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Author(s): Blakemore, Richard

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The Politics of Piracy in the British Atlantic, c. 1640-1649

Richard J. Blakemore¹

Introduction

Pirates are popular. Inside academia and out, the pirate is a figure commanding attention, fascination and quite often sympathy. Interpreted in various ways – as vicious criminals, romantic heroes, sexual revolutionaries or anarchistic opponents of capitalism – pirates possess an apparently inexhaustible appeal.² The problem with “pirates,” of course, is that defining them is largely a question of perspective: perpetrators of maritime violence from Francis Drake to Blackbeard have been seen as both champions and murderers, and scholars have interrogated this very dimension of piracy as a historical concept. In the Mediterranean, the *corso* was far more complicated than just a clash between

¹I would like to thank the Arts and Humanities Research Council for funding the doctoral work on which this article is based; Daniel Lange, for conversations and feedback all the way through writing; and others who offered comments, including my fellow contributors to the forum and Maria Fusaro, Colin Heywood and David Smith.

²For a mixture of romance and criminal tendencies, see Evelyn Berckman, *Victims of Piracy: The Admiralty Court, 1575-1678* (London, 1979); and Peter Earle, *The Pirate Wars* (London, 2003). For the question of sexuality, see B.R. Burg, *Sodomy and the Pirate Tradition: English Sea Rovers in the Seventeenth-Century Caribbean* (New York, 1995; originally published as *Sodomy and the Perception of Evil: English Sea Rovers in the Seventeenth-Century Caribbean* [New York, 1983]); and Hans Turley, *Rum, Sodomy and the Lash: Piracy, Sexuality, and Masculine Identity* (New York, 1999). For anarchists, see Marcus Rediker, “‘Under the Banner of King Death’: The Social World of Anglo-American Pirates, 1716-1726,” *William and Mary Quarterly*, 3rd ser., XXXVIII, No. 2 (1981), 203-227; Rediker, *Villains of all Nations: Atlantic Pirates in the Golden Age* (London, 2004); and Peter Lamborn Wilson, *Pirate Utopias: Moorish Corsairs and European Renegades* (Brooklyn, NY, 1995, 2nd rev. ed., Brooklyn, NY, 2003). For a general overview, see David J. Starkey, “Voluntaries and Sea Robbers: A Review of the Academic Literature on Privateering, Corsairing, Buccaneers and Piracy,” *Mariner’s Mirror*, XCVII, No. 1 (2011), 127-147. For reflections on the appeal of pirates, see Shannon Lee Dawdy and Joe Bonni, “Towards a General Theory of Piracy,” *Anthropological Quarterly*, LXXXV, No. 3 (2012), 673-700.

International Journal of Maritime History, XXV, No. 2 (December 2013), 159-172.

cross and crescent, while in the Indian Ocean “pirate” was a label deployed quite deliberately as part of imperial politics of legitimization and domination.³

In the British Atlantic, such critical attention has largely been directed at the “golden age of piracy” during the later seventeenth and early eighteenth centuries.⁴ For the earlier stages of British maritime expansion, the pirate as a literary figure, and the legal and high political implications of maritime violence for European empires in general, have both received a good deal of attention.⁵ On the other hand, scholarship on *actual* British “pirates” during the

³On the Mediterranean, see Salvatore Bono, *I Corsari Barbareschi: Prefazione di Renzo De Felice* (Turin, 1964); Bono, *Corsari nel Mediterraneo: Cristiani e Musulmani fra guerra, schiavitù e commercio* (Milan, 1993); Michel Fontenay, *La Méditerranée entre la Croix et la Croissant: Navigation, Commerce, Course et Piraterie (XVIe-XIXe Siècle)* (Paris, 2010); and Molly Greene, *Catholic Pirates and Greek Merchants: A Maritime History of the Early Modern Mediterranean* (Princeton, 2010). On the Indian Ocean, see the contributions in this forum by Derek Elliott and Simon Layton; see also Patricia Risso, “Cross-Cultural Perceptions of Piracy: Maritime Violence in the Western Indian Ocean and Persian Gulf Region during a Long Eighteenth Century,” *Journal of World History*, XII, No. 2 (2001), 293-319; Sebastian R. Prange, “A Trade of No Dishonor: Piracy, Commerce, and Community in the Western Indian Ocean, Twelfth to Sixteenth Century,” *American Historical Review*, CXVI, No. 5 (2011), 1269-1293; Simon Layton, “Discourses of Piracy in an Age of Revolution,” *Itinerario*, XXXV, No. 2 (2011), 81-97; Layton, “The ‘Moghul’s Admiral’: Angrian ‘Piracy’ and the Rise of British Bombay,” *Journal of Early Modern History*, XVII, No. 1 (2013), 1-19; and Robert J. Antony, “Turbulent Waters: Sea Raiding in Early Modern South East Asia,” *Mariner’s Mirror*, XCIX, No. 1 (2013), 23-38.

⁴Robert C. Ritchie, *Captain Kidd and the War against the Pirates* (Cambridge, MA, 1986); C.R. Pennell (ed.), *Bandits at Sea: A Pirates Reader* (New York, 2001); Rediker, *Villians*; Joel H. Baer (ed.), *British Piracy in the Golden Age: History and Interpretation, 1660-1730* (4 vols., London, 2007); Peter T. Leeson, *The Invisible Hook: The Hidden Economics of Pirates* (Princeton, NJ, 2009); Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400-1900* (Cambridge, 2010), esp. chap. 3; and Benton, “Towards a New Legal History of Piracy: Maritime Legalities and the Myth of Universal Jurisdiction,” *International Journal of Maritime History*, XXIII, No. 1 (2011), 225-240. Though Benton’s conclusions are broader, most of her evidence for pirates is drawn from this “golden age” period. See also Rebecca Simon, “The Social Construction of Crime in the Atlantic World: Piracy as a Case Study,” *International Journal of Interdisciplinary Social Sciences*, VI, No. 6 (2012), 75-88; and David J. Starkey, E.S. van Eyck van Heslinga and J.A. de Moor (eds.), *Pirates and Privateers: New Perspectives on the War on Trade in the Eighteenth and Nineteenth Centuries* (Exeter, 1997).

⁵Anne Pérotin-Dumon, “The Pirate and the Emperor: Power and Law on the Seas, 1450-1850,” in James D. Tracy (ed.), *The Political Economy of Merchant Empires: State Power and World Trade, 1350-1750* (New York, 1991, 2nd ed., New York, 1997), 196-227; Janice E. Thomson, *Mercenaries, Pirates, and Sovereigns:*

first half of the seventeenth century has tended towards narrative accounts, focusing on their practices or the efforts of governments to suppress them.⁶ Discussions of maritime violence during the early stages of British imperial expansion focus on the role played by “privateers,” a term which did not in fact appear until the later seventeenth century.⁷ While it is routinely acknowledged that “pirate” and “privateer” were ideas which blurred into one another, historians continue to treat them as different kinds of activity, accepting the juxtaposition of “pirate” and “society” and perpetuating both the prejudices and confusions of contemporaries. A sustained consideration of how these labels were deployed by the seafarers themselves during this early period, as provided by Lauren Benton for the “golden age,” is currently lacking.⁸

State-Building and Extraterritorial Violence in Early Modern Europe (Princeton, 1994); Elizabeth Mancke, “Early Modern Expansion and the Politicization of Oceanic Space,” *Geographical Review*, LXXXIX, No. 2 (1999), 225-236; Mancke, “Oceanic Spaces and the Creation of a Global International System, 1450-1800,” in Daniel Finamore (ed.), *Maritime History as World History* (Gainesville, FL, 2004), 149-166; Claire Jowitt (ed.), *Pirates? The Politics of Plunder, 1550-1650* (Basingstoke, 2006); Jowitt, “Rogue Traders: National Identity, Empire and Piracy, 1580-1640,” in Thomas Betteridge (ed.), *Borders and Travellers in Early Modern Europe* (Aldershot, 2007), 53-70; Jowitt, *The Culture of Piracy, 1580-1630: English Literature and Seaborne Crime* (Farnham, 2010); Peter Kempe, “‘Even in the Remotest Corners of the World:’ Globalized Piracy and International Law, 1500-1900,” *Journal of Global History*, V, No. 3 (2010), 353-372; and Caroline Laurent, “Le Pirate, acteur interstitiel de la colonisation européenne dans les Caraïbes (XVIe-XVIIe siècles),” *Diacronie: Studi di Storia Contemporanea*, XIII, No. 1 (2013), 1-17.

⁶C.M. Senior, *A Nation of Pirates: English Piracy in its Heyday* (Newton Abbot, 1976); David D. Hebb, *Piracy and the English Government, 1616-1642* (Aldershot, 1994); John C. Appleby, “A Nursery of Pirates: The English Pirate Community in Ireland in the Early Seventeenth Century,” *International Journal of Maritime History*, II, No. 1 (1990), 1-27; Appleby, “The Problem of Piracy in Ireland, 1570-1630,” in Jowitt (ed.), *Pirates?*, 41-55; Appleby, *Under the Bloody Flag: Pirates of the Tudor Age* (Stroud, 2009); Appleby, “Jacobean Piracy: Elizabethan Maritime Depredation in Transition, 1603-1625,” in Cheryl Fury (ed.), *The Social History of English Seamen, 1489-1649* (Woodbridge, 2012), 277-299; and David J. Starkey, “Pirates and Markets,” in Lewis R. Fischer (ed.), *The Market for Seamen in the Age of Sail* (St. John’s, 1994), 59-80.

⁷Kenneth R. Andrews’ work on privateers has been influential in this respect; see *Elizabethan Privateering: English Privateering during the Spanish War, 1585-1603* (Cambridge, 1964); *Drake’s Voyages: A Re-assessment of their Place in Elizabethan Maritime Expansion* (London, 1967); and *Trade, Plunder, and Settlement: Maritime Enterprise and the Genesis of the British Empire, 1480-1630* (Cambridge, 1984).

⁸Benton, *Search for Sovereignty*, chap. 3.

This article aims to make some suggestions in this direction, to link the solid empirical work of early modern historians of piracy with the critical approach of literary and theoretical studies, as has been done for the Mediterranean and Indian Ocean. The politics of piracy constituted an important part of the process through which the British state began to exercise, or attempt to exercise, authority across the Atlantic maritime networks which expanded significantly during the late sixteenth and seventeenth centuries.⁹ But it was a politics played not just by the state but by seafarers themselves: Benton has described how seafarers acted as “lawyers,” exploiting the complex legal situation of the early modern sea.¹⁰ Piracy was not necessarily a form of “social resistance.”¹¹ Rather, since violence was a regular element in maritime travel and trade, the label “pirate” was an important part of the often triangular dialogue between seaborne actors and various state authorities through which each attempted to legitimize their own and delegitimize others’ violent actions. The politics of piracy in the Atlantic drew upon language and ideas developed first in Mediterranean and European waters, but its deployment at the edges of (and sometimes beyond) British imperial authority in the Atlantic contributed both to the definition and expansion of that authority.

I focus upon the 1640s because the civil wars of this decade, with the consonant collapse of a single state power in Britain and the consequent vying claims to authority by different combatants, reveal particularly clearly how “piracy” was constructed and utilized, as actors on all sides co-opted this concept for their own polemical ends. This decade was also part of the transitional phase in which the British government, more clearly in the 1650s and after, emerged as a maritime power with more deliberate interventionist policies in seafaring and trade, most of all in the Atlantic.¹² The article begins by introducing how “piracy” was depicted, legally and politically, in the early seventeenth century, before considering how it was used in propaganda debates during the civil wars and, then, how seafarers themselves and others applied it to specific occasions through a particular case of seaborne violence across the Atlantic on the coast of Maryland.

⁹The best overview of this maritime expansion remains Ralph Davis, *The Rise of the English Shipping Industry in the Seventeenth and Eighteenth Centuries* (London, 1962; new ed., St. John’s, 2012).

¹⁰Benton, *Search for Sovereignty*, 34 and 112-120.

¹¹“Social resistance” is the term used by Wilson, *Pirate Utopias*, 21-22.

¹²On the 1640s, see Richard J. Blakemore, “The London and Thames Maritime Community during the British Civil Wars, 1640-1649” (Unpublished PhD thesis, Cambridge University, 2013); on the 1650s, see Bernard Capp, *Cromwell’s Navy: The Fleet and the English Revolution, 1648-1660* (Oxford, 1989).

Proclaiming Pirates in the Seventeenth Century

Violence at sea was a fact of life for seafarers during the early modern period. According to the standard wording of ships' bills of sale, owners were not financially responsible in cases of "perills of the sea, dangers *and enemies*" – another wording exempted "Fyer water Enemies pirates casualties of the Seas, and restraint of Princes" – and acts of piracy were covered by maritime insurance policies from their earliest development.¹³ In a period before the protection of trade became the sole preserve of state forces, most merchant ships were armed and prepared not only to defend themselves but also to take advantage of opportunities for further profit.¹⁴ Edward Coxere, a sailor during the 1650s, regularly participated in violence; after he converted to Quakerism he found that his career was curtailed by his newfound pacifism.¹⁵

This situation was nevertheless shaped by the legal and popular idea of the "pirate." In medieval Europe, maritime violence was legal only when authorized by a sovereign in wartime or in "reprisal" of wrongs formerly committed, but the shifting diplomatic situation in Europe and, increasingly, around the globe, and the later development of "reprisal" as a legal fiction to cover maritime aggression, considerably complicated the actual circumstances at sea. Even so, the figure of the pirate was remarkably clear, if only in principle; any unauthorized maritime violence was piracy. The classical definition of pirates as *hostes humani generis* was invoked, for example by the English lawyer Edward Coke, and seems to have had a wide purchase.¹⁶ In early mod-

¹³Quoting National Maritime Museum (NMM), AND/18 (my emphasis); and Great Britain, National Archives (TNA/PRO), High Court of Admiralty (HCA) 30/548, fol. 77v; for insurance, see Adrian Leonard's contribution in this forum.

¹⁴On "protection" as a factor in maritime trade, see Frederic C. Lane, "National Wealth and Protection Costs" and "The Economic Meaning of War and Protection," both in *Venice and History: The Collected Papers of Frederic C. Lane* (Baltimore, 1966), 372-398; see also Niels Steensgaard, "Violence and the Rise of Capitalism: Frederic C. Lane's Theory of Protection and Tribute," *Review (Fernand Braudel Centre)*, V, No. 2 (1981), 247-273.

¹⁵E.H.W. Meyerstein (ed.), *Adventures by Sea of Edward Coxere* (Oxford, 1945).

¹⁶On the legal definition, see Alfred P. Rubin, *The Law of Piracy* (Newport, RI, 1988; 3rd ed., Honolulu, 2006), chap. 1; Christopher Harding, "'*Hostis Humani Generis*' – The Pirate as Outlaw in the Early Modern Law of the Sea," in Jowitt (ed.), *Pirates?*, 20-38; Daniel Heller-Roazen, *The Enemy of All: Piracy and the Law of Nations* (New York, 2009), chap. 8; and Benton, *Search for Sovereignty*, chap. 3. On medieval piracy, see Bryan D. Dick, "'Framing Piracy': Restitution at Sea in the Later Middle Ages" (Unpublished PhD thesis, University of Glasgow, 2010), esp. chap. 2. I am grateful to Tom Johnson for this last reference.

ern reproductions of the medieval *rôles d'Oléron*, the final clause stated that for "Pirates, Robbers, Sea-Rovers, Turks, or other Enemies to our...*Catholick* Faith, every man may deal with such as with meer Brutes, and despoil them of their goods without any punishment for so doing."¹⁷ Pirates, then, were inhuman, rejected by the norms of European society, and the terms used to describe them are also revealing. Vice-Admiral John Pennington's journal of 1632-1636 used the same words – "Pirates and Robbers" and "Rovers," as well as "Pickeroones" – as did naval instructions.¹⁸ "Rovers" in particular emphasizes the aspect of mobility and unrootedness thought to characterize pirates, seafarers who did not follow legitimate trade routes but moved randomly and chaotically in search of plunder. According to one early seventeenth-century pamphlet, pirates when challenged described themselves as "of the sea."¹⁹

Naturally, notwithstanding its conceptual clarity, this imagined figure was rarely the reality. First of all, it was a judgment applied to seafarers by authorities; in the same pamphlet, recounting the trial and execution of pirates in 1609, none of the convicted described themselves as pirates (though they accused others), but two used the revealing phrase "I was *proclaimed* a Pyrate."²⁰ Henry Mainwaring, erstwhile admiral of the corsair fleet at Algiers, wrote a treatise on piracy for James VI and I, probably in 1616-1617, in which he described the economic stimuli for entering piracy: because "the common sort of seamen are so generally necessitated and discontented."²¹ More impor-

¹⁷Citing the copy printed in John Godolphin, *Synegoros Thalassios: A View of the Admiral Jurisdiction* (London, 1661; reprint, Memphis, TN, 2012), 196; it also appears in the copy printed in Guy Miegge, *The Ancient Sea-Laws of Oleron, Wisby, and the Hanse-Towns* (London, 1686; reprint, Ann Arbor, 2011), a translation of Etienne Cleirac, *Us et Coustvmes de la Mer* (Bordeaux, 1647; reprint, Paris, 2012); for manuscript copies, see NMM, PLA/6, fols. 1r-27v, and REC/3, fols. 15r-22r. On the origins of this law, see James W. Shephard, "The *Rôles d'Oléron*: A *Lex Mercatoria* of the Sea?" in Vito Piergiovanni (ed.), *From Lex Mercatoria to Commercial Law* (Berlin, 2005), 207-253; and Edda Frankot, "Medieval Maritime Law from Oléron to Wisby: Jurisdictions in the Law of the Sea," in Juan Pan-Motojo and Frederik Pederson (eds.), *Communities in European History: Representations, Jurisdictions, Conflicts* (Pisa, 2007), 151-172.

¹⁸NMM, JOD/1/1, fols. 1r, 3r, 25v, 27r, 29v, 30r, 48r, 89r, 101v and 103v; for naval instructions, see fols. 71r-2r, and LEC/5, fols. 2r-7r.

¹⁹Anon., *The Lives, Apprehensions, Arraignments, and Executions, of the 19 Late Pyrates* (London, 1609), signatures F4v; cf. Rediker, *Villains of All Nations*, 8.

²⁰Anon., *Lives, Apprehensions*, signatures B3r and C2r (my emphasis).

²¹Henry Mainwaring, *The Life and Works of Sir Henry Mainwaring* (2 vols., London, 1920-1922; reprint, Charleston, SC, 2012), II, 14.

tant, he commented that there was “a received opinion and custom that is here for the most part used, that none but the Captain, Master, and it may be some few of the principal of the Company shall be put to death” and described the practice of “Perforst-men,” who pretended they had been forced to join a pirate crew when their merchant vessel was seized, and so were “rather welcomed home, than any way molested or troubled.”²² On two separate occasions William Monson, a Jacobean naval officer, encountered “pirates” who had previously served in his own ship.²³ These writers implied that seafarers moved “in” and “out” of piracy; but it was not the seafarers, or their practice of violence, which shifted, but the labels which were applied to them.

Furthermore, as David J. Starkey has argued, piracy was an “economic activity” with a “parasitic” nature.²⁴ Pirates might be imagined as inhuman enemies of all humanity, but seaborne raiding could not exist outside of the framework of maritime trade, and the question of authorization and labeling muddied waters considerably. For example, on one occasion Pennington seized a “Biskener” reported to be a pirate, but found that that it carried a lawful commission from the Spanish king.²⁵ In a similar way, one of those executed in 1609 claimed that when he seized a Portuguese “Carvil” he was sailing with a legitimate commission from the Dutch, even though it had been declared illegal by the British government for British sailors “to combine with the hollanders in any such attempts.”²⁶

This highlights how maritime violence could be authorized by some polities but not recognized as such by others, and it is important to notice the difference between “piracy” as occasional activity and “piraticity” as a characteristic.²⁷ Certain groups were considered *inherently* piratical. In early modern England this was primarily the Irish and the corsairs of Algiers, Tunis and Salé. Mainwaring called Ireland “the Nursery and Storehouse of Pirates,” and

²²*Ibid.*, 18-19 and 22-23.

²³Michael Oppenheim (ed.), *Sir William Monson's Naval Tracts* (6 vols., London, 1703; reprint, London, 1902-1914), III, 57, and V, 293-300.

²⁴Starkey, “Pirates and Markets,” 59 and 61; cf. Fontenay, *La Méditerranée*, 12: “La butin corsaire est fonction de la prospérité des victimes.”

²⁵NMM, JOD/1/1, fol. 29v.

²⁶Anon., *Lives, Apprehensions*, signatures F2v-3r.

²⁷Here I am following Simon Layton, “Commerce, Authority and Piracy in the Indian Ocean World, c. 1780-1850” (Unpublished PhD thesis, University of Cambridge, 2013); see also Heller-Roazen, *Enemy of All*, 36-27 and 110-111.

Monson singled out Broadhaven as “the well-head of all pirates.”²⁸ Even though Muslim corsairs were legally approved by the Maghreb regencies, they were condemned by Europeans as, to quote one English merchant, “a dissolute and resolute company of Sea-farers and *Pirates*.”²⁹ This coincided with anxiety about religious vulnerability: the fact that some “pirates” were also European “renegades” made it easier to depict them as enemies of Christian civilization.³⁰ The famous English and Dutch renegades John Ward and Zymen Danseker were vilified in print.³¹ Naval expeditions were launched against Ireland, Algiers and Salé, none of them particularly successful, but nevertheless demonstrating that punitive action against such “piratical” communities was considered legitimate by the British government. Monson wrote that “the Algerines are a sort of outlaws, or miscreants that live in enmity with all the world.”³²

In the early seventeenth century there was a spectrum of labels for maritime violence which ranged from the authorized to the ambiguous to the irredeemable. While this was based on theoretically clear principles, drawing on classical and medieval traditions, it was also subject to the international circumstances of the day and was therefore challengeable and negotiable. Accusations of “piraticity” helped to provide some definition to the vague dimensions of “piracy,” but these labels were neither constant nor concrete. This becomes even more evident when we examine the British civil wars of the 1640s.

²⁸Mainwaring, *Life and Works*, II, 15-17; and Oppenheim (ed.), *Monson's Naval Tracts*, III, 59.

²⁹Lewes Roberts, *The Merchants Mapped of Commerce* (London, 1638; reprint, Charleston, SC, 2010), 73; for other examples, see Anon., *A Relation Strange and True, of a Ship of Bristol named the Jacob* (London, 1622); and John Rawlins, *The Famous and Wonderful Recoverie of a Ship of Bristoll, called the Exchange, from the Turkish Pirates of Argier* (London, 1622; reprint, Ann Arbor, 2010).

³⁰For an overview of Britain and the Maghreb, see Nabil Matar, *Britain and Barbary, 1589-1689* (Gainesville, FL, 2005); for the broader Mediterranean, see the works cited above in note 2.

³¹Anon., *Newes from Sea, of Two Notorious Pyrats, Ward the Englishman and Danseker the Dutchman* (London, 1609).

³²Oppenheim (ed.), *Monson's Naval Tracts*, III, 56-69, and his comments on the Algiers expedition, 79-116; see also N.A.M. Rodger, *The Safeguard of the Sea: A Naval History of Britain, 660-1649* (London, 1997), 350-353 and 384-385; and Kenneth R. Andrews, *Ships, Money and Politics: Seafaring and Naval Enterprise in the Reign of Charles I* (Cambridge, 1999), chap. 7.

The Civil Wars: “Pirates of Our Own Nation”

The internecine conflicts which erupted within Britain in the late 1630s and 1640s brought with them a similar outbreak of violence and disruption to the lives of seafarers.³³ There were few major engagements, but blockading and commerce raiding were carried out by parliamentarians, royalists and Irish confederates alike. Unsurprisingly, all sides condemned the actions of the others, and to do this deployed “piracy,” indicating both its cultural resonance and its emotive power. Proclamations by Charles I calling on the Royal Navy (most of which had sided with parliament) to return to its former loyalty tended to characterize his opponents as “rebels,” especially parliament’s admiral the Earl of Warwick whom Charles claimed “traiterously presume[d] to usurpe to himself the Sovereignty of the Seas.”³⁴ While parliament also accused the Irish as “rebels,” it directed the label of “piracy” against royalists. One declaration by parliament described how the “Seas [are] already infested, not onely by Sea Rovers, by Commissions from the Rebels in Ireland, but also by Pirats of our own Nation.”³⁵ This is an interesting distinction, implicitly recognizing the authorization of Irish “Sea Rovers” (although denying the legitimacy of the authorizers as “Rebels”) but condemning those authorized by the king.

More striking is the use of these terms in the popular printed literature of the civil wars, and here too partisan writers for both king and parliament applied the language of piracy to their opponents. *Mercvrius Avlicvs*, a royalist newspaper, protested that a parliamentary order to issue letters of marque would “fill the Seas so full of *Pirates*...[that] they will in conclusion destroy all trade.”³⁶ On the other side, Captain William Smith described in his published letters an engagement with a royalist vessel, reportedly telling its captain that “it did seem strange unto me, that he should dare to take the Kings name in his mouth, in regard that both he and his confederates appeared unto me to be Pyrats, and Sea-Rovers,” and that he was determined “to seize on their per-

³³The best summary of the civil wars at sea is Bernard Capp, “Naval Operations,” in John Kenyon and Jane Ohlmeyer (eds.), *The Civil Wars: A Military History of England, Scotland and Ireland, 1638-1660* (Oxford, 1998), 156-192. See also Elaine Murphy, *Ireland and the War at Sea, 1641-1653* (Woodbridge, 2012); and Blakemore, “London and Thames Maritime Community,” esp. chap. 4.

³⁴Charles I, *By the King: A Proclamation for the Safety of his Majesties Navy, and the Kingdome* (Oxford, 10 February 1642[3]).

³⁵Parliament, *A Declaration of the Lords and Commons Assembled in Parliament, for the Speedy Setting Forth of a Fleet of Ships to Sea, for the Defence of the Kingdome* (London, 14 March 1642[3]).

³⁶*Mercurius Avlicus*, 19-25 March 1643, signature Yr.

sons, and ships, as Pirats, or sinck by their side.”³⁷ Perhaps the most remarkable passage comes from a pamphlet published on Warwick’s authority in 1643 in which the royalists were castigated as “Arch-Pirates” who “have taken Falmouth Haven in Cornwall, which with roaving and robberies they make a kind of *Algier*.”³⁸ The royalists could play this game, too: one parliamentarian, Captain Robert Zachary, was called a “Renegado...circumcised in the law of Mohammed” and, in *Mercvrius Aulicvs*, “a Native *Turke*, who having been a Pyrate, is thereby so qualified for the Rebels service...not only as he is a *Turke* (to this day unchristened) but because of his Piracy.”³⁹ In the 1640s, as previously, the assumed piraticity of certain groups or places – here, the Maghreb – easily invoked piracy for immediate polemical ends, made all the more resonant by the continued problem of the capture and enslavement of seafarers there.⁴⁰

As this demonstrates, the war did not happen in isolation, and the combatant groupings accusing one another were also engaged in disputes with various European powers over the seizure of ships. Parliament protested to the Spanish Netherlands and the United Provinces over the recruitment and supply of royalist ships from their ports, and there were arguments with the French, who in their turn complained of the “Pirateries made upon them by the English nation.”⁴¹ In June 1644 the Dutch ambassadors reported daily complaints of “manifold damages at sea.”⁴² In this regard the use of “piracy” as a label in civil war propaganda tapped into a regular conversation among different European governments and seafarers over which violence was, or was not, piracy. What emerges is a confusing clamour in which agreement was reached only when it suited the immediate aims of both parties. This testifies to the impor-

³⁷William Smith, *Severall Letters of Great Importance, and Good Successes* (London, 1643; reprint, Ann Arbor, 2012), 2.

³⁸Anon., *The Sea-Mans Protestation Renewed, Confirmed, and Enlarged* (London, 1643), signature A4v.

³⁹British Library (BL), Additional Manuscripts (Add. MS) 17,677 R, fol. 230r, “Renegado...circoncis dans le loy de Mahomet;” *Mercurius Aulicus*, 29 December-5 January 1644[5], 1321; for a parliamentarian response, see *Mercurius Britannicus*, 20-27 January 1645, 529.

⁴⁰On this issue, see Blakemore, “London and Thames Maritime Community,” 103-108.

⁴¹BL, Add. MS 4200, f. 15r; for more detail, and original citations, see Blakemore, “London and Thames Maritime Community,” 170-173.

⁴²BL, Add. MS 17,677 R, fols. 312r-12r, “Dagelijck comen tot ons vele clachten, over meenichvuldige beschadicheden ter zee.”

tance of understanding and analyzing a politics of piracy, drawing on medieval and Mediterranean models in which the labelling of maritime violence as “piracy” or its perpetrators as “pirates” was just as significant as the act itself.

Pirates on the Edge

To argue that piracy was part of a confusing clamour is perhaps not very analytically satisfying, but it is not surprising that states or political groupings defended the actions of their own maritime forces and condemned others, or that they used resonant and recognized language to do so. Just as important are the strategic ways in which the seafarers engaged in maritime violence themselves deployed or reacted to the rhetorics and politics of piracy. By analyzing these we can bring together not only the political language and the reality of experiences of maritime violence but also two of the broader themes of this forum: the relationship between governments and seafarers, and the expanding claims of the British imperial polity to maritime control, in this case in the Atlantic.

To some extent, seafarers echoed the official and printed sources already discussed. Valentine Austen, purser of *Swallowe*, described how the ship’s master, William Greene, had letters of marque to seize all ships “in the possession of the Rebels of Ireland...[or] in the possession of Pirates,” definitions which coincided: they captured *Unicorne*, whose crew Austen described as “Pirates” because they “had runne away with the said shippe...intend[ing] to goe for Gallowaye in Ireland.”⁴³ We might expect to find depositions in legal sources and statements by parliament’s supporters accepting the terms imposed by the authorities, but seafarers also used the term “piracy” in more independent ways. Robert Anderson, master of *Seahorse*, had loaded a cargo of coals at the royalist port of Newcastle but was seized by a parliamentary ship, *Hart*. Anderson had ignored parliament’s proclamations forbidding trade with its enemies, but *Hart*’s crew began to sell Anderson’s cargo before his ship was declared a prize, which he complained in court “was little better than piracy soe to do.”⁴⁴ While Anderson could not challenge parliament’s judgment on the legitimacy of his trade to Newcastle, he could use “piracy” as a language to criticize the conduct of the authorized violence of which he was a victim.

Such accusations of piracy had a wider relevance to British maritime authority, especially as this began to expand into the Atlantic. An incident involving a London ship, *Reformation*, and a Rotterdam vessel, *Looking Glasse*,

⁴³TNA/PRO, HCA 13/131, fols. 119r-v; cf. HCA 13/60, deposition of Peter Craye, 20 February 1645[/6].

⁴⁴TNA/pro, HCA 13/59, deposition of Robert Anderson, 26 February 1643[/4]; for more on Anderson, see Blakemore, “London and Thames Maritime Community,” 188-189.

reveals how the circumstances of civil war offered seafarers new opportunities to legitimize the violence they conducted at the edges of imperial authority.⁴⁵ *Reformation* seized *Looking Glasse* in Chesapeake Bay in February 1645 and proceeded to plunder the colony of Maryland. This event erupted from a personal dispute between *Reformation*'s master, Richard Ingle, and Maryland's governors who had previously imprisoned him; but it was also linked back to the first case tried in Maryland's general assembly, when rivalries over the Island of Kent resulted in clashes in the Bay and the assembly condemning and executing five Virginians as "pirates."⁴⁶ The assembly had thus from the first claimed to themselves the right to judge acts of maritime violence in the same European legal terminology of "piracy," and when Ingle seized his colonial opponents and carried them as prisoners to London, they accused him in a petition to parliament's admiralty committee as "a mere pyrate."⁴⁷ Unsurprisingly, the crew of *Looking Glasse* agreed.⁴⁸ They attempted to portray this as a straightforward case of unauthorized maritime violence.

Ingle and his men, however, slotted their activities into the polemical and religious arguments parliament was itself publishing in Britain. Conveniently ignoring the personal side of the dispute, Ingle's sailors in their depositions to the admiralty court pointed out that Maryland was ruled by a Catholic minority who threatened the Protestant majority. The colony's governor, moreover, had a commission from the king to seize London ships, an act of hostility against parliament, and *Looking Glasse* had prepared to fight against *Reformation* in collusion with the planters.⁴⁹ This interpretation mimicked parliament's claims that Charles I was the victim of a "malignant" Catholic conspiracy which had started the civil war.⁵⁰ Ingle himself presented his actions as defensive; only after "haveinge two severall tymes found [Maryland's governor]...fightinge against the Parliament of England & their adherents" (presumably meaning himself) did he attack, "w[hi]ch as he beleeveth he might lawfullie doe by vertue of his Comission, and was bounde unto by the solemne

⁴⁵For more detail on this event and the characters involved, see Timothy B. Riordan, *The Plundering Time: Maryland in the English Civil War, 1642-50* (Baltimore, 2003); and Blakemore, "London and Thames Maritime Community," 227-239.

⁴⁶Blakemore, "London and Thames Maritime Community," 228-229.

⁴⁷TNA/PRO, HCA 30/855, fols. 227r-30r.

⁴⁸Blakemore, "London and Thames Maritime Community," 235.

⁴⁹*Ibid.*, 236-237.

⁵⁰For an overview of civil war polemic, see Michael Braddick, *God's Fury, England's Fire: A New History of the English Civil Wars* (London, 2008).

nationall vowe and Covenant.”⁵¹ The “Covenant” was an oath sworn by parliament’s followers, Ingle’s “Comission” was a letter of marque.⁵² Ingle depicted his maritime violence as entirely legitimate, justifying it in the religiously polemical language and documents issued by parliament itself.

This case is instructive because it highlights the contingency of these developments, the role of personal relationships and circumstances, and the possibilities for maritime violence to become inflected with broader cultural and political implications. The governors of Maryland had, with their accusation of piracy, appealed to British state authority; by describing his actions in parliament’s terms, Ingle too was simultaneously appropriating that authority and reinforcing it. He was neither the first nor the last, and was certainly not the most famous seafarer to manipulate imperial political rhetoric in explanation of his own actions. In fact, it is his very lack of fame (outside of Maryland, anyway) which makes this incident important, showing that not only notorious pirates during the “golden age” but all kinds of seafarers, from the very beginning of British maritime expansion, were engaged in the dialogue over “piracy” with metropolitan politicians through which the edges of imperial power were defined and developed.

Conclusion

Claire Jowitt has written that “the early modern pirate was one of a number of actors operating within and exploiting the existing rules of an evolving maritime legal space.”⁵³ As we have seen, however, it is difficult to talk about “the early modern pirate” except as a literary or theoretical figure – rather, we should consider early modern *piracy*, a shifting category applied to or adopted by seafarers. “Pirates” were neither romantic heroes nor anarchists engaged in “social resistance.” They were seafarers using, or ensnared by, a potent language which could frame their own actions and challenge those of others with reference to this “evolving maritime legal space,” and by doing so contributing to its evolution.⁵⁴ The dialogue about this category between seafarers and the state was a crucial element in the development of British maritime imperialism

⁵¹TNA/PRO, HCA 13/119, answers of Richard Ingle, 31 July and 29 September 1645.

⁵²On the “Covenant,” see Edward Vallance, *Revolutionary England and the National Covenant: State Oaths, Protestantism and the Political Nation, 1533-1682* (Woodbridge, 2005), 57-60 and 119-129.

⁵³Claire Jowitt, “Introduction: Pirates? The Politics of Plunder, 1550-1650,” in Jowitt (ed.), *Pirates?*, 15.

⁵⁴Benton, *Search for Sovereignty*, chap. 3.

and the parameters and extent of state power, and at least in the early stages, there was a good deal of ambiguity and manoeuvrability for seafarers. Despite legal and rhetorical claims to the contrary, piracy was politics.