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PEPPER AND REPRISALS BETWEEN POLAND AND PERA (1452)

Abstract: This paper takes as a case study a trade dispute that occurred in 1452 between Genoese, Polish, and Wallachian merchants in the Latin enclave of Pera Constantinople. Taking place just a year before the city fell to the Ottomans, this study offers a snapshot into the dying days of the tangled web of relationships and legal processes that underlay the trade route from Lviv to the Bosphorus. The paper explores the unhappy travels of Johannes Simiefal, a burgher of Lviv, who sought to ship a load of black pepper from Bursa. While transiting through Pera, his journey was interrupted by a group of enraged Genoese merchants. These men seized Simiefal's property in an act of reprisal for a load of furry hats which they claimed had been stolen from them by his countrymen. The legal case that then wound up before the consul of Pera revealed a series of misidentifications, interlocking ownership agreements, and illegal seizures. Much is exposed about the way trade was conducted between Eastern Europe and the Black Sea at the time. By reading between the lines of the byplay of interests and accusations, the framework of trade and law, origin and identity navigated by merchants is unveiled.

Keywords: reprisal, Wallachia, trade, law, Genoa, identity, Moldavia

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Introduction

In 1452, a particularly convoluted legal case was written down in detail as part of proceedings in a notarial record. The case involved trade between the Polish Kingdom, the Romanian Principalities of Moldova and Wallachia, the Genoese enclave of Pera in Constantinople, and the Ottoman Empire in the years just before the fall of the Byzantine capital in May of 1453. While the case itself is a fascinating window into pre-modern trade and merchant relations, I have focused on what it says about the use and abuse of legal reprisals and perceptions of origin and identity. All of this occurred within the backdrop of this complex region on the cusp of the great Ottoman advances in the Black Sea.

Reprisals

The topic of marque and reprisal is one that has seen a great deal of scholarship.¹ While more often associated with piracy and assaults on

¹ Particularly in maritime circumstances, reprisals can be confused with the later privateering letter of marque, which became popular during the Early Modern period. While related, these two legal institutions were very different. Medieval reprisals were issued only in times of peace, for a private claim for a specified sum, and only after a full legal case had been mounted and several attempts made to reach a settlement of the claim. Privateering letters of marque on the other hand, were issued in times of war, with an open clause to harass a lord's enemies; and any prize claims or judicial oversight were handled after the fact and usually adjudicated by an admiralty court. Both followed the principal of collective responsibility, but were distinctly different in purpose and execution. For more on this see L. Carr-Riegel, 'Letter of Marque', in *Münster Glossary on Legal Unity and Pluralism: 2nd Edition*, ed. by U. Ludwig, N. Markard et al., Münster 2023, 60–62. While many other studies exist, the following can be considered a good cross-section of the most important studies on the topic: A. del Vecchio, E. Casanova, *Le rappresaglie nei comuni medievali e specialmente in Firenze*, Florence 1894; L. Tanzini, 'Le rappresaglie nei comuni italiani del Trecento: il caso fiorentino a confronto', *Archivio storico Italiano*, 167.2 (620) (2009), 199–252; E. S. Tai, 'Honor among Thieves: Piracy, Restitution, and Reprisal in Genoa, Venice, and the Crown of Catalonia-Aragon, 1339–1417' (unpublished doctoral thesis, Harvard University, 1996); E. Maccioni, 'Reprisals in Medieval Genoa: International Justice, Politics and Diplomacy', in *Resisting and Justifying Changes. How to Make the New Acceptable in the Ancient, Medieval and Early Modern World*, ed. by E. Poddighe, T. Pontillo, Pisa 2021, 491–521; M. Chavarot, 'La pratique des lettres de marque d'après les arrêts du parlement (XIII^e-début

the high seas, it was an equally valid response to claims of robbery or unpaid debts; and was a common form of communal responsibility across Europe during the High Middle Ages. According to the rules of the era, a legal act of reprisal permitted person A to legally sequester the goods of person B, if person C, a compatriot of person B, had stolen from person A, defaulted on a debt, or otherwise injured financially person A, so long as it could be proved that justice had not been served.

The denial of justice claim was the hinge upon which reprisals rotated. In essence, reprisals were an answer, albeit a greatly flawed one, to the lack of an “international” court of appeals. Having been harmed on some venture beyond their place of origin, it was the responsibility of individual A to first attempt to gain legal restitution where the affront had occurred. Only if the local powers that be failed to render justice could he then return, carrying proof of his efforts, and request a reprisal be issued against individual C and all of his compatriots, B, by person A’s own local authorities. The granting of a reprisal was not automatic; indeed, they were interventions of last resort. The perceived injustice had to be mighty and weighed against possible economic and political fallout that would affect the issuing community. They were thus to be wielded only when all other alternatives had first been attempted.

To be considered, of course, were the moral implications of reprisals, which warred on otherwise innocent parties, but also the possibility of sparking tit for tat counter-reprisals. Merchants were naturally those most exposed to reprisals, as they journeyed beyond their home jurisdictions in search of opportunities for trade and profit, and they both complained about and utilized reprisals in equal measure.² Indeed,

XV^e siècle), *Bibliothèque de l'École des chartes*, 149.1 (1991), 51–89; M. R. M. Fabrega, ‘Marques i represàlies a la Corona d’Aragó a l’etapa final del regnat de Pere el Cerimoniós (1373–1386)’, *Butlletí de la Societat Catalana d’Estudis Històrics*, 14 (2003), 179–88; J. M. Vives, ‘La marca de Bernat Mel hac, la Corona catalano-aragonesa i el Languedoc (1327–1336)’, in *XII^e Congrès d’Histoire de la Couronne d’Aragon. Montpellier, 26–29 septembre 1985*, Montpellier 1987, I, 175–88; G. Clark, ‘The English Practice with Regard to Reprisals by Private Person’, *American Journal of International Law*, 27.4 (1933), 694–723; J. Wink, L. Sickling, ‘Reprisal and Diplomacy: Conflict Resolution within the Context of Anglo–Dutch Commercial Relations c. 1300 – c. 1415’, *Comparative Legal History*, 5.1 (2017), 53–71; H. Planitz, *Studien zur Geschichte des deutschen Arrestprozesses. Der Arrest gegen den fugitivus*, Böhl 1913.

² As a general rule, women, soldiers, clerics, students, pilgrims, and ambassadors were excluded from reprisals. G. de Legnano. *Tractatus de bello, de represaliis et de duello*, ed. by T. E. Holland, Oxford 1917, 316–18.

reprisals were offensive to both modern and premodern legal sensibilities – as innocent parties would be negatively impacted by the use of reprisals. Merchants arriving in a town could be stripped of their goods and sent home, simply because they shared a perceived origin with a miscreant, as part of fully legal procedures.³ Yet, the general agreement amongst medieval legal thinkers being that reprisals were a necessary evil, reprehensible and to be avoided wherever possible, but to be accepted as the best of two bad options.

This study, however, focuses neither on any possible legal justification for reprisals, nor their economic impact, but instead on the tricky issue reprisals ran into when it came to questions of origin and identity. As they were utilized, reprisals were a form of sanctions in ‘international’ cases. As the case below will demonstrate, the ‘perception of origin’ was a key and controversial aspect of the process.

The setting

The case which is discussed here is of particular interest because it occurred in a time and place where reprisals have rarely been studied. As the case itself involves a rather complicated affair involving actors from Chios, Constantinople, Genoa, Moldavia, Wallachia, and Poland, it is important to first set the scene.

³ Modern analysis has often focused on the impact of such practices on trade relations and debated ultimate economic outcomes; while medieval jurists were more concerned with reprisals’ moral implications. To name but a few premodern theorists on reprisals who took this approach, see Andreas de Rampinis ab Isernia (circa 1220–1316); *Peregrina lectura*, Albericus de Rosate (circa 1290–1354); *Commentarium de statutis lib. I Qu. LIII*, Bartolus de Sassaferrato (circa 1313–1357); *Tractatus represaliarum*, Giovanni de Legnano (circa 1320–1383); *Tractatus de bello, de represaliis et de duello*, Silvestro Mazzolini di Prierio (Sylvester Prierias) (circa 1456–1523); *Summae Syvestrinae*, Hugo Grotius (circa 1583–1645); *De lure praeda*. For more modern scholars’ takes on the economic viability of reprisals see A. Greif, ‘The Fundamental Problem of Exchange: a Research Agenda in Historical Institutional Analysis’, *European Review of Economic History*, 4.3 (2000), 251–84; L. Boerner, A. Ritschl, ‘Individual Enforcement of Collective Liability in Premodern Europe: Comment’, *Journal of Institutional and Theoretical Economics (JITE) / Zeitschrift für die gesamte Staatswissenschaft*, 158.1 (2002), 205–13; S. Ogilvie, *Institutions and European Trade: Merchant Guilds, 1000–1800*, Cambridge 2011.

In 1452, the year before the fall of Constantinople to the Ottomans, the western shore of the Black Sea was a hot bed of political contestation. It was also a primary avenue for trade that linked both Italy and the wider Mediterranean, together with Poland and Central Eastern Europe, with Silk Road wares via Constantinople. This state of affairs had come about, starting in the thirteenth century, when the Italian city states of Venice and Genoa began setting up trading colonies on the coast of the Black Sea. Soon they would establish other posts; all strategically placed near significant rivers – Tana (Azov) on the Don, Kiliya at the mouth of the Danube, and Moncastro (Bilhorod-Dnistrovskyi) on the Dniester, linking the trade routes of the Eurasian Steppe to the Mediterranean.⁴

While formally subject to the Byzantine Empire, during the thirteenth century, much of the Black Sea region came to be ruled by the Tartar Khanate. The fourteenth century however, would see rising instability and civil strife. During this period, internecine civil wars among the khans led, from the 1360s, to a growing power vacuum in the area of what is now modern Romania. This allowed for the formation of two new states – the Danubian principalities of Moldavia and Wallachia.⁵ Over the next fifty years, trade would shift decidedly to a new trade route called the *Via Walachiensis*, which ran from Lviv through Moldavian territory to the Italian port of Moncastro, with a secondary branch continuing on to Wallachia and the Italian port of Kiliya.⁶

During the fifteenth century, the expanding Ottoman Empire, which won territory at the expense of the failing Byzantines and the fraught and divided Khanate, began to change the balance of power along the Black Sea. This gave impetus to an upsurge in overland traffic through Poland. Where goods had previously gone by sea, Italian merchants were increasingly forced to seek out new routes and markets for their

⁴ L. Rădvan, *At Europe's Borders: Medieval Towns in the Romanian Principalities*, Leiden 2010, 473–84.

⁵ E. Khvalkov, 'The Colonies of Genoa in the Black Sea Region: Evolution and Transformation' (unpublished doctoral thesis, European University Institute, 2015), 98–99; Rădvan, *At Europe's Borders*, 325; D. Deletant, 'Moldavia between Hungary and Poland, 1347–1412', *The Slavonic and East European Review*, 64.2 (1986), 189–211.

⁶ For much greater detail on the development of trade through this region see L. Carr-Riegel, 'Italian Traders in Medieval Poland' (unpublished doctoral thesis, Central European University, 2021), 171–89.

Eastern goods. Polish rulers tracked these changes and sought at every turn to benefit by increasing incentives for trade to pass through their lands. The greatest beneficiary of these changes was the city of Lviv, where numerous Polish, Armenian, Jewish, Ruthenian, Wallachian, Italian, and other traders would meet, mingle, and reside. It was in this region and along the trade routes which wound through it that the reprisal case in question occurred.

The case

In 1449, Johannes Simiefal of Lviv made his way to the prosperous Ottoman city of Bursa where he sold a set of goods in exchange for a load of black pepper. Johannes then conducted this load, almost certainly via ship, from Bursa to the Italian enclave of Pera in Constantinople. From Pera, he likely planned to take the goods on to Wallachia; but while waiting for transit from the city, he was instead unexpectedly set upon by a group of enraged Genoese merchants who stripped him of his cargo. This group of angry Italians, headed by one Angelo di Lecario, seized Johannes's pepper and sold it off, keeping the profits for themselves.

To understand this action, we need to back up for a moment and return to events that took place three years prior. The year is now 1446, and officials in Lviv have just sequestered the goods of three Genoese merchants from Chios.⁷ This was done in response to a claim made by the Lviv burgher, Nicholas Zyndrich, that our friend, the Genoese merchant Angelo Lecario, owed Nicholas 800 Hungarian florins (huf).⁸ Nicholas was a prominent merchant in Lviv, a member of the city council and closely tied with the local Armenian community.⁹ A year prior,

⁷ J. Heers, *Gênes au XV^e siècle: activité économique et problèmes sociaux*, Paris 1961, 383 footnote 9; *Acte și fragmente cu privire la istoria Românilor adunate din depozitele de manuscrise ale Apusului*, ed. by N. Iorga, Bucharest 1897, III, 23 footnote 1.

⁸ Huf here stands for the Hungarian golden florin, which was a coin issued by the Hungarian crown starting in the 1320s, and modelled after that of Florence. M. Gyöngyössi, 'Coinage and Financial Administration in Late Medieval Hungary (1387–1526)', in *The Economy of Medieval Hungary*, ed. by J. Laszlovszky, B. Nagy et al., Leiden 2018, 295–306.

⁹ Nicholaus Zyndrich passed away at some point around April 1455 as his widow appears in court seeking restitution of certain funds owed to her now deceased

he had employed Angelo as a factor to deliver 1200 hufł worth of goods to Pera, but Angelo had failed in his mission, leaving behind an alleged 800 hufł debt. However, Angelo disputed the case and, in a series of court battles which played out before the civic authorities in Lviv, he at first appeared to acquiesce, but then later denied these claims. In the interim, he was pressed to hand over the money so that the Chios merchants' goods would be released and could continue their journey.¹⁰ He did so grudgingly, but was then left in significant financial difficulties and, after legal wrangling which lasted over two years, he brought the matter to the attention of the Genoese consul in Pera.

The consul of Pera was sympathetic, and wrote on Angelo's behalf to the Genoese doge, explaining the situation and asking for authorization to process in turn a writ of reprisal. While reprisals were relatively common, they were generally applied with care, as they could lead to obvious problems and retaliatory counter-reprisals, which is just what happened as we shall see in the case. The Genoese doge responded to Angelo's request with lukewarm enthusiasm, writing to the consul of Pera and instructing him to follow the usual protocol for reprisals. This protocol required him to first write to the king of Poland to see if the matter might be resolved peacefully. The consul was to wait and weigh the king's response and only if it arrived in the negative was he to take further action to issue the reprisal to Angelo.¹¹ From the following events, it appears that any overtures made to the Polish king were unsuccessful, and the reprisal was eventually authorized. Thus, when the unlucky Johannes arrived in Pera with his cargo of pepper, he was swiftly divested of it and the pepper was sold to pay back the money allegedly owed to Angelo and his fellows.

However, here the entire enterprise hit an enormous snag, as it turned out that the pepper did not in fact belong to Johannes of Lviv. Instead, it emerged that he was only operating as a shipping agent for the goods on behalf of a certain Peter Mani of Wallachia. This Peter

husband. *Akta grodzkie i ziemskie czasów Rzeczypospolitej Polskiej z Archiwum tak zwanego Bernardyńskiego we Lwowie*, ed. by W. Hejnosz, Lviv 1889, XIV, No. 2732, 3323; *Pomniki dziejowe Lwowa z archiwum miasta*, IV: *Księga ławnicza miejska, 1441–1448*, ed. by A. Czołowski, F. Jaworski, Lviv 1921, No. 1446–1452.

¹⁰ *Księga ławnicza miejska, 1441–1448*, No. 1446–1452.

¹¹ 'Documenti riguardanti la colonia Genovese di Pera. Prima serie di documenti riguardanti la colonia Genovese di Pera', ed. by L. T. Belgrano, *Atti della Società Ligure di Storia Patria*, 13.128 (1877).

was a *habitoris* of Suceava but was working out of Moncastro, the aforementioned important port city on the western Black Sea coast. Moncastro intermittently flipped back and forth between being controlled by the Wallachians and the Genoese, so Peter Mani was thus not a Pole at all. This complicated matters; as Johannes began protesting that Angelo and his crew had had no legal right to sequester the pepper, given that *debebant exequi in rebus et bonis subditorum regis Polonie, et non hominum Vellachorum* ('they were to take goods only belonging to subjects of the king of Poland, not the men of Wallachia').¹² This was a valid argument and one the Genoese consul in Pera was going to be interested to hear. However, as the pepper had already been sold and Johannes had little influence in the city, he was forced to simply inform his employer, Peter Mani, of what had occurred.

Peter Mani was understandably upset at the news that his pepper had been taken, not even as part of a legitimate reprisal proceeding, but as an erroneous illegal sequestration, and so he appealed immediately to the Wallachian voivode, Bogdan II for his own writ of reprisal. Bogdan II obliged him; and when the next load of goods belonging to a merchant from Pera entered his orbit, he immediately distrained them as his own. These goods, worth an estimated 4,000 Moncastrian ducats consisted of *sachi XVIII cotonorum, capelli pilosi centum et sachi duo tefticorum* ('18 sacks of cotton, 100 furry hats, and two sacks of taffeta cloth, belonging to Pietro Gravaigo').

Pietro Gravaigo was an important man in Pera, a prosperous merchant from a respectable Genoese family who was just then serving in the local government as commissioner of provisions for the enclave.¹³ He, as all the others, was outraged by the sequestration of his property, and turned to complain of this loss to the consul of Pera, requesting that he immediately be granted a reprisal against the subjects of Wallachia. The consul of Pera, perhaps trying to neatly side step this tangle, reached deep into his legal mandate and pulled out a Genoese statute from 1413, *De prohibita intromissione iusticie*, which stated that public officials such as *Captains*, the *Anziani*, or in this case the consul of Pera,

¹² *Acte și fragmente*, III, 29.

¹³ A. Roccatagliata, 'Notai genovesi in Oltremare. Atti rogati a Pera (1453)', *Atti della Società Ligure di Storia Patria*, 39.1 (1999), 109.

were not to involve themselves in judicial proceedings.¹⁴ Undeterred, Pietro Gravaigo took his complaints to the top and sent what appears to have been a number of requests to the doge of Genoa, including all important testimony and witness statements, in an effort to secure a reprisal against Wallachia.¹⁵ Somehow convinced by Pietro Gravaigo's claims, the doge of Genoa acquiesced to his request and released a reprisal permitting Petro to *interdici et arrestari faciatis in loco illo tantam rerum et bonorum Velacorum quantitatem* ('to ban and arrest in place all of the goods of Wallachians').¹⁶ The reprisal was renewed in Genoa a year later, in fact just days before the fall of Constantinople to the Ottomans, demonstrating that Pietro had yet to recover his losses. Unfortunately, we do not know the final outcome of this case. Further archival research might someday reveal it, but for now we are left in the dark.

Discussion

Reprisals and counter-reprisals

So, what can we learn from this tangled tale? Firstly, this is an excellent demonstration of the dangers of reprisals and illegal seizures. In this case, we have no less than four separate arrests. We can trace the fault for this debacle to the door of Angelo Lecario. It was his debt of 800 hufl in Lviv that started the ball rolling. It was this unpaid debt which led to the first arrest of the goods belonging to the merchants of Chios, a reprisal action; although it is unclear in how fully it met with rules of proper legal process; given that the two sides disputed the question. This action pushed Angelo to seek his own writ of reprisal, the second being a counter-reprisal in retaliation for the first. This was already leading down a dangerous path; but Angelo bungled the matter further

¹⁴ *Acte și fragmente*, III, 29; V. Piergiovanni, 'Norme, scienza e pratica giuridica tra Genova e l'Occidente medievale e moderno', *Atti della Società Ligure di Storia Patria. Nuova Serie*, 52.126 (2012), fasc. 1, 102.

¹⁵ *Acte și fragmente*, III, 30, 31; 'Prima serie di documenti riguardanti la colonia di Pera adunati dal socio', ed. by L. T. Belgrano, *Atti della Società Ligure di Storia Patria*, 13.145 (1877).

¹⁶ *Acte și fragmente*, III, 30.

by illegally executing his writ against the wrong party when he took the pepper belonging to Peter Mani.

Being the completely innocent, unintended victim of Angelo's counter reprisal, and receiving no justice from the officials in Pera, Peter Mani rather predictably chose the same legal method to seek restitution, requesting his own counter-counter-reprisal, from Voivode Bogdan II. This third writ was then used to take goods from Pietro Gravaigo, bringing the chickens home to roost in Pera. Unexpectedly, given the disputed nature of the case and the general unwillingness to release reprisals for fear of the ramifications to trade (which is exactly what we see happening here), the Genoese doge released our fourth counter-counter-counter-reprisal to Pietro Gravaigo, when he in turn complained to the metropole.¹⁷ This willingness on behalf of the Genoese authorities to support Pietro may be due to his standing within the community of Pera, or possibly political considerations Genoa felt towards the Western Black Sea coast. Their reasoning is difficult to determine. Reprisals were a common tool, resorted to by late medieval governments to ensure justice for their citizens in foreign jurisdictions. As we can see from this example, they could quite quickly get out of hand if not applied correctly or with due consideration.

What makes a Wallachian?

The second point we will consider from this case relates to what has been hinted at from the start of this work, namely how specific individuals' "origins" were perceived and the effects of this perception in legal terms. Recall how Johannes Simiefal made the argument that the pepper he carried could not be distrained under the writ of reprisal issued to Angelo Lecario because it was not Polish but Wallachian goods. This was an argument, which the Genoese at Pera agreed was valid. Let us consider for a moment more closely the provenience of Peter Mani of 'Wallachia'. He was, *Petri Mani Vellachi, habitatoris Ihuihave, qui res eas in Mocastro* ('Peter Mani the Wallachian, a resident of Suceava, whose business affairs were being conducted out of Moncastro'). The two named locations were places which were in fact, not in Wallachia.

¹⁷ For Genoa's general unwillingness to release reprisals without due consideration and their frequent political bent see Maccioni, 'Reprisals in Medieval Genoa', 505.

Rather, they were the capital and major port of the Voivodeship of Moldavia.

So, what do we have here? Was he a man who was perhaps born in the Voivodeship of Wallachia and simply resided in Moldavia? Did the Genoese of Pera know this and deem his birthplace the appropriate reference point for reprisals? Is it simply an error? Were the men in Pera uninformed about local political borderlines? The Romanian principalities were, after all, rather new to the map of Europe. The first reference of a voivode of Wallachia is attested in 1324; while the first documented mention of Moldavia dates only from 1360.¹⁸ Meanwhile, the primary trade route which linked Lviv with the Black Sea coast, upon which all of these events took place, was called the *Via Walachiensis*. It was so named, despite the fact that it ran primarily through the voivodeship of Moldavia. This seemingly lack of awareness of the principality of Moldavia appears to continue throughout the entirety of the Genoese reprisal documents. Looking more closely, we can see that they record the reprisal granted to Peter Mani had been issued by *Bogdani Vaivode, Vellachie domini* that is, Bogdan II who reigned, not as voivode of Wallachia, but rather as voivode of Moldavia from 1449 to 1451.

Yet, this lack of recognition is odd, as the Genoese were very well informed about all the local players in their region, especially given their need for allies in the face of Ottoman advances. Indeed, the Genoese had had direct diplomatic relations with the Moldavian rulers since at least 1387, when two emissaries were sent to the court and continued to be sent in the years to follow.¹⁹ Yet here, interestingly, the Genoese do not appear to have discriminated between the voivodeships of Wallachia and Moldavia. Why?

The answer to this lack of differentiation can be found in the analysis provided by Victor Spinei, which argued that while local actors might understand the political differences between the two principalities, they were viewed as culturally and ethnically identical and frequently

¹⁸ For the development of the principalities and the *Via Walachienses* see Carr-Riegel, 'Italian Traders in Poland (1300–1500)', 173–90.

¹⁹ A. Simon, 'Caffa si Moldova la 1387. Pe marginea unor notite genoveze', *Anuarul Institutului de Istorie "AD Xenopol"*, 60 (2023), 1–14; A. F. Dumitraşcu, 'Relațiile politice ale Moldovei lui Ștefan cel Mare cu genovezii din Crimeea (1457–1469)', *Analele Putnei*, 1 (2015), 121–37.

went undifferentiated.²⁰ This intriguing reprisal case, based as it is primarily on Genoese documents, gives weight to the argument that Wallachian was a common identifier for the region. Yet, simultaneously Polish sources do, at least at times, differentiate between Moldavians and Wallachians; which would seem to undermine Spinei's claims.²¹ What can we make of this?

However, here we may be running into what I term the 'distant identity zoom effect'. As an individual arrived in a new region, the further they were from home the more relative the specificity of their provenance became. This phenomenon occurs bilaterally. When at home, an individual might describe themselves as originating from say, 'the house with the green shield across from St. Mark's church'. When visiting a nearby town, this same individual might describe themselves as 'from the city of X'. When further afield, they would likely claim to be from 'the region of Y'; and when abroad, identify themselves as being from 'the kingdom of Z'. Similarly, the further away an individual's origin from contacts they meet abroad, the more zoomed out their identifiers. Following this logic, it is reasonable that Polish sources would recognize Moldavians while Genoese might not, given that the common identifier for the entire area was "Wallachian".

The positioning of Peter Mani appears to further confirm this reading; as he is labelled first as *Vellachi* – of Wallachian standing as both a general geographic and an ethnic moniker. This is followed by *habitoris Ihuihave* – a resident of Suceava – the capital of the Moldavian Principality, which places Moldavia as his current home, if not perhaps his place of birth, as he is listed as merely resident rather than *civis* ('citizen').²² Yet, he appears to have been conducting his affairs out of

²⁰ V. Spinei, 'The Terminology Reflecting the Ethnic Identity of the Romanian Voivodeships in the Middle Ages and Renaissance', *Revue Roumaine d'Histoire / Romanian Journal of History*, 58.1–4 (2019), 54–178.

²¹ For a few examples of this see *Akta grodzkie i ziemskie*, XIV, Nos 1305, 1362, 1395; *Księga ławnicza miejska 1441–1448*, Nos 198, 486, 841, 847, 1067.

²² It is worth mentioning that he is not noted here as a citizen of Suceava, but merely a *habitor*, a term used to indicate long-term resident status. This was in practice nearly equal to the status of a citizen, except in regards to holding or electing civic offices. For more on this term see: Z. Janečković-Römer, 'Gradation of Differences: Ethnic and Religious Minorities in Medieval Dubrovnik', in *Segregation, Integration, Assimilation: Religious and Ethnic Groups in the Medieval Towns of Central and Eastern Europe*, ed. by D. Keene, B. Nagy et al., Farnham 2009, 116–17.

the port of Moncastro – the former Genoese colony now under Moldavian control. Peter Mani is thus, a Wallachian in the general sense and identified as ‘Moldavian’ only through his urban connections. This emphasizes the importance of local community status as opposed to larger ‘national’ affiliations during this period. However, such labelling immediately becomes problematic in the context of medieval mercantile relations, and reprisals in particular.

While simple on the surface, local, less zoomed out identifiers were of critical importance. So much of medieval legal personhood was based on zealously guarded privileges; which were granted to specific towns or groups by a lord. Due to this, one’s origin mattered deeply; as it underpinned one’s legal rights, both at home and abroad. For this reason, beyond Peter Mani, we see Pietro Gravaigo listed as *burgensis Pere* (‘burgher of Pera’) and Johannes Simiefal introduced as *de Leopoli sive Lamburge, subditus regis Polonie* (‘of Leopoli otherwise known as Lemberg, subject of the king of Poland’). Such labelling ensured that readers of the document understood their place and legal standing in the larger geo-political framework. More importantly, in the context of the specific case in question, burgher citizens of Pera held a special place within the Genoese trade empire; which signalled that Peter was to be noted and respected. Likewise, using both the Latin and German forms for the city of Lviv and further marking Johannes as a subject of the Polish king, ensured that the reader would understand his position in the geo-political and more importantly, customary legal framework.

Yet, in an era before the invention of identity cards, passports, and background checks, how was someone’s identity and place of origin to be ascertained? Unfortunately, the specific case above gives little detail on this crucial part of the proceedings, nor to many other similar such documents. That said, a few clues from medieval documents give hints as to this process. Personal guarantees of identity and probity by an upstanding local were obviously the easiest and most useful route to establishing one’s origin and good reputation. Barring this, however, letters of introduction and safe conduct were popular forms of both identifying and safeguarding oneself legally.²³ Such letters, with their all-important seals, helped identify an individual and offer them some

²³ A. J. Kosto, ‘Ignorance about the Traveler: Documenting Safe Conduct in the European Middle Ages’, in *The Dark Side of Knowledge. Histories of Ignorance, 1400 to 1800*, ed. by C. Zwiernie, Leiden 2016, 269–95.

form of protection in case of legal actions.²⁴ Letters of safe conduct, in particular, often held a specific clause protecting the individual from reprisals, even if a reprisal was directed against his place of origin. Most common however, if a person's identity was questioned, was the simple application of an oath. Considered scared and far more legally binding than is the case today, oaths were used in all types of legal cases.²⁵ That said, the misidentification and thereafter incorrect and illegal sequestration of individuals and their goods under the terms of a reprisal was a perennial issue.

The fate of mixed cargoes

The final point of this paper considers how the central reprisal discussed hinged not only on the identity and origin of the individual who was carrying the goods involved, but on that of their owner. For, while Johannes might have been a Polish subject, the pepper he carried belonged to Peter Mani, a 'Wallachian', and thus should have been immune from sequestration. This issue, of whether goods being found simply in the possession of an individual who was liable for a reprisal, due to their place of origin but not actually belonging to them, was more common than one might imagine. By the fifteenth century, numerous merchants had developed sprawling business empires which saw wares being carried at their direction from place to place across many borders in the hands of 'factors' or associates.

This situation meant that goods too needed to be identified by their place of "origin". The origin of goods could be ascertained through merchant marks – these marks, drawn or carved into a trade good's packaging, marked them as belonging to a particular merchant.²⁶ Unlike

²⁴ At times, systems were even attempted where 'For instance, in the aftermath of the congress and treaty of Arras (1435), rocketing levels of seaborne aggression led the two governments to demand that mariners (whether English or Portuguese) produce written proof of nationality whenever they were approached at sea', T. Viúla de Faria, 'Maritime Conflict among Hundred Years' War Allies', in *Conflict Management in the Mediterranean and the Atlantic, 1000–1800*, ed. by L. Sicking, A. Wijffels, Nijhoff 2020, 207.

²⁵ For much more on the place and importance of oaths in medieval society see H. L. Ho, 'The Legitimacy of Medieval Proof', *Journal of Law and Religion*, 19.2 (2004), 259–98.

²⁶ A wonderful example of such marks can be seen on artifacts collected from the wreck of a fifteenth-century ship carrying copper through the port of Gdańsk. See B. Możejko, W. Ossowski, 'Artefacts from the Late Medieval Copper Wreck

letters, one did not need to be literate to identify the marks; although individuals on both sides of the exchange would need to be able to recognize them for the system to be effective. Shipping logs or cartularies were further used to help prove in questionable cases the origins of specific goods.²⁷ In particular, when one considers the exchange of goods by ship, many merchants might load their goods into a single cargo vessel that was loaded at one end and picked up by an associate somewhere along the ship's route. While surviving records highlight these episodes primarily because it was easy to inspect such cargoes as they landed in dock, similar circumstances would have prevailed for mule trains and wagon loads.

Such mixed cargoes made the execution of reprisals as well as war-time sequestrations complicated; and thus legal remedies were required. Interestingly, while the jurists of the era who interested themselves in reprisals such as Bartolo da Sassoferrato (circa 1313–1357) and Giovanni de Legnano (circa 1320–1383), debated numerous hypothetical reprisal situations, they did not discuss this issue.²⁸ Merchants and shippers however, who dealt with the everyday nitty gritty execution of such issues, did. According to the *Consolat del Mar*, which was a popular compilation of maritime law and custom used by the Genoese and others in the medieval Mediterranean, if such cargos were found to be made up of entirely or even in part of goods of an origin which were under a reprisal, then an agreement was to be reached between the captain or admiral who had captured the ship and the individual whose goods were being impounded.²⁹ If no accord was reached and instead,

the said admiral is not willing to make any arrangement or compact from arrogance or pride which is in him, and accordingly as above said shall carry away with him forcibly the said cargo, in which he has no right,

(Gdańsk, Poland)', in *Ships and Maritime Landscapes: Proceedings of the Thirteenth International Symposium on Boat and Ship Archaeology*, ed. by J. Gawronski, A. van Holk et al., Amsterdam 2012, 122–25.

²⁷ E. S. Tai, 'Marking Water: Piracy and Property in the Premodern West', in *Seascapes: Maritime Histories, Littoral Cultures, and Transoceanic Exchanges*, ed. by J. H. Bentley, R. Bridenthal et al., Honolulu 2007, 212–15.

²⁸ Bartolo da Sassoferrato, *Omnia quae extant opera*, X: *Consilia, quaestiones et tractatus*, Venice 1590, 119–24; De Legnano, *Tractatus de bello*, 209, 307–30.

²⁹ L. Tanzini, 'The Consulate of the Sea and its Fortunes in Late Medieval Mediterranean Countries', in *Courts of Chivalry and Admiralty in Late Medieval Europe*, ed. by A. Musson, N. Ramsay, Cambridge 2018, 179–94.

together with the said merchants, the said merchants are not bound to pay any freight either in whole or in part to the said ship or vessel, nor further to the said admiral; on the contrary the said admiral is bound to make good and restore all the loss which the above said merchants shall sustain from the said force, or expect to sustain for any reason.³⁰

The cases are not strictly analogous, as the load of pepper Johannes Simiefal was carrying for Peter Mani was impounded inside the port of Pera, rather than from a ship still at sea. Nonetheless, the ruling above demonstrates that in other circumstances when such issues arose, a deal should have been made. Instead, the cycle of reprisals continued, inconveniencing many on dubious legal grounds.

Conclusion

The case discussed here offers a glimpse into the way trade was conducted between Poland and the Black Sea region on the eve of the Ottoman conquest of Constantinople. While much more could be gleaned from its particulars, three points have been explored. First, that an individual's perceived "origin" had a huge impact on their legal status abroad, a point rendered particularly acute when confronted with a reprisal. Second, that an individual's "origin" was often assessed through the lens of what is here termed the 'distant identity zoom effect'. This effect being that the farther away an individual had travelled from home, the more generalized their "origin" became. This effect caused a multitude of possible problems in a medieval legal system that relied so heavily on local identifiers to determine one's legal status. This was true to the point that the further away the origin point, the more likely it was that with broad generalizations, more misidentifications and complications would occur. Third, that in cases of mixed cargoes, reprisals were a risky business. Although largely ignored by jurists, under such laws as the *Consolat del Mar*, an accord was supposed to be reached between the shipper of the cargo and the individual distraining them so that goods of "friendly" origin would not be swept up in a reprisal proceeding. The case in question however, demonstrates that such measures were not

³⁰ *The Black Book of the Admiralty: With an Appendix. Appendix, Part III*, ed. by T. Twiss, London 1871, 543–45; Tai, 'Honor among Thieves', 71–90.

always followed and could cause damaging counter-reprisals as a result. Finally, it is hoped that in the future, more cases will be discovered that will shed greater light on the way in which origin and identity were projected, perceived, and wielded in the legal sphere and beyond.

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