

Violations of Consular Protection and Their Impact on Algerian–European Relations During the Ottoman Era

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Abstract

Research on Algeria's diplomatic sphere during the Ottoman period continues to attract scholars. This interest stems from the decisive role played by the Algerian navy in the western Mediterranean, a role that often led to confrontation or peace. Yet this field still requires more studies that deepen understanding, clarify its features, and shed light on hidden aspects of the era. One of the most important of these aspects is the diplomatic environment. Ottoman Algeria was a major diplomatic hub. It received envoys and consuls and concluded several treaties and agreements due to its position and influence in the region at the time. Consuls enjoyed many privileges to ensure their safety and the protection of their property. However, these immunities were frequently violated, which strained relations between Algeria and European states and at times led to the suspension of diplomatic ties.

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Introduction

Relations between Algeria and European states evolved over time. European powers began to insist on having permanent representatives in the Regency of Algiers. These representatives acted on behalf of their monarchs and were responsible for safeguarding national interests and protecting their subjects. After Ottoman mediation, Algiers accepted the presence of European consuls. Because of the sensitivity of the consular office, it became necessary to surround the consul with various forms of protection as a sign of respect for his sovereign. Over time, these practices became recognized customs that states adopted and demanded.

This privilege has long attracted the attention of international legal scholars, which led to the codification of rules governing the work of consuls and obliging states to protect them and guarantee their immunity. As the roles and responsibilities of consuls expanded, the need for diverse forms of protection increased, and violations of these protections came to be viewed as breaches of international treaties. This raises an important question: how did European states react to attacks on their representatives?

Section One: Personal Protection

Because consuls were vulnerable to aggression that could endanger their safety, states adopted the principle of personal protection for consular agents. This protection took two main forms:

First, preventing any assault on a diplomatic envoy. If the authorities of the host state committed harm against a consul, the state was required to submit an official apology. In cases of severe damage, material compensation was required when a verbal apology was deemed insufficient.

Second, enacting punitive laws against individuals who might attempt to attack a consul (Rateb, 1963, p. 139).

Before the Vienna Convention was concluded, legal scholars attempted to identify foundations that justified these immunities. They developed several theories, the most prominent of which are presented below.

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The Theory of Personal Representation

This theory dates back to the Middle Ages. Until shortly before the French Revolution, international relations were viewed as personal relations between kings and princes. Envoys were considered the personal representatives of their sovereigns. Any attack on them was treated as an attack on the monarch. This principle was rooted in the idea of equality among rulers, expressed in the maxim: “Peers cannot exercise authority over one another” (Shadia, 2006–2007, pp. 28–29). From this perspective, the consul was regarded as an extension of the sovereign he represented and enjoyed the same immunities and privileges granted to the ruler in the host state.

This theory spread in eighteenth-century Europe during the monarchical era. It held that the privileges and immunities of consuls stemmed from their representative function. Because they acted on behalf of their monarchs, any offense against them or against their dignity was viewed as an affront to the dignity and authority of the sovereign.

The French jurist Montesquieu was one of the major proponents of this view. He wrote: “By the law of nations, princes must send envoys to one another. The logic of affairs requires that such envoys should not be subject to the prince to whom they are sent, nor to his courts, nor should any obstacle hinder their work. They may be accused of crimes, but only their own sovereign may judge them. They must enjoy natural dignity and be able to speak freely. If they misuse their office, a complaint should be filed with their sovereign, who becomes their judge” (Montesquieu, 1871, p. 1043).

European powers emphasized this protection in their treaties with Algiers. The Peace Treaty of 7 July 1640 between Algiers and France included Article 12, which required respect for the person of the consul and granted him the same honors, privileges, and rights enjoyed by other consuls in Ottoman ports (Amin, no. 18, p. 337).

The Theory of Territorial Extension

This theory is one of the most prominent explanations used to justify the protection, privileges, and immunities granted to consuls. It was widespread throughout the seventeenth century and the early eighteenth century. Its basic premise is that the consul is considered, in a legal sense, a representative of his sovereign. He is viewed as being outside the jurisdiction of the host state. His presence in that country is treated as an extension of his presence in his own homeland (Rateb, 1963, p. 130).

One consequence of treating the consular premises as foreign territory is that any crime committed inside them must be handled according to the laws of the consul’s state. If a criminal fled to the consular residence after committing an offense outside it, the authorities of the host country could not arrest him. It would be as if he had escaped to a foreign state. This was a direct challenge to the sovereignty of the host state and was therefore difficult for it to accept (Rahima, 2013–2014, p. 166).

The Theory of Functional Necessity

This theory holds that the privileges and immunities enjoyed by the consul arise from the need for him to perform his duties freely and without pressure or interference from the host state. Among the different theories, this one is considered the most accurate (Rahima, 2013–2014, p. 167).

In the seventeenth century, the privileges granted to consuls gave them a high degree of freedom and protection, both for themselves and for their nationals. Treaties concluded between Algeria and European states show that Algeria repeatedly affirmed that it had no authority over consuls. They were not subject to local religion, customs, or laws. Only their own governments had the right to try and judge them. Once they were accepted as consuls, the authorities owed them protection, security, and all related privileges. Their homes were regarded as sanctuaries that could not be violated. At times, they even served as places of refuge for Christians, Muslims, and local inhabitants (C. R. Pennell, *The Social World of British Diplomats in North Africa and How It Affected Diplomatic Policy*, 2008, p. 348).

Upon the consul's or vice-consul's arrival in the city where he was to reside, the Diwan had to be informed so that arrangements could be made to receive him in accordance with local customs. Since some Muslim groups were known for their hostility toward Christians, consuls were customarily provided with a guard for security. This guard was usually selected from among the Janissaries of the Dey or the Bey. He remained at the consul's disposal and acted under his authority (Podio, 1826, p. 10).

European states considered the protection of their subjects a vested right. In the peace treaty concluded between France and Algeria on the seventeenth of Shawwal 1210 AH, which contained eighteen articles, Article 16 emphasized the obligation to grant the French chargé d'affaires in Algiers absolute privileges and consideration according to the earlier treaty. He was to receive all the respect and favor that had long been accorded to him and was to have precedence over officials of other nations.

Article 17 stated that if war broke out after the treaty, French residents in Algiers would be given three months to settle their personal and social affairs, enjoying during this period all the rights they held at the time of the treaty. The same rules applied to French ships anchored in Algerian ports during that period (Ottoman Archive, 1216 AH).

European states suffered from repeated violations against their consuls. They argued that if a consul committed an offense, the sovereignty he represented required respect. The authorities in Algiers had to return him to his own government, which was responsible for trying him. This was considered the proper diplomatic practice.

A review of diplomatic history during the Ottoman era shows that the Ottoman Empire often favored France. The privileges granted by the Ottoman sultan to France ensured significant advantages for its subjects. French consuls throughout the empire enjoyed notable benefits, including precedence over others. The Treaty of 28 May 1740 stated in Article 18 that French consuls were to enjoy all privileges and were to be protected and kept in peace and security (Steck, 1790, p. 107). Article 59 specified that transactions of French merchants and consuls—including purchases, sales, trade activities, and deposits—were to be recorded by the notary of the consulate. In cases of dispute, the parties were to rely on these records to settle matters (Steck, 1790, p. 32).

Consuls enjoyed security both in the city of Algiers and in its surrounding regions. Anyone who harmed or threatened them faced punishment. A well-known example is the case of the Algerian who struck the English consul Thomas Thomson. He was punished with 1,200 lashes, which caused his death (Tassy, 1992, pp. 70–71).

The rulers of the Regency of Algiers were careful to respect the protection of consuls and their subjects. This is clear in a letter from Muhammad Pasha to the Agha of the garrison, instructing him not to harm the French vice-consul and to treat him with respect. He wrote: "... We inform you regarding the French consul residing in your town that you must treat him well and protect him. Do not allow anyone to harm him, wrong him, or speak against him in any matter whatsoever..." (Algerian Archives).

Another letter, from Hassan Bey to the French vice-consul in Collo, confirms that he had ordered the people of the region not to interfere with him: "... We instructed the people of Collo that no one is to harm the Christian in any way, nor cause him trouble or distress..." (Algerian Archives, File 1).

From these letters, it becomes clear how committed the rulers of Algiers were to protecting consuls and their subjects.

The same privileges were granted to the consuls of England and the Low Countries in all territories under Ottoman rule. Most English treaties reflect this point. Their articles insist on the consuls' right to these privileges. Thus, consuls, vice-consuls, and interpreters living in Ottoman lands were to receive full protection. Consuls were also the sole judges in all disputes between their merchants and sailors.

This appears, for example, in Article 17 of the peace treaty concluded between the King of Britain, Charles II, and the Pasha of Algiers on 10 April 1682. It states: “The consul in Algiers at present, or any who comes after him, shall enjoy complete freedom and immunity in his person and property. He has the right to choose his own interpreter and broker. He may freely board ships anchored in the harbor and travel into the countryside. He shall also be granted a place to practice his religious rites” (Rahmouna, 2010–2011, p. 80).

The same clauses appear in the peace treaty signed with Denmark on 10 August 1746, which contains twenty-two articles, and in the peace treaty with Venice on 23 June 1768. The latter states that the Venetian consul, under full guarantees of safety and protection, may live without fear and that no one may harm his person or his belongings. It adds that if he wished to go aboard a ship or leave the port, no one would be allowed to stop him (Rahmouna, p. 80; see also Odegaard Tobjorn, p. 36).

The French king renewed, by an order issued on 3 March 1781, the prohibition on all French subjects from travelling through the Ottoman provinces without a passport or certificate signed by the Chamber of Commerce in Marseille. Anyone who violated this rule was to be sent back to France and fined 500 francs. To enforce this, the king forbade all French ship captains from taking any passenger on board unless he presented a passport or a travel permit (Steck, 1790, p. 115).

Consular protection was extremely important for French subjects, and they generally complied with the consul’s orders so as not to lose that protection. One incident illustrates this clearly. A dispute occurred between the French consul in Algiers, Le Maire, and the French merchant Nicolas Bironger. Bironger was expelled from the consulate on 8 March 1751 after a disagreement. The consul had asked him to accompany the Austrian ship captains who were staying in the city, but Bironger refused. He then appealed to the French authorities and asked them to intervene. He argued that the consul’s action put his life and property at risk, because the Algerians might assume that he no longer enjoyed the consul’s protection (Devoulx, 1871, p. 263).

Section Two: Fiscal and Judicial Protection

1. Fiscal Protection

Consuls enjoyed the privilege of customs exemptions for goods intended for the use of the mission. This appears clearly in treaty provisions. For example, Article 9 of the treaty of 17 May 1666 between Algiers and France states: “Fabrics and food supplies imported by the consul for his personal needs or offered as gifts, as well as provisions bought locally for his family needs, are exempt...” (Qenan, 2010, p. 297).

The same rule appears in Article 21 of the treaty with Denmark dated 22 Rajab 1159 / 10 August 1746. It states: “Goods necessary for the use of the consul are exempt from any duty” (Odegaard, 2017, p. 50).

Article 21 of the Swedish–Algerian treaty of 9 May 1729 grants the same privilege: “The Swedish consul shall pay no customs dues on household supplies or on gifts received” (Al-Mazzari, 1990, p. 101).

The exemption did not apply to the consul alone. Staff of the consulates—interpreters, notaries, and others—were also exempt from taxes normally imposed on foreign residents. This is what later became known as financial exemptions.

Tax immunity covered movable property, land taxes, fees, and postal charges. Regarding duties on movable goods, consuls general, consuls, and vice-consuls were exempt from personal and direct taxes paid by others. However, they had to allow their belongings to be inspected upon arrival at the port, though their residences could not be searched. As for real estate acquired unlawfully, it was subject to taxation (Podio, 1826, pp. 88–89).

When the United States succeeded in concluding a peace treaty with Algiers, it secured a clause stating that goods sent to the American consul and his family would be free of taxes (Al-Arabi, 1978, p. 108).

Judicial Immunity

Another important form of protection granted to consuls was judicial immunity. This meant that the consul was not subject to the courts of the host state. The goal was to allow him to carry out his duties without legal harassment. This immunity did not imply complete tolerance of harmful or unlawful acts against the host state or its inhabitants. There were cases in which the consul could still be held accountable.

Judicial immunity did not give the consul the right to violate local customs or public order, nor did it allow him to commit crimes with impunity. If he committed an act that the host state deemed unacceptable, he could be declared *persona non grata*. The host state could ask his government to detain him or recall him, but it could not try him under its laws. The Vienna settlement of 1815 affirmed this principle.

European states demanded that their consuls be granted judicial protection in all treaties. One example is Article 16 of the treaty of 28 May 1740 between France and the Ottoman Empire. It states: “French consuls shall never be compelled or forced to appear personally before any judge. If such a case arises, they shall defend themselves through their appointed interpreters. If anyone files a legal claim against an accredited consul, he may not be imprisoned, nor may his residence be closed. French consuls are the sole judges of their merchants, sailors, and all members of their nation. If a French subject has a dispute with a local inhabitant, the decision belongs to the local judge, but he may not issue his ruling without the presence of the French consul and his interpreters” (Steck, 1790, p. 30).

On this basis, France required all Ottoman provinces to include this privilege in their treaties. Thus, in the peace and trade treaty of 25 April 1684 between Algiers and France, earlier privileges were reaffirmed. The clause that made French subjects subject to normal Algerian courts in disputes with locals was cancelled. Such disputes were instead to be presented to a special judicial body within the Diwan in Algiers, or before provincial authorities in other cities (Qenan, 2010, p. 100).

The peace and friendship treaty signed between Spain and Algiers on 17 Sha‘ban 1200 / 14 June 1786 contains a similar clause. Article 10 states that the Spanish consul in Algiers would enjoy the same privileges as the French consul. He would oversee all affairs of Spanish subjects, and disputes between Spaniards would fall under his authority without interference from judges in Algiers (Bouaziz, 1993, p. 41).

Article 52 of the treaty of 28 May 1740 between France and the Ottoman Empire adds that if a murder or another crime occurs among the French, or if a disturbance arises, the consul alone shall decide the case according to French customs and laws, without interference from the Diwan (Steck, 1790, p. 31).

Section Three: Inviolability of the Consular Premises

The term “diplomatic premises” refers to the buildings in which the mission carries out its functions in the host state. These premises hold the mission’s official documents and are often called the consular house. Regarding their inviolability, the Vienna Convention states that the mission’s premises must be protected. No authority may enter them without the consul’s consent. The host state must take all necessary measures to protect the premises from intrusion, damage, or any action that may threaten the security or dignity of the mission. The term also includes its furniture, assets, and vehicles, which are protected from inspection or seizure (Sari, 2017, p. 267).

The treaties concluded between Algiers and foreign states guaranteed their consuls the right to choose their residences in a manner befitting their status. This appears, for example, in Article 20 of the 1689 treaty with France, which recognizes the consul’s privilege to choose his home. The same right was granted to merchants, in return for rent. Such residences were required to meet the standards expected for consuls and were often rented from naval captains or from state lands. The Nivous Treaty of the tenth year, dated 23 Sha‘ban 1216 AH, affirms in Article 17 that the residence of the French commissioner was inviolable.

No authority could enter it unless the commissioner himself requested it from the government of Algiers (Belil, 2018, p. 26).

The German physician and traveler Hebenstreit notes, during his visit to Algiers, that French, English, Swedish, and Dutch consuls enjoyed comfortable residences in the city and its surrounding areas, for which they paid annual rents (Hebenstreit, 2014, p. 33). Bardoux also mentions that the consular residences were located in a pleasant part of Algiers, on a street near Bab al-Bahr, known at the time as “the Street of the Consuls” (Bardoux, 1924, p. 274).

The consul’s personal residence was also inviolable. It could not be entered or searched, and the consul’s property, documents, correspondence, and personal items could not be seized or confiscated. It is worth noting as well that the consular mission had the right to allocate space within its premises for religious practices according to the consul’s faith. Article 18 of the treaty signed on 24 September 1689 between Algiers and France states: “The consul may freely perform Christian rites in his home, together with any Christians who wish to join him. Likewise, Turks from the city or kingdom of Algiers may practice their religion if they are sent to France” (Qenan, 2010, p. 360).

The issue of the inviolability of consular buildings raises the question of political asylum. This leads us to ask: what was the position of customary international law on harboring fugitives within consular premises? Did such fugitives become beyond the reach of the local authorities?

The rule that authorities may not enter a consular residence without the consul’s permission is well established. Yet this does not allow the consul to shelter fugitives from local justice within his residence. The inviolability of the premises often caused disputes between consuls and the host authorities. Many consuls believed they had the right to shelter anyone in their residence, even those fleeing the law. Customary law, however, rejected this view. Immunity was limited to what was necessary for the protection of diplomatic work and the interests of the sending state. Based on this principle, the consul was required to surrender fugitives to the local authorities. If he refused, the host state was allowed to enter the premises to arrest them. In practice, the authorities often surrounded the building and demanded that the fugitives be handed over (Habib, 2012–2013, p. 37).

These considerations explain why the Dey of Algiers ordered the storming of foreign consulates after they sheltered groups of tribal fugitives. This issue will be discussed in the following section. Some European states attempted to impose the principle of inviolability of consular premises even when it threatened the internal security or political stability of the Regency. At the forefront of these states was England, whose consul applied the so-called right of asylum and protected anyone who sought refuge within the consulate (Rahmouna, *Consuls and Consulates in Ottoman Algiers 1564–1830*, 2010–2011, p. 88).

Section Four: Ensuring the Security of Navigation

The Ottoman Empire committed itself to guaranteeing the safety of commercial ships belonging to states with which it had concluded treaties. It informed all its provinces of these commitments. Ships of states that had not signed a treaty of friendship or peace with the Ottoman Empire were exposed to attacks by the Algerian navy. Yet, in many cases, even after the central administration notified the regencies of the treaties signed with various states, Algiers continued to seize European ships and violate the terms of those agreements.

In April 1586, Monsieur de Lacocime received the task of presenting all the complaints sent by Henry III to the Ottoman court. The most important of these complaints concerned the failure to respect the granted privileges and the acts of piracy committed by Algerian sailors against French vessels (Watbled, 1872, p. 33).

The letter stated: “... Consuls or vice-consuls have been appointed in Tripoli, Alexandria, Algiers, and other places to protect French merchants and those sailing under His Majesty’s flag. Yet many extortionate

practices are imposed on Christian subjects in violation of the treaties. We receive complaints on a daily basis. Five captains of Algiers seized two Marseille ships, looted everything, killed their captains, and circumcised a child on board” (Watbled, 1872, p. 33).

The 1604 treaty is one of the most significant agreements in the history of Ottoman–French diplomatic relations. It granted France special guarantees, including the right to punish and pursue Maghrebis who attacked the French coast. France declared that it would not abandon its friendship with the Ottoman Empire because of such incidents. Article 13 also contained a commitment to protect France from Algerian attacks. It promised to take the necessary measures as soon as such acts came to the Empire’s attention (Aisha, 1984–1985, p. 36).

The main reason behind this situation was that the livelihood of the regency depended largely on the spoils gained through naval jihad. Since Algiers had concluded treaties with almost all European states, strict adherence to them meant that the privateering corps would face ruin. When Algiers attacked ships of states that were friendly to the Ottoman Empire, seized their cargo, or captured their crews and passengers, those states appealed directly to the Ottoman government and demanded compensation.

Our readings show that Algiers did not fully respect the treaties signed by the Ottoman Empire in the eighteenth century, especially after it gained a quasi-independent status. Europeans became convinced that treaties concluded with the Empire alone were not enough to protect them. Many therefore sought to conclude separate agreements with Algiers (Toprak, 2013, p. 299).

Article 2 of the treaty signed on 21 March 1619 with France called for the cessation of all acts of piracy. Algerian corsairs were forbidden from attacking French ships in either eastern or western waters. They were also forbidden from harming other merchants sailing under the French flag. They could not search such ships or seize their goods, even if the cargo belonged to enemies of the Ottoman Empire (Qenan, 2010, p. 44).

On 17 May 1665, a peace treaty was concluded between the two countries. It contained twelve articles that addressed the main disputes between them. It is one of the important treaties that dealt with the French community in Algiers, including consuls, merchants, and captives. It required all travelers to carry a passport issued by France and a certificate from the French consul in order to carry out the inspections stipulated in the 1628 treaty. This issue had long been a source of conflict (Aisha, 1984–1985, p. 79).

Austria was one of the states whose ships continued to be seized by Algerian sailors. Under the 1718 treaty, the Ottoman Empire promised that Austrian commercial ships would sail and trade in safety, and that corsairs of the Maghreb regencies would be warned against attacking them. Due to repeated assaults on Austrian vessels, the Sublime Porte issued orders to Algiers to prevent any further violations.

In 1753, a typical maritime incident nearly led to a complete rupture. France seriously considered going to war with Algiers and planned to send a naval squadron to bombard the capital. The incident occurred when a French vessel refused to stop for inspection after encountering an Algerian warship near the Strait of Gibraltar. The French captain fired the first shot, which triggered a battle. The ship was captured and taken to Algiers. Its cargo was confiscated, its sailors imprisoned, and the captain was flogged, leading to his death. Refusing inspection and firing first was a clear breach of the peace treaty, which required corporal punishment for ship captains who violated its terms (Qenan, 2010, p. 158).

On 7 Muharram 1177 AH / 18 July 1763, Algiers signed a treaty with Venice consisting of twenty-three articles. One of its main principles was the freedom of movement of ships at sea. The treaty clearly stated that Venetian ships were not to be harmed by Algerian sailors. Article 1 required Venetian ships to carry passports and present them when meeting Algerian vessels (Oral, 2017, p. 110).

Nevertheless, Algerian sailors often attacked and seized Venetian ships. Venice lodged complaints with the Sublime Porte. In response, Sultan Mustafa issued a firman instructing the authorities in Algiers to respect and protect Venetian vessels (Al-Jaza’iriyya, no. 3).

Section Five: Violations of Consular Protection and Their Impact on Algeria's External Relations

It is well known that diplomatic history and consular representation record many incidents of violence directed at consuls. These incidents targeted their persons, their safety, their lives, their nationals, and even their offices.

In this section, I review the most significant attacks against consuls and diplomatic envoys. The protection of envoys from arrest and imprisonment is a long-established rule of custom and of general international law. Yet practice often contradicted this rule. Many examples show clear violations of consular immunity, especially during periods of crisis or diplomatic rupture.

Several European consuls in Algiers were imprisoned and even killed. Such acts ran counter to the clauses of protection set out in the treaties of peace and friendship between Algiers and European states.

One of the earliest cases was that of the consul Bionneau, who became the first French consul to reside in Algiers in 1585.

Another case concerns Consul De Vias. After he lodged a complaint with the Ottoman Sultan about attacks by Algerian captains on French ships and insisted on compensation, Pasha Mustapha ordered his imprisonment (Bouaziz, *Algeria's External Relations with European States and Kingdoms (1500–1830)*, 2009, p. 61). He was held in 1606 and remained in prison for eight months, then left Algiers in 1608.

According to Devoulx, Consul François Chaix, who assumed the direction of the consulate after De Vias' departure, was most likely killed when Algerians rose against the French and stormed the French consulate in 1622 (Devoulx, *Relève des principaux Français qui ont résidé à Alger*, 1872, p. 357).

However, Yahia Bouaziz reports a different version. He notes that Algerians executed the French vice-consul and most of the French residing in Algiers who were held in prison. This occurred after Pasha Hussein sent "al-Sharif Muhammad" to Marseille in June 1620 to inquire about the fate of a diplomatic delegation that had been captured by the Tuscans. The French consul paid a ransom for him, and he returned to Algiers in April 1621, one year after his departure (Bouaziz, 2009, p. 65).

Consul Nicoline Ricou (1629–1631) was arrested for eight days after merchants from Marseille attacked three Algerian vessels, seized them, and sold their crews as slaves (Bouaziz, 2009, p. 70).

Vice-consul Blanchard was arrested in 1633 for his involvement in the escape of several captives. He was imprisoned, and the captives were sentenced to forced labor. This incident led to the breach of the peace treaty between the two sides, and Algerian corsairs launched several attacks on French ships (Gramont, *Relations entre la France et la régence d'Alger au XVIIe siècle*, 1978, p. 431).

The Lazarist consul Barreau, appointed in 1640, remained in Algiers until 1661. During the plague that struck the city a second time in 1654 and lasted three years, trade with Europe declined sharply. He faced severe financial difficulties, his debts accumulated, and he was imprisoned again by Pasha Ahmed (Grammont, 2002, p. 175).

Another dramatic episode involved Father Levachier, who served as consul from 1675 until 29 June 1683. Algerians executed him by tying him to the mouth of the famous cannon La Consulaire (Baba Merzoug) and also killed twenty others. This was an act of retaliation for Admiral Duquesne's second bombardment of Algiers (Devoulx, *Le canon dit La Consulaire à Alger*, 1873, p. 1).

Consul André Piolle was also arrested and imprisoned with forty French nationals. They were executed by firing them from a cannon, and their bodies were placed on a wooden plank and pushed into the harbor. This was in response to the bombardment of Algiers by Maréchal d'Estrées in 1688 (Azzouz, 2015–2016, p. 109). During the attack, the French consulate was looted, and Piolle's belongings and documents disappeared (Devoulx, 1872, p. 359).

Consul Léon Delane was humiliated after refusing to remove his sword in the presence of the Dey. He was denied permission to remain in Algiers and left in 1733.

Consul François Devant, who had served as royal counsellor and consul in Naples, was appointed in Algiers on 15 June 1742. He too was insulted by the Dey after refusing to kiss his hand, and he left Algiers in 1743 (Devoulx, 1872, p. 376).

France resorted to military force against Algiers in 1604. This came after Algerians attacked the Bastion fortress. King Henry IV sent a French fleet, but it failed to achieve any success and was forced to withdraw (Panzac, 1999, p. 26).

The English were also exposed to killings and violations of their immunity. Consul Ward was killed by Algerians who took to the streets, went to his residence, arrested him, and executed him. This act came as retaliation for Admiral Edward Spragg's campaign against Algiers in 1671 (Wolff, 2009, pp. 328–329).

Some English consuls were expelled from Algiers. As mentioned earlier, the Dey refused to receive the English consul Charles Black in 1728 after the intervention of the Swedish consul Logie. This incident affected relations between Algiers and England. Britain responded by sending a squadron under Admiral Cavendish, accompanied by Black himself, to reinstate him. The Dey eventually accepted this request, and the peace treaty was renewed and signed on 18 March 1729 (Wolff, 2009, p. 422).

Another English consul suffered harsh treatment from the Dey. Consul Aspinwall, who arrived in June 1754, was forced to withdraw and depart due to the mistreatment he received (Bouhloufa, 2018–2019, p. 171).

European consuls were traditionally required to kiss the Dey's hand when received in audience. This gesture was part of the established protocol and was viewed in Algiers as a sign of respect. Yet this custom caused a serious dispute between the Dey and the English consul Frizer, who firmly refused the act and considered it degrading. The Dey sent a letter to King George III explaining what he regarded as insolence. England supported its consul's stance. The British foreign minister declared that naval power was the proper response to actions by the Regency that insulted the dignity of the Crown (Bouhloufa, 2018–2019, p. 179).

In 1773, Captain Stott sailed the warship *Alarm* to Algiers. After disputes over the status of the captives who had fled to his ship—whom he considered free under existing treaties—the Dey warned the consul that if the captain did not comply, he would be expelled. Consul Friser had no choice but to leave Algiers aboard the *Alarm* with his documents and personal belongings.

Playfair recounts another incident. The Dey's guard broke into the home of Consul Charles Mace after ordering him to dismiss his cook, who was Maltese. When the consul refused, the guard seized the cook, chained him, and sent him to a departing ship. The consul was shocked, especially since the cook had been in Algiers for only a short time and rarely left the residence. When Mace protested, he was told that the Dey had made his decision and that, if the consul disagreed, he should leave the country (Robert, 1884, p. 222).

These incidents show that consular protection was repeatedly violated in Algiers. In addition to attacks on French and English consuls, there were cases in which the Danish consul Ulrich and the Dutch consul Fraisinet were detained and shackled because their governments were late in paying the annual tribute (Grammont, 2002, p. 367).

In response, all European consuls in Algiers adopted a unified position. They drafted a collective letter of protest, at the suggestion of the English consul Blanklay. The letter stated that the imprisonment of a consul was a violation of the sanctity of consular office and an infringement of diplomatic immunity (Bardou, 1924, pp. 271–272).

The American consul O'Brien recounts in a letter to President Madison that on the morning of 21 April two Andalusian women were found inside the British residence with two of the consul's servants. The Dey fell into a violent rage and ordered the consul to leave the country. When the consul refused, the Dey sent troops who expelled Consul Falcon on 22 April. He sailed to Spain on the 23rd. The two servants fled—one took refuge in the French consulate, and the other hid elsewhere (O'Brien, 28 April 1803).

As for the reason behind the second British campaign against Algiers, Salamé, the personal interpreter of Lord Exmouth, stated that Algiers violated the treaty by committing a brutal massacre of poor fishermen who had come from European coasts to harvest coral at Annaba. These fishermen were under British protection. The situation worsened when the Algerians detained the English consul.

Relations between Algiers and Britain also deteriorated in 1823. Tribes living around the Béjaïa mountains revolted against Ottoman authority in October of that year and killed several Turks, including the Hanafi mufti who was captured (Shaler, 1977, p. 293).

Many Kabyle men worked as servants in consular households. The Dey Hussein wrote to all foreign consuls asking them to hand over the rebels. The English consul Robert William and the American consul William Shaler refused, invoking "human rights." The French consul Pierre Duval gathered all his Kabyle workers, paid their wages, and dismissed them. The Dutch consul assembled his workers and allowed them to choose between remaining under his protection or fleeing to a safe place (Belkacem, 2015–2016, p. 105).

On the evening of 25 October, Algerian naval forces stormed the garden of the English consul and demanded that he surrender the Kabyle workers sheltering there. The consul had placed the official seal on the residence and raised the English flag above it. Nevertheless, by order of the Pasha, the guards broke the seal and entered the building.

On 28 January 1824, the British sent a mission under Captain Spencer to Algiers. The consul withdrew to the British ship and handed the management of the consulate to the American consul (Bouhloufa, 2018–2019, p. 255).

The final episode that sums up the repeated violations of consular protection in Algiers, and their impact on relations with Europe, was the incident involving the French consul Duval, known as "the fan incident." It was linked to France's last position on the issue of debts owed to the Algerian treasury. The Dey believed that the French government's position was fabricated by the consul, whom he accused of embezzling the funds that France had promised to send to Algiers (Amin, *Studies in Modern Algerian History*, 2011, p. 170).

Conclusion:

In conclusion, the cases discussed in this article show that European consuls in Algiers often paid the price for the strained relations between Algiers and their home countries. They faced threats, imprisonment, humiliation, or expulsion, despite the consular immunity guaranteed in the treaties.

The actions of the consuls also reveal the important part they played in shaping the direction of these relations. They could guide them toward peace, push them toward conflict, or keep them in a state of tension.

By the end of the eighteenth century, the position of the consuls had reached a point that suggested real danger. Many of them had begun to intervene in the internal affairs of Algiers. This development pointed to the future course of relations between Algiers and the European powers—relations that eventually led to the French occupation of Algeria in 1830.

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