth century research on Latin trade in the Eastern Mediterranean, Depping’s work was relegated to obscurity. Yet, although Heyd provided a fuller treatment of the papal embargo against Egypt,<sup>38</sup> he effectively adopted Depping’s approach. Interested in trade, not sanctions, he only briefly outlined the dates of embargo prohibitions prior to 1291 and focused thoroughly on the question of their effect on trade. Like Depping, Heyd

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Europe is Peter Spufford, *Power and Profit. The Merchant in Medieval Europe* (New York: Thames and Hudson, 2002).

<sup>33</sup> Suggesting that slaves, timber, and arms formed the bulk of Venetian exports there, Marin, *Storia civile e politica del commercio de’ Veneziani*, pp. 255-259. For him, Sanudo’s plan aimed both at Venice’s and Christianity’s profit, p. 256. He stresses the slave trade, see pp. 260-263.

<sup>34</sup> “Obstacles du commerce du Levant,” G. B. Depping, *Histoire du commerce entre le Levant et l’Europe* (Paris: Imprimerie Royale, 1830), Vol. II, Chapter X, p. 170.

<sup>35</sup> Depping, *Histoire du commerce*, pp. 192-195.

<sup>36</sup> Depping, *Histoire du commerce*, pp. 171-175, and specifically pp. 172-173.

<sup>37</sup> Depping, *Histoire du commerce*, pp. 170-204.

<sup>38</sup> For example, Heyd pointed a papal document from as early as 1162, and a Genoese one from 1151, Heyd, *Histoire du commerce*, I, pp. 386-387 and n. 4 on p. 386.

devoted many pages to the embargo after 1291, for which, again like Depping, he extensively used the work of Sanudo.<sup>39</sup>

Eliyahu Ashtor has now displaced Heyd as the main guide to Latin trade in the Muslim Levant in the late Middle Ages, including the relationship between papal embargoes and trade. More explicitly than previous authors, Ashtor distinguishes two periods in the enforcement of papal embargo: 1291-1323 and 1323-1344. For him the former was basically a crisis, as the cost of business with Egypt rose as a consequence of the papal measures, while the second was one of a “strict embargo” when Venice, for example, completely halted trade with Egypt. The work of Ashtor is a most useful guide to the study of the enforcement of the embargo on Egypt between 1291 and 1344. However, Ashtor focuses even more narrowly than previous authors on the embargo after 1291 and dismisses it after the third quarter of the fourteenth century.<sup>40</sup>

Thus while few read Depping today, the practice of what can be called understanding papal trade restrictions through Sanudo’s eyes permeates the study of papal embargoes: it remains firmly grounded within the intersection of trade and ‘foreign

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<sup>39</sup> Heyd, *Histoire du commerce*, II, pp. 23-57. In turn some important work still uses Heyd’s as the basis of knowledge of papal sanctions in the period, Damien Coulon, *Barcelone et le grand commerce d’Orient au Moyen Âge. Un siècle de relations avec l’Égypte et la Syrie-Palestine (ca. 1330-ca. 1430)* (Barcelona: Institut Europeu de la Mediterrània, 2004), pp. 26-41. The part of Heyd’s work that delineates Latin trade with Egypt throughout the thirteenth century, however, remains a cornerstone of our knowledge of trade in that period, Heyd, *Histoire du commerce*, I, pp. 384-388. Thus once we have determined the goals and scope of the papal embargo through papal documents, we would be able to incorporate Heyd’s findings on trade to surmise about the sanctions’ effectiveness. The question of what we can tell about the effectiveness of embargoes as tools of foreign policy is discussed in Chapter 3 of my work. The previously cited Odena, “De Alexandrinis: El comercio prohibido con los Musulmanes y el papado de Avinón durante la primera mitad del siglo XIV,” has a somewhat misleading title as Odena addresses some questions that regard the earlier period, too, especially pp. 246-251 outline some papal documents referring to the application of the papal embargo against Egypt in Spain in the earlier period.

<sup>40</sup> Ashtor, *Levant Trade in the Later Middle Ages*, pp. 17-63. See the opening pages of my Chapter 6 for Ashtor’s take on the later period.

politics,' centered on Muslim Egypt, and on the first half of the fourteenth century.<sup>41</sup>

Interpreted functionally, the embargo is seen as a fiasco, because, with the exception of the period 1323-1344, trade went on with little disturbance. Nevertheless, given Sanudo's influence, the importance of Egypt in 'international' commerce, and its well-known ecological disadvantages vis-à-vis Latin Europe, scholars have judged the embargo a viable policy tool. They have seen its failure in the fact that the church relied for its implementation on those powers that would be hurt by it the most – maritime cities ruled by merchants. Not interested in embargoes as a primary research subject, historians have then been all too eager to link the fact that the papacy issued licenses for trade with Egypt – thus itself undermining the functional effects of the embargo – to the narrative of a greedy and decadent Avignonese papacy, thereby creating a history of the embargo that sees its 'dark age' (1179-1291), rise (1291-ca. 1324), flourishing (1324-1344), and fall (post 1344) disposing of the problem of interpretation in the process.<sup>42</sup>

If Heyd was instrumental for the long life of the study of papal embargoes as an obstacle to trade (with Egypt and Syria), Delaville le Roulx played similar role for the

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<sup>41</sup> Depping, *Histoire du commerce*, p. 170 well stressed this intersection of trade and politics: "Tout en favorisant le commerce avec le Levant, les croisades firent naitre pourtant aussi un grand nombre d'obstacles aux libres communications des puissances commerciales de la chrétienté avec les contrées de l'Orient. A mesure que les armées des Sarrasins et les Maures faisaient des progrès et s'emparaient de l'empire grec, de la Syrie, de l'Égypte, &c., l'ardeur des papes et du clergé croissait pour exciter les chrétiens à de nouvelles croisades."

<sup>42</sup> Odena, "De Alexandrinis," provides information for Barcelona, Jean Richard, "Le royaume de Chypre et l'embargo sur le commerce avec l'Égypte (fin XIII<sup>e</sup>-début XIV<sup>e</sup> siècle)," *Académie des Inscriptions et Belle Lettres, Comptes-rendus des séances de l'année 1984* (Paris: De Boccard, 1984), pp. 120-133, provides us with a sharp analysis of the papal embargo against Egypt in the late thirteenth – early fourteenth century, centered on the role of Cyprus; Gherardo Ortalli, "Venice and Papal Bans on Trade with the Levant: The Role of the Jurist," *Mediterranean Historical Review* 10 (1995, 1-2): 242-258, points the attention to the importance of lawyers in the Venetian attempts to resist papal pressure with regard to the embargo; Housley, *The Avignon Papacy and the Crusades*, pp. 199-214, offers the best summary on the topic; finally Kenneth Setton, *The Papacy and the Levant, 1204-1571*, I (Philadelphia: American Philosophical Society, 1976), pp. 224-284, provides much information on the embargo with regard to Egypt in the 1360s.

study of embargoes as part of the ‘later crusades.’<sup>43</sup> He studied a number of crusading treatises, adding the first known one, that of Fidenzio of Padua,<sup>44</sup> to those of Sanudo and Lull.<sup>45</sup> For Delaville, these two works, and especially that of Sanudo, stood out.<sup>46</sup> With Delaville, outlining and comparing the projects for the recovery of Holy Land became a standard way to study the ‘Eastern Question’ between 1291 and the mid-fourteenth century. Aziz Attiya, who followed Delaville closely, went on to claim more explicitly that the later crusades were inherently different from earlier ones. “The capture of ‘Akka [Acre] by the Egyptians in May 1291 may be appropriately regarded as the end of one chapter and the beginning of another in the history of the crusades.”<sup>47</sup> The decades after 1291 “formed a period of propagandist activities...for the recovery of the lost heritage of Christ.”<sup>48</sup> Attiya saw calculated actions, including what he calls economic warfare [and what I call ‘strategic embargo’ in this work], as a substitute for faith-based military action; in his eyes Sanudo becomes the epitome of a call for a new, ‘rational’ approach to the ‘Eastern Question.’<sup>49</sup> The approach championed by Delaville and Attiya has most recently been exemplified in Antony Leopold’s excellent analysis of the treatises’ treatment of the ‘recovery of the Holy Land.’<sup>50</sup>

Explicitly or not, works that adopt Delaville’s approach postulate a dichotomy between a period in which the West formulated its eastern policies on the basis of faith

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<sup>43</sup> J. Delaville le Roulx, *La France en Orient au XIV<sup>e</sup> siècle* (Paris: E. Thorin, 1886), specifically, pp. 11-110.

<sup>44</sup> Delaville le Roulx, *La France en Orient*, pp. 19-25 on Fidenzio.

<sup>45</sup> Delaville le Roulx, *La France en Orient*, pp. 27-39.

<sup>46</sup> “Les vues de Lull et de Sanudo, de ce dernier surtout, nous ont semblé, à cause de leur importance exceptionnelle, mériter d’être groupées dans un chapitre spécial...elles contiennent le germe de toutes celles que, pendant près de cinquante années, le désir de reconquérir les Lieux Saints fera éclore en Occident...,” Delaville le Roulx, *La France en Orient*, p. 39.

<sup>47</sup> Aziz Attiya, *The Crusade in the Later Middle Ages* (London: Methuen&Co, 1938), p. 29.

<sup>48</sup> Attiya, *The Crusade in the Later Middle Ages*, p. 29.

<sup>49</sup> Attiya, *The Crusade in the Later Middle Ages*, pp. 114-127.

<sup>50</sup> Leopold, *Crusade Proposals...*, on crusade proposals and the embargo see pp. 119-126.

and a period in which it did so by weighing the importance of items of trade and the power of market forces.<sup>51</sup> Such an approach ignores the fact that the embargo had a rich and nuanced history for more than a century prior to the fall of Acre. It also glosses over the fact that not every treatise focuses on ‘practical’ matters. Sanudo surely did, but the first writer of a known treatise, Fidenzio of Padua, while arguing for a complete embargo, nevertheless also stressed moral concerns.<sup>52</sup> After all, for the Franciscan that he was, there could be no ‘economic sphere’ as such, no foreign policy problem unrelated to moral issues. Yet, works studying the ‘later crusades’ have perpetuated the practice of reading papal policies through the eyes of the merchant Marin Sanudo.

Thus since the 1830s historians have used Sanudo’s work as a guide to the understanding of the papal sentences of excommunication against those who traded with Muslims, primarily in arms and timber. They have concentrated on the period between 1291 and the 1360s and seen the papal prohibitions either as “an impediment to trade” or as one part of broader strategies of the so-called later crusades. Explicitly or not, the papal measures have been conceptualized as an economic tool (withdrawal of trade, usually in strategic material) for the achievement of a well-defined foreign policy goal (debilitate Egypt and regain Jerusalem) and judged as failures (as trade went on). The church’s behavior (issuing licenses for trade with Egypt) has been seen as inconsistent with its goals (weakening Egypt by depriving it of tax revenue).

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<sup>51</sup> For many, these could be fruitfully called periods of irrationality and rationality respectively, but I would refrain from doing so here for reasons made clear in Chapter 1. Perhaps closest to providing a solid functional rationale behind embargoes were papal bulls concerning interdicts against Christian cities.

<sup>52</sup> Fidenzio of Padua, “Liber recuperationis Terre Sancte,” pp. 9-60, this work is discussed in Charter 5 below.

Sanudo's 'merchant assessment of the embargo would have been very well understood on the other side of the proposed trade curtain by people like Ibn Khaldun,<sup>53</sup> but is it possible that his work is all too convenient a guide to the study of papal embargo? Perhaps we need another look at what the 1179 decree has to say. Why did it threaten disobedient Christians with absolute spiritual (eternal damnation, which could ensue from excommunication), social (slavery), and economic (property confiscation) ruin? Let us go back to the papal document.

The Latin text of Canon 24 contains a prohibition on the export to Muslims of "arms, iron, and timber for construction" (*arma ferrum et lignamina galearum*). Let us explain each of the three expressions. *Arma* had the broad significance of the modern word 'arms,' *lignamina* per se referred to timber suitable for construction; finally, *ferrum*, iron, was of course the indispensable raw material from which most arms were made. Tanner's translation of the canon, however, omits 'iron' and translates *lignamina galearum* with "wood for helmets."<sup>54</sup> The latter would have been appropriate had our text been one of classical Latin, but in medieval Latin the expression meant "timber for galleys." Finally, *Saracens* was the generally accepted way to refer to Muslims, although

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<sup>53</sup> Ibn Khaldun, *The Muqaddimah*, translated by Franz Rosenthal (Princeton: Princeton University Press, 1967), II, p. 92 discusses the reliance of rulers on taxes levied on commerce. He speaks about the taxation on commerce when describing the fall of dynasties within his cyclical view of civilization in which the exorbitant taxation spurred by a desire to keep an ever more luxurious court life and to sustain ever higher military expenditures causes economic ruin and leads to disintegration. Ibn Khaldun summarizes commerce by putting into the mouth of an "old merchant" teaching a novice the following words: "buy cheap and sell dear," II, p. 337. For a masterful summary of the economic ideas of Ibn Khaldun see Joseph J. Spengler, "Economic Thought of Islam: Ibn Khaldun," *Comparative Studies in Society and History* 6 (1964, 3): 268-306; see 291-293 for taxation. See also Dieter Weiss, "Ibn Khaldun on Economic Transformation," *International Journal of Middle Eastern Studies* 27 (1995): 29-37.

<sup>54</sup> Classical legal Latin used "materia" for wood used for building and "lignum," for wood used for fuel, Russell Meiggs, *Trees and Timber in the Ancient Mediterranean World* (Oxford: Clarendon Press, 1982), p. 359.

these were sometimes called “Agarens” or simply “Pagans.”<sup>55</sup> Although inconsequential for the interpretation of Canon 24 in the scholarly literature, the fact that a work like Tanner’s can feature such an inaccurate translation of a particular passage is curiously symptomatic of the scant attention that papal prohibitions on trade have received.

Read functionally Canon 24 of Lateran III assumes that Egypt’s military could be seriously undermined by limitations placed on its access to timber and iron. At the time, timber was abundant throughout the northern shores of the Mediterranean, but an extremely scarce commodity on the Muslim ones. A good source was Iberia; others were certain parts of Morocco, northern Syria, Lebanon, Crete, and Sicily.<sup>56</sup> This scarcity of timber suitable for the construction of ships was an ecological reality that might have caused obstacles to the development of Muslim naval power.<sup>57</sup> Human intervention also contributed: the Roman province of Africa (today’s western Libya, Tunisia, and eastern Algeria) saw a “most spectacular expansion of agriculture” (at the expense of forests).<sup>58</sup> Under Muslim rule, called Ifriqiya, this same region was dependent on timber for the construction of its fleets.<sup>59</sup> Ancient Egypt imported its “best timber” from Byblos, now in Lebanon.<sup>60</sup> Muslim Egypt controlled any economic activity related to timber, yet it

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<sup>55</sup> The prevalent opinion at the time is exemplified by the canonist Bernard of Pavia (and repeated by later ones) who wrote his commentaries to canon law between 1187 and 1191. He explains that the “Saracens” are the offspring of Hagar, and hence “Agarens,” but that they wanted to call themselves after Sarah, Abraham’s free wife instead, hence “Sarracens,” Ernst-Adolph Laspeyres, ed., *Bernardi Papiensis Summa Decretalium* (Graz: Akademische Druck- u. Verlagsanstalt, 1956), p. 210. On the perception of Muslims at the time see Benjamin Kedar, *Crusade and Mission. European Approaches toward the Muslims* (Princeton: Princeton University Press, 1984), particularly, pp. 85-96.

<sup>56</sup> Olivia Remie Constable, *Trade and Traders in Muslim Spain. The Commercial realignment of the Iberian Peninsula, 900-1500* (Cambridge: Cambridge University Press, 1994), pp. 196-198, specifically p. 197.

<sup>57</sup> Maurice Lombard, “Arsenaux et bois de marine dans la Méditerranée musulmane VIIe-XIe siècles,” in *Espaces et réseaux du haut Moyen Age* (Paris: La Haye, 1972), pp. 107-151. See this work also for the specific species of trees suitable for ship-building.

<sup>58</sup> Meiggs, *Trees and Timber...*, pp. 373-374, quotation from p. 373.

<sup>59</sup> Idris, *La Berbérie orientale...*, pp. 659-660.

<sup>60</sup> Meiggs, *Trees and Timber...*, pp. 358-359.

could never rely on domestic products for its ambitious foreign policy goals, which required the building of fleets;<sup>61</sup> Muslim authors themselves noted the issue of deforestation.<sup>62</sup> The major forest massifs in proximity to medieval Egypt were those of what today are northern Syria and southeastern Turkey. In fact, the massifs of the Taurus range did not decline sharply until the modern era, while Mts. Amanus and Cassius provided “an abundance of oaks and pines.”<sup>63</sup> While in Muslim hands the islands of Cyprus, Crete, and Sicily provided good sources of timber, but Byzantine rulers had sought to prohibit such trade once they had retaken full control of Crete (961) and Cyprus (965).<sup>64</sup> Anatolia provided excellent timber for the construction of ships, such as pine and cypress,<sup>65</sup> but it was not in Egyptian hands. Consequently, Egypt’s rulers relied on imports. These arrived both through the Indian Ocean and through the Middle Sea, that is, originating in Christian lands, while Egyptian assault forces would organize temporary lumber cutting camps in Byzantine forests.<sup>66</sup> While some scholars disagree with the

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<sup>61</sup> Lombard, “Arsenaux et bois de marine,” pp. 130, 132.

<sup>62</sup> David Jacoby, “The Supply of War Materials to Egypt in the Crusader Period,” *Jerusalem Studies in Arabic and Islam* 25 (2001): 102-132, specifically pp. 102-104, p. 102 for deforestation.

<sup>63</sup> Meiggs, *Trees and Timber...*, pp. 394-395, quotation from p. 395. Lombard, “Arsenaux et bois de marine,” p. 114.

<sup>64</sup> See Lombard, “Arsenaux et bois de marine,” pp. 117-118, 126-128.

<sup>65</sup> Lombard, “Arsenaux et bois de marine,” pp. 113-114. Meiggs, *Trees and Timber...*, p. 357, points out that for Theophrastus there were four areas that provided timber good for ship-building: Mt. Ida, the river Rhyndacus, Sinope, and Amissus, Cilicia. Mount Ida, near ancient Troy, the Rhyndacus river (Edrenos-Su), which flows into the sea of Marmara, Sinope, which is on the Black Sea coast, as is Paphlagonia, where was Amissus, however, were all far away from Egyptian reach. Strabo, on the other hand, had noted that in south-eastern Asia Minor timber for shipbuilding, mostly cedar, was cut at the western end of the Taurus range, idibem, p. 358. For an overview of the flora in the Eastern Mediterranean see Michael Zohary, *Geobotanical Foundations of the Middle East* (Stuttgart: Gustav Fischer Verlag, 1973). Specifically for trees and their distribution, with many useful figures, Vol. II, pp. 341-398. On timber and the Muslim lands from the point of view of ship construction see Maurice Lombard, “Le bois dans la Méditerranée musulmane VIIe-XIe siècles. Un problème cartographié,” in idem, *Espaces et réseaux du haut Moyen Age*, pp. 153-176 and especially the map between pp. 160-161

<sup>66</sup> Lombard, “Arsenaux et bois de marine,” pp. 132-133 for trade through the Indian Ocean, pp. 135-137 for raids.

argument that Muslim polities were ‘starved’ for timber in the early middle ages,<sup>67</sup> the argument is nevertheless valid for the period under examination here because the crusader states were positioned between Fatimid Egypt and its closest source of abundant timber supply – northern Syria and the Taurus range.<sup>68</sup> In Sanudo’s day, however, Mamluk Egypt had regained control over Syria and crushed Lesser Armenia, a Christian kingdom in southeast Asia Minor (Cilicia); Sanudo in fact considered Cilicia a major source of timber for Egypt.<sup>69</sup>

The same holds true for iron and hence for arms. Unlike the Latin West which could rely on significant iron resources,<sup>70</sup> Muslim Ifriqiya relied on imports.<sup>71</sup> So did Egypt, which imported much of its iron through the Indian Ocean.<sup>72</sup> Syria, North Africa, and Iberia could also provide iron.<sup>73</sup> Relatively close to Egypt was the iron available in

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<sup>67</sup> Meiggs, *Trees and Timber...*, p. 377 finds no concern with deforestation among contemporary authors. According to him we cannot know the extent of deforestation by the end of the Roman period, pp. 379, 395-396. Vassilios Christides, *The Conquest of Crete by the Arabs (ca. 824). A Turning Point in the Struggle between Byzantium and Islam* (Athens, Akadēmia Athēnōn, 1984), p. 49 and n. 85 uses in part the work of Meiggs to dismiss the ‘deforestation’ thesis.

<sup>68</sup> For the crusader states and fleets see John H. Pryor, *Geography, Technology, and War. Studies in the Maritime History of the Mediterranean, 649-1571* (Cambridge: Cambridge University Press, 1988), pp. 122-123.

<sup>69</sup> Sanudo, p. 29. See also Pryor, *Geography, Technology, and War*, pp. 142-143.

<sup>70</sup> Including in the Mediterranean (in central Italy and in northern Iberia).

<sup>71</sup> Hady Roger Idris, *La Berbérie orientale sous les Zirides, Xe-XIIe siècles* (Paris: Librairie d'Amérique et d'Orient Adrien-Maisonneuve, 1962), pp. 659-660.

<sup>72</sup> S. D. Goitein, *A Mediterranean Society. The Jewish Communities and the Arab World as Portrayed in the Documents of the Cairo Geniza* (Berkeley: University of California Press, 1967), I, p. 60, S. D. Goitein, *Letters of Medieval Jewish Traders* (Princeton: Princeton University Press, 1973), p. 18, Jacoby, “The Supply of War Materials to Egypt,” p. 102.

<sup>73</sup> Maurice Lombard, *Les métaux dans l’Ancien Monde du V<sup>e</sup> au XI<sup>e</sup> siècle* (Paris: La Haye, 1974), pp. 163-164. We will see in Chapter 3 below, however, that Iberian iron was not exported when Iberia was under Muslim rule. The Arab geographer Mukaddasi, writing in the second half of the tenth century, speaks of iron mines next to Beirut, in Guy Le Strange, editor and translator, *Palestine under the Moslems. A Description of Syria and the Holy Land from A.D. 650 to 1500* (Beirut: Khayats, 1965), p. 20. In addition, the twelfth-century Arab cartographer Al-Idrisi speaks of iron tools in relation to trade with Sudan, J.F.P. Hopkins and N. Levtzion, eds. (translation: Hopkins), *Corpus of Early Arabic Sources for West African History* (Princeton: Markus Wiener Publishers, 2000), p. 128. “Frankish” or even Scandinavian swords were in high demand because of the scarcity of iron and of their good quality, Robert S. Lopez, “The Trade of Medieval Europe: the South,” Chapter 5 of M. M. Postan and Edward Miller, eds., *The Cambridge Economic History of Europe* (Cambridge: Cambridge University Press, 1987), p. 315, David Abulafia, “Asia, Africa and the Trade of Medieval Europe,” *ibidem* (Chapter 6), p. 417.

northern Syria and in Lesser Armenia; indeed in the later thirteenth century Egypt would impose on Lesser Armenia a tribute to be paid in iron.<sup>74</sup> When Sanudo was writing his work, therefore, a naval blockade similar to the Venetian control of the upper Adriatic was indeed necessary to make Egypt susceptible to an embargo on strategic goods. At the time of Lateran III (1179), however, Christians controlled much of Syria, including the iron-producing regions. In other words, although we have been told that the early fourteenth century was the right time for the use of embargo against Egypt, the functionalist argument furthered by Sanudo would have more easily applied to the time of Lateran III.

Yet Canon 24 issued from the council features no clearly defined ‘foreign policy’ goal, no clear geographical or temporal scope for the embargo, no evident concern with the mechanics of its implementation beyond spiritual censures.<sup>75</sup> The opening sentence knits together two ancient ecclesiastical concerns: relations with non-Christians and “proper” Christian attitudes towards life. “Avarice” here is the translation of *cupiditas*, which (as *avaritia*) was used to mean ‘love of wealth’ and, figuratively, ‘love of the world.’ *Cupiditas* was considered one of the seven ‘deadly sins;’ Saint Paul called it ‘the root of all evil.’<sup>76</sup>

Thus the fact that our document highlights the problem of “cruel avarice” points to the importance of a timeless ecclesiastical principle: opposition to “avarice.” It also points to a very specific historical moment. Our text falls exactly at the heart of a period

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<sup>74</sup> Lombard, *Les métaux dans l’Ancien Monde*, pp. 165-166 and especially p. 165 n. 4.

<sup>75</sup> This is not to say that all scholars have read Lateran III’s decision as referring to Egypt alone. James Powell, for example, has well pointed that it “was not aimed at the crusade alone, but regulated trade between Christians and Muslims all along the frontier.” James Powell, “The Papacy and the Muslim Frontier,” in *Muslims under Latin Rule, 1100-1300* (Princeton: Princeton University Press, 1990), p. 189.

<sup>76</sup> “radix omnium malorum est cupiditas,” 1 Timothy 6:10.

when ‘avarice,’ often represented in contemporary art by a man “at a counting table, sorting out and counting his coins,” replaced ‘pride’ – the powerful man on a horse – as the chief vice in Latin Christendom.<sup>77</sup> This shift was partly due to ecclesiastical reformers who sought to eradicate the practice of purchasing ecclesiastical offices, but, more importantly, it related to the profound moral uncertainties that the “Commercial Revolution” was bringing to a predominantly Christian society.<sup>78</sup> Similarly, the chief virtue of the Benedictine monk – humility – was soon to be replaced by the friars’ ideal of ‘poverty.’<sup>79</sup> The expression “cruel avarice” that opens Canon 24, therefore, reflected a historical moment in which a long-standing ecclesiastical concern had become one of the ‘hot issues’ of the day: the question how was the Church to cope with the profound structural changes that European economy and society were undergoing.

The decree, furthermore, uses no noun to designate the ban. No nouns common in Venetian and Genoese documents (or crusading treatises) such as “prohibition,” “inhibition,” *devetum* (Latinized form) or *devedo* (vulgar form) are used. Canon 24, furthermore, does not even explicitly prohibit the export of war material to Muslims. It does so only implicitly, by proclaiming penalty of excommunication for those who would carry such trade. This changes the focus from the act of trade in certain items to the agents of such trade and takes issue not so much with the practical aspects of it – delivery of war material to Muslims – as with a religious concern; Christians becoming “more wicked” than the implicitly understood as inherently evil Muslims. Such Christians are

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<sup>77</sup> Lester Little, “Pride Goes before Avarice: Social Change and the Vices in Latin Christendom,” *The American Historical Review* 76 (1971, 1): 16-49, specifically pp. 31-37 for the pictorial representations of ‘pride,’ pp. 37-39 for that of ‘avarice;’ quotation from p. 37. Christian tradition allowed either ‘avarice’ or ‘pride’ to head the list of deadly sins; most early Medieval Christian authors had opted for ‘pride,’ pp. 18-19.

<sup>78</sup> Little, “Pride Goes before Avarice,” pp. 21-22, 27-31.

<sup>79</sup> Little, “Pride Goes before Avarice,” pp. 45-47, see also idem, *Religious Poverty and the Profit Economy in Medieval Europe* (Ithaca, NY: Cornell University Press, 1978), pp. 113-145, 173-183.

not represented as merchants maximizing profits through trade in certain goods, but – in a period in which coins started being represented “as filthy and disgusting waste”<sup>80</sup> – are effectively painted as agents of the Devil losing their souls, because of “cruel greed.”<sup>81</sup>

By providing no detail (temporal, spatial, or causal), Canon 24 conveys an idea of the timelessness of a principle. In fact, the severe punishments that it stipulates appear to stem not from papal ire with the export of war material vis-à-vis a particular political situation, but from its conceptualization of it as a form of ‘help’ to Muslims. While this may appear at once too obvious and too vague, it might well be a key to understanding what papal embargoes sought to achieve. Perhaps the problem was not so much Egypt or the Holy Land, but rather relations between Christians and Muslims in general. Canon 24, in other words, might reflect a policy that had broader functional goals than the debilitation of Egypt. More importantly, to imply that spiritual concerns were just a label behind which practical goals were hidden might force us to miss too much of the story.

It is not my point to suggest that a functional reading of Canon 24 is inappropriate. The measures outlined in it obviously translate into a practical attempt to curb Muslim military power through the regulation of Christian trade. Thus one way to look at the document is to understand it as an attempt to counter an economic trend spurred by an ecological reality through purposeful institutional action. My point is rather that such reading is neither the only possible one, nor the most obvious one. Before Chapter 4 returns to the issue of symbolic and functional concerns, however, a number of historical questions need to be addressed. Since we lack any account of the papal use of the withdrawal of trade prior to the last decade of the thirteenth century, we

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<sup>80</sup> Little, “Pride Goes before Avarice,” p. 38.

<sup>81</sup> As Heyd, *Histoire du commerce*, I, p. 386, well put it, selling war material to Muslims was a crime of “lèse-chrétienté.”

need to first reconstruct its history. We will see in the process that the hereby proposed reading of Lateran III's Canon 24 is more appropriate than the one adopted in the literature to date as, unlike scholarship, ecclesiastical leadership did not disentangle 'moral' from 'practical' concerns.

## **2.2. The Papal Embargoes between Trade, Crusade, and the Gregorian Reform**

We first need to know more about the origins of the policy. We might not need a precise date, but we do need to know about the broader processes of which the emergence of the embargo as a papal policy tool was a part. The originality of the 1179 decree has not been discussed, but several authors have stated that it marks the beginning of papal restrictions on trade with Muslims.<sup>82</sup> At the same time, Heyd, who significantly contributed to the history of the embargo, supposed that the papal policy of embargo preceded Lateran III. In a footnote, he mentioned that such prohibitions had already appeared in a regional council held in Montpellier in 1162,<sup>83</sup> basing his view, which was later also expressed by Schaube<sup>84</sup> and which has recently resurfaced in the literature,<sup>85</sup> on the reconstruction of the council's decisions that their eighteenth-century editor, made on the basis of later texts.<sup>86</sup> This reconstruction of the council's canon, however, as Appendix A shows, cannot be accepted. No other decisions of church councils and no

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<sup>82</sup> Most notably J. T. Odena, "De Alexandrinis," p. 245. Among others, the 1179 dating has been accepted by Eliyahu Ashtor, "L'artiglieria veneziana e il commercio di Levante," in Eliyahu Ashtor, *East-West Trade in the Medieval Mediterranean*, (London: Variorum Reprints, 1986), #8 p. 152. In his monumental *Levant Trade in the Later Middle Ages*, pp. 17-63, however, Ashtor avoids addressing the question. Ecclesiastical sources – decisions of church councils, papal letters, and canon law, all of which are discussed in detail in Appendix A are indeed silent on the matter.

<sup>83</sup> Heyd, *Histoire du commerce*, I, p. 386 n. 4.

<sup>84</sup> Adolf Schaube, *Storia del commercio dei popoli latini del Mediterraneo sino alla fine delle Crociate* (Turin: UTET, 1915), p. 180. Original edition in German, Munich, 1906.

<sup>85</sup> Leopold, *Crusade Proposals*, p. 119, Jacoby, "The Supply of War Materials to Egypt," p. 109.

<sup>86</sup> The question of Mansi's reconstruction of some decisions of Montpellier 1162 is addressed at length in my Appendix A.

papal letters from the period prior to 1179 mention embargoes.<sup>87</sup> At the same time, both council decisions and papal letters from this period tend to be only partially and selectively preserved; their silence on matters of embargo cannot form the basis of an *ex-silentio* argument that 1179 marked the beginnings of the papal use of economic sanctions.

Considerably more representative is canon law, because those who composed codes of canon law – high prelates in the earlier period, but also professional lawyers in this one – filtered out what they deemed most important. The code of canon law par excellence of the twelfth century was Gratian’s famous “Concordance of Discordant Canons,” better known as the *Decretum*.<sup>88</sup> The *Decretum* grouped together all canons on a particular issue; contradictions, were then often resolved through Gratian’s commentary. So arranged, the *Decretum*, which spread rapidly throughout Europe, became the first collection of canonical texts to have practical value. The *Decretum* offers no material on embargoes.

Interpreting the *Decretum*’s silence, however, is no straightforward matter. The *Decretum* may have been practical and popular as well as current, often using the scholastic method of exposing and solving cases, but it was not always up-to-date in terms of its sources. Its first recension, composed after 1139, features almost exclusively texts produced before 1119.<sup>89</sup> The second recension, completed by 1158, enriched the *Decretum* with much current material, including papal decretal letters. Surprisingly,

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<sup>87</sup> Not only I have never seen a reference to such a source, but I have searched the digital versions of *Patrologia Latina* and *Monumenta Germaniae Historica* myself finding in the process papal restrictions on the export of slaves and Carolingian export controls, but not a single papal document restricting trade in arms or timber.

<sup>88</sup> On the *Decretum* see Anders Winroth, *The Making of Gratian’s Decretum* (Cambridge: Cambridge University Press, 2000), specifically pp. 122-145 on the two recensions and their dating, pp. 146-192 on the authorship.

<sup>89</sup> Winroth, *Gratian’s Decretum*, p. 136.

however, although it has much to say on Jews or “heretics,” it offers little on Muslims.<sup>90</sup> Yet, by 1158 Muslims had figured prominently in papal policies for almost a century. Two large scale crusades, as we now call them, had been waged; Jerusalem had been (re)conquered; an offensive to expel Muslims from Iberia under papal blessing was under way. Thus the silence of the *Decretum* does not automatically signify an absence of papal embargoes prior to 1158. What, then, does it tell us?

The comprehensiveness of the *Decretum* in terms of older material and its function as repository for texts recording ecclesiastical law and policies makes its silence on embargoes much more suggestive than that of the partially preserved papal letters and decisions of church councils. It shows that until at least 1158 the papacy probably did not employ embargo against Jews or heretics, pagans or “schismatic Greeks.” It also suggests that the *terminus post quem* for any papal embargoes against Muslims is probably the late eleventh century. First, because the *Decretum*, which is quite comprehensive for the earlier period, speaks of no embargoes; second, because this is when the papacy first began to take a proactive stance vis-à-vis Muslims. In other words, canon law informs us that the papal use of embargoes during the central middle ages represented a new development datable to the century before 1179. Unlike other policies outlined at the Third Lateran Council, those regarding the segregation of Jews,<sup>91</sup> for example, the embargo was not a recycled policy originally formulated in the distant past. It was instead an innovation of the reformed Roman Church.

As a new policy tool for the papacy, the embargo may have been informed by two long-standing legislative traditions. One was ecclesiastical: the ban on selling Christian

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<sup>90</sup> For example, a few lines from a decretal letter of Alexander II to the bishops of Spain urging them to persecute the Muslims, not the Jews C.23 q8. c.11 (Friedberg, *Decretum*, 955).

<sup>91</sup> On their relationship to the embargo see Chapter 4 below.

slaves to non-Christians, a product of religious rather than political concern. The Church had legislated against the sale of Christian slaves to non-Christians for centuries. In the sixth century Justinian's ecclesiastical legislation had already threatened with "the ultimate punishment" Jews, heretics, or pagans who would not release their Christian slaves.<sup>92</sup> Elsewhere the same code proclaimed "A pagan, Jew, Samaritan, and anyone who is not orthodox is incapable of having a Christian slave."<sup>93</sup> In the West, a decretal letter of Pope Gelasius I (492-496)<sup>94</sup> and a decree of the Third Council of Orleans (538)<sup>95</sup> show that Jewish ownership of Christian slaves in the period was still permitted. Soon, however, Orleans IV (541) obliged Christians to redeem any Christian slaves escaping their Jewish masters,<sup>96</sup> while the council of Macon (581-583) declared that no Christian is obliged to serve a Jew.<sup>97</sup> Pope Gregory I (590-604) formally opposed Jewish ownership of slaves.<sup>98</sup> The council of Rheims (627-630) banned Christians from selling Christian

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<sup>92</sup> Amnon Linder, *The Jews in the Legal Sources of the Early Middle Ages* (Detroit: Wayne State University Press, 1997), p. 41, title 3 (part of *Collectio Tripartita*).

<sup>93</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, p. 52. Ownership of humans who became Christians after becoming slaves was of course legal throughout the Middle Ages, the literature on medieval slavery is vast. Most relevant to the topic and the period discussed here are the following studies: Michel Balard, "Remarques sur les esclaves à Gênes dans la seconde moitié du XIII<sup>e</sup> siècle," *Mélanges d'Archéologie et d'Histoire* 80 (1968, 2): 627-680; idem, *La Romanie Génoise (XII<sup>e</sup> – début du XV<sup>e</sup> siècle)*; idem, *La Mer Noire et la Romanie Génoise* (London: Variorum reprints, 1989); idem, "The Greeks of Crimea under Genoese Rule in the XIV<sup>th</sup> and XV<sup>th</sup> Centuries," *Dumbarton Oaks Papers* 49 (1995): 23-32; Giovanna Balbi, "La schiavitù a Genova tra i secoli XII e XIII," in *Mélanges offerts à René Crozet*, 2 (Poitiers: Société d'Études Médiévales, 1966): 1024-1031. Domenico Gioffrè, *Il mercato degli schiavi a Genova nel secolo XV* (Genoa: Fratelli Bozzi, 1971); Sergej P. Karpov, "Orthodox Christians in Italian-Tartar surrounding," in *Ricchi e poveri nella società dell'Oriente Greco-latino* (Venice: Istituto ellenico per studi bizantini e postbizantini, 1998): 453-472; Iris Origo, "The Domestic Enemy," *Speculum* 30 (1955, 3): 321-366; Alberio Tenenti, "Gli schiavi a Venezia alla fine del Cinquecento," *Rivista Storica Italiana* 67 (1955): 52-69; Luigi Tria, "La schiavitù in Liguria," *Atti della Società Ligure di Storia Patria* 70 (1947): 1-136; Charles Verlinden, *L'Esclavage dans l'Europe Médiévale, t.1. Péninsule ibérique. France* (Brugge: De Tempel, 1955); idem, *L'esclavage dans l'Europe médiévale t. 2. Italie-Colonies italiennes du Levant-Levant Latin-Empire Byzantine* (Gent: University of Gent, 1977).

<sup>94</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, p. 416.

<sup>95</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, pp. 470-471.

<sup>96</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, p. 472.

<sup>97</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, p. 475-476. Also in X 5.6.1 (Friedberg, I, 771).

<sup>98</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, pp. 422-423.

slaves to non-Christians;<sup>99</sup> finally Toledo IV (633) banned Jewish ownership of Christians altogether.<sup>100</sup>

The papacy also took an interest in the slave trade between Christian and non-Christian lands. Venice, whose church reported to Rome and whose doge to Constantinople (prior to the eleventh century), repeatedly legislated against the slave trade, probably under papal pressure.<sup>101</sup> The papal legislation on Christian slaves, was not an attempt to coerce policy changes or to affect the military power of a target. Toledo IV stated a clear rationale: “for it is monstrous that members of Christ should serve the ministers of Antichrist.”<sup>102</sup> Elsewhere, fear of the potential loss of Christian souls was expressed.<sup>103</sup> Thus by 1179 ecclesiastical legislation had long linked spiritual concerns and export trade.

The other tradition that may have informed early papal bans on trade with non-Christians was secular: first Roman, then Byzantine and Carolingian. It consisted of export controls. The Roman Empire had “looked with strong suspicion upon foreign travel and trade. There were so few things which could be profitably imported and so many which must not be exported: precious metals, strategic materials (such as iron and weapons), military blueprints (the designs of ships), basic foodstuffs, slaves, and so forth.”<sup>104</sup> The Code of Justinian forbade the export of food items, such as wine or oil, to

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<sup>99</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, pp. 480-481.

<sup>100</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, p. 491.

<sup>101</sup> In 876, 945, and 960, Gottlieb Tafel and George Thomas, *Urkunden zur Älteren Handels- und Staatsgeschichte der Republik Venedig mit Besonderer Beziehung auf Byzanz und die Levante*, Vol. 1 (Amsterdam: Hakkert, 1964 [1856]), #7, p. 5 (876); #12, pp. 16-17 (945); #13, pp. 17-25 (960).

<sup>102</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, p. 491. IV Toledo (638).

<sup>103</sup> Linder, *The Jews in the Legal Sources of the Early Middle Ages*, pp. 480-481. Rheims (627-630).

<sup>104</sup> Robert S. Lopez, “Silk Industry in the Byzantine Empire,” *Speculum* 20 (1945, 1): 26. Export restrictions mixed with measures designed to control foreign merchants as made clear by Liliana Simeonova, *Putuvane kum Konstantinopol. Turgovija i komunikazii v Sredizemnomorskiya svjat (kraja na IX – 70te godini na XI v.)* [En route to Constantinople. Trade and Communications in the Mediterranean

“barbarians.”<sup>105</sup> It banned the export of defensive (cuirasses, shields) and offensive arms (bows and arrows, swords), as well as the raw material necessary for their manufacture (raw or worked iron).<sup>106</sup> The stated rationale behind the latter law was that such exports, which “nearly” equalled treason, would harm the empire and make the “barbarians” more powerful.<sup>107</sup> Transgression was punished by property confiscation and death.<sup>108</sup> Capital punishment was also the penalty for instructing “barbarians” in the art of shipbuilding.<sup>109</sup> Ideally, gold was to remain within the empire.<sup>110</sup> Justinian’s code, moreover, offers another precedent: it applied an economic weapon against “internal enemies;” “heretics” were cut off from economic ties with the rest of society by prohibiting them from selling, buying, or entering into any contractual obligation.<sup>111</sup>

The Carolingians behaved like Romans: the so called capitulary of Mantua, usually dated 781, contained a prohibition on the sale of slaves (both Christian and pagan) and arms “out of the Kingdom.”<sup>112</sup> When in 827 the various edicts of

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*World, the Late 800s to the 1070s*] (Sofia: Paradigma, 2006), pp. 245-251. Text in Bulgarian, title page in both Bulgarian and English.

<sup>105</sup> Paul Krueger, ed., *Codex Iustinianus*, In Paul Krueger, Theodor Mommsen, and Rudolf Schoell, ed., *Corpus Iuris Civilis*, 16<sup>th</sup> edition, Vol. II (Berlin: Weidmann, 1954), IV, 41.1. Used online, via <http://webu2.upmf-grenoble.fr/Haiti/Cours/Ak/Corpus/codjust.htm>.

<sup>106</sup> “Nemo alienigenis barbaris cuiuscumque gentis ad hanc urbem sacratissimam sub legationis specie vel sub quocumque alio colore venientibus aut in diversis aliis civitatibus vel locis loricas et scuta et arcus sagittas et spathas et gladios vel alterius cuiuscumque generis arma audeat venumdare, nulla prorsus isdem tela, nihil penitus ferri vel facti iam vel adhuc infecti ab aliquo distrahatur.” *Codex Iustinianus* IV.41.2.

<sup>107</sup> “Perniciosum namque romano imperio et proditioni proximum est barbaros, quos indigere convenit, telis eos, ut validiores reddantur, instruere.” *Codex Iustinianus* IV.41.2.

<sup>108</sup> “Si quis autem aliquid armorum genus quarumcumque nationum barbaris alienigenis contra pietatis nostrae interdicta ubicumque vendiderit, bona eius universa proscribi protinus ac fisco addici, ipsum quoque capitalem poenam subire decernimus.” *Codex Iustinianus* IV.41.2.

<sup>109</sup> “His, qui conficiendi naves incognitam ante peritiam barbaris tradiderunt, capitale supplicium proponi decernimus.” *Codex Iustinianus* IX.47.25.

<sup>110</sup> “Non solum aurum barbaris minime praebeatur, sed etiam si apud eos inventum fuerit, subtili auferatur ingenio.” *Codex Iustinianus* IV.63.2.

<sup>111</sup> Speaking of Manicheans and Donatists: “Praeterea non donandi, non emendi, non vendendi, non postremo contrahendi cuiquam convicto relinquimus facultatem.” *Codex Iustinianus* I.5.4.3.

<sup>112</sup> “Ut nullus mancipia Christiana vel pagana nec qualibet arma vel amissario foris regno nostro vendat....” Capitulare Mantuanum, In *Monumenta Germaniae Historica. Capitularia Regum Francorum Nova Series*,

Charlemagne and his son Louis the Pius were collected, the resulting code featured a section on envoys sent to the neighboring Slavs and Avars. The envoys were explicitly banned from carrying arms for sale.<sup>113</sup> In addition, bishops, abbots, and abbesses (who were also secular lords and pillars of imperial power) were banned from selling arms except to their own vassals.<sup>114</sup>

In the Byzantine Empire, Justinian's bans stood firm; emperors did not allow the export of "slaves, gold, war materials, essential foodstuffs, precious textiles..."<sup>115</sup> It placed a long standing embargo on trade with Egypt and Syria, its former provinces, in 692.<sup>116</sup> Venice's ban on all travel to Egypt and Syria in 814-820 was its local announcement of an order issued by emperor Leo V.<sup>117</sup> Venice, however, was alone in enforcing the Byzantine export controls and "with temporary success at best."<sup>118</sup>

At the same time, Muslim polities also appear to have regulated their foreign trade. Hady Roger Idris has reported some extraordinarily interesting pieces of evidence from Ifriqiya, the former Roman province of Africa and concerning Muslim trade with

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I (Hanover: Hahn, 1996), p. 190. Others have dated the text to 813, see Patrick Wormald, *Legal Culture in the Early Medieval West. Law as Text, Image and Experience* (London: Rio Grande, 1999), p. 211, n. 20.

<sup>113</sup> MGH. *Capitularia Regum Francorum Nova Series, I, Collectio Capitularium Ansegisi*, pp. 572-573.

<sup>114</sup> MGH. *Capitularia Regum Francorum Nova Series, I, Collectio Capitularium Ansegisi*, pp. 607-608.

<sup>115</sup> *The Cambridge Economic History of Europe*, II, p. 325.

<sup>116</sup> A number of texts as different as the Digest, the letters of Gregory I, the orders of Byzantine emperors, and the works of Byzantine historians provided support for the partial or total ban of exports according to Lopez, "Silk Industry..." p. 26 note 2. The most captivating discussion on embargoes in the early middle ages is that of Archibald Lewis, *Naval Power and Trade in the Mediterranean A.D. 500 to 1100* (Princeton: Princeton University Press, 1951). In sum, the Muslim conquest of Egypt and Syria was initially regarded in Constantinople as temporary. Consequently, trade with the two provinces was treated as internal commerce and went on uninterrupted. However, in 692, Egypt started striking gold coins and stopped the export of papyri to Byzantium. In retaliation, Byzantium declared a full-scale embargo on Egypt. This policy remained an integral part of Byzantium's strategy in the war waged against the Muslims in the first half of the eight century. Lewis then develops two far-reaching arguments attributing to this embargo two cataclysmic changes. The first is a rupture of Mediterranean unity caused by the Byzantine embargo. The second is even more far-fetched: as a result of the halt in east-west trade, Lewis' argument goes, the centers of Muslim power were pushed away from the sea and into the internal lands of the Near East. I am unaware of any other study attributing such far-reaching outcomes to the employment of an embargo.

<sup>117</sup> Tafel and Thomas, *Urkunden...*, I, #3, p. 3 (814-820), Heyd, *Histoire du commerce*, I, p. 110.

<sup>118</sup> *The Cambridge Economic History of Europe*, II, p. 326.

Christian lands. These date to 1091-1093, when Christians first established firm control over Sicily. Pressed by lack of victuals for his population, the Muslim ruler gathered judges in order to consult with them on the possibility of importing grain from now Christian-ruled Sicily. The view adopted – others are not reported – was that of imam al-Māzarī (d. 1141), who argued on the basis of the Quran that regardless of need Muslims must not travel to a land submitted to the law of the ‘infidels.’ The question was deemed of such importance that it was also posed to the elderly sheikh and imam Abd al-Hamīd b. al-Sā’igh, who confirmed the position of al-Māzarī adding that if Muslims were to travel to Sicily for grain, it would lead to an increase in its price and thus profit Christians, who would use the money to fight the Muslims.<sup>119</sup>

This evidence is important for several reasons. First, it shows that Muslim religious leaders had expressed concern with trade between the ‘faithful’ and the ‘infidels’ before popes made any pronouncements on the subject. Second, it indicates that their concern extended to any form of trade, not just the restriction of exports, but even the avoidance of the import of victuals in time of penury. Third, it reveals that one of the jurists raised only moral objections to such trade, while the other expressed both symbolic and functional concerns. In other words, to the extent that we may extrapolate from such limited and indirect evidence, it would appear that before popes ever restricted trade between Christians and non-Christians in anything other than slaves, at least some Muslim religious leaders had already taken a strong stance against their coreligionists’

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<sup>119</sup> Hady Roger Idris, “Commerce maritime et Kirād en Berberie Orientale: d’après un recueil inedit de fatwās médiévales,” *Journal of the Economic and Social History of the Orient* 4 (1961, 3): 229, idem, *La Berbérie orientale...*, pp. 666-667, based on the latter is the account in *The Cambridge Economic History of Europe*, II, p. 465.

travel to Christian lands basing their opinion on both ‘moral’ and ‘practical’ grounds, while privileging the former over the latter.

In the Christian West, it is Venice that provides the most interesting document on embargoes prior to the mid-twelfth century.<sup>120</sup> Much more extensive than any other similar document before the thirteenth century, it features a detailed list of contraband:

...from now on no one is to be so bold as to carry weapons for sale or for gift to Saracen territory, nor lumber for building ships that may cause damage to the Christian people, nor breastplates, nor shield, nor swords, nor lances, nor other weapons with which [the Saracens] may strike Christians; but one may only carry weapons with which one may defend oneself from enemies, and these [cannot] in any way be sold or given to the barbarians. As for lumber, we concede that we are not to carry elms, maples, broad planks (? *spatulas*), oars, spars, or other lumber that may cause harm to Christians, but we may carry only trimmed logs of ash five feet long and one ax wide, and vases, bowls, and cups, and tree planks likewise five or six feet long...<sup>121</sup>

If summarized as a prohibition on the export to Muslims of arms and timber for the constructions of ships, this 971 ban is very similar to the papal one of 1179. It was proclaimed, however, under Byzantine, not papal pressure.<sup>122</sup> As the text explains, the emperors John, Basil, and Constantine<sup>123</sup> had sent envoys “to inquire about the lumber and weapons which our ships were carrying to Saracen territory” requesting the halt of such commerce and threatening the burning of any ships carrying contraband “with the

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<sup>120</sup> Samuele Romanin, *Storia documentata di Venezia* (Venice: P. Naratovich, 1853), pp. 373-376 (July 971), Latin text; Lopez and Raymond, *Medieval Trade in the Mediterranean World*, pp. 333-335; English translation; excludes the names of the signatories.

<sup>121</sup> Lopez and Raymond, *Medieval Trade in the Mediterranean World*, p. 334. This ban has been considered the earliest extant account of a municipal popular assembly in Europe: Lopez and Raymond, *Medieval Trade...*, 334 note 11.

<sup>122</sup> Louis de Mas-Latrie, ed., *Traité de paix et de commerce et documents divers concernant les relations des chrétiens avec les Arabes de l'Afrique septentrionale au Moyen Age*, I (New York, B. Franklin, 1963 [1866]), pp. 11-12 – without pointing to any evidence - attributes this document to papal pressure in the context of long-standing ecclesiastical decisions in this sense. This, however, is likely due to Latrie's ascribing to this period the realities of the twelfth and later centuries.

<sup>123</sup> John I, 969-976, Basil II, 963/76-1025, Constantine VIII outliving Basil, 1025-1028 as a sole ruler.

men and the cargo.”<sup>124</sup> One may want to insert the Venetian ban not only in the context of Byzantium’s military actions on its eastern frontiers,<sup>125</sup> but also in the context of the improving relations between the Eastern and the Western ‘empires’ as a result of the finally successful negotiation of the marriage of Otto II (961-983) with Theophano, the daughter of emperor Romanus II (959-963), which finally took place in 972. This alliance-in-the-making was intended to relieve John Tzimiskes from preoccupations in Apulia allowing him to focus on Bulgaria and his eastern border. Since Venice had served as an intermediary in the negotiations between the Eastern and the Western “empires” (contemporary theory saw room for only one empire) in the preceding decades and since a Venetian had headed one of the “German” embassies to Byzantium as recently as 967, Venice may have found it a matter of political expedience to comply.<sup>126</sup> Strengthening its relations with the Byzantine Empire may have been for Venice a means of reducing the potential threat from the Ottonian.<sup>127</sup>

The promulgation of the embargo, probably in the presence of imperial envoys, was staged as a great event. Featuring the Doge Pietro Candian IV, Patriarch Vitale (the doge’s son from his first marriage), the bishop of Olivolo, and all other bishops of his province, it included the whole citizenry of Venice, *maiores*, *mediocres* and *minores*.<sup>128</sup> Two points are relevant here. Venice was complying with an imperial, Byzantine demand, not a papal order. The target of the policy and the definition of contraband in a

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<sup>124</sup> Lopez and Raymond, *Medieval Trade in the Mediterranean World*, p. 333.

<sup>125</sup> Simeonova, *En Route to Constantinople*, pp. 187-188.

<sup>126</sup> On the marriage and Apulia see Romilly Jenkins, *Byzantium: The Imperial Centuries AD 610-1071* (Toronto: University of Toronto Press, 1987 [1966]), pp. 284-295.

<sup>127</sup> Thiriet, *La Romanie vénitienne*, p. 34.

<sup>128</sup> For Vitale’s relationship to the doge see Romanin, *Storia...*, 249. “The higher, the middle, and the lower” is a generic social distinction found also in Lombard law, Lopez and Raymond, *Medieval Trade...*, p. 334, n. 11.

Byzantine-induced Venetian proclamation of an embargo in 971, however, bears striking similarity to that of the later papal ban of 1179.

Unlike this Venetian restriction of trade, no pressure from a secular power can explain the only other western embargo-related document issued between the Venetian ban of 971 and the papal one of 1179. Dated 1151, it is one of the earliest documents preserved in the Genoese diplomatic corpus:

In the church of San Lorenzo [the cathedral of Genoa], in full assembly, the consuls Willelmus de Bombello, Willelmus Strallandus, Oto Rufus approved and affirmed that no man dwelling from Monaco [the western boundary of the Genoese territory] to Portovenere [the eastern terminus] can bring oars, masts, or timber for construction of galleys or arms to the lands of the Saracens *without a license* of the consuls of the Genoese *comune* and that any who would do so shall be [placed] under a *deveto*,<sup>129</sup> the person and all his things.<sup>130</sup>

According to the document, the consuls promulgated the embargo, because they knew that “it would be in the service of the Lord and of all Christians and of the *comune* of Genoa.”<sup>131</sup> Was the Genoese ban a Genoese policy related to that city’s expansion in the western Mediterranean?<sup>132</sup> Or did the Genoese stage a spectacle for the papal legates the way the Venetians had for the Byzantine envoys?<sup>133</sup>

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<sup>129</sup> *Devetum* refers to the withdrawal of economic activity in the broadest conceivable form, targeting either a person or a community. The term, introduced in Chapter 1 above, is discussed in Chapter 10 below.

<sup>130</sup> “In ecclesia Sancti Laurentii, in pleno parlamento, consules Willelmus de Brombello, Willelmus Strallandos, Oto Rufus laudaverunt et affirmaverunt quod nullus homo habitans a Monaco usque ad Portumveneris, sine licencia Ianuensium consulum de comuni portet remos nec astas nec lignamen galearum nec etiam arma in terris Sarracenorum et quo hoc fecerit sit in deveto, ipse et omnes res suas.” Antonella Rovere, ed. *I Libri Iurium della Repubblica di Genova I/1* (Rome: Ministero per i beni culturali e ambientali, 1992), doc. 151, p. 223 (May 1151). Italics mine.

<sup>131</sup> “Hanc vero laudem suprascripti consules fecerunt quoniam cognoverunt hoc esse servicium Dei et omnium Christianorum et comunis Ianue. Millesimo CLI, mense madii, indictione XIII.” *Libri Iurium I/1*, p. 223.

<sup>132</sup> This saw both the formation of a bitter rivalry with another Christian city, Pisa, and the continuous attacks on Muslims in North Africa, the Mediterranean islands, and the Iberian peninsula.

<sup>133</sup> Heyd in fact lists it among other decrees as an example of maritime cities adopting the papal policy of embargo, but he does not explain the obvious discrepancy between its date (1151) and that of the ban of Lateran III (1179), Heyd, *Historie du commerce*, I, p. 387.

If later documents can show us how to understand earlier ones, then the qualification that “no man...can bring oars, masts, or timber for the construction of galleys or arms to the lands of the Saracens” by “without a license” is remarkable, for it is not to be found in any other secular or ecclesiastical document known to me. As an element of a policy formulated under papal pressure the right of the consuls to govern who trades in arms and timber with Muslims would appear nonsensical. Such a clause would defeat one of the implied but obvious purposes of the papal bans, namely, to establish as a matter of course that the regulation of trade with Muslims is a prerogative of the church, not of the various branches of the “secular arm.” It would appear then that this ban was a Genoese policy aimed to serve *comunis Janue*, but dressed in religious rhetoric. But why would Genoa embargo all Muslims in 1151?

The timing of the Genoese embargo is odd. Genoa had just participated in the Christian conquest of the Iberian Muslim ports of Almeria (1147) and Tortosa (1148), assaults led respectively by Alfonso VII of León-Castile (1126-1157) and Count Ramon IV Berenguer of Barcelona (1131-1162). The Ligurian city had been rewarded for its participation with one third of each conquered city and an exemption from tolls. However, Genoa sold its share of Tortosa in 1154 and lost that in Almeria when the town was re-conquered by the Muslims in 1157.<sup>134</sup> The Genoese consul Caffaro, who wrote a brief history of the campaign mentions nothing of embargoes or trade.<sup>135</sup> It is hard to link these events to the 1151 embargo.

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<sup>134</sup> For all of this: Steven A. Epstein, *Genoa and the Genoese, 958-1528* (Chapel Hill: University of North Carolina Press, 1996), pp. 49-53 and Joseph F. O’Callaghan, *Reconquest and Crusade in Medieval Spain* (Philadelphia: University of Pennsylvania Press, 2003), pp. 44-46

<sup>135</sup> Marina Montesano, ed., *Caffaro. Storia della presa di Almeria e Tortosa (1147-1149)* (Genoa: Fratelli Frilli, 2002), pp. 99-110.

The key to understanding the document lies perhaps not in the odd clause reserving to the consuls the right to control trade but in the fact that the Genoese directed the ban at all Muslims. All Muslims did not live under one ruler; why then would the Genoese consuls restrict trade with all Muslim lands? While Genoa fought some Muslim rulers in the western Mediterranean, in 1149 it had just concluded an extremely advantageous treaty with Muslim Valencia. The pact allowed the Genoese, among other things, to trade free from taxation for ten years; all that the ruler of Valencia wanted in return was that the Genoese refrain from harming his subjects.<sup>136</sup> In addition, even if we assume that Genoa suddenly changed its mind with regard to Valencia or simply feared to supply it with iron and timber out of strategic concerns, we would be hard pressed to explain the comprehensiveness of the embargo. Why restrict trade with the increasingly important port of Alexandria, when the Genoese had a problem only with certain Muslim rulers in the Western Mediterranean over whom Fatimid Egypt had no control? Nor was Egypt an obstacle to Genoa's rise as a naval superpower.

The papacy, on the other hand, may have had a good reason to want Genoa to embargo all Muslims. The 1140s marked a turning point from a short-lived period of Latin military successes on the eastern shores of the Mediterranean to a long sequence of military defeats which led to Saladin's entry into Jerusalem (1187) and, ultimately, to the final elimination of the Latin possessions in the Holy Land (1291). The County of Edessa, the first of four Latin 'states' formed as a result of the First Crusade fell to the Muslims in 1144. In response, Pope Eugenius III (1145-1153) and Abbot Bernard of Clairvaux, one of the most influential ecclesiastical leaders of the time, urged the Latin

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<sup>136</sup> *Libri Iurium* I/1, #118, pp. 180-182 (Jun 1149). Ten years was, of course, the maximum period that religious law allowed a Muslim polity to have a truce with a non-Muslim one.

West to help the Latin East. Louis VII of France (1137-1180) and Conrad III of Germany (1137-1152) led large numbers of people, a mixture of armed men and non-combatants, to the Holy Land. While both rulers reached Jerusalem, their armies were decimated along the way, and accomplished nothing. The military campaigns of 1145-1149, however, were not limited to the eastern Mediterranean. Collectively known as the Second Crusade they included the failed Wendish crusade in the north, but led to a number of Christian conquests in Iberia, alongside the already mentioned rich port-cities of Almeria and Tortosa.

The successes in the southwest, however, could not eradicate the profound impression of failure which the inglorious returns of Louis and Conrad provoked. Worse for the church, any outcome of a crusade was, in its own eyes, attributable to God. Hence the failure of a crusade was a 'public relations' disaster for the church, for it was impossible to blame God's wrath and unfavorable judgment only on the sins of the crusaders; the ecclesiastical leadership also had to shoulder blame. Bernard of Clairvaux, whose reputation suffered greatly in the wake of the defeat, accepted that.<sup>137</sup> Nevertheless, at least two authors bitterly attacked the Church and its leadership, one equating the Church's leaders with the agents of Antichrist.<sup>138</sup> As Pope Adrian IV wrote to Louis VII in 1159: "...the Holy Roman Church, since she had given you advice and support in this matter [the second crusade], was not a little weakened by this; and everyone cried out against her in great indignation, saying that she was the author of so

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<sup>137</sup> Giles Constable, "The Second Crusade as Seen by Contemporaries," *Traditio* 9 (1953): 266-267.

<sup>138</sup> Constable, "The Second Crusade as Seen by Contemporaries," p. 268. Gerhoh of Reichersberg and the author of *Annales Herbipolenses*, who wrote, as quoted and translated in Constable, p. 268: "Thereupon, certain pseudo-prophets were in power, sons of Belial, heads of Anti-Christ, who by stupid words misled the Christians and by empty preaching induced all sorts of men to go against the Saracens for the freeing of Jerusalem."

great a peril.”<sup>139</sup> In the context of a military campaign widely considered a complete failure, therefore, the papacy may have been searching for an alternative to military action. As the papal curia was the spiritual sponsor of all other Christian operations against Muslims, moreover, it would have made sense to restrict trade with all Muslims,<sup>140</sup> just as in 1152 it made sense to Bernard of Clairvaux “to espouse rather forcefully the peaceful conversion of the Gentiles.”<sup>141</sup>

The Genoese embargo on all Muslims proclaimed in 1151 may have thus served ecclesiastical, rather than Genoese interests. The odd clause allowing the consuls ultimately to remain in control may actually not contradict such an interpretation. If the failure on the eastern front of the Second Crusade was indeed what prompted the papacy to restrict trade with Muslims, then the Genoese document may attest to a policy in the making. If in 1151 the papacy was taking its first steps towards the regulation of Christian-Muslim trade, it would not be surprising if the resulting policies were more a matter of negotiation than an implementation of a unilateral request for compliance made by the papacy to Genoa. The Genoese embargo of 1151 may therefore be a testimony to the formative moment when the embargo was forged as a papal policy tool. In fact, in 1157 Baldwin, the King of Jerusalem, included in a treaty with Pisa a clause stating that if Pisans were found to carry “timber or pitch, or arms, for sale in the land of Egypt,”

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<sup>139</sup> Quoted (and translated) in Constable, “The Second Crusade as Seen by Contemporaries,” p. 275.

<sup>140</sup> For a very brief sketch on the crusade and the reception of the news of its failure see Morris, *The Papal Monarchy*, pp. 283-284. The literature on the “classic” crusades (1095-1291) is of significant proportions; for a very detailed history of various aspect of the crusades: Kenneth M. Setton, ed., *A History of the Crusades*, 6 vols (Madison: University of Wisconsin Press, 1969-1989). For the second crusade, Setton, *History of the Crusades*, I, pp. 463-512. For the formation of the Latin states in the East, *ibidem*, pp. 343-367. Recent studies on the classical crusades are Jean Richard, *The Crusades, c. 1071-c. 1291* (Cambridge: Cambridge University Press, 1999 [1996]) and Jonathan Riley-Smith, *The crusades: a history* (New Haven: Yale University Press, 2005 [1987]); for a short recent history of the crusades: Thomas Madden, *The New Concise History of the Crusades* (Lanham, MD: Rowman & Littlefield Publishers, 2005).

<sup>141</sup> Kedar, *Crusade and Mission*, p. 61.

these would be confiscated without causing a breach of the peace.<sup>142</sup> The combination of these two documents with the comparatively unremarkable political circumstances of 1179, in comparison with those of 1151, makes it likely that the papal prohibitions began as a result of the deeply resonating failure of what we call the Second Crusade.

The decrees of 1151 and 1179 are peculiarly situated in the broader economic context of the period. At the time of the Roman Empire, ‘international’ trade barely existed. While the nature and extent of sea-borne commerce within the empire is debated, it is clear that both in Roman times and later in the re-dimensioned Byzantine Empire in the period after Heraclius (ruled 610-641) no strictly commercial elite exercised real importance in imperial politics.<sup>143</sup> Byzantine embargoes against Egypt and

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<sup>142</sup> “Excipio tamen eos, quos mei homines invenerint portantes ferrum, aut lignamen, aut picem seu arma ad vendendum in terra Aegypti.” Joannes Lünig, *Codex Italiae Diplomaticus* I (Frankfurt: impensis hæredum Lanckisianorum, 1725), col. 1047. Also in Giuseppe Müller, ed., *Documenti sulle relazioni delle città toscane coll’Oriente cristiano e coi turchi fino all’anno MDXXXI* (Florence: Società Multigrafica, 1966 [1879]), doc. 5, p. 7. Quoted also by Depping, *Histoire du commerce*, p. 191 n. 2. Depping thought the document concerned Genoa, not Pisa and argued that it had nothing to do with the papal bans, but that it had to do with taxes. His point being that the popes were lax with Genoa. Heyd also mentions the document, Heyd, *Histoire du commerce*, I, p. 395. He speaks of Pisa, not Genoa.

<sup>143</sup> The question of sea trade under the empire is part of the bigger issue of the nature of the Roman economy, which is part of the debate on the nature of past economies, in turn an off-shot of much broader and deeper issues concerning primarily economics, sociology, and economic anthropology. With regard to past economies at large and Rome in particular, the debate is centered on the question whether the economic sphere is independent from or embedded in other ones and, of course, on the nature of human behavior. With regard to Rome and the ancient world, the debate has long centered on the Weber and Polyani-based work of Moses Finley, *The Ancient Economy* (Berkeley: University of California Press, 1999 [1973]). Ian Morris’ introduction to this edition of Finley’s work is a most useful introduction both to the work and views of Finley and to this debate. A Finlean take on the question of sea-borne trade within the empire can be found in two works of C.R. Whittaker, “Trade and the Aristocracy in the Roman Empire,” In idem, *Land, City and Trade in the Roman Empire* (Aldershot: Variorum, 1993 [1988]), #XII, pp. 49-75 and “Late Roman Trade and Traders,” *ibidem*, #XIII [1983], pp. 163-180. For Whittaker, goods were moved mainly by non-market players, for non-market purposes, for example, senators ‘importing’ goods into Italy from their own far-away estates on their own ships for consumption by their own dependents and in relation to their political status (status being the key category here); such people sought to sell the proceeds of their estates at the best price, but were neither entrepreneurs, nor lived by profiting on trade. Conversely, a well-known ‘new economic’ historian of the U.S. maintains - at least for the Principate - contrary to what Finley or Whittaker would argue, that “Although market activity was only a minority of all productive activity, it was the dominant mode of activity of ‘literate Rome.” Peter Temin, “A Market Economy in the Early Roman Empire,” *The Journal of Roman Studies* 91 (2001): 169-181, quotation from p. 180. For him, shipping during the period, including most of the grain imports for the largest cities, was based on private initiative, carried through “sophisticated economic transaction[s],” (p. 178), and typical business practices to be found in other periods, such as diversification of risk and risk-sharing. The most

Syria may have had an impact on the coastal areas of Byzantine Asia Minor and on Egypt.<sup>144</sup> For the Latin West, long-distance trade in the pre-eleventh century Mediterranean was of scarce relevance.<sup>145</sup> Prior to the tenth century trade between Muslim and Christian ports, was primarily in the hands of the merchants of the small port town of Amalfi in the Italian South.<sup>146</sup> It is not by chance that the Venetian promulgation of the Byzantine ban on trade with Egypt and Syria in 814-820 has been considered an expression of compliance of a dependent city without any practical value.<sup>147</sup> In the tenth

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extensive collection of works on the Byzantine economy is the above cited Laiou, ed., *The Economic History of Byzantium*. Currently, the field of Byzantine studies appears to be greatly stimulated by Temin's work: the authors of the papers presented at the Dumbarton Oaks Spring Symposium in 2008, "Trade and Markets in Byzantium," took a decisively "pro-Temin" position when discussing the Byzantine economy explicitly and implicitly distancing themselves from the Weber and Polanyi based Finlean model.

<sup>144</sup> Lewis, *Naval Power and Trade in the Mediterranean*, pp. 82-97.

<sup>145</sup> Henri Pirenne, *Mohammed and Charlemagne* (London: G. Allen & Unwin, 1939 [1937]) argued that the Muslim conquest of the eastern and southern shores of the Mediterranean cut off connections between these and the northern shores, allowing for the center of European political and economic life to move 'beyond the Alps.' As noted previously, Lewis, *Naval Power and Trade in the Mediterranean*, altered this thesis in the sense that it was an embargo imposed by Byzantium on Egypt and Syria, not the effects of Muslim piracy, as Pirenne thought, that cut of the relations between northern and southern shores of the sea, hence propelling not only Christians to move their "center of gravity" inland, but also the Muslims: from the shores of Egypt to Mesopotamia. Conversely, Peregrine Horden and Nicholas Purcell, *The Corrupting Sea. A Study in Mediterranean History* (Oxford: Blackwell Publishers, 2000), pp. 123-172 turn Pirenne's thoughts on the effects of Muslim piracy on their head by suggesting that they offer evidence for continuity, not rupture. The authors find a downturn, rather than sharp break in long-distance commerce, while also stressing the importance of local over long-distance trade. All these points, however, were already raised by Robert Lopez in the above-cited *The Cambridge Economic History of Europe*, II, pp. 306-379, specifically pp. 306-307, 314-315, the importance of local trade is stressed in passim. Somewhat similarly Michael McCormick, *Origins of the European Economy. Communications and Commerce, A.D. 300-900* (Cambridge: Cambridge University Press, 2001) favors continuity over abrupt change by using evidence for the existence of long-distance travel as an indirect proof for the existence of long-distance trade. Several papers presented at the symposium "Trade and Markets in Byzantium" held at Dumbarton Oaks, May 2-4, 2008, also stressed heavily continuity over change. It must be noted that the point of interest here has nothing to do with the question whether Muslims or Byzantines interrupted all or nearly all long-distance trade or, conversely, some long-distance commerce carried on. The point is that starting in the eleventh century the volume of Mediterranean trade increased dramatically. The main point of Lopez's above-cited *The Commercial Revolution*, see also *The Cambridge Economic History of Europe*, II, pp. 306-379, is that during the High Middle Ages the volume of commercial operations increased to a degree which allowed for structural changes in the economy and society of Latin Europe. Thus while we can find merchants owing military service at par with the great land proprietors in the army of the eighth-century Lombard king Aistulf and while a Venetian doge invested heavily in long-distance trade already in the early ninth century, by the thirteenth century, to sum it up, "Commerce was the frontier of the Italians," *The Cambridge Economic History of Europe*, p. 344 for the quotation.

<sup>146</sup> Armando Citarella, *Il commercio di Amalfi nell'alto Medioevo* (Salerno: s.n., 1977), especially pp. 3-117.

<sup>147</sup> Heyd, *Histoire du commerce*, I, p. 110.

century Venice established itself as an intermediary in east-west trade in the Mediterranean as its trade with Muslim ports joined that of Amalfi, but the key development began only in the next century when the volume of Mediterranean trade grew to a point where Genoa and Venice, two of Europe's largest cities, were entirely dependent on trade.<sup>148</sup>

Developments in the Christian Orthodox East and the Muslim Mediterranean helped reconfigure the political and economic realities in that sea. It is well-known that in the second half of the eleventh century the Byzantine empire suffered its heaviest blow in centuries when it lost most of its richest province, Asia Minor. In addition, it parted with its possessions in Italy and struggled against attacking Norman forces in the Balkans. Thus the Empire in the east, a Mediterranean power in the first half of the eleventh century, shrank to the status of a regional one, no longer attempting to dictate the rules of 'international' trade.<sup>149</sup> Profound changes, moreover, also affected the

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<sup>148</sup> As a broad overview of the changes, Lopez, *The Commercial Revolution* and Carlo Cipolla, *Before the Industrial Revolution. European Society and Economy 1000-1700* (New York: Norton, 1994 [1976]) remain the most useful works; Lopez and Raymond, *Medieval Trade in the Mediterranean World*, is exceptionally useful not only as an introduction to medieval business records, but also as a collection of supportive source material for the thesis exposed in the "Commercial Revolution" as well as for the succinct analysis of particular problems featured in it. For Genoa, see the collected articles of Robert Lopez, *Su e giù per la storia di Genova* (Genoa: Università di Genova. Istituto di paleografia e storia medievale, 1975), especially "Market Expansion: The Case of Genoa," pp. 445-464. For Venice, Lane, *Venice. A Maritime Republic*, Thiriet, *La Romanie vénitienne*, pp. 33-34. Surviving Venetian notarial records from the period – roughly two dozen in total – contains a document discussing alum imported in Venice from Alexandria: R. Morozzo della Rocca and Antonino Lombardo, eds., *Documenti del Commercio Veneziano nei secoli XI-XIII* (Torino: Editrice Libreria Italiana, 1940), I, #11, pp. 10-11 (Apr 1072). Since these changes have been central to the social sciences for a long time, they continue to generate interest among non-medievalists. Notable recent contributions are those of Avner Grief, *Institutions and the Path to the Modern Economy. Lessons from Medieval Trade* (Cambridge: Cambridge University Press, 2006), from the economist's perspective and Quentin Van Doosselaere, *Commercial Agreements and Social Dynamics in Medieval Genoa* (Cambridge: Cambridge University Press, 2009), from the sociologist's perspective.

<sup>149</sup> The very titles of Jenkins, *Byzantium: The Imperial Centuries AD 610-1071*, and of the relevant section in George Ostrogorsky, *History of the Byzantine State* (New Brunswick, Rutgers University Press, 1969 [1952]), pp. 341-350, namely "Political collapse at home and abroad" are indicative of how leading Byzantinists have seen the second half of the eleventh century.

Muslim shores of the sea. As the center of Fatimid power moved to Cairo, Alexandria displaced Al-Mahdiyya as the leading Muslim port.<sup>150</sup>

The letters of Jewish merchants preserved in the Cairo Geniza allow us to catch glimpses of Christian trade with this emerging hub of international commerce. They show that the items of most interest here, timber and iron, were indeed highly sought commodities on the southern shores of the Mediterranean since Muslim authorities did not allow Jews access to the iron trade in this sea.<sup>151</sup> Around the year 1100 it was nevertheless possible for all kinds of metals, including iron, to feature among the great variety of commodities in which a certain Nahray b. Nissīm traded.<sup>152</sup> Although Jewish merchants had no role in the trade between Christian and Muslims lands, their letters record the import of timber into Muslims lands by merchants from Genoa, Venice, and Amalfi.<sup>153</sup> The same conclusion can be reached on the basis of a Muslim source from the closing decades of the twelfth century: timber was imported through Alexandria, Damietta, and Tunis, iron through Alexandria and Tunis.<sup>154</sup>

The southern Italian city of Amalfi may have enjoyed a special treatment in Fatimid Egypt which was “partly if not largely, linked to the supply of naval lumber.”<sup>155</sup> While Amalfi and its trade gradually declined before the papacy first instituted embargoes, the northern port cities of Venice, Genoa, and Pisa increased their commerce

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<sup>150</sup> Goitein, *A Mediterranean Society*, I, p. 32. Of course other important eleventh-century political changes in the Mediterranean included the establishment of the Seljuq empire.

<sup>151</sup> Although iron was common on ships plying the Indian Ocean, Goitein, *A Mediterranean Society*, I, p. 60, idem, *Letters of Medieval Jewish Traders*, pp. 18, 66, 192.

<sup>152</sup> Goitein, *A Mediterranean Society*, I, pp. 153-154.

<sup>153</sup> Goitein, *A Mediterranean Society*, I, p. 46.

<sup>154</sup> *Cambridge Economic History of Europe*, II, p. 434.

<sup>155</sup> Jacoby, “The Supply of War Materials to Egypt,” p. 105.

with Egypt.<sup>156</sup> Pisa, which was Egypt's main western trade partner in the first half of the twelfth century, had easy access to timber, iron, and arms.<sup>157</sup> The First Crusade (1095-1099) created Latin states in the eastern Mediterranean, which were dependent on the west for their very existence.<sup>158</sup> Seafaring, the indispensable condition for long-distance trade beyond light-weight luxury goods, was in turn the only means through which relations between the Latin West and the Latin East could be maintained.<sup>159</sup> This fact, along with the heavy involvement of Genoa and Pisa in the First Crusade, allowed these two cities to join Venice as the commercial and naval powers of the high middle ages.

Regarding Venice, it has been argued that the periods 1135-1147, 1161-1168, and 1173-1184 were marked by active trade with Egypt,<sup>160</sup> but the fragmentary character of the preserved evidence<sup>161</sup> should make us cautious not to rely too much on such periodizations. Nevertheless, the very fact that Venetian trade with Egypt is comparatively well attested suggests that Egypt must have had an important place in

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<sup>156</sup> Around 1100, owing to another political factor, the first crusade, that likely fueled what the growth of Catholic Europe's population and (for the time) unlimited expansion of its agriculture had already propelled. Total output is a function of capital (namely, the tools of production), land, labor, and total factor productivity (which covers technological change among other things). The key point here is that we should think of land as a variable, not a fixed factor. For most of Latin Europe this holds true until the mid-thirteenth century by which time diminishing returns to scale due to the development of marginal lands must have kicked in. By 1300 almost all forests in non-mountainous regions had disappeared, turning land into a fixed factor, a crucial development for the catastrophic way in which the Great Famine (in the North) and the Black Death (across Europe) affected the continent in the fourteenth century, as changes in total factor productivity could not compensate for the transformation of T (land) into a fixed factor.

<sup>157</sup> Jacoby, "The Supply of War Materials to Egypt," pp. 106-107.

<sup>158</sup> On the first crusade see Kenneth M. Setton, gen. ed. *A History of the Crusades* Vol. I (Madison: The University of Wisconsin Press, 1969 [1955]), especially pp. 3-29, 40-53, 81-98, 135-176, 220-341. For the conceptualization of what we call the First Crusade and the crusades of the twelfth century see Christopher Tyerman, *The Invention of the Crusades* (Toronto: University of Toronto Press, 1998).

<sup>159</sup> The importance of water transport for the development of commerce prior to the railroads has been treated very well in the context of American history, see Jeremy Atack and Peter Passell, *A New Economic View of American History: From Colonial Times to 1940* (New York: Norton, 1994), pp. 143-174 and the literature listed on pp. 173-174.

<sup>160</sup> Louise Buenger Robbert, "Venice and the Crusades," In Kenneth Setton, ed., *A History of the Crusades V. The Impact of the Crusades on the Middle East*, (Madison and London: University of Wisconsin Press, 1985), pp. 395-396.

<sup>161</sup> Morozzo della Rocca and Lombardo, *Documenti del Commercio Veneziano*, I, p. IX.

Venetian trade.<sup>162</sup> The extant notarial records stress the financial aspects of partnerships, not the items of trade,<sup>163</sup> but one document does list an export item, and it is indeed timber.<sup>164</sup> Already at the dawn of documented Venetian trade with Muslims ports, in fact, iron, timber, and slaves, alongside woolen fabrics, were the major export items.<sup>165</sup> The proceeds of such trade assured Venetians the cash and bullion necessary to purchase luxury wares in the markets of Constantinople.<sup>166</sup>

Twelfth-century Genoese trade with Muslim lands is also well-attested. Genoa had been a non-entity in Mediterranean commerce until well into the tenth century, but

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<sup>162</sup> Indeed at least during some portions of the twelfth century Venetians were active not only in trade between Venice and Alexandria, but also between Constantinople and Alexandria. It has been argued that “The greatest number of Venetian voyages to Egypt cluster in those years when Venetian trade to Constantinople was unsafe or prohibited.” Setton, *A History of the Crusades V*, p. 395. This may or may not have been true, but many of the documents on which this statement is based clearly speak of Venetian trade not between Venice and Egypt, but between Constantinople and Egypt, Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, I, #134, pp. 133-134 (Dec 1158); #148, pp. 147-148 (Mar 1161), #149, p. 148 (Apr 1161); #155, p. 153 (Feb 1162); #159, pp. 156-157 (Jul 1163); #179, pp. 179-180 (Feb 1167); #183, pp. 183-184 (Jul 1167); #187, pp. 186-187 (Nov 1167); #188, pp. 187-188 (Nov 1167); #189, pp. 188-189 (Nov 1167); #190, pp. 189-190 (Nov 1167); interestingly #191, p. 191 (Nov 1167) was signed in Alexandria for trade to Constantinople (and Almiro); #193, pp. 192-193 (Feb 1168), #194, pp. 193-194 (Feb 1168), #195, pp. 194-195 (Feb 1168), #196, p. 195 (Feb 1168), #197, p. 196 (Feb 1168), #198, pp. 196-197 (Feb 1168), #201, pp. 199-202 (Mar 1168), #203, pp. 201-202 (Mar 1168), #207, pp. 204-205 (May 1168). Documents that attest to trade between Venice and Alexandria: #65, p.69 (Apr 1135), #73, pp. 76-77 (Jul 1139), #75, p. 78 (Nov 1139), #247, pp. 242-243 (May 1173), #248, pp. 243-244 (Jun 1173), export of timber; #265, pp. 259-260 (Feb 1175); #266, pp. 260-261 (May 1175); #299, pp. 294-295 (Mar 1179); #301, pp. 296-297 (Mar 1179), #302, pp. 297-298 (Mar 1179); #306, pp. 302-303 (Jul 1179); Venetian trade in Alexandria is also attested by #167, pp. 164-165 (Jul 1165); #257, pp. 252-253 (Sep 1174), #258, pp. 253-254 (Sep 1174); #259, pp. 254-255 (Sep 1174); #260, pp. 255-256 (Sep 1174); #261, p. 256 (Oct 1174); #262, pp. 257-258 (Oct 1174); #293, pp. 288-289 (Jul 1178); #294, pp. 289-290 (Jul 1178); #296, pp. 291-292 (Sep 1178); #312, p. 308 (Nov 1179). Compare to Setton, *A History of the Crusades V*, p. 395, n. 43.

<sup>163</sup> Doosselaere, *Commercial Agreements and Social Dynamics in Medieval Genoa*, pp. 69-73 also reaches the conclusion that “notarial records only seldom specified the types of goods to be carried overseas....” Ibidem, p. 73.

<sup>164</sup> 1400 “troncones de Verona” and 600 “plancas de albetto,” Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, I, #248, pp. 243-244 (Jun 1173).

<sup>165</sup> Thiriet, *La Romanie vénitienne*, p. 33. See also Jacoby, “The Supply of War Materials to Egypt,” p. 107.

<sup>166</sup> Lane, *Venice*, pp. 7-8. A few documents also attest to some Venetian trade with other cities on the African shores of the Mediterranean: Bugia and Ceuta, Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, I, #284, pp. 279-280 (9 Jun 1177); #285, p. 281 (Jul 1177); #293, pp. 288-289 (Jul 1178); #294, pp. 289-290 (Jul 1178); #297, pp. 292-293 (Feb 1179), see also Setton, *A History of the Crusades V*, p. 396. One of these speaks of the sale of a ship, Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, I, #297, pp. 292-293 (Feb 1179).

by 1143 the Genoese archbishop was collecting tithes (the *decima maris*) on ships returning not only from Latin Syria and the Byzantine territories, but also from the Muslim ports of northern Africa (including Alexandria).<sup>167</sup> Between 1155 and 1164 Muslim ports in general and Alexandria in particular represented a very large portion of the total Genoese investment in the Mediterranean.<sup>168</sup> The effect of the 1151 *devetum* on Genoese trade in this period is, at best, very difficult to assess. Trade is usually traced through notarial records, but these are less useful in establishing the actual items of trade than one might assume.<sup>169</sup> The records of its first extant notary, Giovanni Scriba, are no exception. Although as many as seventy-three of his contracts mention trade with Muslim lands (in North Africa), these focus primarily on the financial aspect of such trade: the structure of partnerships, investments, profits, or disguised commercial loans.<sup>170</sup> Notarial records only occasionally mention exports like saffron and coral,<sup>171</sup> wine and oil,<sup>172</sup> or imports, like alum,<sup>173</sup> sugar, pepper,<sup>174</sup> or *becunis*.<sup>175</sup> It is generally held, however, that before the ‘boom’ of mining in the west during the central middle ages, the ‘Latins’ had little to offer to the Muslims except for ‘strategic material.’<sup>176</sup>

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<sup>167</sup> *The Cambridge Economic History of Europe*, II, p. 328, Epstein, *Genoa and the Genoese*, pp. 26-27.

<sup>168</sup> Balard, *La Romanie Genoise*, II, p. 676.

<sup>169</sup> I am unaware of a scholarly work that focuses on this specific issue. For a discussion of the use of notarial records in social history, however, see Diane Owen Hughes, “Towards Historical Ethnography: Notarial Records and Family History in the Middle Ages,” *Historical Methods Newsletter* 7 (1974, 2): 61-71.

<sup>170</sup> Though at least one openly mentions interest “Cum parte augmenti secundum rationem temporis,” literally “together with the part of the increase according to the reckoning of time,” that is, accrued interest, Lopez and Raymond, *Medieval Trade in the Mediterranean World*, p. 158 and n. 4.

<sup>171</sup> to Alexandria, Mario Chiaudano and Mattia Moresco, *Il cartolare di Giovanni Scriba*, I (Rome: nella sede dell'Istituto, 1935), doc. 105, p. 56 (8 Aug 1156).

<sup>172</sup> to Tunis, *Il cartolare di Giovanni Scriba* II, Appendix, doc. 6, p. 303 (17 May 1184).

<sup>173</sup> from Alexandria, *Il cartolare di Giovanni Scriba* I, doc. 1, p. 1 (Dec 1154), II, doc. 882, p. 39 (20 Aug 1161).

<sup>174</sup> from Alexandria, *Il cartolare di Giovanni Scriba* I, doc. 1, p. 1 (Dec 1154).

<sup>175</sup> from Tunis, *Il cartolare di Giovanni Scriba* II, Appendix, doc. 6, p. 303 (17 May 1184).

<sup>176</sup> See Epstein, *Genoa and the Genoese*, p. 24. According to Joshua Prawer, *The Latin Kingdom of Jerusalem. European Colonialism in the Middle Ages* (London: Weidenfeld and Nicolson, 1972), pp. 398-399, “...exports to Egypt were largely classified as contraband, which offended against papal and often

Pisa, in turn, had fared better than Genoa during the early middle ages, preserving its role as an important port. It traded with Byzantine-controlled Sardinia; Pisan vessels might have sailed to Constantinople. Like Genoa, it had been the target of Muslim attacks, and, like Genoa, it had fought back, increasing its naval strength in the process.<sup>177</sup> In 1088 the Pisans joined forces with the Genoese and some others from Italy and captured the leading Muslim port of Al-Mahdiyyah, which they returned to its Muslim rulers after requiring them to exempt their trade there from tolls.<sup>178</sup> Iron was an important part of Pisa's exports to Muslims: there were iron mines on the nearby island of Elba.<sup>179</sup> It is well known that what the merchants of Genoa and Pisa sought to acquire in Barbary was primarily the gold that north Africa received from Sudan. They needed this gold in the ports of the eastern Mediterranean, where until much later they had too little to offer to balance through goods all that they sought to import thus generating the well known outflow of specie and coin from Europe and sub-Saharan Africa through the Near East to India and further east.

If the church was to have any success in restricting this growing trade with non-Christians, it needed some leverage over merchant-ruled cities, an issue that cannot be approached except in a broader context. Lateran III, in fact, took place at an important

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communal prohibitions, e.g. timber, lead, and pitch....Such transactions surely could not be recorded by a notary...." Unfortunately, Praver does not explain his opinion. Jacoby, too, suggests that the Genoese engaged in trade in war material and speculates that the Genoese embargo of 1151 must have been lifted by the 1170s; just as in the case of Praver, however, the evidence is very scarce, hence it is difficult to extrapolate in terms of volume. Interesting is Jacoby's claim that the Genoese sought to deliver strategic material to Egypt from Asia Minor, Jacoby, "The Supply of War Materials to Egypt," pp. 108-110.

<sup>177</sup> For all of this, *The Cambridge Economic History of Europe*, II, pp. 329-330.

<sup>178</sup> *The Cambridge Economic History of Europe*, II, pp. 345-346.

<sup>179</sup> Heyd, *Histoire du commerce*, I, p. 387.

moment in the history of the Roman Church.<sup>180</sup> In the mid-eleventh century a group of radical monks, guided by the principle of ‘contempt for the world’ (*contemptus mundi*) led a reform movement known (somewhat erroneously) as the Gregorian reform. By the mid-twelfth century the reform movement had produced and continued to generate massive changes. The loose agglomeration of de-facto self-governing bishoprics was being turned into a ‘papal monarchy.’ From 1153 the popes became the ‘vicars of Christ,’ while Bernard of Clairvaux coined a new meaning for the term “fullness of power” (*plenitudo potestatis*) to refer to the pope’s universal power within the church.<sup>181</sup> In the speech that opened the Third Lateran Council, the famous canonist Rufinus, Bishop of Assisi, could rhetorically ask: “Is not the chief pontiff the king [of the church]?”<sup>182</sup>

The ‘papal monarchy,’ did not rely only on personal connections. New bodies were created: the office of ‘cardinal’ assumed its current meaning with the turning of bishops and priests responsible for the liturgical duties in Rome into the college of cardinals, which advised the pope, witnessed the papal bulls, and finally, became the papal electors.<sup>183</sup> Gregory VII made permanent the office of ‘papal legate’ as a pillar of papal authority. A legate was an ecclesiastical official with “almost vice-regal status, exercising a wide range of papal powers of intervention, in some cases for a period of years.”<sup>184</sup> Papal legates substituted for the physical inability of the pope to travel across Europe, but reformed popes, unlike their predecessors, did actually travel. They held

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<sup>180</sup> For a short introduction see Robert Bartlett, *The Making of Europe. Conquest, Colonization and Cultural Change, 950-1350* (Princeton: Princeton University Press, 1993), pp. 5-23, 243-255. For a detailed account see Morris, *The Papal Monarchy*.

<sup>181</sup> Morris, *The Papal Monarchy*, p. 206.

<sup>182</sup> Quotation through Morris, *The Papal Monarchy*, p. 205.

<sup>183</sup> Morris, *The Papal Monarchy*, pp. 164-169, 210-211. Lateran III formalized the system.

<sup>184</sup> Morris, *The Papal Monarchy*, pp. 110-112. Quotation from p. 111.

provincial councils ‘beyond the Alps,’ and required that such be regularly convened to implement the policies coined by a central administration. A papal chancery was created to deal with the ever-increasing number of appeals made to Rome.<sup>185</sup> The number of papal letters, through which the pope announced his orders to all corners of Christendom, exploded. The *Decretum*, unprecedented in its organization and influence, had been recently composed (ca. 1140 - ca. 1158) and could serve as the basis for the functioning of an extensive web of ecclesiastical courts. In 1177 the long period of confrontation between Church and Empire which had spanned most of the preceding century came if not to halt, at least to a low point, which then lasted half-a-century. Lateran III, moreover, fulfilled its main purpose, to ‘heal’ the body of the church. Starting with this council, the “new, interventionist papacy”<sup>186</sup> could in fact turn more of its attention from the reform of itself to that of society at large.

Thus the papal policy of embargo was first formulated in the context of two broad historical developments that albeit contemporaneous were independent from each other. One was the “Commercial Revolution,” the takeoff of Mediterranean trade and the corresponding appearance of merchant elites with political power. The other was the Gregorian reform which catapulted the papacy from a peripheral to a central position within Christian society. The following chapters will clarify how papal embargo reflected both these broader developments.

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Between the time of the Venetian embargo of 971 and Genoese of 1151 the economic and political realities in the Mediterranean were reconfigured. Trade of

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<sup>185</sup> Morris, *The Papal Monarchy*, pp. 211-215.

<sup>186</sup> Bartlett, *The Making of Europe*, p. 249.

proportions not seen before in the Middle Sea was changing the economic and political structures. Venetian, Genoese, Pisan, and Amalfitan ships plied the waters of the Mediterranean sailing between Latin, Muslim, and Byzantine ports. They carried uncoined silver, metals, slaves, and timber to Muslim ports and returned to Latin Europe laden with luxury goods. As Byzantine power declined so too did the empire's attempts to control such trade. The papacy may have not deemed it necessary to regulate trade in the aftermath of the astonishing success of the First Crusade and in the light of the merely developing large-scale trade. By the mid-twelfth century, however, the situation had changed. The eastern front of the second crusade had failed miserably, while trade with Muslim lands, including that in "necessaries to attack Christians," had taken off. With Lateran III, moreover, the papacy made it clear that it was aspiring to playing an ever larger role in society.

The embargo thus emerged, at least hypothetically, as a sensible tool of statecraft while the papacy, now more centralized and influential, became the designated heir of Roman and Carolingian export controls and of the Byzantine attempts to use embargoes against Muslims. Whether such continuity was due to the conscious adaptation by the papacy of Byzantine policies or an identical answer (embargo) to an identical problem (attempt to curb Muslim power) is irrelevant for the purposes of this discussion. What is not irrelevant is the weight attached to such policies in law as the codified statement of a principle. The Venetian and the Genoese embargoes were solemnly announced by those cities' highest dignitaries before the assembled populace (or significant portion thereof) in the most central public spaces. Canon 24 of the Third Lateran Council in 1179 was one of not too many decisions of what was considered one of the most important

ecclesiastical events of the middle ages. That canon might have been influenced by previous papal legislation against the 'export' of Christian slaves. Such earlier legislation, however, had arisen from what we would call purely religious concerns. Canon 24, which became the cornerstone of subsequent papal legislation on trade with non-Christians did not differentiate between religious and 'practical' concerns; to the extent that we can disentangle them for analytical purposes, it favored the former over the latter.

CHAPTER 3  
FORGING AN EMBARGO: THE PAPAL SANCTIONS AGAINST ALL  
MUSLIMS AS A LEGAL PRINCIPLE AND A POLICY INSTRUMENT  
(1179 - ca. 1250)

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### 3.1. The Embargo Takes Shape

Some years after Lateran III (1179), the prominent Parisian master of theology Peter the Chanter narrated in his influential *Summa* the following colorful episode:

Certain Christian merchants wanted to travel from Marseille to Alexandria in order to sell arms etc. to some Muslims to the detriment of Christians. The citizens forbade [this]; the merchants, who had come from a foreign land, refused to give up [just] because of them. By chance there were three bishops going to the [Holy] Sepulcher, who excommunicated those merchants who heard [the sentence] as they were departing. They had not sailed two leagues when they all drowned.<sup>1</sup>

Peter offered this as an example to support his argument that priests might pronounce valid sentences of excommunication outside their jurisdictions. Thus, the sinking of the ship aims at demonstrating God's position on the case and is intended to drive Peter's point home. Peter's purposes notwithstanding, the exemplum offers an interesting

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<sup>1</sup> "Quidam christiani mercatores voluerunt ire a Marsilia in Alexandria ut venderent arma et cetera quedam macometinis in dampnum christianorum. Cives prohibuerunt, noluerunt mercatores qui de aliena terra venerant dimittere propter eos. Casu erant ibi tres episcopi profecturi ad sepulchrum, qui excommunicaverunt illos marcatores recedentes, illis audientibus. Nondum navigaverant illi duas leugas et submersi sunt omnes." Peter the Chanter, "Summa de sacramentis et animae consiliis," *Analecta Medievalia Namurcensia* 7 (1957): 204. The episode is narrated by John W. Baldwin, *Masters, Princes, and Merchants; the Social Views of Peter the Chanter & his Circle*, Vol. I (Princeton: Princeton University Press, 1970), p. 267 in the context of his discussion of the Chanter's view of merchants. "Chanter" was an important position at Notre-Dame in Paris, which Peter held between 1183-1197. The exact dating of the passage is unclear. The *Summa* was not begun until the early 1190s, but it was made of Peter's answers to students' questions given over years of using the *disputatio* method.

glimpse of the reception of Lateran III's embargo decree. Among theologians and students in Paris the embargo was known as an important and active policy.<sup>2</sup>

Peter's story though specific in terms of the termini of travel (Marseille and Alexandria) is without nuance when defining the harm that contraband caused as "in detriment to the Christians." Like the decision of Lateran III, it implies that if Muslims got arms they would as a matter of course employ them against Christians. In addition, the contraposition between 'bad merchants' from an unidentifiable somewhere and the 'good Christians' of the united local community shows that even Peter, a theologian alert to what we call today practical matters, felt somewhat uneasy about commerce.

As a cleric he presented the sentence of excommunication as an extremely powerful weapon. His ascribing to it an immediate and catastrophic effect, however, raises questions. After all, excommunication was supposed to affect the afterlife, which is the reason the church required secular authorities to support it through temporal punishments. The very fact that Peter chose to back up his claims for the awesome power of excommunication by an episode involving the embargo is in itself quite interesting. It makes one wonder if the episode is not only a testimony to the embargo's currency as a policy tool, but perhaps also the reflection of a common frustration in ecclesiastical circles that divine intervention was indeed necessary for its enforcement.

Even if Peter's story is fictitious, the alleged continuation of the export of war material to Muslims does not appear groundless. At some point between Lateran III

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<sup>2</sup> After all, some of Peter's students rose to prominence within the church and it has been surmised that Pope Innocent III may himself have been a member of the Chanter's circle, Baldwin, *Masters, Princes, and Merchants*, I, pp. 341-343. One of Peter's students was Robert of Courson who became a master of theology himself and was made cardinal by Innocent III in 1212, *ibidem*, pp. 17-18, 20. Stephen Langton, a well-known theologian himself, was more likely a colleague than a student of Peter's, but closest to him of all masters of theology in Paris. In 1206 Innocent created him cardinal and in 1207 rejected two candidates for the archbishopric of Canterbury and gave it to Stephen; *ibidem*, pp. 18, 25-27. Peter and his pupils pressed for the practical realization of the ideals of the Gregorian reform.

(March 1179) and his death (3 Aug 1181), Alexander III himself wrote to both the patriarch of Grado and the Doge of Venice complaining that the Venetians were still selling timber for the construction of galleys to the Muslims.<sup>3</sup> The fact that trade in timber went on under license from the doge himself added to the pope's outrage. Indeed, the doge had allegedly justified the license by referring to papal letters.<sup>4</sup> Alexander ordered the patriarch to pronounce anathema against anyone who would contravene the decision proclaimed at Lateran III.<sup>5</sup> He also asked the doge to comply and threatened with sanctions all people under his jurisdiction.<sup>6</sup> One is left to wonder whether the doge acted in blatant disregard of papal orders, or merely continued previous policies. After all, we saw that Genoa's 1151 ban on trade with Muslims reserved to that city's leadership the right to issue licenses for trade in strategic material without asking for papal consent.

Narrative sources also show, as does Peter's *Summa*, that whether contraband was commonplace or not, it was publicly represented in this way. In a letter dated 1182 and reported in the work of 'Abû Sâmah, Saladin purportedly wrote to the caliph in Baghdad that the Venetians, the Pisans, and the Genoese had occasionally fought the Muslims with great fervor, but had also traded actively with "us" including "arms to fight and to wage

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<sup>3</sup> "...ligneamina XV. pedum et plurium qui optima sunt ad faciendas galeas..." Aemilius Friedberg, ed., *Quinque Compilationones Antiquae* (Graz: Akademische Druck- u. Verlagsanstalt, 1956), #6-7, p. 204. Quotation from #6.

<sup>4</sup> "...de licentia ducis deferunt Sarracenis, dux vero, sicut fama est, hoc eis de litterarum nostrarum permittit." Friedberg, *Quinque Compilationones Antiquae*, #6, p. 204. Pope Alexander blamed not only those who carried the timber to the Muslims, but also all those who had any part in facilitating such trade, for example, those who had financed the building of ships carrying contraband and those who simply sailed on ships carrying contraband, Friedberg, *Quinque Compilationones Antiquae*, #6-7, p. 204.

<sup>5</sup> Friedberg, *Quinque Compilationones Antiquae*, #6, p. 204.

<sup>6</sup> "...Alioquin homines tuae iurisdictionis omnium Christianorum banno subdimus." Friedberg, *Quinque Compilationones Antiquae*, #7, p. 204.

war against them.”<sup>7</sup> Saladin had supposedly received a great quantity of western arms in a rather curious fashion. An Egyptian embassy had informed the Byzantine Emperor Isaac II Angelus (1185-1195) of the conquest of Jerusalem (Saladin and Byzantium had been in negotiations for a military alliance since 1185) and had showered Isaac with rich gifts. Not to be outdone, the emperor sent an equally splendid embassy which, in addition to golden objects and beaver skins, supposedly delivered Saladin as many as 4,000 iron lances, 5,000 swords, and 400 breastplates. These were western made arms, which the Byzantines had captured when they defeated the army of William II, king of Sicily (1166-1189).<sup>8</sup>

If the immediate goal of the bans on the export of arms and timber to Muslims promulgated by Genoa in 1151 and Lateran III in 1179 was to prevent further Latin losses in the East, this was not achieved. On 4 July 1187 the troops of Saladin overwhelmed a large crusader army at Hattin inflicting “the greatest defeat in crusading history;” on October 2, Muslim forces entered Jerusalem.<sup>9</sup> Pope Gregory VIII blamed

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<sup>7</sup> The text, brought into the discussion of trade bans by Heyd, *Histoire du Commerce*, I, p. 386 and n. 2, is available in Italian translation, “armi da combattere [i Christiani] a da far guerra contro di loro.” In Michele Amari, ed., *Biblioteca arabo-sicula, ossia Raccolta di testi arabi che toccano la geografia, la storia, la biografia e la bibliografia della Sicilia*, Vol. I (Turin: E. Loescher, 1880), p. 541, see p. LIII for the work in which it appears. See also Michele Amari, *Storia dei Musulmani in Sicilia*, (Catania: R. Prampolini, 1937), III, p. 532 and specifically n. 32 on the dating. One wonders if Saladin’s take on the issue was known in the west. Later Christian texts, as discussed in Chapter 5 below, painted a picture of Muslims deriding the Christians for their deeds. In those cases it is not at all clear, of course, whether the Muslims actually derided the Christians or the Christian authors, often clerics, put those words in the mouths of Muslims as rhetorical device.

<sup>8</sup> Charles Brand, “The Byzantines and Saladin, 1185-1192: Opponents of the Third Crusade,” *Speculum* 37 (1962, 2): 171. William had invaded Byzantium with a very large army and had managed to sack Thessaloniki, the empire’s second-largest city, the Normans then split up their forces, John V. A. Fine, *The Late Medieval Balkans* (Ann Arbor: University of Michigan Press, 1987), p. 7. Isaac finally defeated William’s army at the Struma river in 1185. We saw in the previous chapter that Pisan-Egyptian treaties (1154, 1173, 1177) specifically addressed trade in iron, timber, and pitch. Heyd pointed Pisa’s reliance on the export of iron, Heyd, *Histoire du commerce*, I, p. 387.

<sup>9</sup> Quotation from Madden, *The New Concise History of the Crusades*, p. 76; for the battle ibidem, 74-78, on the rise of Saladin, Setton, *History of the Crusades*, I, pp. 585-586.

the loss, which resonated profoundly across Catholic Europe, on the sins of Christendom.<sup>10</sup>

Between 1187 and 1191, Bernard of Pavia (Bernardus Papiensis, Bishop of Pavia, 1198-1213) compiled the *Breviarium extravagantium*, at the time the most important collection of canons after the *Decretum*. Bernard, best known of twelfth-century canonists after Huguccio,<sup>11</sup> collected recent ecclesiastical law, the decisions of Lateran III and papal decretal letters, as well as older papal letters not included in the *Decretum*.<sup>12</sup> It is through his collection that the embargo promulgated at the Third Lateran entered canon law.<sup>13</sup> Bernard also composed the *Summa Decretalium*, a work containing his own comments on the canons. These are lapidary, but their purpose was to offer help in reading the canons ‘correctly.’ They help us to better comprehend how the canons were supposed to be understood. On the ban on sale of arms to Muslims all he has to say is “because they are used to fight us with our own arms, as we have come to know, alas the grief, in our times from the desolation of the Kingdom of Jerusalem.”<sup>14</sup> Bernard thus elucidated only the reason behind the prohibition. His statement throws some light on the understanding of its functional goals, namely to restrict the Muslims’ ability to wage war on Christians by hindering their access to arms. He found no reason to comment on the

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<sup>10</sup> Morris, *The Papal Monarchy*, pp. 284-285. Gregory VIII was pope for only two months, but apparently he was the one in charge when the news came.

<sup>11</sup> An exceptionally useful guide to canonists’ works and life is available on-line through Prof. Ken Pennington’s web-page at <http://faculty.cua.edu/Pennington>: *Bio-Bibliographical Guide of Canonists*, 1140-1500. This is a draft version of what will eventually be printed as part of the planned eleven-volume multi-author, internationally-prepared series *History of Medieval Canon Law*. Unless other secondary sources are quoted, all biographical references to canonists in this chapter come from this work in the making.

<sup>12</sup> Hence *extravagantium* in the name, Friedberg, ed., *Quinque Compilationes Antiquae*, pp. 1-65. This collection can only be consulted together with Friedberg, *Corpus Iuris Canonici*, for all published texts are not re-published here, but given through their location in the *Liber Extra*.

<sup>13</sup> Friedberg, ed., *Quinque Compilationes Antiquae*, p. 55.

<sup>14</sup> “Sarracenis quoque arma dare vel mittere prohibemur...quia nostris armis nos impugnare solent, sicut pro dolor nostris temporibus cognovimus evenisse ex Ierosolimitani regni desolatione.” Laspeyres, ed., *Bernardi Papiensis Summa Decretalium*, p. 211.

meaning of ‘Saracens’ in this context or to propose a more clearly defined goal for the embargo. He uses in fact the loss of Jerusalem only as an example, albeit a recent and painful one. In the wake of the loss of Jerusalem Bernard the canonist, like Peter the theologian, presented the sale of arms to Muslims as part of a broader problem; not one limited to the military confrontation with Egypt over Jerusalem.<sup>15</sup>

Bernard’s commentary was probably written before Pope Clement III (1187-1191) completely re-shaped the scope of the embargo. The pope accomplished this through two letters preserved only because of their (later) appearance in canon law (1234) and thus edited in the format of canons.<sup>16</sup> To date, these letters have been neglected in the accounts of the papal restrictions of trade with Muslims. As this chapter will show, however, they are crucial to an understanding of the legal construction of papal sanctions. At the same time, the fact that we do not have the original versions of the letters, but only their shortened adaptations as canons, makes it necessary that we consider both the context of their initial promulgation (1187-1191) and that of their codification (1230-1234).<sup>17</sup>

After an allusion to the ban of 1179, one of these letters continues:

...we...place under excommunication all those who thenceforth trade with the Saracens in general...as long as the war between us and them will last.... We therefore commit to your discretion that you do not deliver

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<sup>15</sup> Bernard’s work is very important for another reason, discussed in the next chapter: His *Breviarium* introduced the subdivisions of canon law that were adopted by all successive compilations, including the most important of them, the *Liber Extra*. From Bernard on, a part of Book 5 of all canon law compilations would be dedicated to the treatment of both Jews and Saracens, it would be followed by one on “heretics,” one on “scismatics,” and one on “apostates,” Friedberg, ed., *Quinque Compilationes Antiquae*, pp. 55-57.  
<sup>16</sup> X 5.6.11 and 12. (Friedberg II, 775). The first appearance of these bulls in canon law, however, occurred in the so-called *Compilatione secunda*, which is really the third compilation of canon law after the *Decretum* and which was composed by John of Wales between 1210-1215, Friedberg, ed., *Quinque Compilationes Antiquae*, p. 98. However, the context of most relevance is that of the formation of the *Liber Extra*, which cemented the place of these bulls in canon law until 1917. Discussion of the context therefore follows later in this chapter as part of the discussion of *Liber Extra* (1234).

<sup>17</sup> This is done here and in the third sub-section of this chapter respectively.

them merchandise, council, or other assistance neither by yourselves, nor by way of your ships, nor in any other way or manner, and if some, hardened in their ill-will, dare to do otherwise they will not only fall under *ipso iure* excommunication, but will also incur the anger of the Lord while alive.<sup>18</sup>

It is unclear who the original recipient(s) were. The expression “your ships” suggests a maritime city, or a number of such cities, the same to which Canon 24 of Lateran III had pointed.<sup>19</sup> Made into canon, the decree makes three points. It bans all trade between Christians and Muslims, prohibits any form of Christian “subsidy” to or cooperation with Muslims, and specifies that this order is valid “as long as the war between us and them will last.”<sup>20</sup> Thus between 1187-1191 the ban on the export of arms and timber which perhaps dates back to 1151 was re-shaped into a comprehensive embargo. The complete failure of the Second Crusade may have provoked the Genoese ban of 1151. Its re-shaping into what we would call a total embargo on economic ties with Muslims may have resulted from the greatest loss in the Holy Land to date, that of Jerusalem.

Clement’s other letter allows the citizens of an unspecified city to travel to Alexandria in order to obtain the release of Christian captives. It explicitly prohibits the carrying of merchandise except for what is necessary in order to obtain the captives’

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<sup>18</sup> Under “Excommunicati sunt, qui cum Sarracenis tempore guerrae aliquod habent commercium, vel eis praestant subsidium: Quod olim praeceptum fuit Sane licet hoc fuerit in concilio Lateranensi districte inhibitum, nos tamen *de consilio fratrum nostrorum* omnes illos excommunicationi supponimus, qui iam amplius cum Sarracenis mercimonium habuerint vel per se vel per alios navibus, seu quocunque alio ingenio, eis aliqua rerum subsidia seu consilia, quamdiu inter nos et illos guerra duraverit, duxerint impendenda. Vestrae igitur discretioni mandamus *atque districte praecipimus*, quatenus nec per vos, nec per vestras naves, nec alio quocunque modo aut ingenio, eis mercimonia, consilia vel alia subsidia transmittatis, ne, si *forte* aliqui in sua malitia indurati secus agere praesumpserint, non solum ipso iure incidant in excommunicationem illam, verum etiam *illi* iram Dei viventis incurrant.” (Italics not mine), X 5.6.12 (Friedberg, II, 775). “In general” in the above translation refers to trade.

<sup>19</sup> Papal letters sent to multiple recipients were usually entered once in the register followed by annotations in the sense of “and in the same way was written to....”

<sup>20</sup> The meaning of this expression is discussed below.

release, and it requires that an oath to this effect be given.<sup>21</sup> The rationale behind this order is probably the same as that behind the prohibition of the sale of Christian slaves to non-Christians, namely the danger that they may convert and hence lose their souls. The letter does not explicitly exclude ‘strategic goods’ from the items that can be used in order to obtain the ransom. It thus suggests that the utility derived from the presumed salvation of Christian souls outweighed the disutility caused by the provision of the enemy with material useful for the destruction of Christian bodies.<sup>22</sup>

While Clement’s preoccupation with the military strength of Muslims is evident, the vagueness with which such functional concerns are expressed is reminiscent of both Lateran III’s Canon 24 and the exemplum of Peter the Chanter. Indeed it appears that a matter of purely religious nature (the ransom of Christian souls) could take precedence of worries over Muslim military might. The most important point here, however, is the attempt of the church to ban all commerce between all Christians and all Muslims. While at first glance this has nothing to do with any symbolic (spiritual) concerns and while this might, at the moment of the prohibition’s promulgation, have only related to the recent loss of Jerusalem, the idea that ideally no commerce should take place between Christians and Muslims came to underlie the papal policy of embargo for the following centuries. The rest of this chapter will show that these letters were crucial to the establishment of the principle that no licit trade between Christians and Muslims could take place without

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<sup>21</sup> “Significavit nobis tua fraternitas, quomodo aliqui civium tuorum in Alexandriam valeant proficisci pro recuperandis concivibus suis, qui illic in captivitate tenentur. Hoc arbitramur licite posse fieri, dummodo nihil in mercibus suis vel alio modo secum illuc deferunt, unde possit Sarracenis, excepto redemptionis articulo, aliquo commodum aut subsidium provenire, quod etiam coram te prius iuramento firmabunt....” X 5.6.11 (Friedberg, 775).

<sup>22</sup> It is not obvious what Leopold has in mind when - mentioning papal bans on travel to Holy Land in a later period - he writes without reference that “There were papal prohibitions against visiting the Holy Places which dated back to 1188, when Clement III forbade the practice....” Leopold, *How to Recover the Holy Land*, p. 123. See Chapter 5 of this work on travel bans as part of the embargo.

papal approval, and that this principle was in turn the cornerstone of all papal legislation and action with regard to the embargo.

It is important to note that both decrees envision a hypothetical state of peace when trade between Christians and Muslims might be less undesirable. While we will be able to address this question fully only in the context of the bulls' codification, this hypothetical 'state of peace' might have had something to do with the expected results of Clement's answer to the loss of Jerusalem: the Third Crusade (1188-1192). This was not a failure, because it succeeded in checking Saladin's advance and made a Latin presence in the region possible for another century. It did not, however, attain the goal of recapturing Jerusalem. Consequently, it is likely that the full embargo remained in force under Celestine III (1191-1198) and we know from a letter by Innocent III that he had renewed it in 1198.

In December 1198, in a letter to the doge and the people of Venice,<sup>23</sup> Pope Innocent abandoned Clement's policies with respect to the city of the lagoon, returning to the partial restriction of trade promulgated by Lateran III. In his letter, the pope explains that he had submitted to excommunication "all those who from now on consort with the Saracens, or who attempt to expend or send [them] any aid...as long as the war between them and us will last."<sup>24</sup> Two Venetian nobles, however, Andrea Donato and Benedetto

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<sup>23</sup> Which although published and translated long ago has, just as Clement's bulls, remained largely unaddressed in works discussing the papal embargo: PL 214, 493; today available in the previously cited *Register Innocenz' III*, I, #536, pp. 775-776 (3 Dec 1198). Also in Tafel and Thomas, *Urkunden ...*, #82, pp. 234-235. It is also available in English on-line, as part of the Medieval Sourcebook, <http://www.fordham.edu/halsall/source/1198popevenz.html>. The bull is briefly mentioned by Heyd, *Histoire du commerce*, I, pp. 387 (and n.1) - 388, who - unaware of Clement's bulls - considered it the only time a pope banned all trade with Muslims during the Middle Ages. Volume II of Heyd's work, however, qualifies this generalization on the basis of later material.

<sup>24</sup> "Ad exemplar etiam felicis recordationis G pape, predecessoris nostri omnes illos excommunicationis sententie supposuimus, qui cum eis de cetero habere consortium vel per se vel per alios navibus seu alio

Grilion, acting as envoys of their city, the letter continues, then explained to Innocent that the republic of Saint Mark lives on ships and trade, not agriculture. The two therefore argued that the total ban on trade caused Venice “not little damage.”<sup>25</sup> Consequently, Innocent allowed the Venetians to trade with Muslims so long as they did not provide them with: “iron, flax, pitch, pointed stakes, *pyronibus*, ropes, arms, galleys, round-ships,<sup>26</sup> and finished or unfinished timber.”<sup>27</sup> The pope then explained that he allowed trade “in the Kingdom of Egypt” in items other than the above and without further regulation “until we order otherwise.”<sup>28</sup> It appears then that the Venetians seized on an opportunity – the election of a new pope – to (successfully) press the papacy to alter its policy of embargo.<sup>29</sup>

The importance of Innocent’s 1198 license to Venice to the study of papal embargoes has not been recognized.<sup>30</sup> Yet, this document and its relationship to Clement’s bulls are key to the understanding of papal sanctions, including that of the

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quocumque ingenio aliqua rerum suarum subsidia impendere vel transmittere attemptaverint, quamdiu inter nos et ipsos Guerra durarit.” *Die Register Innocenz’ III*, I, p. 775. Translation mine.

<sup>25</sup> “non modicum detrimentum,” *Die Register Innocenz’ III*, I, p. 775.

<sup>26</sup> Naval terminology is especially important to Part II of this work and is hence discussed in Chapter 7 below.

<sup>27</sup> “ferro, stupa, pice, acutis, pyronibus, funibus, armis, galeis, navibus, et lignaminibus paratis,” *Die Register Innocenz’ III*, I, p. 776. I have used the Medieval Sourcebook translation for “stupa, pice, acutis,” <http://www.fordham.edu/halsall/source/1198popevenz.html>, the rest of the translation is my own. It is to be noted that the Medieval Sourcebook’s translation again, as Tanner’s of canon 24 of Lateran III reads “helmets” instead of galleys. This is indicative both of how misleading the use of classical Latin (where helmet apparently would be the correct translation) can be for the understanding of medieval texts and of the little thought the embargo has received. After all, the Mediterranean naval vessels, as explained in section II of this work, were of two main types, long-boats (*galea*) and round-ship (*navis*). Here *navis* is taken to mean ship, but this ubiquitous reading of *navis* as the Latin equivalent of the present-day English ‘ship’ or Italian ‘nave’ is simply wrong. *Navis* was not a general term for ship; it denoted a particular class of naval vessels. For a discussion of Mediterranean ships see Chapter 7 below and the literature quoted there.

<sup>28</sup> “...in regno Egypti vel Babilonis...donec scilicet alius vobis dederimus in mandatis....” *Die Register Innocenz’ III*, I, p. 776. Translation mine.

<sup>29</sup> Curiously, as discussed in Section II, in the fifteenth century the Venetians would (unsuccessfully) try to use the same tactics to get newly elected popes to back a Venetian embargo against the Ottomans.

<sup>30</sup> Even though Schaube, *Storia del commercio dei popoli latini*, pp. 219-220, briefly noted, in the context of this license, that the papacy would have preferred a complete halt of Christian trade with Egypt.

myriad of later licenses. The language used in the document interweaves what we have already disentangled for analytical purposes into a symbolic and a functional dimension. The former is explicit and is concerned with the moral transgression of acting against the interest of Christians by providing help to Muslims. The latter is implicit. It clarifies the foreign policy objective pursued by the embargo – the denial of reinforcements to Egypt, ergo its weakening vis-à-vis the Christians. It clarifies it, but only through our intervention; one would be hard pressed to find in this document – or in any other papal document – an explicit and well-exposed functional argument for the halt of trade as an economic tool for the pursuit of foreign policy goals. The symbolic dimension of the embargo is again the one that takes center stage.

Innocent's license reserved to the Holy See the right to decide who could trade with Muslims, when, and in what items. The conduct of the Venetian envoys, as described in the letter, shows that the papacy's self-proclaimed right to regulate trade with non-Christians was implicitly recognized. Between 1151 and 1198, therefore, the papacy's legal role in 'international' commerce moved from the margins to assume a central place, a process which paralleled the Church's increasing importance in society. Whereas the church had formerly restricted its intervention to enslavement, it now began to assert its jurisdiction over any Christian trade with non-Christians. Remarkably, Venice, at this time the most powerful of all maritime cities, accepted this ecclesiastical claim.

Another key point for understanding the papal policy of embargo at large is that in theory Innocent III's license allowed an exception to the ban on trade between Christians and Muslims on moral, rather than functional grounds. These related to Venice's special

position as a city living on trade. As the pope put it, Venetians could trade in Egypt “when it is necessary” (*cum necesse fuerit*).<sup>31</sup> In other words, he implicitly drew what can be called an Aristotelian line between economic activity based on necessity and economic activity based on profit. We will see in more detail in Chapter 4 that from the time of Innocent III on, the church altered its view of trade from one of total rejection to such an Aristotelian position: tolerant of commerce aimed at the sustaining a family or a community, but harshly critical of any attempts to trade for the sake of enrichment, that which Lateran III’s Canon 24 had called “cruel avarice.” This combination between stressing normative qualifications while admitting that not all commerce was ‘evil’ is central. It was to play a key role in the actual implementation of papal embargoes.

As far as the effect of the embargo as a tool aimed at the debilitation of Muslim military power is concerned, the existence of the licensing regime probably undermined whatever effectiveness the embargo might have had. Egypt, of course, was both Christendom’s main Muslim rival and Venice’s primary trade partner on the Muslim shores of the Middle Sea. Unlike Genoa and Pisa, Venice had little business in the western Mediterranean at this time. Thus the ‘necessity’ of Venice – trade with Egypt – was in direct conflict with a prime ‘need’ of the papacy – the weakening of Egypt.<sup>32</sup>

The first papal license, at the same time, allows us to see that a veritable hierarchy of papal concerns stands behind the written words. First was the establishment of the principle that the papacy controlled what (if anything), when, and under what conditions

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<sup>31</sup> *Die Register Innocenz’ III*, I, p. 776.

<sup>32</sup> Innocent concludes his letter by expressing his hope that in return for the favor, Venice would help the “...sperantes quod propter hanc gratiam in subsidium Ierosolimitane provincie debeatis fortius animari...” *Die Register Innocenz’ III*, I, p. 776. This, however, is no support for an assertion that the embargo aimed at Egypt alone, instead, it can be understood in the context of Jerusalem’s recent loss. That the embargo covered all Muslim lands in the Mediterranean is shown in the following sub-section.

Christians might export to Muslim lands. A concern for Christian souls came second: Clement's bull discussing the ransom of Christians does not ban the export of any items if directed towards these ends. Third came the concern with the economic survival of Christian communities. Only fourth came a concern over Muslim military power. We will see in the next sub-section of this chapter that this 'hierarchy of concerns' would crystallize by the 1230s.

We know from Alexander III's letter that Venice blatantly disregarded the embargo proclaimed in 1179. It appears that, similarly, despite its own active participation in the Third Crusade, Venice had not paid much heed to Clement III's total embargo.<sup>33</sup> Even though the amount of extant notarial evidence is meager, we find three documents that attest to Venetian trade with Alexandria in the decade that separates Clement's bulls from Innocent's license. In 1188 the executor of the will of a deceased Venetian paid a creditor with pepper and flax which the now deceased merchant had obtained in Alexandria. Two years later, in January 1190, Constantinople-based Venetian merchants discussed the partition of the proceeds of trade in Alexandria.<sup>34</sup> Finally, a notarial record from June 1198 mentions trade in unspecified items which had been carried to Alexandria in the previous 1197, again under the conditions of a total ban on all trade with Muslims.<sup>35</sup>

The provisions of the license were probably not respected by the Venetians or at least not by those who soon established themselves in what they called *Romania*, the

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<sup>33</sup> A Venetian fleet sailed east in spring 1189 and in September of that year participated in the siege of Acre; it left the waters of the Holy Land in spring 1190, Setton, *A History of the Crusades V*, p. 411.

<sup>34</sup> Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, #368, p. 362 (Aug 1188) and #375, pp. 368-369 (Jun 1190).

<sup>35</sup> Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, #439, pp. 431-432 (Jun 1198). The total embargo was not lifted until December 1198.

former Byzantine territories<sup>36</sup> split between Venice and Latin barons as a consequence of the Fourth Crusade (1201-1204).<sup>37</sup> As the motor behind the transformation of the crusade into a takeover of Constantinople (1204) and the partition of the Byzantine Empire, the Venetians came to dominate the economic life of the former Byzantine capital.

Alexandria, on the other hand, was still the Venetians' chief trading destination in the Muslim world. In this context, Innocent III reminded the newly established Latin Patriarch of Constantinople in 1209 to use sentences of excommunication to coerce the faithful under his jurisdiction not to export arms and timber to Alexandria.<sup>38</sup> In the previous 1208, in fact, two Venetian ships had delivered timber to Alexandria.<sup>39</sup> The letter says nothing about the cooperation of the Venetian podestà of Constantinople, or lack thereof.

At least in law, however, Venice must have already backed the papal embargo as required by the Third Lateran council. Although we have no evidence from this period, a document from 1226 allows us a glimpse of contemporary practice. In that year a letter in the name of the doge of Venice, Pietro Ziani, the Minor Council (the main executive body) and the Grand Council (the assembly of all nobles, the main legislative body) of

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<sup>36</sup> Prior to 1204 Romania was a term used in two different ways. For those based in Italy (merchants, but also Norman conquerors) it meant the territories of the Byzantine Empire. For crusaders, it meant Asia Minor (after a Seljuk tradition). The former tradition prevailed with the Fourth Crusade, see Robert Lee Wolff, "Romania: The Latin Empire of Constantinople," in *Studies in the Latin empire of Constantinople* (London: Variorum, 1976 [1948]), #II, pp. 1-34. See also Thiriet, *La Romanie vénitienne*, pp. 1-7.

<sup>37</sup> For brief accounts see Ostrogorsky, *History of the Byzantine State*, pp. 418-434 and Lane, *Venice*, pp. 36-42. For more detailed accounts: Setton, *A History of the Crusades*, II, pp. 153-185, Donald E. Queller, *The Fourth Crusade: the Conquest of Constantinople, 1201-1204* (Philadelphia, University of Pennsylvania Press, 1977), Setton, *The Papacy and the Levant*, I, pp. 1-26.

<sup>38</sup> *Acta Innocentii PP. III (1198-1216)*, Theodosius Haluščynskij, ed., In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes. Series III, Vol. II (Vatican City: Typis Polyglottis Vaticanis, 1944), #135, p. 372 (23 Nov 1209). On the Latin Patriarchate in Constantinople: the re-organization of the Byzantine church under it and local ecclesiastical relations, see Robert Lee Wolff, "The Organization of the Latin Patriarchate of Constantinople, 1204-1261," In idem, *Studies in the Latin empire...*, #VIII, pp. 33-60 [1948]; see also his "Politics in the Latin Patriarchate of Constantinople, 1204-1261," *Dumbarton Oaks Papers* 8 (1954): 225-303.

<sup>39</sup> Jacoby, "The Supply of War Materials to Egypt," p. 111.

the republic was sent to the highest-ranking Venetian officials beyond-the-sea: the podestà of Constantinople, the duke of Crete, the *bailo* of Negroponte, the *bailo* in Syria, and the castellans of the strategic ports of Coron and Modon (on the tip of the Peloponnesus). These were ordered to confiscate what we would call contraband for Alexandria and Egypt and either keep or reserve it for the republic. Moreover, any Venetian was allowed to seize such goods. The transgressors were to be banned from Venice and, if captured, brought to the city. This is telling, because in a city where a relatively large body of nobles had access to all facets of political power, banishment meant political demise, the ultimate form of exclusion from the body politic. Although the document does not specify what would happen to an “embargo violator” brought to the lagoon, the prospectives were probably deemed to be grim.<sup>40</sup> Accepting a transgressor on board was to cost the ship’s patron (captain) the substantial fine of 200 pounds.<sup>41</sup> In addition, any one purchasing merchandise from an “embargo violator” was to surrender it for the *comune*.<sup>42</sup>

The Venetian document backing up the papal embargo also allows us a glimpse of how the embargo was supposed to be enforced. Passing the burden of enforcement onto

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<sup>40</sup> They surely were in the fifteenth century, as discussed in Chapter 6 below.

<sup>41</sup> Lira/livre/mark/pound all mean the same; the standard unit of account and measure of weight, but its exact value varied by city or ruler. It derives from the Carolingian monetary system whereby a pound is the biggest unit, which is subdivided into 20 solidi/soldi, each solidus having 12 denarii. As pounds, shillings, and pence the system created by Charlemagne survived until recently. On money in the Middle Ages see Frederick C. Lane and Reinhold Mueller, *Money and Banking in Medieval and Renaissance Venice. Coins and Moneys of Account* (Baltimore: Johns Hopkins University Press, 1985), esp. 3-64 for a general overview for Europe; Peter Spufford, *Handbook of Medieval Exchange* (London: Offices of the Royal Historical Society, 1986), pp. XIX-LIX, idem, *Money and Its Use in Medieval Europe* (Cambridge: Cambridge University Press, 1988). On coins see Alan Stahl, *Zecca. The Mint of Venice in the Middle Ages* (Baltimore: Johns Hopkins University Press, 2000). 200lb: units of account of similar names were in fact very different things, for example lira a grossi (*libra ad grossos*) or di grossi (*grossorum*) as the latter was 26 times the value of the former. In this case the reference seems to be to the old Venetian lira, made of 240 pennies. Since one pound of this kind was made of roughly 20 grams, the fine would be 4kg (8,8lb) of silver or 200 of the new grossi, the big Venetian silver coin.

<sup>42</sup> Tafel and Thomas, *Urkunden...*, II, #271, pp. 260-264 (March 1226).

ship captains was typical for the Venetian administration, which used captains as its representatives at sea and required them to guarantee the actual implementation of a large body of economic regulations pertaining to navigation. Requiring the Venetian officials beyond-the-sea to strictly follow orders from the metropolis was not wishful thinking.<sup>43</sup> Allowing any Venetian to act as a representative of the authorities, moreover, had the potential of turning every Venetian merchant into an ‘official.’ The right of such a person to retain any contraband for himself, which was later revised to give the government a piece of the pie, was probably intended to make the embargo considerably more enforceable. The order was thus meant to portray the government as meaning business and this may have actually been the case, for it was to be announced in “vulgarem,” not just in Latin, and would thus be intelligible to everyone.

This attention to the embargo may have sprung from the fact that at the time Venice had sided with the pope against its rivals, Genoa and Pisa, which supported the emperor. It may also have well been the case that Venice never stepped up any enforcement efforts. What matters here, however, is that the Venetian decree in support of the papal embargo heavily underlined the gravity of the offense of selling “strategic goods” to Muslims. In this sense it followed in the footsteps of the Genoese proclamation of 1151. Thus both canon law and the civil law of the premier maritime and commercial powers, Venice and Genoa, treated the papal embargo against Muslims as a matter of great importance.<sup>44</sup>

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<sup>43</sup> The Venetian ‘empire,’ especially at this early state of its formation, was, as Lane put it, “an empire of naval bases,” Lane, *Venice*, p. 42. It was the most heavily centralized medieval polity. On the Venetian colonial empire see the previously cited Thiriet, *La Romanie vénitienne*.

<sup>44</sup> Louise Robbert, in the above-cited study on Venice and the Crusades, in Setton, *A History of the Crusades*, V, p. 442, claims that in this period “Venice, like the papacy, prohibited any of its citizens or ships from trading with Egypt,” and, consequently, that Venetian trade with Alexandria continued via Constantinople. This claim is based upon a not cited papal letter to the Latin patriarch authorizing him to

The embargo proclaimed at Lateran III was not a concern of Rome and the maritime cities alone. It was incorporated into the code of canon law that governed Christendom. Its goal, however, remained poorly stated and alluded more to a general conflict between Christianity and Islam than to the question of Jerusalem. Clement III enlarged the scope of the embargo by banning all trade with Muslims until an undefined state of peace existed. Between his pontificate and 1198 Christians were allowed to ship to Muslims only what was needed for the ransom of Christian captives, as the concern for

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absolve merchants who did that and of a similar claim to be found in Lee Wolff, "Politics in the Latin Patriarchate of Constantinople, 1204-1261," p. 277. The former is a strange claim, given the fact that our document – which clearly prohibits trade in *vetita* only - is quoted in the same paragraph that makes the assertion that all trade was banned. The latter claim is also inaccurate. It relies on the reasoning that since we do not have a letter to Venice, but we do have one sent to Constantinople trade with Egypt must have halted in Venice, but continued in Constantinople. This is untenable. Firstly, we cannot know if such a letter was or was not sent to Venice, because, as discussed in Appendix A below, papal letters were never preserved *in toto* and the principle of the registration of outgoing mail remains unclear. Secondly, such letters, as we will see later in this chapter, were sent all over the Christian Mediterranean and even beyond-the-Alps; thirdly, Robbert's statement assumes that the papal curia constantly monitored the implementation of embargoes and immediately took action once a problem was noted, but we will see in the next sub-section that the church was far from a perfect bureaucratic machine. Fourth, it assumes that the administrative relations between Rome and Venice mirrored those between Rome and Constantinople. Obviously, they did not, Constantinople being only recently established as a patriarchate of the Roman church. In addition, Lee Wolff made his comment in between other things; he was not discussing trade at all, indeed this is the only occasion he mentions trade or Egypt in the above quoted study. Finally, both Louise Robbert and Robert Lee Wolff imply that Venetian trade between Constantinople and Alexandria was a new development, one that belonged to the post-1204 period. A number of documents, which Robbert herself quotes in a different context, however, attest to the existence of such trade already in the twelfth century, see, for example, Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, #179, pp. 179-180 (Feb 1167); #183, pp. 183-184 (Jul 1167); #187, pp. 186-187 (Nov 1167); interestingly #191, p. 191 (Nov 1167) was signed in Alexandria for trade to Constantinople (and Almiro); more of these documents are cited in Chapter 2. The unnamed bull in question was sent to Constantinople by Honorius III in 1221, Reg. Vat. 11, f77r/v (8 Feb 1221), published in Aloysius Tautu, ed., *Acta Honorii III (1216-1227) et Gregorii IX (1227-1241)*, In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes. Series III, Vol. III (Vatican City: Typis polyglottis vaticanis, 1950), #74, pp. 102-103, summary in *Regesta Honorii Papae III*, ed., Pietro Pressutti (Rome: ex typographia Vaticana, 1888), #3077. It does not discuss only trade with Egypt, but a whole range of transgressions the absolution for which was reserved to Rome; it was a standard practice in fact to sent such specific authorizations to high-ranking prelates in order to provide a viable way to absolve persons who had incurred such excommunications. By itself, contrary to what Lee Wolff and Robbert suggest, this letter cannot possibly support an assertion that Venetian trade with Egypt was now carried not through Venice, but through Constantinople. Economic theory also suggests that such behavior – shipping from Alexandria to Venice via Constantinople - would have been very unlikely: the cost of trade with Egypt would have risen significantly, without any obvious benefit to balance it out as the merchants would still have incurred the *ipso facto* excommunication for any illicit trade and Venice: papal ire. In a more recent study Robbert himself appears to insert Venetian trade between Constantinople and Alexandria were it actually belongs: in the context of the investments of Constantinople-based Venetians merchants, Louise Buenger Robbert, "Rialto Businessmen and Constantinople, 1204-61," *Dumbarton Oaks Papers* 49 (1995): 54.

the salvation of the captives' souls overrode the fear of Muslim military power. Religious concerns permeated later papal legislation on the embargo, too. In 1198 Innocent III extended a license to Venice, which allowed its merchants to trade in Egypt. The license did not revoke Clement's total embargo. In legal terms it functioned as an exception to a rule. In practice it probably undermined whatever efficacy Clement's ban might have had. Most importantly, the license did not give a papal blessing for any "cruel avarice;" it was the result of Venice's supposed 'need' to trade. Venice in turn accepted the papacy's implicit claim that trade between Christians and Muslims was an ecclesiastical matter over which the church had top authority and promulgated a decree underlining the gravity of the offense of selling arms to Muslims, as required by Lateran III.

### **3.2. The Fluid 'Identity' of the Embargo**

By 1213 the selective embargo became a regular part of papal crusading bulls as a result of *Quia Maior*, sent by Innocent III to the "faithful of Christ" across Europe.<sup>45</sup> This bull, best known for its crusading content and for originating the policy of "selling indulgences,"<sup>46</sup> renewed the provisions of Canon 24 of Lateran III with respect to trade with Muslims. The pope did not mention a total embargo.<sup>47</sup> His crusading bull was part of a larger program aimed at the recovery of Holy Land. On the same day the bull was

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<sup>45</sup> The bull was sent to: Magdeburg, Bremen, Cologne, Sardinia, Salzburg, Dalmatia, the province of Rheine, Ravenna, Poland, Milan, Genoa, the mark of Ancona, Ireland, Hungary, England, Prague, Bohemia, Tusciana, Norway, Calabria, Scotland, France, PL 216, 817-822. The full text of the bull is published also in Johan Gustaf Liljegren, *Svenkst Diplomatarium*, I (Stockholm: Tryckt hos Norstedt, 1829), #147, pp. 169-174 (19 Apr 1213). The absence of Venice catches the eye, but it is hard to know whether this is attributable to politics or to the way in which the documentation was preserved.

<sup>46</sup> See Riley-Smith, *The crusade*, pp. 173-174.

<sup>47</sup> *Svenkst Diplomatarium*, I, #147, pp. 172-173.

issued, Innocent also proclaimed the convocation of a general council of the church,<sup>48</sup> which would open in November 1215 and become known as the Fourth Lateran council. The most widely attended synod in the history of the church, it brought more than 400 bishops and 800 abbots to Rome.<sup>49</sup> The council's wide-ranging decrees were the culmination of the process of ecclesiastical reform designed to re-shape Christian society in accordance with the vision formulated by the Gregorian papacy. The Church was to lead a Christian society focused on spiritual matters.<sup>50</sup>

The council's final canon (*Ad Liberandam*) was really not an ordinary canon at all, but a crusading decree.<sup>51</sup> This and the bull of 1213 have been called "The foundation charters of the crusade as coherent institution...."<sup>52</sup> The embargo announced by *Ad Liberandam* was very similar to that outlined in 1213. However, in renewing the export restrictions declared at Lateran III, it added more precision: it banned explicitly the sale of galleys and round-ships and listed "machines" among the forms of 'help' for the 'infidel.'<sup>53</sup> Finally, the bull makes one point that truly differs from those to be found in previous council decisions:

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<sup>48</sup> PL 216, 823-827 (19 Apr 1213). The legates sent across Christendom to preach the crusade were also supposed to ask the bishops and the abbots to propose topics for discussion at the council, Tanner, *Decrees*, p. 227.

<sup>49</sup> Morris, *The Papal Monarchy*, p. 447.

<sup>50</sup> As Innocent himself stated, the goal was: "to eradicate vices and to plant virtues, to correct faults and to reform morals, to remove heresies and to strengthen faith, to settle discords and to establish peace, to get rid of oppression and to foster liberty, to induce princes and Christian people to come to the aid and succour of the Holy Land...." As translated in Tanner, *Decrees*, p. 227.

<sup>51</sup> For the decision see Tanner, *Decrees*, pp. 267-271. Mansi, 22, does not list this text as a canon, cols. 979-980 and explains that the council was thought to have had 70 canons, cols. 1081-1082. Morris, *The Papal Monarchy*, p. 448 considers it a "crusading decree," which appears most appropriate, and notes that it was subject to "a good deal of redrafting." In the last years of his life Innocent was fixated on the recovery of the Holy City, Helena Tillman, *Pope Innocent III* (New York: North-Holland Publishing Co, 1980), p. 273.

<sup>52</sup> Tyerman, *The Invention of the Crusades*, p. 35.

<sup>53</sup> Tanner, *Decrees*, pp. 269-270. This time the translation of "lignamina galearum" is correct, that is "timber for galleys," not "wood for helmets." 'Round-ship' is how the Latin 'navis' should be translated, because, contrary to what widely assumed, it was not used to mean 'ship' in general, but referred to a particular class of naval vessel. See chapter 6 below.

In addition, we prohibit and on pain of anathema forbid all Christians, for four years, to send or take their ships across to the lands of the Saracens who dwell in the East, so that by this a great supply of shipping may be made ready for those wanting to cross over to help the holy Land, and *so that the aforesaid Saracens may be deprived of the not inconsiderable help which they have been accustomed to receiving from this.*<sup>54</sup>

Scholarship has chosen to focus on the issue of providing sufficient ships for the passage.<sup>55</sup> In my opinion, however, the words signaling that Christian shipping provided Muslims with ‘help’ should not to be ignored. Compared to Fidenzio’s and Sanudo’s idea of curtailing the sultan’s tax revenue, the ‘help’ of this papal decree is vague. The word choice may actually not be unimportant; as in previous documents this decree focuses on the broad notion of ‘help’ rather than on its practical consequences.

The decisions of the Fourth Lateran were later repeated by those of the First Council of Lyon, the next general council of the Roman Church (1245).<sup>56</sup> Lateran IV might therefore lead us to believe that by 1215 the embargo as a policy tool was reduced to a restriction on the export of war material, which only occasionally assumed the shape of a total embargo. It might also lead us to believe that this policy was nothing more than a footnote to a new crusading effort for the recovery of Jerusalem. But is Lateran IV a reliable guide to the papal policy of embargo? Did it restrict the employment of embargo to Egypt?

This council is widely regarded as the quintessential council of the medieval church and in many ways rightly so. With regard to the matters of interest here, however, the decisions of the Fourth Lateran were the exception, not the rule. The broader context of the Fourth Lateran, a canon law compilation, and two papal letters from the period

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<sup>54</sup> Tanner, *Decrees*, p. 270. Italics mine.

<sup>55</sup> For example Leopold, *How to Recover the Holy Land*, p. 126.

<sup>56</sup> Tanner, *Decrees*, p. 300.

show clearly that the impression conveyed by Innocent's crusading bull of 1213 and the crusading decree of Lateran IV in 1215 is indeed misleading. Innocent III ultimately rejoiced over the appearance of a Latin patriarchate of Constantinople (though he was never happy with Venice's monopoly over it), but he never got over his failure to recover Jerusalem. Thus while he regarded Muslims as "*only* one of the enemy forces, which faced the confessors of the cross," in the later years of his life Jerusalem's recovery became an object of fixation.<sup>57</sup> By the time the Fourth Lateran was convoked Innocent considered his actions against the Muslims of Spain and the 'heretics' of Southern France as largely successful and therefore suspended the crusading indulgencies for those fighting them.<sup>58</sup> It is in this context that the embargo's appearance in the Fourth Lateran's *Ad Liberandam* and its focus on Muslims "who dwell in the East" is best understood. In fact, Honorius III soon departed from the fixation with the Holy Land which Innocent had displayed in the last years of his pontificate and extended to Spain the provisions stipulated in the Fourth Lateran for crusaders in the East; his successor Gregory IX upheld this broader approach to 'infidels.'<sup>59</sup> In brief, the little that has been written about papal embargoes in the thirteenth century has relied heavily on "Ad Abolendam" and the prestige of Lateran IV. To take a portion of a crusading bull written in a particular historical context as representative for the papal policy of embargo in general, however, would be a mistake. We will now see that the embargo was by no means restricted to Egypt.

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<sup>57</sup> Tillman, *Pope Innocent III*, p. 273.

<sup>58</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 78.

<sup>59</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, pp. 85, 97.

In 1212 John of Wales compiled a code of canon law known as *Compilatio secunda*.<sup>60</sup> Featuring papal decretal letters derived primarily from the pontificates of Clement III and Celestine III (1191-1198), it introduced the total embargo proclaimed by Clement III and the exception allowed to it (delivery of goods to Muslims for the ransom of captives) into canon law just before Innocent promulgated his crusade.<sup>61</sup> This is important for it shows that Clement's bull had not fallen into oblivion after Innocent began the practice of licensing Christian trade with Muslims.<sup>62</sup>

The entry of the total ban on trade with Muslims into canon law in 1212 was not made anachronistic by Innocent's crusading decrees of 1213 and 1215. In 1224 his successor Pope Honorius III wrote to the archbishop of Tarragona, whose archdiocese included the major port city of Barcelona, regarding trade between Christians and the local Muslim population. According to the letter, Christians from the regions of Barcelona and Tarragona had faced excommunications for trading in wine with the local Muslims. They therefore asked the pope to allow such trade, since they engaged in it "from necessity." Honorius allowed them to do so, precisely on the grounds that they needed to trade with Muslims. This he did on two conditions: that they trade only while there was no state of war between Christians and Muslims and that they not sell the Muslims "arms, iron, or timber."<sup>63</sup>

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<sup>60</sup> Friedberg, ed., *Quinque Compilationes Antiquae*, pp. 72-104, for Book 5 see pp. 97-104.

<sup>61</sup> Friedberg, ed., *Quinque Compilationes Antiquae*, p. 98 (5.4.5-6). *Compilatio secunda* was in fact the third compilation after the *Decretum*. Second in chronological order (1209) was *Compilatio tertia* completed by Pietro Collivacina, a papal notary. Friedberg, ed., *Quinque Compilationes Antiquae*, pp. 105-134, see also James Brundage, *Medieval Canon Law* (London: Longman, 1995), pp. 194-195. Nevertheless, the titles are in fact appropriate, because *Compilatio tertia* is made entirely of decretal letters of Innocent III, and thus of later material than that contained in *Compilatio secunda*.

<sup>62</sup> Its importance is not to be overstressed, however, since the widely circulated Code of Canon law through which Clement's bulls became cemented in law was the *Liber Extra* (1234).

<sup>63</sup> "necessitate" is the word used, Reg. Vat. 13, f11v (31 Oct 1224). The main point of the latter is well given in *Regesta Honorii Papae III*, #5149, p. 227. This document is noted by Odena, "De Alexandrinis,"

In 1234 Pope Gregory IX (1227-1241) gave similar permission to Quesada (Caesata) in the archdiocese of Toledo, located among “Muslims fighting the Christian people” since the supplicants had argued that they could not make a living without trading with the Muslims.<sup>64</sup> Briefly held by the Christians in 1224, the settlement had been conquered only in 1231 during the Castilian crusade of Fernando III (1217-1252).<sup>65</sup> Gregory allowed Christians dwelling in the recently conquered settlement to trade with neighboring Muslims except in “arms and horses, iron and timber.”<sup>66</sup>

These two papal letters make some important points concerning both the functional and symbolic dimensions of the embargo. Christians in Spain were asking Rome for licenses to conduct trade of a kind which the decisions of Lateran IV had not banned. They did so because the clergy in Spain had been excommunicating them for

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p. 246 who points out that the wine was destined to the Muslims of “nuestro levante y sur,” but does not ask the question why a license for trade in wine was needed in the first place.

<sup>64</sup> “...situm inter Sarracenos christianum populum impugnantes...” Reg. Vat. 17, f203r (24 Jul 1234) and same fully quoted in *Les Registres de Grégoire IX (1227-1241)*, Lucien Auvray, ed., (Paris: Thorin et fils, 1890-1955), #2063, col. 1116 (24 Jul 1234). The full document continues on f203v and col. 1117 respectively, the text in the *Regesta* is a summary. The name is given as “castrum Quesata vulgariter appellatum.”

<sup>65</sup> O’Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 84 for 1224 and p. 93 for 1231. The *Latin Chronicle of the Kings of Castile*, translated and edited by Joseph O’Callaghan (Tempe: Arizona Center for Medieval and Renaissance Studies, 2002), p. 94 claims that city was “entirely destroyed” on that occasion. According to the history of Rodrigo Jiménez de Rada, archbishop of Toledo, he himself had conquered Quesada, which Fernando had supposedly given to him “iure hereditario,” Roderici Ximenii de Rada, *Historia de rebus Hispanie sive Historia Gothica*, ed., Juan Fernández Valverde (Turnholti: Brepols, 1987), p. 297. This is considered one of the main narrative sources for the period and the model for the later works.

<sup>66</sup> “commerciis communicare,” *Les Registres de Grégoire IX*, #2063, col. 1117. The document is mentioned in Odena, “De Alexandrinis,” p. 247 as an example of the extension to those trading with Granada of the penalties for trade with the Muslims in the East. Apparently in order to illustrate his point Odena lumps it together with two other documents, discussed below, but the three are in fact very different from each other. One of the other two, Reg. Vat. 17, f238r (7 Nov 1234), *Les Registres de Grégoire IX*, #2290 is about Muslims coming for trade within Christian territories. Odena misses the point of the third one, Reg. Vat. 17, f240v (4 Dec 1234), *Les Registres de Grégoire IX*, #2300, which is an extraordinarily interesting document for Muslim-Christian relations in Spain, but it is not at all about the Christian ‘export’ of goods to Muslims; instead, it is about their refusal to sell provisions to the military order of Saint James fighting the Muslims. O’Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 93 also mentions the document.

any trade with Muslims.<sup>67</sup> This shows that the decretal of Clement III was not tacitly revoked by Lateran IV, but was still upheld as an actual policy. The documents, furthermore, clearly speak of embargoes against the Muslims in Iberia, not the ‘Saracens’ of Egypt. The idea that the embargo was aimed at Egypt alone, suggested by studies of trade in the eastern Mediterranean, as outlined in Chapter 2, is therefore untenable.

As in the case of the license allowing the Venetians to export non-war items to Alexandria, the permissions for trade with Muslims in Spain were justified on moral grounds. In other words, the Christians of Spain needed to trade with local Muslims, for the latter were their neighbors and such trade was (supposedly) an indispensable part of their economy. As in the case of Venice we can doubt that the supplicants were seeking a permission for a fire-sale in the face of starvation. The point, again, is not about the economic reality behind the papal licenses for trade with Muslims, but about papal ideology. It is about the stated papal motivation for granting the licenses, which had to do with a differentiation between the “cruel avarice” of those who exported arms and timber to Muslims, and of those who served Muslims “for gain” (both from Lateran III) “in opposition to Christ and the Christian people” (Lateran IV) and “the necessity” of some Christian communities to make ends meet by engaging in trade with Muslims. Trade out “of necessity” was conditional upon papal benevolence and the supposed existence of a state of peace: it could not be used to justify the export of war material.

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<sup>67</sup> J.T. Odena, who has noticed these documents in his work on the papal embargo and Spain, “De Alexandrinis,” pp. 246-247, did not ask the question of why such “concessions” as he calls them were needed in the first place. This likely stems from the fact that he did not consider canon law and was unaware of the existence of Clement’s decrees proclaiming a total embargo. Furthermore, the article does not mention the papal license to Venice and therefore Odena may have worked with none of the three documents in the period explicitly discussing a total embargo. Finally, he appears to have worked with the summaries of the documents found in the *regesta*, which, when they do not feature the full text of the document, are usually of use only to discern the main points raised in the letters.

Turning for a moment from statements to practice, we might suppose that the papal licenses may have themselves been the products of ‘necessity.’ Venice was one of the three maritime powers in the Mediterranean. The support of Genoa, Venice, and Pisa was vital if to papal hopes for a restoration of Latin rule in Jerusalem. The proclamation of only selective embargo in 1213 and 1215 may thus have been the product of the papacy’s ‘necessity’ to keep the maritime powers on board. It may be counter-intuitive, but the context of an on-going ‘Reconquista’ may explain the papal willingness to extend licenses allowing most trade with Muslims in Iberia to continue. This, of course, makes little sense with regard to the embargo’s usefulness as an economic weapon. Hopes for economic effects and political results, however, may have been only part of the papal investment in the embargo.

One wonders, then, if the search for a clear-cut papal policy aimed at curbing Muslim military power through the withdrawal of trade is not misplaced. To assume that the church’s leadership, let alone that of rank-and-file priests, maintained at all times a clear idea of what the embargo was and was not supposed to be is likely to ascribe to the early thirteenth century policy of embargo a rigidity it did not possess. The decisions of a synod held in Spain in the wake of Lateran IV provide a good example. These feature a proclamation which matches no exact provision of canon law. The council ordered all priests to proclaim every Sunday the names of those excommunicated for having traded with Muslims not only in arms, iron, timber, and naval equipment, but also in bread, or animals that could be used for food, work, or that could be ridden.<sup>68</sup> The decision to treat

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<sup>68</sup> “...arma, ferrum, lignamina, navium instrumenta, panem, bestias, vel animalia ad comedendum, vel ad colendum, vel ad equitandum...” It also prohibits Christians from fighting beside the “Moors” against other Christians, a common problem for the church in Spain briefly discussed in the next chapter, Mansi, 22, col. 1094. We do not know the exact year or location of the council.

bread and animals as contraband exceeded the provisions of the general councils. At the same time, it still fell short of the provisions of Clement's bull and the practice of the church in the archdiocese of Tarragona.

If in Spain a synod legislated between a total and a selective embargo and some priests, as we have seen, went even further to act against all trade, the other side of the Mediterranean offers us a different example of the situation's complexity. In 1218 Pope Honorius III answered a letter from his legate in Constantinople in which the latter asked for clarification of a number of canonical issues. The decretal sent from Rome to Constantinople makes it obvious that clarification of policies regarding trade with Alexandria was one of them.<sup>69</sup> Apparently, the archdeacon of Negroponte had not "feared to give license" for some "going with goods to Alexandria" "against the provisions of the general council," which as we saw above had prohibited in 1215 all trade with Alexandria for four years.<sup>70</sup> While Rome was content simply to refer the legate to the existing canon and civil laws,<sup>71</sup> the case is interesting because it shows a local high-ranking ecclesiastical official adopting a position on embargo more lax than that of the papal curia.

Local church functionaries may have had their own personal agendas in interpreting the papal embargo. The clergy was not required to pronounce sentences of

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<sup>69</sup> *Acta Honorii III (1216-1227) et Gregorii IX (1227-1241)*, #39, pp. 63-64 (18 Aug 1218). Papal letters first outline the questions the pope was asked and only then proceed to provide the answer.

<sup>70</sup> "...Unde a nobis desideras edoceri quid tibi agendum sit in omnibus supradictis et qualiter puniendus sit Nigropontensis archidiaconus, qui quibusdam eundi cum mercibus in Alexandriam, contra statutum Concilii Generalis, licentiam de facto tribuere non expavit..." *Acta Honorii III et Gregorii IX*, #39, p. 63. The bishop's deacon, an archdeacon held significant authority already in the early Medieval Church. In this period archdeacons held significant administrative power within a diocese as they de facto substituted for the bishop's inability to take care of all diocesan business that required his attention. A large diocese could have several archdeacons.

<sup>71</sup> *Acta Honorii III et Gregorii IX*, #39, p. 63. Secular governments, as mentioned earlier, were supposed to enact laws backing the ecclesiastical ones.

excommunication for the spiritually deadly punishment to take effect. After all, Clement's bull proclaiming the complete prohibition of business with Muslims and council decisions alike declared contravening Christians under *ipso iure* excommunication. Assuming belief in the force of the sentence, the only necessary precondition for an *ipso iure* sanction to be effective was for it to be known. Thus it would have been enough for the anonymous priests in Spain to periodically remind their flock of the embargo's existence and the penalty it entailed, as required by the papal decrees. The pronouncement of excommunication and anathema was unnecessary.

Excommunication, when pronounced by priests, as opposed to when tacitly imposed by force of the law, was quite a public spectacle. It was designed to visibly exclude the wrong-doer from the body of the faithful. Furthermore, those present knew that it often entailed an exclusion from the society of Christians and from economic ties with them.<sup>72</sup> Thus it was a highly publicized act of ostracization, which damaged the *publica fama*<sup>73</sup> of the excommunicate. All of this, in turn, made excommunication a powerful clerical weapon.

It is pointless to speculate about the range of goals which clergy members could pursue through using sentences of excommunication or by issuing licenses at their own discretion, but some observations are worth making. Licenses in the fourteenth century cost money. There is no evidence that they did in the thirteenth century, but the possibility is not to be ruled out. High-ranking clergy members were at least accused of

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<sup>72</sup> Excommunication is discussed in the next chapter. The *Decretum* explains how it was to be proclaimed. Twelve priests with lighted candles in their hands had to surround the bishop. At the conclusion of the pronouncement of the anathema and excommunication they had to throw the candles on the ground and tramp them with their feet. Finally, a letter was to be sent around with the names of the excommunicated and the reason for the sentence, C11.q3.c106 (Friedberg, I, 674).

<sup>73</sup> The talk about a person reflected on that person's reputation in a variety of ways, from glory to infamy, on *fama* see Thelma Fenster and Daniel Lord Smail, eds., *Fama. The Politics of Talk and Reputation in Medieval Europe* (Ithaca: Cornell University Press, 2003).

using the embargo to pursue financial gain. For example, in 1232 the archdeacon of Crete accused the archbishop of the island of many transgressions, including selling absolutions to those who delivered arms and other prohibited items to the Saracens.<sup>74</sup>

This might also have been the case of the above-mentioned archdeacon of Negroponte.

Concerning the pronouncement of unnecessary sentences of excommunication, it is notable that in 1233 Gregory IX wrote to the minister of the Friars Minor in Spain (Ispania) and the island of *Garbum* upon a supplication from Genoa. The Genoese had complained that Franciscans had been excommunicating them for trade in “licit merchandise.”<sup>75</sup> The pope reprimanded the Franciscans, explaining that excommunication was to be employed only against those who traded in “arma, ferrum, lignamina” and other goods “with which they [the Muslims] fight the Christians.”<sup>76</sup> Commerce in other goods was to be denied only in time of war.<sup>77</sup> Franciscans later distinguished themselves in the promotion of strict application of canon law, including such promulgated before their appearance as an order, including its provisions against Jews.<sup>78</sup> Similarly, in 1253 the bishop of Tusculum (Frascati, near Rome), as papal legate

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<sup>74</sup> *Les Registres de Grégoire IX*, #1013 (25 Dec 1232).

<sup>75</sup> “licitis mercimoniis,” *Libri Iurium* I/9, #950, p. 40 (10 Jul 1233).

<sup>76</sup> *Libri Iurium* I/9, #950, p. 40.

<sup>77</sup> “. . . tempore tamen guerre sunt eis cetera deneganda.” *Libri Iurium* I/9, #950, p. 40. Similar, but less restrictive are the provisions of a decree which Louis IX (1226-1270) of France promulgated in 1254. It allowed no export of strategic goods, the export of all other exports in times of peace, and, under his license, in war too: “Arma deferri Saracenis omni tempore prohibemus, et tam victualia, quam res alias tempore quo cum christianis guerram habebunt, sine nostra licentia deffere volumus, nisi tempore quo treugam habemus cum iisdem.” Transcribed by Depping, *Histoire du commerce*, p. 196 n. 1 (1254). I have not been able to look at the document. Obviously, it should read ‘non volumus,’ instead of ‘volumus.’ In the same year Venice re-enacted the ban prohibiting the export of war material to Muslims lands (*ad terras Saracenorum*), Roberto Cessi, ed., *Deliberazioni del Maggior Consiglio di Venezia*, II (Bologna: Nicola Zanichelli, 1931), p. 46.

<sup>78</sup> See for example, Jeremy Cohen, *The Friars and the Jews. The Evolution of Medieval anti-Judaism* (Ithaca: Cornell University Press, 1982), Diane Owen Hughes, “Distinguishing Signs: Ear-Rings, Jews and Franciscan Rhetoric in the Italian Renaissance City,” *Past and Present* 112 (1986): 3-59, esp. 17-19, 27. On the Franciscans in general see John Moorman, *A History of the Franciscan Order from its Origins to the Year 1517* (Oxford: Clarendon Press, 1968).

in the province of Venice, prohibited all Venetian trade with Muslims in the East. Venice apparently complained to Pope Innocent IV who in turn issued a new license, which explicitly overrode the order of his legate. The pope took note of the difficulties which the cessation of trade would cause Venice. In clear support of the supposition that the embargo remained total in principle, however, Innocent IV stressed that the extension of the license was a special favor.<sup>79</sup> The bishop of Tusculum at the time was Eudes of Châteauroux, a theologian, a former Cistercian abbot, and chancellor of the University of Paris. He was “an experienced preacher and promoter of crusades,”<sup>80</sup> for example, against the Muslims of Lucera (Italy).<sup>81</sup> Eudes headed the judges of an inquisition who in 1240 condemned the Talmud<sup>82</sup> and even forced a change in crusader coinage in 1250 by complaining to Innocent IV that crusader coins displayed the name of Muhammad.<sup>83</sup> ‘Lax’ clergy may have therefore been issuing licenses in the pursuit of what the organization of which they were a part called “cruel avarice,” while ecclesiastical hardliners used the sentence of excommunication where it was not due as a way to enforce Clement’s total embargo instead of the current, less restrictive, papal policies vis-à-vis the commercial powers of Venice and Genoa.

Between 1198 and 1234 the embargo as a tool of foreign policy seems to have meant many things to many people. Innocent III’s extension to Venice of a license for

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<sup>79</sup> “speciali Apostolice Sedis gratia et favore,” *Les Registres d’Innocent IV (1243-54)*, ed. Élie Berger (Paris: E. Thorin, 1881-1921), #6586 (7 Jun 1253), full text. In 1248 Innocent had allowed the same bishop to absolve Venetians for a variety of transgressions which could only be absolved by Rome, *Les Registres d’Innocent IV*, #4663 (21 Jul 1248).

<sup>80</sup> Caroline Smith, *Crusading in the Age of Joinville* (Aldershot: Ashgate, 2006), p. 3.

<sup>81</sup> Smith, *Crusading in the Age of Joinville*, p. 36.

<sup>82</sup> Cohen, *The Friars and the Jews*, p. 63. He later headed a tribunal under Innocent IV, which renewed the verdict, *ibidem*, p. 64.

<sup>83</sup> Innocent followed with a ban on crusader coinage with Arabic inscriptions. Arabic did not disappear from Christian coins, but it now displayed Christian messages: Prawer, *The Latin Kingdom of Jerusalem*, p. 386. Eudes also blasted Christian masters who prevented the instruction of slaves in Christianity while reiterating that conversion after enslavement did not lead to free status: Kedar, *Crusade and Mission*, p. 151.

trade in Egypt did not entail a complete abandonment of the total embargo, which meanwhile made its entry into canon law. In the 1220s and the 1230s it remained a very 'real' policy in Iberia where clergy at least occasionally excommunicated local Christians for any trade with neighboring Muslims. The papacy applied to Iberia the same approach that it had already adopted with regard to Venice. In times of peace, the inhabitants of some Iberian dioceses were allowed to trade with the local Muslims in non-strategic goods. As with Innocent's 1198 license to Venice, such licenses were justified on moral grounds. They recognized the alleged 'necessity' of local Christians to trade with neighboring Muslims in order to make a living and constructed a veritable hierarchy of moral concerns in the process. It is likely that individual clergy members shaped the embargo in the pursuit of their own goals, ranging from personal interest to the zealous promotion of anti-Muslim action. It is not at all obvious then, that we can speak of the embargo in this period as a well-defined and homogeneously applied policy tool.

### **3.3. The Codification of the Papal Embargo against Muslims**

One is tempted to conclude that if the papal policy of embargo was not uniformly applied this was due only to the fact that the papal curia was unable to do so. While it is very likely that the papacy was indeed incapable of uniformly applying its embargo across Catholic Europe, this sub-section will show that if we understand the papal embargo only as an economic tool for the achievement of foreign policy goals, we will have to conclude that it had no clear shape either in practice or in law. However, there is one viewpoint from which both the papal legislation and the manner of its application prior to the embargo's codification (discussed above) and afterwards (discussed in the final subsection of this chapter) can be seen as remarkably uniform and coherent.

In 1230 Gregory IX ordered the Dominican Raymond of Penyafort (Raymundus de Pennaforte) to prepare what became, alongside Gratian's *Decretum*, the major corpus of canon law until 1917.<sup>84</sup> Completed in 1234, the resulting work was officially called *Gregorian Decretals* (*Decretales Gregorii IX*) but became known as the *Liber Extra*. It integrated the compilations made after the *Decretum* as well as some letters of Gregory into a single code of canon law. Upon completion of the work copies were sent to the universities of Bologna and Paris, which trained much of the future ecclesiastical leadership. There the *Liber Extra* was to "be taught in the law faculties as the official law of the Roman Church."<sup>85</sup> The code adopted the systematic and comprehensive treatment on the relations between Christians and non-Christians proposed by Bernard of Pavia in his *Breviarum*. Through it, the papal restrictions on trade with Muslims achieved a shape in canon law that endured until 1917. The *Liber Extra* included Canon 24 of Lateran III, the two bulls of Clement III, and the crusading decree of Lateran IV.

How are we to understand the fact that all these different embargo decrees were awarded a place in canon law? On the one hand, it may be argued that canon law functions as a repository of all canons and decretals that came the way of a given lawyer and thus can be seen more as a didactic anthology rather than a code of current law. This may have been the case of John of Wales' *Compilatio secunda*, through which the total embargo first appeared in canon law, because John acted on his own initiative. It would be difficult, however, to apply the same argument to the *Liber Extra*. Canon law compilations featured a great many canons and decretals, but their authors were selective,

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<sup>84</sup> Raymond, who was later canonized, was Gregory's personal chaplain and penitentiary. In 1238 he became General of the Order of Preachers. He advocated conversion of 'infidels,' and took an active part in the anti-Jewish and anti-'heretical' activities of the mendicant orders, Cohen, *The Friars and the Jews*, pp. 104-108.

<sup>85</sup> Brundage, *Medieval Canon Law*, p. 55.

though the criteria may not always be clear. Most importantly, the *Liber Extra* was commissioned by Pope Gregory IX and executed by (or under the guidance of) one of the foremost canonists of his day.

Since the embargo decrees were not policies formulated on the basis of scripture, they could be repealed. A law could be revoked either by a decree or by an abrogation clause featured in a new law. It was also possible to ‘tacitly revoke’ a law by issuing a new one with contrary provisions.<sup>86</sup> However, our canons are not contrary to each other. When no clear relationship between two or more canons or decretals existed, a contemporary judge would have had to reconcile them. The reason for Gratian’s success was that he provided his lawyer-readers with a compilation of canon law which allowed for an easy consultation of the whole body of legislation on a given issue. At the same time, he only occasionally provided solutions to the problems presented by contradictory canons. It was the lawyer’s work then to solve the contradictions, but the underlying assumption was that they could be reconciled. The very inclusion of the decrees of Clement III into the *Liber Extra*, therefore, indicates that in 1230-1234 they had not been abrogated.

Canon law is notorious for its contrast between a clarity of language and an ambiguity of the message conveyed, both in terms of individual chapters and the relationship between similar ones. What did contemporary canon lawyers have to say on the issue of trade with Muslims? Raymond himself composed a *Summa*, in which he discussed many dispositions found in the section “On Jews and Saracens.”<sup>87</sup> Some of what he had to say is relevant to this work (and discussed in the following chapter), but

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<sup>86</sup> Brundage, *Medieval Canon Law*, see pp. 172-173 and compare to p. 170.

<sup>87</sup> Raymond de Penyafort (Raimundus de Pennaforte), *Summa de Paenitentia*, ed., Xaverio Ochoa and Aloisio Diez (Rome: Commentarium pro religiosis, 1976), cols. 308-317.

he did not find it necessary to comment on the decretals banning trade with Muslim lands; neither did some other well-known canonists.<sup>88</sup>

Bernard of Parma, who composed what became the standard glosses to the *Liber Extra*, however, is helpful in clarifying some of the intended meaning of each of the four texts. For example, he confirms the reading of Clement's bulls as prohibiting all trade with all Muslims.<sup>89</sup> He clarifies the way in which Clement's bulls work alongside Canon 24 of the Third Lateran with respect to the spiritual consequences of illicit trade by stating that "embargo violators" were thence subject to a double excommunication.<sup>90</sup> When commenting on the decisions of Lateran IV, Bernard paid attention to the problem of how to absolve what we would call an embargo violator. As declared by the council, such a person had first to surrender all the profit from such "damned trade" (*commercio damnato*) and that much more from his own goods as a subsidy to the crusading efforts in the Holy Land.<sup>91</sup> Bernard, however, does not help us understand how the partial and total embargo fit together in canon law.

At first glance, more helpful is Gottofredo da Trani (Goffredus Tranensis).<sup>92</sup> He opined that prohibited goods (such as arms, iron, and timber) could never be exported to

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<sup>88</sup> Johannes Teutonicus, whose work on the *Decretum* became the *glossa ordinaria* to that work; glosses to Lateran IV, in Antonius Garcia y Garcia, *Constitutiones Concilii quarti Lateranensis una cum Commentariis glossatorum* (Vatican City: Biblioteca Apostolica Vaticana, 1981), pp. 268-270, commentary to *Ad Liberandam*. Also, Vincentius Hispanus, who composed the first commentary on the *Liber Extra*, barely mentions the provision in his commentary to the same decree, *ibidem*, pp. 380-384.

<sup>89</sup> *Decretales D. Gregorii Papae IX suae integritati una cum glossis restitutae* (Rome: Inedibus populi romani, 1592), 5.6.11-12, col. 1662.

<sup>90</sup> *Decretales Gregorii...cum glossis restitutae*, 5.6.12, col. 1663.

<sup>91</sup> *Decretales Gregorii...cum glossis restitutae*, 5.6.17, col. 1667. Bernard's comment links the problem of illicit trade to what had traditionally been the church's foremost economic policy: its attempt to eliminate interest.

<sup>92</sup> He thought Roman law at Naples before moving to the Roman *rota*, Christendom's 'supreme court' in 1240, and composed the final version of his *Summa* in the early 1240s, Gottofredo da Trani (Goffredus Tranensis), *Summa super titulis decretalium* (Aalen: Scientia Verlag, 1968; reprint of Lyon 1519).

Muslims (an opinion based on Lateran III and IV).<sup>93</sup> He then summarized the decisions of Lateran IV and, most interestingly, read Clement III's bull which discussed the conditions under which goods could be exported for the redemption of Christian captives, in the sense that it allowed trade with non-*vetita* in times of truce.<sup>94</sup> Gottofredo relegated his remarks on trade with Muslims to the end of his commentary on relations between Christians and non-Christians. His straightforward reading of the embargo as total in times of war and partial in times of peace (or truce) was not exceptional, as we saw in the previous subsection of this chapter, but he did not discuss the distinction between 'truce' and 'peace,' which the bulls of Clement III found to be quite relevant.

More attentive to the embargo appears to have been the best known of all thirteenth century canonists, Henry of Susa, better known as Hostiensis.<sup>95</sup> He first quoted the Code of Justinian,<sup>96</sup> which, as we saw in Chapter 1, declares the death penalty for those who would export any kind of arms out of the empire. He then commented on Lateran IV's *Ad Liberandam*, pointing out that the penalty for transgression was excommunication coupled with property confiscation and reduction to slavery. He clarified that absolution was to be bestowed only after the violator had given up his profit (*lucrum*) from such damned trade (*ex commercio tam damnato*) and that much more from his own goods in subsidy of the Holy Land.<sup>97</sup> He essentially distinguished between penitent and impenitent transgressors. The former, those who voluntarily approached the

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<sup>93</sup> "...merces prohibite sunt que ad Sarracenos nullo tempore deferri possint, ut arma ferrum et lignamina..." Gottofredo da Trani, *Summa*, p. 414.

<sup>94</sup> "...sed alie merces non sunt prohibite tempore treuge..." Gottofredo da Trani, *Summa*, p. 414.

<sup>95</sup> Known as Hostiensis because of his appointment as bishop of Ostia and hence cardinal in 1262. Henry wrote, among other works, a *Summa*, which he started before 1240 and completed c. 1253: Henricus de Segusio cardinalis Hostiensis, *Summa* (Aalen, Scientia Verlag, 1962, reprint of Lyon 1537).

<sup>96</sup> 4.41.2. Quae res exportari non debeant.

<sup>97</sup> Later documents would sometimes base the penalty on the profit made on such trade, sometimes on the investment as a whole.

church, were to be subjected only to the just mentioned penalty equaling 200% of the profit made on illicit trade, but were to be immune from property confiscation and slavery. Those who did not turn themselves in, however, were to be subject to the full extent of the penalties. Like Gottofredo, Hostiensis seems to have allowed trade in non-contraband under conditions of truce. Yet, he also made it clear that truce and peace are not the same thing; those who brought goods to Muslim lands under truce were to be excommunicated. Thus on the issue of most interest here he was content to report sentences from various decretals without attempting to explicitly reconcile them.<sup>98</sup>

Finally, the pope who succeeded Gregory IX, Pope Innocent IV (1243-1254), from the prominent Fieschi family of Genoa and a leading canon lawyer, completed his own commentary on the *Liber Extra*.<sup>99</sup> Like Hostiensis, he referred to Roman law<sup>100</sup> in his lapidary mention of Lateran III's canon 24.<sup>101</sup> Innocent, unfortunately, was content to say that no items could be exported during war, and that non-*vetita* could be traded with Muslims once war had ended, without clearly defining what constituted a state of war.<sup>102</sup>

If contemporary lawyers seem content to assemble embargo canons rather than to actually comment on them, how can we reconcile the partial and the total embargo as legal realities? Basing ourselves on the language of papal bulls and the papal practice of embargo in the wake of Lateran IV as outlined in the previous section while keeping in

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<sup>98</sup> Or, for that matter, implicitly, through the order of presentation, which is not chronological, Hostiensis, *Summa*, f236v.

<sup>99</sup> Ca. 1245, Pope Innocent IV, *Commentaria Innocentii Quarti Pont. Max. super libros quinque decretalium* (Frankfurt, 1570). On Pope Innocent IV's vision of a justice-based Christian society his view on the rooting of papal power in its spiritual office see John A. Kemp, "A New Concept of the Christian Commonwealth in Innocent IV," In Stephan Kuttner and J. Joseph Ryan, eds., *Proceedings of the Second International Congress of Medieval Canon Law* (Vatican City: S. Congregatio de Seminariis et Studiorum Universitatibus, 1965), pp. 155-159.

<sup>100</sup> But to 4.63. De commerciis et mercatoribus, not to the more appropriate 4.41.2.

<sup>101</sup> Innocent IV, *Commentaria*, f505v, commentary to 5.6.7.

<sup>102</sup> Innocent IV, *Commentaria*, f505v, commentary to 5.6.13. Innocent had more to say on the export of goods for the redemption of captives, which is discussed below.

mind the way in which canonists presented the matter, we might want to see Canon 24 of the Third Lateran (*Ita Quorundam*) as providing the basis for the use of embargo as a papal policy tool against Muslims and the Fourth Lateran's Canon 71 (*Ad Liberandam*) as providing a more comprehensive definition of what we call strategic goods. The decrees of Clement III built upon Lateran III to proclaim a complete ban on trade with all Muslims. Papal licenses issued after Innocent III allowed their beneficiaries a conditional return to the provisions of Lateran III. Thus the use of licenses did not abolish the novel principle that all trade with Muslims was the subject of papal regulation. Neither did it undermine papal authority, as popes had the right to create both rules and exceptions to the rules. Instead, the licenses actually reconciled Canon 24 of Lateran III and the bull of Clement III by stressing papal authority over all trade between Christians and Muslims in the process. The very issuance of licenses, in fact, did not abrogate Clement III's total embargo. On the contrary, the continuous granting of conditional rights for limited trade with Muslims presupposed the continuous existence of Clement III's total embargo as a legal norm. It can be argued, therefore, that the very granting of a license both undermined the total embargo as a policy tool and underlined its status as a codified principle.

This actually matters. Taken together, the bull of Clement III and the licenses 'set in stone' the principle that the issue of trade with Muslims fell completely within papal jurisdiction. Such an interpretation would also explain why both Gregory IX, who, as we saw, wrote to the Franciscans in Spain that the embargo was total in war, but partial in peace, and Innocent IV, whose position in his commentary to the *Liber Extra* could be

interpreted in the same way,<sup>103</sup> nevertheless extended licenses for trade in items that were never included among the *vetita* in council decisions or papal bulls (including their own), and hence Canon Law. If we accept that it was the promotion of this principle and not so much its practical implementation that mattered most to the Church, then we might begin to see the papal embargoes in a different light.

We need to approach this by first turning to another vexed issue. Not only did canonists not have a view of the papal embargo that would at least remotely approximate the precision of Sanudo's, whose view has so far governed our understanding of papal sanctions, but there is one more matter that is considerably less clear than the literature outlined in Chapter 2 has widely assumed. In fact, besides establishing 'once and for all' the principle that the church regulated Christian trade with Muslims, the *Liber Extra* also allows us to return to the apparently clear expression "as long as the war between us and them will last."<sup>104</sup> The 'proper' meaning of this expression, introduced by Clement's bull proclaiming the total embargo, if there ever was a clearly intended one, is not at all obvious. Its understanding is complicated by a sentence in the other bull of Clement that allowed the export of goods for the redemption of Christian captives:

...the condition of peace or truce does not absolve from the bonds of excommunication those who had sworn that they would not go with goods to lands of the Saracens in general, unless there is peace between the Christians and who, after a/the truce, came there [anyway]....<sup>105</sup>

Such a sentence can hardly help us understand what could constitute a state of peace between Christians and Muslims. How was the meaning of 'peace,' 'truce,' and

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<sup>103</sup> Innocent IV, *Commentaria*, commentary to X 5.6.12, f505v.

<sup>104</sup> X 5.6.12 (Friedberg, II, 775).

<sup>105</sup> "Ad ultimum illos, qui iuraverunt, se amplius in terram Sarracenorum cum mercibus non iturus, nisi pax esset inter Christianos et ipsos, et post treugam factam venerunt illuc, conditio illa de pace aut treuga habenda ab excommunicationis vinculo non absolvit." X 5.6.11 (Friedberg, II, 775).

their relationship to war understood by the most qualified readers of papal letters, the canonists? Bernard of Parma, whose work is contemporary to Clement's bulls, helps us little in clarifying the meaning of 'peace.' Commenting on the text, he defines peace only in relation to truce.<sup>106</sup> More helpful than the gloss itself is the marginal note to it, which collocates the truce closer to the realm of war than to that of peace.<sup>107</sup> This may help to clarify the papal unwillingness to allow unconditional trade under "truce," but not the meaning of 'peace' in the context of Christian-Muslim relationships. The same is true of the work of Raymond of Penyafort himself. For him "truce" meant the condition of security of things and people without implying an end to the discord while "peace" was the end of discord itself.<sup>108</sup> Yet, there is nothing in his text that can allow us to understand what conditions could be conceptualized as 'the end of discord' between Christians and Muslims.

We saw, when discussing the total embargo in the context of the Third Crusade, that a state of peace might have been expected to follow from a recovery of Jerusalem. The political context at the time of *Liber Extra*'s formation, however, shows that if we choose to understand as a clear definition of peace a hypothetical period of time when Jerusalem would be in Latin hands we might miss much of the story. When the *Liber Extra* was composed in 1234 a peace treaty between the temporal head of Christendom and the sultan of Egypt was in force and Jerusalem was indeed in Latin hands.

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<sup>106</sup> *Decretales Gregorii...cum glossis restitutae*, 5.6.11, col. 1662. Bernard noted that the latter is to be understood as a temporary halt of hostilities only, but this was a common knowledge at the time. The "Peace of God" and the "Truce of God" were defining concepts of the social aspects of the Gregorian reform.

<sup>107</sup> "...tregua magis accedit ad natura belli, quam pacis." *Decretales Gregorii...cum glossis restitutae*, 5.6.11, col. 1662 in the margin.

<sup>108</sup> "Treuga est securitas praestita rebus et personis, discordia nondum finite....Pax est discordiae finis." Raimundus de Pennaforte, *Summa de iure canonico*, ed. Xaverio Ochoa and Aloisio Diez (Rome: Commentarium pro religiosus, 1975), col. 212.

In the summer of 1228 Emperor Frederick II (1212-1250) left Italy for the Holy Land. In 1229 he concluded a peace treaty with Sultan Al-Kamil (1180-1238) of Egypt, the great enemy of the crusader states. The treaty returned Jerusalem, Bethlehem, and Nazareth to Latin rule.<sup>109</sup> “The Christians had thus regained control of the three holiest shrines of their religion, the places of the Annunciation, Nativity and Crucifixion...”<sup>110</sup> Nevertheless, the new kind of control that Christians were to have over Jerusalem was somewhat different from what the Latin West had become used to. In 1099 the crusaders had burnt all Jews who sought refuge in their largest synagogue and had slaughtered all Muslims in the city, including those gathered in the al-Aqsâ mosque.<sup>111</sup> Throughout the period of Latin rule, 1099-1187, “Moslems and Jews were not normally permitted to enter Jerusalem...”<sup>112</sup> By contrast, Frederick’s negotiated return of Jerusalem into Latin hands allowed a whole Muslim community within the city to exist autonomously. This in practice meant that although Christians ruled the city and had access to all sections of it, the Temple Mount remained under de facto Muslim control.<sup>113</sup> Nevertheless, thanks to Frederick Latin Christians ruled their religion’s holy places again (this lasted until 1244). In fact, in early 1229 the master of the Teutonic Order wrote favorably of the peace to the pope.<sup>114</sup>

This, however, enraged Gregory IX. In a letter to Genoa sent in the previous year, he had announced his well-known excommunication of Frederick, justifying it,

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<sup>109</sup> Setton, *A History of the Crusades*, II, pp. 454-456, see also pp. 542-545. A very useful introduction to treaties in the Eastern Mediterranean is Steven A. Epstein, *Purity Lost. Transgressing Boundaries in the Eastern Mediterranean, 1000-1400* (Baltimore: The Johns Hopkins University Press, 2007), pp. 96-136.

<sup>110</sup> David Abulafia, *Frederick II. A Medieval Emperor* (Oxford: Oxford University Press, 1988), p. 183.

<sup>111</sup> A Muslim commander and his bodyguards were the only Muslims to leave the city alive, Setton, *A History of the Crusades*, I, pp. 336-337.

<sup>112</sup> Morris, *The Papal Monarchy*, p. 282. See also Setton, *A History of the Crusades*, V, p. 61.

<sup>113</sup> Abulafia, *Frederick II*, p. 183.

<sup>114</sup> Reg. Vat. 14, f121r/v (end of Mar 1229). Short summary in *Registres de Grégoire IX*, #308.

among other things, by accusing the emperor of using Muslim soldiers to invade papal lands and to mutilate and torture ecclesiastics.<sup>115</sup> Now Gregory sent a letter to all corners of Christendom in which he used the conditions in Jerusalem to make the most of the trope of cooperation with the “infidel.” Frederick had ruined the Christian faith, had resigned to the Sultan of Babylon (widely used to mean Cairo) the arms of Christian troops (whatever that is supposed to mean), and had proclaimed that he would not fight Al-Kamil thereafter. As a result, Frederick had effectively resigned his imperial dignity, allowing the “wicked doctrine and impious law” of Mohammed to be preached in the Temple.<sup>116</sup> Frederick (an excommunicate) had not eliminated “the filth of the Pagans [i.e. Muslims]” (*spurcitas paganorum*) from the Holy Land, but had concluded a treaty with them against Christendom.<sup>117</sup>

Gregory’s view was shared by both secular lords and military orders in the Holy Land, whose very existence was justified by the war on the ‘infidel.’<sup>118</sup> These secular and ecclesiastical leaders complained that they could not wage war against Al-Kamil and soon found an excuse to fight at least against the governor of Damascus.<sup>119</sup> Narrative sources, such as “Latin Chronicle of the Kings of Castile,” probably composed by a cleric who served as the king’s chancellor, propagated this image as far away as Spain: the treaty with Egypt is described as one “under the most miserable and horrendous

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<sup>115</sup> By way of the troops of his commander Rainald of Urslingen, duke of Spoleto, Reg. Vat. 14, ff. 93v-94v (30 Nov 1228), summary in *Les Registres de Grégoire IX*, #249. Similarly, he complained of Frederick to the King of Sweden about the “...clericis a sarracenis impie mutilatis.” Reg. Vat. 14, f96v (21 Dec 1228), summary of the document which features this quote too in *Registres de Grégoire IX*, #258, col. 157.

<sup>116</sup> “...doctrinam nephandam et legem impius in templo dei predicari et clamari concedens.” Reg. Vat. 14, f130v.

<sup>117</sup> Reg. Vat. 14, ff130r-131r (18 Jul 1229). A very short summary in *Registres de Grégoire IX*, #324, cols. 199-200.

<sup>118</sup> The German-based Teutonic order being the exception.

<sup>119</sup> Setton, *A History of the Crusades*, II, pp. 451-462; Madden, *Concise History of the Crusades*, pp. 160-164.

conditions.”<sup>120</sup> Similar accusations rained upon Frederick at the First Council of Lyon. Among a great many alleged crimes, of which he was accused were his “odious friendship” with the Muslims, his “wicked understanding” with the Sultan of Cairo, his permission to proclaim Mohammed’s name in the Temple, and the marriage of his daughter to John III Duka Vatatzes, the Emperor of Nicaea, “that enemy of God and the church.”<sup>121</sup> The benefits of Frederick’s treaty for the Latins should indeed not be exaggerated; after all it was valid only for ten years and it did not guarantee the long-term survival of the crusader states. On the other hand, neither had the first crusade and the choice to treat the peace treaty as betrayal of the crusader ideal was Gregory’s. The Latin patriarch of Jerusalem had himself been angered by the peace. It was he who had written to the pope decrying the peace treaty and complaining that instead of slaying Muslims, Frederick had made peace with them.<sup>122</sup> Therefore it cannot be argued that the pope’s reaction to Frederick’s acts in the Holy Land was simply part of the story of the personal struggle between Christendom’s leaders; it has been claimed that “The clerical hatred for Frederick is one measure of the clerical rejection of compromise with Islam and everything Arab.”<sup>123</sup> Thus when the *Liber Extra* was composed, Jerusalem was in Latin hands, but for the Church there was no state of peace between Christians and Muslims. A precise definition of a state of peace is, therefore, elusive.<sup>124</sup>

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<sup>120</sup> *Latin Chronicle of the Kings of Castile*, p. 116. This chronicle was likely written by a cleric, Juan, the royal chancellor of Castille, bishop of Osma, then of Burgos, *ibidem*, pp. XXX-XXXVII. The author fully bought the ideas expressed in papal documents elsewhere, too. For example, on p. 94 when a conflict between Gregory IX and the population of Rome, which was “struggling to overthrow ecclesiastical liberty” is discussed.

<sup>121</sup> Tanner, *Decrees*, p. 282 (1245).

<sup>122</sup> Setton, *A History of the Crusades*, II, pp. 456-457, 462. Norman Daniel, *The Arabs and Medieval Europe* (London: Longman, 1979 [1975]), pp. 159-161.

<sup>123</sup> Daniel, *The Arabs and Medieval Europe*, p. 161.

<sup>124</sup> The Christians took Merida (1228), the Balearics (1229), Cordoba (1236), Valencia (1238), Murcia (1243), Seville (1248), Cadiz (1262).

Nor did Islamic law itself allow for peace with ‘infidels,’ but only for a ten year, ten month truce at most.<sup>125</sup> It is thus not at all certain that a state of peace could ensue from the achievement of a narrowly conceived goal of foreign policy, such as the reconquest of Jerusalem. The political context of the 1230s, therefore, corroborates the impression provided by the reading of canon law: the papal documents discussing trade between Christians and Muslims allude to a permanent conflict between the two religious groups, to a conflict centered on a principle, not on tangible matters, such as cities and territories. Canon law and its commentators, moreover, hardly laid down a clear-cut papal policy of embargo. They neither clarified the relationship between total and selective embargo, nor drafted a clear list of contraband items; they did not even provide a clear understanding of what was meant by ‘peace’ or ‘truce;’ an understanding that would have been key if the church was to have any hope to uniformly apply the policy of embargo across Latin Europe. In sum, in law, as in practice, the only unequivocal aspect of the papal embargo was that it established papal jurisdiction over Christian trade with Muslims.

#### **3.4. The Practice of the Codified Embargo**

Before Chapter 4 turns to contextualization of the papal policy of embargo within a broader ecclesiastical program in order to clarify the meaning of establishing papal jurisdiction over all trade between Christians and Muslims, we need to see what effects, if any, the codification of papal embargo had on its practice. Firstly, we need to establish whether or not the codification of papal embargo altered the rather haphazard way in

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<sup>125</sup> Abulafia, *Frederick II*, p. 184. Islamic authors were not enthusiastic about the peace either: Van Cleve provides a quotation taken from an Arabic source: “one of the most disastrous events of Islam.” Setton, *Crusades*, II, p. 455.

which we found it applied in the 1220s. Secondly, we need to briefly address the issue of the embargo's effectiveness as a foreign policy tool.

In 1240 Gregory IX "cared" to "extend a *licentia*" to the "citizens of Majorca," allowing them to trade with Saracens in victuals.<sup>126</sup> In fact, local Christians had been suffering excommunication even for trade in cloth.<sup>127</sup> The pope acted upon the supplicants' declaration that they could hardly do without such trade.<sup>128</sup> The license was conditional upon refraining from trade in horses, mules, arms, iron, and timber and the existence of state of peace. The definition of legal trade with Muslims changed again when the license was broadened in scope in the following year. On that occasion Gregory IX authorized all inhabitants of Majorca to trade with Muslims except in items useful in war.<sup>129</sup> This license, however, was valid only for trade with Muslims living in "remote areas," probably Egypt.<sup>130</sup> This should not be a surprise, given that merchants from Genoa, Pisa, Marseille, and Montpellier were given ample privileges immediately upon the Christian (re)conquest of the island in 1229.<sup>131</sup> Between 1240 and 1243 "a considerable number of ships" left Majorca for trade with Muslim Iberia (or to prey on

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<sup>126</sup> "licentia impendere curavimus," "cives Maioricarum," Reg. Vat. 19, f149r (28 Jan 1240). Summary in *Les Registres de Grégoire IX*, #5062. The Kingdom of Majorca had become part of the crown of Aragon when James I conquered the island from the Almohads in 1229. In 1237 Gregory entrusted to Raymond de Penyafort the choice of Majorca's bishop, Mas-Latrie, *Traité de paix et de commerce...*, II, p. 186 (9 Jul 1237).

<sup>127</sup> Gregory allowed the absolution of those who had traded in "lignamina, ferrum, vestes et alia prohibita," *Les Registres de Grégoire IX*, #5072 (27 Jan 1240), full text, the day before he extended his license.

<sup>128</sup> Reg. Vat. 19, f149r.

<sup>129</sup> Reg. Vat. 20, f64v (9 Apr 1241), *Les Registres de Grégoire IX*, #5960.

<sup>130</sup> "sarracenis in remotis partibus," Reg. Vat. 20, f64v; Pau Cateura Bennasser, "Mundos mediterráneos: el reino de Mallorca y el sultanato mameluco (siglos XIII-XV)," *Espacio, Tiempo y Forma*, Serie III, H. Medieval 13 (2000): 93. One wonders if this had anything to do with the Genoese, who in the period played "...un papel preponderante en la organización y orientación del comercio exterior de Mallorca." Bennasser, "Mundos mediterráneos," p. 92.

<sup>131</sup> David Abulafia, *A Mediterranean Emporium. The Catalan Kingdom of Majorca* (Cambridge: Cambridge University Press, 1994), pp. 7-8, 112-115.

Muslim ships).<sup>132</sup> Victuals and cloth were regularly exported from there to several different ports in North Africa.<sup>133</sup> In 1248, the new pope, Innocent IV, confirmed the 1240 license to the citizens of Majorca to sell victuals to Muslims for the same reasons and under the same conditions which Gregory had outlined.<sup>134</sup> Thus between 1240-1248, the papal chancery issued at least three licenses to Majorca, broadening the scope of licit trade twice. While Majorca was on its way to becoming “a fundamental prop of an integrated trade network,”<sup>135</sup> all three licenses defined licit trade more narrowly than the decisions of the Lateran councils.

What was true for Majorca was also true for Iberia as a whole. The papacy continued to license some trade with Muslims, but provided no clear definition of contraband. Trade with Muslims in the diocese of Cuenca was allowed.<sup>136</sup> On the other hand, “faithless” Christians passing through the province of Tarragona and the island of Ibiza, whose population Honorius III had allowed to export wine to Muslims in 1224, and selling the Muslims arms, iron, and timber, or even victuals were to be excommunicated; confiscated goods were to be used in the war effort against the Muslims in the region.<sup>137</sup>

The policy governing the ransom of Christian captives, laid down by the *Liber Extra*, was entertained by canonists such as Bernard of Pavia and even by Pope Innocent IV. We saw earlier in this chapter that Clement III did not explicitly prohibit any exports to Muslims aimed at the ransom of Christians even under the conditions of a total

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<sup>132</sup> Abulafia, *A Mediterranean Emporium*, pp. 119-120. Quotation from p. 119.

<sup>133</sup> Abulafia, *A Mediterranean Emporium*, pp. 120-123; victuals, such as grain, wheat, butter. Ports mentioned in notarial records from the 1240s: Tunis, Ceuta, Algiers, Ténès, Bougie, Brechk, Oran, Bône, ibidem, p. 122.

<sup>134</sup> Reg. Vat. 21, f515r (21 Mar 1248), *Les Registres d'Innocent IV*, #3731. Odena, “De Alexandrinis,” p. 248 and Bennasser, “Mundos mediterráneos,” p. 93 list this license among grants made by Innocent IV.

<sup>135</sup> Abulafia, *A Mediterranean Emporium*, p. 103.

<sup>136</sup> As we learn from Reg. Vat. 17, f238r (7 Nov 1234), *Les Registres de Grégoire IX*, #2290.

<sup>137</sup> “...perfidi professores nomini Christiani per Terraconensem provinciam et insulam Evice [Evizae in the edited text] transeuntes...” Reg. Vat. 18, f227r (5 Feb 1237), *Les Registres de Grégoire IX*, #3491.

embargo. Bernard of Parma entertained the question of the correct understanding of this decree. Did it even allow the sale of “arms or iron” to Muslims? Bernard actually thought it did, if those goods were required to obtain the release of captives. Bernard, however, feared that lack of papal approval could lead to fraud.<sup>138</sup> Hostiensis was even more skeptical: he did not allow Christians to export arms to this purpose, and he even required Christians departing with goods to be used for redemption to swear before departure that they would not carry arms.<sup>139</sup> Innocent IV did not hold a well-defined position. On the one hand he read the bull of Clement III in the sense that it did indeed allow Christians to sale *vetita* to Muslims if this was for the redemption of Christians (*pro causa redemptionis*).<sup>140</sup> Innocent explained that this was so insofar as their act was directed at redemption, not at providing Muslims with means to harm Christians. Intention, therefore, came to the fore in Innocent’s commentary which in fact included the apparently bizarre clarification that piracy against Christians could never be justified. Fittingly Innocent added: “because [this] cannot be without sin.”<sup>141</sup> At the same time, Innocent noted that other opinions contradicted Clements’ bull, but he refused to categorically support either position.<sup>142</sup> We have to conclude then that those most

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<sup>138</sup> “...Sed quod si non possunt redimere captivos, nisi portent eis arma vel ferrum, nunquid hoc facere possunt sine poena excommunicationis? Arg. quod sit, ex eo quo hic dicit, excepto redemptionis articulo: sed non credo, nisi primo requiretur auctoritas pape, ne aliquid fraudis fiat,” *Decretales Gregorii...cum glossis restitutae*, X 5.6.11, col. 1662.

<sup>139</sup> Henrico de Segusio, *Summa*, f236v.

<sup>140</sup> “...pro causa redemptionis licet aliqua portare, etiam ea que vetita essent, non tamen possunt piraticam contra Christianos exercere, quia sine peccato fieri non posset, sed ligna et arma eis portare pro redemptione licet, quia licet per ea possint offendi Christiani, tamen non est directo contra eos, nam et si directo contra Christianos venderet, et in articulo, quando scilicet exerceretur contra Christianos, incideret in canonem....,” *Commentaria Innocentii Quarti Pont. Max. super libros quinque decretalium*, commentary to X 5.6.11, caput XII, 505v.

<sup>141</sup> “...quia sine peccato fieri non posset...,” see above, Innocent IV, *Commentaria*, commentary to X 5.6.11, caput XII, 505v.

<sup>142</sup> “...Alii tamen dicunt, quod arma et ligna, et alia specialiter eis prohibita etiam pro redemptione non licet eis vendere....,” Innocent IV, *Commentaria*, commentary to X 5.6.11, caput XII, f505v. Interestingly, he

qualified to provide a clear guidance to what the papal policy of embargo was supposed to achieve were either unable to do so, or – and this appears more likely – were not interested in doing so.

The way in which the embargo was applied by local clergy members and even by the central administration itself shows significant variations. For example, some monk-knights of the order of Saint James were deemed excommunicate for selling “animals and other things” to Muslims in order to ransom Christian captives even though animals are not mentioned in any of the decisions that entered Canon Law.<sup>143</sup> Consequently, Gregory granted the order a license to provide the Muslims with oxen and other animals in order to redeem Christians. However, he excluded horses and mules from the animals that could be used for this purpose.<sup>144</sup> Gregory extended a similar license to the King of Portugal whom he allowed to ransom Christians using war booty taken from the Muslims as well as merchandise, with the exception of arms, horses, iron, and timber.<sup>145</sup> In 1244 Innocent IV allowed the same order to sell both victuals and animals to ransom Christians without excluding any animals from the list.<sup>146</sup>

It is clear then that the codification of the embargo did not cause it to attain clear shape as a foreign policy tool. But – to come back to one of the questions raised in Chapter 1 – “did it work?” In the terms of the ‘sanctions debate’ this translates as “did it hurt the economy of Muslim polities in such a way as to affect their military power?”

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pointed to *Ad Liberandam*, the crusader decree of the Fourth Lateran council, which does not explicitly mention this particular issue. One wonders if he used a different redaction of it.

<sup>143</sup> “animalia et res alias,” Reg. Vat. 19, f70v (29 Jan 1239), *Les Registres de Grégoire IX*, #4720.

<sup>144</sup> Reg. Vat. 19, 71r (17 Feb 1239), *Les Registres de Grégoire IX*, #4723.

<sup>145</sup> Reg. Vat. 19, f139r (11 Dec 1239), *Les Registres de Grégoire IX*, #4994. This document is also noted by O’Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 109.

<sup>146</sup> Reg. Vat. 21, f98r (22 Apr 1244), *Les Registres d’Innocent IV*, #621. Odena uses this license to support his point that Innocent issued many licenses for trade with Muslims, Odena, “De Alexandrinis,” pp. 247-248.

The exact effect of papal embargoes on the economy of Muslim lands cannot possibly be assessed. We do not have the tools or the sources to gauge the actual gross domestic product of any given Muslim polity or the value of its foreign trade at any given moment of time, let alone in such a way that would allow us to draw conclusions on the effects of the embargo. We cannot know how the complete halt of trade might have affected the revenues of the rulers of Egypt. It might be possible to someday assess the effect of the embargo on the trade in iron, but as yet no chemical analysis has been performed on the iron brought to light by archaeologists in Egypt. Any assessment can only be made in the broadest of terms.

The effects of the embargo in the western Mediterranean cannot be disentangled from other developments, namely, military conquest, related prohibitions on the export of Christian slaves, the interests of Christian rulers, and economic factors. Seen in their totality, these factors remind us of the argument that the existence of bipolar politico-military alliances is conducive to the emergence of free trade within each of two opposing blocks and to limiting free trade between them.<sup>147</sup> It has been argued, in fact, that the Christian (re)-conquest brought about a complete “re-alignment” of Iberian trade as the peninsula became part of the Christian commercial network. The Christian conquests there “completely changed the structure of industry and trade.”<sup>148</sup> Iberia was now divided into three distinct trading zones with Castile and Portugal trading with the north through the Gulf of Biscay; Andalusia and the southwest (with Seville) controlled

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<sup>147</sup> “...a free trade policy can be suboptimal for states in an anarchical international system. Under some conditions, an effort to induce trade to follow the flag can be welfare-enhancing.” Joanne Gowa and Edward Mansfield, “Power Politics and International Trade,” *The American Political Science Review* 87 (1993, 2): 408-420. Quotation from p. 416.

<sup>148</sup> Edwin Hunt and James Murray, *A History of Business in Medieval Europe, 1200-1550* (Cambridge: Cambridge University Press, 1999), p. 82.

mostly by the Genoese served as “way stations and transfer points for foreign commerce in all directions....”<sup>149</sup> The third trading zone, Aragon-Catalonia, participated in long-distance commerce thanks to Barcelona, whose merchants also created a dense web of commercial relations within the western Mediterranean.<sup>150</sup>

The only changes in patterns of trade that can be attributed to papal prohibitions are those on Christian slaves and on timber. As far as we know only slaves and timber had featured prominently in the exports of Muslim Iberia.<sup>151</sup> The export of Christian slaves from Iberia disappeared.<sup>152</sup> It has been argued that the prohibitions on the sale of timber brought about an important change by helping Christian naval strength at Muslim expense.<sup>153</sup>

Other changes in the patterns of trade can be attributed to a variety of factors. It has been noted that from the thirteenth century Christian kings often prohibited the export of horses both under the pretext of not helping the enemy and in order to assure ample supply for their own needs.<sup>154</sup> Some shifted between total and partial bans.<sup>155</sup> The extent to which such legislation was part of the implementation of papal embargoes, however, is rather unclear. The rulers of Castile and León often restricted exports not in order to affect anyone’s military power or political behavior, but in an attempt to assure the

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<sup>149</sup> Hunt and Murray, *A History of Business in Medieval Europe*, p. 83.

<sup>150</sup> Hunt and Murray, *A History of Business in Medieval Europe*, p. 83. For a brief summary of Iberian trade see J.N. Hillgarth, *The Spanish Kingdoms 1250-1516*, Vol. I (Oxford: Clarendon Press, 1976), pp. 34-38.

<sup>151</sup> Constable, *Trade and Traders in Muslim Spain*, pp. 234-235 on slaves, pp. 196-197, 237-238 on timber: “Al-Andalus was famous for its pine forests and timber, particularly those along the Levant coast....”  
ibidem, p. 196.

<sup>152</sup> Constable, *Trade and Traders in Muslim Spain*, pp. 234-235.

<sup>153</sup> Constable, *Trade and Traders in Muslim Spain*, pp. 237-238.

<sup>154</sup> Constable, *Trade and Traders in Muslim Spain*, p. 236.

<sup>155</sup> Alfonso VIII of Castile “...at first prohibited the traffic of horses, mules, donkeys, and similar animals to Muslim lands, then allowed their trade so long as it did not include war horses or saddle mares....”  
Constable, *Trade and Traders in Muslim Spain*, p. 236.

abundant supply of certain commodities within their own kingdoms and have been seen as evidence for “the scarcity of goods.”<sup>156</sup>

The papal bans on the export of iron from Iberia to Muslim lands appear to have had little justification on functional grounds. “Iron had always been available in the peninsula, but it was neither exploited nor exported before the late twelfth century.”<sup>157</sup>

Thus a correlation between papal embargoes and the fact that over the next three centuries iron from Iberia was one of the peninsula’s main exports to England and Flanders is hard to make. What was true of iron, was also true of wine, alum, honey, sugar, salt, or grain; all of these became articles of the export trade only after the Christian conquests.<sup>158</sup> Finally, some changes in trade patterns had nothing to do with any kind of export prohibitions.<sup>159</sup>

Narrative sources also throw some (albeit little) light onto the situation. The “Latin Chronicle of the Kings of Castile” implies that little trade took place between Castilians and Muslims. When it discusses the siege of Baeza in 1214 it states that the king was forced to withdraw because he lacked provisions: “Indeed, so great was the shortage of food during the expedition that the meat of asses and horses was sold very dearly in the market. . . . Indeed, there remained in the kingdom of Castile few horses and few other beasts of burden; a great number of people died, consumed by hunger. The Moors, on the contrary, had a great abundance of horses, wheat, barley, oil, and various

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<sup>156</sup> Joseph F. O’Callaghan, *The Cortes of Castile-León 1188-1350* (Philadelphia: University of Philadelphia Press, 1989), pp. 189-191, quotation from p. 191.

<sup>157</sup> Constable, *Trade and Traders in Muslim Spain*, pp. 229-230. Quotation from p. 229. Hillgarth, *The Spanish Kingdoms*, I, p. 40 also points to the northern orientation of the iron exports of Castile.

<sup>158</sup> Constable, *Trade and Traders in Muslim Spain*, pp. 230-233.

<sup>159</sup> For example, as Iberian markets lost their place “as emporia on the western frontier of the Islamic world,” the pattern of the gold trade shifted and the Genoese were now obtaining gold directly from the Maghreb, Constable, *Trade and Traders in Muslim Spain*, p. 234.

other kinds of food.”<sup>160</sup> Thus the chronicle implies not only that trade was lacking, but also that the Christians might have had little to offer to Muslims on the peninsula.<sup>161</sup>

Ibn Khaldun thought that Christian military successes in Spain pushed “the Muslims back to the seacoast and the rugged territory there, where (the soil) is poor for the cultivation of grain and little suited for (the growth of vegetables)” so that “their agricultural activities required considerable expenditures. They calculated these expenditures in fixing their prices, and thus Spain has become an especially expensive region [for the Muslims]. . . .”<sup>162</sup> While Ibn Khaldun stressed what we would call increased marginal costs in agriculture as a result of the Christian (re)conquest, he said nothing of problems of commerce caused by the Christians.<sup>163</sup> Whether this was because they did not obstruct trade enough for this to be worth mentioning in Arabic narrative sources or because there was little trade between Christians and Muslims in Iberia is hard to determine.

In the Holy Land, the situation was similar. The Crusader states saw very little economic and social integration between westerners and the local population. The Latins formed the legally privileged class, whereas all others, including Eastern Christians were “lumped . . . all into a single category of people ‘*who do not obey Rome*.’”<sup>164</sup> “Agriculture

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<sup>160</sup> *Latin Chronicle of the Kings of Castile*, p. 56. This chronicle was likely written by a cleric, Juan, the royal chancellor of Castille, bishop of Osma, then of Burgos, *ibidem*, pp. XXX-XXXVII.

<sup>161</sup> Under normal circumstances Castile was self-sufficient in cereals, according to Hillgarth, *The Spanish Kingdoms*, I, p. 34.

<sup>162</sup> Ibn Khaldun, *The Muqaddimah*, pp. 278-279.

<sup>163</sup> He complains primarily of high food prices in Spain, which he implies was something known as a matter of fact among Muslims: “When they hear about the high prices (in Spain), people think that they are caused by the small amount of foodstuffs and grain in the country. This is not so.” Ibn Khaldun, *The Muqaddimah*, p. 279.

<sup>164</sup> Joshua Prawer, “Social Classes in the Crusader States: the ‘Minorities,’” In Kenneth Setton, ed., *A History of the Crusades V. The Impact of the Crusades on the Middle East* (Madison: University of Wisconsin Press, 1985), pp. 59-115, and specifically p. 70 for the quotation. “who do not obey Rome” is a quotation from the chronicle of Philip of Novara. Italics mine.

was the economic and physical basis of crusader existence....”<sup>165</sup> Nevertheless, there was very little interference by the Latin aristocracy in the daily-life of the countryside. The Franks were the “absentee landlords” of a comparatively low-taxed territory producing primarily “wheat, olives and grapes.”<sup>166</sup> The impact of the crusades on urban production is more easily traceable. “The direct and major result of the crusader conquest was the gearing of the commercial activities along the eastern coast of the Mediterranean to the needs and possibilities of Europe.”<sup>167</sup> The main economic role played by the Kingdom of Jerusalem, however, was that of serving as a transit center for inter-continental trade.<sup>168</sup> In addition, crusader territories served as a transit point for much merchandise on its way to/from Egypt.<sup>169</sup>

The large maritime cities continued in this period to officially sanction trade with Muslims in non-strategic material, and so long-distance trade continued.<sup>170</sup> A few examples will suffice. No less than thirty-seven western ships were reported in Alexandria in 1187-1188, just when Jerusalem was conquered by Saladin.<sup>171</sup> In the early thirteenth-century the number of western merchants in the city could easily be a four-

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<sup>165</sup> Prawer, *The Latin Kingdom of Jerusalem*, p. 381. During the existence of the crusader states, the Muslims destroyed a number of cities to prevent them from becoming crusader bases; the reduced urban demand likely led to a contraction in the agricultural production and to autarchy in the countryside, *ibidem*, p. 379.

<sup>166</sup> Prawer, *The Latin Kingdom of Jerusalem*, pp. 355-381 for agriculture, p. 358 for “wheat, olives, and grapes;” p. 374 for taxation; p. 381 for “absentee landlords.”

<sup>167</sup> Prawer, *The Latin Kingdom of Jerusalem*, p. 392. The crusaders held only three cities where production had significant importance: Antioch, Tripoli, Tyre.

<sup>168</sup> Prawer, *The Latin Kingdom of Jerusalem*, pp. 395-396. For the long-distance trade through crusader lands, pp. 395-402. Moslem caravans regularly transited Frankish lands, yet overland trade declined, *ibidem*, p. 392.

<sup>169</sup> David Jacoby, “Mercanti genovesi e veneziani e le loro merci nel Levante crociato,” in Gherardo Ortalli and Dino Puncuh, eds., *Genova, Venezia, il Levante nei secoli XII-XIV*, (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2001), pp. 213-256.

<sup>170</sup> Heyd, *Histoire du commerce*, I, pp. 388-426.

<sup>171</sup> Heyd, *Histoire du commerce*, I, p. 399.

digit number.<sup>172</sup> We saw that Venice continued to allow most trade with Muslims in 1226. Among the very few extant Venetian notarial records from the period there is one from 1226 that makes it clear that such trade was carried on under license issued by the doge and the Grand Council; we can suppose that such license was based on the papal one.<sup>173</sup> A later notarial record, from 1258, contains the same information thus underlining the importance of licenses for the existence of licit trade between Christians and Muslims.<sup>174</sup> Trade with Muslim lands comprised over 36% of the number of documented Genoese commercial transactions in 1200-1203, over 34% between 1205-1216, and over 27% between 1222-1227.<sup>175</sup> In 1227 James I of Aragon (1213-1276) edited a decree in favor of Barcelona. This prohibited that trade between Barcelona and “beyond-the-sea, Alexandria, and Ceuta” be carried on “foreign vessels.”<sup>176</sup> Marseille continued to legally export wine all over the Muslim Mediterranean<sup>177</sup> and to trade with Alexandria.<sup>178</sup>

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<sup>172</sup> Heyd, *Histoire du commerce*, I, pp. 404-405.

<sup>173</sup> “...ad negociandum...in omnibus partibus quibuscumque sibi bonum videretur de hinc in Alexandria secundum licentiam datam per dominum ducem et consilium...,” Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, II, #625, pp. 163-164 (Mar 1226), quotation from p. 163.

<sup>174</sup> Morozzo della Rocca and Lombardo, *Documenti del commercio veneziano*, II, #844, pp. 368-370 (between Mar and Sep 1258).

<sup>175</sup> Epstein, *Genoa and the Genoese*, table 4, p. 97. This does not necessary indicate a steady decline, given the incomplete nature of such data.

<sup>176</sup> “...si quis res vel merces suas, aut mercaturas ad predictas partes [partibus transmarinis aut de Alexandria, vel de Cepta] duxerit transmittendas; eas mittat et honeret in navi vel lingo Barchinonensi, et non in aliis navibus vel lignis extraneis audeat aliquatenus onerare...” Antonio de Capmany y de Monpalau, *Memorias Históricas sobre la marina, comercio y artes de la antigua ciudad de Barcelona*, II (Barcelona: Cámara Oficial de Comercio y Navegación de Barcelona, 1962 [1779]), doc. 5, pp. 12-13 (12 Oct 1227); Mas-Latrie, *Traité de paix et de commerce...*, II, p. 279.

<sup>177</sup> Mas-Latrie, *Traité de paix et de commerce...*, II, pp. 89-90 (1228). A contract from 1248 mentions timber, but no illegal destination, Louis Blancard, *Documents inédits sur le Commerce de Marseille au Moyen-Age* (Genève: Mégariotis Reprints, 1978 [1884]), II, #778, p. 193 (25 May 1248).

<sup>178</sup> Blancard, *Documents inédits sur le Commerce de Marseille*, I, #59, pp. 84-85 (6 Apr 1235).

According to Jacoby, timber for construction, iron, and arms from Genoa and Venice to Egypt never ceased; middlemen in crusader-held ports facilitated it.<sup>179</sup>

Although ecological realities remained in fact the same and arms and timber were still highly sought after in Egypt, papal efforts might have borne at least some fruit. A treaty between Egypt and Pisa, with no date, but certainly from the thirteenth century, shows that Egypt exempted the import of arms from taxes.<sup>180</sup> Instructions to Pisan ambassadors sailing off to Egypt (probably in 1207) ordered that no promises for the export of arms be made.<sup>181</sup> A treaty between Egypt and Pisa from 1215-1216 explicitly stipulated that the Pisans would not be forced to sell their arms to Muslims.<sup>182</sup>

In sum, the embargo on trade with Muslims may not have been well-defined as an actual policy. What little source material we have, as would economic theory, suggests that it must have impacted the merchants in the Mediterranean at least indirectly by increasing the cost of trade in strategic material. Its impact on the Muslims' economy and military power, however, is impossible to assess. What is certain is that by the middle of the thirteenth-century the papal restrictions on trade with Muslims had become a permanent feature of ecclesiastical policies and daily life in the Mediterranean. Papal bulls granting bishops the right to absolve excommunicates were sent to

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<sup>179</sup> David Jacoby, "Mercanti genovesi e veneziani e le loro merci nel Levante crociato," in Gherardo Ortalli and Dino Puncuh, eds., *Genova, Venezia, il Levante nei secoli XII-XIV* (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2001), pp. 213-256, specifically pp. 243-244, 252-253. For Venetian delivery of war material to Egypt in this period see in detail Jacoby, "The Supply of War Materials to Egypt," pp. 111-117.

<sup>180</sup> "Si vendit arma non debat dare diricto." Amari, *I diplomati arabi*, #25, p. 289 (#28 ter). According to Amari, the document could have been composed between 1221-1228, or just prior to 1249, but in any case prior to 1291, notes to the document on pp. 469-470.

<sup>181</sup> "...Neque promittat quod de terra pisana, si petierit, in regno adducetur lignamen nec ferrum, nec pix, neque catramen et arma...." Amari, *I diplomati arabi*, #20, p. 281 (1207?), see also the notes to the document on p. 465.

<sup>182</sup> "...Et non siano sforzati di vendere le loro armi a niuno Moro...." Amari, *I diplomati arabi*, #24, p. 286 (1215-1216).

Constantinople,<sup>183</sup> to all of the dioceses of Spain,<sup>184</sup> to Barcelona,<sup>185</sup> Tarragona,<sup>186</sup> Cuenca,<sup>187</sup> to the mark of Ancona,<sup>188</sup> to Montpellier,<sup>189</sup> and even Paris;<sup>190</sup> a local synod in Cyprus repeated the decrees of the general councils.<sup>191</sup> Such bulls not only paved the way for the sinful to return into the flock (since the Church was obliged to provide absolution to those sincerely seeking it) but also spread across Latin Europe the message that trade between Christians and Muslims was a matter of ecclesiastical jurisdiction and that it threatened the soul. Merchants may have violated the papal embargo on a regular basis, yet the papal claim that it was papal business to decide over Christian trade with Muslim appears to have been successfully established. Between the 1150s and the 1250s, therefore, the Church had succeeded in placing ‘international’ trade within its jurisdiction. But did it do so to pursue foreign policy goals through economic means?

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Canon 24 of the Third Lateran was not the end, but rather the beginning of papal legislation and attempts at implementation of the embargo against Muslims. Between 1179 and the mid-thirteenth century the embargo became widely applied as a policy tool against Muslim lands. Although malleable, it became a permanent feature of daily life, an instrument against Muslims employed at all times, the transgression of which would

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<sup>183</sup> Honorius III in 1221, *Acta Honorii III et Gregorii IX*, #74; *Les Registres d'Innocent IV*, #6831 (4 Jul 1253), to the patriarch.

<sup>184</sup> *Les Registres de Grégoire IX*, #3485 (5 Feb 1237), to the bishops.

<sup>185</sup> *Les Registres de Grégoire IX*, #3486 (5 Feb 1237), to the bishop of Barcelona.

<sup>186</sup> *Les Registres de Grégoire IX*, #3487 (28 Jan or 9 Feb 1237) to the *procurator* of Tarragona; *Les Registres d'Innocent IV*, #6113 (27 Sep 1252), to the archbishop; these bull includes victuals and horses in the list of contraband items.

<sup>187</sup> *Les Registres d'Innocent IV*, #3303 (7 Oct 1247), to the bishop.

<sup>188</sup> *Les Registres d'Innocent IV*, #73 (26 Aug 1243), to the bishop of Arezzo about inhabitants of the Mark of Ancona.

<sup>189</sup> Alexandre Germain, *Histoire du commerce de Montpellier*, Vol. 2 (Montpellier: Impr. de J. Martel aîné, 1861), #8, p. 190 (4 Jan 1228).

<sup>190</sup> *Les Registres d'Innocent IV*, #6469 (2 Apr 1259), to the Dominican prior.

<sup>191</sup> Mansi, 26, col. 336 (1251): We excommunicate...“...omnes, qui deferent arma, ferrum, lignamina, vel alias res prohibitas, Saracenis, vel regimen exercent in eorum navibus vel galeis.”

have deadly spiritual consequences. Embargo was not merely a footnote to crusade. It was a policy in its own right. Its geographical scope was not limited to Alexandria and the lands under Fatimid and then Mamluk control, but covered all lands inhabited by Muslims.

At first glance, it appears that the papacy tried to impose the principle of no trade with the infidel as an actual policy in time of war or when a crusade was being launched. It licensed trade in non-strategic materials in times of peace. It turns out, however, that it is impossible to discern a workable definition of ‘contraband’ or ‘state of peace;’ indeed to see the embargo as a coherent tool of foreign policy. Despite the unprecedented level of centralization of the Roman Church in the period, a pope and his chancery were not the whole church. Local clergy played an important role in shaping the actual implementation of papal sanctions for trade with Muslims. The licensed trade of leading economic powers, such as Venice was less restrictive than that of smaller communities. On some occasions the embargo’s appearance as a restriction on the export of strategic goods is outright misleading. When one excludes iron and all iron products, ships, timber for construction, and one or more of the following: animals, victuals, and clothes, there is very little left to trade. Some licenses allowed trade in Egypt only, others, with all Muslims. Thus the implementation of the papal strategic embargo against Muslims between 1179 and the 1250s had nothing to do with the neatly ordered plan that Sanudo proposed to Pope John XXII in the early 1300s.

This was not the result of a simple discrepancy between theory and practice. The embargo was not unambiguous as a legal reality either. In 1234 it was cemented into canon law through its inclusion in the *Liber Extra*. At the same time, both the Code of

Canon law and those who commented on it did little to formulate a coherent view of what the policy of embargo was supposed to be; the answers given to the key question “what exactly was banned and under what conditions?” were not unambiguous and did not transform the embargo into a coherent policy tool. Even the question of what could be exported for the ransom of Christians received no unequivocal treatment in law or in practice. Papal language, most importantly, continued to stress moral, symbolic issues, and did not come close to the explicit conceptualization of the halt of trade as a tool for the weakening of Muslim powers, such as Egypt, to be found in Sanudo.

There is one point of view, however, from which the embargo can be understood as a well-defined policy tool. In principle no trade between Christians and Muslims was permitted as is shown by the fact that papal licenses seen as special favors were required for any trade to take place legally. The granting of such licenses may have weakened the embargo functionally, but nevertheless emphasized that all Christian trade with Muslims was a (1) a moral issue and (2) a special favor granted by the pope to those Christians who needed such trade to make a living. Legal texts and papal practice in the wake of Lateran III, in other words, were a poor guide for the definition of a clear-cut papal policy of embargo, but remarkably consistent in their attempts to assert the principle of papal jurisdiction over trade between Christians and Muslims, which Venice had accepted in 1198. Thus between 1179 and 1234 it was established as a timeless legal principle that it was up to the Church, and no one else, to decide who could trade what and when with Muslims. In other words, by the mid-thirteenth century it was successfully established that trade with Muslims was a moral issue.

Legal texts and papal practice were also consistent in knitting together symbolic and functional concerns and – to the extent that these can be disentangled – in privileging the former over the latter. Neither the current concept of embargo, nor the work of Sanudo, therefore, can satisfactorily explain the legal construction and the practical implementation of the papal policy of regulating trade with Muslims. If weakening Muslim military power was a secondary concern to the papacy, what prompted it to establish as a legal principle that it was the church's business to control Christian trade with Muslim lands? In the following chapter I seek to clarify the religious concerns within which any functional aspects of the papal policy of embargo were embedded.

## CHAPTER 4

### UNDERSTANDING THE PAPAL SANCTIONS: EMBARGOES AND THE POLITICS OF GREGORIAN PRINCIPLES (1179 - ca. 1250)

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*I classify the human race into two branches...I also call these...the two cities... By two cities I mean two societies of human beings, one of which is predestined to reign with God for all eternity, the other doomed to undergo eternal punishment with the Devil.*  
(Augustine<sup>1</sup>)

*It is unseemly for the body of Christ the Savior to mingle with that of Satan the Damned.*<sup>2</sup>  
(Pope Gregory IX on marriage between Christians and non-Christians, 1233)

#### **4.1. The Papal Embargoes and the Boundaries of Latin Christendom**

By the middle of the thirteenth century, papal embargoes marked the political boundaries of Latin Christendom. Chapter 3 discussed in detail the papal embargoes against Muslims, but contrary to the impression conveyed by the literature on trade and crusades Muslims were not the only target of papal sanctions. In the Mediterranean, Eastern Christians were another. Orthodox churches could have autonomy and still be considered by Rome as part of the Roman Church, as in the case of the Bulgarian Church between 1204 and 1237. For the most part, however, from the outset of the Gregorian reform, the Roman Church considered Eastern Orthodox Christians as ‘schismatic,’ that is, as

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<sup>1</sup> Augustine, *City of God*, translated by Henry Bettenson (London: Penguin Books, 2003), Book 15.1, p. 595.

<sup>2</sup> “Verum, quia nec pati volumus nec debemus quod fideles perfidis matrimoniali copula coniugantur, eo quod lux ad tenebras conventio non existat, nec deceat membra Salvatori Christi membris sathanae perdit sociari, aut picem cum balsa[mis?] commisceri....” Letter to the prior of the Dominicans in Poland, *Acta Honorii III et Gregorii IX*, #186, pp. 258-259 (24 Feb 1233). Quotation from p. 258.

Christians who had separated themselves from the structure of the Church.<sup>3</sup> When perceived as a threat to the Latins, these were treated as enemies, their Christian beliefs notwithstanding. This is what happened when Eastern Orthodox states threatened the Latin polities carved from the former Byzantine empire. We noted that in the wake of the Fourth Crusade Venice and Latin barons had divided the former Byzantine territories. They did not manage to establish their rule over most of those, however, and successor states to Byzantium were born; two of them, the ‘state’ of the Comnenus-Angelus family in Epirus and Thessaly and the empire of Nicaea cherished hopes to overthrow the Latin Empire, and so did Bulgaria under John II Asen (1218-1241).

The first of these polities to come under embargo was the ‘state’ of Epirus.<sup>4</sup> Before its ruler, Theodore Comnenus (1215-1230) could take aim at Constantinople, however, he had first to consolidate his rule over western Greece, which put him at odds with another Catholic-ruled polity, the Latin Kingdom of Thessaloniki.<sup>5</sup> It was because of the danger he represented to this Latin ‘state’ that in 1223 Pope Honorius III ordered the excommunication of all Christians who transported horses, arms, and victuals into the lands of Theodore Comnenus or who provided him with any other form of help.<sup>6</sup> Thus Honorius applied to an eastern Christian polity the ‘version’ of the embargo we are familiar with from Spain: not all trade was prohibited, but contraband was nevertheless

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<sup>3</sup> That is what schismatics meant to Gratian, C24.q3.c26 (Friedberg, I, 997). On the schism see a summary in Ostrogorsky, *History of the Byzantine State*, pp. 334-337, for a detailed account see Steven Runciman, *The Eastern Schism* (Oxford: Clarendon Press, 1955) and George Every, *The Byzantine Patriarchate, 451-1204* (London: Society for Promoting Christian Knowledge, 1947).

<sup>4</sup> This was founded by a certain Michael Comnenus Ducas, a relative of Isaac II Angelus, Fine, *Late Medieval Balkans*, p. 65; Isaac being the emperor who had sent to the Muslims the arms captured from the army of William of Sicily as mentioned in Chapter 3 above. Theodore was in turn related to Michael and succeeded him in 1215, Fine, *Late Medieval Balkans*, pp. 112.

<sup>5</sup> Fine, *Late Medieval Balkans*, pp. 113-114.

<sup>6</sup> “...sub simili poena districtae auctoritate nostra inhibentes, ne quis equos, arma, victualia seu etiam milites aut aliud quodlibet auxilium praesumat in suis navibus aut galeis in terram dicti Theodori transportare...” *Acta Honorii III et Gregorii IX*, #112, p. 151 (13 May 1223). Honorius had already excommunicated Theodore in 1220 and prohibited contacts with him, *ibidem*, #73, pp. 101-102 (11 Dec 1220).

more broadly defined than in the decisions of the general councils. The embargo did not prevent Theodore from capturing Thessaloniki, which he made his capital; soon he had himself crowned Roman emperor.<sup>7</sup> Yet the embargo was not abandoned. In 1229 Gregory IX excommunicated Theodore and all those “who give him help, council, or favor, and who bring to him horses, arms, iron, or timber.”<sup>8</sup> Unlike that of Honorius III, Gregory’s bull does not mention victuals among the prohibited items, but instead speaks of timber, even though timber suitable for construction was available in Theodore’s lands.<sup>9</sup> Thus Gregory’s embargo appears as an application of the Third Lateran prohibitions (aimed at Muslims) against a different target, the local ecological realities notwithstanding.

In 1230, however, John II Asen of Bulgaria captured, blinded, and imprisoned Theodore, and nearly eliminated the ‘state’ of Epirus.<sup>10</sup> Within a short time, he was able to assert a form of authority over much of the land mass of the Balkan Peninsula. This was not in itself a problem for the papacy, because since 1204 Bulgaria had been an autocephalous archbishopric of the Roman Church.<sup>11</sup> In 1235, however, Bulgaria and Nicaea moved closer to an alliance when Asen’s daughter married the heir to Nicaea and the respective churches also ‘struck a deal.’<sup>12</sup> The new allies then besieged Latin

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<sup>7</sup> Fine, *Late Medieval Balkans*, pp. 119-120, Ostrogorsky, *History of the Byzantine State*, pp. 432-434.

<sup>8</sup> “Item excommunicamus et anathematizamus Theodorum dictum Cominiano, et omnes qui ei prestant auxilium, consilium vel favorem, et qui ei equos, arma, ferrum vel lignamina portant, quibus impugnat Latinos.” *Les Registres de Grégoire IX*, #332, cols. 204-205 (20 Aug 1229).

<sup>9</sup> See for example the maps in Lombard, “Le bois dans la Méditerranée musulmane VIIe-XIe siècles;” these are to be found between pp. 160-161.

<sup>10</sup> Fine, *Late Medieval Balkans*, pp. 124-125, Ostrogorsky, *History of the Byzantine State*, pp. 434-436. There is a very rich literature on Bulgaria in the period in Bulgarian, but not much is available in English.

<sup>11</sup> Fine, *Late Medieval Balkans*, p. 56.

<sup>12</sup> The Bulgarian church recognized the patriarch of Nicaea as the ecumenical patriarch, while the latter recognized the patriarchal status of the Bulgarian church. Fine, *Late Medieval Balkans*, p. 130. Ostrogorsky, *History of the Byzantine State*, pp. 437-438. The Bulgarian church had lost its patriarchal status upon Basil II’s conquest of Bulgaria in 1018.

Constantinople. Gregory IX promptly ordered Asen to withdraw his support for Nicaea and then excommunicated him.<sup>13</sup>

This was not an embargo in the sense of that proclaimed against Theodore, for John II Asen was probably still considered a disobedient Roman Christian, not a ‘schismatic.’ Nevertheless, as we will see below, the excommunication could mean by extension the removal of the excommunicate from economic ties with the faithful. One wonders, then, given that a ruler was identified with his state, what that entailed for trade with Asen’s lands. In any case, Gregory IX soon lost hope that the Bulgarian church would return to communion with Rome. Whether or not this led to an embargo is unclear, but in 1238 he ordered a preaching of crusade against the now ‘schismatic’ John II Asen. This was to take place under the same indulgences which applied to crusades in the Holy Land, thus an embargo cannot be ruled out.<sup>14</sup>

Upon John Asen’s death in 1241, Bulgaria quickly disintegrated.<sup>15</sup> The ‘vacuum’ was largely filled by the Empire of Nicaea. After a convoluted period of military and diplomatic action between 1237-1242 John III Doukas Vatatzes (1221-1254) asserted his control over parts of western Greece.<sup>16</sup> It was thus likely the Empire of Nicaea that Innocent IV had in mind when in 1243 he allowed the bishop of the Mark of Ancona to absolve from the sentence of excommunication those who had exported “prohibited things to the lands of Muslim or Greek infidels.”<sup>17</sup> Thus by the middle of the thirteenth-century the papal policy of embargo, probably originally devised as a tool against Muslim

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<sup>13</sup> *Acta Honorii III et Gregorii IX*, #214, p. 290 (24 May 1236).

<sup>14</sup> *Acta Honorii III et Gregorii IX*, #229, p. 309 (27 Jan 1238).

<sup>15</sup> For Bulgaria under John Asen’s underage son see Fine, *Late Medieval Balkans*, pp. 154-156.

<sup>16</sup> Fine, *Late Medieval Balkans*, pp. 133-135.

<sup>17</sup> Theodosius T. Haluščynskyj, ed., *Acta Innocentii PP. IV (1243-1254)*, In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes Series III, Volumen IV, Tomus I (Rome: s.n., 1962), #5, p. 7 (26 Aug 1243). Also *Les Registres d'Innocent IV*, #73 (26 Aug 1243).

power in the wake of the failure of the Second Crusade, was now regularly applied against Eastern Christians (on at least three occasions in three decades). Eastern Christians and Muslims could be treated equally as enemies of the Church.

It was not only in the Mediterranean that papal embargoes demarcated the boundaries of Christendom. In 1230 Gregory IX wrote to the archbishop of Uppsala and the bishop of Linköping to order the restriction of trade between Christians and the pagans of Karelia, Lapland, Ingria, and Vod, that is, all territories north of the Kingdom of Sweden and most land around the Gulf of Finland. Taking note of the pagans' "barbarity" (*sevicia*), he ordered the two high-ranking clergy members to ban trade between Christians and "said Pagans" in "arms, iron, timber, and other things with which [they] fight the Christians;" explicitly applying to Scandinavia the dispositions devised against the Muslims.<sup>18</sup> These were lands of very recent Christian expansion. As late as 1209 Pope Innocent III had thanked the archbishop of Lund for the conversion of Finland and allowed him "to consecrate a bastard as bishop of the 'new plantation,' since no one else wanted the job."<sup>19</sup> This, however, did not refer to the Karelians, who had been just baptized by missions from Orthodox Novgorod, which traded actively with both Karelia and Vod.<sup>20</sup>

By 1248 the scope of the embargo in the Baltic was enlarged to cover the non-Latin lands south of the Gulf of Finland. In that year Innocent IV complained to the

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<sup>18</sup> "Nos igitur providere volentes, ne dictis paganis per detestandam temeritatem cuiuslibet christianorum aliquod subsidium fidelium illarum parcium valeat provenire fraternitati vestre per apostolica scripta mandamus quatinus omnibus christianis parcium earundem ex parte nostra per vos vel alios sub pena excommunicationis districte inhibere curetis ne prefatis paganis in huiusmodi persecuacione christianorum persistentibus. arma ferrum lignamina seu alias res cum quibus christianos impugnant que sarracenis exhiberi a christianis in generali consilio prohibetur. deferre presumant." Liljegren, *Svenkst Diplomatarium*, I, #254, p. 256 (9 Jan 1230).

<sup>19</sup> Eric Christiansen, *The Northern Crusades* (London: Penguin, 1997 [1980]), p. 115.

<sup>20</sup> Christiansen, *The Northern Crusades*, p. 116.

bishop of Ösel of “perverse” (*perversi*) Christians trading with the pagans of Livonia in arms, iron, timber, horses, victuals, “and other things with which they fight the Christians.”<sup>21</sup> Since, such people are difficult to “correct,” Innocent explained, it is necessary to rise up and punish them so that their example will not induce others to sin, indeed to (spiritual) destruction.<sup>22</sup> He announced that besides excommunication, which endangers their soul, the violators would thenceforth be also subject to capture and their goods to confiscation without right of restitution.<sup>23</sup> Innocent IV concluded by expressing the hope that such temporal measures would help turn the transgressors’ minds to spiritual things.<sup>24</sup>

This document is interesting not only because it supports that point that papal export controls applied to all frontiers and not just to Muslims in the eastern Mediterranean, but also for two further reasons. First, by subjecting embargo violators to “capture,” he might have applied to them the provision that Lateran III had made for embargo violators on the Muslim frontier: slavery. This was surely the case of the other mentioned provision, property confiscation. His order of course also implies that the embargo had already been in place, but that it had included lighter temporal penalties than those proclaimed by Lateran III’s Canon 24. In this sense, then, the embargo in the Baltic offers another example of how fluid the implementation of this papal policy was. Finally, like Gregory IX’s embargo against the ‘state’ of Epirus, Innocent’s order

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<sup>21</sup> “...arma, ferrum, lignamina, equos et victualia nec non et alia quibus christianos impugnant...” Reg. Vat. 21A, f312r (5 Oct 1248). Summary of the document in *Les Registres d’Innocent IV*, #4619.

<sup>22</sup> “...oportet nos ne sui exempli pernitie alios provocent ad peccandum, ad castigandos illos insurgere....” Reg. Vat. 21A, f312r.

<sup>23</sup> “...quiquaque Christianorum aliquos predicta deferentes de cetero paganis eisdem invenerint eis liceat illos capere ac bona eorum sine poena restitutionis in ea capientium usus cedant.” Reg. Vat. 21A, f312r.

<sup>24</sup> Reg. Vat. 21A, f312r/v.

prohibited the export of timber, its abundance in the embargoed territories notwithstanding.<sup>25</sup>

Second, and more important, Innocent's letter also shows that moral and practical concerns comingled in papal documents that restricted trade. As in the case of the main papal bulls on the embargo (those that formed part of canon law), this bull embeds the functional concern with the export of 'strategic material' to pagans within a symbolic interpretation of the problem: "perverse" Christians sinned and led others to sin. Their actions could result in nothing less than the loss of souls.

A brief sent by Urban IV to the bishop of Linköping in 1262 shows clearly that all pagans in the Baltic area were subjected to the embargo. Urban lamented the trade with pagans of Livonia and Prussia, who fought the Hospitalers and the Teutons, in arms, iron, timber, and "other prohibited things by the Lateran council."<sup>26</sup> Citing Lateran III and using language very close to that council's canon 24, Urban ordered the bishop to apply ecclesiastical strictures against the violators.

Such explicit references to the decisions of the Lateran councils in embargoes against pagans and 'schismatics,' require explanation for, as we saw in Chapters 2 and 3, the decrees of the general councils never mention anyone other than 'Saracens.' Too

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<sup>25</sup> In the south, the Venetians used oak for almost the entire hull, Frederick C. Lane, *Venetian Ships and Shipbuilders of the Renaissance* (Baltimore: The Johns Hopkins press, 1934 [Reprinted 1979]), p. 217 (see Chapter 7 for more information on ships). In the Baltic, too, oak was preferred "for the main structural elements," but pine could also be used, Seán McGrail, *Ancient Boats in N. W. Europe: the Archaeology of Water Transport to AD 1500* (New York: Longman, 1987), p. 26, see p. 23 on the factors considered when choosing what species to be used in shipbuilding. For example, the keel of a fifteenth-century cog raised in Poland, Jerzy Litwin, "The Copper Wreck. The Wreck of a Medieval Ship Raised by the Central Maritime Museum in Gdansk, Poland," *International Journal of Nautical Archaeology and Underwater Exploration* 9 (1980, 3): 217-225, specifically p. 211. Oak was widely available in the southern part of the embargoed territories, while pine forests could substitute for the lack of oak in the northern regions. Indeed, it is widely known that as the Hanse expanded its activities in the eastern Baltic, timber became one of the commodities it used to export westwards.

<sup>26</sup> "...arma ferrum lignamina & alia in concilio lateranensi prohibita..." *Svenkst Diplomatarium*, I, #484, p. 410 (3 Dec 1262).

close a reading of the documents might be misleading when their implications are assessed, however. We must remind ourselves that papal decretal letters and the decisions of church councils alike served as precedent law. Thus when Innocent IV, whom we saw using embargoes against Muslims (called ‘Saracens’ by the papacy), ‘pagans,’ and ‘schismatics,’ read ‘Saracens’ to mean ‘infidels’ at large, he did nothing more and nothing less than what a trained canon lawyer like him would be expected to do. Little difference was in fact made between all of these kinds of ‘infidels.’ Trade with all of them was to be subject to papal regulation, while papal documents on the subject interweaved symbolic and functional concerns. The last section of this chapter will return to this point and explain it.

#### **4.2. The Papal Embargoes and the Boundaries of Roman Christianity**

In the introduction to this work we saw that embargoes can be total or on specific goods only (called strategic goods, such as arms); they can be short-term and aim at immediate policy changes by the target country or long-term, strategic ones, the goal of which is the military enfeeblement of the target. While strategic embargoes marked the political boundaries of Latin Europe, the withdrawal (or the threat of) of business with Christians was widely used as a tool of coercion within Christendom. Functionally, it aimed at immediate changes in the behavior of individuals and the policies of communities. This can be well-illustrated by first turning over attention to the Jews, whose state of dispersion was supposed to demonstrate their religious “wrongness,” and then to ‘Heretics,’ whose Christian identity was not recognized by the papacy.

We saw that in 1213 Innocent III sent across Christendom the bull *Quia Maior*, the archetypal crusading bull. Among other matters, it proclaimed the selective version

of the embargo against Muslims. This, however, was not all the information on embargoes that the decree contained. We also find the withdrawal of Christian trade as a sanction against Jews. In order to facilitate the preparation of crusaders for the passage, Innocent ordered the secular authorities to compel the Jews to return the ‘usury’ they had collected. The sanction against non-compliant Jews was the complete prohibition for Christians to have business or any other relationships with them under penalty of excommunication.<sup>27</sup> It therefore subjugated non-compliant Jews to a total exclusion from the economic life of the predominantly Christian society in which they lived. The decisions of Lateran IV may not feature an embargo on Muslims except in the context of the planned crusade, but they surely broadened the use of ‘economic sanctions’ aimed at coercing individual Jews to compliance. Canon 67 threatens removal “from contact with Christians until they have made adequate satisfaction” Jews who “extort oppressive and excessive interest from Christians.”<sup>28</sup> Christians were ordered to abstain from business with such Jews.<sup>29</sup> Canon 71 also threatens Jews with withdrawal of “all intercourse,” including economic action. This time the church offered immunity to would-be crusaders from incurring interest on loans while on crusade and ordered the ban on Christian business with non-compliant Jews.<sup>30</sup>

Thus individual Jews, under specific circumstances, became the target of the same papal policy tool which had already been used against Muslims as a religious group: the complete or partial restriction of economic relations with Christians. Like the papal

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<sup>27</sup> “...tam in mercimoniis, quam in aliis per excommunicationis sententiam eis omnino communio denegetur.” *Svenkst Diplomatarium*, I, #147, p. 171. This became a commonplace provision, see, for example, M. Edouard Jordan, ed., *Les registres de Clément IV* (1263-1268) (Paris, Thorin et fils, 1893-1945), #15, p. 5 (26 Mar 1265), *Svenkst Diplomatarium*, I, #583, p. 485 (17 Sep 1274).

<sup>28</sup> Tanner, *Decrees*, p. 265, Quotations from Tanner’s translation.

<sup>29</sup> “commerciis abstinere,” Tanner, *Decrees*, p. 265.

<sup>30</sup> Tanner, *Decrees*, p. 269.

embargo legislation against Muslims, decrees against Jews show the moral underpinnings of such policy. The normative qualifications of interest as “oppressive” and “excessive,” after all, are meaningless in economic terms; the nature of the business of providing consumer credit through pawn-broking was such that if Jewish lenders lent on low interest rates they would have gone out of business.<sup>31</sup> Thus the moral basis of the policy concerned Christians, but not Jews. Unlike the case of Christian communities, such as Venice or the Iberian ones discussed in the previous chapter, a concern with the Jews’ ability to make ends meet found no room in what I have called ‘the hierarchy’ of ecclesiastical moral concerns: first came the ecclesiastical affirmation of its jurisdiction over all trade between Christians and non-Christians, second came the concern with Christian captives in ‘infidel’ hands, third – that with Christians’ ability to make ends meet, and only fourth – the concern with the military power of ‘infidels.’ Just as papal documents nowhere express any form of unease with the effects that a total embargo (or almost a total embargo, as often was the case in Iberia) could have on ordinary Muslims, so Innocent used the morally charged concept of usury to stress a moral issue that concerned Christians while ignoring a moral issue concerning Jewish lenders by failing to recognize the latter’s ‘necessity’ to lend at interest rates that would allow them to make a living.

In the first half of the thirteenth century the church thus linked together Muslims, ‘pagans,’ ‘schismatics,’ and in compliant Jews by using economic weapons against all of

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<sup>31</sup> Interest rates are set by the intersection of the demand for and supply of credit. Not only was credit tight in the Middle Ages, but the very nature of pawn broking – which is how consumer credit to the poor was extended – was/is such that it required/-s high interest rates, see Raymond De Roover, *Money, Banking, and Credit in Medieval Bruges. Italian Merchant Bankers, Lombards and Money-Changers – A Study in the Origins of Banking* (Cambridge: Mediaeval Academy of America, 1948, reprinted in: Read Books, 2007), pp. 99-159, and specifically pp. 113-148.

them. Popes deployed a strategic embargo against Muslims, ‘pagans,’ and ‘schismatics,’ and used economic tools to coerce the compliance of Jews with papal orders. Likewise, papal letters express a moral concern with the effect of the embargo on Christians. Nowhere, however, do they express a moral interest in the effect that these prohibitions might have on non-Christians: non-Christians stood outside the scope of Catholic morality.

Jews, moreover, were not the only non-Catholics within Latin Europe against whom the church used economic tools at the time when the papal embargo against Muslims took shape. In a much better known development ‘wrong believers’ (‘heretics’) also became a major target of papal economic measures. As in the case of Muslims so in that of heresy, the *Decretum* had little to say on economic matters. It focused its attention on defining heresy and carefully distinguished between ‘heretics’ and ‘schismatics.’<sup>32</sup> A list of heresies figures prominently in Gratian’s work.<sup>33</sup> On the other hand, Gratian had relatively little to say on measures against heretics: these could not accuse Christians,<sup>34</sup> or pronounce sentences of excommunication;<sup>35</sup> clerics were not to enter their company.<sup>36</sup>

At the same time Roman law, which was being revived in this period, had banned ‘heretics’ from business with Christians.<sup>37</sup> By the time the *Liber Extra* was compiled (1234) the situation had in fact been altered profoundly in that direction. In 1166 Henry II of England (1154-1189) promulgated the first secular law against ‘heretics;’ in 1184

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<sup>32</sup> A heresy is defined by “perverted dogma” whereas schismatics have separated themselves from the structure of the church, C24.q3.c26 (Friedberg, I, 997). Heretics follow “false or new” beliefs, C24.q3c28 (Friedberg, I, 998), and obstinately defend them, C24.q3.c31 (Friedberg, I, 998).

<sup>33</sup> C24.q3.c39 (Friedberg, I, 1001-1006).

<sup>34</sup> C2.q7.c25 (Friedberg, I, 489).

<sup>35</sup> C24.q1.c36 (Friedberg, I, 980-981).

<sup>36</sup> *convivia*, C24.q3.c35 (Friedberg, I, 999).

<sup>37</sup> Chapter 2 pointed that Manicheans and Donatists were banned from selling, buying, or entering any form of contractual obligation with Christians, “Praeterea non donandi, non emendi, non vendendi, non postremo contrahendi cuiquam convicto relinquimus facultatem.” *Codex Iustinianus* I.5.4.3.

Pope Lucius III (1181-1185) and Frederick Barbarossa announced a joint decree in the same sense; in 1194 Alphonso II of Aragon (1162-1196) banished heretics from his lands.<sup>38</sup> The Third Lateran proclaimed:

...since in Gascony and the regions of Albi and Toulouse and in other places the loathsome heresy of those whom some call the Cathars...has grown so strong that they no longer practice their wickedness in secret, as others do, but proclaim their error publicly and draw the simple and weak to join them, we declare that they and their defenders and those who receive them are under anathema, and *we forbid under pain of anathema that anyone should keep or support them in their houses or lands or should trade with them....*<sup>39</sup>

The decree goes on to deny the obligations of “loyalty, homage or other form of obedience” to heretics; to legislate the confiscation of their goods, their subjugation to slavery; and it finally provides incentives for waging war on the ‘heretics.’<sup>40</sup> In this way, the Third Lateran proclaimed for heretics penalties very similar to those inflicted upon violators of the papal embargo and, more importantly, placed the ‘heretics’ themselves under an embargo. The *Liber Extra* upheld the decree and included it in the section dealing with ‘wrong believers.’<sup>41</sup> Although the decree was cut to fit the format of canon law, it features the order not to trade with ‘heretics.’<sup>42</sup>

Innocent III was the first pope to make “the treatment of heresy and the religious movement associated with it one of the prime occupations of his pontificate.”<sup>43</sup> He agreed that the secular powers had the right to use force against those accused of

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<sup>38</sup> Robert I. Moore, *The Formation of a Persecuting Society. Authority and Deviance in Western Europe, 950-1250* (Malden, MA: Blackwell Publishing, 2007 [1987]), p. 8.

<sup>39</sup> Tanner, *Decrees*, p. 224. Italics mine.

<sup>40</sup> Tanner, *Decrees*, p. 225.

<sup>41</sup> X 5.7.8 (Friedberg, II, cols. 779-780).

<sup>42</sup> X 5.7.8 (Friedberg, II, col. 780).

<sup>43</sup> Malcom Lambert, *Medieval heresy. Popular Movements from the Gregorian Reform to the Reformation* (Malden, MA: Blackwell, 2002 [1992]), p. 99.

ecclesiastical transgressions, including heresy.<sup>44</sup> In 1199 he promulgated a bull, which treated heresy as a crime of *lèse-majesté* and provided the legal basis for holy war against heretics.<sup>45</sup> Innocent III ordered the confiscation of the goods of ‘heretics,’ stipulated the penalty of excommunication for whoever would help heretics, and deprived such people of inheritance and postulated that no one had to answer to a heretic on business matters.<sup>46</sup> These orders were subsequently incorporated into Canon 3 of the Fourth Lateran council.<sup>47</sup> Both the bull and the decision of the council found their place in the *Liber Extra*.<sup>48</sup> Thus between 1179 and 1234 ‘wrong believers’ were grouped under the same provisions of limitations of trade stipulated for Muslims, ‘pagans,’ Eastern Orthodox when perceived as fighting the Latin Church, or Jews as perceived as disobedient.

The papacy applied economic tools not only against perceived permanent threats, however, but also against ‘proper’ Christian communities perceived as temporarily disobedient to the church. The primary papal weapon against such communities was the interdict, an ecclesiastical sanction which temporarily cast out a community from the body of the faithful. Interdicts varied in kind, but shared a common goal; to force compliance by turning “the innocent against the guilty.”<sup>49</sup> It would, however, be misleading to think of interdicts only as the suspension of religious services, of baptisms

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<sup>44</sup> Tillmann, *Pope Innocent III*, p. 244 for heretics, p. 257 n. 114 for the use of force against those who do not pay their tithes.

<sup>45</sup> Lambert, *Medieval Heresy*, p. 106.

<sup>46</sup> X 5.7.10 (Friedberg, II, 782-783).

<sup>47</sup> Tanner, *Decrees*, pp. 233-234.

<sup>48</sup> X 5.7.10 (Friedberg, II, 782) and X 5.7.13 (Friedberg, II, 787-789).

<sup>49</sup> Clarke, *The Interdict*, p. 182. This in turn makes them very similar to a recent conceptualization of embargo by the U.N. Commission on Human Rights: “The ‘theory’ behind economic sanctions is that economic pressure on civilians will translate into pressure on the Government for change.” United Nations. Economic and Social Council. Commission on Human Rights. “The adverse consequences of economic sanctions on the enjoyment of human rights,” Research paper presented by Marc Bossuyt, 21 June 2000, p. 13 (E/Cn.4/Sub.2/2000/33).

and ecclesiastical burials. At least from the last quarter of the twelfth century, interdicts often placed an economic alongside their better studied spiritual dimension.

Unfortunately, although Richard Trexler's brilliant study of the much later papal interdict/embargo against Florence in the 1370s placed an equal value on its spiritual and temporal aspects, his lead has not been followed.<sup>50</sup> The interdict itself had until recently been the subject of limited attention. Peter Clarke's 2007 study has largely remedied the problem, but unfortunately Clarke only briefly mentions the temporal aspects of interdicts, although he does use the term 'embargo' to refer to them.<sup>51</sup> He notes that in 1198 Innocent III "called on the Empress Constance, the kings of France and England, the count and barons of Champagne, duke of Burgundy, and count of Maurienne to seize goods of Parman and Piacenzan merchants in their lands..."<sup>52</sup> According to Clarke, the measures probably succeeded. Innocent then used similar sanctions against Treviso in 1199, "any Lombard commune taxing its clergy in 1203, and Milan and Alessandria in 1212."<sup>53</sup> Clarke notes that such embargoes were not a novelty: Celestine III had also imposed an embargo on Treviso, while Lucius III had threatened that cities "not complying with this anti-heresy decree [*Ad Abolendam*] might be deprived of commerce with other cities..."<sup>54</sup> Innocent III, however, 'innovated' in his widespread use of such measures, and popes after him, especially Martin IV, used them broadly.<sup>55</sup>

Lucius III's 1184 *Ad Abolendam* deprived cities lax with heretics of trade and episcopal see.<sup>56</sup> It was published only five years after the Third Lateran Council turned

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<sup>50</sup> Richard Trexler, *The Spiritual Power: Republican Florence under Interdict* (Leiden: Brill, 1974).

<sup>51</sup> He sometimes uses the term 'commercial sanctions,' Clarke, *The Interdict*, pp. 183, 262.

<sup>52</sup> Clarke, *The Interdict*, p. 183.

<sup>53</sup> Clarke, *The Interdict*, p. 183.

<sup>54</sup> Clarke, *The Interdict*, p. 183.

<sup>55</sup> Clarke, *The Interdict*, pp. 183-187.

<sup>56</sup> X 5.7.9 (Friedberg, II, 781).

the embargo against Muslims as well as that against ‘heretics’ into a legislated policy. Both the disposition of *Ad Abolendam* and Lateran III’s decree banning trade with ‘heretics’ differ from Lateran III’s Canon 24, however; they cover all trade with ‘heretics’ as opposed to the selective embargo pronounced against Muslims. One wonders then, if the fact that the embargo against Muslims prior to Clement III was selective, and not total, had something to do with the inability of the papacy to promote a total embargo prior to the loss of Jerusalem, given Venice, Genoa, and Pisa’s reliance on trade with Muslims and the indispensability of their cooperation for the existence of Latin states in the East.

Innocent’s order against Piacenza and Parma targeted the goods of their merchants, but not trade with the city.<sup>57</sup> Therefore, it appears as a selective embargo, or, in the most up-to-date terminology, ‘smart sanctions’ on the city’s business and political elite. Conversely, the bull against Treviso takes aim both at all commerce and at the goods of the merchants outside Treviso and thus appears as a total embargo.<sup>58</sup> The order against Lombard *communi* stipulates that those must be avoided “in conversation as in contracts;”<sup>59</sup> and so does his decree against Milan and Alessandria.<sup>60</sup> The legislated scope of the latter two decrees is somewhat unclear as it relies on the understanding of ‘contract.’ Both appear, however, to target the trade of the city’s policy-makers, not all forms of commerce with these cities: ‘smart,’ not total sanctions.

The total ban of commerce in the case of Treviso can thus appear puzzling, for Treviso was after all a Christian community. Would the pope, who would extend a

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<sup>57</sup> PL 214, Reg. 1, #121, col. 112 (21 Apr 1198); Clarke, *The Interdict*, p. 183.

<sup>58</sup> PL 214, Reg. 2, #27, col. 558 (26 Mar 1199).

<sup>59</sup> “...tam in colloquiis quam contractibus omnibus sicut excommunicatos artius evitari...” *Die Register Papst Innocenz’ III*, VI, #182, p. 305 (16 Dec 1203).

<sup>60</sup> “colloquium vel contractum” PL 216, Reg. 15, #189, col. 713 (21 Oct 1212).

license to Venice to trade with Muslim Alexandria, because it ‘needed’ to do so, deprive the Christians of a city from any trade? Would he show the same lack of concern with their ability to make ends meet as he did with Muslims and Jews? If we recognize that technically the Christians in question were not really ‘proper’ Christians at the time of the interdict, that is, if we realize that they were deemed guilty precisely of not being good Christians, then it would be easy to understand why they were removed from the group of those whom the church would lead to salvation and hence treated as ‘infidels’ and placed outside the scope of Catholic morality.

The little information we have on the papal use of embargoes against Christian communities in the period appears to show significant differences in the application of the halt of trade for the obtainment of non-economic goals. In any case, however, what really matters here is that at the time when the most important papal orders regarding the embargo against Muslims were made (late twelfth-century), the papacy also started using the same tool against non-obedient Christian communities. Thus the embargoes against ‘infidels’ and the embargo against Christian communities as part of an interdict were contemporaneous developments.<sup>61</sup> At least occasionally popes showed no more moral concern with disobedient Christians than they did with non-Christians.

How various categories of people identified as ‘enemy’ by the papal curia were lumped together is best exemplified in the papal bulls *In Coena Domini*, which were promulgated every Holy Thursday. While the bull’s appearance is usually dated to the fourteenth century, a 1229 bull of Gregory IX can clearly be seen as its prototype. Here

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<sup>61</sup> Clarke in fact argues that “popes established a common law of interdicts between the late twelfth and the early fourteenth centuries.” Clarke, *The Interdict*, p. 3.

Gregory excommunicated and pronounced anathema on: “all heretics,”<sup>62</sup> on Frederick II,<sup>63</sup> to whom all help was to be denied and who was followed by a cloud of interdict, for every place where he went was considered to be under interdict. Then the bull excommunicated Raynald son of Conrad, the Duke of Spoleto, Conrad himself, three Roman citizens, a count, a vice-count and all others who had been helping Frederick. Gregory then turned to an excommunication and anathema of those who falsified papal letters, who imposed new tolls, who despoiled those traveling to and from the papal see, and those who exported horses, arms, iron, or timber to Muslims. He then excommunicated Theodore Comnenus and those who delivered horses, arms, iron, and timber to him.<sup>64</sup> This bull, which was mirrored by the later *In Coena Domini* bulls, clearly shows that the church did not distinguish between the different types of enemies and that it used the same tools, including the embargo, against all or a number of them.<sup>65</sup>

#### **4.3. Embargoes, Crusades, and Ecclesiastical Attitudes toward Economic Activity**

As Chapter 1 pointed out, David Baldwin has taught us that no policy tool should be examined on its own. The embargo should therefore be placed within other policy options available to the Church. This subsection first outlines the relationship between embargoes and crusades, that is, between economic sanctions and war. It then clarifies

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<sup>62</sup> “Excommunicamus et anathematizamus...omnes hereticos Catharos Paterinos, Pauperes de Lugduno, Arnaldistas, Speronistas et Passaginos et omnes alios, quocumque nomine censeantur, et omnes fautores, receptatores et defensores eorum.” *Les Registres de Grégoire IX*, # 332, col. 203 (20 Aug 1229).

<sup>63</sup> For, among others, his failure to fulfill his vows regarding the Holy Land, for despoiling the property of Templars and Hospitalers, other “oppressionibus et spolitionibus” of churches and clerics, for the “oppressionem pupillorum, orphanorum et viduarum, seu nobilium et aliorum hominum regni” who supported the Roman Church, *Les Registres de Grégoire IX*, #332, col. 203.

<sup>64</sup> Finally, the bull turns to three other sets of excommunicates guilty of transgressions against the church in Italy, for all of this *Les Registres de Grégoire IX*, # 332.

<sup>65</sup> It is unlikely that Gregory’s bull was exceptional until the appearance of the *In Coena Domini* bulls. Urban IV, for example, published a similar bull – and in a similar context - in 1264: “Excommunicamus et anathematizamus...omnes illos qui [text not preserved] seu victualia, equos, arma et alia ad expeditionem utilia ad exercitus Sarracenorum et aliorum infidelium ac Theotonicorum...in servitio Manfredi...” M. Jean Guiraud, ed., *Les Registres d’Urbain IV (1261-1264)*, IV, Appendice II (Paris: A. Fontemoing, 1906), #2992, p. 75 (1 Aug 1264). The original document appears to have been unreadable in part.

another relationship, that between economic sanctions and the church's changing stance toward the world of business. I argue that compared to the crusade the embargo was a 'low-cost' policy tool for the church to use and that the moral issues stressed by the papal documents on trade with non-Christians are partly explained by an ecclesiastical attempt to subordinate all economic life to religious concerns.

One important way through which the medieval church related to non-Christians in the period was the crusade. The period 1179 - ca. 1250 saw the most intensive crusading in the history of the church. Like embargoes, crusades were employed against a plethora of external and internal enemies. Already at the time of the Second Crusade a bull of Eugenius III had "affirmed that the wars against the Muslims in Spain and the Wends [in the Baltic] were equivalent to the crusade to the Holy Land."<sup>66</sup>

In the Eastern Mediterranean, the Third Crusade (1188-1192) became the only one to see action from all three of the most prestigious rulers of Europe. While it failed to recover Jerusalem for the Latins, it "re-established the Kingdom of Jerusalem as a political and military power."<sup>67</sup> The Fourth Crusade, as we saw, (in)famously ended with the Latin takeover of Constantinople. The large-scale Fifth Crusade (1217-1221), which was intended to achieve the previous one's original goal, resulted only in the short-lived

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<sup>66</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 45. Those who recorded the events, for example, Otto of Freising, made the connection too; indeed the many campaigns which made the second crusade can be seen as "a grandiose scheme of Christian defense and expansion" in the letters of Pope Eugenius III and Bernard of Clairvaux, Giles Constable, "The Second Crusade as Seen by Contemporaries," *Traditio* 9 (1953): 213-279, specifically pp. 219-220 (for Otto), pp. 224-225 (p. 225: "...the dichotomy between temporal and spiritual motives...should not be over-emphasized."), 265, 276; quotation from p. 276.

<sup>67</sup> Emperor Frederick I Barbarossa, Richard the Lionhearted, King of England, and Philip Augustus, King of France all took part. These hardly acted in unison and Frederick, who alone chose the land route, drowned while crossing the Saleph river in his attempt to get across the Taurus range, but the crusade was crucial for the fact that the Latin states in the Holy Land did not fall for another century, Setton, *A History of the Crusades*, II, pp. 45-122. Quotation from p. 85. For the death of Frederick p. 114.

Christian occupation of Damietta in the delta of the Nile.<sup>68</sup> The crusade of Frederick II (1228-1229) finally obtained, albeit in a disputed manner, the return of Jerusalem to Latin rule. A decade later, Theobald, King of Navarre and Count of Champagne and Richard Plantagenet Earl of Cornwall led a crusade, which like Frederick's, resulted in little action.<sup>69</sup> This was not the case in 1248-1254 when the crusader King Louis IX of France (1226-1270) was captured in Egypt and had to pay an enormous ransom to obtain his freedom.<sup>70</sup> Crusades under the same indulgences as those granted for fighting the Muslims in the Holy Land were also preached against non-Muslim targets in the East.<sup>71</sup>

Since the time of Urban II, popes had encouraged crusading in the western Mediterranean.<sup>72</sup> Alexander III re-invigorated the Spanish offensive against the Muslims in the 1170s,<sup>73</sup> Clement III, who first proclaimed a total embargo, not only organized the Third Crusade, but also extended to those fighting Iberian Muslims the same privileges awarded for participation in the Third Crusade. He became the first pope to award ecclesiastical revenues to the cause of crusading in Spain.<sup>74</sup> Crusades in Iberia took place under the pontificates of Clement III, Celestine III, and Innocent III,<sup>75</sup> and played a role in the history of the embargo. Under Honorius III, though not due to actions of the pope

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<sup>68</sup> In the delta of the Nile river, Setton, *A History of the Crusades*, II, pp. 377-428.

<sup>69</sup> Setton, *A History of the Crusades*, II, pp. 463-485.

<sup>70</sup> Setton, *A History of the Crusades*, II, pp. 487-518. For the ransom, pp. 503-504.

<sup>71</sup> Such as the Bulgarian Empire of John II Asen in 1236, *Acta Honorii III et Gregorii IX*, #229, p. 309 (27 Jan 1238).

<sup>72</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 48; Constable, "The Second Crusade as Seen by Contemporaries," p. 259.

<sup>73</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, pp. 55-56.

<sup>74</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, pp. 57-58.

<sup>75</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, pp. 58-59 for 1189 (crusade of Sives), pp. 61-62 for 1195 (crusade of Alarcos), pp. 70-74 for 1212 (crusade of Las Navas de Tolosa). The crusade of 1212 resulted in a big victory and Innocent hastened to put things in perspective stressing that it was God, not the crusaders who achieved it, p. 72.

alone, crusading in the peninsula became incessant.<sup>76</sup> Gregory IX maintained Honorius' policy of supporting the Spanish crusades.<sup>77</sup> These led to a series of (re)conquests: the Balearics (1229-1231), Quesada and Cordoba (1231-1236), Valencia (1238).<sup>78</sup> During the interregnum between Gregory IX and Innocent IV, Christians conquered the Kingdom of Murcia (1243).<sup>79</sup> In 1248 Innocent IV, who had initially focused his attention on Jerusalem (lost to Latin Christian rule permanently in 1244) once more extended to Spain the crusading indulgences which Lateran IV had granted for crusading in the Holy Land and Fernando III conquered Seville.<sup>80</sup> By the middle of the century only Granada was in Muslim hands.

This was also a very active period of Latin military action in the Baltic. Bernard of Clairvaux had much to do with the extension of papal indulgencies for war against pagans in the European northeast. In 1147, however, the Wendish crusade failed as miserably, as the eastern one.<sup>81</sup> Military action under papal indulgencies carried on, however, with campaigns in 1195 in Estonia, 1198 in Livonia, 1222 and 1223 in Poland and Prussia.<sup>82</sup> Gregory IX and Frederick II granted extensive rights to the Teutonic knights, who were "overwhelmed with assistance;" "the Order was allowed to remit sins on its own account."<sup>83</sup> The thirteenth-century church had much better tools for furthering in the periphery the policies formulated by the center. Teutonic knights worked in close

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<sup>76</sup> Military action took place in 1217, between 1219-1222, and from 1224 until Honorius' death in 1227, O'Callaghan, *Reconquest and Crusade in Medieval Spain*, pp. 79-80 (1217, takeover of Alcácer do Sal), pp. 80-83 (against Valencia, Cáceres, 1219-1222), pp. 83-88 (1224-1227, first crusade of Fernando III).

<sup>77</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 87.

<sup>78</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, pp. 89-92 (Balearics), pp. 92-95 (Quesada and Cordoba), pp. 99-105 (Valencia).

<sup>79</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, pp. 105-107 (Murcia),

<sup>80</sup> O'Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 107 (Innocent IV) pp. 112-116 (Seville).

<sup>81</sup> On the twelfth-century crusades in the Baltic see Christiansen, *The Northern Crusades*, pp. 50-72.

<sup>82</sup> Christiansen, *The Northern Crusades*, p. 81.

<sup>83</sup> Christiansen, *The Northern Crusades*, p. 83.

cooperation with the Friars Minor and the Order of Preachers. A Dominican was described in a chronicle as beginning the devastation of pagan lands during one of the many campaigns.<sup>84</sup> Throughout the thirteenth century the whole Baltic region was transformed by conquest. Between 1200-1292 a territory the size of Britain was added to the lands recognizing the spiritual leadership of the Roman pontiffs.<sup>85</sup>

The same period also saw the use of crusade within Latin Christendom. Innocent III launched the Albigensian crusade (1208-1229). Although it failed to eliminate ‘wrong beliefs’ from southern France, it did cause considerable damage to the dissenters and was not unrelated to the successive appearance of the inquisition as the main papal instrument for dealing with ‘heresy.’<sup>86</sup> ‘Proper’ Christians also became the target of crusades. In 1199 Innocent III “first threatened and then actually ordered, a crusade against Markward of Anweiler and his adherents.”<sup>87</sup> He “worked out all the essential theories and practices” of the crusades against Christians.<sup>88</sup> Best known of this was the crusade against Frederick II. During his first confrontation with Frederick, Gregory IX shied from using a crusade vocabulary, but this was no longer the case in 1239.<sup>89</sup> The war he initiated against the Hohenstaufen then was effectively a series of campaigns under the guise of crusade which lasted until the Hohenstaufen were extinguished in 1268.<sup>90</sup>

In the period under examination here, 1179 - ca. 1250, therefore, the crusade became a widely used ecclesiastical policy tool. It came at a high cost, however.

Problems of organization and financing aside, the costs that mattered to the papacy the

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<sup>84</sup> Christiansen, *The Northern Crusades*, p. 89 for the Franciscans, p. 96 for the Dominicans.

<sup>85</sup> Christiansen, *The Northern Crusades*, p. 93.

<sup>86</sup> Setton, *A History of the Crusades*, II, pp. 277-324.

<sup>87</sup> Setton, *A History of the Crusades*, II, p. 346.

<sup>88</sup> Setton, *A History of the Crusades*, II, p. 348.

<sup>89</sup> Setton, *A History of the Crusades*, II, pp. 348-351.

<sup>90</sup> Setton, *A History of the Crusades*, II, pp. 351-367.

most were not at all economic, but political, and especially religious. Chapter 2 explained that the Second Crusade greatly damaged the reputation of the ecclesiastical leaders and the church as a whole as both the successes and failures of crusades were ultimately attributable to God. It pointed out that a failed crusade reflected very negatively on the ecclesiastical leadership, because it struck the very source of its authority: its function as a mediator between Christians and their God. Indeed, I surmised that the embargo first appeared among the policy instruments of the papacy as a result of the dramatic failure of the Second Crusade. How could the ecclesiastical hierarchy claim a central role in Christian life, and indeed justify its very existence, if God did not support its deeds?

The decline of papal authority in the course of the thirteenth century, and especially after the 1250s, is well-attested. It had long been held that this had much to do with the use of crusades against Christians. Norman Housley, however, has convincingly shown that such an intuitive conclusion finds no support in the available evidence.<sup>91</sup> It was not the use of crusades against Christians, but the failures of such crusades to attain their goals that led to loss of papal prestige. The policy tool of embargo, then, differed from that of crusade not only in the fact that it was permanently deployed. This is a secondary characteristic which was a function of the primary one: as tools of foreign policy, sanctions might not have been effective, but they could be used at little if any cost, because unlike crusades, their failure was attributable not to the church, but to merchants. Turning to the ecclesiastical stance on business at large would not only help

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<sup>91</sup> Norman Housley, *The Italian Crusades. The Papal-Angevin Alliance and the Crusades against Christian Lay Powers, 1254-1343* (Oxford: Clarendon Press, 1982).

clarify this point, but would also allow us to see a different dimension of the papal policy of embargo.

Previous chapters have demonstrated that the documents of papal embargo stressed what we can disentangle for analytical purposes as spiritual matters, not such of foreign policy. I stressed that documents that have been treated as embargo proclamations in fact ban trade with ‘infidels’ only implicitly, by proclaiming the penalty of excommunication for those engaged in that trade. Such Christians were painted as agents of the Devil losing their souls, because of “cruel avarice.” We saw, at the same time, that although by 1191 the embargo had become total in law, papal licenses, justified by the recipients’ “necessity” to trade for purposes of subsistence, made it selective in practice after 1198.

We can now account for the fact that in papal documents any functional concerns were embedded into symbolic ones by inserting this combination within the context of a broader papal struggle to shape Christian attitudes toward economic activity. One might want in fact to understand the papal distinction between “necessity,” on the basis of which licenses were justified and “cruel avarice,” which was blamed for illicit trade, as part of an emerging discourse embedding the ‘economic sphere’ into the religious one. In fact, when Innocent III extended his license to Venice in 1198, distinguishing between trade spurred by “necessity” and trade aimed at profit, he may have been addressing an economic weapon, the embargo, but he focused on it through what many would recognize as an Aristotelian lens. In The *Politics* Aristotle had written: “...business is twofold, as we said, one being proper to trading and the other to household management. The latter is necessary and praiseworthy but the one proper to exchange is justly

blamed....,”<sup>92</sup> thus drawing distinction between justifiable and unjustifiable economic activity. There can be no proof that Innocent was influenced by Aristotle, the relevant works touching upon the matter, *Nicomachean Ethics* and *Politics*, were translated into Latin only in the mid-thirteenth century.<sup>93</sup> It is noteworthy, nevertheless, that Innocent III formulated the first license that reduced to a selective embargo what had recently become a total one by drawing a line between legitimate and illicit economic activity.

Early medieval church tradition had allowed trade to the laity only as an “evil necessity,” while interest was its declared enemy; indeed little distinction had been made between profits from commercial and financial activities.<sup>94</sup> Just a decade prior to Innocent’s wording of the first papal license, those entirely negative views of commerce, which can be found as early as Pope Leo I (440-461) were awarded a place in both Gratian’s *Decretum* and Peter Lombard’s *Sentences*.<sup>95</sup> At the same time, religious groups – Humiliati, Waldensians, Beguines – emerged ‘from below’ in response to novel economic realities.<sup>96</sup>

In the thirteenth century, new responses were being formulated at the very center of the Church. Aquinas, one of the most important canonists, Hostiensis, and even ‘hardliners’ such as the spiritual Franciscan Olivi, came to equate the old concept of ‘just

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<sup>92</sup> *The Politics of Aristotle*, translated by Peter L. Phillips (Chapel Hill: University of North Carolina Press, 1997), 1.10, p. 27.

<sup>93</sup> Liana Farber, *An Anatomy of Trade in Medieval Writing. Value, Consent, and Community* (Ithaca: Cornell University Press, 2006), pp. 18-19. On this work see my forthcoming review in *Comparative Studies in Society and History*. There was strong opposition to Aristotelianism in Paris at the time of Innocent’s studies and pontificate; his position on the issue is unclear, Tillman, *Pope Innocent III*, p. 3 and p. 12 n. 35.

<sup>94</sup> John Gilchrist, *The Church and Economic Activity in the Middle Ages* (London: Macmillan, 1969), p. 55.

<sup>95</sup> Farber, *An Anatomy of Trade*, p. 15.

<sup>96</sup> See for example, Little, *Religious Poverty and the Profit Economy*, pp. 113-145.

price' with current market price (the prevailing price, "pretium quod invenit").<sup>97</sup> By the 1270s even the stance on "usury" had begun to evolve, albeit slowly.<sup>98</sup> The Friars Minor and the Order of Preachers rejected wealth, yet lived 'in the world,' catering to the needs of urban populations from the midst of which many of them had come,<sup>99</sup> and formulated rules for living with the new economic and social realities. In Lester Little's words, they created an "urban spirituality."<sup>100</sup>

The Church may have adapted to the new economic realities, but it had no intention to bow to them by sanctioning "cruel avarice" that is, profit-driven economic activity. Instead, ecclesiastical policy-makers devised a new and effective line of attack, based on the supposed intention behind the exercise of economic activity. At the very moment that Innocent III issued the license to Venice that stressed the "necessity" of trade to the life of that city, canonists, the same who introduced the embargo into canon law, began to distinguish between trade through which a merchant might sustain a family and trade aimed at profit.<sup>101</sup> Thus apparent 'concessions' to merchants and trade did not

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<sup>97</sup> They focused their indignation not so much on business in general as on monopolies and price fixing where church and lay authorities alike tried to prevent the guilds from using their monopoly powers to purchase below and sell above the current market price. On the just price and monopolies: Raymond de Roover, "The Concept of the Just Price: Theory and Economic Policy," *The Journal of Economic History* 18 (1958, 4): 418-434 and John W. Baldwin, *The Medieval Theories of the Just Price: Romanists, Canonists, and Theologians in the Twelfth and Thirteenth Centuries* (Philadelphia: American Philosophical Society, 1959). See also Gilchrist, *The Church and Economic Activity*, pp. 58-62, Odd Langholm, *Economics in the Medieval Schools. Wealth Exchange, Value, Money, and Usury according to the Paris Theological Tradition 1200-1350* (Leiden: Brill, 1992), particularly pp. 221-227, 345-373, also, Diane Wood, *Medieval Economic Thought* (Cambridge: Cambridge University Press, 2002), pp. 132-158. Revival of Roman law likely had to do with this, for the *Digest*, as pointed by Wood, p. 135, "... affirmed that the value of a thing was the price for which it could be sold, in other words, the current market price."

<sup>98</sup> Hostiensis, whom Dante met in *Paradise*, was probably the first important church member to admit that interest had a place in business, Wood, *Medieval Economic Thought*, pp. 191, 215.

<sup>99</sup> At least in the realms of Aragon Franciscans came mostly from the ranks of merchants and, in some places, from those of the nobility, Jill R. Webster, *Els Menorets. The Franciscans in the Realms of Aragon from St. Francis to the Black Death* (Toronto: Pontifical Institute of Medieval Studies, 1993), pp. 137-148.

<sup>100</sup> Little, *Religious Poverty and the Profit Economy*, pp. 173-183.

<sup>101</sup> See for example, Gilchrist, *The Church and Economic Activity*, p. 56. The distinction itself is well-attested, but it has not been studied within the context of papal policies at large, just as is the case of the embargo. The purposes of its deployment have not been well-explained, or even well-studied.

alter a fundamental ecclesiastical position: trade engaged in for material enrichment was not licit.

Before we can finally turn to re-assessing the purposes of papal embargoes, we must briefly raise a few more questions. We saw in Chapter 2 that in the latter half of the twelfth century the papal embargo against Muslims found its economic rationale in the fact that the southern and eastern shores of the Mediterranean were poor in both iron, the raw material for the fabrication of arms, and timber, from which ships were made. On the other hand, Chapter 3 argued, among other things, that no clear concept of contraband and no clear definition of ‘state of peace’ existed and that the only constant feature of the papal embargo was to underline that trade with Muslims was allowed only under papal benevolence and under a condition of ‘need.’ We saw in this chapter that the application of the embargo against Muslims to the eastern and northern frontiers of Latin Europe did not take local ecological realities into account. Timber was contraband both where it was really scarce (in the Muslim Mediterranean) and where it was abundant (Balkans, Baltic area). Was there a functional reason for this?

Historically, the definition of contraband has, after their effectiveness, been the second most important issue in the debate on embargoes. Since the time of Napoleonic wars, the construction of ever-longer lists of contraband items became increasingly more difficult. Foodstuffs posed the biggest problem, since to declare them “contraband would be tantamount to a public effort to starve the civilian population of the adversary.”<sup>102</sup> A partial solution to the problem was to distinguish between absolute and partial contraband, until a British list from 1939 “killed the concept” by including almost all

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<sup>102</sup> T. Forland, “Economic Warfare...,” p. 199.

possible items.<sup>103</sup> Finally, economic theory has long discredited the notion of “war items:” trade always leads to more efficient use of resources (which does not necessarily equate with most desirable outcomes), hence the halt of all trade is necessary to achieve a maximum impact on the target’s economy.

Medieval policy makers, however, could hardly have rationalized the effectiveness of a total embargo in terms of economic theory. In fact, Sanudo as well as others thought that the goal of complete prohibitions of trade was to deprive a ruler of the income received through the taxation of such trade. We can easily see in the sultan of Cairo the recipient of taxes from western trade in Egypt and tolls exacted from pilgrims, all gathered by a centralized administration in well-specified places. But what about trade with neighboring Muslims in Spain or with pagans in the Baltic? How is it that papal legates, local clergy, and Franciscan friars alike excommunicated Genoese, Venetian, and Spanish merchants for any trade with any Muslims even when the papacy allowed most trade? Why did the papacy often include victuals among the banned items? Why was a policy which was born out of the ecologic and economic realities of the Southern Mediterranean applied to the Balkans and the Baltic (and, as Chapter 6 will show, to Sub-Saharan Africa) without any regard for the local realities in those region?

The frequent appearance of the expressions “cruel avarice” and “[economic] necessity” in papal embargo-related documents is significant because it relates to some of the major concerns that shaped broader ecclesiastical policy at the time when the embargo was being forged as a papal policy instrument. It does not fully explain, however, why functional concerns figured last among those that produced the papal embargoes. If papal policymakers acted in accordance with a ‘spiritual rationality,’ if the

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<sup>103</sup> T. Forland, “Economic Warfare...,” p. 200.

church treated what we call economic matters as a footnote to spiritual ones, should we not turn our attention from that which was treated as ‘embedded’ to that which ‘embedded’ it?

#### **4.4. The Hidden Layers of the Papal Embargo**

We know from previous chapters that the decisions of church councils and papal decretal letters submitted all those who would contravene papal embargo legislation to an *ipso iure* excommunication that only the pope could lift. If ecclesiastical policymakers were comparatively unconcerned with the ability of their embargoes to affect the military power of enemies, why is it that they subjected embargo-trespassers to the harshest of ecclesiastical penalties?<sup>104</sup> What, in their policy of embargo, which as a foreign policy tool was poorly conceptualized and unsystematically applied, was so important to them?

Excommunication was both a religious stricture and a form of social ostracization. The sentence put the excommunicate at a lower level than an ‘infidel.’ As Bernard of Clairvaux noted: “the Church dare not pray openly for them [the excommunicates], although she prays faithfully for Jews, heretics, and pagans. For on Good Friday when she prays for each kind of sinner by name, she makes no mention of the excommunicated.”<sup>105</sup> With Gregory VII the punishment had come to affect feudal relationships and entail deposition.<sup>106</sup> Although their ability to communicate with the

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<sup>104</sup> I use “embargo-busters” following Naylor, *Economic Warfare. Sanctions, Embargo Busting, and Their Human Cost*.

<sup>105</sup> Bernard of Clairvaux, *Selected Works*, Translated by G.R. Evans (New York: Paulist Press, 1987), p. 142.

<sup>106</sup> Elizabeth Vodola, *Excommunication in the Middle Ages* (Berkeley: University of California Press, 1986), pp. 20-23. Gregory, however, lessened some of the burden of excommunication as he allowed wives, children, and servants to continue their relationships with excommunicates, p. 24.

faithful in extrajudicial matters caused much controversy and no clear policy was adopted,<sup>107</sup> excommunicates were deprived of judicial rights throughout the period.<sup>108</sup>

Conceptualized as a threat to the health of the faithful, excommunicates were to be shunned as contaminants. Already Pope Gelasius I (492-496) “might be said to have created an ideology on excommunicates’ contagion.”<sup>109</sup> Already in the early history of the church excommunication could lead to exclusion from “commerce, litigation, military pursuits, and public baths, games, and feasts.”<sup>110</sup> Interestingly enough, Huguccio, perhaps the most influential twelfth century commentator of the *Decretum*, thought that vassals could not fight for their excommunicate lord, or visit him, travel, eat, or drink with him although he thought that they had no right to suspend paying their dues.<sup>111</sup> The economic aspects of the sentence of excommunication – where present – were a function of the desire to curtail contact between the excommunicate and the body of the faithful.<sup>112</sup>

The papal use of the sentence of excommunication in general and for trade with ‘infidels’ in particular should in fact be seen not in isolation, but as one part of a broader legislation on relations between Christians and non-Christians. This legislation acted

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<sup>107</sup> Vodola, *Excommunication*, pp. 128-158. For example, while Gregory VII and Urban II appear to suggest that debts to excommunicated creditors were not to be repaid, Huguccio, perhaps the most influential twelfth century commentator of the *Decretum*, sustained the opposite view, *ibidem*, pp. 129-130. In the mid-thirteenth century Innocent IV relaxed the provisions of the excommunication against repentant excommunicates while another influential and well-known canonist, Hostiensis, disproved of any repayment of debt prior to absolution, *ibidem*, pp. 149-150. Some canonists thought that the testamentary rights of excommunicates were to be curtailed or abolished, whereas others disagreed, pp. 157-158.

<sup>108</sup> Vodola, *Excommunication*, pp. 70-111.

<sup>109</sup> Vodola, *Excommunication*, p. 16.

<sup>110</sup> Vodola, *Excommunication*, p. 10.

<sup>111</sup> Vodola, *Excommunication*, pp. 67, 130, 219.

<sup>112</sup> The purpose of the sentence of excommunication, however, as well pointed by Pope Innocent IV and other canonists, was ultimately ‘medicinal,’ it was “meant for the restoration to spiritual health of the person subjected to it.” Quotation from R. H. Helmholtz, “Excommunication as a Legal Sanction: the Attitudes of the Medieval Canonists,” *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung* 68 (1982): 202-218. This is a methodologically useful article, too. It questions the tendency to seek a period in which the sentence “worked” and, conversely, “broke down,” and points that the question whether it “worked” cannot be answered simply: “The canonists did not envision that excommunication should have worked in the immediate sense of bringing all those sentenced to immediate and public obedience.” *Ibidem*, p. 218.

against non-Christians in a way very similar to that in which the sentence of excommunication was deployed against disobedient Christians. It aimed at curtailing contact between the faithful it identified and the Other it constructed. Understanding the withdrawal of trade with the latter as one part of such a larger program will allow us to re-think the goals, and eventually, the effects of the papal employment of this policy.

Christian relations with those outside the faith had long been a subject of interest and debate, one informed by the understanding of Christianity's proselytizing mandate. In the *Decretum*, Gratian cites Augustine's opinion that social intercourse was necessary: Christians could not lure 'infidels' to Christ if they did not talk to them and did not live with them, Christ himself "ate and drank with publicans and sinners."<sup>113</sup> Especially difficult was the Christian's relationship with Jews. Augustine thought that "God allowed the Jews to survive and live among Christians because they played the multifaceted role of 'witness.'<sup>114</sup> The medieval Church built on Augustine's view to sanction the existence of Jewish communities within Latin Europe. Gregory I's bull offering Jews such Augustinian protection,<sup>115</sup> had been reissued by fifteen further popes by the end of the thirteenth century (*Liber Extra* includes that of Clement III).<sup>116</sup> Jews became the only non-Christians whose existence was sanctioned by Christian law and whom Christians were meant to tolerate. Unlike the comparatively clear way in which

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<sup>113</sup> "Infideles non possumus Christo lucrari, si colloquium eorum vitamus et convivium. Unde et Dominus cum publicanis et peccatoribus manducavit et bibit." C23.q4.c17 (Friedberg, I, 905).

<sup>114</sup> Mark Cohen, *Under Crescent and Cross. The Jews in the Middle Ages* (Princeton, N.J.: Princeton University Press, 1994), p. 37.

<sup>115</sup> Their "freedom from forced baptism, protection of persons and property from unwarranted assault, the unimpeded right to practice Judaism, and the inviolability of Jewish cemeteries," Cohen, *Under Crescent and Cross*, p. 37.

<sup>116</sup> And occasionally, popes even 'innovated' by adding to the bull clauses protecting Jews from new threats as did Innocent IV against the blood libel Cohen, *Under Crescent and Cross*, p. 37.

Islam dealt with ‘people of the Book,’ however, the actual extent of Christian toleration was never clearly defined.<sup>117</sup>

A fear of ‘pollution’ prompted church councils to effectively disagree with Augustine’s idea that Christians ought to communicate with infidels so as to be able to convert them. Presided over by Isidore of Seville, the last of the Latin Church Fathers, the Fourth Council of Toledo (633) sought the means to achieve Isidore’s ambition of eradicating the practice of Judaism from the Visigothic kingdom.<sup>118</sup> It accordingly legislated the termination of Christian-Jewish marriages (the children were to go with the Christian parent and thus follow “the Christian religion, not the Jewish superstition”).<sup>119</sup> Isidore innovated when declaring that children of non-Christian parents were to be given to monasteries or Christian women and separated from their parents in order not to follow in their “errors.”<sup>120</sup> Another innovation was also his exclusion of Jews from public office.<sup>121</sup> Communication between converted Jews and their former co-religionists were forbidden.<sup>122</sup>

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<sup>117</sup> “Early Christian Jewry law is summed up by this toleration of Judaism – the legacy of Rome – qualified by intolerant language and restrictions which aimed at preserving Christian supremacy over the Jews,” Cohen, *Under Crescent and Cross*, pp. 35. Although in the early middle ages Jews were generally distinguished from Christians more in ecclesiastical legislation than in practice, Leo VII (936-939) admitted the possibility of expelling the Jews from Christian communities under pretext that Christians were not to communicate with “the Lord’s enemies,” *ibidem*, pp. 109-110.

<sup>118</sup> On the anti-Jewish decisions of this council see Albert Bat-sheva, “Isidore of Seville: His Attitude Towards Judaism and His Impact on Early Medieval Canon Law,” *The Jewish Quarterly Review* 80 (1990, 3-4), pp. 207-220.

<sup>119</sup> “...Christianam sequantur religionem, non Iudaicam supersticionem.” C28.q1.c10 (Friedberg, I, 1087).

<sup>120</sup> “Tudeorum filios vel filias, ne parentum ultra involvantur erroribus, ab eorum consortio separari decernimus, deputatos aut monasteriis, aut Christianis mulieribus ac viris, Deum timentibus, ut sub eorum conversatione cultum fidei discant, atque melius instituti tam in moribus quam in fide proficiant.” C28.q1.c11 (Friedberg, I, 1087). On this canon see Bat-sheva, “Isidore of Seville...,” and especially p. 215 n. 33, and p. 216 n. 37.

<sup>121</sup> C17.q4.c31 (Friedberg, I, 823), see Bat-sheva, “Isidore of Seville...,” especially p. 215 n. 34 and pp. 217-218.

<sup>122</sup> C28.q1.c12 (Friedberg, I, 1087). See Bat-sheva, “Isidore of Seville...,” especially p. 216, n. 39.

All of this is not to imply that the history of the attitude of ecclesiastical policymakers towards non-Christians is to be seen as a linear process that culminated in the *Decretum*, the Third and Fourth Lateran Councils and the *Liber Extra*. Toledo IV was, in its time, an unusual council. Whatever the specific context and the practical consequences of early medieval legislation at the time of its promulgation, however, what matters here is that it was ‘resuscitated’ as a building block of policies in our period.

Wary of “damnable mingling” between the faithful and the Other it sought to construct, the Fourth Lateran Council re-invigorated such policies. In creating a barrier between Christians and Jews, however, it also blurred the special status that Augustine had established for them by treating them in the same category as Muslims. According to Canon 68 both Jews and Muslims were to be distinguished from Christians in dress because:

...it sometimes happens that by mistake Christians join with Jewish or Saracen women, and Jews or Saracens with Christian women. In order that the offence of such a damnable mixing may not spread further, under the excuse of mistake of this kind, we decree that such persons of either sex, in every Christian province and at all times, are to be distinguished in public from other people by the character of their dress....<sup>123</sup>

Subsequent popes tried to apply this policy beyond the core. Cumans and Christians are indistinguishable, Gregory IX complained in a letter to the church of Hungary, hence they marry each other.<sup>124</sup> In a letter to the church in Poland, the same pope forbade Christians from marrying Ruthenians (non-Catholic Slavic speakers). In an expression that best encapsulates the provisions of the church discussed here, Gregory stated that “it

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<sup>123</sup> Tanner, *Decrees*, 266. As James Powell writes, this was the most important of the measures taken under Innocent III to regulate Christian-Muslim relationships, Powell, “The Papacy and the Muslim Frontier,” p. 190.

<sup>124</sup> To the archbishop of Ezstergom, *Acta Honorii III et Gregorii IX*, #164, pp. 216-217 (3 Mar 1231).

is unseemly for the body of Christ the Savior to mingle with that of Satan the Damned.”<sup>125</sup>

Ecclesiastical attempts to curtail the relationships between Christians and non-Christians covered all aspects of daily life. The council “in Trullo” of 692 legislated that no Christian cleric or lay person was allowed to have a meal with a Jew, live with a Jew, bathe with a Jew, or receive medicine from a Jew. Non-compliant clerics were to be deposed; non-compliant lay people were to be excommunicated, Gratian’s *Decretum* passed on these measures to the central middle ages,<sup>126</sup> when they emerge in the political action of Pope Innocent III. In 1205 Innocent wrote to the archbishop of Sens and the bishop of Paris the very influential “Etsi Iudeos,” which was to become part of Canon law (X 5.6.13) and would be regularly quoted by later canonists. The Jews, explained Innocent, submitted themselves to perpetual servitude for crucifying Christ.<sup>127</sup> Christian piety, the pope goes on, allows their acceptance. Innocent labeled the Jews in France as “arrogant;” they “commit excess in insult to the Christian faith.”<sup>128</sup> He specifically pointed to the use of Christian wet-nurses and servants. Christians who had any form of business with Jews employing Christian *nutrices* and servants were to be

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<sup>125</sup> “Verum, quia nec pati volumus nec debemus quod fideles pefidis matrimoniali copula coniugantur, eo quod lux ad tenebras conventio non existat, nec deceat membra Salvatori Christi membris sathanae perditu sociari, aut picem cum balsa[mis?] commisceri....” Letter to the prior of the Dominicans in Poland, *Acta Honorii III et Gregorii IX*, #186, pp. 258-259 (24 Feb 1233). Quotation from p. 258.

<sup>126</sup> “Nullus eorum, qui in sacro sunt ordine, aut laicus azima eorum manducet, aut cum eis habitet aut aliquem eorum in infirmitatibus suis vocet, aut medicinam ab eis percipiat, aut cum eis in balneo lavet. Si vero quisquam hoc fecerit, si clericus est, deponatur, laicus vero, excommunicetur.” C28.q1.c13 (Friedberg, I, 1087). Trullo, from the hall of the imperial palace in Constantinople, where the council met. Earlier councils, such as the one that met in Agde, in Gaul, in 506, had already proclaimed similar measures, C28.q1.c14 (Friedberg, I, 1087-1088).

<sup>127</sup> “Etsi Iudeos, quos propria culpa submitit perpetue servituti, cum Dominum crucifixerint....” *Die Register Papst Innocenz’ III*, VIII, #122, p. 221 (15 Jul 1205).

<sup>128</sup> “Accepimus autem, quod Iudei, quos gratia principum in suis terris admisit adeo facti sunt insolentes, ut illos committant excessus in contumeliam fidei christiane....” *Register Papst Innocenz’ III*, VIII, #122, p. 221 (15 Jul 1205).

excommunicated.<sup>129</sup> Similarly, in 1207 Innocent wrote the bull “Against the Jews:” against their employment, their “usury,” and their communication with Christians at large.<sup>130</sup> He lamented the sale of milk for infants by Jewish *mulierculis*; and Jewish wine-making practices.<sup>131</sup> The identification of people according to the religious law they followed and the fear of ‘pollution’ that cannot be disentangled from it again ensued in legislation against relationships between Christians and non-Christians.

The Church also tried to eliminate situations in which non-Christians could be seen as having higher status than Christians. This included both the ban on Jewish ownership of Christian slaves, discussed in Chapter 2, and the exclusion of Jews and other non-Christians from public offices. Canon 69 of the Fourth Lateran council proclaimed that “It would be too absurd for a blasphemer of Christ to exercise power over Christians” and went on to renew the provisions of the Council of Toledo of 589 which had forbidden Jews from appointment to public office.<sup>132</sup> Lateran IV further resorted to an economic tool to coerce compliance: “Any official so appointed shall be denied commerce with Christians in business and in other matters until he has converted....”<sup>133</sup> Its decree, however, differed in an important aspect from that of the council of Toledo, for it concluded by stating “We extend the same thing to pagans.”<sup>134</sup>

Innocent III, Honorius III, and Gregory IX all condemned Christians using ‘infidels’ to fight other Christians on a continental scale. In 1198 Innocent III instructed his legate in Spain to excommunicate Sancho VII the Strong, King of Navarre (1194-

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<sup>129</sup> “Si vero Iudei nutrices et servientes non dimiserint christianos vos auctoritate nostra suffulti sub excommunicationis pena inhibeat districte omnibus Christianis, ne cum eis commercium aliquod audeant exercere.” *Register Papst Innocenz’ III*, VIII, #122, p. 222 (15 Jul 1205).

<sup>130</sup> “Adversus Judaeos,” PL 215, cols. 1291-1293 (17 Jan 1207).

<sup>131</sup> PL 215, col. 1292.

<sup>132</sup> Tanner, *Decrees*, 266.

<sup>133</sup> Tanner, *Decrees*, 266-267.

<sup>134</sup> Tanner, *Decrees*, 267.

1234) and to interdict his lands if he found it to be true that the king had employed Muslims against Christians, in particular against Castile.<sup>135</sup> Nor did Innocent overlook Sicily, another area of common Christian contacts with Muslims, accusing enemies of Frederick II of employing Muslim soldiers, who allegedly killed Christians and took their pleasure with captured Christian women.<sup>136</sup> Later, one of Gregory IX's complaints against the emperor himself was his use of Muslims against Christians.<sup>137</sup> In 1227 Gregory ordered his subordinates in Poland to use ecclesiastical sanctions to compel the Polish princes to stop using pagans against Svetopolk, prince of Gdansk;<sup>138</sup> similar concerns were extended to Livonia.<sup>139</sup>

The issues of marriage, war, public office, trade, cohabitation, common meals, bathing, and medical care, did not exhaust the aspects of Christian-'infidel' relationships that early thirteenth-century popes addressed. In 1199 Innocent III wrote to a number of Spanish bishops warning them about what he thought were the negative effects of interdicts.<sup>140</sup> Gregory IX wrote to the Spanish bishops on another aspect of Christian relationships with 'infidels.' Apparently, some Christians in Spain had prohibited the

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<sup>135</sup> *Die Register Papst Innocenz' III*, I, #92, pp. 132-134 (16 Apr 1198). In 1212 he instructed the archbishops of Toledo and Compostella to work for peace between the various Christian kings in Iberia and against the employment of Muslims, PL 216, col. 553 (5 Apr 1212), also in Demetrio Mansilla Reoyo, ed., *La documentación pontificia hasta Inocencio III (965-1216)* (Rome: Instituto Español de Estudios Eclesiásticos, 1955), doc. 471, pp. 501-502. Hungary was another area where Muslims and pagans (Cumans) were regularly employed in the royal armies, Nora Berend, *At the Gate of Christendom. Jews, Muslims and 'Pagans' in Medieval Hungary, c.1000-c.1300* (Cambridge: Cambridge University Press, 2001), pp. 140-148.

<sup>136</sup> *Die Register Papst Innocenz' III*, II, p. 413 (24 Nov 1199).

<sup>137</sup> *Les Registres de Grégoire IX*, #249 (30 Nov 1228); #258 (21 Dec 1228).

<sup>138</sup> *Les Registres de Grégoire IX*, #75 (5 May 1227). In 1232 he ordered the archbishop of Gniezno and the prior of the Order of Preachers in Poland to take measures against the use of Cumans and Ruthenians in the Polish armies, *Acta Honorii III et Gregorii IX*, #188, p. 260 (27 Feb 1232).

<sup>139</sup> *Les Registres de Grégoire IX*, #2287, cols. 1201-1209, specifically col. 1205 (20 Nov 1234).

<sup>140</sup> Namely, lack of instruction against heretics, reduced devotion in the war against Muslims due to the lack of sermons on the subject, the fact that laymen withdraw *temporalia* from the clergy just as the clergy withdrew *spiritualia* from them. As a result, the clergy was (allegedly) forced not only to beg, but also to "serve Jews in disgrace of the church and Christianity "...non solum mendicare, sed fodere et servire Iudeis in ecclesie et totius Christianitatis opprobrium..." *Register Papst Innocenz' III*, II, #72, pp. 126-134, specifically p. 131 (1199).

sale of victuals and other goods to the important military order of Santiago.<sup>141</sup> With St. James as its patron this was the most important of the Spanish military orders.<sup>142</sup> Consequently, Gregory ordered the Spanish clergy to act against these Christians.<sup>143</sup> He complained to the archbishop of Gniezno on a related matter. The princes of Poland had invented “a new way to molest the common people,” he claimed, by requiring them to take care of falcons and beavers and then fining them severely if the animals escaped; such people in turn escaped to the non-Catholic Ruthenians.<sup>144</sup>

Canon law can help clarify the goals of ad-hoc decisions and decretal letters.<sup>145</sup> In law, the ecclesiastical attempt to re-shape society, initiated at the Third Lateran Council in 1179, culminated with the promulgation of the *Liber Extra* in 1234. Introduced in the previous chapter, the *Liber Extra* and Gratian’s *Decretum* formed the bulk of the code of canon law that was in force for (Roman) Catholic Christians until 1917. Title 6 of *Liber Extra*’s book 5 is dedicated to Christian relationships with Jews and Muslims and the latter’s place in Christian society.

The composition of this section, which consists of nineteen individual decretals (*capitulate*) arranged in chronological order, is telling. It opens with late sixth-century prohibitions against Jews owning Christian slaves and erecting new synagogues.<sup>146</sup> The *Liber Extra* then continues with Alexander III’s order to Jews to close their windows and

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<sup>141</sup> Reg. Vat. 17, f240v (4 Dec 1234), *Les Registres de Grégoire IX*, #2300.

<sup>142</sup> Well-endowed in the Kingdom of León, O’Callaghan, *Reconquest and Crusade in Medieval Spain*, p. 54.

<sup>143</sup> Reg. Vat. 17, f240v (4 Dec 1234), *Les Registres de Grégoire IX*, #2300.

<sup>144</sup> “Novum genus molestiae dicuntur circa pauperes Poloniae principes invenisse, videlicet quod ipsorum custodiae castores et falcones, qui si solita nidorum loca relinquerint, sequentes nativae spiritum liberatis...pauperos ipsos in septuaginta marcharum poena condemnant.... Nam cum iniquam et inauditam pati non valeant servitutem, ad perfidiam Rutenorum et Prutenorum transeunt, cohabitatione fidelium derelicta....” *Acta Honorii III et Gregorii IX*, #187, pp. 259-260 (25 Feb 1233). Quotation from p. 259.

<sup>145</sup> One should remember, however, that decretal letters served as precedent law and that hence the decisions they contained could be applied to a greater variety of circumstances than the letters suggest at a glance.

<sup>146</sup> X 5.6.1-3 (Friedberg, II, 771-772).

doors on Holy Friday.<sup>147</sup> Four decretals taken from Lateran III follow next. The first pronounces a sentence of excommunication against any Christian who would serve in the house of Jews, Muslims, or pagans.<sup>148</sup> Then in the full text and with only stylistic differences appears the decision of the Third Lateran council restricting trade with Muslims.<sup>149</sup> One of the following chapters forbids Christian women from breastfeeding Jewish children, “because continuous communication and incessant intimacy” may lead “simple minds” to the “superstition and perfidy [of the Jews].”<sup>150</sup> We then reach the two bulls of Clement III discussed in Chapter 3. The one allowing the delivery of goods to Muslims in order to ransom Christian captives is followed by the implicit proclamation of a total embargo.<sup>151</sup> The embargo is in turn followed by Innocent III’s “Etsi Iudeos,” which prohibited Christians from serving Jews and which prohibited business relations with Jews who would hire Christians.<sup>152</sup> Shortly afterwards follows Lateran IV’s provision mandating that Jews and Muslims dress differently from Christians in order to prevent “the damnable mingling” that could result if Christian men mistake Jewish or Muslim women for Christian women and vice-versa.<sup>153</sup> Of the final chapters, one is a re-statement of the Fourth Lateran’s re-affirmation of the partial embargo on trade with Muslims proclaimed back in 1179.<sup>154</sup> Another features Lateran IV’s prohibition against Jews and pagans holding public office, non-compliance led to denial of the right to do

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<sup>147</sup> X 5.6.4 (Friedberg, II, 772).

<sup>148</sup> X 5.6.5 (Friedberg, II, 773).

<sup>149</sup> X 5.6.6 (Friedberg, II, 773).

<sup>150</sup> A paraphrase, for stylistic reasons, of: “...ob continuam conversationem et assiduum familiaritatem...ad suam superstitionem et perfidiam simplicium animos inclinarent.” X 5.6.8 (Friedberg, II, 773-774).

<sup>151</sup> X 5.6.11-12 (Friedberg, II, 775).

<sup>152</sup> Christians were denied “any business” with non-compliant Jews under penalty of excommunication: “...Si vero *Iudaei* nutrices et servientes non dimiserint Christianos...sub excommunicationis poena inhibeat districte omnibus Christianis, ne cum eis commercium aliquod audeant exercere.” X 5.6.13 (Friedberg, II, 775-776). The same penalty is stipulated for a Jew who attacks a Christian and is not punished by the “secular arm,” X 5.6.14 (Friedberg, II, 776).

<sup>153</sup> X 5.6.15 (Friedberg, II, 776-777).

<sup>154</sup> X 5.6.17 (Friedberg, II, 777-778).

business with Christians. The section that covers Muslims, Jews, and pagans is followed by a section on ‘heretics,’ which is in turn followed by one on ‘schismatics’ and another on ‘apostates.’<sup>155</sup>

Throughout the thirteenth century, the canonists stressed the importance of discriminatory legislation by insisting upon it in their writings. Raymond de Penyafort opened his section on how Christians were to relate to Jews by clearly stating that they must not have meals with them, feast with them, or live with them.<sup>156</sup> He also stressed that Christians must not call Jewish doctors or bathe with Jews.<sup>157</sup> Gottofredo da Trani made the same points,<sup>158</sup> and Hostiensis insisted on the need to perpetually abstain from communication between Christians and Jews “so that the simple ones are not corrupted by them,” and re-iterated the points about doctors, bathing, and eating.<sup>159</sup> The canonists, moreover, clearly exposed the penalty that in-compliant Jews were to suffer: they were to be cut off from economic ties with the Christian community.<sup>160</sup>

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<sup>155</sup> X 5.7.1-6 (Friedberg, II, 778-790) on heretics, X 5.8.1-2 (Friedberg, II, 790) on schismatics, X 5.9.1,3,5-6 (Friedberg, II, 790-792) on apostates.

<sup>156</sup> “Circa eos debent se habere christiani hoc modo...: non debent comedere cum iudaeis, neque habitare, neque recipere eos ad convivia sua...” Raymond de Penyafort, *Summa de Paenitentia*, col. 310.

However, he points to divergent opinions on whether Christians could have common meals with ‘Saracens;’ some allowed this, others did not.

<sup>157</sup> Raymond de Penyafort, *Summa de Paenitentia*, col. 311.

<sup>158</sup> Gottofredo da Trani, *Summa*, p. 412.

<sup>159</sup> “Tertio, ut ipsi a communione christianorum assidua abstineant ne simplices ab eis corrumpantur.” Hostiensis, *Summa*, f236r. Point number eight is about doctors and bathing; point number nine is the about eating.

<sup>160</sup> Raymond de Penyafort, *Summa de Paenitentia*, col. 312, Gottofredo da Trani, *Summa*, p. 413, Hostiensis, *Summa*, f236v also pointed to the above cited and discussed bull “Etsi Iudeos,” promulgated by Innocent III in 1205, which made this point. Pope Innocent IV, moreover, became the first to coherently discuss the relations between the papacy and ‘infidels’ outside Latin Christendom. He became the first pope to explicitly claim that it was up to the papacy to enforce orthodoxy for the Jewish communities, to enforce natural law among ‘infidels,’ and to take care of their spiritual needs, James Muldoon, *Popes, Lawyers, and Infidels* (Philadelphia: University of Pennsylvania Press, 1979), pp. 10-11, 30-31. He also wrote to the Muslim rulers of North Africa asking that they guarantee the safety of Christians in their lands, Mas-Latrie, *Traité de paix et de commerce...*, II, #14 p. 13 (25 Oct 1246), Tunis; #15, pp. 14-15 (31 Oct 1246) and #17, pp. 16-17 (16 Mar 1251), Morocco.

Scholars such as Norman Daniel have also recognized the importance of these canons noting that “The purpose of all these canons was primarily to insulate Christians from every means of communication with the Arab communities left on Christian soil, and from the outer Arab World.”<sup>161</sup> However, we need to extend their range. As James Muldoon has masterfully put it: “The canonists tended to lump together the various kinds of people who were not members of the Church, so that legal principles and practices developed for dealing with one class of people defined as *extra ecclesiam* were applied to another class.”<sup>162</sup>

What unified papal legislation on the separation between Christians and non-Christians was a concept of boundary and religious ‘pollution.’ ‘Infidels’ were not allowed to own Christian slaves, for example, because of the danger that these slaves could be converted, and hence lose their souls. Mixed marriages, cohabitation or common meals with non-Christians, and bathing with ‘infidels’ were all banned under one or another form of the pretext of ‘pollution.’

‘Wrong beliefs’ (‘heresies’), furthermore, were also seen as a disease. In fact, Lateran III not only legislated on trade with Muslims and Jewish ownership of Christian slaves, but also marked the start of a period when legislation and action against lepers proliferated. It has been noted that from the eleventh century the attempts to marginalize Jews went hand in hand with a tendency to do so with lepers, “an association that reinforced their status as outsiders.”<sup>163</sup> Such legislation could also extend to those mutilated or having St. Anthony’s fire.<sup>164</sup> Just as the sentence of excommunication very

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<sup>161</sup> Daniel, *The Arabs and Medieval Europe*, pp. 263-264.

<sup>162</sup> Muldoon, *Popes, Lawyers, and Infidels*, p. 3.

<sup>163</sup> Cohen, *Under Crescent and Cross*, p. 110.

<sup>164</sup> Moore, *The Formation of a Persecuting Society*, pp. 49-54.

visibly excluded the ‘wrong doer’ from the community of the faithful, so lepers were ostracized through a “ritual of separation from the community, modeled on the rite for the dead....”<sup>165</sup> Leprosy, after all, was considered primarily a spiritual condition.<sup>166</sup> For Innocent IV, “his responsibility for Christians meant that he could not allow non-Christians living in Europe to endanger the souls of Christians who lived around them.”<sup>167</sup>

Augustine may have favored contacts with non-Christians, confident in the Christians’ power to guide Others to the path of salvation. Fearing contamination of the soul, the reformed Church preferred instead to delegate such tasks to ‘specialists.’ The Order of Preachers was formed to spread the message against ‘wrong believers.’ Gregory IX specifically allowed the Friars Minor in lands of ‘infidels’ to communicate with “excommunicates” in matters of benefit to the souls,<sup>168</sup> a permission that later became commonplace.

The papacy was not content to codify its ideals; it actively pursued these policies. Honorius III, for example, wrote to King András (Andrew) II of Hungary (1205-1235) complaining that the latter allowed Jews and pagans to hold public offices, Jews and ‘Saracens,’ to have Christian servants; Honorius, moreover, expressed concern with the loss of Christian souls.<sup>169</sup> Gregory IX followed suit in 1231, when he ordered the

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<sup>165</sup> Moore, *The Formation of a Persecuting Society*, pp. 54-55.

<sup>166</sup> Moore, *The Formation of a Persecuting Society*, p. 57. Indeed already in the twelfth century “The analogy between heresy and leprosy is used with great regularity and in great detail....,” *ibidem*, p. 59.

<sup>167</sup> Muldoon, *Popes, Lawyers, and Infidels*, p. 45.

<sup>168</sup> “Fratribus Ordinis Minorum in terras Georgianorum, Saracenorum *etc* proficiscentibus...concedimus, ut in terris illis vobis sit licitum excommunicatis communicare in his quae ad salutem pertinent animarum....” *Acta Honorii III et Gregorii IX*, #192, p. 265 (8 Apr 1233).

<sup>169</sup> *Acta Honorii III et Gregorii IX*, #143, pp. 188-189 (23 Aug 1225), “...Praeterea, quod est plurimum miserabile, nonnulli rustici christiani sponte se transferentes ad ipsos et eorum ritum sectantes, Saracenos se publice profitentur....,” *ibidem*, p. 189. The editor thinks that ‘Saracens’ refers to Cumans, *ibidem*, p. 189, n.5. In Hungary, however, could be found both Cumans and Muslims. The documents discussed here most

archbishop of Esztergom to use both ecclesiastical strictures and ask the power of secular authorities to ban the use of Christian slaves by Muslims, who supposedly compelled them to abrogate their faith. Jews and Muslims were not allowed to hold public office, Gregory reminded the Hungarian clergy, and communication with non-Christians was to be limited.<sup>170</sup> Later in the century the papal legate in Hungary, trying to enforce the wearing of distinguishing signs by Jews, banned Christian business with those who would not comply.<sup>171</sup>

The year in which the *Liber Extra* was sent to the Universities of Bologna and Paris to serve as the basis for the education of ecclesiastical leaders, moreover, also saw the burning of the works of the Jewish philosopher Moses Maimonides. Six years later the Talmud itself “was solemnly tried in public debate, convicted and burned.”<sup>172</sup> As Pope Innocent IV later explained, this was because “it contained many heresies.”<sup>173</sup> While the existence of Jewish communities in medieval Europe was sanctioned at least in general terms, furthermore, not even this limited concession was granted to Muslims. In 1233 Gregory IX sent Dominicans to try to convert the Muslims of Lucera, whose existence in the midst of Christendom was a “scandal;” he was concerned with a potential loss of souls.<sup>174</sup> In 1240, when he granted license for trade with Muslims to the citizens of Majorca [Chapter 3] he did so not only because of their ‘need,’ but also to foster the

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likely refer to Muslims, not Cumans. On non-Christians in Hungary see Berend, *At the Gate of Christendom*, especially pp. 42-73.

<sup>170</sup> *Acta Honorii III et Gregorii IX*, #164, pp. 216-217 (3 Mar 1231). Archbishop Robert of Esztergom headed the attempt to curtail the rights of non-Christians, Berend, *At the gate of Christendom*, p. 155.

<sup>171</sup> Berend, *At the Gate of Christendom*, p.114. Similarly, in 1231 Gregory complained to the bishops of Astorga and Lugo of the fact that Jews were allowed to hold public office in the diocese of Lisbon, *Les Registres de Grégoire IX*, #733, specifically col. 455 (20 Oct 1231).

<sup>172</sup> Moore, *The Formation of a Persecuting Society*, p. 9.

<sup>173</sup> Quoted and translated in Muldoon, *Popes, Lawyers, and Infidels*, p. 10.

<sup>174</sup> Reg. Vat. 17, ff. 88r-89r (27 Aug 1233), summary in *Les Registres de Grégoire IX*, #1540, *Les Registres de Grégoire IX* #1682 (3 Dec 1233), and Daniel, *The Arabs and Medieval Europe*, p. 157.

territorial extension of Christianity at the expense of Muslims.<sup>175</sup> Gregory in fact instructed Peter, the *infante* (who ruled Majorca for the crown of Aragon), the knights of the Temple, and the knights of the Hospital not to allow Muslims to settle on Majorca and Ibiza and to make sure that those already living there acknowledge their status as “under the bonds of slavery.”<sup>176</sup>

The extent to which the church was (un)able to shape contemporary realities in accordance to its Gregorian vision has been the subject of many studies. Often, the church failed outright. In Spain, for example, the Archbishop of Toledo suspended the provisions of Lateran IV “as regarded the Jews of Castile since they provided the greater part of the royal revenue.”<sup>177</sup> The prohibitions against non-Christians holding public offices were “hardly observed at all.”<sup>178</sup> The point here, however, is not about the successes or failures of papal policies of segregation, but the ideal of fixed identities and separation between faithful and Other that they constructed and decried. As Diane Hughes has noted writing on sumptuary legislation, “We must distinguish between *enforcement*, which failed, and *legislating*, which achieved objects of its own.”<sup>179</sup>

I find in such legislation and policies, then, the most appropriate context within which to explain the papal policy of withdrawing customary trade with targets that shared only one thing – an externally imposed identification. They were all perceived by the

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<sup>175</sup> Majorca had been taken by Jaime (James) I of Aragon from the Muslim Almohad dynasty in 1229; the license underlined the poverty of the colonizers, and expressed hopes that its granting would facilitate the population of the islands (undoubtedly with Christians). On the long-distance trade of Majorca see Bannasser, “Mundos mediterráneos,” pp. 85-101, this license is mentioned on p. 93. Odena, “De Alexandrinis,” p. 247 who notes that in general Gregory IX was “benévolo” with Majorca. On the conquest of the Balearics see O’Callaghan, *Reconquest and Crusade in Medieval Spain*, pp. 89-92.

<sup>176</sup> “se sub iugo servitutis positos recognoscant,” Reg. Vat. 19, f143v [149v] (25 Jan 1240), *Les Registres de Grégoire IX*, #5065.

<sup>177</sup> Hillgarth, *The Spanish Kingdoms*, I, p. 167.

<sup>178</sup> Hillgarth, *The Spanish Kingdoms*, I, p. 171.

<sup>179</sup> Diane Owen Hughes, “Sumptuary Law and Social Relations in Renaissance Italy,” In John Bossy, ed., *Disputes and Settlements. Law and Human Relations in the West* (Cambridge: Cambridge University Press, 1983), p. 96.

papal curia – perpetually or at a given point of time – as being outside the community of the faithful. In a period when the Roman Church sought to head a society reformed according to Gregorian principles it employed embargoes as one of the policies outlined above both to identify ‘infidels’ and to act against them. The embargo served as a tool to draw the intangible map of that “city” which was “predestined to reign with God for all eternity,” and to underline that communication – including trade – between its inhabitants and those “doomed to undergo eternal punishment with the Devil” is perilous to the soul.

We know that the Gregorian reform centered on defining what it meant to be Christian and to live in a Christian society. We saw that papal documents assumed fixed identities, ‘Christian,’ ‘Muslim,’ ‘Jew,’ ‘heretic,’ ‘schismatic.’ We know, at the same time, that identities are fluid, constructed, negotiated.<sup>180</sup> Indeed, throughout this work I use the term not to refer to supposed realities, but rather to ideal models, constructed by ecclesiastical policy makers as abstracted representations of reality used in order to channel social action along a desirable path. If, to borrow once again from Diane Hughes, legislation could be used to create order where fluidity prevailed,<sup>181</sup> is it too much then to see the papal embargo as one of policies aimed at constructing a Christian society led by the church and based on a self-perception of its “full” members as one part of Christ’s flock distinctly and inherently different from those identified by the Church as ‘infidels’?

If this was the case then we might be able to understand the fact that papal documents aimed not so much at the delivery of goods to the enemies as at the “wicked Christians,” the agents of this act of “betrayal of Christ.” This is quite different from a

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<sup>180</sup> On the analytical work the concept of identity is supposed (but fails) to do, see Rogers Brubaker and Frederick Cooper, “Beyond Identity,” *Theory and Society* 29 (2000): 1-47.

<sup>181</sup> Hughes, “Sumptuary Law and Social Relations...,” pp. 69-99.

traditional reading that has seen the religious rhetoric of these documents as a veil that hides their primarily functional goals. We can suppose instead that in its Gregorian attempt to reshape the society within which it operated, the reformed Church must have been especially wary of agents of mediation between the cultural antipodes it sought to construct: ‘Christians’ and ‘infidels.’ Were not “embargo-busters” easily identifiable as such agents?

It can be said then that in the church’s own terms illicit trade was not the sin for which those committing such trade were excommunicated; it was only the means by which the sin was committed. The actual sin was (unsanctioned) communication with the ‘infidel.’ Could control over souls – and not the achievement of goals of foreign policy – have been the main goal that papal embargoes sought to achieve?

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This is then the ‘hypothesis’ derived from the first three chapters of this Part I. Between (roughly) the peace of Venice, 1177, and the pontificate of Innocent IV the reformist church sought to reshape contemporary society. Activist ecclesiastical policy-makers, inspired by the monastic ideals that had propelled the Gregorian reform acted *as if* they took into account broadly construed costs to prioritize within a stable hierarchy of moral concerns. Not distinguishing between what we can disentangle for analytical purposes as ‘ideology’ and ‘practice,’ ‘symbolic’ and ‘functional’ concerns, they shaped their policies so as to persistently maximize the achievement of goals set in an imaginary ‘beyond.’

At a basic level papal embargoes did of course serve as an economic tool for the achievement of tangible objectives of foreign policy. These included not only the

(re)conquest of the Holy Land, but also that of Iberia, the expansion in the Baltic, and the defeat of inimical Eastern Christian polities. At the same level, the papal policy of withdrawing all or some customary trade helped crush dissent within Christendom: to coerce the compliance of Jews, to isolate ‘heretical’ communities, to dethrone disobedient rulers and force disobedient cities into submission.

At a ‘higher’ level, however, the papal policy of embargo reflected two broader papal concerns. One was shaping Christians’ attitudes toward business in Aristotelian terms, sanctioning economic activity aimed at subsistence and condemning that aimed at profit. The other, was demarcating religious space in Augustinian terms – into a zone of hope, and a zone of damned – by identifying the faithful and constructing the Other.

Neither of these, moreover, was a goal in itself. What the reformed papacy sought to achieve was to head a reformed and ‘proper’ Christian society whose members would act on earth so as to achieve eternal salvation. As a famous contemporary preacher put it, “The aim of Christianity is...to fill heaven.”<sup>182</sup> Could we then say that the primary target of papal sanctions were in fact the Christians themselves, and the primary object of such sanctions, maximization of papal control over their souls?

The following chapters will turn to an examination of the rich fourteenth and fifteenth century material, not just to account for change over time, but primarily to ‘test’ the proposed hypothesis. For it to be sustained, we need not find subsequent popes implementing the embargo as a tool of foreign policy in a rigorous manner. Instead, we shall have to find the popes continuing to ‘market’ the claim that all trade with ‘infidels’ was banned in principle and allowed in practice only under special papal license. What

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<sup>182</sup> Humbert of Romans as translated and quoted in Riley-Smith, *A History of the Crusades*, p. XXXIII.

the papal embargo needed to be successful was in fact to make Christians internalize the idea that trade with the 'infidel' imperiled the soul.

CHAPTER 5  
THE PAPAL EMPLOYMENT OF EMBARGO IN THE FOURTEENTH  
CENTURY BETWEEN THE CONTINGENCIES OF  
IMPLEMENTATION AND THE PERMANENCE OF PRINCIPLES

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**5.1. Scope and Targets of Papal Embargoes between ca. 1270 and ca. 1380**

This subchapter will first highlight the fact that late thirteenth and early fourteenth century crusading treatises appended no new ideas to the papal practice of embargo. It will then proceed to argue that no matter how late-thirteenth- and fourteenth-century popes conceptualized their actions, they followed in practice the footsteps of their late-twelfth and early-thirteenth century predecessors. That is, between the 1270s and the 1370s popes maintained an embargo on trade with *all* Muslims as well as with a broad array of other enemies both within and outside the political boundaries of Christendom. Thus embargoes in this period continued to mark space in religious, not political terms. The embargo in this period, moreover, is still best understood as total in legal theory. Typically, papal licenses made it selective in practice. These licenses may have undermined the embargoes' ability to inflict economic damage on their targets, yet they underscored the principle that any commercial contact between the Faithful and the Other was a matter of ecclesiastical jurisdiction. Hence papal embargoes, both when proclaimed and when undermined functionally, could still serve a symbolic purpose key to the papacy – they helped uphold the idea of a papally-led Christendom. The language of papal embargoes, moreover, remained concerned largely with souls and moral issues, rather than with the effects of trade on the military strength of ‘infidels.’

In the late 1200s a certain Thadeo of Naples mixing materialistic and theological explanations tried to account for the Muslim conquest of Acre (1291).<sup>1</sup> Thadeo borrowed from the language of papal documents on the subject to condemn the “many sons of malediction and nurslings of perdition, Christians only in name,” who “wise only in the things of the world, not of the heavenly...desiring the pernicious pursuit of profit...do not cease to strengthen the enemies in victuals, arms, naval vessels, and other necessary things...”<sup>2</sup> The false (*falsi*) Christians who delivered merchandise to the Muslims acted against the Redeemer himself and earned from the Muslims the saying: “if we take out one of your eyes, you will return to us with the other!”<sup>3</sup>

Also at this time, “shortly before the fall of Acre,”<sup>4</sup> Fidenzio of Padua completed his proposal for a remedy, a proposal for the recovery of the Holy Land. It was Fidenzio, in fact, not the much better known Sanudo, who first theorized the embargo.<sup>5</sup> Did Fidenzio propose new solutions to an old problem? Did he impinge on papal policy making? Fidenzio might have been asked to provide advice to the papal curia on how to recover the holy Land, but it is hard to tell whether his views helped shape the papal

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<sup>1</sup> On Thadeo see Schein, *Fideles Crucis*, p. 114 and following. Thadeo’s identity is something of a mystery.

<sup>2</sup> This is the full passage: “Illud autem horribile scelus et execrabile crimen occurrit merito reprobandum, quod multi malecditionis filii et perditionis alumpni, solo nomine Christiani, terrena dumtaxat, non celestia sapientes et inhiantes perniciosis lucrorum studiis ut in voluptuose vite fecibus lacius debachentur, victualibus, armis, vasis navalibus et aliis necessariis tam dampnati questus Christi et Christianitatis munierunt hactenus et adhuc munire non desinunt inimicos...” R.B.C. Huygens, ed., *Excidiis Aconis Gestorum Collectio. Magister Thadeus Civis Neapolitanus. Ystoria de Desolatione et Conculcatione Civitatis Acconensis et Tocius Terre Sancte* (Turnhout: Brepols, 2004), p. 133.

<sup>3</sup> Italics in the original: “*Si erveremus vobis alterum oculorum, ad nos cum reliquo rediretis!*” Huygens, ed., *Magister Thadeus*, p. 134. This saying had long circulated in ecclesiastical circles, Pope Gregory X had used it roughly 20 years earlier, see below. Jacoby, “The Supply of War Materials to Egypt,” pp. 115-125 makes a compelling argument for the incessant delivery of war material to Muslims by Christians. The volume of this trade, however, remains, in my view, unclear.

<sup>4</sup> Leopold, *The Crusade Proposals*, p. 16.

<sup>5</sup> See Leopold, *The Crusade Proposals*, pp. 119 and 126 and my Chapter 2 above.

policy of embargo in the 1290s or, conversely, the papal policy of embargo shaped his views.

Departing from the premise that papal action should start with a ban on Christian navigation to, and trade with the lands of the Sultan of Egypt, Fidenzio proposed that a Christian fleet of “fifty, or forty, or at least thirty” galleys be prepared.<sup>6</sup> The Christians would not be able to bring anything to the ‘Saracens,’ who, in turn, would be locked in their lands. Christians inhabiting the Holy Land would now feel safe, as there would no longer be a danger that they be blocked from all sides (lands and sea), unable to receive help. The ‘Saracens’ would lose the custom dues (*theloneum*), which they receive from the Christian merchants. After all – Fidenzio claims to have heard from merchants – these dues amounted to the value of the merchandise carried by one out of every three galleys. The Christians brought to the Muslims iron, tin, and other metals, timber, oil, honey, and much else that the Muslims needed; since Egypt was rich in many things, but not in the above, much inconvenience to the Muslims would ensue. The Muslims of Egypt, moreover, would also lose the dues paid by those who brought pepper and other spices from India. In addition, they would be unable to sell the goods they themselves produced: flax, sugar, and colored cloth. The military power of the sultan would further decline, because he would no longer be able to import slaves for his army from the Black Sea. The same fleet would also be able to engage in continuous raids against the lands of the Sultan, who, now afraid of an attack from the sea, would not be able to deploy all his forces against the Holy Land, which, the same galleys would, at the same time, be able to succor the Christians there. Finally, the same fleet would rid the sea of pirates.<sup>7</sup> Thus

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<sup>6</sup> “I vel xl vel xxx ad minus,” Fidenzio of Padua, “Liber recuperationis Terre Sancte,” p. 46.

<sup>7</sup> Fidenzio of Padua, “Liber recuperationis Terre Sancte,” pp. 46-49.

Fidenzio's plan merged all the ideas on embargo that were more fully publicized in the later work of Marin Sanudo.

Fidenzio's ideas as well as their relationship to other contemporary proposals have been discussed by other authors in detail and need not be reiterated here.<sup>8</sup> I would like to point to the broader context within which I think that the work of Fidenzio should be analyzed with relation to the papal embargo. Housley's assertion that as a result of the work of crusading theorists "There was... a rich and fairly well-informed theoretical background to papal policy on trade with Egypt"<sup>9</sup> is both typical of prevailing opinion and unfounded in its implied conclusion. First, the work of Fidenzio was not original in the sense of representing the first proposal for a total ban on trade with Mamluk Egypt. After all, Clement III had already withdrawn all trade from Muslim lands in 1187-1191 and Innocent III had done so in preparation of the Fifth Crusade; their bulls had long been incorporated into the Code of Canon Law. While it is possible that early fourteenth century ecclesiastical policy-makers took account of such proposals, these may have done little more than elaborate on previous papal practice.

If there is a single new element proposed in crusading treatises it is the idea of the deployment of a naval blockade as a means of the enforcement of a withdrawal of trade. Yet, although Fidenzio might have been the first to introduce the idea of a naval blockade against Egypt in crusading treatises,<sup>10</sup> his originality even on this matter should not be overstated. Venice had long sought to control navigation – both along the Po River and

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<sup>8</sup> Delaville Le Roux did not pay attention to Fidenzio, however, Attiya, *The Crusade in the Later Middle Ages*, pp. 36-43, Leopold, *Crusade Proposals...*, passim, and Schein, *Fideles Crucis*, primarily on pp. 93-102 do so at length.

<sup>9</sup> Housley, *The Avignon Papacy and the Crusades*, p. 201.

<sup>10</sup> Leopold, *Crusade Proposals...*, pp. 127-128.

in the Upper Adriatic – through patrol vessels.<sup>11</sup> All that Fidenzio really did was to transplant these measures to the Eastern Mediterranean.<sup>12</sup>

Finally, it is hard to disagree with Sylvia Schein that “The memoranda composed after 1291, but including Fidenzio of Padua who wrote slightly earlier, are practical guidelines and, as such, largely concerned with general strategy as well as with detailed plans to be followed.”<sup>13</sup> There is no doubt in fact that when discussing strategy Fidenzio, as Sanudo later, effectively disentangled the moral/spiritual/symbolic side of trade with the ‘infidel’ which took center stage in papal documents, from the political/economic/functional measure of cutting trade. Yet, if we look at Fidenzio’s work as a whole, we will find that the aristocrat-turned-Friar Minor also devoted time and space to Christian moral issues such as chastity, humility, integrity, among others.<sup>14</sup> Thus while it may be that “Even Fidenzio of Padua’s *Liber Recuperationis Terre Sancte*, which is infused with a strong moral sense throughout, adopts an ultimately practical approach to the crusade....”<sup>15</sup> he does not appear to have thought of the policies he was proposing in purely functional terms.

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<sup>11</sup> Patrol galleys, later also castles, see for example A.S.Venezia, Libri Commemoriali, Reg. 1 Copia, f123r (21 Jan 1303): a Venetian declared to have been a soldier on a galley on which his father was a pilot: “...unam galeam munitam ante edificationem dicti castri [Marcabò], qui custodiebat Sanctum Albertum et usque ad Sanctum Blasium et usque ad Fenarolam...” and ff. 123v – 124r (28 Sep 1297): “...Pace del fu Boninsegna – Pax filius quomdam Boninsegne de Sancto Alberto Constitutus Coram Nobili Viro Marino Georgio Pottestate Clugie et iuratus dicere veritatem; Interrogatus dixit quod vidit ipse et a suis antiquis audivit quod ante constructionem Castri Marchabo una galea per Commune Venetiarum tenebatur munitam prope Sanctum Albertum qui custodiebat ibi usque ad Fenarolam et usque ad Sanctum Blasium et per illas vales et Buccasomnes que sunt in ipso medio ne res sive mercancie per aliquos inde conducerentur vel portarentur contra Bannum Domini Ducis Venetiarum sicut nunc fit post ipsius castri constructionem...” Summaries in Predelli, Commemoriali, I, #104, p. 25 and #15, pp. 6-7.

<sup>12</sup> Practices similar to those of Venice, moreover, had been also undertaken by the Aragonese rulers of Sicily right when Fidenzio must have been forming his views of the embargo, in the 1280s. Lawrence V. Mott, “Trade as a Weapon During the War of the Sicilian Vespers,” *Medieval Encounters* 9 (2003, 2-3): 236-243.

<sup>13</sup> Schein, *Fideles Crucis*, p. 92.

<sup>14</sup> Fidenzio of Padua, “*Liber recuperationis Terre Sancte*,” pp. 34-45.

<sup>15</sup> Leopold, *Crusade Proposals...*, p. 104.

If Fidenzio wrote in response to Pope Gregory X's call for advice on how to counter the Mamluk menace,<sup>16</sup> moreover, we might well proceed by returning to the analysis of papal documents, especially as all crusading theorists and the relationship between their works have been the subject matter of excellent scholarly work.<sup>17</sup> Gregory X did focus on the Holy Land, which is hardly surprising given the precarious state of the Catholic-ruled lands there, yet he did not use sanctions just against Muslims, nor did he excise moral considerations from his discourse on trade. The decisions of the Second Council of Lyon, which opened on May 7, 1274, included a decree (*Constitutiones pro Zelo Fidei*), which, with regard to trade, repeated almost verbatim the provisions announced by Innocent III in his crusading decree *Ad Liberandam* in occasion of Lateran IV in 1215. Trade with 'Saracens' "who dwell in the eastern regions," was to be suspended for six years (instead of four as in Lateran IV) for the same two reasons: availability of ships and deprivation of the 'Saracens' from "help" (*auxilium*).<sup>18</sup> This decree, however, is not to be considered as representative of Gregory's policy of embargo as a whole.<sup>19</sup> Just two months after the conclusion of Lyon II and while still in the city, Gregory X wrote to the archbishop of Upsala. The pope allowed the absolution of those

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<sup>16</sup> Fidenzio of Padua, "Liber recuperationis Terre Sancte," p. 4 (introduction to his work by the editor, Golubovich), p. 9 for Fidenzio's claim that Gregory personally asked him to write the advice.

<sup>17</sup> Delaville le Roulx, *La France en Orient*, pp. 11-110, Attiya, *The Crusade in the Later Middle Ages*, pp. 29-127, Leopold, *Crusade Proposals...* Even more comprehensive, but not (yet) in English is Alexander Nikolov, "Vjarvaj ili ste te ubija!:" "Orientalzite" v krustonosnata propaganda, 1270-1370 ["Believe or I Will Kill You!:" *The "Orientals" in Crusader Propaganda, 1270-1370*] (Sofia, Bulgaria: University of Sofia Press, 2006). For syntheses see chiefly Housley, *The Avignon Papacy and the Crusades*, pp. 199-213 and Schein, *Fideles Crucis*, pp. 79-83.

<sup>18</sup> Tanner, *Decrees*, pp. 311-312. Quotation from p. 312: "qui partes orientales inhabitant."

<sup>19</sup> We saw in Chapter 3 that *Ad Liberandam*, on which Gregory's decree was based, was not always seen as an actual part of the legislation of Lateran IV, but as an ad-hoc crusading decree proclaimed on occasion of the council. Similarly, Stephan Kuttner has demonstrated that Lyon II's *Constitutiones pro Zelo Fidei* was not seen as part of general law, but rather as ad-hoc measures on then-current issues: Stephan Kuttner, "Conciliar Law in the Making. The Lyonese Constitutions (1274) of Gregory X in a Manuscript in Washington," *Miscellanea Pio Paschini. Studi di Storia Ecclesiastica* 15 (1949): 48-49. Even more pertinently, Boniface VIII's addition to the existing code of canon law, the *Sexti Decretalium*, found no room for this crusading decree even though it included many of the council's decisions.

who had visited the Holy Sepulcher as well as those who had taken merchandise to the ‘Saracens.’<sup>20</sup> Following Innocent III again – this time his archetypal crusading decree *Quia Maior* (1213) – Gregory threatened with withdrawal of business contacts any Jews who would hinder the crusading movement by failing to remit “usury.”<sup>21</sup> Thus while under Gregory X Mamluk Egypt and the Holy Land may have occupied center stage, Gregory’s policy of embargo did not apply to Mamluk Egypt alone.

In the first year of his pontificate (1272), moreover, Gregory X had written a detailed letter to the bailo, consuls, and the city of Montpellier in which he had dealt with one single issue: trade with Muslims. Having lamented Muslim control of the Holy Land, Gregory X condemned those “nurslings of malediction, Christians only in name” who “understanding only the mundane, not the heavenly...strengthen the enemies of Christ with victuals, arms, naval vessels, and other necessary things...”<sup>22</sup> The enemy, explains Gregory to the citizens of Montpellier by offering what we would call a functional argument in support of his stance against such trade, is thus fortified. The result, however, is presented on what we would see as symbolic plane: “indelible stain on the glory of the Christian name.”<sup>23</sup> Gregory continued his letter by using literary techniques to strengthen his argument about the Christians’ wrongdoing, putting in the mouth of Muslims the saying: “if we take out one of your eyes, you will look at us with the other,” an expression that Thadeo used two decades later.<sup>24</sup> Retaining the language of

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<sup>20</sup> *Svenkst Diplomatarium*, I, #583, p. 486 (17 Sep 1274).

<sup>21</sup> *Svenkst Diplomatarium*, I, #583, p. 485 (17 Sep 1274).

<sup>22</sup> “...maledictionis alumpni, solo nomine Christiani, terrena duntaxat, non celestia, sapientes...victualibus, armis, vasis navalibus, et aliis necessariis...Christi muniunt inimicos...” Germain, *Histoire du commerce de Montpellier*, I, Pièces Justificatives #46, p. 267 (25 Aug 1272).

<sup>23</sup> “...inextricabilis macula in gloria nominis christiani.” Germain, *Histoire du commerce de Montpellier*, I, #46, p. 267.

<sup>24</sup> “Si erveremus vobis alterum oculorum, ad nos cum reliquo rediretis.” Germain, *Histoire du commerce de Montpellier*, I, #46, p. 267.

Lateran III, Gregory X focused then on the merchants, not on the consequences of their trade, and labeled those trading with ‘Saracens’ “shameless and impious” whose “greed for profit blinds them to the faith;” the church, however, took action on their behalf so that these would not be “consumed by their wickedness.”<sup>25</sup> Gregory then reminded the letter’s recipients of the sentence of excommunication incurred by such Christians – let us remember its ‘medicinal value’ (Innocent IV), after all excommunication endangered the soul but could ultimately help lead the penitent stray sheep back to the flock – and asked the city for cooperation.<sup>26</sup> Thus, for Gregory X the problem of trade with ‘Saracens’ remained linked more to the issue of the spiritual health of his flock than to that of the military power of Muslims.

It was suggested above that most literature on trade and crusade that deals with the papal embargo against Muslims awards centrality to the fall of Acre in 1291 for the proclamation of a total withdrawal of Christian trade with Egypt.<sup>27</sup> In fact, Pope Nicholas IV’s decree from 28 December 1289 had already proclaimed a ban on the export of arms, horses, iron, timber for construction, victuals, and any other merchandise

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<sup>25</sup> “Unde quod tales inverecundi et impii Christiani, quos execat fedi lucri cupiditas, sua non sunt impietate consumpti....” Germain, *Histoire du commerce de Montpellier* I, #46, p. 268. .

<sup>26</sup> In addition, transgressors should be denied ecclesiastical burial; those alive should be incarcerated, and deprived of their property, Germain, *Histoire du commerce de Montpellier* I, #46, pp. 268-269.

<sup>27</sup> Using in part Sanudo to understand the rationale of papal embargoes, Heyd stressed Pope Nicholas IV’s 1291 withdrawal of all Christian trade with Alexandria and all lands subject of the Sultan of Egypt, Heyd, *Histoire du commerce*, II, pp. 23-26. So did a century later Ashtor, who described papal actions as what some political scientists would call a strategic embargo: “After the conquest of Acre by the Mamluks, the popes issued a series of bulls forbidding trade with the Moslems, in order to hit them economically and primarily to interrupt their supply of war material.” Ashtor, *Levant Trade in the Later Middle Ages*, p. 17. Housley, Schein, and Ortalli also present 1291 as a turning point from a partial embargo to (attempts at) a total embargo, Housley, *The Avignon Papacy and the Crusades*, p. 201, Schein, *Fideles Crucis*, p. 83, Ortalli, “Venice and the Papal Bans on Trade with the Levant: The Role of the Jurist,” pp. 242-243. J.T. Odena and Jean Richard, however, have rightly noted that Nicholas IV had prohibited all trade already in 1289, that is, two years (one and a half to be precise) before the fall of Acre, Odena, “De Alexandrinis,” p. 250 and Richard, “Le royaume de Chypre et l’embargo sur le commerce avec l’Égypte,” p. 121.

to Alexandria and other parts of Egypt.<sup>28</sup> It then went on to punish through excommunication, as prior papal decrees, all those who would not respect this order and to relegate them to slave status should they be captured.<sup>29</sup> Not a year had elapsed, however, before Nicholas had to absolve the patriarch of Jerusalem himself for having allowed exports in non war items to Alexandria and other Egyptian territories.<sup>30</sup> Two weeks later an apparent truce between Christians and Muslims in the Holy Land served as the occasion to revert to the selective embargo. Implicitly following the footsteps of his predecessors, Nicholas did not abolish his total embargo but allowed exception to it by granting a *licentiam* to Christian merchants to deliver victuals and other non war material from the Holy Land to Alexandria and Egypt as long as the truce lasted.<sup>31</sup> Thus he effectively upheld the total embargo as a legal reality.

On 18 May 1291, however, Acre fell to the Muslim forces.<sup>32</sup> Consequently, on 13 August 1291 Nicholas urged Genoa and Venice to come to peace with each other and to stop all trade with Egypt.<sup>33</sup> Then on 23 August the total embargo was re-established through Nicholas IV's widely cited decree; as Housley has rightly stated: "...the papal decrees of the Avignon period were based on the important bull issued by Nicholas IV in 1291."<sup>34</sup>

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<sup>28</sup> "...statuimus ut nullus arma, equos, ferrum, lignamina, victualia et alia quecumque mercimonia in Alexandriam vel alia loca Sarracenorum terre Egipti deferre, mictere vel portare seu de portibus eorum...extrahere...aut alias eis auxilium vel favorem prestare quoquo modo presumant." Reg. Vat. 46, f176r in the margin; the second half of the document, including this quotation is fully published in *Registres de Nicolas IV*, M. Ernest Langlois, ed. (Paris: E. Thorin, 1886-1905), #6789, p. 902 (28 Dec 1289). The first half of the document is discussed in the next subsection of this chapter.

<sup>29</sup> "Et nichilominus si personas eorum capi contingat, in servitutum et capturam illorum esse volumus in quorum ceciderint captionem." Reg. Vat. 46, f176r in the margin, *Registres de Nicolas IV*, #6789, p. 902.

<sup>30</sup> *Registres de Nicolas IV*, #4402, p. 641 (7 Oct 1290).

<sup>31</sup> *Registres de Nicolas IV*, #4403, pp. 641-642 (21 Oct 1290).

<sup>32</sup> Heyd, *Histoire du commerce...*, II, p. 4.

<sup>33</sup> *Registres de Nicolas IV*, #6782-6783, p. 901 (13 Aug 1291).

<sup>34</sup> Housley, *The Avignon Papacy and the Crusades*, p. 201.

Both the 1289 and the 1291 decrees singled out Egypt from the community of ‘Saracens.’ Indeed the words of the 1291 decree are reminiscent of Lyon II’s prohibitions, condemning the Christians whose actions were antithetical to the interest of the Christian people at the expense of the Christians, “especially in the Holy Land.”<sup>35</sup> This papal order is the first to offer a rationale, “the urgent need of the said [Holy] Land” (*urgens necessitas dicte terre*); it also states that the complete ban on any trade was to last for ten years from the day of the bull.<sup>36</sup> Proclaiming its transgressors to be infamous (an important legal category), incapable of producing testaments, incapable of holding public office, and deprived of their goods, it required their names to be publicly announced on Sundays and festive days so that they may be both propelled outside the bounds of the community of the faithful and annihilated as social beings.<sup>37</sup> Although of general applicability, this papal order was to be specifically delivered to the Genoese and the Venetian authorities, ecclesiastical as well as secular.<sup>38</sup> In accordance with the church’s obligations, those of both sexes who fulfilled the conditions for absolution were, of course, to be absolved regardless of the items they had traded.<sup>39</sup>

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<sup>35</sup> “specialiter terre sancte;” this is how the unpublished introductory part of the for the most part published 1291 decree reads: “Olim tam in generali quam in Lungdunensi priusmodo subsecuto conciliis per sedem apostolicam celebratis in illos falsos et impios christianos qui contra deum et christianum populum sarracenis ferrum/arma/quibus christianos impugnant et lignamina galearum ac aliorum vasorum navigabilium deferunt et in eos etiam qui eis galeas vendunt aut naves quicque in piraticis sarracenorum navibus curam gubernationis exercent vel in machinis aut quibuslibet aliis aliquid eis impendunt auxilium vel consilium in christianorum dispensium et specialiter terre sancte sunt excommunicationis sententia promulgata. ipsosque res suarum privatos mulctari et servus capientium fore censent concilia supradicta. expresse quoque in ipsis praecipitur ut talibus gremium non aperiatur ecclesie nisi totum quam de commertio tam dampnato perceperint et tamtudem de suo in subsidio terre memorate transmiserint ut equo iudicio in quo delinquerint puniantur.” Reg. Vat. 46, f176r (18 Aug 1291). The rest of the document can be found in *Registres de Nicolas IV*, #6784, p. 901.

<sup>36</sup> *Registres de Nicolas IV*, #6784, p. 901.

<sup>37</sup> *Registres de Nicolas IV*, #6784, p. 901.

<sup>38</sup> The titular Patriarch of Antioch as administrator of the Genoese church in that moment, the bishop of Castello, the podestà, captains, council, and commune of Genoa, the doge, council, and commune of Venice, *Registres de Nicolas IV*, #6784, p. 901. Curious is the lack of Pisa on this list, apparently the defeat at Meloria at the hands of the Genoese had made a solid impression on the papal curia.

<sup>39</sup> Reg. Vat. 44, f310r (22 Jun 1289), partly published in *Registres de Nicolas IV*, #2199, p. 389.

During the pontificate of Nicholas IV Egypt remained perhaps the central, but not the only target of papal embargoes. The late 1200s were also a difficult period for the papacy in Italy. When the Aragonese took Sicily away from the papally-favored Angevin dynasty during the Sicilian Vespers of 1282,<sup>40</sup> one of the papal responses was an embargo. It is not licit to communicate with excommunicates, Pope Martin IV reminds his flock (*excommunicatis communicare non liceat*), hence all trade with Sicily must cease. Venetians, Genoese, Pisans, Anconitans, and those from other maritime cities were specifically warned not to travel to the interdicted lands.<sup>41</sup> In 1288, the chancery of Nicholas IV in a letter to the podestà, the captains, the councilors, and the commune of Genoa ordered the *ipso facto* excommunication of those who did business with (*participantes*) or communicated with (*communicantes*) Peter, *olim* King of Aragon, and the Sicilians.<sup>42</sup> Consequently, the sentence affected Genoese who traded with Sicily, or more precisely, those who entered into communication with those removed from communion with the church by buying (victuals) from them.<sup>43</sup> The curia then allowed the Genoese, under the mediation of Rofino de Alexandria and Bishop Jacopo da Varagine (Voragine, Varazze) himself, to buy victuals from the Sicilians, as long as no other help (*auxilium seu favorem*) was provided to them or to the King of Aragon.<sup>44</sup> A letter was accordingly addressed to the two mediators to absolve the Genoese who had

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<sup>40</sup> For a narrative of the Vespers and the aftermath see Steven Runciman, *The Sicilian Vespers. A History of the Mediterranean World in the Later Thirteenth Century* (Cambridge: At the University Press, 1958), pp. 214-279. For the Vespers and the Levant see Setton, *The Papacy and the Levant*, I, pp. 140-162.

<sup>41</sup> Catholic Church, ed., *Les registres de Martin IV (1281-1285)* (Paris, A. Fontemoing, 1901-1935), #482, col. 221 (18 Nov 1283). See also Clarke, *The Interdict*, pp. 185-186.

<sup>42</sup> Reg. Vat. 44, f10v (18 May 1288), only a brief summary in *Registres de Nicolas IV*, #75, p. 13.

<sup>43</sup> "...cum eis [Siculis] mercimonia exercendo excommunicationis sententiam latam in tales per eadem sedem ut praedicitur incurrerunt...participandi prefatis Siculis in emendo seu alterius cuiuscumque contractus titulo obtinendo ad opus vestrum ab ipsis victualia." Reg. Vat. 44, f10v.

<sup>44</sup> Reg. Vat. 44, f10v and *Registres de Nicolas IV*, #75, p. 13 (18 May 1288).

incurred automatic excommunication for having traded with Sicily.<sup>45</sup> The papacy took a similar stance with Venice. Trade with the excommunicated Sicilians remained off-limits, theoretically. In practice, however, the curia provided a *licentia* to the doge and commune of Venice to trade with Sicily except in arms, iron, and timber for construction, or other items with which the Sicilians, now excommunicated and hence outside the body of those on path to salvation, could fight the Faithful.<sup>46</sup> As in the case of the Genoese, the papal problem with the Venetians appears to have been their entry in contact with the Sicilians through the exercise of trade.<sup>47</sup>

This concern with contact through trade remained only one side of a broader issue. Early in his pontificate Nicholas had become yet another of many popes to promulgate a special privilege for the Order of Preachers that allowed its members to carry on their proselytizing mission by communicating through words, service, and food with a long list of non-Catholics beginning with ‘Saracens’ and including eastern Christians.<sup>48</sup> Indeed, when on 1 October 1291 Nicholas IV reverted back to a total embargo against Sicily, banning the Genoese from selling or buying any merchandise there, he stressed that the island of Sicily was under interdict because of the rebellion of the “infidel Sicilians.”<sup>49</sup>

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<sup>45</sup> Reg. Vat. 44, f10v partly published in *Registres de Nicolas IV*, #76, pp. 13-14 (18 May 1288). This letter, but not the previous one, is fully published in *Bullarium Franciscanum IV*, pp. 23-24.

<sup>46</sup> “...dummodo arma, ferrum, lignamina, vel alia per quae fideles impugnari possent minime deferatis et nullum alias consilium, auxilium, seu favorem ipsi Syculis aut Jacobo...impendatis.” Reg. Vat. 44, f216v, summary in *Registres de Nicolas IV*, #1398, p. 279 (13 Sep 1289), and also in A.S.Venezia, Libri Commemoriali, Reg. I, f293r/v (13 Sep 1289, date is by that of the document, not the date it was received), summary in Predelli, *Commemoriali*, I, #11, p. 5. Quotation from Reg. Vat., the text in Libri Commemoriali is slightly different (in expression, not in meaning).

<sup>47</sup> “...predictis Siculis participasse noscuntur cum eis mercimonia exercendo....” Reg. Vat. 44, f216v.

<sup>48</sup> *Registres de Nicolas IV*, #611, pp. 120-121.

<sup>49</sup> “...Sicilie insulam ob rebellionem infidelium Sicularum per apostolica sedem ecclesiastico supposita interdicto....” Reg. Vat. 46, f180v (1 Oct 1291). Only the main point of the letter is mentioned in *Registres de Nicolas IV*, #6836, p. 905.

By allowing some trade to go on between Genoa and Venice on the one hand and Sicily on the other, the papacy was yet again undermining the ability of embargoes to deliver results as economic tools for the attainment of foreign policy goals. Yet, the papacy could nevertheless use this opportunity to emphasize (1) the infidelity of the Sicilians, now ostracized from the community of those whom the church would lead to eternal salvation, (2) the ecclesiastical jurisdiction over any relationship between faithful and non-faithful, including through trade, and (3) the moral imperatives behind economic activity (to obtain victuals, or to make a living without harming the Christians). It becomes thus impossible to further sustain the implicit distinction, drawn by scholarship on the later crusades and on crusader treatises, that an “age of reason” was replacing the “an age of faith.” As in the earlier period, so under Nicholas IV, the papal policy of embargo remained a multilayered policy tool, of which the attempt to attain clearly defined foreign policy goals was just one among others; indeed, it was the first that the papacy sacrificed when the pressure of economic and political factors forced it to prioritize its concerns.

It is in this context that we should read the ‘infidel’ Jaime II of Aragon’s 1292 treaty with the ‘infidels’ of Egypt, in which the king promised to obstruct a new crusade, fight the pope, and, of course, allow his subjects to deliver war material to Egypt.<sup>50</sup> When Jaime crossed the clearly defined yet permeable symbolic boundary between the Faithful and the Other in the other direction, on the occasion of the 1302 peace of Caltabellotta, which settled much of the discord generated by the events of 1282, he

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<sup>50</sup> Ashtor, *Levant Trade in the Later Middle Ages*, pp. 20-21.

accordingly swiftly banned all trade with Egypt.<sup>51</sup> Papal policies, one may argue, might have indeed spurred economic activity within the blocks they sought to create, faithful and “others,” while trying to limit trade in between the two.<sup>52</sup>

If in light of his legislation Nicholas IV can be considered an activist pope with regard to the papal embargo, this label is even better applied to his successor, Boniface VIII (1294-1303), whose pontificate followed the 1292-1294 “interregnum,” and the brief pontificate of Celestine V. Ortalli surmised that the jubilee of 1300 had led to “more intensive involvement in religion” and “brought to the fore illicit trading with infidels and hardened attitudes towards those going against pontifical dictates.,”<sup>53</sup> but in fact Boniface had already promulgated in 1295 an extensive bull on the subject of trade with non-Christians. It first summarized at length and in detail the measures undertaken by Gregory X and Nicholas IV, including the latter’s total ban on trade with Egypt and the

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<sup>51</sup> Ashtor, *Levant Trade in the Later Middle Ages*, p. 18. On Catalan trade with Egypt in the aftermath of the bans, Heyd, *Histoire du commerce...*, II, pp. 30-34, Odena, “De Alexandrinis.”

<sup>52</sup> As would probably be expected by Gowa and Mansfield, “Power Politics and International Trade,” who argue, as we saw above, that the emergence of blocks, albeit political ones in their case, fosters trade within each block and limits trade between the blocks. Notarial records from Palermo, at the same time, show how lumping Sicilian Christians and Muslims into one category, ‘infidels,’ might have fostered relationships between the two groups. In 1287 two merchants from Barcelona sold to the Florentine merchant Vanni Chyandono all the wine loaded on the ship of the Genoese Leone de Vinders, which was in the port of Palermo, Pietro Burgarella, ed., *Le imbreviature del notaio Adamo de Citella a Palermo*, 1<sup>o</sup> Registro: 1286-1287 (Rome, Il Centro di Ricerca, 1981), #296, pp. 179-180 (17 May 1287). The Genoese merchant then rented his ship, *Sanctus Antonius*, to Vanni; the latter was to use it to transport the wine loaded on it from Palermo to Tunis, Burgarella, *Le imbreviature del notaio Adamo de Citella a Palermo*, #297, pp. 180-181 (17 May 1287). Vanni then insured his merchandise with another Florentine against the risks of navigation, Burgarella, *Le imbreviature del notaio Adamo de Citella a Palermo*, #298, pp. 181-182 (17 May 1287). On other examples of trade see *ibidem*, #306, pp. 186-187 (24 May 1287) and #328, pp. 199-200 (20 June 1287). Later in the 1290s, we can find representatives of the great Florentine companies active in trade between Sicily and North Africa, Pietro Burgarella, ed., *Le imbreviature del notaio Adamo de Citella a Palermo*, 2<sup>o</sup> Registro: 1298-1299 (Rome, Il Centro di Ricerca, 1982), for the Bardi: #25, pp. 21-22 (24 Sep 1298) and #32, pp. 26-27 (3 Oct 1298); for the Peruzzi: #346, pp. 268-269 (8 Apr 1299). See also #228, p. 179 (4 Feb 1299) and #234, pp. 183-184 (10 Feb 1299). Different only on the surface was the case of two Catalans who signed a short and simple document whereby they promised each other mutual assistance while in service of the King of Tunis, Burgarella, *Le imbreviature del notaio Adamo de Citella a Palermo*, #329, p. 200 (20 Jun 1287). Paying service to non-Christians was as much a transgression of papal legislation as was trading with non-Christians without papal license. It was in fact, an equally clear example of how un-imposable the papal legislation to completely separate faithful from ‘others’ was.

<sup>53</sup> Ortalli, “Venice and the Papal Bans on Trade with the Levant: The Role of the Jurist,” p. 244.

10-year ban on export of victuals.<sup>54</sup> Consequently Boniface “confirmed, ratified, approved, and renewed” these orders and asked the religious and secular authorities of the maritime cities to publish and uphold his orders and to ban trade in iron, armor, timber for construction, or any other goods with Egypt.<sup>55</sup> Later in the year, the order against those who traded with Muslims was re-published.<sup>56</sup> Two new confirmations followed in 1296, one on Holy Thursday and one on November 20.<sup>57</sup> Thus, it has been surmised, Boniface established a new manner of promulgating the papal embargo, namely, by pronouncing it every six months.<sup>58</sup>

The stress on Egypt in papal documents notwithstanding, Boniface’s embargo covered all trade not only with Mamluk Egypt, but with all Muslims, anywhere. A letter that Boniface’s successor, Pope Benedict XI, sent to Pisa and to Genoa in 1304 mentions that

...Boniface VIII, our predecessor, in simple words said in *Consistorio* in the presence of his brothers [in a spiritual sense] that nobody could or ought to go to or carry anything to the lands of the Muslims, or to Muslims wherever they are...<sup>59</sup>

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<sup>54</sup> All of these found “in eiusdem archivio,” Reg. Vat. 47, f186v (12 May 1295). This document is only mentioned in Georges Digard, ed., *Les Registres de Boniface VIII* (Paris: E. Boccard, 1884), #778 (12 May 1295). A short version of the same, dated, for whatever reason Mar 12 instead of May 12 is to be found in Louis de Mas-Latrie, *Histoire de l’Ile de Chypre sous le règne des princes de la maison de Lusignan* (Paris: A L’Imprimerie Impériale, 1861-1865), II, pp. 92-93. Mas-Latrie got his piece from second-hand sources, however.

<sup>55</sup> Reg. Vat. 47, ff. 186v-187r. Meanwhile Boniface had to tackle what is typically referred to as the Second Venetian-Genoese war of 1293-1299: he wrote from his residence in Anagni to both Venice and Genoa asking for truce and peace, *Registres de Boniface VIII*, #812-813 (12-13 Aug 1295).

<sup>56</sup> No new document in the papal register, only a note about the renewal, Reg. Vat. 47, f204v and *Registres de Boniface VIII*, #848, col. 286 (20 Nov 1295).

<sup>57</sup> Reg. Vat. 48, f183v (20 Nov 1296) and *Registres de Boniface VIII*, #1654.

<sup>58</sup> Schein, *Fideles Crucis*, p. 151.

<sup>59</sup> “Bonifatius papa VIII predecessor noster, simplici verbo dixerit etiam in Consistorio coram fratribus suis, quod nullus poterat vel debbat ire aut aliquod deferre ad Sarracenorum partes vel Sarracenos ubicumque existentes....” Reg. Vat. 51, f109r and Charles Grandjean, ed., *Le Registre de Benoît XI* (Paris: A. Fontemoing, 1905), #545, col. 363 (2 Mar 1304).

Not only did Boniface maintain a version of the embargo that fully conforms with that outlined for the previous period, 1179 – 1250s, but he even took steps that might strengthen its embargo's ability to deliver on its functional goals. We saw earlier that as early as the pontificate of Pope Gregory IX, Holy Thursday, the day in which the community of Christ was formed, could serve as the occasion for the pronouncement of anathema and excommunication against all enemies of the pontiff. By the pontificate of Boniface VIII these *In Coena Domini* bulls appear to have become annual, albeit still lacking the firm and mostly unchangeable form that would characterize them from the latter half of the fourteenth century.<sup>60</sup> These bulls helped identify the Faithful and point out the Other in a way that was both clear and highly ritualized as these were read across Christendom by the highest local ecclesiastical authorities on the day when Christ's last supper was commemorated.

Very important in the history of the embargo may have been Boniface's Holy Thursday bull issued in 1299. This bull again repeated the measures taken by Gregory X and Nicholas IV to prevent Christians from trading with Muslims and specifically Nicholas' ban on all trade with Egypt. Reminding the faithful that Nicholas had proclaimed that ban to be valid for ten years in 1289, Boniface extended its validity for yet another decade.<sup>61</sup> What makes this document particularly important, however, is not the prolongation of the total embargo on trade with Mamluk Egypt, but a mode of enforcement which does not appear in the earlier extant documents: the inquisition. The "inquisitors of heretical perversity" (*inquisitores heretice pravitatis*) were now authorized

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<sup>60</sup> According to the Catholic Encyclopedia, the bull obtained its final form under Urban VIII in 1627; although it had come under sustained attack in the second half of the eighteenth century, it was formally abolished only by Pius IX on 12 October 1869 in the bull *Apostolicae Sedis*.

<sup>61</sup> "usque ad aliud decennia prorogamus," full text in *Registres de Boniface VIII*, #3354 (16 Apr 1299), quotation from col. 558.

to inquire into cases of transgression and failure of the imposition of penalties and to impose spiritual and temporal penalties making use of the help of secular authorities whenever necessary. Although judgments of the inquisitors were to be fully recognized, they could not dispense people from the penalties they had imposed without ad hoc papal authorization.<sup>62</sup> It was only logical that if those who carried unlicensed trade with Muslims and, at this point, any trade with Egypt, were excommunicated and hence enemies of the Catholic faith (*hostes Catholice fidei*),<sup>63</sup> they should be also subject to inquisitional judgment.

Not only did Boniface unleash the inquisition against embargo-transgressors, “enemies of the Catholic faith,” but he also appears to have given impetus to the turning of the *In Coena Domini* bulls into a primary vehicle for identification of ‘others’ as well as for delivery of the message that trade with infidels endangered the soul. On March 30, 1301, for example, Boniface singled out the following enemies of the church: those who exported prohibited items to Muslims and all who traveled to lands of the Sultan of Babylon (read of Mamluk Egypt); Frederick, “former” king of Sicily and the Sicilians who followed him; the “schismatic” Colonna and those who helped them; and Genoa, which was under interdict.<sup>64</sup> In 1302, Boniface first promulgated the now familiar measures against those “who deliver prohibited items to the Muslims and those who travel to the lands of the sultan of Babylon or also Egypt....”<sup>65</sup> The same bull then

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<sup>62</sup> *Registres de Boniface VIII*, #3354, cols. 559-560.

<sup>63</sup> As per Reg. Vat. 47, f186v.

<sup>64</sup> Reg. Vat. 50, f111v (30 Mar 1301), mentioned in *Registres de Boniface VIII*, #4327. Boniface’s chancery again noted the existence of relevant documents in the papal archive as a source of authoritative documents supporting this order. The same order, except for the Genoese, was re-published on November 20 of the same year, *Registres de Boniface VIII*, #4420.

<sup>65</sup> “...qui contra Deum et Christianum populum, res prohibitas deferent Sarracenis, et contra accedentes ad terras, que per soldanum Babilonie vel Egipti tenentur....” *Registres de Boniface VIII*, #5015, col. 652 (19 Apr 1302).

continued with the usual thundering against Frederick of Sicily. Then Boniface added to those excommunicated on Holy Thursday a list of “heretics,” which was to become the standard opening of the *In Coena Domini* bulls once standardized at a later date.<sup>66</sup>

Early in his pontificate, Boniface maintained the embargo against Frederick of Sicily; he allowed the absolution of those who had “contracted merchandise with the rebel Sicilians...or also who contacted with them through speech.”<sup>67</sup> Boniface was adamant that Genoa should not help Sicily and determined to hinder the inner foe.<sup>68</sup> Genoese who refused to obey, such as the powerful Ghibelline families of Doria and Spinola, were themselves excommunicated.<sup>69</sup> Boniface also wrote to the King of Majorca, threatening him with excommunication and his realm with interdict, hence ‘infidel’ status, should he not inhibit the passage of naval vessels, arms, horses, or people through his lands on the way to Sicily.<sup>70</sup>

If we are to look at ecclesiastical political action in the terms of the church rather than of those whose discontent these provoked, then should we be surprised if Boniface used the money derived from the absolutions of those who transgressed his embargo against Muslims to finance his campaigns against the excommunicated Sicilians?<sup>71</sup> After all, papal documents make it clear that for the papacy Muslims, Eastern Christians, and

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<sup>66</sup> In 1303 the violators of papal embargo were again the subject of a Holy Thursday bull, Reg. Vat. 50 f374v, only mentioned in *Registres de Boniface VIII*, #5346 (4 Apr 1303). The original itself is cut short as visible from a fuller copy of the bull to be found in Venice, with transcription of which Prof. Luigi Andrea Bertò kindly provided me.

<sup>67</sup> This is the full sentence of interest: “...omnes illos qui cum rebellibus Siculis et Aragonensium fautoribus et sequacibus eorundem Sicularum mercimonia contraxerunt in eundo mittendo et redeundo, vel in loquela participarunt eisdem...” Reg. Vat. 47, f190v (13 Jun 1295), the main part of the document also in *Registres de Boniface VIII*, #785.

<sup>68</sup> His interdict on Frederick of Sicily and his supporters was backed by insistence that Genoa, Sicily’s main trade partner, refrain from commercial relations with the island, *Registres de Boniface VIII*, #3871 (1 Feb 1300), similarly #4324-4325 (26 Jan 1301).

<sup>69</sup> *Registres de Boniface VIII*, #3880 (7 Apr 1300).

<sup>70</sup> *Registres de Boniface VIII*, #3872 (1 Feb 1300).

<sup>71</sup> *Registres de Boniface VIII*, #2397 (29 Jan 1298).

excommunicated Latin Christians alike were all outside the body of the Faithful and treated as ‘infidels.’ It was to the papacy alone to define who qualified as Christian and who as ‘infidel,’ who could be saved and who was threatened by damnation. This fundamental principle had been the cornerstone of the Gregorian Church and the one on which the whole vision of the rightly ordered Christian society rested. No surprise then, that the papal restrictions on trade both reflected this general principle and worked for its re-enforcement. The concern with the health of souls overrode functional concerns under Boniface VIII just as it had earlier in the thirteenth century. Thus confronted with the impossibility of actually preventing the Genoese many of whom for reasons of trade used to live “under special privileges of the apostolic see...from older times...in cities and places of the Saracens, Greeks, and other infidels” to have contact with those others, Boniface hastened to provide for their spiritual needs by allowing them to have their own churches and priests in said places “to look after the health of their souls.”<sup>72</sup>

Short as it was, the pontificate of Benedict XI (1303-1304) demonstrates how the papal stance on embargo implementation oscillated between a total embargo in principle and a selective one in practice, how it privileged questions pertaining to souls over those of political nature. It also provides a glimpse into how secular governments and individual merchants responded to the papal policy of embargo, at least with regard to Egypt. Less than a month after his enthronement, Benedict renewed the papal embargo against Egypt. Those searching for a lawyers’ precision in this document will not find it,

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<sup>72</sup> From the following passage: “Exhibita siquidem vobis nostra petitio continebat quod communi Januensi per specialia sedis privilegia supradicte indultum extitit ab antiquo ut, cum cives Januenses in civitatibus et locis Sarracenorum et Grecorum ac aliorum infidelium frequenter oporteat pro ipsorum mercationibus commorari, habere possent capellas in civitatibus et locis predictis ac proprios capellanos in eis qui divina in illis officia celebrarent, et animarum saluti consulerent civium predictorum ipsisque ministrarent ecclesiastica sacramenta....” *Registres de Boniface VIII*, #1764, col. 667.

however. First, it speaks of Lyon II and Nicholas IV and makes a point of the latter's ban on the export of victuals for ten years, yet says nothing of Boniface VIII and his renewal of the ban in 1299. Second, it is unclear exactly what kind of trade Benedict prohibited. His bull focused on the Christian delivery of goods to the "rivals of the Faith" and "enemies of the Christian people," a "shameful" practice, hence to be banned indefinitely.<sup>73</sup>

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<sup>73</sup> "Considerantes insuper quod Sarraceni Alexandriae terreque Egypti non solum adversarii Fidei memorate sed etiam populi Christiani sunt hostes, et reputantes indignum quod a nobis alimenta recipiant...." *Le Registre de Benoît XI*, #1101, col. 660 (18 Nov 1303) and George Thomas and Riccardo Predelli, eds., *Diplomatarium Veneto-Levanticum sive Acta et Diplomata res Venetas Graecas atque Levantis* (New York: Burt Franklin, 1966 [1899]), I, #10, pp. 20-21 (this passage is on p. 21) Henceforth: DVL. DVL, however, which does not get the text from the original papal register has the date wrong giving 1304 instead of 18 Nov 1303. Grandjean's reading is obviously consistent with the datum of the original document, Reg. Vat. 51, f199v, which explains that the bull has the same date as the previous one, which in turn (f199r) clearly reads "in die dedicationis basilicarum apostolarum Petri et Pauli pontificatus nostri anno primo," as correctly reported by Grandjean. This day is Nov 18. Curiously, Grandjean himself questioned his own correct reading of the date (ibidem, col. 823 n. 1) by wondering about the wording of the papal letter to Venice from 3 Apr 1304 (discussed next) which refers to the 1304 *In Coena Domini* bull, which in turn is not to be found in the only register of Benedict, hence Grandjean's puzzlement. There is no doubt from the original documents, however, as to the date of the papal bull. Grandjean's inability to explain the situation likely results from the fact that he was apparently unaware (1) of the purpose of the Holy Thursday bulls and the manner of their promulgation (standard, annual) and (2) of the fact that Boniface VIII had introduced the practice of publishing the embargo twice a year: on Holy Thursday and in late November. A number of papal absolutions for illicit trade found in Benedict's only register show that the papal concern was with the very act of trade with "infidels" as a form of "help" to "infidels," rather than with the specifics of such trade and its potential effects on the enemy's military power. When in 1303 Benedict's chancery authorized the absolution of twenty-two Genoese for having traded with lands belonging to Muslim Egypt in "arms, iron, or any merchandise" the document reflects no interest in the details of the transgression, "...arma ferrum aut merces quascumque..." *Le Registre de Benoît XI*, #86, cols. 84-85 (9 Dec 1303). Similarly, when a certain lay person from the diocese of Agde petitioned for absolution, his petition was worded in a way which appears to have reflected the papal formula rather than his actual activities; the same is true of the Venetian Contardo Carolo and similar was the case of three citizens of Dubrovnik: "...illuc ferrum, lignamina et alias merces et res prohibitas detulit, ac mercationes et comertia vetita fecit et habuit cum Sarracenis illarum partium cum eis deditque illis consilium, auxilium et favorem." *Le Registre de Benoît XI*, #163, cols. 131-132 (27 Dec 1303); for the Venetian: Reg. Vat. 51, ff. 144v – 145r (29 Mar 1304), this document is only mentioned, not published in *Le Registre de Benoît XI*, #769, col. 481; for the people from Dubrovnik: Reg. Vat. 51, f159v (31 Mar 1304), only mentioned, not published in *Le Registre de Benoît XI*, #861, cols. 524-525. The Genoese Pietro Malocello applied for absolution for having sent some completely unspecified merchandise (*nonnulla mercimonia*) to Alexandria, *Le Registre de Benoît XI*, #674, col. 430 (14 Apr 1304). On only one occasion are we informed of the precise nature of the crime: a Venetian sold, timber for construction and a galley to the Muslims in Alexandria, "...olim ipse lignamina in quidam galea, quam propter hoc conduxit in Alexandriam, causa negotiationis fecit deferri ipsaque lignamina et galeam vendidit Sarracenis...." *Le Registre de Benoît XI*, #351, cols 248-249 (19 Mar 1304).

Benedict's embargo was total as a legal principle and applied to trade with all Muslims, anywhere. When in the following March 1304 he answered petitions from Pisa and Genoa, Benedict allowed the merchants of these cities to travel to – and trade in – lands of Muslims, except, however, in the traditionally prohibited items (war material) and except in the lands of the Sultan of Babylon (Mamluk Egypt).<sup>74</sup> Thus he maintained a total embargo against Egypt and a partial one against all other Muslim lands; his permit for some trade with the latter emphasized the fact that without it no Christian trade with any Muslims could take place. Indeed, the fact that papal documents drafted just prior to 1291 or after the fall of Acre focused on trade with Egypt must not be over-read in the sense that trade with Muslims elsewhere was allowed. Trade in war material, having been forbidden for a long time both in law and in practice, probably required less advertisement. What did need attention was the fact the total embargo against Egypt (and all Muslims under Boniface VIII) was now no longer a legal reality, but a policy that the papacy sought to implement in practice, probably in response to the loss of the Holy Land.

Thus Clement V's well-known total embargo proclaimed in 1308 was not the sharp break with previous practice and sudden return to Nicholas IV's 1291 decree that current views make it appear to be. Rather, Clement's bull differs from most previous and subsequent papal decrees on the matter insofar as it provides an explicit articulation of the functional rationale that merely lurks behind earlier papal sanctions – degenerate Christians exported arms which the Muslims used against Christians. This instance notwithstanding Clement's bull does not differ from previous papal legislation for it still

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<sup>74</sup> “...possitis ad alias preter quam Babilonie soldano subjectas Sarracenorum terras accedere cum mercibus et rebus non vetitis et habere commercium cum Sarracenis terrarum ipsarum.” Reg. Vat. 51, f109r and *Le Registre de Benoît XI*, #545-546, col. 363 (2 Mar 1304).

dedicates more attention to those who, although reborn through baptism, help the “Saracens,” this “horrible and perfidious nation.”<sup>75</sup> Thus, in the spirit of Lateran III and Nicholas IV’s 1291 decree, Clement casted those who transgressed the embargo outside the bounds of Christendom. His bull was to be published across Christendom,<sup>76</sup> and especially in Venice, Ancona, Pisa, and Genoa.<sup>77</sup>

Like previous popes, Clement V was quick to employ embargo in order to discipline Christendom itself. In the same year in which he proclaimed a total embargo against Mamluk Egypt (1308), he addressed Venice at the beginning of a struggle between the papacy and Venice for control over Ferrara.<sup>78</sup> Clement threatened the city of Saint Mark with the complete separation from contact with the faithful so that they would not participate with Venetians in any contract, through acts of buying or selling.<sup>79</sup> From the bull that eventually concluded the conflict in 1313 we learn the provisions of the earlier bull that Clement had promulgated when Venice had refused to comply. This bull, issued against a Christian city may provide the best conceptualization of papal embargo as an economic tool of papal foreign policy. It conceptualized in fact the withdrawal of the means of subsistence as a tool that would coerce Venice to alter its policies. Hence no one was allowed to deliver grain, wine, meat, bread, timber, or any other goods to the Venetians. Violators would themselves be the subject of excommunication, if individuals, and interdict, if corporate bodies. Venetian subjects were freed from any

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<sup>75</sup> “orribili et perfide nationi,” The Monks of the Order of Saint Benedict, eds., *Regestum Clementis Papae V* (Rome: Ex Typographia Vaticana, 1884-1888), #2994 (12 Oct 1308).

<sup>76</sup> *Regestum Clementis Papae V*, #2995 (12 Oct 1308).

<sup>77</sup> *Regestum Clementis Papae V*, #3088 (12 Oct 1308).

<sup>78</sup> The conflict between Venice and the Papacy over Ferrara is treated briefly by Gillaume Mollat, *The Popes at Avignon, 1305-1378* (London: Thomas Nelson and Sons, 1963 [Translated from the French edition of 1949]), pp. 70-76, and, at length, by Giovanni Soranzo, *La Guerra fra Venezia e la S. Sede per il dominio di Ferrara (1308-1313)* (Città di Castello: S. Lapi, 1905). On Ferrara in the period see Augusto Vasina, gen. ed., *Storia di Ferrara*, Vol. V *Il Basso Medioevo XII-XIV* (Ferrara: Gabriele Corbo, 1987).

<sup>79</sup> *Regestum Clementis Papae V*, #5000 (4 Dec 1308).

bonds and obligations to Venice, Venetians were denied the right to testify, draft wills, or inherit. Venetian sentences were invalidated, and Venetians, their sons, and grandsons within four generations were excluded from the church.<sup>80</sup> As the war over Ferrara began and these provisions took effect, Clement provided a nobleman who had detained a Venetian ship sailing back from Egypt with a reassurance that he would not be compelled to provide restitution.<sup>81</sup> One wonders whether during the war of Ferrara Venice used its ‘infidel’ categorization as to openly bust Clement’s total embargo on trade with Egypt. In any case, the embargo was, as usual, just one side of the papal measures against a Christian city, the other, military action aside, being the ecclesiastical interdict. Hence, even when the popes provided a well-articulated rationale for the employment of embargo, they still used embargo only as one part of a broader strategy, which, in the case of conflict, cut off the temporarily designated ‘infidel’ from the community of the Faithful, both through exclusion from the intangible body of the Faithful (excommunication, interdict) and through exclusion from the tangible world of commerce. Was it by chance that this 1309 bull was published, after all, on *die coene Domini*, 27 Mar 1309?<sup>82</sup>

While a number of contemporary critics and later historians have seen the pontificate of John XXII (1316-1334) as a break with Gregorian principles and ideals, this was not the case as far as his use of embargo is concerned. At the outset of his pontificate, John XXII upheld the total embargo against Mamluk Egypt. In 1317, using the same sort of argument it had employed in 1198, Venice claimed before the papal

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<sup>80</sup> *Regestum Clementis Papae V*, #9009 (26 Jan 1313). Soranzo, *La Guerra fra Venezia e la S. Sede*, pp. 127-131.

<sup>81</sup> *Regestum Clementis Papae V*, #6438 (21 Dec 1310).

<sup>82</sup> Soranzo, *La Guerra fra Venezia e la Santa Sede*, p. 127.

legate Bertrand de la Tour, minister provincial of the Friars Minor in Aquitaine,<sup>83</sup> that it was a unique city: the Venetians did not have land, fields, or vineyards or other possessions from which to derive income through which to sustain themselves, and hence had to navigate to various parts of the world in order to do so.<sup>84</sup> Having stressed their strict observance of the selective version of papal embargoes,<sup>85</sup> the Venetians wanted the papal legate to ask John XXII to “open his eyes” and provide Venice with a *licentia(m)* to “go and navigate to the lands of Egypt” with “gold, silver, tin, copper, cloth, and saffron” and to “bring from there merchandise that is necessary for the whole world.”<sup>86</sup> Such sharp language notwithstanding, Venice did not dispute the principle of papal jurisdiction over Christian trade with non-Christians, acknowledged that Christians could not export war material to non-Christians, and justified all its actions as driven by economic necessity as it had done in 1198. Just as in the earlier period, at the outset of John XXII’s pontificate the papal policy of embargo was perhaps expected to be total in law while

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<sup>83</sup> Bertrand was to become a key figure in the controversy over apostolic poverty, see Patrick Nold, *Pope John XXII and his Franciscan Cardinal. Bertrand de la Tour and the Apostolic Poverty Controversy* (Oxford: Clarendon Press, 2003).

<sup>84</sup> “...hec est inter alias mundi civitas singularis et homines venetiarum non habent terras campos vineas et possessiones unde redditus percipiant ex quibus valeant nutriri nisi aliunde portentur sicut habent universe alie civitates sed oporteat eos ad diversas mundi partes navigare et ex frequenti mercatorum usu ducere vitam suam...” A.S.Venezia, Libri Commemoriali, Reg. 2, f12v and Reg. 2-1 Copia, ff. 39r-40r (Oct 1317). Summary of the document in Predelli, *Commemoriali*, I, #64, pp. 183-184. Original register not available for consultation, however, mistakes do happen so occasionally one can get an original register. Later registers of this series are available in the original. I have no reason to consider the copies of the fourteenth century Commemoriali inferior to the originals (for most purposes, including mine). Both Heyd, *Histoire du commerce*, II, p. 42 and Ashtor, *Levant Trade in the Later Middle Ages*, p. 27 mentioned this document, but neither discussed it; they both used Predelli’s summary, not the whole document. Such an approach is fully understandable given their primary research subject, trade, not embargoes, but it precludes one’s ability to adequately address the problem of embargo.

<sup>85</sup> A.S.Venezia, Libri Commemoriali, Reg. 2, f12v.

<sup>86</sup> “...dignetur sue pietatis oculos aprire et nobis graciose concedere licentiam quod cives et mercatores nostri possint cum auro et argento stagno et ramo pannis et zaffarano ire et navigare ad partes predictas Egipti et soldano subiectas et de inde de mercationibus illarum partium que toti mundo sunt necessarie ad has partes conducere.” A.S.Venezia, Libri Commemoriali, Reg. 2, f12v.

selective in practice.<sup>87</sup> Some months earlier, the Grand Council had discussed the case of the noble Toma Dandolo, who had exported timber to Alexandria.<sup>88</sup> Now, perhaps to strengthen its chances to obtain a license, Venice proclaimed by public criers its unflinching commitment to the selective embargo. It was announced probably through all Venetian dominions, and certainly in Venice and Candia, that iron, horses, arms, timber for construction and any other arms brought to Mamluk Egypt would be sequestered by the authorities or a fine equal to their total value would have to be paid.<sup>89</sup> Transgressors who were members of the Grand Council, that is nobles, would be forever excluded from it (and thus lose their noble status) and any other public offices. Non-nobles would lose whatever chances they had to be enlisted in the Grand Council. No sailor was obliged to work in a vessel that acted contrary to this order; sailors who did would be fined fifty pounds; captains and others of status – 100 pounds.<sup>90</sup> Finally, all ships exporting iron and timber out of the Gulf had to provide proof of legal recipients.<sup>91</sup> Thus Venice announced its upholding of the perpetual papal embargo on Mamluk Egypt.<sup>92</sup>

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<sup>87</sup> The papal legate apparently found the Venetian request reasonable and suggested that an envoy be sent to the pope. A.S.Venezia, Libri Commemorativi, Reg. 2, f12v (5 Oct 1317). Summary in Predelli, *Commemorativi*, I, #65, p. 184.

<sup>88</sup> Excusing himself with the need to sustain himself; he had already obtained absolution from the papal legate then present in Venice, hence he was now also absolved by the Grand Council, A.S.Venezia, Maggior Consiglio, Reg. 13, Clericus Civicus, Copia, f241v [268v] (9 Feb 1317).

<sup>89</sup> Paola Ratti Vidulich, ed., *Duca di Candia, Bandi (1313-1329)* (Venice: Il Comitato Editore, 1965), #172, pp. 62-63 (27 Nov 1317).

<sup>90</sup> This fine still fell disproportionately heavily on the poorer Venetians, because although both sums were very significant, 50 pounds must have meant more to a sailor than 100 did to a captain.

<sup>91</sup> Vidulich, *Duca di Candia, Bandi*, #172, p. 62. The first fourteen registers of the series Senato Deliberazioni Miste are not preserved, unfortunately; we only have their “table of contents.” An entry there, R. Cessi and P. Sambin, eds., *Le deliberazioni del consiglio dei rogati. Serie ‘Mistorum’ I* (Venice: a Spese della deputazione, 1960), Misti IV, #272, p. 169 (1317) declares: “Perpetua. Non eatur (nec mittatur) ad terras Soldani scilicet a Damiatia ad portellam Armenie (per riperiam) pena L. pro centenario.” This entry has provoked the curiosity of both Heyd and Ashtor. Both understand the text as excluding Alexandria, the most important port of Mamluk Egypt from the ban, for it was located west of Damietta. Consequently, this ban may have served to both show submissiveness to the church and put a pressure on the sultan with whom Venice was not in optimal relations at this time. Heyd, *Histoire du commerce*, II, p. 41 and Ashtor, *Levant Trade in the Later Middle Ages*, p. 18 and f. 75. I see neither a reason to disagree with their understanding, nor a necessity to read too much into this trace (a single line) of evidence, given

Not only did John XXII maintain the total embargo against Mamluk Egypt, but he hastened to proclaim a total embargo on trade with the Emirate of Granada as well.<sup>93</sup> Not

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the documents discussed above. Clearly, Venice still kept most trade with Alexandria and perhaps with all of the Mamluk lands open in spite of the long sequence of papal bulls, starting with Nicholas IV in 1289 and 1291 that required a full embargo.

<sup>92</sup> This document is both similar and different from the Venetian ban in support of papal embargoes from 1226 (Chapter 3) and the later proclamations of Venetian law in the same sense. In a way, the penalties in this order are somewhat lighter than those found in the 1226 one, yet still very harsh. This is especially true of the nobles who were no longer to be banished for transgression, but who were still to lose (at least in theory) their social status. Ship captains transgressing the order would now be fined 100 pounds instead of 200. An order from 1326 banned trade in such items with Barbary, see below.

<sup>93</sup> This he did during the first year of his pontificate through a bull that ultimately found a place in the Code of Canon Law. The appearance of this letter in canon law is - however strange this might seem at a glance - more curious than relevant. The *Extravagantes* of John XXII had very little in common with the massive, coherent, and executed under papal order *Liber Extra* of Gregory IX. Why, in 1325, a professor of canon law found room for this canon in what Brundage calls his "small [less than two dozen documents] private collection of John XXII's decretals," which became a widely accepted part of canon law only after 1500, is a question that can hardly be answered, Brundage, *Medieval Canon Law*, pp. 55, 199. What matters here, however, is that because of its late and unpremeditated appearance in canon law, it cannot be understood as representative of the papal policy of embargo in general, but instead, it should be seen as an ad hoc letter, addressed, as it was, specifically to Alfonso XI, King of Castile (1310-1350) in 1317 on a specific occasion, the latter's preparations to wage war on the Emirate of Granada. As many other papal embargo documents, this letter has been noted, but its provisions and its place within the context of papal embargo legislation have not been the subject of examination. By writing that this order banned the export to Granada of "mercancías prohibidas," Odena suggests that this bull covered only war material, Odena, "De Alexandrinis," p. 267. He appears unaware that such a statement implies that up to 1317 the papal embargo had applied against Mamluk Egypt alone and that his take on this document would hence contradict his own (and correct) general statement that papal bans covered "toda actividad ilícita de comercio relacionada con el mundo musulmán, sea en el Oriente, sea en Granada o Norte de Africa." Odena, "De Alexandrinis," p. 252. In turn, Housley writes somewhat ambiguously that "In theory... the policy of the curia was straightforward. All commerce with Egypt and Syria was prohibited, and at times the ban was extended to other enemies of the Church...." Housley, *The Avignonese Papacy and the Crusades*, p. 202. The bull declared that "desiring to remove all obstacles through which the carrying of said business [of "attacking the perfidious Agarens"] can be obstructed" the pope banned all people, regardless of social standing, from the export to Granada of arms, horses, iron, timber for construction, victuals, and any other goods that his predecessors had banned from trade with Egypt; the ban was to be valid for three years, "Quum igitur omnia cupiamus obstacula remove, per quae dicti negotii prosecutio posset quomodolibet impediri: universis et singulis, cuiuscunque conditionis, praeeminentiae vel status existant, districtus inhibemus, ne arma, equos, ferrum, lignamina, victualia, et alia quaecunque prohibita per Romanos Pontifices praedecessores nostros ad terras Aegypti deferri, ad Sarracenos dicti regni Granatae intra triennium, incipiendum a Kal. Aprilis proxime secuturi, quomodolibet deferre praesumant." Friedeberg, II, cols. 1214-1215. Mollat, *Lettres communes du pape Jean XXII*, #2923 (25 Feb 1317). The penalties would be the same as those applied against those who exported such goods to Egypt; anyone who would provide "consilium, auxilium, vel favorem" to the Muslims of Granada would also be excommunicated *ipso facto*, Friedeberg, II, col. 1215. Obviously, the understanding of the scope of the embargo envisioned in this letter depends on the reading of "alia quaecunque prohibita per Romanos Pontifices praedecessores nostros ad terras Aegypti deferri." It is clear from the sources quoted previously, that since 1289 the expression "alia quaecunque mercimonia" was the standard phrase that followed the list of traditionally banned goods and the word "victualia" in papal proclamations of the embargo against Egypt, see also Reg. Vat. 68, f64v (1 Jun 1318). For example in the first of these bulls, Reg. Vat. 46, f176r; the second half of the document, including this expression is fully published in *Registres de Nicolas IV*, #6789, pp. 901-902 (28 Dec 1289). Given that John XXII's predecessors, most recently Clement V, had prohibited *all* trade with Egypt using

surprisingly, and in accordance with thirteenth century practice, this order was followed not long after by an authorization to the Archbishop of Compostella to absolve, after the appropriate penalties had been inflicted, those who violated it.<sup>94</sup> That the embargo of John XXII – contrary to what is implied in the literature – covered trade with *all* Muslim lands, not only Mamluk Egypt and Granada is made clear in several documents. In 1326 the Venetian senate proclaimed that Venetians were not allowed to export iron, timber for construction, and arms to the Barbary Coast.<sup>95</sup> This order was then repeated and extended to non-Venetians in 1328.<sup>96</sup> Papal documents made this point too, for example a 1331 license to the Duke of Athens to send two ships to Alexandria precluded him from sending these to the Muslims of the Emirate of Granada and the city of Ceuta.<sup>97</sup> Besides the famous Genoese *Devetum Alexandrie*, for example, which provides a detailed list of

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this phrase, should we not understand this bull as covering *all* trade with Granada? After all the prohibited goods in earlier bulls, that is the “*alia quaecumque prohibita per Romanos Pontifices praedecessores nostros*” of John’s bull were indeed all goods, the “*alia quaecumque mercimonia*” of his predecessors. Such an interpretation finds additional support in the three-year limit of validity that the chancery attached to the order. While we have seen so far that popes sought to uphold the principle of ecclesiastical jurisdiction over any form of contact between Christians and non-Christians, including trade, we have also seen that the total embargoes applied in practice only against specific targets (Egypt, “heretical” communities, interdicted Venice) and only for a limited period of time. There is not a single papal document prior to this one and not a single later papal document known to me on the subject that would restrict trade in war material with Muslims for a limited time only. Thus, we should understand this document as envisioning a complete halt of Christian trade with Muslim Granada, modeled on the complete embargo against Egypt (of Nicholas IV, Boniface VIII, Clement V, and John himself) for a period of three years.

<sup>94</sup> Reg. Vat. 68, f64v (1 Jun 1318). The papal absolution from excommunication entailed absolution from any other penalties that the local ecclesiastical authorities may have imposed.

<sup>95</sup> “Perpetua. Non portentur ferrum, lignamen et arma ad partes Barbarie.” Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti X, #37, p. 326 (Dec 1326).

<sup>96</sup> “Vetutum est forensibus sicut Venetis portare ad partes Barbarie ferrum, lignamen vel arma etc.” Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti XI, #64, p. 364 (Jul 1328). At a glance, the previous order may appear not to have been valid for non-Venetians, but the fact that none of these registers is preserved, but only their *rubriche*, should caution against over-reading these headings.

<sup>97</sup> “Volumus autem quod per diocesanus vel eius officialem seu vices gerentem loci in quo dictos patronos seu gubernatores et nautas et mercatores prefatos naves entrare contigerit ne quid contra praemissa ut predicatur faciant aut circa ea committant in fraudem neque offendant vel impugnant devotos eosdem neque ad dicta Reguum granate vel villa, que cepta dicitur vel quasvis alias terras sarracenorum qui cum christianis guerras habere nescuntur vel habebunt medio tempore ut prefertur accedant vel mittat vel quoquo modo prestent eisdem per se vel per alium seu alios auxilium consilium vel favorem exigatur et ab eos prescetur corporale iuramentum.” Reg. Vat. 98, f216v. (5 Jan 1331). Mollat, *Lettres communes du pape Jean XXII*, #52188.

penalties for those who provided Mamluk Egypt with war material and/or slaves, Genoa later also promulgated the less frequently discussed *Devetum Ispanie et Barbarie*.<sup>98</sup>

The Council of the Eight Elders over Navigation and the Black Sea [*Officium Gazarie*]...Desiring to lessen the wickedness of sinners, and provide for the health of the citizens of Genoa, for the good standing of the city of Genoa, and for the advancement of the Holy Mother Church discussed, decided, and prohibited by way of *devetum* that any Genoese person or who rejoice in Genoese rights, or whoever is considered a Genoese cannot and must not carry...in any way raw or worked iron, raw or worked timber for construction, *berzerium*, bows, arrows, *quadrellos*, *balistras*, or any other kind of arms nor female or male Mamluks, nor any Saracens, Turks, or infidels to any, western or eastern Saracen lands.<sup>99</sup>

A letter concerning a Genoese merchant shows that the Genoese had known this earlier in John's pontificate. In March 1321 the papal chancery allowed the archbishop of Genoa to absolve Eliano de Bulgaro from multiple *ipso facto* sentences of excommunication, which he had incurred. First, he had been partner (*socius*) of another person, who, despite Eliano's written orders to the contrary, traded in Alexandria and dutifully provided Eliano with the share of the profit he was due.<sup>100</sup> Next, Eliano together with multiple partners crossed the sea to Almeria, in the Emirate of Granada, on

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<sup>98</sup> Vittorio Poggi, ed. *Leges Genuensis*. In *Historiae Patriae Monumenta* (also known as Monumenta Historiae Patriae) 18/*Leges Municipales* 3 (Turin: Regio typographo, 1901), cols. 371-376 for *Devetum Alexandriae* (19 Mar 1316) and cols. 376-377 for *Devetum Ispanie et Barbarie* (17 Mar 1340). Heyd, *Histoire du commerce...*, II, p. 35 and Ashtor, *Levant Trade in the Later Middle Ages*, p. 47 use this document.

<sup>99</sup> Italics mine. "Officium octo sapientium constitutorum super factis navigandi et maris maioris... Volens obviare maliciis peccatorum et providere saluti civium Ianue ad bonum statum civitatis Ianue et ad augmentum S. matris Ecclesie tractavit statuit et prohibuit per modum deveti quod aliqua persona Ianue seu qui Ianuensium beneficio gaudeat vel qui pro ianuense reputetur non posit nec debeat modo aliquo qui dici vel excogitari possit deffere seu defferri facere mitere seu mitti facere ferrum factum vel infectum lignamina facta vel infecta berzerium neruum sagitas quadrellos balistras vel aliquod aliud genus armorum neque mumulcos vel mumulcas mares vel feminas neque aliquos Sarracenos Turcos vel infideles ad aliquas partes sarracenas vel Sarracenorum parcium occidentalium vel orientalium." *Leges Genuensis*, 3, col. 376.

<sup>100</sup> "Nonnulla mercimonia cum quodam socio suo habente comuniter et ad cuius pervenisse auditur quod idem socius Alexandriam ire cum rebus vetitis intendebat idque sibi dominus elianis... per litteras prohibisse... eodem socio nichilominus ad partes alexandrie transffretante... de dictis partibus redeunte... Elianus partem lucre pro rata pecunie ipsum contingente a socio memorato recepit." Reg. Vat. 72, f190v (17 Mar 1321). Mollat, *Lettres communes du pape Jean XXII*, #13102.

two vessels laden with wheat.<sup>101</sup> Claiming to be unaware that Christians had been forbidden access to the emirate, Eliano sold part of the wheat.<sup>102</sup> Third, Eliano and his partners passed through the island of Malta, another “prohibited land,” where they only “ate and drank.”<sup>103</sup> Then, Eliano had a share in the profits from the export of some oil from Sicily to Malta, after which he was involved in yet more illegal trade with unspecified Muslim lands and with the hard to identify *Zizeran*, also Muslim territory. Hence Eliano “applied humbly” to the papal curia for absolution; the latter, in turn, had the obligation to “open its bosom” to what we can see as a soul crossing the boundary between the Other and the Faithful in the “right” direction.<sup>104</sup>

The embargoes of the popes of Avignon did not apply only against the traditional Muslim targets: Fatimid, then Mamluk Egypt, the Barbary Coast, and *Al-Andalus*. Although papal documents had long used “Saracens” to denote Muslims in general, a difference was often drawn between the traditional Muslim centers of power (Egypt, Barbary Coast, Iberia) and those that had emerged more recently in Anatolia, labeled as the “Turks.” Papal embargoes against “Saracens” probably covered the Seljuk lands in Anatolia in an earlier period; indeed a treaty that Venice (through the Duke of Candia) concluded with Khizir, Emir of Aydin in 1337 clearly supports one of the main

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<sup>101</sup> “Postmodum etiam dominus idem Elianus et nonnulli eius socii cum duobus navigiis tritico oneratis terram almariam que terra Sarracenorum est transitum facerent.” Reg. Vat. 72, ff. 190v-191r.

<sup>102</sup> “Dominus Elianus ignorans certitudinaliter terra illam christianis esse prohibitam...ad exonerandum et vendendum ibidem aliquum eiusdem tritici partem accederent consilium prestitit et assensum et ad...almariam accedentes partem dicti tritici inibi vendiderunt...” Reg. Vat. 72, f191r.

<sup>103</sup> “...ac facientes transitum per malitam que similiter esse terra prohibita comederunt et biberunt tantummodo in eadem.” Reg. Vat. 72, f191r.

<sup>104</sup> “...Elianus propter praemissa...excommunicationis sententiis se sentiat irretitum nobis humiliter supplicavit...Nos igitur qui debemus omnibus gratiam nostram humiliter implorantibus apostolice pietatis gremium aperire suis supplicationibus inclinati...fraternitate tue per apostolica scripta mandamus quatenus eidem eliano...excommunicationiis sententiis huiusmodi absolutionis impendas...” Reg. Vat. 72, f191r.

arguments of this work, that the papal embargoes were meant to apply to all “infidels” and that this was well understood by the laity:

Also, it is noted that things that are contraband when brought to Saracen and infidel lands remain in this condition; these neither can be, nor should be brought to the places of the said *admiratorum* and Turks.<sup>105</sup>

In fact, in 1305 Friedrich, Archbishop of Riga, had complained, among other things:

Also, which is a grief to mention, and also to hear that [they] sell arms, iron, and all kinds of merchandise to the pagans, and enter in relationships with them, which is not licit to Christians, in damage to the Christian name.<sup>106</sup>

As for embargoes within Christendom in the period (1291-1378) this work has already pointed to those against Sicily (Nicholas IV, Boniface VIII) and Venice (Clement V). We will soon see that John XXII embargoed Ferrara in the 1320s. Popes later in this period also employed embargoes against Christians. During his attempts to restore papal control in Italy, Cardinal Alborno, for example, excommunicated Galeotto Malatesta and Malatesta Malatesta who had seized control over Ancona, Ascoli, and Pesaro, among other cities. He also excommunicated their allies Francesco Ordelauffi, Lord of Forlì, and Guglielmo and Giovanni Manfredi, Lords of Faenza. Hence Alborno ordered that no one was “to have contact” with “said sons of condemnation” through “buying and selling goods;” nothing “necessary for living” was to be delivered to them and nothing was to be bought from them; Venice itself was threatened with interdict should its merchants not

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<sup>105</sup> “Etiam notatur quod res vetitae et prohibitae ad terras Saracenorum et infidelium deferri remanent in suo statu nec possunt nec debent modo aliquo portari ad loca dictorum admiratorum et Turcorum.” Elizabeth Zachariadou, *Trade and Crusade. Venetian Crete and the Emirates of Menteshe and Aydin (1300-1415)* (Venice: Hellenic Institute of Byzantine and post-Byzantine studies, 1983), Doc. 1337A, p. 194.

<sup>106</sup> “Item, quod dolor est dicere pariter et audire, arma ferrum et omnia genera mercium vendunt paganis, et cum ipsis contractus et conventicula celebrant, quod Christianis non est licitum, in destructionem nominis Christiani.” Friedrich Georg von Bunge, ed., *Liv-, Est- und Kurländisches Urkundenbuch* Vol. I, Part 2 (Aalen: Scientia Verlag, 1968 [1855]), col. 27 (14 Sep 1305).

comply.<sup>107</sup> In 1355, the city in the lagoon was invited to join the crusade which Pope Innocent VI had preached against the lords of Forlì and Faenza; these had been condemned as heretics, hence their extermination would relieve the faithful from the yoke of slavery and allow them to avoid the danger of infection.<sup>108</sup> Later, Albornoz complained that some still exported salt to the rebels from Venice and Chioggia,<sup>109</sup> while the inquisitor Castellano da Bologna asked for the arrest of those from Forlì and Cesena who were in Venetian territories.<sup>110</sup>

Venice using its perennial argument that it lived on trade refused to comply. No less importantly, however, it emphasized that it would not support the Ordelauffi in any way.<sup>111</sup> Thus Venice tried, as in the case of licenses for trade with Muslims and other

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<sup>107</sup> “...precipimus et mandamus quatenus nullus ex ipsis de cetero cum predictis dampnationis filiis aut habitatoribus incolis et personis civitatum ferrarum castrorum villarum et locorum quorumcunque que per eosdem dampnationis filios ut premittitur detinentur in emendo vendendo mercantias aus alios actus quoslibet exercendo navigando participare quoquomodo presumant nec ad civitates ipsas et terras Castras Villas seu loca alia...bladum vinum oleum panem pannos Arnesia carnes arma animalia aut quecunque victualia ad victum vel deffensam homini necessaria cuiuscunque generis per Mare vel terram deffere aut ab ipsis emere....” A.S.Venezia, Libri Commemoriali, Reg. 5 Copia, f56v (1 Feb 1355), summary in Predelli, *Commemoriali*, II, #72, p. 228.

<sup>108</sup> “...fideles et devoti eiusdem ecclesie iugum servitutis abiiciant periculum infectionis evitent....” A.S.Venezia, Libri Commemoriali, Reg. 5 Copia, f112r (8 Dec 1355). summary in Predelli, *Commemoriali*, II, #109, p. 236.

<sup>109</sup> A.S.Venezia, Libri Commemoriali, Reg. 5 Copia, f182r/v (probably Jan 1357). Summary in Predelli, *Commemoriali*, II, #216, p. 259.

<sup>110</sup> A.S.Venezia, Libri Commemoriali, Reg. 5 Copia, ff. 182v-183r (16 Jan 1357). Summary in Predelli, *Commemoriali*, II, #207, p. 257.

<sup>111</sup> “...indubie tenere potest Vestra Paternitas quod a prestando vel prestare faciendo auxilium Consilium et favorem contra eam que Nobis Matrem venerabiliter reputamus hactenus abstinuimus et abstinere proponimus in futurum...Verum sicut Paternitati Vestre et Mundo potest esse notorum oportet civitatem nostram singularem normam modumque vivendi obtinere dissimilem ab omnibus aliis Civitatibus quia cum sit in Maris Undationibus artificialiter constructa omnibus ad victum necessariis naturaliter carens compellitur de diversis et finitimis Mundi climatibus victualia guerere cum inexplicabilibus laboribus periculis et expensis ad alendum multitudinem tanti populi et concurrantium ad Nos quotidie nationum quod effici non vallet nisi mediante mercatorum et mercationum concursu et exercitio in quibus consistit tota substantatio Vite Nostre nam ipsi cessantibus status Noster per consequens defficeret quod pietati Apostolice Vestreque Paternitati certitudinaliter displiceret quare reverentissime deprecamur quatenus cum requisita per fratrem Castellatum predictum sint penitus impossibilia Nobis ob premissas et nonnullas alias rationabiles et veras causas quas ob brevitatem obmittimus dignemini in hac parte excusationem nostram tam legitimam tanquam necessariam admittere que a sola impossibilitate procedens alias in casu simili per sanctitatem Apostolicam et Vestram Paternitatem pro premissa status Nostri consideratione extitit benignissime acceptata....” A.S.Venezia, Libri Commemoriali, Reg. 5 Copia, f183r/v (21 Jan 1357). Summary in Predelli, *Commemoriali*, II, #211, p. 258.

‘infidels,’ to show compliance to the papacy and hence adherence to the ‘properly’ ordered, that is papal-led Christendom, and still carry on business as usual, on the grounds of economic ‘necessity.’ Albornoz remained unimpressed, arguing that cessation of trade with the very limited lands of the ‘Heresiarch’ Francesco Ordellafi surely could not hurt Venice; more importantly he clearly showed that for him the problem was not one that we would label as of economic/political (functional) nature. The ‘true’ danger was in the act of communication, in the contact with those expelled from the community of those that the church would lead to salvation.<sup>112</sup>

Meanwhile the message that ‘heretics’ and ‘Saracens’ were ‘others,’ with whom Christians were to abstain from (unlicensed) contact continued to be frequently delivered to the faithful through Holy Thursday bulls. An example from 1354 shows us how such a bull was promulgated by the Bishop of Castello in his Venetian diocese. He opened his edict by emphasizing the pastoral concern beneath it: “Willing to confront the dangers to the souls so that no one incurs danger due to ignorance of the law...we declare all those listed below...to be excommunicated.”<sup>113</sup> Those listed below, were, of course firstly the “heretics,” Patarenes and Poor Men of Lyon among others. The second target of excommunication were Christians who delivered arms, iron, and timber for construction

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<sup>112</sup> “...atento et diligentius considerato quam modicum utilitatis et commodi poterit evenire ex...parvissimis terris quas Heresiarcha ille franciscus de ordellaphis de forlivio detinet occupatas et quantum immineat periculum conversantibus seu participantibus cum incolis et habitatoribus dictarum terrarum seu aliis dicti Heresiarche fautoribus ac etiam quod ex terris Provincie Marchie et omnibus aliis in Provincia Romandiole ecclesie obedientibus tam victualium quam aliarum mercantiarum longe maiores quantitates ad civitatem predictam conduci poterunt pro ut et conducuntur quam de predictis Heresiarche non prestaret auxilium vel favorem tamen esset aliis perniciosum exemplum cum debeat ab omnibus fidelibus christianis ipsius et suorum fautorum conversatio protinus evitare.” A.S.Venezia, Libri Commemoriali, Reg. 5 Copia, f184r (30 Jan 1357). Summary in Predelli, *Commemoriali*, II, #214, pp. 258-259.

<sup>113</sup> “Nos Nicolaus permissione divina episcopus castellanus volentes animarum periculis obviare ne per ignorantiam iuris aliquis vel aliqui in presentium periculum incurrere valeant declaramus omnes infrascriptos esse per sacros canones vel per constitutiones concilii Gradensis aut ecclesie Castellane excommunicatos.” A.S.Venezia, Libri Commemoriali, Reg. 6-2 Copia, f306v (10 Apr 1354). Summary in Predelli, *Commemoriali*, II, #1, p. 275.

to Muslims, who served on their ships, or who sold them galleys or round-ships, effectively a paraphrase of Lateran III's Canon 24.<sup>114</sup> Thus embargoes in this period continued implicitly to reaffirm the position of the papacy as head of Christendom as well as to identify faithful and designate 'others.'

## **5.2. John XXII, His Legates, and the Venetian "Strict Embargo" of 1323-1344**

The examination of a single episode will put into focus exactly how both the immutable ideals of the reformed church and historical contingencies continued to shape the papal policy of embargo, as they had done in the thirteenth century. Ashtor labeled the period 1323-1344, when Venetian state convoys to Mamluk lands were suspended, as one of a strict papal embargo against Mamluk Egypt.<sup>115</sup> Lane also noted that for some twenty-three years "no Venetian ships went to Egypt,"<sup>116</sup> while Bratianu even claimed that by 1332 the Venetian senate was adhering to the ideas of Marin Sanudo.<sup>117</sup>

Addressing papal-Venetian relationships in this period by taking into account not only the embargo against Egypt, but also other papal embargoes will show (1) that papal ire with the behavior of merchants and merchant governments stemmed primarily from concerns that had to do with jurisdiction and the right order of a Christian society, (2) that papal concern with proper order – papal power – within Christendom trumped a concern over Muslim military power, and (3) that what Ashtor called "strict embargo" applied in

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<sup>114</sup> "Primo omnes hereticos Patarenos pauperes de Lugduno Passaginos Iosephynos Arnalistas Speronistas et alios hiis similes quibuscumque sectis seu nominibus censeantur. Item omnes Christianos qui Saracenis arma ferrum vel lignamina defferant galearum et eos qui illis vendunt galeas vel naves seu qui in piraticis eorum navibus curam Gubernatoris exercent vel in quibuslibet aliis aliquod auxilium Consilium vel Favorem ipsis Saracenis impendunt." A.S.Venezia, Libri Commemoriali, Reg. 6-2 Copia, f306v.

<sup>115</sup> In addition to Ashtor, *Levant Trade in the Later Middle Ages*, p. 44, see also Thiriet, *La Romanie vénitienne*, p. 329.

<sup>116</sup> Lane, *Venice*, p. 130.

<sup>117</sup> Georges I. Bratianu, "Les vénitiens dans la mer Noire au XIVe siècle. La politique du sénat en 1332-1333 et la notion de latinité," *Etudes et Recherches* 11 (1939): 37.

practice only to Venice and was not the result, as Heyd, Ashtor, and Ortalli believed, of concerted papal action, an ever increasing papal pressure for compliance that resulted in the events of the 1320s. Instead it emerged from the modes of its implementation by papal legates, and the way in which Venice responded to their actions. In other words, unlike the symbolic dimension of papal embargoes, this has to be read against a context-specific, local situation, not against the theologically crafted papal principle of no trade and contact (in theory) and licensed trade and contact (in practice) between Christians and non-Christians.

There is some uncertainty about the way in which Venetian trade was conducted between 1291 and 1316, the outset of John XXII's pontificate. Venetian documentation shows that while papal embargoes were transgressed, business did not always go on as usual. Venetian legislation from the late thirteenth century shows a marked continuity with that from its beginning. Timber not suitable for construction thus remained licit merchandise in 1281,<sup>118</sup> while iron and timber for construction could only have two licit destinations in the Holy Land, crusader held Tyre and Acre.<sup>119</sup> As in the case of Aragon and Genoa, little is known of Venetian trade immediately after the Muslims conquered the last Latin outposts.<sup>120</sup> As Ashtor has pointed out in the context of papal embargo, however, between 1293 and 1299 Venice and Genoa were preoccupied first and foremost

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<sup>118</sup> Roberto Cessi, ed., *Deliberazioni del Maggior Consiglio di Venezia*, II (Bologna: Nicola Zanichelli, 1931), p. 72.

<sup>119</sup> Cessi, *Deliberazioni del Maggior Consiglio di Venezia*, II, p. 355.

<sup>120</sup> For what is known see Heyd, *Histoire du commerce...*, II, pp. 37-41 and Ashtor, *Levant Trade in the Later Middle Ages*, p. 19. In September 1291, however, the Grand Council discussed an embassy to Egypt, Cessi, *Deliberazioni del Maggior Consiglio di Venezia*, II, p. 304 (1 Sep 1291).

with the second great war they were fighting against each other.<sup>121</sup> In the early 1300s, Venetian trade with Egypt did not cease, but was it carried on illegally?

While Venice was trying to obtain a papal permission for commerce in 1301,<sup>122</sup> trade continued between Venetian Crete and Mamluk Egypt.<sup>123</sup> Venetian documents from 1301 and 1302 point to diplomatic contacts with Egypt;<sup>124</sup> in 1302 and 1304 two Venetian consuls succeeded each other in Alexandria.<sup>125</sup> Indeed, a treaty between Venice and Egypt was concluded in 1302,<sup>126</sup> and Ashtor has surmised that at this time the “volume of Venetian trade with Egypt and Syria must have been relatively great.”<sup>127</sup>

Such trade was not carried only by Venetians: in 1300 Salamon Serot, labeled a Jew from Barcelona (*iudeus de Barchelona*) received a load of wool from another Jewish merchant in Candia; he was to travel on a Genoese ship to Alexandria.<sup>128</sup> Only occasionally would

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<sup>121</sup> Ashtor, *Levant Trade in the Later Middle Ages*, p. 22. On this war see for example Georges I. Bratianu, *La mer Noire. Des origines à la conquête ottoman*, *Societas Academica Dacoromana Acta Historica* 9 (1969), Chapter XIII, “Les guerres des Droits entre Genes et Venice,” specifically pp. 257-259.

<sup>122</sup> “+ [means proposal approved] Quod comittatur nostris ambaxatoris quod, quando erint in Curia, si videbitur omnibus tribus concorditer loquendi de facto Alexandria, ad hoc ut nostri possent ire illuc, debeant loqui, sicut eis videbitur et cum quibus videbitur eis, ad hoc ut nostri possent ire Alexandriam et illud, quod invenerint, refferant hic, sed non debeant propter hec stare in Curia.” Roberto Cessi and P. Sambin, eds., *Le deliberazioni del consiglio dei rogati. Serie ‘Mistorum’ I* (Venice: a Spese della deputazione, 1960), #136, p. 38 (31 Aug 1301). Unfortunately, the first fourteen registers are not preserved; we only have the “table of contents.”

<sup>123</sup> Salvatore Carbone, ed., *Pietro Pizolo, notaio in Candia*, I, 1300 (Venice: Il Comitato Editore, 1978), #321, p. 150 (30 Mar 1300), #473, p. 218 (12 May 1300), #633, p. 288 (16 Jul 1300), Raimondo Morozzo della Rocca, ed., *Benvenuto de Brixano. Notaio in Candia (1301-1302)* (Venice: Alfieri, 1950), #352, pp. 127-128 (10 Sep 1301), #354, p. 128 (12 Sep 1301), Carbone, *Pietro Pizolo, notaio in Candia*, II, 1304-1305 (Venice: Il Comitato Editore, 1985), #804, p. 53 (21 Jul 1304), #1026, p. 153 (20 Nov 1304).

<sup>124</sup> Freddy Thiriet, ed. *Délibérations des assemblées vénitiennes concernant la Romanie* (Paris: Mouton, 1966), #44, p. 90 (21 Nov 1301), #53, p. 92 (10 Apr 1302).

<sup>125</sup> Heyd, *Histoire du commerce...*, II, p. 39.

<sup>126</sup> DVL I, #4-5, pp. 5-11 (2 and 5 Aug 1302). This treaty contained the following clause: “Item quando aliquis Venetus venderit merces aliquas prohibitas per Christianos, quod de ipsa pecunia ipsi possint investire et extrahere absque aliqua dictione.” *Ibidem*, p. 6.

<sup>127</sup> Ashtor, *Levant Trade in the Later Middle Ages*, p. 28.

<sup>128</sup> Carbone, *Pietro Pizolo, notaio in Candia*, I, #73, p. 39 (18 Feb 1300). See also: *ibidem*, #25, pp. 18-19 (3 Feb 1300), #574, p. 264 (13 Jun 1300), #594, p. 272 (22 Jun 1300), Morozzo della Rocca, ed., *Benvenuto de Brixano*, #306-307, p. 112 (21 Aug 1301), Carbone, *Pietro Pizolo, notaio in Candia*, II, #975, p. 129 (30 Oct 1304).

a *colleganza* contract exclude Egypt from the lands where trade could be carried and it would be purely speculative to attribute this provision to the papal embargo.<sup>129</sup>

At the same time, we should not rush to conclude that Venetian authorities had chosen to openly contravene papal orders and sanction such trade as they had in the aftermath of Lateran III. A letter that Venice sent to Pope John XXII in 1327, claimed that his predecessors had granted Venice a license for “twenty-four galleys and ten round-ships called also cogs.”<sup>130</sup> It is extraordinarily unlikely, given all that is well-known of the legal culture in the period that Venice’s claims could not be verified through papal documents. Hence it is quite likely that a good deal, if not all Venetian trade in the period was in fact conducted legally, under papal licenses.

Dated 8 Apr 1304, another interesting document is the official declaration of a certain Fra Henricus, a Dominican from the Venetian convent of the order. Henricus declared that he had heard from the mouth of Pope Benedict himself and in the presence of a Fra Florius *capellanus* of Saint Peter’s that while his prohibition made no mention of items that could be legally traded, the pope himself did not consider that cloth and garments were to be included under the category of victuals. Both Henricus and Florius attested to the truthfulness of this statement by appending their seals to it.<sup>131</sup>

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<sup>129</sup> Carbone, *Pietro Pizolo, notaio in Candia*, II, #1140, p. 201 (19 Dec 1304). At this time Venice also gained easier access to the Black Sea, as the peace with Genoa and then the one with Byzantium were concluded, see, for example, Thiriet, *La Romanie vénitienne*, pp. 154-165, Vassil Gjuzeev, “Il mar nero e il suo littorale nella storia del medioevo bulgaro,” *Bulgaria Pontica Medii Aevi I (=Byzantinobulgarica VII)* (1981): 11-24, specifically pp. 22-24, idem, “Les relations bulgareo-venetiennes durant la première moitié du XIV<sup>e</sup> siècle (Sagramento e patto de messer imperator Alexandro del Zagora)”, *Etudes Historiques*, IX, 1979, pp. 39-76, specifically pp. 39-40.

<sup>130</sup> “...concesse nobis fuerunt 24 galee et X naves sive coche....” DVL, I, #105, pp. 208-209 (1327). Quotation from p. 209.

<sup>131</sup> “NOVERINT Universi presentes litteras inspecturi quod ego frater Henricus, Prior Fratrum Ordinis Predicatorum in Conventu Veneto in presentia fratris Florii Veronensis Capellani, et familiaris Sanctissimi Patris, et Domini Domini nostro Benedicti Pape Undecimi, audivi et intellexi manifeste a dicto Domino summo Pontifice quod placet sibi et sufficiens esse iudicat quod res prohibitas qui in eius litteris bullatis ad Dominum Ducem Venetorum et eius Consilium vel Commune directis continentur, iuxta quod sonat textus

In 1300, the notary Pizzolo was drafting in Candia records that openly refer to trade with Egypt, it took a decision of Venice's Grand Council (the assembly of all male patricians) to absolve four nobles from well-known families (three Mauroceno and a Venier) who had been declared 'infamous' and deprived by the senate and the Council of Forty from the right to draft testaments or to inherit for having visited lands ruled by Mamluk Egypt. Acting in full accordance with papal orders, the council enacted this decision only after the nobles had been absolved by the bishop of Porto under papal authorization.<sup>132</sup> We do not know the specific circumstances which had led to their conviction. Yet, it is obvious that whatever the motivation of the senate and the Forty, the papal embargo legislation was not a dead letter in Venice. Finally, Venice had to account for the position of those lay rulers, such as the Kings of Cyprus, who found room for the papal prohibitions in their treaties with Venice.<sup>133</sup> Hence, Venice's position at the

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litterarum ipsarum, ad terras Alexandrie, vel Egipti, seu ad partes Babilonie, Suldano subiectas nullatenus transmittant, seu mitti permitant. Cetera vero, que in predictis litteris non continentur, expressa portare possint, vel mittere ad terras predictas. Audivi etiam a dicto Domino nostro, quod sibi non videtur, quod panni, et indumenta in nomine victualium includantur. In cuius rei testimonium tam frater Florius predictus quam ego Frater Henricus sigilla nostra duximus presentibus apponendum. Datum Rome apud Sanctum Petrum octava die Aprilis Millesimo Tercentesimo quarto." Transcription from A.S.Venezia, *Libri Commemoriali*, Reg. 1 Copia (renaissance copy of the original register, which is not accessible to scholars), f101v (would be f47 in the original register) (8 Apr 1304). See also *Le Registre de Benoît XI*, col. 823 n. 2. Benedict sent a letter to Venice on the same subject. From this letter we learn that he had renewed his bans on Holy Thursday, 26 Mar 1304, and was now demanding Venice's compliance, *Le Registre de Benoît XI*, #1315, cols. 822-823 (3 Apr 1304).

<sup>132</sup> "Die martis VIII exeunte madio. Ad .I. maius consilium. Pro facienda gratia Paulo Mauroceno, Nycolao Mauroceno, Rogerio Mauroceno et Nicoletto Venerio qui iverant ad terras soldani subiectas quod restituantur ad ea beneficia quibus privati erant per consilium rogatorum et .XL. videlicet quod possint testari et legata seu relicta recipere et ad successiones sint habiles et possint ad quelibet publica admitti officia et uti legitimis actibus et non sint infames, cum habeant litteras absolutiones de hoc a domino Matheo episcopo Portuensi de mandato domini pape." Elena Favaro, ed., *Cassiere della bolla ducale. Grazie – Novus Liber (1299-1305)* (Venice, 1962), #106, p. 26 (24 May 1300). Porto near Rome, not in Portugal. The bishops of the sees near Rome were typically employed by the popes as papal legates. The nobles had traveled to Tripoli, *ibidem*, #114, p. 28 (June 1300). The commune was to restore the property in had confiscated from the transgressors, *ibidem*, #126, p. 30 (July 1300). Similar to the case of the Mauroceno and Venier was that of four other Venetians, #125, p. 30 (11 July 1300).

<sup>133</sup> Mas-Latrie, *Histoire de l'Ile de Chypre*, II, pp. 102-108, specifically #5 on p. 105 (3 Jun 1306). See also pp. 142-144 (4 Sep 1328) and pp. 229-230 (16 Aug 1360).

outset of John XXII's reign was one of continuous trade with Mamluk Egypt, but not an open transgression of the papal embargo.<sup>134</sup>

It should therefore not surprise us that in 1319 the senate asked its ambassadors in Avignon to obtain access to the lands of Egypt,<sup>135</sup> authorizing them to pay up to 5,000 florins, a significant sum, for the license.<sup>136</sup> Yet, early in John XXII's pontificate, the total papal embargo against Mamluk Egypt was not the only embargo that impinged negatively on Venice's economic interests. In the same year, 1319, apparently in

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<sup>134</sup> With regard to Genoa, an interesting diplomatic exchange between Venice and Marseille shows that exiled Genoese merchants still carried trade in Syria on a significant scale. Montano de Marino, captured by the Venetians is not really from Marseille, the Doge wrote to the commune of Marseille, but a Genoese *extrinsecus*. It is true, he continued, that Venice is at peace with the exiled Genoese, but one of these, Sorleone Grimaldi, had exercised piracy in the Adriatic until captured by the Venetians. Consequently, Venice sent envoys to Monaco but could not hold any talks, because the (leading) Genoese were not there, but in Syria. A.S. Venezia, Libri Commemorativi, Reg. 1 Copia, ff. 5v-7r (3 Jul 1300), summary in Predelli, *Commemorativi*, I, #25, p. 9. Robert Lopez has reported interesting episodes that allow us to show the complexity of the picture with regard to Genoa itself. The commune did not incorporate the total embargo in its statutes, did not renounce its *fondaco* and consulate in Alexandria, and fined Tedisio Doria and Manuele Zaccaria when these accepted the command of a papal squadron to be employed against Egypt. No Genoese fraction, Lopez states, could agree with partial measures based on the "ineffectual embargo, which the Popes advocated," Robert S. Lopez, "European Merchants in the Medieval Indies: the Evidence of Commercial Documents," *The Journal of Economic History* 3 (1943, 2): 170 n. 18. On Genoese trade in this period in detail see Heyd, *Histoire du commerce...*, II, pp. 34-37. At the same time, following Nicholas IV's embargo Genoa fined Manuele Lercari 1,000 pounds, a huge sum. Most importantly, Lopez surmised that the embargo might have been the reason that spurred the Vivaldi brothers' attempt to find an alternative way to the Indies by sailing into the Atlantic. Cases such as the one in which galleys belonging to two Doria captured, under the excuse of the embargo, a Pisan round-ship and confiscated most of its merchandise, complicate further the way in which Genoa and the Genoese approached the embargo against Muslims. For all this, Robert S. Lopez, *Storia delle colonie genovesi nel Mediterraneo* (Bologna: Zanichelli, 1938), pp. 239-240. According to the analyst Jacopo Doria, the Pisan round-ship had been pursued for two days, and about forty-five of its eighty-five crew had been slaughtered. The ship had carried merchants from Pisa, Marseille, Narbonne and other places, all trying to escape from Acre. Jacopo underlined that because of Nicholas IV's *sententia durissima*, the Genoese were not obliged to provide restitution and could even keep the merchants as slaves, but they did provide restitution and did not enslave them, Cesare Imperiale di Sant' Angelo, *Annali genovesi di Caffaro e de' suoi continuatori*, Vol. V (Rome, Tip. del Senato, 1929), p. 140. Already Heyd, *Histoire du commerce...*, II, p. 26 had noted Doria's remark on the papal order. Heyd, *Histoire du commerce...*, II, p. 35 also notes that no Genoese general ban on all trade is known. Elsewhere Lopez concluded that the papal embargo "bore more heavily upon Venice and Genoa since the [excommunicated] Catalans utterly disregarded the embargo and gained a predominant position in Alexandria." *Cambridge Economic History* (1987), II, p. 352. On Genoese trade in the Eastern Mediterranean in the period, in addition to Heyd and Ashtor, see also Virgil Ciociltan, "Genoa's Challenge to Egypt," *Revue Roumaine d'Histoire* 32 (1993, 3-4), pp. 283-307.

<sup>135</sup> R. Cessi and P. Sambin, eds., *Le deliberazioni del consiglio dei rogati. Serie 'Mixtorum' I* (Venice: a Spese della deputazione, 1960), Misti V, #277, p. 200 (Feb 1319).

<sup>136</sup> "pro optinendo licentiam eundi Alexandriam," Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti V, #353, p. 207 (May 1319).

response to a Venetian complaint for obstructions of navigation, Ancona wrote to Venice that it had not prevented anyone from sailing to or from Venice, except those from Osimo and Recanati, rebels and excommunicates, to whom no kind of help (*auxilium, consilium, vel favorem*), or salt, or grain could be provided.<sup>137</sup> While we do not know what happened to this embargo, another, considerably more salient embargo case developed parallel to Venetian attempts to obtain a papal license that would return its trade with Mamluk Egypt to the usual conditions. Throughout the 1320s Venice found it necessary to uphold a papal embargo against Ferrara.<sup>138</sup>

Ironically, a decade after winning control over Ferrara from Venice largely through the use of embargo, the papacy now asked Venice to help subdue Ferrara through an embargo. In June 1322 Bishop Guido of Ferrara and Fra Iacopo Buono, inquisitor in Lombardy wrote to Giovanni Soranzo, the Doge of Venice, as follows. Rinaldo and Opizzo d'Este have been condemned as heretics for, among other things, denying the pope's apostolic nature. Following papal orders, Bishop Guido and Fra Iacopo thus prohibited all faithful, clergy and laics, from providing any help to Rainaldo and Opizzo and especially from delivering any merchandise to Ferrara or its district, where the condemned "exercise their tyranny," and from having any other form of "business or communication" (*commercium vel communicationem*) from which any benefit to Rainaldo and Opizzo d'Este could ensue.<sup>139</sup> Providing victuals and other prohibited

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<sup>137</sup> This unfortunately is a very, very short document, A.S.Venezia, Libri Commemoriali, Reg. 2-1 Copia, f142r/v (1319), the summary in Predelli, *Commemoriali*, I, #196, p. 212 presents most of the content of the document.

<sup>138</sup> "Occasione processum domini Pape clametur quod nullus portet vel mittat Ferrariam, et officiales non faciant bolletam." Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti VI, #11, p. 222 (May 1320).

<sup>139</sup> "Quam nostram sententiam dicti apostolicis processibus, ac patrum canonicis confirmantes decretis, in ea specialiter, et expresse sub gravibus penis inhiuemus quibuscunque fidelibus ecclesiasticis, et mundanes, ne ipsis Raynaldo et Oppezoni de heresi condempnatis quomodocunque impenderent consilium,

merchandise allows the Ferrarase to continue in their idolatry, in which they would not be able to persist “if you and the other surrounding [Ferrara] Catholics deny them effectively your association and trade.”<sup>140</sup> In the same month of June, Venice allowed the export of 30 amphorae of wine to Ferrara,<sup>141</sup> but both in August and September 1322, the papal orders were publicly announced and backed by the republic, and all trade and contact were forbidden.<sup>142</sup> Yet, Venice may have refrained from backing a total embargo against Ferrara, Guido’s request notwithstanding.

Venice employed the canon lawyer Giovanni Boniolo and the notary Giovanni di Marchesino to plead its case before Bishop Guido. The two presented Guido with Venetian documents written two years earlier in support of the papal embargo against Ferrara at the time of its first announcement. These orders, which were apparently less restrictive, the two Giovanni argued, sufficed, there was no need to issue a new one. The papal representative did not yield, however, and required the doge to proclaim a new order modeled after his letter, i.e. a total embargo on trade with Ferrara. Guido urged the Venetians to diligently enforce such an order so that they could be rewarded by the Lord Jesus Christ and so that Guido would be able to recommend them to the papal see for

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auxilium, vel favorem, et maxime, ne ad civitatem ferrarrie vel districtum eius ubi tirampnidem suam exercent aliquas mercationes defferent, nec aliter cum ferrariensibus commercium vel communicationem haberent unde predictis Raynaldo et Oppezoni vel sequacibus suis emolumentum aliquod posset aliqualiter provenire.” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, ff. 382v-383r (10 Jun 1322), summary in Predelli, *Commemoriali*, I, #323, pp. 241-242. Trade with Ferrara had been forbidden already in 1320-1321, A.S. Minotto, ed., *Documenta ad Ferrariam, Rhodigium, Policinium, ac Marchiones Estenses spectantia* (Venice: Typis Joh. Cecchini, 1874), p. 76, see also ibidem, pp. 78, 80-81.

<sup>140</sup> “...idolatrie sue...non presumuntur diu potuisse vel posse subsistere si vos et alii circumstantes catholici communionem et comercium vestrum...eis effectualiter negaretis.” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f383r.

<sup>141</sup> Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti VII, #90, p. 254 (Jun 1322).

<sup>142</sup> “In scalis rivolti et in platea S. Marci per preconos crida, cuius tenor summatim talis est...dicti processus [of the pope] continent quod nemo sub gravibus penis spiritualibus et temporalibus vadat, portet vel mittat res aliquas vel merces vel aliam communionem habeat cum dictis Ferrariensibus...” Minotto, *Ad Ferrariam*, p. 81. Also, Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti VII, #165, p. 259 (Aug 1322) and #175, p. 260 (Sep 1322).

their devotion and zeal in the faith.<sup>143</sup> At least on paper, the church won the round. On September 25, Venice proclaimed an order in the name of the Doge Giovanni Soranzo, which prohibited any commerce or other communication between Venetians and those of Ferrara.<sup>144</sup> Thus in the summer and fall of 1322 Venice unsuccessfully sought to minimize the impact of the papal embargo against Ferrara on its own trade through the employment of a canon lawyer and diplomatic exchange with the papal legates.

Soon afterward this Venetian failure was to be replicated on a much larger scale. While Venice was worrying about the papal sanctions against Ferrara, Pope John XXII's chancery sent three fairly commonplace letters to a certain Ademarius Targa, arch-priest of Saint Africanus, a church in the diocese of Vabres in France and the Dominican Folco de *Sistarico* (Sisteron). The first letter, from August 1322 authorized them to collect the ecclesiastical income in Venice.<sup>145</sup> This was followed in October by a

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<sup>143</sup> "Et in super ipsam cridam et contenta in ea sie facere cum diligentia observari ut a Domino Jesu Christo cuius res agitur premium reportetis et apud Dominum Nostrum summum ponteficem Vos dictu consilium et commune de reverentia Vestra et devotione ad apostolicam sedem ac de zello catholice fidei possimus merito commendare." A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, ff. 387v-388v, quotation from f388r/v (16 Sep 1322). The preceding document, A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, ff. 388v-389v (15 Sep 1322), summary in Predelli, *Commemoriali*, I, #336, p. 245, appears somewhat out of place in this sequence; perhaps it is misdated as being from 15 Sep 1322. According to it, Guido, at Venetian request, revoked the letter in which he had asked for a total embargo three months earlier. It is possible however, that the document was indeed from Sep 15 and that it was the product of a legal technicality, that is, it could have abolished the earlier letter from 10 Jun in order to clear the way for the one from Sep 16.

<sup>144</sup> "Cum alias illustris et Magnificus Dominus Joannes Superantio Dei gratia Venetiarum Dux circa complementum tertii termini contenti in processibus auctoritate apostolica factis contra civitatem et homines ferrarie et districtum fuerit in Venetiis ut mores est ad notitiam omnium publici proclamari quod dicti processus continent quod nemo sub gravibus pennis spiritualibus et temporalibus vadat portet vel mittat res aliquas vel merces vel alias communionem habeat cum dictis ferrariensibus contra formam dictorum processum et isuper mandaveret omnibus officialibus suis ad quos pertinet quod non faciant bulettam aliquam defferendi aliquas res ad civitatem ferrarie nec eius districtum." A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f391r (25 Sep 1322), summary in Predelli, *Commemoriali*, I, #338, p. 245.

<sup>145</sup> A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, ff. 410v-411r (11 Aug 1322), summary in Predelli, *Commemoriali*, I, #330. It must be noted that among the lapidary *rubriche* of Sen. Del. Miste Reg. 1-14, which is all that survives from them, can be found two entries concerning Venetian complaints about this Ademario that date from 1322. Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti VII, #17, p. 248 (Mar 1322) and #149, p. 258 (Aug 1322). Apparently the point of the decisions had been to prepare an appeal against sentences that said Ademario had pronounced against Venetians. It is thus obvious that

small bull which allowed the two papal legates to mobilize judges and notaries to assist them in their task.<sup>146</sup> Finally, in November, the two were authorized to absolve those Venetians who brought and/or sent merchandise and other prohibited things to the Saracens against the laws and prohibitions of the Apostolic See.<sup>147</sup>

In January 1323, without any trace of direct intervention of Pope John XXII himself, but soon after the papal legates had begun their activities in Venice, the senate finally backed the total papal embargo against Mamluk Egypt.<sup>148</sup> We cannot know and it is meaningless to speculate as to how the activity of the papal legates unfolded in the winter of 1322-1323 or what the exact causal relationship between their presence in Venice and this senatorial decision was. What we do know, is the text of the Venetian ban, preserved through the archives of Candia. On January 23 – a Candiote document from April 1323 proclaims – the senate and the Council of Forty had prohibited the “way to Alexandria and other lands of Egypt;” “no Venetian or who is recognized as Venetian dare go to Alexandria or to other lands subjected to the Sultan with any things or goods

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although the copy of the papal order to Ademario and Folco to collect papal income in Venice is dated 11 Aug 1322 in the *Libri Commemoriali*, its exit date from the papal chancery must have been an earlier one.

<sup>146</sup> A.S.Venezia, *Libri Commemoriali*, Reg. 2-2 Copia, ff. 409v-410r (17 Oct 1322), summary in Predelli, *Commemoriali*, I, #340, p. 245.

<sup>147</sup> A.S.Venezia, *Libri Commemoriali*, Reg. 2-2 Copia, ff. 410r-410v (15 Nov 1322), summary in Predelli, *Commemoriali*, I, #342, p. 246. Not considering the papal policy of embargo in the church's terms, focusing on a single episode within narrow temporal limits, and disregarding the fact that the church had, by definition, to provide absolution to repentant Christians, Ortalli overreads the last of these letters. For him it “makes it look as if the Papal Curia was open to compromise. It should nevertheless be viewed as the first action initiating a series of measures reflecting a policy of utmost severity.” Ortalli, “Venice and the Papal Bans on Trade,” p. 248. On the contrary, if we recall the information about similar letters presented in Chapter 3 we can only conclude that there was nothing time and place specific in the spirit of this letter. For a long time prior to that moment, the popes had regularly authorized their representatives to absolve embargo violators across Europe and the Mediterranean in exactly the same terms. Hence, only Ortalli's teleological and de-contextualized approach to the episode of which this letter was a part, not its content or its place among other papal letters, informs his conclusion.

<sup>148</sup> Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti VII, #239, p. 265 (18 Jan 1323).

or to send to said lands anything in anyway” under penalty of 50 pounds per *centenario*.<sup>149</sup>

What is striking about the language of this document is that, if contrasted to the order from a few years earlier to uphold the selective embargo, it legislated very mild penalties for transgression. How, in fact, does a fine equivalent to a 50% sales tax compare to the loss of noble status? Functionally, this fine, if enforced, could certainly discourage trade, but not to an extent comparable to that which the enforcement of the selective embargo may have had. More importantly, on a symbolic level, the harshness or mildness of penalties shows the gravity of the offense in the eyes of the legislator. Obviously, while Venice had, at least officially, accepted the principle that war material was not to be delivered to Muslims, its rather mild penalties for delivering non war material suggest that Venice disagreed with the spirit of the total embargo. This order was probably the product of current ecclesiastical pressure.

Thus in January 1323 the Venetian republic may have shown submissiveness and adherence to the ideal of the rightly ordered society by promulgating in its own law the total papal embargo against Muslims. If the purpose of this order was to guarantee smooth relations between Venice and the papal collectors then present in the city, however, it fell short. The papal legates in the city of Saint Mark, in fact, were now looking into the behavior of individual Venetians, not of the republic. Perhaps as a result of their initial reports from Venice, in April 1323 the papal legates in the lagoon,

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<sup>149</sup> Full sentence: “Significamus vobis quod die .XVIII<sup>o</sup>. mensis ianuarii nuper elapsi capta fuit pars in consilio rogatorum et .XL. quod ex nunc prohibeatur viam Alexandriae et aliarum terrarum Egypti prohibitarum hoc modo, videlicet quod amodo nullus Venetus vel qui pro Veneto dstringatur modo aliquot vel ingenio audeat ire in Alexandriam vel ad alias terras Soldano subiectas cum aliquibus rebus vel mercibus vel ad dictas partes res aliquas aliquo modo mictere seu inde conducere seu conduci facere, sub pena librarum quinquaginta pro centenario totius valoris rerum quas ad dictas partes portaverit vel miserit seu conduxerit vel conduci fecerint inde.” Vidulich, *Duca di Candia, Bandi*, #342, p. 130.

Ademarius Targa and Fra Falcone, received a less standard and considerably more interesting papal letter. It had become known to the Apostolic See, the letter explains, that:

...some people from the lands and district of the Venetians, who brought merchandise and other prohibited things to the Muslims against the prohibition of the Church and the decrees of the Holy Canons in danger to their souls and detriment of the catholic faith, were hit by the sentence of excommunication promulgated in a general manner against such people.<sup>150</sup>

As we have seen, popes had theorized the sentence of excommunication as a medicinal tool that sought not to destroy errant souls, but to restore them to the flock. Many thus afflicted by excommunication, this letter continues, instead of taking the medicine, chose to hold it in contempt and committed even worse transgressions. When they fell ill in the body, such Venetians produced testaments that served to atone for their acts, but once absolved, they secretly annulled their testaments.<sup>151</sup> The pope, willing to provide “a congruent remedy for this illness” authorized his legates to inquire into such deeds, to make sure that the excommunicated are publicly announced until they had actually provided the satisfaction (money fines) they had promised; if they could not be turned from evil by fear of God, the church should coerce discipline.<sup>152</sup>

This document is our first indication that something different from the usual sequence of payment and repentance followed by absolution and thereafter closure of any

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<sup>150</sup> Full sentence: “Olim ad nostri Apostolatus fide digna relatione perlato quod nonulle persone terre et districtus venetiarum que contra prohibitionem Ecclesie et sacrorum Canonum instituta mercimonia et alias res prohibitas in suarum animarum periculum et catholice fidei detrimentum portaverant vel miserant saracenis erant excommunicationis sententiis contra tales promulgatis generaliter innodate.” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f411v (5 Apr 1323), summary in Predelli, *Commemoriali*, I, #360, p. 250.

<sup>151</sup> A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f411v.

<sup>152</sup> “Nos volentes huic morbo congruiis remediis adhibere...discretionem vestre per apostolica scripta committimus et mandamus quatenus vos...faciatis excommunicatos publice nunciari donec debita satisfactione premissa reddeant humiliter ad sancte matris ecclesie gremium et mandata et quos Dei timor a malo non reudeat severitas ecclesie coerceat disciplina.” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f412r.

ecclesiastical or civil processes against the embargo violators was to unfold in Venice. It is important to highlight the points that the papal chancery stressed. In order to do so in the appropriate context, however, we need to first briefly consider a letter that John XXII had addressed to archrival Genoa in 1317, because one and the same issue underlay John's ire with both maritime superpowers, and this was not trade with Egypt per se.

Whether in response to the papal encouragement of Christians to enforce the papal bans at sea or not, Genoa had created the *Officium Robarie*, which recompensed foreigners for the piratical actions of Genoese citizens; Guillaume Adam considered this an act against God, Christianity, and the laws of the Church.<sup>153</sup> In 1317 John XXII had sided with the Genoese Gabriele Grimaldi<sup>154</sup> against Genoa and its *Officium Robariae*. The letter which the papal chancery addressed to the podestà, captain, and the other officials of Genoa explains in rather formulaic language that acting in accordance with papal legislation, Gabriele had “inflicted damage on some Muslims, subjects of the sultan of Babylon and enemies of the Catholic faith” as well as on “perfidious Christians who brought them goods or provided them help.”<sup>155</sup> It is not obvious that it mattered to the papal curia what exactly Gabriele had done or how his actions helped to strengthen the embargo as an economic tool for the attainment of a foreign policy goal. What mattered

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<sup>153</sup> Lopez, *Storia delle colonie genovesi nel Mediterraneo*, pp. 240-241. This office, attested from the late thirteenth century, had to ensure that no Genoese engages in piratical acts against anyone, regardless of religion, whose land was at peace with Genoa. Giovanni Forcheri, *Navi e navigazione a Genova nel trecento. Il Liber Gazarie* (Genoa: Istituto internazionale di studi liguri Bordighera, 1974), pp. 40-41. On other cases of Genoese enforcement of the embargo and Genoese resistance to embargo enforcement, *ibidem*, pp. 271-273. On Adam see Attiya, *The Crusade in the Later Middle Ages*, pp. 65-67, Leopold, *Crusade Proposals...*, pp. 119-125. Adam used as an example of a bad Christian the well-known case of the Genoese merchant Sagurano Salvaigo, who bought slaves in the northern Black Sea and sold them in Egypt. The case is well presented by Epstein, *Purity Lost*, pp. 162-166.

<sup>154</sup> Grimaldi being one of the four most powerful Genoese families, from a branch of which the rulers of Monaco descend.

<sup>155</sup> “Cum itaque prefatus nobilis nonnullis sarracenis soldano Babilonie subiectis hostibus catholice fidei ac perfidis christianis qui merces deferebant vel subsidium prestabant eisdem... dampna intulisse noscatur...” Reg. Vat. 68, f8r (17 Apr 1318). Pointed in Mollat, *Lettres communes du pape Jean XXII*, #6980.

instead was the act of harming both the perceived enemies of the faith and those Christians disloyal to the papacy who were guilty not so much of the delivery of any specific material to Muslims as of having provided ‘help’ to the ‘infidel.’ What the papal letter focused on in the rest of the latter was the fact that the *Officium Robariae* had counteracted papal legislation, this could not be done under the pretext of any Genoese or any other statutes, John XXII admonished.<sup>156</sup> Hence the papal chancery took issue primarily with the idea that secular law could contradict papal law, a problem of jurisdiction and ‘proper order’ within Christendom. In sum, the papacy stressed to Genoa that ecclesiastical jurisdiction over Christian trade with non-Christians was not to be disputed (even in such indirect manner), that Muslims and their helpers were ‘others,’ and that those who acted against such ‘others’ earned merit with the church, and those who helped them – were to be reprimanded.

The Venetian case is similar. Our document does not speak of strengthening ‘infidels’ through trade. Indeed despite the prevalence of references to Egypt in the then current papal embargo documents, it does not even mention Egypt or Alexandria and specifies only once and in passing that the Venetians in question had been excommunicated for trading with ‘Saracens.’ The attention of those who drafted it fell in fact not on trade, but on the way in which individual Venetians behaved in regard to absolution: they repented (and repaid) pro forma, but not in practice. The guilty Venetians had chosen, as the letter says, to make no positive use of the sentence of excommunication, but, to the contrary, to perpetuate evil deeds. Their behavior vis-à-vis this sentence was deemed rather capable of damning them, instead of saving them, hence

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<sup>156</sup> “...in futurum pretextu cuiusvis civitatis vestre vel alterius cuiuscumque statuti nostris nequamquam aggravetis processibus....” Reg. Vat. 68, f8r.

the papal concern with applying adequate means to cure such an ‘illness.’ Thus a concern with souls, not with the effects of trade on anyone’s military power is what this letter highlights. Its closing sentence implies that if fear of God was insufficient to induce correct behavior, it was the task of the Church to coerce it. In sum, John XXII’s problem with Venetians who had traded with Muslims had to do with the Venetians’ exploitation of legal technicalities (apparently drafting testaments that leave goods to the church but then annulling them as soon as absolved) to avoid submission to Avignon and the resulting loss of souls that ensued. Thus whether we choose to read this letter ‘thickly’ or ‘thinly,’ to focus exclusively on papal income or to also account for spiritual matters, it is clear that what this letter dealt with had to do with the Venetians’ stance within the spiritual flock (no matter if measured in coins or piety) and not with the military power of any Muslims.

From a document dated April 16, just a day after the total embargo was proclaimed in Candia, we learn both what the papal legates had been actually doing and how the Venetian Republic was trying to circumscribe their actions. We saw above that the papal curia had found unacceptable that in illness Venetians would draft testaments that once cured they would scrap in order to avoid paying satisfaction to the church for having traded with Muslims. It is thus not surprising that the papal legates took an active stance on the matter or that they entered in contact with the Procurators of Saint Mark, high Venetian dignitaries who were in charge of the executions of the testaments of Venetians.<sup>157</sup> What made this case an important one was the scope of the legates’

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<sup>157</sup> Venice, as noted by Ortalli, did not encourage and even actively opposed donations to the Church, Ortalli, “Venice and the Papal Bans on Trade,” pp. 250-251. At the same time, one should be careful not to put in the same group donations of land or large amounts of family patrimony on the one hand, with fines for illegal trade, on the other.

actions. We learn from the opinion of seven *sapientes*, probably lawyers, asked by the Venetian republic to judge on the legality of the legates' actions that the latter had in fact taken action against the procurators themselves and had sentenced them, as we learn from a later document, to excommunication. Commissioned by the Venetian republic, the committee of sage men unsurprisingly judged that the legates had exceeded their powers.<sup>158</sup>

The appearance of such legal opinions might well reflect, as Ortalli surmised, the way in which politics and law came together in the fourteenth century. Yet, Chapter 4 above reminded us of the fact that the reformed church had sought to define what a proper Christian was and what a properly ordered Christian society should look like. It stressed that this was a unilateral process: it was the church that shaped the ideal which its own policies were to pursue. In practice, the implementation of papal law was the subject of contestation and negotiation; it proceeded in accordance with local circumstances and had to account for an array of economic and social factors. The church often compromised in terms of implementation, and, in the case of the embargo, it devised the papal license as means that would strike a middle ground between the codified ideal of no communication with non-Christians with the fact that a permanent suspension of trade with 'infidels' was not enforceable. Yet, while the church might have compromised in terms of implementation, it had no intention of allowing lay powers to impinge on its legislated ideals, by, for example, interpreting its embargo legislation.

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<sup>158</sup> "...predicti apostolice sedis nuntii in predictis suo processu et sententia fines mandati ab apostolica sede eis dati in multis excedant quod nullo modo de iure facere possunt." A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f420v (16 Apr 1323), summary of the document in Predelli, *Commemoriali*, I, #361, p. 250. See Ortalli, "Venice and the Papal Bans on Trade," pp. 252-253. Malombra in particular, who is listed first among the jurists, had been active as a legal advisor to Venice since 1315, *ibidem*, p. 251. Several of the other six had also either worked for Venice already or were to do so later, *ibidem*, p. 253.

It is within this context that we must place Pope John XXII's reaction to the appearance of legal opinions, such as the one commissioned by Venice. He cared enough about such opinions and the implicit claims they made to declare heretic anyone who argued that merchandise other than war material could be legally exported to Muslims. Those who crafted this 1323 papal letter carefully mixed the language used in the Lateran prohibitions of 1179 with the needs of the present. The letter blames on blinding avarice the acts of those who "corrupt" through "false interpretation" the meaning of papal words and orders.<sup>159</sup> It then recovers and re-confirms the embargo legislation of church councils and the legislative action of Nicholas IV, Boniface VIII, and Clement V. It damned the error of those who contended that to carry victuals and other merchandise was not a sin and ordered that these be punished as 'heretics.'<sup>160</sup>

Whether as a result of this papal bull and/or of Ademarius' actions, Venice hastened to show that it was actually implementing the total papal embargo against Mamluk Egypt that it had proclaimed earlier in 1323. In fact, two months after John XXII's bull was published, the senate and the Forty stipulated (1) that Venetians present in Alexandria had until the following April to leave and (2) that until then Venetians could travel to Alexandria in order to retrieve their goods, but not on Venetian vessels.<sup>161</sup>

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<sup>159</sup> "Quosdam dampnande cupiditatis improbitas sic execat ut pro temporalibus comodis periculose captandis factis constitutionibus refragari earum verba et sententias falsa interpretatio corrumpere et precipitare scriptas in perniciem non verentes in domine magestatis offensam magnum fidelium scandalum et catholice fidei detrimentum..." Reg. Vat. 76, flr (5 Sep 1323, John XXII had been enthroned on that date in 1316). Mollat, *Lettres communes du pape Jean XXII*, #20313.

<sup>160</sup> "Dampnantes et reprobantes errorem eorum qui astruere vel affirmare contendit victualia et alia quetunque Mercimonia...defere vel mittere non esse peccatum...decernentes eosdem tamquam hereticos puniendos." Reg. Vat. 76, flv. Ortalli quoted this document in the sense that John XXII re-affirmed the embargo, Ortalli, "Venice and the Papal Bans on Trade," p. 248. Since he used only the summary in Mollat and not the original document, however, Ortalli did not notice the disposition quoted here. Hence, he overemphasized the importance of a 1326 document which makes the same point and which is discussed below.

<sup>161</sup> Vidulich, *Duca di Candia, Bandi*, #383, pp. 148-149 (3 Nov 1323).

One thus wonders if the favorable legal opinion obtained by Venice had not actually undermined Venice's standing before the church. In any case, we know that Ademarius Targa carried his mission forward in such a steadfast manner so as to wound Venice's honor at its core. The patriarch of Grado, the bishop of Castello, and the *primicerius* of Saint Mark, all published his excommunications of the nobles and the citizens of Venice who had brought prohibited goods to Alexandria and other prohibited places. This we learn from another legal opinion, which dates 1324 and which was signed by Andrea, bishop of Chioggia, Pietro Beccari *primicerius* of Castello, the lawyers Rizzardo Malombra and Arpone de Mantua, the canon lawyer Rolandino de Belvisio and the professor of law Armano degli Agazoni.<sup>162</sup> These declared that the prelates had to suspend publishing these sentences of excommunication.<sup>163</sup>

In addition to securing favorable legal opinions, in the first half of 1324 the Venetian senate tried to negotiate with Ademarius Targa and was involved in organizing the legal defense of those affected by the latter's actions.<sup>164</sup> While thus attempting to

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<sup>162</sup> Rizzardo, Arpone, and Rolandino had also signed the 1323 opinion.

<sup>163</sup> A.S.Venezia, Libri Commemorativi, Reg. 2-2 Copia, ff. 464v-465v (13 Jul 1324), summary of the document in Predelli, *Commemorativi*, I, #406, pp. 257-258. This document is published in DVL, I, #96, pp. 196-197. The date of the document per Reg. 2-2 Copia and DVL is 1324. For whatever reason Predelli, however, dates it 1325. Ortalli, "Venice and the Papal Bans on Trade," p. 253 dates in 1324. The Bishop of Castello was the Bishop of Venice, his cathedral being in the outskirts of *sestier* Castello, one of Venice's six constitutive parts. The patriarch of nearby Grado had jurisdiction over the Bishop of Castello. It is common to assume that the church of Saint Mark was the cathedral church of Venice, but it was not, it was the private chapel of the doge instead. The nobles and the citizens of Venice were two distinct classes in law. Unfortunately, neither of these opinions gives any detail of the legal reasoning involved, and neither points to any code of law; instead both list only the final, favorable to Venice, verdict.

<sup>164</sup> Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti VII, #395, p. 277: "(D. Dux, Consilarii et Capita) eligant tres sapientes locuturos in Mestre cum ser Adelmario etc.;" #399, p. 278: "Nominati in processibus d. Ademari – ad Papam." Ibidem, Misti VIII, #5, p. 283: Sapientes electi super processibus ser Ademarii (Targa);" these were likely the same ones discussed above. Ibidem, #9, p. 283: Nominati in processibus domini Ademarii faciant suum procuratorium ad appellandum." Ibidem, Also related is MVIII, #363, p. 275: (Prohibita est via Alexandrie nostris et ad terras subiectas Soldano). Declaratio dicte partis)." The conflict with the papal legate, moreover, was not only escalating, but it came in a particularly difficult time for Venice. Not only had Venice to re-orient its Egyptian trade to Cyprus and Little Armenia and to stop trading with nearby Ferrara while also trying to save the honor of its most prominent families; Venice was also having trouble with Byzantium. For years the Republic of Saint Mark

preserve the souls and honor of its leading constituencies – the nobles and the citizens – the republic was careful to continue showing respect to the Papal Curia. In the summer of the same year, it answered an inquiry from its colonial administration in Crete, which had been puzzled as to whether or not the total ban on trade with Mamluk Egypt had to be applied to Jews and other inhabitants of Crete who paid taxes as foreigners. The senate clarified: “We intend and we want it observed that all...inhabitants of our island of Crete, no matter in what way they reside [there], are to be included in said prohibitions.”<sup>165</sup> The authorities in Crete apparently followed the metropolis’ orders; in fall 1324 they asked Venice how to proceed with regard to those Venetians who had traveled back to Alexandria to collect their goods. This, the Serenissima answered, was indeed allowed, enclosing the above mentioned order to this effect.<sup>166</sup>

Meanwhile, Venetian complaints over the actions of Ademarius Targa, organized at the highest level, finally reached the papal curia itself. In response, Pope John XXII ordered the Bishop of Ravenna to open an inquiry into what had happened between Venice and the papal legates. It is from this document that we learn in more detail what

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had engaged in bitter commercial disputes with Emperor Andronicus II, who had boycotted the import of Black Sea products into his empire, Predelli, *Commemoriali*, I, #252, pp. 224-225 (1320?). Venice had been quick to protest this measure, Predelli, *Commemoriali*, I, #253, pp. 225-226 (1320?). In addition, he did not allow the export of grain when its price was above a certain level, Bratianu, *La mer Noire*, pp. 264-265, Gjuzelev, “Les relations bulgaro-venetiennes,” p. 41, Angeliki Laiou, “Byzantium and the Black Sea, 13<sup>th</sup> – 15<sup>th</sup> Centuries: Trade and the Native Populations of the Black Sea Area,” *Bulgaria Pontica Medii Aevi*, II (1988): pp. 164 – 201. In February 1324 Venice initiated a veritable trade war with Byzantium by withdrawing its trade with the empire, Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti VII, #406, p. 278 (Feb 1324): “Non eatur Constantinopolim sub pena etc.” The Bandi from Crete preserve the actual document: “...nulla navis nec navigium Venetorum possit ad terras subiectas imperii Constantinopolitani ire nec nostra gens possit illuc ire nec mercaciones aliquas nec victualia mittere cum aliquo navigio....” Vidulich, *Duca di Candia, Bandi*, #367, pp. 140-141, quotation from p. 141 (2 Apr 1324). Let us remind that the withdrawal of trade in the pursuit of economic goals is defined as “trade war.” Embargoes pursue non-economic goals by definition.

<sup>165</sup> “...intendimus et sic volumus observari quod omnes et singuli habitatores in insula nostra Crete quocumque modo habitent vel morentur, in dictis nostris prohibitionibus includantur....” Vidulich, *Duca di Candia, Bandi*, #371, pp. 142-143, quotation from p. 143 (16 Jul 1324).

<sup>166</sup> Vidulich, *Duca di Candia, Bandi*, #382, pp. 147-148 (October 1324). This is the reason for the previous order’s preservation.

exactly the papal legates had done between fall 1322 and summer 1324. These, Venice had complained, had exceeded their powers by taking action against (excommunicating) the Procurators of Saint Mark: Gratone Dandolo, Nicolò Falier, Marin Foscarini, and Marco Morosini.<sup>167</sup> Then, the papal legates refused to submit the Venetians' appeal to the pope. The legates published excommunications and threats in various churches and required payment of all amounts assigned to the defense of the Holy Land (which would include the embargo) and other money left to the church (in testaments).<sup>168</sup> Pietro Grimani and Angelo Muazzo, also procurators of Saint Mark and executors (in law) of the wills of all Venetians, appealed to the pope backed by the doge, the Commune of Venice, and a great number of individual Venetians. The actions of the papal legates hurt an unspecified number of Venetians, dozens of whom the document names.<sup>169</sup> Many of these bear prominent family names: Delfin, Loredan, Dandolo, Condulmer, Contarini, Gradenigo, Morosini, Soranzo, Badoer, Barbarigo, Corner.<sup>170</sup> Those still living had been

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<sup>167</sup> "...in multis terminos et formam litterarum Nostrarum super certis eis directarum, commissionibus, excedentes contra dilectos filios Nobiles Viros Grazonum Dandule, Nicolaum Faliero, Marinum fuscarenno, et Marcum Mauroceno dicti loci Venetiarum officiales eiusdem communis Procuratores Sancti Marci super Commessriis in eiusdem partibus, vulgariter appellatos, qui quidem Officiales consueverunt per Venetos fideicommissarii ordinare, seu constitui, in eorum testamentis, seu ultimis voluntatibus, cum decedunt, multas monitiones, requisitiones, citationes, et mandata, ac excommunicationum sententias, et alios varios, et diversos processos...." A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f493r (1 Oct 1324), summary of the document in Predelli, *Commemoriali*, I, #415, pp. 260-261.

<sup>168</sup> "...monentes generaliter quosunque Clericos, et alios, tam mares, quam mulieres, seculares, et religiosas, ut infra certum terminum ad hoc prefixum eisdem, dicti Nunciis notificare, tradere, et integraliter assignare deberent omnia, et singula deposita, et legata, seu qualitereunque relicta, tam pro subsidio terre sancte, quam etiam ex quibuscunque aliis causis dirrecte, vel indirrecte, mediate, vel immediate ad Romanam Ecclesiam...." A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f493r/v.

<sup>169</sup> Either by their own name or as someone's offspring.

<sup>170</sup> "...Balduinum Delphinum, Marinum Lauredanum, Thomam Dandulo, Paulum Papazizza et Zanninum ac Nicolaum dicti Pauli fratres, Bertuccium Cappello, Marinellum Condulmerii, Leonardum de Mezo, Marcum Contarenum Michaellem Contarenio eiusque filios, Domenzium dicto Domenicum Leonum ac eius filium, Franciscum Rainaldi, Domenicum de Sbrigeriis, et eius filium, Marcum et Zanninum de Monte fratres, Franciscum dictum Spiritum, Nicolaum Mauro, francisum de Naviculis, Meiorinum Beretarium, Comitum Bucinatorum, Dandum Contarenno, Bertucium Bocasii, Marcum Romano, Nicolaum Contarenno, Bertucium Marini, Dardum Babilloneo Thomasium et Guidonem Bono fratres, Ioannem Gradonico, Marchesinum Lauredano, Romanum Mauroceno, Jacobum Contarini de sancto Felice, Fantino Superanzio Andream Maripetro, Donatum Bobizzo, franciscum Lauredano, Petrum Falletro de sancto Mauritio,

excommunicated and the bodies of those already deceased had been exhumed (or at least ordered to be exhumed) and deprived of ecclesiastical burial.<sup>171</sup> In addition to this group of sixty-one people, affected by the legates' actions were also Agnese, widow of doge Marin Zorzi, in turn a representative of the defunct Armina, widow of Marino Morosini, Count of Cherso and Ossero. No wonder that such actions – as Ortralli well puts it – “provoked a veritable earthquake,”<sup>172</sup> for they struck directly at the elite of one of Christendom's richest cities and one of its foremost maritime powers, provoking – as the Venetians wrote – “great disturbance, commotion, and scandal.”<sup>173</sup> Having scrapped the Venetian appeal and apparently retreated from Venice itself, Ademarius announced the excommunication of the Procurators, the nobles, and the other listed Venetians in the churches of nearby Treviso and Padua as well as in other, unspecified nearby locations, hence the Venetian appeal to the pope. Excusing himself by claiming lack of full knowledge on the matter, John XXII delegated to the Bishop of Ravenna the authority to inquire into it.<sup>174</sup>

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Marcum et Nicolaum Vitturi fratres, Petrum Grandum, Donatum Zevolla, Zanninum Juliani, Zianum Badoario, Gabrielem Barbadico, franciscum Barbi, Nicolaum Nani, Jacobum Superantio, Petrum Barbadico, Bonum Doman, Joannem Cattaneo, Marcum de Avancio, Joannem Cornarii, Michallettum Miollo, Antonium de Calzesis, Marcum Bruosso, et Nicolaum Bellonor, ac Joannem Gabrielis laicos et nonnullos alios prefati loci de Venetiis, vivos et defunctos, quos asservit... in Alexandriam, et ad partes Sarracenorum terre Egypti ivisse, seu portasse, et mississe res prohibitas, Saracenis....” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, ff. 494v-495r.

<sup>171</sup> “...idem Magister Ademarius...de predictis iniuriis et gravaminibus non contentus...nonnullas indebitas monitiones, requisitiones, et excommunicationum sententias, ac processus alios varios, et diversos per se, et alios, fecit, et promulgavit, procurando, et volendo deffunctorum ipsorum corporibus exhumatis, corpora ipsa procul ab ecclesiastica sepultura....” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, ff. 494v-495r.

<sup>172</sup> Ortalli, “Venice and the Papal Bans on Trade,” p. 254. Ortalli notes the additional accusations made by Ademarius, which I have intentionally left out of my account: (1) accusation against Gratone Dandolo for having raised a hand against Ademarius and (2) against an official of the Signori di Notte, from the Venier family, for having arrested a servant of the legate who had carried arms (no arms could be carried without proper permission). See Ortalli, “Venice and the Papal Bans on Trade,” p. 254.

<sup>173</sup> “...in magnam turbationem, commotionem, et scandalum ducis, communis, hominum, et aliorum omnium predictorum....” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f495r.

<sup>174</sup> “Nos vero, qui de premissis plenam notitiam non habemus, volentes de eis scire certitudinem veritatis, ac de tue circumspitionis industria gerentes in hiis, et in aliis fiduciam in Domino specialem fraternitati tue

At this point it is worth dismantling the assumption upon which Ashtor's periodization of "strict embargo" relies, namely the idea that under the pontificate of John XXII there had been a consistent build-up to the total embargo of 1323-1344. Already Heyd painted the mission of Ademarius Targa and Fuldo de Sistarico as a special one, focused specifically on the embargo. He thought that John XXII had tried to enforce the embargo on Venice by creating an ecclesiastical tribunal, in other words, saw the events on 1322-1326 as premeditated papal action.<sup>175</sup> Ortalli holds the same view. Focusing on the last of the papal authorizations for Ademarius and Fulco to collect papal income in Venice, he states that "it should...be viewed as the first action initiating a series of measures reflecting a policy of utmost severity."<sup>176</sup> Indeed, Ortalli points out, "The operation [of executing the papal orders and collect income in Venice] was not going to be a simple one...."<sup>177</sup> We can agree with Ortalli and label the sending of collectors an "operation" only if we decontextualize Ademarius' mission, if we postulate that it was unique. Yet, in 1322-1323 there had been nothing unusual about it. Papal collectors with the same authority as that granted him had been sent everywhere, including, as we will see in the following sub-chapter, to Genoa, Pisa, and Barcelona. Yet in none of those maritime cities did the actions of papal collectors provoke the "earthquake" that erupted in Venice. We have by now seen in detail, moreover, how John XXII's attitude toward the embargo did not differ significantly from that of Boniface VIII. Both were adamant

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per Apostolica scripta committimus, et mandamus quatenus vocatis eodem Magistro Ademario, et aliis, qui fuerint, evocandi, causas predictas cum emergentibus, et connexis simpliciter, et de planu sine strepitu et figura Judicii, audias, et super eis diligentius te informes, et quecumque super hiis inveneris, fideliter in scriptis redigi faciens, illa Nobis sub sigillo tuo referre procures, ut tua in ac parte relatione instruiti, quid in premissis omnibus, et singulis faciendum fuerit, agere et expedire securius vallemus." A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f495r.

<sup>175</sup> Heyd, *Histoire du commerce...*, II, pp. 42-43.

<sup>176</sup> Ortalli, "Venice and the Papal Bans on Trade," p. 248.

<sup>177</sup> Ortalli, "Venice and the Papal Bans on Trade," p. 250.

supporters of the total embargo from the first until the last year of their pontificates. Both required that any trade with Muslims be stopped, whether in Egypt and Syria, or Granada, or North Africa. John XXII remained a distant participant in the dispute with Venice, which Ademarius Targa led in his name. He was not stepping up pressure on the maritime cities as a group in the mid-1320s.

Not only there is no evidence that John XXII was particularly interested in conflict with Venice, moreover, but we even find him working through another papal legate to reach a compromise. In fact, while the papacy was still struggling to gain control over Ferrara, Fra Paolino, Bishop of Pozzuoli tried to strike a deal. In a carefully phrased letter to Venice he lamented the fact that merchants travelled from Venice to Ferrara, but he refrained from labeling the transgressors as “Venetians.” If the Venetians could induce those of Ferrara to obedience [to the Church] and if the Commune of Venice “ensures that Ferrara comes in our hands,” Fra Paolino continued, the church would be content to absolve the Venetians from the past and current sentences related to [trade in] Alexandria.<sup>178</sup> We thus see that the papal concern with the disobedience of Ferrara trumped that with the disobedience of those Venetians who had failed to pay the

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<sup>178</sup> “Item, quod audiverat quod mercatores curebant de Venetiis ferrariam et gravabatur si despiciebantur processus et quod si ita erat reprehenderet postquam vidit quod per hoc debebat venire inter cetera dixit domino pape cum habuit opportunitatem loquendi sibi Pater sancte cum reverentia dicam unum verbum Homines sunt defficientes ad capiendum arma si Veneti possent inducere illos de Ferraria ad obbedientiam per aliquam bonam viam sive per dulcia verba sive per verba aspera et ostendendo eorum pericula credo quod esset honor sanctitatis vestre et ecclesie et fieret cum minori periculo animarum Dominus Papa ultima vice quando recessit ab eo respondit sic quandocunque Commune Venetiarum faciat quod ferrarie veniat in manibus Nostris contenti erimus et faciemus illud de quo rogatis nos pro eis scilicet absolvendo eos a sententiis Alexandrie parcendo quecumque commiserunt usque nunc.” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f498v (Jan 1325), summary of the document in Predelli, *Commemoriali*, I, #428, p. 263. Focusing on narrowly on Venice Ortalli reads this letter from a supposed Venetian point of view, although it is not clear what this would be, except through assumption, hence from his account one is left with the impression that Venice had the initiative, Ortalli, “Venice and the Papal Bans on Trade,” p. 249. In fairness, Ortalli was interested not in the diplomatic situation per se, but in the role that jurists, and specifically Malombra played in it, hence the imperfections in his account likely stem from the desire to contextualize Malombra’s actions.

promised compensation for illegal trade with Alexandria. Thus John XXII was ready to use the Archbishop of Ravenna and Fra Paolino in order to sideline Ademarius, reach a compromise with Venice, and finally regain control over Ferrara.

In sum, the Venetian “strict embargo” was probably not the result of any ‘operation,’ but rather the unforeseeable outcome of the uncompromising way in which Ademarius Targa carried a routine mission in combination with the Venetian employment of independent lawyers for the interpretation of papal orders, which – while trivial at a glance – amounted in fact to a challenge of the papacy’s position within Christendom. In other words, the personal zeal of Ademarius Targa coupled with the specifically Venetian institution of the Procuratori di San Marco as administrators of the wills of Venetians – not a premeditated papal attempt to single out Venice and coerce it to comply with his total embargo – appear to have engendered this story. The way in which Venice handled papally-made law appears to have turned it into a significant one. If in consequence Venice ended up enforcing a total embargo on trade with Egypt, the reason has to be seen in the way in which this story played out and not in some premeditated attempts of John XXII to ensure the strict actual implementation of his total embargo.

We do not know what happened as a result of Fra Paolino’s attempt at mediation, but we do know that in June, August, and September 1325 the Venetian senate was still occupied with *sapientes* and the actions of Ademarius.<sup>179</sup> We can surmise that the *sapientes* mentioned in senatorial decisions from 1325 were probably trying again to make the case that trade in goods different from war material was not illicit; perhaps this

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<sup>179</sup> Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti IX, #35, p. 301: “Sapientes super questionibus Ademarii,” #87, p. 305: “Sapientes super questionibus Ademarii,” #95, p. 306: “Provisio dictorum sapientium super facto predicto dicti ser Ademarii.”

was in order to alleviate the situation in Venice and/or to prepare the way for restarting at least some trade with Alexandria. In either case, what ensued was “Declaration of Pope John on the Contraband to Alexandria,” which the pontiff addressed to the inquisitors of heresy. The bull reaffirmed his own stance both on the embargo and on those who claimed that his embargo did not cover all trade.<sup>180</sup> Compared to John XXII’s 1323 bull on the same subject, this one dedicates much less space to recanting the decisions of councils and popes, and much more to those who dare interpret them of their own volition. “Some who are Christians only in name,” the letter explains, had “stubbornly erred” claiming that trade is forbidden only in the items mentioned in the decisions of church councils and that it “is not sin to bring victuals and other merchandise to Alexandria or other places of the Muslims of Egypt.”<sup>181</sup> These people are to be punished as heretics, the bull continues, and this papal order is to be published solemnly in a variety of places so that those would not be able to allege ignorance.<sup>182</sup> In order “to confront the dangers to souls and the innumerable other evils that could ensue to the faith

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<sup>180</sup> “Declaratio Pape Joannes de Prohibitis in Alexandriam,” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, ff. 577v-578v (1 Jul 1326). Summary in Predelli, *Commemoriali*, I, #465, p. 272. Already Heyd considered the summary found in Predelli, Heyd, *Histoire du Commerce*, II, p. 43.

<sup>181</sup> Full passage: “Nos quoque dudum percepto quod nonnulli solo duntaxat nomine Christiani presumpserunt in illum errorem ausu damnabili prorumpere ac etiam presumebant ut pertinaciter assererent ab illarum rerum commercio et negotiorum exercitio fore solummodo abstinendum que duntaxat in prefatis conciliis prohibentur mendaciter qui nimo damnabiliter astruentes contra constitutiones predictas victualia et alia quecumque mercimonia preterdicta in illis conciliis prohibita in Alexandriam vel alia loca Saracenorum terre Egipti deffere vel mittere non esse peccatum se et alios per affirmationem huiusmodi pertinacem errorem in peccatorum facem et labem pravitatis heretice immergendo que per eosdem Nicolaum quartum Boneffacium et Clementem facta fuerunt super hiis grata et rata habentes illa duximus auctoritate apostolica approbanda et etiam innovanda illorum errorem qui astruere vel affirmare pertinaliter contentendebant victualia et alia quecumque mercimonia preter predicta in eiisdem conciliis prohibita in Alexandriam vel alia loca Sarracenorum terre Egipti deffere vel mittere non esse peccatum.” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f578r.

<sup>182</sup> “Damnantes et expressius reprobantes ac decernentes eosdem tanquam hereticos puniendos et licet approbatio declaratio et innovatio nostre predictae fuerint in diversis partibus solempniter publicate aliquae tamen qui eorum nequeunt ignorantiam allegare....” A.S.Venezia, Libri Commemoriali, Reg. 2-2 Copia, f578r.

and the faithful,” John XXII delegated to the inquisition the task of enforcing this order.<sup>183</sup>

While Ortalli surmises that the papal ire stemmed from a desire to cut off trade with Muslims,<sup>184</sup> this – while likely a valid motivation indeed – cannot be fruitfully seen as the leading one. Nowhere in this document can one discern a papal concern with the military power of the Muslims and/or the ability of the embargo to “work.” To reiterate what has been emphasized throughout this work: in enforcing its policies the church typically accounted for a variety of economic, social, and political factors; the selective embargo itself had been a late twelfth, early thirteenth century compromise between the papal desire for a total ban and the papal necessity to accommodate the needs of the maritime cities and of the crusader armies who needed their naval support. It was not the existence of trade with ‘infidels’ per se, that the church could not tolerate, but the attempts of lay powers and individual lawyers to interpret papally-made law. The problem was, that such actions threatened the very basis of the properly ordered society, it was supposed to be the papacy’s business to make law which the laity had to obey, dutifully paying – spiritually and materially – for the inevitable transgressions. To interpret the papal embargo was thus not a matter of importance to trade and politics alone, it was a matter of jurisdiction. Since the whole point of papal decretal letters, as of canon law, moreover, was to instruct Christians in moral matters, to interpret such letters

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<sup>183</sup> “Nos autem animarum periculis aliisque innumeris malis fidei et fidelibus imminentibus ex premissis obviare salubriter et ecleriter cupientes discretioni vestre in virtute sacre obedientie per Apostolica scripta districtius precipiendo mandamus quatenus adversos eos qui premissa pertinaciter asserere affirmare seu astruere vel dogmatizare post publicationem dictarum approbationis innovationes et declarationis presumpserent vel presument imposterum procedere prout vobis ex iniuncto inquisitionis officio eompetit iuxta formam canonum taliter exacta diligentia studeatis quod preter mercedis eterne premium valeatis Nostram et Apostolice sedis gratiam uberius premereri. Nos reddituri nihilomanus de processibus quosinde feceritis certiores.” A.S.Venezia, Libri Commemorativi, Reg. 2-2 Copia, f578v.

<sup>184</sup> “It is certain...that John XXII was preparing to sustain the severest measures against trade with the Saracens.” Ortalli, “Venice and the Papal Bans on Trade,” p. 254.

meant to attack the pastoral role of the pope himself. In declaring heretical such alternative interpretations, John XXII might have strengthened his embargo against Egypt (for the time being), but more importantly, he clearly reaffirmed the principle that it was up to the church (1) to make and interpret canon law and (2) to decide on Christians' contacts with non-Christians. It is in this context then, rather than in the dispute on the scope of the embargo per se, that we should read Rizzardo Malombra's actions as Venice's leading jurist in this controversy, the fact that the church singled him among the jurists that worked for Venice, opened a process against him, and asked the Council of Ten to prosecute him.<sup>185</sup>

Ortalli rightly emphasizes that "Although the Pope's edict applied universally, it undoubtedly struck a blow in the ongoing dispute with Venice;"<sup>186</sup> Pope John XXII, moreover, was not finished with Venice just yet. The symbolic dimensions of papal embargo might have typically sufficed against non-Christians, but, just as with Venice a decade earlier, in its own backyard the church was not content with identifying 'others' and spreading the message that trade with them endangered the soul. Unlike the case with Venice and the transgression of the embargo against Egypt, no mediators were used when in August 1326, John XXII's chancery sent to the Republic of Saint Mark a letter with regard to the papal embargo against Ferrara. John XXII's bull omits the tactful beginning of Fra Paolino's letter and openly attacks the Venetians who endanger their souls and cause much scandal when they enter contact with the excommunicated and

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<sup>185</sup> Which did not happen. Ortalli, "Venice and the Papal Bans on Trade," pp. 256-257. It is somewhat curious that while not interested in the embargo per se, but in the role of the jurist in the related dispute about the embargo's scope, Ortalli appears convinced that the whole episode revolved around the embargo failing to realize that in questioning papal law-making Malombra was questioning the papal ideal of Christendom and hence the potential danger of his theorizing transcended the matter of the embargo's scope.

<sup>186</sup> Ortalli, "Venice and the Papal Bans on Trade," p. 255.

labeled as heretical rebels from Ferrara.<sup>187</sup> The language of this bull – in contrast with the language of papal documents restricting trade with non-Christians – was fairly specific as to what exactly Venice was expected to do: control its trade arteries.<sup>188</sup> The bull thus stressed both the spiritual and the functional sides of this embargo against those who were supposed to never pass the boundary between the Faithful and the Other and remain firmly a part of the papacy’s flock. We will never know what happened on the ground, but probably in response to the papal letter, the senate insisted on Venice’s compliance, stressing that Venice had again legislated against trade with Ferrara.<sup>189</sup>

Employing jurists to interpret papal orders might have run counter to the papal ideal of rightly ordered society, but there was nothing “heretical” about trying to convince the pope to revert to the traditional situation, whereby the papal embargo against Muslims was total in law but selective in practice through the issuing of papal licenses. Thus in 1327 Venice addressed a letter to John XXII, in which it asked for a license. This is an extraordinarily interesting document as far as the mechanics of the papal embargo are concerned, yet it has been overlooked in previous accounts of the

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<sup>187</sup> “Ad Nostri Apostolatus auditum fama seu potius infamia refferente pervenit quod nonnulli Communium et districtualium vestrorum Divina Maiestatem ac Romanam ecclesiam offendere seque gravibus periculis subicere non verentes ad rebelles Ferrarienses excommunicatos et de crimine heresis sententialites et publice a suis competentibus Iudicibus condempnatos se frequenter transferunt et participando et mercimonia seu comercia exercendo cum ipsis penas et sententias tam a iure quam in Processibus Nostris contra tales inflictas incurrere dampnabiliter in suarum animarum periculum et multorum scandalum non formidant.” A.S.Venezia, Libri Commemoriali, Reg. 3-1 Copia, f44r/v (13 Aug 1326), summary in Predelli, *Commemoriali*, II, #90, p. 14.

<sup>188</sup> “Universitatem vestram rogamus requirimus attente et hortamur quatenus canalia palatas passus et portus huiusmodi Vestrorum districtuum per quos ut predicatur accessus patet ad rebelles et hereticos memoratos pro Divina et Apostolice Sedis reverentia taliter custodiri faciatis et claudi quod et dictis mercimoniari cum eis volentibus accedendi ad ipsos opportunitas et proinde dictis rebellibus et hereticis in sua grassandi protervia materia subtrahatur. Vosque ac conciveset districtuales predicti fautorie dictorum hereticorum cuiuslibet nota vitata valeatis Nostram et Apostolice Sedis gratiam uberius promereri.” A.S.Venezia, Libri Commemoriali, Reg. 3-1 Copia, f44v. The pope also wrote to the Bishop of Castello ordering him to present the letter to the doge and to cooperate in its execution, idibem, f45r (13 Aug 1326), summary in Predelli, *Commemoriali*, II, #91, p. 14.

<sup>189</sup> “Responsio facta litteris domini Pape super facto Ferrarie, qualiter scilicet publicari fecimus processus et mandavimus officialibus nostris quod non faciant bulletas pro defferendo aliqua Ferrariam et sic servatum est.” Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti X, #59, p. 329 (Jan 1327).

papal embargo. Having boasted the “most sincere and most resolute devotion” (*sanctissima et constantissima devotio*) of the republic, the letter reminds the pope of the fact that the Venetians lived from the sea in the absence of fields and vineyards. John XXII’s predecessors, the letter claims, had allowed Venice to send to lands of Mamluk Egypt “twenty-four galleys and ten round-ships called also cogs;” as Venice “cannot make a living in another way” it was asking the pope to take account of its “urgent necessity.”<sup>190</sup> Specifically, Venice was asking permission to send thirty galleys and ten cogs promising that these would not transport traditionally prohibited items. In addition, Venice, underlining its understanding that any such licenses would be the result of exceptional favor, also wanted license to send three galleys from Crete to Alexandria and other lands of the Sultan.<sup>191</sup> Thus while Venice had to account for yet another embargo, as Robert, King of Naples had sanctioned Sicily and had ordered his fleet to capture Venetian, Genoese, and Pisan ships sailing there,<sup>192</sup> the senate authorized the doge and other officials to prepare an embassy to the pope in order to ask for a license to trade in Alexandria.<sup>193</sup> This issue was discussed again in September,<sup>194</sup> and once more in

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<sup>190</sup> “...concesse nobis fuerunt 24 galee et X naves sive coche...;” “...urgent necessitate nostra: quia a modo aliter vivere non possemus nec statum patrie nostre relevare.” DVL, I, #105, pp. 208-209, quotations from p. 209. The caveat with this document is that it was not found in any of the series preserved in the Archivio di Stato, but rather in a codex preserved in the library. This poses the question of its authenticity, but since (1) Tafel and Thomas found it authentic, and since (2) it is not a granted license but rather a supplication for a license, I treat it as authentic.

<sup>191</sup> DVL, I, #105, p. 209.

<sup>192</sup> A.S.Venezia, Libri Commemorativi, Reg. 3-1 Copia, ff. 55v-58v (20 Mar 1327) and especially f124r/v (7 Aug 1329), summaries in Predelli, *Commemorativi*, II, #115, #170, pp. 18-19, 30.

<sup>193</sup> “Pro impetrando licentiam eundi Alexandriam et alia loca prohibita possint Dux, Consilarii et Capita de XL et Provisores mittere ad dominum Papam etc.” Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti XI, #31, p. 361 (Jun 1328).

<sup>194</sup> “Pro impetrando licentiam eundi Alexandriam et ad alia loca prohibita etc.” Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti XI, #98, p. 367 (Sep 1328).

November.<sup>195</sup> Yet, John XXII had not granted Venice a license at the outset of his pontificate and he did not grant it a license now either.<sup>196</sup>

### **5.3. In between Papal Coffers and Heaven: Trade Licenses and Absolutions for Illicit Trade**

A consideration of the arguments used to obtain licenses alongside the number and the scope of licenses issued between 1316 and 1378 will allow us to further expose both the historical contingency of the implementation of the papal embargo and the continuity of the principles underlying this papal policy. The standard contention is that the Avignonese popes used the licensing regime as a way to collect money. Heyd so characterized licenses issued after 1343,<sup>197</sup> while Ashtor supposed that the licensing regime was an evolution of the practice of granting absolutions, which he dates to the late 1200s.<sup>198</sup> Housley has aptly claimed that through the system of licenses the church “was making money from its own condemnation.”<sup>199</sup> While this was surely part of the story

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<sup>195</sup> “Mittatur ambaxata solemniter ad dominum legatum pro factis Alexandriae et Romaniae et sapientes commissionem agant.” Cessi and Sambin, *Le deliberazioni del consiglio dei rogati*, Misti XI, #127, p. 370 (Nov 1328), also ibidem, #137, p. 370 (Nov 1328), #138, p. 371 (Nov 1328).

<sup>196</sup> This is not to mean that with the suspension of formal Venetian navigation to Mamluk Egypt all Venetian trade really stopped. Besides the cases in which Venetians sought absolution, pointed above, see also Andreina Bondi Sebellico, ed., *Felice de Merlis. Prete e Notaio in Venezia ed Ayas (1315-1348)* (Venice: Il Comitato Editore, 1973), #1022, p. 503 (18 Jul 1343). An occasional notarial record also attests to such trade, on this occasion carried by Jewish merchants, Chalarambos Gasparis, ed., *Franciscus de Cruce. Notaio in Candia, 1338-1339* (Venice: Istituto Ellenico di Studi Bizantini e Postbizantini di Venezia, 1999), #229, pp. 173-174. Venice itself complained to Genoa, in occasion of the latter’s suspension of the functions of the Officium Robarie in result of the war with the Catalans, that this hindered the westward shipping of goods imported from Syria, R. Cessi and M. Brunetti, eds., *Le deliberazioni del consiglio dei rogati*, Vol. II (Venice: a Spese della deputazione, 1961), #769 (21 Feb 1335).

<sup>197</sup> Heyd, *Histoire du commerce*, II, p. 46.

<sup>198</sup> Ashtor, *Levant Trade in the Later Middle Ages*, p. 47. Lopez too, thought that the licenses were issued “...da principio soltanto per motivi giustificati, poi per denaro sonante.” Lopez, *Storia delle colonie genovesi nel Mediterraneo*, p. 368. Note the purely political terms in which Lopez, on the same p. 368, assesses papal action, italics mine: “Beninteso i Pontefici non dimenticano gli altri settori dove la fede è minacciata; anzi è ammirabile come pensino a tutto, alla lotta contro gli Arabi della Spagna, alle crociate antiturche e a quelle antiegitiane. Ma la dispersione degli sforzi gli rende vani in ogni campo.”

<sup>199</sup> Housley, *The Avignon Papacy and the Crusades*, p. 209. Giovanna Petti Balbi is straightforward, too: “Tra le agevolazioni, concesse da Roma e da Avignone, a scopo di lucro...” Giovanna Petti Balbi, “Deroghe Papali al ‘Devetum’ sul commercio con l’Islam,” *Rassegna degli Archivi di Stato* 32 (1972): 521.

between 1343 and the 1370s, if generalized, the notion that licenses served only to fill the coffers at Avignon is reductive.<sup>200</sup>

In 1320 John XXII allowed the Genoese Benedetto (II) and Martino Zaccaria, to export mastic from the island of Chios to Alexandria and Egypt.<sup>201</sup> The license had been granted on the grounds that in a time of war (a Genoese civil war, 1317-1331<sup>202</sup>), the rulers of the island of Chios had been unable to sell their most unique product, mastic, to Christian merchants. At the same time, their island had been constantly threatened by Turks, which required the maintenance of a defense force. Consequently, in order to preserve the island from the Turks, the brothers were allowed to export to Alexandria and Egypt mastic, but nothing else, for two years.<sup>203</sup> Thus the papacy showed that limited

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<sup>200</sup> Both Ashtor and Housley rightly make these claims for the period 1344-1378, not for the pontificates of John XXII and Benedict XII, when few licenses were issued. Their view, if generalized, would be reductive both in light of the material presented in previous chapters, which showed among other things that licenses were not an invention of the popes of Avignon, and of the church's own view of itself.

<sup>201</sup> On the Zaccaria, including on their crusading posture see Robert S. Lopez, *Genova marinara nel Duecento: Benedetto Zaccaria ammiraglio e mercante* (Milan: G. Principato, 1933) and Enrico Basso, *Genova: un impero sul mare* (Cagliari: Consiglio Nazionale delle Ricerche, 1994), pp. 32-62, on Benedetto II and Martino, pp. 42-49.

<sup>202</sup> The period between 1300 and 1339 is one of the most obscure periods in Genoese history. Michele Giuseppe Canale, *Nuova istoria della repubblica di Genova del suo commercio e della sua letteratura dalle origini all'anno 1797* (Florence: F. Le Monnier, 1858-1864), wrote only a few pages on it and he simply synthesized Stella, who in turn had little to say. Georg Caro, *Genua und die Mächte am Mittelmeer (1257-1311)* (Halle: Niemeyer, 1895-1899). Used by me in its Italian translation: *Genova e la supremazia sul Mediterraneo*, In *Atti della Società Ligure di Storia Patria* n.s. 14-15 (1974-1975), researched the period more closely than Canale and paid more attention to the emerging attempt at signoria at the hands of Opizzino Spinola di Lucoli, but he concluded his work before reaching the war of 1317-1331. None of the historians from the second half of the twentieth century chose to concentrate on this period with the exception of Axel Goria, "Le lotte intestine in Genova tra il 1305 e il 1309," In *Miscellanea di storia ligure in onore di Giorgio Falco* (Milan: Feltrinelli, 1962): 251-280, who used Aragonese diplomatic correspondence to fill some of the gaps left by Stella, and of works that focused on Genoese colonies and Genoese men abroad, but not on Genoa itself.

<sup>203</sup> "Cum itaque sicut accepimus propter defensionem insule suprascripse ad cuius occupationem Turchi eiusdem insule vicini Fidei catholice inimici ferventer aspirant armatam militiam contra Turchos eosdem iugiter oporteat vos tenere...militiam sustinetis de mastice que in dicta insula noscitur provenire...itaque mastix ad presens ut hactenus consuevit propter instantem Januensem guerram a christianis mercatoribus non ematur ac propterea vos sufficientes redditus non habentes necessitate urgente cogamini remittere stipendiarios de insula memorata...non solum vostra sed aliorum fidelium utilitate et necessitate...ad biennium predictum masticem dumtaxat...ad partes Alexandrie et Egipti nulla illuc alia mercimonia deferendo vel etiam transmittendo...de speciali gratia...concedimus facultatem." Reg. Vat. 70, f589v (5 Mar 1320).

trade with Egypt was less undesirable than the loss of a Christian-ruled territory. In the process, the papal chancery stressed that this action would bring utility to all Christians and that it was the result, as always, of *speciali gratia*.

This license from 1320 was not an isolated case; Pope John XXII continued to grant licenses throughout his pontificate, Genoa itself might have been granted a limited license in 1326.<sup>204</sup> In 1331 the papal chancery allowed Walter II, titular Duke of Athens, to send two round-ships to Alexandria and the lands of Egypt, providing that these did not bring arms, iron, or other (traditionally) prohibited things. Walter was the papal favorite in his attempt to oust Catalan power from Athens; John XXII had condemned the Catalans for cooperation with the Turks.<sup>205</sup>

What makes this license interesting is that it also excluded Christian slaves. We saw in Chapter 2, in fact, that the papal policy of embargo might well have been informed by two independent early medieval practices: the imperial bans on the export of war material and the papal bans on the sale of Christians to non-Christians be that within or outside Christian-ruled territories. We also saw that Sanudo had considered the withdrawal of slave trade with Egypt as a vital tool for the debilitation of Mamluk military power. Yet, the papal policy that banned the export of slaves had not fully merged into that which restricted trade in goods. While we cannot know why, we can nevertheless suppose that this had much to do with the fact that the export of Catholic Christians to Muslim lands had largely evaporated with the rise of the Gregorian reform. We saw in Chapter 4, in fact, that the papal attention in the thirteenth century was

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<sup>204</sup> Baronius-Raynaldus, 24, p. 307. I have not been able to work with the actual document. Working through Raynaldus' summaries, at the same time, is epistemologically problematic. Therefore, I do not discuss this document here.

<sup>205</sup> For Walter, the pope, and Athens in this period see Kenneth Setton, *Catalan Domination of Athens, 1311-1388* (London: Variorum, 1975), pp. 38-51, and specifically 38-42.

concentrated on the Christian servants of non-Christians (rather than on slaves) and on non-Christians holding authority over Christians. Genoese penetration into the Black Sea area after 1261 had made the Genoese masters of the slave trade between the Black Sea and Mamluk Egypt.<sup>206</sup> Since this trade often involved the sale of eastern Christians, it eventually caught the attention of the papacy, and, as we will see below, was fully banned on the grounds that if schismatics these were still Christians who, once traded to Muslims, would most certainly be converted to Islam. Thus John's license to the Duke of Athens – which excludes Christians from the merchandise he is allowed to export to Muslims – condemning those who trade other Christians to Muslims,<sup>207</sup> is an early example of the resurgence of papal action against the slave trade (this time in eastern Christians). In addition it features in full the formula of the oath that those sailing to Muslim lands under license were required to give to the bishop (or his representative) of the port of departure. In this oath the merchants declared that they would not travel to

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<sup>206</sup> There is very rich literature on the Genoese expansion in the Black Sea area in a variety of languages, in addition to the already quoted literature, see for example: Gabriela Airaldi, "Etnie e strati sociali negli insediamenti italiani del mar Nero," *Bulgaria Pontica Maedii Aevi 1/Byzantinobulgarica* 7 (1981): 247-252, Laura Balletto, "Il *miliarium* nel commercio del pesce nel mar Nero," *Bulgaria Pontica Maedii Aevi 1/Byzantinobulgarica* 7 (1981): 205-213, idem, "La civiltà dei mestieri nella Crimea Genovese: la pesca (1449)," *Bulgaria Pontica Maedii Aevi* 2 (1988): 280-297, idem, "A Caffa nel 1298-1299," in Geo Pistarino, ed., *I problemi del mar Nero nel passato e nel presente* (Genoa: Academia Ligure di Scienze e Lettere, 1993), pp. 21-32, Enrico Basso, "Il 'bellum de Sorcati' ed i trattati del 1380-1387 tra Genova e l'Orda d'Oro," *Studi Genuensi* 8 (1990): 11-26. Georges I. Bratianu, *Recherches sur le commerce génois dans la mer Noire au XIII<sup>e</sup> siècle* (Paris: Paul Geuthner, 1929) can still be useful; long surpassed in many ways, but occasionally useful remains Michele Giuseppe Canale, *Della Crimea, del suo commercio e dei suoi dominatori dalle origini fino ai di nostri. Commentari storici* (Genoa: co' tipi del r. i. de' sordo-muti, 1855), see also Vassil Gjuzelev, *Medieval Bulgaria, Byzantine Empire – Black Sea – Venice – Genoa* (Villach: Verlag Baier, 1988) (contains a number of his articles), Geo Pistarino, "Le fonti genovesi per la storia del mar Nero," *Bulgaria Pontica Maedii Aevi 1/Byzantinobulgarica* 7 (1981): 43-72, idem, "Genova e i genovesi nel mar Nero (secc. XII-XV)," *Bulgaria Pontica Maedii Aevi* 2 (1988): 27-86.

<sup>207</sup> "exceptis quoque infantibus pueris christianis qui per nonnullos falsos et impios christianos... ad sarranenos in eorum navibus cum mercimoniis deferent et venduntur eisdem ex quorum dampnato commercio contingit dictos pueros fidem catholicam abnegare...." Reg. Vat. 98, f216v (5 Jan 1331). Mollat, *Lettres communes du pape Jean XXII*, #52188.

lands under the control of Muslims who fought the Christians, including Muslims of the Emirate of Granada and the city of Ceuta.<sup>208</sup>

In addition to the Zaccaria brothers and the Duke of Athens, John XXII also licensed a number of Aragonese for commercial trips to Alexandria. One reason under which he allowed single commercial voyages to take place was the redemption of Christians. This was the justification listed in licenses for Jaime II in 1317 and 1321.<sup>209</sup> This justification is of course a direct counterpart to Clement III's bull of 1187-1191, discussed in Chapter 3, which had allowed Christians to export goods to Muslim lands for the redemption of Christians. Licenses based on the same justification were later issued by the chanceries of Clement VI and Urban V.<sup>210</sup> We followed earlier the debate as to whether or not Christians could export war items to this purpose, we found that the original bull on the subject, Clement III's, allowed this, but that some canon lawyers were suspicious of allowing the uncontrolled implementation of such a principle. The popes during the Avignonese period took a rigorist approach to the matter and tended to exclude war items from the list of items permissible to trade in order to achieve the redemption of Christians.

Another way in which the chanceries of John XXII and later Avignonese popes were persuaded to issue licenses claimed a different kind of pious end. Thus in 1328

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<sup>208</sup> "Volumus autem quod per diocesanus vel eius officialem seu vices gerentem loci in quo dictos patronos seu gubernatores et nautas et mercatores prefatos naves entrare contigerit ne quid contra praemissa ut predicatur faciant aut circa ea committant in fraudem neque offendant vel impugnant devotos eosdem neque ad dicta Reguum granate vel villa, que cepta dicitur vel quasvis alias terras sarracenorum qui cum christianis guerras habere noscuntur vel habebunt medio tempore ut prefertur accedant vel mittat vel quoquo modo prestent eisdem per se vel per alium seu alios auxilium consilium vel favorem exigatur et ab eos prestetur corporaliter iuramentum." Reg. Vat. 98, f216v.

<sup>209</sup> Odena, "De Alexandrinis," p. 269. See my Appendix B.

<sup>210</sup> Odena, "De Alexandrinis," p. 270 and François Avril, Pierre Botineau, Jean-René Gaborit, and Danielle Gaborit-Chopin, eds., *Urbain V (1362-1370). Lettres Communes* (Rome: École Française de Rome, 1974-1985), #19593. See my Appendix B.

Alfonso IV of Aragon was granted a license for commerce in Mamluk Egypt on the grounds that his objective was recovering the body of Santa Barbara.<sup>211</sup> Curiously, the same argument was used for a license granted by Clement VI to Pedro IV of Aragon in 1344.<sup>212</sup> In 1328 the chancery of John XXII granted Pere, count of Ribagorza a license for one round-ship (cog in this period),<sup>213</sup> the proceedings to support the defense of the faith, and in 1331 a license to Jaime of Jérica in order to support those who participated in a campaign against Granada. Similarly, in 1346 Clement VI granted Jaime II of Majorca license for one cog, the proceedings from this voyage were to sustain eight patrol galleys in the Straits of Gibraltar.<sup>214</sup>

The argument of “economic necessity” continued to be successfully deployed in this period, as it had been in the thirteenth century. In 1331 John XXII allowed Jaime, King of Majorca to send three cogs to Mamluk Egypt in order to help the recovery of Christian lands that had suffered the attacks of ‘infidels.’<sup>215</sup> In 1367 Urban V issued a license for one round-ship to Savona, near Genoa, under the pretext that the city had suffered immensely through war and other misfortunes.<sup>216</sup> In the same year, Barcelona had explained that it had been greatly impoverished by war and had its fleet decimated; this important commercial port was granted a license for a single cog.<sup>217</sup> A license granted by Urban V to Montpellier specifically excluded the export of meat, which raises

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<sup>211</sup> Odena, “De Alexandrinis,” p. 269. See my Appendix B.

<sup>212</sup> Odena, “De Alexandrinis,” p. 270. See my Appendix B.

<sup>213</sup> Naval terminology is important and discussed in Chapter 7.

<sup>214</sup> Odena, “De Alexandrinis,” p. 270. See my Appendix B.

<sup>215</sup> Odena, “De Alexandrinis,” pp. 269-270. See my Appendix B.

<sup>216</sup> *Urbain V. Lettres Communes*, #19983 (23 Oct 1367). See my Appendix B.

<sup>217</sup> *Urbain V. Lettres Communes*, #20210 (9 Feb 1367). See my Appendix B.

the intriguing question of whether Muslims would actually have purchased meat from Christians without risking censures within their own community.<sup>218</sup>

Not all popes in the period issued licenses in the same fashion. In fact, a consideration of the way in which licenses were granted weakens Ashtor's view of a strict embargo between 1323 and 1344. After all Ashtor's periodization is based entirely on commercial evidence and Venetian law, not on papal documents, and hence reflects not the goals of the papal policy, but the success/failure of its implementation with regard to Venice alone. While John XXII probably never issued a license to Venice and while he apparently limited himself to granting occasional and very restrictive licenses, he did nevertheless issue no less than eight licenses to seven other recipients.<sup>219</sup> It was, in fact, Benedict XII, who may not have granted a single license to a single recipient, despite, for example, yet another Venetian attempt to obtain a license.<sup>220</sup> In other words, if we are to talk about a "strict embargo" in general, we have to significantly shorten Ashtor's 1323-1344 period and apply this notion to Benedict's pontificate, 1334-1442, instead.

Pope Innocent VI (1352-1362) issued at least one license to Venice,<sup>221</sup> and it is likely that a license issued by Clement VI remained valid during his pontificate.<sup>222</sup> This, for example, was the case of the license he issued to Venice in 1344 and which re-started

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<sup>218</sup> *Urbain V. Lettres Communes*, #11511 (29 Apr 1364). See my Appendix B.

<sup>219</sup> Appendix B below.

<sup>220</sup> Kohl, #179 (30 Nov 1337), see also Lane, *Venice*, pp. 130-131.

<sup>221</sup> DVL, II, #41, pp. 73-74 (5 May 1361).

<sup>222</sup> We know this from the opinion of Antonio de Casulis, lawyer at Avignon; upon Clement VI's death Venice had requested clarification regarding his license: "Nota quod supradictis litteris papalibus quia dicunt concedendi licentiam auctoritate nostra questum et habitum fuit consilium cum sapientibus iuris in Romana Curia numquid per mortem domini pape clementis ultrascripti talis gratia expiraverit...Dico ego Antonius de Casulis esse de iure dicendum dictam gratiam non expirasse per mortem concedentis...." A.S.Venezia, *Libri Commemoriali* 6-1 Copia f139r/v (probably 1359), summary in Predelli, *Commemoriali*, II, #164, p. 307.

(legal) Venetian trade with Mamluk Egypt, after a twenty-eight year hiatus.<sup>223</sup> The license allowed Venice to send to Alexandria and other territories of Mamluk Egypt four cogs and six galleys within five years.<sup>224</sup> From the pontificate of Innocent VI, we have the record of at least four, each issued to an individual merchant: one from Pistoia, one from Barcelona, and two from Florence (one of whom an inhabitant of Avignon).<sup>225</sup>

Clement VI's re-establishment of the licensing regime was probably related to the fact that as a result of the disintegration of the Ilkhanid Empire and the conflicts with the Mongols in the 1340s both Genoa and Venice were experiencing serious troubles in the Black Sea area, leaving them no alternative to Mamluk Egypt.<sup>226</sup> Nevertheless, Clement not only terminated the attempts of popes from Nicholas IV to Benedict XII to actually implement a total (or almost total) embargo, but he also initiated a practice of bestowing favors upon favorites through the issuance of licenses. Thus in 1344 he granted his nephew Guillaume Roger, viscount of Turenne and his wife Eleonor, a license of a size

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<sup>223</sup> Widely reported is a claim made by the sultan once Venetian trade resumed – namely that for twenty-three years Venetian ships had not visited his ports: “che li no haveva za vintitre anni navegando a le nostre parte.” Heyd, *Histoire du commerce...*, II, p. 44, also Ashtor, *Levant Trade in the Later Middle Ages*, p. 45. The source can be found in DVL, I, #153, pp. 290-292.

<sup>224</sup> DVL, I, #144, pp. 277-278 (27 Apr 1344). Venice hastened to deliver the news to the Sultan, A.S. Venezia, Maggior Consiglio, Reg. 18 Spiritus, ff. 341v-f342r (24 Aug 1344).

<sup>225</sup> Each license allowed one cog to travel to the prohibited lands. Hermann Hoberg, ed., *Die Einnahmen der Apostolischen Kammer unter Innozenz VI* (Paderborn, Verlag Ferdinand Schöningh, 1955), pp. 354, 356, 382, 391. These four licenses were issued in 1361-1362.

<sup>226</sup> Ashtor, *Levant Trade in the Later Middle Ages*, pp. 65-69. On Genoese and Venetian trade with the southern Black Sea shores in the late middle ages see Sergej P. Karpov, *L'impero di Trebizonda, Venezia, Genova e Roma, 1204-1416. Rapporti politici, diplomatici e commerciali* (Rome: Il Veltro, 1986). First edition: Moscow, 1981. Idem, *Italjanskije morskije respubliki I Juznoe Prichernomorie v XIII-XV vv.: Problemi Torgovli* [The Italian Maritime Republics and the Southern Black Sea Coastline. Aspects of Trade] (Moscow: Moscow University Press, 1990). There is a richer literature on Genoese and Venetian trade with the northern shores of the sea, a good starting point would be Michel Balard, *La mer Noire et la Romanie génoise*, Geo Pistarino, “Due secoli tra Pera e Caffa” *Bulgaria Pontica Medii Aevi* 3 (1992): 51-64, Balard, *La romanie génoise*, treats Genoese trade in the region throughout the work, see also idem, “Les Génois en Crimée aux XIII<sup>e</sup> - XV<sup>e</sup> siècles,” *Archeion Pontou*, 35 (1979): 201-217, idem, “Gênes et la mer Noire (XIII<sup>e</sup> - XV<sup>e</sup> siècles),” *Revue Historique* 270 (1983): 31-54, idem, “Caffa ‘Januensis civitas in extremo Europe,’” *Rivista di bizantinistica (Rivista di studi bizantini e slavi)*, 9, 3 (1993, 2): 165-182. Freddy Thiriet, “Quelques observations sur le trafic des galées venetiennes d’après les chiffres des incanti (XIV<sup>e</sup> - XV<sup>e</sup> siècles),” In Gino Barbieri, ed., *Studi in onore di Amintore Fanfani* (Milan: Giuffrè, 1962), Vol. III, pp. 496-524, argues that until the Black Death the state organized convoy, *muda*, of Romania provided more than 50% of the total volume of state-organized commerce.

worthy of Venice and Genoa: ten cogs and thirty galleys.<sup>227</sup> Not surprisingly, Venice bought this license in 1359.<sup>228</sup> That such licenses could serve only as financial instruments to non-merchants is made clear by the cases of a former Byzantine aristocrat, Giovanni Lascaris, whom the Venetian senate at one point called *Grecus et Januensis*.<sup>229</sup> In exile since no later than 1363, Lascaris converted to Catholicism and served the interest of ecclesiastical union and crusade against the “Turks.”<sup>230</sup> In 1374, Lascaris, having spent a few eventful years in Cyprus, was in Avignon and about to serve as one of the papal envoys occupied with the affairs of Genoa and Cyprus.<sup>231</sup> It was in this context that Urban V granted him a license for one cog.<sup>232</sup> In 1376, Lascaris was allowed to export merchandise worth 12,000 florins, a very significant sum;<sup>233</sup> just a few years later Clement VII, declared an anti-pope by the prevailing party, awarded him yet another license.<sup>234</sup> It is not clear what Lascaris did with his licenses, nor how common the practice of issuing licenses to favorites was.

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<sup>227</sup> A.S.Venezia, Libri Commemoriali, Reg. 6-1 Copia, f135r/v (13 Jul 1344). On the relationship see Setton, *The Papacy and the Levant*, I, p. 263.

<sup>228</sup> A.S.Venezia, Libri Commemoriali, Reg. 6-1 Copia, ff. 131r-139r (4 Mar 1359), 214v-217r (20 May 1359).

<sup>229</sup> On Jean Lascaris see David Jacoby, “Jean Lascaris Calophéros, Chypre et la Morée,” *Revue des Études Byzantines* 26 (1968): 189-228. For *Grecus et Januensis*, p. 204.

<sup>230</sup> Jacoby, “Jean Lascaris Calophéros,” pp. 189-190.

<sup>231</sup> Jacoby, “Jean Lascaris Calophéros,” pp. 190-197.

<sup>232</sup> Cogs, however, were an extremely expensive technology, used by the leading western maritime cities alone. For this reason or not, Lascaris was asking for and received a permit for up to six smaller vessels instead; later this was amended to twelve smaller vessels. *Acta Gregorii PP. XI (1370-1378)*, Aloysius Tautu, ed., In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes. Series III, Vol. XII (Rome: Typis Pontificiae Universitatis Gregorianae, 1966), #121a, pp. 230-232 (7 Nov 1374) and #236, pp. 461-463 (2 Sep 1377). Jacoby speaks of “une galée,” not a cog. He refers both to Tautu and to the *Registra Avinionensia*, which I have not been able to consult. It is very unlikely, however, that Tautu transcribed “unam galeam” as “unam navem,” hence Jacoby likely confused the two, Jacoby, “Jean Lascaris Calophéros,” p. 206 and note 108.

<sup>233</sup> Tautu, *Acta Gregorii XI*, #189, pp. 373-374 (30 Jan 1376). On Lascaris and his licenses see also Jacoby, “Jean Lascaris Calophéros,” pp. 206-207.

<sup>234</sup> Aloysius L. Tautu, ed., *Acta Pseudopontificum Clementis VII (1378-1394), Benedicti XIII (1394-1417), Alexandri V (1409-1410), et Johannis XXIII (1406-1415)*, In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes. Series III, Vol. XIII, 2 (Rome: Typis Pontificiae Universitatis Gregorianae, 1971), #62, pp. 82-83 (30 Jun 1387).

The most active pope in the issuance of licenses was Urban V, who allowed no fewer than sixty-eight round-ships and seventy-three galleys to sail from Christian lands to those of Mamluk Egypt. At the same time, Urban took active measures, primarily through his legate Peter Thomas, to promote crusade in the Eastern Mediterranean. In 1366-1367, he suspended the issuance of licenses.<sup>235</sup> When Genoa and Venice had commercial problems with the sultan, they asked him to suspend the licenses again.<sup>236</sup>

Yet, even when preparing a crusade, Urban was still issuing licenses, thus he appears even less concerned than his predecessors with the embargo's ability to actually 'work.' In fact, while thirteenth century popes had often banned all trade prior to crusades, Urban V issued licenses to Venice, Montpellier, Perpignan, Barcelona, the Kingdom of Cyprus, Genoa, and Genoese Pera just prior to the sack of Alexandria by Peter of Cyprus in 1365.<sup>237</sup> The functional dimension of his policy of restricting trade with Mamluk Egypt had thus little to do with negatively affecting the latter's military power. It may have had more to do with sustaining the crusade by way of winning over the maritime powers. Whatever its functional grounds, however, his issuance of licenses continued to underscore the fact that trade between Christians and 'infidels' was a matter of papal jurisdiction.

The greatest beneficiaries of papal licenses from 1344 to the end of the Avignonese period were undoubtedly Venice, for which we have (perhaps) more or less complete data, and Genoa, for which we almost certainly do not. After the 1344 license issued by Clement VI, Venice obtained licenses that totaled at least six galleys (from

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<sup>235</sup> DVL II, #69, pp. 115-116 (17 Aug 1366) and #77, pp. 125-126 (28 Jun 1367). On Peter Thomas and the sack of Alexandria see the detailed account of Setton, *The Papacy and the Levant*, I, pp. 258-284.

<sup>236</sup> DVL II, #87, pp. 149-151 (27 Jul 1369). Setton, *The Papacy and the Levant*, I, pp. 258-284.

<sup>237</sup> See Appendix B below.

Innocent VI), sixteen cogs and forty-one galleys (from Urban V), and nineteen cogs and forty-eight galleys (from Gregory XI). Thus between 1344 and 1378 Venice was granted the right to send to Mamluk lands no fewer than forty-one cogs and ninety-nine galleys. Genoa, Genoese-ruled cities, and Genoese individuals were granted licenses for at least twenty-four cogs and thirteen galleys.<sup>238</sup> Barcelona, Majorca and other recipients in Iberia were granted at least seventeen cogs, cities in Southern France, at least eleven cogs, and other recipients were granted a total of at least twenty-six round-ships and fifty galleys. All in all, between 1291 and 1344 popes granted licenses for no less than eighteen cogs and twenty-four galleys; popes between 1344 and 1378 granted licenses for no fewer than 119 cogs and 162 galleys.<sup>239</sup> Thus there is no doubt that especially under the particularly 'liberal' popes Urban V and Gregory XI the papal embargo against Mamluk Egypt had very much reverted in practice to the selective ban of most of the period between 1179 and 1291.

Scholars have rightly pointed that papal licenses provided the *Camera Apostolica* with considerable income. We can derive some idea of the income that the papacy might have collected from licenses if we consider what Venice paid on certain occasions. In 1361 the city of Saint Mark purchased a license for one cog for 1,000 ducats (from some Genoese).<sup>240</sup> In a more complex case slightly earlier, Venice had purchased the license that Clement VI had issued to a nephew for ten cogs and thirty galleys for 12,000 florins, which, per vessel, amounted to a much better deal (300 ducats) than that concluded with

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<sup>238</sup> Thorough archival research is necessary in order to obtain a sense of the extent to which the papacy granted licenses to Genoa.

<sup>239</sup> Appendix B. Again, this data is likely incomplete, except perhaps for Venice.

<sup>240</sup> A.S.Venezia, Libri Commemoriali, Reg. 6-2 Copia, ff. 393v-396r (27 Aug 1361), ff. 396r-399v (28 Aug 1361), Summary in Predelli, *Commemoriali*, II, #256, p. 323 and #258, pp. 323-324. The first of these documents is fully published in DVL II, #46, pp. 77-80.

the business-savvy Genoese.<sup>241</sup> Also at this time the papal treasurer acknowledged Venice's payment of 9,000 florins for Innocent's 1361 license for six galleys.<sup>242</sup> This appears to have been the worst deal of the three (1,500 florins per galley). When in 1361-1362 Innocent VI's chancery issued four licenses to four merchants, each for one cog, the first two were paid 800 florins apiece, the second two, 1,000 florins each.<sup>243</sup>

Unfortunately, we cannot extrapolate from these numbers precise data about what the total papal revenue on licenses might have been between 1291 and 1378. If the data for the pontificate of Innocent VI are at least roughly representative for the period 1352-1378 as a whole, then some basic calculation maybe possible. Using the average of 900 florins (or ducats, or *genovini*) per cog and 1,500 florins per galley (which appears high), we would arrive at a total of 82,800 florins for 92 cogs and 181,500 florins for 121 galleys, or a grand total of 264,300 florins, a staggering amount in itself. Divided by the number of years over which it was collected, however, we arrive at an average of almost 9,800 florins per year, still a decent, but no longer striking sum. If the average papal annual revenue under Innocent VI was roughly 246,000 florins,<sup>244</sup> and if we choose to treat this number as representative of the annual income of the papacy until 1378, then papal licenses accounted for about 4% of annual papal revenue. Hence scholars, beginning with Heyd, who considered licenses an important source of revenue in this

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<sup>241</sup> But the pope's nephew likely had paid nothing to the pope, so he too got a good deal from this "bulk" sale. A.S.Venezia, *Libri Commemorativi*, Reg. 6-1 Copia, ff. 131r-139r (4 Mar 1359), Summary in Predelli, *Commemorativi*, II, #109, p. 297. See also Senato Sindicati, Reg. 1, f84v (8 Aug 1359) and f86v (29 Oct 1359).

<sup>242</sup> DVL, II, #42, pp. 74-75 (8 May 1361).

<sup>243</sup> *Die Einnahmen der Apostolischen Kammer unter Innozenz VI*, pp. 354, 356, 382, 391.

<sup>244</sup> Hermann Hoberg, ed., *Die Einnahmen der Apostolischen Kammer unter Innozenz VI* (Paderborn: Verlag Ferdinand Schöningh, 1955), p. 36. The gentle reader should be aware that some of the volumes in this most useful series contain double Arabic numeration, one for the early section, and one for the main section.

period that undermined the ability of the embargo to weaken Egypt appear to have been right.

Yet papal licenses did not necessarily undermine those goals of the embargo which Chapter 4 surmised to be both subtler and more important to the papacy. After all, the very process whereby a license was granted and its language underlined papal jurisdiction over Christian trade with non-Christians, symbolically reaffirmed the ‘proper order’ within Christendom, upheld the idea that economic activity is justified only on the basis of either ‘necessity’ (making ends meet), or ‘higher goals’ (redeeming Christian captives, the body of a saint, defending Christian territories against ‘infidels’).

We have been told that papal licenses undermined papal embargoes, and that so too did the practice of granting absolutions. Housley’s opinion of the papal embargo under the popes of Avignon is typical: “The Curia was...unable to enforce its embargo. Under the pressure of petitions and its own financial needs it gradually refined its policy towards trade with Egypt so that it evolved into an important component of the Holy See’s fiscal system;”<sup>245</sup> then “...absolutions were granted to persons who had been excommunicated for trading with Egypt, but were prepared to surrender some of the profits of this illicit commerce in exchange for forgiveness.”<sup>246</sup> While Housley then explains that “This procedure was based on thirteenth-century precedents....,”<sup>247</sup> the reader is left with the impression that the granting of absolutions during the Avignonese period is to be seen as the degradation of a tool of foreign policy into a fiscal one. Yet, we know that the church *had to* grant absolutions to anyone perceived as sincerely repentent.

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<sup>245</sup> Housley, *The Avignonese Papacy and the Crusades*, p. 206.

<sup>246</sup> Housley, *The Avignonese Papacy and the Crusades*, p. 207.

<sup>247</sup> Housley, *The Avignonese Papacy and the Crusades*, p. 207.

It appears in fact that much about the papal policy of embargo has not been concluded inductively from papal sources, but has been instead deduced from the widely popular late medieval, early modern, and modern views of the Avignonese period as one of decadence.<sup>248</sup> “Pope Midas”<sup>249</sup> or not, John XXII, a long-time favorite target both of certain Franciscan circles and of later moralists,<sup>250</sup> surely did not invent the practice of getting paid for providing absolutions on a large scale, which we know to have regularly occurred since at least the mid-thirteenth century. Boniface VIII, whom John’s bulls often quote, had granted Jaime II the right to use such monetary proceedings to arm a fleet on behalf of the papacy.<sup>251</sup> In 1309 Clement V, also commonly quoted by John XXII, dedicated the money received from absolution of Aragonese transgressors of the embargo against Egypt to Jaime’s campaign against the Emirate of Granada.<sup>252</sup> Moreover, collecting money for the granting of absolutions falls within the normal papal practice of receiving payments for anything the Church granted. During the Avignonese period the embargo may furthermore have paid dividends on a level that has been completely ignored to date, that of religion.

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<sup>248</sup> The first problem with judging the actions of Avignonese popes as only fiscally-driven is that no meaningful comparison can be made between the administrative and fiscal practices of the pontificate of, say, John XXII and, say, Innocent IV. For the period prior to John XXII’s pontificate we have only occasional data of papal income records (and hence also of absolutions) and, in addition, the series of recorded supplications does not start until the pontificate of John’s successor, Benedict XII. The several dozen thousand papal letters of John XXII, furthermore, dwarf the number of extant and likely of produced letters of any earlier pope. The increased extant source base reflects an actually occurred change in the quantity of sources produced, but in itself it provides absolutely no support for a claim that under John XXII and his immediate successors the papal policy of embargo saw a qualitative change.

<sup>249</sup> This is how Edwin Mullins, *Avignon of the Popes. City of Exiles* (Oxford: Signal Books, 2007), pp. 43-60 entitled his chapter on John XXII. It appears that Mullins takes at face value a lot of his source material, specifically that critical of the pope.

<sup>250</sup> For the way in which the polemical writings of radical Franciscans, in the context of Ludwig of Bavaria’s broader political conflict with the pope, have portrayed John XXII and influenced scholars’ view on the apostolic poverty controversy and the pope see the above quoted Nold, *Pope John XXII and his Franciscan Cardinal*.

<sup>251</sup> Francisco J. Miquel Rosell, *Regesta de Letras Pontificias del Archivo de la Corona de Aragon* (Madrid: Cuerpo de Archiveros, Bibliotecarios y Arqueólogos, 1948), #289, p. 155 (8 Apr 1297) and #298, pp. 159-160 (29 Jan 1298).

<sup>252</sup> *Regesta Clementis Papae V*, #5090 (12 Nov 1309).

Odena has provided very detailed and helpful tables in which he has collected the names of transgressors of the papal embargoes from Iberia as well as the amounts paid. I have myself sought to enrich the data with information about Italy as well as about another papal embargo, against Ferrara in the 1320s. While comparatively abundant this data is by no means complete, and it is used here to only suggest trends rather than formulate firm conclusions about papal income. What it suggests is that while many were absolved for transgressing papal embargoes, the papal income derived from such absolutions was not substantial.

In Odena's tables can be found 105 names, six instances when individual names are unavailable, but which probably concerned single persons, as well as six more entries, each of which listing a payment made by a group of people. In total, between money collected in Avignon and money collected in Iberia, the papal camera under John XXII received the unremarkable total of 3,046 florins, over 2,822 pounds of Barcelona, and 679 agnells, and some other, smaller amounts in lesser currencies.<sup>253</sup> Following Odena's example, in Appendix C of this work, I have tabulated information concerning non-Iberian transgressors of John XXII's embargoes against Muslims. According to the information assembled by Göler, the *camera apostolica* collected income from twenty named persons, and probably from several dozen unnamed ones (in the existing entries alone). The few people whose provenance is mentioned came from Venice, Pisa, Lucca, the diocese of Genoa (but not from Genoa itself), Rhodes, Marseille, Narbonne, Montpellier, Clermont, Perpignan, and Carcassonne. Together these provided the *camera apostolica* with the recorded total of 5,670 florins, 137 agnells, perhaps as much as 150

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<sup>253</sup> Odena, "De Alexandrinis," pp. 289-300.

florins in sterling, perhaps 255 florins in gros tournois,<sup>254</sup> as well as a plethora of much smaller amounts in many other currencies.<sup>255</sup> This very rough estimate comes up to over 6,250 florins.<sup>256</sup>

In addition to the data available in Göller, further information can be obtained from papal income registers. This includes the income that Bertrandus Cariti, procurator general of the Order of Preachers collected for a variety of purposes in Pisa between 1323 and 1326. A total of twenty-two people disbursed 548 florins.<sup>257</sup> Not all of these were from Pisa; by far the largest amount – 200 florins – was paid by an important citizen of Pisa, Andrea Gambacorta, but on account of the Genoese Giovanni Grillo.<sup>258</sup> Some of this money came from members of the church who had been provided with it by force of testaments, as in the case of Franciscan Fra Pino who disbursed fifty florins on account of an unnamed deceased person from Pisa. Some paid for the transgressions of their relatives, for example, the nobleman Gaddo Gambacorta paid forty florins on account of *nepote suo*; on the other end of the social spectrum, three unnamed sailors paid two florins each.<sup>259</sup> In late 1326 the same collector, Fra Bertrandus, visited Genoa. There he

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<sup>254</sup> Assuming that is what *tur. arg.* is supposed to refer to (2,874 gros tournois total, at 13 gros tournois to the florin).

<sup>255</sup> These sums are comparatively small and provided only for illustrative purposes: 24 sous, 7 deniers tournois (1-1,5 florin); 57 sous, 12,5 deniers gros tournois; 129-132 sous viennois (anywhere between 5 and 6,5 florins depending on the exchange rate); 10 genovini; 2 ducats; 39 *Tur. parv.*; 29 sous, 4 deniers *ob arg. de cun. Fr.*; 53 iulhats (about 2 florins); 15 *den. reg. aur. de cun. Fr.*; 15 *deniers clementinos arg.*; 17 *deniers Parisien.*; 4 deniers viennois; 14 livres, 6 sous, 10 deniers *Tur arv.*; 11 *duplas auri de regina*; 3 deniers *ad massima auro*; and, the only other significant sum 25 pounds, 10 pennies sterling, which might have equaled roughly 150 florins. All of the raw data comes from Emil Göller, ed., *Die Einnahmen der Apostolischen Kammer unter Johann XXII* (Paderborn: Druck und Verlag von Ferdinand Schöningh, 1910), pp. 285-400, who provides transcriptions of the original documents as far as the money is concerned, see also Appendix C. Conversion rates from Spufford, *Handbook of Medieval Exchange*, idem, *Money and Its Use*.

<sup>256</sup> Some of the money were paid both for embargo violations and other reasons.

<sup>257</sup> A.S.V. *Collectoriae*, Reg. 243, f7r/v and f69r (1322-1326), 600 according to the total in Göller, *Die Einnahmen der Apostolischen Kammer unter Johann XXII*, p. 411 (10 May 1326). Göller gives the final date only, not all sums were collected in 1326; indeed it appears that much was collected in March 1322.

<sup>258</sup> A.S.V. *Collectoriae*, Reg. 243, f7r/v.

<sup>259</sup> A.S.V. *Collectoriae*, Reg. 243, f7v.

collected sums that Genoese merchants had already paid to local clergy members, as well as sums from penitent Genoese themselves; these too came from both ends of the social ladder. Thus while three *Maloselli* (Malocelli) disbursed a total of 400 florins,<sup>260</sup> a number of “very poor sailors” paid in small currencies the equivalent of fifty-six florins and a quarter of a florin.<sup>261</sup> All in all in the first four months of 1327 Bertrandus collected a total of over 636 florins of which 580 from seven named likely richer people and fifty-six from many unnamed sailors. Ten years later, an income of thirty Venetian ducats came from the legacies of Venetians.<sup>262</sup> Money for absolution from transgressing the embargo was collected not only in port cities. An unnamed Genoese paid as much as 170 *genovini* through the church in Lucca.<sup>263</sup> The same collector received a total of thirty-two florins in Florence; one of the amounts was paid, unsurprisingly, by someone bearing the family name Bardi.<sup>264</sup> Even in Arezzo a certain Giovanni Guidone paid four florins for having transgressed the embargo.<sup>265</sup> Thus the total sum received from thirty-four individual people as well as from groups of poorer unnamed people amounts to 1,220 florins, 30 ducats, and 170 *genovini*.<sup>266</sup>

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<sup>260</sup> A.S.V. *Collectoriae*, Reg. 243, f99v (10 Mar and 14 Apr, 1327).

<sup>261</sup> “Item recepimus a diversis pauperimis personis marinariis absolutis de facto alexandrie reductis minuti monetis ad florenos LVI et quartum unum flor.” A.S.V. *Collectoriae*, Reg. 243, f100r (14 Apr 1327).

<sup>262</sup> A.S.V. *Collectoriae*, Reg. 200, f94r (1334).

<sup>263</sup> And also in Lucca the papal collectors received an unspecified amount of money even from a *quodam theutonico*, A.S.V. *Collectoriae*, Reg. 243, f11v (1322-1326, likely 1323).

<sup>264</sup> A.S.V. *Collectoriae*, Reg. 243, f18v, f69r (1322-1326, likely 1323).

<sup>265</sup> A.S.V. *Collectoriae*, Reg. 243, f36v, f69r (1322-1326, likely 1323).

<sup>266</sup> Papal letters also contain information regarding absolutions. In addition to the above mentioned Genoese Eliano de Bulgaro, in 1321 the papal chancery allowed the absolution of a certain Bonnacorso Ramusio, citizen of Pisa, who had carried merchandise to Alexandria, Reg. Vat. 72, f112v (25 Apr 1321). Mollat, *Lettres communes du pape Jean XXII*, #13267. Already in 1316 John XXII had allowed the absolution of a sailor who, in order to make a living, had been employed on a vessel that had travelled to Alexandria, Odena, “De Alexandrinis,” p. 268. The papal chancery, moreover, striving to make sure that its embargoes were common knowledge throughout Christendom, instructed the church in Cyprus to announce the excommunication of those from the Kingdom of Cyprus who had brought merchandise to Mamluk and other Muslim lands, Reg. Vat. 71, f45r (22 Sep 1320). This documents refers specifically to transgressions of the constitutions of Nicosia, likely the decisions of the Church council there from some seventy years earlier pointed in Chapter 3.

On occasion of the embargo against Ferrara in the 1320s, eighty people paid for having transgressed it between 1325 (it had been under way since 1317) and 1329 (by which time it was probably over). A single entry dates from as late as 1334. While the number of named people was significant, none of these confessed to trading in Ferrara; they asked absolution only for having transited through its territory. Accordingly, these were hardly any ‘embargo-transgressors’ from a strictly functional perspective. Over five years, eighty people and a group of unnamed persons paid a total of a mere twenty-seven florins as well as small amounts in many other currencies probably amounting to less than a dozen more florins.<sup>267</sup>

Excluding all sums in small currencies and considering that the florin, the *genovino*, and the ducat were equivalent, and that the agnel was also supposed to be of equal value, we find that under John XXII the *camera apostolica* received a total of 8,856 florins from Iberian and 7,670 florins from other transgressors of the embargo against Mamluk Egypt. The registered total paid in major currencies thus amounted to 16,562 florins, a considerable sum in itself. Given that John’s pontificate lasted eighteen years, however, this means that the absolutions brought to the papal camera not much over 900 florins a year; under John XXII, the annual papal revenue averaged 228,000 florins.<sup>268</sup> Thus the known revenue of absolutions constituted some 0,4% of the known total revenue.<sup>269</sup> Even given the very approximate nature of this estimate we can still deduce

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<sup>267</sup> That is: 50-53 gros tournois, 8 sous and 123 deniers gros tournois, 123 sous and 61 deniers viennois, 2 iulhats, 1 *den. regal. auri de cunio Francie*, 10 sous *val. Nigri*, 2 deniers *reg. auri*, 13 deniers iulhat, 29 sous and 2 deniers *ob c o r.* Göller, *Die Einnahmen der Apostolischen Kammer unter Johann XXII*, pp. 327-374. Appendix C2 below.

<sup>268</sup> Spufford, *Money and Its Use*, p. 183.

<sup>269</sup> This number is a very rough estimate. It could be revised downwards, if we could disentangle some of the payments (which combined embargo transgression with other violations). It could also be revised upwards if we presume that this data is rather incomplete. All in all, however, it is highly likely that the actual number was indeed under 1%.

that the absolute value of income from absolutions for transgressions of the embargo against Egypt was not inconsiderable, while its relative value was very little. We can be certain, however, that the proceedings from absolutions of excommunications incurred for transgressions of the embargo against Ferrara had a negligible value in functional terms (a total of under forty florins over several years).<sup>270</sup>

Thus, to reduce papal absolutions for embargo violation to a fiscal tool is questionable when Egypt is discussed and indefensible when the embargo against Ferrara is considered. The practice of granting absolutions is in fact better seen as an intersection between the church's necessity to accept back into the realm of the faithful those who repented and the latter's desire to be re-accepted and/or necessity to avoid potential penalties for embargo transgression. It is very likely that many trespassers were genuinely concerned with their chances for salvation, especially in the case of those who incurred significant trouble to pay in Avignon insignificant fines.

The flow of papal absolutions was independent of the way in which the embargo and the license regime applied. In fact, piety may have propelled the requests for absolutions in some cases of Venetian applications after Venetian travel to Mamluk Egypt had been re-authorized in 1344. Venetians such as Marco Mauroceno and his father paid fifty ducats, Giovanni da Mosto, thirty ducats, Francesco Gritti, five ducats for simply having been in Mamluk lands, not for having exported *vetita*.<sup>271</sup> A papal

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<sup>270</sup> Here are three examples that allow us to put the total in perspective. Providing the conversion rate in Spufford, the data in Cibrario, and my calculations are correct, the annual salary of the cook of the Prince of Achaia in 1329 was 25,5 florins, a bible sold in Rome in 1335 for 27 florins, the monthly pay of 12 non-mounted crossbowmen in 1321 was 30 florins. Data from Luigi Cibrario, *Della economia politica del medio evo*. 5. ed. italiana emendata ed accresciuta nel testo e nelle tavole (Turin, L. Botta, 1861), II, pp. 272, 347, 280 respectively.

<sup>271</sup> A total of thirteen entries were made in the register and a total of 159 ducats, 6 pounds, and 24 *grossi* were collected. A.S.V. *Collectoriae*, Reg. 200, ff 306r-307r (1349). Over the course of two years or less, twenty-three more entries concerning Venetian absolutions, generally defined as *pro facto Alexandriae*, were

collector's register from 1350-1351 lists three entries concerning Genoese merchants and a total of 100 florins and 11 *genovini* collected; as one of the entries put it, the Genoese in question paid in order to have his soul back (*anima rehabendi*).<sup>272</sup>

Ecclesiastical doctrine might have required the popes to provide absolutions for those requesting it, thus obstructing a priori the embargo's chances to fulfill its functional goals. Nevertheless, absolutions could be granted in a way that emphasized both the severity of the transgression – by requiring travel to Rome – and the papacy's concern with the moral question of the motivation behind Christian trade. We have seen how the papacy sought to motivate any exceptions to the principle that no Christian should communicate with 'others' through trade on moral grounds, namely by arguing that exceptions allowed Christians to make ends meet, but not to profit. Benedict XI, for example, may have acted more than a century after Innocent III first made this point, but his action conformed to Innocent's. Thus he allowed the heads of the Dominican and Franciscan orders in Genoa to absolve "sailors and other poor" from Genoa and its district for having exported prohibited items to the lands of the sultan on account of their inability to make the journey to the curia.<sup>273</sup> Benedict specifically excluded merchants, officials, and captains, from the benefit of this provision.<sup>274</sup> Thus he implicitly

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made and at least 433 ducats and 270 florins alongside some smaller amounts were collected. Some Venetians featured prominent names (Badoer, Contarini) and some single remittances were noteworthy (300 ducats by two Badoer, seventy florins by a Contarini), A.S.V. *Collectoriae*, Reg. 200, ff. 310r-312r (1349-1351). In 1359 Innocent VI allowed the bishop of the Venetian outpost Coron to absolve twenty poor people (*viginti personas pauperes*), A.S.V. Reg. Aven., Reg. 141, f21r/v.

<sup>272</sup> A.S.V. *Collectoriae*, Reg. 246, f93v. 1 *genovino* was 1 florin, the collector himself used this conversion rate to calculate the total in florins. Another register contains three entries from Genoa, 1369-1371, A.S.V. *Collectoriae*, Reg. 132, ff. 59r, 64v.

<sup>273</sup> "...propter pauperitatem et alias causas esset difficile Sedem adire..." *Le Registre de Benoît XI*, #819, col. 501 (12 May 1304).

<sup>274</sup> "mercatores vel officiales aut comites seu patroni navigabilium vasorum," *Le Registre de Benoît XI*, #819, col. 502.

proclaimed both the church's concern with the poor and its suspicion of profit.<sup>275</sup> Thus we should not rush to dismiss the papal policy of embargo simply because as a tool of foreign policy it likely had a limited effect.<sup>276</sup>

The desire to declare where souls belonged and to control their movement continued to direct papal political and legislative action during the Avignonese period. Clement V and John XXII both took action against mixed marriages. Clement protested the high-profile marriage between the daughter of Ladislas, *voevoda* of Transylvania, and Catholic, with the son of Stephan Dragutin, King of Serbia; raging against the coupling of the "child of obedience with the child of disobedience."<sup>277</sup> Hence he ordered that no Catholic in Hungary (but the policy was of course based on Canon Law, applicable everywhere), could marry his daughter to any "heretic, Pataren, Cathar, schismatic or other who is contrary to the Christian faith, and mostly Rhutenians, Bulgarians, Serbs, and Lithuanians."<sup>278</sup> The same order was also issued by a local council of the church.<sup>279</sup>

John XXII in turn complained that Catholics in the Genoese ruled Black Sea city of Caffa

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<sup>275</sup> Benedict, moreover, had to also confront the problem of all those who had exited the body of the Faithful by trading with Ferdinand's Sicily prior to the peace of Caltabelotta. Thus the same prior of the Order of Preachers and the Guardian of the Friars Minor in Genoa who were to take care of the souls of the poor who had violated the embargo against Egypt were also authorized to absolve both Genoa as a body politic and its individual members from the sentence of excommunication incurred for having provided subsidy, council, and help to Frederick as well as for having brought "goods and victuals" (*merces vel victualia*) to him and the Sicilians. *Le Registre de Benoît XI*, #818, cols. 500-501 (12 May 1304).

<sup>276</sup> For a discussion on the methodological difficulties on assessing the effectiveness of papal embargoes as instruments of foreign policy against non-Christians see Chapter 3.4.

<sup>277</sup> "fidei catholicae puritas," "...quod non erat decens nec expediens, ut filii oboedientiae cum inoboedientiae filiis per alicuius coniunctionis commercium miscerentur..." Aloysius Tautu, ed., *Acta Clementis V (1303-1314)* Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes Series III. Volumen VII, 1 (Vatican City: Typis Polyglottis Vaticanis, 1955), #39, pp. 67-69 (25 Dec 1309), quotation from p. 67. According to Tautu, the latter was addressed to Stephan Dragutin. He and his brother Milutin were at war at the time. In 1308 Milutin had discussed marrying his daughter to the son of Charles of Valois. Dragutin, on the other hand had turned against Charles Robert of Anjou's claim to the Hungarian throne. See Fine, *Late Medieval Balkans*, pp. 255-258.

<sup>278</sup> "...ut nullus dictae legationi subiectus praesumeret de cetero heretico, Patareno, Gazaro, schismatico vel alii fidei christianae contrario, maxime Ruthenis, Bulgaris, Rasis, et Lituaniis in errore manentibus, filiam, neptem vel consaguineam suam connubio tradere vel modo alio copulare." Tautu, ed., *Acta Clementis V*, p. 68.

<sup>279</sup> Tautu, ed., *Acta Clementis V*, #39a, pp. 70-71 (10 Nov 1309).

married “heretics” or “schismatics” and through these wives and the devil, end up taken away from the “truth of the faith.”<sup>280</sup> Such wives were hence to be disciplined and reduced to obedience.<sup>281</sup> These prohibitions were upheld by Clement VI in 1346, through a general bull (*ad perpetuam rei memoriam*), which focused however on the bordering kingdoms of Hungary and Poland.<sup>282</sup> This abhorrence of contact between faithful and ‘others’ is well-exemplified in the case of the Venetian nobleman Nicoletto Bono and the Venetian noblewoman Agneta, daughter of a Cretan nobleman, both Catholics. For whatever reason, a marriage between the two had been arranged, but it faced an obstacle: the two prospective spouses were related in the fourth degree, which meant that they could not marry unless they obtained permission from the pope. The argument made on their behalf was crafted to convince to the curia; what would have been more persuasive than putting religion first? The island of Crete is surrounded by “Barbarian Saracens and Schismatic Greeks,” the supplicants claimed, it is full of “Greeks,” with whom the Latins are compelled to talk and to live with, the prospective spouses, after all abhorred the thought of marrying them, but too few were the nobles unrelated by blood.<sup>283</sup> Keeping the flock out of spiritual danger took precedence over the concern with consanguinity and the request was granted.

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<sup>280</sup> “...nonnulli fideles latini in suis civitatibus et dioecesi commorantes, cum mulieribus illarum partium schismaticis et haereticis...matrimonia contraxerunt et frequenter contrahunt...tandem seductae versutiis satanae a veritate fidei discedentes in pristinam haeresim relabuntur...” Aloysius Tautu, ed., *Acta Johannis XXII (1316-1334)* Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes Series III. Volumen VII/2 (Vatican City: Typis Polyglottis Vaticanis, 1952), #9, pp. 14-15 (25 Mar 1318), quotation from p. 14.

<sup>281</sup> “...ad corrigendum et puniendum dictas mulieres et reducendum easdem ad observantiam fidei orthodoxae...” Tautu, ed., *Acta Johannis XXII*, p. 15.

<sup>282</sup> Aloysius Tautu, ed., *Acta Clementis VI (1342-1352)*, Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes Series III. Volumen IX (Vatican City: Typis Polyglottis Vaticanis, 1960), #106, pp. 168-170 (2 Sep 1346).

<sup>283</sup> *Acta Innocentii VI (1352-1362)*, Aloysius Tautu, ed., In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes Series III. Volumen X (Vatican City: Typis Pontificiae Universitatis Gregorianae, 1961), #34, pp. 63-64 (25 Jul 1354).

As in the thirteenth century, communication with the Other was still treated as problematic on account of a contagious potential that went beyond marriage. Innocent VI warned against providing any form of help to “schismatics” and “heretics” under penalty of excommunication.<sup>284</sup> John XXII insisted to King Charles Robert of Anjou that no Muslims and Jews could be employed in public office.<sup>285</sup> The “pestilential” “heretics” and “schismatics,” moreover, were to be expelled from his towns and dioceses, so that the plague they were said to represent could be extirpated.<sup>286</sup> In 1336 and 1347 Venice had allowed the export of arms to Stephen Dushan.<sup>287</sup> In 1356, however, Pope Innocent VI warned the doge to abstain from providing any help to ‘heretics’ and ‘schismatics and, implicitly claiming jurisdiction over any relations between Christians and non-Christians, dissolved Venice’s pact with Serbia.<sup>288</sup> What was to be the case in southeastern Europe was also mandatory in the northeast, thus Innocent VI warned the King of Poland not to conclude any agreements with Lithuanians, “Tartars,” and Rhutenians.<sup>289</sup>

The faith was to be expanded by limiting the ability of ‘others’ to function in Christendom, by adding new members to the body of the faithful, and by securing their state in non-Christian territories. One of the ways in which expansion of the faith was promoted was by spreading the Code of Canon law, which, as we know, contained the

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<sup>284</sup> Tautu, ed., *Acta Innocentii VI*, #81, pp. 146-147 (16 Jul 1356).

<sup>285</sup> Tautu, ed., *Acta Johannis XXII*, #32a, pp. 63-64.

<sup>286</sup> “...universitatem vestram rogamus...quatenus ad extirpandam de civitatibus et diocesis vestris pestem huiusmodi ac schismaticorum et hereticorum ipsorum conatus pestiferos elidendum...” Tautu, ed., *Acta Johannis XXII*, #32, pp. 62-63 (1319).

<sup>287</sup> For 1336: Kohl, #117 (14 May 1336), see also Fine, *Late Medieval Balkans*, p. 290. For 1347: “Quod complacetur domino regi Raxie et imperatori, qui noviter per suas litteras instantissime nos rogavit, quod cum pro exercitu suo et gentibus suis indigeat certa quantitate armorum, quod infrascripta arma possit extrahi facere de Venetiis, solvendo nichilominus datia debita et consueta nostri communis.

Primo: paria trecenta armorum furnita et de pluri; item barbudos quingentos, item schincherios quingentos, item colaria quingenta, item cirotechas trecentas.” Kohl, #1141 (13 May 1347). Often called ‘king,’ Stephen’s imperial claims had been recognized by a number of the top clergy of the Eastern Churches.

<sup>288</sup> Tautu, ed., *Acta Innocentii VI*, #82, pp. 147-148 (17 Jul 1356).

<sup>289</sup> Tautu, ed., *Acta Innocentii VI*, #101, pp. 188-189 (24 Jan 1357).

papal policy of embargo; Clement VI sent it to Little Armenia.<sup>290</sup> Within Christendom, the Council of Vienne (1311-1312) prohibited the call of the muezzin.<sup>291</sup> This went hand in hand with expanding the sound of church-bells, John XXII, for example, asked Uzbek, emperor of the Golden Horde, to allow the Christians to use church bells in his territories.<sup>292</sup>

Thus however the popes of Avignon conceptualized their own actions, we can understand them as proclaiming the ideal of non-communication with non-Christians (in theory, and of only licensed communication in practice) in a variety of ways, of which one was the embargo. Accordingly, in contrast to Augustine, but in agreement with thirteenth-century popes, the pontiffs who exercised their pastoral duties from Avignon delegated proselytizing to specialists. Thus in 1338 Benedict XII authorized Nicolaus Bonetti, professor of theology and three friars minor to go the “lands of the Tartars and the surrounding eastern regions” to “communicate through word, office, and food” with even excommunicates to expand the realm of the faithful.<sup>293</sup> Similarly, in 1359, Innocent VI extended such an authorization to his powerful legate in the Eastern Mediterranean, Peter Thomas.<sup>294</sup> In turn Urban V renewed a bull of John XXII (11 Nov 1321) granting

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<sup>290</sup> Tautu, ed., *Acta Clementis VI*, #107, p. 171 (10 Sep 1346).

<sup>291</sup> Tanner, *Decrees*, p. 380.

<sup>292</sup> Tautu, ed., *Acta Johannis XXII*, #74, pp. 145-146 (27 Sep 1323). Eastern Christians were not seen as all that different from Muslims, in 1335 Benedict XII complained to Venice that a schismatic, claiming to be patriarch of Constantinople (the Catholic church of course not recognizing the Orthodox patriarch of Constantinople as such), had sent an would be bishop to Crete; afraid that “schismatic” activity would result represent “danger of the souls” (*periculum animarum*) for the Catholics living there and induce them to the “damned rite of the Greeks” (*damnatum ritum Graecorum*), Aloysius Tautu, ed., *Acta Benedicti XII (1334-1442)*, Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes Series III. Volumen VIII (Vatican City: Typis Polyglottis Vaticanis, 1958), #3, p. 4 (25 Jul 1335). Benedict XII requested Venice to expel this Orthodox bishop, Tautu, *Acta Benedicti XII*, p. 4.

<sup>293</sup> “...non obstante se alicui maiori excommunicatione ligati fuerint, in verbo, officio, cibo aliisque honesties et licitis communicandi secure in ipsis partibus necnon illos qui Sedi Apostolicae magisterio non intendunt, quos converti ad unitatem eiusdem fidei cupimus, ad eam recipiendi, baptizandi...” Tautu, *Acta Benedicti XII*, #32, pp. 61-63 (31 Oct 1338), quotation from p. 62.

<sup>294</sup> Tautu, ed., *Acta Innocentii VI*, #124, pp. 231-232 (11 May 1359).

the order of preachers authorization to communicate with non Christians and to absolve “heretics” and “schismatics” “returning” to the Catholic church. He did not authorize the brothers, however, to communicate with Catholics who delivered merchandise to Mamluk Egypt without papal license.<sup>295</sup> Communication with non-Christians, even for proselytizing, still required papal permission while serving as mediator between the Faithful and the Other was such a heavy transgression so as to require case by case papal intervention.

Of course, attempts to induce the Byzantine emperor to pursue a union between the two churches were a counterpart to attempts to preserve the spiritual flock.<sup>296</sup> When there appeared to be a real chance for such a union, and hence for an expansion of the flock, Benedict was quick to completely alter his stance. Thus in 1339, when Turkish raids had again become a serious threat in the Aegean and when the crusade of Smyrna was on the horizon,<sup>297</sup> he allowed the King of France to send help to Byzantium against the Turks, provided indulgencies to those who would carry the fight, and excommunicated all those who would not relinquish their Orthodox slaves.<sup>298</sup> These might have been orders of practical nature, but they underscored what mattered to the church the most: the intangible act of crossing in the “right” direction the boundary between the extraliminal space of those destined to damnation and the body of the faithful that the popes were to supposedly lead to salvation.

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<sup>295</sup> *Urbain V. Lettres Communes*, #11837, pp. 530-531.

<sup>296</sup> Tautu, *Acta Benedicti XII*, #15a, pp. 30-31 (17 Jan 1337).

<sup>297</sup> Zachariadou, *Trade and Crusade*, p. 41. On the crusade of Smyrna, *ibidem*, pp. 41-62.

<sup>298</sup> Tautu, *Acta Benedicti XII*, #43, pp. 85-97 (Aug 1339).

In conclusion, let us point out how the findings exposed in this chapter both support and go beyond what has been known on the subject to date. From the fall of Acre to the end of the Avignonese period, the papal policy of embargo formed part of attempts to first maintain and then to recover control of the Holy Land. This aspect of the embargo was indeed most pronounced between 1291 and 1344 when popes actually sought to limit most, or even all, Christian trade with Mamluk Egypt and, indeed, all forms of travel, including unlicensed pilgrimage to the Holy Land. It is also clear that between 1344 and 1378 extensive trade licenses to a variety of recipients brought significant revenues into papal coffers while undermining the chance of the embargo against Egypt to affect its military power and hence prepare the ground for a successful crusade.

At the same time, contrary to current opinion, the papal embargo did not apply only against Mamluk Egypt, but continued to cover all Muslim lands, those in Iberia, the Barbary Coast, and Anatolia. Between 1291 and 1378, moreover, the papacy frequently employed the withdrawal of customary trade against Christian targets, including Venice itself. It continued to embargo 'infidels' in the Baltic as well as 'heretics' within Christendom. Thus, as in the previous period, the papal embargo in the fourteenth century remained a tool aimed at the papal enemy in all its guises, and not simply at Mamluk Egypt.

John XXII may have been very serious in his attempts to actually curb Christian trade with Muslims. Yet it appears in his correspondence with Genoa and Venice that he was less concerned with how their trade strengthened Muslim military power than with the ways in which their use of law challenged papal supremacy: by presuming to use

‘independent’ lawyers to provide interpretation of papal law (Venice) or by effectively considering its own law as overriding papal law (Genoa). Thus during the pontificate of the trained lawyer John XXII, the concern with papal jurisdiction over trade between Christians and non-Christians, as an expression of ‘proper-order’ within a papally-led Christendom, took first place in the hierarchy of moral concerns discernible behind papal actions on the embargo.

Similar was the case of licenses: licenses extended from 1344 effectively denied the papal embargo any chance to “work” but continuously underscored – by their very issuance and by their provision that an oath be provided to the local bishop prior to departure to Muslims lands – the principle that it was up to the papacy to decide who, when, why, and to what an extent could trade with Muslims. These licenses, as well as licenses for trade in interdicted lands, such as Sicily between the Sicilian Vespers and the peace of Caltabelotta, also helped re-enforce the message spread by *In Coena Domini* bulls that trade with non-Christians (or excommunicates) endangered the soul.

Absolutions for illegal trade, in turn provided a ritualized form of return to the flock of the faithful; they, too, might have undermined the ability of embargoes to achieve goals of foreign policy, but they probably helped instill into the minds of Christians the idea of the non-Christians’ ‘otherness’ hence foster the ability of papal embargo to work for the attainment of what the previous chapter surmised was its primary goal: increase papal control over Christian souls by fostering a sense of a well-defined, religion-based, and often diacritically constructed personal identity. In addition, between the 1270s and the 1370s, just as between 1179 and the 1250s, the papal embargo continued to be employed alongside other policies that indentified the faithful, pinpointed

'others,' and proclaimed the ideal of non-communication with non-Christians by exposing such communication as dangerous to the soul. Thus while with regard to its implementation as a tool of foreign policy the papal policy of embargo varied greatly over time, it continued to uphold unequivocally the Gregorian principles which had shaped it as a papal policy tool in the first half of the thirteenth century.

## CHAPTER 6

### THE HIDDEN LAYERS OF PAPAL EMBARGOES: A RESTATEMENT (THE PAPACY AND THE EMBARGO IN RENAISSANCE EUROPE)

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#### **6.1. An Outline of an Active Policy: The Papal Embargo ca. 1390 - ca. 1520**

From the late fourteenth until at least the early sixteenth century, papal embargoes remained an active, widely known, and respected policy.<sup>1</sup> They were maintained against all traditional targets and applied against new ones. Periodically, their implementation was re-invigorated. More importantly, papal sanctions continued to serve a purpose that was unrelated to the success or failures of their ability to weaken the perceived enemies of the church through economic means. Papal embargoes continued to map the world according to a religious, not political criterion. They segregated human beings in two groups – to borrow from Augustine – those “predestined to reign with God for all

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<sup>1</sup> Eliyahu Ashtor, the great historian of trade in the late medieval Mediterranean, thought of the sanctions' history in this period in the following way: “Like so many social organisms even this one [the embargo] maintained itself, although its time had passed,” Ashtor, *Levant Trade in the Later Middle Ages*, p. 109. Ashtor of course only studied the sanctions against Mamluk Egypt, over a short period of time, and from a purely functional understanding of sanctions, as economic tools for the achievement of foreign policy goals, the recovery of the Holy Land. Seen from this narrow perspective, which served his main purposes – the study of trade – rather well, Ashtor was partly right, in the sense that papal opposition to most trade with Egypt weakened in the last quarter of the fourteenth century. For the papal embargo against Egypt in the fifteenth century in his work see primarily pp. 108-110, and also pp. 125, 215-216, 333, 487. Prior to Ashtor's general study, Bariša Krekić, *Dubrovnik (Raguse) et le Levant au moyen âge* (Paris, Moutin&Co, 1961), pp. 111-123 had discussed Dubrovnik's trade with Egypt and Syria. Krekić exemplifies the prevalent view of sanctions: arms, iron, and timber were excluded from the items that could be traded with Muslims, because of their military value, these restrictions were not “purement théoriques” but were sometimes enforced, “à la longue,” however, “cette politique ne pouvait être couronnée de succès,” because the “pression politique” against trade contacts between Latin Europe and the Muslim East was weaker than the forces of the market, p. 120. Krekić's pages on Dubrovnik's trade with Egypt and Syria very well outline how that trade was carried on, but, as any other work that has touched upon the papal sanctions to date, it assumes that these were primarily about economic and political matters. We will see that because of the subtle value papal sanctions had to the sender, between the 1390s and the 1520s “their time” had certainly not passed.

eternity,” and those “doomed to undergo eternal punishment with the Devil.”<sup>2</sup> Any functional concerns with the achievement of a tangible goal of foreign policy (weakening Christ’s enemies) via an economic tool (the withdrawal of trade) remained embedded into and subordinated to religious (symbolic) ones. The church remained concerned primarily with spreading the message that any trade with any ‘infidels’ in any part of the world fell within its jurisdiction and that such trade could lead to eternal damnation.

We saw in Chapter 4 that as early as 1229 Gregory IX issued a bull proclaiming anathema and *ipso facto* excommunication that could be lifted by the pope alone – the harshest ecclesiastical censure – against a plethora of perceived enemies and their supporters. It placed Muslims, Eastern Christians, ‘heretics,’ Emperor Frederick II, as well as all Christians helping them outside the realm of faithful.<sup>3</sup> In the cases of ‘heretics,’ Muslims, and some Eastern Christians, the notion of ‘help’ included trade. We also saw that this approach became the standard practice of the Roman church and resulted in the bulls *In Coena Domini*, published annually on Holy Thursday. With regard to the embargo, the church used these bulls methodically to impress upon the minds of Christians that it had jurisdiction over trade with any of its enemies and that such trade could entail irreparable danger to the soul. The church upheld this practice throughout the Renaissance and well into the early modern period.<sup>4</sup> As Pope Julius II put

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<sup>2</sup> Augustine, *City of God*, Book 15.1, p. 595, see Chapter 4 above.

<sup>3</sup> Among others, *Les Registres de Grégoire IX*, # 332 (20 Aug 1229), full text.

<sup>4</sup> Examples from the seventeenth century: Paul V in 1610, *Magnum Bullarium Romanum*, III (Luxemburg: A. Chevalier, 1727), p. 282, Urban VIII in 1627, *ibidem*, V, p. 126; Alexander VII in 1656, *ibidem*, VI, p. 26; Clement X in 1671, *ibidem*, VI, p. 342. The archival search of *In Coena Domini* bulls is a laborious process, because there are multiple registers covering one period, some registers can feature several such bulls, others – none. Baronius-Raynaldus contains a number of Holy Thursday bulls, although truncated usually to the part covering ‘heretics;’ some, however, include or at least mention the bans on trade with Muslims.

it in 1512, Holy Thursday bulls were issued annually for the purity and unity of the Christian religion.<sup>5</sup>

A typical fifteenth-century *In Coena Domini* bull was a rather long document that opened with the excommunication of a long list of ‘heretics,’ including both long-standing enemies, “patarens,” Poor Men of Lyon, and more recent additions, Hussites, followers of Wycliffe.<sup>6</sup> It then attacked those who supported such ‘heretics’ by providing them with “arms, horses, iron, lead, timber for construction, salt, oil, wine, clothes, victuals, and anything else that relates to the uses of man.”<sup>7</sup> What this meant in practice was a total embargo; the church had no moral concerns with denying the Other, placed outside the scope of Catholic morality, even the means of subsistence. The bulls then thundered against other enemies, among whom those who export “horses, iron, arms, timber for construction, and other prohibited things...to Saracens, Turks, and other enemies of the Christian name.”<sup>8</sup> This disposition did not follow immediately those against ‘heretics’ and their accomplices, but the two went hand-in-hand. A brief of Pope

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<sup>5</sup> “...ad retinendam puritatem religionis christianae et ipsius unitatem...” *Bullarium Diplomatum et Privilegiorum sanctorum Romanorum Pontificum V* (Turin: Seb. Franco et Henrico Dalmazzo editoribus, 1860), Julius II, #30, p.491 (1 Mar 1512).

<sup>6</sup> For example, Reg. Vat. 519, f156r (11 Apr 1465).

<sup>7</sup> “...arma equos ferrum plumbum lignamina sal oleum vinum vestes victualia et alia quemcumque ad usum hominum pertinentia...” Reg. Vat. 519, f156r.

<sup>8</sup> “...equos ferrum arma lignamina et alia prohibita defferunt sarracenis turchis et aliis christiani nominis inimicis quibus christianos impugnant...” Reg. Vat. 519, f156v. The ending of the sentence, as usual, would appear to restrict embargoes only to presumed enemies actively fighting the Christians. This is how scholarship has indeed understood the matter. Yet, I argued in Chapter 3 above that the state of peace between Christians and Others to which many papal letters and canon lawyers refer in a variety of ways and in different circumstances is a purely hypothetical category. It is not possible to clearly define what could constitute a state of peace between Christians and Muslims, for example. The expression appears to have had a clear meaning only with respect to Eastern Christians. These were at peace with Rome when in communion, “schismatics” when not. Note, that embargoes applied – or were understood to apply - to Eastern Christians not in communion with Rome, regardless of whether they were at war with Latin polities or not. Below I first briefly mention and then discuss an example with Byzantium (1398).

Pius II (1458-1464), for example, was issued to clarify two points from his 1464 Holy Thursday bull: the ban on trade with ‘heretics’ and the ban on trade with Muslims.<sup>9</sup>

We know already that in Mediterranean cities the embargo was proclaimed weekly during the Sunday services. A decision of a provincial council in Riga shows how the message of Holy Thursday bulls was spread to rank-and-file priests and to common Christians in Livonia. The bulls – our document speaks specifically of the section on trade with ‘infidels’ – were read annually to the clergy in the synods held within the bishopric. To the laity, the prohibitions were read from the pulpit in the vulgar tongue, twice a year, on the first Sunday of Lent and Advent. Lay people were to be reminded that illicit trade led to tacitly imposed excommunication which could only be lifted by the pope himself; priests who absolved ‘embargo-transgressors’ on their own initiative were to suffer excommunication themselves.<sup>10</sup>

Between the 1390s and the 1520s the papal embargoes proclaimed through Holy Thursday bulls continued to map space in religious terms. When applied to ‘enemies outside’ they marked the boundaries of Latin Christendom. The broad category “other enemies of the Christian name” used in the 1465 Holy Thursday bull discussed above stressed the point that trade with any ‘infidels’ was to be restricted. It was more than a

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<sup>9</sup> Reg. Vat. 519, ff106v-107r (27 May 1464). A brief was a new format of a papal letter, introduced by Eugenius IV. The ‘brief’ is indeed shorter than a typical bull, as it features a shortened versions of the various formulae, including of the pope’s own title. A brief is introduced by “as futuram rei memoriam” (that the matter be known in the future), instead of “in perpetuam rei memoriam” (that the matter be known perpetually) which introduces a bull. A brief is dated differently, too, whereas 25 March marked the start of the new year in the system used for bulls, a new year starting either Dec 25 or Jan 1 was used in briefs. This, of course, makes distinguishing between bulls and briefs important whenever precise determination of dates falling between Dec 25 and Mar 24 is needed.

<sup>10</sup> “...in episcopalibus sinodis semel clero et similiter prima dominica quadragesime et eciam in adventu Domini in volgari populo pronuncietur....” Hermann Hildebrand, August Michael von Bulmerincq, Philipp Schwartz, Leonid Arbusow, eds., *Liv-, Est- und Kurländisches Urkundenbuch* Vol. I, Part 9 (Aalen: Scientia Verlag, 1981 [1889], p. 87 (18 Feb 1437). Absolution, as usual, could still be received in *articulo mortis*.

rhetorical tool, however. In 1455 the inhabitants of sub-Saharan Africa had become the most important new target of sanctions in the period.<sup>11</sup>

In 1452, in his well-known bull *Dum Diversas*, Pope Nicholas V had granted the King of Portugal, Affonso V, the right to conquer and possess the lands of “Saracens, pagans, infidels, and enemies of Christ” and to enslave their population.<sup>12</sup> In 1453-1454 King Juan II of Castile and Affonso argued over navigation to Guinea.<sup>13</sup> In 1455 the pontiff sided with Affonso and expressed his hope that Portuguese navigation would result in access to India and hence in a new way to weaken ‘Saracen’ power in a bull known as “the charter of Portuguese imperialism.”<sup>14</sup> This bull granted the crown of

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<sup>11</sup> There is a curious discrepancy in the reading of the relevant passage that prevents us from a clear translation of the qualification the pope gave to the religious status of this people: were they perceived as (italics mine) “pagans *excessively corrupted* by the wicked sect of Mohammed,” as in “Paganos, nefandissimi Mahometis secta *nimum* infectos,” Levy Maria Jardao, ed., *Bullarium Patronatus Portugalliae Regum in ecclesiis Africae, Asiae atque Oceaniae*, Tomus I 1171-1600 (Lisbon: Ex Typographia Nationali, 1868), pp. 31-32 (8 Jan 1455), or were they seen as “*minimally* infected by the wicked sect of Mohammed?” - “nefandissimi Machometi secta *minime*, infectos,” as is the reading suggested by Frances G. Davenport, *European Treaties bearing on the History of the United States and its Dependencies to 1648* (Washington D.C.: Carnegie Institution of Washington, 1917), p. 15 for the Latin text and p. 22 for English translation: “peoples...who are entirely free from infection by the sect of the most impious Mahomet.” The Latin words *nimum* and *minime* cause the confusion; although they are antonyms, the spelling of continuous *n,i,m,u* letters can make the exact reading very difficult. Both Jordao and Davenport used the bull preserved in the national archives of Portugal. In addition, *Bullarium...Romanorum Pontificum*, V, Nicholas V, #8, p.112, which must have been based on the record of the letter found in the *Registra Vaticana*, reads neither “minime,” nor “nimum,” but “minima.” “Minima,” however, is not an adverb, but an adjective that would qualify “secta.” However, the papacy hardly considered the Muslims an “*insignificant (or very small)* sect,” so this may well have been a printing error. Unfortunately, I was unaware of this discrepancy when I had access to the *Registra Vaticana*.

<sup>12</sup> “...tibi...Regna...Terras, Loca, Villas, Castra...per eosdem Sarracenos, Paganos, infideles, et Christi inimicos detenta...invadendi, conquerendi, expugnandi, subjugandi, illorumque personas in perpetuam servitutum redigendi...concedimus facultatem...” *Bullarium Patronatus Portugalliae*, I, pp. 22-23 (18 Jun 1452), quotation from p. 22.

<sup>13</sup> Davenport, *European Treaties...*, p.11, Bailey W. Diffie and George D. Winius, *Foundations of the Portuguese Empire, 1415-1580* (Minneapolis: University of Minnesota Press, 1977), p. 93, Malyn Newitt, *A History of Portuguese Overseas Expansion, 1400-1668* (London: Routledge, 2005), p. 30.

<sup>14</sup> For this see Charles R. Boxer, *The Portuguese Seaborne Empire, 1415-1825* (New York: Alfred Knopf, 1969), p. 21. Boxer was not interested in embargoes, but mentioned the relevant passages in his summary of the bull’s content, p. 22. On the Portuguese expansion in Africa from 1415, when Ceuta was conquered, until ca. 1460: overviews: *ibidem*, pp. 15-20, James M. Anderson, *The History of Portugal* (Westport, CT: Greenwood Press, 2000), pp. 41-56, Newitt, *A History of Portuguese Overseas Expansion*, pp. 19-32; detailed accounts: Christopher Bell, *Portugal and the Quest for the Indies* (London: Constable, 1974), pp. 29-116 provides a narrative of the events, a glimpse into narrative sources, and displays attention to the role of leading personalities; Diffie and Winius, *Foundations of the Portuguese Empire*, pp. 46-143, by Diffie,

Portugal any conquests to be made on the way to India. It proclaimed that any Christian navigation in the newly conquered regions could take place only under license of the king of Portugal or the *infante*, Henry the Navigator. Nicholas stated that this was in order to prevent Christians spurred by ‘avarice’ from profiting of the Portuguese deeds and from supplying the local population with iron, arms, timber, and whatever else is not allowed to export to ‘infidels,’ as well as from fear that Christians might instruct them in the art of navigation.<sup>15</sup> Nicholas allowed the Portuguese to trade in the newly conquered territories on the way to India not as a matter of fact, but “in order to complete the job” (of conquest).<sup>16</sup> The Portuguese, moreover, were themselves prohibited from exporting iron tools, timber for construction, ropes, ships, or any sort of armor, that is the traditional contraband items, to “Saracens and infidels.”<sup>17</sup> Throughout the rest of the period discussed here, Calixtus III in 1456, Sixtus IV in 1481, and Leo X in 1514 all confirmed

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provide a more nuanced discussion, of the background to the expansion, pp. 24-45, navigation, pp. 123-142, Henry “The Navigator,” pp. 113-122, here Diffie dismantles the myth of the nautical school of Sagres.  
<sup>15</sup> “cupiditate ducti,” “...ferrum, arma, ligamina, aliasque res, et bona ad Infideles deferri prohibita, portarent... aut ipsos infidels navigandi modum edocerent...” *Bullarium Patronatus Portugalliae*, I, p. 32. The narrative account of a Venetian merchant stresses ‘from the ground’ that trade could only take place under such a license, Alvise da Ca’ da Mosto (Cadamosto in English), “The Voyages of Cadamosto,” In G.R. Crone, *The Voyages of Cadamosto and Other Documents on Western Africa in the Second Half of the Fifteenth Century* (London: Hakluyt Society, 1937), p. 63: “Having informed the said infante (without whose licence we could not have gone)...”

<sup>16</sup> “ad perficiendum opus,” *Bullarium Patronatus Portugalliae*, I, p. 33.

<sup>17</sup> “...merces quasumque...dummodo ferramenta, ligamina, funes, naves, seu armaturarum genera non sint, deferre, et ea dictis Sarracenis et infidelibus vendere...” *Bullarium Patronatus Portugalliae*, I, p. 33. Characteristically, little attention is paid to such provisions, for example Diffie and Winius, *Foundations of the Portuguese Empire*, p. 94, mention it as: “All Christians in this region, however, were prohibited from trading with the ‘Saracens’ in this region, or from navigating....” Obviously, the opening words of this are a misleading rendering of the bull’s provision. It was not about all trade, and not just about “Saracens.” In note 75 on the same page, however, a most useful discussion on the bull’s dating is provided. Papal bulls in the period were dated according to a new year beginning on March 25 (incarnation, Florentine style) at the order of Eugenius IV in 1445. The authors are right to point that 8 Jan 1454 is thus 8 Jan 1455 for a calendar system based on years starting Jan 1. One might add to this comment, however, that this is true for the so-called Florentine style, which is the one followed by papal bulls. The Pisa style of the same practice, however, would require us to subtract, not add a year for dates between Jan 1 and Mar 24. Finally, papal briefs were dated according to a new year counted from December 25, which had been the style used by Boniface VIII and throughout the fourteenth century. See Cappelli, *Cronologia, Cronografia e Calendario Perpetuo*, p. 15. The briefs themselves were introduced by Eugenius IV.

Nicholas' bull.<sup>18</sup> These bulls clearly upheld the principle that trade between Christians and non-Christians was at all times and in all places a matter of ecclesiastical jurisdiction.

We saw in previous chapters that the presence of the word 'avarice' in embargo-related documents was, contrary to the implicit assumption of existing scholarship, not just a mask behind which an economic tool for the achievement of foreign policy goals was hidden. 'Avarice' was a key concept behind the papal restrictions of trade, because the papacy coined its policy of embargo (1179-1234) in a period when it altered its traditional aversion to all forms of trade. The newly adopted view of economic activity featured an Aristotelian distinction based on presumed intention between trade aimed at profit – never sanctioned – and trade aimed at subsistence – which could even justify some commerce with 'infidels.' The former was labeled as 'avarice,' a sin that overtook pride as the chief vice of Christendom when the embargo was being forged as a papal policy tool. The mid-fifteenth century Pope Nicholas V, in other words upheld a facet of the ideology that had long underpinned the papal stance on trade with 'infidels.' One of the uses to which the church put the embargo was still that of promoting the view that licit economic activity could not have profit as its goal.

Nicholas, furthermore, followed another practice typical of his predecessors. Thirteenth century popes had applied to Eastern Christians in the Balkans and to pagans in the Baltic the papal restrictions on trade originally devised against the Muslim shores of the Mediterranean.<sup>19</sup> This included timber, a scarce resource in Muslim lands, but an abundant one in the Balkans and in the Baltic area. Similarly, despite de facto

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<sup>18</sup> *Bullarium Patronatus Portugalliae*, I, pp. 36-37 (13 Mar 1456) for Calixtus, pp. 47-52 (21 Jun 1481) for Sixtus, pp. 106-107 (3 Nov 1514) for Leo; Latin only. Latin and English translation in Davenport, *European Treaties...*, for Calixtus, #2, pp. 27-32, for Sixtus, #4, pp. 49-55, for Leo, #12, pp. 112-117.

<sup>19</sup> As we saw in Chapter 3 above.

acknowledging that he had no certain knowledge of the area that the Portuguese were conquering, Nicholas limited the scope of their licit trade by excluding the traditional strategic goods from it.<sup>20</sup> Whether the newly embargoed territories needed imports in order to obtain arms and build ships was neither known, nor relevant. Asserting the principle of ecclesiastical jurisdiction over trade with non-Christians, not devising a workable way to hurt their power via economic means, was the pope's main concern.

In the Mediterranean papal embargoes continued to apply against all Muslim polities at all times. The policy was legislated in canon law and proclaimed through Holy Thursday bulls. Specific papal letters show that it was an active policy, not the fossilized remnant of times past, as the scarce remarks on its fifteenth century implementation in the literature imply. A relatively new Muslim target was the Ottoman Empire. Pope Eugenius IV, on occasion of the Crusade of Varna (1443-1444), issued a bull against Christian cooperation with the Ottomans.<sup>21</sup> He first condemned those who accepted employment with the "Turks," and then turned his attention to those who supplied them with arms, iron, victuals, and other things.<sup>22</sup> As usual, symbolic, not functional dimensions of the acts were stressed: we are not told that such trade led to the strengthening of Ottoman military power, but to "great disgrace of the Christian name

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<sup>20</sup> See Jardao, *Bullarium Patronatus Portugalliae*, I, pp. 31-32, #2, Davenport, *European Treaties...*, p. 15 (Latin) and pp. 21-22 (English translation).

<sup>21</sup> On the Crusade of Varna see Colin Imber, *The Crusade of Varna, 1443-1445* (Aldershot: Ashgate, 2006), pp. 7-36; pp. 41-204 for translated primary sources, also Setton, *The Papacy and the Levant*, II, pp. 82-107, Oskar Halecki, *The Crusade of Varna. A Discussion of Controversial Problems* (New York: Polish Institute of Arts and Sciences in America, 1943). On the Ottoman Empire and crusade for the rest of the period discussed here, besides Setton's detailed account, see Setton, *A History of the Crusades*, VI, pp. 311-353.

<sup>22</sup> Baronius-Raynaldus 28, ad a.1444, #8, pp. 420-421 (7 Oct 1444).

and ruin of their souls [of the trespassers] and eternal destruction.”<sup>23</sup> While spiritual matters were key, Eugenius did not neglect the needs of the day. Following the practice first championed by Clement III, but referencing explicitly the later example of Nicholas IV, he promulgated a total embargo, in this case against the Ottomans, by forbidding all forms of help to them, including any trade, under the most severe spiritual and temporal penalties.<sup>24</sup> This bull is typical in treating the provision of ‘help’ to ‘infidels’ as an enormous religious crime and in casting out from those to be led to salvation the providers of such help – the dangerous mediators between those whom papal ideology identified as inherently different.

The rise of the Ottomans to prominence did not lead to neglect of the sanctions against Mamluk Egypt. In 1450 Alfonso V, king of Aragon, Naples, and Sicily sent a fleet in support of the Kingdom of Cyprus and the Order of the Hospital.<sup>25</sup> This is the probable context of two bulls that Nicholas V promulgated shortly thereafter. The first opens by fulminating in unusually colorful language against those who violated the ecclesiastical prohibitions on trade with Egypt. Besides the usual excommunication and anathema, it placed them under the kind of “eternal malediction” suffered by Dathan and Abiron, the rebels against Moses and Aaron, “whom the earth swallowed alive.”<sup>26</sup>

Temporal penalties, such as those listed in the previously discussed bull, were then listed.

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<sup>23</sup> “...Turcis et infidelibus praefatis arma, ferrum, victualia et alia subsidiorum genera subministrant, in magnam Christiani nominis ignominiam et animarum suarum pernicem, atque perpetuum interitum.” Baronius-Raynaldus 28, p. 421.

<sup>24</sup> The former consisted of the usual anathema and *ipso facto* excommunication. The latter included both traditional penalties (since 1179), enslavement and property confiscation, and more ‘recent’ additions (since c.1300), *infamia* and denial of the right of succession, Baronius-Raynaldus 28, p. 421. The practice of re-instating Clement’s total embargo prior to crusade was institutionalized by Lateran IV as discussed in Chapter 3 above.

<sup>25</sup> Based on the island of Rhodes; the fleet’s goal was to act against Mamluk Egypt, whose fleet had recently destroyed a castle of the Hospitallers, Setton, *The Papacy and the Levant*, II, p. 99, note 73.

<sup>26</sup> “Inhibemus sub excommunicationis, et anathematis ac maledictionis aeternae, qua maledicti fuerunt Dathan et Abiron, quos terra vivos absorbit...,” Baronius-Raynaldus 28, ad a.1451, #4, pp. 551-552 (23 Dec 1450).

Nicholas finally banned the export to Egypt of victuals and everything else prohibited by law noting that all licenses had been voided. This, however, is a murky point; did he void only licenses for the export of victuals, or all licenses?<sup>27</sup> What was the precise scope of the ban? The bull may have proclaimed the enormity of the offense, but it hardly facilitated the implementation of the embargo. Chapter 5 showed that lawyers sought ways to circumvent such bulls by interpreting them in the way that suited their clients best. Half a year later, in fact, a second bull followed; it did not provide Sanudo-style clarity, but at least specified that the ban on foodstuffs was valid for ten years.<sup>28</sup>

Muslims in the western Mediterranean, also continued to fall subject to papal sanctions. For example, in 1435 Genoa solemnly renewed the ban on the export of “grain, victuals, arms, horses and other things prohibited by law and sacred canons” to ‘infidel’ lands, including Granada.<sup>29</sup> We will see below that Venice regularly enforced the embargo against all Muslim lands, including Barbary.

The category of unspecified ‘others’ on the fringes of Christendom could still include Eastern Christians. We saw in Chapter 3 that Byzantine successor-states were under papal embargoes in the first half of the thirteenth century. Eastern Christian polities in the Mediterranean posed no threat to Latin Christendom in the fifteenth

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<sup>27</sup> “. . .ne etiam pretextu licentiarum sibi per nos vel dictam Sedem . . .concessarum, quas revocavimus, cassavimus, et annullavimus, prohibemus victualia, granum et alia a jure prohibita ad dictas Egypti, seu quascumque alias infidelium partes transferre . . .” Baronius-Raynaldus 28, ad a.1451, #4, p.552.

<sup>28</sup> It also restated the prohibition on the export of the usual ‘strategic goods’: “. . .duximus hactenus statuendum, ut nullus equos, ferrum, lignamina, victualia et alia quoque mercimonia, in Alexandriam vel alia loca saracenorum terrae Aegypti deffere . . .,” *Bullarium . . . Romanorum Pontificum*, V, Nicholas V #4, pp. 105-106 (24 Aug 1451).

<sup>29</sup> “granum, victualia, arma, equos et alia prohibita a jure et sacris canonibus,” Nicolae Iorga, “Notes et extraits pour servir à l’histoire des croisades au XV<sup>e</sup> siècle,” *Revue de l’Orient Latin* 6 (1898): 134 (22 Feb 1435).

century, yet could still be subject to papal embargoes.<sup>30</sup> In 1398, in fact, Boniface IX allowed the Catholics from Pera, the Genoese colony across the Golden Horne from Constantinople, to be absolved for having traded with ‘Greeks’ and other ‘infidels.’<sup>31</sup> In the Baltic, a council held in Riga in 1428 attacked those who provided iron, galleys, arms or war machines to “Saracens and faithless Ruthenians, separated from the bosom of the Holy Mother Church.”<sup>32</sup>

Just as in the thirteenth century, moreover, economic measures continued to demarcate religious space within Latin Christendom. The fifteenth-century statutes of the Archbishopric of Gniezno (that is, of the Polish church) reinvigorated the legislation against Jews long adopted by canon law and declared that incomplicant Jews, for example those who do not wear distinguishing signs, be punished with a ban on all trade with Christians.<sup>33</sup> In 1429 Venice informed its colonies in Romania that the pope had forbidden the transport of Jews or their goods to the lands of the Sultan (Egypt, Syria, the Holy Land).<sup>34</sup>

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<sup>30</sup> In this period some were occasionally in communion with Rome; all were being erased from the political map by Ottoman military power. For a detailed account of the Ottoman conquests between ca. 1390 and ca. 1520 in relation to western history, Setton, *The Papacy and the Levant*, I, pp. 327-404, the entire volume II, and III, pp. 1-197; in relation to Balkan history, Fine, *Late Medieval Balkans*, pp. 406-611; in the context of Ottoman history, Colin Imber, *The Ottoman Empire, 1300-1650. The Structure of Power* (New York: Palgrave Macmillan, 2002), pp. 11-48; in relation to the Byzantine Empire, Ostrogorsky, *History of the Byzantine State*, pp. 546-572.

<sup>31</sup> Aloysius L. Tautu, ed., *Acta Urbani P.P. VI (1378-1389), Bonifacii P.P. IX (1389-1404), Innocentii P.P. VII (1404-1406) et Gregorii P. P. XII (1406-1415)*, In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes. Series III, Vol. XIII, 1 (Rome: Typis Pontificie Universitatis Gregorianae, 1970), #61, pp. 122-123 (15 Oct 1398).

<sup>32</sup> “...Sarracenis ac perfidis Ruthenis, a gremio sancte matris ecclesie segregatis...” *Liv-, Est- und Kurländisches Urkundenbuch I/7* (Aalen: Scientia Verlag, 1974 [1881]), pp. 487-488 (6 Feb 1428). The guilty Christians, were, as usual, “seva cupiditate seducti,” p. 488, see discussion on the relationship between sanctions and the attempts to define licit economic activity within a Christian society in Chapter 4. Ruthenians here refers to (Slavic speaking) Orthodox Christians.

<sup>33</sup> “omne emptionis et venditionis commercium,” *Statuta Provincialia toti provincie Gneznensi* (Strasbourg: Friedrich Ruch de Dunbach, c. 1499), no pagination. I have used the copy owned by the Robbins Collection, Boalt Law Library, University of California-Berkely.

<sup>34</sup> Hyppolyte Noiret, ed., *Documents inédits pour servir à l’histoire de la domination vénitienne en Crète de 1380 à 1485* (Paris: Thorin & fils, 1892), p. 329 (4 Jun 1429). Martin V apparently issued this order as a

We saw in Chapter 4 that while one canon of Lateran III restricted trade with and banned help to Muslims, another prohibited the trade with and support of ‘heretics.’ In the fifteenth century the list of ‘heresies’ was regularly updated. Under specific circumstances, individual ‘heretics’ could be pointed out. A bull of Paul II, for example, fulminated against George of Podiebrad, King of Bohemia and leader of the Hussites. It excommunicated those who helped the king, including those would have any business with him, at present or in the future.<sup>35</sup>

The addition of new targets to the embargo and the occasional re-invigoration of the policy against more traditional ones were not the only ways in which popes tailored embargoes according to the needs of the day in the fifteenth century. Pope Pius II added a new item to the list of goods the trade of which was always banned. For the first time this was an imported one, alum.

A sulfate mineral occurring in nature, alum, as a dye fixative, had become central to the textile industry that fuelled the growth of some of Christendom’s most prosperous economies. The alum of Anatolia, particularly that of Phocaea, featured the best intersection of quality and accessibility. Prior to the Ottoman takeover, the Genoese controlled its import into Western Europe.<sup>36</sup> A decisive moment occurred in 1462 when

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retaliation. He acted upon information that Jews living in the Holy Land had stolen “capellam David et aliorum Regum et prophetarum, querentes illam ad usum Judaice superstitionis convertere,” *ibidem*, p. 329. The papal sanction was, as usual, excommunication; Venice added a 100-ducat money fine. Jews were not allowed to own ships on their own.

<sup>35</sup> “...qui secum comercium habent ad presens vel habebunt quolibet in futurum...” Paul II (1464-1471), Reg. Vat. 519, f206r (26 Mar 1467), the prohibitions against Muslims and others in this bull can be found on f208r. On the political context in these years see Frederick G. Heymann, *George of Bohemia King of Heretics* (Princeton: Princeton University Press, 1965), pp. 476-511. Heymann mentions the 1468 bull against King George, but not its economic aspect, p. 494. For an account of the relations between Pope Paul II and King George of Podiebrad see Otakar Odlozilik, *The Hussite King. Bohemia in European Affairs 1440-1471* (New Brunswick: Rutgers University Press, 1965), pp. 161-189, the 1467 bull to which I refer is mentioned on pp. 186-187, without reference to its economic aspect.

<sup>36</sup> Genoese Chios served as its hub, the point of transshipment in large round-ships from its eastern source to western ports. For an overview see Heyd, *Histoire du commerce*, II, pp. 565-571, for the period prior to

top quality alum was discovered in the Papal States. Pope Pius II quickly banned the purchase of alum from “Turks and other infidels.”<sup>37</sup> The monopoly he thus sought to obtain was to underwrite crusades against the Ottomans.<sup>38</sup> Venice was furious but instead of ignoring the ban, argued against it before the pope.<sup>39</sup>

That papal sanctions remained an active policy between the 1390s and the 1520s is also shown by documents the initiative for which came ‘from below.’ The message that trade with any form of ‘infidels’ – Muslims, ‘pagans’ in Africa, Eastern Christians in the Baltic area, ‘heretics’ – could lead to eternal damnation resonated into the intended audience and returned to the papal curia in the form of supplications for absolution. We saw in Chapter 3 that by the 1250s papal letters granting high-ranking prelates the right to absolve Christians from excommunication for illicit trade with non-Christians across the Mediterranean and beyond the Alps.<sup>40</sup> During the ‘long fifteenth century’ this practice was upheld. Papal authorizations to senior clergy to absolve from various sins did not include the right to absolve for embargo violation as a matter of fact. Many sets of authorizations – sequences of bulls for one recipient – very often did not include the right to absolve ‘embargo-transgressors’ at all. Whatever the exact reason(s) behind this

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the fifteenth century see Balard, *La Romanie Génoise*, II, pp. 769-782 and the literature quoted there, for the fifteenth century see Jacques Heers, *Gênes au XV<sup>e</sup> siècle* (Paris: S.E.V.P.E.N, 1961), pp. 394-398 and 467-471.

<sup>37</sup> “...ne posthac alumen a Turchis aliisque infidelibus emant....” Baronius-Raynaldus 29, a.1463, #86, p. 376.

<sup>38</sup> Heyd, *Histoire du commerce...*, II, pp. 570-571.

<sup>39</sup> Venice wanted Pope Paul II to qualify the ban by specifying that only import of alum from Ottoman lands was banned and argued that it imported some alum of lands that belonged to itself, and that it expected alum from Syria. That alum, Venice claimed, came from the lands of Uzun Hasan (an enemy of the Ottomans, see Section II). A.S.Venezia, Sen. Del. Sec. Reg. 22, f64r (31 Jan 1465).

<sup>40</sup> This practice compensated for the fact that it was not physically possible for the pope to deal with all cases that – according to law - required his personal intervention. Note that popes could make law and exceptions to the law, as with the embargo itself.

practice, it likely helped underscore in the eyes of clergy and laity alike the gravity of the offense of carrying unlicensed trade with the enemy.<sup>41</sup>

There is no need to show that the “Great Schism” of 1378-1417 did not alter the papal stance against trade with “infidels” in law; the *Liber Extra*, remained in force until 1917. Less intuitive, however, is the fact that the schism did not alter the practice of embargo. Yet, in 1390 Pope Boniface IX authorized his legate to the Mark of Ancona to absolve up to thirty ‘embargo-transgressors.’<sup>42</sup> Rival popes, as we saw in Chapter 5 above, also concerned themselves with the embargo.

The process of obtaining absolutions for unlicensed trade with ‘infidels’ involved people from all social levels. Often top ecclesiastical and lay members of society petitioned on behalf of those below them. In 1420 the bishop of Catania supplicated on behalf of Sicilians who exchanged wheat and barley for “nigros” in Barbary.<sup>43</sup> The Latin patriarch of Constantinople, who resided in the West, petitioned Pope Martin V on behalf of his eastern flock.<sup>44</sup> The permission to absolve those who had traded in Egypt was

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<sup>41</sup> It is notable that while it was common to grant authorizations for all kinds of absolution when crusades were prepared, Pius II, in his instructions to Cardinal Bessarion to preach the crusade against the Ottomans in 1463, ordered him not to absolve those who had supplied the Ottomans with arms and war machines. The instructions are published in L. Mohler, “Bessarions Instruktion für die Kreuzzugspredigt in Venedig (1463),” *Römische Quartalschrift* 35 (1927): 337-349. The specific passage discussed here is on p. 347. See summary and discussion in Setton, *The Papacy and the Levant*, II, pp. 244-245.

<sup>42</sup> Reg. Vat. 347, ff103v-104r (20 Mar 1390). As long as these paid double that which they had gained in illicit trade. My Chapter 5 showed that popes banned unlicensed pilgrimage to the Holy Land. It should thus be no surprise that Boniface also authorized the granting of thirty licenses for pilgrimage, Reg. Vat. 347, f107v (20 Mar 1390). Similar authorizations were issued throughout the fifteenth century, another one of Boniface himself is discussed in the following sub-section of this chapter: for the Genoese Paolo de Tefelicio, *Acta Urbani P.P. VI...*, #60, p. 121 (9 Oct 1398).

<sup>43</sup> Aloysius L. Tautu, ed., *Acta Martini P.P. V* (1417-1431), In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes. Series III, Vol. XIV (Vatican City: Pontificia Commissio Codici Juris Canonici Orientalis Recognoscendo, 1980), #128, pp. 303-304 (16 Feb 1420). This document is discussed in the next sub-chapter.

<sup>44</sup> *Acta Martini P.P. V*, #11, pp. 27-29 (28 Dec 1417), specifically p. 29. He had no intention of actually going east himself, he wanted the authorization for his vicar.

granted, but was valid for a single year.<sup>45</sup> Eugene IV approved a supplication that the king of Castile and Leon had signed on behalf of his subjects.<sup>46</sup>

As in the previous two centuries, Friars Minor were actively involved in the policy of embargo. In the occasion of the Crusade of Varna, Eugene IV granted two Franciscans, including the famous preacher Jacopo della Marca ample rights to absolve Christians from various transgressions, including trade with “Turks,” “Saracens,” “pagans,” or other “infidels.”<sup>47</sup> In 1445 a Franciscan was granted the right to absolve, among others, embargo-violators in Germany.<sup>48</sup> In 1474 another Friar Minor, a papal legate to Hungary, was granted a similar authorization for that kingdom.<sup>49</sup>

Individuals also petitioned the curia; as did eight merchants, members of leading Genoese families in 1418.<sup>50</sup> In 1430 Nicola from Ancona, who lived in Venice – but who as Anconitan was not covered by the licenses for trade with Muslims issued to Venice – was absolved for trading in Mamluk Egypt without a license.<sup>51</sup> Eugene IV absolved a Genoese from Pera, for having sold, unwillingly he had claimed, his shares in two ships to Muslims in Alexandria (among other things).<sup>52</sup>

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<sup>45</sup> *Acta Martini P.P. V*, #11d, pp. 33-34 (28 Dec 1417).

<sup>46</sup> Reg. Vat. 376, ff33r-35r (4 Mar 1444). Very interesting are two other documents regarding absolutions in Spain, Reg. Vat. 519, ff107r-109r and ff109r-110r, both from 27 May 1464.

<sup>47</sup> Ulricus Hüntemann, ed., *Bullarium Franciscanum, Continens constitutiones, epistolas, diplomata Romanorum pontificum, nova series* (Quaracchi near Florence: Ex Typographia Collegii S. Bonaventurae, 1929-1949), I, Supplementum, #150, pp. 963-964 (28 May 1443). Two others were granted the same rights for the exarchate of Ravenna, *Bullarium Franciscanum*, I, #792, p. 373 (16 Jun 1444).

<sup>48</sup> *Bullarium Franciscanum*, I, #852, p. 403 (12 Jan 1445).

<sup>49</sup> *Bullarium Franciscanum*, III, #619, pp. 261-263 (13 Aug 1474). Friars from the convent on Mount Zion were authorized to absolve 100 people for visiting the Holy Land without license as well as Genoese, Venetian, and Catalan merchants residing in the east that had committed the same transgression, *Acta Martini P.P. V*, #154, pp. 357-358 (7, 12 Jul 1420).

<sup>50</sup> *Acta Martini P.P. V*, #31, pp. 86-87 (30 Apr 1418). This document is discussed below.

<sup>51</sup> He was also issued a license valid for a two-year period, *Acta Martini P.P. V*, #31c, p.88 (8 Jul 1430).

<sup>52</sup> The supplicant had claimed that he had been forced to travel there by pirates and that he had sold those things out of fear, Georgio Fedalto, ed., *Acta Eugenii Papae IV (1431-1447)*, In Pontificia Commissio ad Redigendum Codicem Iuris Canonici Orientalis. Fontes. Series III, Vol. XV (Rome: Pontificia Commissio Codici Iuris Canonici Orientalis Recognoscendo, 1990), #540, pp. 279-280 (9 Jun 1437).

The traditional ‘nests’ of embargo-transgressors also needed spiritual help. In 1462 a papal legate was given broad powers to absolve those living in Genoa and its territories from any transgressions requiring papal intervention, including those who brought *vetita* to “Saracens” and “Turks.”<sup>53</sup> In 1501 Pope Alexander VI allowed a legate to absolve Venetians for busting the embargo.<sup>54</sup> In 1522 the city of Barcelona initiated the process of obtaining an absolution for embargo violators.<sup>55</sup>

It should thus come as little surprise that unlicensed trade with ‘infidels’ found a special place in manuals of confession. In his manual for confessors, Chapter 72, “On illicit and dishonest gains,” Saint Antoninus, the Dominican archbishop of Florence, wrote:

If the merchant carried or made [others] carry to the lands of infidels timber/iron/or any other merchandise without having papal license, he is excommunicated through a papal excommunication and, moreover, [falls] under other penalties..... The same [applies] to those who give help and council in these [things]. If the merchant exercises his commercial activities not to an honest end, such as to sustain his family, or for the sake of his fatherland, and similar: but primarily out of greed and avarice [he] commits illicit gain....<sup>56</sup>

Chapter 145 of the same work, on “Merchants and Bankers,” opens as follows:

On the merchants and bankers: firstly, the merchants are to be asked if they had sent timber, arms, or other goods to Alexandria or in the lands of Egypt; or in the lands of the Saracens, or of the Sultan: because [if so] he

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<sup>53</sup> The canon lawyer Fabiano from Montepulciano, Reg. Vat. 519, f18v (21 Dec 1462).

<sup>54</sup> Lodovico della Torre, in Predelli, *I libri commemoriali della repubblica di Venezia. Regesti*, VI, #174, p. 45 (30 Apr 1501).

<sup>55</sup> And a new license for trade in Alexandria, Capmany, *Memorias Históricas*, #461, pp. 672-673 (29 Jul 1522).

<sup>56</sup> “De guadagni inleciti&inhonesti:”“Se ilmercantante porto o fe portare legni/ferro/o alcuna altra mercatantia nelle terre delli infideli non havendo licentia apostolica e excomunicato di excomunicatione papale: & inoltre in altre pene:.... Et quello medesimo e dicoloro che aqesto danno aiuto & consiglio. Se il mercante exercita lesue mercatantie non per alcuno honesto fine come e per governare lafamiglia o per utilila della patria e simili: ma principalmente per cupidita & avaritia commette inlecito guadagno....” Antoninus of Florence, *Tractato volgare del frate Antonino Arcivescovo di Firenze intitolato Defecerunt che insegna ai confessori diche chasi et in che modo debbe domandare colui che egli confessa* (Florence: impressa per ser Lorenzo Margrani & Giovanni di Maganza, 1496), Chapter LXXII, no pagination. I have used the copy of the Robbins Collection, Boalt Law Library, University of California-Berkeley.

would be excommunicated by papal excommunication, had he not had papal license. The Venetians are generally used to have such a license.<sup>57</sup>

Antoninus raised exactly the same points in his *Confessionale*.<sup>58</sup> It is thus obvious from the work of this widely respected author that the embargo was considered a matter of special importance. It was the greatest transgression against the church that a merchant could commit through the exercise of his profession. The fact that a discussion of the morality of trade follows that of the embargo, moreover, supports my contention that papal restrictions of trade, beyond hurting an enemy's military power, aimed at opposing 'the invisible hand.' Ecclesiastical leadership, in other words, was also using the embargo as a tool to promote its vision that human life was to center on spiritual matters, as defined by the church, not on one's desire to better his own material circumstances.

Antoninus stated that "the Venetians are generally accustomed to have such a license." This was no empty remark. I showed in Chapter 3 that at no point since 1187-1191 could any licit Christian trade with Muslims, and later with any other 'infidels,' take place without a papal license. I argued at length that while licenses may have undermined the embargoes functionally, they loudly proclaimed the principle that any trade with any 'infidels' was a matter of papal jurisdiction thus serving well the sanctions' symbolic purposes (to which we will return in the following sub-chapter).

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<sup>57</sup> "Circa emercatanti & banchieri: imprima emercatanti sono daessere domandati se hanno mandato legni: arme: o altre mercantile in Alexandria o nelle parte di egypto: o nelle terre de saracini: o del soldano: perche e excomunicato di excomunicatione papale se non hanno licentia del papa. Evenetiani generalmente sogliono havere tal licentia." Antoninus of Florence, *Tractato volgare*, Chapter CXLV, no pagination.

<sup>58</sup> "Si misit non solum arma et lignamina sed etiam quaecumque mercimonia ad alexandriam vel partes egypti vel terras sarracenorum soldano subiectas excomunicatus est excomunicationepapali si non habuit licentiam a papa dicitur quod Veneti habunt." Then he goes on to the reasons behind the business: sustain a family, the poor, or the city, or avarice, Antoninus of Florence, *Confessionale* (Argentine: Per Martin um Flach, 1496), Interogatorii, Pars Tertia, De mercatoribus campsoribus et presenetis, Part LXXVIII. Robbins Collection, Boalt Law Library, University of California Berkeley.

Between the 1390s and the 1520s the papal curia continued to regularly issue licenses for trade with non-Christians.<sup>59</sup> The Republic of Saint Mark, for example, dutifully applied for licenses when renewals were due. In 1390 Pope Boniface IX granted Venice a license for trade with the lands of Mamluk Egypt.<sup>60</sup> The license was renewed by Boniface 1399, Martin V in 1425, and Nicholas V.<sup>61</sup> In 1470 the Venetian Pope Paul II answered a supplication of the senate and granted a forty-year license.<sup>62</sup> In 1511, Julius II renewed this license for any lands of ‘infidels’ and for any merchandise except ‘war material,’ as had been the case for centuries, the text stressed that this was an act of special benevolence.<sup>63</sup>

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<sup>59</sup> Licenses from the 1340s through the 1370s tended to be issued for short periods of time, typically one or two years, and for a limited number of vessels: galleys, round-ships, or a combination thereof, see Appendix B. The last quarter of the fourteenth century marked a noticeable change in this practice. Licenses were now granted for larger periods of time and for no pre-set number of ships. In his masterful *Levant Trade in the Later Middle Ages*, pp. 108-110, Ashtor understood this change as a testimony to the softening of the papal policy of embargo from the 1370s. This opinion is undoubtedly valid for the aspect of the embargo of interest to Ashtor. It would be a mistake, however, to adopt this view as a valid representation of the papal policy of embargo at large. Ashtor’s view is based on three pillars: a focus on the functional side of the embargo; a focus on just one of its targets, Mamluk Egypt; and a lack of awareness of the embargo’s pre-1291 history, which my chapters 3 and 4 traced in detail. The change in the way licenses were granted might have undermined whatever chances the papacy had to affect Mamluk Egypt’s military power through economic means, but, as I have already suggested at length, and we shall see in the following sub-chapter, functional concerns took last place among those that underpinned the papal policy of embargo. Their undermining is thus not indicative of the policy’s demise.

<sup>60</sup> It was valid for ten years and covered trade both on galleys and on round-ships, Predelli, *Commemoriali*, III, #340, p. 206 (19 May 1390), DVL, II, #133, p. 222. This covered all people under Venetian rule, but it was not until five years later that the senate allowed the *fideles* of Venice (non-citizens) in the key colonies of Crete, Coron, Modon, Negroponte, Corfu and Durazzo to benefit from it, Senato Del. Miste Reg. 43, f69v (6 Jul 1395) in Kohl #3422.

<sup>61</sup> Boniface IX, for twenty-five years, Predelli, *I Libri Commemoriali*, III, #169, p. 271 (30 Sep 1399), Martin V, for twenty-five years, *ibidem*, IV, #199, pp. 66-67 (9 Dec 1425), *Diplomatarium Veneto-Levantinum*, II, #179, p. 342. Of Nicholas V’s we learn from the 1470 license of Paul II: “Hinc est quod nos vestris in hac parte Supplicationibus inclinati iuxte concessionis dudum per felicis recordationis Martinum V et Nicolaum etiam V Romanos Pontifices predecessores nostros in similibus factas....” A.S.Venezia, Libri Commemoriali, Reg. 16, f18r (29 May 1470).

<sup>62</sup> The supplication: A.S.Venezia, Sen. Del. Sec. Reg. 24, f64v (3 Nov 1469). The license: A.S.Venezia, Libri Commemoriali, Reg. 15, f18r/v (29 May 1470). Short summary of the license in Predelli, *I Libri Commemoriali*, V, #24, pp. 197-198. We will return to this document below.

<sup>63</sup> “...ducendi...alexandrie Syrie Egipti et Terre Sancte nec non que per Soldanum Babilonie detinentur et alias ultramarinas ac aliorum quorumcumque Infidelium et Saracenorum Civitates Terras portus et loca quecunque Naves Galeas et Navigia quibusvis mercimoniis et ipsa vestra mercimonia in eisdem vestris aut alienis Navibus et Galeis Exceptis ferro armis lignaminibus et aliis prohibitis et quibus Saraceni et infideles predicti Christianos impugantis...auctoritate apostolica de speciali gratia tenore presentium plenam et

Licenses were not issued just for Venice and did not cover just trade with ‘Saracens.’ We saw above that beginning in 1455 papal licenses allowed the Portuguese to trade in sub-Saharan Africa in items other than ‘war material.’<sup>64</sup> In 1447 Nicholas V issued a license to Genoa that covered trade with the lands of “Saracens,” “Turks,” and all other “enemies of the name of Christ” for 100 years.<sup>65</sup> As late as 1484, the trade of Majorca with Barbary appears to have still been based on the licenses issued in 1241 and 1248, discussed in Chapter 3 above.<sup>66</sup> Ecclesiastical problems in the fifteenth century did not affect the embargo. Just as during the schism rival popes concerned themselves with it, so did later rival popes and councils. In 1433 the city of Dubrovnik insisted before the King of Hungary that he obtain a license for them from the pope, or at least from the Council of Basel.<sup>67</sup> In an overt challenge to Gregorian order, the latter did in fact grant such a license to Dubrovnik.<sup>68</sup> Political changes outside of Christendom did not affect the practice either: in 1522, when the Ottomans had eliminated the Mamluk Empire and

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liberam licentiam elargimur....” A.S.Venezia, *Libri Commemoriali*, Reg. 19, ff. 160v-161r (12 Dec 1511). Short summary in Predelli, *Commemoriali*, VI, #193, p. 107.

<sup>64</sup> Eugene IV had already issued a license for Portuguese trade with “Saracens,” *Acta Eugenii Papae IV*, #1060, p. 487 (5 Jan 1443).

<sup>65</sup> “Christi nomine inimicorum,” Nicolae Iorga, *Notices et Extraits pour servir à l’histoire des croisades au XV<sup>e</sup> siècle* (Bucarest: Académie Roumaine, 1915), II, #19, pp. 38-40 (1447). We saw in Chapter 5 that Venice’s perpetual arch-rival had long held much stronger positions with the papal curia. Thus the difference in the treatment of Venice and Genoa should be of no surprise. Nevertheless, in 1441 Genoa had complained that the new procedure of giving the required oath prior to departure to ‘infidel’ ports – that no contraband was carried – was cumbersome (on the oaths see Chapter 5). The pope had made the abbot of S. Andrea in Sesto responsible for receiving the oath; the Genoese complained that this ate into their profits, Nicolae Iorga, “Notes et extraits pour servir à l’histoire des croisades au XV<sup>e</sup> siècle,” *Revue de l’Orient Latin* 7 (1899): 407-408 (5 May 1444).

<sup>66</sup> Pierre Macaire, *Majorque et le commerce international (1400-1450 environ)* (Lille: Atelier Reproduction des Theses, Université de Lille III, 1986 [Thesis defended at Paris IV – Sorbonne, 1983]), p. 399.

<sup>67</sup> The argument of Dubrovnik was the well-known one: that it could not live without trade. Krekić, *Dubrovnik et le Levant*, #802, p. 297 (23 Feb 1433). Krekić, p. 118, thinks that the Council of Basel was the politically more expedient choice, given its declining fortunes, especially after the pope ordered its dissolution in 1431. Thanks to the King of Hungary and a Dubrovnik-born Dominican theologian influential at Basel, Dubrovnik obtained a license in December 1433, *ibidem*, p. 119. The license banned the export of arms, iron, timber, and victuals, *ibidem*, #812, p. 299. The council acted as a pope would have done.

<sup>68</sup> Krekić, *Dubrovnik et le Levant*, p. 118. According to Krekić Dubrovnik found it politically more expedient to obtain a license from the Council of Basel, rather than from Pope Eugene IV.

conquered Egypt, Barcelona prepared to apply for a license for trade in Alexandria.<sup>69</sup> Finally, one should remember that papal decisions had the force of precedent; what was valid for ‘Saracens,’ could be valid not just for any other Muslims, but even for any other ‘infidels.’ We saw in Chapter 3 that popes explicitly referred to canons that mentioned only the embargo against ‘Saracens’ to provide legal basis for their embargoes against non-Muslim territories.<sup>70</sup>

Between the 1390s and the 1520s, moreover, the papal sanctions were at least occasionally enforced. The papacy had no navy, but sometimes papal fleets were armed for purposes of crusade. In 1456, the admiral of such a fleet, inquired into a shipwreck involving the vessel of the Venetian Nicolò Fiorin. He promptly sequestered much cash and specie carried on the ship. Fiorin referred the case to the papal curia, which found his party not guilty and ordered the admiral to return what he had seized.<sup>71</sup>

Another way in which the papacy could enforce its sanctions was by licensing private individuals to provide enforcement at sea. Already in 1268 Pope Clement IV had provided such a license to Guillelmo Canuti, citizen of Marseille.<sup>72</sup> “In favor of the orthodox faith,” Calixtus III authorized Nicolò Vivot and Luigi Toroela, knights of Majorca, to capture for their own benefit those vessels that brought arms, iron, timber,

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<sup>69</sup> Capmany, *Memorias Históricas*, #461, pp. 672-673 (29 Jul 1522). Papal licenses continued to be also necessary for pilgrimages to the Holy Land, even for the clergy, Friars Minor were regular recipients of such licenses, *Bullarium Franciscanum*, I, #1553, pp. 774-775 (26 Feb 1452), II, #544, p. 287 (12 Dec 1458), #669, p. 350 (31 Aug 1459), #1722, p. 848 (16 Jul 1471).

<sup>70</sup> The way in which Venice enforced the papal sanctions against the Muslims in Barbary, pointed below, clearly shows that this is how the matter was understood at this time too.

<sup>71</sup> The admiral was the legate Peter, Archbishop of Tarragona. The goods belonged to several merchants; the curia took care to save the archbishop’s face by pointing that he had seized the goods because of the fleet’s “urgentes necessitates,” A.S.Venezia, Libri Commemoriali, Reg. 15, f32r (28 Jun 1456). Summary in Predelli, *Commemoriali*, V, #22, p. 127. The declaration of the Archbishop in Predelli, *Commemoriali*, V, #345, p. 112 (15 Apr 1456).

<sup>72</sup> *Les registres de Clément IV*, #675 (13 Oct 1268).

foodstuffs, and other prohibited items to the ‘infidels.’<sup>73</sup> In 1457, however, Calixtus annulled the bull, because, as he explained, he had learned that the two knights had abused their license by sequestering all kinds of merchandise.<sup>74</sup>

Enforcing the embargo needed not involve the papal curia directly. We saw in Chapter 3 that local clergy shaped the implementation of sanctions. Similarly, the knights-Hospitaller of Rhodes had their own view of Christian trade with Egypt and harassed it frequently. In 1441 the vessel of the Genoese Nicola Doria, coming from Alexandria with Muslim merchants on board, was attacked by galleys of the Order. The knights forced the Muslims, some of whom from Granada, to pay to let them go, seized their goods, and confiscated the ship.<sup>75</sup> In turn, Mehmed VIII, King of Granada seized a Genoese vessel.<sup>76</sup> A similar case developed with Muslims aboard Venetian ships in 1465.<sup>77</sup> Both the Genoese and the Venetians were furious. The former stressed before the pope that the transport of merchants was not prohibited, the latter wrote to Rome, Paris, and London for support, but neither case was exceptional.

Members of the church, moreover, were not alone in considering its embargoes an important and active policy. So did Venice. In this period the Serenissima not only upheld its legislation backing the papal embargoes, but even made it stricter. In 1364 the

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<sup>73</sup> “in favorem fidei orthodoxe;” “...arma...nec non ferrum lignamina commeatum et alia a iure prohibita....” A.S.Venezia, Libri Commemoriali, Reg. 15, f36v (26 Feb 1455). This bull is incorporated into the one that annulled it. Summary in Predelli, *Commemoriali*, V, #33, pp. 129-130. The license was valid for the papal seas.

<sup>74</sup> A.S.Venezia, Libri Commemoriali, Reg. 15, ff. 36v-37r (12 Jun 1457).

<sup>75</sup> Nicolae Iorga, “Notes et extraits pour servir à l’histoire des croisades au XV<sup>e</sup> siècle,” *Revue de l’Orient Latin* 7 (1899): 53 (20 Dec 1441), 383-384 (9 Nov 1443).

<sup>76</sup> Iorga, “Notes et extraits,” 7, p. 405 (17 Apr 1444).

<sup>77</sup> Among other things, the ambassadors to the pope had to explain to him - conveniently exaggerating - that Venetians sailed to Egypt “ab hac urbe nostra condita” and “vetustissimo more,” A.S.Venezia, Sen. Del. Sec. Reg. 22, f55r/v (24 Dec 1464). The Ottomans were using this incident, the Venetians asserted to the King of France, to induce Egypt into an open war with the republic, A.S.Venezia, Sen. Del. Sec. Reg. 22, ff72v-73r (12 Mar 1465). Heyd, *Histoire du commerce*, II, p. 455 briefly mentions the episode and faults the Venetian captains.

statutes of the *Ufficiali al Cattaver*, the office in charge of fighting contraband, which typically meant the violation of Venice's self-proclaimed economic 'rights' in the upper-Adriatic, incorporated the papal sanctions.<sup>78</sup> Public criers were to announce that whoever engaged in such trade would be fined.<sup>79</sup> In Venice enforcement was to be provided by the *Cattaver*; in open sea, by the captains; in Alexandria, by the Venetian consul there.<sup>80</sup> By 1419 contraband also entailed a six-month prison term.<sup>81</sup> In that year the Grand Council, the representative assembly of all nobles, proclaimed penalties for officials failing to enforce the law.<sup>82</sup> In 1446 the senate again prohibited the trade in arms in Romania, in the Asiatic lands of the sultan and with 'Saracens.'<sup>83</sup> When Mehmed II conquered Constantinople in 1453, the Venetians hastened to resume trade.<sup>84</sup> Nevertheless, the instructions to the first Venetian bailo of Ottoman Constantinople asked him to enforce the papal embargo.<sup>85</sup>

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<sup>78</sup> I discussed in Chapter 3 the earliest extant similar document, Tafel and Thomas, *Urkunden...*, II, #271, pp. 260-264 (March 1226). While the document discussed here speaks of Egypt there is no reason to assume that it did not apply to all of Muslim Africa, as had long been the case.

<sup>79</sup> With the usual fine: double the value of contraband.

<sup>80</sup> "...vadit pars quod cridetur publice in locis solitis quod nullus civis vel fidelis noster ullo modo audeat per se vel alium mittere vel portare vel portari facere de prohibitis per ecclesiam ad terras predictas sub pena perdendi totum et tantundem de suo proprio. Et committatur in venetiis omnibus officialibus contrabannorum et extra venecie capitaneis galearum nostrarum et consuli nostro alexandrie" A.S.Venezia, *Ufficiali al Cattaver*, Capitolari, Busta 1, f46Bis r (1364).

<sup>81</sup> As we learn from the document discussed next, A.S.Venezia, *Maggior Consiglio*, Reg. 22 Ursa, f22r (12 Mar 1419): "Cum per ordines et partes captas in nostris consiliis diversis temporibus prohibitum et vetitum sit nostris civibus et fidelibus portare de rebus prohibitis per ecclesiam ad Infidelium partes sub pena perdendi totum illud et tantundem de suo proprio et standi sex mensibus in carceribus ultra alias omnes penas ad quam cadunt etc."

<sup>82</sup> According to the Grand Council, officials of the office of contraband all too easily agreed to waive both the money fine and prison term. They were ordered to enforce the law under penalty of deprivation of office for two years and a huge money fine. A.S.Venezia, *Maggior Consiglio*, Reg. 22, f22r/v.

<sup>83</sup> Nicolae Iorga, "Notes et extraits pour servir à l'histoire des croisades au XV<sup>e</sup> siècle," *Revue de l'Orient Latin* 8 (1900/1901): 21 (8 Aug 1446).

<sup>84</sup> And concluded a new treaty in April 1454. Romanin, *Storia documentata di Venezia*, IV, #7, pp. 528-535 (18 Apr 1454).

<sup>85</sup> "Preterea ab omnibus nostris fidelibus qui portarent ad terras musulmanorum equos arma ferrum lignamen vel alia cum quibus musulmani possent impugnare christianos accipies totum illud quod portarent vel valorem ipsius." A.S.Venezia, *Sen. Mar Reg.* 5, ff. 49v-52r [50v-53r] (16 Aug 1454). Another decision aimed at preventing the export of iron to Ottoman Constantinople, A.S.Venezia, *Senato Mar*, Reg. 6, f28r (14 Jul 1457).

In 1458 the Grand Council dealt with the matter again. Supported by 573 nobles and opposed by only thirteen, the new law declared much harsher penalties.<sup>86</sup> The money fine for first-time offenders remained the same, but the prison term quadrupled from six months to two years. The punishment for a second offense discriminated on the basis of social standing. A noble was to lose the privileges that his status conferred.<sup>87</sup> A citizen was to suffer both the deprivation of public office and banishment from the islands of San Marco and Rialto; in case of violation such a person was subject to a life term in prison. Whatever his status, a contrabandist prosecuted for the third time was to be banished for life from all Venetian territories and ships.<sup>88</sup> Thus the new law mirrored the spirit of papal prohibitions. Just as those excluded contrabandists from the body of the faithful, so did Venice proclaim that embargo-busting and membership in the body politic were incompatible. At least in law Venice backed the papal sanctions more strongly than ever even though at the time it was not at war with any ‘infidel’ polity.

Venetian officials probably did not enforce the papal sanctions as strictly as the Grand Council (at least officially) hoped, but nor did they altogether forgo enforcement. The Council of the Forty and the State Attorneys prosecuted Venetians for the transgression of the papal sanctions in Barbary,<sup>89</sup> in Mamluk,<sup>90</sup> Ottoman,<sup>91</sup> and ‘Tatar’

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<sup>86</sup> Ten were the non-*sinceri*; those who did not oppose the law, but who wanted a re-drafted proposal, A.S.Venezia, Maggior Consiglio Reg. 23 Regina, ff. 18v-19r (6 Feb 1458).

<sup>87</sup> Membership in all Venetian councils, award of any public office or state benefices.

<sup>88</sup> Under the threat of a life sentence for disobedience, A.S.Venezia, Maggior Consiglio Reg. 23, ff. 18v-19r (6 Feb 1458). Venetian citizenship had many degrees, too many in fact to be listed here. The basic categorization however was in nobles, citizens, and inhabitants (residents). The situation of Venetian Jews was even more complicated. On Venetian citizenship see Reinhold Mueller, “Veneti Facti Privilegio:” *stranieri naturalizzati a Venezia tra XIV e XVI secolo*,” in Donatella Calabi e Paola Canaro eds., *La città italiana e i luoghi degli stranieri XIV-XVIII secolo* (Rome: Laterza, 1998): 41-51, idem, “Greeks in Venice and Venetians in Greece. Notes on Citizenship and Immigration in the late Middle Ages,” in Chrysa A. Maltezou, ed., *Ricchi e poveri nella società dell’Oriente Greco-Latino* (Venice: Hellenic Institute of Byzantine and Post-Byzantine Studies, 1998): 167-180.

<sup>89</sup> Some examples: Alvisio from Ancona and Georgio from Trogir, A.S.Venezia, Avogaria di Comun 3650, Part II, f74r and f74v (separate documents) (21 Jul 1456), Geronimo and Francesco Foscolo, Alvisio

territories.<sup>92</sup> Of the prosecuted many were crew: rowers, sailing-masters, helmsmen, crossbowmen, scribes, and even an occasional ship-master, for example, Blasio Brugnera, who, together with the scribe Andrea Rizo sold three hundred swords in Barbary.<sup>93</sup> Violators came from all ranks of society, the *Vir Nobilis Ser* Nicola Georgio, who exported swords and other prohibited items to Barbary was sentenced to a six-month prison term and the typical money fine – double the value of contraband.<sup>94</sup> After the 1458 law was promulgated, the Council of Forty and the State Attorneys usually stuck to its harsher provisions.<sup>95</sup> Once the law was no longer recent, however, a wide range of prison terms appeared: from the full term, two years, to the provision of the old law, six months, to improvised terms, such as one, two, three, four, or eight-month ones.<sup>96</sup>

A curious case occurred in 1461. In that year the senate discussed a door in the city walls of Pula, in Istria. Pula was a traditional stopping point for the galleys leaving

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Manega, Bartolomeo de Magistris, Avogaria di Comun 3651, f17v and f18r (19 Jan 1458), Aloisio de Inversis, Avogaria di Comun 3654, f167r [Part II, 61r] (4 May 1478).

<sup>90</sup> Alexandria, A.S.Venezia, Avogaria di Comun 3651, f54v (13 Feb 1459); Beirut, Avogaria di Comun 3654, Part II, f185r/v (13 Jan 1479); Jaffa, Avogaria di Comun 3652, f37r [42r] (6 Jun 1466).

<sup>91</sup> Constantinople (via Pera), A.S.Venezia, Avogaria di Comun 3650, Part I, f88v (26 Feb 1454), Valona, Avogaria di Comun 3651, f21r/v (2 Mar 1458).

<sup>92</sup> Tana, A.S.Venezia, Quaranzia Criminal Reg. 18, f87v (15 Jul 1450), but the person involved, a certain Michele Bugato, was found not guilty and absolved.

<sup>93</sup> A.S. Venezia, Avogaria di Comun 3651, f84r (11 Feb 1465) for Andrea and Avogaria di Comun 3652, f1r/v (5 Mar 1465) for Blasio. Other examples: Marco from Candia, helmsman, Avogaria di Comun 3651, f61r (18 Apr 1459) brought arms to Syria; Theodore from Candia, sailing-master, Avogaria di Comun 3654, f172r/v [Part II, 66r/v] (14 Aug 1478), exported iron to Barbary with Giovanni from Candia; the rower Giovanni, *ibidem*, f195r (29 Apr 1479), tried to export iron *ad partes infidelium*; the crossbowman Giovanni, Avogaria di Comun 3652, f37r [42r] (6 Jun 1466), loaded fifty-eight swords on a galley going to Jaffa.

<sup>94</sup> A.S.Venezia, Avogaria di Comun 3651, f18r (19 Jan 1458). It is likely, however, that noble status could help the alleged contrabandist. In 1457 the State Attorneys opened a case against Gabriele Trevisan for carrying “*rebus prohibitis per ecclesiam ad partis Barberie*.” Identified as a former captain of the republic’s fleet of armed round-ships, he must have been a very important person indeed. It is unclear whether his case was really pursued, *ibidem*, f17v (9 Jan 1457).

<sup>95</sup> For example, the sailor Giorgio, A.S.Venezia, Avogaria di Comun 3651, f41r (19 Sep 1458).

<sup>96</sup> Two years: A.S.Venezia, Avogaria di Comun 3654, f172r/v [Part II, f66r/v] (14 Aug 1478), and f173v [Part II, 67v] (27 Aug 1478); six months, *ibidem*, ff. 122v-123r (29 May 1477); one month: Avogaria di Comun 3652, f37r [42r] (6 Jun 1466); three months: Avogaria di Comun 3654, f121r/v [Part II, 15r/v] (16 May 1477); four months: *ibidem*, f121r [Part II, 15r] (8 May 1477); eight months: *ibidem*, f185r/v [Part II, 79 r/v] (13 Jan 1479).

Venice, and a key ‘crew base.’ The door had been intended for the bishop’s private use, but had been used instead for the smuggling of arms and iron; subsequently these had been loaded on the galleys bound for the Barbary coast. The senate’s motion, introduced by the former Venetian governor of Pula, boasted of its record of provisions against contraband to ‘infidel’ lands. It ordered that the door be closed, banned any import of arms and iron into Pula by land, and mandated that any such imports take place only by sea and only for the needs of the city itself.<sup>97</sup>

Finally, we saw in Chapter 3 that the ubiquitous references to ‘state of peace’ or ‘infidels’ at war with Christians, to be found in embargo legislation, lacked any practical meaning, for it was impossible to define what constituted peace, for example, between Christians and Muslims. The law in question did not change and the point remains valid for the fifteenth century. The above material, moreover, shows that the same discussion also applies in to the related and ubiquitous expression “who fight the Christians,” which usually comes after the enumeration of enemies subject to the embargo. The Muslims in Barbary, as some supplicants for absolution discussed below did well to argue, did not fight the Christians at all and did not help Mamluk Egypt, which did. In this period they were well too weak militarily to do so. Yet, we saw above that the embargo against them was in full force. In fact, Venice’s auctions of the Barbary-bound galleys underlined that items prohibited by the church could not be carried on them.<sup>98</sup> Similarly, the Christian Orthodox Byzantine Empire was not fighting the Latin polities in the 1390s, yet, as we saw above, it remained under the embargo in 1398. Fighting the Latin Christians or not, Byzantium was not in communion with Rome at that time. One would be hard pressed to

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<sup>97</sup> A.S.Venezia, Sen. Mar Reg. 7, f29v (18 Aug 1461).

<sup>98</sup> For example, A.S.Venezia, Sen. Mar, Reg. 7, ff. 43v-45r (30 Jan 1462), ff. 152r-153v (3 Feb 1464), Sen. Mar, Reg. 8, ff. 59v-61r (24 Jan 1466), ff. 152v-154r (18 Jan 1468).

find or devise a workable definition of what would constitute a 'state of peace' between Christians and non-Christians in papal terms. As with the embargo itself, the point is that religion, not politics mattered: one was either in communion with Rome or not.

Thus the papal policy of withdrawing trade with a great variety of perceived enemies remained active in the fifteenth century. The modes of its implementation continued to vary over time. New regions, such as sub-Saharan Africa, were targeted. The typical selective embargo against Muslim targets could occasionally still turn into a total one (Crusade of Varna). A new item was added to the traditional list of contraband (alum). Yet, the papacy continued to focus on the proclamation of 'eternal' principles through the embargo rather than on the sanctions' ability to further political goals.

Papal practice matched the long-standing legal construction of the sanctions – in principle no trade with the 'infidel' was allowed, in practice licensed trade was permitted. Holy Thursday bulls reminded all faithful of the provisions of canon law; manuals of penitence asked priests to grill merchants on illicit trade with 'infidels' during confession. Merchants of all ranks and the governments of merchants (Venice, Genoa) might have tried their best to circumvent the provisions of papal sanctions. Individual merchants doubtlessly often disregarded the embargo altogether. Yet, the papal embargoes had become a part of daily life in frontier areas: embargo-violators from across Christendom regularly petitioned the curia for absolution; the leading commercial powers dutifully applied for licenses, and at least occasionally enforced the embargo. The embargo could be violated, but could not be ignored.

## 6.2. By Way of Conclusion: The Intangible Target, Object, and Effects of Papal Embargoes

The problem that the papacy had with Christian trade with non-Christians in the fifteenth century was still not so much that such trade benefited the military power of ‘infidels,’ but that it led to contacts between Christians and ‘others.’ This is how the key part of the licenses that Pope Paul II (in 1470) and Julius II (in 1511) issued to Venice reads:

As a special favor we bestow upon you full and unrestricted license to lead and bring, or to make lead or make bring, over the next forty years, to Alexandria, Syria, Egypt, and the Holy Land, and also to those [lands] held by the Sultan of Babylon [Mamluk Egypt] and to other cities, lands, ports, and places beyond-the-sea of whatever other infidels and Saracens any round-ships, galleys, and naval vessels with whatever merchandise...except iron, arms, timber for construction and other contraband with which the said Saracens and infidels fight the Christians;...*and also [we bestow upon you full and unrestricted license] to communicate, conduct business negotiations with, and talk to infidels, not, however, to partake in their error, and to do and practice whatever other [things are] necessary and appropriate for the sale and purchase of the goods....*<sup>99</sup>

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<sup>99</sup> Italics mine. This is the full text of the relevant passages, which are practically identical: “Hinc est quod nos vestris in hac parte Supplicationibus inclinati iuxta concessionis dudum per felicis recordationis Martinum V et Nicolaum etiam V [logically the 1511 license adds here: de Paulum secundum] Romanos Pontifices predecessores nostros in similibus factas ducendi et deferendi seu duci et deferri faciendi usque ad quadraginta annos proxime futuros ad Alexandriae Syrie Egypti et terre sancte necnon que per Soldanum Babilonie detinentur et alias ultra marinas ac Aliorum quoruntunque infidelium et Sarracenorum civitates terras portus et loca quecunque Naves Galeas et navigia quibusvis Mercimonii et ipsa vestra mercimonia in eisdem vestri aut alienis navibus et galeis : Exceptis ferro armis lignaminibus et aliis prohibitas quibus Saraceni et infideles predicti Christianos impugnant Onerata cum nautis et aliis personis ad Regimen Navium Galearum et Aliorum navigiorum huiusmodi opportunis et in eiusdem transitare volentibus ac Mercatoribus Mercimoniorum eorundem nec non cum infidelibus ipsis per vos et in eisdem Navibus Galeis et navigiis transfretantes non tamen in eorum errore participando communicandi practicandi et conversandi et quecunque alia pro huiusmodi Mercimoniorum venditione emptione necessaria et opportuna faciendi et exercendi quibusvis constitutionibus prohibitionibus et processibus apostolicis Spirituales et temporales penas multas et sententias pro latas in transfretantes cum mercibus ad partes et terras predictas in se continentibus ceterisque contrariis nequaquam obstantibus Devotioni Vestre auctoritate Apostolica et Speciali gratia tenore presentium Plenam et liberam licentia elargimur.” The 1470 license in A.S.Venezia [Italian State Archive, Venice], Libri Commemoriali Reg. 16, f18r (29 May 1470); the 1511 license ibidem, Reg. 19, ff. 160v-161r (12 Dec 1511). Short summary in Predelli, *I Libri Commemoriali. Regesti*, V, #24, pp. 197-198 and VI, #193, p. 107. As typical for the Middle Ages, and as noted elsewhere, the language used in papal letters was rather up-to-date with actual practice than conform with classical norms. Luther would later ridicule the language of papal bulls, as we will see below, however, one might want to remember that the intended audience was relatively broad and non-academic, the nobles gathered in the

Why, if papal sanctions were all about economic and foreign policy matters, would licenses include a permission to enter in contact with – even to talk to – ‘infidels?’ Why, if the whole point of embargoes was to deny the ‘infidels’ access to scarce resources and income on foreign trade, would a merchant be warned not to partake in their ‘error?’ A functional reading of the embargo, as an economic tool for the achievement of foreign policy goals, cannot answer such questions or provide a comprehensive understanding of this papal policy.

Papal sanctions may have sought to debilitate their targets’ military power, but they fulfilled a more important religious purpose. As I argued in Chapter 4 papal sanctions went hand in hand not so much with military action, as with legislation against eating, bathing, or living with Jews and other non-Christians, they were one part of a broader program that sought to identify and segregate Others.<sup>100</sup> In the eyes of policy makers contact with ‘infidels’ could pollute and lead to the loss of souls. Hence, such legislation proclaimed the ideal of no contact with ‘infidels.’ As we saw in Chapter 3, since 1187-1191 legislation on Christian trade with non-Christians presupposed in fact

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Grand Council (common people would access the meaning via announcements made in the vernacular by public criers in the ‘usual places,’ a mandatory one would be Rialto). Given that misunderstanding prevails in all but the most specialized literature it is always worth stressing that *navis*, referred to round-ships, that is, *navis* denoted a class of vessel; it was not a general term equivalent to the English ‘ship’ or the current Italian ‘nave.’ It is *navigium* that had the broader meaning of “vessel,” – as is clearly the case in this document, too. Note the use of *practicare* in the sense of “to conduct business negotiations,” a very appropriate way to get oneself clearly understood within the very milieu that had produced the term. A different meaning of *practicare* is “to practice,” typically medicine, but the term was not used in the papal licenses to Jewish doctors below. Finally, note the use of *conversare*, with the vernacular meaning of “to talk to, to speak with,” rather than the classical “to be in company of/to live with,” another reflection of the fact that much of the written Latin in the period – in legal and business documents - was in fact Latinized vernacular.

<sup>100</sup> General texts too often talk about ecclesiastical legislation as aimed against Jews only. But that was not the case. For example, although the (later) captions to the decisions of church councils on, for example, distinguishing signs, mention only Jews, the original text itself speaks of Jews *and* Muslims. In addition, all decisions of church councils and papal decretal letters were seen as precedent law. Thus any policy devised against any type of non-Christians could be automatically extended to any other type of non-Christians. That is how Canon 69 of Lateran IV extended the ban that prevented Jews from legally holding public office to pagans.

that in principle no such trade was allowed. Papal embargoes, in other words, were not predicated on the notion that trade strengthened the ‘infidels,’ but that trade with ‘infidels’ endangered the soul. Papal sanctions sought to curtail not so much the export of goods as to prevent the outflow of souls.

In practice the church had to enforce a more feasible version of this principle by allowing limited communication under papal licenses. This might have undermined the embargoes’ ability to affect the economy and hence the military power of ‘others.’ The very granting of licenses, however, served as yet another occasion, beyond the annual Holy Thursday bulls, to proclaim loudly the principle that any Christian trade with any ‘infidels’ fell under ecclesiastical jurisdiction. It reminded the license’s recipients of the spiritual dangers that trade with ‘others’ entailed. It approved just as much contact with ‘infidels’ as was required for business transactions. Whenever physical contact did not lead to partaking in the ‘infidels’ religious ‘error,’ the church had essentially succeeded, for the Roman church’s solid grip on souls, not the lack of contact in itself, was the point of the whole range of policies of which the embargo was a part.

The idea that contact with ‘infidels’ was to be avoided was so entrenched that even high clergy needed licenses to communicate with those outside the realm of the faithful. So much so that during the Great Schism ‘pseudo-popes’ faithfully adhered to this rule. In 1385, for example, Clement VII authorized his legate in Cyprus to enter in contact with excommunicates and ‘schismatics,’ if he did not have a way to avoid it, and in order to reduce them to obedience to the church.<sup>101</sup>

The fear of religious pollution that stood behind such policies was associated especially with frontier zones – the Holy Land, Iberia, the Balkans, the Baltic, Poland and

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<sup>101</sup> *Acta Pseudopontificum Clementis VII (1378-1394)*..., #54, p. 71 (20 May 1385).

Hungary – all places where the papal embargoes applied, as we know from Chapter 4 above. In 1431, for example, two Friars Minor noted that the secular clergy of the ecclesiastical provinces bordering the Ottoman Empire were retreating as the Ottomans advanced. They complained that this resulted in Christians not taking the sacraments and not being instructed in the faith. The living, they asserted, were “diseased and infected in the faith;” they “contaminate the flock of the faithful.”<sup>102</sup> This, we can surmise, is what unchecked contacts between Venetian and Muslims traders could do, in papal eyes.

This concern with the health of the soul continued to override that with the health of the body. We saw in Chapter 4 that as early as the thirteenth century Christians were prohibited from seeking medical help from non-Christians. This was still the case two centuries later: just as Christians needed license to communicate (including through trade) with non-Christians, so the ‘others’ needed licenses to have business with Christians. Pope Martin V, for example, licensed three Jewish doctors to practice among Christians: Emmanuel in “civitatis Velletrien.,” Vitale in Rhodes; Lazzaro from Crete, in Egypt and Syria, at the request of Christian merchants there.<sup>103</sup>

The fear of religious pollution, which generated the above policies, was in turn a reflection of the papacy’s concern with the size of its spiritual flock. This is clearly visible in two bulls that Martin V promulgated on June 3, 1425.<sup>104</sup> These were issued in

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<sup>102</sup> Full text: “...viventisque in fide taliter morbidi et infecti in varios errores contra articulos fidei catholicae incidentes, inficiunt gregium fidelium et perturbant.” *Bullarium Franciscanum*, I, #36, pp. 24-25 (1 Nov 1431).

<sup>103</sup> Emmanuel, *Acta Martini P.P. V*, #329a, p. 846 (7 Jul 1426), apparently Velletri, near Rome; Vitale, *ibidem*, #329b, pp. 846-847 (13 Feb 1427); Lazzaro, *ibidem*, #329c, pp. 847-848 (18 Aug 1428).

<sup>104</sup> *Acta Martini P.P. V*, #310a, pp. 796-798 (3 Jun 1425) and #310b, pp. 798-800 (3 Jun 1425). The bulls are also published in *Bullarium...Romanorum Pontificum*, IV, Martin V #16, pp. 718-729 and #17, pp. 720-721. The latter also appears in Baronius-Raynaldus 28, Ad a. 1425, #20, pp. 28-29. This text was used by Setton, *The Papacy and the Levant*, II, pp. 46-47 to show that Christians in the east profited in ways they could not in the west; “The papacy was the conscience of Europe.” *Ibidem*, p. 46. Setton rightly noted that

response to information received from the Latin settlements in the Black Sea area, among which were the prominent trading centers of Caffa, under Genoese control, and Tana, where the Venetians were prominent. Both settlements were known for the export of slaves to Muslim lands. The bulls discussed an aspect of this trade – that in Eastern Christians.<sup>105</sup>

We know already that prohibitions on the export of Christian slaves were based on the spiritual concern with their souls. We also know that the papacy postulated sharply defined identities, based on the religious law a person followed. In fact, we can read the opening lines of Martin’s first bull as a frustration with the fact that reality did not match this ecclesiastical ideal: Jews did not wear distinguishing signs, he lamented, hence presented themselves as Christians, and exported Christians who followed the ‘Greek’ rite (i.e. Orthodox Christians) to “Saracens and other infidels.”<sup>106</sup> Then – this appears to have been the central problem for Martin – the “Saracens” and “infidels” (supposedly) forced their Christian slaves to abandon their faith.<sup>107</sup> This (conversion) led, he claimed, to the loss of their souls, and scandal to the church. The same result

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Martin V was not the last pope to concern himself with the slave trade in the east, pp. 47-48. Having used Baronius-Raynaldus, he appears to have been unaware of the first of the two bulls.

<sup>105</sup> Orthodox slaves from the northern shores of the Black Sea were taken to ‘infidel’ lands lying to the south - Ottoman Anatolia, Mamluk Syria and Egypt. Slaves were in high demand especially in Egypt, whose sultans used them to fill the ranks of their armies.

<sup>106</sup> “...nonnulli...Judaei...qui in Caffen. et Tanen. ac aliis ultramarinum partium civitatibus...commorantur...nullum in eorum habitu speciale signum...deferentes...se christianos ostentare...multaque exinde atque varia enormitates...committere non formidant; et inter alia, - quod utique solo auditu terrendum est, - Zichorum, Rossorum, Alanorum, Mingrellorum et Anagustorum, sub christiani nominis professione iuxta Graecorum rituum baptizatorum...emunt et emptos Sarracenis et aliisque infidelibus...crudeliter vendunt...” *Acta Martini P.P. V*, #310a, p. 796 (3 Jun 1425).

<sup>107</sup> “...personas ipsas...ad eorum...terras...corporaliter abducendo, ex quo inde sequitur, quod Sarraceni et infideles, qui personas easdem sic eis venditas, fidem catholicam abnegare compellunt...” *Acta Martini P.P. V*, #310a, p. 796.

occurred when, as we see in his second bull, Christians “forgetful of their [spiritual] health” exported Eastern Christians to ‘infidel’ lands.<sup>108</sup>

Sanudo may have considered the export of slaves to Egypt as a problem on two levels: it strengthened the Mamluk army and it often led to the loss of Christian souls. Martin V’s bulls, however, exposed in straightforward language the spiritual concerns behind the prohibitions but said nothing of any functional ones. The outflow of souls, not of bodies or goods, is what most concerned the Church.<sup>109</sup>

Lateran IV and hence the code of canon law proclaimed that “mingling” between Christians and Jews (and Muslims, as often forgotten) was unacceptable if proper Christian order was to be maintained. Unsurprisingly, Martin ordered that Jews wear distinguishing signs. He then underscored the spiritual goals of the policy again. Jews exporting Christians were to be deprived of all their property, which was to be used either for the redemption of Christian slaves or for the needs of the church.<sup>110</sup> Jews by definition were outside of the realm of the faithful, by incurring the sentence of excommunication, non-compliant Christians joined them in this extraliminal space.<sup>111</sup> To find an alternate way to penalize heavily non-compliant Jews in the present, Martin cast them out of Christendom’s political boundaries.<sup>112</sup>

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<sup>108</sup> “...nonnulli iniquitatis filii, baptizmati fonte renati, christianum nomen contemnentes propriaeque salutis immemores...” *Acta Martini P.P. V*, #310b, p. 798 (3 Jun 1425).

<sup>109</sup> In addition, this is yet another papal bull that fails to clarify whether the fine stipulated was based on the profit from or on the investment in illicit trade. This was in stark contrast with the law of merchant Venice, which clearly stipulated that the fine was based on the investment.

<sup>110</sup> *Acta Martini P.P. V*, #310a, pp. 796-797.

<sup>111</sup> In the bull targeting Christians, Martin reminded of Nicholas IV’s prohibitions on trade with Muslims, that is, of the typical restrictions of trade, and he forbade the export of Christian slaves to ‘infidels,’ under the usual penalties. This of course included excommunication and hence spiritual ostracization, *Acta Martini P.P. V*, #310b, p. 799.

<sup>112</sup> “...a civitate, terra vel loco huiusmodi expellatur et ab illa vel illo perpetuis temporibus exul fiat, nec in aliqua alia civitate, terra vel loco christianorum morari valeat...” *Acta Martini P.P. V*, #310a, p. 797.

The fact that the primary purpose of papal sanctions was to stress the non-Christians' Otherness and to proclaim that any contact with them – even through trade – entailed danger to the soul was well understood by the intended audience. Even Catholic Christian merchants belonging to a city like Genoa, which continuously enjoyed licenses for trade in non-*vetita*, were concerned about their spiritual health when engaged in such trade. They also fully comprehended what has so far evaded scholarly attention: the fact that papal embargoes were a policy reflecting a concern primarily with the size of the flock of the faithful, not with the size of the territories ruled by Christians.

In 1398 Catholic Christians living in Genoese Pera, across the Golden Horn from Constantinople, one of the key Latin settlements in the Eastern Mediterranean, were concerned that they might have incurred excommunication for having traded and communicated with “Greeks and other infidels.”<sup>113</sup> This was happening at a time when the Roman Church was more concerned with the advance of the Muslims than with the schism of the Eastern Christians as the fall of Constantinople may have appeared imminent: the Ottomans had triumphed over the West at Nicopolis in 1396 and eliminated what was left of Bulgaria, and had temporarily occupied Athens in 1397.<sup>114</sup> In fact, earlier in 1398, Boniface IX had ordered crusading preaching in support of the threatened Byzantine capital.<sup>115</sup> He now allowed the absolution of the supplicants and permitted them to be in contact with the “Greeks” (that is, with the subjects of the

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<sup>113</sup> “Exhibita siquidem Nobis nuper pro parte vestra petitio continebat, quod vos propter marcantias (!), quas cum Graecis et aliis infidelibus de partibus vestris propinquis pro tempore facitis...propter quae excommunicationis et alias poenas et sententias...incurrisse dubitatis.” *Acta Urbani P.P. VI...*, #61, p. 122 (15 Oct 1398).

<sup>114</sup> On the crusade of Nicopolis see Imber, *The Ottoman Empire*, p. 15, Fine, *Late Medieval Balkans*, pp. 424-425, for a detailed account with extensive references to primary sources and secondary literature, Setton, *The Papacy and the Levant*, I, pp. 342-359, also, Aziz Atiya, *The crusade of Nicopolis* (London, Methuen & Co, 1934). The occupation of Athens is mentioned in Ostrogorsky, *History of the Byzantine State*, p. 552.

<sup>115</sup> Setton, *The Papacy and the Levant*, I, p. 370.

Byzantine emperor) and other ‘infidels’ in the area, warning, however, as in the later licenses with which I began this sub-chapter, that this license was given on the premise that they would not partake in the “guilt” of the ‘others.’<sup>116</sup>

On the one hand, this document alludes to a hierarchy of Otherness, within which ‘schismatics’ (Eastern Christians not in communion with Rome) stood higher than “Turks” (Muslims).<sup>117</sup> On the other hand the papal letter alerts Catholics of Pera to the fact that even if preferable to Muslims, Eastern Christians were still ‘others:’ contact with them could lead to spiritual ‘contamination.’ Given that the merchants had the initiative, it becomes clear that the long-standing ecclesiastical legislation had managed to make Catholics doubt their chances for salvation because of unlicensed communication (including through trade) even with Eastern Christians, even in the face of Muslim advances.

In 1418 a group of Genoese merchants bearing the prominent family names of Squarciafico, Cigala, Spinola, Doria, di Negrone, Pallavicino, Pirelli, and de Marinis submitted a petition to the curia. The Genoese fully understood that the papal policy of embargo pursued primarily religious, not political goals. They confessed to having communicated with ‘infidels’ through buying and selling, and living among them against the laws of the church. They explained that each and every one of them had done so for their subsistence, the maintenance of their status, as well as for the sake of their city; they stressed Genoa’ location (between hills and the sea) and the fact that it could not feed

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<sup>116</sup> “...dummodo tamen cum eis in crimine non participetis...” *Acta Urbani P.P. VI...*, #61, p. 122.

<sup>117</sup> This appears to have long been the case in the Latin Levant, see Benjamin Kedar, “The Subjected Muslims of the Frankish Levant,” In Powell, ed., *Muslims under Latin Rule*, p. 165.

itself through agriculture.<sup>118</sup> Most importantly, they claimed that in consequence of their deeds they were worried that they might have “offended God and the Holy Church” and “burdened their consciences.”<sup>119</sup> The supplicants were clear: they had incurred excommunication – and hence endangered their souls – for having interacted with ‘infidels.’<sup>120</sup> Interaction with ‘others’ was the sin; trading with (or living among) them was only the way in which the sin was committed.

We saw in Chapter 3, moreover, that a veritable hierarchy of moral concerns transpires behind the papal policy of embargo. On the top was the establishment of the principle that any trade with non-Christians fell within ecclesiastical jurisdiction. Second was concern for the loss of Christian souls to other religions. Third concern was the need of Christian communities to assure their subsistence: trade with infidels in non-*vetita* (the exact list varied) was permitted, if the supplicant had a “necessity” to conduct such trade; enrichment was not a permissible motivation. The concern with the military power of the ‘others’ came last.

Our Genoese, or whoever drafted their letter, understood that the embargo was primarily a policy about the salvation of souls, not foreign policy objectives. They also understood that the policy operated on two symbolic plains. While papal embargoes were primarily a part of policies that sought to define and segregate faithful and

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<sup>118</sup> “...exponitur, quod ipsi et quilibet ipsorum tam pro sustentatione vitae et status ipsorum quam pro bono et utilitate civitatis et patriae Ianuen. quae inter montes et mare quasi in loco sterili, adeo quod victualia ibidem nascentia minime suppetant pro sustentatione habitantium atque transeuntium in et ad partes ipsas, sita est, ad partes Siriorum et Egiptiorum navigando, per mare tansient et tam per se quam per alios et pro aliis, cum gentibus infidelibus in eisdem partibus Siriae et Egiptiae, soldano et infidelibus subditis, residentibus, in mercimoniis et in commerciis, vendendo et emendo communicaverunt, participarunt et conversarunt ac habitarunt praeter et contra statuta seu decreta atque mandata apostolica....” *Acta Martini P.P. V*, #31, pp. 86-87 (30 Apr 1418).

<sup>119</sup> “...unde dubitant Deum et sanctam Ecclesiam in et propter praemissa offendisse et suas conscientias gravasse.” *Acta Martini P.P. V*, #31, p. 87.

<sup>120</sup> “...sententiis, quas occasione conversationis et participationis huiusmodi incurrisse et incidisse dicuntur....” *Acta Martini P.P. V*, #31, p. 87.

‘infidels,’ they were also a part of another set of policies that sought to counter the ‘invisible hand’ by proclaiming that economic activity was not justified as a matter of fact. Hence, while merchants in this period openly wrote (in a variety of sources) that they sought profit, our Genoese stressed on this occasion that they had traded for the sake of subsistence, status, and their city. As we have seen at length in Chapter 4, and through the work of Saint Antoninus of Florence in this chapter, those were all permissible grounds for the exercise of economic activity, but profit was not.

The primary message that papal sanctions sought to proclaim was widely spread and firmly impressed upon the minds of Christians. In fact, even when they did their best to minimize the sanctions’ effect on their business, and hence by extension to undermine the sanctions’ effectiveness as economic tools for the achievement of foreign policy goals, Christians in the period appear to have fully accepted the religious principle on which the embargo was forged and at least publicly shared the religious goals it pursued. In 1420 Mauro, Bishop of Catania wrote to Pope Martin V on behalf of the faithful from Sicily, both clergy and laity. The Sicilians had made an interesting argument that the bishop in turn related to the curia. They had previously exported wheat and barley and imported “Nigros” and other slaves – apparently without license – yet believed not to have incurred censures. They argued that the “Arabes” to whom they delivered wheat and barley were unwarlike, did not fight the Christians, and did not help the other ‘infidels’ who did so.<sup>121</sup> The slaves, moreover, were carried to Christian lands, baptized,

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<sup>121</sup> “. . . tam clerici quam cives et mercatores laici, mixti, soliti fuerint et sint, mittere et deffere cum eorum navigiis et nonnunquam aliorum, triticum et ordeum ad regnum seu partes Arabiae infidelium. . . Nigros et alios servos habendi et retinendi. . . non credentes in hoc excedere, ex eo praesertim quod dicti Arabes imbelles existunt nunquamque arma contra christianos sumpserunt nec aliis infidelibus Sarracenis christianos solitis impugnare auxilium consilium vel favorem ad ipsos christianos impugandum praestiterunt. . .” *Acta Martini P.P. V*, #128, p. 303 (16 Feb 1420).

and thus became Christians.<sup>122</sup> Mauro, stressing the supplicants' fear of guilt, asked to be allowed to declare nil their presumed excommunication, and other penalties.<sup>123</sup> This document clearly reflects how the import of souls could take precedents over the export of goods.

This allows us to modify what we previously stated about the concern with the prevention of the loss of Christian souls. In Chapter 3 we saw that Clement III – the first pope to ban all trade with Muslims – had not prohibited the export of war material for the redemption of Christian captives. Thirteenth-century canonists meditated upon this to reach different conclusions. Popes did not allow the export of any items for redemption as a matter of fact, either, but at least some exports were always allowed if aimed at such a purpose. When as late as 1518 Leo X allowed the Florentine merchant Agostino Corsini to buy iron worth 2,000 ducats in Brescia and export it from Venetian territories to Alexandria in order to obtain the release of his brother, he was adhering to the spirit of Clement III's 1187-1191 bull.<sup>124</sup> It is in relation to this practice that we should see the supplication made by the Sicilian clergy and merchants. If the preservation of Christian souls (the redemption of captives) justified trade, could not the addition of Christian souls justify trade too? For this reason or another, Bishop Mauro's request was granted.

The Sicilian's supplication prepared by the Bishop of Catania was not unusual in stressing the point about Christian souls. So did another petition that came from the chancery of King Juan II of Castile and Leon. The king explained that his lands were adjacent to those of "Saracens" and "infidels" and, hence, many of his subjects incurred

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<sup>122</sup> "...dicti servi ad terras christianorum sic delati baptizantur et fideles christiani efficiuntur." *Acta Martini P.P. V*, #128, p. 303.

<sup>123</sup> *Acta Martini P.P. V*, #128, p. 303.

<sup>124</sup> Predelli, *Commemoriali*, VI, #78, p 147 (19 Mar 1518).

excommunication for trade with them. He added that many were detained by the Muslims and could not afford to pay for their freedom, because of poverty, some of them even converted. Characteristically, the pope granted the king's request and authorized the absolution of those who had incurred *ipso facto* excommunication for illicit trade, mandating that the sums derived from the usual money fines be used either to support the fight against the 'infidel' or for the redemption of the said poor Christians.<sup>125</sup>

Even when Christians argued for an abolition of the embargo, they still did so without arguing against the concerns that had shaped it. In 1505 Pope Julius II wrote to King Manuel I of Portugal. By this time, Vasco da Gama's voyage concluded, Manuel had entitled himself "inter alia 'Lord of Guinea and of the conquest of the navigation and commerce of Ethiopia, Arabia, Persia, and India.'"<sup>126</sup> The treaty of Tordesillas (1494) which gave Portugal any 'new' lands discovered to the east of a line running 370 leagues west of Cape Verde and to Castile those to the west, had been concluded, and the Portuguese maritime empire was being built.<sup>127</sup> As usual, the papal letter first contains the message the king had sent to the pope. Manuel had explained that King João II had

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<sup>125</sup> "...Magistro Jacobo de Oratoribus Canonico Veronensi decretorum doctor subdiacono et capellano nostro ac in Castelle et Legionensi regnis nuntio et collectori apostolico salutem etc...Exhibita siquidem nobis nuper pro parte dicti regis petitio continebat quod causante propinquitate plurium terrarum locorum ac partium regnorum et dominiorum eiusdem cum quibusdam aliis partibus terris et locis a saracenis et infidelibus habitatis plurimi mercantias et alia mobilia bona illicita necnon a jure vetita ad partes infidelium hactenus per se vel alium seu alios detulerunt excommunicationis et interditi sententias aliasque censuras et penas tam a iure quam ab homine in talia perpetrantes latas inflictas seu promulgatas damnabiliter incurrendo multi vero ex fidelibus personis ab eisdem saracenis capti et captivati remanserunt et quotidie remanent. Et quia plures propter pauperitatem et facultatem carentiam ab ea captivitate redimi non valentes in perpetua servitute non absque personarum suarum insupportabilibus laboribus et incomodibus remanere et quod magis dolendum est nonnulli alii ex captivis predictis labores et incomoda huiusmodi suffere non valentes in desperationem deducti verum fidem abnegare cogunt..." Reg. Vat. 376, f33r (4 Mar 1444).

<sup>126</sup> As quoted in Boxer, *The Portuguese Seaborne Empire*, p. 37. For Vasco da Gama's first voyage, in a detailed manner, Bell, *Portugal and the Quest for the Indies*, pp. 201-217, Diffie and Winius, *Foundations of the Portuguese Empire*, pp. 175-186, briefly in Anderson, *The History of Portugal*, pp. 63-65.

<sup>127</sup> On the treaty and the period: Newitt, *A History of Portuguese Overseas Expansion*, pp. 29-59, specifically pp. 56-57 for the treaty, Anderson, *The History of Portugal*, pp. 56-70, p. 62 on the treaty, Diffie and Winius, *Foundations of the Portuguese Empire*, pp. 154-165, 175-242, pp. 172-174 on the treaty, also Boxer, *The Portuguese Seaborne Empire*, pp. 30-46.

exported various goods to non-Christians, including metals, from which the Christians of the kingdom derived great advantage.<sup>128</sup> Manuel, himself, also followed this practice and exported metals, among other things, and imported spices and other goods.<sup>129</sup> Key here is the justification for his deeds:

It is more to be hoped that that those *nigri, Mauri, Indii*, and inhabitants of those regions would be turned to the Christian faith, because of the contact that they have with Christians brought to those areas, than it is to be feared that from the receiving of metals and other goods...any danger to the faithful would result.<sup>130</sup>

The *Decretum*, still the pillar of the code of canon law alongside the *Liber Extra*, quoted Augustine in the sense that Christians could not lure ‘infidels’ to Christ, if they did not talk to them and did not live with them. He pointed out that Christ himself “ate and drank with publicans and sinners.”<sup>131</sup> We saw at length, however, that the Gregorian church – concerned that communication with ‘infidels’ could result in a diminished rather than increased flock of faithful had adopted a diametrically opposed stance. It had formulated a number of policies – including the embargo – as a way to curtail any form (in theory) or unlicensed forms (in practice) of communication between Christians and non-Christians. Simultaneously, it delegated any proselytizing functions to specifically trained clergy, mainly friars.

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<sup>128</sup> “...Joannes...Rex...mercantias ad Mauros, seu nigros Guineae, ac Indos...metalla, et res alias mittebat, ex quibus rebus magna utilitas Christicolis Portugalliae et Algarbiorum regnorum...proveniebat...” *Bullarium Patronatus Portugalliae*, I, p.60 (4 Jul 1505). ‘Moors’ was often used to designate Muslims at large, Boxer, *The Portuguese Seaborne Empire*, pp. 3, 44-45.

<sup>129</sup> “...ipse Emmanuel Rex, huiusmodi consuetudinem insecutus...ab earundem partium incolis...aromata, et multa alia ad utilitatem Christianorum recipit, et ad eos metalla et res alias pro eorum necessitatibus et usu misit...” *Bullarium Patronatus Portugalliae*, I, p. 60.

<sup>130</sup> “...ut creditur, potius spes habenda est quod ipsi nigri, Mauri, Indii, et habitatores partium illarum ex conversatione, quam cum Christifidelibus ad partes illas delatis habent, ad fidem Christianam convertantur, quam formidandum sit quod ex receptione metallorum et aliarum rerum, que mercantiae causa ipse Rex ad partes illas mittit, aliquod damnum fidelibus eveniet.” *Bullarium Patronatus Portugalliae*, I, p. 60.

<sup>131</sup> “Infideles non possumus Christo lucrari, si colloquium eorum vitamus et convivium. Unde et Dominus cum publicanis et peccatoribus manducavit et bibit....” C23.q4.c17 (Friedberg, I, 905). See my Chapter 4.

Without touching upon the issue of author intentionality, we can see King Manuel's words as turning this argument on its head and arguing for a return to Augustine's position. If Christians communicated with 'others,' including through trade, even in metals, then the size of the Christian flock would increase, not decrease. This is an exceptionally important argument, because what the king was doing – with regard to the policy of embargo – was essentially to argue for its abrogation, at least in his lands, without arguing against the principle that had generated the policy in the first place. In his eyes, trade, not the absence of trade, was the right tool to enlarge the body of the faithful. That an increase of the pope's spiritual flock was the desired outcome was beyond doubt.<sup>132</sup>

On the one hand, Portuguese kings continued to push for ever more liberal licenses, and ever less restrictive papal jurisdiction over Portuguese trade with non-Christians. In the next year, in fact, Julius II again answered a supplication from Manuel on such matters. He now granted the king's subjects license to trade in those regions without obtaining an additional license from the king, so long as they did not export "arms and other prohibited things."<sup>133</sup> Over the next few decades Portugal built an extensive *Estado da India* (State of India), that is, a maritime empire in the Indian

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<sup>132</sup> The pope took note of the trade that João and Manuel had carried on without license (*absque licentia*) and absolved those who had thus incurred the penalties of Holy Thursday bulls and other legislation (without waiving the requirement that penance be assigned). Julius II also granted license for the export of metals "ad prefatos Guineos seu Nigros, vel Mauros aut Indos" as long as these peoples lived in peace with the Christians, *Bullarium Patronatus Portugalliae*, I, pp. 60-61.

<sup>133</sup> We saw in the previous sub-chapter than starting in 1455 the Portuguese kings were granted a license to trade in non-*vetita* in Africa as well as control over any Christian trade in the newly conquered regions. Apparently in the spirit of both the long-standing restrictions on trade and these newer grants, subsequent popes, explicitly mentioned here are Innocent VIII and Alexander VI, banned any trade *ad partes Guineae* not licensed by the kings of Portugal. Now this extra requirement was lifted, but the traditional selective embargo was not to be undermined, trade could go on "...dummodo subditi ipsi tui arma, et alia prohibita, ad eosdem infideles non deferant," *Bullarium Patronatus Portugalliae*, I, p. 73 (2 Apr 1506).

Ocean.<sup>134</sup> Goa, the former commercial port of the kingdom of Bijapur, was conquered and became the chief port of the western coast of the Indian sub-continent.<sup>135</sup> In 1537 Pope Paul III, taking note of the great distance between India and Rome, went as far as to allow the Bishop of Goa to absolve Christians who had incurred excommunication for transgressions listed in Holy Thursday bulls.<sup>136</sup> Such authorizations had traditionally been issued only ad hoc, as we saw in the first half of this chapter.

On the other hand, even when this push finally broke some formerly unfringeable boundaries of the embargo's functional aspect in 1522, the game was still played according to the rules that the church had established between 1179 and the 1250s. Portuguese kings recognized papal jurisdiction over any trade with non-Christians and clearly identified allied or inimical non-Christians alike as 'infidels.' João III, moreover, worried about the health of his and his diseased father's souls.

Crowned in December 1521, João III hastened in May 1522 to explain to Pope Adrian VI (newly enthroned himself) that both his father and he had supported some *Mauros infideles* against others. From such deeds, he claimed, sound victories had been obtained. He hesitated, however, to carry them on without *licentia spetiali* from the papal curia. The papal letter in response absolved both Manuel and João III from the excommunications incurred for unlicensed trade and extended to João a license to export "all kinds of arms" and provide other support for 'infidels' fighting other 'infidels.'<sup>137</sup> As

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<sup>134</sup> Besides this broad meaning *Estado da India*, had two more specific ones, including the Indian sub-continent, on all of this see Boxer, *The Portuguese Seaborne Empire*, pp. 39-40. Similar was the use of the term "Indies," Bell, *Portugal and the Quest for the Indies*, p. 154.

<sup>135</sup> By Affonso de Albuquerque in 1510, Diffie and Winus, *Foundations of the Portuguese Empire*, pp. 243-271 (Afonso de Albuquerque), pp. 248-254 (capture of Goa), for a brief account see Newitt, *A History of Portuguese Overseas Expansion*, pp. 81-86.

<sup>136</sup> *Bullarium Patronatus Portugalliae*, I, pp. 282-284 (24 Apr 1537). As per *In Coena Domini* bulls, these had to turn for absolution to the pope himself.

<sup>137</sup> *Bullarium Patronatus Portugalliae*, I, p. 130 (22 May 1522).

Adrian VI soon died, his successor, Clement VII, confirmed the privilege: the King of Portugal could licitly export “any kind of goods and arms” to ‘infidels’ standing on the king’s side.<sup>138</sup> This was not the first time that Christians had exported arms to ‘infidels’ with at least the tacit approval of the church, cases when this aimed at the redemption of captives aside. Venice, for example, had attempted to deliver arms to Uzun Hasan, ruler of the Aqqyunlu, its anti-Ottoman ally, in 1473.<sup>139</sup> Nevertheless, the Portuguese license was not meant to be an exceptional case, and it is this fact that makes its dispositions a clear departure from former practice.

The importance of the embargo in politics was not limited to cases in which the papal curia itself was a correspondent. In 1456 King Alfonso V of Aragon (1416-1458) sent a remarkably interesting letter to another secular government, that of Genoa. By the mid-fifteenth century Genoa and Alfonso had been competing for decades for dominion over the island of Corsica and the waters of the western Mediterranean.<sup>140</sup> Alfonso, as we saw earlier, was active in helping the Latin East militarily; he supported attacking Muslim ships and Genoese vessels carrying Muslim merchants.<sup>141</sup> In 1454 a series of treaties between the Italian powers had resulted in the Peace of Lodi (see Chapter 7 below), which Alfonso joined in January 1455. As a consequence of these events, Pope Calixtus III had compelled Alfonso to a peace with Genoa. A year later, the king sent to Genoa a letter accusing the city of breaking this peace. What interests us are the

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<sup>138</sup> “...damos a tua Magestade licenca e faculdade enteyra e livre de enviar quaesquer merces e armas aos dictos Mouros e a outros infieis...” *Bullarium Patronatus Portugalliae*, I, p.136 (7 Mar 1524). On the early years of João III’s rule see Anderson, *The History of Portugal*, pp. 79-85, Diffie and Winius, *Foundations of the Portuguese Empire*, pp. 280-285.

<sup>139</sup> As shown in Chapter 9 below. On Uzun Hasan see John E. Woods, *The Aqqyunlu. Clan. Confederation. Empire* (Salt Lake City: University of Utah Press, 1999 [1976]).

<sup>140</sup> See Vito Vitale, *Breviario della Storia di Genova* (Genoa: Società Ligure di Storia Patria, 1955), I, pp. 155-160. On Alfonso see Thomas Bisson, *Medieval Crown of Aragon: a Short History* (New York: Oxford University Press, 2000), pp. 140-147, p. 142 for Alfonso and Genoa.

<sup>141</sup> Ashtor, *Levant Trade in the Later Middle Ages*, p. 487.

arguments that Alfonso found most compelling in his portrayal of Genoa's government as an 'improper,' illegitimate one.

Alfonso explained that in his view the Genoese had been acting as "shameless women do," who accuse of adultery "good and chaste *matrone*."<sup>142</sup> He thus exemplified contemporary assumptions about the place of women and sex in a 'properly ordered' society. This society had to be led by nobles, not commoners; he waged no war against the city of Genoa, "that is, against the noble and high-standing people, who are the flower of the city, whom you keep in exile from it;" he waged it against the current government and in favor of the nobles, seen as the city's rightful rulers.<sup>143</sup>

Those who composed Alfonso's letter, moreover, had taken for granted other notions that had crystallized over time (starting in the twelfth century) alongside the idea that trade with 'infidels' is a moral crime. Proper Christian rulers do not fall prey to the gravest sin, 'avarice;' the peace between the two sides, the king claims, had been interrupted by the Genoese government's "avarice and perfidy."<sup>144</sup> They obey the popes: nevertheless, Alfonso went on, "the pontiff compelled me to the truce with you...I decided to obey."<sup>145</sup> They do not break written treaties; "the peace that had come out the

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<sup>142</sup> Text in Italian and Latin translation from the Italian: "...parmi facciate come far sogliono le femine impudiche quali dopo aver perduta la vergogna non tralasciano tuttavia d'insultare ed incolpar d'adulterio le buone e caste matrone." A.S.Genova, Antico Comune, Materie Politiche Busta 2731/n90 (10 Aug 1456). Formerly Privilegi, Concessioni e trattati B12/90, brief summary in Pasquale Lisciandrelli, ed., "Trattati e negoziazioni politiche della repubblica di Genova (958-1797). Regesti," In *Atti della Società Ligure di Storia Patria* n.s. 1 (1960): #884, p. 158.

<sup>143</sup> "...anzi noi per la citta di Genova cioe' per li nobili e grandi, che sono il fiore della citta' quali voi tenete esuli dalla stessa noi abbiamo spedite le nostre galere contro li mancanti di fide, ed a favore dei predetti," A.S.Genova, Antico Comune, Materie Politiche Busta 2731/n90.

<sup>144</sup> "Se voi ben ricordate il passato, troverete che a motivo dell'avarizia, e perfidia vostra si e' interrota la pace non tanto la prima, che la seconda volta..." A.S.Genova, Antico Comune, Materie Politiche Busta 2731/n90.

<sup>145</sup> "Finalmente da voi pregato il Pontefice Calisto mi ha costretto alla tregua seco voi... ho stimato obedire alla pontificia..." ASGenova, Antico Comune, Materie Politiche Busta 2731/n90.

breast of the pontiff was still warm, [when] you [the Genoese], showing no regard to the religion, the faith, the oath, and the treaty...took many ships of our subjects.”<sup>146</sup>

The king, who prided himself as a champion of anti-Muslim action, finally erupted.<sup>147</sup>

You have no shame to speak of the dangers [posed by] the Turks while you well know what kind of Christians those are who primarily with their ships, moved by exceptional avarice, transported the Muslims from Asia to Europe and you must well know who those Christians are who...transfer to the Muslims arms and equipment useful in war against reason and justice...you must also know those who at the present have conspired with the Turk against us...<sup>148</sup>

In sum, the Genoese broke the peace, favored the “Turks,” betrayed Christ, and willed the loss of all Christians’ souls.<sup>149</sup> Centuries of papal legislation and proclamation of the notion that trade with the infidel was a crime against Christianity had made the embargo part of the political discourse.

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<sup>146</sup> “...la pace che uscita dal petto del pontefice era ancor calda non facendo menoma stima della religione, della fede, giuramento e patti oltra di che avete manprese molte navi de nostri sudditi...,” A.S.Genova, Antico Comune, Materie Politiche Busta 2731/n90. Written treaties had proliferated starting in the twelfth century.

<sup>147</sup> Though he never led a full-scale crusade, on these matters, Bisson, *Medieval Crown of Aragon*, p. 144.

<sup>148</sup> “...non abbiate rossore di nominare i pericoli dei Turchi mentre ben sapete di qual genia di Christiani siano coloro i quali primieramente colle loro navi per singolare avarizia hanno passato dall’Asia i Mussulmani in Europa e dovete bene conoscere chi siano quei Christiani, i quali appongono ostacoli alle savie operazioni del Re e dei Prencipi e tuttavia trasmettono a Maometani armi ed attrezzi opportuni alla guerra contro la raggione e giustizia, dovete pur conoscere coloro, che di presente hanno conspirato col Turco contro di noi e per quanto e in loro contrariano l’espedizione nostra che per il vero Dio, non c’altro, che rompere fra noi la pace, che favorire il Turco, che rinegar Cristo, che desiderare la perdita di tutti li christiani.” A.S. Genova, Antico Comune, Materie Politiche Busta 2731/n90.

<sup>149</sup> This is the slightly paraphrased ending of the above quotation, “...rompere fra noi la pace, che favorire il Turco, che rinegar Cristo, che desiderare la perdita di tutti li christiani.” A.S.Genova, Antico Comune, Materie Politiche Busta 2731/n90. Consequently, Alfonso was to take up arms against them “almost as against the Turks,” “...conseguentemente e’ opportuno, che voltiamo le nostri armi contro di voi quasi come contro dei Turchi...,” ibidem, Busta 2731/n90. When speaking of the transport of Muslims to Europe, the king was likely referring to the widely circulated accusation that the Genoese provoked the failure of the Crusade of Varna in 1444 by transporting Ottoman troops for payment from Anatolia to the Balkans. Allegedly, the Genoese of Pera had provided Sultan Murad with transport vessels. The Venetians, however, were rumored to have participated in the venture too. They were said to have earned one ducat per person transported, Setton, *The Papacy and the Levant*, II, p. 89, n. 29; see also Imber, *The Crusade of Varna*, p. 30, p. 126 and Halecki, *The Crusade of Varna*, p. 63.

The embargo's presence in the political discourse affected Renaissance politics in more ways than one. It is commonplace to describe Venice's stance on trade with 'infidels' by the saying "we are first Venetians, then Christians;" timelessness is implied. This saying deserves more attention than we can afford here, but one thing is certain. We saw in Chapter 3 that between 1179 and 1181 Venetian merchants might have openly transgressed the papal embargo with the doge's approval. We also saw that by 1198 Venice had accepted papal jurisdiction over 'international,' or rather 'inter-religious' trade. Julius II's Latin Christendom was a very different one from Innocent III's. Yet, Venetian policy-makers still did not think they could afford to live up to the stereotype. Whether the Republic of Saint Mark prepared to fight the pope or ally with him, the risk of appearing as a transgressor of the embargo was too great to allow Venice to disregard the papal sanctions against any Muslim land: be that the Barbary Coast, the Ottoman Empire, or Mamluk Egypt. Section II of this work deals with Venice, the Ottoman Empire, and the papal curia in the second half of the fifteenth century.<sup>150</sup> Here I will limit myself to three examples from the early sixteenth century.

Papal sanctions had long been incorporated in treaties between secular governments. This was still the case: in 1506 Ferdinand V of Castile and Aragon (as Ferdinand II), nicknamed "the Catholic," who laid claim to most of the western Mediterranean, issued a safe-conduct for the Venetian galleasses sailing to the Barbary Coast. We saw in the first half of this chapter that the State Attorneys of Venice regularly prosecuted Venetians engaged in the trips to the Barbary Coast for violations of

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<sup>150</sup> Section II of this work will dismantle – at least for the fifteenth century - the myth that "Venice traded with the Ottomans when it fought them" by showing that its famed 'war' with the Ottomans of 1463-1479, is in fact best understood as a conflict that started with and was fought primarily through an embargo (1462-1479). Far from busting papal sanctions, Venice focused much diplomatic energy on convincing the papacy to impose a ban on all Christian trade with the Ottomans.

the papal sanctions, primarily through the export of arms. Ferdinand's safe-conduct mandated that the Venetians not carry to the "enemies of Christian law, nor to other enemies of ours" things prohibited by canon law.<sup>151</sup>

The fact that sanctions featured in the political discourse of the time affected Venice's own policy-making. In 1508 Alvise Priuli, minister of land affairs, introduced in the senate a motion regarding a load of Ottoman arms being delivered from Constantinople to Valona (Vlore in modern Albania) on a Venetian vessel. Alvise was furious. He stressed that such an act was against the "honor and dignity of our State," and offensive to "the Lord God." Once the other Christian rulers learned of it, it would make the Venetians appear like those who deliver "munitions and artillery for the defense of the infidels."<sup>152</sup> He wanted the senate to write to the bailo stressing that he surely knew how many sanctions those carrying similar deeds incurred and to the colonial officials to unload the cargo and send it back to Constantinople.<sup>153</sup> The senate stopped short of fully accepting Alvise's proposal, but it did write to the bailo in unequivocal terms:

...beyond the danger and damage that can result from this we value much more and fear [much more] the Lord God; and that which will be said among all the Christians, that we provide favors to the Turks so that they may wage war at Christendom...we order you that in no way should you...allow our ships [to carry such things]...but if similar requests are

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<sup>151</sup> Nor rebels against him or condemned 'heretics' "...non sint de personis nobis rebellibus nec sint heretici per inquisitores condempnati. Insuper prohibemus quod non possint deffere ad Christiane legis inimicos nec ad alios inimicos nostros cibaria machinas nec ullum alium tormentoris sive artellarie genus: quod canonicis legibus sit prohibitum..." A.S.Venezia, Libri Commemoriali, Reg. 19, f69r (23 Apr 1506). Summary in Predelli, *Commemoriali*, VI, #103, p. 85.

<sup>152</sup> "...si per honor et dignita del stato nostro come per non offendere el nostro Sinior dio...munition et artellarie ad defension de infideli..." A.S.Venezia, Sen. Del. Sec. Reg. 41, f119r (21 Aug 1508). The episode is briefly mentioned in Setton, *The Papacy and the Levant*, III, pp. 51-52.

<sup>153</sup> A.S.Venezia, Sen. Del. Sec. Reg. 41, f119r/v.

made to you, you should say in our name that similar licenses cannot be granted because these are...against our faith...<sup>154</sup>

The Venetians had good reason to fear a political backlash for providing help to the “Turk;” in the first decade of the sixteenth century Venice had become politically isolated within Christendom. In fact, in the following year, 1509, Venice’s troops were routed at Agnadello at the hands of the newly formed league of Cambrai, headed by Pope Julius II himself; this league sought to deprive the city on the lagoon of its mainland possessions.<sup>155</sup> By 1510, however, the League of Cambrai had fallen apart and Venice had allied itself with Pope Julius II.

Such was the political context in Italy when in 1511 the Council of Ten provided Domenico Trevisan, its ambassador to Mamluk Egypt, with secret additions to the instructions he had received from the senate. Venice wanted no complications with Egypt, its main trade partner, but earlier that year Venetian merchants there had been arrested.<sup>156</sup> Trevisan was instructed about how to speak on some key matters if so prompted by the sultan. The first anticipated matter concerned Portuguese attempts to disrupt the flow of spices to Egypt and monopolize their import in Europe. In 1509 the Portuguese had defeated at Diu a large fleet made up of vessels from Mamluk Egypt, Gujarat, and Calicut. This had been the only fleet capable of opposing Portuguese sea-power in the Indian Ocean; the battle has in fact been called “one of the most decisive in

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<sup>154</sup> “...oltre el pericolo et danno che ne poncia seguire molto piu existimamo et tememo el S<sup>or</sup> Dio: et quello se dira apressotuti li christiani che nuy prestiamo favior a turchi che facino guerra a la christianita et faciamo cum navilii nostri condur le sue munitione per tanto mossi da non piccolo cordoglio vi imponemo cum el senato nostro che perniun modo habiate tanto ardir de far siniol promission nec etiam permetter che navilii nostri le levino ma se piu vi serano fatte simil petitione li direte in nome nostro non si poter conceder tal licentie per esse atuto contra la fede nostra...” A.S.Venezia, Sen. Del. Sec. Reg. 41, ff.118v-119r (21 Aug 1508). The episode is briefly narrated in Setton, *The Papacy and the Levant*, III, pp. 51-52.

<sup>155</sup> On Venetian politics in the period with respect to both west and east, Setton, *The Papacy and the Levant*, III, pp. 33-101. For a brief account, Lane, *Venice*, pp. 242-245.

<sup>156</sup> Setton, *The Papacy and the Levant*, III, pp. 25-26.

maritime history.”<sup>157</sup> Trevisan had to explain that Venice and Egypt had a common interest, and that Venice had no desire that trade between Egypt and India be broken by the Portuguese.<sup>158</sup> Yet, if the Sultan asked for Venetian delivery of “artillery, and ships, or oars for them, or lances” Trevisan had to answer in the following way:<sup>159</sup> the sultan had to consider the respect for the Christian law, which forbids such exports. Beyond this, he had to consider that Venice and the pontiff were part of one alliance, through which Venice was seeking to revenge itself against its enemies. Finally, Trevisan was to tell the Sultan that he could get “artillery pieces and timber for construction, ships, and every other thing” from the Ottoman sultan instead.<sup>160</sup> Whether Venice’s leading nobles felt more Venetian than Christian or not, the papal embargo surely impinged on their decision-making.

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The notion that trade with the ‘infidel’ is a moral crime has history. The policy may have been first adopted by the papacy as an economic tool for the weakening of Muslim polities (primarily Fatimid Egypt) in 1151, in the wake of the devastating failure of the Second Crusade. But by 1179, to which year the first extant papal prohibition on

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<sup>157</sup> Diffie and Winius, *Foundations of the Portuguese Empire*, pp. 240-242, quotation from p. 240. See also Boxer, *The Portuguese Seaborne Empire*, p. 46, Anderson, *The History of Portugal*, p. 71, for the event’s relationship to Venice, Egypt, and the Ottomans, Inalcik-Quataert, *Economic and Social History of the Ottoman Empire*, pp. 319-320. The Portuguese commander was Francisco de Almeida. In 1510 the Hospitallers of Rhodes weakened Egypt’s naval power even further by crushing Egypt’s Mediterranean fleet, Setton, *The Papacy and the Levant*, III, p. 24. The income of Mamluk sultans had long depended on the taxation of the most convenient route of the spice trade between India and Europe, that through the Indian ocean, the Red sea, and the port of Alexandria.

<sup>158</sup> “...li dechiarirai largamente che non havemo mancho desiderio che tal navigatione se rompi et se perdi de quello che ha ley perche potemo dir che interesse sii comune...” A.S.Venezia, Consiglio X, Misti, Reg. 34, f121r (30 Dec 1511). Already in 1504 the Council of Ten had sent an embassy to Cairo to incite the sultan to act against the Portuguese, Setton, *The Papacy and the Levant*, III, p. 19.

<sup>159</sup> “artellarie et navilii aut remi per essi aut lanze,” A.S.Venezia, Consiglio X, Misti, Reg. 34, f121r.

<sup>160</sup> “la excellentia sua potra haver dal signor Turco artellarie et lignamini, navilii et ogni altra cosa,” A.S.Venezia, Consiglio X, Misti, Reg. 34, f121r. Setton, *The Papacy and the Levant*, III, pp. 28-29 summarizes the main points of the commission. On Trevisan in Alexandria, *ibidem*, pp. 30-33, Setton focuses on the diplomatic relations and Mamluk taxation, not on the export of war material.

trade dates, the papal policy of embargo certainly reflected less this functional concern than religious care for spiritual health of the faithful and the size of the papacy's spiritual flock. Papal sanctions were forged as a legal reality and a policy tool between 1179 and 1234 when the reformed church was devising a program for the reformation of contemporary society at large. The ideal pursued by ecclesiastical visionaries was of a papacy leading an ever-expanding spiritual flock to eternal salvation. This presupposed a solid grip by the popes, each of whom entitled himself "Servant of the Servants of God" (*Servus Servorum Dei*) on their spiritual flock. Spreading the message that trade with the papally-designated enemies of the church was to be avoided, because it could endanger the soul was one of the tools which the church employed to mold its spiritual flock. The primary target of papal sanctions were the Christians themselves, the object – maximizing papal control over their souls.

Not only the origins, but also the effects of papal embargoes are thus to be found primarily within a broadly defined 'political' rather than within the ambit of foreign policy alone. The same applies to the effects of papal sanctions. As an economic tool for the achievement of foreign policy goals, papal sanctions were implemented in ways that reflected the widely varying historical circumstances throughout the remainder of the period studied here (up to the 1520s). Since 1187-1191 papal embargoes were total in legal theory, but legal exceptions made them selective in practice, beginning in 1198. Contrary to what the literature assumes, neither the list of contraband items, nor the omnipresent notion of a 'state of peace' were clear-cut matter in law or in practice. Local clergy shaped the actual implementation of papal sanctions. Power relations had much to do with the scope of trade licenses. Embargoes were crucial for papal success in conflicts

with some of Christendom's richest governments, such as Venice (1310s) and Florence (1370s). They affected Christian trade with Mamluk Egypt but with no appreciable results on Muslim military power. Papal sanctions could even hypothetically be of very little use against the resource-rich Ottoman Empire. Meanwhile, just as the codified ideal for the achievement of which they were primarily employed remained static, so did papal embargoes, seen as a tool aimed at the achievement of religious goals, remain unchanged. Papal sanctions did not have to debilitate rulers and their armies to be effective. They needed to successfully identify faithful and 'others' and foster among Christians a sense of difference and superiority. They needed to make Christians doubt their chances of salvation if they traded with the 'infidel,' not because of the act of trade itself, but because of the communication with non-Christians it entailed. Papal sanctions achieved such goals and we can surmise that further research would show that they played a part in the way in which Europeans saw themselves and those around them when they embarked on a quest for the conquest of the world unknown to them.

The message conveyed by papal embargoes assumed a life of its own in Renaissance politics, a testimony to its success. Thus papal sanctions became part of a political landscape independent of any particular papal fortunes. This could happen because the concepts on which the sanctions had been developed had been internalized as part of the European political consciousness. Since, as I have argued, papal embargoes were primarily about the spiritual health of Christians rather than the physical space of Christendom, then one could not really defeat them by simply taking a load of arms to Muslims, or 'pagans,' or 'schismatic' Eastern Christians, or 'heretics,' or by trading with disobedient Christians and Jews. At the same time, the embargo was not to be found in

the Bible, and neither was even the ideal for the achievement of which it worked, the ‘rightly ordered’ Gregorian society led by the Catholic Church to salvation. Both were the work of zealous ecclesiastical reformers. The embargo was a tool through which the Gregorian church had instilled in its flock a sense of its own ‘self.’ It could be permanently disabled only by a frontal attack on that ideal society led by the papacy and designed by it. It was not merchants who had the potential to destroy the papal embargo; it was religious reformers.

The process of the papacy’s rise as Christendom’s chief authority through the Gregorian reform met with resistance, as we have seen in Chapter 4. However, the nature of that resistance did not challenge the self-definition of the Church deeply enough to shake the presuppositions of the embargo. When the Gregorian vision was finally defied in the early sixteenth century, the embargo was threatened.

In 1520 the soon-to-be-excommunicated Augustinian monk Martin Luther argued that

The *casus reservati*, reserved cases [those listed in the *In Coena Domini* bulls, such as the ban on the export of war material], should also be abolished. They are not only the means of extorting much money from the people, but by means of them the ruthless tyrants ensnare and confuse many tender consciences, intolerably injuring their faith in God. This is especially true of the ridiculous, childish cases they make such a fuss about in the Bull *Coena Domini*, sins which should not even be called everyday sins, less so great that the pope cannot remit them by indulgence. Examples of these sins are hindering a pilgrim on his way to Rome, supplying weapons to the Turk, or counterfeiting papal letters. They make fools of us with such crude, silly, clumsy goings-on!...The only reason for all this is to make sure that no one will be prevented from bringing money to Rome, so that the Romanists may live in the lap of luxury, safe from the Turks, and by their wanton, worthless bulls and letters keep the world subjugated to their tyranny.<sup>161</sup>

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<sup>161</sup> In “To the Christian Nobility of the German Nation, Concerning the Reform of the Christian Estate,” in Helmut T. Lehmann, ed., *Luther’s Works* 44, *The Christian in Society* 1 (Philadelphia: Fortress Press, 1966), p. 162.

In another work, Luther attacked the papal sentence of excommunication itself, the tool that empowered the Holy Thursday bulls. For him sentence of excommunication was the counterpart of communion; it excluded the faithful from the church only, not from an internal and unmediated fellowship with God. Luther noted what we know well – that there was a minor and major sentence of excommunication, and that the latter mandated full ostracization of the guilty from the body of faithful, including a ban on trade.<sup>162</sup> Noting that the sentence of excommunication did not condemn anyone to hell, not even according to canon law itself – that is, Innocent IV’s influential bull *Cum medicinalis* – Luther complained that “now the ruthless tyrants deal with men as though they would cast them down to hell,”<sup>163</sup> and explained that “To put under the ban is not, as some think, to deliver a soul to Satan.”<sup>164</sup> Without explicitly following Innocent IV, Luther did so in practice when he claimed that the sentence of excommunication “seeks and finds the ruined and condemned soul for the purpose of bringing it back.”<sup>165</sup> Even those who die under a justly imposed ban, Luther goes on, are not damned unless they failed to repent or despised the sentence.<sup>166</sup> Finally, Luther reduced the purpose of the ban – as employed by the papacy – to the collection of income.<sup>167</sup> Elsewhere Luther called the sentence of excommunication a tool whereby “the pope tries to be God.”<sup>168</sup>

I have argued throughout this section of my dissertation that the papal embargoes served not so much as economic tools for the achievement of foreign policy goals as a

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<sup>162</sup> *Works of Martin Luther* II (Philadelphia: Holman Co and The Castle Press, 1915), pp. 37-38.

<sup>163</sup> *Works of Martin Luther* II, p. 39 (quotation), pp. 42-43 (the reference to Canon Law).

<sup>164</sup> *Works of Martin Luther* II, p. 40.

<sup>165</sup> *Works of Martin Luther* II, p. 42.

<sup>166</sup> *Works of Martin Luther* II, p. 52.

<sup>167</sup> *Works of Martin Luther* II, p. 53.

<sup>168</sup> In “Defense and Explanation of All the Articles” (1521), In Helmut T. Lehmann, ed., *Luther’s Works* 32, *Career of the Reformer* 2 (Philadelphia: Muhlenberg press, 1958), p. 66.

tool through which a source of power and authority (the papacy) sought control over people (souls) by instilling fear (of eternal damnation). This could work as long as the Gregorian vision of the church as a hierarchical structure culminating in the papacy was taken for granted. Luther, of course, argued that the papacy is far from indispensable for a successful transition between physical and eternal life. With respect to the Holy Thursday bulls he argued that these served as tools by which “the ravening tyrants ensnare and confuse many poor consciences to the intolerable injury of their faith in God.” By reducing the papacy’s goals to living “in the lap of luxury,” and by arguing that papal policies do not lead Christians to salvation, but that, on the contrary they can divert souls from the path of righteousness, he turned the bull’s premise on its head. The papacy is no longer the indispensable guide on the path between physical existence and eternal salvation, but rather an imposter and an obstruction. In addition to questioning the papacy’s role on earth, Luther undermined a key instrument of papal power.

In 1522, the now excommunicated Luther satirized Leo X’s 1521 Holy Thursday Bull, the first of these annually published bulls to include him in its list of condemned ‘heretics.’ Satire can be the most devastating form of denigration, and Luther’s went directly for the author(s) of the bull and of the Gregorian vision. His satirical version of the bull, entitled now not *In Coena Domini*, On the Day of the Last Supper,<sup>169</sup> but rather *Bulla Coenae Domini, i.e., Bull of the Supper-devouring Most Holy Lord, the Pope*,<sup>170</sup> went straight to the heart of the matter, questioning the Eucharistic authority of the pope.

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<sup>169</sup> And not just *Coena Domini*, which is how most literature would have it, omitting the proposition ‘in’ hardly simplifies the phrase in a meaningful way, but definitely hinders understanding its meaning.

<sup>170</sup> As translated (the title, not the bull) in Martin Brecht, *Martin Luther Shaping and Defining the Reformation, 1521-1532* (Minneapolis: Fortress Press, 1990 [1986]), p. 15. Elsewhere instead of *Cene*, one finds *Coenae*, but in either case the ablative of the original is turned into genitive. Thus the satiric ‘translation’ can be made to use the proposition “of” instead of “in.”

Luther ridiculed the provisions of the papal bull, finding in Psalm 10 a textual authority for the conclusion of his satirical version of it.<sup>171</sup> In Luther's words, the pope, who in the morning styles himself *Servant of the Servants of the Lord* (*Servus Servorum Dei*, the official papal title in bulls), becomes in the evening a cannibal, who devours both Muslims and 'heretics' condemned in the bull.<sup>172</sup> What Luther had to say on the prohibition to export war material and other *vetita* to 'Saracens,' 'Turks,' and other enemies of the Christian name was: "What a grave affair is this, of a drunken man who in one evening can gobble up all the Turks!"<sup>173</sup> Not merchants exporting merchandise – any merchandise – to 'infidels,' but a successful denial, such as Luther's, of the premises that the Roman church had a monopoly over the path to salvation and actual control over the future of souls, the ridiculing of the Gregorian ideal of church, and of the policies it had devised to assert its own power, was that which could undo the papal embargo.

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<sup>171</sup> If one substituted 'Pope' for the 'wicked man' of Psalm 10, it would turn out that the pope "boasts of the cravings of his heart; he blesses the greedy and reviles the Lord," that "His mouth is full of curses and lies and threats; trouble and evil are under his tongue," etc.

<sup>172</sup> Barbara Becker-Cantarino, ed., *Satire in der frühen Neuzeit* (Amsterdam: Rodopi, 1985), p. 654.

<sup>173</sup> "Wilch eyynn ernst ding ists umb eynen truncken man der auff ein abent alle turcken fressen kan!" in Martin Luther, *D. Martin Luthers Werke, Kritische Gesamtausgabe* 8 (Weimar: H. Böhlau, 1889), p. 697.

## **PART II**

### ***DEVEDO: THE VENETIAN RESPONSE TO THE CONQUEROR, 1462-1479***

This part of my work turns to a case-study of a Venetian embargo against the Ottoman Empire (1462-1479). It seeks to demonstrate that economic sanctions served as Venice's chief policy option in the struggle with this rival power. Venice employed a strategic embargo as an economic tool of foreign policy that aimed at debilitating the target's military machine. At the beginning of the conflict, Venice enacted a partial ban that covered the naval high technology of the day, carracks. Once any hope for a fast resolution of the conflict vanished, the senate reshaped the embargo ordering the withdrawal of all trade. Through the study of the development of the Venetian embargo, my work also addresses the issue of the place of sanctions in the discourses of international law, exploring the complex diplomatic actions undertaken to secure support for the embargo and exposing modes of enforcement and transgression. Thus Part II contrasts the comparatively well-conceptualized and methodically enforced as a tool of foreign policy Venetian embargo to the 'spiritual rationality' that directed the papal employment of embargo. It thereby also contrasts the way in which Venice, a secular power, conceptualized space in political terms to the way in which the papacy, the temporal aspects of its power notwithstanding, upheld an understanding of space shaped around religious, not political boundaries. Finally, Part II is intended to serve as an example showing that pre-modern polities could and did employ embargoes as a key part

of their foreign policy tool kit and hence that embargoes are not a phenomenon linked to the emergence of nation states and international space. In the specific case studied here, the embargo, the provision of economic aid to allies, and diplomacy were Venice's preferred foreign policy tools, but the embargo alone was employed from the first until the last year of the conflict.

## CHAPTER 7

### TRADE, CARRACKS, AND THE START OF THE CONFLICT

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#### **7.1. The Ottoman Conquest of Constantinople and the Venetian Concern with Trade and Carracks as Prelude to the Conflict**

In the morning hours of 29 June 1453 the Venetian senate heard news that would alter Mediterranean politics.<sup>1</sup> A month earlier, on May 29, the Ottoman sultan Mehmed had earned his nickname, Fatih, the Conqueror, when his troops awarded him the imperial city of Constantinople. Long deemed impregnable from the land and in fact conquered only once from the sea (by Venice in 1204), Constantinople proclaimed the continuance of an imperial tradition that was both Roman and Christian. More pertinently, it was an important market where Venetian trade used to be tax exempt and where Venetian authorities had ample extraterritorial rights. Its conquest by a power that was accustomed to tax Venetian trade and to keep stricter control over foreigners challenged Venice's claims to economic dominance within the region. Gunpowder had achieved the victory, breaking down the impressive walls of the Byzantine capital. The response from Venice was not firepower but rather a careful process of negotiation.<sup>2</sup>

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<sup>1</sup> Setton, *The Papacy and the Levant, 1204-1571*, p. 138.

<sup>2</sup> For the Ottoman takeover of Constantinople see Setton, *The Papacy and the Levant*, II, pp. 108-137 and the sources quoted therein. Of special relevance to this work is the account of a Venetian, Enrico Cornet, ed., *Nicolò Barbaro, Giornale dell'Assedio di Costantinopoli 1453* (Venice: Libreria Tendler & Comp, 1856). This is available in English translation, too, J. R. Jones, *Nicolò Barbaro, Diary of the Siege of Constantinople 1453* (New York: Exposition Press, 1969). It must be noted that the translation of some naval terminology is misleading, as pointed below. See also Franz Babinger, *Mehmed the Conqueror and His Time* (Princeton: Princeton University Press, 1978), pp. 81-97. Original edition in German, Munich, 1953.

On the day following the reception of the news of Mehmed's victory, two ministers of the sea affairs,<sup>3</sup> began to shape a response, calling for the postponement of a voyage of large Venetian round ships (*naves*, that is carracks, see below) to Syria. These two high-ranking officials justified their proposal by claiming that the Ottomans had confiscated many *naves* in Constantinople.<sup>4</sup> Two concerns are paramount in this otherwise unremarkable motion: trade and carracks.<sup>5</sup>

The Venetian economy did not depend on trade alone, but trade was its main engine. Its major trading partners were Muslim lands: Egypt and Syria (both under the control of the Mamluk sultan of Cairo).<sup>6</sup> Spices were purchased primarily in Alexandria and Damietta in exchange for cash, a great variety of cloth and foodstuffs, and copper. The cargoes were usually carried on an annual convoy of galleys, then, after 1461 there were two such convoys each year. Trade in cotton (but also silk and spices) with Beirut, Tripoli, Latakia, Hama, and Aleppo, also made use of this convoy of galleys as well as

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<sup>3</sup> *Sapientes ordinum*. Motions in the senate were usually prepared by one or more among the following officials: *sapientes consilium* referred to here as ministers of the council, *sapientes terre firme*, ministers of land affairs, or also ministers of war, and the *sapientes ordinum*, or ministers of the sea affairs. Occasionally, the doge, and other officials also participated in the formulation of motions. Generally, the ministers of sea affairs took care of Venice's maritime possessions while those of "the land" or of war – took care over Venice's possessions in Italy. The senate, which had long ago substituted the Grand Council (*Maggior Consiglio*), the representative assembly of all male nobles, as the council that took most of the important decisions in matters of state, such as trade, navigation, and foreign policy, was called the *Consiglium Rogatorum* (in brief *Rogati* or also *Pregadi*). The decisions pertaining to Venice's territories beyond-the-sea are to be found either in the registers Senato Deliberazioni Segrete or Senato Mar, whereas matters pertaining to the land affairs and not secret are to be found mostly in the series Senato Terra. However, since matters regarding the Arsenal the facility which constructed the vessels for the Venetian state usually appear in Senato Terra, no study of the overseas territories can be complete without consideration of all three series. The series Senato Mar and Senato Terra start in 1440 and are the successors of the former Senato Misti.

<sup>4</sup> In fact, Barbaro speaks of ten large and very large carracks guarding the chain that closed the Golden Horn to the Ottoman ships and of seventeen smaller ones that were kept in the port of Constantinople, Cornet, ed., *Barbaro, Diario...*, p. 20.

<sup>5</sup> A.S.Venezia, Senato Mar Reg. 4, f197r (30 Jun 1453).

<sup>6</sup> See Ashtor, *Levant Trade in the Later Middle Ages*, pp. 433–479. The decisions of the senate clearly support his view as the annual instructions for the convoys figure prominently in them.

carracks that usually sailed on their own.<sup>7</sup> Therefore, the question whether or not to send the carracks to Syria was critical to the income of many Venetians, especially members of the governing patriciate. It is therefore not surprising that the motion failed.

But the issue did not die. A few weeks later, on July 17, Giovanni de Lege again directed the legislators' attention to the carracks. No longer arguing for a postponement of their voyage, he instead sought the enactment of special measures for their protection from pirates. Again the motion suffered defeat, and the carracks sailed without special provisions.<sup>8</sup> Giovanni continued to argue for a decreased focus on trade and an increased one on military preparation, proposing on August 16 that the seven galleasses commissioned to go to Alexandria and Cyprus on business be ordered to sail together to Venice's important naval base on the tip of the Peloponnese, Modon; there they should remain ready to offload their cargo and reinforce the fleet of the Venetian admiral, or as he was titled the captain general of the sea.<sup>9</sup> Yet again the majority of the senators must have deemed Giovanni's proposal exaggerated, and again his motion was turned down in favor of one made by Zaccaria Barbaro. This time, however, the latter incorporated part of Giovanni's proposal. Although the three galleasses bound for Alexandria were allowed to sail to their intended destination, the four galleys going to Beirut and Cyprus were to be prepared for war (through the erection of aftcastles) and redirected to

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<sup>7</sup> For the places where the Venetians were active see Ashtor, *Levant Trade in the Later Middle Ages*, p. 461. In 1461 a new galley line was established, which linked Venice to Syracuse, Tunis, and Tripoli in Africa from there to Alexandria, Ashtor, *Levant Trade in the Later Middle Ages*, p. 461.

<sup>8</sup> A.S.Venezia, Senato Mar Reg. 4, f201v (17 Jul 1453): "Quod licentiatur naves brevia et falascha et alie iture ad partes levantis ut sequantur in bona gratia viagia sua."

<sup>9</sup> A.S.Venezia, Senato Mar Reg. 5, f3r (16 Aug 1453). The captain general of the sea was the supreme Venetian naval and military commander. The position was not permanent and there was no permanent war fleet (although there were patrol galleys at all times); an admiral was elected and a fleet prepared only when there was a significant perceived danger.

Modon.<sup>10</sup> This compromise, which did place some of the trading fleet on war alert, should not, however, obscure the fact that trade to Alexandria and Syria was allowed to continue undisturbed in spite of the Ottoman victory in Constantinople.<sup>11</sup> Venice's first concern remained commerce, and precisely trade with the lands of the Mamluk Sultan.

Another reason why this failed motion should interest us lies in its reference to *naves* seized by the Ottomans. In order to understand the importance of this reference, we need to consider the construction and terminology of boats that plied Mediterranean waters. Within the basin of the Mediterranean, large naval vessels were either long-boats (galleys) or round-ships.<sup>12</sup> Both types had remote Roman ancestors and formed the basis

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<sup>10</sup> A.S.Venezia, Senato Mar Reg. 5, f3r (16 Aug 1453).

<sup>11</sup> The auctions (*incanti*) for the galleys to Alexandria and Beirut date from May 17, 1453, A.S.Venezia, Senato Mar Reg. 5, ff. 188v-189r (Beirut) and f189v (Alexandria). For a table that includes the amounts received on the auctions for the years 1453-1498 see Ashtor, *Levant Trade in the Later Middle Ages*, pp. 475-476. The reference in Ashtor regarding the auctions from 1453 is wrong, obviously due to printing error. Meanwhile the galleys to Romania were not to sail in 1453, but trade was to be impacted as little as possible and carracks were allowed to substitute for them, A.S. Venezia, Senato Mar Reg. 5, ff. 6v-7r [7v-8r] (27 Sep 1453).

<sup>12</sup> For overviews see R. C. Anderson, *The Sailing Ship. Six Thousand Years of History* (New York: Bonanza Books, 1963 [1926]) and Carlo Cipolla, *Guns, Sails, and Empires. Technological Innovation and the Early Phases of European Expansion, 1400-1700* (New York, 1965), especially pp. 75-89. On galleys see Pryor, *Geography, Technology, and War*, pp. 57-86, Frederick C. Lane, *Venetian Ships and Shipbuilders of the Renaissance* (Baltimore: The Johns Hopkins press, 1934 [Reprinted 1979]), pp. 1-34, on the round ships, *ibidem*, pp. 35-53, also John H. Pryor, "The Mediterranean Round-Ship," in Robert Gardiner, ed., *Cogs, Caravels, and Galleons. The Sailing Ship, 1000-1650* (London: Conway Maritime Press, 1994), pp. 59-76. For the Venetian fleet see also Frederick C. Lane, "The Merchant Marine of the Venetian Republic," in *Venice and History. The Collected Papers of F. C. Lane* (Baltimore: Johns Hopkins Press, 1966): 143-162. For ships in the late middle ages and the Renaissance see Michel Mollat, ed. *Le Navire et l'Économie Maritime du Moyen-Age au XVIII<sup>e</sup> siècle principalement en Méditerranée* (Paris: S.E.V.P.E.N, 1958), *idem*, ed., *Les sources de l'histoire maritime en Europe, du Moyen Age au XVIII<sup>e</sup> siècle* (Paris: S.E.V.P.E.N, 1962), pp. 7-243. For the thirteenth-century round ships see John H. Pryor, "The Naval Architecture of Crusader Transport Ships: A Reconstruction of Some Archetypes for Round-hulled Sailing Ships," in John H. Pryor, *Commerce, Shipping and Naval Warfare in the Medieval Mediterranean* (London: Variorum, 1987), # VII (re-printed from *The Mariner's Mirror* 70, 1984), pp. 171-219, 275-292, 363-386, and also Marco Bonino, "Lateen-Rigged Medieval Ships. New Evidence from Wrecks in the Po Delta (Italy) and Notes on Pictorial and Other Documents," *International Journal of Nautical Archaeology and Underwater Exploration* 7 (1978, 1): 9-28. For some detail on cogs - the round-ship of northern provenience that was widely used by Genoese and Venetians in the fourteenth and the first half of the fifteenth century - see Ole Crumlin-Pedersen, "To Be or Not to Be a Cog: the Bremen Cog in Perspective," *International Journal of Nautical Archaeology and Underwater Exploration* 29 (2000, 2): 230-246. For round-ships (and galleasses) in the later period in general see Pryor, *Geography, Technology, and War*, pp. 39-57. On the fleet of Genoa, the other important maritime power of the time, see Eugene H. Byrne, *Genoese Shipping in the Twelfth and Thirteenth Centuries* (Cambridge, MA: The Mediaeval academy of

of naval typology throughout the middle ages and the Renaissance. In the fifteenth century, the term galley referred to triremes with twenty-five or thirty benches on each side with three oarsmen to a bench, each pulling a separate oar.<sup>13</sup> Although galleys are sometimes imagined to be only war vessels, they were also employed in trade.<sup>14</sup> Since most maritime powers lacked permanent war fleets, galleys deployed in war had to be useful in times of peace. They were therefore widely used for the transport of light-weight, valuable cargo.<sup>15</sup>

In general works, round-ships are often contrasted with galleys in terms not only of their shape but also of their use: transport vessels for bulky cargoes of non-luxury goods which offered very limited, if any military capabilities. However, naval scholarship has shown that this notion is unfounded; the round-ships were effective warships. As early as the thirteenth century round-ships had occasionally been deployed as military vessels: the *Roccaforte*, built in the Venetian Arsenal, resisted a Genoese galley fleet in 1264.<sup>16</sup> In that early period, however, their poor sailing qualities tended to limit their extensive military use.<sup>17</sup> The largest type of round-ship of the fourteenth century, generally called the cog, on the other hand, was being engineered into a far more

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America 1930), Heers, *Gênes au XV<sup>e</sup> siècle*, pp. 270-280, Balard, *La Romanie* Genoise, II, pp. 546-562, and Pierangelo Campodonico, *La Marineria genovese dal Medioevo all'unità d'Italia* (Milan: Fabbri, 1989). The latter is especially useful for the great deal of diagrams and pictures of recovered ships and naval equipment, including artillery pieces from the period of interest here. For Catalan ships, see Lawrence V. Mott, "Ships of the 13<sup>th</sup>-century Catalan Navy," *International Journal of Nautical Archaeology and Underwater Exploration* 19 (1990, 2): 101-112.

<sup>13</sup> Lane, *Venetian ships...*, p. 9.

<sup>14</sup> See for example Appendix D below.

<sup>15</sup> The galley optimized primarily for war (fastest and most maneuverable) was called *galea sottile*. The galley optimized for convoy travel and transport of precious cargo was called *galea grossa* or *galeazza* and could carry up to 250-280 tons of cargo. In the period discussed in this chapter, galleasses were used by the Venetian convoys to Alexandria, Syria, Barbary, Flanders, and Romania, and by the Florentine convoy to Constantinople. On the other side of the spectrum, the bireme, displaced by the trireme as the standard war galley, was now called *fusta*,<sup>15</sup> while *galeotte*, *bregantini*, and *fregate* were all various smaller long-boat type vessels, with one or two men per bench, Lane, *Venetian ships...*, p. 13.

<sup>16</sup> Lane, *Venetian ships...*, pp. 4-6, 36, 40.

<sup>17</sup> See Pryor, "The Naval Architecture..." pp. 378-379.

seaworthy vessel, one that was also more economical than earlier *naves* in its use of crew.<sup>18</sup> The cog came to the Mediterranean from the European north, where it had long demonstrated its quality both as cargo vessel and as warship.<sup>19</sup> The fifteenth century witnessed further engineering improvements with the development of the full rigged ship, most commonly referred to as the carrack.<sup>20</sup> The fusion of northern and Mediterranean ship-building traditions,<sup>21</sup> carracks came to carry the bulk of trade commodities, to the extent that by the middle of the fifteenth century Genoa had practically discontinued the use of galleys for trade.<sup>22</sup> They also began to use artillery. Genoese carracks had canons as standard equipment by the fifteenth century,<sup>23</sup> and in 1455 two huge Genoese carracks engaged in artillery combat with the Ottoman castles guarding the straits.<sup>24</sup> The carrack not only dominated the Mediterranean,<sup>25</sup> the Portuguese adopted it for the routes to India.<sup>26</sup>

Although terminology referring to galleys is straightforward (*galea* indicating a galley), the case of round-ships is quite different. The Latin *navis* is often translated simply as ship (or *nave* in Italian), but it did not actually convey the general meaning of

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<sup>18</sup> Lane, *Venetian ships...*, p. 39.

<sup>19</sup> See Timothy J. Runyan, "The Cog as Warship," in Gardiner, *Cogs, Caravels, and Galleons*, pp. 47-58.

<sup>20</sup> In addition to the above quoted literature see Richard W. Unger, *The Ship in the Medieval Economy, 600-1600* (London: Croom Helm, 1980), p. 220 on the use of 'carrack' to denote full rigged ships. Carracks appear in English documents from around 1350 denoting a kind of ship used by the Genoese, Ian Friel, "The Carrack: The Advent of the Full Rigged Ship," in Gardiner, *Cogs, Caravels, and Galleons*, p. 79. On Genoese carracks see Campodonico, *La Marineria genovese...*, pp. 81-103.

<sup>21</sup> Friel, "The Carrack: The Advent of the Full Rigged Ship," p. 77.

<sup>22</sup> Jacques Heers, "Types de navires et spécialisation des trafics en méditerranée a la fin du moyen âge," in Mollat, *Le Navire et l'Économie Maritime du Moyen-Age...*, p. 110.

<sup>23</sup> Campodonico, *La Marineria genovese...*, p. 90.

<sup>24</sup> Although one of the ships was heavily damaged by a large stone ball which pierced its hull both made it into the Black Sea, Campodonico, *La Marineria genovese...*, p. 92.

<sup>25</sup> A three-masted, full-rigged sailing vessel was depicted as early as 1409, Lawrence V. Mott, "A Three-Masted Ship Depiction from 1409," *International Journal of Nautical Archaeology and Underwater Exploration* 23 (1994, 1): 39-40.

<sup>26</sup> Employing the same design, but building them bigger, Unger, *The Ship in the Medieval Economy*, p. 228. Some of the Genoese carracks we will discuss below, however, were as large as the Portuguese ones.

the English (or modern Italian) word. In fifteenth-century Venetian usage the terms *lignum* and especially *navigium* may serve as a general word for large sea-going vessel; but *navis* does not.<sup>27</sup> The various types of round-ships briefly outlined above were *naves*, but the galleys and a plethora of smaller vessels were not. Since there is a modern English word for most of those types of *naves* the problem can be often solved by substituting precise terms for the use of the general word ‘ship.’ What really matters, however, is that the Venetian *navis* referred specifically to the largest, technologically most advanced, and most expensive vessel of its day. For other round-ships the Venetians had a variety of names: *grippo* for a smaller, one-mast ship, which used both sails and oars; the caravel, which was a smaller round-ship usually of up to 120 tons used, for example, for inter-Adriatic travel, and the galleon, a river vessel.<sup>28</sup> Finally, *tarida* designated a two-masted ship featuring both sails and oars that was used as a troop and bulk cargo transport.<sup>29</sup> It is the *tarida*, not the *navis*, that had limited military value.

Venice’s concern over *naves* seized by the Ottoman gains meaning from naval actions during the siege of Constantinople in 1453. In February, seven Venetian carracks

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<sup>27</sup> For example, in the embargo laws coined by the Grand Council, A.S.Venezia, Maggior Consiglio Reg. 22 Ursa, ff. 22r-28v (12 Mar 1419) and Reg. 23 Regina, ff. 18v-19r (6 Feb 1458). *Navigium* was the word of choice to refer to Venetian naval vessels in general as can be seen in the clauses of banishment, which, besides Venice and its territories, listed all ‘navigiis armatis et disarmatis’ as attested in literally a myriad of documents from funds as varied as Maggior Consiglio, Senato Mar, Avogaria di Comun, Quarantia Criminal, etc. Typical for the misinterpretation of the word ‘navis’ is the translation of Barbaro’s account of the Ottoman takeover of Constantinople. Compare for example Cornet, ed., *Barbaro, Diario...*, pp. 20-21 to Jones, ed., *Barbaro, Diary...*, pp. 29-30. Jones commits another mistake concerning naval technology, when he interprets “dexarmadi” (Cornet, ed., *Barbaro, Diario...*, p. 20) as “being without weapons” (Jones, ed., *Barbaro, Diary...*, p. 30). A naval vessel of any kind was ‘armed’ when it had a large crew ready to engage in hand-to-hand combat, which is what a naval combat was, as Friel put it: “...medieval naval battles resembled land battles taken to sea. Whilst manoeuvres were used to bring fleets to battle, the individual ship-to-ship combats were essentially boarding actions.” Friel, “The Carrack: The Advent of the Full Rigged Ship,” p. 86. The term ‘armed’ had thus nothing to do with “arms” in the sense of armament pertaining to the ship as such.

<sup>28</sup> Lane, *Venetian ships...*, pp. 50-53.

<sup>29</sup> Byrne, *Genoese Shipping...*, pp. 5-6.

had broken the Ottoman naval blockade of the Straits and sailed to safety.<sup>30</sup> The defense of the chain guarding the entrance into the Golden Horn was provided by the ten largest round-ships available. Of these, six were between 375 and 500 deadweight ton vessels, three ranged between 600 and 750 tons and one, a Genoese carrack belonging to a Doria, was of over 1,500 tons (2,500 *botte*).<sup>31</sup> The latter was exceptional and certainly among the largest of its time, but this is not a surprise, for the largest ships in the Mediterranean tended to belong to leading Genoese families, like the Doria. In a widely reported event, three Genoese *naves* and an imperial *navis* broke the Ottoman blockade in reverse. After a sea battle, these round-ships successfully delivered men and supplies to strengthen Constantinople's defenses, a victory which brought about the disgrace or worse of the Ottoman admiral Balta-oghlu.<sup>32</sup> In the same month, the defenders of Constantinople had attempted an abortive sabotage of the portion of the Ottoman fleet that had been transported into the Golden Horn by land. Although they failed and suffered the loss of some vessels, the Ottoman fleet was unable to capture two carracks of over 300 deadweight tons that had participated in the attack. Even though they had been hit by Ottoman canon, these carracks retreated to safety.<sup>33</sup>

Carracks provided the Italian maritime powers with a valuable military resource, one the Ottomans lacked. Ottoman shipyards (Gallipoli and from 1453 also Galata, the old arsenal of Genoese Pera) did not begin to build round ships of significant size until

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<sup>30</sup> In February 1453, Cornet, ed., *Barbaro, Diario...*, p. 13, and Setton, *The Papacy and the Levant*, II, p. 111 note 9.

<sup>31</sup> Cornet, ed., *Barbaro, Diario...*, p. 20.

<sup>32</sup> Cornet, ed., *Barbaro, Diario...*, pp. 23-24, Setton, *The Papacy and the Levant*, II, pp. 117-118, and the sources quoted therein.

<sup>33</sup> Cornet, ed., *Barbaro, Diario...*, pp. 29-31 and Setton, *The Papacy and the Levant*, II, p. 119.

late in the fifteenth century.<sup>34</sup> It is therefore not surprising that large ships figured among the first concerns raised in the senate's response to Mehmed's triumph.

In addition to trade and carracks, the summer of 1453 saw the senate making a number of other decisions, which are of interest for the purposes of this chapter. The *Rogati* took measures to prepare for war. These included provisioning the Arsenal with oars,<sup>35</sup> repairing and re-enforcing the fortifications of Negroponte, Venice's second largest colony,<sup>36</sup> and ordering the Arsenal to manufacture galleys.<sup>37</sup> Patrons of vessels requisitioned for war were to receive compensation for forgoing business while serving the state.<sup>38</sup> At the same time, five nobles who had commanded galleys provided by Venice to the pope were prosecuted for deserting the papal fleet and the Venetian colonies.<sup>39</sup> Preparation for war also included an attempt to find an ally who might supply land forces against the Ottomans. When a potential ally was identified in Ibrahim Bey (1424-1464), the emir of Karaman, to the southeast of the Ottoman territories, Venice hastened to establish trade relations with him, sending a *bailo* to serve as its representative in *terris Caramani*.<sup>40</sup>

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<sup>34</sup> Colin Imber, "The Navy of Süleyman the Magnificent," In *Studies in Ottoman History and Law* (Istanbul: The Isis Press, 1996), pp. 1-69, reference is to p. 3. Originally published in *Archivum Ottomanicum* 6 (1980): 211-282. For a brief sketch on the Ottoman ships see idem, *The Ottoman Empire* (New York: Palgrave Macmillan, 2002), pp. 288-292. For early Ottoman ships and naval activities see Kate Fleet, "Early Turkish Naval Activities," *Oriente Moderno* 20 (2001, 1): 129-138. For the period under study in this work see also Andrew C. Hess, "The Evolution of the Ottoman Seaborne Empire in the Age of the Oceanic Discoveries, 1453-1525," *The American Historical Review* 75 (1970, 7): 1892-1919. For more on the Ottoman fleets before 1600 see the literature quoted in Imber, *The Ottoman Empire*, pp. 375-376.

<sup>35</sup> A.S.Venezia, Senato Mar Reg. 4, f199v (5 Jul 1453).

<sup>36</sup> A.S.Venezia, Senato Mar Reg. 4, f200v (12 Jul 1453).

<sup>37</sup> "bonum numerum galleorum," A.S.Venezia, Senato Mar Reg. 5, f2r (9 Aug 1453).

<sup>38</sup> A.S.Venezia, Senato Mar Reg. 5, f3v (24 Aug 1453).

<sup>39</sup> They were severely punished: three sentenced to four months imprisonment, 3,000 pound fines, and removal from ship-patronage and galley-command for three years, A.S.Venezia, Senato Mar Reg. 5, f30v (13 Mar and 1 Apr 1454).

<sup>40</sup> The Venetian *bailo*'s had authority very similar to that of the *podestà* in Italy. They were judges for the Venetians, supreme administrative officials in the colony, and also served as resident ambassadors to the

Thiriet's *Regesta* of senatorial documents convey a false impression that the concern with trade and carracks culminated in early 1454 in a motion that considered the imposition of a total embargo on trade with Constantinople and open war with the Ottomans.<sup>41</sup> In fact, although preparing for war, Venice was seeking peace. Bartolomeo Marcelo had been on an embassy to the Ottoman court when he heard of Mehmed's victory and had remained in Negroponte. The Venetian government ordered that the gift he carried, worth 500 ducats, be increased to a value of 1,200 ducats to reflect Mehmed's new, imperial, standing.<sup>42</sup> On April 18 1454 a new treaty with the Ottomans was in fact concluded. It conceded that the Venetians trading in Constantinople, as in all other Ottoman places, would now pay two percent on their sales as custom dues, a change from the freedom from taxation that Venice had enjoyed under the Byzantine Empire. Venice also agreed not to molest armed Ottoman vessels entering the Aegean Sea.<sup>43</sup> By August a further commission was prepared for Marcelo, who was now fashioned into the first Venetian bailo in Ottoman Constantinople. Among other things, he was ordered to uphold the papal embargo on the sale of arms to Muslims.

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court. A.S.Venezia, Senato Mar Reg. 5, f35r [36r] (23 May 1454) decision that such a bailo be elected and ff. 53v-54v [54v-55v] (28 Aug 1454) commission to the new bailo.

<sup>41</sup> Thiriet, *Régestes des Délibérations du sénat*, III, #2955, p. 194 (15 Jan 1454): "On [the senate] repousse deux parts: a) l'une prévoyant l'interdiction de tout trafic avec Cp., et l'envoi de 5000 à 10.000 ducats au Capitaine général, pour la poursuite de la guerre...." However, this is not exactly what the text says: "Quod ad evitanda inconvenientia que sequi possent sub pretextu practice huius pacis cum teucro aliquis seu aliqui cives et mercatores nostri ire non possint cum havere suo seu mittere Constantinopolim aut ad alias terras subiectas teucro a strictu supra absque deliberatione et licentia istius consilii sub pena contrabanum totius eius quod portaretur seu mitteretur per se vel per alios quomvis modo." A.S.Venezia, Sen. Del. Sec. Reg. 20, ff. 3v-4v [4v-5v], towards the bottom of the text. This was not an attempt to impose an embargo, but to regulate trade in a politically loaded moment by licensing it.

<sup>42</sup> A.S.Venezia, Senato Mar Reg. 4, f200v (12 Jul 1453). At the same time, the senate sent to Constantinople a certain Georgio Antonio, whose knowledge of the place was deemed important in the attempt to liberate the Venetians that had remained in the city, A.S.Venezia, Senato Mar Reg. 4, f201r/v (13 Jul 1453) and took measures to help the sons of the former bailo in Constantinople, the highest Venetian representative in that city and the Black Sea area, in their quest to locate and liberate him, A.S.Venezia, Senato Mar Reg. 4, f201v (17 Jul 1453).

<sup>43</sup> Romanin, *Storia documentata di Venezia*, IV, #7, pp. 528-535 (18 Apr 1454).

Enforcement of the papal embargo had been governed by a law enacted in 1419. It subjected trespassers of the papal embargo to a prison term of six months, to loss of the contraband or its value, and to a money fine equal to the value of the contraband.<sup>44</sup> A certain Giovanni Contarini did not wait long for the Ottoman subjects to settle in Constantinople before exporting to Pera eighty bundles of steel rods (*fassios azalinorum*) which thus fell into Ottoman hands. He was prosecuted by the state attorneys and sentenced.<sup>45</sup> Consequently, the orders in Marcelo's commission were timely. Its provisions, however, were somewhat different from those of the 1419 law. Especially interesting is the distinction according to social status. For nobles, a relatively mild financial sanction of paying the value of the contraband as a fine was combined with the severe social and political penalty of exclusion from all councils and deprivation of all benefices. Non-nobles in addition to the fine, were denied any possibility of inscription into the Grand Council. Sailors who learned that their vessel was carrying contraband were released from their obligations to the ship's patron. In case of violation, a sailor was to pay the considerable fine of fifty pounds. Every vessel carrying war material from a port under the bailo's jurisdiction was to provide surety that the arms would not be delivered to Muslims.<sup>46</sup>

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<sup>44</sup> A.S.Venezia, Maggior Consiglio Reg. 22 Ursa, ff. 22r-28v (12 Mar 1419).

<sup>45</sup> A.S.Venezia, Avogaria di Comun 3650, Part I, f88v (26 Feb 1454).

<sup>46</sup> A.S.Venezia, Senato Mar Reg. 5, f50v [51v] (16 Aug 1454). The commission spans from f49v to f52r [f50v-53r new foliation]. The penalties listed are very interesting, because they do not conform fully to those which governed this matter until 1457 as seen in a 1419 law aimed at providing for their enforcement. The 1419 law, pointed above, speaks of a penalty that had been in place for a long time, but did not ask for separate provisions according to social standing, A.S.Venezia, Maggior Consiglio, Reg. 22 Ursa, f22r/v (12 Mar 1419).

In 1457 the senate addressed the continuing sale of iron in Constantinople.<sup>47</sup> Finally, as we saw in Chapter 6 above, in 1458 the old embargo law of 1419 was replaced with one more in accord with the new rigor evident in the senate directives of 1454. Although the fine remained the same for first-time offenders, the prison term was increased from six months to two years. The punishment for a second offense was differentiated according to social standing. A noble was to lose his privileges: membership in all Venetian councils, award of any public office or state benefices. A *populano* (a non-noble citizen) was to suffer both the deprivation of public office and banishment from the islands of San Marco and Rialto; in case of violation such a person was subject to a life term in prison. Whatever his status, a contrabandist prosecuted for the third time was to be banished for life from all Venetian territories and ships, under the threat of a life sentence for disobedience.<sup>48</sup>

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<sup>47</sup> As we saw above, according to the ministers of sea affairs, who introduced the motion, the Venetian officials had been providing permissions for the export of iron to said city despite the fact that it had been lost to Christendom. Consequently, the senate voted eighty positive to one contrary ballot to forbid this from happening in the future “out of respect for the Christian religion” and “for the honor of our state,” “ob reverentiam christiane religionis” and “ob honorem domini nostri.” A.S.Venezia, Senato Mar, Reg. 6, f28r (14 Jul 1457). See brief summary in Thiriet, *Régestes des Délibérations du sénat...*, III, #3042, p. 218. In fact, there is some evidence that transgression of the papal embargo in the sense of supplying ‘war material’ to the Ottomans was treated somewhat more mildly than transgression of the embargo when ‘Saracens’ were concerned. In fact, when the 1458 law was just passed two contrabandists were prosecuted in two disparate cases of contraband of arms to Valona. Both were sentenced according to the old, 1419, law, A.S.Venezia, Avogaria di Comun 3651, part I, f21r/v (2 Mar 1458) and f45r (17 Nov 1458) (Note that the modern foliation in this register is in very poor shape, while the old is confusing because the register is subdivided in parts each starting with new foliation. Thus any search in AC3651 should be by both foliation and date). At the same time, the sailor Georgio who sold steel to unspecified Muslims lands (“ad partes infidelium”) as well as a certain Pietro and a certain Giovanni who brought steel to Alexandria were all sentenced according to the new and tougher 1458 law, A.S.Venezia, Avogaria di Comun 3651, part I, f41r (19 Sep 1458) and f49v (13 Feb 1459).

<sup>48</sup> A.S.Venezia, Maggior Consiglio Reg. 23 Regina, ff. 18v-19r (6 Feb 1458). This law followed a series of cases of violations of the perpetual papal ban on sales of arms to Muslims, which even involved the noble Gabriele Trevisan, captain of the armed carracks, but these were transgressions involving the Muslims of North Africa, not the Ottomans, A.S.Venezia, Avogaria di Comun 3651, f17v (9 Jan 1457), f17v (19 Jan 1458), two cases on f18r (19 Jan 1458). Two nobles and four commoners were involved. All, including the noble Nicola Giorgio, but except the other noble, Gabriele Trevisan, whose case was postponed, were sentenced equally, in accordance with the 1419 law.

The fall of Constantinople does not appear to have inspired the papacy to enact an ad-hoc ban on all trade with the Ottomans. Instead Pope Nicholas V concentrated on the renewal of licenses issued by previous popes allowing, as we saw above, the Portuguese to trade in sub-Saharan Africa so long as they provided no war material to “Saracens, infidels, or pagans.”<sup>49</sup> His successor, Calixtus III, turned his attention to the ‘infidel’ menace within Europe by renewing papal attempts to segregate Christians from Jews and Muslims.<sup>50</sup> His attention to trade in the Mediterranean was focused on Christian slavers who sold Christians to Muslims.<sup>51</sup> Of course, the permanent papal embargo against the Muslim world remained in force, but the fall of Constantinople does not appear to have provoked an extension of its general scope nor an attempt to shape new measures aimed specifically at the Ottomans.

It was not until the reign of Pope Pius II that the papacy began to direct any actual policies at Ottoman power. Assembling the Italian powers in a congress in Mantua in 1459, Pius tried to impress on them the importance of a general expedition of Christian powers against the Ottomans. If he secured vague promises, he did not receive the military and financial support necessary to accomplish it, support which Venice made a condition of her joining the Crusade.<sup>52</sup> Although Pius did not discuss trade at the congress, his attention soon turned to one particularly important item of trade between Latin Christendom and the Ottomans: alum, which was introduced in the previous chapter. A decisive moment in the trade of alum occurred in 1462 when premier quality

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<sup>49</sup> “saracenis, infidelibus, vel paganis,” *Bullarium Romanum* V, p. 114 (8 Jan 1454). The whole document: pp. 110-115. See for similar under Calixtus III Baronius-Raynaldus 29, a.1455, #7-9, pp. 17-21.

<sup>50</sup> *Bullarium Romanum* V, pp. 127-130 (28 May 1456). Also in Baronius-Raynaldus 29, a.1456, #67, pp. 95-97.

<sup>51</sup> *Bullarium Romanum* V, pp. 130-132 (1 Oct 1456). Also in Baronius-Raynaldus 29, a.1456, #65, pp. 94-95.

<sup>52</sup> On the congress see Setton, *The Papacy and the Levant*, II, pp. 204-216, specifically 204, 212-216 and the literature and sources quoted therein.

alum was discovered in the Papal States. Pope Pius II quickly recognized the economic advantage this might bring to his crusading effort. In a bull dated 7 April 1463 he banned the purchase of alum from any “Turks and other infidels.”<sup>53</sup> The monopoly he thus sought to secure for the papal mines was to underwrite crusades against the Ottomans.<sup>54</sup>

The final development of significant importance to this part of the work that took place between 1453 and 1462 was the establishment of the system of ‘balance of power’ politics in Italy following the peace of Lodi in 1454. The previous three decades had seen a Venetian-Florentine alliance of 1423 that produced three decades of warfare against Milan in Lombardy.<sup>55</sup> Amid fears of French invasion and as a result of the Ottoman takeover of Constantinople and continuous papal appeals, Venice and Milan signed a peace treaty on April 9, 1454 to which Florence added its name in August.<sup>56</sup> Pope Nicholas V and the remaining Italian powers followed suit, with King Alphonse V of Naples completing the list of signatories in January 1455. The peace of Lodi was an alliance designed to endure for twenty-five years. Its participants agreed to provide mutual aid in case of attack from another power. If one was attacked by another signatory, the others were to punish the guilty party through military action. However, no signatory obligated itself to defending Venice’s Mediterranean empire. Although

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<sup>53</sup> “...ne posthac alumen a Turchis aliisque infidelibus emant...” Baronius-Raynaldus 29, a.1463, #86, p. 376.

<sup>54</sup> Heyd, *Histoire du commerce...*, II, pp. 570-571. In light of the diplomatic action that accompanied the Venetian embargo throughout the conflict it is notable that the papal alum mines were initially managed by a company formed of the discoverer, a Genoese, and a Roman merchant, and the material was exported by Genoese and Florentines, yielding as many as 80,000 ducats, a very large sum, of profit in the first year of operation alone, Heers, *Gênes au XV<sup>e</sup> siècle*, p. 468. Although a number of Genoese, many of whom members of leading families, such as Spinola, Doria, Salvaigo, tried to establish control over the papal alum mines, it was the Medici who by 1466 successfully did so. Although they did not fully displace the Genoese, favored by the Ligurian pope Sixtus IV (Francesco della Rovere, 1471- 1484) they held first place in the control of alum trade in the remainder of the period with which this chapter is concerned, Heers, *Gênes au XV<sup>e</sup> siècle*, p. 469.

<sup>55</sup> Lane, *Venice*, pp. 228-231.

<sup>56</sup> Setton, *The Papacy and the Levant*, II, pp. 156-157.

‘The Most Holy League’ structured at Lodi was designed to secure peace in Italy, the period that followed has been characterized instead as “a policy of tension.”<sup>57</sup> In any case, it structured the relations between the five most significant political powers in Italy: Venice, Milan, Florence, the papacy, and the Kingdom of Naples.

The concerns outlined above – legal and illegal trade, carracks, war fleets, and military alliances – characterized Venetian politics between 1453 and 1462 and were the outcome of the Ottoman conquest of Constantinople. As we will see, they had a direct bearing on the beginning of the conflict and on Venice’s policy choices throughout the war. Since Venice was engaged in both eastern Mediterranean and Italian politics, Venetian policy choices throughout the war also depended upon papal policies towards the Ottomans in particular and Muslims in general, the papacy’s concern with alum, Florentine and Genoese commercial interests in the East, and the delicacy of the political system established in Italy through the peace of Lodi.

## **7.2. The Start of the Conflict: Military Action or Coercive Diplomacy?**

As it is known to all, the Turk this year captured the island of Lesbos with our ships bringing disgrace on our dominion and grave damage to our citizens and subjects. In order that a similar inconvenience does not occur in future let it be enacted that no carrack or any other vessel of more than 150 *botti* [that is, of a carrying capacity of more than 94 tons] whether ours or that of our subjects, will be permitted to voyage to Constantinople or to any other place subject to the Turk in order that the said Turk have no help from our ships in the future...<sup>58</sup>

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<sup>57</sup> Garret Mattingly, *Renaissance Diplomacy* (London: J. Cape, 1962 [1955]), pp. 87-89, quotation is from p. 91.

<sup>58</sup> “Sicuti omnibus notum est Theucer hoc anno cum navibus nostris expugnavit insulam mithelini non sine dedecore nostri domini ac maximo danno civium et subditorum nostrorum. Et ne simile inconveniens decetero accidere possit. Vadit pars quod nulla navis seu aliquod aliud navigium tam nostrum quam subditorum nostrorum a buttis CL<sup>ta</sup> supra possit decetero Constantinopolim aut ad quemlibet alium locum theucro subiectum ire ut theucer ipse nullum in futuris a navibus nostris subsidium habere possit....” A.S.Venezia, Sen. Mar 7, f90v (4 Dec 1462).

With these words five *sapientes ordinum*, each the member of a leading Venetian family, proposed in the senate on Dec 4, 1462 a motion that was to initiate a long-lasting Venetian embargo against the Ottoman Empire. This embargo became a corner-stone of Venetian war policy as well as an irritant in Venice's relations with other Italian powers. Although mentioned by the Venetian chronicler Domenico Malipiero, the few historians who have taken note of Venice's attempt to cut Italy's economic ties with the Ottoman Empire in this period have not paid heed to the decision itself.<sup>59</sup> What caused this motion? What was its meaning? What were its consequences?

Although the years after the fall of Constantinople had been filled with tension and uncertainty, as we have seen above, nothing could have foretold the abrupt change in the relations between Venice and her Ottoman rival that occurred in 1462.<sup>60</sup> In the late summer of that year, the Ottomans confiscated four Venetian ships from Candia, using them to reinforce their fleet.<sup>61</sup> They then proceeded to attack the Genoese island of Lesbos in the presence of Sultan Mehmed II and in sight of the Venetian admiral.<sup>62</sup> The latter, incapacitated both by the treaty of 1454, which permitted Ottoman war vessels to sail unmolested into the Aegean, and by the current senatorial orders not to attack the

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<sup>59</sup> Malipiero, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 11. Among scholars, it is mentioned by Babinger, *Mehmed the Conqueror*, p. 256 without reference, and in retrospect as an evidence supporting the argument that "Slowly, but inexorably Venetian trade with the Levant was dying out." However, it was pointed in the introduction that although Venetian trade with the Ottoman lands did stop, Venetian trade with Syria and Egypt flourished in the period. The *devedo* is mentioned with reference by Paula C. Clarke, *The Soderini and the Medici. Power and Patronage in Fifteenth-century Florence* (Oxford: Clarendon Press, 1991), p. 71 footnote 19.

<sup>60</sup> On April 26, 1462 Venice had complained to the prince of Taranto for damages caused to a Venetian carrack "peacefully" sailing to Constantinople, Sen. Del. Sec. Reg. 21, f86r. Nothing suggested disruptions when Paolo Barbadigo was designated new *bailo* in Constantinople on 15 July 1462, A.S. Venezia, Sen. Mar Reg. 7, f71r.

<sup>61</sup> Candia was the capital city of the island of Crete, the largest Venetian colony.

<sup>62</sup> *Capitan general da Mar*. This was the highest navy position in the Republic and I will also refer to those holding it as admirals, in the sense of supreme fleet commanders. The admirals were able to act on their discretion only when specifically allowed to do so. On the Ottoman conquest of Lesbos see the brief account in Geo Pistarino, *Genovesi d'Oriente* (Genoa: Civico Istituto Colombiano, 1990), pp. 418-419.

Ottomans unless they took aim at Venetian territories, watched helplessly as Mehmed's troops seized the island.<sup>63</sup>

The Senatorial decision of December 4 was the Venetian answer to that seizure and use of Venetian ships. In spite of the fact that Malipiero estimated the Ottoman fleet present at Lesbos at "150 sails among biremes, triremes, and other armed vessels, including four carracks from Candia,"<sup>64</sup> the Senatorial motion baldly states that "the Turk captured the island of Lesbos with our carracks" and thus awards to the captured Venetian ships an instrumental role in the Ottoman victory.<sup>65</sup> The senate went on to prohibit any trade with Ottoman lands on vessels over 150 *botte* "so that the Turk himself can have no help from our ships in the future," adding that that this was out of respect to God and for the honor of Venice.<sup>66</sup> Letters were to be sent to Crete and other Venetian territories in the East which were expected to implement the order. It seems significant, however, that the motion, which did not specify any penalties for transgression, did not achieve overwhelming support: 111 voted for it, but there were twenty-eight nays and sixteen abstentions. A separate motion passed on the same day required the bailo in Constantinople, the highest ranking Venetian official in the Ottoman Empire, to secure

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<sup>63</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 11, Robert S. Lopez, "Il principio della guerra veneto-turca nel 1463," *Archivio Veneto*, serie V, 15 (1934): 46-47; Setton, *The Papacy and the Levant* II, pp. 238-239. Venice was ready for military action, but was firmly on the defensive. When the news of the fall of Lesbos spread, the senate had just taken measures for the fortification of Candia and its supply with munitions, A.S.Venezia, Duca di Candia, Busta 50 Bis, ff. 56r-57v (7 Sep 1462). On the Ottoman seizure of Lesbos see Babinger, *Mehmed the Conqueror*, pp. 209-214.

<sup>64</sup> "150 vele, tra fuste, galie e altri legni armadi, tra i quali è 4 navi candiote," *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 11.

<sup>65</sup> "cum navibus nostris expugnavit insulam mithelini," A.S.Venezia, Sen. Mar 7, f90v (4 Dec 1462).

<sup>66</sup> "ut theucer ipse nullum in futuris a navibus nostris subsidium habere posit," "pro reverentia dei et honore nostri domini," A.S.Venezia, Sen. Mar 7, f90v (4 Dec 1462).

the release of the detained ships. This motion was voted 143 to one with five abstentions, a more common distribution of votes than that found in the previous decision.<sup>67</sup>

It is clear that the *prohibitio*, as Venice referred to its embargo decision in Latin, or *devedo*, as it was called in Venetian dialect, is presented as a direct answer to the Ottoman seizure and use of Venetian ships. But what exactly did it mean? Although we are not informed of the size of the four Venetian vessels employed in the seizure of Lesbos, they all were labeled as *naves*. These are the carracks, whose use was fairly restricted to the large maritime cities whose scale of trade justified the cost of building them. The most prominent users of such carracks in the Mediterranean were Genoese merchants, who focused on bulky cargo, such as alum. The Venetians themselves used these large ships primarily for travel to Syria, from which they returned loaded, and often overloaded, with cotton. The large carracks that sailed these routes tended to be vessels of 400 or more *botte*,<sup>68</sup> that is, with a payload of 250 or more tons. But carracks were not the only ships included in the Venetian prohibition, which extended to all ships of over 150 *botte* (ninety-four tons), that is, all ships of significant size.<sup>69</sup> Evidence suggests that the senate's decision effectively halted Venetian trade with the Ottoman capital and other Ottoman territories.

This we can deduce from the case of Nicola Miconditi, a citizen and inhabitant of Candia, who served in 1462 and 1463 as *missetarius*, the collector of the *messeta* (or

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<sup>67</sup> A.S.Venezia, Sen. Mar 7, f90v (4 Dec 1462).

<sup>68</sup> Lane, *Merchant Marine*, pp. 144-145.

<sup>69</sup> On measures see Frederick C. Lane, "Tonnages, Medieval and Modern," in idem, *Venice and History*, pp. 345-370. According to Lane, "*botta*" meant wine cask and such was the basic unit for measurement of the size of ships. In the course of the fourteenth century it became the main measure for ship size in Venice, because lightweight, high-value cargo became more important for the Venetian merchants than bulky cargo. Lane estimates that in the fifteenth century "the Venetian botte 'occupied' or 'used up' about 900 liters (.9 cu. m. or 31.8 cu. ft.)," *ibidem*, p. 358. One deadweight ton (or metric ton burden) equals 1.6 botte, *ibidem*, p. 366. Deadweight tonnage equals the weight of the cargo excluding any additional weight (crew, passengers, victuals, etc.), that is, it equals payload.

*misseta*), a tax levied on all commercial transactions and thus a major source of income to the Venetian authorities.<sup>70</sup> Nicola promised in 1461 to pay the very large sum of 16,100 ducats to secure tax-farming rights for 1462.<sup>71</sup> In that year he expected to collect much money on taxes to be paid by eight carracks bound to Constantinople. However, he found he could not secure recompense. In response to the seizure of the four other carracks from Candia (from which Nicola does seem to have collected his taxes), Venetian officials refused to allow the eight to depart. Yet Nicola, confident that a license for their voyage would eventually be issued, went ahead that December and contracted the *messetta* for the following year 1463, obliging himself for 16,500 ducats. The senate decree of December 4 quickly showed him how wrong he had been. Since the *devedo* was seen as the direct reason for Nicola's ruinous losses, amounting to 14,000 perpers (roughly 5,000 ducats), the Venetian authorities in Crete petitioned the metropolis for restitution. After reviewing the government account books of the island, the Venetian authorities recognized Nicola's fidelity to Venice and allowed him to repay his obligations over time, the schedule to be determined by the authorities in Crete.<sup>72</sup>

Since Nicola's income was directly connected to the total turnover of the port of Candia, but independent from any given trade route, it can be deduced that in the short term there was no substitute for trade with Constantinople. If there had been other options, the eight carracks would have set forth on another route, and Nicola would not

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<sup>70</sup> On this office and tax see David Jacoby, "Venice, the Inquisition, and the Jewish Communities of Crete in the Early Fourteenth Century," *Studi Veneziani* 12 (1970): 130-131.

<sup>71</sup> Since the Venetian year started on March 1, this meant for the period 1 March 1462 to 1 March 1463.

<sup>72</sup> A.S.Venezia, Duca di Candia, Busta 2, #25, ff. 20r-21r (8 Dec 1464). Obviously, this decision suited Venice, but it raises some interesting questions. Would a Venetian noble have been treated in the same way? Why did not Venice provide restitution? As it will be seen elsewhere in this chapter, the Venetian elite knew how to reward those who had served it well (or their families). Whatever they had in mind, the way the case was approached by the Venetian officials shows that they treated tax farming as a risk-taking venture in which both the profits and the losses were equally justified.

have continued to plead for financial help as late as December 1464. What makes Nicola's losses really important is the fact that they are constituted of forgone tax income. Consequently, they serve as proxy for the decrease in the total turnover of the port of Candia. Thus, they indicate a very notable decline in trade between Candia and Constantinople. The total losses incurred by Venetian and Ottoman merchants, Venetian ship-owners and tax-farmers, and by either the Ottoman government or by the tax-farmers working for it must have been significant. At the same time, it appears that the Venetian government lost not a single ducat on the *messetta* of Candia for 1462 and 1463 since the losses were passed on to the tax farmer.

Whatever the exact amounts involved and the way things had really gone, what matters here is that this single piece of evidence is a certain indicator that the embargo caused disruptions in the economic life of the Aegean, threatening the fortunes of many Venetians, especially in Candia. In fact a letter from the officials in Candia to Venice written in the wake of 1453 had stressed that for Candia there was no substitute for trade with Constantinople, hence a drop in the income on the *messetta*.<sup>73</sup>

It is important to note, however, that any drop in commerce with the Ottomans in this period was not because trade had been forbidden per se. The Venetian embargo from December 1462 sought to deprive the Ottomans of easy access to a technology they did not possess, namely large ships. It thus affected trade in general only as a side effect of the fact that such ships were now forbidden from sailing to the straits.

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<sup>73</sup> Document quoted in Thiriet, *La Romanie vénitienne*, p. 433 note 5 (11 Oct 1454). On this point there is some uncertainty, however, because although 5,000 ducats of missed tax revenue point to a significant amount of forgone trade in absolute terms, they nevertheless represent only about 15% of the total amount to which Nicola obliged himself (32,600 ducats; this amount is of course smaller than what Nicola hoped to collect, the difference would have been his profit).

Constantinople may have been Candia's main trade partner (excluding Venice), but it surely was not Venice's. Trade with Constantinople in this period was probably more important to the local elite in Crete than it was to those who governed the Venetian empire from the lagoon. In fact, throughout the whole period under discussion Egypt and Syria, both ruled by the Mamluk sultans of Cairo, were Venice's main trading partners. In this period, it was trade with Alexandria and Beirut, not with Constantinople that ensured the Venetian elite its sizable yearly income; an important, but generally overlooked point in accounts of the 1462-1479 conflict.<sup>74</sup> The fact that the Ottomans were not its main trading partner surely facilitated the Venetian decision to opt for war. Once trade between the two was halted, there was no impediment to Venice to take more aggressive measures to defend its colonies. At the same time, the fact that the Ottomans did not depend on Venetian trade nearly as much as the Mamluks did, meant that the Venetian embargo on Mehmed needed 'international' backing to be successful.

The Venetian documents from the period reflect the senate's fears about the survival of its colonial empire. The colonies were important to Venice in at least two ways. Since maritime commerce had always been the mainstay of Venice's prosperity, its advancement and protection had always been of the utmost concern to Venetian governments. In fact, the Venetian empire itself, a result of the crusader conquest of Constantinople in 1204, had been constructed as a means of securing the trade of the

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<sup>74</sup> To many Venetian patricians the long distance trade built around products of little weight but high value, such as spices, had remained the main source of wealth throughout the centuries. Although Venice thoroughly exploited the resources of Crete, it never rivaled Genoa in its ability to make much money on more "mundane" goods. This difference is well reflected in the composition of the Venetian and Genoese fleets. We will see below that the Genoese had no problem putting large carracks at sea whereas Venice struggled to do so. In fact, galleys and smaller carracks served Venice's focus on high-value products. Conversely, large carracks served Genoa's focus on heavy, high-volume, cargo. The places to start any inquiry into these issues remain Heyd, *Histoire du commerce*, Thiriet, *La Romanie vénitienne*, Balard, *La Romanie génoise*, Heers, *Gênes au XV<sup>e</sup> siècle*, Ashtor, *Levant Trade in the Later Middle Ages*.

metropolis. The empire consisted of centrally and tightly controlled administrative units which served the economic interests of those who ruled Venice itself. Some of these units consisted of coherent territories such as the islands of Crete and Negroponte (and later Cyprus), while others were mere bases, such as the naval stations at Coron and Modon on the tip of the Morea. Over the years, however, some of the colonies, and most notably Crete, assumed roles that elevated their status within an increasingly coherent empire. By the middle of the fifteenth century Venice had long developed an imperial persona and unlike its rival Genoa, had become a veritable colonial power.<sup>75</sup> Thus an attack on Crete was deemed an attack not only on Venice's maritime networks but on its imperial identity. In addition to these main colonies, Venice also possessed a number of fortresses in continental Greece and along the eastern shores of the Adriatic. Many had changed hands continuously between 1204 and 1463 and, unlike Crete or Negroponte, none was indispensable to either Venice's commercial interests or to its imperial persona. Most of the actual fighting between 1463 and 1479 was to focus on places belonging to this second group.

We have seen that trade and the safety of navigation, together with the preservation of the essential parts of the maritime empire, were the leading concerns reflected in the first Venetian decisions that followed the Ottoman conquest of Constantinople. It is therefore not surprising that in addition to its economic sanctions Venice answered the Ottoman actions of 1462 by strengthening the defenses of its most

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<sup>75</sup> On the imperial and colonial nature of the Venetian maritime empire see Thiriet, *La Romanie vénitienne*, and Sally McKee, *Uncommon Dominion: Venetian Crete and the Myth of Ethnic Purity* (Philadelphia: University of Pennsylvania Press, 2000).

important colonies, Crete and Negroponte, as well as its strategic naval outposts, Modon and Coron.<sup>76</sup>

Venice clearly perceived in the Ottoman seizure of Lesbos as a model for future attacks on its own empire. That episode of 1462 therefore convinced the senate of the inevitability of war. However, this is not what the secondary literature suggests. There the episode of Lesbos is presented not as a Venetian but rather as a Genoese concern. It attributes no importance to the seizure of the four carracks and completely overlooks the embargo of December 1462. According to the standard presentation of the events that led to war, the underlying explanation lay in tensions provoked by Mehmed's expansionism. While there may be little reason to dispute this, it does not sufficiently supply the motives for Venice's final decision to go to war. Instead it provides anecdotal evidence.

Such evidence focuses on a Venetian councilor in Coron who had apparently provided refuge to a slave who had fled his master, the Ottoman governor of Athens, with a substantial amount of cash. In clear violation of the 1454 treaty, the councilor had refused to deliver either the slave or the money to their owner. This act of defiance provoked retaliation from local Ottoman garrisons, which attacked Venetian villages, culminating in the seizure of the castle of Argos that spring. These events have been traditionally interpreted as the start of the conflict (effectively as a breach of the peace

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<sup>76</sup> And also ordered twenty-five more galleys to be build, A.S.Venezia, Duca di Candia, Busta 50 Bis, ff. 56r-57v (7 Sep 1462) for the measures regarding Candia; A.S.Venezia, Sen. Del Sec. Reg. 21 f124v (6 Nov 1462) full text also in Lopez, "Il Principio della Guerra," #1, p. 106, for the order of new galleys; A.S.Venezia, Sen. Del Sec. Reg. 21 ff. 138v-139v (4 Feb 1463) with a summary in Lopez, "Il Principio della Guerra" #2, pp. 106-107 for the commission of the new admiral, Alvise Loredan.

treaty of 1454, an open provocation that would invite Ottoman hostilities).<sup>77</sup> But this is not how the Venetians understood the matter.

In the opening months of 1463 Venice took a number of actions following on the promulgation of the embargo the previous December. They show that Venice actually considered itself at war with the Ottomans before the fall of Argos in April and the land campaign in Morea that ensued. The commission of Alvise Loredan, the new admiral of the sea, had contradicted the clauses of the peace treaty and broken with nine years of tolerance of Ottoman sea power in the Aegean when it allowed him to attack the Ottoman fleet should it leave the Straits.<sup>78</sup> In a turnabout, the senate began using crusading symbolism. Venice had earlier refused to permit pope Pius II to hold his crusading congress in Udine and had forbidden preaching of the crusade within its territories.<sup>79</sup> However, on 20 January it ordered that the cross be added to the standard of its patron saint. On 5 March a golden standard displaying Saint Mark, the cross, and the inscription “in hoc signo vinces” was blessed in the Church of Saint Mark.<sup>80</sup> The message was clear. A notoriously reluctant crusader had begun to adopt a crusading stance, and this was made visible from Rome to Constantinople.<sup>81</sup>

Simultaneously, the embargo against the Ottomans began to shape Venice’s Italian politics, as the city tried to strengthen its force by securing a larger alliance among

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<sup>77</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 12-13. Romanin, *Storia documentata di Venezia*, IV, p. 314, Heyd, *Histoire du commerce...* II, p. 324, Lopez, “Il Principio della Guerra,” pp. 48-49 who speaks of Modon, not Coron, Babinger, *Mehmed the Conqueror*, pp. 225-226, Thiriet, *La Romanie vénitienne...*, pp. 385-389, Setton, *The Papacy and the Levant*, II, p. 241, Imber, *The Ottoman Empire*, p. 32. Heyd, Babinger, Thiriet, and Setton date the fall of Argos to April 3, however, Lopez speaks of early May.

<sup>78</sup> A.S.Venezia, Sen. Del Sec. Reg. 21 ff. 138v-139v (4 Feb 1463) with a summary in Lopez, “Il principio della guerra,” #2, pp. 106-107.

<sup>79</sup> Setton, *The Papacy and the Levant*, II, p. 236.

<sup>80</sup> Which was the doge’s ‘chapel.’ The bishop’s cathedral was/is in the periphery of *sestier* Castello.

<sup>81</sup> Lopez, “Il Principio della Guerra,” p. 50, note 19.

the Italian maritime powers. Specifically, Venice tried to persuade Florence and Ancona to join it. The attempt to forge this alliance became a continuing feature of Venetian diplomacy during the war years, one that throws important light on its strategies for dealing with both the Ottomans and other Italian powers. This problem has been noted, but not really addressed,<sup>82</sup> and has even been interpreted as a Venetian attempt to prevent the rise of Florentine economic fortunes in the East, which is likely precisely how the Florence wanted the matter to be seen.<sup>83</sup> Venetian requests to Florence and Ancona to refrain from trade with the Ottomans were, to the contrary, neither footnotes to the preparation for war nor a response to possible competition. Instead, they formed a strategic part of an embargo policy developed to resist Mehmed's reshaping of the political map of the Aegean.

In March 1463 two ministers of the council and the ministers of war proposed that an envoy be sent to Florence to argue that the Tuscan capital should respect the sanctions imposed by Venice by withdrawing the customary three-galleass convoy it sent to Constantinople. The picture that the envoy was to present to Florence is more remarkable that it may appear at first view. He was instructed to explain that Mehmed had breached the peace treaty by detaining the four carracks in 1462, that Venice had prohibited that galleys and ships over 150 *botte* sail to Constantinople, that Mehmed undoubtedly would want to seize the Florentine galleys should they sail to the Straits, and

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<sup>82</sup> The fact that Venice tried to convince Florence not to send its galleasses to Constantinople has been noticed, for example by Lopez, "Il principio della Guerra," p. 51 and p. 85 and by Clarke, *The Soderini and the Medici*, pp. 69-72. Nevertheless, Lopez treats it in between other things, without ever discussing an embargo on the Ottomans while Clarke speaks of it in the context of Tommaso Soderini's political carrier. Neither studied the case, which extended from March 1463 until early 1464.

<sup>83</sup> Clarke, *The Soderini and the Medici*, pp. 69-72. In a footnote, Clarke does acknowledge the possibility that Venice's major concern was the halt of trade, p. 71, note 19, but in the text she accepts the Florentine interpretation, pp. 69, 71. For an overall impression on the Florentine take on trade in Constantinople vis-à-vis Venice see Benedetto Dei, Roberto Barducci, ed., *Benedetto Dei. La Cronica dall'anno 1400 all'anno 1500* (Florence: F. Papafava, 1985), especially p. 141 and pp. 164-165.

that Florence should not provide the Ottomans the opportunity to fight Christians by using their own arms.<sup>84</sup> If Florence answered negatively or ambiguously, the envoy was instructed to say that the Venetian admiral was currently at sea with orders to prevent Christian ships from entering the Straits.<sup>85</sup> Thus the document blames the rupture of the peace on Mehmed, requires Florentine cooperation using the language found in the papal embargoes banning the export of arms to Muslims, and apparently subordinates the Venetian relations with Florence to Venetian concerns in the East.

In light of the document's diplomatic nature, it has been claimed that it exaggerated the realities of the situation: stating that Venice was at war with the Ottomans in order to strengthen the argument presented to the Florentines.<sup>86</sup> There is no doubt that Venice often embellished its arguments in diplomatic correspondence; several cases will be noted in the following chapters. But is this the case here? The document does not actually state that Venice was at war with Mehmed; rather it attributes to Mehmed the blame for the breach of the peace treaty. It thus serves as a fairly explicit piece of evidence that it was not the actions of the councilor of Coron, but rather Mehmed's seizure of the four carracks in 1462 that was seen as the provocation of war.

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<sup>84</sup> "...[the Turk] non contentus galeis et navigiis suis per vim et contra federa pacis contraque fidem et salvoconductus suos accepit quatuor ex navibus nostris et illis cum reliqua armata sua usus est ad oppugnationem civitatit illius [Mitileni]. Unde factum est quod tunc nos publico decreto sanxerimus galeas nostras aut navium ulla nostram maiorem buttis CL<sup>ta</sup> constantinopolim ire non posse....Quam vero M. sue miserunt aliquando galeatias suas constantinopolim quas turcus ipse non est dubium volens in mari capere.... Que res quantum importet quantunque merito existimandi sit et non consentiendum, ut talis opportunitas turco ipse prestetur offendendi fideles christi armis christianorum ipse M. sue pro earum prudentia optime intelligunt...." A.S.Venezia, Sen. Del. Sec. Reg. 21, f143r (3 Mar 1463). It is also notable that the two ministers of the council involved in its shaping were Vettor Capello and Jacopo Loredan. Capello had just served as admiral of the fleet and was to soon serve another term. Loredan too was to serve two terms as admiral. Thus Capello and Loredan were connected to the embargo both as policy makers and chief officers for its enforcement. Note that the document refers to Ottoman galleys and vessels, but not to Ottoman round-ships.

<sup>85</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, f143r (3 Mar 1463). A.S.Venezia, Sen. Del. Sec. Reg. 21, f154r (26 May 1463) provides the information that Venice had requested Florence and Ancona to refrain from sending vessels over 150 *botte*.

<sup>86</sup> Lopez, "Il Principio della Guerra," p. 51.

The crusading language used in the senatorial document in March does not appear at all misplaced. We saw that from the beginning of January crosses had begun to adorn Venetian ships and that a special standard with the inscription “in hoc signo vinces” had been consecrated just two days after the instructions to the envoy to Florence were voted in the senate. In fact, the language of the perpetual papal ban on the export of war material to Muslims and the stated reason for the papal embargo, that Christians should not help non-Christians wage war against them, was very well chosen. What those who drafted the bill had done was to substitute the Muslim world for the Ottomans and Christianity for Venice. In accepting the bi-polar papal mapping of the world (in religious, not political terms, the Faithful and the Other) discussed in Part I, Venice was showing again its adoption of a crusading rhetoric. The language employed was useful in another way too. The Venetian embargo had no force as an instrument of foreign policy unless backed by the papacy. But there did exist the perpetual papal ban on all exports – in theory – and of war material – in practice – to Muslims. It makes perfect sense then that Venice would adopt the language of the papal sanctions when trying to win support for its own. The senate may have had little hope of securing support for Venice against the Ottomans, but it did hope that Christians would help other Christians against Muslims. It therefore modeled and marketed Venice’s crusading persona: from crosses on the ships to the language through which it tried to sell its embargo.

Despite this gradual adoption of a crusading persona, at this time the Venetian efforts to win backing for the embargo abroad did not include an attempt to turn the Venetian order into an ‘international’ law by securing papal support for it. Pope Pius II continued along familiar paths, republishing on Holy Thursday (7 April 1463) the

customary list of transgressions for which Christians were excommunicated *ipso facto*. This *Coena Domini* bull re-issued on that date first mentions those who provide help to the followers of Wycliffe and all other ‘heretics’ and then cites those who export arms and “other prohibited” items to “Saracens, Turks, and other enemies of Christ.” It does, however, feature a new development: it condemns those who purchased alum from Muslims (which was now to be secured exclusively from the papal supplies in Tolfa), the embargo required by the bull remains selective.<sup>87</sup> In spite of the pope’s desire to launch a crusade, he did not alter the traditional structure of the bull. Thus, as usual, the supporters of heretics ranked higher on the list of enemies than those who provided aid to the Ottoman foe against whom the crusade was to be directed. Most importantly, most trade with the Ottomans remained licit.

In theory the papal and the Venetian embargo were completely different laws, but in practice they complimented each other. We know from Part I that the papal restrictions on trade with Muslims had always included the export of ships. The Venetian ban of 1462 could be treated as an elaboration of the clause regarding ships; more precisely, as an addition that accounts for cases not foreseen in the papal bans, such as forced surrender of vessels. In order to make this work, however, Venice needed to convince the other maritime powers. This is so because the Venetian ban had the character of ‘state’ law and had no legal value outside of Venetian territory, unlike the papal ban which had the character of an ‘international’ law valid for all Christians. While the papacy could back its attempts at persuasion through threat of excommunication, Venice could do so only through the threat of its fleet, but this was a risky tool to employ. Forging a link between its embargo and the papal one by putting on a crusader mantle

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<sup>87</sup> Baronius-Raynaldus 29, a.1463, #85-86, p. 376 (7 Apr 1463).

was thus a useful tool in Venice's presentation of its own embargo as merely an extension of the papal one tailored to the needs of the day.

No matter how exactly the Venetian ambassador presented the Venetian request for support of the embargo to Florence, the Florentine answer was ambiguous at best. In light of later evidence, it may be concluded that Florence did not provide any firm answer to this request and that it postponed, but did not cancel, its convoy.<sup>88</sup> This should not surprise us. Upon his triumphal return to his capitol in 1462, Mehmed had ordered the crews of the three Florentine galleasses that made the annual convoy to Constantinople to participate in the festivities for the seizure of Lesbos.<sup>89</sup> His intention may have been to play Florence against Venice. Throughout the conflict the Florentines would remain unimpressed by Venice's crusading posture, all too happy to play Mehmed's game. Similar must have been the position of another second-tier maritime power, Ancona.<sup>90</sup>

Having failed to obtain any firm commitments from Florence and Ancona to respect the embargo, the senate ordered his admiral to enforce it, singling out the galleys of Florence and the carracks of Ancona, the cities with whom its diplomats were negotiating:

...it must be written and ordered to our captain general of the sea that in case the galleasses or other Florentine vessels larger than 150 *botte*, and, similarly, carracks or other vessels of the Anconitans larger than 150 *botte* want to proceed into the Straits in order to go to Constantinople or elsewhere he has to ensure that they do not go, because this is our intention and we explained and declared it to the said cities.<sup>91</sup>

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<sup>88</sup> A.S. Venezia, Sen. Del. Sec. Reg. 21, ff. 186v-187v (17 Sep 1463).

<sup>89</sup> Dei, *La Cronica dall'anno 1400 all'anno 1500*, p. 161. Dei rejoiced in the perspective of Florentine preeminence in trade with the Ottomans. See also Babinger, *Mehmed the Conqueror*, p. 224.

<sup>90</sup> In the light of later evidence, it can be deduced that at this time an envoy with a similar mission was sent to Ancona to ask for that city's cooperation, A.S.Venezia, Sen. Del. Sec. Reg. 21, f154r (26 May 1463), which says that ambassadors had been sent to both Florence and Ancona, see below.

<sup>91</sup> "...scribatur et mandetur capitaneo nostro generali maris quod casu quo galeacie seu alia navigia florentinorum a butis CL<sup>ta</sup> supra et similiter naves aut alia navigia Anconitanorum a butis CL<sup>ta</sup> supra ingredi vellent strictum pro eundo Constantinopolim seu alio providere debeat quod non vadant quia sic est nostra

A few days after Loredan was instructed to enforce the ban, the Council of Ten appointed Bertoldo d'Este commander of the Venetian forces in Morea<sup>92</sup> and thus launched a campaign against the Ottomans which sought to conquer the peninsula.<sup>93</sup> It was the only significant Venetian land operation during the entire war. Ultimately, it represented the most short-lived front on which Venice fought the war, but it was a success initially. In fact, as no Ottoman armies were stationed in Morea, the initial advance of the Venetian troops was swift.<sup>94</sup>

Venice missed no chance to present the now open war with Mehmed as a Christian struggle with Islam. We saw that crusading symbolism was put to use already early in 1463, before the start of military action. The adoption of crusading posture was completed later in the summer. On August 28 Fra Michele a well-known Franciscan from Milan, preached the crusade on piazza San Marco before an enormous crowd and in the presence of the Venetian nobles and Cardinal Bessarion, who had played an instrumental role in the union of the churches proclaimed at the Council of Florence in 1439. An ardent supporter of the crusade he was not only the papal legate on that occasion but remained an important Venetian ally in the curia for the remainder of his life

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intentio et ita eidem comunitatibus dici et declarari fecimus.” A.S.Venezia, Sen. Del. Sec. Reg. 21, f154r (26 May 1463).

<sup>92</sup> The document is published in Lopez, “Il Principio della Guerra,” #8, p. 111 (1 Jun 1463). Bertoldo was killed and replaced by Sigismondo Malatesta. On the situation in Morea in the decades immediately before the war see Fine, *Late Medieval Balkans*, pp. 538-546, 561-568.

<sup>93</sup> This was the first massive land campaign in the history of Venice’s relations with the East, which had always been conducted by sea.

<sup>94</sup> For the campaign itself see Lopez, “Il Principio della Guerra,” pp. 53-54, 64-74, 79-84, 96-101 and Setton, *The Papacy and the Levant*, pp. 247-249, 252-257. Although no naval combat had taken place by this time and no naval battle was to take place later in the war either, the general of the army in the Morea never assumed a leading position in the Venetian hierarchy. He was never a Venetian and was always subordinated to the admiral to whom alone did Venice send its orders and who remained at all times the supreme Venetian commander beyond-the-sea. This can be seen in the various commissions sent to the admirals and is also Lopez’s opinion, see Lopez, “Il Principio della Guerra,” p. 54. See for example the commission of Orsato Giustiniani, A.S.Venezia, Sen. Del. Sec. Reg. 21, ff. 220v-222r (10 Jan 1464).

(he died in 1472) and Venice's preferred candidate to the papal throne in 1471. Although Venice had not allowed the collection of crusading tithes in previous years, Fra Michele was permitted to threaten with excommunication every man and woman who would not pay one thirtieth of his or her income for the crusade.<sup>95</sup> This disposition requires a special note. It is remarkable for the fact that although Venetian women were deprived of legal and economic persona they were nevertheless personally obliged to contribute to the crusade. In addition, one tenth had to be levied on ecclesiastical incomes and a twentieth on that of Jews, who were thus obliged to support the Christian cause more than the Christians themselves. The income from this crusading tax was duly collected in an iron safe in the church of San Marco. It is said to have amounted to the very large sum of 700,000 ducats.<sup>96</sup> The preachers of the crusade were granted ample rights to hear confessions and absolve from excommunications resulting from a variety of sins. Nevertheless, they were generally not allowed to provide absolution for transgressions listed in the bull *In Coena Domini*. The instructions to Bessarion indeed explicitly prohibited him from absolving those who had supplied the Ottomans with arms and war machines.<sup>97</sup> Thus Venice, which as recently as the summer of 1462 had not been willing to consider participation in a crusade, changed its views in the course of one year to the point of embracing it.

Now the senate engaged in a flurry of activity aimed at enhancing the war/crusade effort. In a little over a month, from August 28 until October 2, Venice argued the case

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<sup>95</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 18.

<sup>96</sup> *Annali Veneti di Domenico Malipiero*, p. 18. See also Lopez, "Il principio della guerra," p. 60, note 65, and p. 77 and Setton, *The Papacy and the Levant*, II, pp. 244-245.

<sup>97</sup> The instructions are published in L. Mohler, "Bessarions Instruktion für die Kreuzzugspredigt in Venedig (1463)," *Römische Quartalschrift* 35 (1927): 337-349. The specific passage discussed here is on p. 347. See summary and discussion in Setton, *The Papacy and the Levant*, II, pp. 244-245.

of the embargo abroad, tried to build military alliances, reached peace in its hinterland, and continued its military build-up. The subsequent months saw some of the most important developments throughout the war, including a gradual move toward a total embargo and the peak of actual military action.

Venice attempted to build military alliances that would surround Mehmed from east and west. Two days after Fra Michele had preached his sermon, the senate ordered that ambassadors be sent to Uzun Hasan, ruler of the Aqqyunlu and to Ibrahim, emir of Karaman, the eastern neighbors of the Ottomans.<sup>98</sup> On September 12 Hungary accepted the proposed anti-Ottoman pact which guaranteed Venice at least one ally with significant land forces willing to fight the Ottomans from the west.<sup>99</sup> In October Venice concluded an anti-Ottoman alliance with Pius II and Philip, Duke of Burgundy,<sup>100</sup> and the senate deliberated an appraisal of Pius II for his intentions to personally head the crusading army.<sup>101</sup>

As Venice tried to help its military effort by reaching peace in its immediate hinterland, it was important that Pope Pius II and Sigismondo Malatesta, lord of Rimini, formerly excommunicated by the Pope but supported by Venice, put an end to their

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<sup>98</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, ff. 181v-182r (30 Aug 1463), ff. 191v-192r (6 Oct 1463), the latter also in Lopez, "Il Principio della Guerra," #23, pp. 123-124, full text. Venice was ready to provide naval help to Uzun Hasan, A.S.Venezia, Sen. Del. Sec. Reg. 21, f209v (2 Dec 1463). On Uzun Hasan and on the relations between him and Mehmed II including the emirs of Karaman Ibrahim and Pir Ahmed, see Woods, *The Aqqyunlu*, pp. 87-123, Babinger, *Mehmed the Conqueror*, pp. 302-322.

<sup>99</sup> A.S.Venezia, *Libri Commemorativi*, Reg. 15, f88r (12 Sep 1463) with summary in Predelli, *Commemorativi*, V, #93, p. 150. On October 6 Venice expressed its satisfaction that King Matthias Corvinus was ready to send 4,000 cavalry in Bosnia and announced to the Hungarian ambassador that Uzun Hasan and Karaman are ready to wage war against Mehmed II, A.S.Venezia, Sen. Del. Sec. Reg. 21, f192r/v and summary in Lopez, "Il Principio della Guerra," #24 p. 124.

<sup>100</sup> Setton, *The Papacy and the Levant*, p. 249.

<sup>101</sup> But its transmission to the pope was postponed A.S.Venezia, Sen. Del. Sec. Reg. 21, f194r (13 Oct 1463), partly transcribed in Lopez, "Il Principio della Guerra," #25, pp. 124-125. Lopez seems to have thought that he had fully transcribed the document and accepted it as a passed motion, but it is not; the addition postponed the transmission of the latter until the next report from the Venetian ambassador at Rome had arrived.

conflict.<sup>102</sup> In exchange for this peace, Venice had agreed to lift the siege of Trieste, which had been punished for having obtained permission from the Holy Roman emperor to alter the traditional land trade routes in order to collect tolls.<sup>103</sup>

Third, Venice took measures to ensure the supply of war material. The senate ordered local authorities throughout the Venetian dominion to help supply the Arsenal with munitions enough for a year and to apply diligence in searching for debtors that had yet to pay their debts to the Signoria.<sup>104</sup> It then elected a noble to collect horses, arms, and whatever else deemed necessary for battle.<sup>105</sup> Despite the war, Venice was also maintaining patrol galleys in the upper Adriatic determined as ever to counter any infringement of its self-proclaimed exclusive economic rights in the *Golfo*.<sup>106</sup>

Venetian efforts to enforce the embargo represented a very significant portion of this frenzy of activity. On September 9, Paolo Mauroceno, a minister of war,<sup>107</sup> proposed a set of instructions to the Venetian ambassador at the papal curia. He was to explain that Venice had come to an open war with the Ottomans “for the Christian cause.” Before moving on to matters, such as Skanderbeg of Albania, an important ally against the

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<sup>102</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, f185r (9 Sep 1463). The news reached Venice on September 2. Sigismondo had been excommunicated on 28 Apr 1462, Raynaldus-Baronius 29, a.1463, #6-7, p. 327. Among other things of interest in these matters is the fact that Venice had purchased from Malatesta the city of Cervia, important for its salt, and defended this before the pope explaining that much contraband had been committed and that the salt income could be used against the Ottomans, A.S.Venezia, Sen. Del. Sec. Reg 21, 155v (2 Jun 1463). In summer a ship of Malatesta had to be saved from Anconitan galleys by Venetian triremes, A.S.Venezia, Sen. Del. Sec. Reg. 21, f174 r/v (11 Aug 1463). On Venice, Malatesta, and Pope Pius II see also, among others: A.S.V. Sen. Del. Sec. Reg. 21, f1v (1 Mar 1460), f6 r/v (29 May 1460), f7v (5 Jun 1460), f28r (19 Jan 1461), f53v (17 Aug 1461), 57v (22 Sep 1461), f59v (6 Oct 1461), f155v (2 Jun 1463), ff. 162v-163r (25 Jun 1463), ff. 165v-166r (1 Jul 1463), 196r (19 Oct 1463). The last one shows that even in October 1463, Malatesta’s possession of Rimini was not a sure matter. On Pius II and Malatesta see also Setton, *The Papacy and the Levant*, p. 251, note 65.

<sup>103</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 207-208.

<sup>104</sup> A.S.Venezia, Sen. Terra Reg. 5, f51v [52v] (24 Sep 1463).

<sup>105</sup> A.S.Venezia, Sen. Terra Reg. 5, f54r [55r] (2 Oct 1463).

<sup>106</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, f174r (11 Aug 1463), f175 r/v (14 Aug 1463).

<sup>107</sup> Since all ministers of war participated in the preparation of the motions that sent an ambassador to Florence to ask that city to refrain from sending its galleys to Constantinople and that ordered the fleet to enforce the embargo, it is very likely that Paolo Mauroceno had himself participated in the work on those documents.

Ottomans, peace in Italy and help from all other Christians, the ambassador was to explain that Venice would like the pope to

...ensure that from now on it will not be licit for any of the faithful to practice trade in the country of the said Turk; this so that of the goods and things of the faithful he could not benefit his affairs and harm those of Christians as will happen if the trade of the Christians with his [state] continues.<sup>108</sup>

The embargo proposed by Mauroceno is very different from the one then in force. That was selective, aimed at depriving the Ottomans of access to new technology. If it had seriously hurt Venetian trade with the Ottomans, this was largely a side-effect of the fact that all of the valuable cargo and the largest quantities of common goods were in fact transported by large vessels, those struck by the prohibitions. Mauroceno's embargo may have included ships but its real focus was trade itself, which he portrayed as detrimental to Christians and beneficial to the Ottomans. As minister of a city that lived on trade, Mauroceno surely realized that trade could not be beneficial to only one side. What he probably meant is that Christians were delivering war material to the Ottomans.<sup>109</sup>

In any case, the idea of a total embargo on trade with the Ottomans was now on the table. But, although it did not fail, neither did it pass. In fact, thirty-one senators accepted the text proposed by Mauroceno, but then the ministers of the council proposed that the instructions be deferred, arguing that more time was needed for deliberation at the time when a general expedition, that is, crusade, was being prepared. Their motion was voted 109 to zero to three *non-sinceri* and thus Mauroceno's proposal for a full

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<sup>108</sup> "...far chel non sia licito ad alcun fidel aver decetero comertio in el paese del dicto turcho a cason che dele robe e cosse de fedeli el non habia ad acomodar le cosse sue e incomodar le christiane come el faria continuandosse i comertii de christiani cum i suo." A.S.Venezia, Sen. Del. Sec. Reg. 21, f184 r/v (9 Sep 1463).

<sup>109</sup> This supposition finds support in a senate decision from January 1464, which provides evidence that Venice aimed at cutting the delivery of war supplies. This decision is the set of instructions to the new admiral, A.S.Venezia, Sen. Del. Sec. Reg. 21, ff. 220v-222r (10 Jan 1464). The decision is discussed in the next chapter.

embargo established by papal authority was put aside.<sup>110</sup> Instead of offering a detailed exposition, the ambassador was to simply assure the pope that Venice had entered into open war with the Ottoman state.<sup>111</sup>

While Venice postponed the attempt to convince the pope that a general embargo against the Ottomans was necessary, news arrived that the Florentine galleasses were preparing for their voyage east, and the senate decided to raise the issue both in Florence and in Rome. It sent a secretary to Florence to repeat the statements that had been made in March. As in March, the Venetian envoy was ordered to threaten Florence by explaining that the admiral was at sea and had orders to enforce the ban.<sup>112</sup> Within Venice, these policies were gaining strength. Whereas a significant number of nobles had objected both to the original embargo order in 1462 and to the text of the letter sent to Florence in March, this time there was little opposition.<sup>113</sup>

The March embassy had resulted only in the postponement rather than the cancellation of the Florentine convoy. Now the senate deemed it necessary to strengthen its request by seeking help from Pius II. Its new crusading stance and the peace between Pius and Malatesta enabled this new initiative, taken up by Bernardo Giustiniani, the Venetian ambassador in Rome. He was instructed to inform the pope of the Venetian embargo, of the reasons that had produced it, of the city's attempts to convince Florence not to send its galleasses, and of the great danger that their sailing would pose to the

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<sup>110</sup> A.S. Venezia, Sen. Del. Sec. Reg. 21, f184 r/v (9 Sep 1463).

<sup>111</sup> A.S. Venezia, Sen. Del. Sec. Reg. 21, f185r (9 Sep 1463).

<sup>112</sup> A.S. Venezia, Sen. Del. Sec. Reg. 21, ff. 186v-187r (17 Sep 1463). The secretary sent was Febo Capella.

<sup>113</sup> This motion was supported by ninety-two and opposed by one senator. Four senators chose neutral ballots, A.S. Venezia, Sen. Del. Sec. Reg. 21, ff. 186v-187r (17 Sep 1463). The original embargo decision had been voted 111 to twenty-eight with sixteen neutral ballots, A.S. Venezia, Sen. Mar 7, f90v (4 Dec 1462). In March, out of 147 nobles present as many as thirty-nine had not agreed with the text of the letter sent to Florence and as many as twenty-six had remained neutral, A.S. Venezia, Sen. Del. Sec. Reg. 21, f143r (3 Mar 1463).

Christian religion. Finally, Giustiniani was instructed to ask the pope to intervene with Florence. These instructions were overwhelmingly approved: of the 150 nobles voting, only one voted nay.<sup>114</sup> On the following day, the senate decided to send an additional envoy to Ancona. All 171 nobles present at that session agreed that Giovanni Dedo should make it clear to the Anconitan authorities that Venice knew of its preparations of a carrack to sail for Constantinople. Consequently, he was to ask Ancona to desist and to threaten the vessel's capture in the case of non-compliance.<sup>115</sup> Finally, a few days later, the senate prepared new instructions for admiral Loredan, instructing him to be vigilant since the senate could not yet tell whether its mission to Florence and Ancona would achieve its goal. In the case of failure, Loredan was to prevent vessels from those cities from entering the Straits and be wary of any alternate explanations for their mission that their crews might offer.<sup>116</sup>

The new Venetian attempts to enforce the embargo met with some initial success. From a new set of instructions to Alvise Loredan we learn that Pius II had in fact agreed to write to Florence on Venice's behalf and that, under the weight of his letter, Florence had agreed to withhold its galleys to Constantinople and the Straits. Venice had been informed that the galleasses might be headed to Chios instead, which Loredan was to allow. However, he was to remain vigilant and oppose any Florentine attempt to penetrate into the Straits and go to Constantinople.<sup>117</sup>

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<sup>114</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, f187r/v (17 Sep 1463).

<sup>115</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, ff. 187v-188r (18 Sep 1463).

<sup>116</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, f189v (22 Sep 1463).

<sup>117</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, f193v (11 Oct 1463). The senate decisions that were passed were usually, but not always, marked by cross on the right margin. There are cases, however, in which that was not the case, as when no cross was put for dozens and dozens of folios. There are some cases in which it is difficult to determine whether a given decision was passed or not. On this occasion there is no cross, but since the voting record is 102 to four 'against' to three 'neutral' it can be regarded as a passed decision. In

Something of the Florentine position can be gleaned from a letter of Agostino de' Rossi, the Milanese ambassador in Rome. According to Agostino, the Florentine ambassador had showed him a letter from Florence, which had also been made available to Pope Pius II. In it Florence elaborated on its diplomatic exchange about the galleys. Supposedly, the Florentines had in the first instance responded that the Tuscan city needed to send the galleys in order to collect Florentine citizens and goods left in Ottoman lands. Despite this, the letter goes on, Florence had not sent the galleys out of consideration (*contemplatione*) for Venice. Then Venice sent another embassy to which Florence answered as earlier adding that a Florentine ambassador would visit Venice; an answer that is said to have satisfied the Venetian envoy. Agostino claims that Florence did send the galleys, but there is nothing in the documentary evidence that supports this claim.<sup>118</sup> He also adds that when the Florentines learnt of the Venetian threats, they decided to postpone their participation in the planned crusade until after they were given assurances that no harm would come to the galleasses. Interestingly, Agostino claims that the Venetian ambassador in Rome, Giustiniani, had been quite surprised to hear the rumor that Venice intended to sequester the Florentine galleys and believed that it had indeed been just that, a rumor.<sup>119</sup> Pius II, if he can be trusted, also writes about a firmly

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his brief summary of the Venetian decisions on the embargo in September 1463, Lopez, "Il Principio della Guerra," p. 85, also considers this decision as a passed one.

<sup>118</sup> Clarke, *The Soderini and the Medici*, p. 71, note 19 also thinks that the vessels likely did not sail at this time.

<sup>119</sup> The letter is partly published and partly summarized in Lopez, "Il Principio della Guerra," pp. 126-127, #29 (19 Oct 1463). The diplomatic proximity of Florence to Milan should come as no surprise, as it is widely considered that the essence of Florentine foreign policy in the second half of the fifteenth century was to use Milan to check the influence of Venice, and Naples – to balance the power of the papacy - a major change over the times when Florence used to see in Venice an upholder of republican freedom and in Milan – the epitome of tyranny. Of course, officially Venice and Florence were allies according to the peace of Lodi and thus the correspondence between the two cities was covered in rhetoric of mutual love and friendship. At the same time, Venice was eager to maintain good relations with Milan, another 'ally' from the peace of Lodi. The senate clearly showed this when it turned down a request for help against Milan made by Paolo Fregoso, then doge and archbishop of Genoa, later a pirate, and told Francesco

anti-Venetian stand taken by a Florentine ambassador who supposedly argued that a Venetian success against the Ottomans would lead first to a Venetian subjugation of Greece and then of all Italy, to which he allegedly replied that to obey the Venetians would still be better than to obey the “Turks.”<sup>120</sup>

Whatever the sentiments on the streets of Florence and the gossip at the Roman curia, the Florentine government itself took the Venetian and papal letters seriously and did indeed send to Venice a prominent ambassador, Tommaso Soderini. The office of diplomatic representative was the “pinnacle of a Florentine’s political carrier.”<sup>121</sup> And in fact Soderini was not just any Florentine. He had married into a family known for its close relations with the Medici, had occupied himself with matters of commerce, including a new legislation concerning the Florentine galleys, had twice been Standard-Bearer of Justice, and in 1472 was listed among the wealthiest Florentines.<sup>122</sup> Once in Venice, Soderini stressed Florence’s “old friendship and affection” for Venice and readiness to “live in a brotherly manner” with it. He raised the issue of the galleasses explaining that Florence had to send them out of “necessity.” In its answer Venice also stressed its warm feelings towards Florence, and then moved onto the issue of the galleasses. The senate declared that Soderini had exposed the matter in a wrong manner, and corrected him by saying that Venice had merely asked Florence to refrain from sending the galleys to Constantinople and the Straits, not to the whole of Levant.

Reminding Florence once more of the reasons that had led Venice to eliminate (most)

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Sforza, the Duke of Milan, of the Genoese embassy and request for help. *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 207. On Florentine foreign policy with relation to the crusade and Venice see Setton, *The Papacy and Levant*, II, pp. 246-247.

<sup>120</sup> See for discussion and partial quotations of the text from Pius II’s *Commentaries* Setton, *The Papacy and the Levant*, II, pp. 246-247.

<sup>121</sup> Clarke, *The Soderini and the Medici*, p. 69.

<sup>122</sup> Clarke, *The Soderini and the Medici*, pp. 30-31 on his marriage to Dianora Tornabuoni, p. 119 on his being listed among the wealthiest Florentines by Benedetto Dei, pp. 66-67 for the rest.

trade with the Ottomans, the senate stressed that Venice had first prohibited navigation to its own citizens and subjects and that Venice had no objections to the Florentine galleys so long as they did not sail into the Straits.<sup>123</sup> Soderini was not satisfied with this answer and remained in Venice where he had a long conversation with doge Cristoforo Moro.<sup>124</sup> As a result, the senate strengthened its response to Florentine vessels entering the Straits while at the same time pointing out that the galleasses were free to go to Chios and elsewhere without causing danger to the Christians. As in the letter sent back in September, and unlike that from March, these two decisions passed by overwhelming majorities.<sup>125</sup>

Just before the arrival of Soderini, Venice found itself in a favorable position, not to be equaled throughout the course of the war. Its economic sanctions had disrupted trade with the Ottomans by limiting the access of Venetian-transported goods to the Ottoman market. The land campaign in the Morea had been a success and much territory that had never been in Venetian hands had been conquered. The king of Hungary had become an ally and his land forces provided a welcome addition to the power of the Venetian fleet, whose superiority over the Ottoman was deemed secure.<sup>126</sup> Venice was hopeful that it could use Uzun Hasan and Karaman as powerful allies in the back of the Ottomans (from Venetian perspective) as well as Skanderbeg in Albania.<sup>127</sup> Finally, Pius

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<sup>123</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, ff199r (4 Nov 1463). “veterem amicitiam et affectionem,” and “vivendi fraterne,” one wonders if there is a relationship between the latter expression and the fact that in Florence the male offspring of a deceased noble would often keep together to maintain the family wealth undivided.

<sup>124</sup> In the *promissioni* of whom one finds the change from *comune* to *signoria*, Romanin, *Storia documentata di Venezia*, IV, pp. 312-313.

<sup>125</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, ff204v (18 Nov 1463).

<sup>126</sup> Even a few years later, Venice was to still consider itself superior in “power, virtue, and experience in naval matters” to the “perfidious Turks” (*potentia virtute et experientia in re navali superamus perfidos turcos*), Sen. Mar Reg. 8 ff137v-138r (17 Aug 1467).

<sup>127</sup> On Skanderbeg and the Ottomans see Fine, *Late Medieval Balkans*, pp. 556-558, 595-599.

II was to personally head a general crusade of all Christians. Although Venice did not believe that many would gather under the papal banner, there was still hope that the Duke of Burgundy might do so with a powerful land army.

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The notion that the first Venetian-Ottoman war was caused by the relentless expansionistic push of sultan Mehmed II has long dominated the literature and there is no reason to refute it, nor to dispute that open hostilities started in summer 1463. At the same time, the idea that the Ottoman takeover of Argos is what forced Venice to accept war appears misplaced and over-reliant upon narrative sources. In fact, while the Ottoman takeover of Lesbos in summer 1462 and the Venetian campaign of the Morea in summer 1463 have been seen as disparate events, this study points to a different conclusion, namely, that Venice interpreted the capture of four carracks as a clear violation of the 1454 treaty and thus as the first openly hostile Ottoman act. Venice answered by halting most trade with Mehmed's empire. Stoppage of trade was always a very difficult policy choice for a city that lived on commerce.<sup>128</sup> Thus the events of 1462 help explain the Venetian acceptance of war much better than the fall of Argos, a place of secondary importance in the Venetian colonial system. It also better explains the Venetian strategy throughout the war. In fact, if we use a legal definition of the state of war, the Venetian-Ottoman war started in the summer of 1462, not 1463.

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<sup>128</sup> Such a policy had been used multiple times against the previous rulers of Constantinople, for the last time as recently as 1450, when Venice threatened to move its trade to Pera lest Constantine XI guaranteed the safety of the Venetian merchants and abolished a newly imposed tax, see Thiriet, *Régestes des délibérations du sénat*, #2834, p. 159 (17 Aug 1450). On that occasion only two months were necessary for the last Byzantine emperor to essentially comply with the Venetian requests for policy change, Predelli, *Commemoriali*, V, #168-169, p. 55 (23 Oct 1450).

Although it is not clear that a fully elaborated war strategy was ever articulated, it appears that in 1463 Venice pinned its fortunes on two main things, one concerning the sea, the other the land. At sea Venice relied on its own forces although it never refused occasional help from papal and other Christian galleys. On land, Venice tried to make some progress on its own, but its primary hope lay with Hungarian and, later, Hungarian and Aqqyunlu troops. Economic tools, were seen as essential to sustain both sea and land operations. On land, Venice was ready to provide military aid to Uzun Hasan and was active in Rome to make sure that the papacy subsidized Hungary.<sup>129</sup> At sea Venice imposed an embargo against the Ottomans.

Trade was halted in summer 1462 and the embargo officially proclaimed on December 4, 1462 as a measure aimed at preventing the Ottomans from easy access to a naval technology that they did not possess, but that could help them pose a significant danger to Venice at sea. This in turn was highly undesirable as Venetian military power relied on the navy. The embargo halted most trade between the Venetians and the Ottomans and thus removed the major reason for Venice's resistance to the constant papal overtures for a crusade. At the same time, in 1463 the Ottomans focused on Bosnia and did not concern themselves with naval matters, which would make an attempt to assess the embargo's effectiveness entirely speculative.

Soon after Venice proclaimed the embargo in its territories, it tried to win support for it in Florence and Ancona; initially Florence complied, as probably did Ancona;<sup>130</sup> but

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<sup>129</sup> Even though Venice refused to provide financial help to Corvinus in 1463 explaining that its navy and land troops cost her 600,000 ducats a year, a very large sum indeed, A.S.Venezia, Sen. Del. Sec. Reg. 21, ff. 194v-195r (13 Oct 1463), the relevant part is quoted in Setton, *The Papacy and the Levant*, II, p. 250.

<sup>130</sup> There is no data for Anconitan ships Straits-bound in 1463. Given the fact that there is for the next few years, it appears more likely than not that Ancona followed the Florentine example and initially complied with the Venetian request.

the former was unwilling to forgo trade with the Ottomans for more than a few months. Consequently, the idea that the pope should be asked to back an enlarged, total embargo, and thus prohibit all trade between Latin Christendom and the Ottomans was discussed in the senate. The attempts to enforce an embargo on the Ottomans that would be valid for non-Venetians caused much tension and the negotiations between Venice and Florence were led by a prominent Florentine sent to the city of the Lagoon for this very reason. The relations between the two republics vis-à-vis the embargo reportedly alarmed the streets of Florence and concerned at least two of the other three powers in Italian politics, the pope and the duke of Milan.<sup>131</sup> The peace of Lodi provided a system of alliances through which Venice could hope for diplomatic support in its war with the Ottomans, but the exclusion from it of Venetian overseas territories limited its usefulness. Ultimately, the main foreign policy result of the embargo in 1463 was the tension it created in the political status quo in Italy.

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<sup>131</sup> Paula Clarke even thinks that the issue of the embargo brought the two republics close to war, *The Soderini and the Medici*, p. 69.

## CHAPTER 8

### THE EMBARGO AS A KEY TOOL OF FOREIGN POLICY

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#### **8.1. A Strategic Embargo on All Trade**

While Soderini was negotiating in Venice, the reversal in the Morea came just as quickly as the initial Venetian offensive. By November 4 the commander of the land troops lay dead. Disease attacked the Venetian army as captured Ottoman spies revealed that preparations for an attack were under way in the Ottoman camp. A war council of field commanders presided over by Admiral Loredan therefore decided to withdraw Venetian forces from the Hexamilion, the defensive fortifications designed to defend the Peloponnese by preventing access to the peninsula. The Ottoman army was now awarded the initiative in the Morea, a situation from which Venice was not to recover.<sup>1</sup>

At the same time the senate transformed the 1462 embargo on travel to Constantinople on large ships into a system of almost all-encompassing economic sanctions. The ‘new’ embargo was shaped through a sequence of decisions taken between late December 1463 and late May 1464. Unlike the original one, for which there had been a slow momentum of approval, this was unanimously accepted. Directed at the Ottomans as well as the Genoese of Chios, it encompassed all trade and even forbade the Venetians from selling ships to foreigners other than crusaders. In this form, the ‘new’

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<sup>1</sup> Lopez, “Il Principio della Guerra,” pp. 99-100. As Setton puts it, the Hexamilion was the “Maginot of the Morea.” The successes of the Venetians were all in August and September, when they captured Argos, rebuilt the Hexamilion, and resisted the initial Ottoman attacks. On 20 October, however, they were badly defeated and it was then that Bertholdo was wounded. According to Setton, if Venice did not suffer total defeat in Morea already in 1463 it was probably because of the advent of winter, Setton, *The Papacy and the Levant*, pp. 248-249.

embargo would remain in place for the duration of the war and the papal curia was consistently supplicated to make it legally valid for all Christians.

First, the senate finally voted a motion similar to the earlier one proposed in September by Paolo Mauroceno. This placed the issue of sanctions before the pope, instructing Ludovico Foscarini, the Venetian ambassador in Rome, to explain to Pope Pius that since a crusade had now been proclaimed he should prohibit access to the Straits and to any other Ottoman territories under whatever sanctions and penalties he deemed appropriate. To make his point, Foscarini was given the freedom to use whatever words and reasons he found suitable. This brief and straightforward instruction which dealt only with the embargo was voted unanimously by all 156 senators present.<sup>2</sup> Alongside an attempt to reinvigorate the papal embargo, Venice strengthened its own. Instructions, voted 163 to three ‘against’ to one ‘neutral,’ to the new captain general of the sea and supreme commander of all Venetian naval and land forces, Orsato Giustiniani, make it clear that by early 1464 all trade with the Ottomans was subject to Venetian sanction and that although Venice sought an ‘official,’ papal embargo on trade with the Ottomans, it was resolved to enforce one on its own, with or without papal support. Warned that “carracks or other vessels of whatsoever nation” going to Chios and the Straits might be carrying war material to the Ottomans, Giustiniani was ordered to confiscate such “saltpetre, munitions, or all other arms and things” carried to Ottoman territories.<sup>3</sup> In light of this document, which adds the broad category “things” to the items contained in

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<sup>2</sup> A.S.Venezia, Sen. Terra, Reg. 5, f65r [66r] (30 Dec 1463).

<sup>3</sup> “Quam occurrere posset quod aliqua navis seu aliud navigium cuiuscumque nationis existeret quod proficiscetur versus sium seu in strictum conducere posset salnitrium munitiones aut alia arma deferenda ad turcos sicut ut scis nuper faciebant quidam naves capte per sorum de nava. Volumus quod circa rem istam diligentem advertentiam habere debeas et haberi facere intromittendo et accipiendo salnitrium arma et omnes alias munitiones et res de quibus suspicionem haberes quod portarent ad turcos.” A.S.Venezia, Sen. Del. Sec. Reg. 21, f221r (10 Jan 1464). Saltpetre was essential for gunpowder.

the papal embargo, and the explicit evidence contained in a later one from the same year it can be concluded that by the first days of 1464 Venice had proclaimed a total embargo against the Ottomans.<sup>4</sup> At the same time, the instructions also show that the delivery of war items was still seen as the main problem.<sup>5</sup> They also suggest that Chios had become, or at least had come to be seen as, a major transshipping point for goods with final destination Constantinople. Thus the senate assessed the major problems as the possibility for the Ottomans to purchase or seize Christian ships and use them against Venice, the delivery of war material and other ‘things’ to Constantinople, and the role played by Chios as a ‘middleman’ allowing the Venetians themselves to circumvent the embargo.

Just three days after Giustiniani’s instructions were voted, Venice, by an overwhelming senatorial vote, prohibited the sales of ships to foreigners. Of course, ships could not be sold to Muslims anyway as stipulated by the papal embargo, but now ship exports were prohibited altogether. The senate recalled that it had prohibited the travel of ships of more than 150 *botte* to the Straits so that they would not be confiscated by the Ottomans and used against the Christians. However, the motion explains, many Venetian subjects from Crete had found ways to profit from the situation by selling their carracks in Genoese Chios, from which island they were transferred to Ottoman hands. In order to avoid this, the senate now forbade Venetian citizens or subjects from selling carracks to foreigners. The penalty was relatively stiff: not only imprisonment for a year but, more pertinently, perpetual deprivation of the right to own carracks. Only potential

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<sup>4</sup> Which is discussed below, A.S.Venezia, Sen. Mar Reg. 7, f171r (29 May 1464).

<sup>5</sup> As it was probably seen by Paolo Mauroceno when he introduced his motion, already discussed, which proposed that the pope be persuaded to impose a total ban arguing that the trade with the Ottomans was to the detriment of Christians.

crusaders, such as the duke of Burgundy, were exempted. And the order was published throughout the Empire: in Corfu, Modon, Coron, Negroponte, and Candia.<sup>6</sup>

The Venetian economic sanctions against the Ottomans attained their final shape on May 29 when the senate declared that

no citizen or subject of ours can have any commerce in any land or place subject to the Turk by reason of which prohibition many found a way to send their merchandise and goods to the island of Chios which is nothing else but to say that they practice trade in the said lands and places of the Turks....<sup>7</sup>

Consequently, all Venetians were prohibited from sailing to Chios on any vessels, Venetian or foreign, under penalty of the forfeit of their goods. This mild penalty imposed for transgression, which essentially meant loss of the investment only, is surprising in a comparative context. As we saw above, Venetian penalties for transgressing the papal embargo on arms sales to Muslims, for example, consisted of a two-year prison term, loss of the contraband items or the profit of them, and that much

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<sup>6</sup> The main part of the document is the following one: "Captum fuit per hoc consilium ante susceptum bellum cum turcho ne aliqua navis nostra butarorum CL-ta et inde supra ire posset in strictum pro auferenda occasione et facultate turcho offendendi christianos. Et tamen ausi sunt nonnulli cives et subditi nostros presertim Cretensis conducere seu mittere naves suas Chium ubi illas vendunt que postea ad manu turci capitant et possent esse alicui non mediocri incomodo rebus nostris. Propterea vadit pars quod aliquis quisquis sit civis subditus et fidelis noster tam huius civitatis quam Crete et aliorum quorumcumque locorum dominio nostro suppositorum non audeat vel presumat imposterum vendere navium aliquam alicui forensi quisque fuisset sub pena perdendi precium illius et tantumdem et standi uno anno in carcere perpetueque privationis possendi participare aut habere navium aliquam Quas penas exigat rectores nostri extra Venetias et Venetiis." A.S.Venezia, Sen. Mar, Reg. 7 f144v (13 Jan 1464). As was the case of the other two embargo-related decisions taken at this time, this was voted with overwhelming majority; it was supported by 125 senators, opposed by none, and there was only one neutral vote.

<sup>7</sup> "Prohibitum est lege superioribus mensis in consilio condita quod nemo civis aut subditus noster comertium aliquos habere posset in aliaqua terrarum seu locorum turcho subiecte ob quam inhibitionem multi invenerunt modum mittendarum mercationum et rerum suarum ad insulam chii quod nichil aliud est dicere quod in suprascriptis turchorum terris et locis comertia habere." A.S.Venezia, Sen. Mar Reg. 7, f171r (29 May 1464). Meanwhile trade between Chios and Constantinople had been going on as usual, as seen a document drafted on the same 29 May. A certain Micali Arsani, *burgensis* of Chios and a Giovanni from Naples, patron of a caravel, agreed to transport seventy *vegetes vinorum* to Pera, Philip Argenti, *The Occupation of Chios by the Genoese and their Administration of the Island, 1346-1566*, Vol. III Notarial Deeds (Cambridge: Cambridge University Press, 1958), pp. 789-790.

more as a money fine.<sup>8</sup> It also compared unfavorably to the Venetian penalties for violations of Venice's 'economic rights' in the Gulf, which also usually included prison terms. In addition, it appears that Venice did not consider enforcing such a ban on the Genoese themselves, thus making allowance for a continuance of some trade between the islands.<sup>9</sup>

Prior to placing Chios itself under embargo Venice had tried to make its case for the anti-Ottoman sanctions before the Genoese ambassadors of the Mahona that ruled Chios when they approached the city for aid against the Ottomans. Promising naval support, the senate had nevertheless raised the question of merchants from Chios who supplied the Ottomans with munitions, arms, saltpetre, anchors, and other 'war material.' Contending that such traffic was against the Christian religion, Venice did not base its complaints on its own embargo, but rather on those of the permanent papal embargo against Muslims, the only one that had legal force against the Genoese. In addition, the senate had requested the Mahona to stop paying the annual tribute to the sultan, which amounted to several thousand ducats.<sup>10</sup> This is how Venice attempted to use the papal embargo for its own purposes.

The Venetian embargo maintained its focus on large ships, but also included arms and all other merchandise. Since it was legally binding on Venetians alone, it could not be presented to non-Venetians in any other form than as an implementation of the papal ban of arms export to Muslims. This is why Venice insisted on arms when negotiating

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<sup>8</sup> A.S.Venezia, Maggior Consiglio Reg. 23 Regina, ff. 18v-19r (6 Feb 1458).

<sup>9</sup> In fact, later in the war, two Genoese, of whom one resident of Venice and the other of Candia, concluded a transaction in Chios, Argenti, *The Occupation of Chios by the Genoese*, pp. 804-805 (12 Aug 1471).

<sup>10</sup> On the arms: "Et quia etiam scimus quod quidam ex suis tam de munitionibus et armis quam de sartiis anchoris salnitrio et aliis rebus servierunt turco. videtur nobis quod decetero ab istis et aliis favoribus tradendis huic hosti desistere debeant ita quod amplius ista inconvenientia non sequantur cum offensione honoris dei et danno christianitatis." A.S.Venezia, Sen. Del. Sec. Reg. 22, ff 6v-7r [8v-9r] (17 Mar 1464). Quotation on f7r [9r].

with the Mahona, but one should not be misled to think that arms were Venice's only concern besides ships. That the embargo was all-encompassing is well-exemplified by documents from 1464, a difficult year for food supplies due apparently to production shortfalls. In order to facilitate the food supply the Venetian senate issued two six-month licenses to permit Venetians in Negroponte and Corfu to cross religious and political divides and purchase grains from the local Ottoman subjects. The license, issued in March and renewed in October, stipulated that any other goods that the Venetians might buy from the 'Turks' would be confiscated.<sup>11</sup> Obviously, had trade in foodstuffs not been banned, no such licenses would have been necessary.<sup>12</sup>

Meanwhile, the Florentine galleasses took advantage of the changes in the supreme command of the Venetian fleet and, despite Venice's insistence and papal pressure, penetrated the Straits and reached Constantinople. Pope Pius II asked for Venice's opinion on the matter. Venice answered that in light of the relations between Venice, Florence, and Rome, the Venetian fleet was not to impede the return of the Florentine galleys from Constantinople. Nevertheless, ambassador Foscarini was to secure from the pope a public proclamation of a total embargo guaranteeing that "from now on galleys or other vessels of the Christian nations in no way go to Constantinople or

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<sup>11</sup> A.S.Venezia, Sen. Del. Sec. Reg. 22, f6r/v (17 Mar 1464) and Sen. Mar Reg. 7, f199v (11 Oct 1464), which, with regards to the goods, states: "Frumenta et alia blada et nullam aliam rem." At the same time, it allows the Venetians to go: "ad turchorum loca" in order to purchase grains. The senate also ordered that the colonies be provisioned with grains, flour, and biscuit for a year and that no Venetian ship was allowed to export such products; patrons of ships that would do so were to suffer the very harsh money fine of 1,000 ducats and to be deprived from patron rights for ten years. A.S.Venezia, Sen. Mar Reg. 7, f199v (15 Oct 1464).

<sup>12</sup> While the embargo against the Ottomans was growing in scope, it was not the only economic tool employed by Venice: a papal legate was licensed by Venice to export whatever necessary for the completion of the papal galleys without the payment of any taxes or custom dues, A.S.Venezia, Sen. Del. Sec. Reg. 22, f17 r/v [19r/v] (1 Jun 1464).

the Straits.”<sup>13</sup> The senate may have felt that the Florentine galleys had another mission far more dangerous than the galleys, namely the purchase of Lesbos, the island that the Ottomans had taken in 1462 with the help of the seized carracks. In a letter of 1 February it ordered admiral Giustiniani to allow the Florentine galleys to sail home, but to prevent any attempt they might make to take over Lesbos, which he should instead try to recapture.<sup>14</sup> Neither Vettor Capello nor Jacopo Loredan, who had introduced the first motion pressing Florence to refrain from sending the galleasses, opposed this decision.<sup>15</sup>

The political behavior of the Venetian senate vis-à-vis the Florentine galley line to Constantinople thus appears contradictory. On the one hand Venice had declared its will to enforce the embargo and had ordered its admiral to do so. On the other, it allowed the Florentines to return home without harm. Obviously, stopping the galleys on their way back would have served only punitive purposes since the Ottomans had already derived benefit from their voyage. Nevertheless, if we briefly consider how the Florentine galleasses fit into the picture of trade in the East, the apparently confused picture becomes clearer.

Benedetto Dei took pride in the export of Florentine woolen cloth carried on Florentine galleys.<sup>16</sup> A Genoese source estimates that in 1473 the galleasses carried cargo worth a total of 50,000 ducats.<sup>17</sup> Benedetto Dei calculates a cargo of 60,000 ducats

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<sup>13</sup> “...decetero galee aut alia navigia nationum christianorum nullo modo se conferant constantinopoli neque in strictum...” A.S.Venezia, Sen. Del. Sec. Reg. 21, f225r (24 Jan 1464).

<sup>14</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, f226v (1 Feb 1464).

<sup>15</sup> Loredan was among those who proposed the decision to let the Florentines go, while Vettor Capello was among the proponents of a slightly different decision, which, however, did not differ from the passed one on the matter of the galleasses, A.S.Venezia, Sen. Del. Sec. Reg. 21, f226v (1 Feb 1464). The difference was that the draft proposed by Capello did not include the proposal to attack Lesbos.

<sup>16</sup> Florentine galleys exported 8,000 pieces of cloth in 1470 and 1472, 7,500 pieces in 1471, 3,300 in 1474, and 3,000 in 1476, Dei, *La Cronica dall'anno 1400 all'anno 1500*, pp. 94-100.

<sup>17</sup> The document is in A.S.Venezia, Duca di Candia, Busta 8, f13r (20 Jan 1473). Partly published in Iorga, *Notices et Extraits*, II, #250, pp. 334-335. According to Iorga the cargo was worth 50,000 ducats. The

in addition to 3,300 pieces of cloth exported in 1474.<sup>18</sup> Dei's work is thoroughly anti-Venetian and interprets the events after 1462 as a sign of flourishing Florentine business in Constantinople at the expense of Venice. This surely was true in part, but he fails to connect Florence's success with the Venetians' voluntarily withdrawal due to the embargo.<sup>19</sup>

Dei's assessment is deceptive. As a matter of fact, the Florentines were newcomers to the region. They sent only a single galley annually from Pisa (Florentine since 1406) to Constantinople until 1457 when a second was added only because of security concerns.<sup>20</sup> By 1462 there were three galleys,<sup>21</sup> a number that did not increase though not necessarily as a result of the Venetian embargo proclaimed later in that year.<sup>22</sup> Furthermore, in 1470 the triremes were only two in number, and the voyage had to be postponed due to organizational problems.<sup>23</sup> Worst of all, in 1477 no one was willing to

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document itself is practically unreadable in that part, maybe it was more readable a century ago when Iorga worked with it.

<sup>18</sup> Dei, *La Cronica dall'anno 1400 all'anno 1500*, p. 98.

<sup>19</sup> Dei, *La Cronica dall'anno 1400 all'anno 1500*, p. 161. See also p. 130.

<sup>20</sup> Giuseppe Müller, ed., *Documenti sulle relazioni delle città toscane coll'Oriente cristiano e coi turchi fino all'anno MDXXXI* (Florence: Società Multigrafica, 1966, a re-print of an edition from 1879), part II, #9, p. 293 (27 Aug 1457) and #10, pp. 293-294 (15 Nov 1458).

<sup>21</sup> See Müller, ed., *Documenti sulle relazioni delle città toscane coll'Oriente...*, part II, #14-18, pp. 297-303.

<sup>22</sup> Müller, ed., *Documenti sulle relazioni delle città toscane coll'Oriente...*, part II, #12, pp. 295-296 (24 Jul 1460).

<sup>23</sup> Müller, ed., *Documenti sulle relazioni delle città toscane coll'Oriente...*, part II, #25, p. 310 (23-27 Feb 1470). Babinger goes as far as to claim that in 1467 Florence suspended its convoys to Constantinople until 1472 because of a sharply negative reaction of the other Italian states "who rightly feared serious damage to their own trade." Babinger, *Mehmed the Conqueror*, pp. 276-277, quotation from p. 276. It is hard to agree with Babinger. Who are those 'states'? They can only be Venice, Genoa, and Ancona. First, he does not account for the fact that Venice had intentionally stopped all its trade with Mehmed II. Second, although Genoa probably did not like the Florentine inroads into trade in Constantinople, it hardly felt as threatened as presented; the numbers presented in this work point that the volumes of Genoese trade greatly exceeded those of Florentine business in the region. In addition, Genoa was under Milanese rule, but Florence and Milan were very close in this period, why should then Milan argue against Florentine trade with Constantinople? We will see that Milan actually stayed behind Florentine trade with Mehmed II. Finally, Ancona was hardly a city with any weight in Italian politics, despite being a papal satellite. Moreover, it was no rival to Florence, but the two worked in concert: many of the rich merchants carried by Anconitan ships were in fact Florentines.

rent the two galleys forcing the Florentine government to subsidize the venture, not its first intervention of this kind.<sup>24</sup>

Dei's own numbers do not help his argument.<sup>25</sup> Arguing for Florence's glory, he had no interest in underreporting its trade with Constantinople, especially as he took personal pride in his own collaboration with the Ottomans. Thus his numbers either roughly reflect the actual ones or are higher. The picture of total volume of trade presented by him pales in comparison to Genoese and Venetian turnovers. We will discuss the case of a single Genoese carrack, captured by the Venetians, which had twice the cargo capacity of the three galleasses making the Florentine convoy combined and which carried cargo worth 70,000 ducats, comparable to the total value of the Florentine trade with Constantinople if the above given numbers are at least approximately correct. Later in the fifteenth century Venetian round ships each carrying 50,000 ducats worth of merchandise to Egypt have also been noted.<sup>26</sup> Venetian trade on the Alexandria galleys alone was worth 200,000 ducats in 1472.<sup>27</sup> Finally, Dei himself notes that in 1473 the galleasses brought back little cargo.<sup>28</sup>

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<sup>24</sup> "Inteso...come in questo anno non s'è trovato chi abbi voluto le galee pel viaggio di Levante, et che pure si giudica dovere essere non solo utile alla città ma anchora sommariamente necessario...che tal viaggio questo anno si faccia; et troverrebesi chi lo farebbe, secondo è suto loro referito, se si potessi a' conduttori delle galee dare qualche subsidio et sovvenzioni de' danari del Comune, chome altre volte s'è fatto in tali casi...." Müller, ed., *Documenti sulle relazioni delle città toscane coll'Oriente...*, part II, #27, p. 311 (the document as a whole, pp. 311-313).

<sup>25</sup> We saw that he claims a total volume of Florentine trade in Constantinople in 1474 as 60,000 plus 3,300 pieces of cloth. This would make at best for up to 70-75,000 ducats of total value. We also saw that the Genoese estimates for 1473 were in the 50,000-ducats range.

<sup>26</sup> Ashtor, *Levant Trade in the Later Middle Ages*, pp. 475-476 (Aug 1493).

<sup>27</sup> Ashtor, *Levant Trade in the Later Middle Ages*, p. 477. If we use the auctions as an indication of trade volume, it is reasonable to expect that the Beirut line yielded roughly that much as well, Ashtor, *Levant Trade in the Later Middle Ages*, p. 475, and this is only part of the story; there were more galleys lines (Barbery) and many carracks sailing to Alexandria and especially to Syria added to the total volume of Venetian trade in the Levant, which usually amounted to roughly half a million ducats a year with the Mamluk empire alone.

<sup>28</sup> "1473 le ghaleaze tornarono di Ghostantinopoli con poho caricho." Dei, *La Cronica dall'anno 1400 all'anno 1500*, p. 97.

The importance of Florentine trade for the Venetian embargo must also be considered in light of the problem of naval superiority. After all, the Florentine ships were heavy galleys while the rationale behind the embargo had to do primarily with carracks and much less with other large ships, such as galleasses. In addition, Florentine trade should not have benefited the Ottomans through the delivery of arms, or at least not as a state politics, since the Florentine law regulating the galley line upheld the papal export controls by forbidding the shipment of arms to Muslims.<sup>29</sup>

While it is impossible to estimate the actual importance of Florentine trade to the Ottoman treasury, all of this suggests that its withdrawal could hardly have damaged the Ottoman economy in a very significant way.<sup>30</sup> On the other hand, the convenience of easily obtainable cash through the taxation of foreign trade compared to all other sources of income may have made Florentine trade more attractive to Mehmed than the numbers alone suggest. In sum, the Venetian sources are consistent. To the senate the Florentine trade appears to have been significant enough to warrant concern and thus diplomatic action, but the opportunity cost of stopping it illegally was much higher than the potential payoff. This prevented the implementation of military measures.

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<sup>29</sup> “Also, so that God be more inclined to make prosper your naval enterprise, and out of respect for him, it is being enacted through this decision that it is not allowed to carry or make carry, directly or indirectly, arms from whatever region, nor steel, nor iron, on the galleys that go to the Levant at any time, for the purpose of selling, contracting or leaving in those parts in any way under fine of 500 florins for the patrons and any other transgressor for each occasion and for each of them...,” “Ancora, acciò che Iddio sia più propitio a fare prospettare el vostro navichare, et per sua riverentia, si prevede per questa, che non si possa nè debba sulle galee, che andassono in Levante, per alchuno tempo portare o fare portare, per via diretta o indiretta, arme d’alchuna ragione nè acciaio, nè ferro per vendere, contrattare o in alchuno modo lasciare in dette parti, sotto pena di fiorini cinquecento a’ padroni et a qualunque altro che controfaccessi, per qualunque volta et per ciaschuno di loro....” Müller, ed., *Documenti sulle relazioni delle città toscane coll’Oriente...*, #12, p. 296 (24 Jul 1460).

<sup>30</sup> To precisely understand the importance of this trade one needs a fairly certain data on the exact income of the Ottoman treasury as well as a decent estimate of the volume of the Venetian trade prior to 1462 and of the contemporaneous Genoese turnover in Pera. No such figures are available. It would be easier to assess its perceived importance, but I have not seen a source that speaks of this.

While the Florentine government was happy to carry on trade with the Ottomans, and the Venetians refrained from trying to prevent it, individual Florentines reacted to the Venetian war in various ways. The happy remarks of the chronicler Benedetto Dei are countered by the testament of a certain Chechi who found it wise to bequeath to Venice 350 ducats a year for every year in which the Serenissima would arm ten or more galleys for the purposes of this or another war with ‘infidels.’<sup>31</sup>

While the Florentine galleys were supposedly on their way back, Venice continued its consultations with the pope regarding the economic sanctions to be imposed on the Ottomans. The Venetian ambassador to the Holy See wrote back that Pius II wanted to postpone until the usual date, Holy Thursday, the proclamation of the embargo, which meant that he had no intention of proclaiming a separate embargo that would specifically prohibit trade with the Ottomans. The senate ordered its *orator* to explain to Pius that a new prohibition published before Holy Thursday could stop such trade more effectively than the customary reminder; but it does not seem that Pius was convinced.

Meanwhile, the military action in 1464 was not going Venice’s way. Sigismondo Malatesta, who had become general of the land forces in Morea, was accomplishing little, and, at sea, an attempt to retake Lesbos was aborted.<sup>32</sup> The failures of the Venetian forces thus complemented the lack of enthusiasm for a crusade following the death of Pius II.<sup>33</sup> The pope had published his crusading bull and taken the cross in Saint Peter’s on June 18 and on the same day had left Rome for Ancona, from which the crusading

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<sup>31</sup> A.S.Venezia, Colleggio, Notatorio, Reg. 10, f97r (23 Mar 1464).

<sup>32</sup> Setton, *The Papacy and the Levant*, pp. 251-252. For detail on the war in Morea in 1464-1465 see pp. 252-257.

<sup>33</sup> Who had seen the Venetian war “as part of the crusade which he had preached at Mantua.” Setton, *The Papacy and the Levant*, p. 257.

fleet was to depart.<sup>34</sup> He lived long enough to learn of the much awaited arrival of Venetian galleys headed by the doge in person, but his death on August 15 brought an end to the crusading effort.<sup>35</sup>

The appointment of a Venetian pope did not improve Venice's chances of securing papal support for its embargo. When Pietro Barbo changed his Venetian identity for the papal title Paul II, he already harbored considerable resentment against his native city, which had forced him to relinquish the bishopric of Padua.<sup>36</sup> Although the cardinals had vowed to continue their commitment to the crusade after Pius' death, financing it with the income of the alum of Tolfa,<sup>37</sup> two bishops absolved him from this obligation. His crusading contribution throughout his pontificate consisted of financial subsidies to Venice and Hungary.<sup>38</sup> Whatever his crusading reluctance, Venice sought to persuade him to support its effort against the Ottomans. At his election, the senate sent a remarkable embassy of nobles to Rome to mark his accession.<sup>39</sup>

Although Venice did not immediately raise the issue of the embargo before the new pope, it soon had a reason to do so. When in June Admiral Loredan informed the senate that two carracks carrying textiles and soap had been seen in the Straits, the senate

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<sup>34</sup> For the preparation of the crusade in 1463-1464 see Setton, *The Papacy and the Levant*, 261-268. The above information is from p. 268.

<sup>35</sup> Setton, *The Papacy and the Levant*, pp. 269-270.

<sup>36</sup> Setton, *The Papacy and the Levant*, II, pp. 271-272, Babinger, *Mehmed the Conqueror*, p. 240. For some general information on all Venetian popes see Ivone Cacciavillani, *I papi veneti* (Venice: Corbo e Fiore, 1999).

<sup>37</sup> Setton, *The Papacy and the Levant*, II, p. 271.

<sup>38</sup> Alberto Guglielmotti, *Storia della marina pontificia* (Rome: Tipografia Vaticana, 1886), II, p. 341. Guglielmotti adds Skanderbeg to Venice and Hungary, but the sums that he received were little and in no case comparable to those extended to Venice and Hungary. See also Setton, *The Papacy and the Levant*, II, p. 276.

<sup>39</sup> Far from everyone agreed to go on the embassy, however. In fact, seventeen people had to be elected to get ten that would agree to go, A.S.Venezia, Sen. Del. Sec. Reg. 22, f35r [37r] (5 Sep 1464). Their commission can be found ibidem, ff. 45v-46r [47v-48r] (30 Oct 1464). Among the ambassadors was Vettor Capello, the former admiral and one of two authors of the first motion to propose an extension of the embargo to non-Venetians.

reacted by enacting two motions. The first ordered the admiral to enforce the sanctions and refuse Christian carracks or other vessels, that is any ships, entry into the Straits.<sup>40</sup> The second was a set of directives to Nicolò de Canal, its ambassador in Rome. These instructions, to which copies of Loredan's letters were attached, directly addressed the issue of embargo. De Canal was instructed to take up with the pope the continuing problem of Anconitan and Genoese carracks which continued to sail into the Straits. As these could be detained by the Ottomans and armed against Venice, the senate wanted Paul II to address the problem in whatever way he would deem appropriate.<sup>41</sup> This is hardly a request for the complete embargo the city had asked of Pope Pius, but within two months, Venice again placed a full embargo at the center of its papal diplomacy. According to this new initiative, De Canal was to tell Paul II that the Genoese and Anconitan ships sailing to Constantinople had been doing so under Milanese insignia. He was then to build Venice's case by tying the embargo to the papal desire to stop alum imports from the Ottoman Empire. And he was instructed to use strong language, explaining that Christian navigation to the Straits and Anatolia caused "unlimited harm" and that the alum trade with the Ottomans caused "incredible benefit" to the latter at the expense of Venice and Hungary who were at war with them. De Canal was to claim that it was precisely income from the alum trade that financed Ottoman warfare against Venice and Hungary.<sup>42</sup> Thus by alleging a robust alum trade and underestimating all other sources of income at the Ottomans' disposal as well as their abilities to channel resources in other ways, Venice built a rhetorical argument designed to appeal to papal

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<sup>40</sup> A.S. Venezia, Sen. Del. Sec. Reg. 22, ff. 96v-97r [98v-99r] (22 Jun 1465).

<sup>41</sup> A.S. Venezia, Sen. Del. Sec. Reg. 22, f97v [99v] (22 Jun 1465).

<sup>42</sup> "infinita mala," "maximam utilitatem et comoda incredibilia," A.S. Venezia, Sen. Del. Sec. Reg. 22, f108v [110v] (8 Aug 1465).

interests. There is nothing to suggest, however, that this had any greater success than previous attempts to secure papal endorsement of the Venetian sanctions.

In 1466 the senate intensified the diplomatic campaign for a total papal embargo, raising the issue three times in as many months. The ambassadors were ordered to use a variety of arguments and raise for the first time the problem of Chios' role as a 'middleman' for Christian trade with the Ottomans. Perhaps in order to make its case more compelling, the senate allowed the patriarch of Venice to finally publish the papal ban on alum import from Muslim lands, three years after its proclamation in Rome.<sup>43</sup> Then the senate, in a long set of instructions to Bernardo Giustiniani, its new ambassador to the curia, asked him to explain that Venice had satisfied the papal desire for the imposition of a boycott on all imports of alum from Muslim lands. Simultaneously, he was to explain that a bigger problem than alum imports from the Muslim world was the delivery of war material to the Ottomans still being practiced by Christians.<sup>44</sup> Yet again Venice was trying to effectively draw a line between the Ottomans and the other Muslim countries. Whereas the papacy had one kind of embargo (on all war material) valid for all the Muslim world and one boycott (on alum) also valid for all Muslim lands but it allowed all other trade to the Muslim world at large (under license), Venice wanted a nuanced approach. The Serenissima sought a total embargo on the Ottomans, but no boycott on alum imports from other Muslim countries. But just as it was not able to convince the papacy to differentiate in the embargo and impose a total ban on the Ottomans, so it was unable to convince Rome that alum imports from non-Ottoman Muslim lands should be allowed. Finally, a letter to the ambassador at the curia from

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<sup>43</sup> A.S. Venezia, Sen. Del. Sec. Reg. 22, ff. 129r-130r [132r-133r] (9 Jan 1466). The patriarch was acting simply as a representative of the pope.

<sup>44</sup> A.S. Venezia, Sen. Del. Sec. Reg. 22, ff. 129r-130r [132r-133r] (9 Jan 1466).

March 23 shows that we should take *cum grano salis* all arguments made for the embargo. In fact, the senate ordered him to do his best to obtain an embargo from the pope using to the purpose whatever he could come up with (as had been the case in late 1463).<sup>45</sup>

Not only did Venice persist in its attempt to obtain papal backing for its embargo, but it even stepped up its requests. The ambassador was to add a request for a halt on trade with Chios to the usual demand for an embargo on trade with the Ottomans.<sup>46</sup> This undoubtedly corroborates the view expressed above that Chios was seen as a transshipment point for goods whose final destination was Constantinople.

The Venetian requests for papal support had a point. Florentine, Anconitan, and Catalan vessels penetrated the Straits between 1464 and 1466. Florentine documents suggest that trade with the Ottomans was ongoing. In 1466 Florence instructed its consul in Pera to avoid double taxation of a certain Giovanni Marsupini, a citizen of both Florence and Ancona and a resident of the latter. Giovanni had been taxed by the consuls

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<sup>45</sup> “Mandamus vobis ut...circa hoc omnem instantiam faciatis omnibus illis verbis et rationibus que noveritis expedire.” A.S.Venezia, Sen. Del. Sec. Reg. 22, ff. 144r/v [146r/v] (23 Mar 1466). At the same time, the costs of the war, the setbacks in Morea, the lack of any decisive action at sea, the failure of the crusade, and the lack of any significant developments on Mehmed’s eastern front seem to have been the reasons behind a new development in Venice’s foreign policy, namely, the attempts to reach to an agreeable peace with Mehmed; the issue was raised already in 1465, Setton, *The Papacy and the Levant*, II, p. 274. Thus while Venice argued for an embargo at Rome and assured Uzun Hasan that it was ready to fight, that a fleet of over forty triremes and several carracks was being prepared, and that the Venetian ambassador in Hungary had been urging Mathias Corvinus for action, things were in fact a little different, A.S. Venezia, Sen. Del. Sec. Reg. 22, ff. 131v-132r [134v-135r] (27 Feb 1466). On the very same day in which it wrote to Giustiniani to get the embargo proclaimed as a papal one, the senate also wrote to Francesco Venier, its ambassador in Hungary. Venier was involved in consultations with Mathias Corvinus regarding the possibility of a peace with Mehmed, A.S. Venezia, Sen. Del. Sec. Reg. 22, ff. 145v-146v [147v-148v] (23 Mar 1466) and on 28 July the senate passed a motion requiring *Colleggio* to discuss the ways to obtain peace, Setton, *The Papacy and the Levant*, II, p. 278. Also, in 1466 Skanderbeg’s attempts to obtain significant help for his campaign against the Ottomans proved almost completely fruitless. Turned back by Dubrovnik and practically so by the pope; he received help only from King Ferrante of Naples, Setton, *The Papacy and the Levant*, II, pp. 279-282.

<sup>46</sup> “...munitionibus, armis et aliis rebus per viam Chii et aliter Constantinopolim...” A.S. Venezia, Sen. Del. Sec. Reg. 22, ff. 134r-135r [137r-138r] and specifically, ff. 134v-135r [137v-138r] (14 Feb 1466). Quotation from ff. 134v [137v].

of both cities and the order was that he be taxed by the Florentines when loading goods on Florentine vessels and by the Anconitans when loading on Anconitan ships.<sup>47</sup> For the document to be enacted in early 1466 the cases discussed must have referred to the previous few years. In the same year, Florence sent a note to the Mahona of Chios to express its gratitude that the galleasses had been received warmly.<sup>48</sup> Finally, Benedetto Dei leaves the impression of excellent relations between Florence and the Sublime Porte, even claiming that the Florentines helped the Ottomans to install thirty large canons on a castle,<sup>49</sup> an action which would have put the participating Roman Christians under automatic excommunication. This was not all, according to Babinger, Florentines and Genoese even served as councilors to Mehmed II,<sup>50</sup> and tried to prevent him from reaching peace with Venice;<sup>51</sup> without doubt such acts constituted a form of “help” to the “infidel” and as such were automatically condemned by the papal embargo. To be sure, the papacy also wanted to see no peace between Christian powers and the Ottomans, but we can be confident that the Genoese and the Florentines did not work against a Venetian-Ottoman peace in order to ensure a constant state of crusade against the ‘infidel.’

Anconitan trade with Constantinople in 1464-1466 seems to have carried on as well, albeit in very limited volumes. In 1465 Venice had reiterated its restriction of Anconitan navigation in the straits and Constantinople.<sup>52</sup> Although Ashtor’s research in the archive of Ancona found no evidence of Anconitan shipping to Constantinople in this

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<sup>47</sup> Müller, *Documenti sulle relazioni delle città toscane coll’Oriente...*, #155, p. 204 (Feb 1466).

<sup>48</sup> Müller, *Documenti sulle relazioni delle città toscane coll’Oriente...*, #157, p. 205 (13 Mar 1466).

<sup>49</sup> Dei, *La Cronica dall’anno 1400 all’anno 1500*, p. 164.

<sup>50</sup> Babinger, *Mehmed the Conqueror*, pp. 244-245.

<sup>51</sup> Babinger, *Mehmed the Conqueror*, p. 257.

<sup>52</sup> Sen. Del. Sec. Reg. 22, f59v [61v] (21 Jan 1465).

period, we have seen that the port was clearly being used for travel to the Ottoman capital; and data from the Venetian archives also point in this direction, as will be shown. Generally, the Anconitan vessels of which there is any notice in the Anconitan sources were considerably cheaper than their Venetian and Genoese counterparts and, assuming an open market for ships, were therefore likely smaller and less capable.<sup>53</sup>

In addition to Florence and Ancona, the Catalans also carried on some trade in Constantinople. Although the volume of their trade in the eastern Mediterranean had been steadily declining over the decades preceding the war, a Catalan ship carrying munitions concealed under a load of grain was reported.<sup>54</sup> Given that Catalan carracks could be just as dangerous as Genoese but that the Venetians do not appear to have been much concerned with them leads to the conclusion that either such trade was quite limited or that Venice did not think it could pressure the Catalans except through a papal embargo.

Florence, Ancona, and the Catalans formed a 'second tier' of trading powers in the Eastern Mediterranean. Even though by the middle of the fifteenth century there was a general re-orientation of Genoese business westward, Genoa remained the trade power that should have concerned Venice the most. In terms of naval matters it certainly did. The very appearance of the Genoese Edoardo Grillo in 'Venetian' waters with an armed carrack in 1464 was enough to provoke two ad-hoc decisions in the senate although it was not clear if he intended to prey upon Venetian vessels. On 16 June the *Rogati* ordered that because of Grillo two Venetian carracks be armed, i.e. manned with a large

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<sup>53</sup> Eliyahu Ashtor, "Il commercio levantino di Ancona nel basso Medioevo," *Rivista Storica Italiana* 88 (1976): 246-247.

<sup>54</sup> C. N. Sathas, *Documents inédits relatifs à l'histoire de la Grèce au Moyen Age*, Vol. VI (Paris: Maisonneuve et cie, 1885), p. 65.

number of fighting men, namely, 200 arquebusiers for the safeguard of the Venetian vessels.<sup>55</sup> Then on July 23, the senate ordered the three Venetian carracks leaving for Syria to proceed in convoy to Modon and, if informed that Grillo was on their route, to continue together to Syria.<sup>56</sup> In addition, the captain of the armed Venetian carracks was instructed to pursue Grillo if he caused any damage to the Venetians.<sup>57</sup> Thus a single Genoese carrack could raise considerable concern in Venice, a testimony both to the Genoese abilities at sea and the power of the carrack as a military vessel. But should not Venice have also been concerned about Genoese trade?

Venice may have had good reasons for avoiding diplomatic confrontation with Genoa. Unlike Venice, the Ligurian capital was politically very unstable, riven by the factional alliances of its native families, but long subject to foreign overlordship. After 1464, that was exercised by the Sforza dukes of Milan. Although an ally because of the Peace of Lodi, Milan had been a traditional enemy of Venice. Diplomacy with Genoa therefore inevitably concerned Venice's old foe. Nor did Genoa exercise over its Eastern interests the kind of imperial control that Venice had constructed. Chios, the main culprit of embargo violation in the eyes of the Venetians, was controlled and exploited by a Mahona, that is, a private corporation of Genoese families. Caffa, the hub of commerce on the Black Sea, once under Genoa's direct rule, was now in the control of the Bank of Saint George. Chios and Caffa therefore conducted individual politics, sometimes even at the expense of the other. Finally, stopping Genoese trade through the straits would have cut off the city from legitimate pursuits in the Black Sea.

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<sup>55</sup> A.S.Venezia, Sen. Mar Reg. 7, f176v (16 Jun 1464). Even when armed with arquebuses the 'archers' for the defense of round ships were still called crossbowmen in the sources.

<sup>56</sup> A.S.Venezia, Sen. Mar Reg. 7, f181v (23 Jul 1464).

<sup>57</sup> A.S.Venezia, Sen. Mar Reg. 7, 181r/v, this part of the order is on 181v (23 Jul 1464).

While the rivalry of Genoa and Venice marked the commercial and naval history of the Eastern Mediterranean from the first crusade to the Ottoman takeover of Constantinople, there had always been Genoese citizens who resided in Venetian territories. This fact must have complicated the situation even further, because it does not appear that Venice ever tried to enforce its embargo on Chios on the Genoese residing or passing through Venetian colonies, such as Candia. Thus we learn that a carrack coming from Chios with news regarding Ottoman war preparations had in fact been one from Candia.<sup>58</sup> We do not know if its owner was a Genoese citizen, but in the later years of the war the authorities in Candia punished Venetians for sailing to Chios while allowing the Genoese to do so. The Venetians probably controlled the goods the Genoese were loading in Venetian ports (as they taxed them) but unless the Mahona could be convinced to cease all trade with Constantinople there was no chance to enforce a total embargo on non-Venetians.

Seen from this perspective, the Venetian policy choices regarding the embargo make sense. Venice had a reason to hope that it could draw in Ancona, which it regarded as practically a vassal city. And although Venetian-Florentine relations had suffered because of the Medici re-orientation towards Milan, the senate had a higher chance to win over Florence than the archrival Genoa, ruled by another traditional enemy, Milan.

Although we do not hear of Venetian fleets capturing any Genoese, Florentine, Anconitan, or Catalan ships on their way to Constantinople in the period 1464-1466, an episode involving a Catalan ship suggests that Venice may have been receiving some help from individual captains. A Catalan round-ship under the patronage of the Hospitaller Fra Tolosan captured an Anconitan one sailing to Constantinople and

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<sup>58</sup> Sathas, *Documents inédits relatifs à l'histoire de la Grèce...*, VI, p. 88.

carrying, among other things, the merchandise of a certain Marcelin from Florence. This consisted of 136 pieces of Florentine woolen cloth, 1500 *casse de savoni* as well as some golden and silken cloth.<sup>59</sup> Was a member of a religious order committing acts of piracy? It is unlikely that Fra Tolosan had turned pirate, not because important ecclesiastics did not do things like this,<sup>60</sup> but because the Venetian sources specifically label those deemed pirates as such. Consequently, one wonders if Fra Tolosan was not in fact helping the Venetian war effort by enforcing the papal embargo against the Ottomans on his own initiative. Had the captured ship carried war material, Tolosan's action would have been both legal and profitable.<sup>61</sup> Any enforcement of the papal embargo on the export of war material to Muslims, including the Ottomans, would in effect also represent enforcement of the Venetian embargo.

At the same time the senate did locate other weak spots in the embargo and tried to address them. Apparently, while at least until May 1464 Chios served as transshipment point allowing Venetian goods to reach Ottoman lands without a formal violation of the embargo, Apulia had served as a crossroad of arms that had been legally imported in the *Regno* and were then shipped to Valona (Vlore, in Albania) on the Ottoman side of the Adriatic. This probably allowed even Venetians to circumvent the sanctions imposed by their own government. Consequently, on March 21, 1465 new measures aimed at strengthening the embargo were enacted. The senate learnt of the export of arms to Ottoman lands through the *Regno* from letters of its consuls in Apulia

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<sup>59</sup> Sathas, *Documents inédits relatifs à l'histoire de la Grèce...*, VI, p. 88.

<sup>60</sup> For example, so did the archbishop of Genoa Paolo Campofregoso in 1461.

<sup>61</sup> The perpetual papal embargo against Muslims did provide the right to prey upon Christian ships carrying war items to the 'infidels.' In part one of this work we saw that people such as the knights Nicolo Vivot and Luigi Toroela from Majorca had been granted a license to do so in 1457. This had been subsequently revoked as they prayed over whatever merchandise they found and not just 'prohibita,' A.S.Venezia, *Libri Commemoriali* Reg. 15, ff. 36v-37r (12 Jun 1457), short summary in Predelli, *Commemoriali*, V, #33, pp. 129-130.

and the Kingdom who had undoubtedly been instructed to keep an eye on trade. It reacted by enacting an order requiring strict regulations on the export of arms, namely surety and the requirement that the Venetian officials at the destination provide a “counter-letter” testifying that the delivery to a legal recipient had in fact occurred.<sup>62</sup>

While we find no effort to enforce the embargo in the Aegean against the main offenders, the Venetian authorities did go after some small fry in the Adriatic. A certain Giorgio Antonio, a brazier of unspecified citizenship, along with three Venetian sailors, (Antonio Asappo, Marco Polo, and a certain Novello, all from Giudecca) and another three from the southern Adriatic (Sthamati from Corfu, with habitual residence in Valona, Marco Nicolai, also from Corfu, and Marco from Patras) were all cited for embargo violations. These men, with the possible exception of Novello had constructed a *de facto* partnership to export a certain quantity of arms to the Ottomans. Giorgio Antonio had bought fifty-three *fassios azalinorum* (bundles of steel rods) and had made a pledge for them (that is, had pledged a certain amount of money that the arms would not end up in enemy hands) and had also made the pledge needed for the boat on which the arms were loaded. The others had transported the war material and had sold it in Ottoman Valona, where Sthamati, a resident, provided local knowledge. Giorgio Antonio had not participated in the business trip itself, but, as a principal investor, shared in the profits. Novello seems only to have participated in the travel, not in the deal itself. Although this *de facto colleganza* partnership was probably made only orally given its illegal subject, the Venetian authorities had received notice of it and prosecuted the seven people involved. The five people directly involved in the transportation of the war material and its sale in Valona were all punished as first offenders according to the 1457 law, namely,

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<sup>62</sup> A.S.Venezia, Sen. Mar Reg. 8, f16r (21 Mar 1465).

with imprisonment of two years, the loss of the value of the contraband, and a fine of an equal amount. The investor Giorgio Antonio was condemned to only one year of prison without financial obligations. Novello, seen only as a traveler who would not share in the profits, was condemned to just four months of prison, which could be commuted to four months of unpaid galley service. He was punished for not reporting the contraband.<sup>63</sup> As this case makes it clear, the Venetian and the papal embargo were in fact interwoven as far as arms exports to the Ottomans were concerned. Here Venice was ‘simply’ enforcing the papal prohibitions.

In judging whether to enact and enforce the embargo, Venice carefully balanced the effect on its own trade. This is made clear in a letter addressed either to Vettor Capello or the regimen in Negroponte. Capello had taken over as admiral from Loredan in late April and had managed to take the islands of Imbros, Thasos, and Samothrace. Attacking Athens and in the middle of July, he had secured the lower city. Unable to defeat the Ottoman garrison on the Acropolis, however, he had been forced to withdraw in early August.<sup>64</sup> A letter of the senate dated August 25 informs us that the region was under an embargo that prohibited all trade between Venetian and Ottoman subjects. It also shows us that the senate had been asked to approve these actions. However, the senate demurred, arguing that it “would have lauded and confirmed the prohibition had in this way the damage been entirely to the detriment of the Turk and his subjects,” but that it judged the embargo to be more to the “detriment to our dominion and to our subjects

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<sup>63</sup> A.S.Venezia, Avogadori di Comun 3652, ff. 54v [49v], 55r [50r], 60r [55r] (23 Oct 1466 and 15 Dec 1466).

<sup>64</sup> Setton, *The Papacy and the Levant*, II, pp. 283-284.

than to the Turks” and hence asked that the orders be abolished.<sup>65</sup> This letter seems to suggest that while the senate shaped embargo as a viable tool of foreign policy which was carefully balanced so as to impact the Ottomans more than the Venetians, individual officials had adopted a more rigid stance and pushed for a total ban on whatever limited trade between Venetians and Ottomans was still allowed.

In 1464-1466 Venice lost hope of a quick success in the Morea and began to prepare for a long war. The senate, once skeptical, was now unanimous in its pursuit of papal backing for its embargo. In addition to making a consistent effort to win papal backing in 1464, 1465, and 1466, the senate transformed the embargo from a partial prohibition that cut off most Venetian trade with the Ottomans as a side effect of the ban on large vessels to sail into the Straits into a full scale embargo on all trade with the Ottomans. Only some territories in continental Greece, where an embargo was deemed more harmful to the Venetians themselves than to the Ottomans, fell beyond its scope. During these years the inherent problems of using the embargo as a war strategy began to emerge. Venice wanted no Florentine galleasses to sail into the Straits, but the potential benefits of achieving this through force did not justify the risk of full-scale confrontation involved. Nevertheless, Florentine and Anconitan shipping to the straits in the period was very limited. If carracks were the main reason for the embargo, then preventing Venetian shipping into the straits may have achieved considerable success on its own.

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<sup>65</sup> “...si eius modi inhibitio detrimento et danno turcho et subditis suis solum esset illam laudavissemus atque confirmavissemus. ...maiori detrimento maiorique danno nostro dominio nostrisque subditis quam turcis...” A.S.Venezia, Sen. Mar Reg. 8, f91r (25 Aug 1466).

## 8.2. The Politics of Enforcement: The *Devedo* between the Straits and the Apennines

After Venice's defeat in Morea and in the absence of any significant military action, the embargo came to represent the very essence of the war effort. Between 1467 and 1470 the Serenissima did affect Christian navigation to the Straits, but only to the extent that it could do so without papal backing. Anconitan, Genoese, Florentine, Sienese, English, and other merchants nevertheless suffered the consequences of the Venetian embargo. A particularly enlightening case from 1467-1468 lets us see how the Venetian-Ottoman war affected Italian politics. It also allows for an assessment of Venetian and papal policies with regard to the Ottomans.

In the middle of the winter of 1466/1467, admiral Capello received news that the Ottomans were preparing a fleet of 100 galleys to serve as a force of retaliation for an earlier Venetian seizure of vessels and merchandise belonging to Ottoman taxpayers. This letter provides evidence of a kind of war activities that rarely emerges in official Venetian documents. Michael believed that a fleet of forty war galleys, ten galleasses, and twenty carracks of between 500 and 600 *botte* (approximately 310-370 deadweight tons) with 100 men per ship would be required to counter the Ottoman fleet, which was expected to be operational by March 1467.<sup>66</sup> It was within this context that the senate made a renewed effort to enforce the Venetian embargo. Learning that a carrack of 700

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<sup>66</sup> Transcribed in: *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 39-40. The letter was written by Antonio Michael, who held the tax-farming rights over the alum in Constantinople. Curiously, he advised against the use of vessels over 600 *botte* arguing that they were too difficult to maneuver. However, it was exactly in always-bigger ships that Venice was to place its hopes later in the war. It is also interesting that Michael supported his argument that the Ottomans could not cope with big ships with the rather outdated example of the carracks that made a fool of the huge Ottoman fleet assembled at Constantinople in 1453, as we saw in Chapter 7.1. The term used for tax-payers, *carazini* is a Venetian term derived from *charadj* or the head-tax paid by the non Muslim subjects of the Sultan, and means those who pay *charadj*. The merchants involved were most likely Greek-speaking Orthodox Christians engaged in intra-Aegean trade.

*botte* was preparing to leave Ancona for the Straits, it dispatched an envoy to warn the city that any Anconitan goods captured on Constantinople-bound carracks would be treated as legal war booty, reiterating its complaint concerning Ancona's willful disregard of the embargo. Allegedly, Ancona regularly supplied arms and munitions to the Ottomans and thus provided them with opportunities to seize carracks that could be armed for immediate use against Venice.<sup>67</sup> In confirmation of its fears, the senate discovered a few days later that a large Anconitan carrack had been spotted near Dubrovnik. Bound for Constantinople it carried, among other things, 1,500 sacks of ship-biscuit, a primary food at sea. Judging that this cargo was destined for the use of an Ottoman fleet currently under construction and that the ship itself might present another opportunity for the Ottomans to re-enforce their fleet, on 6 April the senate ordered its admiral to detain the carrack and to confiscate its munitions and cargo for the use of his own fleet.<sup>68</sup> Recognizing the terminal illness of the admiral Vettor Capello, Venice put the experienced Jacopo Loredan in his place, requiring him to detain any Anconitan carracks sailing to the Straits and to Constantinople, that is, essentially re-stating the previous order of 6 April.<sup>69</sup> One week later, it directed "the noble citizen" Lorenzo Loredan, captain of four Venetian carracks, to set sail in order to join the captain general of the sea in the Levant.<sup>70</sup> Among his assigned tasks was the interception of any carracks bound to the Straits, with orders to offload their cargo at Venetian outposts and to inventory the sequestered goods. He was to proceed in the same fashion against any

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<sup>67</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f30r (30 Mar 1467). See an English translation of part of the document and discussion in Setton, *The Papacy and the Levant*, II, p. 285.

<sup>68</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f33r (6 Apr 1467). See also Setton, *The Papacy and the Levant*, II, p. 286.

<sup>69</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, ff. 35r – 36v, and specifically 36r (15 Apr 1467). Also, Setton, *The Papacy and the Levant*, II, p. 286.

<sup>70</sup> "noble citadin" see Sen. Del. Sec. Reg. 23, f39r/v (21 Apr 1467).

Anconitan vessel carrying munitions, grains, or ship-biscuit to Chios or to any Ottoman territory, as well as to clear the seas of any pirates he encountered on the way.

Loredan was not able to prevent Anconitan vessels from reaching Constantinople, but he achieved a major feat when he detained four Anconitan carracks making the return voyage to Italy. These carried merchandise belonging not only to Anconitan merchants but also to others from both Italian and other European cities. If Malipiero is to be trusted, the carracks also carried the goods of Ottoman subjects. These were immediately sequestered. Both Ancona and Florence asked Venice for restitution, and the former tried to strengthen its request by petitioning its overlord, Pope Paul II, to exert pressure on Venice.<sup>71</sup>

On 7 September, The senate ordered its admiral to dispatch the captured Anconitan ships to Venice. In preparation for the diplomatic havoc its actions were already provoking, the senate required Jacopo Loredan to send to Venice those who had confessed importing the prohibited items into Ottoman territory along with any documents that testified to the fact that the ships had indeed carried *vetita* to Constantinople. Such documents could come in handy. They could allow Venice to argue that its actions were nothing more than an attempt to enforce the perpetual papal ban on the supply of war material to Muslims. The precious prisoners were to be well-guarded and the ships with their cargo brought to the lagoon by Venetian crews.<sup>72</sup> To increase the pressure on Ancona, the senate also decided to limit that city's abilities to

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<sup>71</sup> See A.S.Venezia, Sen. Del. Sec. Reg. 23, ff. 73r, 84 r/v, 92r, and *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 212. It is interesting that in Belotti's work on Colleoni the four Anconitan carracks become four Florentine ships, Bortolo Belotti, *La Vita di Bartolomeo Colleoni* (Bergamo: Istituto Italiano d'arti grafiche, 1923), pp. 401-402.

<sup>72</sup>A.S.Venezia, Sen. Del. Sec. Reg. 23, f70v (7 Sep 1467). The only good that was not to be sent to Venice was ship-biscuit, left for use by the fleet. See also Setton, *The Papacy and the Levant*, II, p. 287.

construct large vessels by prohibiting the export of timber suitable for ship-building from any Venetian territory to Ancona. The order was declared valid for the duration of the war.<sup>73</sup>

Philippe Braunstein unearthed a couple of confessions made by the Anconitan transgressors of the Venetian embargo: that of Andrea degli Agli who admitted to committing contraband in 1465, 1466, and 1467,<sup>74</sup> and that of a certain Pietro, patron of a ship, who admitted to loading contraband belonging to himself and three others in 1467.<sup>75</sup> The total amount of the contraband reported by Braunstein comes to: four small canons, three boxes and six barrels of gunpowder, 400 arquebuses, sixty crossbows, six boxes of bolts, and 1,126 bolts (or maybe arrows, or irons for arrows and/or bolts), 250 swords, 100 helmets, 1,020 pieces between two types of armor, 277 loads of steel, seven packages of iron wire, ten boxes of miscellaneous war material, fifty Milanese and an unspecified

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<sup>73</sup> A.S.Venezia, Sen. Mar Reg. 8, f139v (7 Sep 1467). The fine for transgression was significant: 500 ducats.

<sup>74</sup> Braunstein found these documents in the fund containing miscellaneous *cartae*. Andrea supposedly delivered to the Ottomans 200 *pansières*, four small canons, three boxes of gunpowder, three boxes of bolts/arrows, sixteen loads of steel, seven packages of iron wire, and “German” knives in 1465; 120 *pansières*, six barrels of gunpowder, and six loads of steel in 1466; 200 *pansières* and twenty-five loads of steel in 1467, Philippe Braunstein, “Le commerce du fer a Venise au XV<sup>e</sup> siècle,” *Studi Veneziani* 8 (1966): 289 footnote 84. Braunstein gives Andrea’s name as “di Gliagli,” but he obviously mixed the article ‘degli’ with the family name Agli. Ashtor, *Levant trade in the Later Middle Ages*, p. 530 included Braunstein’s findings in the table of Anconitan shipping to the Levant supplementing the previously published, one, Ashtor, “Il commercio levantino di Ancona,” pp. 235-237. Ashtor corrected the name to Agli, too. Braunstein was not interested in the embargo; if he were, he would have considered the documents of the senate which give the name in Latin as “de aliis,” A.S.Venezia, Sen. Del. Sec. Reg. 23, f92r [94r] (2 Jan 1468).

<sup>75</sup> 100 *pansières*, 400 arquebuses, 200 loads of steel, and fifty Milanese knives for Antonio Biondoli; 100 helmets, 100 armors, 1,216 irons for arrows for himself and Antonio Biondoli; ten boxes containing various war material for Andrea from Cologne, sixty crossbows, forty *pansières*, thirty armors, thirty loads of steel for Antonio de Como, and finally, for his own profit, 200 armors, thirty *pansières*, 250 swords, and three boxes with 1,500 arrows (or bolts), Braunstein, “Le commerce du fer a Venise...,” p. 289 footnote 84.

number of German knives.<sup>76</sup> If Malipiero is correct that the Anconitans were tortured to elicit these confessions, Venice was desperate for proof.<sup>77</sup>

In reply to a letter sent from Florence on September 12 and concerning the Anconitan ships, the senate stated Venice's case. That Florence spoke for Ancona should not be surprising. Many Florentine merchants were on board the Anconitan ships, and, beyond this, Ancona had little power to negotiate successfully with Venice on its own. The senate's response to Florence stressed that while Venice had suffered difficulties imposed by the war, the Anconitans had aided the enemy, providing the Ottomans with munitions, powder, and arms. This they had done despite the fact that Ancona had agreed to Venice's request to ban trade in 'war items.' Thus Venice found it necessary to arm four carracks at great expense in order to prevent the Anconitan ships from reaching Constantinople.<sup>78</sup> Venice presented its actions as an enforcement of the papal embargo on the export of arms to Muslims, not of its own total ban on trade with the Ottomans.

In early November, Tommaso Soderini, now Florentine ambassador to Milan, returned to Venice to discuss Italian politics in general and the matter of the detained Anconitan ships in particular.<sup>79</sup> On 9 November, the senate assured him of their desire for peace with all Italian powers, particularly with Florence, and their intention to study

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<sup>76</sup> Braunstein, "Le commerce du fer a Venise..." p. 289 footnote 84.

<sup>77</sup> Can we trust the Venetian documents? Can we take their word that the Anconitans did indeed carry war material to Constantinople as pure coin? Unfortunately, such questions have to remain unanswered. It is surely possible that the Venetians elicited custom-built confessions from the two Anconitan ship-patrons. On the other hand, we know that throughout the war individual Venetians continuously violated the papal embargo on the export of war material to Muslims by exporting all kinds of arms to Tripoli in Barbary. They did so despite the heavy penalties for violation and the not insignificant level of enforcement. Thus although Ancona had in place its own prohibitions on the export of arms to Muslims, it is also entirely possible that the Anconitans violated it and delivered arms in Constantinople.

<sup>78</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f73r (22 Sep 1467). Also, Setton, *The Papacy and The Levant*, II, p. 287. The original order to Lorenzo Loredan, as mentioned above, stated that his goal was to join the rest of the fleet while the capture of any Anconitan or pirate vessels was to occur if such were encountered on the way. Nowhere does the document say that this was his main mission. Yet, the senate's claim may not have been an overstatement, because Lorenzo was the one who had to take care of the captured carracks.

<sup>79</sup> See also Clarke, *The Soderini and the Medici*, pp. 164-169.

the case of the carracks.<sup>80</sup> A few days later it instructed the Venetian ambassador at the papal court, Pietro Mauroceno, to inform the pope of the Florentine mission and of the fact that Venice would diligently proceed in the matter once the ships arrived in Istria.<sup>81</sup> While diplomacy with Florence and the pope stressed the issue of peace, to Bartolomeo Colleoni, whose attempt to overturn the Florentine government was being actively financed by Venice, the senate put the matter differently, focusing instead on the issue of the ships.<sup>82</sup> By this time, the Venetian fleet had been able to add further vessels to those already detained for embargo violation: a caravel of Giovanni Domenico captured in the waters of Modon on its way to Chios, a small ship (*navicula*) of Bartolomeo de Marino, which was returning from Chios, and the *pelamina* of the Venetian Michele *intaiatori*<sup>83</sup> and the Anconitan Beligiero, also on their way back from Chios.<sup>84</sup>

According to Malipiero, concern about the captured ships spread from Ancona, Florence, and Rome, to Naples and Milan, which wrote to Venice in support of the Florentines and the Anconitans.<sup>85</sup> It also continued to occupy the senate. On 17 November that body confirmed its decision to have the captured ships brought to Venice and then deliberated on the detailed orders to be sent to captain Lorenzo Loredan. Two early motions failed to secure sufficient votes, and orders were not finally articulated

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<sup>80</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f83r/v (9 Nov 1467) and *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 218-219. f83v is a failed motion, f83r, the one that passed.

<sup>81</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f84r (13 Nov 1467).

<sup>82</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f84v (13 Nov 1467). Again, as in many other cases, the senate played with the evidence. In fact, most of the deliberations appear to have concerned the peace, not the ships. Still, it is obvious that Venice would have been very cautious of how to present the peace talks with Florence to someone who was trying to overturn the Florentine government through Venetian financial support. Considering the letters exchanged between the senate and the Venetian ambassador at Rome it is obvious that the situation in Italy was Venice's major concern at the moment. Clarke, *The Soderini and the Medici*, pp. 164-169, also thinks that the major concern of Soderini was the peace.

<sup>83</sup> "Intagiador:" one who carves stone or wood, but not sculptor, see Giuseppe Boerio, ed., *Dizionario del dialetto veneziano* (Venice: Reale tipografia di G. Cecchini, 1867), pp. 347-348.

<sup>84</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f92r (2 Jan 1468).

<sup>85</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 224-225.

until 7 December. They required the captains to remove the rudder and the sails of the great Anconitan carrack that had been captured and to put them on land. The seized merchandise was to be re-loaded onto Venetian vessels and the ship itself left with sufficient guards. All other vessels were to be brought to Venice and the goods from them deposited in a Venetian warehouse. The key miscreants were to be delivered to the State Attorneys who should detain them until the case was resolved.<sup>86</sup> At the end of the month, Venice reiterated that any decision would be made only upon arrival of the ships and the exercise of due process.<sup>87</sup>

It is surprising that the captured ships had not managed to reach Venice for more than four months, from early September when Venice sent its first orders regarding them to late December when it was still buying time. It is also surprising that the two motions put forth in November were voted by relatively few nobles, something rather unusual for important matters, and failed; while the third that passed in December was identical in all major points to the one proposed earlier. This unusual inefficiency, however, may have served a desired purpose: delay. To understand its attraction, we must turn our eyes from the Ottoman war to the politics of Italy.

Ever since the death of Francesco Sforza in 1466 Italian politics had attracted more Senatorial action in Venice than the war with the Ottomans, especially after an alliance formed by the Rome, Naples, Florence and Milan deliberately excluded

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<sup>86</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, ff. 84v (17 Nov 1467), 85v (19 Nov 1467), which contains the two failed motions, and 88v (7 Dec 1467), which contains the one that passed (it passed with 147 votes for, 3 against, and 2 non sinceri, that is, who wanted the motion stated differently). The fact that the two motions that failed in November were voted with less than 100 people present appears, at least at a glance, strange for a matter of such importance. The ship in discussion might well have been the one seen in spring off Dubrovnik with a cargo of ship-biscuit. This would explain the fact that ship-biscuit was among the goods captured by the Venetian captain.

<sup>87</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f90v (28 Dec 1467).

Venice.<sup>88</sup> The League formed on January 4 1467 created a defensive alliance against Bartolomeo Colleoni, who with the financial support of Venice, sought to overthrow the government of Florence. It is clear that many saw this as an attempt by Venice to achieve dominion over the peninsula. On a stopover in Milan in 1467 on his way to Genoa the Venetian emissary Giovanni Gonela met with Galeazzo Maria Sforza, Milan's new duke. Galeazzo blamed Venice for the disturbance of the peace in Italy, saying that if the Venetians knew what the others thought of them their "hair would stand on end." He openly expressed a fear other powers had of Venice, one that had often united them against the Signoria. If Venice wanted peace, Galeazzo argued, it could achieve it, but if war it would face "the most dangerous war you have had in [all] your days."<sup>89</sup> Under these circumstances it may therefore have served Venice to delay action on the carracks until it had a clear sense of whether the peace of Lodi would be renewed. In fact, if Malipiero is to be trusted, the senate even deliberated selling the captured goods, should the peace talks fail.<sup>90</sup>

Naples joined Florence and Ancona in rejecting Venice's actions soliciting a ban on trade within the Ottoman Empire. On 18 July King Ferrante, who had earlier in the year sent an ambassador to the Porte at the Sultan's invitation, wrote to Mehmed to solicit a safe-conduct for a Neapolitan galleass (with a Florentine patron) carrying merchants into Ottoman territory. Ferrante expressed his hope that this voyage would be followed by others undertaken by friendly nations, noting that "from the business of ships and

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<sup>88</sup> Francesco Trinchera, ed., *Codice aragonese, o sia lettere regie, ordinamenti ed altri atti governativi de' sovrani aragonesi in Napoli* (Naples: Tip. A. Cavalieri, 1866), I, #1, pp. 1-3 (12 Jan 1467).

<sup>89</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 216-218, Setton, *The Papacy and the Levant*, II, p. 288 with English translation of portions of it. The quotation is from Setton.

<sup>90</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 225.

merchants much utility would ensue to your treasury and people.”<sup>91</sup> What clearer evidence that ‘international’ trade was seen as highly beneficial not only in merchant-ruled cities but also at aristocratic courts? What better substantiation for the Venetian pleading for a total ban on trade? In addition, thoughts like these show that it was not only merchant cities such as Venice and Florence that drew political boundaries where the papacy drew religious ones; so did monarchs. We might wonder whether Venice intended, in the event of war in Italy, to use the argument of embargo violation against Florence (and perhaps Naples) in ways similar to its use against Genoa by Ferrante’s father, Alfonso V.

As we saw in Chapter 6.2., forced by Pope Calixtus III in 1456 to conclude peace with Genoa in the interests of pacification around the Peace of Lodi, Alfonso had missed no occasion to insist on his ‘rightness’ and Genoa’s ‘wrongness.’ We noted how his letter forged gender, social and political order, and economic sanctions into a rhetorical alliance.<sup>92</sup> In preparing this letter, the Neapolitan chancery used nothing less and nothing more but the language the Gregorian reform had developed in shaping its vision and marking out the boundaries of Christendom. The whole letter was crafted to denigrate the status of the current Genoese government by placing it outside the bounds of Christendom, representing it as non-Christian without precisely accusing it of heresy, an

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<sup>91</sup> “...ex negotiatione navium et mercatorum vestro fisco et populis vestris nonnihil utilitatis accedet.” Trinchera, *Codice Aragonese*, I, #163, p. 232 (18 July 1467). Ferrante had send a secretary, Bernardo Lopis, as his ambassador to the Ottoman governor of Albania and then to the Porte in response to an Ottoman invitation to do so, *ibidem*, # 65, pp. 87-88 (26 Mar 1467) and #70, pp. 98-101 (5 Apr 1467). Meanwhile, on April 26 he had said that he could not be happy with Venice’s defeats at Ottoman hands, even though Venice was his enemy, *ibidem*, #100, pp. 138-141 (26 Apr 1467).

<sup>92</sup> A.S.Genova, Antico Comune, Privileggi, Concessioni, Trattati, Busta 12, #90 (10 Aug 1456). Brief summary of the document is available in Pasquale Lisciandrelli, ed., “Trattati e negoziazioni politiche della repubblica di Genova (958-1797).” *Regesti. Atti della Società Ligure di Storia Patria* n.s. 1 (1960): p. 158, #884.

exclusive political tool of the papacy. Did Venice intend to use similar arguments if war broke out in Italy?

A letter sent by the Florentine government to King Mathias Corvinus of Hungary provides insight on how such an attempt would have been countered: by shifting its focus to competition between the Italian powers. After defending its sequestered citizens, whose business interests in Constantinople had not been directed at aiding the enemy but rather toward personal gain and the betterment of their city, the Florentine letter questions the motives of its Venetian ally. If arms had really provoked Venetian action against the carracks, why had the ships not been arrested on their outbound journey rather than on their return? With an accusation later echoed by Benedetto Dei, the letter shapes Venetian actions around its fear of Florentine commercial competition. Support for Colleoni not only made Venice an aggressor within Italy, it also stretched her thin in ways that encouraged this aggression on the high seas. The letter to Corvinus, finally, removes the incident from the Crusading rhetoric in which the Venetians had tried to frame it. Rather than describing the protagonists as Christians and Muslims, it uses the political terminology of Venetians and Ottomans. As in the case of king Ferrante above, Florence refused to uphold the traditional papal division of the known world along imagined religious boundaries. Where the papacy traditionally imagined – and Venice for the moment pretended to see – religious differences, Florence saw political ones.

Meanwhile, Venice was achieving some success at the papal court. The senate, having been informed in late December that the pope was ready to renew the peace of Lodi, instructed its ambassador to be compliant. He was to explain to Paul II that Venice would consign to his judgment all matters pertaining to the conclusion of the peace so

long as Colleoni was included and its allies, the lords of Pesaro, Rimini, and Faenza, remained unharmed.<sup>93</sup>

It was only a few days later, on 2 January, that the senate finally instituted a hearing of the case of the Anconitan ships. In a lengthy session continuing well beyond midnight, five motions were made. Not all met with success. The matter of the three vessels seized along the Chios route was the least contentious. Their release was secured by a majority, but with more than the usual opposition. Less successful was the issue of detained Sienese citizens. A proposal to release them and their goods was first denied and then deferred without further explanation. The matter of the Anconitan carracks was placed into the hands of a small commission of nobles, who after interrogating the captains, patrons, and merchants involved, were to refer it to the Colleggio (Council of State). This last was then to formulate proposals to be voted in the senate.<sup>94</sup>

Malipiero gives voice to some of the opinions that shaped these motions and the opposition to them. According to his chronicle, the issue of restitution loomed large because it had such relevance within the Italian political sphere. Some nobles argued that no restitution could be made until the peace in Italy had actually been concluded; others, that full restitution would be an acknowledgment that Venice's seizure had been unjust; still others, that the city could not afford to pay. Finally, the matter was placed before the Council of Ten in order to guarantee secrecy not possible in the senate. After three days' deliberation, the Council of Ten decided to release the ships in the interests of fostering peace on the Italian peninsula. Ambassadors of Ancona, active in Venice for the past

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<sup>93</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843), 228.

<sup>94</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, f92r and f92v (2 Jan 1468). One motion required the election of three nobles to this purpose, but failed. The motion that passed was more specific, the ad-hoc committee was to be formed of a councilor, a minister of the council, a minister of war, and a minister of the sea affairs.

four months, as well as those of the Pope, Florence, Milan, and Naples had been working for this outcome. According to Malipiero, a substantial bribe from Ancona had secured the support of the head of the Council of Ten, Giovanni Soranzo, who had also been among the most vociferous supporters of the motion in the senate that released the three smaller vessels.<sup>95</sup>

While Malipiero's account cannot be fully corroborated through the available documentary material, it is correct in its main points. After the long session of 2 January, the issue of the ships disappears from the records of the senate, but resurfaces twenty days later in those of the Council of Ten, where it was discussed over the course of five days.<sup>96</sup> Although we do not have a detailed account of the decisions rendered, it is clear that papal pressure over Venice, coupled with the clear perspective of the renewal of the Peace of Lodi, persuaded the Venetian authorities to free all merchants, ships, and goods.<sup>97</sup> The Council of Ten was acutely aware of the opinion that any release of the Anconitan ships would be tantamount to admission of Venetian aggression. It therefore tried to ensure that the ceremony accompanying the news of the return of the merchants, ships, and goods be designed to paint the act as one of justice and generosity. While the very capture of the ships spoke of Venice's power, the Ten instructed the Doge to inform the Florentine and Anconitan ambassadors that the ships had been detained "in a most just" manner and that despite Venice's "good-will and love" for both cities, it had to proceed according to the "rigor of justice."<sup>98</sup> The Ten ordered that the ambassadors of

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<sup>95</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843), 229-230.

<sup>96</sup> See also A.S.V. Consiglio dei X. Miste Reg. 17, f40v [82v] (22 Jan 1468).

<sup>97</sup> A.S.V. Consiglio dei X. Miste Reg. 17, f41r [83r] (23 Jan 1468), f41v [83v] (27 Jan 1468).

<sup>98</sup> "iustissime," "benivolentie et amoris," and "rigor iustitie" respectively. A.S.V. Consiglio dei X. Miste Reg. 17, f41r [83r] (23 Jan 1468).

Florence and Ancona “be told through the supreme lord duke [=doge] with suitable words that we donate those [ships, money, and goods] to them.”<sup>99</sup>

Whatever the theater surrounding the announcement of the restitution of the sequestered ships and goods, the decision to provide full restitution may appear odd. After all, Venice had repeatedly presented its war with the Ottomans as its major and primary foreign policy objective at the time. It had persistently argued that the enforcement of economic sanctions against the Ottomans, especially in preventing them access to big ships and other war materials, such as those allegedly found on the Anconitan ships, was indispensable to the success of its war effort. The senate articulated this position just a few months after the restitution in yet another letter to Paul II.<sup>100</sup> The senate had instructed both Jacopo Loredan, its admiral of the sea, and Lorenzo Loredan, captain of four carracks, to enforce the Venetian embargo by preventing any shipping to Constantinople and Chios. Although the Venetian commanders had failed in harming the Ottomans they had at least succeeded in providing the senate with an opportunity to punish many transgressors.<sup>101</sup> Therefore, the decisions made in the senate and the Council of Ten might appear either irrational or, as Malipiero suggests, corrupt. The fact that twenty-three Senators and three members of the Ten voted against the restitutions may seem to support such a reading. However, if we do not assume that the war against the Ottomans was the chief concern of most senators in 1467, then the actions of the

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<sup>99</sup> A.S.V. Consiglio dei X. Miste, Reg. 17 f41r [83r] (23 Jan 1468): “per summum dominum ducem dicatur eis cum pertinentibus verbis quod illas [naves, pecunias, et bona] sibi donamus.”

<sup>100</sup> A.S.Venezia, Sen. Del. Sec. Reg. 23, ff. 116v-117r (7 Jun 1468).

<sup>101</sup> The inability of the Venetian commanders to prevent Christian vessels from reaching Constantinople and Chios must have nullified any negative impacts this could have had on the Ottomans. No broad, let alone exact estimates of the benefit the Empire derived from the arrival of the four Anconitan carracks is possible. If one switches the attention from data to perceptions, however, and also accounts for facts such as the persistence of such shipping and the Ottoman good will towards it, it becomes clear that, since the capacity of four carracks was considered huge by contemporaneous standards, the trade between Italy and the Ottomans must have been perceived as one of substantial benefit to both.

Serenissima's governing councils can be seen in a different light. From the spring of 1466 until the winter of 1468, Venice's position on the Italian peninsula was precarious as alliances were constructed against her and peninsular war became a possibility. Should we then treat the Venetian decision to use the matter of the detained Anconitan carracks in terms of the city's Italian politics rather than as part of its relations with the Ottomans?

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Just a month after the proclamation of *Pace Paolina* (May 8, 1468), the bull which stabilized political relations in Italy along the lines of the peace of Lodi, the senate could re-focus its attention on the war with the Ottomans and in particular on the embargo. With the participation of the doge himself, the senate addressed a letter to the pope. It alerted him to the fact that Ottoman armies were crossing into Anatolia. Consequently, the senate argued, the moment was ripe to aid Uzun Hasan, and to proclaim a total ban on Christian navigation and trade with the Ottoman Empire under "most severe penalties."<sup>102</sup> These renewed efforts to obtain papal backing for the embargo remained fruitless and Paul II never changed the relevant provisions of *In Coena Domini*.<sup>103</sup> Nevertheless, the period between 1468 and 1470 saw an enforcement of the embargo at sea more active than in any following period. It is notable that this coincided with the tenure of Nicolò de Canal, a trained lawyer and former ambassador to Rome as admiral of the fleet. Under his command, the Venetian fleet arrested not only

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<sup>102</sup> A copy of this letter was sent to the Venetian ambassador in Rome, who was to urge the pope to provide subsidies for war and to proclaim the embargo along with the fervent crusading advocate Cardinal Bessarion and any other possible allies, A.S.Venezia, Sen. Del. Sec. Reg. 23, ff. 116v-117r (7 Jun 1468). Most severe penalties - "Severissimis censuris," ibidem, f.116v. See a brief discussion in Setton, *The Papacy and the Levant*, II, p. 292, but it does not mention the embargo.

<sup>103</sup> Arch.Seg.Vat. Reg. 519, f156v (11 Apr 1465) and f208r (26 Mar 1467), Reg. 540, f23v (1 May 1468), f59r (30 Mar 1469), f95r (19 Apr 1470), f118r (11 Apr 1471).

Anconitan, but even Genoese ships. Since it was unable to prosecute their owners legally, Venice contended itself with detention and confiscation of goods. Even this was illegal, however, and Venice was ultimately forced to provide restitutions in all recorded cases. Yet given an absence of political pressure, such as that exerted between 1467 and early 1468, such restitutions took years. Anconitan and Genoese merchants therefore saw a good deal of financial capital lying idle over a number of years, buried in confiscated merchandise. This could not have failed to bring loss or, at the very least, to limit potential income. This is how, in 1468-1470, Venice found a way to punish non-Venetians for the trespass of an embargo that had no legal value for non-Venetians.

In March 1469 and in again in March 1470, the senate instructed its (new) admiral, Nicolò de Canal, to capture Anconitan vessels carrying any kind of merchandise into Ottoman territories.<sup>104</sup> Following these orders De Canal detained in the straits between Chios and Lesbos the carrack of the Anconitan Cristoforo Giovanni, confiscating 1,041 ducats worth of wine, cheese, and ship-biscuit. The admiral also detained the carrack of the Neapolitan Andrea, confiscating 133 ducats worth of *zambelotti* that belonged to yet another Anconitan, Bartolomeo di Tomaso.<sup>105</sup> Andrea from Naples was carrying not only Italian, but even English merchants. Since these had been able to confiscate 12,000 ducats worth of Venetian goods upon their return in England, Venice agreed to pay indemnities worth 2,000 ducats, which it estimated to

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<sup>104</sup> A.S.Venezia, Sen. Del. Sec. Reg. 24, f2v (8 Mar 1469), see also f89r [98r] (9 Mar 1470). Venice also improved its relationship with Rhodes, which was allowed to import victuals from Venetian territories, with the only exception of Negroponte, A.S.Venezia, Sen. Del. Sec. Reg. 24, ff. 40v-41r (13 Aug 1469). De Canal also carried some military action; he devastated a town near the mouth of the Maritza river, Babinger, *Mehmed the Conqueror*, p. 275.

<sup>105</sup> For these two cases, A.S.Venezia, Sen. Del. Sec. Reg. 25, 136v-138r [145v-147r] (17 and 20 Jun 1472). The cases were raised before the Venetian authorities by Anconitan ambassadors in 1472.

have been their actual losses.<sup>106</sup> Without the backing of Florence, Milan, and other powers and in a political context different from that of 1467 and early 1468, Ancona found it more difficult to win restitution of the sequestered goods. The cases were not resolved until 1472 when they were treated en bloc with other cases of sequestered Anconitan merchandise in the Adriatic.<sup>107</sup> It must be noted that given the existing license regime no contraband as defined by the papal embargo had been shipped and that Venice had to provide restitution. But the years of delay cannot have failed to affect negatively the merchants involved. The Venetian measures along with data collected by Ashtor in the archives of Ancona show that Anconitan travel to Constantinople in 1468-1470 was extremely limited. Therefore, the Venetian actions were perhaps bearing some fruit, despite the embargo's illegality. In fact, Ashtor could find notice of only a single Anconitan ship traveling to Constantinople in 1468. Of ten Anconitan carracks that sailed east in 1469 only one had Pera on its route. In 1470 the situation was similar, of nine ships that sailed east only one declared Pera (via Chios) as its destination.<sup>108</sup> Even though there surely were more Anconitan vessels bound to the straits, for example those captured by the Venetians, which do not appear among the ships in Ashtor's table, it is unlikely that Anconitan carracks in Constantinople were more than an occasional sight.

Even more notably, the period between 1468 and 1470 was the only one throughout the war in which Venice actively enforced its embargo on the Genoese.<sup>109</sup>

For example, admiral De Canal came across the carrack of Giovanni Antonio Giustiniani,

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<sup>106</sup> A.S.Venezia, Senato Mar Reg. 9, f35r (5 Mar 1470).

<sup>107</sup> For these two cases, A.S.Venezia, Sen. Del. Sec. Reg. 25, 136v-138r [145v-147r] (17 and 20 Jun 1472).

<sup>108</sup> For all of these cases, Ashtor, *Levant Trade in the Later Middle Ages*, pp. 530-531.

<sup>109</sup> As we saw in Chapter 6.1., in 1447 Pope Nicholas V issued a license to Genoa that legalized most trade with the lands of "Saracens," "Turks," and all other "enemies of the name of Christ" (*Christi nomine inimicorum*) for 100 years; Iorga, *Notices et Extraits pour servir à l'histoire des croisades*, II, #19, pp. 38-40 (1447).

which was returning from Constantinople and detained it. It is unclear what eventually happened, but Venice did not bow before the first attempts of Milan to ensure the release of its Genoese subjects.<sup>110</sup> In the same summer, the Venetian triremes intercepted another Genoese carrack (near Smyrna), and yet another one was detained by the Venetian armed carracks.<sup>111</sup> Each of these two cases was to be examined by an ad-hoc committee of three nobles. Two more Genoese were detained while carrying merchandise from Crete to Constantinople<sup>112</sup> and then another one carrying wine on the same route.<sup>113</sup> All these episodes are not very clear, but ultimately a ducal order stipulated that Genoese ships in Venetian territories were not to be molested.<sup>114</sup> Nevertheless, these are the most significant cases of enforcement against the Genoese.

At the same time, Venice did not fail to enforce the embargo against its own citizens and subjects. Two criminal cases shed some light on the social standing of the embargo trespassers, on the ways they organized their ventures, on the contraband involved, and on the punishments they suffered.

In April 1469 the *Avogadori* prosecuted the brothers Jacopo and Antonio from Giudecca,<sup>115</sup> who obviously belonged to the less privileged strata of Venetian society. They had brought to Valona three *miliaria ferri* and 100 *fassios*, and were thus brought to

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<sup>110</sup> At least initially the senate agreed to set free only some quantities of mastic, a typical product of Chios, captured on another vessel in exchange for the release of a Venetian vessel detained in the port of Genoa in retaliation, A.S.Venezia, Sen. Del. Sec. Reg. 24, f59r/v [68r/v] (2 and 8 Oct 1469). Also, the Genoese presented a list of complaints probably related to the same incident, ibidem, f63r [72r] (15 Oct 1469). The outcome of the whole case is unclear.

<sup>111</sup> A.S.Venezia, Senato Mar Reg. 9, f14r/v (25 Jul 1469).

<sup>112</sup> A.S.Venezia, Senato Mar, Reg. 9, f72r (30 Nov 1470). The two were to be recompensed from the goods of Nicolò de Canal.

<sup>113</sup> A.S.Venezia, Senato Mar, Reg. 9, f98v (1 Jun 1471). It is said in the document that the detention occurred at the time when Nicolò de Canal was admiral. As in the previous case, the motion required that the Genoese, Antonio di Francesco had to be compensated from the goods of de Canal (800 ducats). The motion, however, failed.

<sup>114</sup> Lisciandrelli, *Trattati e negoziazioni*, #905, p. 162 (16 Oct 1469).

<sup>115</sup> Today part of Venice, but not one of the original *sestrieri* or districts.

court together with their uncle (or grandfather?) Giovanni Pietro, who had known of their illicit activity. The latter had not only failed to inform the authorities, but had even supplied his relatives with false counter-letters in the sense that the steel had been supplied to a legal recipient in Pesaro. The brothers were condemned to the full extent of the 1457 law for first offense, while the proposal to condemn Giovanni Pietro in the same way was turned down with thirteen out of twenty votes being *de non*. He was thus given a milder sentence of one year in prison and 100 ducats fine.<sup>116</sup> Obviously, the basic social and economic unit of medieval Venice, the family, was also a convenient form of business venture when contraband was concerned.

Different, but yet more evocative is the case of a certain Lanusio Mauro who bought a 300-*botte* carrack in Candia in late 1468 or early 1469 and loaded it with merchandise. Apparently he was suspected of preparing a trip to Chios and the Straits and was ordered not to travel that route under heavy penalties (*sub gravi penna*). It seems that this is exactly what Lanusio had had in mind because he then disposed of the carrack, which was purchased by a certain Michelino Sclavo. To finance (part of?) the purchase, Michelino used a letter of exchange from certain Genoese and thus roused the suspicion that he too would be willing to sail to Chios. He was then forced to provide a surety and threatened with 1,000 ducats fine should he do that. This he nevertheless did and moreover appears to have sold the ship to those who had (partly?) financed its purchase. The carrack then apparently found its way to Constantinople. As a result, Geronimo Molin, duke of Crete and his council condemned Michelino according to the

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<sup>116</sup> A.S.Venezia, Avogaria di Comun 3653, f15r/v (10 and 12 Apr 1469). The 1457 law asked for 2 years of prison and double the value of the contraband. In June 1468 the State Attorneys had prosecuted a certain Jacopo from Segna (Senj, in Croatia) and his partners (*sociis*) for the contraband of 160 *fassios azalinorum* to Valona, A.S.Venezia, Avogaria di Comun 3652, f89r [84r] (20 Jun 1468).

provisions of the law of 13 January 1464 which prohibited the sales of ships to foreigners under fine of double the value of the illicitly sold ship. On this occasion this meant 1,600 ducats (the carrack had been sold for 1,300 ducats, but it appears that 800 ducats is what Michelino had got, the rest probably going to the Genoese that had helped finance the deal).<sup>117</sup>

On the one hand, the case illustrates the troubles that Venetian authorities faced in their attempts to force on their citizens and subjects a behavior different from that suggested by the market. It also shows, however, that it was not easy to travel clandestinely from Crete to Chios (or Constantinople for that matter) on large ships. Considering the attentiveness of the Cretan authorities and the fact that the case of Michelino is isolated it appears that the enforcement of the Venetian embargo on the Venetians themselves was rather successful.

As in the pre-war period and in the opening years of the war, carracks remained a chief concern. They represented a piece of technology that was not to be made available to the Ottomans. Armed carracks in Genoese hands were always a primary danger. Finally, their building and availability in Venice itself became a major concern in the years after 1468.

When news arrived in Venice that five very large armed Genoese carracks (of 1,500 *botte* or almost 940 deadweight tons) had stopped in Modon the senate hastened to address the potential problem. It ordered the Venetian consul departing for Damascus to

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<sup>117</sup> A.S.Venezia, Duca di Candia, Busta 32, ff. 32r-33r (20 Feb 1469). It is interesting that in 1475 the sentence was annulled in light of the fact that Michelino had, or so the decision states, sold the ship against his will and because he had become deeply indebted, A.S.Venezia, Quaranzia Criminal Reg. 19, f19r (25 Oct 1475). This happened in the context of Molin's prosecution for mal-administration which followed his term as duke of Candia and one wonders if the same outcome would have been reached had Molin not been prosecuted.

draw all Venetian carracks going to Syria into a convoy (carracks usually sailed on their own) to Modon, inspect the situation there, and proceed only upon judgment that the Genoese posed no threat to Venice.<sup>118</sup>

The structures of Genoese and Venetian trade, the former greatly relying on bulky cargoes, the latter on lightweight luxury products, led to a curious situation. The leading families of Genoa, known for its political turmoil, had no trouble financing the construction of a good number of very large carracks, but things were otherwise in Venice. Despite its serene appearance of might and concord the city of the lagoon struggled when it came to really large carracks. In October 1469 the senate noted a worse than usual deficit of great carracks and provided a package of incentives to those who would build *naves* of more than 1,200 *botte* (750 deadweight tons). The government was to provide loans of 2,000 ducats to anyone who constructed such a ship and more if the carrack was to be of 1,500 *botte* (the size of the Genoese one spotted in Modon). The target was six carracks over 1,200 *botte*.<sup>119</sup> Such incentives were clearly not attractive enough, for in spring 1470 the senate recognized the failure of its attempt to spur the construction of carracks and increased the incentives offered.<sup>120</sup> Later, the armament of ten carracks was ordered<sup>121</sup> and the senate struggled to balance between the needs to maintain trade and to use carracks and other ships for war purposes. The list of ships made on the occasion pales in comparison to what the Genoese had at sea. Only eight vessels were listed and all were on the low end of the class, between 100 and 250

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<sup>118</sup> A.S.Venezia, Senato Mar Reg. 9, ff. 15v-16r (5 Aug 1469).

<sup>119</sup> A.S.Venezia, Senato Mar Reg. 9, f20v (12 Oct 1469). See also f21r (23 Oct 1469).

<sup>120</sup> A.S.Venezia, Senato Mar Reg. 9, f37v (Mar 1470).

<sup>121</sup> A.S.Venezia, Senato Mar Reg. 9, f50v (27 Jun 1470).

*botte*.<sup>122</sup> Even though this happened in August when most large carracks were supposedly on their way to Syria, the data were disturbing.<sup>123</sup>

This was especially so as the summer of 1470 was to be the worst moment for Venice in the whole war. It showed the extent of Ottoman naval power, which Venice was now unable to match through galleys alone, and it re-enforced the notion that carracks were instrumental for naval superiority. Most importantly, it saw the loss of Negroponte, Venice's second largest colony. Finally, it was the year in which the embargo came to include all Ottoman territories, including those sections of continental Greece that had been previously excluded.

A letter from the merchant Pietro Dolfino to Candian Bollani, one of the State Attorneys, painted the picture of some serious preparations in the Ottoman 'camp.' Dolfino writes of Ottoman preparations of ship-biscuit in such quantities so as to cause shortages of grain severe enough to provoke popular discontent in Constantinople. Shipbuilders had been sent to Galipoli, where the main Ottoman arsenal was located and the needs of the artillery had been met by the industries of Bursa and Thessaloniki. In addition, all galleys had been ordered to meet at Gallipoli, and the Genoese rulers of Chios had been asked to direct the Florentine galleasses and the carrack of an Anconitan to Constantinople.<sup>124</sup>

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<sup>122</sup> On this occasion the first concern was logistical. The senate prohibited any ships over 150 *botte*, a distinction in capacity already well-known to us, from leaving without license, but just a few days later revoked that decision and ordered that all *naves* in Venice were to be used to carry supplies to the colonies, A.S.Venezia, Senato Mar Reg. 9, f55r (14 Aug 1470) and f55r (16 Aug 1470).

<sup>123</sup> In the fifteenth century they usually made two roundtrips to Syria (January/February to May/June and July to December, Lane, *Venetian ships...*, p. 46.

<sup>124</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 45-47. When reading Malipiero one must be aware that the Venetian new year started on Mar 1, and thus 14 Feb 1469 is in fact 14 Feb 1470. Also, the years shown on the margin of the work do not always coincide with the years of the events narrated in the text. Concern was also caused by the news that the Ottomans were to receive an

In another letter Geronimo Longo, a galley captain, wrote to two of his brothers, also captains, describing the sultan's fleet sent against Negroponte. Initially, Longo estimated its size at 300 sails, among which 108 galleys. His later count corrects this to 400 sails, of which 100 galleys, 150 biremes, two galleasses, and one ship of 500 *botte* (just over 300 tons).<sup>125</sup> The assertion that the Ottoman fleet totaling hundreds of vessels contained only three large ones corroborates the rationale behind the Venetian embargo, namely the attempt to prevent the Ottomans from access to carracks and other large naval vessels. In fact, although one may argue that the Ottomans may not have wanted such vessels in the fleet as a tactical choice, the events of 1453 and 1462, the presence of two galleasses and a carrack at Negroponte, and the Ottoman request to Chios that the Florentine galleys and an Anconitan carrack be sent over to Constantinople represent just some of the evidence that suggests otherwise. One is left to wonder whether the two galleasses that partook in the Ottoman seizure of Negroponte were Florentine and the single carrack, the property of the Anconitan Angelo or one of the two other Anconitan carracks that had been ready to sail for Constantinople in March.

Admiral De Canal, who five years earlier as Venetian ambassador to Paul II had argued the case of the embargo, prohibited on 25 January the export of any merchandise, including victuals, from Venetian to Ottoman territories, such as Patras, without special license. The penalty for transgression was set at six months prison term and 500 ducats. In addition, the owner of the ship carrying contraband was to lose his ship.<sup>126</sup> Thus

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ambassador of King Ferrante send by land by way of Valona. See also Babinger, *Mehmed the Conqueror*, pp. 277-278.

<sup>125</sup> He also thought that in order to oppose this force Venice needed seventy galleys, fifteen galleasses, and ten carracks with cargo capacity of at least 1,000 *botte* (625 tons), *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 49-52. This letter is also discussed by Setton, *The Papacy and the Levant*, II, pp. 300-301.

<sup>126</sup> A.S.Venezia, Duca di Candia, Busta 15, 2v (25 Jan 1470).

continental Greece, a region that had not previously been fully subject to the embargo, was now included within it.

Although he had been the most active of all Venetian admirals in enforcing the embargo, De Canal chose to watch as the Ottomans conquered Negroponte without daring to intervene. Ironically, this happened just days after the renewal of the Peace of Lodi on July 9. The result of several months of intensive diplomatic activities on the part of Venice in order to secure more support for the war, the peace in Italy did not help to keep Venice's empire and pride intact.<sup>127</sup>

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In the period 1467-1470 Venice made its strongest efforts to enforce the embargo. The war fleet of galleys and a small fleet of carracks ensured enforcement. The legal status of goods outside the category of war material hampered Venice's ability to prosecute those who violated the embargo. Nevertheless, this did not prevent Venice from detaining ships and goods. Numerous Anconitan and Genoese ships as well as merchants from neighboring Italian cities and as far away as England suffered confiscation of their merchandise by the Venetians. Although the senate had to provide restitution in all cases, the detention of goods, which lasted from several months to years, was in itself an exemplary punishment and a way around the embargo's lack of force in

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<sup>127</sup> A lawyer, De Canal is a surprising choice for an admiral in the first place. On the takeover of Negroponte see *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 52-58, Setton, *The Papacy and the Levant*, II, 298-304 and the literature quoted by him. It is interesting that De Canal remained inactive, even though, according to Malipiero, by July 9 he had at his disposal fifty-two galleys, eighteen carracks, and a galleass, numbers not so much lower than those deemed sufficient by the above-mentioned Geronimo Longo, one of De Canal's galley commanders, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 55. De Canal himself had declared his readiness to seek engagement with the Ottoman fleet once his own fleet had reached 100 galleys, and ten carracks, *ibidem*, 53. The preparations that saw Venice arming fifteen carracks bigger than 300 *botte* (almost 200 deadweight tons) and fourteen galleasses and receiving financial help and victuals from Padua, Verona, and Brescia came too late to make any difference, *ibidem*, pp. 53-54. De Canal was prosecuted, found guilty, and exiled to Portogruaro, Setton, *The Papacy and the Levant*, II, p. 307. On the takeover of Negroponte see also Babinger, *Mehmed the Conqueror*, pp. 280-284.

terms of international law. Enforcement may have been somewhat erratic and incomplete, but it still gave Venice the appearance of diligence and warned would-be contrabandists of the potential costs of their infringements.

In the big enforcement case of 1467-1468 the senate made sure to have at its disposal confessions elicited from Anconitans. Anconitans confessed that they had been consistently violating the papal embargo on the export of war material to Muslims. The confessions could help the Serenissima portray itself as a crusading power hampered in its 'pious' activities by 'impious' enemies within Latin Christendom. This could have been useful in the case of an all-out war in Italy which had been a distinct possibility when the detention of the ships occurred. Venice opted to avoid a war in Italy and consequently used the restitution of the detained ships and goods as a tool to do so.

In testimony of Venice's political weight, the case of 1467-1468 did not force it to give up the enforcement of the embargo on non-Venetians, which it consistently did over the next few years. This period coincided with the tenure of Nicolò de Canal as admiral. He enlarged the scope of the embargo to include the last portion of continental Greece where trade between Venetians and Ottomans was still allowed. Although a trained lawyer, he became the one Venetian admiral throughout the war to consistently enforce the embargo against non-Venetians, despite the illegality of such acts.

We saw that Venetian policy choices, namely the focus on Italy contradict the official rhetoric of crusade against the 'infidel.' There is also an apparent contradiction in papal policy choices in relation to Rome's stated priorities. Papal support for the anti-Venetian coalition in 1467, as expressed in the backing of its request for restitution of the detained ships, shows a preoccupation first and foremost with Italy and not with the

Ottomans. Nevertheless, deeply entrenched in Italian politics as it was, the papacy took a position on the Venetian embargo that was in fact consistent with the Gregorian principle that the papacy was the head of a community of Christians. It was up to the papacy not only to identify faithful and “others,” but also to define how the former would relate to the latter. Accepting the Venetian request for a total embargo in the specific context outlined above would have violated this fundamental principle.

### **8.3. The Two Sides of the Coin: Economic Sanctions and Economic Aid**

Venice was not alone in perceiving the loss of Negroponte as a massive setback in the war. So did Paul II who wrote to Lodovico Gonzaga of Mantua, Guglielmo Paleologo of Montferrat, John II of Aragon, Borso d’Este of Modena, and Amadeo XI of Savoy warning of Mehmed II and arguing the need of Italian unity and help from the rest of Christendom.<sup>128</sup> His efforts, however, were judged insufficient by Venice.<sup>129</sup> During the subsequent years the concern with trade and carracks remained central, but it was briefly overshadowed by an attempt to use the embargo’s antonym and fellow foreign policy tool, economic aid to an ally.

The loss of Negroponte provoked a renewed effort by the senate to persuade the pope to support its embargo. The instructions to the ambassador at the curia contain two important pieces of information. One is that the entry into the Straits of seventeen (Christian) carracks, several of more than 1,000 *botte*, had offered the Ottomans yet

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<sup>128</sup> Setton, *The Papacy and the Levant*, II, pp. 304-305, Babinger, *Mehmed the Conqueror*, pp. 288-289. Paul II had already asked Florence for help, Müller, *Documenti sulle relazioni delle città toscane coll’Oriente...*, part I, #166, pp. 211-212 (3 Aug 1470).

<sup>129</sup> Which was also dissatisfied with the amount of the financial subsidy he was willing to provide her, which supposedly amounted to 50,000 ducats a year out of an alleged (by Paul himself) total papal annual income of 200,000, Setton, *The Papacy and the Levant*, II, pp. 308-309, 312. See also Enrico Cornet, *Le guerre dei Veneti nell’Asia 1470-1474* (Vienna: Libreria Tandler & Comp., 1856), #11, pp. 21-22 (23 Jan 1471). By comparison, according to Malipiero, Venice had been spending around 1,200,000 ducats per year on the war alone, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 66.

another opportunity to strengthen their fleet. The other is the senate's assertion that since Venice could not match Ottoman galley strength, its hope lay with carracks. The first piece of information seems an exaggeration intended to move the pope to publish the long awaited total ban on Ottoman trade. It does nevertheless attest to continuous Christian, i.e. mostly Italian, trade with the Ottomans irrespective of the events of 1470 and of Pope Paul's diplomatic efforts to gain support for the war against the Ottomans. The continuance of Florentine trade is attested by three decisions concerning the Florentine consul in Constantinople.<sup>130</sup> Local trade between Chios and Constantinople also went on as usual.<sup>131</sup> The second piece of information is also important. Although Venice had long believed that carracks gave them a technological edge against the Ottomans, the statement that the number of ships was practically its only hope probably reflected the experience of Venetian captains in the waters off Negroponte.<sup>132</sup> The success of the Ottoman fleet seems to have frightened the senate into rebuilding its shipbuilding capabilities. It rendered a decision to allow the return of indebted sailors and artisans with jobs related to ship-building by providing state mediation for debt settlement. It is not insignificant that the indebted sailors and artisans were said to have found jobs with the Genoese and the Florentines thus "practicing their trade against us."<sup>133</sup> In addition, the fleet was being reinforced by twenty galleys, ten galleasses, and ten carracks, that is, the ratio between regular war galleys and large vessels was the very

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<sup>130</sup> Müller, ed., *Documenti sulle relazioni delle città toscane coll'Oriente...*, part I, #168-170, pp. 214-215 (17 Jul, 25 Sep, 26 Oct 1471).

<sup>131</sup> For example, a Catalan physician was to repay in Pera a *speciario* from Chios for *aromatibus*, Argenti, *The Occupation of Chios by the Genoese*, III, p. 802 (7 May 1471).

<sup>132</sup> A.S.Venezia, Sen. Del. Sec. Reg. 24, f185r (13 Feb 1471).

<sup>133</sup> A.S.Venezia, Sen. Terra Reg. 6, f98r [99r] (1 Sep 1470) and f99v [100v] (7 Sep 1470). "...contra...nos se exercent ministeria sua." Ibidem, f. 98r [99r]. The problem was to persist; in 1473 a similar motion was enacted, A.S.Venezia, Senato Mar Reg. 9, f163r [164r] (31 Mar 1473).

unusual 1:1.<sup>134</sup> Finally, some citizens themselves helped provisioning the Arsenal, becoming creditors to the state.<sup>135</sup>

Besides urging the Pope to enact an embargo, Venice sought to create a larger alliance against the Ottomans, drawing in King Ferrante, whom it had begun to pursue immediately after the fall of Negroponte,<sup>136</sup> and trying to lure Florence.<sup>137</sup> The senate coupled its attempts to build alliances with efforts to end the conflict. In fact, already in November 1470 the *Rogati* had commissioned Nicolò Cocco and Francesco Capello to treat with Mehmed and to offer as much as 250,000 ducats as war settlement, but to require the return of Negroponte.<sup>138</sup>

Meanwhile, just as Venice had sent ambassadors to Uzun Hasan and Karaman at the start of the war, looking for allies in Mehmed's back, and likewise Mehmed had contacted Naples and Milan, so now Uzun Hasan himself sent ambassadors to what for him was the Ottomans' back, the West.<sup>139</sup> Venice answered positively and on March 7 the senate appointed Caterino Zeno as its ambassador at the Aqqyunlu court.<sup>140</sup> The talks with Uzun Hasan, or Ziansan as the Venetians apparently called him, had to wait for an answer from Constantinople, however, and only after Venice found Mehmed's peace

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<sup>134</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 66.

<sup>135</sup> A.S.Venezia, Sen. Terra Reg. 6, f137r (13 Jul 1471).

<sup>136</sup> A.S.Venezia, *Libri Commemoriali* 16, ff. 44r-46r (1 Jan 1471). See summary in Predelli, *Commemoriali*, V, #26, pp. 200-201. Venice had offered this alliance back in August, see Cornet, *Le guerre dei Veneti nell'Asia*, #1, pp. 3-5 (20 Aug 1470), see also #4, pp. 8-10 (18 Oct 1470), which lists the proposed clauses, none of which concerns the embargo.

<sup>137</sup> Cornet, *Le guerre dei Veneti nell'Asia*, #3, pp. 5-8 (2 Oct 1470).

<sup>138</sup> The instructions are to be found in A.S.Venezia, Sen. Del. Sec. Reg. 24, ff. 168v-169v [new pagination] (27 Nov 1470). Full text also in Cornet, *Le guerre dei Veneti nell'Asia*, #7, pp. 15-17, see also # 8, p. 18 (2 Jan 1471), and #9, pp. 19-20 (2 Jan 1471). On the peace talks between Venice and the Ottomans after the fall of Negroponte, see Setton, *The Papacy and the Levant*, II, pp. 306-311.

<sup>139</sup> One of them arrived in Rome through Genoese Caffa, where his letters had been translated and authenticated at the bishop's office, Baronius-Raynaldus 29, 510-511. Malipiero also discusses Uzun Hasan, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 68.

<sup>140</sup> Cornet, *Le guerre dei Veneti nell'Asia*, #13, pp. 23-24 (7 Mar 1471) and #15, pp. 25-27 (18 May 1471), the latter also in Guglielmo Berchet, *La repubblica di Venezia e la Persia* (Torino: Tipografia G. B. Paravia e comp., 1865), #6, pp. 108-111.

offer unacceptable, since it did not include the restitution of Negroponte, did the senate pursue its prospective alliance with Uzun Hasan. Zeno was instructed to acknowledge the consultations with Mehmed and to explain that the Ottomans had begun them, that Venice had not heard from Uzun Hasan in a long time, and that it had readily refused the Ottoman advances for peace.<sup>141</sup>

When Pope Paul II died on July 26, Venice did its best to promote to the papal throne Cardinal Bessarion, whose good relations with the Serenissima were as well known as his fervor for the crusade. Venice's hopes did not materialize, however, and on August 9 Francesco della Rovere, a Franciscan theologian from unfriendly Liguria, became pope Sixtus IV.<sup>142</sup> Nevertheless, Venice began yet another determined diplomatic campaign to convince the new pope of the importance of imposing economic sanctions on the Ottomans.

On November 9, the senate voted almost unanimously a detailed set of instructions to as many as four ambassadors to the new pope. They were to explain to Sixtus that Anconitans and Italians from many other places used Anconitan vessels to carry on trade with the Ottomans; thus delivering to the Ottomans iron, steel, all kinds of arms, saltpetre, and other war material. Furthermore, the continuous navigation of Anconitan vessels into the Straits presented the Ottomans with the opportunity to seize

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<sup>141</sup> Cornet, *Le guerre dei Veneti nell'Asia*, #16, pp. 28-30 (10 Sep 1471) and Berchet, *La repubblica di Venezia e la Persia*, #7, pp. 111-114.

<sup>142</sup> On the death of Paul II and the election of Sixtus IV see Setton, *The Papacy and the Levant*, II, pp. 312-314. Sixtus IV nevertheless showed himself ready to promote the crusade: ordered the preparation of a papal fleet at the port of Ancona, sent ambassadors to the courts of France, Burgundy, England, Spain, Germany, Hungary, Poland, and to the Italian powers, and published a bull promoting the crusade, see Guglielmotti, *Storia della marina pontificia*, II, p. 343 and note 117, pp. 344-345 and note 119; Setton, *The Papacy and the Levant*, II, p. 315 with the exhaustive references in note 3.

them. In spite of Venice's admonitions, Ancona continued its trade. The four ambassadors were to ask for remedy to all of this.<sup>143</sup>

The city's attempts to obtain a papal embargo on all trade with the Ottomans in the second half of 1471 were perhaps the strongest ever. In fact, on the very same November 9, the ministers of sea affairs (this time on their own) proposed one more motion on the matter, and it was voted unanimously by the 139 senators present. This set of instructions shows that Venice was still trying to obtain papal endorsement of the total embargo. In fact, this order presents the embargo as anything but a secondary matter, for a meeting between the ambassadors and the pope (the second meeting) was to be dedicated entirely to the issue. Much more in line with previous instructions, these brief orders required the ambassadors first to outline the danger that the Ottomans represented and then to explain that

We know and it is proved by experience that to harm the Turk and deprive him from most ability to harm Christian things [or perhaps Christendom] nothing will be more appropriate and more effective than to prohibit carracks and vessels of Christians from sailing in the Hellespont.<sup>144</sup>

The absence of such a prohibition would allow the Ottomans to increase the might of their fleet through the detention of Christian vessels and discourage Christians from taking a stand against them for fear of losing the trade.<sup>145</sup> Thus Venice was making a strong case for a total embargo. Moreover, the latter argument may have had an extra value insofar as it tried to place on all non-Venetians a stigma that everyone in Italy had been accustomed to place on merchants of the lagoon and their perpetual rivals from

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<sup>143</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, ff. 73v-74r [82v-83r]. These instructions are longer than most and extend from f71r [80r] until f75r [84r] (9 Nov 1471).

<sup>144</sup> "Nos ita tenere et ipsa experientia comprobari ad nocendum turco et privandum eum maxima habilitate offendendi res christianas nihil opportunius et efficacius fore quod prohibere ne naves et navigia christianorum navigent in ellespontu." A.S.Venezia, Sen. Del. Sec. Reg. 25, 76r [85r] (9 Nov 1471).

<sup>145</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, 76r [85r] (9 Nov 1471).

Liguria, namely, that trade had made them bad Christians. As Pope Pius II saw it, his crusade against the Ottomans combined the church's religious zeal with the Venetian one for money (the tolls of the Morea). Venice was trying to inculcate all others while presenting itself as a champion of the religion, very much in line with the language of all its diplomatic correspondence of the time.<sup>146</sup>

Thus Venetian attempts to win the pope over to a total ban of trade with the Ottomans in 1471 may have represented their strongest effort as shown by the fact that for the first time Venice did not argue the matter alone. On November 9 the senate ordered Zaccaria Barbaro, the ambassador to king Ferrante, to ask the king to order his ambassadors in Rome to work in concert with the Venetian envoys so as to obtain the promulgation of the embargo, because it could inflict maximum harm on the enemy.<sup>147</sup> That must have achieved success, for its next set of instructions to Rome orders the ambassadors to work in concert with the envoys of the king with "all zeal and industry" to forbid entry to the Straits "and the interdict of all commerce and business."<sup>148</sup> Barbaro had informed the senate that Ferrante had issued his envoys a similar mandate.<sup>149</sup>

This is not surprising. After all, the captain of the royal armada had himself expressed his belief that two things had to be asked from the pope: embargo and a new tenth on ecclesiastical incomes. The embargo came first, and the argument was two-fold: that the Ottomans receive "benefits" from Christian trade, including war material, and

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<sup>146</sup> That Venice covered its diplomatic language with Christian rhetoric is also the opinion of Setton, *The Papacy and the Levant*, II, p. 304.

<sup>147</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, ff75v-76r [84v-85r] (9 Nov 1471).

<sup>148</sup> "Circa obtinendum inhibitione navigandi in strictum et interdictum omnium comertiorum et practicarum..." A.S.Venezia, Sen. Del. Sec. Reg. 25, f78v [87v] (28 Nov 1471).

<sup>149</sup> "omni studio et diligentia" A.S.Venezia, Sen. Del. Sec. Reg. 25, f78v [87v] (28 Nov 1471). On the same day, the senate wrote another set of instructions urging Barbaro to keep the matter of the embargo in high regard in Naples, A.S.Venezia, Sen. Del. Sec. Reg. 25, ff. 76v- 78r, specifically 77v-78r [86v-87r] (28 Nov 1471).

that they could detain carracks and use them against the Christians. The admiral thought that the pope should ban trade with Ottoman lands under penalty of excommunication, that he should order the “powers” to revoke the ships currently there, and to proclaim that ships bound for the straits could be seized.<sup>150</sup> Curiously, shortly before Venice initiated its diplomatic offensive in Rome and Naples it had received requests for safe-conducts for trade in Romania from Angelo de Adria, the Neapolitan ambassador in Venice. He had asked for safe-conduct for a number of merchants to be allowed to trade in *non-vetita*. Venice granted one safe-conduct asked in the name of the Count of Urbino, as a gesture of good-will towards the latter, but refused to approve any other requests and ordered Barbaro, from whose commission we learn this, to explain in Naples the Venetian stance on trade.<sup>151</sup> It is thus likely that in Naples there were important people supportive of the embargo as well as others who wanted trade to go on. The fact that Neapolitan merchants were asking Venice for safe-conducts was probably not simply a gesture on the Neapolitan side, especially considering the negative outcome. It probably shows that the Neapolitan ship-owners and merchants acknowledged the danger involved in contravening the Venetian, albeit illegal, embargo. But by making the request, they were effectively recognizing Venetian sovereignty over the waters of the northeastern Aegean.

From a third set of instructions to the envoys at the curia, we learn that consultations with the pope had taken place shortly afterwards. Without detail, the

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<sup>150</sup> Gigi Corazzol, ed., *Dispacci di Zaccaria Barbaro*. 1 novembre 1471 – 7 settembre 1473 (Rome: Istituto Poligrafico dello Stato, 1994), p. 72 (19 Nov 1471). The admiral’s position is mentioned in A.S.Venezia, Sen. Del. Sec. Reg. 25, ff 77v-78r [86v-87r] (28 Nov 1471).

<sup>151</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f64r [73r] (7 Oct 1471).

document makes it clear that the matter had been postponed<sup>152</sup> but urges the ambassadors to persist and to obtain a general ban on all trade with the Ottomans in concert with the envoys of Ferrante and to do so as quickly as possible.<sup>153</sup> Sixtus IV may have been reluctant to publish an embargo as Venice desired, but on 31 December 1471 and then again on 17 February 1472 he nevertheless proclaimed a new crusade. In accordance with the ‘spiritual rationality’ of ecclesiastical policymakers, his bulls did not stress what we call ‘practical’ content, but, after displaying his knowledge of ancient geography and ethnography, de facto perpetrated a discourse of Otherness by blasting the Ottomans as ‘dogs of Mohamed’ who shed Christian blood.<sup>154</sup> Nevertheless, Sixtus took some important ‘practical’ measures that, as we will see, heightened Venice’s hopes for a successful outcome of the war. Following in the footsteps of his predecessors, Sixtus continued to help finance the Venetian war effort by allowing the city to collect two tenths on ecclesiastical goods<sup>155</sup> and invested more than 144,000 florins in a papal fleet which, together with Venetian and Neapolitan galleys, was to form a crusading armada.<sup>156</sup> The papal galleys had to be constructed, and thus Venice did not hesitate to put the embargo on the table yet again, this time arguing that the papal galleys should be prepared in Venice and not in the ports of those who traded with the Ottomans, such as Ancona and Savona (in Liguria, near Sixtus’ birthplace).<sup>157</sup>

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<sup>152</sup> The document speaks of the embargo as “negotium tamen relictum et posthabitu[m],” A.S.Venezia, Sen. Del. Sec. Reg. 25, f84r [93r] (17 Dec 1471).

<sup>153</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f84r/v [93r/v] (17 Dec 1471). “cum omni possibile celeritate.” f84v [93v].

<sup>154</sup> Baronius-Raynaldus 29, 519-520, a. 1471, #72 and 528-529, a. 1472, # 18-19. See also Setton, *The Papacy and the Levant*, II, p. 315.

<sup>155</sup> A.S.Venezia, Libri Commemoriali 16, f61r/v (9 Feb 1472). Summaries in Predelli, *Commemoriali*, V, #46-47, p. 207.

<sup>156</sup> Setton, *The Papacy and the Levant*, II, pp. 316-317.

<sup>157</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f95r [[104r] (18 Jan 1472).

Meanwhile, Venice continued its economic, military, and diplomatic efforts to strengthen its position vis-à-vis the Ottomans with or without papal support. The senate made a gesture towards Ancona on 20 June 1472 by ordering the restitution of damages caused to two Anconitans by Nicolò de Canal in 1470. The ‘gesture’ was in fact laid upon the shoulders of the convicted and exiled former admiral who was ordered to pay for the restitutions.<sup>158</sup> Nevertheless, the senate accused Ancona of supplying the Ottomans with war material, reminded its ambassadors of the danger that the Ottomans could seize and use Christian ships, and re-iterated its stance that trade with the sultan’s lands was something from which Ancona had to refrain.<sup>159</sup> The *Rogati* had a point. The number of carracks registered by Anconitan notaries as east-bound in 1469 and 1470 had totaled nineteen, of which only two had Constantinople/Pera as a declared destination. By contrast, only six carracks were registered in 1471 and 1472, but as many as four of them, of which one was actually Genoese (a Doria carrack), had the Ottoman capital as their destination.<sup>160</sup> Also in 1472 a resident of Chios appointed a procurator and patron of a *grippo* who was specifically ordered to take care of the sale of the vessel “in Pera or whatever place he would like, to those people and for that price to which and for which it will be seen best by the said patron and procurator.”<sup>161</sup> This notarial record drawn in Chios does in fact show that Christian trade with Constantinople, even in ships, continued even though it violated not only the Venetian, but also the papal embargo and even though Venice was at war with the Ottomans and the papal fleet was on its way to the

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<sup>158</sup> The cases of Cristoforo Giovanni and Bartholomeo de Thomaso have been already mentioned, A.S.Venezia, Sen. Del. Sec. Reg. 25, 136v-138r [145v-147r] (17 and 20 Jun 1472).

<sup>159</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, 138v-139r [147v-148r] (23 Jun 1472).

<sup>160</sup> Ashtor, *Levant Trade in the Later Middle Ages*, pp. 531-532.

<sup>161</sup> “...in Peyra vel ubicunque locorum sibi placuerit illis personis et pro illis preciiis quibus et pro quibus dicto patrono et procuratori melius videbitur...,” in Argenti, *The Genoese Occupation of Chios*, III, 812-813, # 47 (29 Jun 1472).

region. At the same time, the senate, upon request of the duke of Milan, considered restitution in the case of a Genoese, whose goods had been detained by Nicolò de Canal. Antonio Francesco had been transporting wine and other non war material from Crete to Constantinople. On this occasion, the motion ordering that compensation be provided to him from the goods of the former admiral failed.<sup>162</sup> But this was an exceptional case. All of the other sequestrations by de Canal after he had been condemned and exiled were adjudicated in favor of the merchants. Obviously a number of Genoese and Anconitan merchants suffered considerable losses in 1468-1470 for which no timely compensation had been provided, unlike the case of 1467-1468. Would compensation have been provided had the disgraced de Canal not been convicted? Did a condemnation of an official automatically undermine the legal value of all his actions and not only of those for which he had been condemned? It is unclear, but even in the second half of 1473 the senate was still looking at cases involving goods sequestered by de Canal.<sup>163</sup>

Meanwhile, the Serenissima continued to encourage its citizens to build carracks of over 1,000 *botte* (625 deadweight tons) for its own fleet.<sup>164</sup> The addition of more carracks to the fleet was a concern that intensified over the next years.<sup>165</sup> Venice also tried to strengthen its forces through an anti-Ottoman alliance with Burgundy, which stipulated that if one of the two sides fought and the other was at peace with the

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<sup>162</sup> A.S.Venezia, Senato Mar Reg. 9, f98v (1 Jun 1471).

<sup>163</sup> A.S.Venezia, Senato Mar, Reg. 9, f180r [181r] (17 Sep 1473). In this case wine belonging to a Venetian noble citizen (*nobilis civis noster*) that had been transported on a Genoese ship. It is unclear where the ship had been headed. It is interesting to remind of the previously mentioned case of a Cretan that was absolved from his fine imposed for violation of the embargo by the duke of Candia after the latter had been prosecuted and found guilty of numerous transgressions, many years later.

<sup>164</sup> A.S.Venezia, Collegio. Notatorio. Reg. 11, f112v (11 Jan 1472). Gentile Contarini was allowed to import *lignamina secata*, because he was to build a carrack over 1,000 *botte*. The permission was valid only for this purpose, that is, the timber could not be used for a smaller vessel.

<sup>165</sup> In 1471 a decision to arm six carracks was taken, A.S.Venezia, Senato Mar Reg. 9, ff. 77v-78r, 79r, see also f71r and f81v (22 Nov 1470 – 13 Feb 1471). Unable to solve the deficit of carracks, the senate continued providing incentives in 1473, A.S.Venezia, Senato Mar Reg. 9, f162r [163r] (29 Mar 1473). Only four carracks had been built despite the incentives through loans and remuneration.

Ottomans, the latter had to subsidize the former with 100,000 *scudi*. Charles the Bold promised through his secretary to pay a subsidy of 6,000 *scudi* per year per galley,<sup>166</sup> but the senate ordered its ambassador to the court of Burgundy to urge the duke to also partake in the military operations against Mehmed.<sup>167</sup>

By the summer of 1472 Sixtus IV was about to complete a year in office, but he had promulgated no embargo despite the consistent Venetian effort made jointly with Neapolitan envoys in the fall of 1471 and a new effort to this effect made on a later date. A further set of instructions of the senate to the ambassador in Rome, voted on 30 June 1472, offer us a rare glimpse of the pope's response. Supposedly, Sixtus IV had said that he did not intend to engage in any "novelties" (*novitates*) while the papal fleet was in the East. The senate, which may have been losing its patience with this new pope, ordered ambassador Corner to explain that if Christians fight the Ottomans and trade with them at the same time they will appear disunited and disobedient to their head (the pope) in the enemy's eyes. He was then instructed to argue that an embargo would be most effective precisely when the papal fleet was in the east.<sup>168</sup> The motion, which dealt with the embargo alone, was introduced by all ministers and voted 155 to zero with one neutral vote. The overwhelming support serves as evidence that despite years of unsuccessful attempts to convince three popes to support the embargo and despite the fact that enforcement usually seems to have resulted in restitution, the most prominent members of the Venetian governing class remained committed to it. As had become customary, the *Rogati* also ordered Barbaro in Naples to keep the royal support for the papal embargo alive. More specifically, he was to tell the king that this was the right moment

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<sup>166</sup> Predelli, *Commemoriali*, V, #51-52, pp. 208-209, (18 and 20 Jun 1472).

<sup>167</sup> Cornet, *Le guerre dei veneti nell'Asia*, #40, pp. 51-53 (5 Oct 1472).

<sup>168</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f135v-136r [144v-145r] (30 Jun 1472).

for an embargo, and that the failure to declare it would bring “perpetual infamy” on the apostolic see and cement the view of disunited Christendom among Christ’s enemies.<sup>169</sup> Later in the year Barbaro answered that the king would order his ambassador to support the Venetian stance on the matter. Apparently the king had singled out the Florentine galleasses and the Genoese carracks as the major problem.<sup>170</sup> Thus, while Sixtus IV continued to see no use for an embargo as concomitant to military action, Venice had managed to convince the King of Naples that it was a necessary tool.

Venice may have argued for a united Christian front against the Ottomans, but its dependence on trade with Mamluk Egypt and Syria, its main trade partners in the east (even before the embargo on the Ottomans), did not help the crusading image which her diplomatic documents tried so hard to portray. In fact, while Venice pressed Sixtus for an embargo against the Ottomans and despite its enforcement of the papal embargo against Muslims in general as far as war material was concerned, it was nevertheless violating the spirit of the latter sanctions by defending Muslim merchants against Christian pirates. This had certainly been the case as recently as spring 1472 when two Venetian galleys captured the ship of a Christian pirate who had seized a Muslim vessel with many merchants. They led his ship to the Venetian admiral, who ordered the release of the prisoners and their goods.<sup>171</sup>

The papal fleet, under the command of Cardinal Oliviero Carafa, joined the Venetian and Neapolitan forces in Rhodes.<sup>172</sup> The fleet took over the castles of Silifke,

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<sup>169</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f136r [145r] (30 Jun 1472).

<sup>170</sup> Corazzol, *Dispacci di Zaccaria Barbaro*, p. 380 (3 Oct 1472).

<sup>171</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f120v [129v] (17 Apr 1472).

<sup>172</sup> The combined crusader armada is said to have reached a total of eighty-seven galleys of which forty-seven Venetian, nineteen papal, seventeen Neapolitan and three of the Hospitallers and fifteen ships, most likely carracks. Guglielmotti, *Storia della marina pontificia*, II, p. 353. Malipiero, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 74, provides a total number of 86 galleys,

Sechin, and Corycus in Anatolia and handed them to Kasim Beg, the lord of Karaman. It attacked but failed to take Adalia, and the Neapolitan fleet left for Italy. In September Carafa and admiral Mocenigo attacked and took Smyrna after which they argued about future tactics. Despite Carafa's wish to use Smyrna as a strategic base, the Venetians burned it and adorned their ships with the heads of the Ottoman soldiers. With this gruesome act, the crusading activities in 1472 came to an end. The Ottoman fleet had not left its ports and thus no naval battles occurred.<sup>173</sup>

Despite the meager results of the campaign, a new development occurred which was to do much to strengthen the Venetian hopes for successful outcome of the war. In summer 1472, two ambassadors of Uzun Hasan, namely Isaac and Agi' Mohammed, arrived in Venice one after the other. Sending precious gifts to the republic, Uzun Hasan asked for artillery, of which his army was devoid.<sup>174</sup> Although Venice had already contacted Uzun Hasan at the start of the war, it was only now that its anti-Ottoman plans began to take some practical shape: the Serenissima agreed to place its fleet at Uzun Hasan's disposal and deliver the requested munitions. The senate ordered that some be immediately loaded on galleys, informed admiral Mocenigo of its decision, and asked him to secure more cannons from the Hospitallers of Rhodes. In light of this development, the *Rogati* wrote to Corner in Rome to ask the pope to retain his fleet in the

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which is in disagreement with the sum of the fleet numbers provided by him (85) in the same sentence. Setton, *The Papacy and the Levant*, II, p. 317 translates *navi*, probably from Guglielmotti, as "transports," but the word most likely is *naves* which would mean 'carracks.'

<sup>173</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 73-75, 77-78.

Guglielmotti, *Storia della marina pontificia*, II, pp. 349-356, 359-369, Setton, *The Papacy and the Levant*, II, p. 317.

<sup>174</sup> On this and the ambassadors see *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 71-72, 76, 79-81. Berchet, *La repubblica di Venezia e la Persia*, pp. 8-9 and doc. # 8 on pp. 114-115. For the optimistic senatorial reaction to the news from Uzun Hasan see Cornet, *Le guerre dei veneti nell'Asia*, #33, p. 44 (22 Sep 1472).

east<sup>175</sup> and soon after asked again that a general prohibition on trade with the Ottomans be issued, stressing the usual arguments about the trade in ‘war material’ and the danger that Christian carracks might be detained and used against Venice.<sup>176</sup> Towards the end of the year, Corner was again instructed to dissuade the pope from arming galleys and carracks in the Genoese Riviera, because of the “many Genoese citizens who are in Pera and in all territory of the Turk,” whereas “those who fight should be free of any suspicion and danger.”<sup>177</sup> Indeed, Venice always considered the Genoese ‘suspicious:’ shortly before Corner was instructed to dissuade the pope from subsidizing Genoese shipbuilding, doge Nicolò Tron had ordered the authorities in Candia to send over to Venice all munitions and equipment seized from a Genoese ship.<sup>178</sup>

While Venice argued the case of its embargo before Sixtus IV, it missed no opportunity to use other economic tools in its war with Mehmed II. In 1473 Venice stepped up the economic and diplomatic aspects of its war effort. On this occasion, the Serenissima was trying to help its campaign not so much through the enforcement of its embargo on non-Venetians as through considerable subsidies for Uzun Hasan in the form of artillery, guns, munitions, and trained artillery personnel for “All affairs of our state

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<sup>175</sup> The senate also wrote to Karaman requesting help for the passage of envoys to Uzun Hasan. For these developments see the sequence of documents in A.S.Venezia, Sen. Del. Sec. Reg. 25, ff. 153r [162r] - ff. 155r [164r] (all from 25 Sep 1472), Cornet, *Le guerre dei veneti nell'Asia*, #35, pp. 46-47 (25 Sep 1472), #39, pp. 50-51 (5 Oct 1472).

<sup>176</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, ff. 160r [170r] (16 Oct 1472). A letter in the same sense was also sent to Naples, A.S.Venezia, Sen. Del. Sec. Reg. 25, ff. 160v-161r [170v-171r] (16 Oct 1472).

<sup>177</sup> “...quamplurimorum civium Januensium qui perre sunt et in omni turci ditione...” and “Belligerantes autem vacui esse debent omni suspitione et periculo.” A.S.Venezia, Sen. Del. Sec. Reg. 25, ff. 167v [177v] (12 Dec 1472). Published in Cornet, *Le guerre dei veneti nell'Asia*, #47, pp. 59-61 (12 Dec 1472). Cornet makes a mistake in the reading of the quotation above. He transcribes *perre* as *preclare*. There is no doubt, given the context, that the text refers to Pera, the former main Genoese ‘colony’ in the east, on p. 60.

<sup>178</sup> A.S.Venezia, Duca di Candia, Busta 2, #27, ff. 8v (received in Candia on 9 Dec 1472).

depend upon the campaign and the successful advance of the things of the most illustrious lord Uzun Hasan.”<sup>179</sup>

The senate’s assertion was not an empty statement. The council acted swiftly ordering Captain Pietro Soranzo to begin loading the munitions that had been promised to Agi’ Mohammed so that the departing ambassador might see them put on board. Giosafat Barbaro, elected as ambassador on January 5,<sup>180</sup> was ordered to leave with Agi’ Mohammed, and the ambassadors of the pope and of king Ferrante were to be persuaded to join the departing party.<sup>181</sup> The munitions were to be sent on two galleasses and, according to the senate’s order, consisted of six big canons or, more appropriately, mortars (*bombarde grosse*) (one from Venice, another from Ravenna, two from Modon, and the other two from wherever possible); ten medium and fifty small mortars, 500 small artillery pieces (*spingarde*), “as many harquebuses as possible,” “as much gunpowder as possible,” 300 iron balls (as shells, but of course without explosives), 3,000 *zappe* (hoes) and 4,000 *badilia* (shovels).<sup>182</sup>

Actual numbers are in some dispute. Malipiero provides the same numbers for big and medium cannons, but does not speak of small ones and lists only 200 *spingarde*. He provides a number for the harquebuses, 10,000, ten times higher number of the mortar shells, 3,000, and speaks of 2,000 *zappe*, 1,000 harquebusiers, two engineers, and two stoneworkers.<sup>183</sup> Barbaro does not provide numbers for the arms, which he also lists, but speaks of 200 harquebusiers and *balestrieri* under the command of a certain Tommaso

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<sup>179</sup> “Ab expeditione et felici successu rerum illustrissimi domini Ussoni Cassani dependet omnem negotium status nostri.” A.S.Venezia, Sen. Del. Sec. Reg. 25, f173r [183r] (18 Jan 1473).

<sup>180</sup> Cornet, *Le guerre dei veneti nell’Asia*, #51, pp. 63-65, especially 65 (5 Jan 1473).

<sup>181</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f173r [183r] (18 Jan 1473).

<sup>182</sup> Among other, unspecified arms. A.S.Venezia, Sen. Del. Sec. Reg. 25, f171r [181r] (11 Jan 1473). Published in Cornet, *Le guerre dei Veneti nell’Asia*, #52, pp. 65-66. See also Berchet, *La repubblica di Venezia e la Persia*, p. 9.

<sup>183</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 82.

from Imola. Discrepancies are also found regarding the value of the presents sent to Uzun Hasan. The senate had ordered that the gifts consist of 4,000 ducats worth of silverwork, 4,000 ducats worth of silver and golden cloth, that much worth of silken cloth, and 10,000 ducats worth of woolen cloth alone for a total of 22,000, a number also reported by Malipiero.<sup>184</sup> Barbaro, however, reports that the presents loaded included silverwork worth 3,000 ducats, golden and silken cloth for 2,500 ducats, and other fine cloth worth 3,000 ducats for a total of 8,500 ducats.<sup>185</sup> It is quite likely that the lowest numbers, those provided by Barbaro were closest to the actual ones, but what really matters is that the value of the gifts was more than double that of the war material, which according to Barbaro was of 4,000 ducats.<sup>186</sup> If we take the original senate decision the ratio is even worse: the 4,000 ducats worth of arms were less than a fifth of the 22,000 ducats worth of gifts.

It may appear then that the Venetian aid was more symbolic than of any actual military value. Looking at the numbers alone, however, may be misleading. Carracks, the original cause of the Venetian embargo, could be purchased second-hand in Chios for under 1,500 ducats apiece, as we will see, yet the Ottomans could not build them and thus to them they had a significantly higher value. In the same way, Venice's aid to Uzun Hasan may appear insignificant, but if the artillery pieces sent were not particularly expensive in Venice, they had great value to the Aqqyunlu armies which had no artillery at all. Thus Venetian aid could have made an essential difference in facing Ottoman

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<sup>184</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f171r [181r] (11 Jan 1473). Cornet, *Le guerre dei Veneti nell'Asia*, #52, p.66. *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 82. Berchet provides yet another number: speaks of 10,000 ducats worth of presents. It is unclear how he derived this sum, *La repubblica di Venezia e la Persia*, p. 9.

<sup>185</sup> L. Lochart, R. Morozzo della Rocca, and M.F. Tiepolo, eds., *I viaggi in Persia degli ambasciatori veneti Barbaro e Contarini* (Rome: Istituto poligrafico dello Stato, Libreria, 1973), p. 103.

<sup>186</sup> Lochart, Morozzo della Rocca, and Tiepolo, *I viaggi in Persia degli ambasciatori veneti*, p. 103.

forces that had been using artillery for years. The other important conclusion that can be drawn from the numbers presented is that whether 8,500 or 22,000 ducats the value of the presents was impressive. This becomes clear when one compares them to, for example, the ‘meager’ 1,200 ducats that Venice had sent to Mehmed after he had taken Constantinople and after the senate had more than doubled the original 500-ducat value of the gift to reflect Mehmed’s new, more elevated standing; or to the 400-ducat gift made to the emir of Karaman at the outset of the war.<sup>187</sup> Thus, the exceptionally high value of the gifts sent to Uzun Hasan corroborates what the senate stated, namely, that in 1473 Venice was placing most if not all of its hopes in the hands of the Aqqyunlu leader.

The senate prepared two sets of instructions to its ambassador, of which the second one was secret. Among other things, Barbaro was instructed to stop in Rhodes in order to persuade the grand master of the Hospital to help Uzun Hassan with artillery and supplies, which Venice would later deliver to his order.<sup>188</sup> In secret instructions, the *Rogati* not only again ordered Barbaro to urge Uzun Hasan to wage war on Mehmed, but also laid out the conditions for an acceptable Ottoman peace, conditions to be kept secret from the papal and Neapolitan envoys. Whether or not Venice’s leading nobles really hoped to gain what they outlined in the instructions is impossible to know, but their stated goal was to deprive the Ottoman sultans of their empire: Uzun Hasan was to rule Anatolia; Venice was to receive Morea, Negroponte, and Lesbos; and no Ottoman castles

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<sup>187</sup> A.S.Venezia, Sen. Mar, Reg. 4, f200v (12 Jul 1453) for Mehmed; A.S.Venezia, Sen. Del. Sec. Reg. 22, f67v [69v] (15 Feb 1465) for Karaman.

<sup>188</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, f174r [184r] (28 Jan 1473). The whole document spans from 173v to 177r [183v-187r]. Published in Cornet, *Le guerre dei Veneti nell’Asia*, #55, pp. 68-75 and Berchet, *La repubblica di Venezia e la Persia*, #9, pp. 116-125.

were to remain in the Straits so that Venetian trade with Trebizond could be restored.<sup>189</sup> While Barbaro sailed off to Cyprus with the military aid, admiral Mocenigo was instructed to keep his fleet in such a place so as to be useful to Uzun Hasan. Again, the senate made it clear that it placed much hope in the Aqqyunlu.<sup>190</sup> In fact, there seems to have been a good reason to do so.

Uzun Hasan who came to power in 1457, had by 1467 established control over the lands once ruled by Qara Usman, his grandfather. Engaging in a determined expansionist policy that had been highly successful on his eastern frontier, he defeated the Qaraqyunlu and curbed the strength of the Timuris.<sup>191</sup> No longer feeling subordinate to either the Mamluk sultan of Egypt or to the caliph in Cairo, Uzun Hasan asserted that his advent had been foretold by the Qur'an, and assumed the title of 'caliph' while he forged his dominion into an empire, if one with "cumbersome and imbalanced imperial structure."<sup>192</sup> Uzun Hasan's successful expansion had already brought him in conflict with Mehmed II over Karaman, where the Ottoman sultan successfully placed his protégé Pir Ahmed against Uzun's favorite Ishaq.<sup>193</sup> His major operations on what constituted his western front, however, were to take place in 1472-1473. In the summer of 1472 he advanced against Karaman, by then occupied by the Ottomans. The Aqqyunlu army

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<sup>189</sup> A.S.Venezia, Sen. Del. Sec. Reg. 25, ff182r-183r [192r-193r] (11 Feb 1473). Published in Berchet, *La repubblica di Venezia e la Persia*, #10, pp. 125-129. Barbaro was to have 1,800 ducats for his mission, A.S.Venezia, Sen. Del. Sec. Reg. 25, f173v [183v] (23 Jan 1473). It had also been proposed that two messengers (*nuntii*) be sent because of the delays with the departure of the ambassador, one was to go by way of Cyprus and one by way of Caffa, but the motion failed, A.S.Venezia, Sen. Del. Sec. Reg. 25, f173r/v [183r/v] (23 Jan 1473).

<sup>190</sup> "Vi dicemo che nuy havemo la imprexa de lo Illustrissimo Signor Usson Cassan oer la principalissima et aquella el desyderio nostro e porcer tuti quelli favori che ne siano possibili et daluy recerchadi et desyderadi." A.S.Venezia, Consiglio dei X, Misti, Reg. 18, f7r [62r] (29 Apr 1473).

<sup>191</sup> Woods, *The Aqqyunlu*, pp. 88-96 (on the initial conquests), pp. 96-98 (on the defeat of the Qaraqyunlu), pp. 98-100 (on the Timuris).

<sup>192</sup> Woods, *The Aqqyunlu*, pp. 100-110. Quotation from p. 110.

<sup>193</sup> Woods, *The Aqqyunlu*, pp. 93-95, although soon later Pir Ahmed was to become an ally of Venice and the Aqqyunlu.

took Tokat where it took time to destroy the scales and some warehouses containing quantities of silk, thus waging its own economic warfare against the Ottomans, and seized abandoned artillery pieces in Kayseri; finally, the Ottoman governor of Karaman was expelled and Pir Ahmed was restored in Konya.<sup>194</sup>

For that short period of time the future may have appeared brighter to the senate. But already in fall 1472 Catarino Zeno had written from the Aqqyunlu court warning that the Ottomans had been taking measures against Karaman knowing that those lands served as a communication channel between Uzun Hasan and his western allies.<sup>195</sup> In fact, while Uzun Hasan, was expressing his gratitude for the fact that Venice had sent him munitions and artillery pieces,<sup>196</sup> Barbaro was finding it hard to put his commission into effect. The news of the Venetian subsidy had reached Uzun Hasan by late spring, but in late summer Barbaro was still looking in vain for an appropriate landing spot in Karaman territory from which to start on his journey to Uzun Hasan.<sup>197</sup> In the end, the Aqqyunlu leader never took delivery of the arms sent him by the Venetians.<sup>198</sup> In spite of this he managed to score a victory over the Ottomans in a battle at the Euphrates on August 4.<sup>199</sup> A week later, a new battle ensued between the attacking Aqqyunlu and the retreating Ottoman army, but the latter was this time arranged in proper formation. The

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<sup>194</sup> Woods, *The Aqqyunlu*, p. 116. *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 83.

<sup>195</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 82-83.

<sup>196</sup> In a letter of Catarino Zeno to the senate, Berchet, *La repubblica di Venezia e la Persia*, #11, pp. 130-135, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 89-91. The text reported in Malipiero is much shorter; the one in Berchet has an erroneous title which states that the letter was addressed to Uzun Hasan.

<sup>197</sup> Lochart, Morozzo della Rocca, and Tiepolo, *I viaggi in Persia degli ambasciatori veneti*, pp. 103-104, and see note 204 on p. 272.

<sup>198</sup> Guglielmotti's claims that he had been happy to receive the aid, Guglielmotti, *Storia della marina pontificia*, II, pp. 358-359. He even asserts that the arquebusiers under Tommaso from Imola had been instrumental for many of Uzun Hasan's victories. Both assertions, however, are mere speculations, and rest on no evidence. On the contrary, the evidence shows that no arms ever reached Uzun's armies.

<sup>199</sup> Woods, *The Aqqyunlu*, p. 118.

battle took place near the village of Başkent on August 11 and is depicted variously in the preserved sources, which appear to concur in only one thing, namely that the Aqqyunlu were this time soundly defeated.<sup>200</sup> Woods, basing his opinion on a wide range of source material including Zeno's report on the battle as published by Berchet, concludes that "Uzun Hasan had defeated larger forces in the pitched battle on the Tigris in 1457/861, had encountered the wagon fort in his clash with Abu Sa'id in 1469/873, and had even experienced the effects of firearms in a very limited way against the Mamluks in 1472-1473/877, but he had not foreseen the consequences of attacking a regular army possessing all these advantages."<sup>201</sup> This had also been the opinion of Zeno and (consequently?) of Malipiero.<sup>202</sup> Thus not having the Venetian artillery at his disposal played its part in Uzun Hasan's defeat. Although the Venetians remained hopeful that Uzun Hasan remained a viable ally, this was to be the end of the Aqqyunlu leader's struggle with Mehmed.<sup>203</sup>

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<sup>200</sup> Woods, *The Aqqyunlu*, pp. 118-120.

<sup>201</sup> Woods, *The Aqqyunlu*, p. 120, and see note 144 on p. 266.

<sup>202</sup> For Zeno see Woods, *The Aqqyunlu*, note 144 on p. 266 and the report as published in Berchet, *La repubblica di Venezia e la Persia*, #12, pp. 135-137. *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 91.

<sup>203</sup> Barbaro was instructed to either send the undelivered munitions back to Candia if Uzun Hasan had turned back, or to keep them still available, A.S.Venezia, Sen. Del. Sec. Reg. 26, f41r [51r] (4 Nov 1473). Barbaro himself writes that he returned the munitions and adds that some of the munitions went back to Venice, Lochart, Morozzo della Rocca, and Tiepolo, *I viaggi in Persia degli ambasciatori veneti*, p. 110. The senate did not immediately realize the effects of the defeat, perhaps because Uzun Hasan had written that he had inflicted a major loss on the Ottomans and they - only a minor one on him, Predelli, *I libri commemoriali*, V, #65, pp. 212-213. The senate urged Catarino Zeno to explain to Uzun Hasan that the munitions and the war machines (*strumenti bellici*) had been delivered but never picked up by his forces and that Venice would provide an even larger subsidy in 1474 and still keep its fleet at his disposal, A.S.Venezia, Sen. Del. Sec. Reg. 26, f40r [50r] (30 Oct 1473). The difficulties of the journeys of Barbaro and Zeno show the extent of the communication problem faced by Venice and Uzun Hasan. Having returned the ships carrying the munitions to Candia, Barbaro carried no gifts let alone arms, but he was the only of the party of three to survive the journey to the Aqqyunlu court: Berchet, *La repubblica di Venezia e la Persia*, pp. 18-19. Catarino Zeno, the ambassador to Uzun Hasan, had been sent back as an envoy of the latter to the Christian rulers. Zeno returned by way of Caffa and purchased a passage on a Genoese ship. The patron of the latter appears to have deliberated to give him to the Ottomans, however, and Zeno had to escape from the ship at night using a small boat. Thus he found himself in Caffa incognito and without any means to get back to Venice. This he finally did by obtaining funds through the sale of his

The attempt at Venetian-Aqquyunlu collaboration raises some interesting questions. It required a straining of religious boundaries on both sides. One of the amirs of the Aqquyunlu recognized this when he wrote to an Ottoman governor appealing “to the common duty of both Muslim empires to wage the *ghaza* on the infidels rather than political wars against each other”<sup>204</sup> In the case of Venice, its supply of weapons clearly transgressed the papal embargo on weapons to Muslim states, but, unlike the case of Portuguese kings slightly later, as shown in Chapter 6, it does not appear that the Venetians ever asked Sixtus IV for permission to supply arms to Uzun Hasan.<sup>205</sup> The fact that Venice was embargoing the Ottomans while trading with the Mamluks and subsidizing the Aqquyunlu through arms exports clearly shows that Venice distinguished between different Muslim polities. By contrast, Sixtus IV appears to have ‘closed an eye’ on the Venetian arms exports to Uzun Hasan. If so, this reinforces the view that the papacy still saw the Ottomans, the Mamluks, and the other Muslim polities as one, a Muslim world that is to be approached en bloc; whereas Venice saw a number of political formations that happened to be Muslim and that should be approached according to their relations with the Serenissima, not according to their religion.

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slave, who was subsequently re-purchased and granted a good pension by the senate: Berchet, *La repubblica di Venezia e la Persia*, pp. 15-16. Nevertheless, the Serenissima was still hopeful that Uzun Hasan remained a factor in the war. On December 10 Ambrogio Contarini was elected new ambassador to the Aqquyunlu leader: Cornet, *Le guerre dei veneti nell’Asia*, #92, p. 115 (10 Dec 1473) for the election; #98, pp. 119-123 (11 Feb 1474) for the commission; #99, pp. 123-125 (11 Feb 1474) and #100, pp. 125-126 (11 Feb 1474) for the secret instructions. Also, Berchet, *La repubblica di Venezia e la Persia*, pp. 16-17. The commissions are published as doc. #14, pp. 139-145 (11 Feb 1474), #15, pp. 145-147 (11 Feb 1474), secret instructions and #16, pp. 148-149 (11 Feb 1474), additions to the secret instructions. For narrative sources see Lochart, R. Morozzo della Rocca, and M.F. Tiepolo, *I viaggi in Persia degli ambasciatori veneti Barbaro e Contarini*, 177-234; Marin Sanudo, *Le Vite dei Dogi* (1474-1494), ed. Angela Caracciolo Aricò (Padua: Antenore, 1989), pp. 26-53.

<sup>204</sup> Woods, *The Aqquyunlu*, p. 115. The quotation is from Woods, who summarizes the meaning of the document.

<sup>205</sup> As we saw in Chapter 6, in 1522, for example, King John III of Portugal did ask pope Adrian II for absolution for himself and his father Manuel for both had fallen under ipso facto excommunication when supplying friendly ‘infidels’ with arms to help them wage war against unfriendly ‘infidels,’ *Bullarium Patronatus Portugalliae*, p. 130 (22 May 1522).

However, there was more than Uzun Hasan that made 1473 a very special year in the war effort. In February 1473 a certain Antonello from Sicily, with help from admiral Mocenigo, had supposedly managed to burn most of the Ottoman fleet at Gallipoli, a major feat.<sup>206</sup> A new papal armada, headed by the archbishop of Split, the Venetian noble Lorenzo Zane, sailed east.<sup>207</sup> The senate was quick to express its delight at the choice,<sup>208</sup> but the papal armada never fought the Ottomans. A set of instructions to Antonio Donato, Venice's ambassador at the papal court shows that the papal fleet was actually harmful to Venice. Donato was instructed to tell Sixtus IV that the papal fleet under the command of Zane's deputy, Antonio Leonino from Tivoli, instead of fighting the Ottomans chose to sail to Chios, where Leonino allowed the munitions on board to be sold. Donato was to also accuse Leonino of behaving terribly with the population of the Venetian islands visited on the way and of stealing 500 ducats worth of ship-biscuit intended for the Venetian fleet.<sup>209</sup> The language of the explanation to be given to the pope is strong and accuses the papal commander of casting "perpetual infamy" on the apostolic see by essentially supplying arms to the Ottomans instead of fighting them. The senate used typical ecclesiastical rhetoric when accusing Leonino of staying in Chios until all munitions were sold "out of desire for impious profit" but coupled this with a very practical order to Donato to "tell, amplify, and make stronger [the case] as much as

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<sup>206</sup> That might have caused damage up to 100,000 florins, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 84-86, Guglielmotti, *Storia della marina pontificia*, II, pp. 372-375, Setton, *The Papacy and the Levant*, II, p. 317. In 1476 the Arsenal in Venice also suffered meager damages due to fire, this one however was accidentally caused by a horse: Sanudo, *Le vite dei dogi*, p. 78. The episode is somewhat unclear as in January a Genoese carrack had informed the authorities in Candia that the Ottoman fleet had left the Straits, A.S.Venezia, Duca di Candia, Busta 8, f13v (1 Feb 1473).

<sup>207</sup> Guglielmotti, *Storia della marina pontificia*, II, pp. 377-383.

<sup>208</sup> "Gradissima nobis cognita fuit electio reverendissimi archiepiscopi spatensis ad legationem classis pontificie...." Cornet, *Le guerre dei veneti nell'Asia*, #70, pp. 91-92 (28 Mar 1473).

<sup>209</sup> A.S.Venezia, Sen. Del. Sec. Reg. 26, 47v [57v] (20 Nov 1473).

you can.”<sup>210</sup> This episode signified the end of any military collaboration between Venice and Rome for the remainder of the conflict.

The Venetians also contemplated an attack on Constantinople itself.<sup>211</sup> The Council of Ten informed Mocenigo that according to a report received in Venice, Jem, Mehmed’s younger son and his *lala* Suleiman bey (‘Sulaymambey’) were ready to enter into an agreement with Venice, which, if true, was probably in the expectation that his father’s campaign against Uzun Hasan could fail and that a battle for succession might ensue. Reportedly, Jem was ready to cede to Venice the castle *Rumeli Hisar* (“el castello da la parte de la grecia”). The strategic importance of the structure was due to the fact that its guns, paired with those of *Anadolu Hisar* on the other side of the Bosphorus, could effectively control navigation through the straits. Its loss by the Ottomans could have provided Venice with a realistic chance for an attack on the capital city and in fact the admiral was ordered to stock it well with munitions, if it was indeed ceded to Venice. Mocenigo was ordered to leave five galleys to ensure the promotion of Venetian interests in Cyprus and to sail into the straits with the rest of the fleet in support of Jem.<sup>212</sup>

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<sup>210</sup> “Cum triremes summi ponteficis onerate calibe ferro loricis et rebus omnifariam ad armandos et commodandos hostes necessariis chium pro primo orientis loco petierunt et illic continuam moram traxerint donec venditis rebus omnibus scelerati lucri cupiditate connectis nullis omnino visis hostibus aut hostilibus locis nedum non oppugnatis aut infestatis redire in Italiam deliberarunt...narrate amplificata et granate quanto magis potestis.” A.S.Venezia, Sen. Del. Sec. Reg. 26, 47v [57v] (20 Nov 1473).

<sup>211</sup> The plan called for the filling of old carracks with incendiary materials to ‘blind’ the Ottoman artillery and thus allow a relatively safe passage through the straits and an attack of the imperial capital, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 86. See also Babinger, *Mehmed the Conqueror*, p. 318.

<sup>212</sup> “El ritorno a nuy quel Calojani Constantino del qual havete perfecte noticia e per parte del fiolo menor del turcho et del suo lala et governador nominato Sulaymambey ne ha dicto et porto una scriptura la copia de la qual ve mandemo qui entroclusa. Et hanc parso remandar dicto Calojani cum la risposta che anche qui entroclusa vederete factali pero abocha senca altra scriptura. Et se forsi locorera chel soprascripto Calojani ritorni a vuy cum uno nuntio del soprascripto Signor et cum mandato de concluder cum vuy in bona gratia concludete secondo la forma de la dicta scriptura et propositio anuy facta. Et prometete et zurate per nostro nome la observantia de ogni promission nostra. Et volendo quel signor dar in mano vestra el Castello dala parte dela grecia toletelo et fornitelo in bona gratia. E non ve ritrovando occupati in imprexa degna et importante per li favori delo illustrissimo signor uxon cassam secondo la forma dei nostri commandamenti factuum cum el nostro conseio de pregadi cum tuta larmata excepte le cinque galie lequal secondo come

Nevertheless, Cyprus, where the widow of the king was a Venetian noblewoman, took central stage, and no naval action occurred.<sup>213</sup> Later in the year the senate voted to send carracks to help promote the Venetian interests on an island that was slowly but surely taking more and more of Venice's attention and expenditure.<sup>214</sup> Not only did its interest in Cyprus preempt the bold attack on Constantinople, but there is no evidence that Venice made any substantial efforts to pursue its (illegal) enforcement of the embargo on non-Venetians.<sup>215</sup> Instead, Venice concentrated on subsidizing its existing allies<sup>216</sup> and finding new ones.<sup>217</sup>

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per el nostro conseio de pregadi ve e comandato dovete lassar in Cypri in bona gratia havendo la tenuta del dicto castello intrate in stretto et favorite dicto Signor et obstate al padre fradeli et tute altre gente loro....” A.S.Venezia, Consiglio dei X Parti Miste Reg. 18, f20v [75v] (12 Sep 1473). Jem did in fact consider his father's campaigns against Uzun Hasan a suitable moment for an attempt to establish his own regime, Babinger, *Mehmed the Conqueror*, p. 313.

<sup>213</sup> This is also the opinion of Babinger, *Mehmed the Conqueror*, p. 318: "...news came that the king of Cyprus was dead. The adventurous project was abandoned at once and Mocenigo hastened to Cyprus.”

<sup>214</sup> The order called for all Venetian carracks over 500 *botte* be put to a *scrutinum* so that four could thus be chosen. Each had to be manned by 200 armed crew and to carry 250 infantry, A.S.Venezia, Sen. Del. Sec. Reg. 26, ff. 54v-55r [64v-65r] (21 Dec 1473). An order of the Council of X from August 23 had overruled a previous one from April 29, which had required Mocenigo to position the fleet in such a place so as to be helpful to Uzun Hasan. The new decision of the Ten ordered Mocenigo to follow any instructions prepared in the senate with regard to Cyprus, A.S.Venezia, Consiglio X, Parti Miste Reg. 18, f18v [73v]: “A di xxviii de april proximo passato nuy ve scrivessemo cum el nostro conseio di x a risposta de vestre lettere de penultimo et ultimo de marzo et dessemo in commandamento che ritrovandovi in luogo che a lo illustrissimo signor Usson Cassan possate dar favor. vuy cum tute le forze nostre et deli altri nostri colligati dovessa dargelo et per modo alcuno da quella imprexa non ve partir et cetera come in quelle se contien. Adesso veramente essendo venuto a nostra noticia le nove de Cyrpo che non puocho importa ale cosse nostre. Volemo et cum el dicto nostro conseio ve commandemo che non obstante le dicte nostre lettere de xxviii April vuy dobia exeguir in questa materia de Cypro quanto per el nostro Conseio de pregadi ve sara comandato.”

<sup>215</sup> The sailing of Florentine galleasses to Constantinople was reported in a timely fashion by a Genoese crew that also informed the authorities in Candia that a Genoese ship had taken Ottoman ambassadors to Egypt, an open violation of the papal embargo. A.S.Venezia, Duca di Candia, Busta 8, f13r (20 Jan 1473). Partly published in Iorga, *Notices et Extraits*, II, #250, pp. 334-335. According to Iorga the cargo was worth 50,000 ducats. The document itself is practically unreadable in that part. Maybe it was more readable a century ago when Iorga worked with it. A.S.Venezia, Duca di Candia, Busta 8, f13v (1 Feb 1473) also mentions the Squarciafico ship. Anconitan navigation also remained an important issue for discussion, continuing to provoke an exchange of letters between Venice, Ancona, and Rome, A.S.Venezia, Sen. Del. Sec. Reg. 26, f3r/v [13r/v] (9 Mar 1473), ff. 26r-27v [36r-37v] (27 Aug 1473), f43v [53v] (13 Nov 1473), ff. 45r-46r [55r-56r] (13 Nov 1473). See also Guglielmotti, *Storia della marina pontificia*, II, p. 379.

<sup>216</sup> The senate permitted King Ferrante to export iron for the needs of his crusading fleet. First, Venice provided a license for 80 to 100 *miliaria*, A.S.Venezia, Sen. Del. Sec. Reg. 26, f2r/v [12r/v] (6 Mar 1473). Then the senate voted another license, this time for 100,000 pounds of iron, this time even free of dues,

Thus the Venetian diplomatic efforts of 1470-1472 culminated in the summer of 1473 in an actual attempt to help Uzun Hasan, the most powerful enemy that Mehmed II ever faced, in the preparation of a plan to attack the Ottoman capital itself, and in a new papal fleet sailing the waters of the Aegean. Yet, instead of trying to pull all strings together in order to attempt a decisive blow on Mehmed, Venice suddenly re-directed its attention towards Cyprus. Throughout the rest of the war Cyprus was to assume an ever increasing importance in Venetian foreign and domestic policy, one which ultimately overshadowed the war with Mehmed itself and thus played a part in Venice's eventual withdrawal from the war effort in 1478-1479. During this period, enforcement of the embargo on non-Venetians was temporarily abandoned. This does not mean, however, that the embargo lost its preeminence in political discourse. The alleged violation of the embargo by the papal fleet played a major role in the fact that after 1473 there was no further papal-Venetian collaboration against the Ottomans. Ironically, Venice not only failed to convince Rome to turn the embargo into the main tool of the Christian anti-Ottoman effort, but saw its relations with Sixtus IV damaged because of the sanctions.

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A.S.Venezia, Sen. Del. Sec. Reg. 26, f11r [21r] (1 May 1473). The export of iron from Senj (Segna) and Rijeka (Fiume) had been strictly forbidden as part of the self-proclaimed Venetian economic rights over the upper Adriatic, and the senate did not miss the opportunity to stress this and explain that was allowing such export only because the king needed the iron to wage war on the Ottomans. Venice also prepared for a new attempt to deliver military aid to Uzun Hasan. In a sequence of decisions taken between November 1473 and January 1474, the senate ordered the hiring of the *bombardiere* Antonio from Brabant, who was to be sent to Uzun Hasan with 500 harquebuses and 100 *spingarde*, Berchet, *La repubblica di Venezia e la Persia*, p. 10.

<sup>217</sup> Venice sent an embassy to what was left of the Golden Horde, A.S.Venezia, Sen. Del. Sec. Reg. 26, f48r [58r] (20 Nov 1473). Cornet, *Le guerre dei veneti nell'Asia*, #77, p. 98 (21 Jul 1473), #85, pp. 106-107 (20 Nov 1473), #90, pp. 112-113 (4 Dec 1473), #91, pp. 113-114 (4 Dec 1473). The problem was that Giovanni Batista Trevisan had been detained by Ivan III.

CHAPTER 9  
THE SERENISSIMA'S FAILURE TO WIN:  
ECONOMICS, DIPLOMACY, AND THE OTTOMAN SUCCESSION

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**9.1. Embargo, “Embargo-Busters,” and the “Big Picture” in the Closing Years of the Conflict**

We have seen in the previous chapters how Venice shaped its struggle against Mehmed around the embargo, an economic tool of coercive diplomacy. The economics of the conflict, however, were unfavorable to the Signoria. Mehmed spent little on war fleets, but the very fear of his attack continually encouraged the Signoria to incur huge military expenses. Thus, Venice needed a game-changing policy option. During the three year period between 1474 and 1477 it found no such alternative. Instead sporadic military engagement and employment of the embargo remained Venice's response to the Ottoman threat. In late 1477 and in 1478, however, two independent developments, one in the eastern Mediterranean and one in Italy, finally convinced Venice to abandon a struggle she might, ironically, have been poised to win.

On the face of it the Ottomans had made significant headway: Venice's important ally, Uzun Hasan, was defeated in 1473 and in the following year Mehmed, by annexing both Karaman and Albania, eliminated two local but frustrating centers of resistance. In subsequent years the Ottomans raided territories within Venice's own hinterland, such as nearby Pordenone,<sup>1</sup> as well as besieging Lepanto and the Venetian fortresses in Albania.

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<sup>1</sup> As in Istria in 1475, Sanudo, *La vita dei dogi*, p. 15 and Friuli in 1477, Sanudo, *La vita dei dogi*, p. 90, see also Setton, *The Papacy and the Levant*, II, p. 327 and specifically note 44 and Babinger, *Mehmed the Conqueror*, pp. 357-359, 366.

In spite of these actions, however, Venice was not a focus of Ottoman military operations, which were largely confined to places of secondary importance within the Venetian colonial empire.

Within Italy, Venice's relations with the papacy deteriorated. Pope Sixtus IV had refused to join when in November 1474 Venice, Milan, and Florence signed in an alliance that effectively renewed the Peace of Lodi, believing its purpose was to limit the temporal power of the church in Italy.<sup>2</sup> While the papacy continued to give public support to anti-Ottoman action and bestowed on Venice the golden rose for its aid to Christendom on the occasion of the election of a new doge in 1476,<sup>3</sup> the Signoria recognized that hope of securing papal backing of its total embargo on Ottoman trade was evaporating. Instructions to its ambassadors to the curia about the matter diminished after 1473, and a last one in 1475 asking its ambassador Marcus Aurelius to seek papal prohibition of Anconitan trade in the Straits was not granted.<sup>4</sup> After twelve years of supplications it had finally become clear that Venice's embargo would not be accorded papal backing. The city's failure to convince three popes of the need to endorse its total ban on trade with the Ottomans meant that Venice was to remain without authority to enforce its sanctions on non-Venetians. This undermined the effectiveness of the sanctions significantly and thus whatever chances the Serenissima had to significantly impact the outcome of the war through economic means.

As the chances to alter the course of the war through its embargo evaporated, the economics of the war remained ever more firmly in the Ottomans' favor. Mehmed armed

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<sup>2</sup> Setton, *The Papacy and the Levant*, II, p. 325, Babinger, *Mehmed the Conqueror*, pp. 337-338.

<sup>3</sup> Andrea Vendramin (1476-1478), who substituted at the post the former admiral Pietro Mocenigo (1474-1476). Curiously Sixtus had been the pope who changed it from a single rose to a 'bouquet' of golden roses. On the golden rose for Venice see Sanudo, *La vita dei dogi*, pp. 77, 79-83.

<sup>4</sup> A.S.Venezia, Sen. Del. Sec. Reg. 26, f171r [181r] (8 Jan 1475).

only three fleets in seventeen years. On the first occasion he took Lesbos (1462), on the second Negroponte (1470), and in 1475 came the turn of the Genoese-ruled Black Sea towns. He ended two centuries of Genoese rule in Caffa, one of the premier commercial centers of the world as known to the Italians and the Ottomans.<sup>5</sup> In 1462-1479, therefore, Mehmed armed three fleets only, using each one for a dramatically successful short summer campaign. By contrast, year after year Venice armed several dozens of galleys and several carracks and galleasses; yet it never fought the Ottomans at sea. It sent arms and munitions to its colonies on annual basis but lost the second largest colony with little fight. Continuously incurring vast expenses without achieving anything; be it functional or symbolic, was not going to be a winning strategy. The alliance with Uzun Hasan had been the much needed opportunity for a change in the rules of the game, but it had failed. Venice needed an alternative.

The aftermath of Uzun Hasan's defeat did not immediately foreshadow gloom for the Serenissima. The Signoria received some financial support from Italy and resisted an Ottoman siege at Lepanto while Hungary inflicted some losses on the Ottomans.<sup>6</sup> This, however, was a far cry from what Venice needed to turn the war around and the period between 1474 and 1477 showed that it had in fact exhausted its options to actively

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<sup>5</sup> Babinger, *Mehmed the Conqueror*, pp. 343-345, Imber, *The Ottoman Empire*, p. 35. As a side effect he made Mengli Girey, the restored Tartar Khan, his vassal. This ended one of the smaller hopes that Venice had in the war, that of winning an ally to the north of Mehmed's lands. We saw that Venice had sent an embassy to one of the Golden Horde-successor states back in 1473. See Sanudo, *La vita dei dogi*, pp. 59-66, for a narrative of the fall of Caffa.

<sup>6</sup> Initially, the Signoria even received some, albeit minor, support from two unusual sources. Duke Gian Galeazzo of Milan provided 30,000 ducats for the preparation of ten galleys. Florence donated 15,000 ducats, enough for five more galleys and their crews, Sanudo, *Le Vite dei Dogi*, pp. 11-12 for Milan and p. 15 for Florence, see also Babinger, *Mehmed the Conqueror*, p. 338 (for Milan). Venetian hopes were occasionally fueled by events such as the losses suffered by the Ottomans in Moldavia in 1475, Babinger, *Mehmed the Conqueror*, pp. 339-341, and by some Hungarian successes in 1476, when the armies of Mathias Corvinus managed to capture as many as 1,200 janissaries in the fortress of Šabac and advanced all the way to Smederevo, Setton, *The Papacy and the Levant*, II, p. 326 and Babinger, *Mehmed the Conqueror*, pp. 348-349. In addition, Venetian Lepanto resisted a siege led by Suleiman paša in winter 1475-1476, Sanudo, *La vita dei dogi*, p. 24.

change the course of the war. The Signoria proved unable to find alternatives to policy choices that had failed, such as the alliances with Rome, Naples, and Uzun Hasan, or were not able to solve the problem on their own, such as the embargo and the alliance with Hungary.<sup>7</sup>

With the last hope for significant land campaigns vanishing, Venice's situation was made even worse by a new development. It now felt increasingly threatened by sea. In the opening years of the war the senate had never doubted Venice's ability to cope with the Ottoman navy, its concern with carracks and other large ships notwithstanding. By 1475, however, it had begun to feel otherwise, stating that "this perfidious Turk...in galleasses and galleys is so superior that it is impossible for our Signoria to resist him with small vessels"<sup>8</sup> and "all hope of our matters rests in the carracks;"<sup>9</sup> all the more reason, to exert "every effort...to have big vessels and carracks."<sup>10</sup> Thus for the first time in centuries Venice came to question its own abilities in matters of sea against an enemy other than Genoa. The Ottoman navy could now be strong on its own merit, although it still lagged behind technologically.

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<sup>7</sup> The effectiveness of the latter was soon undermined further. Occasionally successful against Mehmed, Mathias Corvinus was facing problems on his western frontiers. While the papacy and Venice supported him, Frederick III, the Holy Roman emperor, not only refused to help Mathias by allowing the free export of war material for the needs of the Hungarian effort against Mehmed, but did nothing to prevent his vassals from raiding Hungarian territory, Setton, *The Papacy and the Levant*, II, p. 326.

<sup>8</sup> "E per ben et plui segurta del stado echosse dela nostra signoria le da proveder et maxime stante la guerra de questo perfido turcho che da galie egrosse e sotil e tanto superior che impossibile ala nostra signoria resisterli chon navilii pitali E pero le da far ogni forzo de haver havilii et nave grosse." A.S.Venezia, Senato Terra Reg. 7, ff. 98v-99r (5 Dec 1475). Other motions along these lines: f66v (21 Feb 1475), f157r (8 Feb 1477), Senato Terra Reg. 8, f24v (23 Sep 1478). On naval terminology see Charter 7.

<sup>9</sup> "Iudicatum esse omnem spem...rerum nostrarum in navibus esse constitutam." This quotation is from a failed version of the above decision. Of course, it did not fail for this statement. It aimed at providing incentives for carracks over 1,000 *botte*. A.S.Venezia, Senato Terra Reg. 7, f98r/v (5 Dec 1475). The decision that passed, quoted above, is more specific on the number of carracks, four, and the size, 1,000 to 1,200 *botte*.

<sup>10</sup> "...E pero le da far ogni forzo de haver havilii et nave grosse." A.S.Venezia, Senato Terra Reg. 7, ff. 98v-99r (5 Dec 1475), see above.

Under these circumstances carracks assumed an even greater importance than the already significant one they had had in 1462.<sup>11</sup> In 1475 four people – a Genoese, a Spaniard, a Portuguese, and a Sicilian – boarded a carrack in Crete.<sup>12</sup> According to Sanudo it was a brand new vessel of 300 *botte*.<sup>13</sup> On November 1, on the open seas, the four attacked the crew, of which it left four dead.<sup>14</sup> Deprived of crucial crewmembers, the carrack fell to the hijackers who sailed it to Tripoli where they sold it to Muslims. Thus they not only seized Venetian property, but also transgressed both the Venetian embargo, which included the export of ships to any foreigners (except crusaders) and the permanent papal embargo.

Venice's ruling elite saw this as a great offense. The Council of Forty banished the four carrack-hijackers from all Venetian territories and naval vessels; whoever killed any of them "in any part of the world" ("quacunque parte mundi") was to receive 2,000 pounds per head, a fortune for any but the richest families; whoever was able to deliver any of the hijackers alive, was to receive the even heftier bounty of 3,000 pounds. Any hijacker unfortunate enough to be delivered to the Venetian authorities was to be brought to Venice, carried along the Grand Canal from San Marco to Santa Croce while a public crier continuously announced his guilt, then dragged by a horse to the two columns on

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<sup>11</sup> The senate ordered the commissioning of four carracks sized between 1,000 and 1,200 *botte*, A.S.Venezia, Senato Terra Reg. 7, ff. 98v-99r (5 Dec 1475). If we are to believe Malipiero, this decision was the direct reaction to news that the Ottomans had started constructing carracks in Constantinople. Malipiero lists this order from December 5 as one from December 14 and claims that all four carracks had to be of 1,200 *botte*, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 113. If true, this would mean that Venice was to lose one of the very few rays of hope it still had - technological superiority at sea due to the use of carracks as war vessels. By extension, this would also mean that the embargo, which had initially been a tool aimed at preventing the Ottomans from acquiring carracks, was starting to lose its lifeblood. However, we saw in the introduction that the authors who have worked on the Ottoman navy have found no evidence for successful Ottoman attempts to build large round ships prior to the closing years of the century.

<sup>12</sup> A.S.Venezia, Quaranzia Criminal Reg. 19, f61v [43v] (27 May 1476).

<sup>13</sup> Sanudo, *La vita dei dogi*, p. 22.

<sup>14</sup> Sanudo simply stating "killed the helmsman" ("amazono il timonier"), A.S.Venezia, Quaranzia Criminal Reg. 19, f61v [43v] (27 May 1476) and Sanudo, *La vita dei dogi*, p. 22.

Piazzetta San Marco to be beheaded and quartered.<sup>15</sup> The act of the carrack-hijackers had shamed the city. The event, moreover, suggests that carracks were rare, sought after in the Muslim world, and precious to the Venetian government.

In the closing years of the war, in fact, carracks remained valuable assets. When one of the few remaining strongholds in Albania, Scutari, was expected to fall in spring 1476 an empty carrack was kept off the city for ten days “of suspicion of the Turks so that the souls could be sent away.”<sup>16</sup> In 1477 the senate ordered the admiral to help Chios should the Ottomans attack it. In order to enforce his fleet, the admiral was allowed to requisition a very large carrack, of 1,500 *botte* that was to be found in Canea, the second largest Cretan port.<sup>17</sup>

We have seen that throughout the conflict the senatorial concern with carracks went hand in hand with concern about the embargo. Neither the ever diminishing likelihood for a positive outcome of the war, nor the restitutions made to Genoese, Florentines, Anconitans, Englishmen, and others in the period 1468-1473 deterred Venice from at least occasionally enforcing its embargo on non-Venetians. Very evocative is a case from 1476, in which Venice’s trade interests, its political interests in Italy, and its desire for a successful outcome of the war with Mehmed intersected, demonstrating in the process where the Serenissima’s priorities actually stood. Trade with the Mamluk Egypt

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<sup>15</sup> The sentence was to be published in all Venetian territories and announced to the navy by the admiral, A.S.Venezia, Quaranzia Criminal Reg. 19, f.61v [43v] (27 May 1476).

<sup>16</sup> “...per suspecto de turchi per poter mandar via le anime...” A.S.Venezia, Senato Mar Reg. 10, f130r (19 Jul 1477). This took place in April 1476.

<sup>17</sup> A.S.Venezia, Sen. Del. Sec. Reg. 28, ff. 6v-7r [16v-17r] (14 Apr 1477). Similar was the case in 1478. On that occasion the admiral was ordered to provide for the security of Cyprus. He was to requisition two large carracks from Candia, A.S.Venezia, Sen. Del. Sec. Reg. 28, f110r/v [121r/v] (8 Aug 1478). See also f118v [129v] (9 Oct 1478). While generally betting its fortunes on carracks, Venice also tried its best regarding the main land technology of the day, artillery, and in 1475 experimented on Lido with a giant canon. It was said to weigh 35,000 Venetian pounds and fire 800-pound stones. Sanudo, *La vita dei dogi*, p. 14. The biggest canon used by Mehmed II at the siege of Constantinople is said to have been capable of firing 1,200 pound stone balls, Setton, *The Papacy and the Levant*, II, pp. 114-116.

came first, relations with the other Italian powers came second, and the war with Mehmed only third.

In that year the Venetian fleet detained a large Genoese carrack in a case that was considered interesting enough to be reflected not only in the documentary material, but also in the chronicles of Malipiero and Sanudo. According to Malipiero, the carrack had capacity of 2,000 *botte* (1,250 deadweight tons), which if true would have placed it among the very largest vessels of the time. Admiral Loredan had supposedly warned the Genoese not to transport Ottoman subjects on their vessels, but this carrack, belonging to the well-known Pallavicini family, allegedly carrying 500 of them, mostly merchants. The Genoese, who refused to surrender to the admiral, lost the ensuing battle. The carrack then sank near Crete.<sup>18</sup> Sanudo presents the story differently. He narrates that the carrack had 500 merchants on board, including Ottoman subjects, that Admiral Loredan himself was hit though not harmed in the battle, that the Genoese carrack was ultimately overtaken by a Venetian one, and that the Venetians divided between themselves booty worth 26,000 ducats (the cargo overall was valued at 70,000 ducats). Sanudo also claims that the carrack was brought to Modon and that all on board except one person perished.<sup>19</sup>

Malipiero and especially Sanudo presented the story as a Venetian triumph. The available documentary evidence, which consists of two orders to the admiral, and two redactions of a letter to Milan, tells a different tale. While it provides no information on the size of the carrack, it indicates that the senate's chief concern was neither the Ottoman subjects on board, for which no numbers were given, nor the Genoese. Instead,

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<sup>18</sup> *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 113-114.

<sup>19</sup> Sanudo, *La vita dei dogi*, p. 74.

its first order to Loredan was to take care of the subjects of the Mamluk sultan who were on board. These were to be delivered with their goods to a destination of their choice, whether Anatolia, Syria, or Egypt. Loredan, having secured a letter from these subjects stating that they had been treated well, was to write to the Mamluk sultan explaining his actions. The lengths to which Venice went to ensure that the incident did not strain its relations with the sultans in Cairo is remarkable, indicating the unparalleled importance of its trade with the Mamluks in this period.

Loredan was also instructed to store the property of the Genoese and to await further commands.<sup>20</sup> Transmitted a week later, these ordered the restitution of the carrack (which thus seems not to have sunk) and their property to the Genoese. In addition, Loredan was ordered to cover the *nabula* that the Genoese had not received from the Ottoman subjects, apparently from the goods of the latter. The senators stated that Loredan had acted correctly, blaming the Genoese captain for the incident and declaring that restitution was being ordered only because of Venice's friendship with Milan and good relations with Genoa.<sup>21</sup> Why did Venice choose to provide restitution even though canon law allowed its prosecution of the Genoese crew for providing help, in this case transportation, to 'infidels?' The most likely answer is that the Signoria placed its interests in Italy (good relations with Milan) above those in the Ottoman east (enforcement of the embargo against the Ottomans) not for the first time throughout the war.

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<sup>20</sup> A.S.Venezia, Sen. Del. Sec. Reg. 27, 102r/v [114r/v] (29 Oct 1476).

<sup>21</sup> A.S.Venezia, Sen. Del. Sec. Reg. 27, f.105v [117v] (4 Nov 1476). In the same day it was written to Milan in the same sense, namely that the Genoese captain had been the guilty party but that Venice ordered restitution in light of the friendship with the said city, A.S.Venezia, Sen. Del. Sec. Reg. 27, ff. 105v-106r [117v-118r] and f.106r [118r] both from 4 Nov 1476. The former is the failed version of the letter; the latter – the one that passed.

None of the documents discusses the Ottoman subjects on board at any length, nor provides any numbers. Nevertheless, the first order to Loredan speaks of the “captured and killed enemies” and of “divided booty” with implicit approval for the captain’s actions.<sup>22</sup> Given that the other order speaks of *nabula* not paid to the Genoese by the Ottoman subjects (on board) it appears clear who the anonymous “enemies” mentioned in the first order were. Thus Sanudo may be right that the Venetians did indeed take a significant booty from them. The Ottoman merchants may not have numbered 500, but what really matters is that they may very well have been the cause of the incident. Venice may have been unable to punish the trespassers of the embargo, the Genoese, but it surely did get the goods (and the lives) of the Ottoman subjects that had been found on board, no matter their actual numbers and value. In this sense, Venice still got something from this enforcement, which, finally, provides yet another demonstration of the carracks’ value as military vessels. After all, the Genoese captain had thought to be able to get away from a whole Venetian squadron.<sup>23</sup>

The Genoese were not alone in causing troubles to Venice in the closing years of the war. In January 1475, the senate, informed that two Anconitan carracks were preparing for a trip to Constantinople, sent yet another envoy to Ancona with a mission to try to convince that city to desist from sending the carracks into the Straits. The concern was justified. In the previous year, 1474, all four Anconitan carracks registered in Anconitan notarial records had Constantinople as their final destination. In 1475 and

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<sup>22</sup> This is the whole sentence: “De hostibus captis et trucidatis deque divisa preda aliud non dicemus quam factum a vobis esse non dubitamus id quod fieri et oportuit et decuit.” A.S.Venezia, Sen. Del. Sec. Reg. 27, 102r [114r] (29 Oct 1476).

<sup>23</sup> A.S.Venezia, Colleggio. Notatorio Reg. 12, f60v (12 May 1477) speaks of a certain Paolo Gentile, patron of a Genoese carrack that had been captured by the Venetian captain general of the seas, one wonders if he was the captain of the Pallavicini carrack discussed above.

1478 two more carracks followed suit; whatever the reasons, in 1476 and 1477 the Anconitan notaries registered no Anconitan carracks sailing to the east.<sup>24</sup>

We have noted that in a last attempt to win some papal support for the embargo, the senate had ordered its ambassador in Rome to work for a papal ban on Anconitan navigation into the Straits and to make it clear that Venice was, in any case, ready to prevent the Anconitan carracks from entering the Straits.<sup>25</sup> On occasion, however, the Anconitans themselves avoided confrontation, as in January 1477 when the elders of the said *comune* asked Venice for a safe-conduct for Giacomo Sgamba and his partners who were about to travel *ad partes orientalis* for trade.<sup>26</sup> This last case shows both the continuous desire of the Anconitans to trade in the East and the fact that Venice's implicit claim to sovereignty over the waters of the Aegean was de facto recognized by this second-tier maritime city. It also demonstrates that the fleet of the Serenissima was still seen as willing to enforce the Venetian ban on non-Venetians.

While Venice made occasional attempts to enforce its embargo on foreigners, it also tried to keep up the sanctions within its own dominion. Some of the cases preserved

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<sup>24</sup> Ashtor, *Levant Trade in the Later Middle Ages*, p. 532.

<sup>25</sup> A.S.Venezia, Sen. Del. Sec. Reg. 26, 171r [181r] (8 Jan 1475).

<sup>26</sup> A.S.Venezia, Libri Commemoriali Reg. 16, f81v (20 Jan 1477), summary in Predelli, *I libri commemoriali*, V, #96, p. 221. The fact that Ancona was and remained a second tier maritime city occasionally forced her to even ask for Venetian cooperation. This was the case when Anconitan navigation in the Adriatic was disturbed by the Genoese Branca Doria. The Genoese “corsaro et homo de mal afar” homonymous with famous Genoese personages of which one is to be found in Dante’s *Inferno*, had pillaged an Anconitan carrack and left it without (enough) crew so that it capsized and those on board drowned. Ancona armed whatever vessels it could to search from him, but declared that its measures “cannot be else but weak” (*nostra provisione non po esser alctro che debile*) and asked for Venetian help using submissive language. A.S.Venezia, Libri Commemoriali Reg. 16, f115r (6 Jun 1477), summary in Predelli, *Commemoriali*, V, #105, p. 223. Although Ancona undoubtedly used this language of submission as a rhetorical tool, the fact that it could not cope with a single, albeit very well-prepared Genoese pirate exemplifies the enormous difference which separated the minor from the major seafaring ‘nations’ in naval matters.

reveal much about contraband in the period.<sup>27</sup> A case from 1475 illustrates very well how the Venetians tried to circumvent the embargo and to profit on contraband and how such cases were prosecuted.

On request of the State Attorneys, the Council of Forty opened a process against the patron of a carrack, a certain Giovanni Bello, who was accused of illegally loading and delivering fifteen bundles of steel rods (*fassios azalinorum*) to Candia. From that port, a portion of this contraband was reloaded onto another carrack and taken to Constantinople. Thus, the Council of Forty ordered that Giovanni be retained and interrogated. As usual, this order was to be proclaimed on Rialto. Giovanni was given the standard term of eight days to appear before the court and defend himself. Otherwise, the process was to continue in absentia.<sup>28</sup> A month later, on August 12, the Council sentenced the absent Giovanni. The sentence adds detail to the information provided by the previous record. It explains that ten of the bundles of steel rods had been re-exported to Constantinople on a Genoese carrack.<sup>29</sup> Giovanni was condemned to spend six months in prison, to pay the price of the war material sold, which meant to forgo both the initial investment and the profit made, and to pay that much more as a fine, which would be

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<sup>27</sup> Some cases are borderline ones; cases that may or may not have involved violation of the embargo. For example, a certain Nicola Paolo patron of a carrack ready to sail to Sicily was caught bringing thirteen *fassios azalinorum* to his ship by boat at night and without permission, A.S.Venezia, Avogadori di Comun 3654, f8v (12 Oct 1474). The export of arms to the Italian south had been strictly regulated since 21 March 1465 in order to avoid the delivery of war items to Ottoman Albania by way of Southern Italy, A.S.Venezia, Sen. Mar Reg. 8, f16r (21 Mar 1465). Nicola was condemned to lose his carrack, the arms, to pay a fine of 100 pounds, and to spend six months in prison upon his return from Sicily. The fact that he was allowed to first complete his business trip and then serve his prison term says a lot about the importance of trade in Venice. At the same time, that Nicola was not condemned according to the 1457 law against those violating the embargo on Muslims, as stipulated by the 1465 law, may or may not mean that he was only avoiding taxation and not aiming at violating the embargo. Similarly, when in 1474 the senate accused Antonio Copo, former governor of Lemini of eighteen crimes, number twelve was represented by the trade in grain and beans between Lemini and Chios, this may or may not have been interpreted as violation of the 1464 law prohibiting exports to Chios, A.S.Venezia, Sen. Mar Reg. 7, f171r (29 May 1464).

<sup>28</sup> A.S.Venezia, Quaranzia Criminal Reg. 19, f22v [4v] (11 Jul 1475).

<sup>29</sup> A.S.Venezia, Quaranzia Criminal Reg. 19, f28v [10v] (12 Aug 1475).

doubled should Giovanni not appear within a month of the publishing of the sentence on Rialto.<sup>30</sup>

The sentences voted in the Council of XL were also recorded in the books of the State Attorneys. In this case, the record in the register of the Avogadori adds further details: the middleman in Candia was Giovanni's nephew, and he personally traveled to Constantinople. The justification for the sentence was typical: Giovanni had acted without fear of God and in disregard of the "holy mother church" and the laws "of our most Christian state."<sup>31</sup> He was thus prosecuted according to the Venetian laws upholding the papal embargo. Besides the legal overlap between the two embargoes and the legal procedure followed against transgressors, this case shows that the persistence of Genoese trade with Venetian territories provided ways for the Venetians themselves to circumvent the embargo.<sup>32</sup>

Another case shines light on the 'profession' of contrabandist and on the mechanics of contraband as well as on the legal uncertainties in enforcement of the laws against it. In 1476 five people loaded a boat with five *barillas azalinorum* in Venice in order to sail by night out to the galleys bound for the Levant and to load the contraband on them. The contrabandists sailed in two boats, the cargo carried in the second. While near Santa Elena, at the edge of Venice, they were intercepted by two boats with guards. The contrabandist attacked the officials with swords, while the latter, suddenly turned defenders, used spears and oars. Attracted by the ruckus, three more guard boats arrived

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<sup>30</sup> A.S.Venezia, Quaranzia Criminal Reg. 19, f28v [10v] (12 Aug 1475).

<sup>31</sup> "...omni timore dei et sacrosancte matris ecclesie ac legibus domini nostri christianissimi postpositus ...." A.S.Venezia, Avogadori di Comun 3654, ff. 28v-29r [34v-35r] (12 Aug 1475).

<sup>32</sup> At the same time, we saw on a few occasions that the Genoese were delivering important information to Crete. That information arrived on Genoese ships is a testimony both to the continuous Genoese trade and to the lack of such on Venetian ships.

at the spot and ended the confrontation. The boat carrying the contraband was captured, while the other escaped. The Forty did not resolve this case outright as they had done with Giovanni Bello.<sup>33</sup> Finally, they agreed upon a relatively light sentence condemning the head of the boat carrying the contraband to imprisonment of a year and the further banishment for a year from Venice and its district.<sup>34</sup> Then the Council sentenced the other contrabandists, Luca from *Servia* (perhaps from Serbia but possibly from Greece) and Pietro from Kotor (in Montenegro) to one year of prison. Rado Buffalo was sentenced to a prison term until the following Good Friday.<sup>35</sup>

This was not Rado's first prosecution for shipping contraband goods. He had been one of twenty-three prosecuted in August 1475 for shipping contraband wine in the previous January. What happened on that occasion must have been quite spectacular. The contrabandists sailed on several boats and when intercepted by two guard boats attacked them and gave chase even after the officials had disembarked. Thus the guards had to run for their lives and took shelter in a *hospicium* which the contrabandists damaged while also seizing the guard boats and their arms and oars. As a result they were able to complete their delivery of the contraband wine to Venice, avoiding all

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<sup>33</sup> First the Council voted on the sentence of Discus, the "head of the boat" carrying the contraband. The State Attorneys and one of the councilors proposed that he be sentenced to two years of prison, two years of banishment from Venice and its district and further six months of prison should he transgress the banishment. Only two nobles voted for this harshest proposal. A second motion, presented by one of the heads of the XL and another of the councilors stipulated a sentence of two year prison term without banishment. This motion won thirteen votes but this was not enough. A.S.Venezia, Quaranzia Criminal Reg. 19, f55v [37v] (5 Apr 1476), and Avogadori di Comun 3654, f53r [59r] (5 Apr 1476).

<sup>34</sup> The fact that the council had trouble agreeing on a sentence is most likely a reflection of the fact that it was most likely impossible to prove for whom the contraband was intended. The harshest sentence proposed came closest to the 1457 penalties for selling arms to Muslims, but the one passed was significantly lighter. A.S.Venezia, Quaranzia Criminal Reg. 19, f55v [37v] (5 Apr 1476), and Avogadori di Comun 3654, f53r [59r] (5 Apr 1476).

<sup>35</sup> A.S.Venezia, Avogadori di Comun 3654, f53r [59r] (5 Apr 1476) and Quaranzia Criminal Reg. 19, f55v [37v] (5 Apr 1476). This is a curious situation because in 1476 Good Friday fell on April 12 or a week later, was that what was really meant? If so, the short prison term may have had to do with his usefulness as an informer.

taxation. The sentence against them, however, did not include Rado Buffalo. Having been captured earlier and served prison time, he provided evidence on the others.<sup>36</sup>

The two cases involving Rado show that professional contrabandists existed in Venice and that such people exercised their trade with little care whether they were transgressing the papal embargo on Muslims, the Venetian one on the Ottomans, or ‘simply’ violating the tax laws. Contrabandist, informer, contrabandist again, Rado was probably not an exceptional figure. The case also shows that contrabandists were an ‘international’ community, that is, people from all shores of the Adriatic. And they were not notable citizens; none of the more than two dozen people mentioned in these cases was a person of elevated social status.<sup>37</sup> This does not mean that patricians and rich citizens practiced contraband with Ottomans unpunished; we saw in part one that such people were sentenced when shipping contraband to Africa. It is thus more likely that the upper strata of Venetian society had no reason to violate the embargo against Mehmed, which they had imposed.

The Venetian authorities continued to prosecute embargo violators throughout the entire course of the war. In August 1478, for example, Giovanni from Lesina, *massarius* on a carrack going to the Levant was prosecuted for having secretly purchased twenty bundles of steel rods. He was condemned to the full extent of the 1457 law.<sup>38</sup>

While punishing those violating the economic sanctions it had imposed on the Ottomans, Venice used economic rewards for those who served her well and for their

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<sup>36</sup> A.S.Venezia, Quaranzia Criminal Reg. 19, f23r [5r] (13 Jul 1475), f28r [10r] (12 Aug 1475), Avogadori di Comun 3654, f28r/v [34r/v] (11 Aug 1475). The contrabandists were condemned to three months of prison, payment of double the value of the unpaid taxes, *talea* of five hundred pounds all together, and to pay for the damages inflicted on the equipment of the guards.

<sup>37</sup> The documents would not have failed to mention elevated social status. We saw in Chapter 6.1. that some nobles and rich citizens were sentenced for transgressions of the papal embargo.

<sup>38</sup> A.S.Venezia, Avogadori di Comun 3654, f173v (27 Aug 1478). The 1457 law stipulated two years of prison and payment of twice the value of the merchandise sold.

families. For example, the Venetian authorities aided the children of a man who had died after causing much damage on the Ottomans,<sup>39</sup> as well as the widow and two daughters of a man who had died while spying at the Ottoman fleet at the order of the admiral,<sup>40</sup> and a number of women refugees from Negroponte.<sup>41</sup> The senate awarded to a certain Giovanni from Lesbos, doctor, a salary for his brave conduct during the siege of the island<sup>42</sup> and took care of the family of the *proveditore* of Albania, who had been killed in action.<sup>43</sup> Such acts of recognition for service should be read against some signs of strains in the ability of Venice to handle the war financially. As late as 1477 the senate still owed 1,500 ducats to Catarino Zeno for the expenses incurred during his embassy to Uzun Hasan. It appears that Zeno needed the money for the dowry of one of his daughters; unable to get it from the state, he had to use a government-guaranteed loan from the Soranzo bank instead.<sup>44</sup> Thus although the Signoria incurred huge expenses in the war, it did not forget its own citizens. In addition, the senate continued to use economic tools to help its allies and allowed the order of the Hospital to export arms without paying any taxes or custom dues.<sup>45</sup>

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While between 1474 and 1477 Venice continued to use a variety of economic tools to support its war effort, it also continued to try to negotiate an acceptable peace

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<sup>39</sup> A.S.Venezia, Senato Mar Reg. 10, f3r (1 Mar 1474).

<sup>40</sup> A.S.Venezia, Colleggio. Notatorio Reg. 12, f27v (19 Sep 1475). Two other daughters were still captives.

<sup>41</sup> Sanudo, *La vita dei dogi*, p. 12-13 (1475).

<sup>42</sup> A.S.Venezia, Senato Mar Reg. 10, f150v (13 Jan 1478). The salary was 130 perpers; the place: Retimo.

<sup>43</sup> Sanudo, *La vita dei dogi*, pp. 89-90.

<sup>44</sup> A.S.Venezia, Senato Terra Reg. 7, f150v [149v] (8 Feb 1477). This is also mentioned in Sanudo, *La vita dei dogi*, p. 22.

<sup>45</sup> A.S.Venezia, Senato Mar Reg. 10, f128v (17 Jun 1477).

with Mehmed.<sup>46</sup> The fact that it was still unwilling to subscribe under the conditions that the Ottoman sultan kept proposing shows that, to the contrary of what often assumed,<sup>47</sup> the Signoria was not poorly equipped for the war of attrition. By late 1477, a continuance of the war became less acceptable. Although it is hardly possible to pinpoint the exact reason why Venice was finally ready to accept a dictated peace, some major developments surely played their part. One was the success of Ottoman armies, which under Mehmed suffered only temporary setbacks. Without any hope for a major land campaign, without naval battles, and, worse of all, without certainty in its naval superiority, Venice had no real hope of changing the course of the war through military action. Through the enforcement of its embargo, Venice had managed to stop Venetian trade with Constantinople and the Ottoman lands at large. Yet, except for the three year period between 1467 and 1470, its enforcement on non-Venetians was sporadic. This, combined with the fact that Genoa, not Venice, was the major commercial force in the northeastern Aegean and the Black Sea, must have made the losses of the diminished trade more bearable to Mehmed than to Venice. Mehmed's sources of income, at the same time, were much more varied than those of Venice and his ability to mobilize forces without cash probably surpassed those of any other contemporary European polity. Yet, Venice had managed to withstand the continuous war expenses without any clear victory. Two more factors, however, may have finally altered the situation to the extent that

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<sup>46</sup> See Setton, *The Papacy and the Levant*, II, p. 327. Information on peace talks is documented by numerous decisions of the senate and is sporadically found in the narratives of Malipiero and Sanudo. It is discussed throughout the works of Setton and Babinger.

<sup>47</sup> For example, Babinger, *Mehmed the Conqueror*, p. 359: "The situation of the Signoria became more difficult from day to day; it could not bear the enormous burdens of the war alone...." Such statements appear throughout the secondary literature without supporting evidence. Babinger is closer to what suggested by the sources in the latter half of the same sentence "...and, in view of the tensions rending all Italy, [Venice] was without reliable allies."

Venice was finally ready to accept peace. It is only appropriate that one had to do with the Venetian maritime empire; the other one with politics in Italy.

As we have seen, Venice had been deeply involved in the affairs of the Kingdom of Cyprus as early as 1473, when the city legally adopted the island's Venetian queen, Caterina Corner, as the "daughter of Saint Mark" as a means of exerting future successor claims. By 1474 both James II king of Cyprus and his heir, the baby James III had died. Venice took Cypriote affairs very seriously and by 1474 two councilors and a commander of the armed forces had been sent from the lagoon to take control of the island. Although Cyprus would formally pass into Venetian hands only in 1489, that act began a process of colonial transfer.<sup>48</sup> It cannot be coincidental that in the second half of 1477 and the first half of 1478 Venice considered sending as many as 100 nobles and their families to Cyprus.<sup>49</sup> The expenses it invested in the island served the purpose of transforming it into a "Venetian colony, like Candia."<sup>50</sup>

While Venice ensured that Cyprus would indeed replace Negroponte and thus help the Serenissima exit from the war with its imperial persona intact, politics in Italy took yet another turn. When on June 20 1480 the pope proclaimed an interdict against Florence in the wake of the events that followed the failure of the Pazzi conspiracy,<sup>51</sup> Venice found itself in an ironic situation. It had failed to convince the popes to proclaim a total embargo on trade with the Ottomans and had written several times specifically against Florentine trade in the straits. Now Florence itself was under an embargo, but

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<sup>48</sup> For Cyprus in the period see Harry Luke, "The Kingdom of Cyprus, 1369-1489," in Setton, *A History of the Crusades*, III, pp. 361-395. My references here are to p. 387 for C. Corner as "daughter of S. Mark," p. 391 for the appointment of councilors and general, pp. 391-392 that Venice was the de facto ruler of the island before the end of the war with Mehmed.

<sup>49</sup> A.S.Venezia, Sen. Del. Sec. Reg. 28, f82r [92r] (3 Mar 1478). Sanudo, *La Vita dei Dogi*, pp. 93-95, includes a list of the names.

<sup>50</sup> "colonia Venetorum, come Candia," Sanudo, *La Vita dei Dogi*, p. 93.

<sup>51</sup> See Trexler, *The Spiritual Power*, pp. 170-173.

Venice was no longer on the verge of war with Florence, rather the contrary. In this instance, it helped the Florentines to obtain war material in full violation of the papal interdict.<sup>52</sup> The Pazzi conspiracy was not the only 1478 event that changed politics in Italy dramatically. The other was the Genoese rebellion against Milan, which led to the latter's loss of control of Venice's archrival.

It was under these circumstances that Venice intensified its efforts to exit the war. Instructions to the new envoy to Mehmed, Tommaso Malipiero, confirm the traditional Venetian priorities and lend further credibility to the supposition that the affairs of Cyprus might have had much to do with Venice's ever more energetic efforts to reach peace with the Porte. In November 1477 Malipiero was instructed to try to prevent territorial losses by offering retributions. Nevertheless, he was allowed to cede fortresses and castles in Albania, if necessary. The evacuated population was to be settled in Cyprus and other Venetian islands. This would obviously have had the effect of reinforcing the latter demographically and economically. As usual, the sea empire took precedence over mainland possessions.<sup>53</sup>

A new letter from the senate to Malipiero from May 1478 leaves the impression that the overall progress had been good. The senate lists two unresolved issues. One is a settlement of 100,000 ducats which two Venetians owed Mehmed when they fled Constantinople in 1463. The document leaves us with the impression that Malipiero had had the power to agree to this payment already. The other is the annual flat tax of 10,000

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<sup>52</sup> Florence needed to import saltpetre from Sicily, but king Ferrante would not allow the passage of the war material through his lands. Venice not only allowed that the saltpetre transit through the lagoon but even granted exemption from custom dues, A.S.Venezia, Sen. Del. Sec. Reg. 28, f148r [154r] (13 Feb 1479).

<sup>53</sup> A.S.Venezia, Sen. Del. Sec. Reg. 28, f59v [69v] (18 Nov 1477) and f60r/v [70r/v] (18 Nov 1477). See also ff. 62v-64r [72v-74r] (29 Nov 1477).

ducats being demanded for trade in the empire. This was seen as a problem; the envoy was to try his best to change Mehmed's mind, or at least to reduce the amount.<sup>54</sup>

The final agreement, negotiated by the Venetian secretary Giovanni Dario later in 1478, was ratified on 25 January 1479.<sup>55</sup> The treaty, in the form of a typical privilege, regulates in the first place the return to normal trade. This is done through the usual guarantees for the safety of the Venetians and their goods within the empire and the provision that a Venetian bailo would return to Constantinople.<sup>56</sup> The common perception that the treaty was very unfavorable to Venice<sup>57</sup> does not take into account the traditional Venetian priorities and is thus misleading. The loss of Negroponte was the only significant blow to the Serenissima. Furthermore, as important as Negroponte had been, Cyprus, better situated on the major trade routes to Alexandria and Damascus, was about to take its place within the colonial system and restore the dignity of Venice's imperial persona. All other Venetian losses were of secondary importance.<sup>58</sup>

The treaty included the two sums that we saw discussed between the senate and Malipiero in May 1478. The 100,000 ducats that Venice agreed to pay was a huge sum per se. This was not retribution, however, because the money had been owed to Mehmed

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<sup>54</sup> A.S.Venezia, Sen. Del. Sec. Reg. 28, f90r [100r] (3 May 1478). See also a short letter to Mehmed and a short letter to the envoy on f99r [110r] (26 Jun 1478) and another two to Malipiero, f132r/v [f138r/v] (18 Nov 1478) and ff. 133v-134r [139v-140r] (19 Nov 1478). Also, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 117-118.

<sup>55</sup> A.S.Venezia, Sen. Del. Sec. Reg. 28, f134r/v [140r/v] (19 Nov 1478) contains the order to conclude the peace, issued under the name of the doge, Giovanni Mocenigo.

<sup>56</sup> Diana Wright, ed., "The Peace Agreement of 1478" in Barbara Rosenwein, ed., *Reading the Middle Ages* (Peterborough: Broadview Press, 2006), 497-499. The same on-line at: <http://nauplion.net/1478Peace.html>. See brief summary in Setton, *The Papacy and the Levant*, II, p. 328 and the literature quoted in note 47.

<sup>57</sup> For example, Babinger, *Mehmed the Conqueror*, p. 369: "Harsh conditions were imposed on the republic."

<sup>58</sup> They consisted of the small and not strategically important island of Lemnos, and of a number of fortresses in Albania and Morea. These were important to Mehmed, who relied on territorial possessions for his power, but Venice managed to preserve the castles of strategic importance to its navigation, Coron and Modon. In addition, the Signoria still retained other possessions in mainland Greece, such as the castles of Lepanto, Monemvasia, and Nauplion, see Setton, *The Papacy and the Levant*, II, p. 330.

by two Venetians before the outbreak of war.<sup>59</sup> Neither was it sum impossible for one of Europe's richest governments to take on. Venice's annual income was over 1,000,000 ducats.<sup>60</sup> Even more pertinently, the annual expenses for the war had oscillated between more than 600,000<sup>61</sup> and 1,200,000<sup>62</sup> ducats. The 100,000 ducats thus represented just one or two month's worth of war expenses. This helps to explain why the senate did not consider it an issue.<sup>63</sup>

The other sum, the 10,000 ducats in perpetual annual payments, is something Venice was forced to accept much less willingly.<sup>64</sup> This is not surprising. This provision appears to have been substituted for the 2% on exports and imports paid between 1454 and 1462. If this is what the rather lapidary sentence really meant, it is a very important disposition indeed. Its meaning is that the sultan was encouraging, indeed forcing, the Venetians to engage in rather high volume trade with the Empire. This is so, because for trade of under 250,000 ducats the new tax was a heavier burden than the old. For trade of more than 250,000 ducats, however, the new tax was smaller. Annual trade valued at

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<sup>59</sup> See Setton, *The Papacy and the Levant*, II, p. 328.

<sup>60</sup> Roughly half of this money was spent on the administration of the city, the possessions in Italy, and the sea empire. See the table of revenue and expenses transcribed from the original source in Romanin, *Storia Documentata di Venezia*, IV, #12, pp. 550-552 (1469) and David Chambers and Brian Pullan, eds., *Venice. A Documentary History, 1450-1630* (Toronto: University of Toronto Press in association with the Renaissance Society of America, 2001), pp. 139-143. The city of Venice itself provided the signoria with almost 616,000 ducats, the Italian possessions with a net of over 236,000 ducats (after the expenses on the same possessions were subtracted from the total revenue, which was over 327,000 ducats), and the maritime ones, with 180,000. These numbers provide further evidence that the primary reason for the maritime possessions was indeed their strategic role along the major trade routes. The profit generated by the Italian possessions was nothing short of impressive, it represented 70% of total revenues. Of course, one should put all war expenses in Italy on the debit side of the equation, but these numbers do nevertheless provide a good explanation for the Venetian insistence to expand its dominion in Italy.

<sup>61</sup> A.S.Venezia, Sen. Del. Sec. Reg. 21, ff. 194v-195r (13 Oct 1463), the relevant part is quoted in Setton, *The Papacy and the Levant*, II, p. 250, n. 62.

<sup>62</sup> This is the number provided by Malipiero, *Annali Veneti di Domenico Malipiero*, in *Archivio Storico Italiano* 7 (1843): 66: "Fin adesso è sta speso in questa guerra in rason de un milion e dugentomile ducati all'anno."

<sup>63</sup> A.S.Venezia, Sen. Del. Sec. Reg. 28, f90r [100r] (3 May 1478).

<sup>64</sup> A.S.Venezia, Sen. Del. Sec. Reg. 28, f90r [100r] (3 May 1478).

250,000 ducats may have been common with the Mamluk lands,<sup>65</sup> but not with those ruled from Constantinople.

This ‘simple’ disposition sheds some light on the Ottoman perception of the Venetian withdrawal of trade. Whatever its exact consequences for Ottoman revenues, which we cannot know, the loss of Venetian trade had been felt, and, given the new circumstances, Mehmed was determined to encourage its restoration. He had a good reason. We saw that contrary to Dei’s assertions Florentine trade during the war did not go beyond the levels of 1462. Often the galleys in the annual convoy were just two; on occasions they even did not sail or returned with little cargo. In 1480 Mehmed II himself complained to Florence about the galleys. The Florentines excused themselves with the political complications in Italy.<sup>66</sup> That a restoration of trade was an important factor in the peace initiative is also suggested by the fact that some between Venice and the Ottomans grew in tandem with the progress of negotiations. As peace terms were finally being successfully discussed in the second half of 1478, the noble Nicolino Dandolo provided surety for a caravel that was to sail from Candia to the Ottoman capital.<sup>67</sup>

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<sup>65</sup> Ashtor, *Levant Trade in the Later Middle Ages*, pp. 450-479. In 1470 Venice had to send four additional galleasses to collect the spices purchased in Alexandria. These were in addition to the eight scheduled ones. In 1472, the galleys from Alexandria alone carried cargo worth 200,000 ducats on the return segment, Ashtor, *Levant Trade in the Later Middle Ages*, pp. 476-477. In addition to the galleasses to Alexandria, trade with the Mamluks went on galleasses to Syria, and carracks to both Syria and Egypt.

<sup>66</sup> Müller, ed., *Documenti sulle relazioni delle città toscane coll’Oriente...*, part 1, #191, pp. 230-231 (11 and 12 May 1480). This is a clear illustration of the difference between the leading commercial powers, Venice and Genoa, vis-à-vis second-tier maritime powers, such as Florence. Stopping trade with the east because of problems in Italy was not among the policy options of the Serenissima. These are two more pieces of evidence showing how exaggerated Dei’s representation of Florentine trade with the Ottomans as a rival to that of Venice actually is. And, by extension, it disproves Florentine attempts to represent the Venetian actions against Florentine navigation into the straits as due to “envy” and not as a foreign policy tool aimed at weakening the Ottomans.

<sup>67</sup> A.S.Venezia, Duca di Candia, Busta 11 Bis, f97r (26 and 28 of Sep 1478). Caravels were vessels of under 200 *botte* thus one wonders if in the closing months of the war Venice had not de facto reverted to the original embargo order: allowing smaller vessels to sail to Ottoman lands, while still keeping track of the large carracks.

By August 1479 the relations between Venice and Mehmed had normalized to such a degree that the sultan invited the doge to the circumcision ceremony of his grandson and asked for a good painter; Gentile Bellini departed for Constantinople with the first galley convoy to sail there since 1462.<sup>68</sup> More importantly, the convoy carried the new bailo, Battista Gritti. With regard to the embargo, his commission returned the status of Venetian-Ottoman trade to the situation prior to 1462. His orders were in fact the same given to the first bailo in Ottoman Constantinople, whom we saw ordered to uphold the papal embargo on the export of war material to Muslims.<sup>69</sup>

This is how between late summer 1478 and late summer 1479 direct trade between Venetian and Ottoman ports gradually resumed. A look at the income obtained by the Venetian authorities from the auction of galleys, however, shows that despite the new flat tax rate which represented an incentive for higher trade volumes, Constantinople remained a secondary trade partner to the Signoria.<sup>70</sup> This helps explain both the ability of Venice to wage the war against the Ottomans and her inability to affect Mehmed enough through an embargo on Venetian trade alone. As Setton put it: “If she spent

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<sup>68</sup> Setton, *The Papacy and the Levant*, II, p. 329 for Bellini, Ashtor, *Levant Trade in the Later Middle Ages*, p. 475 for the fact that this was the first galley convoy.

<sup>69</sup> The commission is in A.S.Venezia, Senato Mar, Reg. 11, f47r [49r] (7 Sep 1479): “Quod in dei nomine et in bona gratia nobili viro Baptiste Gritti ituro baiulo nostro Constantinopolis detur illa eadem Comissio que dabatur aliis nostris Bayulis qui illuc ibant de nostro mandato ante fractionem ultime pacis nostre cum domino turco....” Then a few exceptions follow, but they do not regard the embargo.

<sup>70</sup> While the auction of the galleys going to Mamluk lands in 1479 brought the Venetian treasury a total of 1,918 pounds (*lire di grossi*), the galleys to Constantinople provided the meager 159 pounds, or less than 8% of the total revenue from the auctions. In 1480 the galleys to Mamluk Egypt and Syria brought auction revenue of 1,242 pounds; those of Constantinople: 80 pounds or 6% of the total revenue. In 1482 the percentage improved to 20, but while the convoys to Egypt and Syria sailed annually, those to Constantinople did not sail in 1481, 1483, 1485, 1486, 1489. In 1487 and 1488 the galleys to Constantinople again brought the lesser part of the total auction revenues, 12% and 22% respectively. These calculations are mine, on the basis of table #53 in Ashtor, *Levant Trade in the Later Middle Ages*, pp. 475-476.

millions on the Turkish wars, she also made millions in the East.”<sup>71</sup> To make the sentence more precise one needs to substitute ‘Mamluk lands’ for ‘ the East.’

The Venetian decision to resume trade and end the conflict was most probably premature. Military action and economic factors are not the only variables to take into account. Throughout the conflict military action remained confined and indecisive. The Venetian land campaign in the Morea (1463-1464) was a complete failure. Even though Mehmed’s seizure of Negroponte was a brilliant military operation, it was not enough to convince Venice to accept a dictated peace. There was continuous fighting in Morea and Albania, mostly in the form of Venetian resistance to Ottoman sieges, but it involved neither key places within the Venetian empire nor the main Ottoman armies. Military action did not begin the conflict, was never its main aspect, and did not resolve it.

While arms were unable to decide the outcome, economics surely could. The conflict was in fact a war of attrition, but for Venice rather than Mehmed. Although the Sultan regretted the decline in trade with the Venetian Empire, its withdrawal did not impact his revenues to the extent that would cause him to alter his stance. The Serenissima, on the other hand, had constantly to maintain expensive war fleets and to provide munitions and garrisons to its colonies while at the same time forgoing income on trade with the Ottomans. The flourishing trade with Egypt and Syria may have made staying in the game possible, but in order to win, the Signoria needed to change the rules.

An opportunity to do so was provided by a very serious structural weakness of the Ottoman political system,<sup>72</sup> which was heavily reliant on the person of the sultan.

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<sup>71</sup> Setton, *The Papacy and the Levant*, II, p. 336.

<sup>72</sup> On the importance of the nature of political regimes for the duration of sanctions see Fiona McGillivray and Alan Stam, ‘Political Institutions, Coercive Diplomacy, and the Duration of Economic Sanctions,’ *Journal of Conflict Resolution* 48 (2004, 2): 154-172. Although the authors deal with modern political

Therefore leadership change had the potential of greatly affecting foreign policy. Venice was surely not unaware of this; after all, the Council of Ten had supposedly made plans to poison the sultan at least fourteen times between April 1456 and July 1479.<sup>73</sup>

Succession to the throne was in fact the Achilles' heel of the empire; although its territory was indivisible, there was no firm succession rule and the sons of the deceased sultan fought over the throne.<sup>74</sup>

We saw that a son of Mehmed's, Jem, had made Venice a clandestine offer in 1473. Civil war between Bayezid and this same Jem ensued upon Mehmed's death in 1481. Until his death Jem remained the single major preoccupation of his brother, the new sultan, Bayezid II. The peripatetic lifestyle of Jem among various western courts is too well known to be re-told here. What matters for the purposes of this chapter is that Jem's western dealings completely reconfigured the political context of Western Europe's relations with Constantinople. In fact, the new sultan, faced with the perspective of civil war against his brother had suddenly become quite amenable to Western requests. Venice, however, could not take advantage of those developments because it had already concluded its peace treaty with the Ottoman Empire.

Throughout the conflict Venice showed its desire to impose and its ability to sustain a war with the Ottomans fought primarily through economic means. It is probably the failure to take advantage of the inherent volatility of a monarchical political regime that determined the negative outcome for Venice. To the contrary of what the

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regimes the basic distinction between regimes more prone and less prone to policy changes upon leadership change is very valuable for the conflict between Venice, ruled by a comparatively large number of families and the Ottoman empire, which, especially under Mehmed II, depended on the will of one person and his closest collaborators.

<sup>73</sup> All kinds of prospective assassins were considered, including a Carthusian monk and a Jewish physician of Mehmed; Babinger, *Mehmed the Conqueror*, pp. 290-292.

<sup>74</sup> See Imber, *The Ottoman Empire*, pp. 96-115.

secondary literature often conveys, there is no reason to believe that the Signoria could not sustain its war effort any longer, economically or militarily, despite the very significant losses it had incurred in the conflict. Had the Serenissima chosen to persevere the outcome might have been different.

## **9.2. The Venetian Employment of Embargo against Mehmed II, 1462-1479: Conclusion.**

Venice employed a *devedo* against the Ottomans throughout the conflict of 1462-1479. An immediate and direct response to the Ottoman takeover of Lesbos, the embargo imposed on December 4, 1462 initially aimed at depriving the Ottomans from access to technology they did not possess. By preventing carracks and other large ships from sailing to the straits, Venice sought to eliminate the possibility of their seizure or purchase by the Ottomans and their future deployment against Venice's maritime empire. In naval superiority lay the Venetian hope for military success. Since large ships were considered of great military value, to deprive Mehmed's fleet of such vessels was to maintain Venice's technological advantage over her rival and thus ensure her dominance at sea. Consequently, even in its initial and limited scope, the embargo was a crucial policy tool. In addition, trade between the Venetian maritime empire and the Ottomans probably diminished as a result of the fact that most cargo was transported on those ships that the embargo kept from Ottoman lands.

If the senate was keeping up with the spirit of Sanudo's ideas, themselves probably shaped by even earlier Venetian practice by using more recent past experience with Byzantine emperors as a guide, it may have hoped that Mehmed would alter his policies towards Venice as a result of the drying up of trade. Perhaps for that reason, the partial embargo on trade with large ships was transformed into a total *devedo* on

commerce with the Ottomans early in 1464. Although carracks remained a primary concern the senate went on to forbid all trade with the Ottomans. What probably triggered this extension was the defeat of the Venetian offensive in the Morea and the city's failing hope for a rapid resolution of the conflict. Now the ban firmly assumed the characteristics of a long-term, strategic embargo aimed at debilitating the enemy's military machine. Its scope was considerable and extended beyond Venice and her colonies. Since Genoese Chios served as a re-loading point for goods with Constantinople as a final destination, the senate included that island in the embargo. Exempted from the sanctions were only certain areas in continental Greece, which were added in 1470.

The senate was the body that decided on all matters concerning the economic sanctions. Although the embargo won considerable support there in 1462, the vote shows that there was resistance. It is not possible to determine exactly who the agents of the resistance were, nor their reasons. It is notable, however, that among the proponents of the embargo one finds the ministers of sea affairs, two future admirals, and the ministers of war. This means that many of Venice's chief policy-makers favored the deployment of the embargo as an instrument of foreign policy before any military confrontations had occurred. Since no alternative motion was introduced, one must suppose that the resistance was not supported by another bloc of policy makers such as the various councilors and ministers who had legislative initiative. Once military action commenced, the senate united; its support for the embargo was thereafter practically unanimous throughout the conflict.

The legal aspects of the embargo were complex. The initial ban on trade with large vessels was the result of a single document. The sanctions received their final shape, however, through a number of separate laws. The original order was not abolished; it was rather supplemented by a prohibition on all trade, a prohibition against the sale of ships to any foreigners, except crusaders, and against sailing to Chios. In addition to these laws, the Venetian government upheld the papal embargo against the export of any war material to Muslims on the basis of its 1457 law regulating the matter.

The complicated legal picture that ensued allows for an assessment of the senate's view of the importance of particular aspects of the sanctions. Transgressions of the papal embargo and the sale of ships to any non-Venetians carried the most severe penalties. It is unclear what the sanction for selling non war items to the Ottomans was, but the sale of such merchandise in Genoese Chios, considered *de facto* trade in the Straits, carried only a fine equal to the resale value of the contraband.

The senate expressed the belief that for the embargo to be effective the sanctions had to be upheld by all Christian forces. Valid for the Venetians, however, the *devedo* was not legally binding on all Christians. The only authority in Latin Christendom empowered to change this was its constituted head, the papacy. In Part I of this work we saw that the perpetual papal embargo allowed trade with Muslims only under license. The prohibition to export war material to Muslims was perpetual and renewed annually, on Holy Thursday. Venice wrote to its ambassadors in Rome to request a papal ban on all trade with the Ottomans at least fourteen times between December 1463 and October 1472. The senate pressed the issue methodically. It did so before Pius II in three consecutive months after December 1463. Although Venice did not immediately raise

the question with his successor, it did eventually press him for a papal embargo in June and August 1465, again in January, February, and March 1466, and one last time in June 1468. As in the case of Pius II, however, Venetian persistence brought no action. Venice made its most concerted effort to obtain a papal embargo upon Sixtus's accession in 1471. The very delegation sent to congratulate the pope was instructed to ask for an embargo (November 1471). Venice continued pressing the matter in December 1471 as well as in June and October 1472. Sixtus IV was no more amenable to Venetian requests than Pius II and Paul II before him, however, and in January 1475 the senate raised the issue one last time and with specific reference to the papal satellite city of Ancona.

The Venetian ambassadors were armed with several functional arguments. These included the notion that since the embargo was the best available tool against the Ottomans it provided the most effective means of securing his boycott of Ottoman alum. Often Venice gave its ambassadors the freedom to use any arguments they would find suitable and to do everything possible to reach the goal. Throughout most of the conflict the Venetian ambassadors stood alone in pressing for the embargo; however, in 1471-1472 they did so in concert with the envoys of King Ferrante, who had just concluded a crusading league with Venice. However, this diplomatic alliance did not succeed in winning papal support for the embargo. Functional arguments were a weak weapon given the 'spiritual rationality' of papal policymakers, after all, was not the church to head Christendom and decide unilaterally on relations between those it identified as faithful and 'infidels?'

Since the Venetian attempts to convince the papacy to stop all trade with the Ottomans failed, the Serenissima faced a complicated situation. It could still use the

papal embargo to its own purposes, but it could not legally detain non-Venetian ships sailing to the straits without arms on board. Consequently, Venice opted to either enforce the embargo on non-Venetians or to refrain from doing so, depending on the political context within Italy and the provenance of the transgressors themselves. Leadership might also have had something to do with the strength of enforcement efforts.

Enforcement against non-Venetians was strictest under admiral De Canal. De Canal, who as ambassador in Rome had unsuccessfully argued for the embargo before Paul II, detained a number of Genoese, Anconitan, and Neapolitan large ships with merchants from different 'nationalities,' even Englishmen.

The Venetian fleet controlled the Aegean Sea throughout the conflict to the extent that the technology of the time allowed. On occasion, the papacy asked Venice for safe-conducts for crusading fleets; the Neapolitan court and the city of Ancona asked for safe-conducts for merchant ships sailing east. On at least one occasion in 1463 Florence wanted its annual convoy to Constantinople to sail with an explicit Venetian permission. Such acts implicitly recognized a de facto state of Venetian sovereignty over the waters of the Aegean. This was in spite of the fact that the same powers were explicitly denying Venice the right to stop non-Venetian ships. At the same time, Genoa, the main commercial and maritime archrival did not ask the Serenissima for any safe-conducts either directly or through its overlord, Milan.

The embargo was enforced on Venetians in a multitude of ways. We saw that the authorities in Crete kept track of large vessels and inquired about their intended destinations. There is no reason to suppose that things were different elsewhere. The Venetian authorities required surety for ships whose patrons appeared suspect. In

addition, the export of war material had always been regulated through the customs officials who had to collect the required tariffs and provide the merchants with *bollette*, which served as proof of the legality of the cargo. Surety for the war material and occasionally for the vessel had also to be provided. On their return from sensitive locations, such as southern Italy, the exporters of war material had to provide receipts for delivery of the cargo to legal recipients. Such receipts were issued by the Venetian consuls at the destination.

Contrabandists tried to avoid control by surreptitiously delivering the contraband to the ships or galleys by cover of night. Such acts were in turn countered by night patrols, which also used boats. Some contrabandists were professionals. Organized in groups of people of non-elevated social standing and coming from all over the Adriatic, they specialized in contraband at large. In doing so, they violated both tax laws and embargoes. Such groups could be as large as at least two dozen people and were confident enough to attack the guard boats. Other contrabandists organized themselves in smaller, perhaps ad-hoc groups, modeled after a typical *commenda* contract which divided the profit of the enterprise between investor and executor(s). As usual in the period, the family, as the main social unit, was often the fundamental form of business organization as well. Brothers, uncles and nephews devised ways to profit through illegal trade. Among the tools used by the contrabandists were false counter-letters for delivery of war material to legal recipients and especially re-loading of the cargo. Re-loading seems to have been widespread on Chios in January-April 1464 thus provoking the extension of the embargo to cover that island (May 1464). Re-loading meant that Venetian goods traveled on Venetian vessels to Chios and then on non-Venetian vessels

to Constantinople. The fact that trade on Genoese vessels between the Venetian possessions and Chios was never stopped probably offered Venetians a perpetual opportunity to circumvent the embargo. While Chios served as a hub of contraband in the Aegean, so did Apulia in the Adriatic. Venetians delivered arms to Apulia, from which these were re-exported to Valona on the other, mostly Ottoman-controlled shore of the sea.

In Part I we saw that Venetian nobles and citizens regularly engaged in the trespass of the papal embargo when trade with North Africa is concerned. By contrast, I have not uncovered any documents about the trespass of the embargo against the Ottomans that involved high-standing Venetians. The highest social standing of such a trespasser was that of a scribe on a ship. Most, however, were people of even lower standing, such as sailors from the outskirts, or people from Venetian and Ottoman territories along the Adriatic shores. Contrabandists were prosecuted by the *Avogaria di Comun*, the office of the State Attorneys, and their sentences were prepared in *Quarantia Criminal*, the council dealing with criminal cases. The ability of the authorities to detain most of the trespassers appears to have been limited, thus many were prosecuted in absentia. The *Quarantia Criminal* voted on the sentences which were usually introduced by the Heads of the Council or by the State Attorneys. The processes against people of lower standing, even when non-Venetian subjects, went smoothly and do not appear to have raised any concerns outside of Venice.

This was not the case when the Venetians detained large foreign ships. The complicated legal situation effectively prevented Venice from prosecuting foreigners unless they had clearly been delivering war material to Muslims. In fact, in the most

dramatic case of enforcement, that of 1467-1468, Venice elicited confessions from Anconitans to this effect. The Republic of Saint Mark constantly complained about other Christians delivering war material into the straits. However, the decisions of the senate contain no information concerning actual war material detained. Consequently, the Venetians were ultimately forced to provide restitution of the sequestered goods. In the case of 1467-1468 this occurred relatively soon after detention, in about six months, but largely because the political situation in Italy, where Venice risked an open war with other peninsular powers, demanded it. Under the less tense political climate of 1468-1473, Venice took years before providing restitution. Thus although Venice was unable to prosecute the non-Venetian trespassers of its embargo it did nevertheless find a way to punish them by increasing the cost of their business activity.

Enforcement against such targets as the Genoese and the Anconitans occurred at sea through the deployment of the Venetian fleet. This usually consisted of war galleys re-enforced by heavy vessels such as carracks and galleasses in case of particular danger. Squadrons of four armed carracks often supplemented the war fleet of galleys. Both the galley and carrack fleets detained a number of non-Venetian vessels.

How are we to assess the effects of the embargo? Its success or failure can be measured in a variety of ways. Success might be judged by the fact that it may have prevented the Ottomans from easy access to carracks. This can be deduced from the fact that the Ottoman fleets that conquered Venetian Negroponte and Genoese Caffa featured no or very few large vessels despite the Ottomans' desire to obtain such ships. The fact that Negroponte nevertheless fell has nothing to do with the success or failure of the embargo. Admiral De Canal's decision not to engage the Ottoman fleet on the one

occasion in which a large naval battle could have ensued prevents us from formulating any suppositions about the practical relevance of the idea that technological advantage could ensure Venetian naval superiority despite the larger size of the Ottoman fleet. At the same time, if the Ottomans valued carracks more than the Genoese and Anconitan trade carried on them, they could have tried to confiscate such vessels as they had done with the four carracks from Candia in 1462. Consequently, it is impossible either to correlate the lack of large ships in the Ottoman fleets as late as the last years of the war to the Venetian embargo or to disprove such a causal relationship.

The assessment of the actual effect of the embargo as one on total trade with the Ottomans requires more or less precise data on many variables. In the absence of such data, we are forced to rely on circumstantial evidence. Although income from foreign trade was probably not indispensable to Mehmed's ability to run his empire, it surely did provide a source of ready cash that had no direct substitute. In this sense, the removal of foreign trade, which essentially meant the removal of Latin Christian trade, would surely have damaged Mehmed's finances. This was well understood not only by a city like Venice, ruled by merchants, but also by a regime like Naples, dominated by land-based nobility. Mehmed himself had no doubts about the utility of foreign trade. This is shown by the fact that while at war with Venice he privileged the Florentines and when he concluded peace with Venice he tried to induce her to re-start trade in rather high volumes. A total ban on Christian navigation to the Straits could therefore have had a noticeably negative impact on Mehmed's finances. Whether or not this could have significantly influenced his chances in the conflict with Venice is a question that cannot be answered.

The extent to which the embargo actually affected Mehmed is unclear, but the above considerations suggest that it may not have been insignificant. While it is true that the volume of Genoese trade was probably maintained, Florentine engagement could not possibly have substituted for Venetian withdrawal. We saw that contrary to Benedetto Dei's boast of Florentine preeminence in Constantinople, the Tuscan city's navigation to the straits never surpassed the pre-war (1462) level and was in fact often below it; sometimes Florence's convoys did not sail at all. The documentary evidence and the numbers reported by Dei himself clearly show that Florence failed to exploit the Venetian embargo to elevate its status from a second-tier maritime power to a real player in Mediterranean commerce. The records of the Anconitan notaries and the Venetian documents on enforcement against Anconitan carracks portray a similar picture of the position of that city. Thus the fact that Florentines did use Anconitan carracks to sail to the straits is no argument against the limited nature of its commercial relations with the Ottomans.

Whatever the exact impact on the Venetian sanctions on Mehmed's income, the sanctions affected some Venetians far more than others. Since Constantinople appears to have been Candia's main trade partner, but not Venice's, it is reasonable to conclude that the interests of the *dominante*, which were focused on trade with the Mamluks, over-rode those of the largest colony. Venice's trade with the Mamluks and its exploitation of the Terra Firma was most likely the combination which allowed her to sustain the war effort.

We will see in the next and final chapter that even before the war of 1462-1479 the *devedo* had served Venice as a foreign policy tool. No other elements in the war strategy except for the upkeep of a large fleet were used as consistently as the embargo.

Military action was sporadic and with the exception of three of the seventeen years of conflict was concerned with places of secondary importance to the Republic. Diplomacy was directed to the construction of military alliances, but really active attempts in this direction occurred only in 1463-1464 and 1471-1473. Such alliances were often supported through subsidies, mostly in the form of tax-exemptions for the export of war material from/through Venice.

What the Venetian war effort consisted of, then, was the combination of the embargo and the constant preparation of war fleets and fortification of the maritime empire; very expensive undertakings, but not actual military action. What therefore constituted the legal state of war was the cessation of trade and the expenses incurred in the military build-up. Every military effort is by extension also an economic effort, but in this case the latter completely overshadowed the former. The concern with trade and large ships marked the senate's reaction to Mehmed's conquest of Constantinople in 1453. It also marked the 1462-1479 conflict with Mehmed.

## CHAPTER 10 CONCLUSION

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In this concluding chapter I will first offer a short summary of the results of Part I and II of this work. I will then show how these conclusions help us to address broader issues concerning the history of the medieval papacy and Christian-Muslim relations in the Mediterranean. Next, I will confront the pre-modern/modern divide that often operates in the understanding of embargo by demonstrating that embargoes emerged alongside trade wars and economic protectionism at the time of the “Commercial Revolution.” I will finally return to the ‘sanctions debate’ and to the modern understanding of embargoes in order to point out how my work makes a case for a much broader discussion of the employment of sanctions.

### **10.1. The Papal Employment of Embargo and the Venetian Answer to Mehmet II: A Summary of Results**

Medievalists have chosen to understand the papal employment of embargo in an unequivocal way that effectively conforms to the conventions of the current ‘sanctions debate.’ Medievalists, however, have studied papal embargoes only with regard to Mamluk Egypt, only for a narrow period of time, and only as a secondary research subject within the study of trade or crusade. They have built their view of papal sanctions not so much through papal sources or political theory as through a short-cut: the work of crusade theorists, primarily of the Venetian merchant Marin Sanudo. Sanudo, writing over a century after the embargo had become a well-established ecclesiastical policy tool, proposed a veritable theory of sanctions as a way of preparing the ground for

a successful crusade to recover the Holy Land. It needs to be noted, however, that he was not interested in what papal sanctions were; he theorized what they ought to be.

As suggested by a Genoese document from 1151 and its context, a papal embargo may have been first deployed against the Muslim shores of the Mediterranean around 1150, in the aftermath of the failure of the Second Crusade. What we know with certainty is that in 1179 the Third Lateran council proclaimed the excommunication of those who exported arms, iron, and timber for construction to Muslims. Between 1187 and 1191 Pope Clement III, probably in result of the loss of Jerusalem, turned this selective ban on the export of ‘war material’ into a total ban on all Christian trade with Muslims. Starting with the license issued by Pope Innocent III to Venice in 1198, however, legal exceptions – trade licenses – made the embargo selective in practice. By the 1250s the papacy had embargoed a plethora of targets bordering Christendom: all Muslim lands in the Mediterranean, ‘pagan’ lands in the Baltic (from no later than 1230), Eastern Christian polities not in communion with Rome (from no later than 1223). By the end of Innocent III’s pontificate (1216), the papacy had used the withdrawal of trade and/or other types of economic measures against all kinds of internal enemies, from disobedient Italian cities, to Jews and ‘heretics.’ In the fourteenth and the fifteenth centuries papal embargoes came to cover newly emerged non-Catholic polities (such as the Ottoman Empire) as well as the population of lands that Catholic rulers set to conquer (such as Sub-Saharan Africa).

As a tool of foreign policy papal embargoes were poorly structured: contrary to prevalent opinion, neither the list of contraband items, the *vetita* of medieval documents, nor the concept of ‘state of peace’ – both essential components of papal ‘embargo

legislation’ – were a clear-cut matter in law or in practice. In addition, as foreign policy tools papal embargoes were haphazardly implemented: it was not the curia, but rather local clergy that appears to have shaped the actual implementation of sanctions while power relations – not considerations about the embargoes ability to “work” – determined the scope of licenses. Thus although papal interest in the halt of trade with non-Christians may have been spurred by political and military events – the failure of the Second Crusade and the loss of Jerusalem – as tools of foreign policy, papal embargoes were not only poorly conceptualized, but also unsystematically applied.<sup>1</sup> Hence one is tempted to conclude that these were an irrational policy, applied for the sake of ‘doing something.’

No matter how the papacy first took an interest in trade restrictions and how individual ecclesiastical policymakers conceptualized their own actions in this regard, however, a purely functional understanding of papal sanctions – as economic tools for the achievement of foreign policy goals – conflicts with the place that the papal embargo held in canon law as well as with the language of papal documents. The papal embargo is better understood not as a tool of foreign policy that served both as an alternative and a preparative for crusades, but primarily as one of a range of policies of segregation and exclusion that forbade unlicensed contact between Christians and non-Christians. Embargo demarcated religious space into two clear-cut categories, the Faithful and the Other. At precisely the moment that the embargo came to the fore of papal legislative and political action, between 1179 and 1234, so did a broad array of other policies. Taken in their entirety, *we* can see these as amounting to a program intended to discourage communication with ‘infidels,’ including Eastern Christians. Thus the church

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<sup>1</sup> Christian targets – disobedient cities - being something of an exception.

sought to limit the contacts between the faithful and non-Christians. Consequently, the key problem was not so much trade with the ‘infidel,’ as the contact with the ‘infidel’ that trade entailed, something suggested not only by the legislative and political context of papal embargoes, but also by the wording of some papal documents and requests for absolutions. Little surprise, in other words, that some papal licenses for trade with Muslims included a permission to be among Muslims, to talk to Muslims.

The mapping of the world into a community of the faithful and an extraliminal space inhabited by all those not in communion with the Roman church was a reflection of the ecclesiastical policy-makers’ worldview: that the Bride of Christ should lead an ever expanding flock of faithful to eternal salvation. Activist, ‘Gregorian’ ecclesiastical policy-makers constructed religion-based, clearly defined, and sharply differentiated model identities and employed them as a tool designed to re-shape contemporary society into the ideal Christendom they envisioned. It should not surprise us, then, that papal documents banning trade did not actually ban trade explicitly, but instead excommunicated the agents of ‘inter-religious’ trade. The Christians themselves, not the ‘infidels,’ were the primary target of papal embargoes. The main object of papal embargoes was in turn not the debilitation of anyone’s military power through economic means, but rather maximization of papal control over the pope’s own spiritual flock.

The effects of papal embargoes also transcend the ambit of foreign politics. It is fruitful to consider that ecclesiastical policymakers and hard-liners, largely the mendicant orders, acted according to, in my terms, a ‘spiritual rationality.’ Whatever their personal thoughts, the way they shaped and applied the embargo might often have undermined its ability to achieve goals of foreign policy. By the 1250s, however, the church had

successfully established that any trade with any non-Catholics was a matter of ecclesiastical jurisdiction, that is, a moral issue. Relentless preaching in the vernacular probably helped to pinpoint ‘others’ and spread the message that trade with them was to be avoided, because it could contaminate the soul and hence lead to eternal damnation; this message appears to have been eventually internalized by at least part of its intended audience. In fact, by the fifteenth century it had fused into the political discourse and influenced the behavior of merchants and the decision-making of merchant governments and kings. It may have helped shape the self-understanding of those Christians who embarked on the conquest of the world as inherently different from and superior to those they set to conquer.

Papal embargoes, therefore, could not really be ‘busted’ by the export of goods to ‘infidels’ or undermined by the extension of generous trade licenses. At the same time, although the embargo was a policy aimed primarily at maximizing the pope’s authority over Christians, it could not operate independently from the assumptions that the pope was indeed the vicar of Christ and that the sentence of excommunication was a powerful spiritual weapon. The process of the papacy’s rise as Christendom’s chief authority through the Gregorian reform had met with continuous resistance, but it was not until the Reformation that this became truly successful. It was Martin Luther’s attack on the papacy’s role on earth and on papal excommunications that which could eventually undermine the ‘self-evident truth’ that trade with the ‘infidel’ was a moral crime.

Unlike the long-lasting papal sanctions, the Venetian embargo against the Ottoman Empire of 1462-1479 offered no symbolic features to rival the functional concerns that engendered it. The Venetian senate carefully shaped the withdrawal of

trade as an economic tool for the achievement of a foreign policy goal, namely well-defined, stable, and conforming to Venetian interests political relations with Sultan Mehmed II by taking into account economic and technological factors. We are told that between 1463 and 1479 Venice waged war with the Ottomans, yet the embargo preceded, complemented, and followed actual military action; indeed it was the primary policy instrument that Venice employed against Mehmed. A symbolic component to the embargo may have been provided indirectly, as Venice's senators sought to 'plug' their foreign policy tool into the existing papal policy of embargo and hence effectively employ the latter's broader purpose of continuously strengthening the cohesion of Christendom vis-à-vis external religious threats in the pursuit of their own immediate political goals.

In the wake of the Ottoman takeover of Constantinople, 1453, the security of trade and the prevention of Ottoman access to the largest and most capable ships of the time, typically carracks, were Venice's key concerns. In the eyes of the senate, Venice's conflict with Mehmed began when he seized and pressed into service four Venetian carracks in 1462. These were used against the Genoese island of Lesbos, but the senators saw in the event a model for future Ottoman attacks on Venice's own colonies. They answered through a selective embargo aimed at depriving the Ottomans from access to a technology they did not possess: carracks and large galleys. Contrary to common opinion, carracks were seen as having great military value already in the 1450s; this view grew stronger during the conflict.

In 1463 Venice tried to persuade its allies to back the embargo, but the result was tension in the political status quo in Italy. As its only land campaign throughout the war,

which took place in the Peloponnesus, was crushed by the Ottomans in late 1463, the senate re-shaped the embargo into a full-scale ban on all trade with the Ottomans in early 1464. Thus, contrary to popular myth, Venice did not trade with the Ottomans while it fought them. The re-shaped embargo no longer aimed only at depriving the Ottomans of access to large ships, but also at curtailing the sultan's revenues from foreign trade. The senate sought to close loopholes by banning sales of ships to foreigners, trade in Genoese Chios (seen as a re-loading point for Constantinople-bound goods), and sales of strategic material to Southern Italy (whence it could easily pass into Ottoman Albania).

The papal embargo on trade with non-Christians, as we know from Part I, was total in law, but papal licenses made it selective in practice. Venice was unsuccessful in obtaining papal backing for its now total embargo – the papacy did not revoke its licenses – yet Venetian fleets repeatedly detained non-Venetian vessels. In the absence of papal support this was called piracy, but Venice successfully navigated the waters of contemporary law finding ways to hurt foreign merchants at minimal cost to itself. Whether in consequence of such actions or not, non-Genoese Christian trade with Constantinople declined. The impact of this on the Sultan's income is unclear, but the embargo probably attained its original goal. When in 1470 an Ottoman fleet finally appeared in the Aegean, it boasted just three large ships. The Venetians, however, failed to engage it and lost Negroponte, their second largest colony.

Consequently, between 1470 and 1474 Venice attempted to build a large anti-Ottoman coalition backed by its naval, economic, and technological support. Its allies, however, were either defeated or withdrew. A scandal with the papacy, centered on the embargo, put an end to the attempts to win papal backing for it. Venice began to

interfere into the affairs of the Kingdom of Cyprus and scaled down its anti-Ottoman efforts. Meanwhile, by 1475 the senate came to consider carracks its only hope in the war; the embargo thus remained its main anti-Ottoman tool in the closing years of the conflict. The State Attorneys prosecuted contrabandists from all over the Adriatic. Some had acted in small, others in large units; some had constructed veritable business partnerships, many were professional ‘embargo-transgressors.’ The embargo did not and probably could not suffice. Yet one wonders if it did not help to make the eventual peace treaty less devastating to Venice than most literature would have us believe.

Throughout the conflict, Venetian attempts to market the embargo as an enforcement of the papal policy against non-Christians failed to sell it not only to secular powers, such as Florence, but also to the papacy. On the one hand, it would appear that short-term papal interests, related to Italian politics, provoked this result. On the other, papal resistance to the pressures of a secular elite that lived on commerce, that conceptualized space in purely political, not religious terms, and that was notorious within Christendom for what would later be called ‘real politics,’ underscored that it was up to the papacy to decide on matters of interfaith relations. If the papacy’s own ideals had more to do with its role within Christian society rather than with Christian-Muslim relations per se, moreover, then the papal stance in relation to Venice’s embargo against Mehmed II can be seen as consistent with ecclesiastical principles.

## **10.2. Beyond the Papal Employment of Embargo and the Venetian Answer to Mehmet II**

The above conclusions help us to address three broader issues, namely (1) medieval ecclesiastical political action, (2) the trends that shaped Christian-Muslim

relations in the Mediterranean, and (3) the effects of the Ottoman conquest of Constantinople on western trade with Romania.

By accounting for the Church's own conceptualization of its actions and addressing matters which we term 'political' and 'economic,' but which the church saw as fundamentally moral, religious, this work has deliberately blurred the boundaries between different fields of inquiry. It differs from previous scholarship on medieval economic and political history in making the church's own understanding of its role in society a point of departure for the analysis of the papal employment of embargo. At the same time, it also differs from previous scholarship in the field of religious history by focusing on embargo, that is, on an intersection between the 'economic' and the 'political,' not on a matter typically labeled as lying within the ambit of religious history. This approach has allowed me to go beyond previous scholarship, which, generally, has neglected either the functional or the symbolic side of papal action. In addition, I considered papal embargoes in their *totality*, not in the sense of analyzing every single papal embargo in detail, but in the sense of considering the whole range of targets over a well-defined period in church history. Moreover, I 'read' the papal employment of embargo not simply against time- and place-specific objectives, but also against the goal that the Gregorian Church considered paramount, namely that of leading a Christian society to salvation. In the process, I believe I have made some suggestions of broader significance, which might appear intuitive to some, but run counter to the approach adopted in the scholarship considered in this work. With regard to the method of reading papal documents, I argued that the parts of papal documents typically dismissed as formulaic carry in fact the primary meaning which such documents sought to convey.

That is, we can read papal documents by simply focusing on the few sentences and words we have pre-determined to be of interest, only after we have looked at the type of document as a whole and established what message it sought to convey. In the case of trade restrictions and licenses, this approach reveals that these centered on the following points: (1) establishing ecclesiastical jurisdiction over all forms of trade with ‘infidels,’ (2) spreading the idea that trade with the ‘infidel’ endangered the soul, (3) establishing a conceptualization of economic activity as embedded into moral concerns (sanctioning subsistence and the pursuit of pious goals while condemning that of profit).

Similarly, not only should papal documents be read in their totality, but papal policies should be ‘read’ in relation to each other. Papal political behavior in a specific historical situation during the later middle ages cannot be satisfactorily explained by inducing it from individual documents, its meaning can be uncovered only in light of broader ecclesiastical policies of which the specific documents of interest are a part. This, we saw, was the case both in specific circumstances, such as Pope John XXII’s actions against Genoa, Venice, and individual jurists on matters of jurisdiction, and on a broader level, the papal policy of embargo in general. This twofold approach, which pays attention both to time-specific factors and principles imagined as timeless, allows us to assess both continuities and changes in papal action. This in turn allows us to calibrate our understanding of papal action, which this work has exposed as consistent over time and rational in its own, spiritual, terms.

My work has also questioned the dominant mode of measuring papal influence within later medieval society. I do not dispute the notion that after the mid-thirteenth century the church was rarely able to direct the actions of Christians, especially of lay

rulers, in the ways that popes like Innocent III, Gregory IX, and Innocent IV had hoped to. I have suggested, however, that the ideas generated during the period between about 1177 and 1234, when the church established a code of law of ‘proper’ relations between Christians and non-Christians, were fervently disseminated thereafter with important and long-lasting effects. These effects we cannot gauge from the ways in which kings curbed papal control over the clergy in their kingdoms or disregarded papal appeals for common action against the Muslims. We must assess such effects (1) by considering the role played by specific ideas within specific discourses and (2) by examining the behavior of individuals. We saw, for example, that the trope of ‘trading with the infidel’ as a crime against the Christian republic – although perhaps more in the service of secular rulers than of the papacy – was a part of Renaissance political discourse that affected both Genoa and Venice. We also saw that while transgressing the functional aspect of papal embargoes, individual Christians – whether Genoese merchants or Portuguese kings – accepted the message these helped to spread by drawing a clearly defined boundary between themselves as the faithful and non-Catholics as the Other. If the embargo regularly paid such kind of dividends at the very point where scholars have written it off, can this be true of other papal policies?

I will now turn from the question of how this work contributes to the study of the medieval papacy at large to that of how it adds to our knowledge of Christian-Muslim relations in the late medieval Mediterranean. It will be helpful first to consider briefly Muslim attitudes towards trade with the ‘infidel.’ Chapter 2 pointed that already in the late twelfth century, that is, well-before any papal attempts to control Christian trade with Muslims, Muslim jurists felt uncomfortable with imports from Christian lands, even in

the case of much needed grain. Leor Halevi's recent study of a 1409 fatwa of the Maghribi jurist Ibn Marzūq which sanctioned the use of western-made (*Rumi*) paper allows us to consider how Muslim lawyers dealt with the issue of trade with the 'infidel' toward the end of the chronological limits of this study.<sup>2</sup> The issue was raised by a Muslim inquiring whether purchasing Christian paper was allowed, perhaps because

As pork eaters and wine drinkers, they [the Christians] frequently consumed goods prohibited by Islamic dietary law. While Christians manufactured paper with their wet and impure hands, there was also the possibility that traces of pork or wine would infiltrate or contaminate the product.<sup>3</sup>

Thus the problem as envisioned by the petitioner was one of "purity and impurity."<sup>4</sup> It is difficult to fully grasp its meaning, for the results of "exposure to paper thus defiled" remain unclear; Halevi surmises that these could be fear of introducing polluting substances into a mosque and/or fear of compromising the Muslim's ritual purity.<sup>5</sup> In addition to Christians' consumption of pork and wine, the use of watermarks with Christian symbols may have also upset the inquirer.<sup>6</sup>

Ibn Marzūq declared that he had found no precedents on this matter; hence he may have been the first to discuss it.<sup>7</sup> Refusing to treat the problem as one of purity versus impurity, however, he chose rather to weigh purity against broader economic and

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<sup>2</sup> Leor Halevi, "Christian Impurity versus Economic Necessity: A Fifteenth Century Fatwa on European Paper," *Speculum* 83 (2008, 4): 917-945.

<sup>3</sup> Halevi, "Christian Impurity versus Economic Necessity," pp. 923-924.

<sup>4</sup> Halevi, "Christian Impurity versus Economic Necessity," p. 928.

<sup>5</sup> Halevi, "Christian Impurity versus Economic Necessity," p. 924.

<sup>6</sup> Halevi, "Christian Impurity versus Economic Necessity," p. 924. To put the issue in perspective, it may be pointed that Al-Malik (Ibn Marzūq followed the Maliki school) apparently disapproved of (though could not prohibit) interfaith marriage, in part on the grounds that the Muslim's non-Muslim wife could eat pork and drink wine, then have intercourse with the Muslim, Janina M. Safran, "Rules of Purity and Confessional Boundaries: Maliki Debates about the Pollution of the Christian," *History of Religions* 42 (2003, 3): 204-205.

<sup>7</sup> Halevi, "Christian Impurity versus Economic Necessity," p. 926.

social factors.<sup>8</sup> He then constructed an opinion favorable to the use of Christian paper based on a number of analogies, beginning with the Muslim use of Christian cloth.<sup>9</sup> Although the message of captured Christian books raised concern, their medium, apparently, did not.<sup>10</sup> To write Muslim sacred text on Christian paper was not very different from converting a Christian church into a mosque.<sup>11</sup> Finally, basing himself on Andalusian legal tradition, Ibn Marzūq went beyond such analogies to consider the broader usefulness of a product that might contain impurities. Since, in his view, “there was a necessity for the use of paper,” the Christian product could benefit Muslims both in religious and secular matters, therefore, “he sanctioned selling, buying, and, of course, writing on the paper product even though it might contain impurities.”<sup>12</sup> Moreover, his fatwa did not merely sanction the use of Christian paper. The legal reasoning behind it transformed “the Christian good into an Islamic good.”<sup>13</sup>

This, in turn, reminds of an act of ritual transformation from a state of impurity, to one of purity. While I have surmised that the papal employment of trade restrictions had to do primarily with the control of Christendom’s head over the body of the faithful, Kevin Reihart, borrowing from Mary Douglas’ *Purity and Danger*, has suggested that the

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<sup>8</sup> Halevi, “Christian Impurity versus Economic Necessity,” p. 928. The former, broad problem, had never been solved unequivocally, for example, some thought that it was admissible for Muslims to use water previously used by Christians; some did not. Halevi, “Christian Impurity versus Economic Necessity,” pp. 930-931.

<sup>9</sup> The Muslim use of Christian paper, after all, could be compared to that of Christian cloths, which could be considered as analogous to that of paper in terms of manufacturing, but not of use; hence the jurist needed “a specific proof text enabling Muslims to write on a medium associated with Christians.” Halevi, “Christian Impurity versus Economic Necessity,” pp. 931-934, quotation from p. 934.

<sup>10</sup> Despite the fact that Christian-made parchment was not produced in accordance to Islamic standards; he then discussed a number of cases showing that Muslims concerned themselves primarily with content rather than form, Halevi, “Christian Impurity versus Economic Necessity,” pp. 934-937.

<sup>11</sup> Halevi, “Christian Impurity versus Economic Necessity,” p. 936.

<sup>12</sup> Halevi, “Christian Impurity versus Economic Necessity,” pp. 937-938, quotations from p. 938. Thus according to Halevi, Ibn Marzūq defended previous Islamic jurists against the charges implicit in the request of the “overzealous, insufficiently legal-minded enquirer,” *ibidem*, p. 944.

<sup>13</sup> Halevi, “Christian Impurity versus Economic Necessity,” p. 945.

practices of ritual purity in Islam can be conceptualized as a form of control of one's will over one's body.<sup>14</sup> What matters to us here, however, is the very 'necessity' to deal with the question in the first place, which suggests that interfaith trade was a problem to be addressed not only for Christians, but also for Muslims.<sup>15</sup>

Halevi's exemplum may not provide a basis for a comparison of Christian and Islamic attitudes towards trade, but it does lead to two important considerations. First - with regard to the question of trade between Christians and Muslims – Halevi highlights the key fact that the Islamic tradition was far less centralized and uniform than that which the reformed papacy had sought to create in the West. This is important, because it reminds us that while the Papal view was presented as that of the Church as a whole, it is pointless to search for such a monolithic Islamic position on trade with Christians. Second, Halevi's work suggests that the papal practice of allowing trade between Christian and Muslim communities under specific licenses, typically justified by economic need, had an effective counterpart in the less centralized Islamic tradition. In other words, confronted with one and the same problem, namely how to weigh economic

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<sup>14</sup> Kevin Reinhart, "Impurity/No Danger," *History of Religions* 30 (1990, 1): 1-24, specifically pp. 18-20. The application of Mary Douglas, *Purity and Danger: an Analysis of Concept[s] of Pollution and Taboo* (London: Routledge, 2002 [1966]) to matters of Islamic history has not been left unchallenged. See for a discussion Marion Holmes Katz, *Body of Text. The Emergence of Sunnī Law of Ritual Purity* (Albany: State University of New York Press, 2002), pp. 13-24. I am unconvinced by Katz' assumption that the "control' hypothesis," as she calls it, p. 21, has to account for every detail in every case it is applied in order to have validity and by her conflation of the question how Islamic jurists saw the matter with the question how we are to understand it, as on p. 24.

<sup>15</sup> Indeed, Islam appears to have been quite restrictive with regard to certain forms of commercial contact. Thus while given the parallel existence of several legal traditions it is not surprising that Muslim jurists disagreed on the question of whether or not Muslims could enter into certain kind of partnerships (*mufāwada*) with non-Muslims, a negative take on the matter prevailed. The meaning of the term itself varied from school to school; it could also be used as a general word for "partnership," Abraham, L. Udovitch, *Partnership and Profit in Medieval Islam* (Princeton: Princeton University Press, 1970), pp. 40-51. Christians could also be banned from entering in partnership with Muslims, as in the case of the so-called Boucicault laws for Genoa, 1403-1407. In practice, however, things might have been more complicated. Stefan Stantchev, *Money. Mentality. Community. Caffa in the Fourteenth Century* (Budapest: MA Thesis, Central European University, 2002), pp. 63-66.

benefit against religious considerations both popes and Islamic jurists throughout the period found a way both to sanction the Faithful's daily activities and subordinate them to moral concerns. Indeed, while I have shown that ecclesiastical policymakers did not distinguish between what we call practical and religious matters, Halevi asserts that "Muslim jurists did not fully separate ritual and economic concerns."<sup>16</sup>

Such considerations, when added to the conclusions drawn from Parts I and II of this work, oppose the general tendency displayed by historians of medieval commerce to paint an 'optimistic' picture of medieval economic interactions by highlighting examples of commercial exchanges while neglecting the importance of religious restrictions on such exchanges and their unquantifiable effects as well as the place that such exchanges held with different, religion-based, systems of thought. The papacy's permanent deployment of embargo lends support to a much less optimistic view. For the reformed papacy, a center of religious power that both strove to control the souls of its spiritual flock and had universal pretensions, interfaith conflict could only come to represent the 'normal state of things:' as means of creating, controlling, and expanding the body of the faithful. Thus the history of papal embargo helps us understand the history of Christian-Muslim relationships in the medieval Mediterranean between 1100 and 1500 as shaped by a complicated and continuous clash between religious ideals of homogeneity on the one hand, and economic factors promoting interfaith contact, on the other. This clash took place not only within the realm of the visible, in the form of embargoes and crusades, but also within that of the invisible, within the minds of Christian merchants, who while focused on the pursuit of economic gain, also undertook acts designed to enhance their chances for 'salvation.'

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<sup>16</sup> Halevi, "Christian Impurity versus Economic Necessity," p. 921.

Finally, Part II of this work helps us address the question of the Ottoman impact on western trade in the aftermath of the Ottoman conquest of Constantinople. Mehmed's striking victory in 1453 supplied a final vision of the conquering "Turk" whose overwhelming military prowess already cast a shadow over the Christian world. Heyd's important study became a cornerstone of this 'catastrophic' view of the effects of Ottoman conquests on commerce. Over the last half a century or so, however, the focus of scholarly attention has largely shifted. Within the ambit of the history of trade, this direction of research is well-exemplified by Inalcik's part of the "Economic and Social History of the Ottoman Empire," which sought to replace Heyd's implicit 'Italo-centrism' with a focus on the population (and trade) of the Ottoman Empire itself. Specifically with Ottoman-Genoese relations in mind, Kate Fleet has argued that the reasons for the decline of the Genoese trade in Romania in the late fifteenth century cannot be explained by the Ottoman advance and the economic policy of the Conqueror.<sup>17</sup> Any negative effects of Turkoman and Ottoman expansion have been confined to the sphere of maritime safety.<sup>18</sup>

Unfortunately, the question of how the Ottoman advances affected trade in the Eastern Mediterranean has received considerably less scrutiny than the above presented 'big picture' would lead one to believe. Nevertheless, the current state of research suggests that at least prior to the fall of Constantinople we cannot speak of any

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<sup>17</sup> Kate Fleet, *European and Islamic Trade in the Early Ottoman State* (Cambridge, UK: Cambridge University Press, 1999), specifically p. 133. She has thus rebuffed Heyd's contemporary Camillo Manfroni, who believed that the Genoese as if by definition could not have found good deals in Ottoman territory, Camillo Manfroni, "Le relazioni fra Genova, l'impero byzantino e i turchi," *Atti della Società Ligure di Storia Patria* 28 (1898): 718.

<sup>18</sup> Within his conceptualization of Muslim advances in the Eastern Mediterranean in Wittek's terms, Inalcik has admitted, that the Muslims represented a threat to Christian navigation. He speaks of "ghaza activities on sea" undertaken by the Turkoman principalities in Asia Minor in an attempt to create a Muslim Empire in the Aegean. Halil Inalcik, "The Rise of the Turkoman Maritime Principalities in Anatolia, Byzantium, and the Crusades," *Byzantinische Forschungen* 9 (1985): 179-217, in particular 215.

substantial negative effects of the Ottoman advances on western trade.<sup>19</sup> The safety of Venetian navigation in Romania might have been a source of concern, but it should not be overstated.<sup>20</sup> Ultimately, the fate of Mediterranean trade may have well lain outside the scope of Italian and Ottoman action.<sup>21</sup> Nevertheless, important changes did occur

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<sup>19</sup> The question of the Ottoman impact on western trade in the east prior to 1517 must be addressed by first determining the importance of trade in Romania in relation to that with Mamluk Egypt, which in turn means to discern the importance of the spice trade in relation to all trade. In the 1950s and 1960s, a discussion arose around the overall importance of spices for the Italian trade in the east. While in his works Robert Lopez attributed a major role to them for the economic awakening of Europe, Robert-Henri Bautier challenged this view, speaking of a “myth of the spices.” Robert-Henri Bautier, “Les relations économiques des Occidentaux avec les pays d’Orient au Moyen Age. Points de vue et documents,” In Michel Mollat, ed., *Sociétés et compagnies de commerce en Orient et dans ‘Océan Indien. Actes du 8<sup>e</sup> Colloque international D’Histoire maritime* (Paris: S.E.V.P.E.N., 1970), pp. 263-331. Ashtor’s work, however, convincingly showed that Lopez was in fact right with regard to Venice, whereas Balard’s work has shown that Bautier made indeed a very valid point with regard to Genoa. According to Thiriet, the same period for Venetian trade in Romania was one of prosperity, “un demi-siècle de prospérité,” Thiriet, *La Romanie vénitienne*, pp. 410-428, marked by repopulation and increased security in Lower Romania, among other trends. Thiriet explicitly affirmed that whatever the Ottoman impact on the Black Sea it could not have been of any significant relevance to the Venetian interests in Romania, *ibidem*, p. 428, not to talk about the Levantine trade of *la Serenissima* in general. Inalcik has stressed that Venetian - Ottoman trade continued undisturbed even in the time of major confrontation around the year 1400, Inalcik and Quataert, *An Economic and Social History of the Ottoman Empire*, pp. 316-317, although, in light of what shown in Part II above, this matter deserves further study. The Genoese, on the other hand, did rely mostly on goods produced in the Eastern Mediterranean, including foodstuffs, not so much on the items of long-distance trade. Yet while we can speak of a negative Ottoman impact on Aegean trade in terms of piracy, raids, and tribute imposition, but not in terms of elimination of trade routes or boycotts on the export of goods key to Venetian and Genoese trade. The Ottomans are not to be automatically connected to developments such as the overall rise in prices on the European markets in the third quarter of the fourteenth century. This may have been provoked in part by political events in the Eastern Mediterranean, but not necessarily such linked to the Ottomans. As Jacques Heers argued, the reason was any military confrontation, be it the war of Tenedos between Venice and Genoa, the battle of Nicopolis, result of an anti-Ottoman crusade, or Tamerlan’s destruction of Tanasee Jacques Heers, “Il commercio nel Mediterraneo alla fine del sec. XIV e nei primi anni del XV,” *Archivio Storico Italiano* 113 (1955, 2): 208-209.

<sup>20</sup> In various works and particularly when discussing the Venetian occupation of Tenedos, Thiriet has stressed on the importance of guaranteeing the safety of Venetian navigation in Romania, Freddy Thiriet, “Venise et l’occupation de Ténéodos au XIV<sup>e</sup> siècle,” *Mélanges de l’École Française de Rome (Mélanges d’archéologie et d’histoire)* 65 (1953): 219-245. The problem of safety was indeed serious, but the main actors were Genoese and Catalans, not Turkomans or Ottomans, Ashtor, *Levant Trade in the Later Middle Ages*, pp. 384-391. Balard shows that insurance premiums in direction of Caffa and of Alexandria were both in the same range, four to five per cent, while the sea insurance in the territory close to the Ottomans (for a journey from Caffa to Chios) was only one and a half per cent, Balard, *La Romanie Genoise*, II, p. 638.

<sup>21</sup> It has been surmised that the ultimate decline of Mediterranean trade had to do with factors transcending the Ottomans. Inalcik reached the conclusion that in the first third of the sixteenth century the Portuguese activities in the Indian Ocean deliberately focused on annihilating the spice trade route from India to Alexandria through the Red Sea, sometimes with great success, as in 1530 when the Venetians found no spices in Alexandria, Inalcik and Quataert, *An Economic and Social History of the Ottoman Empire*, pp. 315-327. Yet, even in the second half of the sixteenth century Venice could find another period of profitable trade in spices, this time by exporting them from Aleppo and Tripoli where they arrived through

once Mehmed II conquered Constantinople. These, contrary to current views, appear to me to have indirectly but nevertheless negatively affected Italian trade with Ottoman territories in two ways. First, as a result of the Ottoman desire to establish a certain degree of control over economic activity in general and trade in particular.<sup>22</sup> Second, as a result of the reconstruction of Constantinople as an enormous consumption center, which needed the victuals produced by a rather large area for its population and the raw materials for its industries, thus limiting the availability of local resources for export.<sup>23</sup>

The findings of this work support this skeptical view. On the surface, Mehmed II appears to have done nothing to directly affect Venetian trade with his empire. Even his flat tax on Venetian trade in the eventual peace treaty did not represent a tax increase over a certain trade volume. At the same time, his seizure of four Venetian carracks and their use in the conquest of Genoese Lesbos were considered moves of extraordinary

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the Persian Gulf, despite Dubrovnik's rivaling them, *ibidem*, 343-345. Finally, Suraiya Faroqi has pointed that Venice's decline as a first hand commercial power took place only in the first half of the seventeenth century when it could no longer match the competition of English and Dutch merchants and when the Dutch established a tighter control over the spice trade in the Indian Ocean than that of the Portuguese, Suraiya Faroqi, "The Venetian Presence in the Ottoman Empire (1600-1630)," *Journal of European Economic History* 15 (1986, 2): 350-351.

<sup>22</sup> Şevket Pamuk, *A Monetary History of the Ottoman Empire* (Cambridge: Cambridge University Press, 2000), p. 13. According to Inalcik, the general preoccupation of the rulers for the well being of their subjects based on Islamic religious principles, included attention to trade, Halil Inalcik, "The Ottoman Economic Mind and Aspects of the Ottoman Economy," in M.A. Cook, ed., *Studies in the Economic History of the Middle East* (London, New York, Toronto: Oxford University Press, 1970), p. 207. According to Fleet, while the Ottomans considered the revenue from taxing it an important source of income, they did not overburden it with taxes and duties, Fleet, *European and Islamic Trade in the Early Ottoman State*, pp. 130-131. This is debatable: while it can be agreed that four to five per cent "kommerkion" is not a large tax, but we can hardly agree with Fleet that the situation before the Ottomans was largely the same. After all in Byzantium, Venetians and Genoese used to pay no taxes during the period concerned, and in other territories in the Black Sea area they paid two to three per cent. On the importance of taxes for the "Ottoman economic mind" see also Inalcik and Quataert, *An Economic and Social History of the Ottoman Empire*, pp. 189-190.

<sup>23</sup> Three years after the conquest, Mehmet II started his policy of revival of the city, Halil Inalcik, "The hub of the city: The Bedestan of Istanbul," *International Journal of Turkish Studies* 1 (1980): 4. He ordered merchants from big trading outposts such as Bursa and Caffa to transfer to the capital, Inalcik, "The Ottoman Economic Mind," p. 207. The Ottoman preoccupation with Istanbul was such that over time it brought to the decline of previously important commercial centers; to Bursa and Caffa we have to add Izmir and all of western Anatolia, Eldem Edhem, Daniel Goffman, and Bruce Masters, *The Ottoman City between East and West. Aleppo, Izmir, and Istanbul* (Cambridge: Cambridge University Press, 1999): 82-87.

importance and danger by the Venetian senate. We saw that this was a decisive moment in the series of events that led Venice to halt all trade and accept open war with the Ottomans. Thus Heyd, after all, may have been not as wrong as we have been led to believe. The “Ottoman economic mind” may have been favorable to trade, and the changes in the patterns of trade may have benefited local merchants; but with regard to Italian trade, the constant expansionism of the Ottomans under Mehmed II and consequent Venetian insecurity about ships and territories, appears to have had an impact in that city. Mehmed’s policies thus had indeed a negative impact on Venetian trade, and because of the Venetian embargo, also on Florentine and Anconitan, and occasionally even on Genoese trade.

### **10.3. Embargoes as a Medieval Reality: The Origins of an Economic Tool of Foreign Policy**

We saw at the very beginning of this work that the modern word ‘embargo’ probably derives from the vulgar Latin *imbarricare* meaning to erect a boundary. Papal proclamations focused on excommunicating the ‘embargo-transgressor’ and hence instituted trade restrictions only implicitly, without using specific nouns to designate them. Elsewhere, papal documents referred to papal embargoes with words that had broad meaning. Similarly, in Latin, Venice referred to its embargo against Mehmed II as *inhibitio* and *prohibitio*, while a Venetian document in vulgar several times used the word *devedo* to refer to these restrictions. The Latinized version of the same word, *devetum*, was actually a very popular term used to refer to trade restrictions throughout the period. In documents written in Latin, *devetum* (plural *deveta*), however, was a not a Venetian, but a Genoese usage. What kind of situations did the Genoese label as *devetum*?

We saw that a Genoese restriction of trade with Muslims in 1151 may point to a specific historical occasion – the dramatic failure of the Second Crusade – when the papacy first took an active interest in Christian trade in material goods with non-Christians. This document used the word *devetum* twice. In the subject matter, to refer to the ban on carrying timber for construction and arms to Muslims and in the text itself, where those who would neglect the said *devetum* are themselves subjected to *deveto*, as well as their goods.<sup>24</sup> Such usage was not exceptional; restrictions of trade with Muslims can be found in pacts that Genoa concluded with other Christian cities. In 1229 Marseille declared that it would respect any *devetum* against Muslims proclaimed by Genoa.<sup>25</sup> Conversely, a treaty stipulated in 1251 that should Marseille’s citizens suffer requisitions and should the peace be broken by the Muslims, Marseille would proclaim a *devetum*, which Genoa would in turn be obliged to respect.<sup>26</sup>

Treaties between Genoa and settlements along the Ligurian coast, most dating from the turn of the thirteenth century, usually contained an almost identical disposition to respect any *deveta* that Genoa might decide to impose.<sup>27</sup> In 1155, a treaty with William VII, count of Montpellier, which required the inhabitants of Saint Gilles to respect the pacts they made with Montpellier’s envoy, or face a *devetum* on travel to their

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<sup>24</sup> *Libri Iurium* I/1, #151, p. 223 (May 1151).

<sup>25</sup> And that it would not relax it until Genoa had done so first *Libri Iurium* I/2, #375, pp. 289-302, specifically p. 295.

<sup>26</sup> *Libri Iurium* I/4, #715, pp. 126-143 (9 Nov 1251), specifically p. 128.

<sup>27</sup> Ventimiglia, *Libri Iurium* I/5, #420, pp. 409-414 (17 Dec 1192 and 4 Mar 1193) and # 429, pp. 429-437 (12 Jul 1218); San Remo, *Libri Iurium* I/3, #450, pp. 3-7 (16 Oct 1199); Diano, *Libri Iurium* I/3, #453, pp. 14-19 (20 and 24 Sep 1199); Oneglia, *Libri Iurium* I/3, #454, pp. 19-23 (29 Sep 1199); Albenga, *Libri Iurium* I/3, #462, pp. 45-49 (19 and 23 Sep 1199); Portomaurizio, *Libri Iurium* I/3, #452, pp. 10-14 (24 Jan 1200); Noli, *Libri Iurium* I/3, #465, pp. 56-60 (19 Apr 1202); Savona, *Libri Iurium* I/3, #466, pp. 60-65 (Apr 1202); Andora, *Libri Iurium* I/3, #486, pp. 108-109 (6 Jun 1228); the marquis of Clavesana, *Libri Iurium* I/3, #475, pp. 90-93 (16 Sep 1233).

port, even uses the verb *devetabimus*.<sup>28</sup> *Deveta* appear in Genoese treaties with foreign entities well-beyond the coasts of Liguria and Provence. In a 1251 pact with Florence, Genoa promised not to impose any interdiction (*interdictum*) or *devetum* on Florentine imports to and exports from Genoa; in addition, the Florentines were not to navigate with the enemies of the Genoa.<sup>29</sup> Indeed, *deveta* mattered a great deal throughout the Mediterranean, as for example, in Genoese-Byzantine relationships. In the famous treaty of Nymphaeon (1261) Emperor Michael VIII promised the Genoese that he would not subject Genoa to *devetum* on any merchandise, victuals, or grain, and that he would allow their export from the empire.<sup>30</sup> Thus he explicitly gave up the system of export controls (strategic embargo) that the Byzantine Empire had employed from the time of Justinian until 1204. The treaty also makes the same point in a different way: all Genoese merchants, had *licenciam* to export (*extrahendi*) anything except gold and silver.<sup>31</sup> Genoa, however, accepted no such obligation; in the mid-1270s Michael VIII asked the republic to lift a *devetum* it had imposed on Genoese trade in Romania.<sup>32</sup>

In sum, the Genoese used the word *devetum* since at least the 1150s, and very frequently by 1200, to refer to trade restrictions in general. These could concern specific goods (timber, arms, grain), and also navigation in general (as in Romania). In addition, *deveta* could strike not only political entities, but also individuals. In Genoese usage the word *devetum*, therefore, designated two different situations. On the one hand it could refer to the exclusion from economic contact with the body politic of a disobedient

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<sup>28</sup> *Libri Iurium* I/6, #941, pp. 22-24 (May 1155).

<sup>29</sup> If they did so, they would not be allowed to ask for compensation, *Libri Iurium* I/4, #727, pp. 205-210 (13 Sep 1251), specifically pp. 206, 209.

<sup>30</sup> *Libri Iurium* I/4, #749, pp. 271-285 (1261), specifically p. 275. For a description of the treaty in English, see Epstein, *Purity Lost*, pp. 100-106.

<sup>31</sup> *Libri Iurium* I/4, #749, p. 279. A later treaty made again the point that the empire is not to proclaim any *devetum*, *Libri Iurium* I/5, #861, pp. 95-97 (1270-1278).

<sup>32</sup> Balard, *La Romanie génoise*, I, p. 53 n. 141.

member. On the other hand, it could refer to a partial or complete severance of trade with another political entity. In the first of these usages, the Genoese concept of *devetum* resembles the papal exclusions of disobedient individuals, Christians or Jews, from economic contacts with the body of the Faithful. A research into this usage of Genoese *deveta* may well show that these, when applied to individuals, operated on two levels, the functional and the symbolic, as did all papal embargoes.

The other, and more common way in which the word *devetum* appears in the above documents conforms to the common usage of the word ‘embargo’ today rather than to its specific application within the ‘sanctions debate’ as a narrower concept. While this dissertation focused on embargoes, not *deveta*, the emergence of the withdrawal of trade as a tool for the achievement of goals that transcend the ambit of the ‘economic’ cannot be historically distinguished from that of ‘trade wars,’ or protectionism. We have seen through the works of Fidenzio of Padua and Marin Sanudo that by the early fourteenth century the embargo was a well-conceptualized policy tool. Briefly sketching the employment of – to borrow from the Genoese – *deveta* across Europe and the Mediterranean will show (1) that these were frequently employed throughout the fourteenth and the fifteenth century, and (2) that embargoes emerged as a policy option alongside trade wars and economic protectionism.

There is no doubt that the primary goal of a great deal of Venetian and Genoese trade restrictions from at least the twelfth century was their well-attested desire to ensure economic domination of, respectively, the Upper Adriatic (as the senate once put it before Anconitan ambassadors, Venice had “most ancient jurisdiction and perpetual

possession of its Gulf”)<sup>33</sup> and the *levante* and *ponente* of Genoa (the coast to the east and west respectively). It is less well-known that the same practice was employed in favor of territories beyond-the-sea. From 1269 the Genoese may have held as a veritable program the principle that Venetians should not be allowed into the city of Tana, on the estuary of the Don river, at the Azov Sea,<sup>34</sup> which was to become the second-most important emporium in the northern Black Sea area after Genoese-ruled Caffa, in the Crimea. In order to facilitate the reconstruction of Caffa after the Genoese themselves had abandoned and burned it in order to prevent its fall to the Mongols (1308), the *Officium Gazarie*, which administered navigation and trade in the region, instituted a ban on trade with the rival city of Soldaia (1316), while the Genoese merchants were banned from spending the winter or purchasing real estate in Tana.<sup>35</sup> The 1355 treaty of Milan between Genoa and Venice, which ended the third great war between these two medieval naval superpowers, prohibited navigation to Tana for a period of three years.<sup>36</sup> Tana, of course, was the chief Venetian trading outpost in the region and hence the prohibition hurt Venice far more than Genoa, which controlled the rival and larger city of Caffa. After the treaty of Turin concluded the next and last great war with archrival Venice (1381), Genoa instituted a similar *devetum Tane* for two years.<sup>37</sup>

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<sup>33</sup> “antiquissimam iurisdictionem et perpetuam possessionem Culfi nostri,” A.S.Venezia, Sen. Del. Sec. Reg. 25, f138v [147v] ((23 Jun 1472).

<sup>34</sup> Șerban Papacostea, “Quod non iretur ad Tanam. Un aspect fondamental de la politique Génois dans la mer Noire au XIV<sup>e</sup> siècle,” *Revue des études sud-est européennes* 17 (1979, 2): 201-217. On Tana see Elena Skržinskaja, “Storia della Tana,” *Studi Veneziani* 10 (1968): 3-45.

<sup>35</sup> Balard, *La Romanie génoise*, I, pp. 158, 199, Forcheri, *Navi e navigazione*, p. 20.

<sup>36</sup> A.S.Genoa, Libri Iurium II/7, ff. 295v-298r (1355), specifically f296r. During the war itself, Venice had banned navigation to Chios and the Black Sea, for Venetians, Pisans, and others; this ban was at least occasionally enforced as we learn from the fact that Venetian galleys detained the Pisan round-ship “Santa Clara,” A.S.Venezia, Libri Commemorativi IV Copia, ff. 583r-587v, specifically 583r/v (18 Jan 1353). Summary in Predelli, *Commemorativi*, II, #405, p. 197.

<sup>37</sup> Balard, *La Romanie Genoise*, I, p. 156. It also enforced it, as one can deduce from *ibidem*, p. 451.

The use of trade restrictions as a way of curtailing competition is also well-attested in northwestern Europe. The German Hanse, for example, acted similarly to Venice and Genoa. Given the early and extensive privileges enjoyed by the Hanse, Michael Postan considered its defensive behavior during the late middle ages a (protectionist) attempt to resist economic change.<sup>38</sup> Flanders, on the other hand, represented a different case. Unlike Genoa, Venice, and the Hanse, its 'Big Three' (the cities of Bruges, Ghent, and Ypres) depended on production more than on transit trade, hence some of its trade restrictions protected manufacturing. Flanders depended on England for the delivery of the wool necessary to produce the famous Flemish woolen cloth. At the same time, English production of such cloth posed a serious threat to Flemish prosperity from the mid-fourteenth century.<sup>39</sup> The trade restrictions imposed by Flemish cities sought therefore not so much to ensure that their main trade partners not obstruct trade, as in the cases of Genoa, Venice, and the Hanse, but rather that some trade remain off-limits.<sup>40</sup> Flanders may have imposed a country-wide boycott on the import of English cloth as early as 1306-1307; by 1364 England had given up hope of exporting woolen cloth to Flanders.<sup>41</sup> Since the purpose of these boycotts was to protect the luxury, town-based manufacture of wool-cloth, cheap textiles had been exempted from the boycott at an early date, although all Scottish imports, even of cheap products were

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<sup>38</sup> Michael M. Postan, "The Economic and Political Relations of England and the Hanse from 1400 to 1475," in Eileen Power and M.M. Postan, eds., *Studies in English Trade in the Fifteenth Century* (New York: Barnes&Noble, 1966), p. 94.

<sup>39</sup> See in general John Munro, *Wool, Cloth, and Gold. The Struggle for Bullion in Anglo-Burgundian Trade, 1340-1478* (Toronto: University of Toronto Press, 1972), idem, "Industrial Protectionism in Medieval Flanders: Urban or National?," in Harry A. Miskimin, David Herlihy, and A.L. Udovitch, eds., *The Medieval City* (New Haven: Yale University Press, 1977), pp. 229-268.

<sup>40</sup> Ypres, for example, had long restricted the sale of rural-made cloth, but paid much more attention to its ban on the import of cloth from abroad, Munro, "Industrial Protectionism in Medieval Flanders," pp. 229-230.

<sup>41</sup> As the Flemish argued that these would ruin them Munro, "Industrial Protectionism in Medieval Flanders," pp. 235, 238-239, idem, *Wool, Cloth, and Gold*, pp. 7-8.

banned until 1441.<sup>42</sup> The very economic interdependence between Flanders and England, the former using English wool as the raw material for its most profitable industry, the latter using its export as a key source of cash revenue, and then striving to export woollen cloth as well, underlined the long-lasting economic conflict between the two sides in the fifteenth century.<sup>43</sup> Throughout the fifteenth century English attempts to increase the output of the Calais mint and revive the Calais staple trade led to several long-lasting Flemish retaliatory bans on English cloth imports.<sup>44</sup> In sum, we can label one of the uses of trade restrictions, which the Genoese called *deveta*, as ‘economic protectionism.’ The timeline presented above appears to show a temporal relationship between the emergence of protectionist policies and the “Commercial Revolution” of the central middle ages.

Another use of trade prohibitions had to do with what Chapter 1 termed trade wars, that is, *deveta* aimed at obtaining favorable trade conditions. These, too, proliferated from the thirteenth century, the apogee of the “Commercial Revolution.” In 1280-1282, for example, the Hanse banned trade with Bruges in order to elicit favorable trade conditions; the Hanse repeated this measure four more times over the next 150 years with varying degree of success.<sup>45</sup> The Venetians similarly withdrew on their own accord from Genoese Pera when the Genoese there instituted new weights and measures

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<sup>42</sup> Munro, “Industrial Protectionism in Medieval Flanders,” pp. 240-242. These Flemish trade-restrictions were effective enough to force English merchants to seek alternative routes; representatives of towns from Holland and Brabant also discussed introducing such bans, Munro, “Industrial Protectionism in Medieval Flanders,” p. 246, idem, *Wool, Cloth, and Gold*, pp. 8, 68-70.

<sup>43</sup> Munro, *Wool, Cloth, and Gold*, pp. 1-9. Yet, the root of the trouble lay elsewhere, namely, in the fact that after 1351 English kings could no longer debase the currency at will and started to use trade controls as a means of providing themselves with specie. Edward III, Richard II, Henry VI, and Edward IV all concentrated on the wool exports, Munro, *Wool, Cloth, and Gold*, pp. 34-37. The Flemish boycott notwithstanding, licenses (and contraband) again provided exceptions to the rule, ibidem, pp. 93-98.

<sup>44</sup> Munro, *Wool, Cloth, and Gold*, pp. 93-179.

<sup>45</sup> Dollinger, *The German Hansa*, pp. 48-51, 75-77, 110-111, 301-302.

in 1336.<sup>46</sup> Trade wars often centered on issues such as the extent of trade privileges. In 1284, for example, the Hanse was in conflict with Norway over this matter. As exports of grain, vegetables, beer, and other foodstuffs to Norway were banned and a naval blockade imposed, Norway had to suffer the ensuing famine and capitulated, granting the Hanse extensive privileges.<sup>47</sup> Also successful was a ban that the Hanse employed against Denmark in the 1360s, in this case, as Venice a century later, the Hanse employed trade restrictions alongside diplomacy and military action.<sup>48</sup> In the early fifteenth century the Hanse sought to coerce England to defend its positions there by banning hanseatic shipping to England. Prussian ships were not to import English cloth or export tar, ashes, and bow staves to England. Disobedient captains were to lose their rights, merchants from the Low Countries were ‘invited’ to participate in the ban or suffer the consequences.<sup>49</sup>

Not only the question of trade privileges in general, but also custom dues, in particular, often sparked trade wars. As late as 1450 Venice did not hesitate to engage in an apparently quick and successful trade war with Byzantium over custom dues.<sup>50</sup> The Genoese, too, were no strangers to attempting to coerce local rulers to accept trade conditions favorable to the Ligurians. In the second half of the fourteenth century Genoa was at odds with an off-shoot of disintegrating Bulgaria, the so-called principality of

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<sup>46</sup> François-Xavier Leduc, ed., *Venezia-Senato. Deliberazioni miste. Registre XVII (1335-1339)* (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2007), #665-671, pp. 258-261 (18 Jul 1336), summary in Thiriet, *Régestes des Délibérations du sénat...*, I, #71, p. 37.

<sup>47</sup> The Hanseatic measure was a “complete success,” Dollinger, *The German Hansa*, p. 49.

<sup>48</sup> Dollinger, *The German Hansa*, pp. 67-71.

<sup>49</sup> Henry IV then turned to Venice for cables and cords, all in all “...the Hanse’s efforts to deny such goods to England were ineffective.” T.H. Lloyd, *England and the German Hanse, 1157-1611. A Study of Their Trade and Commercial Diplomacy* (New York: Cambridge University Press, 1991), p. 116.

<sup>50</sup> Safety was also a concern on this occasion, Thiriet, *Régestes des Délibérations du sénat...*, III, #2834, p. 159 (17 Aug 1450).

Dobrudja, as a result of the Genoese desire to trade in the region without paying custom dues or taxes.<sup>51</sup>

It is within this context of employing trade restrictions in the direct pursuit of economic advantage that we find the emergence of embargo as a policy instrument adopted by the papacy, Venice, Genoa, The German Hanse, the Flemish “Big Three,” and the King of England. We are getting closer to the conceptualization of embargo adopted in this work with *deveta* that served to protect the sender’s merchants in times of uncertainty because the purposes of such bans were not immediately economic in nature. In 1338 the Venetian senate ordered its bailo in Trebizond to make sure that Venetian merchants not trade in Ilkhanid lands nor purchase goods originating there in any other lands, including markets as far away as Tana, Constantinople, and Cyprus. The prohibition was to be announced on July 1 each year, and no one was allowed to claim ignorance. The huge fine of 1,000 pounds provided incentive for compliance. The stated reason for the ban was the fact that Venetians in Ilkhanid lands had suffered damages; the inimical acts against them hurt Venetian trade as well as the city’s honor (*nostro honore*).<sup>52</sup> Given the importance of such trade, this must have been a difficult decision, which is also what the voting record suggests. The senate, on the other hand, was almost unanimous when it banned Venetian trade with the principality of Achaia in response to

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<sup>51</sup> Vassil Gjuzelev, “Il Mar Nero ed il suo littorale nella storia del medioevo bulgaro,” *Bulgaria Pontica Maedii Aevi I/Byzantinobulgarica* VII (1981): 11-24, specifically p. 23. On the relations between the principality and Genoa see also Basso, *Genova: un impero sul mare*, pp. 85-97 and Elisaveta Todorova, “Le relazioni di Dobrotiza con i genovesi,” In Geo Pistorino, ed., *Genova e la Bulgaria nel Medioevo* (Genoa: Università di Genova, Istituto di medievistica 1984), pp. 235-247. The Danube area was important for the Genoese, because between 1270/1280 and 1360/1370 they used it, without significant interruptions, as a supply zone for goods such as grain, see Elisaveta Todorova, “The Genoese and the Danube River,” *Bulgaria Pontica Medii Aevi* 2 (1988): 333-349.

<sup>52</sup> Leduc, *Venezia-Senato. Deliberazioni miste. Registre XVII*, #1204-1208, pp. 459-462 (17 Dec 1338), summary in Thiriet, *Régestes des Délibérations du sénat...*, I, #83, p. 39.

what it labeled as maltreatment of the Venetians there.<sup>53</sup> Venice was no exception. Damages suffered by Genoese merchants in Bulgarian lands apparently stood behind the Genoese *devetum generalis* against Bulgaria in the first half of the fourteenth century.<sup>54</sup> The Genoese consul of Caffa was to institute *deveta* on trade in regions considered to be dangerous.<sup>55</sup> In 1370 there was a general *devetum* on Genoese navigation; throughout the war of Tenedos, 1378-1381 all navigation in dangerous waters was forbidden.<sup>56</sup> In northern Europe, we find that in 1405 the German Hanse enacted a halt of trade as a defensive measure against piracy<sup>57</sup> and that in 1436 it suspended trade with Flanders after dozens of Hanseatic merchants were killed.<sup>58</sup>

As with every attempt at typology, there are borderline cases. When in 1205 Venice shut Genoa out from the former Byzantine territories, called Romania, through the treaty known as *Partitio Romaniae*, Genoa was quick to retaliate in a twofold manner. It proclaimed a *devetum* on Genoese trade in Romania and attacked territories awarded to Venice by the treaty as well as Venetian ships. This is a notable case on the borderline between trade war and embargo,<sup>59</sup> for this was a conflict over trade prospects as well as

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<sup>53</sup> François-Xavier Leduc, ed., *Venezia-Senato. Deliberazioni miste. Registre XIX (1340-1341)* (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2004), #380, pp. 195-196 (13 Jan 1341) and #386, p. 197 (15 Jan 1341). Summary in Thiriet, *Régestes des Délibérations du sénat...*, I, #116, p. 45 (13/15 Jan 1341).

<sup>54</sup> On Genoa and Bulgaria in the period see Ivan Sakazov, "Le relazioni commerciali fra la Bulgaria e i genovesi all'inizio del secolo XIV," in Pistarino, *Genova e la Bulgaria nel Medioevo*, pp. 319-349 and Vassil Gjuzev, "Du Commerce génois dans les terres bulgares durant le XIV<sup>e</sup> siècle," *Bulgarian Historical Review* 7 (1979, 4): 36-58. The *devetum*, which consists of two parts, can be found in Poggi, *Leges Genuensis*. In *Historiae Patriae Monumenta* (also known as Monumenta Historiae Patriae) 18/*Leges Municipales* 3, cols. 382-384, 385 (separate entries).

<sup>55</sup> Balard, *La Romaniae Genoise*, I, p. 369.

<sup>56</sup> Balard, *La Romaniae Genoise*, II, pp. 571, 582, 592. For example, on 11 Jan 1380, the Doge and the Council of Elders discussed the case of a Genoese ship that the war office decided to send to Famagusta with grain, the document mentions that Genoa had proclaimed *generale devetum* banning any Genoese citizens and people from the district to sail "ad aliquas mundi partes." A.S.Genova, Diversorum 496, f15v.

<sup>57</sup> Postan, "The Economic and Political Relations of England and the Hanse," p. 109, see also p. 122.

<sup>58</sup> A grain crisis in Flanders ensured the success of this Hanseatic measure Dollinger, *The German Hansa*, pp. 299-300.

<sup>59</sup> For the case see Balard, *La Romaniae Genoise*, I, pp. 39-40. Analysis mine.

over territories. Similarly, when in the mid-1270s a Genoese ship failed to salute the Byzantine emperor on its passage through the Straits, committed acts of piracy in the Black Sea, and was captured (by a Catalan vessel in Byzantine service), Genoa answered through a *devetum*.<sup>60</sup> In 1335 Venice threatened Emperor Andronicus III with the departure of all Venetian merchants from his empire should he not conform to the terms of the then valid Venetian-Byzantine treaty.<sup>61</sup>

A prominent example of an embargo occurred in the 1340s after a clash between Latins and locals led Khan Djanibek to expel all Latins from Tana and to take aim at Genoese-ruled Caffa. The Venetians and the Genoese, confronting a common enemy, agreed in 1344 to interdict all trade with Mongol lands for one year. The uncommon allies required the release of captives, the reimbursement of damages, and the discussion of a new treaty. The Genoese, however, under the pretext that Caffa would not survive without trade in grain, fish, and similar goods, continued to trade in the Crimea. Individual Venetians violated the embargo by leading their vessels into Mongol ports. Ultimately the two republics reached separate peace treaties with the khan.<sup>62</sup> The acts had the nature of an embargo on the other side of the confrontation, too. From the Mongol point of view, the Venetians appear to have been guilty of provoking bloodshed in Tana; the answer was the expulsion of all Latins for five years; in fact, these returned to Tana when the five years had elapsed, in 1347. Hence, in the clash of an embargo and

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<sup>60</sup> The case mentioned above; trade restarted in 1278, after both the Genoese and the Byzantines had suffered its consequences, Balard, *La Romanie génoise*, I, p. 53 n. 141, II, pp. 776-777, Sandra Origone, *Bisanzio e Genova* (Genoa: ECIG, 1992), p. 225.

<sup>61</sup> Thiriet, *Régestes des Délibérations du sénat...*, I, #57, p. 34 (19 Jan 1335).

<sup>62</sup> Sergej Karpov, "Venezia e Genova: rivalità e collaborazione a Trebizonda e Tana, secoli XIII-XV," In Gherardo Ortalli and Dino Puncuh, eds., *Genova, Venezia, il Levante nei secoli XII-XIV*, (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2001), pp. 257-272, specifically pp. 263, 270-272, Heyd, *Histoire du commerce*, II, pp. 192-198, specifically pp. 196-198, Edoardo Demo, ed., *Venezia-Senato. Deliberazioni miste. Registro XXII (1344-1345)* (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2007), #252-262.

a boycott, the side that was probably less dependent on trade appears to have won the day.<sup>63</sup>

In northern Europe the situation was more complicated. Unlike independent Venice and effectively independent Genoa, Flemish and Hanseatic cities had less freedom in dealing with broadly political matters. A ban on trade that the Hanse imposed on Novgorod in 1388, however, came close to a veritable embargo. Having already imposed trade bans on both England and Flanders, an act that had already disrupted key Hanseatic trade lines, the Hanse was much less averse to accepting decisive action on the other end of the area of its activities, responding both to Russian violations of existing treaties and to Russian attempts to hold the Hanse accountable for the actions of the Teutonic knights. This embargo mattered: the ensuing peace of 1392 remained the cornerstone of relationships between the Hanse and Russia for a long time.<sup>64</sup> Unlike Flemish and Hanseatic cities, the Kings of England were both interested in and free to employ veritable embargoes. They may have employed ‘text-book’ embargoes against Flanders in the 1290s and the 1330s, that is, trade restrictions that aimed at coercing policy changes by the target, namely to force Flanders into a coalition against France.<sup>65</sup> English documents in Latin probably used, as Venetian ones, the general words *inhibitio* and *prohibitio* to refer to trade restrictions as well as *licentia* to refer to exceptions to such restrictions; this was the case in documents from the last years of King Henry III.<sup>66</sup>

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<sup>63</sup> See Skrzinskaja, “Storia della Tana,” pp. 10-11.

<sup>64</sup> Dollinger, *The German Hansa*, pp. 77-78.

<sup>65</sup> See Munro, *Wool, Cloth, and Gold*, pp. 5-6.

<sup>66</sup> “Quod nunquam post prohibitionem duxerunt lanam in Flandriam... Quod lanas nunquam duxerunt extra Angliam sine licentia...” Great Britain, Public Record Office, ed., *Close Rolls of the Reign of Henry III. A.D. 1268-1272* (London: His Majesty’s Stationary Office, 1938), p. 517 (1272), “...et ad partes Flandrie duxisse... contra inhibitionem inde factam per totum regnum nostrum...” Ibidem, p. 520 (1272).

All of this data – to which one could add more about continental rulers – notwithstanding, the employer par excellence of embargoes in the late middle ages was undoubtedly the papacy. After all, papal restrictions of trade never focused on matters that we can meaningfully term ‘economic.’ As Part I made clear, the papacy employed embargoes as a multilayered policy instrument; one of these layers was as economic tools for the attainment of foreign policy goals. Papal embargoes against disobedient Christian cities, employed from the late twelfth century, displayed the characteristics which political scientists attribute to most embargoes today – they sought to coerce the target to alter one or more of its policies. Pope Clement V, for example, wanted Venice to give up its attempts to control Ferrara. Papal embargoes against perpetual enemies of the church from the second half of the twelfth century, most notably Muslims and ‘heretics’ fit, on the other hand, extremely well into the way in which some political scientists conceptualize strategic embargoes, as tools for the debilitation of the target’s military power in the long run.

Finally, Muslim rulers may have been no strangers to the employment of embargoes. Chapter 2 pointed to long-standing Roman and Byzantine systems of export controls; the next empire of Mediterranean scope, the Ottoman one, generally followed these practices of regulating exports, hence adopting a sort of strategic embargoes, or systems of export controls.<sup>67</sup> Following Roman and Byzantine precedents or not, other Muslim polities also used systems of export controls.<sup>68</sup>

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<sup>67</sup> Inalcik and Quataert, *An Economic and Social History of the Ottoman Empire*, p. 198. Some of these have attracted scholarly attention, Braudel for example was intrigued specifically by Ottoman restrictions on the exports of grain from the mid-sixteenth century, Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II* (London: Collins, 1972-1973), I, pp. 591-592.

<sup>68</sup> As one can find, for example, in a treaty of a Muslim ruler with Majorca, 1339, which banned the export of grain, arms, and leather, see Leor Halevi, “Christian Impurity versus Economic Necessity: A Fifteenth Century Fatwa on European Paper,” *Speculum* 83 (2008, 4): 943.

While systems of export controls (strategic embargoes) might have been common practice throughout both the early and the late medieval, both Christian and Muslim Mediterranean, Inalcik has suggested that Islamic rulers in general may not have been as keen to use short-term embargoes as Christian powers were. According to Inalcik, Sultan Selim I's ban on all silk imports from Iran and on trade of raw silk in the empire in 1514, was "an unusually radical move."<sup>69</sup> This was part of his struggle with Shah Ismail and he extended the embargo to cover Mamluk lands as well, "any Turk, Iranian or Arab found with Iranian silk in his possession was subject to cargo seizure."<sup>70</sup> More interestingly, according to Inalcik, embargoes were no part of a Middle Eastern political tradition, and "the idea of an embargo was an unacceptable innovation for the society at large."<sup>71</sup> Ottoman historians felt it necessary to explain the goals of the measure: "to deprive the enemy of its source of revenue."<sup>72</sup> Be that as it may, it appears that at least by the end of the period discussed here the Ottomans, just as the Venetians or the Kings of England, could and did employ the withdrawal of trade as an economic tool for the attainment of political goals.

Thus starting from the mid-eleventh century on a limited scale and from the turn of the thirteenth century on a large scale, Genoa employed a wide range of trade restrictions.<sup>73</sup> Venice's attempts to ensure its dominance of the Upper Adriatic and the

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<sup>69</sup> Inalcik and Quataert, *An Economic and Social History of the Ottoman Empire*, p. 228.

<sup>70</sup> Inalcik and Quataert, *An Economic and Social History of the Ottoman Empire*, p. 228.

<sup>71</sup> According to Inalcik, common people were not to be involved in the conflicts between rulers (in what he calls Middle Eastern tradition), Inalcik and Quataert, *An Economic and Social History of the Ottoman Empire*, p. 228.

<sup>72</sup> Inalcik and Quataert, *An Economic and Social History of the Ottoman Empire*, pp. 228-229.

<sup>73</sup> In Genoa, the *Officium Mercantie*, which decided on all commercial matters, administered *deveta*. Balard, *La Romanie génoise*, I, p. 388. As pointed above, Genoese officials overseas took care of local restrictions of trade, See also Balard, *La Romanie génoise*, I, pp. 378-379. At the same time, they were explicitly restricted from imposing *deveta* for their own benefit, Balard, *La Romanie génoise*, I, p. 364.

papal employment of embargo also date from the same period.<sup>74</sup> In northern Europe trade restrictions of all kinds were occasionally used from the thirteenth century and very often from the mid-fourteenth century. The German Hanse, for example, employed trade restrictions as one of its main weapons: “negotiation, suspension of trade, and war.”<sup>75</sup> It used trade restrictions at large and occasionally embargoes in particular against “Poland, Novgorod, Norway, England, Scotland, Flanders, France, Castile, and even Venice.”<sup>76</sup> Given that in this very period first a number of cities in the Mediterranean and then a number of cities and rulers across Europe became increasingly dependent on trade for their cash revenues, it would appear that there was more than a temporal correlation between these developments and the “Commercial Revolution.”

The emergence of *deveta* in general and embargoes in particular must therefore be seen as a function of the take-off of trade between different political entities as a result of the exponential growth of medium and long-distance trade in the central middle ages. Thus, the works of Fidenzio of Padua and Marin Sanudo, the above case study of Venice’s embargo against Mehmed II, and this brief overview show that trade restrictions in general and embargoes or economic sanctions in particular were as much ‘medieval’ as they are ‘modern’ phenomena. In other words, the necessary preconditions for the

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<sup>74</sup> In Venice, prohibitions aimed at enforcing Venice’s economic “rights” were administered by the Office of the Contraband, accordingly the term *contrabando* itself typically referred to violations of economic restrictions, as in the episode of Rado Buffalo outlined in Chapter 9. We also saw that Venice employed galleys, patrol-boats, as well as castles to enforce its self-proclaimed staple rights in the Upper Adriatic. The impositions of veritable embargoes, however, was a prerogative of the senate. It should come as little surprise to those familiar with Genoa and Venice that the latter adopted a more centralized approach to the imposition of trade restrictions in general and embargoes in particular, For a brilliant brief overview contrasting Genoa and Venice see Robert S. Lopez, “Venice et Gênes: deux styles, une réussite.” *Diogene* 71 (1970): 43-51. Reprinted in *Su e giù per la storia di Genova*, pp. 35-42. See also Gherardo Ortalli, “Venezia-Genova: percorsi paralleli, conflitti, incontri,” In Gherardo Ortalli and Dino Puncuh, eds., *Genova, Venezia, il Levante nei secoli XII-XIV*, (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2001), pp. 9-27.

<sup>75</sup> Dollinger, *The German Hansa*, p. 109.

<sup>76</sup> Dollinger, *The German Hansa*, p. 110. Dollinger calls all forms of trade bans “embargoes.”

emergence of sanctions as policy instruments appear to be the emergence of significant trade volumes within a politically fragmented space. Embargoes and economic sanctions are thus not an exclusive feature of modernity: the employment of economic tools for the attainment of political goals does not necessitate the existence of modern nation states, international political space, and/or international law. Even the reasoning behind the modern scholarly concepts of ‘embargo’ and ‘economic sanctions’ as the application of economic means for the attainment of foreign policy goals can be found clearly articulated in works such as those of Fidenzio of Padua and Marin Sanudo.

At the same time, as Part I has argued, there may be much more to the withdrawal of customary trade than Marin Sanudo, papal documents, or the modern concepts of ‘embargo,’ ‘trade wars,’ and ‘protectionism’ bring to light. The final subsection of this concluding chapter will therefore focus on this problem and hence return the discussion to the ‘sanctions debate.’

#### **10.4. Embargo as a Multilayered Policy Tool**

Analyses of embargoes since the end of the Cold War have largely focused on sanctions that the U.N. and/or leading economic and political powers imposed on smaller states with the aim of coercing the latter to alter one or more of their policies. While export controls of advanced technologies are omnipresent, strategic, full-scale long-term embargoes aimed at debilitating the military power of a well-defined enemy – on the fronts of political ideology, military power, and foreign policy – have left the scene of analysis along with the Soviet Union. The historical contingency of this development may have reinforced political scientists’ resolve to analyze the withdrawal of trade with foreign entities exclusively as a matter of foreign policy, only occasionally establishing a

link between embargoes and domestic politics. Even when this issue has been discussed, as in the case of Reagan's embargo against Poland, and the U.S. embargo against Cuba from the end of the Cold War, the analytical framework has remained purely functionalist. Embargo analysts and the mass-media alike occasionally speculate that embargoes actually help the target's regime to solidify its positions, rather than undermining them. Yet, they do not pose the question of the effects that the imposition of embargoes' might have on the relationships between the sender's government and its own population.

This work, by contrast, suggests that embargoes that endure for a long period of time and that are widely known to the population of the sender, may serve the purpose of underscoring a perceived fundamental (religious or political) difference between the sender and the target, homogenizing and objectifying the target's population, and solidifying a desired kind of self-awareness within the sender's own population, hence serving as a tool of internal cohesion. In the specific case examined here, the reformed papacy of the twelfth and the thirteenth centuries reinvigorated some early medieval legislation and promulgated new laws to create a discourse of otherness that sought to shape space in purely religious, intangible terms. One part of this process was engendering the idea that communicating with non-Christians undermined the Christians' chances for salvation and its turning over time into a self-evident 'truth.' No matter what church leaders themselves thought of the issue, no matter why they first imposed sanctions on Muslims and 'heretics,' generating and spreading such an idea served the subtle purposes of fostering the sense of being Christian in the way defined by the reformed church, proclaimed at Lateran III and IV and codified in the *Liber Extra*, and

hence solidifying the church's position at the top of a 'rightly ordered society.' The embargo was but one part of the policies employed for the construction of Latin Christendom, and as such it had a tangible political dimension both with respect to the Papal States vis-à-vis Christian states and with respect to Christendom vis-à-vis non-Christian territories. Its ultimate realm, nevertheless, was within religion (as we would put it), not politics; its primary concern – souls, not lands. That the papacy's quest for constructing an obedient and uniform Christian society failed as a whole does not mean, moreover, that the individual policies of which it consisted were of no consequence or that secular authorities and individual Christians could not 'expropriate' and use them for their own purposes. Thus while this work has focused on the meaning of embargo to the sender, further work in this direction would seek to uncover in more detail the reception and the potentially multiple effects of the message delivered to the Faithful by the popes as Vicars of Christ.

We saw at the outset of this work that the etymology of the word 'embargo' may be traceable to 'impediment' in the sense of 'to put shackles on the feet.' To neglect the way in which the employment of embargo also puts shackles on the minds in the name of 'higher' goals is a failure on two counts. First – with regard to the study of the medieval church – it reinforces a mode of analysis of medieval papal action that permanently disentangles 'religion' from 'politics,' and the 'economy.' While it is often useful to disentangle these for analytical purposes, we cannot reach conclusions about medieval papal legislative and political action unless we take into account that the above are modern categories of analysis and that for ecclesiastical policymakers no matter was disembedded from their religious beliefs. Second – with regard to the 'sanctions debate'

– to omit such an intangible, non-quantifiable mode of analysis is to fail to cross disciplinary boundaries, and hence to leave unchallenged the premise that the current conceptualization of ‘embargo’ and ‘economic sanctions’ is to remain unquestioned and inert. This, however, is not a call for removing the analysis of embargo from the ‘sanctions debate,’ but rather for interdisciplinary collaboration. On the one hand, my historical analysis suggests that the modern concept of ‘embargo’ as an economic tool for the achievement of foreign policy goals is indeed helpful to understand a facet of pre-modern history. On the other, my work poses the question whether embargoes applied against ideologically inimical powers in general might be fruitfully analyzed not only as economic tools for the attainment of foreign policy goals, but also as a subtle tactic that maximizes the sender’s grip over its own spiritual flock, or subjects, or population.

By employing the concept of embargo as defined by political scientists this work has shown both its applicability to the study of the central and late middle ages and its general limitations. In other words, embargoes should be seen as much as a late medieval as a modern phenomenon that can be analyzed both as economic tools for the attainment of foreign policy goals and as instruments of identity building and internal control. Their study should be located within a truly interdisciplinary ‘sanctions debate’ that benefits from the tools of the historian and the cultural theorist alongside those of the political scientist and the economist. On a scholarly level, to do otherwise is either to fail to understand the time and place specific multilayered traits of the employment of embargo or to fail to notice how broadly similar economic and political circumstances lead to similar policy choices. On a political level, it is to risk inadvertently buying into ‘self-evident truths,’ such as the belief that trade with a designated Other is a moral crime.

## APPENDICES

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### APPENDIX A. ECCLESIASTICAL SOURCES AND THE ORIGINS OF PAPAL EMBARGOES

The originality of Canon 24 of Lateran III (1179) has not been discussed, but several authors have stated that it marks the beginning of papal restrictions on trade with Muslims.<sup>1</sup> On the one hand, its originality appears indisputable. The major sources for the study of the papacy in the period are papal letters, the decisions of church councils, and canon law. There is no trace of anything similar in the decisions of any previous ecumenical council of the church. My own search of Mansi's un-indexed collection of the decisions of all councils of the Catholic Church has yielded no evidence that a church council proclaimed an embargo prior to 1179.<sup>2</sup> An extensive search of the *Patrologia Latina*, the 216-volume repository of most Latin texts written before the late eleventh-early twelfth century (made possible by the collection's digitalization complete with excellent search tools) returns no hints for the use of any export prohibitions by the papacy prior to 1179. Finally, there is no embargo in twelfth century canon law either.

On the other hand, ex-silentio arguments for the period prior to the late-twelfth century are particularly difficult to make. The use of papal letters composed before 1198

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<sup>1</sup> Most notably J. T. Odena, "De Alexandrinis," p. 245. Among others, the 1179 dating has been accepted by Eliyahu Ashtor, "L'artiglieria veneziana e il commercio di Levante," in Ashtor, *East-West Trade in the Medieval Mediterranean*, #8 p. 152. In his monumental *Levant Trade in the Later Middle Ages*, pp. 17-63, however, Ashtor avoids addressing the question.

<sup>2</sup> Giovanni Domenico Mansi, ed., *Sacrorum Conciliorum nova et amplissima collectio* (Florence, etc., Expensis A. Zatta, 1774).

presents peculiar (for who usually works with the later period) problems. Since that date, the papal registers containing records (*regesta*) of the outgoing papal letters created by the various branches of the papal administration (Chancery, Camera, Secretariat, Domestic Secretaries) are continuous and well preserved.<sup>3</sup> Although papal registers of some sort had existed for centuries prior to 1198 these have been lost. Thus the surviving letters are published in the *Patrologia Latina* on the basis of various manuscripts.<sup>4</sup> Not only are the extant collections of papal letters prior to the pontificate of Innocent III fragmented, but they also appear selective as the number of papal confirmations of various privileges is disproportionately high. Although this is hardly surprising given that the recipients of bulls about privileges tended to preserve them, this fact does not help those interested in restrictions. In addition, the researcher's ability to rely on written material declines further for any period prior to the second half of the eleventh-early twelfth century when the ever greater reliance on such records, primarily papal letters, went hand in hand with the creation of veritable papal bureaucracy (a well-established bureaucratic machinery heavily reliant on written material was firmly in place by the pontificate of Alexander III, 1159-1181). In sum, papal letters were produced en masse only from the second half of the eleventh century and a more or less complete record exists only for the period after 1198. Therefore, the absence of information on the embargo in letters prior to 1179 is no guarantee that popes never attempted to employ restriction of trade at an earlier date.

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<sup>3</sup> One must note that even this enormous collection, containing hundreds of thousands of records for the period of interest for this work (until 1520), however, does not preserve a record of the totality of papal letters produced. Even worse, there is no certainty as to the criterion used by papal scribes when selecting the records to be preserved.

<sup>4</sup> Also Ulysse Robert, ed., *Bullaire du Pape Calixte II* (New York: Georg Olms Verlag, 1979), documents 208, 209, 258, 449, 460 discuss the military threat presented to Latins by Muslims, but make no mention of embargoes.

Turning to the decision of church councils, the situation is somewhat similar; much of the information available on pre-1179 councils is fragmentary and gathered from multiple sources different from the original records. It is exactly such a source that prompted Hyed to think that a regional council held in Montpellier in 1162 had banned the export of war material to Muslims. Since the original record is lost, the editor, Mansi, used two other sources to reconstruct at least some of the decisions made at this council.

According to Mansi, the 1162 council pronounced anathema on all secular rulers (*principes*) who failed to act against heretics, pirates and “those who supply arms and timber to the Saracens” (among others).<sup>5</sup> This reconstruction of the meaning (Mansi did not pretend to be reconstructing the actual text) of a canon coined in 1162 is untenable. It is based on two canons found in the decisions of the 1195 council of Montpellier. The first of these does indeed pronounce anathema on several groups of people, including “those who sell arms or military equipment, or timber for galleys or ships.”<sup>6</sup> The passage then affirms that the dispositions against these groups of people proclaimed at the III Lateran council should be observed. The language used neither suggests that such policies were new, nor that they existed beforehand. The reference to the most recent and only ecumenical council at the time can be understood as quoting the most relevant authority, which thus says nothing about the originality or lack thereof of the canons.

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<sup>5</sup> “Synodi vero Monspeliensis anno MCXCV...docet percussos esse anathemate in hoc nostro concilio principes, qui autoritate sua non coercent haereticos, piratas, et eos qui arma et ligna Saracenis subministrabant.” Mansi, 21, 1160. Louis de Mas-Latrie, *Traité de paix et de commerce et documents divers concernant les relations des chrétiens avec les Arabes de l'Afrique septentrionale au Moyen Age* (New York, B. Franklin, 1963 [1866]), I, p. 119 also mentions this document. He thinks that it referred primarily to the Muslims of Egypt and Spain.

<sup>6</sup> “...et illos qui deferunt arma seu armamenta vel lignamina galearum aut navium Sarracenis de consensu omnium sub anathemate posuit, et constitutione Lateranensis concilii, quae contra huiusmodi emanavit, in omnibus observata constituit....” Mansi, 22, 668.

The reason for Mansi's claim is found in the subsequent canon, which proclaims anathema against secular princes who fail to exercise their temporal jurisdiction "as for instance is decreed in the said Lateran council and the synod, which the said Lord Alexander [Pope Alexander III] is known to have celebrated at Montpellier."<sup>7</sup> Mansi's reconstruction of the 1162 decision presumes that this sentence refers to failures regarding the repression of each and every category of people ("embargo violators," heretics, pirates, etc.) excommunicated in the previous canon. This is questionable, for the text can very well be understood in the sense that some of those, perhaps heretics, were already legislated against in 1162, whereas others, for example the 'embargo violators,' were 'new additions' of the III Lateran.

What really matters here, however, is that Mansi's reconstruction rests on a more subtle (or perhaps too obvious) and pertinent assumption, namely, that the two canons can be read in the sense that the latter clarifies the former. Such reading may be appropriate for contemporary literary works, for example those of Peter Abelard or Guibert of Nogent who exposed coherent stories and coherent arguments built of multiple paragraphs. Canons, however, should to be read differently. A list of canons is after all exactly that, namely, a list of separate and individually coherent and complete 'laws;' paragraphs on a particular legal subject (for example papal elections or "usury") and this is the case even when canons appear as a continuous flow of paragraphs in later manuscripts. Each canon, or 'law,' is meant as exhaustive and self-sufficient in its quality to serve as the legal basis for a particular policy and it is not by chance that some

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<sup>7</sup> This is the full text: "Constituit etiam, ut quicumque principes saecularis ab ecclesiastico monitus, jurisdictionem temporalem in eos non curaverint exercere, sit cum eis simul vinculo anathematis innondatus: quemadmodum statutum est in praedicto Lateranensi concilio et in synodo quam praedictus Dominus Alexander apud Montepessulanum dignoscitur celebrasse." Mansi, 22, 668.

canons are very long while others are very short. Of course, a canon of a single council would usually *broadly* relate to other canons and several canons taken together form the legal basis of broad ecclesiastical policies (for example, the relationship with secular powers, or the treatment of Jews and Muslims). But in no way does the intended proper understanding of a canon does not require the reading of another canon. Thus, in my opinion, the two paragraphs (canons) should be understood independently. Given the region and the period it is reasonable to surmise that one of the sources of tension between ecclesiastical and secular powers was indeed the persecution of heresy. Nevertheless, Mansi's and Heyd's reading of the decisions of the 1195 council of Montpellier cannot be considered evidence for the papal employment of embargo prior to 1179.

It was mentioned that twelfth-century canon law is silent on embargo. Unlike the silence of what is left of papal letters and the acts of church councils, that of canon law can help narrow the period in which the papal embargoes may have first appeared. Between scripture and the opinions of church fathers on a great deal of matters, canon law also included many decisions of church councils and decretal letters of individual popes.<sup>8</sup> Among a great variety of matters, these discussed the treatment of non-Christians, such as Jews and "heretics," as well as that of excommunicated Christians. From a researcher's view, therefore, canon law can be treated as the ultimate filter of ecclesiastical sources for the period discussed here (until the late twelfth century). It does not contain *all* of scripture, or *all* decisions of church councils; it is not indicative of *all* papal policies ever formulated. What it does is to preserve the record of all those that the

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<sup>8</sup> Decretal letters formulated specific policies on issues unaddressed or not unequivocally addressed elsewhere and hence often found their place in canon law as "case law."

(early medieval) ecclesiastical elite (such as individual bishops) deemed useful for the formulation of a legal foundation of Christian life.<sup>9</sup> In fact, several papal letters, one of which is discussed below and is of great importance to this work, have been preserved only because of their incorporation into canon law.

The supreme code of canon law of the twelfth century was Gratian's "Concordance of Discordant Canons," better known with the less clumsy and less precise title of *Decretum*.<sup>10</sup> The *Decretum* presented all canons on a particular issue together; their contradictions, if any, were then often resolved through a commentary written by Gratian. So arranged, the *Decretum* became the first collection of canonical texts to have practical value and spread rapidly across Catholic Europe. It may have been practical and popular as well as current with the scholastic method of exposing and solving cases, but the *Decretum* was not always up-to-date in terms of its sources. Although composed after 1139, the first recension of the *Decretum* featured almost exclusively texts produced before 1119.<sup>11</sup> These were primarily scripture, patristic works, and decisions of (mostly ancient) church councils. The second recension of the work, completed by 1158, enriched it with much current material, including papal decretal letters. Thus, it appears that the silence of canon law can be taken to mean that the papacy promulgated no embargoes at least until 1158.

At the same time, the *Decretum* has much to say on Jews or "heretics," but features suspiciously little on Muslims; for example, a few lines from a decretal letter of

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<sup>9</sup> Deemed useful, that is, by those who compiled them, either high ecclesiastical dignitaries, in the early period, or canon lawyers at papal request in the later period. Thus in any case representative of what was considered important by the ecclesiastical elite.

<sup>10</sup> On the *Decretum* Winroth, *The Making of Gratian's Decretum*, specifically, pp. 122-145 on the two recensions and their dating, pp. 146-192 on the authorship.

<sup>11</sup> Winroth, *Gratian's Decretum*, p. 136.

Alexander II to the bishops of Spain urging them to persecute the Muslims, not the Jews.<sup>12</sup> The scarcity of canons discussing relations with Muslims is odd, because by 1158 the Muslims had featured prominently in papal policies for some ninety years or so. Two large scale crusades, as we call them, had been waged; Jerusalem had been (re)conquered; the offensive to expel Muslims from Iberia under papal blessing had begun. The superficiality of the *Decretum*'s treatment of Muslims in a period of active papal engagement in crusades suggests that the *Decretum* may be unreliable as a source of information for papal policies against Muslims in the twelfth century. Its comprehensiveness in terms of older material, on the other hand, corroborates a supposition that the terminus after which the papacy may have first restricted trade against Muslims is the start of the period in which the papacy took active interest in relations with Muslims in general. This period was the 1070s, when Gregory VII lamented that Africa used to have many sees, but that it now could no longer get three bishops together to consecrate a new bishop.<sup>13</sup> He turned the attention of Latin Christians to what he presented as the “most frequent ravaging of the Saracens”<sup>14</sup> against the Christians of the east “of whom [as he said later in 1074] a very great proportion...is daily being slaughtered after the manner of cattle.”<sup>15</sup> Two decades later Pope Urban II (1088-1099) launched what became known as the First Crusade (1095-1099).

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<sup>12</sup> C.23 q8. c.11 (Friedberg, I, 955).

<sup>13</sup> “Pervenit ad aures nostras quod Africa, quae pars mundi esse dicitur, quaeque etiam antiquitus, vigente ibi Christianitate, maximo episcoporum numero regebatur, ad antiquitus, vigente ibi Christianitate, maximo episcoporum numero regebatur, ad tantum periculum devenerit, ut in ordinando episcopo tres non habeat episcopos....” Mas-Latrie, *Traité de paix et de commerce...*, II, p. 6 (Jun 1076).

<sup>14</sup> In a letter to Count William I of Burgundy urging him to help the church against the Normans in Southern Italy and the Christians of Constantinople against the Muslims, H.E.J. Cowdrey, *The Register of Pope Gregory VII, 1073-1085* (Oxford: Oxford University Press, 2002), p.51 (2 Feb 1074).

<sup>15</sup> In a letter from Gregory VII to King Henry IV of Germany, Cowdrey, *The Register of Pope Gregory VII*, p. 122 (7 Dec 1074).

The comprehensiveness of the *Decretum* in terms of older material and its function as repository of texts recording ecclesiastical law and policies, therefore, makes its silence on embargoes much more suggestive than that of the partially preserved papal letters and decisions of church councils. It shows that until at least 1158 the papacy probably employed no embargo against Jews or heretics, pagans or “schismatic Greeks.” It also shows that the *terminus post quem* for any papal embargoes against Muslims is probably the late eleventh century. In other words, the papal use of embargoes during the High Middle Ages was a new development to be dated between the late eleventh century and 1179. Unlike other policies outlined at Lateran III, such as most of those regarding the segregation of Jews, it was not the recycling and the vigorous attempt to promote the enforcement of policies formulated in a distant past.

APPENDIX B. PAPAL LICENSES FOR TRADE IN NON-*VETITA*<sup>1</sup>

<b>Date:</b>	<b>Source used:</b>	<b>Recipient(s):</b>	<b>Scope</b> [Unlimited=no restrictions except on war material] <sup>2</sup> / <b>Specific stated reason, if any</b>	<b>License valid for:</b>
1198. 12.03	<i>Register Innocenz' III</i> , I, #536	Venice	Unlimited	Fatimid Egypt
1224. 10.31	Reg. Vat. 13, f11v <sup>3</sup>	Barcelona and Tarragona	Unlimited	Iberia only?
1234. 07.24	Registres de Grégoire IX, #2063	Caesata	Unlimited	Iberia only
1240. 01.28	Reg. Vat. 19, f149r	Citizens of Majorca	Victuals	Muslims
1241. 04.09	<i>Les Registres de Grégoire IX</i> , #5960	Inhabitants of Majorca	Unlimited	Muslims in "remotis partibus"
1248. 03.21	<i>Registres d'Innocent IV</i> , #3731	Citizens of Majorca	Victuals	Muslims
1253. 06.07	<i>Registres d'Innocent IV</i> , #6586	Venice	Unlimited	Muslims in the east
1288. 05.18.	Reg. Vat. 44, f10v	Genoa	Unlimited (abolished in 1291) <sup>4</sup>	Sicily
1289. 09.13	<i>Registres de Nicolas IV</i> , #1398	Venice	Unlimited	Sicily
1290. 10.21	<i>Registres de Nicolas IV</i> , #4403	(Unspecified) Christians	Unlimited	From the Holy Land to Mamluk Egypt
1291- 1316 <sup>5</sup>	DVL, I, #105	Venice	10 cogs and 24 galleys	Mamluk Egypt

<sup>1</sup> The list is perhaps complete for Venice. All other licenses are included for illustrative purposes only.

<sup>2</sup> A note on translation: *navis* is translated with round-ship even though it meant cog. Cog appears in the table only when *cocha* explicitly appears in the original. I do not use "ship" in order to avoid confusion between a class of naval vessels, round-ships, and the modern meaning of "ship," which is way too broad to serve as a useful translation for *navis*. See Chapter 7.

<sup>3</sup> Summary in *Regesta Honorii Papae III*, #5149.

<sup>4</sup> Reg. Vat. 46, f180v (1 Oct 1291).

1317. 10.14	Odena, p. 269	Jaime II	proceeds for the redemption of captives	Alexandria
1320. 03.05	Reg. Vat. 70, f589v	Benedetto and Martino Zaccaria	Mastic, over 2 years	Mamluk Egypt
1321. 06.30	Odena, p. 269	Jaime II	1 round-ship, proceeds for the redemption of captives	Alexandria
1328. 10.07	Odena, p. 269	Pere, count of Ribagorza	1 round-ship, proceedings for the defense of the faith	?
1328. 10.07	Odena, p. 269	Alfonso IV	To recover the body of Santa Barbara	
1331. 01.05	Reg. Vat. 98, f216v <sup>6</sup>	Walter II of Brienne, nominal Duke of Athens	2 round-ships	Mamluk Egypt only
1331. 02.01	Odena, pp. 269-270 <sup>7</sup>	Jaime, King of Majorca	3 round-ships, to recover from losses suffered through attacks of “infidels.”	Mamluk Egypt only
1331. 07.12	Odena, p. 270	Jaime de Jérica	1 round-ship, to support those who participated in a campaign against Granada.	Mamluk Egypt only
1344. 04.27	DVL I, #144	Venice <sup>8</sup>	4 galleys and 6 round- ships within five years	Mamluk Egypt
1344. 07.13	Lib. Comm. Reg. 6-1 Copia, f135r/v	William Roger viscount of Turenne and his wife Eleanor. Bought by Venice in 1359. <sup>9</sup>	10 cogs and 30 galleys	Lands of “infidels.”
1344. 08.06	Odena, p. 270	Pedro IV of Aragon	1 ship, to recover the body of Santa Barbara	Alexandria

<sup>5</sup> At some point between these two years.

<sup>6</sup> Bans the export of slaves, besides that of war material.

<sup>7</sup> Odena thinks that this is the first license that mentions a ban on the export of slaves in the case of Iberia.

<sup>8</sup> Venice asked for permission to convert each round-ship into 5, 4, or at least 3 galleys, Francesca Girardi, ed., *Venezia-Senato. Deliberazioni miste Registro XXIII (1345-1347)* (Venice: Istituto Veneto di Scienze, 2004), #190, p.68, (5 Jul 1345).

<sup>9</sup> Bought by Venice in 1359, A.S.Venezia, Libri Commemorativi 6-1 Copia, ff. 214v-217r (20 May 1359).

1345	<i>Die Einnahmen der Apostolischen Kammer unter Klemens VI, p. 357</i>	Garino de Castronovo <sup>10</sup>	1 galley	Alexandria
1345.08.04	Reg. Clementis VI, <sup>11</sup> #1863	Robertus de Caulhaco, Mercatori Mimatensis diocesi	merchandise up to 3,000 florins	Syria and other beyond-the-sea lands
1346.02.08	Odena, p. 270	Jaime II of Majorca	1 ship, proceedings to support 8 patrol galleys in the strait of Gibraltar	Alexandria, no trade in <i>Turchia</i> allowed.
1347.02.15	Odena, p. 270	Pedro IV of Aragon	1 round-ship, proceedings for the redemption of Christians	Mamluk Egypt
1347.03.01	Odena, p. 270	Ramón de Boyl	1 round-ship	Mamluk Egypt
1348	Odena, p. 271	Jaime II of Majorca	1 round-ship	Mamluk Egypt
1348.09.30	Odena, p. 271	Roger de Sant Vicens, citizen of Barcelona	1 round-ship	Probably Mamluk Egypt
1349.09.15	Odena, p. 271	Pedro, Count of Ribagorza	1 ship	Alexandria
1361.05.05.	DVL, II, #41	Venice	6 galleys	Mamluk Egypt
1361.07.27	<i>Die Einnahmen der Apostolischen Kammer unter Innozenz VI, p. 354</i>	Andrea Tici from Pistoia	1 round-ship	Mamluk Egypt
1361.07.31	<i>Die Einnahmen der Apostolisc-</i>	Petro de Meurreta from Barcelona	1 round-ship	Mamluk Egypt

<sup>10</sup> Priore Navarre ac proc. ord. s. Johannis Jer. in curia pro locagio uniuns galee sibi concessa per papam ad portandum merces in Alex. et in exercitu contra Turchos reportando necessaria.

<sup>11</sup> E. Déprez, J. Glénisson, and G. Mollat, eds., *Clément VI (1342-1352). Lettres closes, patentes et curiales* (Paris, De Boccard, 1958), #1863. .

	<i>hen Kammer unter Innozenz VI, p. 356</i>			
1361. 12.29	<i>Die Einnahmen der Apostolischen Kammer unter Innozenz VI, p. 382</i>	Giovanni Alberto from Florence	1 round ship	Mamluk Egypt
1362. 02.28	<i>Die Einnahmen der Apostolischen Kammer unter Innozenz VI, p. 391</i>	Lodovico de Ruspe from Florence, inhabitant of Avignon	1 round-ship	Mamluk Egypt
1364. 04.08	<i>Predelli, Commemorati, III, #140</i>	Venice	2 round-ships (cogs)	Mamluk Egypt
1364. 04.29	Urbain V. Lettres Communes, #11511	Montpellier	2 round-ships, the contraband items excluded include meat	Mamluk Egypt
1364. 07.12	Urbain V. Lettres Communes, #11009	Narbonne	1 round-ship	Mamluk Egypt
1364. 10.06	Urbain V. Lettres Communes, #11859	Perpignan	1 round-ship	Mamluk Egypt
1364. 10.27	Urbain V. Lettres Communes, #11080	Barcelona	1 round-ship	Mamluk Egypt
1365. 03.18	Urbain V. Lettres Communes, #14427	Kingdom of Cyprus	3 galleys in 1 year and 3 more galleys in a different year	Mamluk Egypt
1365. 04.14	Urbain V. Lettres Communes,	Pera	2 cogs ( <i>cottas seu naves</i> )	Mamluk Egypt

	#14450			
1365. 07.23	Urbain V. Lettres Communes, #14681	Genoa	6 round-ships	Mamluk Egypt
1365	Urbain V. Lettres Communes, #15108	Genoa	2 round-ships	Mamluk Egypt
1365. 08.25	DVL II, #62	Venice	6 cogs	Mamluk Egypt
1365. 09.23	DVL II, #63 <sup>12</sup>	Venice	8 galleys	Mamluk Egypt
1366. 03.04	Urbain V. Lettres Communes, #17649	Genoa	2 galleys, must not make any truce or peace	Mamluk Egypt
1366. 04.09	Urbain V. Lettres Communes, #17099	Perpignan	1 round-ship, must not make any truce or peace	Mamluk Egypt
1366. 06.23	DVL II, #67	Venice	4 cogs and 8 galleys	Mamluk Egypt
1366. 07.08	Urbain V. Lettres Communes, #17808	Genoa	4 round-ships and 8 galleys must not make any truce or peace	Mamluk Egypt
1366. 07.21	Urbain V. Lettres Communes, #17834	Perpignan	1 round-ship	Mamluk Egypt
1366. 12.13	Urbain V. Lettres Communes, #19593	Pedro, King of Aragon	2 round-ships (Barcelona) and 2 more round-ships (Majorca), redemption of Catholics, so that these do not abandon their faith	Mamluk Egypt
1367. 01.01	Urbain V. Lettres Communes, #20162	Majorca	2 round-ships, No agreements to be made with Muslims	Mamluk Egypt
1367. 01.22	DVL II, #75 <sup>13</sup>	Venice	4 galleys	Mamluk Egypt

<sup>12</sup> Ibidem, three galleys went to Beirut in 1366; five to Alexandria in 1371.

1367	Urbain V. Lettres Communes, #20175	Perpignan	1 round-ship	Mamluk Egypt
1367	Urbain V. Lettres Communes, #19800	Genoese Chios	3 galleys, in order to help the island's defense against the Turks	Mamluk Egypt
1367. 01.25	Urbain V. Lettres Communes, #19661	Genoa	1 round-ship and 1 galley, despite the suspension of the license regime (allowed under logistical reasons)	Mamluk Egypt
1367. 02.09	Urbain V. Lettres Communes, #20210	Barcelona	1 round-ship. Much impoverished by war, decimated fleet.	Mamluk Egypt
1367. 05.17	DVL II, #76 <sup>14</sup>	Venice	12 galleys and 4 cogs	Mamluk Egypt
1367. 08.21	Urbain V. Lettres Communes, #19901	Pisa. Covers merchants from Lucca, too.	2 galleys	Mamluk Egypt
1367. 10.22.	Urbain V. Lettres Communes, #19977	Giovanni Corsini, citizen of Florence	1 galley	Mamluk Egypt
1367. 10.23	Urbain V. Lettres Communes, #19983	Savona	1 round-ship. Savona has suffered much hardship through war, etc.	Mamluk Egypt
1368. 01.05	Urbain V. Lettres Communes, #21658	Bartolomeo de Viali, citizen of Genoa	1 round-ship	Mamluk Egypt
1368. 02.05	Urbain V. Lettres Communes, #22213	Bernardo Franci, citizen of Montpellier	4 round-ships	Mamluk Egypt
1368. 05.08	DVL II, #79	Venice	2 galleys, to redeem captives	Mamluk Egypt
1368.	DVL II,	Venice	6 galleys	Mamluk Egypt

<sup>13</sup> Ibidem, the two galleys sent under this license were in fact the same sent under the previous one, with ambassadors on board.

<sup>14</sup> Ibidem, 4 galleys and a cog sailed in 1367, 4 galleys in 1368, 2 galleys in 1370, 1 cog and 1 galley in 1371, and 1 cog in 1372.

05.08	#80 <sup>15</sup>			
1368. 05.29	Urbain V. Lettres Communes, #22337	Peter, King of Cyprus	10 round-ships and 10 galleys ( <i>decem naves sive cocchas et decem galeas</i> )	Mamluk Egypt
1368. 07.05	Urbain V. Lettres Communes, #22412	Federico, Fantino, and Marco Corner, from Venice	1 galley	Mamluk Egypt
1368. 08.13	Urbain V. Lettres Communes, #21882	Archbishop of Genoa	Must stress before the doge that the licenses are granted to Genoa so that they be used by Genoese citizens or subjects. Licenses cannot be sold.	n/a
1370. 08	A.S.G. Notai Antichi #486, ff. 6r- 7r <sup>16</sup>	Galeotto Doria.	3 round-ships (tres naves)	Mamluk Egypt
1370. 09.22	Urbain V. Lettres Communes, #26770	Majorca	1 round-ship	Mamluk Egypt
1370. 09.22	Urbain V. Lettres Communes, #26771	Barcelona	1 round-ship within two years	Mamluk Egypt
1370	Urbain V. Lettres Communes, #26796	Genoa	4 round-ships	Mamluk Egypt
1372. 07.02	DVL II, #96 <sup>17</sup>	Venice	10 cogs and 24 galleys	Mamluk Egypt
1374. 10.18	DVL, II, #99	Venice for Crete	2 galleys	
1374. 11.07	Acta Gregorii IX, #121a	Giovanni Lascaris	1 round-ship	Mamluk Egypt
1376. 01.30	Acta Gregorii IX,	Giovanni Lascaris	Up to 10,000 florins worth of merchandise <sup>18</sup>	Mamluk Egypt

<sup>15</sup> Ibidem, 5 galleys were sent to Beirut.

<sup>16</sup> Three licenses issued on the same day. Each license covers one round-ship.

<sup>17</sup> Ibidem, 2 galleys to Beirut and 4 to Alexandria (1374), 6 cogs to Syria and 1 to Alexandria (1374), 1 cog and 3 galleys to Alexandria (1375), 1 cog and 4 galleys to Alexandria; five galleys to Beirut (1376), 1 cog and 2 galleys to Alexandria (1377).

	#189			
1377. 07.26	DVL II, #102	Venice	9 round-ships and 8 galleys within 3 years	Mamluk Egypt
1377. 07.26	DVL II, #103	Venice-Crete	2 galleys within 3 years	Mamluk Egypt
1377. 08.16	DVL II, #104	Venice	12 galleys	Mamluk Egypt
1377. 09.02	Acta Gregorii IX, #236	Giovanni Lascaris	Cannot have a round-ship, asked to use smaller vessels. Allowed to use up to 12 small vessels instead of the 2 round-ships	Mamluk Egypt
1382. 02.16	Petti Balbi, Deroghe Papali al 'Devetum,' p. 522	Unspecified merchants, through Bartolomeo Cogorno, cardinal of the Church of Saint Lawrence in Damascus	Merchandise worth up to 80,000 florins	Mamluk Egypt
1382. 02.16	Petti Balbi, Deroghe Papali al 'Devetum,' p. 522	At the discretion of Bartolomeo Cogorno, then in Rome	10 ships	Mamluk Egypt
1385. 12.28	DVL II, #118	Venice	1 year	Mamluk Egypt
1385. 12.29	DVL II, #119	Venice	1 year [different from the above, hence 2 years total]	Mamluk Egypt
1387. 06.30	<i>Acta Pseudopontificum</i> , #62 <sup>19</sup>	Giovanni Lascaris	Merchandise weighing up to 150,000 <i>cantariorum</i>	Alexandria
1387. 12.01.	DVL II, #125	Venice	2 years	Mamluk Egypt
1390. 05.19	DVL II, #133	Venice	10 years	Mamluk Egypt
1399. 09.30	<i>Commemoriali. Regesti</i> , IX, #169	Venice	25 years	Mamluk Egypt

<sup>18</sup> Renewed on 2 Sep 1377, Acta Gregorii XI, #236b, p. 465, then specified in Acta Gregorii XI, #236c, p. 466 that if merchandise out of this license is carried on ships that sail without license, nothing beyond it can be used.

<sup>19</sup> Issued by Clement VII, considered pseudo-pope by the prevailed party.

1425. 12.09	DVL II, #179	Venice	25 years	?
1433	Krekić, <i>Dubrovnik et le Levant</i> , p. 118. <sup>20</sup>	Dubrovnik	?	?
1443. 01.05	<i>Acta Eugenii Papae IV</i> , #1060	Portugal	Unlimited?	Muslims
1447- 1455	Libri Commemori ali, Reg. XVI, f18r/v	Venice	?	?
1447	Iorga, <i>Notices et Extraits...</i> , II, #19	Genoa	Unlimited	“Saracens,” “Turks,” and all other “enemies of the name of Christ”
1455. 01.08	<i>Bullarium Patronatus Portugalliae</i> , I, pp. 33- 34. <sup>21</sup>	Portugal	Unlimited, in order to further Christian conquests	Sub-Saharan Africa
1470. 05.29	Libri Commemori ali, Reg. XVI, f18r/v	Venice	40 years	Mamluk Egypt and any other “infidels”
1511. 12.12	Libri Commemori ali, Reg. 19, ff160v-161r	Venice	40 years	Mamluk Egypt and any other “infidels”

<sup>20</sup> Granted by the Council of Basel, not the pope.

<sup>21</sup> Confirmed later by Calixtus III in 1456, Sixtus IV in 1481, and Leo X in 1514: *Bullarium Patronatus Portugalliae*, I, pp. 36-37 (13 Mar 1456) for Calixtus, pp. 47-52 (21 Jun 1481) for Sixtus, pp. 106-107 (3 Nov 1514) for Leo.

**RECIPIENTS OF PAPAL LICENSES BETWEEN 1291 AND 1378**

First number: round-ships (cogs), second number galleys, unless specified.

n/a = number of vessels not available or not applicable

<b>Pope</b>	<b>Time-frame:</b>	<b>Venice, its territories, Venetian nobles/citizens</b>	<b>Genoa, its territories, and citizens</b>	<b>Barcelona and Majorca</b>	<b>Southern France:</b>	<b>Other Recipients:</b>	<b>Total:</b>
<b>Nicholas IV, Boniface VIII, Benedict XI, Clement V</b>	1288-1314	10 24	?	?	?	?	<b>10 24</b>
<b>John XXII</b>	1316-1334	0 0	Chios: 2 years, mastic only	6+	?	2	<b>8+ ?</b>
<b>Benedict XII</b>	1334-1342	0 0	0?	0?	0?	0?	<b>0? 0?</b>
<b>Clement VI</b>	1342-1352	6 4	?	7	?	10 31	<b>23 35</b>
<b>Innocent VI</b>	1352-1362	? 6	?	?	?	4	<b>4 6+</b>
<b>Urban V</b>	1362-1370	16 41	24 13	10	11	11 19	<b>72 73</b>
<b>Gregory XI</b>	1370-1378	19 48	?	?	?	1	<b>20 48</b>
							<b>137, 186</b>
Total:		<b>51 123</b>					
Bought:		<b>11 30</b>					
Grand Total:		<b>62 153</b>	<b>24 13</b>	<b>23</b>	<b>11</b>	<b>28 50</b>	

## APPENDIX C. PAYMENTS FOR TRANSGRESSION OF PAPAL EMBARGOES

APPENDIX C.1. Payments for Transgression of the Embargo Against Muslims in the East, 1317-1360 (excludes transgressors from Iberia)<sup>1</sup>

Page <sup>2</sup>	Date	Name of the transgressor or his/her representative	Citizenship of the transgressor OR number of represented transgressors, if procurator <sup>3</sup>	Amount paid for violating the papal embargo <sup>4</sup>	To whom/where was the merchandise exported, as in the document
285	04.08. 1317	Philippo de Vico	n/a	19 sous 7 deniers Tournois	mercaturam in Alexandriam Sarracenis
285	04.13. 1317	Puxio Parasoni	Pisa (citizen)	16 florins	in Alexandriam prohibitas mercaturas
286	05.25. 1317	Alberto Desiderii	Marseille (citizen)	29 florins	merces prohibitas in Alexandriam
288	12.06. 1317	Pietro Bishop of Civitanova	for 1 unspecified person	6 florins	res pohibitas, in Alexandriam
290	05.24. 1318	Pietro Bishop of Civitanova	for 1 unspecified person	16 gros tournois	res prohibitas, in Alexandriam
290	06.07. 1318	Pietro Bishop of Civitanova	for at least 2 unspecified people	6 florins and 12 gros tournois	res prohibitas, in Alexandriam
291	10.15.	Pietro Bishop of	for 1 unspecified	30 <i>tur. arg.</i>	merces

<sup>1</sup> See the tables in Odena, “De Alexandrinis,” pp. 290-316.

<sup>2</sup> From Emil Göller, ed., *Die Einnahmen der Apostolischen Kammer unter Johann XXII* (Paderborn: Druck und Verlag von Ferdinand Schöningh, 1910).

<sup>3</sup> N/A = provenience not specified. In order to identify place names of dioceses I have used Catholic Church, ed., *Annuario Pontificio per l'anno 2007* (Vatican City: Libreria Editrice Vaticana, 2007).

<sup>4</sup> The major and most commonly currencies are given with their modern names. Florin stands for “golden Florin” (confusion is possible, because the large Florentine silver coin, which could be called grosso, was often called silver florin). According to Spufford, the silver florin was last struck in 1279, after which 29 soldi equaled a gold florin, Spufford, *Money and Its Use*, p. 413. For sous and deniers tournois see Spufford, *Handbook of Medieval Exchange*, p. 172, for sous and deniers viennois, *ibidem*, p. 128, for iulhats, *ibidem*, p. 120. The gentle reader should keep in mind the difference between an actual coin, like gros tournois, or denier tournois, and the money of account based on it, like sous and deniers gros tournois.

	1318	Civitanova	person	(likely gros tournois)	prohibitas, in Alexandriam
303	04.07. 1322	Gasbertus Arqueiatoris and Iohannes <i>frater eius</i> (his borther)	Narbonne	200 florins paid for a 200 florin violation	res prohibitas, in Alexandriam
305	05.22. 1322	Balianus aep. Colocen. pro quendam domicellum	Rhodes	8 florins	res prohibitas, in Alexandriam
306	06.21. 1322	Ferrarius Ripe <i>marinerius</i> (sailor)	n/a	3 florins 7 gros tournois <i>c. o l.</i>	qui licet nichil fortasse lucratus fuerat ex labore suo et salario sibi dato
		B. Fontainas sailor	n/a	3 florins	ex eadem causa
		Guill's Fontainas sailor	n/a	3 florins	ex eadem causa
		Berengarius Artaldi sailor	n/a	10 gros tournois	ex eadem causa
		Guill's Magranier sailor	n/a	3 florins	ex lucroo sui laboris
333	07.05. 1326	Homodeus Vitalis	Narbonne (merchant of)	15 florins for a violation worth 15 florins	mercaturas ad partes Alexandrie
333	07.12. 1326	Iohannes Bages, <i>clericus</i>	Narbonne	50 sous gros tournois	servitor cuiusdam mercatoris de Narbona ivit in Alexandriam et ibidem lucratus fuit
336	01.15. 1327	Iacobus de Fenolheto, <i>clericus</i>	Diocese of Vic, suffragan of Tarragona	1 agnel <sup>5</sup> 1 florin 7 deniers gros tournois 18 sous 4 deniers	qui tamquam servitor cuiusdam mercatoris ivit in Alexandriam

<sup>5</sup> Singulum agn. pro 21 sol. Tur parv. comp. on p. 336 under this doc.

				viennois	propter quod sententiam excommunicationis incurrisse dicebatur assignavit camere ex penitentia sibi iniuncta in subsidium expugnationis rebellium ecclesie partium Lombardie
336	01.11.1327 <sup>6</sup>	Peregrinus de Castaneto	Montpellier	95 agnels 5 sous tournois	res prohibitas portaverat Sarracenis
337	06.03.1327	From different people <sup>7</sup>	Lucca	61 florins 5 agnels 2 ½ deniers gros tournois 14 sous 9 deniers <i>ob arg. de cunio Francie</i> 21 sous 3 deniers viennois	For various transgressions, including illegal trade in Alexandria
338	08.05.1327	Biriola <i>uxor quondam Nicholay Zarune de Venetiis</i> <sup>8</sup>	Venice	30 florins	fecisset portari mercaturas ad partes Alexandrie
342-3	07.22.1328	From several people	most n/a, 1 each from Barcelona, Majorca,	101 florins 65 sous 9 deniers	res prohibitas... portaverant

<sup>6</sup> Given as 01.09. in Goller, someone corrected that to 01.11.

<sup>7</sup> a diversis personis quarum aliquae ierant aliquae miserant contra prohibitionem Romane eccl. in Alexandriam cum rebus prohibitis aliqua persona subriperat de thesauro ecclesie in civitate Lucana aliqua certa vota emiserant et non compleverant aliqua ex legato relicto tenebatur recepta fuit in diversis vicibus et diebus summa

<sup>8</sup> de contrata S. Marie matris D<sup>ni</sup> fecisset portari mercaturas ad partes Alexandrie contra prohibitionem s. Romane eccl. propter quod excommunicationis sententiam incurrerat contra tales in processibus sedis apostolice promulgatam, de quibus mercaturis lucrata fuerat, ut eius asservit procurator, circa 30 flor. auri, dicta Biriola assignavit camere ex remorsu conscientie p.m. Bartholomei de Vandolis procuratoris sui.

			Perpignan	viennois (total)	Alexandrinis sive Sarracenis
345	12.15. 28-29	Laurinos de Morbiof, merchant	Chiavari, diocese of Genoa.	12 florins, 24 sous viennois	ad partes Alexandrie iverat...lucra tum fuisse...
345	02.20. 1329	Iacobus Vitalis, <i>clericus</i>	Narbonne	15 deniers <i>regal auri de cunio Francie</i>	qui ut Mercator certas merces portaverat in Egiptum Sarracenis
348	05.13. 1329	Franciscus de Podio	Carcassonne (Merchant of)	6 deniers <i>agn. auri 2 sol. Valos.</i>	cerats merces miserat Sarracenis
354	08.05. 1330	Iovinus de Castronovo	From the diocese of Genoa	1 florin 7 sous 3 deniers gros tournois	qui certas merces dixit se emisse in terris Sarracenu m
361	10.31. 1331- 1332	Iohannes Moyo	Venice	30 florins payment for a violation worth 30 florins	qui sicut scriptor fuerat in partibus Alexandrie et ibi lucratus fuerat 30 flor...
398		Galceto Firmani	Venice	1 <i>Genovino</i>	qui taxillos ad ludendum in Alexandriam accomodaver at et exinde lucrum habuerat
398 - 399	08.28. 1320	Guill, Bishop of Palestrina through his chaplain and another clergy member	no names specified or provenience	2634 florins 159 deniers <i>cum agn de auro 11 duplas auri de regina 3 deniers ad massiam de</i>	NB: tam de legatis relictis pro subsidio passagii TS quam restitutioni- bus secreta

				<i>auro</i> 2 ducats 25 pounds 10 pennies sterling, 1358 <i>Tur arg</i> <i>c.o r.</i> 412 <i>Tur arg</i> <i>c.o r.</i> 14 lb 6s 10 d <i>Tur arv</i> 17 deniers parisis 4 deniers viennois 15 deniers <i>Clementinor.</i> <i>arg</i> 1 iulhat 1 <i>denier</i> <i>Chauller. arg.</i>	factis per eos qui res prohibitas portaverant seu miserant Sarracenis
400	11.25. 1321	<i>Dominus</i> Petrus de Vidilhano, <i>canonicus</i> from the diocese of Nîmes and Raymundus Baboti, <i>canonicus</i> from the diocese of Embrun as executors of the testament of Guill, Bishop of Palestrina	no names specified or provenience	1066 florins, 36 agnells; 4 deniers <i>cum massa auri</i> ; 1104 <i>Tur arg.</i> 46 iulhats, 3 <i>Venetos arg.</i> 30 sous 2 deniers <i>ob Tur. parv.</i>	NB: res prohibitas Sarracenis, but also legacies
411	05.10. 1326	Bertrandus Cariti archdeacon <i>Vauren.</i> for various things including res proh.	Pisa	600 florins	Alex and other things
119 <sup>9</sup>	05.31. 1337	The executor of the testament of Petrus de Manso who had collected	Cyprus (likely)	118 florins	ad terras Sarracenorū prohibitas

<sup>9</sup> Page numbers from Emil Göller, ed., *Die Einnahmen der Apostolischen Kammer unter Benedict XII* (Paderborn: Druck und Verlag von Ferdinand Schöningh, 1920).

		money from embargo transgressors qui iverat ad terras Sarracenorum			
121	07.18. 1337	Iacobus Bedocii	Montpellier (merchant of)	1 <i>scudatum auri</i>	certas merces auri fecerat in terris Sarracenorum
131	07.03. 1338	Raymundo Ferrarii	Ferrara?	6 florins	partes ultramarinas
140	02.23. 1339	Iohannes Columbi	Savona (merchant of)	3 florins 1 <i>scudatum auri</i> 1 <i>ob. arg. de Francia</i>  For a transgression of 2 florins and 2 gross tournois	qui cunctam pecunie quantitatem cuidam mercatori eunti ad partes Alexandrie pro emendis quibusdam rebus sibi necessariis in illis partibus lucratus fuerit de dicta mercatura
140	03.06. 1339	Simone	Monte Olivo	35 <i>sol. in duplicibus nigris regis Francie</i>	ad partes Alexandrie duas gartas oley vendendas miserat
143	06.19. 1339	Eximeno de Portu, laico	Diocese of Cartagena	12 florins	Trade in Alexandria
147	10.10. 1339	Guiraudus Ulrici	<i>Figiac</i> , diocese of Cahors	14 florins	Trade in Alexandria
168	01.12. 1341	Iohanninus de Nayo	<i>Marasio</i> , diocese of Genoa	9 <i>genovini</i> 1 florin	Trade in Alexandria
179	06.26. 1341	Palmerius Antalzi, through a cleric	<i>Firmo</i>	91 florins	Trade in Alexandria
182	08.20. 1341	Iohannes Rubey	Messina	10 florins	Trade in Alexandria

187	01.04. 1341	Bernardus de Condomiis	Diocese of Urgell, suffragan of Tarragona	20 florins	solverunt camere lucrum quod habuerant de quibusdam mercatoribus per ipsos apud Sarracenos
		Raymundus Berengarii	Diocese of Perpignan-Elne		
193	04.031 342	Nicholao Formice	<i>Mecina</i>	10 florins	Trade in Alexandria
325 <sup>10</sup>	06.13. 1342	...procuratoris Guilelmi Ferrarii et Gulhalmoni	poorly preserved entry	10 florins	Trade in Alexandria
327	07.23. 1342	Bernardo Peraytorii	n/a	11 florins, total	Trade in Alexandria
		Guilelmo Boys			pefidis sarracenis
		Francisco Ferrarii			
330	11.30. 1342	Bertusio Michaelis	Venice	20 florins	Trade in Alexandria
331	12.18. 1342	Johanne Botare	Varazze, in the diocese of Savona	1 florin	Trade in Alexandria
338	07.21. 1343	nobili viro d. Nigro Cocco, through a procurator	Venice	500 florins	ad partes Sirie et alias terras Soldani aurum filatum argentum et stagnum et alias merces vetitas
338	08.13. 1343	ab executoribus defuncte d. Birirole de Andula de Veneciis p. m. d. Neapoleonis de Ponte Realis	Venice	39 florins	pro eo quod res vetitas portari fecerat in Alex-am
345	03.24. 1344	Jacobo Christi de	Messina	2 florins; 1 florin <i>de</i>	merces in Alexandriam

<sup>10</sup> Pages from Ludwig Mohler, ed., *Die Einnahmen der Apostolischen Kammer unter Klemens VI* (Paderborn: Verlag Ferdinand Schöningh, 1931).

				<i>Pedemonte parv. pond.</i>	; nihil lucratus fuerat
348	05.27. 1344	Marino Cattaneo and other hairs of Soldanino Cattaneo through Jacobo Malabalha	Genoa	300 florins	dum vivebat protaverat merces non tamen vetitas ad partes Alexandrie et soldani
356 - 357	04.24. 1345	Guidone de Campobasso de mandato Johannis Fabri penitenciarium pape	<i>Salarico</i>	6 iulhats	ut servitor quondam mercatoris transfretaverat in Alexandriam.
359	08.12. 1345	de manu fr johannis Fabri penitenciarium pape	n/a	3 deniers <i>ad scut.</i>	quo portaverat merces in Alexandriam
360	08.22. 1345	Symonino de Portu Morisio	Genoa	16 sous <i>parv mon</i>	res vetitas in partibus Alexandrie
360	09.13. 1345	Andrea Cornelli	Venice	16 florins	Trade in Alexandria
		Jacobo Cornerii			Trade in Alexandria
		Francisco Veneri			Trade in Alexandria
		Nicolao Brati			Trade in Alexandria
17 <sup>11</sup>	12.05. 1353	Galeotto Lercari	Genoa	200 florins	partes Ultramar. sine licentia
219	03.30. 1358	Andrea de Veneciis p.m. Martini Petri procuratoris penitenciariorum	Venice	18 florins for 18 florins profit	lucro facto in certis merc. translocatis per eum de partibus ultramarinis absque licentia et mandato

<sup>11</sup> Pages from Hermann Hoberg, ed., *Die Einnahmen der Apostolischen Kammer unter Innozenz VI* (Paderborn: Verlag Ferdinand Schöningh, 1955).

266	09.03. 1359	Iohanne Bonati	Florence	25 florins	Trade in Alexandria
		Hugone Plachi			“absque licentia”
		pm Guido de Fl. <i>canonicus</i>	Diocese of Foligno, province of Perugia		
299	09.30. 1360	Hugolino Scortica pm Bonacorse Scortica fratris sui	Lucca	15 florins	Trade in Alexandria “absque licentia”

APPENDIX C.2. Payments for Violations of the Embargo against Ferrara between 1325-1334 (the embargo had started in 1317).

Göller, Emil. *Die Einnahmen der Apostolischen Kammer unter Johann XXII*, Paderborn, 1910.

327 <sup>12</sup>	09.18. 1325- 1326	Henricus, rector, of the church of <i>Nova Villa</i>	<i>Nova Villa</i>	4 deniers gros tournois	Transit
327	10.11. 1325 or 1326	<i>magister</i> Conradus	<i>Colonia</i> , Diocese of Prague	2 florins	Transit and spending for <i>necessarias</i> <i>suas</i>
327	10.19. 1325 or 1326	Petrus de Dabro	Dubrovnik	8 gros tournois	Transit and spending.
327	11.12. 1325 or 1326	Ortholphus de Topel, Henricus de Chogel, and Siffridus	Diocese of Passau	16 deniers gros tournois	Transit and spending for <i>necessarias</i> <i>suas</i>
327	11.21. 1325 or 1326	Iacobus Medici <i>clericus</i>	<i>Bricina</i>	6 gros tournois	Transit and spending for <i>necessarias</i> <i>suas</i>
327	11.26. 1325 or 1326	Iohannes, <i>clericus</i>	Loblin, Diocese of Mainz	1 <i>Tur arg</i> (likely gros tournois)	Transit and spending for <i>necessarias</i> <i>suas</i>
329	02.20. 1326	Bandinus Spilhati et Landus Lapi <i>mercatores</i>	Florence	1 florin, 8 deniers gros tournois	Paid that much in tolls
330	03.12. 1326	Iacobus	Bologna	1 denier gros tournois	Transit
330	03.19. 1326	Paulus Boccuccii <i>mercator</i>	Florence	2 florins	Transit
330	03.21. 1326	Deodatus Gardi	Florence?	pro 3 deniers gros tournois paid with the other 2: 5 deniers gros tournois <i>c o l</i> ; 6 deniers gros	Spent while in transit

<sup>12</sup> Page numbers in Emil Göller, ed., *Die Einnahmen der Apostolischen Kammer unter Johann XXII* (Paderborn: Druck und Verlag von Ferdinand Schöningh, 1910).

				tournois <i>c. o. r.</i>	
		Andreas Gueti	Florence?	5 deniers gros tournois	Spent while in transit
		Michael Deodati	Florence	3 deniers gros tournois	Spent while in transit
330	04.16. 1326	Lapus Hugonis, <i>mercator</i>	Florence	6 deniers gros tournois <i>c.o.</i>	Transit
330	04.22. 1326	<i>Mag. Iohannes plebanus eccl. Inzait</i>	Diocese of Wrocław	3 deniers gros tournois <i>c.o.</i>	Transit
330	05.04. 1326	Ioanca <i>clericus</i>	Diocese of Veszprém	1 denier gros tournois	Transit
331	05.10. 1326	Angelus Bartholomei	Sena	3 deniers gros tournois <i>c.o r.</i>	Transit
331	05.20. 1326	<i>Mag. Theodoricus pleb.</i>	<i>Feriomonte</i>	3 deniers gros tournois <i>c.o r.</i>	Transit
331 - 332	05.26. 1326	Dominicus de Ponte Tremulo	Diocese of Piacenza	16 deniers gros tournois	All listed: Transit and expenditure
		Nicholaus Pucii	Lucca (citizen of)		
		Nicholaus Capella	Lucca (citizen of)		
		Lucha Pucii Nicholao Nectoro	Lucca	Total for those from Lucca:	
		Francisco del Lombardo de Lucha	Lucca	5 florins 6 gros tournois	
		<i>Mag. Nicholaus Alberti pro Bonaventura Serdo de Padua</i>	Padua	2 deniers gros tournois	
		Damianus Balbus <i>clericus</i>	Diocese of Castello (Venice)	3 deniers gros tournois	
332 - 333	06.29. 1326	Nicholaus	Diocese of Salzburg	2 <i>Tur</i>	Transit
		<i>Iacobus plebanus</i>	<i>eccl. in Elecht.</i>	8 <i>Tur</i>	
333	08.01. 1326	Bonaiuncta Pizauelli de Luca <sup>13</sup>	Lucca	1 <i>den. regal. auri de cunio Francie</i>	qui cum uxore sua transitum fecerit per Ferrariam tempore

<sup>13</sup> as did the previous guys (for Lomb)

					interdicti ex iniuncta sibi penitentia assignavit camere in subsidium expugnationis hereticorum et rebellium ecclesie partium Lumbarde
334	09.10.26-27	Landus Fey <i>mercator</i>	Sena	1 florin	Transit
335	10.29.26-27	Theodoricus de Nova Domo <i>clericus</i>	Diocese of Prague	1 deniers gros tournois	Transit
		Item Radulfus de Erga, Stephanus de Ungaria, and Iohannes Baraterii and his father Petrus	Hungary	2 florins 2 iulhats; 1 denier gros tournois, 10 sous 6 deniers viennois	Transit
336	02.04.1327	Henricus	Germany	4 deniers gros tournois	Transit
336	02.28.1327	diversis persone infrascripte que transitum fecerant per districtum Ferrarie tempore quo errat terra illa subposita interdicto: Symon Andree de Senis, Corradus Ferreti dioc. Taurinen. Ardichinus de Lomello Odorellus de Pistorio Guill's de Crista	Sena  Turin  Lomello province of Pavia (?) Pistoia <i>Crista</i>	total: 7 deniers gros tournois 5 sous 10 deniers viennois	Transit
338	diversis vicibus et	Henrico de Baezio Hugolino de Parma	Parma	total: 2 florins, 2 sous, 1 denier gros tournois, 38	Transit

	diebus	Armano Ruzuli Huberto Rangì Petro de Baono fratre Petro de Senis Iohanne de Raial. Claromondo de Veneciis Bartholino de Braicello Berthrando de Ast. fratre Thoma de Iohanne Stephano Marioni Nicholao de Bononia fratre Tanislawo fratre G. Serinhani	Sena  Venice  Asti  Bologna	sous 9 deniers viennois.	
343	07.22. 1328	de pecunia per ipsum magistrum Durandum...a personis diversis que per districtum et civitatem Ferrarien....transi verant:	As listed below:	total: 5 florins; 2 sous 6 deniers gros tournois <i>c. o r.</i> 36 sous viennois	All listed in this document: Transit through Ferrara and its district.
		Hector de Sala	Bologna	2 gros tournois	
		Herdegnus de Cecenitz	Diocese of Prague	4 sous viennois	
		Nicholaus Leonardi	Freising	2 gros tournois	
		Vannes Porci	Lucca	1 florin	
		Iacobinus de Mediola.	Milan	4 sous viennois	
		Manifredus de Parma	Parma	1 florin, 12 deniers viennois	
		Scarminhanus de Bretonorio	Forlimpopoli, province of Forli- Cesena	1 florin, 12 deniers viennois	
		Falco de Riperia <i>canonicus</i>	Huy, Diocese of Liège (?)	4 gros tournois	
		Grassus de	<i>Mutina</i>	2 gros	

		Mutina		tournois	
		Nicholaus Alexandri	Diocese of León	1 florin	
		Petrus Salti	Florence	8 sous viennois	
		Cianus Raynucii	Diocese of Spoleto	5 sous viennois	
		Iohannes Videnhonet	Diocese of Kamien, Poland	5 gros tournois	
		Pascalinus de Redenasco	Piacenza	2 florins	
		Garinus Normandi Anicien.	?	13 gros tournois	
		Iohannes D <sup>nici</sup>	Hungary	4 sous viennois	
		Iacobus Prosperi	Pistoia	1 gros tournois 12 deniers viennois	
		Gereon de Praga	Praga	4 sous viennois	
		Raynaldus de Locha	Langres, France	3 sous viennois	
		Lamfranquinus de	Pavia	1 gros tournois	
		Simon Maneti de	Florence	2 sous viennois	
348	05.13.1329	dns Durandus Mercatoris acting on behalf of several people	not specified	1 florin 11 deniers gros tournois 10 <i>sol Valos nigr</i>	Transit
374	04.16.1334	per F. dns Durandus Mercatoris	not specified	4 florins 2 deniers <i>reg auri</i> 4 sous 7 deniers gros tournois <i>c. o r.</i> 13 denier iulhats 29 sous 2 deniers <i>ob cor</i>	Transit

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