

# CONTROL OF THE SEAS: THE HISTORICAL EXEGESIS OF THE PORTUGUESE *CARTAZ*.

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This paper, focusing on the Portuguese *Cartaz* system, attempts to trace the historical context of control of the seas. Control of an ocean area can be defined as the capacity to cruise therein and also to hinder others from doing so. In practice, it consists chiefly in the material, if not legal, ability to seize vessels belonging to other parties and to avoid seizure of one's own vessels by the latter. From the beginning of the sixteenth century, the Portuguese claimed suzerainty over the Indian Ocean, permitting sailing only to purchasers of the Portuguese *Cartaz*. The foundation of this practice was the sale of protection. Tribute demanded from Asian traders and their ships took the form of the *Cartaz* system. Ships in the Indian Ocean sailing to a destination not reserved by the Portuguese for their own trade had to buy a safe conduct pass to avoid seizure and confiscation of merchandise. Related to the *Cartaz* was the introduction of coercion and monopoly by the Portuguese in sixteenth century Indian Ocean trade.

Soon after the Portuguese discovery of the Cape route, the first objective was a total exclusion of Asian shipping from the Persian Gulf and the Red Sea. The rest of the Asian trade was then to be regulated to exclude trade in spices. The instrument used to implement this policy was the *Cartaz*. The document obliged Asian ships to call at a Portuguese controlled port and following the establishment of the Portuguese customs houses there, to pay customs duties before proceeding on their voyage. Adversaries of the Portuguese and 'contraband' goods such as spices were not to be carried. The measure of the *Cartaz* clearly represented an institutional constraint on the freedom of navigation on the high seas, an essential component of the ideological foundation of the Portuguese maritime empire of the East. In many ways, sea passes or safe-conducts were the main European predecessors of the Portuguese *Cartazes* used in the Indian Ocean.

The juridical basis of the Portuguese claim to the right of control on a pan-oceanic scale was long established. The right the Portuguese arrogated to themselves to control seafaring and trade in the Indian Ocean resulted from the Portuguese king's pretension to universal empire. The mission of Dom Manuel (r. 1495-1521) was the global promotion of Christianity. When Vasco da Gama returned to Lisbon

with news of his exploits, Dom Manuel declared himself, in a letter written to the Cardinal Protector in the Vatican and the Roman Curia, 'Lord of conquests, seafaring and commerce of Ethiopia, Arabia, Persia and India'.<sup>1</sup>

Although the messianic zeal of Dom Manuel faded, during the rule of Dom John III (r. 1521-57) and Dom Sebastian (r. 1557-78), the idea of imperial jurisdiction continued.<sup>2</sup> The Portuguese king was the paramount interpreter and protector of Christianity in the East, where local rulers would be treated as vassals. In the seventeenth century, this theory was reinforced by Fr. Serafim de Freitas' treatise *De justo Imperio Lusitanorum Asiatico*, which spoke of Portuguese kings as overlords of the Indian Ocean, holding an imperial jurisdiction over local powers.<sup>3</sup> This was put into practice from the beginning. The Cochin Raja was bestowed with the crown of 'perfect king', declaring him free from the vassalage of Calicut. In turn, the Zamorin of Calicut was gradually placated and empowered to issue *Cartazes* in the name of the Portuguese king. Portuguese captains, to justify capture of ships, put forth the argument that their ruler was the 'Lord of the 'Sea'.

Vasco da Gama's famous reply addressed to Tunisian merchants present in Calicut was that the Portuguese purpose in coming to the Indies was to seek for 'Christians and Spices'.<sup>4</sup> The Portuguese claim to armed domination of the Indian Ocean maritime trade found a striking expression in the instructions issued to Pedro Alvares Cabral, the commander of the first major commercial voyage which sailed for India in March 1500. Cabral was instructed to inform the Zamorin of Calicut of the obligation of every Catholic king to wage war on enemies of the faith. If the Portuguese encountered ships of 'Moor' merchants who operated from Calicut, they would take possession of them.<sup>5</sup>

The Portuguese *Cartaz* system has often been connected with the theory of *Mare Clausum*. However, the use of *Cartazes*, implying a licence assuring safe-conduct, began in at least the twelfth century, while the doctrine of *Mare Clausum* was a creation of the mid-fifteenth century. In 1455 Pope Nicolas V granted Henry the Navigator the exclusive right of navigation south of Cape Bojador.<sup>6</sup> This privilege was later confirmed by several Papal Bulls and invoked by the Portuguese Crown, with enlargements and modifications for a protracted period of time. In practice, *Cartazes* continued to be issued in the Indian Ocean until the first quarter of the nineteenth century, even as the *Mare Clausum* doctrine had virtually vanished by the mid-seventeenth century.<sup>7</sup>

The Portuguese arrived in the East with the burden of Mediterranean traditions of piracy, privateering and maritime war. In

medieval Europe, the boundaries between piracy and privateering were not clear. While piracy entailed sea robbery by an individual or group operating independently, privateering signified armed vessels owned and officered by private persons holding commission from the government and authorized to act against a hostile nation, especially in the capture of merchant shipping. The latter was used as an expedient to raise funds. The French monarch, Francis I (r. 1515-47) financed his wars with the booty amassed by his privateers. Privateering was also fostered by a state for political reasons, especially to blockade an enemy power. Politically oriented privateering was influenced by mercantilist ideas.

There is some evidence that an equivalent of the *Cartaz* existed in the Asian seas before the arrival of the Portuguese, but the scale on which this restrictive measure was used by the Portuguese was unprecedented. The medieval empire of Srivijaya in Sumatra, which appears to have depended largely on forcible taxation of shipping through the straits of Malacca and Sunda. "At Sribuza the Governor demanded from a Jewish merchant a levy of twenty thousand dinars as a right of passage, before he would allow him to continue his voyage to China".<sup>8</sup> "If a merchant ship passes by without entering, their boats go forth to make a combined attack, and all are ready to die in this attempt. This is the reason why this country is a great shipping centre".<sup>9</sup> In the Indian Ocean as in the Mediterranean, plunder was probably as old as seafaring. Tome Pires traced the origin of Malacca to a seaborne marauding community taking the shape of a state, and referred to the Sultanate of Aru in Sumatra as a corsair republic in the fifteenth and early sixteenth centuries.<sup>10</sup>

The Portuguese word *Cartaz* was derived from the Arabic *Qirtas* i.e. paper or document. At the end of the thirteenth century Marco Polo had observed maritime exactions in ports belonging to the kingdoms of Ely (Eli near Cannanore), Melibar (Malabar) and Tanaim (Thara).<sup>11</sup> At Thana, the focus was on the lucrative trade in horses. Ibn Battuta referred to forcible taxation at some ports on the Kanara coast (Barkur).<sup>12</sup> Such practices probably developed in the secondary ports, as they could not compete with major ports, and preferred to be parasites on their neighbours. Aru wedged between Malacca and Pasai, and Kanara ports, between those of Malabar and Gujarat were examples. The great powers of Asia were landbound and less concerned with seafaring, with the exception of the Chola maritime power in the eleventh century, and Ming China in the fifteenth century. Maritime commerce was held to be a domain of the merchant class.

The vital difference in the control exerted by the Portuguese in the sixteenth century was one of degree. Portuguese essays at large scale

oceanic control must have appeared as a novelty. The practice introduced by the Portuguese, of enslavement of crews and passengers of ships captured at sea was unprecedented in the Indian Ocean. The Indian Ocean was largely free to sail in. "At the time of the Portuguese arrival in the Indian Ocean, the great sea was still a no-man's territory, not in the power of any particular state or prince. At sea, merchants feared only the pirates and the natural hazards of the wind and tide".<sup>13</sup>

During the first twenty years of the sixteenth century there were two main strands in Portuguese imperial policy in Asia. The claim to an exclusive sovereignty in the Indian Ocean was expressed through the efforts to eliminate Muslim trade to the Red Sea and East Africa, and to compel Indian merchants to buy naval passes from Portuguese officials.<sup>14</sup> The *Estado da India* was dependent on the Cape route for supply of men, ships and weapons, necessary to maintain the *Carreira da India* and prevent losses. Control of the mouth of the Red Sea was the corner-stone of Portuguese policy in the East. Since 1502 a permanent Portuguese fleet was stationed to blockade the entrance of the Red Sea, cruising between Aden and Bab el Mandeb. Friendly ships, such as those of Cochin, and even neutral ones, were spared. In early times, delivery of a Portuguese flag to a ship signified acceptance of Portuguese overlordship. This practice was terminated, the last instance in 1512, as clear identification of a vessel became difficult. During the first decades of the sixteenth century, *Cartazes* were not always delivered by Portuguese authorities such as viceroys, captains, factors or simple clerks. In many cases they were issued by local rulers such as of Cannanore and Cochin, the Zamorin (during the period of peace, 1513-25), Malik Ayaz of Diu, and even the Sheikh of Aden who came to terms with the Portuguese in 1524.<sup>15</sup>

During the governorship of Afonso de Albuquerque (1509-15) the *Cartaz* system was centralised in Goa. Albuquerque gave a hundred blank naval passes to the Captain of Cannanore to be distributed to ships from Calicut, provided they did not convey pepper or drugs.<sup>16</sup> In 1513 he did the same in Chaul, Dabhul and Bhatkal to stimulate the horse trade.<sup>17</sup> By the second half of the sixteenth century, no exemptions were made from purchasing Portuguese safe conducts. *Cartazes* were only issued by the Portuguese; local powers were no longer entitled to do so, as this practice proved to be ineffective. After the Ottoman intervention in the Indian Ocean (1546-54) and the eclipse of Vijayanagara in 1565 the tendency was to further centralize the grant of *Cartazes* in Goa, especially for voyages to the Red Sea. After the fall of Vijayanagara, Golconda dominated the Coromandel Coast, which saw the rise of Masulipatam. *Cartazes* were issued on this coast, mainly

to ensure rice supplies for the Portuguese outposts in Kerala, and not so much to control local trade.

The two essential conditions for the success of the Portuguese plan were naval superiority over Asian ships and establishment key outposts on land which would be strategic bases for naval fleets. These were Hormuz in the Persian Gulf, Goa and Diu on the west coast of India, San Tome Mailapur on the Coromandel coast, Hugli and Chittagong in Bengal, Malacca in the archipelago, Macau in China and Colombo in Ceylon.

The oldest known example of a *Cartaz* dates from 1611, given by the *Capitao Major* of Muscat, Antonio Pereira de Lacerda, to Nakhoda Nuruddin whose ship was later captured by the English ship *Expedition*. The English translation of its Portuguese text is provided by Purchas.<sup>18</sup> The oldest extant Portuguese original is a *Cartaz* issued on in 1613 by Governor Dom Jeronimo de Azevedo in favour of Adil Shah of Bijapur.<sup>19</sup> Registers of *Cartazes* issued between 1704-1817 are kept in the Historical Archives of Goa in Ms. Nos. 1363-8 and 2544.<sup>20</sup> Goods forbidden to be carried by ships sailing to the Red Sea and Persian Gulf were spices (pepper, cinnamon, and ginger) and warlike materials (weapons, iron and other metals, timber for shipbuilding, coir, sulphur, and saltpetre etc). There was also a prohibition on Abyssinian slaves and Levantine mercenaries, related to the local politics of Deccan, in which the Portuguese tried to interfere. When Asian ships that were not carrying a *Cartaz* were captured, the spoils would be shared. As per the *Regimento para a Reparticao das Presas* (Rules for the Sharing out of the Booty) of 1505, 20 % of the plunder went to the king, and 53 % to the shipowner, the rest being distributed to the crew; the governor or viceroy was entitled to choose one 'jewel' from the booty and also to receive as much as 25 times the share of a crew member.<sup>21</sup>

The *Cartaz* system was an instrument of control for different purposes. These were strategic —aimed at the embargo of spices, political – aimed at the enemies of the *Estado*, and fiscal – to protect royal monopolies and implement forcible taxation. There was also a certain social purpose – aimed at restraining the activities of Portuguese private merchants and preventing soldiers from becoming traders. The byproducts of the system were extortion, speculation and piracy. Sale of sea passes are regularly mentioned in Portuguese official correspondence.<sup>22</sup> The *Capitao Major* of Coromandel in 1522, Manuel de Frias, was famed to have grown rich by selling safe conducts.<sup>23</sup> During the 1540 famine in Aden, ships came from Cambay with *Cartazes* issued by the Captains of Diu and Bassein, which were sold

at a high price or given in exchange for transportation of the forbidden commodities of pepper and drugs.<sup>24</sup>

Portuguese intervention in the Indian Ocean was a strong factor in dividing the traffic of the sea, between coastal trade and high sea voyages. The pass system was imposed for larger ships while the smaller vessels were free to sail under guidance. The *Cartaz* cost was Rs. 157 for each hundred *khandis*, 3 *khandis* making a ton in carrying capacity. A ship of 1000 *khandis* would therefore pay Rs 1570, a sum which cannot be described as nominal.<sup>25</sup> Local merchants were thus inclined to concentrate on smaller ships, leaving larger vessels to officials and rulers. Also, to avoid the problem of passes, they freighted their cargo on privileged vessels. The Indian Ocean 'pedlar'<sup>26</sup> took his classical form as a small freighter on royal ships. While Mughal Emperors licenced many of their ships sailing from Surat to Mokha<sup>27</sup> the Portuguese practice was also to issue free *Cartazes* to some vessels of the Mughal Emperor and Sultans of Bijapur and Ahmadnagar.<sup>28</sup>

The response of traditional trade to European domination of the seas was variegated. After the focus of Portuguese official concerns shifted from the mouth of Red Sea to the Malabar coast, the Moplahs of Cannanore put up a strong resistance against Portuguese maritime power.<sup>29</sup> Gujarati merchants took Portuguese *Cartazes* but many times did not follow the rules of the *Cartaz*. Thus there was flourishing business from the late 1530s onwards between Gujarat, Sumatra and the Red Sea in pepper, mainly through the agency of Gujarati merchants. To counter Portuguese monopoly of pepper in Kerala, and evade Portuguese ships cruising the Malabar coast, Arab traders began dealing in Sumatra pepper.<sup>30</sup>

Portuguese *Alevantados* (rebels and mutineers) did not heed safe conduct passes, notably in Bengal and South East Asia. Portuguese privateers were notorious for seizing local shipping in the Bay of Bengal. Interlopers and private traders were also active on the Coromandel coast, such as the *Casado* colony at St. Tome Mailapur during the 1540s,<sup>31</sup> and Portuguese settlements in Pulicat.<sup>32</sup>

The policy of exclusion of merchants from Calicut, Cambay and other ports on the west coast of India from the Red Sea and Persian Gulf gave temporary results. The *Estado* lacked resources in men and ships to sustain an effective blockade of the Red Sea for long. Dislocation in the spice trade also proved to be temporary. After 1530s the Red Sea spice trade began to revive. Considerations of strategy as well as economics often obliged Portuguese authorities to issue a limited number of *Cartazes* for Red Sea ports. By the second decade of the sixteenth century, cracks had already begun to appear in the Portuguese

system. Financial priorities and compulsions of the *Estado* were such that taxing Asian ships at Portuguese controlled ports such as Malacca, Goa and Diu was more important.<sup>33</sup>

The Portuguese obliged all indigenous vessels plying the west coast of India to purchase safe conduct passes, which compelled them to visit Portuguese ports in order to pay tolls as they transited. Parasitical siphoning off of a part of the profits of Asian trade was true of other areas as well. The view that the *Estado* was wholly a piratical or parasitic state which grew rich by ruthless plunder of unarmed Asian merchant ships has not gone without challenge.<sup>34</sup> Whatever may have been the theory, in actual practice the Portuguese attempt to control the seaborne trade of the Indian Ocean was made partially ineffective through corruption and administrative laxity on the part of their officials in the Indies. The Portuguese failure to cut off the Mediterranean spice trade either at its source or in transit through the Red Sea turned them, as Fernand Braudel has observed, into customs officials.<sup>35</sup> Steensgaard, while characterizing Portuguese enterprise as 'redistributive', also holds that the Portuguese pepper monopoly was not a business but a customs house.<sup>36</sup>

In the seventeenth century, the *Cartaz Cafila* system was taken up by both the English and the Dutch East India Companies. The true heir to the Portuguese claims of a monopoly in the spice trade was the *Vereenigde Oost-Indische Compagnie* (VOC). But the Dutch passes or *Pascedullen* had a different purpose, less to generate revenue as in the Portuguese case, more to discourage competition and concentrate intra-Asian trade in their own hands.<sup>37</sup> Dutch and English commercial success in the Indian Ocean was based on their ability to compete in the market, not government monopolies.

The Portuguese pass-convoy-armada system paved the way for increasing intervention in the Indian Ocean, and interference in local politics. Indigenous shipping was coerced into realising that trade and protection at sea was not free. The *Cartaz* was bestowed on those who accepted Portuguese alliance or hegemony, and denied to subjects of hostile powers. Control of the ocean through the *Cartaz* system needs to be understood in its broader and more complex context, as a larger global strategic conception.

#### NOTES AND REFERENCES

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