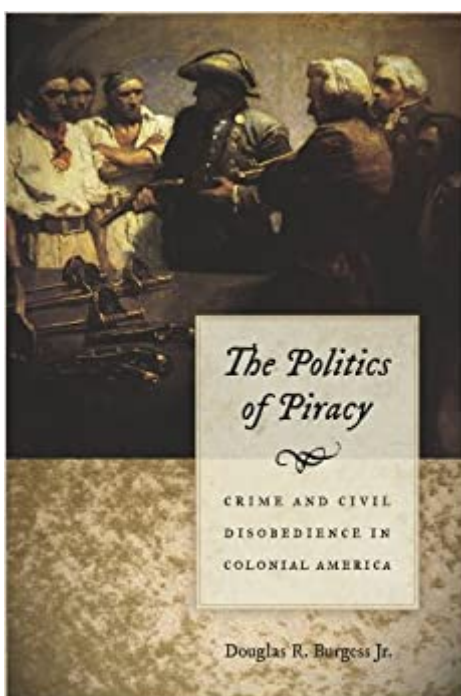


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The Politics Of Piracy: Crime And Civil Disobedience In Colonial America



Synopsis

The seventeenth-century war on piracy is remembered as a triumph for the English state and her Atlantic colonies. Yet it was piracy and illicit trade that drove a wedge between them, imperiling the American enterprise and bringing the colonies to the verge of rebellion. In *The Politics of Piracy*, competing criminalities become a lens to examine England's legal relationship with America. In contrast to the rough, unlettered stereotypes associated with them, pirates and illicit traders moved easily in colonial society, attaining respectability and even political office. The goods they provided became a cornerstone of colonial trade, transforming port cities from barren outposts into rich and extravagant capitals. This transformation reached the political sphere as well, as colonial governors furnished local mariners with privateering commissions, presided over prize courts that validated stolen wares, and fiercely defended their prerogatives as vice-admirals. By the end of the century, the social and political structures erected in the colonies to protect illicit trade came to represent a new and potent force: nothing less than an independent American legal system. Tensions between Crown and colonies presage, and may predestine, the ultimate dissolution of their relationship in 1776. Exhaustively researched and rich with anecdotes about the pirates and their pursuers, *The Politics of Piracy* will be a fascinating read for scholars, enthusiasts, and anyone with an interest in the wild and tumultuous world of the Atlantic buccaneers.

Book Information

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Customer Reviews

“Captivating” isn’t a term often applied to non-fiction books, but it aptly describes this account of politics, piracy, and law. It reads more like a novel than nonfiction. What I particularly

liked was that Burgess examines colonies and people who rarely get more than a few mentions in other histories of piracy. • "Pirates and Privateers," *The History of Maritime Piracy*

DOUGLAS R. BURGESS JR. is an assistant professor of Atlantic world history at Yeshiva University and legal history at the Cardozo School of Law in New York. He has authored numerous books, including *The Pirate's Pact: The Secret Alliances Between History's Most Notorious Buccaneers and Colonial America* and *World for Ransom: Piracy Is Terrorism/Terrorism Is Piracy*.

Our very good book to examine is *The Politics of Piracy: Crime and Civil Disobedience in Colonial America*, by Douglas R. Burgess, Jr., an assistant professor of history at Yeshiva. It was published last December by the University Press of New England. It has 240 pages of text and 70 of notes, bibliography, and index, with a smattering of illustrations. sells it for \$25. Despite the N.C. Wyeth painting on the jacket, it's got nothing to do with Errol Flynn or Johnny Depp, and little about the grim reality of piratical activity. This is a very sober-minded, non-romantic tome about the political and legal ramifications of the great age of piracy. Though the author pointedly relates his subject to the American Revolution, the historical focus is on a much earlier period, with rough historical bookends being Henry Morgan's sack of Panama City in 1671 to the death of Blackbeard in 1718. During this half-century, the author carefully explains that the nature, the location, the personnel, the motivation, and the responses to piracy constantly evolved, going through several major phases. What are we talking about, first? The imperialists would often conflate every illegal act at sea into "piracy": outright armed robbery (what we normally think of as piracy); privateering (which is state-sanctioned outright armed robbery); mutiny; smuggling contrary to mercantilist regulations; and simple tax-evasion. While you and I might find the overt violence of armed robbery a different order of offense than smuggling or tax-evasion, the hardliners of the day did not. And more interestingly, neither did most of the American colonists, or even the general English public of the time. Rather, they excused and condoned it "so long as the victims weren't British. Imperial waffling caused a great deal of the problem. If there was a war on—and for much of this period, wars were on—the state was delighted to encourage private shippers to attack the private shipping of the enemy of the day. The trouble came when a peace was decided upon, and the government wanted to shut down all privateering as you'd flick off a light switch, lest the piratical attacks should foment a renewal of hostilities. It wasn't that easy when a whole industry had been built up of supplying the privateers and processing the prizes. This newly-entrenched establishment importantly included a

variant legal system. If you were apprehended for robbery on land, you faced a trial by a jury of your peers in the locality of the crime, all under English Common Law. If the robbery was at sea, however, what to do? Admiralty law, which is designed to cope with all high-seas issues, from accident and negligence to fraud and piracy, is another legal system, complicated by the absence of clear national jurisdiction. Armed robbery at sea often was detected only by attempts to dispose of the swag, and was adjudicated by an Admiralty court judge not troubled by a jury. Except that a 1528 law, still on the books, insisted that all piracy had to be tried at Common Law, and on the English mainland. Well, this didn't work for America. Completely different sets of legal responses emerged in the various colonies, at variance not only with the Crown, but with each other. Off and on, this was tolerated by Whitehall, which had a notion that the New World territories were beyond the line, outside any possibility of British legal regulation, and therefore at liberty to make their own rules. Except when this exception became its own problem. It became a whacking great problem for the British government in 1695, when one Henry Every availed himself of his privateer's commission by capturing a ship in the Indian Ocean. The ship in question, groaning with treasure, was the property of the Grand Mogul of India, then the richest monarch on Earth and an ally of the British East India Company. The ship was laden with pious donations bound for Mecca, and its most noted passenger was the Mogul's daughter. In one stroke, a British pirate had managed to commit a felony, an outrage, a blasphemy, and a disastrous interference with highly profitable international trade. His act occasioned bloody riots across India and very nearly caused a war. Every became the object of a world-wide man-hunt. He also became a huge folk hero, on both sides of the Atlantic. And the reason you may never have heard of him is that Henry Every got away with it. No one really knows what happened to the man, but the envious suspicion was that he lived a long and blissful life on a secluded tropical beach, sipping rum punches with bebies of girls in grass skirts. When the chastened central government then attempted to reform the empire, it was dismayed to find the several American colonies stonewalling its efforts, and further distressed to realize there wasn't much they could do about it. The author's chief historiographical contention is that it's incorrect to attribute the decline of piracy to British policy and the British Navy. Rather, he asserts, the primary locations of piracy, which had begun on the Spanish Main, transferred to the Indian Ocean, been rescued by Queen Anne's War when the Navy began convoying John Company's ships landed on the North American coast after the Peace of Utrecht in 1713. It was then, when pirates began indiscriminately harassing the ships of American colonists, that all sympathy for them very quickly disappeared, colonial lawyers and governments reversed themselves, and it was

all over save the shouting by 1720. However, he contends, the decades of complete defiance of political and legal mandates of the empire persisted through the 18th Century with respect to smuggling issues, and ultimately contributed to American readiness to secede from the empire in 1776. *The Politics of Piracy* is very well-researched and very fluidly written. With the slight caveat that it's not intended for introductory students of the American Revolution, but rather for those seeking a deeper background in the political, legal, and maritime history of it, this book is highly recommended.

This review was given to the American Revolution Round Table
New York, April 7, 2015

Having an interest in both pirates and colonial America, I was eager to read this. It did not disappoint. Burgess makes a strong argument for his case: that piracy during the late 1690s was the source of the first civil disobedience on the part of colonies. His writing is clearly meant for the education and the academic. The sentences structure, syntax, and vocabulary of the prose are complex. He cites sources from across academia, demonstrating extensive research. For the casual reader, this book might be a bit wordy. However, if you enjoy intellectual works, this book is for you. Note: I received this book free as part of LibraryThing's Early Reviewer Program, in exchange for my fair and honest opinion.

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