

‘Claiming the World: Universalisms as Doctrine and in Action’

Abstract: Indian Ocean ‘Piracy’ in the Second British Empire

I am currently studying towards a PhD in History, tentatively titled ‘Commerce, Authority and Piracy in the Indian Ocean World, c.1750-1850.’ In my research, I consider the role of trade in imperial expansion, and the globalization of legal concepts such as piracy, which I argue helped the British to legitimize the extra-territorial force employed to protect expanding commercial interests.

The East India Company’s efforts to create and control a new mercantile system, predisposed to its own financial interests of maintaining state-sanctioned monopolies, transformed economic relationships and political structures throughout the region. By attempting to monopolise power upon the seas, the Company played an integral role in reshaping the British Empire, and worked together with the Crown to redefine and subdue various communities of smugglers, pirates, and coastal polities not yet resigned to the imperialist agenda. It is this period, also, which sees significant development in judicial understandings of international law, as issues of sovereignty, property, and human rights, were transformed during the Second British Empire’s early growth spurts.

British approaches to so-called ‘piracy’ in the Indian Ocean were, like conceptions of slavery, imported from the earlier Atlantic experiences of empire. Despite crucial differences (such as in the Malay Archipelago, where pirating and the slave trade were deeply embedded in an intricate symbiosis of social stratification, or in the Persian Gulf, where it can be seen as a symptom of political, economic and religious intertribal war), piracy was declared to be *hostis humani generis* – a crime against humankind. As a universal doctrine, the legitimization of piracy’s suppression helped lawyers and legislators answer some of the most pertinent questions raised by the burgeoning canon of international law. Yet issues of maritime jurisdiction are still, as during the nineteenth century, posing serious problems in the drive to extirpate piracy and protect shipping in areas of fragmented or nominal sovereignty.

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