Introduction

In his journal, published posthumously as *Storms and Sunshine of a Sailor's Life*, an attending officer on leave from the Madras Native Infantry recalled a 'work of slaughter' that took place off an island called Gallang in an archipelago south of Singapore.[1] On a brightly moonlit night in late May 1836, the boats of HMS *Andromache* encountered two *prahu* belonging to a 'known pirate haunt' beyond the Straits Settlements' jurisdiction. The two boats were 'crowded with men', 'beating gongs', and enjoined in 'a most Babel-like uproar'. As the British boats approached, an interpreter discerned an 'unmannerly shout – Come on, sons of Malays, the boat is ours; let us board!' The action was bloody and swift: 'Everything depended on our accuracy and quickness of firing'; and amid a cannonade of grapeshot, one of the crews jumped into the sea in a desperate bid for shore. As the other prahu made for open water, 'a discharge of canister at that moment among the crowd of swimming wretches did great execution'. The British 'gave three cheers' and, leaving two boats behind 'to slay as many as possible', pursued the fleeing prahu 'as a greyhound does a hare'. A steady fire obliged its crew likewise to abandon the vessel. In this memoir, Colin Mackenzie confessed that his 'pistol and cutlass lay idle' as the enemy 'asked for no quarter, and received none'. Stunned by the carnage, he observed 'the expression of despair' on the unproven pirates' faces, as one by one they surfaced 'merely to receive the death-shot'. Their 'tenacity of life' seemed 'almost incredible'.

> I saw one man, a most muscular-looking savage, receive four shots and three thrusts from a pike, each of which turned him over, and still he swam and dived. A blow from a cutlass then laid open his head, and he was finished with a pistol.

[1] Colin Mackenzie, journal entry 28 May 1836, in H. Mackenzie, *Storms and Sunshine of a Soldier's Life: Lt General Colin Mackenzie, C. B. 1825–1881*, 2 vols (Edinburgh: David Douglas, 1884), I: 62–6.

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The scene, he wrote, 'froze my blood', but he 'thank[ed] God that not one of our party was even wounded'. As dawn broke and the *Andromache* approached its boats, the British counted 113 dead and 9 captured.[2]

Among the spoils plundered by the men of *Andromache* were 'scraps of the Kuran, loveletters, charms, accounts, and Malay poetry' recounting 'the heroic exploits of the pirates of former times'.[3] Interpreting the latter as 'a sort of poetical history' of the region, such verses might have offered a glimpse of their former bearers' humanity. Instead, Mackenzie marshalled them as evidence of a deeply imbued 'piratical' culture, enshrined in art and deed. After all, as Thomas Stamford Raffles had averred in his widely admired *History of Java*, the 'old Malayan romances, and the fragments of their traditional history, constantly refer with pride to piratical cruizes'. He could only lament piracy's enduring inextricability with the region's culture and politics:

> The prevalence of piracy on the Malayan coasts, and the light in which it was viewed as an honourable occupation, worthy of being followed by young princes and nobles, is an evil of ancient date, and intimately connected with the Malayan habits.[4]

Though piracy was by now habitually posited as an indelible stain against the state of civilisation in Southeast Asia, the young officer Mackenzie saw glimpses of himself reflected in its bloodied waters. The dead and dying 'sons of Malays' recalled the 'old Norse seakings' who once cruised the coasts of his native Scotland. The entire Malay 'race', he thought, esteemed piracy as 'quite as laudable a mode of obtaining a livelihood as it formerly was among more northern nations'. Yet, at this historical juncture, death seemed inevitable: 'I sickened at the sight', he assured himself, 'but it was dire necessity'.[5]

As the British Empire extended its military, economic, and political reach into evermore waters of the Indian Ocean world, its 'men on the spot' felt increasingly justified in calling for the wholesale extirpation of

[2] Ibid. [3] Ibid., 71.

[4] Thomas Stamford Raffles, *The History of Java*, 2 vols (Kuala Lumpur: Oxford University Press, 1965), I: 232–3.

[5] So 'sickened' was he that he could not bring himself to claim his own trophy of war – while searching the wreckages of the blown-apart boats for 'relics of mortality', Mackenzie ordered a Malay subordinate to sever the head from one of the deceased *panglima* commanders, before having the ship's surgeon preserve it in arak as a 'specimen' for posterity. As payment for preparing the head, the surgeon was given one of its teeth, which was stained black and inset with a gold 'St. Andrew's cross'. For a discussion of collecting heads as 'imperial trophies' in British India, see Kim A. Wagner, *The Skull of Alum Bheg: The Life and Death of a Rebel of 1857* (London: Hurst, 2017); and Wagner, 'Confessions of a Skull: Phrenology and Colonial Knowledge in Early Nineteenth-Century India', *History Workshop Journal* 69, no. 1 (March 2010), 27–51.

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those who sailed in defiance of the supposedly immutable laws of progress and civilisation. From the late eighteenth century, Europeans forgot their former vulnerabilities among the 'old order' of maritime Asia's merchant communities, where large agrarian empires had 'lived in symbiotic contention' with littoral societies.[6] From the Knights of Malta to the Bugis of Sulawesi, autonomous port cities and 'seaborne states' flourished alongside the centres of political power and territorial production, connecting cultures and economies across far-flung seas and waterways.[7] Whether they vied with rival port cities or supported the territorial rulers of their respective hinterlands, such communities invariably 'took their cut' from the profits of coastal and maritime trade. However, by the middle of the nineteenth century, 'they had all disappeared or been beaten into submission'.[8] Their political power and strategic advantages were systematically usurped, undermined, and ultimately isolated from the most valuable streams of commerce and the political power that followed therefrom. These have long been seen as the decades 'when British military and naval power fused with European technological revolution to redraw the civilisational map of the Indian Ocean'.[9] In the spaces that comprise the scope of this study, the subjects of allegedly 'piratical' states were either absorbed into imperial structures of trade, taxation, and governance, or otherwise dispersed or destroyed. To be 'castigated as "pirates" by the commanders of Britain's Royal Navy', writes C. A. Bayly, was the final indignity for those who themselves once took command upon the maritime 'fringes of states'.[10]

This book traces the development of a pernicious discourse of castigation, which forcibly obliged seafaring peoples to sacrifice sovereignty upon the altar of imperial modernity. The term 'piratical' was assuredly applied to disparate communities and coastal polities, each with their own motivations, allegiances, and military capacities – and each claiming political and cultural legitimacy on their own terms, within a wider constellation of multilayered states and converging economies. When conceptually framed as such, pirates necessarily remain elusive denizens of world history's oceans, both defying and *defining* the sovereign's

[6] Ashin Das Gupta, 'Introduction II: The Story', in *India and the Indian Ocean 1500–1800*, ed. Das Gupta and M. N. Pearson (Calcutta: Oxford University Press, 1987), 43.
[7] C. A. Bayly, *The Birth of the Modern World, 1780–1914: Global Connections and Comparisons* (Malden, MA: Blackwell, 2004), 38.
[8] Ibid.
[9] K. N. Chaudhuri, *Asia before Europe: Economy and Civilisation of the Indian Ocean from the Rise of Islam to 1750* (Cambridge: Cambridge University Press, 1990), 387. See also Sujit Sivasundaram, *Islanded: Britain, Sri Lanka, and the Bounds of an Indian Ocean Colony* (Chicago: University of Chicago Press, 2013), 61–2.
[10] Bayly, *The Birth of the Modern World*, 36–8.

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axiomatic right to violence. An oceanic scope invites historians likewise to defy the strictures of sovereignty that distinguish state power, challenging the assumptions inherent to the 'freedom of the sea' as articulated against prevailing papal claims by Hugo Grotius and others in the seventeenth century.[11] Although too often upholding the pirate's long-assumed timelessness and universality, scholars are beginning to liberate the 'salty subaltern' captives of this concept from their archival purgatory, illuminating alternative histories more sensitive to their subjects' worldviews and the pressures that conditioned their respective communities.[12] Bereft of neither politics nor identity, important studies continue to illuminate how those prosaically labelled 'pirates' in colonial archives lived their lives as merchants, mercenaries, pilgrims, pilots, and fishermen – people who belonged to an integrated oceanic world while actively maintaining claims to maritime legitimacy. Whether they levelled counterclaims against European encroachments, engaged in their own local maritime conflicts, or transgressed the porous and pretended borders of overstretched regimes, 'pirates' only became such as and when they confronted the vested interests of larger powers intent on their destruction. The discourse itself, therefore, served not only as a justification but also as a vital function of imperialism, integral to the hegemonic myths that Europeans internalised and projected into the Indian Ocean.

As the *Andromache*'s trespass into the waters south of Singapore suggests, the nodes of avowedly 'piratical' activity that emerge from the colonial archive were seldom on the Grotian 'high seas'. Spectres of piracy were confined instead to densely networked waterways, which had been contested politically and militarily for centuries.[13] Taken together, such regions preclude easy categorisation of any essential pirate, whose perceived threat to British trade rose and subsided in accordance with the resources available to naval commanders, colonial governors, and their subordinates. This book shows how the victims of

[11] For an introduction to the context and development of this argument, see David Armitage (ed.), *The Free Sea* (Indianapolis, IN: Liberty Fund, 2004), xi–xxiv. For an exposition of Grotius's significance to nineteenth- and twentieth-century imperialism, see Renisa Mawani, *Across Oceans of Law: The Komagata Maru and Jurisdiction in the Time of Empire* (Durham, NC: Duke University Press, 2018), chap. 1.

[12] See especially Lakshmi Subramanian, *The Sovereign and the Pirate: Ordering Maritime Subjects in India's Western Littoral* (New Delhi: Oxford University Press, 2016); Robert J. Antony (ed.), *Elusive Pirates, Pervasive Smugglers: Violence and Clandestine Trade in the Greater China Seas* (Hong Kong: Hong Kong University Press, 2010); J. F. Warren, *Pirates, Prostitutes and Pullers: Explorations in the Ethno- and Social History of Southeast Asia* (Claremont: University of Western Australia Press, 2008).

[13] See Markus P. M. Vink, 'Indian Ocean Studies and the New "Thalassology"', *Journal of Global History* 2, no. 1 (March 2007), 41–62.

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Britain's amorphous war on piracy in the Indian Ocean were discursively bound by an artfully construed yet inherently paradoxical appellation: the 'piratical state', a concept aimed at politicising an impossibly wide array of maritime activities to create tangible objects of castigation for a legally intangible crime. As such, specific accusations (and, still less so, judiciable charges) of piracy were less common and less consequential than the constructively ambiguous assertion of 'piraticality' – the condition of being somehow *like* a pirate.

The imprecision of the terminology itself suggests that the British 'war' on piracy was not primarily a legal battle fought over maritime rights and jurisdictions; it was instead a potentially endless crusade that proclaimed and then performed the civilisational superiority of certain forms of violence over others. In so doing, charges of piraticality denied the political legitimacy of those states that challenged and confronted but also adapted to the pressures of imperial mercantilism in Asia.[14] At the same time, the discourse allowed the British to hold local rulers responsible for seafarers they did not themselves necessarily control. By underwriting this political influence with a transcendent, universal claim to moral authority, the notion of piratical statehood confused the logics of territorial conquest and European jurisprudence, prizing open the conceptual spaces in which military violence could be deemed a 'dire necessity'.

From the late eighteenth century, Bayly writes, the East India Company's 'free-trade rhetoric was being used to disguise [its] own relentless drive for a monopoly of force', supplanting independent states like Mysore with a mercantilist 'despotism' that 'drained kingship of its ideological meaning'.[15] Amid the frenetic expansion that followed, through military campaigns and land-grabs across the Indian subcontinent, discourses of piracy were rapidly realigned with the broader geostrategic and commercial interests of a 'second' British Empire stretching out across the Indian Ocean – reducing evermore acquired territories to an export economy predicated on cash-crop production and projections of sea power.[16]

In each of the regions considered in this book, accusations of piracy were steeped in the language and assumptions of civilisational hierarchy,

[14] For the development of British mercantilism in Asia, see Philip J. Stern, *The Company-State: Corporate Sovereignty and the Early Modern Foundations of the British Empire in India* (New York: Oxford University Press, 2011).

[15] C. A. Bayly, *Imperial Meridian: The British Empire and the World, 1780–1830* (London: Longman, 1989), 60.

[16] Vincent T. Harlow, *The Founding of the Second British Empire 1763–1793*, 2 vols (London: Longmans, 1952–64). See also P. J. Marshall, 'The First British Empire', and Bayly, 'The Second British Empire', in *The Oxford History of the British Empire*, V: *Historiography*, ed. Robin W. Winks (Oxford: Oxford University Press, 1999), 43–72.

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which hardened into immutable categories of race as the nineteenth century progressed. As early as the 1790s, the philologist William Jones postulated a piratical typology corresponding to Europe's Romani 'gypsies', which he traced to the ancient seafarers of Sindh at the mouths of the Indus River. 'In some piratical expedition', he reasoned, they may 'have landed on the coast of Arabia or Africa, whence they might have rambled to Egypt, and at length have migrated, or been driven into Europe'.[17] As British rule was consolidated from Bengal, the discourse of piracy was insinuated through references to caste and 'backward' religious practices across the subcontinent – the British envoy to Kutch, for example, reported in 1802 that certain inhabitants of Dwarka (in northwest Gujarat) were proscribed by caste prejudice from fishing and thus 'forced to subsist … by the exercise of Piracy and the Fruits of Superstition'.[18] The discourse found a territorial equivalent in the British suppression of the so-called thugs, who, as the Company's governor-general suggested in 1829, were 'inhuman monsters' who could 'be considered like Pirates', 'placed without the pale of social law', and punished 'by whatever authority they may be seized and convicted'.[19] By the later nineteenth century, there developed 'a belief in the inherent criminality of certain so-called tribes or "gypsy-like" racial groups' in India (codified by the Criminal Tribes Act of 1871), which 'empowered the state to define entire castes or communities as criminals by blood or genetic inheritance'.[20] This spectre of the 'pirate tribe' lasted well into the era of eugenics – as was made explicit, for example, in W. J. Hatch's *The Land Pirates of India*.[21]

The developing racist typology held that piratical peoples emerged from piratical geographies, supposedly imbuing the inhabitants of such spaces with fixed and predetermined characteristics. The post-Enlightenment project of ordering the world encouraged cartographic

[17] William Jones, 'On the Borderers, Mountaineers, and Islanders of Asia', lecture delivered 24 February 1791, in *Dissertations and Miscellaneous Pieces Relating to the Arts, Sciences, and Literature of Asia* (London, 1796), III: 9.

[18] David Seton to Bombay, 28 December 1802, Maharashtra State Archives [MSA]/Secret and Political Department [S&P]/134.4.

[19] Quoted in Wagner, *Thuggee: Banditry and the British in Early Nineteenth-Century India* (Basingstoke: Palgrave Macmillan, 2007), 199–200.

[20] Susan Bayly, 'The Evolution of Colonial Cultures', in *The Oxford History of the British Empire*, III: *The Nineteenth Century*, ed. Andrew Porter (New York: Oxford University Press, 1999), 467.

[21] W. J. Hatch, *The Land Pirates of India: An Account of the Kuravers, a Remarkable Tribe of Hereditary Criminals, Their Extraordinary Skill as Thieves, Cattle-Lifters & Highwaymen, and Their Manners & Customs* (London: Seeley, Service, 1928). See also Subir Rana, 'Nomadism, Ambulation and the "Empire": Contextualising the Criminal Tribes Act XXVII of 1871', *Transcience: A Journal of Global Studies* 2, no. 2 (2011), 14.

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representations of 'pirate coasts', which became typical tropes in contemporary travel narratives and subsequent historiography.[22] But nowhere was the presence of piratical geography more pronounced than in maritime Southeast Asia. It was in this region that, as a Company registrar in Singapore put it in 1828,

> the most casual view of a Chart of these Seas is sufficient to convince any one that no part of the globe is more favourably adapted for the secure and successful practice of Piracy, and when to these natural facilities are added the concurring habits and disposition of the Natives, … we shall scarcely expect to find it less flourishing here than in the states of Barbary. From the earliest times of which we have any record of these Countries piracy has been a distinguishing feature in the Character of the Malays.[23]

Here was a piratical geography worthy of opening Philip Gosse's seminal *History of Piracy*, which began its introductory chapter (simply entitled 'Pirates in General') by lauding Captain Henry Keppel as 'the great hunter of Oriental pirates in the nineteenth century' and quoting from one of his two published accounts from Borneo. 'Nature moulds the thief', Keppel had exclaimed; piracy was 'as natural to him … as it is to the fishing eagle above his head to sweep down upon the weaker but more hard-working bird, and swallow what he has not had the trouble of catching'.[24] Mackenzie had likewise situated pirates in an ecological niche, observing amid the slaughter at Gallang 'one Malay bounding along like an antelope among the rocks on the shore'.[25] Piracy in the maritime world of Southeast Asia, Keppel maintained, 'has ever been the natural state of things'.

> As surely as spiders abound where there are nooks and corners, so have pirates sprung up wherever there is a nest of islands offering creeks and shallows, headlands, rocks and reefs – *facilities*, in short, for lurking, for surprise, for attack, for escape. The barbarous or semi-barbarous inhabitant of the Archipelago, born and bred in this position, is born and bred a thief.[26]

[22] See, for example, John Biddulph, *The Pirates of Malabar, and an Englishwoman in India Two Hundred Years Ago* (London, 1907); Charles Belgrave, *The Pirate Coast* (London: G. Bell and Sons, 1966). For uses of the term in the Mediterranean context, see Ellen Churchill Semple, 'Pirate Coasts of the Mediterranean Sea', *Geographical Review* 2, no. 2 (August 1916), 134–51; Richard Zacks, *The Pirate Coast: Thomas Jefferson, the First Marines, and the Secret Mission of 1805* (New York: Hyperion Books, 2005).

[23] Edward Presgrave to Kenneth Murchison, 'Report on Piracy in the Strait Settlements', 5 December 1828, IOR/F/4/1724.69433.

[24] Henry Keppel, *A Visit to the Indian Archipelago, in H.M. Ship Mæander: With Portions of the Private Journal of Sir James Brooke, K.C.B.* (London: R. Bentley, 1853), I: 281.

[25] Mackenzie, *Storms and Sunshine of a Soldier's Life*, I: 65–6.

[26] Keppel, *A Visit to the Indian Archipelago*, I: 281.

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Such 'pirates' seemed uniquely adapted to poorly charted seascapes and vexatious topographies, which, in the British imagination, established them as both natural products of their environments and irremediable, bestial threats to civilisation.

James Brooke, a private adventurer who relied on Keppel for his political survival on the River Sarawak, offered an alternative medical metaphor in defence of his attacks on the tribes of northwest Borneo. 'These innocent savages', he wrote, 'are violent, blood-thirsty, treacherous, and lying; and to manage them by moral means alone, is like putting milk and water on a sloughing ulcer'.[27] He also conceived of piracy in explicitly racial terms, deploying a language of inheritance and descent to suggest that hybridity itself was to blame. He considered that 'the worst and strongest' pirates in Borneo were 'chiefly a mixed race of the Bugis and Malays, fierce, courageous, powerful, and piratical'.[28] While the Bugis of Sulawesi were deemed a virtuous people, adept at both seafaring and commerce, their miscegenation with the 'lawless ferocity of the Malays' made them 'a very different people'. Distinguishing between 'land' and 'sea' Dyaks in his own country of Sarawak, he concluded that the inhabitants of Borneo's inaccessible interior were 'one of the most interesting and easily to be improved races in the world', while 'the predatory tribes of the coasts … are *great pirates* and head-hunters'.[29] He conceived of numerous and variegated inland races, the 'lowest grade' being 'little better than monkeys, who live in trees, eat without cooking, [and] are hunted by other tribes'.[30] Though Brooke acknowledged his own limitations as an amateur scientist, he worked hard to portray Borneo as a field of untold discoveries, urging geographers, mineralogists, and naturalists to visit him; in the 1850s, he famously hosted Alfred Russel Wallace as he developed his 'Sarawak Law', regarding the geographic proximity of related species.[31]

Before alighting upon the island of Borneo, this book will make three prior ports-of-call, from where British portrayals of piracy serve to

[27] James Brooke to John Templer, 27 June 1845, in *The Private Letters of Sir James Brooke, K. C. B. Rajah of Sarawak, Narrating the Events of His Life from 1838 to the Present Time*, 3 vols, ed. John Templer (London: Richard Bentley, 1853), II: 72.

[28] Brooke to Templer, 1 April 1844, and Brooke to Emma Francis Johnson, 3 May 1844, in Templer (ed.), *The Private Letters of Sir James Brooke*, II: 14–15, 19.

[29] Brooke to Templer, 27 June 1845, in Templer (ed.), *The Private Letters of Sir James Brooke*, II: 72, emphasis original.

[30] Brooke, 'Proposed Exploring Expedition to the Asiatic Archipelago', *Journal of the Royal Geographical Society of London* 8 (1838), 445.

[31] An account of Wallace's time in Sarawak can be found in Spenser St John, *The Life of Sir James Brooke, Rajah of Sarāwak, from His Personal Papers and Correspondence* (Edinburgh: William Blackwood and Sons, 1879), 274.

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illuminate different regional contexts across the Indian Ocean world. It begins in the Bombay presidency, where the Company's efforts to influence and adjust Indian practices of sovereignty along the politically fragmented western littoral saw the alleged debts of cowed states and principalities written off in exchange for forts, ports, and territory in a pattern of maritime expansion that in important respects reflected the land forfeitures orchestrated and administered from Bengal. To the south of Bombay, coastal states became diplomatically isolated by the fragmentation of the Maratha Confederacy; to the north, British attempts to obtain 'satisfaction' for acts of piracy were confounded by the spiritual networks of Okhamandel, where so-called pirates exacted payments for the upkeep of some of the most revered temples in the Hindu world.

Staying with Bombay, as the Company's private naval force expanded rapidly in both its capabilities and ambitions, Chapter 2 moves into the Persian Gulf, a region portrayed by some (though not all) British observers as being inherently 'piratical' – where the Arab seafaring character, it was argued, had been corrupted by the harsh geography of the region, its extreme climate, poor soil, and the treacherous shoals and sandbanks that exposed larger ocean-going vessels to attack. Caught between Iran and Oman, an array of disaffected Arab tribes united in confederacy, challenging the Omani–British allegiance and providing pretexts for a series of military interventions between 1809 and 1821. Bringing Crown and Company forces together, the two major expeditions that pacified the so-called pirate coast under a 'General Treaty of Peace' together bookend a pivotal decade in Gulf history, by which the Arab states were incorporated into an informal empire that effectively forbade internecine rivalries and curtailed the region's political development.

Chapter 3 shifts focus to the straits and archipelagos of insular Southeast Asia, examining the context of the Company's extension across the Bay of Bengal to the islands of Penang and Singapore, where a new 'war on piracy' was waged in the name of free trade. In 1824, the British and the Dutch signed a treaty to assert their respective spheres of influence, which divided the Melaka Straits and – with it – the maritime sultanate of Johor. The *orang laut* ('sea people') were marginalised, removed from their proximity to the ruling classes, and cut off from the new centres of commercial power. Thus, this maritime empire gave way to a vacuous frontier zone between two European rivals, each incapable of exercising the authority they claimed. Here was the new site of 'piracy', as it had been for Grotius two centuries before, when he had defended a Dutch captain's plunder of a Portuguese carrack near Singapore – only this time it was indigenous seafarers, not rival Europeans, who stood accused of rejecting the 'freedom' of the seas.

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Chapter 4 narrows in scope to focus on an individual who hauled the suppression of 'piracy' beyond the frontier of the Company's expansion. In establishing his hundred-year dynasty in Sarawak, James Brooke became both a paragon and a pariah of the British Empire, who consciously tried to embody its noblest virtues but was attacked and derided for his quixotic brand of petty despotism by a growing number of critics in England. Dismissing the 'humanity-mongers' for failing to grasp the higher purpose of his struggle for survival, he sought instead to treat pirates 'like gentlemen' – with uncompromising violence and limited recourse to law. Brooke's legacy still sits uncomfortably within the story of Britain's imperial past. Having followed the discourse of piracy across Indian, Arabian, and Malay littorals, it was this self-styled 'Rajah' who swelled the wave of anti-piracy discourse to its mid-century height.

Considering specifically the term piracy's presence within the colonial archive, the central aim of this book is to assess how this discourse recalibrated piracy's constructive ambiguity by essentialising the identities of peoples judged piratical and by providing intellectual frameworks for the military campaigns and localised massacres that seldom surface within imperial and naval histories. In doing so, it positions British sea power squarely within contemporary arguments for imperialism, civilisation, and for the accumulating rights being formulated within the emerging 'liberal' doctrines of empire.[32] By focusing on piracy specifically as a discourse, this book does not attempt to encapsulate the myriad worldviews and cultural identities of everyone decried as being somehow piratical by the British. It does not follow Sugata Bose, for example, in attempting to trace any cohesive or enduring culture of 'everyday resistance' or 'extraterritorial and universalist anticolonialism' among 'piratical' communities in the Indian Ocean world.[33] By explicating piracy as a 'category of subversive Asian activity',[34] this book looks instead to challenge the concept's abstract uniformity across both time and space. It asks not *who* were the pirates but how did they become such along the frontiers of an expanding empire?

In their diaries, correspondence, and memoranda, Britain's self-declared pirate-hunters retold world history through a mythology of their own making. They imagined piracy as a negative condition of civilisation,

[32] Uday Singh Mehta, *Liberalism and Empire: A Study in Nineteenth Century British Liberal Thought* (Chicago: University of Chicago Press, 1999).

[33] Sugata Bose, *A Hundred Horizons: The Indian Ocean in the Age of Global Empire* (Cambridge, MA: Harvard University Press, 2006), 45, 275.

[34] Subramanian, 'Of Pirates and Potentates: Maritime Jurisdiction and the Construction of Piracy in the Indian Ocean', *UTS Review: The Indian Ocean* 6, no. 2, ed. Devleen Ghosh and Stephen Muecke (2000), 15.

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corrupting the nobility of the 'innocent savage' while delegitimising the alleged despotism of local rulers. By adding the piratical state to the lexicon of empire, the Company's agents (alongside other soldiers, sailors, and merchants) transformed a discourse which had long served Western states, projecting Britain's sea power as a providential mission of civilising the world.

Whether or not the British pretended legally to preside over the oceans they navigated, their campaigns against 'piracy' took place upon a rolling frontier of shifting boundaries – in the rivers, gulfs, inlets, and waterways where sea-oriented societies claimed a right to exercise (what they broadly understood to be) legitimate forms of maritime violence. Indigenous sailors confronted, resisted, and adapted to European imperialism in different ways, but the episodes of British naval aggression considered here can all be seen as overtly political acts of military intervention. Furthermore, the broad sweep of states and sovereigns being chastised as piratical in this period imperils any effort to define or categorise piracy in the Indian Ocean. Few flew black flags declaring themselves the 'villains of all nations'; almost all possessed some 'color of right', most often through their allegiances to recognisable forms of political authority.[35]

British attempts to monopolise violence at sea, therefore, required an ethnically diverse assemblage of merchant traders and ruling elites to accept both the illegitimacy of maritime raiding and Britain's 'natural' right of suppression. The alternative was to bear the burden of 'piratical statehood' – to be recognised in statehood but at the same time delegitimised as sovereignty's shadowy antithesis. The array of leaders and potentates liable to be condemned included rajahs, ranis, sheikhs, sultans, *sarkheels*, *nakhodas*, *temenggongs*, so-called petty sovereigns and usurpers of all kinds – each of whom could be cast by the discourse into a mould of invalid politics. Representations of civilisational backwardness, temporal inertia, geographical determinism, racial degeneration, religious corruption, and oriental despotism all acted in concert to create a new mythology of piracy that stretched the term itself to its discursive limits by the middle of the nineteenth century.

Pirate Historiographies

The classicist Philip de Souza finds that the Graeco-Roman origins and early usage of 'pirate' – from the Greek *peiran*, meaning to try, risk, or

[35] J. L. Anderson, 'Piracy and World History: An Economic Perspective on Maritime Predation', *Journal of World History* 6, no. 2 (1995), 176.

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attempt something – functioned almost exclusively as 'a useful pejorative label', reflecting the claims made by particular states to project power into Mediterranean waters.[36] The older usage of its synonym *leistes* (preferred in the Homeric tradition) conveyed a wider range of activities that lacked the 'rhetorical invective' levelled by aspiring naval powers such as Athens, Rhodes, and Rome.[37] Rather than being a timeless phenomenon, de Souza suggests that the history of piracy can only ever represent the variable and changing claims that certain states made to maritime spaces. As a category of 'criminal' activity, the term itself is only recognisable as a discursive weapon wielded by states in areas beyond their effective control; as such, its development provides historians with a running commentary on state formation, consolidation, fragmentation, and decline – but it cannot, therefore, be taken to reveal any essential or uniform mode of maritime predation.

Daniel Heller-Roazen and Amedeo Policante have each traced the changing contours of the discourse from its classical origins into the early modern and modern periods.[38] By revisiting Cicero's celebrated characterisation of the pirate as the 'common enemy of all' (*communis hostis omnium*), their respective studies not only highlight how historical accusations of piracy acted to support and legitimise extraterritorial state violence but also reveal the concept to be a mutually constitutive and necessary condition of sovereignty itself. Policante places the pirate at the centre of the emergence of natural law, showing how jurists such as Vattel, Gentili, and Grotius blurred the distinctions between notions of 'humanity' and 'civilisation', ultimately reframing assumptions about piracy within specific but distinctly 'imperialist' agendas. 'In proclaiming not to fight a war but to persecute the "enemy of humanity"', he writes, the pirate-hunting state 'poses as a representative and as a protector of the whole human race'.[39]

Considering specifically the 'circles of duty' construed by Cicero in *De Officiis*, Heller-Roazen outlines a 'piratical paradigm' that transforms a state's concept of war by conflating established categories of criminal and political behaviour.[40] Although the pirate was relegated 'to a region beyond the line of duty', where no oath or moral obligation could hold, its exceptional status did not simply defy the classical order of rights and

[36] Philip de Souza, *Piracy in the Graeco-Roman World* (Cambridge: Cambridge University Press, 1999), 241.
[37] Ibid.
[38] Daniel Heller-Roazen, *The Enemy of All: Piracy and the Law of Nations* (New York: Zone Books, 2009); Amedeo Policante, *The Pirate Myth: Genealogies of an Imperial Concept* (Abingdon: Routledge, 2015).
[39] Policante, *The Pirate Myth*, 136.
[40] Heller-Roazen, *The Enemy of All*, 14–15.

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obligations but intrinsically defined its parameters. Consequently, suppressing pirates posed an inimitable challenge: as they were neither formal combatants nor conventional criminals, waging a traditional war against them was impossible, since there was no legitimate authority with whom to eventually make peace. 'In speaking to a pirate, in dealing with a pirate, no matter one's acts, no matter one's word, and no matter one's faith', Heller-Roazen observes, 'one becomes a pirate oneself'.[41]

It ought to be a point of historiographical consensus that piracy, as a contrived construct levelled on behalf of self-interested states and aggrandising empires, can no longer be deployed by serious historians as a normative description of any phenomena related to maritime predation. Since its inception, it has operated either as a pejorative discourse to facilitate transgressive acts of state violence, or as an inverted symbol of violence inflicted by way of resistance. Yet, successive scholars (and their market-savvy publishers) claiming to represent 'general' or 'complete' histories of piracy still seem to revel in the term's apparently universal applicability – across time and 'through the ages … to the present day'.[42] Angus Konstam persists in calling piracy a 'scourge' that 'has been around since man first took to the sea'; a 'crime … as old as civilization itself'.[43] Gosse's assertion that 'piracy, like murder, is one of the earliest of recorded human activities' has been restated and reworked – ever since he published *The History of Piracy* in 1932 – by Peter Earle, who assures us that piracy is 'as old as the maritime trade on which it preys'. This book does not agree that 'the first pirate was probably a Neolithic thug in a skin boat',[44] as such a notion only obscures the 'real' pirate who existed as a projection, reflection, and spectre of state power.[45]

A singular intervention from Anne Pérotin-Dumon associated such tropes of timelessness within 'a sort of sociology of piracy' that 'spans the ages' by identifying common features of geography and societal organisation and overlooks many of the contingencies that gave rise to historical contests over maritime space.[46] Instead, her path-breaking article positioned piracy as an inherently and inescapably political concept,

[41] Ibid., 21.
[42] Angus Konstam, *Piracy: The Complete History* (Oxford: Osprey, 2008), 10.
[43] Ibid., 7.
[44] Eric Paul Roorda (ed.), 'VII Piracy', in *The Ocean Reader: History, Culture, Politics* (Durham, NC: Duke University Press, 2020), 261.
[45] Philip Gosse, *The History of Piracy* (London: Longmans, Green, 1932), 1; Peter Earle, *The Pirate Wars* (London: Methuen, 2003), 17.
[46] Anne Pérotin-Dumon, 'The Pirate and the Emperor, Power and the Law on the Seas, 1450–1850', in *The Political Economy of Merchant Empires: State Power and World Trade 1350–1750*, ed. James D. Tracy (Cambridge: Cambridge University Press, 1991), 196–227.

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revealing more about the dynamic interests and institutions of state power than any sociologically discernible aspects of maritime predation in the early modern period. As an alternative approach to studying 'piracy' across time and space, she suggested that it should be understood in relation to the mercantilist states that emerged to contest maritime trading routes in different parts of the world. While 'the prize of piracy is economic', she asserts, 'as a historic phenomenon, the dynamic that creates it is political'.[47] By drawing on comparisons from the Atlantic and Indian Ocean worlds, as well as from East and Southeast Asia, she identifies 'a nationalistic bias in the literature', increasingly apparent from the late nineteenth century, during Western Europe's last phase of imperial expansion.[48] Relating the parable of Alexander the Great's confrontation with the pirate, as retold by Saint Augustine in the fifth century, a moral equivalence is drawn between the 'pirate and the emperor' – the violence of each becomes merely a matter of scale, with the latter's legitimacy established only by way of self-serving narratives of histories written by the victors.

Rather than existing from 'time immemorial', piracy has always been contingent upon the structures of power that create and perpetuate it, conceptually and discursively. So contrived, the concept has historically enabled states to define themselves against it – to condemn and violently suppress an elusive, amorphous, and mobile 'hydra' of othered peoples, and thereby to affirm and extend their own particular claims to sovereign power in spaces beyond their control. Despite the determined efforts of successive piratologists, the verifiable 'facts' of piracy remain inextricably entangled with their associated myths and fictions. As Eric Hobsbawm wrote of banditry, piracy's histories, myths, and folklores 'cannot be entirely divorced from the reality'.[49] Nor is it enough simply to contend that popular fascination has coloured, clouded, and obfuscated the history of 'real' pirates.[50] While both Marcus Rediker and Christopher Hill accept that Captain Johnson's foundational *General History of the Lives and Robberies of the Most Notorious Pyrates* 'is not necessarily reliable as evidence of what pirates actually did or said', they submit the text as

[47] Ibid., 198. [48] Ibid., 200–1.

[49] Eric Hobsbawm, 'Social Bandits: Reply', *Comparative Studies in Society and History* 14, no. 4 (September 1972), 504.

[50] Colin Woodard, *The Real Pirates of the Caribbean* (Boston, MA: New Word City, 2011); Aubrey Burl, *Black Barty: The Real Pirate of the Caribbean* (Stroud: Sutton, 2006); Dan Parry, *Blackbeard: The Real Pirate of the Caribbean* (London: National Maritime Museum, 2006); David Cordingly and John Falconer, *Pirates: Fact and Fiction* (London: Collins & Brown, 1992).

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'evidence of what public opinion was prepared to believe'.[51] In colonial America, the twin spectres of piracy and slave rebellion played upon existing fears of plantation owners and social elites.[52] But the emancipatory narratives conveyed by such legends as Libertalia also embodied the escapist fantasies of disaffected sailors and reading publics alike. To those who pined for 'lives of liberty' otherwise denied, the pirate utopia conveyed a psychologically unbridgeable, otherworldly realm – a 'separatist' and 'protoanarchist pirate republic' that was seen to realise the revolutionary potential of a 'world turned upside down'.[53]

Mark Hanna takes issue with persistent portrayals of pirates as landless subjects, severed from society and hailing avowedly 'from the seas'.[54] By focusing on their supposedly 'symbiotic relationship' with fledgling colonial societies in the Caribbean and North Atlantic, he attempts instead to territorialise the phenomenon, displacing the 'salty subaltern' with a more piratically minded colonial 'gentry'. His research reveals much about how so-called pirates forged tacit accords and alliances with merchants and governors, actively participating in politics and diplomacy and bolstering local economies.[55] While several proponents of 'oceanic' history have come to reject the dichotomous juxtaposition of land and sea altogether (exploring instead how such spaces overlapped and intersected in 'terraqueous' and 'amphibious' relationships),[56] Hanna's emphatic return to shore contrasts sharply with Rediker's analysis of oceanic space as a distinct site of cross-cultural interaction and ideological formation – as a 'grey vault' with hidden histories yet to be unlocked.[57]

[51] Hill, *Liberty against the Law: Some Seventeenth-Century Controversies* (London: Allen Lane, 1996), 115.

[52] Mark Hanna, *Pirate Nests and the Rise of the British Empire, 1570–1740* (Chapel Hill: University of North Carolina Press, 2015), 384–5.

[53] Peter Linebaugh and Rediker, *The Many-Headed Hydra: Sailors, Slaves, Commoners, and the Hidden History of the Revolutionary Atlantic* (Boston, MA: Beacon Press, 2000); Rediker, *Between the Devil and the Deep Blue Sea: Merchant Seamen, Pirates and the Anglo-American Maritime World, 1700–1750* (Cambridge: Cambridge University Press, 1989); Christopher Hill, *The World Turned Upside Down: Radical Ideas during the English Revolution* (London: Temple Smith, 1972); see also David Graeber, *Pirate Enlightenment, or the Real Libertalia* (New York: Farrar, Straus and Giroux, 2023).

[54] Rediker, *Villains of all Nations*, 8.

[55] Hanna, *Pirate Nests.*

[56] Alison Bashford, 'Terraqueous History', *History Journal* 60, no. 2 (2017), 253–72; M. N. Pearson, 'Littoral Society: The Concept and the Problems', *Journal of World History* 17, no. 4 (2006), 353–73.

[57] Rediker, 'Towards a People's History of the Sea', in *Maritime Empires: British Imperial Maritime Trade in the Nineteenth Century*, ed. David Killingray, Margarette Lincoln, and Nigel Rigby (Woodbridge: Boydell Press, 2004), 195–206; Rediker, *Between the Devil and the Deep Blue Sea*. See also Philip E. Steinberg, *The Social Construction of the Ocean* (Cambridge: Cambridge University Press, 2001).

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Lauren Benton has interrogated the legal qualities of maritime space, finding piracy a useful concept in exploring the 'jurisprudentially eclectic' nature of oceans and the European empires that traversed them.[58] Although a Grotian vision of natural law did ultimately encourage justifications of 'a maritime legal order consistent with the expansion of maritime violence', it still coexisted with states' 'uneven' claims to control – if not explicitly to possess – certain seas and waterways.[59] The 'lost prehistory of international law' was less dependent upon theories of universal criminality than on the creeping legalisation of conquest through sporadic bursts of 'jurisdictional imperialism' and negotiation between competing sovereign entities.[60] Hanna similarly recognises piracy specifically as a legal construct, positing it as a criminal act committed by individuals and (despite his book's title) downplaying its discursive function as an identity projected onto collectives and communities. Like Benton, the pirates in his study negotiated a 'confusing nexus of legal systems',[61] shrewdly deploying an arsenal of excuses, flags, passes, and paperwork to maintain pretences of legitimacy while profiting from the violence of plunder. As such, his approach aligns neatly with Benton's characterisation of 'pirates as lawyers', arguing on behalf of their own legitimacy in a fluid state of 'interplay' rather than any dichotomous state of exception.[62] Both Benton and Hanna pay close attention to the Indian Ocean voyages of Henry Avery and William Kidd, who epitomised how pirates oscillated between legal spaces and how even their ships transitioned from being 'vectors of law' to ones of lawlessness. In preying on the wealth of the *hajj*, these figures exacerbated British commercial vulnerabilities in Mughal India; this in turn obliged the Crown to define and suppress piracy in the Atlantic and Caribbean, ultimately establishing these 'rogue' mariners as Western anti-heroes in the process.[63] Such pirates appear wholly internal to empire, already subject to its overlapping regimes before negotiating their position within and between them.

Legal understandings of piracy, however, did little to diminish a discourse that continued to serve as the 'lurid and violent propaganda' of

[58] Lauren Benton, *A Search for Sovereignty: Law and Geography in European Empires, 1400–1900* (New York: Cambridge University Press, 2010), 161.
[59] Ibid., 121.
[60] Benton and Lisa Ford, *Rage for Order: The British Empire and the Origins of International Law* (Cambridge, MA: Harvard University Press, 2016), 6, 25, 190.
[61] Hanna, *Pirate Nests*, 11.
[62] For Benton's discussion of the theories of Carl Schmitt and Giorgio Agamben, see ibid., 282–7.
[63] Hanna, *Pirate Nests*, 183–221. See also Robert C. Ritchie, *Captain Kidd and the War against the Pirates* (Cambridge, MA: Harvard University Press, 1986).

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empire.[64] Such 'piracy talk'[65] did more to criminalise and condemn pirates than any extension or contestation of maritime jurisdiction. Pirates were dehumanised in the Western intellectual tradition through continual associations with beasts and monsters of various kinds – and were, therefore, stripped of their humanity and any legal rights associated with it. For all his celebrated empiricism, Francis Bacon exclaimed that pirates were 'utterly degenerate from the laws of nature', revealing 'in their very body and frame of estate a monstrosity'.[66] Grotius, too, lambasted the pirate's 'Depravity of Mind', which 'cut him off from human Society, and makes him to me, and all the World, a Foe'. 'The justest War', he asserted in *De Jure Belli ac Pacis*, 'is undertaken against wild rapacious Beasts' – 'and next to it, against Men who are like Beasts'. The German philosopher Christian Wolff called pirates 'wild monsters of the human species',[67] while his Swiss contemporary, the jurist Emmerich de Vattel, considered them to be 'monsters unworthy of the name of men'.[68]

Such language still prejudices much of the literature pertaining to pirates and piracy. Pirates continually reappear as monsters who 'lurk' in poorly charted waters; 'vermin' in need of extermination; 'plagues' and 'epidemics' to be 'eradicated' and 'cleansed'. Even among the most scholarly analyses, admittedly, pejorative language still conditions central aspects of historians' arguments and approaches.[69] The persistence of such characterisations, which depict and implicitly allege some civilisational fall-from-grace, suggests that physically displacing the pirate from Atlantic and Mediterranean waters has proven easier than overcoming the Eurocentrism of piracy as a category of historical analysis. The casual acceptance of pirates' discursive transmogrification into essentialised denizens of a Hobbesian state of nature is itself a legacy of an imperialist discourse that can be charted from antiquity to the present – and which, as this book shows, resurfaced with devastating effect as the British bloodied the waters of the Indian Ocean world.

[64] Rediker, *Villains of All Nations*, 127. [65] Benton and Ford, *Rage for Order*, 121.

[66] Francis Bacon, 'Advertisement Touching an Holy Warre' (1861), in J. Spedding, R. L. Ellis, and D. D. Heath, *The Works of Francis Bacon*, vol. 7 (London: Cambridge University Press, 2011), 36; quoted in Policante, *The Pirate Myth*, 135.

[67] Christian Wolff, *Ius Gentium Methodo Scientifica Pertractatum, In Quo Ius Gentium Naturale Ab Eo, Quod Voluntarii, Pactitii Et Consuetudinarii Est, Accurate Distinguitur* (Rengersche Buchhandlung, 1749), quoted in Heller-Roazen, *The Enemy of All*, 117.

[68] E. Vattel, *The Law of Nations or the Principles of Natural Law Applied to the Conduct and to the Affairs of Nations and of Sovereigns* (Philadelphia, PA: T. & J. Johnson, 1883 [1758]), 3.34, quoted in Policante, *The Pirate Myth*, 135.

[69] In his conclusion, Mark Hanna diagnoses piracy as a 'disease', the study of which can 'help us to address the causes … rather than quixotically combat the symptoms'. Hanna, *Pirate Nests*, 424–5.

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