In the decree of condemnation of 29 May 1453, issued by King Charles VII of France, among the many charges leveled against his Argentier Jacques Coeur was the following: “And in addition the said Coeur was found charged by the said information to have exacted and unduly obtained several large sums of deniers from the marques of the Genoese, of Provence and of Catalonia....” 1 The law of marque was an area of medieval international law which involved reprisal and reimbursement to merchants whose goods were unjustly seized by pirates or privateers or whose debts were not repaid. Victims could appeal to the political authority of the perpetrators for compensation, but should their requests go unhonored, they might address their complaints to their own political authority, often a king, or a town which could accord what was called a letter of marque permitting the victim to seek retribution for his wrong by penalizing compatriots of the perpetrators.

In the fifteenth century reprisals were at times transformed into taxation on trade to generate funds to pay compensation to victims. This remedy instituted a bureaucratic approach, eliminating the thorny problem of whether one was pirate or privateer/corsair, thus illegal or sanctioned, and permitting an enterprising merchant like Jacques Coeur who appears to have had nothing of the pirate about him, though much of the insider trader/extortionist/ manipulator of finance and co-mingler of royal and personal funds, to profit through financial speculation as well as in the capacity of victim.2 Such an evolution also allowed for

---


high-level negotiations in international commerce and finance between sovereigns and representatives of kings such as Coeur. We learn from Emily Tai, whose dissertation dealt with piracy, restitution, and reprisal in the fourteenth- and early fifteenth-century western Mediterranean world, that there emerged a new medieval Mediterranean paradigm by the late fourteenth century, that of a conflict between merchant patrician and patrician pirate.\(^3\) The result may have put an end to that typically medieval phenomenon of merchants or admirals turning pirate at will that has left us so many incidents of piracy in the medieval Mediterranean.\(^4\) Instead, Tai noted the growing fissure between most merchants who traded without recourse to violence and pirate/privateers.\(^5\) The control of piracy was part of the new bureaucratic solution to reprisals as was a territorial base for liability.\(^6\) It is my intention in this study to examine Jacques Coeur’s experience of the law of marque in the 1440s and to analyze how Coeur benefited on several levels from reprisals.

Jacques Coeur was born sometime between 1395 and 1400 at Bourges in the Berry in central France; the precise date is unknown. Mediterranean economy in the earlier period, arguing that by the late fourteenth century states limited the use of restitution and reprisal by merchants with a consequence of dividing merchants into victims and beneficiaries of these techniques and of marginalizing the pirates.

\(^1\) Emily Sohmer Tai, “Honor among Thieves,” 599. In 1417 an agreement between Genoa and Venice witnessed an evolution of their relationship from warfare to one of hostility as the exception, solvable by reparation payments. This development of reprisals set the stage for Jacques Coeur’s manoeuvres. See Tai, “Honor among Thieves,” 612.

As Tai states, “The settlement of 1417 was in many respects consistent with the precedent of the Arbitration of Asti, and other fourteenth-century agreements in which foreign plaintiffs had been compensated with the proceeds of commercial revenue. Yet the indemnity that Campofregoso promised the Serenissima in 1417 marked the first time the Genoese had looked to the collective resources of a civic institution, rather than those of individual citizens, to finance reparation payments. Still more significant, it signalled support for this action within the community of merchant patricians, noble and commoner, who would come to dominate the Banco di San Giorgio as they dominated so many other aspects of Genoa’s government.” (Tai, “Honor among Thieves,” 615.)


\(^5\) Tai, “Honor among Thieves,” 628-30. Accusatory procedure holds on in restitution cases over and against the development of inquisitorial procedure and the influence of Justinianic Roman law.