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# On the Use of Legal Resources and the Definition of Group Boundaries. A Prosopographic Analysis of the French Nation and the British Factory in Eighteenth-Century Naples

Roberto Zaugg

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G. Christ, F.-J. Morche, R. Zaugg,  
W. Kaiser, S. Burkhardt, A.D. Beihammer (eds.)

# Union in Separation

Diasporic Groups and Identities  
in the Eastern Mediterranean (1100-1800)



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1



Georg Christ, Franz-Julius Morche, Roberto Zaugg  
Wolfgang Kaiser, Stefan Burkhardt, Alexander D. Beihammer (eds.)

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# Contents

Preface	9
<i>Methodologies in Mediterranean Diaspora Studies</i>	
GEORG CHRIST	
Diasporas and Diasporic Communities in the Eastern Mediterranean. An Analytical Framework	19
GUILLAUME SAINT-GUILLAIN	
Venetian Archival Documents and the Prosopography of the Thirteenth-Century Byzantine World: Tracing Individuals Through the Archives of a Diaspora	37
SERGIO CURRARINI	
Socio-Economic Networks: An Introductory Discussion	81
ERIK O. KIMBROUGH	
Economic History in the Lab: The Impact of Institutional History and Geography on the Development of Long-Distance Trade	97
LARS BÖRNER, BATTISTA SEVERGNINI	
Genoa and Venice: Traders of Prosperity, Growth, and Death	105
<i>Trading Diasporas in Byzantium and the Latin Empire (Thirteenth Century)</i>	
GÜNTER PRINZING	
In Search of Diasporas in the Byzantine “Successor State” of Epirus (c. 1210-1267)	123
EKATERINI MITSIOU	
A Transcultural Society? The Empire of Nicaea (1204-1261)	137
DIMITRIOS MOSCHOS	
<i>Negotium Graecorum</i> : Trade as Theory and Practice in Ecclesiastical Contacts between the West and the World of Late Byzantium	153
KRILNIE CIGGAAR	
Merchants in Frankish Syria: Adaptation, Isolation, Segregation and Union	165

*Diasporic Groups in Mamluk Egypt*

- PETER EDBURY  
Reflections on the Mamluk Destruction of Acre (1291) 199
- JULIEN LOISEAU  
Soldiers Diaspora or Cairene Nobility?  
The Circassians in the Mamluk Sultanate 207
- JOHANNES PAHLITZSCH  
Byzantine Saints in Turkish Captivity in Anatolia  
(Late Thirteenth to Fourteenth Centuries) 219
- GIUSEPPE CECERE  
Between Trade and Religion: Three Florentine Merchants in Mamluk Cairo 229
- ALBRECHT FUESS  
Why Venice, not Genoa: How Venice Emerged  
as the Mamluks' Favourite European Trading Partner after 1365 251
- CRISTIAN CASELLI  
Strategies for Transcultural Trade Relations: Florentine Attempts  
to Reproduce the Venetian Commercial System in the Mamluk Empire  
(First Half of the Fifteenth Century) 267

*From the Mediterranean to Central Asia: Black Sea Trade and the Armenian Community*

- ANGELIKI TZAVARA  
Conflicts, Caravans and Silk: Some Aspects of the Venetian Presence  
in Trebizond (1371-1376) 287
- IEVGEN KHVALKOV  
Ethnic and Religious Composition of the Population  
of Venetian Tana in the 1430s 311
- ANGELIKI TZAVARA  
*Nunc habitator Tane*. Venetian Merchants as Long-Term Residents  
in Tana (Fourteenth to Fifteenth Centuries) 329
- ALEXANDR OSIPIAN  
Practices of Integration and Segregation: Armenian Trading Diasporas  
in Their Interaction with the Genoese and Venetian Colonies  
in the Eastern Mediterranean and the Black Sea (1289-1484) 349
- EVELYN KORSCH  
The Sceriman between Venice and New Julfa: An Armenian Trading Network  
and its Sociocultural Impacts (Seventeenth and Eighteenth Centuries) 363

*Diasporic Communities in Rhodes*

- ANTHONY LUTTRELL  
Mixed Identities on Hospitaller Rhodes 381
- TERESA SARTORE SENIGAGLIA  
Empty Ghetto: Being Jewish on Hospitaller Rhodes between Discrimination  
and Representation 387



PIERRE BONNEAUD		
The Influential Trade: Community of Western Merchants on Hospitaller Rhodes (1421-1480)		393
JÜRGEN SARNOVSKY		
Muslims and Jews on Hospitaller Rhodes (1421-1522)		411
NICOLAS VATIN		
The Insertion of the Order of Saint John in the Eastern Mediterranean between the Two Sieges of Rhodes (1480-1522)		425
<i>Transcultural Flows in the Aegean (Thirteenth to Fifteenth Centuries)</i>		
ALEXANDER BEIHAMMER		
A Transcultural Formula of Rule: The Byzantine-Frankish Discourse on the Formation of the Kingdom of Cyprus		435
MIKE CARR		
Papal Trade Licences, Italian Merchants, and Changing Perceptions of the Mamluks and Turkish Beyliks in the Fourteenth Century		453
MARGIT MERSCH		
Churches as “Shared Spaces” in the Eastern Mediterranean (Fourteenth to Fifteenth Centuries)		461
<i>Transcultural Flows of Trade and Techniques</i>		
DAVID JACOBY		
Cross-Cultural Transfers of Industrial Technologies in the Later Middle Ages: Incentives, Promoters and Agents		487
HEINRICH LANG		
The Import of Levantine Goods by Florentine Merchant Bankers: The Adaptation of Oriental Rugs in Western Culture		505
BENJAMIN ARBEL		
Mediterranean Jewish Diasporas and the Bill of Exchange: Coping with a Foreign Financial Instrument (Fourteenth to Seventeenth Centuries)		527
<i>Trading Diasporas and Commercial Institutions</i>		
JARED RUBIN		
Bills of Exchange, Financial Networks, and Quasi-Impersonal Exchange in Western Europe and the Middle East		545
FRANZ-JULIUS MORCHE		
The Dolfin Connection: A Medieval Venetian Trade Network (1418-1420)		555
CHRISTOF JEGGLE		
Merchant Communities, Commercial Networks, and the Constitution of Markets		571
REGINA GRAFE		
Was There a Market for Institutions in Early Modern European Trade?		593

*Diasporas in Early Modern Italy*

GUILLAUME CALAFAT

- Osmanli-Speaking Diasporas: Cross-Diasporic Relations and Intercommunity  
Trust between Marseilles, Tunis and Livorno (1600-1650) 613

FABIEN FAUGERON

- The Venetian “Nation” in Sicily in the Second Half of the Fifteenth Century:  
The Example of the Valier Brothers’ Company 625

STEPHAN SANDER-FAES

- Merchants of the Adriatic: Zadar’s Trading Community  
around the Mid-Sixteenth Century 647

ANDREA CARACAUSI

- Foreign Merchants and Local Institutions: Thinking about  
the Genoese “Nation” in Venice and the Mediterranean Trade  
in the Late Renaissance Period 665

ISABELLA CECCHINI

- Florence on the Lagoon: A Strozzi Company in Early Modern Venice 679

ROBERTO ZAUGG

- On the Use of Legal Resources and the Definition of Group Boundaries:  
A Prosopographic Analysis of the French Nation and the British Factory  
in Eighteenth-Century Naples 699

Selected Bibliography 715

List of Figures 783

List of Maps 785

List of Tables 787

Abstracts and Keywords 789

List of Contributors and Editors 803

Index 811

ROBERTO ZAUGG

## On the Use of Legal Resources and the Definition of Group Boundaries: A Prosopographic Analysis of the French Nation and the British Factory in Eighteenth-Century Naples\*

When we stress the role of transcultural mediators performed by certain migrant groups, which are sometimes described as “diasporas”,<sup>1</sup> we may take it for granted that these groups bear a different culture in comparison to the local context in which they operate and that their unifying tie consists of shared cultural values or features. In the case of migrant merchants in the medieval and early modern Mediterranean, the corporative language used by social actors and institutional authorities seems to confirm these suppositions: a language which tended to classify foreign individuals as “nations”,<sup>2</sup> emphasising their common origin (*natio* = to be born of) and suggesting a sharp distinction both between the different nations and between each of these groups and the local population.

These identificatory categories are the product of intense social negotiations and as such they are not neutral classifications. Thus, if we want to avoid incorporating them uncritically into our analysis, we have to examine the boundaries of national groups and the social use of national labels. This chapter addresses these issues through a prosopographic analysis of the French nation and the British factory, the two most influential mercantile groups trading in eighteenth-century Naples – a Mediterranean metropolis, port city and political capital, which consti-

\* This is a revised version of Roberto Zaugg, *Stranieri di antico regime. Mercanti, giudici e consoli nella Napoli del Settecento* (Rome: Viella, 2011), chap. 4.2 and 4.3

1. For a critical reflection on this category see Rogers Brubaker, “The ‘diaspora’ diaspora”, *Ethnic and Racial Studies* 28 (2005), pp. 1-19, and the contribution of Georg Christ in this volume.

2. In this chapter the term “nation” indicates foreign mercantile groups composed of individual merchants and trading companies “on which sovereign authorities conferred a distinctive collective legal status that came with specific rights and obligations designed to integrate them into the fabric of local society and economy while setting them apart from the majority of population”; Francesca Trivellato, *The Familiarity of Strangers. The Sephardic Diaspora, Livorno, and Cross-Cultural Trade in the Early Modern Period* (New Haven-London: Yale University Press, 2009), p. 43. In this sense, “nation” is basically equivalent to “factory”, an expression which was mainly used by the British. In Neapolitan sources the British merchants are always referred to as “nazione inglese” and when dealing with Neapolitan authorities the British consuls themselves mostly identified the factory as a “nation”. As for the British and French consuls in eighteenth-century Naples, they were appointed by and subordinated to the governments of London and Versailles.

tuted an important hub of border-crossing migrations. Who were the members of these groups? Why did individual merchants adhere to them? What requirements did they have to fulfil in order to be recognised as their members? What was the role of such factors as birth, descent, state affiliation, language and religion? These are some of the questions we have to find answers to, if we want to understand how migrant merchants aggregated themselves as groups and how they interacted with local actors.

### 1. *The French Nation*

According to the *État des Maisons françaises établies à Naples*, drawn up by the French consul in 1786, the French nation was essentially made up of 14 large merchant firms:<sup>3</sup>

Liquier, Falconnet & C.ie  
 Meuricoffre, Scherb & C.ie  
 Michel Perier & C.ie  
 Charles Forquet & C.ie  
 Dominique Basire  
 Jean Peschaire  
 Vieusseux, Reymond & C.ie  
 François-Gabriel Duval  
 Simon Boitel  
 Jean-Pierre Raby & C.ie  
 François Angleys  
 Les Frères Ginestous  
 Fouque & C.ie  
 Jean Giraud

Among these “French merchants” there were some persons which indeed corresponded to the meaning that – at first sight – we may associate with that label. Dominique Basire, Simon Boitel (Montpellier), Jean Giraud (Lyon), Charles Forquet (Montélimar, in the province of Dauphiné), François-Gabriel Duval (Nogent-le-Rotrou, in the province of Perche), Jean Gravier (Le Bez, in the province of Dauphiné) and Jean Peschaire (Nîmes) were born in France of French parents and – with the possible exception of Boitel and Peschaire<sup>4</sup> – they were all Catholics.<sup>5</sup> They were, in any sense, *sujets naturels* of the King of France.

3. Archives Nationales de France, Paris [ANF], *AE, B'*, 901; this list reflects the order of the firms given in the original source. Other lists of this kind are examined by Ruggiero Romano, *Napoli. Dal Viceregno al Regno. Storia economica* (Turin: Einaudi, 1976), pp. 108 seq.

4. Their native towns were actually old Huguenot strongholds and were still inhabited by a large number of crypto-Protestants. Moreover, Peschaire had been a partner of the Protestant Meuricoffre; cf. Archivio di Stato di Napoli [ASN], *Processi antichi, Supremo Magistrato di Commercio*, 9, 57, (1778).

5. The native towns of Boitel, Peschaire and Duval could be identified thanks to the police records which were produced during the War of the First Coalition: ASN, *Esteri, Espulsi di*

François Angleys belonged to this category too, even if his father came from Savoy, a francophone territory under the rule of the king of Sardinia.<sup>6</sup> François was actually born in Marseille and, given the fact that in old regime France every (Catholic) person born in the realm was considered a subject of the Most Christian King,<sup>7</sup> he was legally French.

The situation of Antoine Liquier, of the Ginestous brothers and of Jean-Pierre Raby was more ambiguous. These merchants were born of French fathers, but outside France. César and Joseph Ginestous had come into the world in Naples.<sup>8</sup> According to Neapolitan law they could have considered themselves as citizens of the capital and as subjects of the king of the Two Sicilies.<sup>9</sup> As for French law, it did not automatically recognise the foreign-born offspring of French expatriates as subjects of the realm. Only those who “returned” to France, declaring that they would spend the rest of their lives there, could obtain a *déclaration de naturalité* certifying their legal status as French subjects. Those who remained outside France, on the contrary, fell under the *droit d’aubaine* and, at least in principle, they suffered its discriminations.<sup>10</sup> From a strictly legal point of view, the Ginestous brothers were thus Neapolitans, and not French. In Naples, however, they were constantly regarded as French, both by Neapolitan authorities and by the French consulate. The situation of Raby was analogous. His father was a native of Le Bez,<sup>11</sup> in the province of

*Francia*, 543, (1793). On Giraud see ASN, *Processi antichi, Supremo Magistrato di Commercio*, 18, 27, (1793). On Fourquet see the *Etat des sujets français et du Royaume d’Italie immatriculés à la Chancellerie du Consulat général de France à Naples*, in the Centre des Archives Diplomatiques de Nantes, *Postes diplomatiques et consulaires, Consulat, Naples*, 36, (1808). On Gravier see Pasquale Pironti, *Bulifon, Raillard, Gravier. Editori francesi in Napoli* (Naples: Lucio Pironti, 1982), pp. 45-69; Laurence Fontaine, *History of Pedlars in Europe* (Durham, NC: Duke University Press, 1996), *passim*; Anna De Falco, “Giovanni e Francesco Gravier”, in *Editoria e cultura a Napoli nel secolo XVIII*, ed. by Anna Maria Rao (Naples: Liguori, 1998), pp. 567-577. On Basire see ASN, *Polizia Generale, Registri di consulte*, 22, 217.

6. Charles Carrière, *Négociants marseillais au XVIII<sup>e</sup> siècle. Contribution à l’étude des économies maritimes* (Marseille: Institut Historique de Provence, 1973), vol. 1, p. 149.

7. Peter Sahlins, *Unnaturally French. Foreign Citizens in the Old Regime and After* (Ithaca-London: Cornell University Press, 2004), chap. 1.

8. ASN, *Polizia Generale, Registri di consulte*, 22, 182.

9. Piero Ventura, “Le ambiguità di un privilegio. La cittadinanza napoletana tra Cinque e Seicento”, *Quaderni Storici* 30 (1996): pp. 385-416, here p. 388.

10. Sahlins, *Unnaturally French*, pp. 88 seqq. On the *droit d’aubaine*, which aimed to regulate the foreigners’ capacities and incapacities to bequeath and inherit, see also the study on Turin by Simona Cerutti, *Étrangers. Étude d’une condition d’incertitude dans une société d’Ancien Régime* (Montrouge: Bayard, 2012), and the *disputatio* between the two authors about the performative force of legal norms and social practices in determining the position of foreigners in old regime societies: Simona Cerutti, “A qui appartienent les biens qui n’appartiennent à personne? Citoyenneté et droit d’aubaine à l’époque moderne”, *Annales. H.S.S.* 62 (2007), pp. 255-383; Peter Sahlins, “Sur la citoyenneté et le droit d’aubaine à l’époque moderne. Réponse à Simona Cerutti”, *Annales. H.S.S.* 63 (2008), pp. 385-398. In the Kingdom of Naples the *droit d’aubaine* did not exist during the early modern age; it was only introduced during the Napoleonic dominion; Zaugg, *Stranieri di antico regime*, pp. 18 seq.

11. See ASN, *Esteri, Espulsi di Francia*, 544, (1793); De Falco, “Giovanni e Francesco Gravier”, *passim*.

Dauphiné, but Jean-Pierre himself was born in Turin and *de jure* he was a subject of the king of Sardinia. Nevertheless, in Naples – where he traded for many years as a partner of Gravier, a well-known publisher and bookseller, who was born in Le Bez and who had married a niece of Raby – he was recognised by everybody as a French merchant.

In other cases, the assignment of this status was even more arbitrary. Monsieur Fouque, for example, was a native of Avignon<sup>12</sup> and thus a subject of the Pope. Michel Vieusseux was a citizen of the Republic of Geneva,<sup>13</sup> his junior partner Louis Reymond came from the Vaud, a francophone territory under the rule of Berne,<sup>14</sup> and both were of course Calvinists. Johann Georg Scherb – a member of a Swiss-German family from Thurgovia which had established itself in Lyon<sup>15</sup> – and Frédéric-Robert Meuricoffre – a fellow Thurgovian whose original name was Friedrich Robert Mörikofer and who had moved to Naples after a prolonged stay in Lyon<sup>16</sup> – were Protestants as well.

The most important and transnational firm was without doubts the “Liquier, Falconnet & Compagnie”. Antoine Liquier belonged to a Huguenot family from Languedoc.<sup>17</sup> His father, Marc-Antoine Liquier, had been living in Naples since the 1740s and had been serving there as Dutch consul since 1769. Antoine, however, was neither born in France nor in Naples, but in Geneva, where his mother came from. Hence, he possessed the legal status of a *natif de Genève*. His partner Jean-Louis-Théodore Palézieux Falconnet came from the Vaud<sup>18</sup> and their junior partner Abraham Gibbs, not mentioned in the firms’ name, was a member of a merchant family of Exeter and a British subject.<sup>19</sup> As far as is known, none of these persons had either demanded or obtained a *lettre de naturalité* in France. But in

12. ASN, *Polizia Generale, Registri di consulte*, 22, 205.

13. Michel was the uncle of the famous writer Gian Pietro Vieusseux. On this important Genevan family see Gianni De Moro, *I Vieusseux ad Oneglia (1763-1792)* (Imperia: Circolo Parasio Dominici, 1979).

14. Daniela Luigia Caglioti, *Vite parallele. Una minoranza protestante nell’Italia dell’Ottocento* (Bologna: Il Mulino, 2006), p. 193.

15. It is not clear if Scherb lived in Naples. More probably he had remained in Lyon, delegating the Italian business to Meuricoffre. On the Scherbs see Herbert Lüthy, *Die Tätigkeit der Schweizer Kaufleute und Gewerbetreibenden in Frankreich unter Ludwig XIV und der Regentschaft* (Aarau: H.R. Sauerländer & Co., 1943), p. 167; Yves Krumenacker, *Des protestants au siècle des Lumières. Le modèle lyonnais* (Paris: Honoré Champion, 2002), p. 218.

16. Daniela Luigia Caglioti, “I Meuricoffre da Goethe al Credito Italiano. Cinque generazioni di banchieri protestanti a Napoli (XVIII-XX secolo)”, in *Banche multinazionali e capitale umano. Studi in onore di Peter Hertner*, ed. by Marco Doria and Rolf Petri (Milan: Franco Angeli, 2007), pp. 243-260.

17. On this family see Gilles Bancarel, “Autour du rouergat Liquier, lauréat de l’Académie de Marseille en 1777”, *Studi settecenteschi* 21 (2001), pp. 141-158.

18. He had arrived in Naples in 1779, after having done a mercantile apprenticeship in Montpellier, where the Falconnets had another firm. On this family see Etienne De Palézieux, *La famille de Palézieux dit Falconnet* (Vevey: Etienne de Palézieux, 1988), a typewritten manuscript kept in the Archives Cantonales Vaudoises, in Lausanne.

19. John Arthur Gibbs, *The History of Antony and Dorothea Gibbs and of Their Contemporary Relatives* (London: Saint Catherine Press, 1922).

Naples all were affiliated to the French consulate and were publically recognised as “merchants of the French nation”.<sup>20</sup>

Nineteen merchants out of those twenty-three enlisted by the *État des Maisons françaises* (including seven junior partners not mentioned explicitly in the firms’ names) could be identified.<sup>21</sup> Among them, not more than nine (47 per cent) were legally *naturels français*: eight by birth and descent (Forquet, Giraud, Basire, Duval, Peschaire, Boitel, Gravier e forse Perier<sup>22</sup>) and one (Angleys) only by birth. Three (16 per cent) were born outside France to a French father and, from a strictly legal point of view, in France they would have been classified as foreigners (Liquier, Raby, Ginestous). Finally, seven (37 per cent) could claim neither to be born in France nor to have French parents (Falconnet, Gibbs, Meuricoffre, Scherb,<sup>23</sup> Vieusseux, Reymond, Fouque). If they could call themselves “French” – as they regularly did when interacting with Neapolitan authorities – it was only thanks to a variety of social relations which they entertained with French institutions, merchants and economic centres. Their social capital substituted the (lacking) legal prerequisites in granting them access to the status of *négociant français*.

In religious terms, at least seven (37%) of the identified merchants were Protestants (Liquier, Falconnet, Gibbs, Meuricoffre, Scherb, Vieusseux, Reymond).<sup>24</sup> As we can see from the *État des Maisons* – whose sequence expressed a reputational hierarchy based on the merchants’ revenue and on their seniority as members of the business community – they occupied a pre-eminent position in the French nation of Naples and, more generally, in the intermediation between the markets of Southern Italy and the port of Marseille.

If the French nation was thus horizontally open, including merchants from third countries and of Protestant faith, it was however a corporative entity with quite sharp vertical boundaries. The big *négociants* – who were mainly engaged in financial brokerage, in the export of raw materials (wheat, raw silk and olive oil) and in the import of finished products (woollen, silk and cotton textiles) and colonial goods (sugar, coffee) – were at the top of the *Nation française*. Underneath them, there was a second level made up of shopkeepers, whose interests lay mainly in the local retail market, and of shipmasters, whose vessels came to Naples from time to time. Even if they actually played only a minor role in the French nation, according to the decrees promulgated in the late seventeenth century, they were officially a part of it and could participate in its assemblies.

20. The judges of the Supreme Magistracy of Commerce on the Meuricoffre family (March 1774), in ASN, *Processi antichi, Supremo Magistrato di Commercio*, 8, 56.

21. The Ginestous brothers have been counted as one person.

22. The native country of Perier could not be identified. Members of this family are attested in Marseille as well as in Naples; see Jean-Joseph Mazet, *Le guide marseillois* (Marseille: Isnard, 1784), s.v., and the letter of the French consul to the minister of Foreign Affairs (30 March 1793), in Archives du Ministère des Affaires Étrangères, *Correspondance consulaire et commerciale, Naples*, 38, 39r.

23. Even if he was born in France, Scherb would not have been a French subject, as he was a Protestant.

24. If the hypothesised Calvinist faith of Boitel and Peschaire were confirmed, the Protestants would have made up even 47% of the French nation in Naples.

Beyond these commercial actors, the French presence in Naples included as well “an endless quantity of French people who [did] not trade at all: valets, cooks and other domestic servants who work[ed] for various lords or other private persons. There [were] also artists, craftsmen and workers of any kind”.<sup>25</sup> In conformity to the *Ordonnance de la Marine*, issued by the secretary of state of the Navy Jean-Baptiste Colbert in 1681, these migrants were formally excluded from the nation.<sup>26</sup> From time to time “these people (...) request[ed] the consulate’s protection”. Often, however, the consuls were not very willing to concede it to them. In their letters they used to label those persons who were neither aristocratic travellers nor commercial actors as “a crowd of fugitives and adventurers who only destroy[ed] the Nation’s reputation”<sup>27</sup> and to consider them as a source of useless “occupations and (...) of big embarrassments”.<sup>28</sup> So, when we talk about the “French nation”, we should always keep in mind that the majority of the migrants coming from France were formally excluded from this elite group.<sup>29</sup> Therefore, the French on the whole did not have a common framework of aggregation. They did not form a cohesive and distinct “community”. Rather, they constituted a multitude of migrants with a plurality of regional backgrounds and a variety of urban, marital and professional connections to Neapolitan subjects.<sup>30</sup> In sum, the French nation was essentially an aggregate of merchants – who were often not legally French.

## 2. The British Factory

The *Nation française* was not the only mercantile group whose composition was characterised by a pronounced geographic heterogeneity. As a list of 1795 reveals, also the British factory – which the Neapolitans used to call “nazione inglese”<sup>31</sup> – tended to incorporate many merchants who were not really “British”.<sup>32</sup>

25. The French consul Alexis-Jean-Eustache Taitbout de Marigny to the secretary of state of the Navy (1 July 1749), in ANF, *AE, B<sup>1</sup>*, 885, 149r-150r.

26. Anne Mézin, *Les consuls de France au siècle des Lumières (1715-1792)* (Paris: Imprimerie Nationale, 1995), p. 784. This *Ordonnance* was the most important French law about maritime commerce in the old regime; it attempted to provide a general institutional framework for overseas trade and naval transports, defining – among others – the prerogatives of consulates and their relations to French merchants.

27. The French ambassador marquis de L’Hôpital to the secretary of state of the Navy (15 February 1749), in ANF, *AE, B<sup>1</sup>*, 885, 253-30v.

28. The French consul Taitbout to the secretary of state of the Navy (1 July 1749), in ANF, *AE, B<sup>1</sup>*, 885, 149r-150r.

29. See also Christian Windler, *La diplomatie comme expérience de l’autre. Consuls français au Maghreb (1700-1840)* (Geneva: Droz, 2002), chap. 1.8.

30. Marco Rovinello, *Cittadini senza nazione. Migranti francesi a Napoli (1793-1860)* (Milano: Mondadori, 2009). In English see Id., “‘French’ Immigrants in Naples (1806-1860)”, *The Journal of the Historical Society* 9 (2009), pp. 273-303.

31. On the equivalence of the two different terms see above footnote 2.

32. The National Archives, London [TNA], *FO 70*, 8, 221r; as in the case of the French *État des Maisons*, this list follows the order of the firms as it is defined by the original source.



Samuel Ragland  
 Degen & Schwartz  
 Cutler & Heigelin  
 Falconnet & Gibbs  
 George & Edmund Noble  
 Vallin & Warington  
 Henry Season  
 Alexander Macaulay

Samuel Ragland (Falmouth), George and Edmund Noble (Bristol), Alexander Macaulay (Scotland), Charles Cutler, Thomas Warington and Henry Season were indeed subjects of George III.<sup>33</sup> But the others?

First of all, the list shows that Falconnet and Gibbs had joined the British factory. For Gibbs it was, in fact, a quite obvious act, as he was a British subject by birth. In 1782, after having operated for a few years in Genoa and Livorno, the merchant from Exeter had arrived in Naples. There he had undertaken a “double-dealing” in order to penetrate the commercial channels of Southern Italy. On the one hand, he had associated himself with Liquier, one of the most important merchants of the city, and had therefore adhered to the French nation, the main competitor of the British factory. On the other hand, he had built up some personal ties with the British consulate through his marriage to Elizabeth Mary Douglas, the daughter of the consul James Douglas. When in 1793 war broke out between France and the Two Sicilies, leading to the interdiction of trade between these countries and to the proclamation of a collective expulsion of the French,<sup>34</sup> Gibbs dissolved his above-mentioned partnership with Liquier, abandoned the French nation and became a member of the British factory. So did Falconnet. After having been introduced to the French nation by Liquier, this Swiss merchant was then ferried to the British factory by his former junior partner Gibbs.<sup>35</sup>

As far as “Degen & Schwartz” is concerned, its associates were Charles Furlong Degen and Johann Anton Schwartz. The former was the son of Georg Christoph Degen, a merchant from the margravate of Brandenburg-Bayreuth who had established himself in Exeter, marrying a local woman and obtaining a parliamentary act of naturalisation.<sup>36</sup>

33. The state affiliation and, in some cases, the native towns of these persons have been identified thanks to the following sources: Charles J. Ragland, *The Raglands. The History of a British-American Family* (s.l.: Charles J. Ragland, 1978), p. 50; the letter of George Noble to the secretary of state of Foreign Affairs (20 June 1795), in TNA, *FO 70*, 8, 264r-265r; the *Petition of Alexander Mackinnon* (1805), in TNA, *FO 97*, 369, 8r (for Macaulay, Cutler, Season and Warington).

34. On this event see Zaugg, *Stranieri di antico regime*, chap. 5.2.

35. An analogous shift was enacted in 1789 by his fellow Vaudois Reymond. Having dissolved the partnership with Vieusseux, he established a new one with the Piattis, an affluent family from Habsburg Trieste, and began to identify himself as “Austrian merchant”; see ASN, *Esteri, Legazione cesarea*, 113, (7 September 1789).

36. William A. Shaw, *Letters of Denization and Acts of Naturalization for Aliens in England and Ireland (1701-1800)* (Manchester: Sherrat and Hughes, 1923), p. 178.

Legally, Charles was thus a British subject.<sup>37</sup> As the choice of his junior partner clearly shows, he had however some ties with German-speaking merchants. Johann Anton Schwartz was a citizen of Chur and belonged to a politically influential family of the Grisons.<sup>38</sup> There is no evidence that Schwartz had entertained any commercial activities in England before moving to Naples. For sure he had not received any act of naturalisation. He became “British” only thanks to his partnership with Degen and only in the Two Sicilies, where this status was certified by the British consulate, whereas in Great Britain he would have been considered a foreigner.

The case of Warington’s senior partner was quite similar. When dealing with Neapolitan authorities, he regularly introduced himself as an “Englishman”,<sup>39</sup> and sometimes he was told to be Swiss.<sup>40</sup> Actually, however, Luigi Vallin was a Piedmontese who had lived and traded for thirty years in Exeter,<sup>41</sup> where he may have converted to a Protestant denomination. In England he was never naturalised: He became “British” only when he migrated to Naples. As far as Christian Heigelin is concerned, he was a Lutheran merchant from Stuttgart. He had arrived in Naples in the 1760s and had developed a profitable commercial and financial business, based upon an enduring partnership with Charles Cutler.<sup>42</sup>

With a third of its members not British,<sup>43</sup> the British factory resembled in many aspects the French nation, even if the former’s religious heterogeneity was most probably limited to Protestant denominations. In both cases the “nation” was not “a group of foreigners with a common origin”.<sup>44</sup> Nor can it be described in terms of a French or British “diaspora”, considering that its members did not share – as the word “diaspora” originally suggests<sup>45</sup> – a (mythic or real) homeland from which they had been dispersed. Rather, the *nazione inglese* and the *nazione francese* represented local and institutionalised associations of persons coming from different cities, countries and linguistic regions.

37. The secretary of state for Foreign Affairs to the British plenipotentiary William Hamilton (15 January 1794), in TNA, *FO 165*, 164, 4.

38. TNA, *FO 97*, 369, 17v. On this family see Max Hilfiker, “Schwartz”, in *Dictionnaire historique de la Suisse*, online edition: <http://www.hls-dhs-dss.ch>.

39. See the letter of Hamilton to the Neapolitan government (27 June 1786), in ASN, *Esteri, Legazione inglese*, 684.

40. Barbara Dawes, *La comunità inglese a Napoli nell’800 e le sue istituzioni* (Naples: ESI, 1989), p. 17.

41. Michela D’Angelo, *Mercanti inglesi in Sicilia 1806-1815. Rapporti commerciali tra Sicilia e Gran Bretagna nel periodo del Blocco continentale* (Milan: Giuffrè, 1988), p. 10.

42. The partnership was established in 1771; cf. ASN, *Esteri, Legazione inglese*, 681.

43. The Ginestous brothers have been counted as one person.

44. Klaus Weber, *Deutsche Kaufleute im Atlantikhandel (1680-1830). Unternehmen und Familien in Hamburg, Cádiz und Bordeaux* (Munich: C.H. Beck, 2004), pp. 97 seq. Actually, the unlucky phrasing of the above quoted definition does not reflect the prosopographic analysis presented in this important work, which in reality reveals a marked geographic heterogeneity among the members of the foreign nations.

45. On the expansion of the word’s semantic field see Brubaker, “The diaspora ‘diaspora’”.

### 3. *Legal Resources and Social Practices*

After all, these results are not excessively surprising. The mercantile milieu of London – two thirds of whose elite was made up of foreign-born merchants<sup>46</sup> – and of Marseille – where Swiss Protestants and French crypto-Huguenots were both numerous and influential<sup>47</sup> – were extremely diverse. Thus, it is quite comprehensible that also abroad the “French” and “British” nations were characterised by a heightened geographic heterogeneity. The internal diversity of the two preeminent foreign nations in Naples reflected the emergence of new economic actors. The latter came mainly from present-day Switzerland and from the Holy Roman Empire, namely from territories which were very distant from maritime routes and highly fragmented by political borders and customs barriers.<sup>48</sup> For them, Naples represented a chance to penetrate the big circuits of financial intermediation and long-distance trade and to take advantage of a huge demand in consumer goods which they could never have met in their small native towns.

After having ascertained the composition of the French and the British nation, we have to ask ourselves what led merchants from third countries to join them, once they had arrived in Naples. Why did they adhere to these existing groups rather than building new, distinct nations? And finally: What were the “coagulation factors” of the French and the British nations, considering the notable cultural diversity within these groups?

In both cases, language does not seem to have played a determining role. For sure, there were more merchants of German mother-tongue in the British factory and more francophone persons in the French nation. Nevertheless, the affiliation of the “Meuricoffre & Scherb” to the French consulate and Falconnet’s switch to the British factory emphasise that language was not a binding criterion.

Similar considerations can be made about the religious factor. Indeed, the British consulate presented itself as a Protestant stronghold in an uncompromising Catholic kingdom and, together with the embassy,<sup>49</sup> it claimed to protect

46. Stanley Chapman, *Merchant Enterprise in Britain from the Industrial Revolution to World War I* (Cambridge: Cambridge University Press, 1992), p. 30.

47. Carrière, *Négociants*, vol. 1, pp. 266-288.

48. It should be stressed that these German merchants came from definitely continental areas (Württemberg, Brandenburg-Bayreuth), whereas there was no representative of the Hanseatic towns. Under this aspect, the (quantitatively less important) Neapolitan case resembles those of Cadiz and Bordeaux, which at that time were relevant hubs of German mercantile migrations (Weber, *Deutsche Kaufleute, passim*).

49. In Naples permanent foreign embassies were instituted after 1734, when the city had become again the capital of an independent kingdom. In principle, the ambassadors (or plenipotentiaries, diplomatic agents etc.) were issued from aristocracy, had a diplomatic status and were mainly concerned with political questions, whereas the consuls were of non-aristocratic origin, had no diplomatic status and were charged with the daily business of assisting merchants and shipmasters in commercial matters. In practice, however, these boundaries were frequently blurred: on the one hand the consuls dealing with commercial problems were of course acting in a highly sensitive field of international politics, and on the other hand the ambassadors often intervened directly in trading issues.

all Protestant foreigners.<sup>50</sup> As we have seen, a significant number of Reformed merchants preferred however to join the French nation. Thus, cultural factors such as religion and language do not really help us to understand the composition of and the delimitation *between* these groups, among whom relevant geographic, linguistic and religious *continua* existed.<sup>51</sup>

At a first glance, legal norms as well seemed to play a marginal role, as many merchants were affiliated to these nations even though *de jure* they were not subjects of the respective sovereigns. And yet, if we want to grasp the ties which held together these aggregates, we have to look precisely at laws, considering them not as automatic mechanisms of regulation but rather as available resources of social interaction.

Thanks to the international treaties stipulated in the seventeenth century by the Spanish monarchy, whose validity had been extended to the vice-kingdoms of Naples and Sicily, the French and the British enjoyed the status of the “most favoured nation”, cumulating a set of advantageous rights.<sup>52</sup> First of all, the customs on their import commodities were inferior to those paid by both other foreigners and by Neapolitan subjects. In religious questions, the French and the British could not be incriminated, neither by secular nor by ecclesiastical authorities, a privilege which was particularly precious for Protestant foreigners. As far as vessels flying the French or the British flag were concerned, they could only be searched by custom officers after a delay of some days and after an explicit announcement. Actually, these ships were immune from custom controls and could practice smuggling without big risks. Warehouses, shops and private housing were strongly protected as well, given the fact that the seventeenth-century treaties hindered public authorities from searching them. Finally, if French or British merchants were taken to court, the judges could not oblige them to present their account books – an exemption which constituted a crucial advantage and which could facilitate fraudulent practices. In this sense, the privileges of the most favoured nations were often legal resources for illegal practices.<sup>53</sup>

Formal privileges, however, are not sufficient to explain the attraction which the French and the British consulate exercised upon foreign merchants from other

50. Dawes, *La comunità inglese*, p. 13.

51. On the category of *continuum* see Jean-Loup Amselle, *Logiques métisses. Anthropologie de l'identité en Afrique et ailleurs* (Paris: Payot, 1990).

52. The main basis of these rights were the *Capitulos de Privilegios*, conceded by the Spanish crown to the Hanseatic League in 1606 and subsequently extended to the British and the Dutch; Josph Antonio de Abreu y Bertodano, *Coleccion de los tratados de paz de España. Reynado de Phelipe III. Parte I* (Madrid: Diego Peralta, Antonio Marin y Juan de Zuñiga, 1740), pp. 375-91. For an analysis of these privileges see Albert Girard, *Le commerce français à Séville et Cadix au temps des Habsbourg. Contribution à l'étude du commerce étranger en Espagne aux XVI<sup>e</sup> et XVII<sup>e</sup> siècles* (Paris-Bordeaux: E. de Boccard/Féret & Fils, 1932), pp. 95-98.

53. I borrow this formulation from Angela Groppi, “Une ressource légale pour une pratique illégale. Les juifs et les femmes contre la corporation des tailleurs dans la Rome pontificale (XVII<sup>e</sup>-XVIII<sup>e</sup>)”, in *The Value of Norms*, ed. by Renata Ago (Rome: Biblink, 2002), pp. 137-161. On legal norms as factors in illegal economic practices see also “Frodi marittime tra norme e istituzioni (XVII-XIX secc.) / Maritime Frauds between Norms and Institutions (17<sup>th</sup>-19<sup>th</sup> c.)”, ed. by Biagio Salvemini and Roberto Zaugg, special issue of *Quaderni Storici* 48 (2013).

countries. The institutional factor was at least as important. The possibility of affiliation to a consulate was of paramount importance for any foreigner involved in long-distance trade. When a merchant was charged with smuggling or any other infraction and, above all, when he sued any debtor or any misbehaving agent, the protection of a consul was an often decisive factor.<sup>54</sup> Without the support of a consulate, in other words, migrant merchants would have been much more vulnerable.

For the merchants from present-day Switzerland the question of representation was particularly problematic. Notoriously, in the early modern age the Swiss Confederation was an extremely heterogeneous political conglomeration, whose components were widely autonomous and whose only central coordination was granted by a non-permanent assembly, the diet (*Tagsatzung*). As for the Republic of Geneva, it was not represented in the latter and thus it was fundamentally independent. This political fragmentation was further deepened by religious divisions which complicated the Helvetic mosaic even more. On the one hand, there was no uniform legal definition of state affiliation: there was no such thing as a “Swiss citizen”. On the other hand, due to this internal polycentrism the Confederation had no unitary projection abroad: the diet never instituted any embassy or consulate, which appeared only during the Helvetic Republic (1798-1803).<sup>55</sup>

Lacking diplomatic representation and being excluded from naturalisation because of their faith, in eighteenth-century Naples Swiss and Genevan merchants had to establish alternative affiliations in order to interact from an advantageous position with local authorities and other commercial actors. As we have seen, they found a solution by adhering to the British and the French consulates. Even if the latter was formally charged to represent the interests of a kingdom which claimed to be homogeneously Catholic, it never expressed the intention to expel these merchants, although they were neither French nor Catholic. The social and economic capital of persons like Meuricoffre, Liquier, Falconnet and Vieusseux was just too important. By incorporating them into the French nation, the consul enhanced the latter’s ability to control a larger slice of Southern Italy’s international trade, whereas by excluding them he would have pushed them into the open arms of the British consulate.

The Swiss were not the only ones to affiliate themselves to the French and the British nations. Other merchants, who would have had their own diplomatic representations, did so as well. Vallin and Raby, for example, could have put themselves under the protection of the embassy of the kingdom of Sardinia. Unlike the British and the French, however, Sardinian subjects did not enjoy any special privileges. Hence, it is not difficult to understand Vallin and Raby’s choice. Heigelin’s case was partially similar. As a subject of the duke of Württemberg, he was also a subject of the Holy Roman Empire and, therefore, he could have claimed the

54. Roberto Zaugg, “Judging Foreigners. Conflict Strategies, Consular Interventions and Institutional Changes in Eighteenth-Century Naples”, *Journal of Modern Italian Studies* 13 (2008), special issue: *Elite Migrations in modern Italy. Patterns of Settlement, Integration and Identity Negotiation*, ed. by Daniela Luigia Caglioti, pp. 171-195.

55. See Claude Altermatt, Rolf Stücheli, “Diplomatie”, and Claude Altermatt, “Consulats”, in *Dictionnaire historique de la Suisse*, online edition: <http://www.hls-dhs-dss.ch>.

protection of the imperial embassy, which in the late eighteenth century was quite influential in Naples. Moreover, since in 1788 Heigelin had been appointed consul of Denmark,<sup>56</sup> he enjoyed the legal privileges granted to the Danes by the treaty of 1748.<sup>57</sup> And yet, Heigelin too considered the status of a “British merchant” to be more advantageous. Actually, from a legal point of view the British privileges were more convenient in comparison to the Danish ones, whereas on a practical level the protection of the British consulate was presumably more effective than that of the imperial embassy, which was less involved in mercantile issues.

In many cases, the Neapolitan authorities were aware of the manipulations enacted by these persons. And mostly they accepted them. In 1737, for example, a judge had informed the government that the jewellers Théodore and Pierre Lhuillier “were Genevans and not French” as they had claimed to be when they had sued one of their debtors.<sup>58</sup> Nevertheless, considering that the Lhuilliers were protected by the French consul, who had introduced them as “French merchants”, the government had decided that they had to be treated “as if they were French and not Genevans”. The label assigned to the two merchants by the French consul was thus accepted by the Neapolitan institutions, which used it as a criterion of social classification regulating the access to important legal resources.

The heterogeneity of both the British and the French nation had one significant limit: there were no Neapolitan members. This absence can be explained by two factors, an economic one and a political one. From an economic point of view, the relative weakness of Neapolitan merchants made them appear as unattractive partners to British and French firms. Moreover, for the British and the French nation it was important to avoid any opening toward local actors, in order to prevent them from penetrating their commercial channels and creating an undesired competition. Finally, on a political level the Neapolitan monarchy did not want its subjects to put themselves under the protection of other states. In 1742 the government had warned the French consul that even if it was up to the Most Christian King to decide who could get naturalised and become a French subject, he could not “pretend that another Sovereign would concede” the newly naturalised individuals “the same grace in his kingdom”.<sup>59</sup> Otherwise, “all Neapolitans would only need to take some *lettres de naturalité* in France”, in order to refuse their allegiance to the king of Naples and its magistracies.<sup>60</sup> Patently, the Neapolitan authorities feared the emergence of a situation like in Ottoman port cities, where in the eighteenth and nineteenth centuries European consuls developed extended patronage systems among the subjects of the sultan (*ber-ratli*), taking them away from the Porte’s sovereignty and the jurisdiction of its

56. He occupied this office until 1804; cf. ASN, *Esteri, Legazione danese*, 274-276.

57. *Trattato perpetuo di commercio e navigazione, conchiuso tra il Re Nostro Signore e la Corona di Danimarca* (Naples: Ricciardi, 1751).

58. The judge Orazio Rocca to the Neapolitan secretary of state José Joaquín de Montealegre, in ASN, *Esteri, Legazione francese*, 484.

59. ANF, *AE*, B<sup>1</sup>, 885, 330v-331r.

60. Montealegre to the French consul François Devant (1742), in ANF, *AE*, B<sup>1</sup>, 879, 188rv.

tribunals.<sup>61</sup> In this sense, the exclusion of Neapolitan merchants from the French and British nation corresponded to the different but converging interests of the foreign consuls and the Neapolitan government. These mercantile groups were allowed to be geographically mixed, but they had to maintain sharp boundaries with the local society.

The only exception to this norm was represented by the sons of foreign merchants born in Naples, such as the Ginestous brothers. As we have seen, according to Neapolitan law they could have considered themselves as local subjects, whereas French law classified them as foreigners, as long as they lived outside France. On a practical level, however, both local and consular authorities eluded these laws. As a Neapolitan magistrate recognised in 1749, in Naples “many Frenchmen had children every day”. These children “d[id] not consider themselves as Neapolitans, but maintain[ed] the origin of their French parents and enjoy[ed] their national privileges”.<sup>62</sup> The effective criterion of classification was not simply law: it was the subjective intention of these persons, expressed through social practices and supported by the consulate. As the Neapolitan judge suggested, this will was not motivated by cultural factors, but by a utilitarian comparison between the legal resources attached to the status of a French subject and those connected with the status of a Neapolitan subject. In front of a customs officer, in a court of justice and in the eyes of other merchants it was certainly more convenient to belong to the privileged French nation than to be just a simple Neapolitan.<sup>63</sup> Thus, persons involved in mercantile activities such as the Ginestous brothers regularly used the status of their fathers rather than that of their native country.

Under this aspect, the behaviour of British and French merchants in Naples was the exact opposite from that of their German “colleagues” in London. For the latter, the status of a British subject was a key giving access to precious legal resources (lower customs, membership in chartered companies). Therefore, not only did the British-born sons of German immigrants consciously use their birth-given status, but moreover many immigrated German merchants invested consistent sums of money in order to get an act of naturalisation.<sup>64</sup>

The Neapolitan case resembles more the Spanish one, even if it reveals some significant differences. Like in Naples, the *naciones extranjerias* in Spanish ports benefitted from special privileges, which they defended jealously. However, while in Naples becoming a subject of the Neapolitan crown was not an attractive goal

61. Maurits H. van den Boogert, *The Capitulations and the Ottoman Legal System. Qadis, Consuls and Beraths in the 18<sup>th</sup> Century* (Leiden: Brill, 2005), chap. 2; Marie-Carmen Smyrnelis, *Une ville hors de soi. Identités et relations sociales à Smyrne aux XVIII<sup>e</sup> et XIX<sup>e</sup> siècles* (Leuven: Peeters, 2005), pp. 80-89; Mark Mazower, *Salonica, City of Ghosts. Christians, Muslims and Jews 1430-1950* (London: Harper Collins, 2004), chap. 1.6.

62. The judge Carlo Ruoti to the Neapolitan secretary of state Giovanni Fogliani (13 January 1749), in ANF, *AE, B<sup>1</sup>*, 885, 5r-6r.

63. While many foreign nations benefitted from various privileges (taxes, customs, jurisdiction), the only relevant advantage of being Neapolitan was represented by the often exclusive access to public offices. On Neapolitan citizenship see Ventura, “Le ambiguità di un privilegio”.

64. Margrit Schulte Beerbühl, *Deutsche Kaufleute in London. Welthandel und Einbürgerung (1660-1818)* (Munich: Oldenbourg, 2007).

for foreign merchants, in Spain the status of a *natural* was connected to interesting resources, as it gave access to the profitable trade with the American colonies. Thus, the first generation of foreign merchants usually operated as members of a *nación extranjera*, while their Spanish-born sons sometimes adopted a complementary behaviour and took advantage of their Spanish *naturalidad* in order to occupy another commercial sector.<sup>65</sup>

Foreign merchants in Naples used to identify themselves through different labels,<sup>66</sup> depending on the relational situation and on the pursued goal. Besides the already mentioned case of Heigelin, who according to the context introduced himself as “English merchant” or as “Danish consul”, we can mention the example of the clock-trader David Giroud. When in 1766 he was involved in a judicial case in front of the Supreme Magistracy of Commerce, he identified himself as a “French”,<sup>67</sup> in order to profit from the legal privileges and the symbolic power attached to this label. Instead, when in 1770 he published an advertisement on a local newspaper, he defined himself as a “clock-trader” of “Swiss nation”, with the evident intention of praising the quality of his merchandise.<sup>68</sup> And when during the War of the First Coalition the Neapolitan government ordered all French migrants to leave the kingdom, the Giroud family immediately proved the police “with clear and irrefutable documents” that they were “citizens of Neuchâtel” and hence subjects “of the King of Prussia”.<sup>69</sup>

#### 4. Conclusions

In order to become a member of the French nation and the British factory, merchants did not have to pass through a formal procedure. A “negoziante francese” or a “negoziante inglese” was basically a person who, in the daily social interactions, was recognised as such by the other merchants and especially by the French and British consul. To achieve this recognition, the merchants could appeal to a variety of factors. In some cases it was birth, in others descent. In the case of francophone merchants from present-day Switzerland, language probably facilitated the construction of social ties which led to an institutional affiliation to the French nation. And religion presumably helped the German Lutherans to build a bridge to the British factory. None of these criteria, however, represented the common denominator of the members of these groups, which instead consisted of economic interest and, to be more precise, of commercial relations with mer-

65. Weber, *Deutsche Kaufleute*, p. 96; Manuel Bustos Rodriguez, *Cádiz en el sistema atlántico. La ciudad, sus comerciantes y la actividad mercantile (1650-1830)* (Cádiz: Sílex, 2005), pp. 166-172.

66. On the category of *self-identification* see Rogers Brubaker and Frederik Cooper, “Beyond Identity”, *Theory and Society* 29 (2000): pp. 1-47

67. ASN, *Processi antichi, Supremo Magistrato di Commercio*, 7, 68.

68. *Foglio ordinario*, no. 50, (11 December 1770).

69. ASN, *Polizia Generale, Registri di consule*, 22, 244, (27 September 1793). In 1707 the principality of Neuchâtel was subordinated to the sovereignty of the king of Prussia, even if it maintained a broad autonomy.



chants and economic centres of France and Great Britain respectively. Thus, the coagulant factors which tied together the French and British nation did not lie in a common diasporic origin but first and foremost in very pragmatic motivations.

In some cases, these relations were the product of a social capital which had been accumulated in the course of multiple migrations.<sup>70</sup> Before moving to Naples, where they began to identify themselves respectively as British and French, persons like Vallin and Meuricoffre had actually stayed for prolonged periods in Exeter and Lyon. However, these intermediary passages were not a *conditio sine qua non*. Vieuousseux and Heigelin, for example, had never had an extended stay in France and Great Britain: they had become “French” and “British” uniquely thanks to the social relations established in Naples.

In summary, the Neapolitan case reveals some relevant resemblances with Tunis, where many Italians lived under the protection of the French consulate, with Istanbul, where the Venetian *bailo* supervised a vast “unofficial nation” of Greeks, “renegades” and Jews, with Smyrna, where “identity games” were a recurrent social practice, and with Aleppo, where Tuscan Jews preferred to become “French” and to take advantage of the capitulations rather than to mingle with Ottoman Jews and to be considered *dhimmi*.<sup>71</sup> Analogously, the boundaries of the French nation and of the British factory in Naples were not defined by legal norms or cultural features. They were produced by the regulative power of the consulates, who decided whom to admit to the nation and whom not, and by the performativity of the social practices enacted by migrant merchants in order to get access to legal resources and institutional protection.<sup>72</sup>

70. The acquisition of legal resources through multiple migrations has been noticed in the case of Hamburg, where many merchants from other German states established themselves for a certain period in order to acquire a status which was of great advantage in various European countries; Weber, *Deutsche Kaufleute*, p. 102. An analogous pattern was followed by those German merchants who traded in Russia as members of the British factory, after having lived for years in London, where they had become naturalised; Schulte Beerbühl, *Deutsche Kaufleute in London*, pp. 255-264.

71. Windler, *La diplomatie*, p. 193; Eric R. Dursteler, *Venetians in Constantinople. Nation, Identity, and Coexistence in the Early Modern Mediterranean* (Baltimore-London: Johns Hopkins University Press, 2006), chap. 3-4; Marie-Carmen Smyrnelis, “Jeux d’identité à Smyrne au XVIII<sup>e</sup> et au XIX<sup>e</sup> siècles”, in *L’invention de populations. Biologie, idéologie et politique*, ed. by Hervé Le Bras (Paris: Odile Jacob, 2000), pp. 125-139. Trivellato, *The Familiarity of Strangers*, pp. 64-68.

72. On the regulation of the access to resources as a boundary-defining factor in human societies see the theoretical reflections of Fredrik Barth, “Introduction”, in *Ethnic Groups and Boundaries. The Social Organization of Culture Difference*, ed. by Fredrik Barth (Bergen-London: Universitetsforlaget/Allen & Unwin, 1969): pp. 9-38.