

FORUM *Entrepreneurs at sea: trading practices and legal opportunities in the first globalization (15th-19th centuries)* - panel organised for the XVIIth World Economic History Conference (Kyoto, 3-7 August 2015)

Introduction (Maria Fusaro, University of Exeter, UK)

This session arose out of the research done within the ERC-funded project *Sailing into Modernity: Comparative Perspectives on the Sixteenth and Seventeenth Century European Economic Transition*, by myself and my team: Bernard Allaire, Richard Blakemore and Tijn Vanneste. The project aimed at providing a new analysis of the economic transition in early modern Europe employing tools from legal, economic and social history (<http://humanities.exeter.ac.uk/history/research/centres/maritime/research/modernity/>).

Having unearthed a substantial amount of litigation initiated by Northern seamen in Mediterranean courts of justice centred on the delayed disbursement of their wages, I had originally wondered whether this pattern of wage payment gave Northern merchants, masters and shipowners a comparative advantage towards their Southern counterparts, who usually paid monthly at least part of the wages. In short I was wondering whether postponing payment of wages until the end of the business cycle provided Northerners them with more cash to invest in it. The question itself shows that I was relying on a traditional secondary literature which posited that by the sixteenth century seamen active on medium to long-distance trade were simple wage earners. Originally, I had also assumed that delayed disbursement damaged families at home, and curtailed 'recreational activities' whilst at sea. However, whilst working in various European archives my team and I discovered that aboard ships existed a world of capillary entrepreneurship, where wages were just one factor in the total equation of income: a particularly important one as 'wages' – when disbursed – could, and did, become 'capital' to invest.

Seamen's commercial activities in coastal/short range routes is amply acknowledged by the secondary literature, as is their crucial entrepreneurial role in the organization and practical functioning of fisheries across the globe. Conversely their involvement in trade on medium to long-range routes is a neglected element of their employment, even though it was frequently sanctioned by local customs and its profits could be substantial. The papers presented at the WEHC, whose abstracts will follow, give examples of these issues across the globe, and should hopefully stimulate further research on the complex issue of work retribution within the early modern maritime sector, where we believe 'micro-entrepreneurship' played an more important role than previously acknowledged.

Paraphrasing what Christopher Hill said thirty years ago regarding legal history, one of the goals of this session was to stimulate the "taking away of maritime history from the hands of maritime historians" and relate it again to the history of economic development. Seamen were members of the first proper global profession, they played a fundamental role in enabling European expansion across the globe, and the solutions devised by both institutional and private actors to support their working lives – at home and across the planet – played a pioneering role in the development of global finance as some of the papers presented clearly show. Just to give one example, the very sophisticated accounting which underpinned maritime labour both in Europe and on the global scale fostered the establishment of long-range credit networks which would deserves a closer engagement and analysis, and whose results would be of interest well beyond maritime history.

Historians of globalization have become very interested in considering how the early phases of globalization brought about changes in localized legal systems. But instead of

looking at ways in which law developed itself to function on a more global scale, we wanted to focus on the issue of how a landscape of different legal systems allowed the flourishing of opportunities for entrepreneurial activities for many actors. Rather than looking at the usual suspects, we wanted to start discussing the economic role played by seamen *as traders*. To this purpose, we issued a call for papers which encouraged scholars to look at both 'economic' and 'legal' evidence to unearth the spread of entrepreneurial activities by seamen across the globe. This session took up a comparative perspective, as our main goal was to foster a dialogue that will further open up the topic. However, the core of our panel though focused on the Mediterranean basin at large, because this was the first area in which different European models clashed, with implications for subsequent global developments. These clashes were formative elements in the maritime navigation which concurrently took off to conquer the Atlantic and Indian Oceans, giving rise to early modern globalization.

The paucity of extant evidence related directly to maritime employment, which has so far slowed down research on these issues, was successfully overcome in this session – like in our project – by a creative use of alternative sources of evidence. Amongst the primary evidence utilised: Inquisition report (Crivelli), taxation records (Hallén), probate inventories (Okabe), flows of bills of exchange (Lucassen/van Rossum), notarial documents (Vanneste), consular/agents' correspondence (Lucassen/van Rossum), chronicles and travelogues (Kane) and archaeological evidence (Lucassen/van Rossum). However the richest evidence emerged from the documentation produced by courts of justice (Blakemore, Vanneste, Ekama). From our work, it appears that an important factor behind these activities was the uncertain (flexible?) nature of the customary and state-sanctioned laws which regulated maritime employment, which provided seamen both with a framework within which they could conduct legal small-scale trading, and allowed them ample opportunities for smuggling. The diversity – and conflicts – between different jurisdictions acted as a stimulus for legal and economic development. And the importance of the evolving legislative situation emerged powerfully also from the discussion which followed the papers' presentation in Kyoto, where we were privileged in having a large engaged and critical audience.

Adventurers by sea: the trading activities of early modern English sailors, Richard J. Blakemore (Merton College, University of Oxford, UK)

Sailors have long been treated as an iconic example of early international wage labourers, and most scholarly attention has been directed at identifying their wage levels and contractual conditions. Yet recent research suggests that far from being an unskilled and homogenous labour force, many sailors were highly skilled workers, and some were adept at exploiting market conditions and international circumstances to maximise their earnings. Just as important is the fact that wages were not the only component in seafarers' income, and may not always have been the most important part. There were various customary payments which seafarers received on top of their wages, and it was also very common for sailors to engage in small-scale trade during their voyages. Scholars have regularly acknowledged that this took place, but they have generally assumed that it was mostly conducted by shipmasters, and underestimated it at other levels of the labour market.

The right of mariners to carry trade goods was recognised, at least until the middle of the seventeenth century, by local shipmasters' guilds, and similar entitlements were protected by the High Court of Admiralty. Unsurprisingly, throughout the seventeenth

century, mariners' investments depended on the routes they sailed. In the eastern Mediterranean, they purchased currants, oil and silk; in the western Mediterranean and Iberia, they traded in fruit, and in the Baltic they bought tar. Mariners sailing to the fledgling English colonies in America invested in tobacco, in Brazil they bought sugar, while in West Africa they purchased gold, ivory, and – from the mid-seventeenth century onwards – slaves. Although the East India Company sought to prohibit private trading and control the flow of commodities, some mariners still purchased calico and other Indian products. The goods which sailors carried on their outward voyages were equally varied. A number of these goods were carried according to the customary allowances already mentioned, but some mariners took their commercial activities further, although evidence concerning this usually appears in cases where merchants and mariners disputed whether freight was payable or not, suggesting that mariners tried to avoid paying freight.

The available evidence is very imprecise about how much this activity contributed to seafarers' incomes, but for some it appears to have been a substantial amount, and we can reach a number of cautious conclusions. Opportunities were certainly greater for those in positions of authority aboard ship, but sailors on all commercial routes, and of all ranks, participated in trade. This was not just a question of customary rights: while sailors were entitled to, and did, carry goods in their own cabins, some went further than this, acting as small merchants (sometimes in syndicates within the ship's company), carrying cargo in the ship's hold and paying freight. If nothing else, this evidence prompts us to re-evaluate our perception of seafarers as wage workers in any uncomplicated sense.

Religious Courts and International Trade: the Inquisition and the Lisbon Port of Trade in the Second Half of the Seventeenth Century, (Benedetta Crivelli, University of Padua, Italy)

From the second half of XVI century, the Iberian Inquisition strengthened its policies for the monitoring of the ships that travelled to the territories of the Spanish Empire. This strict control against the contamination from heresy involved both Spanish and Portuguese institutions, well beyond the end of the Union Crown. This research aims to understand whether and how the Inquisition affected international maritime trade in a catholic country such as Portugal, in a period when the Holy Office was a well-established judicial apparatus. The main sources of this research are the reports of the Inquisition's inspections (*Livros para as visitas das naus*) that the officials of the Holy Office performed on foreign vessels docked in the port of Lisbon. Some of these codex were stored in the archive of the Holy Office Court in the State Archive of Lisbon (Arquivo Nacional de Lisboa, Torre do Tombo): they provide information about the date of docking, name and type of ships, name of the master, port of origin of the ships, cargo, private merchandises, number of crewmen and passengers, their nationality and religion and books or imagines on board.

The inquisitorial documentation could be read as a source for the understanding of sailors' trading practices. From that, the ability of the seafarers to connect spaces and cultures, e.g. the penetration of the Norther ships into the Mediterranean sea and the exchange of manufactured goods from Spain and Italy (wool cloths, silk, satin, felt) with raw materials and goods from the northern and atlantic seaports (grain, rye, codfish. wood, iron), using the port of Lisbon as a stopover, can be observed.

The role of captains (*mestre* or *capitão*) is also important to understand the nature of maritime labour. Captains were recruited to carry goods on behalf of merchants that had business in Lisbon. The prestige of the merchants did not guard against the control of Inquisition, nevertheless a carefulness of the official towards foreign traders, during the XVI

century, and the repetitiveness of the inspections in the XVII century suggest a willing to avoid delays in the flows of trade or possible apprehensions for the merchants. Yet, in the XVII century, the fact that the same seafarer carried out different tasks (i.e. *capitão*, *contramestre* or *piloto*) on different vessels supposed a professionalization of their activities. Moreover, analyzing the records of the inspections, it is noted that more than 60% of visits were accomplished in the absence of captain. This fact probably reveals a tolerance about the possibility of smuggling.

The composition of the crew is an other crucial factor: all of the members of the crew usually belonged to the same 'nation' and their religious identity was usually associated to the 'nation' of belonging, so Dutch and English men were designated generically as 'Lutherans'. Even if captains used to choose seamen of their same nationality, it is not uncommon that the crew was mixed with foreign sailors, also embarked during the voyages as a salaried employee.

Although this source offers many causes of analysis, further information about the entrepreneurship of seamen in a multicultural and multilayered world may be obtained by a deeper research in the inquisitorial archives or through the analysis of notarial deeds.

Give me back my money! Wage litigation against the Dutch East and West India Companies, Kate J. Ekama (Universiteit Leiden, Netherlands)

In 1631 Captain Samuel Jaspersen and his crew took the Dutch West India Company (WIC) to court over the issue of wages. While sailing through the Channel on their return to the Republic, their ship was attacked and sunk. Jaspersen and other surviving crew members who made it back to Zeeland then began legal proceedings against the WIC over the (non-)payment of wages. The case progressed from the city court of Middelburg to the High Council (*Hoge Raad van Holland, Zeeland en West-Vriesland*) where it was heard on appeal.

In the vast bodies of scholarship on the Dutch East and West India Companies, litigation against the companies is an issue which has been largely ignored. Wages for service in the VOC and WIC provided company employees with opportunity and flexibility, and led to conflict between employees and the companies. This paper will address two related questions. Firstly, who claimed wages from the VOC and WIC? And secondly, via which institutional paths?

The first section of this paper examines the 'uses' of VOC and WIC employees' future earnings. Notarial deeds from the Amsterdam City Archive show that employees' salaries (*maandgeld* and *gagie*) and loot payouts (*buitgeld*) were transferable via power of attorney. As a result of this transferability, future earnings had various present uses. Future earnings could be used to take care of family members 'at home', were granted as inheritance, used to pay off debts, as collateral, and to create liquidity abroad through the sale of wage accounts. Moreover, such uses could be combined thereby producing layers of contractual obligation. Because of these various means of using and transferring wages, claims against the companies were made by employees themselves as well as by third parties, encompassing family members, representatives, heirs and creditors amongst others. These two forms of wage claims I have termed direct and indirect respectively.

The second section of this paper examines the routes that could be taken to claim wages from the companies, beginning with claims made to the directors of the respective chambers and escalating into legal disputes. Wage litigation heard in first instance in city courts progressed through provincial courts to the High Council. Based on sentences passed by the High Council, Jaspersen's case against the WIC as well as cases of wage litigation against the VOC will be analysed in detail to reveal the creative ways that conundrums produced by expansion were dealt with in the legal arena. The interplay between custom, contract and law will be brought to the fore.

This paper examines the extent of transferability of wages in order to illuminate the spectrum of wage claimants and claims made against the VOC and WIC. This analysis highlights the power of maritime employees, the multiple uses of wages and the institutional framework that allowed wage conflicts to be solved.

Maritime Entrepreneurship between an Old Sea & a New Republic: Commercial Activities by Dutch Seafarers in the Early Modern Mediterranean, Tijl Vanneste (Paris 1 – Panthéon-Sorbonne, France)

The customs of the sea allowed seamen employed on Dutch merchant vessels to carry out small-scale private trade for their own benefit. This practice was called *voering*, and its incorporation in the system of maritime taxes issued to fund naval protection from 1597 onwards is evidence that private trade by seamen was normal practice. Still, the role played by this small-scale entrepreneurship remains understudied, partially due to a lack of archival sources exposing the nature and size of these businesses. Seventeenth-century Dutch merchant shipping into the Mediterranean provides a good context to raise a number of questions related to *voering*. Strait-bound navigation was of middle length, allowing seamen to remain well-connected to social networks at home, while Dutch involvement in intra-Mediterranean trade created opportunities for trading crews to do business in a variety of ports.

Research of legislative texts, freight contracts, labour contracts, sailor's letters and merchant archives reveals the widespread use of *voering*, the variety of products seamen brought with them, the role played by wives and other family members at home to set up more regular business networks and the potential of private trade to complement monthly wages. All of these are elements that indicate that the seamen so instrumental in Dutch maritime expansion during the Golden Age were not simply wage labourers, but enterprising individuals in their own regard. In realizing this, the narrative of Dutch commercial and maritime success becomes richer; more than a story of an elite of merchants and urban rulers, it becomes a story that is far more inclusive with regard to a larger portion of the Dutch population, providing agency through trade to an important segment of Dutch society, seafarers and their families. As such, the historical narrative of the rise of the Dutch Republic and its dependence on the Dutch taming of the seas and oceans gains explanatory strength, as it reserves a more important and diverse role for a numerically important group, seamen, who already had become part, through maritime labour, of an important part of Dutch historical identity; that of a nation built on its battles with water.

Smuggling for wages? VOC-crews and the (illegal) transport of silver from Europe the Asia

(Jan Lucassen and Matthias van Rossum, International Institute of Social History Amsterdam, Netherlands)

The smuggling of (silver) money from the Dutch Republic to Asia was one of the important illegal activities undertaken by officers and crews. The VOC did not allow the transport of (silver) money on route to Asia, but also did not arrange for possibilities to repatriate cash money (as it did for the route from Asia to the Dutch Republic via the bills of exchange). Based on archeological findings in VOC-ship wrecks, it can be established, however, that large quantities of (non-Company) silver were transported illegally. Through the extensive court material provided in the Court of Justice of Batavia for the case of the ship *Zeewijk*, wrecked before West-Australia in 1727, our study reveals the dynamics of the smuggling of (silver) money, and in particular the role played by the lower and lowest ranks on board.

Economic historians are inclined to interpret smuggling as either (indirect) tax evasion or some other kind of failing institutions. In our paper we have chosen another angle, viz. what are the earnings for the de facto smugglers? After all the smuggling of silver coins from the Dutch Republic to Asia by evading the VOC monopoly was highly profitable because their exchange rate in Asia was much higher than in Europe. We analyse one of the rare occasions when all sailors were inspected thoroughly at arrival on Java in 1729, resulting in the administration and seizure of small and big sums carried by the survivors. The administrations and interrogations provide the possibility to analyse the variation in the sums recovered per individual. Our analysis seems to confirm our hypothesis that the strength of the networks determines the amount smuggled per sailor and consequently his extra earnings from this illegal by-employment. The stronger his network in the port of embarkation the higher the sums entrusted, and the more important smuggling as part of his total income. This also implies that not only legal, but also illegal earnings may explain why so many took so high risks by signing up for work under the VOC with its high death rates.

These findings are important as the position of sailors as wage-workers or traders has been a central concern in both maritime and labour history. European sailors in the long-distance trade have been argued to have transformed from 'the old medieval "comrades" into simple "proletarians"' in the early modern period a consequence of declining opportunities (or rights) to participate in maritime trade (Pérez-Mallaína 1998, also Rediker 1987). Sailors under the Dutch East India Company (VOC) have often been seen as illustrative for the outcome of this development as sailors had to rely primarily on their wages and were allowed only a small 'scheepskist' (ships cabinet) for personal possessions and private trade in goods that were not part of the VOC-monopolies (Ketting 2002). This

The conclusions of this study not only have implications for our understanding of the early modern maritime world of Europe, but ties in to debates on global economic relations as well. It challenges the often perceived dichotomy between European sailors, who would primarily be working as wage workers, and Asian sailors, who would have been primarily merchants or peddlers. The influential Van Leur (1983) argued that the Asian maritime world was marked by 'a large number of peddlers with small cargoes and a small capital, a limited number of ships and a reluctant overabundance of 'shipperpassengers'. This has led to the emphasis on Indian and Chinese sailors being engaged in sailing mainly with the purpose of trading, being 'peddler-traders' (Van Leur 1983), who carried their own merchandise (Blussé 1986, Cushman 1993) to benefit their families (Barendse 2002, 2009). In recent years, this perspective has been challenged by historical work indicating that –

despite small private trading activities – Asian sailors worked primarily as wage workers, earning wages comparable to European sailors until at least the end of the 18th century (Van Rossum 2014).

Both European and Asian sailors seem now to appear as wage workers, depending on commodified ways of life, while at the same time employing other, more entrepreneurial strategies to increase or complement their income. Reevaluating the strategies of European (and Asian) sailors as *workers* and *merchants* not only revises our notions on differences between European and Asian maritime workers, but can also have serious implications for debates on social relations and ship board life, nuancing notions on the development of an early modern class consciousness in the Atlantic world (Rediker 1987) or ‘a culture of opposition’ in the case of the Dutch East India Company (Ketting 2002).

Mariners in Bristol in the seventeenth and eighteenth centuries -An analysis based on probate inventories (Yoshihiko Okabe, Kobe Gakuin University, Japan)

In studying probate inventories surviving for Bristol it emerges that mariners were the largest occupational group. However, as a profession, ‘mariner’ is exceedingly difficult to define and understand. The purpose of this paper was to reveal what the job of a mariner was by examining the probate inventories of mariners and the people who supported the maritime economy of Bristol in the seventeenth and eighteenth centuries.

Some inventories, such as that of Duval and Francis Jacques (one of the highest-value inventories in the Bristol Record Office), do not feature appraisals of goods and chattels, but list stocks and debts, as well as lists of debtors and dates. They reveal that the function of probate inventories for traders was largely to confirm debts and credits rather than to appraise goods and chattels for apportionment of the deceased’s estate. These sources are therefore more useful for reconstructing mariners’ financial situation and connections than for studying their possessions, although some do list navigational instruments, which were status symbols for master mariners. On the other hand, some include considerable debts; yet even these reveal complex economic relationships.

These inventories also show how mariners sometimes maintained shore-based businesses. The top three occupations in probate inventories of Bristol Record Office were all in food-related trades and two of those three were related to the alcohol business. The food business was the most profitable business in the eighteenth century. The latest research on victuallers, conducted using eighteenth-century directories, reveals that many victuallers not only provided food or other provisions to ships, but they also managed taverns. Some examples in probate inventories and directories show victuallers recorded as both butcher and mariner at the same time. This too suggests that mariners were not simply wage workers but were also involved in a wide range of economic activities.

Shipmasters as importers of salt, Per Hallén (University of Gotheborg, Sweden)

During the great herring fishery on the Swedish west coast 1750-1808 the need to import salt increased. The shortage of salt had during a long time been a problem in Sweden and a new legal framework was introduced in the 1720:s to support Swedish shipping. It was the Swedish version of the Navigation Acts.

The increasing caching of herring created a new economic environment. It was no longer possible to exclude foreign ships and shipmasters bringing much needed salt to Sweden. In the first years of the Great herring fishery it was a mixture of foreign merchants and shipmasters of smaller ships that dominated the salt trade to Gothenburg. The largest

amount of salt arrived from Portugal (St Übes) followed by ports in France, Spain and the Baltic. In total it was 14 different ports that were important in the salt import to Gothenburg. While the salt from France was divided among several ports, the salt from Portugal only came from two. In Gothenburg's case, nearly half of the salt came from France in 1730, while roughly 43 percent arrived from Portugal. On the other hand, St Übes was the single largest supplier as almost 27 percent of all the salt arriving came from there, while Seudres delivered roughly one fifth. Roughly 16 percent came from Lisbon and barely 10 from Nantes. More surprising is that Spain (Cadiz) delivered less than 6 percent of the salt that arrived in Gothenburg during these years. In 1730, Cadiz delivered almost as much as Oléron and St Martin. Other French ports that contributed to the country's high share were St Malo, Rochelle and Dunkerque. After 1750 St Übes became even more important to the salt importers in Gothenburg. About 5% of the ships leaving Gothenburg 1764-1790 was bound for St Übes.

In the early years of the great herring fishery shipmasters was responsible of bringing up to 20 percent of the total import of salt to the harbour of Gothenburg. In the 1770s many shipmasters was working jointly with merchants and divided the cargo space in the ship. At that time the ships grow larger and you needed vessels that could bring about 1000 barrels in the salt trade. In the 1780s the cargo ships was even bigger and the small scale trade in salt started to diminish. Large shipowners started to use vessels able to transport more than 2000 barrels of salt.

Shipmasters as micro-entrepreneurs in the salt trade experienced a "golden age" 1750-80 after that they were driven out of business by the large merchants of Gothenburg. Their part in developing the shipping between Gothenburg and the Mediterranean and Portugal has been in the shadow of the larger actors. The importance of the shipmasters was however too large to ignore.

Merchant Seamen and Culture of the Early Modern Arabian Seas: A Research Agenda for Comparative History, Patrick M. Kane Ph.D. (Sharjah Women's College, UAE)

In this paper I examine the historical narrative of social and economic life in the Arabian coastal port towns of the Arabian Seas and Gulf that were integrated into the Indian Ocean trade. We find evidence of varied conditions of private wealth accumulation among seamen, boat owners and local sheikhs of the early modern period from 1450-1800. This paper presents how we may use a periodization of changed conditions of pre-modern to early modern integration of the Indian Ocean region into the world system. As an historian based in the United Arab Emirates my intent is to also to share approaches to the history of this region with comparative studies in other contemporary regional and world history studies. In this paper I summarize examples from archival sources and the work of historians active in the Arabian Seas trade to offer suggestions for further research. Historians make increasing use of not only commercial documents but narratives of culture and society that reflect the material conditions of society and communities based around the Indian Ocean and the Arabian Seas. In this paper I examine the rise and relative demise of the natural economy of the Western Indian Ocean and Arabian Seas from the 14 to early 19th century. The natural economy of the pre-modern Arabian Seas and Indian Ocean system was defined in Khaldoun Hasan al-Naqeeb's *al-Mujtama` wa-al-dawlah fi al-Khalij wa-al-Jazirah al-`Arabiyah: min manzur mukhtalif (Society and State in the Gulf and Arab Peninsula: a different perspective)* (al-Naqeeb, 1985). Al-Naqeeb was a Kuwaiti historian and sociologist whose critical writings and position as an academic and intellectual were

both noteworthy and rare in authoritarian states where the comparative study of both modern and contemporary history is generally discouraged and deemphasized. Al-Naqeeb wrote extensively on the nature of authoritarian state formation in the Arab World, including *ad-dawlah at-tasluṭah fī al-mashreq al-‘arabiyyah al-mu’aşir* (The Authoritarian State in the Contemporary Arab Mashreq). The Khaldoun Al-Naqeeb archive is especially useful for scholars and available at <http://www.khaldounalnaqeeb.com/en/index.jsp>

Accordingly, we take up his theory of the natural economy of the Indian Ocean system that described the making and unmaking of a regional economy and system of trade. Of particular interest is his emphasis on the resistance strategies to maintain the *muḍārabah* system in spite of the eruption of the age of imperialism into the Arabian Seas and Indian Ocean after 1500 (al-Naqeeb, 1985, p. 41). Al-Naqeeb’s book is also important as one of the few theoretical works that seeks a critical historiography and inquiry into the changing relations of power between state formation, the rise of the shaykhs, and the continued relation of a regional core with its less developed periphery. It is a work that posits a critical approach to a historical framework for both pre-oil and the oil based economic periods.

Al-Naqeeb identified this natural economy as a system of local capitalist relations that depended on speculative capital put forth by individual lenders and owners of local capital assets, boat owners and primary goods and commodities. Al-Naqeeb’s study provides a useful framing of the periodization and types of transition into capitalism underway. My aim is to provide a theoretical and practical framing on archival sources from the Indian Ocean and Arabian Seas trade, and offer questions for future research on the agency of ordinary seamen, merchants and their societies in early modern period.