Piracy: an Elemental Way of Life

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The present Western image of the pirate has been reduced to the level of the child's fancy dress party: the colourful, barefooted, sword-waving, eye-patch adorned child can shout and leap about without inspiring more than mock terror. This is a recent phenomenon. Growing European national power in the nineteenth century which eliminated piracy in Atlantic waters limited the pirates' power to scare. Pirates became fictional characters in the childhood stories of Stevenson with Long John Silver defeated in Treasure Island, Captain Hook in J. M. Barrie's play afraid of a crocodile, or more gently still, the Pirates of Penzance who could not rob an orphan.

Elsewhere the pirate still instils terror. The image of the pirate as the ultimate threat to civilisation is based on fear. Pillage, robbery, cruelty, such are the perceived activities of pirates but above all their hand is against everyone, they observe no law. Pirates through the ages have inspired fear in those on whom they prey. Whatever rights individuals may hope to have, in goods or in their own bodies, are set aside by the unrestrained power possessed by the spoilers. Mollat defined piracy as 'une action elementaire, sans caractère institutionnel que s'exerce contre n'importe quel bâtiment de commerce; elle n'invoque aucune autre justification que la force et ne rend de compte a aucune autorité.'[1] A dictionary definition is of a ' "savage" form of life—those who set out to make war against both the friends and the enemies of the prince who should be their own lawful authority—so those who separate themselves from lawful government. They have been condemned by those with recognised legitimate authority through the ages'.

Neither definition is wholly satisfactory, comprehensive or

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absolutely accurate. The dictionary explicitly, and Mollat implicitly, assume that everyone must be subject to a lawful authority or prince and that there is no other authority. We should be wary of such definitions produced by authorities whose dominance of the discourse is turned to their own advantage. The usual aim of a state to final and absolute authority is more easily achieved on land than on sea. Some forms of piracy can hardly be denied an institutional character; the pirate fleets had to have some form of internal order and discipline; the nature of universally recognised legitimate authority at sea is less self-evident than might be desirable.

What constitutes piracy, moreover, is affected by one's viewpoint. Not all ships sailing in pursuit of prizes are pirates. There is an irregular verb which runs: they are pirates, you are a privateer, I am a legitimate authority. In theory, the distinction between a naval officer, a privateer and a pirate is clear-cut. In practice, in certain periods an individual might well be each in turn and sometimes all three at once. Drake is only the best known example of such a phenomenon.

The theory, then, is that privateers were recognised by public authorities, and represented reprisal in a legalised and authorised form against presumed enemies. Privateers acted under government authority, the rules of admiralty courts and the law of the sea. They possessed letters of marque which authorised them to take enemy shipping in retaliation for alleged damage done to the kingdom's ships. Such prizes had to be taken with all their papers into a lawful port and reported for judgement. The crew, if the prize were judged lawful, then received part of the profits, which were divided in fixed proportions between the crew and the state.[2] Pirates on the other hand retained as little as possible of the evidence relating to their prize. They deliberately destroyed the papers on board captured ships—charter parties, safe conducts, certificates and so on, and either drowned the masters and factors and those mariners who would not join them or put them ashore on islands or elsewhere to survive as best they could.

Privateering was a popular fall-back position for states which could not afford a sufficiently large navy, or even a navy at all. The 'guerre de course' as it was called could be an effective economic war of attrition. It was commonly used by both Christians and

Muslims in the Mediterranean although the rules of privateering did not hold between Muslim and Christian. Those whom the West called Barbary pirates were actually corsairs, recognising as their masters the rulers of Algiers, Tunis and elsewhere. This was little comfort to the Christians who fell foul of them, since international treaties between Christian and Turk were more limited than those between Christian nations.[3] While growing navies made privateering less necessary, shortage of funds led Louis XIV to resort to it in 1697 when the privateers pouring out of Dunkirk took thousands of English merchant ships.[4] In response, privateers from the Channel Islands and elsewhere took thousands of French ships. There was a pool of willing investors in these activities.[5]

Privateering offered considerable advantages over piracy especially when the possibility of co-operation with legitimate merchants was attractive. At such times the distinction between the merchant, the privateer and the pirate might be virtually fictional. In wartime a total embargo on trade between different countries led to a desperate shortage of certain goods in one country and a disastrous build up of inventory in another. Bargains might then be struck between 'merchants' on the one hand and 'pirates' on the other whereby the pirates (or privateers) seized the merchants' ship and goods—for a price agreed with the merchants—and sold them as prize where they were needed. This was effectively a safer way of running contraband. Buccaneers were a more transitory type, half way between pirate and privateer; they refrained from attacking ships of their own nation, but did not hold valid letters of marque.

Piracy pure and simple, however, has always been with us. It is amorphous and the particular shape it takes from age to age is influenced by circumstances but every ocean and sea in every age has had its share of pirates. There are pirates today, infesting the South China seas and the waters around Hong Kong.[6] There were pirates in Homer—sea raiders who found their booty ashore. There was piracy in the Indian Ocean in the third century B.C., when the superintendent of the emperor's ships was told to suppress it. There are frequent references in later Indian accounts of shipping going eastward to 'pirate infested seas'. The seventh-century Sri Vijaya empire's powerful navy controlled the straits and swept pirates away but as the empire weakened the pirates returned.[7] Pirates will

exist wherever there are no strong state-run navies to patrol and apprehend them, and can survive even where there are. Indeed, a national navy might seem a pirate to a different nation. When the Europeans moved into the East their behaviour often differed little from piracy. The Dutch commander, Jan van Coen, in the mid seventeenth century bluntly asserted that might made right, a claim typical of pirates.[8]

The level of piracy at any given time roughly measures the level of the effectiveness of public authority at sea. Even today this is far from absolute. Pirates in the South China seas—always a great area for piracy—are pillaging and raping the boat people. Pirates around Hong Kong are deeply involved in illicit trade which the colonial authorities are unable to suppress. That the Roman empire was eventually able largely to suppress pirates in the Mediterranean is an impressive testimony to Roman power and was only achieved after a struggle for (according to Strabo) pirates initially were found in great bands in the Mediterranean. Pompey was given special powers by the Lex Gabinia to repress piracy. After the fall of Rome, piracy resumed.[9] Throughout the tenth century in the Mediterranean piracy meant coastal raids. It damaged shipping and commerce and led to impoverishment of shores. The Byzantine empire fought back, reorganising its coastline into themes with local responsibilities which succeeded in dislodging pirates and protecting coasts. Piracy was checked but not eliminated. Other medieval land empires were even less successful.[10]

The seas have always been an ungovernable area. The rulers who exercised dominion over the land could rarely claim control over the adjoining seas although jurisdiction over a small border of sea—as far as the eye could see, an arrows length, a gun shot distance—was usually claimed and admitted. Beyond that there was no enforceable national law.

Now there cannot be pirates properly speaking if there is no accepted law which includes definitions of property—unless you believe in the law of nature or divine law as existing *sub specie aeternitate*. Initially therefore those who went to sea removed themselves from the ordinary social contract and protection of the state. At sea, might was right. The master of a ship had ultimate authority—under God—always supposing he could keep it. Life

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at sea was often nastier, more brutish and shorter even than life on land. Nevertheless some agreed practices about conduct at sea which were ultimately enforceable in court on land developed, because men would not embark on a perilous undertaking without some commitment as to their rights and responsibilities. Some forum for the airing and settling of disputes was widely seen as necessary. From the very earliest days codes of conduct applicable regardless of the nationality of the individual developed and there were arrangements which attempted to enforce them. The laws of Hammurabi (1800 B.C.) of Babylon refer to sea causes. Under the Romans there was the Rhodian sea law which gave rise to several maritime codes.[11] The comprehensive Rhodian law which was much praised for its equity included rules about partnership, joint ventures, charter parties and bills of lading. It established the commander's liability and the seamen's. It specified the shares to which each was entitled and how grievances were to be settled and what the seaman had to bring with him. It laid out what passengers could do and what rights they had. It specified conditions under which a master could be removed and matters over which he had to consult.

The basic rules of the Rhodian sea law were widely copied in the Middle Ages although local codes developed particular practices. Thus, written customs survive from 1010 for the City of Amalfitina, and from 1063 for Trani. Laws from particular places became the basis of practice over extensive areas: thus the laws of Oleron became the usual rule in the Atlantic and the Laws of Wisby or Lubeck, which were published in the fourteenth century under the auspices of the Hanse, in the Baltic. Courts for such business, usually called Consulates of the Sea, developed in parts of the Mediterranean and elsewhere. Under the impetus of national attempts to proclaim jurisdiction over the sea, by the seventeenth century the legal minds of Grotius and others were developing sea law into a sort of international law.[12]

There was plenty of room for debate over questions as fundamental as who was authorised to engage in the settlement of disputes, what were the rules about naval engagements and what could be done legally at sea. What constituted an act of war at sea; by what power did a nation's navy act on the high seas, and what

power did naval ships have in peacekeeping? Who had authority to control the conduct of ships on the high seas, and what is the nature of collective responsibility?[13]

With such issues unclear it is not surprising that the pirate could slip through the system and even achieve a level of legitimacy, particularly in conditions of war but even in peacetime. The distinction between ships authorised by legitimate land powers and pirates is infinitely complicated by the fact that no-one owns the sea. Where and what is permissible becomes an argument between natural justice and the necessities of war. In wartime, for example, can warships blockading a coast interfere with shipping sailing inshore or sheltering in neutral waters? Can a prize be taken in such waters? In peacetime when warships have the right to sail the seas does this legitimise espionage by landing and rescuing agents, and other interference in local disputes?

The distinction between this sort of behaviour undertaken in national interests and piracy can be exceedingly narrow. Piracy has not invariably been seen as incompatible with the proper authority of the state. Pirates might be useful allies for land powers engaged in national struggle.[14] For a time, they might achieve a level of acceptability. Pirates like the Sallee pirates were willing and able to enter into virtual treaties with nation states. English privateers, as a result of that agreement, were required to give bonds not to harm Sallee ships. Some legitimate merchants thought this the most economical way to protect their business and protested when in 1631 after the end of the war Captain John Maddock took a Sallee man-of-war and sold her in Cadiz which resulted in a new onslaught by Sallee.[15]

Piracy can thus shade over into government. In periods of disorder, the pirate may well operate a 'protection' business—a percentage for a service that the state does not provide. This was generally achieved by what was called 'ransom at sea'—the ship was permitted to continue after the payment of a suitable amount. The distinction between this and the system of 'cartazas' by which the Portuguese tried to keep control of the trade to the East is one of pretended legitimisation. States, of which the medieval Italian states are but one example, sometimes solved their pirate problems by inviting the poacher to become gamekeeper. Pirate fleets overnight became state

navies, for pirate fleets were professionals willing to sell their services to anyone offering them the right price.

Piracy is in fact a complex business and must for the most part be studied as just that—as a business enterprise.[16] It was treated as a trade by Aristotle, the equivalent of any other trade with its own hopes and expectations. If one treats it as such, its history becomes more intelligible if less colourful. One can, in fact, establish certain fundamental criteria which are necessary for the pirate and which reveal typical pirates to be quite different from their literary image. Destruction is in no way the prime objective. What the pirate seeks is the rapid accumulation of wealth which will provide a comfortable lifestyle as quickly as possible. The first necessity is therefore a reliable market in which he can conveniently dispose of his prizes. The goods that the pirate 'liberates' are useless to him without such a market. Goods must be saleable but any saleable goods are of interest. Gold, silver and jewels are highly desirable because of their portability, but pirates were as likely to prey on the grain fleets which were Rome's essential lifeline, the fishing fleets in the middle ages or the Newfoundland fishermen in the sixteenth and seventeenth centuries, as on the more heavily guarded Spanish treasure fleets of the sixteenth and seventeenth centuries.

A further necessity was a secure base. Pirates who lost their base had to find another or disband. The best way to clear a sea of pirates was to destroy their base but this was not easily achieved. The French sent expeditions in 1629, 1630 and 1635 against Sallee which had little effect. A British attempt in January 1637 financed by ship money was temporarily successful, but there was insufficient money for the continuous patrols necessary to prevent the pirates returning. When the buccaneers were driven out of the West Indies in the early eighteenth century they moved to Madagascar, where they flourished into the mid nineteenth century. Taking the region between Tamatave and Diego Suarez on the east coast for their base, they married the local girls and settled to a routine of preying on the Indian Ocean trade. As Madagascar was a good source of rice and slaves and so a stopping off point anyway the local authorities tolerated this unorthodox economic activity. One might say that these pirates were good family men when at home and this was a fairly widespread phenomenon.[17] Piracy was not commonly a matter of outlaws seeking

revenge—it could even be a family business, passed down from father to son, an acceptable form of making a living.

To be a pirate you needed a ship and this in itself indicates that piracy is a business. Ships require initial capital and suitable ships and armaments were not necessarily taken as prizes and could only be taken as prizes when the pirate already had a ship. The pirate, moreover, needed a constantly improved ship to remain that one step ahead of legal trade. Piracy, ironically, promoted the search for better ships. Under threat, legitimate commerce moved to defensible ships and larger crews (and so larger ships). Genoa, Pisa, Venice and other Italian cities became stronger and more effective at sea and developed better ships in the process of rooting out nests of pirates. They used big galleys which were becoming lower, wider and faster. In northern seas at the same time cogs replaced other merchant ships in part because they were less likely to be easy prey to pirates since they were defensible.

Building pirate ships by the sixteenth century was a specialised business. Pirates were able to order ships to their specifications from shipbuilders and some yards were almost exclusively patronised by pirates. For example, Breton corsairs' boats, smaller 'goelettes' and 'chasse-marées' were built at ship yards on the Rance, at St Servan and elsewhere; the larger three-masted ships were acquired at Lorient at shipyards belonging to the Compagnie des Indes but not averse to other orders.[18]

A further, if unmanageable, necessity was to regulate the business so that it could continue. Piracy is parasitical—and so needed to ensure that its host did not die. The law of diminishing returns limited the amount of piratical infestation that any trade route could bear without declining but this was a problem few successfully solved. The pirates of Wisby in the seventh century eventually turned to legitimate trade because it was more profitable and less hazardous.

How then did the pirates operate? The seas after all are apparently trackless. No ship perhaps ever sails exactly the same route twice and out of sight of land it may seem strange that before radar and modern instruments ships could ever be intercepted except by chance. The winds and currents, however, do make certain routes and certain landfalls likely and this is how, why and where merchants fell prey to pirates. Particular choke points were always vulnerable points for

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cargo ships. Pirates concentrated where there was a concentration of trade. Piracy flourished when trade flourished. Pirates of all nationalities hovered around the straits of Messina in the Mediterranean. In the north and north eastern seas, off the coasts of Brittany, in the Channel, in the estuaries of the Low countries and the opening of the Sound, Scots and English, Flemish, French and Spanish, and at times the Barbary rovers, competed and co-operated. The Channel Islands provided useful neutral ports.[19] Pirates prospered most from unprotected shipping and in periods of disorder. In the fourteenth and fifteenth centuries, during the hundred years war and the Hanseatic League struggles, disorder in which piracy thrived developed. Piracy also benefited from the expansion of maritime activity at the time and above all from the effects of exploration and the colonisation of the 'New World'. Europeans had no sooner discovered the Eastern Pacific than pirates found profitable bases there from which to prey on the growing colonial trade.

Piracy might generally be a business but it could sometimes be a form of religiously inspired guerilla warfare. When the Moslems were expelled from Spain in 1492 some of them settled at Sallee on the Atlantic coast of Morocco. They were not related to the local tribes but survived by balancing one side against another in the local disorders and factions and became a very successful pirate organisation motivated not so much by business as by a desire for revenge on the Spanish rulers. They had forty or more ships in the early seventeenth century with ten to twenty pieces of artillery, mainly light and swift ships which could outrun the heavier and slower naval vessels, and which operated in large fleets. In 1625 thirty of them were on the coast of Cornwall taking men, up to 1500 it was claimed, particularly seamen or fishermen, as male slaves, and forcing them to join the pirate crews which often had English masters as well as Dutch, Turkish and Moorish.[20]

Pirates might reject the authority of nation states but they normally acknowledged the authority of some laws and were content to abide by them. The basis for these traditional rules was often in fact the Rhodian law, modified by generations of use but still providing for such things as the participation of the crew in decision making. The attraction of piracy to many seamen in the seventeenth and eighteenth centuries was often just that. The navy offered an increasingly rigid

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hierarchy and diminishing hope for a share of the prize money; piracy offered a greater degree of freedom and an opening for ability. The individual's prospects were much better if serving as a privateer or a pirate than in the regular navy—which usually had to resort to the press gang for its crews. There was a much higher chance of reward and a much greater sense of participation in the government of the enterprise in contrast to the alienating hierarchical punishing authoritarianism of the state navies.[21] When in 1674 a group of pirates established a short-lived state of their own they called in Libertalia.

So far from being unwilling to co-operate, pirates saw advantages in both short and long term partnerships. A pirate fleet had a better chance of success than a single ship. In the first quarter of the seventeenth century, for instance, the Barbary corsairs became a great threat. Instead of operating in small groups of no more than three and mainly in the Mediterranean they were moving into larger scale operations, partly because Englishmen were beginning to shift from their bases in Ireland to Algiers, Tunis and Mamora, and taught the local corsairs to use sailing ships and ordnance.

The pirate fleets operated according to traditional laws which bore a general similarity to the rules governing the division of profits on a merchant ship or a fishing boat. The rules about shares were well established. Partnerships were the norm. Contracts for thirds and loans, either of money or arms, were reimbursed from profits and captain and crew reimbursed according to status and merit. Shares for other ships who might have assisted in the overall effort without actually taking the prize followed well understood practices. Pirates frequently operated in small fleets and with a high degree of co-operation. Enterprises in piracy were formed in America and elsewhere. Agreements between pirates saw the *laisser passer* of one honoured by others.

Piracy is not an easy trade. Successful pirates need to be clever. They have to be daring, quickwitted and better seamen than the average merchant captain or naval officer or they will not survive. Their boats need to be faster and more manoeuvrable. They need the latest technological devices. For this reason it is usually assumed that they are responsible for a number of the improvements in shipbuilding and navigation. It may, for example, have been pirates

from Bayonne who introduced the stern rudder to the Mediterranean in about 1300.[22]

Because of their remarkable exploits the names of some successful pirates are remembered down the centuries—the German Klaus Stortebeker, the English Henry Pay, Read, Teat, Williams, Avery and Kidd, John Hawley, Hankyn Selandoe and Hankyn Lyons, the Dutch Claes Gerritz Compaen and Jan Jansz, the French Charles des Maretz and Matheolin de Cargaret of Dieppe, the Breton Jean de Coetanlem and Jean Pelisson, the Dane Paul Beneke and the Americans Tew, Burgess and Halsey. Many early explorers like Magellan and others were really involved in piratical or privateering operations.[23] Vasco da Gama and d'Albuquerque should really be remembered as much for their piracy as for their contribution to empire building.

The image of ruthlessness, however, has been deliberately fostered as part of the pirate's resources. Fear is a potent weapon. In the period between 1660 and 1720 when the buccaneers and freebooters flourished and from which period modern piratical images mainly stem, men like Blackbeard fostered a reputation for indestructibility and created a myth with diabolic parallels—men whose hair gave off flame and smoke, men untouchable by bullets; men, and occasionally women, without pity or morals, people with a lust for ill-gotten treasure.[24] Defoe was one of the later, if undeniably the best known, of those who retailed such stories to a credulous audience with an insatiable appetite for thrills.[25]

If it was a business like any other, piracy was not one which added any value to the industry, agriculture and commerce on which it preyed. What it did was redistribute resources, sometimes at less than cost. Certainly most goods seized were not lost to the world economy but producing a proper macro level balance sheet is impossible. Mollat concludes that piracy was a constant brake on the development of trade. Andrews saw privateering at the end of the sixteenth and early seventeenth centuries as the foundation of the English empire.

Neither costs, prices nor spin-off benefits, in fact, can be adequately quantified. Prize goods passed into the unknowable black market of trade. Demand for certain products was such that customers asked no questions if the price was right, and that price cannot be

ascertained. While piracy advantaged some, it disadvantaged more. As the Channel Islander Philip Falle said 'Privateering ... tho gainful to some particular persons could not make us amends for the loss of peaceable open trade the benefit whereof is more general and diffusive'.[26] Privateering was an alternative form of commerce for merchants in time of war but not the preferred form. The costs of arming or protecting ships by convoys, moreover, put up the price of goods and reduced the volume of sales—although it stimulated some forms of industry. Insurance in the Mediterranean ran at a 15% on cost level added to prices. Fraud and complicity confuse the picture.

On the positive side must be placed the pirates' level of daring and initiative; the part they played in opening up new routes and exploration; their contribution to the development of better ships and navigational instruments. But they remained parasites; and if they multiplied too much regular merchant trade dried up.

Piracy/privateering as the seventeenth and eighteenth centuries progressed became an increasingly problematic element in the sea-borne relationships of nations. The lack of control exercised by land-based authorities which had once been a useful excuse was becoming a sign of weakness. The well known 'privateering' voyage of Kenelm Digby to Scanderoon (in NE Mediterranean) in 1626 was the sort of enterprise which raised difficult issues of maritime law and caused great international friction without the national benefits which had been envisaged. It helped to push the countries of Europe to favour permanent navies over private venturers whose behaviour could be neither predicted nor controlled. Digby was supposed to be taking French prizes but his exploits only illustrate how uncertain privateering undertakings could be for both country and individual, even when they were apparently successful. Digby made little distinction between piracy and privateering. Starting with two ships with 26 guns apiece, he stayed in Algiers while his crew recovered their health; took several prizes in the western Mediterranean including a 250 ton French flyboat which he made his rear-admiral; and refitted and found new boats in Zante and Cephalonia, where he sold some of the prize goods and vessels despite the resentment of the Venetians. With a fleet now augmented to five, he won a hollow victory at Scanderoon as, with Venetian help, the French were able

to get most of their goods ashore. His behaviour caused a diplomatic incident and reprisals against the English Levant company which disrupted English legal trade. On the way home he took two prizes, one a Hamburg ship and the other Ragusan, both neutral shipping but which he claimed were laden with Spanish goods. The English admiralty court accepted this probably unjustified plea despite widespread European objections raised particularly by the Venetians. The voyage was thus technically profitable, but the opprobrium and retaliation which it engendered lasted longer than any profits. In Charles I's five years of warfare at least 737 prizes valued at £800,000–900,000 were adjudged lawful by the English admiralty court. This may have outweighed the country's losses to hostile privateers but whether or not it outbalanced trade foregone may be doubtful. Notarial accounts in the Mediterranean and the letters of marque give some hints of the percentage of trade lost to pirates. Tenenti reckoned over a quarter of all shipping was lost to pirates between 1560 and 1615.[27] Losses in the Atlantic were equally high. A leading maritime nation like Portugal lost over 300 ships in the reign of John III alone.[28]

Ultimately, if trade was to expand unhindered, state governments had either to develop and finance ever larger navies in the eighteenth and nineteenth centuries—to protect the income which they derived from duties on merchant goods—or to recognise pirates as the rulers of the sea. The burden of tax required to support state navies may not have been less onerous than the pirates' protection money but it was more regular and organised and its incidence more equitable. The institution which developed perhaps also provided spin-offs in the form of public exploration, mapping, technological testing of improved navigational aids and a service in times of distress. Even so, piracy has not wholly disappeared and could always reappear in force if national naval power diminishes.

Notes

1   Michel Mollat, *Etudes d'histoire maritime (1938-1975)*, Turin, 1977.
2   For a clear statement of the formal position see K. R. Andrews, *Elizabethan Privateering: English Privateering during the Spanish War 1585–1603*, Cambridge, 1964; also his *Spanish Caribbean: Trade and Plunder 1530–1630*, New Haven, 1978.

3   See J. Wolf, *The Barbary Coast: Algiers under the Turks 1500–1830*, New York, 1979; and C. Lloyd, *English Corsairs on the Barbary Coast*, London, 1981.

4   See J. S. Bromley, 'The French Privateering War 1702–1713', in H. G. Bell and R. C. Ollard, eds, *Historical Essays 1600–1750 Presented to David Ogg*, London, 1963, and Geoffrey Symcox, *The Crisis of French Seapower 1688–1697: From   the Guerre d'Escadres to the Guerre de Course*, The Hague, 1974.

5   A. G Jamieson, ed., *People of the Sea: the Maritime History of the Channel Islands*, London, 1986.

6   Roger Villar, *Piracy Today: Robbery and Violence at Sea since 1980*, London, 1985.

7   G. W. Spencer, *Politics of Expansion: the Chola Conquest of Sri Lanka and Sri Vijaya*, Madras, 1983.

8   C. R. Boxer, *The Dutch Seaborne Empire*, London, 1964.

9   L. Casson, *Ships and Seamanship in the Ancient World*, Princeton, 1971.

10   A. R. Lewis, *Naval Power and Trade in the Mediterranean 500–1100*, Princeton, 1951.

11   For an overview of early sea law see R. P. Anand, *Origin and Development of the Law of the Sea*, The Hague, 1983; for Rhodes see R. M. Berthold, *Rhodes in the Hellenistic Age*, Ithaca, 1984.

12   Hugo Grotius, *Mare Liberum*, repr. New York, 1952.

13   Actions at sea even today are therefore subject to different conditions from actions by land and more likely to involve force. See James Cable, *Gunboat Diplomacy*, London, 1970, which cites 80 incidents between the end of World War II and 1969 in which naval operations have been mounted involving thirty-seven navies, twenty-four using at least limited force.

14   For their role in a South East Asian struggle, see Diane H. Murray, *Pirates of the South China Coast 1790–1810*, Stanford, 1987.

15   K. R. Andrews, *Ships, Money and Politics: Seafaring and Naval Enterprise in the Reign of Charles I*, Cambridge, 1991.

16   For this aspect of the pirate's life see David J. Starkey, *British Privateering Enterprises in the Eighteenth Century*, Exeter, 1990.

17   F. D. Arnold-Forster, *Madagascar Pirates*, New York, 1957.

18   M. Mollat, *Horizons marins, itineraires spirituels v–xviii siècles*, Paris, 1987.

19   A. G. Jamieson.

20   K. R. Andrews.

21   B. R. Burg, *Sodomy and the Perception of Evil: English Sea Rovers in the Seventeenth Century Caribbean* , New York, 1983.

22   J. H. Pryor, *Geography, Technology and War: Studies in the Maritime History of the Mediterranean 649–1571*, Cambridge, 1988.

23   Alan Blackwood, *Ferdinand Magellan*, Hove, 1985.

24   Marcus Burford Rediker, *Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates and the Anglo-American Maritime World 1700–1750*, Cambridge, 1987.

25 This is not the place for a full bibliography: Defoe's work under the name of Charles Johnson is *The history of the pyrates containing the lives of Captain Misson, Captain Bowen, Captain Kidd ... and their several crews and etc.,* London, printed for T. Woodward, 1728; the best known work is perhaps A. O. Exquemelin, *The history of the bucaniers of americ*, which ran through many editions; earlier works include *A true relation of the lives and deaths of the two most famous English pyrats, Purser and Clinton, who lived in the reigne of Queene Elizabeth. Together with the particul actions of their takings and undertakings, with other pleasant pasages which hapned before their surpriz, all worth observing,* London, Printed by John Okes, 1639; *A cruising voyage round the world: first to the South sea, then to the East Indies, and homewards by the cape of Good Hope: begun in 1708 and finish'd in 1711: containing a journal of all the remarkable transactions; and etc.,* by Captain Woodes Rogers, London, printed for Andrew Bell and Bernard Lintot, 2nd edn, 1718.
26 A. G. Jamieson.
27 A Tenenti, *Piracy and the Decline of Venice 1560–1615,* 1967.
28 J. H. Parry, *The Age of Reconnaisance,* London, 1966.