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Beyond Law and Order: Encounters at Arguin and the Beginnings of the Dutch Slave Trade, 1633–1634

On 29 January 1633, three ships of the Dutch West India Company arrived at the tiny island of Arguin, situated in a bay along the coast of what today is Mauritania, Northwest Africa.¹ A contemporary watercolor by the Amsterdam artist Johannes Vingboons offers a good visual impression of the sheer desolation which characterized the island (Figure 7.1). A treeless rock on the edge of the Sahara desert measuring no more than 12 square kilometres, Arguin was situated in a small natural bay just south of Cabo Blanco. It was an important node in the Atlantic trade in natural gum, a product which was used in early modern Europe for medicinal purposes, as well as in the textile industry.² The Portuguese had set up a trading post on the island as early as 1445, and had later constructed a basic fortress to defend the island against European competitors. Merchants from the United Provinces had been participating in the gum trade since the late 1620s, but for the West India Company, Arguin was probably important mainly because of its strategic location halfway between European waters and the West African Gold Coast. Since 1625, when the Dutch had lost 441 soldiers in an unsuccessful attempt to capture the Portuguese stronghold of Elmina, the West India Company had been reluctant to attack Habsburg positions on the West African coast. Yet encouraging reports from Brazil, where Company troops were on the verge of taking over the sugar

1 This article was first published in Dutch as “Recht door zee: Ontvoering, muiterij en slavenhandel in Arguin, 1633–1634”, in: Michiel van Groesen, Judith Pollmann and Hans Cools, eds., *Het gelijk van de Gouden Eeuw: Recht, onrecht en reputatie in de vroegmoderne Nederlanden* (Hilversum: Verloren, 2014), pp. 57–71. Here it appears in revised form. I am grateful to Henk den Heijer for pointing out to me that the engraving by Frans Post, labelled “Arx Archin”, which I included in the initial article in Dutch, in fact represented not Arguin but Axim, on the Gold Coast.

2 There is hardly any scholarship on the Dutch expedition to Arguin in 1633. This paragraph is largely based on Henk den Heijer, *Goud, ivoor en slaven: Scheepvaart en handel van de Tweede Westindische Compagnie op Afrika, 1674–1740* (Zutphen: Walburg Pers, 1997), pp. 14–16. On the exact date of the attack, see *Reizen naar West-Afrika van Pieter van den Broecke, 1605–1614*, ed. Klaas Ratelband (The Hague: Nijhoff, 1950), pp. lxxvi–lxxvii. The only author providing more details on the battle between the Dutch and the Portuguese is Olfert Dapper, *Naukeurige beschrijvinge der Afrikaensche gewesten* (Amsterdam, 1676), p. 370, but Dapper’s descriptions are often unreliable.



FIGURE 7.1 Johannes Vingboons, *View of the castle at Arguin from the sea*. [Amsterdam], c. 1665

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plantations of Pernambuco, required a reconsideration of the Dutch strategy. When the West India Company had been established in 1621, the directors (*Heeren XIX*) had taken a principled stance against the trade in enslaved laborers from West Africa. But by the early 1630s the Dutch were slowly preparing to drop their objections. The attack on Arguin can be regarded as the first step in this process. The island was not only the main Atlantic gateway for the trans-Saharan slave trade, but also a crucial stepping stone for a renewed attack on the Portuguese stronghold at Elmina, and perhaps even, in due course, the elimination of all Habsburg positions on the West African coast. At Arguin, the garrison of fourteen Portuguese soldiers was no match for the invaders. On 5 February, forty Dutch soldiers led by commander Laurens Cameels took possession of the castle.³

3 On the misguided attack on Elmina in 1625, see *Expeditie naar de Goudkust: Het journaal van Jan Dircksz Lam over de Nederlandse aanval op Elmina, 1624–1625*, ed. Henk den Heijer (Zutphen: Walburg Pers, 2006). On the position of Arguin in the transatlantic slave trade, see Ivana Elbl, “The Volume of the Early Transatlantic Slave Trade, 1450–1521”, *Journal of African*

The encounters at Arguin also had far-reaching legal consequences for the Atlantic efforts of the Dutch West India Company. It represented the first time the Dutch would exercise territorial sovereignty on the African continent as stipulated in the Company's charter from 1621. As long as Dutch sailors and soldiers remained on board, or inside the walls of the fortresses in their possession, the legal situation was pretty straightforward. The so-called extraterritoriality of trading factories outside Europe was an almost universally accepted legal doctrine, exploited with great success by the Dutch East India Company in Asia.⁴ For employees of the West India Company, this meant that they were subject to Dutch criminal law, and to other articles of Roman-Dutch civil law. But what happened when one left the Company premises, and interacted with the local inhabitants? Did employees of the West India Company realize where Dutch jurisdiction ended, and what would happen beyond those boundaries? And how could they know whether their assumptions of geopolitical jurisdiction were shared by the local population? In order to tackle these problems, Dutch merchants at Fort Nassau near Moree, Ghana, had concluded a treaty with local rulers in 1612 that determined the legal boundaries between Europeans and Africans.⁵ But after 1621, the situation was different. The States-General had given the West India Company the constitutional right to exercise full legal power in the colonies they would acquire, and had provided the Company with the military support to back up their claims. This article studies the moral difficulties the Dutch encountered on a desolate island in the Atlantic Ocean when proclaiming territorial sovereignty, as well as the *ad hoc* solutions they had to come up with when relations with the local population did not fit the legal system they wanted to impose. The case of Arguin enables us to witness the application of Dutch laws and the flexibility of Company servants when realities were not as neat and tidy as they had anticipated. Exploring

History 38.1 (1997), pp. 33–37, 41–44. In the sixteenth century, the trade declined: Toby Green, *The Rise of the Trans-Atlantic Slave Trade in Western Africa, 1300–1589* (Cambridge: Cambridge University Press, 2011), p. 257. The numbers of Portuguese and Dutch soldiers in Arguin are mentioned by Antonio van Diemen, who was on his way to Java in the East Indies, and who encountered the Vlissingen skipper Cornelis Roelemans at Cape Vincent. See L.C.D. van Dijk, *Algemeene Konst- en Letterbode* 66 (May 1854), p. 159; *Dutch-Asiatic Shipping in the 17th and 18th Centuries*, ed. Jaap Bruijn, Femme Gaastra, and Ivo Schöffer (2 vols.; The Hague: Nijhoff, 1979), nr. 0431.1.

4 Jan A. Somers, *De VOC als volkenrechtelijke actor* (Deventer: Gouda Quint, 2001), p. 26.

5 Henk den Heijer, "Met bewillinghe van de swarte partij: Nederlands recht op de Goudkust in de zeventiende eeuw", *Pro Memoria* 5.2 (2003), p. 350. At Goeree, in Senegal, a similar settlement may have been reached, but information on this has not survived.

developments in Arguin also serves to explain why the West India Company, in later years, would act differently. Documents which have survived in the Nationaal Archief in The Hague demonstrate that the directors of the Company's Zeeland Chamber, who were in charge of early ventures along the West African coast, were presented with moral problems of various kinds in the first two years after the successful invasion of the island. Relations with local inhabitants at Arguin were characterized by fundamental misunderstandings, the designated leaders of the Dutch garrison turned out to be hopelessly inept, leading to mutiny and murder, but also to private initiatives to enter the transatlantic slave trade – a practice which at the time was still strictly forbidden by the directors of the West India Company. The situation at Arguin quickly became so desperate, that the Company's new strategy on the West African coast was in great peril. A group of individual Dutch traders, on course for the Senegambia region, was unpleasantly surprised by the mayhem they encountered at the island. Not only did they meticulously report their experiences to the directors in Zeeland, they also pragmatically solved the situation at Arguin to the benefit of the West India Company, allowing the directors the time to formulate a permanent solution to the various legal issues the Dutch encountered in West Africa.

Encounters at Arguin

In theory, the legal situation the Dutch faced in Arguin in February 1633 was simple. Four years earlier, in 1629, the States-General had issued the *Ordre van Regieringe soo in Policie als Justitie in de plaetsen veroverd en te veroveren in West-Indiën* ("Order of Government both in Policy and Legal Matters in Settlements Conquered and to be Conquered in the West Indies"). This proclamation, originally devised after the conquest of the Brazilian capital Salvador de Bahia in May 1624 but subsequently extended and improved, was meant to prescribe legal issues that were not explicitly regulated in the Company charter of 1621. It proclaimed that Roman-Dutch law, as current in Holland (and especially Amsterdam) and, to a lesser extent, in Zeeland too, would be adopted in Africa and the Americas. Roman-Dutch law, uncodified yet purposely suited to the practices of the province of Holland in the late Middle Ages, encompassed both civil law and criminal law. For the West India Company, federal lawyers had added several articles of international law (*ius gentium*). In Article II of the Company charter, it was stipulated that the West India Company had the right to "make contracts, charters, and alliances with the princes and the 'natural people' (*naturellen*)" between the Cape of Good Hope and the easternmost point of

New Guinea.⁶ Article 43 of the *Ordre van Regieringe* re-iterated that all inhabitants of settlements under the rule of the Company, including local inhabitants, were subject to the same regulations, both *in civilibus* and *in criminalibus*. This also meant that it was not allowed for Company employees to enslave local people, something that was confirmed once again in Brazil several years later.⁷

Another document which was relevant for the situation in Arguin, the *Vrijheden en Exemptien* ("Privileges and Exemptions"), allowed individual merchants to make a contractual agreement with the West India Company to serve as the "patroon" of their own colony, as long as they succeeded in bringing a substantial number of settlers to the territory in their possession. The first charter, devised in Zeeland in March 1628, quickly led to a similar ruling in the Company's Amsterdam Chamber in June 1629.⁸ Soon thereafter patroonships would be established in New Netherland, with Kiliaen van Rensselaer's proprietary manor Rensselaerswijck, around current-day Albany in the Hudson Valley, the prime example.⁹ Yet the first patroonship in the Dutch Atlantic world dated back to the Spring of 1627 – so even before the *Vrijheden en Exemptien* regulated the practice. It belonged to the Vlissingen merchant Abraham van Pere, and was situated along the Berbice river, on the so-called Wild Coast in the Guyanas.¹⁰ Van Pere, who represented the interests of the major shareholders in the board of directors of the Zeeland Chamber, also displayed an interest in becoming the patroon of Arguin. In October 1632 he agreed with the other Zeeland directors to co-finance the conquest of the island – part public, part private in other words – after which he would enjoy a monopoly on trade in the Cabo Blanco region. Presumably Van Pere was not just interested in the

6 Johannes de Laet, *Iaerlijck Verhael van de verrichtinghen der geoctroyeerde West-Indische Compagnie*, eds. S.P. L'Honoré Naber and J.C.M. Warningsinck (4 dln.; The Hague: Nijhoff, 1931–1937), I, p. 8.

7 Antonie J.M. Kunst, *Recht, commercie en kolonialisme in West-Indië vanaf de zestiende tot de negentiende eeuw* (Zutphen: Walburg Pers, 1981), pp. 57–61; Jacob A. Schiltkamp, "Legislation, Government, Jurisprudence, and Law in the Dutch West Indian Colonies: The Order of Government of 1629", *Pro Memorie* 5.2 (2003): 320–34.

8 Kunst, *Recht, commercie en kolonialisme*, pp. 144–47; Van Cleef Bachman, *Peltries or Plantations: The Economic Policies of the Dutch West India Company in New Netherland 1623–1639* (Baltimore and London: The Johns Hopkins Press, 1969), pp. 97–109.

9 Jaap Jacobs, "Dutch Proprietary Manors in America: The Patroonships in New Netherland", in: Lou Roper and Bertrand van Ruymbeke, eds., *Constructing Early Modern Empires: Proprietary Ventures in the Atlantic World, 1500–1750* (Leiden: Brill, 2007), pp. 301–26; Janny Venema, *Kiliaen van Rensselaer (1586–1643): Designing a New World* (Hilversum/Albany: Verloren & SUNY Press, 2011), pp. 241–67.

10 G.J. van Grol, *Grondpolitiek in het West-Indische domein der Generaliteit; een historische studie* (3 vols.; The Hague: Algemeene Landsdrukkerij, 1934–1937), II, p. 25; Doeke Roos, *Zeeuwen en de Westindische Compagnie (1621–1674)* (Hulst: Van Geyt, 1992), pp. 23–26, 29.

gum trade and the hunting of turtles, but also in the option of transporting slaves from Arguin to his patroonship in Berbice. Once before, several years earlier, Van Pere had already received extraordinary permission from the Company to ship six enslaved Africans to the Guyanas. He may have speculated that what had hitherto remained an exception might become the rule.¹¹

The contract between Van Pere and his fellow directors provided Arguin with an unprecedented legal status, even within the narrow confines of the emerging Dutch Atlantic empire.¹² Formally, the island resorted under the authority of the Chamber of Zeeland, just like the more southerly island of Goeree was the responsibility of the Chamber of Amsterdam. Under the contract with Van Pere, the Zeeland directors retained the authority over military matters, whereas the patroon was responsible for the support of the settlers he was contractually obliged to bring to the island – in this case mainly fishermen, alongside a few merchants and their servants. Expeditions to Arguin would be co-financed by the Zeeland Chamber and Van Pere. In contrast to other Dutch factories along the West African coast, Arguin would not have its own Council of Justice. The commander, a Company employee, would settle military issues, while the *commies*, a functionary in the service of Van Pere, would have jurisdiction of issues relating to the settlers. The contract also sheds light on the appeal of such a desolate island for a businessman like Abraham van Pere. In the months preceding Van Pere's interest, two Dutch ships returning from "West India" had intercepted an English vessel who had five "Barbarijers", probably Berbers from the Cabo Blanco region around Arguin, on board. Once they had arrived in Middelburg, the Africans had offered Van Pere to help him conquer "Fort Argina" if only he would be willing to take them there. The Africans also pledged the support to the Dutch cause of the "*barbarissen* and moors of the region". Inspired by this offer, Van Pere asked his colleagues for permission to fit out a fleet of three ships – the *Regenboog*, the *Noortsterre*, and the *Jager* – to exploit this opportunity.

After the three ships had succeeded in defeating the Habsburg defenders, the West India Company immediately began to integrate Arguin into a newly devised geopolitical strategy for Africa. The island would become a key post for traders in gum and hides in the Senegambia region, 500 kilometers to the south, where French merchants, mainly from Normandy, had provided fierce

11 Johannes Postma, *The Dutch in the Atlantic Slave Trade, 1600–1815* (Cambridge: Cambridge University Press, 1990), p. 13.

12 Nationaal Archief (NA), Oude West-Indische Compagnie (OWIC) 42, fols. 63–64 (25 Oct. 1632). A good survey is offered by Filipa Ribeiro da Silva, *Dutch and Portuguese in Western Africa: Empires, Merchants, and the Atlantic System, 1596–1674* (Leiden: Brill, 2011), pp. 29–31, 39, 72. In Portuguese Africa, too, Arguin formed an administrative exception.

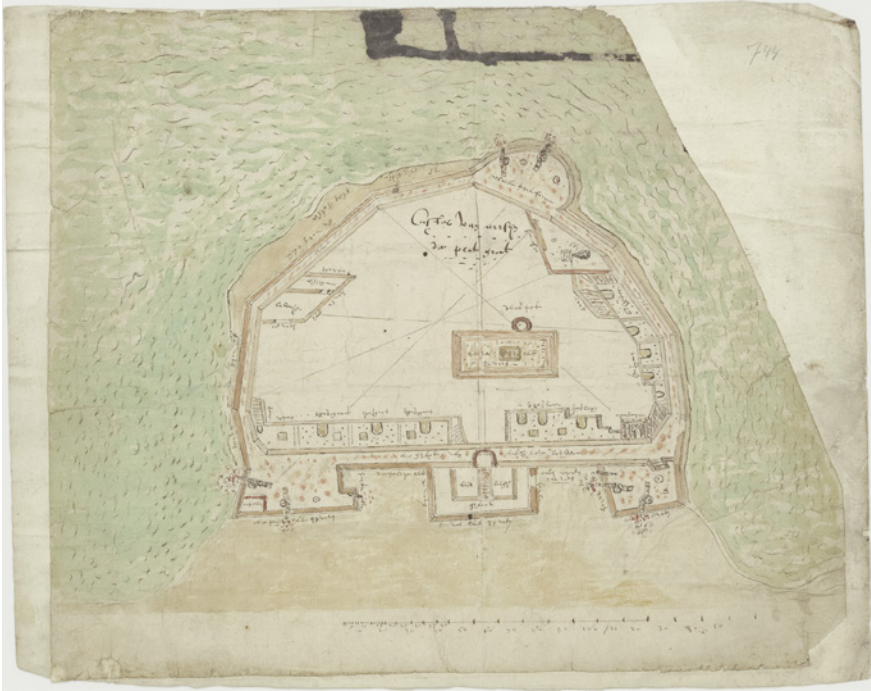


FIGURE 7.2 Anon., manuscript map of the castle at Arguin, c. 1633?

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competition for the Dutch since the late 1620s.¹³ Maps of Arguin and its castle with walls as high as nine meters were carefully studied by the directors in Zeeland before being copied and forwarded to their colleagues in Amsterdam (Figure 7.2).¹⁴ Several directors were assigned with the task of systematically reading the papers of the Portuguese governor of the island in the hope of obtaining information regarding trading contacts with the local inhabitants.¹⁵ Abraham van Pere decided to send his son Daniel to the island to serve as chief-merchant (*commies*), and received generous support from his fellow regents. From September onwards, the Zeeland directors made arrangements for a substantial expedition to Arguin with 180 soldiers or at least “as many

13 G. Thilmans, “Les planches sénégalaises et mauritaniennes des ‘Atlas Vingboons’ (xviiie siècle)”, *Bulletin de l’Institut Fondamental d’Afrique Noire* 37, serie B, no. 1 (1975): 95–116.

14 NA, OWIC 21, fol. 158^r (12 May 1633); NA, 4.VEL 744. See also: Bea Brommer and Henk den Heijer, *Comprehensive Atlas of the West India Company I, the old WIC, 1621–1674* (Voorburg: Atlas Maior, 2011), p. 352.

15 NA, OWIC 21, fol. 159^r (23 May 1633).

soldiers as could be got” to recuperate the fortress if the Habsburgs had managed to take back control. If the fortress was still in Dutch hands, the expedition was ordered to expand Dutch influence along the West African coast.¹⁶

The appointment of Daniel van Pere as the main civil officer in Arguin turned out to be an unfortunate one. According to the nineteenth-century Zeeland historian Edelhard Swalue, writing to encourage provincial pride, Van Pere junior was chosen because of his “courageous nature”, but shortly after he had arrived at Arguin, his decision-making let him down.¹⁷ On 20 or 21 July 1633 he left the fortress accompanied by eight soldiers to trade in gum at Port d’Arco – a regional marketplace along the coast to the south of the island. In order to find his way there, the “Moors” had offered to take him there in one of their small boats. The “Moors” of the region, as the Dutch called them, were probably nomadic Beni Hassan, Arab traders from Yemeni descent who dominated the southwestern Sahara region and had subjected the local Berber population.¹⁸ Perhaps the Beni Hassan viewed the transition from Portuguese to Dutch rule at Cabo Blanco as the ideal opportunity to diminish European influence in the region. Whatever their strategy may have been, Van Pere never returned to Arguin. The Dutch troops who had remained on the island quickly suspected something was wrong when the local inhabitants, who had built their dwellings against the walls of the fortress, suddenly left. The soldiers panicked, and held their leading officer, Commander Cameels, accountable for the sudden decline in Euro-African relations. In a rebellious atmosphere, and without clear leadership from either Company officials or the employees of the patroon, they decided to put Cameels in chains.

It took a long time before order would return to Arguin, not least because the lack of a strong Dutch presence on the Gold Coast meant that the island was not (yet) located on one of the main shipping routes in the Dutch orbit. Most West India Company ships sailed straight to Brazil, crossing the Atlantic after taking in water at Cape Verde. The Dutch ship *Sperwer*, which passed

16 NA, OWIC 21, fol. 181^r (26 Sept. 1633). For the administrative organisation of Arguin between 1634 and 1678, see Ribeiro da Silva, *Dutch and Portuguese in West Africa*, 31.

17 E.B. Swalue, *De daden der Zeeuwen gedurende den Opstand tegen Spanje* (Amsterdam: Van Kampen, 1846), pp. 315–17. Swalue here mentions a seventeenth-century document which I have not been able to trace.

18 Ulrich Rebstock, “West Africa (tenth-twelfth/sixteenth-eighteenth centuries)”, in: Maribel Fierro, ed., *The New Cambridge History of Islam*, vol. 2 (Cambridge: Cambridge University Press, 2010), pp. 480–502, esp. pp. 480–83. As far as I know, there is no literature on Dutch relations with the Beni Hassan. For an exploration of Dutch relations with the adjacent sultanate of Morocco, see Maartje van Gelder, “The Republic’s Renegades: Dutch Converts to Islam in Seventeenth-Century Diplomatic Relations with North Africa”, *Journal of Early Modern History* 19.2/3 (2015): 175–98.

Cabo Blanco in October 1633, some three months after Van Pere's disappearance, could not even locate the island and sailed on to the Senegambia region.¹⁹ It was not until eight months later, in March 1634, that three ships from Zeeland finally reached Arguin. The skippers and merchants in charge of this small fleet were astonished when they learned what had happened to Van Pere and his men. They immediately notified the directors of the Zeeland Chamber, and it is thanks to their letters that we can get a clear idea of what had happened on the island in the meantime, and thanks to their pragmatism that the legal position of both the West India Company and patroon Abraham van Pere were ultimately re-established.

Re-establishing Order

In January 1634, the *Tijger* and the *Noortsterre* left the port of Middelburg, carrying 100 and 25 soldiers respectively. Their assignment was to sail to Arguin to see if extra troops would be required there, before taking the remaining men to Recife where an ongoing guerrilla war obstructed Dutch progress. The experienced Joos Coeck, who had served in Pernambuco during the invasion of Olinda, was in charge of this small expedition.²⁰ At the end of the month, a third ship left Zeeland to trade in the estuary of the Senegal river. Skipper and *oppercommies* of this ship, the *Moriaen*, was Dierick Ruiters, author of the pilot guide *Toortse der Zee-vaert* ("Torch of Navigation"), and veteran of both Brazilian campaigns of the West India Company.²¹ Since returning from Pernambuco, Ruiters had shifted his interests to trade in the Senegambia region, partly because he had already enjoyed some success there in previous years, and partly because his relationship with the Zeeland directors had become distinctly icy in the early 1630s. By supporting Ruiters' annual expeditions to Senegal, the directors removed one of their most unpredictable ship's captains from the main stage of Dutch Atlantic ambitions, Brazil. After Ruiters had assessed the chaos at Arguin, he returned to his ship in "Sleepers Bay" (*Sla-persbaai*) where the three ships lay anchored, and informed the directors in Middelburg in typically blunt fashion:

19 NA, OWIC 50-21 (21 Oct. 1633) is a letter from the *Sperwer's* skipper, navigator, and merchant to Daniël van Pere (who had already been abducted at the time). According to the address on the back of the letter they had "Argijn niet konden vinden".

20 NA, OWIC 21, fol. 187^v (27 Oct. 1633) & OWIC 22, fol. 2^v (12 Jan. 1634).

21 On Ruiters, see the introduction in *Toortse der Zee-vaert*, ed. S.P. L'Honoré Naber (The Hague: Nijhoff, 1913). See also Chapter 3 of this volume.

The *Noortsterre* has returned here from the Castle at Arguin on 11 March, and has brought [as prisoners] all the officers and soldiers whom it had encountered at the castle because of the great disorder among them: the soldiers has held their commander captive for around seven months, and they testify that the commander had not been seeing eye to eye with Mr. Daniel van Pere. [...] We understand from those who we have brought over from Arguin that some three or four weeks ago, they had spoken to some Moors who had told them that Mr. Daniel van Pere and two others were still alive, & very skinny.²²

Discord, mutiny, and kidnapping were serious problems at the best of times, but on a tiny, desolate island along the West African coast, they required all the available support that could be found. Ruiters indicated to the directors that Captain Coeck and his two skippers Cornelis Roelemans and Cornelis Pietersz Hoofe had requested him to stay to help solve the matter, and that he had offered to do so “as long as we are here” – a choice of words which implied that he was not prepared to let the failings of the Company get in the way of his own trading venture. A French ship from Dieppe had passed Arguin on its way south towards the Senegambia region, and Ruiters was eager to leave too:

I only wish that the situation would have been better for the Company, and it hurts me to witness this. I have warned the *Heeren* before, at their own request, when the Moors were still in Middelburg, that they were a very poor and barbarous nation, who one should not have believed too lightly but treat with great care.²³

Apparently Ruiters had warned the directors to be careful when dealing with the five Berbers who had been brought to Middelburg, but Abraham van Pere had not heeded his advice. Ruiters, moreover, added that he had never

22 NA, OWIC 50–55 (22 March 1634), fol. 1^rv: “Het noortsterretjen is de 11^e meer al hier weder van het casteel Argijn gecomen en hebben met hun gebracht (als gevangen,) alle de Of-ficieren en soldaten, welcke op het casteel voor desen gelegen hebben, doe door dien daer een geheele diemult onder hun geweest is: de Soldaten hadden den commander ontrent de seven maenden gevangen gehouden, en getuijgen dat den commander niet en hadde met Sr. Daniel van Peris connen accorderen [...] Wij verstaen uijt hun die van het casteel sijn datse over 3 a 4 weken met mooren hebben gesproken, die seijden dat Sr. Daniel van Peris met noch twee int leven waren; & was seer mager”.

23 Idem, fol. 1^r: “Ick weinste dat de dinghen voor de compagnie hier anders hadde gestaen [...] en moet dit met herte leet aensien; ick heb de Heeren voor desen gesecht, op hun eijgen versoeck, aleer daer oijt na was getracht, als de mooren nog tot middelb[urg] waren, dat de mooren waren een heel beroijde en oock barbarische natie, diemen niet soo licht most gelooven, maar voorsichtelick daer mede handelen”.

believed the Dutch attack on Arguin to have been prudent, “because the Dutch can gain little profit in Portuguese waters, as I know all too well from experience”, a clear reminder of the hardship Ruiters had suffered in Brazil, where he had been a prisoner of the Habsburgs for thirty months after trading illegally in the vicinity of Guanabara Bay, near Rio de Janeiro. He concluded his letter from Sleepers Bay by giving the directors another piece of advice:

Given the current situation, I believe that the *Heeren* must stop their wars against the Moors that were started deliberately and through a lack of order [...] and most importantly there must be a man who knows how to deal with the Moors. [...] When one seeks to return to peace with them, one should never mention the name of Mr. Daniel van Pere, as if one did not know him.²⁴

Ruiters could not have been much clearer. That same day, the *Moriaen* departed for the Senegal estuary.

Dierick Ruiters may have been eager to emphasize the directors' complicity in the chaos, but he had also assisted in re-establishing order at Arguin. Faced with so much confusion, Coeck, Ruiters, and the two ship's captains of the fleet destined for Recife had decided to have all the remaining officers and soldiers removed from the island and sent back to Zeeland on the *Noortsterre*. Because they estimated – correctly as it would later turn out – that Daniel van Pere had been murdered by the local inhabitants, and because the authority of Lieutenant Cameels had been put into question, the four men agreed to name one of their own officers as the new commander at Arguin. The ideal candidate for this role was Johannes Beverlandt, one of Ruiters' companions on the *Moriaen*.

Beverlandt had visited the region before, and had some first-hand knowledge of local customs. This was an important requirement for Captain Coeck and his *ad hoc* councilors, because they wanted the new commander “to try to re-establish relations with the Moors, and to attempt to free the remaining Dutch prisoners if they were still alive”. But Beverlandt did not want to stay at Arguin, and explained in a separate letter to the directors in Zeeland that he had rejected the honorable position “for reasons known to myself”. If the regents were interested in why he had refused, he would be more than

24 Idem, fols. 1^v–2^r: “en ter wijle het nu soo is (alst is) mijn dijnckens onder corectie; als het de Heeren believen te soude, moet voor eerstdesen haeren oorloogen tegens de mooren door quade ordre en moetwillicheijt hier begaen [...] nedergeleecht werden, en voornemen moet daer een man wesen die met mooren weet om te gaene. [...] Indien men met de mooren weder vrede wil soecken, moet van Sr. Daniel van Peris niet geroert werden, al ofte men hem niet en kende”.

willing to elaborate on this in person once he would return from Senegal.²⁵ In the same letter, Beverlandt explained to the directors why relations between the Dutch and the local population had deteriorated:

Regarding the unrest and discontent from the Moors, we understand that it has been caused by the incapacity and lack of consideration of *Commijs* Van Pere [...] in dealing with the Moors. He refused to recognize their interpreters, and to acknowledge their old customs and laws.²⁶

The clash between two different legal traditions, or at least between different perceptions of legal customs along the West African coast, was a familiar problem for European traders. One of the causes for misunderstanding was that many African communities did not consider land possession a significant parameter, in contrast to European laws and customs. But at the same time, some privileges of the West India Company at Arguin were recognized also by the local population, for example the right to levy tax. According to Olfert Dapper, writing in the late 1660s, the population at Arguin paid a tribute to the Company of one-fifth of all the fish they caught. This practice, which the Dutch had inherited from the Portuguese, was not uncommon along the West African coast. On the Gold Coast, for example, the Company pledged to protect the local inhabitants from hostile invaders.²⁷ But even if such an agreement had also been established at Arguin, this did not mean that Daniel van Pere had the right to subject the Beni Hassan to Roman-Dutch law. Neither the Company charter nor the *Ordre van Regieringe* mentioned Dutch involvement in local issues. Van Pere, then, had clearly crossed the line here, also in the eyes of the West India Company.

Johannes Beverlandt, however, intimated that Van Pere's lack of understanding had not been the only obstacle to a fruitful trading relationship with the Beni Hassan. Already before Van Pere's arrival in Arguin, the Dutch skipper Cornelis Huijge and a handful of his men – participants in the initial expedition to Arguin in February 1633 – had increased existing tensions on the island

25 NA, OWIC 50-54 (22 March 1634), fol. 1^v: “om de preuve te doen de Mooren weder tot accoort en handelinge te bringen en te trachten dan de voorsz gevangenen te losse soose nog int leven mochten zijn” and “om redenen mij moverende”.

26 Ibid.: “Nopende de onlust en miscontentement vande mooren verstaen wij gecauseert te wesen door d'incapaciteit en nonkennisse vanden Commijs van Peres [...] hoe met de Mooren gehandelt dient, geweyjgert hebbende de Tolcken en andere oversten haere Costuijmen en oude gerechtigheden”.

27 Dapper, *Naukeurige beschrijvinge*, p. 370. Den Heijer refers to a similar contract between the West India Company and the inhabitants of Axim on the Gold Coast in 1642, see “Met bewillinge van de swarte partij”, p. 357.

shortly after the conquest of the fortress when he had “captured several Moors, and transported them to the West Indies”.²⁸ Not only was it extremely unwise to transport people against their will to Berbice or Pernambuco with whom the West India Company hoped to build a trading relationship in West Africa, it was also against Company policy. In search of a definitive strategy regarding the transatlantic slave trade, the West India Company for now confined its employees to trading in slaves only if they were captured at high sea, as part of privateering expeditions against Habsburg ships.²⁹ The officer at Arguin who was assigned to the task of prohibiting the trade in enslaved laborers, according to Beverlandt, had been given a considerable sum to look away as the Africans were smuggled on board. These clandestine and inhumane practices led the West India Company to suffer from “great prejudice, and other Dutchmen and other servants of the Company in many locations were innocently murdered”.³⁰ Perhaps Beverlandt regarded the kidnapping of Van Pere by the Beni Hassan as a form of retribution for the covert trade in slaves. No wonder he rejected the honor of becoming the next commander at Arguin.

Ultimately Cornelis Pietersz Hoofe, skipper of the *Noortsterre*, was willing to accept the command over the fortress at Arguin. In an official document, written and signed on board the *Tijger* on 20 April 1634, twelve leading officers, merchants, and skippers – including Coeck, Ruiters, and Beverlandt – notified the directors in Zeeland of their decision, made in the light of the “great confusion” and “disobedience of the soldiers” at Arguin, to put Hoofe in charge of the settlement as commander, with instructions to “regain the favor of the Moors and re-establish trading relations”.³¹ Hoofe would be supported by Pieter Couwenburgh, chief-merchant on Dierick Ruiters’ expedition to Senegal, and, most importantly, a cousin of the patroon of Arguin, Abraham van Pere.³² In this way, the decision made on location by those who happened to be present there neatly reflected the shared responsibility for the settlement at Arguin of

28 NA, OWIC 50-54, fol. 1^v: “eenige Mooren [hadden] genomen, en in Westindien vervoert”.

29 Postma, *The Dutch in the Atlantic Slave Trade*, pp. 12–17. The Leiden-based director of the Company’s Amsterdam Chamber, Johannes de Laet, later intimated that the Company had managed to ship and sell 2,356 slaves in this fashion: Ernst van den Boogaart and Pieter C. Emmer, “The Dutch Participation in the Atlantic Slave Trade, 1596–1650”, in: H.A. Gemery and J.S. Hogendorn, eds., *The Uncommon Market: Essays in the Economic History of the Atlantic Slave Trade* (New York: Academic Press, 1979), pp. 355–59.

30 NA OWIC 50-54, fol. 2^r.

31 NA, OWIC 50-53 (20 March 1634): “confusie”, “onghehoorsaemheyte der soldaten”, and “weder te rug tot haer faueur inde handeligen sien te krijgen”.

32 That Couwenburgh had a kinship relation with Abraham van Pere is not mentioned in the document, but is confirmed by NA, OWIC 50-58 (11 Apr. 1634). Presumably this was so evident for the Zeeland directors that it did not need to be mentioned specifically.

both the monopolistic company and the private investor with whom the directors had signed an agreement according to the stipulations of the *Vrijheden and Exemptien*.³³ The official document concluded with the clause that Hoofe would be entitled to a salary equivalent to that of Daniel van Pere, and that all of this should be considered only a temporary answer to an urgent problem, enabling Abraham van Pere and the Zeeland directors to work out a more permanent resolution in due course.

The letters written by Dierick Ruiters and Johannes Beverlandt must have provided the regents in Zeeland with a good impression of the situation at Arguin. Yet Ruiters and Beverlandt were trading on their own accord, albeit with the consent of the West India Company. They had not been under orders to evaluate the situation at Arguin, they just happened to be in the area at the right time. Their letters probably served only to confirm the eyewitness accounts of members of the official expedition under Joos Coeck sent to the island by the Zeeland directors. Hence two more letters, almost identical in style and content, were sent to Zeeland from Arguin in April 1634 – both written by Johan Simonsz Lacher, a member of Coeck's expedition. Not only were these letters longer and written at a later date to include more recent developments, they also advised the regents at home how to deal with the perpetrators who returned on board of the *Noortsterre*.

The first of the two letters, signed only by Lacher himself, once again related what the Dutch skippers had found in March when they had arrived at Arguin. With the benefit of hindsight, the words Lacher used to describe the chaos were more unforgiving than those of Ruiters and Beverlandt three weeks earlier. "Command was placed in the hands of ignorant folk", Lacher wrote scornfully, "who by their good authority have gone so far that it embarrasses me to write about it at greater length".³⁴ Since their initial observations in March, the crew of the *Noortsterre* and the *Tijger* had gathered more information about what had gone wrong in the relationship with the Beni Hassan, and who exactly could be held responsible for disobedience and mutiny. "If the honorable directors would be interested in the truth, they should ask the commander of the castle at Arguin, Laurens Cameels, or his sergeant and *Capo des Armes*".³⁵ He concluded his letter with a personal opinion on what was required for a

33 Kunst, *Recht, commercie en kolonialisme*, pp. 144–45.

34 NA, OWIC, 50-58 (11 Apr. 1634), fol. 1r: "het commande aen een Partie onweetent volck was gegeven, die het door haar goede commande soo verre hebben gebracht dat ick mijn schame daer veel vandt te schrijven".

35 Ibid.: "Indien mijn heeren bewinthebberen daer het rechte bescheyt van gelieven te weten, sullen het selve van de Commandeur vandt Casteel Argijn genaempt Laurens Cameelis het beste cunnen weten ofte vande Sergeant ende Cap^o des Armes".

successful future of the trading post at Arguin. The directors clearly regarded the island as an important strategic position in the Atlantic world, Lacher inferred from the number of soldiers who participated in Coeck's expedition, but even the 18 to 20 men who were assigned to be left behind at Arguin before the ships would cross the ocean towards Brazil, in addition to a small garrison of 25 soldiers, would not turn the outpost into a profitable one for Company and patroon "unless we would trade with the Moors in negroes, which we are not inclined or allowed to do".³⁶

The other issue left to be decided on was the sentence of the mutineers. Serious criminal offences in the Dutch orbit were resolved by a council which existed of at least six high-ranking Company officials. Lacher's second letter to the directors in Zeeland had a more official status, and was signed by ten men including Coeck, Roelemans, Hoofe, and Couwenburgh. It explained the punishments handed out at Arguin according to the rules of the West India Company, and advised the directors on further legal steps to be taken once the main culprits, named as three officers and three soldiers, returned to Zeeland.³⁷ First, of course, Lacher reported that they had "condemned them like we always do", meaning that the monthly wages of the soldiers had been withheld for the entire period up to 1 April 1634, and the officers had been demoted to the rank of soldiers, with a lower salary, and put to regular duties at the discretion of the councilors. Then, crew members of the *Noortsterre* and the *Tijger* had gone ashore to find local inhabitants who were prepared to testify against Lieutenant Cameels, his sergeant, and the *Capo des Armes*. The first attempt was a failure, as the Beni Hassan ran away as the boat of the West India Company approached. The second attempt was more successful.

[The Dutch] lured them towards the castle where nine of them were gathered. Wespoke with an interpreter who had lived near the fortress, and asked them why they had suddenly left the houses they had built against the castle walls. They said they had done so because the Dutch had dismissed the man who was first their interpreter, and replaced him with another man – because he who is the interpreter is the leader of the Moors.³⁸

36 Idem, fols. 1^rv: "doort handelen van de mooren met negers, het welcke bij ons qualick wil ofte can gedaen wesen". The "negroes" Lacher mentioned were probably black Mauritians who had remained in the region and forced into slavery by the Beni Hassan.

37 Den Heijer, "Met bewillinghe van de swarte partij", pp. 358–59.

38 NA, OWIC 50-60 (12 Apr. 1634), fol. 1^v: "creghen haer met schoone woorden bij haer ende brachten der 9 int casteel: Spracken oock met een tolck die bij het casteel gewoont hadde die wij vraghden waarom dat sij vandt casteel waren gegaen. Seijde het meest was

The Zeeland sailors and soldiers who had conquered Arguin in February 1633, then, had made a grave miscalculation in dealing with the local population. The Beni Hassan had subsequently captured Van Pere who had interfered with local customs. In the chaotic fallout of this series of misunderstandings, only three Dutchmen had *not* participated in acts of mutiny and treason. The officers decided to allow these three men to remain at Arguin, even though one of them, the provisioner Jan Dirksz, had helped others in drowning a crippled African man, and was deprived of his salary for the months until 1 April 1634. With this verdict, the judicial process at Arguin was concluded. The *Tijger* continued its voyage, first to the mouth of the Senegal river where fresh water and wood were taken in, and then on to Recife, where upon arrival on 10 June 1634 Joos Coeck informed the Political Council dryly that the fortress at Arguin was “in a sober state”.³⁹ The *Noortsterre* arrived in Middelburg in the first week of July, where the trial against the mutineers would start in earnest.

Doing Justice

The directors in Zeeland began to act as soon as the *Noortsterre* had anchored. They contacted Johan van de Poele, the provincial prosecutor, and forwarded him all the documentation they had received from Arguin to establish how to proceed, and “which confessions or denials would be overseen by this Chamber”. The province and the Zeeland Chamber agreed that two directors would be present when the interrogations would commence. Until that time, the six mutineers were locked up in Westpoort, the municipal prison in Vlissingen. Then the directors appointed three from their midst, including Abraham van Pere, to settle any loose ends and report to the *Heeren XIX*, the CEOs of the West India Company. The directors agreed that the immediate response to the chaos at Arguin had been satisfactory. When preparing the ship *Regenboog* for a new expedition to the island, in August 1634, they did not send a new designated commander of the settlement. Cornelis Hoofe would remain in charge at Arguin, where apparently he did a good job, because several years later he would be appointed commander of another trading post in the Dutch Atlantic managed by the Zeeland Chamber, Fort Kijkoveral in Essequibo.⁴⁰

gecommen om datse hem die eerst tolck was hadden afgesedt ende een ander in sijn plaetse gemaect – wandt die daer tolck is als hoeft over de mooren sijn”.

39 De Laet, *Iaerlijck Verhael*, IV, p. 35: “in een soberen staet”.

40 NA, OWIC 22, fols. 29^v–30^r (10 July 1634); fol. 34^r (1 Aug. 1634); fols. 35^v–36^r (10 Aug. 1634); fol. 39^r (31 Aug. 1634); Roos, *Zeeuwen en de Westindische Compagnie*, p. 35.

The judicial process in Zeeland proceeded smoothly, partly because of the efforts of the Dutch skippers at Arguin. The prosecutor could rely on the written testimonies of several experienced Company employees and nine West African eyewitnesses, and they had a clear idea of who the main suspects were. The investigation focused squarely on the three officers – Lieutenant Laurens Cameels, Sergeant Martin Stijfs, and the *Capo des Armes* who remained unnamed. It is not entirely clear what the charges against Cameels might have been. Based on the letter of Dierick Ruiters, it appears that he did not get along well with Daniel van Pere before the latter disappeared, and Cameels may have also been responsible for trying to replace the leader-cum-interpreter of the Beni Hassan with one of his compatriots which ultimately may have led to Van Pere's death. Sergeant Stijfs could be held accountable for the captivity of Cameels, and in more general terms for the disorder of which, as Johannes Beverlandt had put it, "according to our examination the sergeant is the main author".⁴¹

By the end of September, the provincial court in Zeeland judged, "regarding the matter of Camelius and the Sergeant who are still imprisoned in Vlissingen [...] that the West India Company is entitled to pursue criminal charges and punish them to death". It seems that both Cameels and Stijfs realized that the only thing that could save them was to co-operate with the prosecutor. Already in the first week of September, they had declared that the three soldiers deserved to be released, because they had been disobedient only when requested to catch fish and to bury some of their deceased comrades. According to the officers, there was no reason to charge them for their role in the chaos at Arguin. After this plea, the three soldiers were quickly released, and they subsequently even succeeded in a request for payment for the months they had spent in the service of the Company at Cabo Blanco.⁴²

Soon enough, the Zeeland directors also ordered the release of the three officers. In December, the names of Cameels and Stijfs resurfaced in the minutes of the directors' meeting. The document still referred to them as former prisoners for "their rebellion" at Arguin, but it is not clear what the sentence for this crime, if any, had been. Perhaps the Company in retrospect adjudged the mutiny to have been a spontaneous one triggered by an exceptional situation, in this case the disappearance of Van Pere, and not a preordained one, for which sentences could be severe.⁴³ The lieutenant and the sergeant had been given

41 NA, OWIC 50-54 (22 Mar. 1634), fol. 1^v: "wij int ecxsamineren bevinden de Chergant de meeste Auteur is".

42 NA, OWIC 22, fols. 43^v–44^r (25 Sept. 1634).

43 Jaap R. Bruijn and Els S. van Eyck van Heslinga, "De scheepvaart van de Oost-Indische Compagnie en het verschijnsel muiterij", in: Idem, eds., *Muiterij: Oproer en berechting op schepen van de VOC* (Haarlem: De Boer Maritiem, 1980), pp. 21–23; Herman Ketting, *Leven,*

sufficient encouragement to apply for their deducted wages with the Zeeland directors as well, but this request was denied, indicating that the two officers may have regained their freedom, but not their honor.⁴⁴

That was the end of the matter for the Zeeland directors and, ironically enough, also the end of the geopolitical significance of Arguin in the Dutch Atlantic world. In September 1635, word reached Middelburg that Cornelis Hoofe had successfully re-established trading relations with the Beni Hassan at Cabo Blanco, which meant that the trade in gum could now begin in earnest. But one month later, in October, the Zeeland directors changed their geopolitical strategy and effectively relegated Arguin to the fringes of the Atlantic world when they decided to send the ship *Eendracht* to Guinea and Angola to start up their participation in the transatlantic slave trade.⁴⁵ Dutch troops in Pernambuco had finally gained access to the province's lucrative sugar plantations by defeating the remaining Portuguese guerrilla troops. The words of Johan Simon Lacher from April 1634, that the only profitable trade in West Africa was the trade in enslaved laborers, acquired a prophetic quality when the *Heeren XIX* decided to put aside any lingering moral objections against the enforced submission and transportation of other human beings. From that moment onwards, everything changed. Instead of becoming a trading post in its own right, Arguin turned into a stop-over for Dutch ships destined for the Gold Coast. In August 1637, a fleet of the West India Company from Brazil conquered Elmina, and soon several other Portuguese positions would fall into the hands of the Dutch too – at Sao Tomé, and, most importantly in September 1641, at Sao Paulo de Luanda.⁴⁶ Except for a brief English interlude in the Second Anglo-Dutch War, Arguin remained a Dutch possession until the end of the Franco-Dutch War in 1678. But like the Dutch before them, the French did not know quite what to do with it. They dismantled the fortress and abandoned the island, which in 1685 was appropriated by the Elector of Brandenburg.⁴⁷

werk en rebellie aan boord van Oost-Indiëvaarders, 1596–1650 (Amsterdam: Het Spinhuis, 2005), p. 256.

44 NA, OWIC 22, fol. 52^v (11 Dec. 1634).

45 NA, OWIC 22, fol. 115^v (22 Oct. 1635). See also Boubacar Barry, *Senegambia and the Atlantic Slave Trade* (Cambridge: Cambridge University Press, 1997), pp. 46–49, who emphasizes the partition of the Senegambian coast into a southern region where European merchants participated in the slave trade, and a northern region including Arguin where the Dutch ultimately lost out to the English and the French.

46 Klaas Ratelband, *Nederlanders in West-Afrika, 1600–1650: Angola, Kongo en São Tomé*, ed. René Baesjou (Zutphen: Walburg Pers, 2000).

47 There is scholarship on Brandenburg rule in Arguin (1685–1721), a small booklet which unfortunately I have not been able to consult: Till Philip Koltermann, *Zur brandenburgischen Kolonialgeschichte: die Insel Arguin vor der Küste Mauretaniens* (Potsdam: UNZE Verlag, 1999). See also: Den Heijer, *Goud, ivoor en slaven*, pp. 181–84. A survey of the history

The difference between European and African legal systems remained a point of concern also for later generations of Dutch administrators on the West African coast. Even well over a century after the fiasco at Arguin, in 1760, Director-General Jan Pieter Theodore Huydecoper found out only after he had arrived in Elmina that the *Codex Justinianus* and a theoretical treatise on Roman-Dutch law by the seventeenth-century legal scholar Simon van Leeuwen which he had brought to the Gold Coast were of very little use to him there. He realized that to function properly at Elmina, he had to get acquainted with the local laws and customs.⁴⁸ If Commander Laurens Cameels and *commies* Daniel van Pere had done the same at Arguin in February 1633, a lot of trouble could have been avoided. Yet the chaos at Arguin provided an important lesson for the directors of the West India Company. The stories of clandestine trading in enslaved laborers on the island, the kidnap and murder of Daniel van Pere, and the rebellion of the officers and soldiers against their ranking officer were still fresh in the minds of the *Heeren XIX* when they had to make a few critical decisions about their geopolitical strategy on the West African coast.⁴⁹ Firstly, they decided that there would be no new patroonships in Africa based on the *Vrijheden en Exemptien*, presumably hoping that further clashes between representatives of the Company and a patroon like at Arguin could be avoided. Secondly, as successor to Cornelis Hoofe as commander at Arguin, they appointed Joos Coeck, who returned to the island in March 1637. Hence they followed up Dierick Ruiters' advice that Arguin needed a commander "who knows how to deal with the Moors".

In the wake of events at Arguin and in Brazil, the directors also considered their participation in the transatlantic slave trade inevitable if they wanted to make a profit in Africa. For the directors, slaves quickly became a commodity like any other, but in order to avoid the clandestine shipment of enslaved laborers in the future, the Company retained the monopoly on the slave trade – even after the late 1630s when they allowed free trade in other Atlantic commodities such as sugar and brazilwood. And finally, after the conquest of Elmina in 1637 the West India Company would conclude treaties with local

of Arguin – including the Dutch period – can also be found in Théodore Monod, *L'Île d'Arguin (Mauritanie): Essai historique* (Lisbon: Centro de Estudos de Cartografia Antiga, 1983).

48 Rob Krabbendam, "Reading in Elmina: The Private Library of Jan Pieter Theodoor Huydecoper in West Africa, 1757–1767" (MA thesis, Leiden University, 2012), pp. 35–36.

49 In *De West-Afrikaanse reis van Piet Heyn, 1624–1625* (The Hague: Nijhoff, 1959), p. 89, editor Klaas Ratelband mentions that two directors of the Zeeland Chamber were part of the committee which decided about the West India Company's participation in the transatlantic slave trade.

princes along the West African coast in which the boundaries of the respective jurisdictions were clearly demarcated. The Company's reputation at the Gold Coast recovered to the extent that the Dutch were occasionally requested to be arbiters in local conflicts between different African groups.⁵⁰ Not every development in West Africa after 1633–1634 could be directly related to the problems the Dutch had encountered at Arguin. Yet the painful mistakes which had been made there contributed to a more prudent political and legal strategy along the Gold Coast amidst the immorality of the transatlantic slave trade in which the Dutch would henceforth participate.

50 Den Heijer, "Met bewillinghe van de swarte partij", pp. 358–62.