Banishment in the Early Atlantic World: Convicts, Rebels and Slaves

This book is a study of the exercise of imperial power in the early modern era and the way authorities at all levels moved, expelled, and transported people within the British Empire. Morgan and Rushton investigate some of the processes by which a wide variety of peoples under many different circumstances were forcibly moved. With the appropriate documents, they focus primarily on the perspective of the authorities, the legal developments of the 17th and 18th centuries connected to those processes, and the degree to which authorities did or did not follow the law in these matters. In some cases they use materials published in the period to address the response to these sometimes controversial policies. This study follows Morgan and Rushton's work on criminal transportation in the 18th century, which focused more on the criminals who were transported within the empire.(1) Above all, the authors demonstrate the various forms of banishment (and there were many) and criminal transportation that authorities practiced and the development of law that made such actions legitimate. From their sweep through the transatlantic British Empire to find case studies of banishment and criminal transportation, two important themes emerge. First, there was an important shift during the early modern era in the views of authorities regarding the banishment of rogues, vagabonds, religious and political dissenters, and others. Previously authorities had been concerned merely with getting rid of unwanted elements, whereas in the 17th and 18th centuries they became interested in transporting banished peoples to other places in their empire, so that those peoples might supply labor or other needs and thus be useful to the imperial cause. This shift reflected a growing transatlantic, imperial way of thinking

about social and political problems and solutions. Second, while important legal developments occurred that supported this trend, authorities sometimes went beyond the law to accomplish these imperial ends, and in spite of protests, they got away with it.

The book is structured into two parts. Part one, entitled 'Diverse patterns of banishment in Britain and Ireland', investigates the foundations of English, Scottish, and Irish banishment policies in the 17th and 18th centuries. Here Morgan and Rushton show how gypsies, vagrants, rebels, criminals, Quakers, Catholics, Covenanters, and others were transported from England, Wales, Scotland, and Ireland across the Atlantic to strengthen the empire. In the mid 17th century, authorities sent most of them to the Caribbean, but from late in that century until the War of American Independence they sent most banished people to the Chesapeake colonies. The first two chapters address English judicial origins of banishment and Scottish similarities and differences. Thereafter follows a chapter on religious persecutions that focuses primarily on Quakers. Then come case studies of Irish, Scots, and Presbyterian Covenanter rebels during the Interregnum, and Jacobites after 1715 and 1745. Among other things, the authors make it clear that a well-developed system evolved in the 17th century that led to the transportation to the Americas of thousands of people banished for a variety of reasons.

There are many highlights in part one of this book. Chapter three includes material on the transportation of Quakers, and while only a handful were actually sent to the colonies in this manner, it is worth noting that many others became quite productive in East Jersey and Pennsylvania in the late 17th century. This reflects the theme running throughout the book of people unwanted by English authorities at home serving the interests of empire (and sometimes themselves) across the ocean. Another highlight, albeit a brief one, emerges from chapter four, in which Morgan and Rushton indicate that the thousands of Irish rebels transported to Barbados and elsewhere in the Caribbean in the mid 17th century were initially so unruly that colonial authorities feared an alliance between them and African slaves. In other words, transportation threatened to undermine rather than support imperial interests. It did not take long, however, before the ascendance of white racial solidarity diminished this threat. Chapter five on the Jacobites contains a number of noteworthy highlights. First, the legality of transporting Highlanders was shaky, and many prisoners challenged this form of banishment, yet the authorities did it anyway because of the perceived threat. This shows how authorities in a rising state and imperial power in the 18th century could and did stretch the law to secure their homeland and extend their empire. Second, the reprisals against Jacobites were connected to developing policy on transportation in general. And third, Morgan and Rushton refer to an advertisement in a 1751 issue of the *Virginia Gazette* in which someone sought the return of an Irish man, an African slave, and a Scottish rebel, who apparently absconded together. Documentation of interethnic resistance in the colonies is rare and reflects a fascinating undercurrent in American colonial history.

Part two, entitled 'Continuity and change: British North America and the Caribbean', for the most part investigates how authorities in the colonies approached banishment and the degree to which they followed or deviated from developing policy in Britain. Chapter six provides an overview of the various forms of banishment in the colonies, including religious dissenters banished from New England, Virginia colonists captured in Bacon's Rebellion, Native Americans captured and transported to the Caribbean, rebellious or otherwise criminal blacks before and after the American Revolution, and Jamaican Maroons banished to Nova Scotia and elsewhere after the 1795–6 war. The next four chapters provide case studies respectively of the Acadians transported from Nova Scotia during the French and Indian War, Philadelphia Quakers suspected of aiding the British sent to the Virginia frontier in 1777, British military commanders in occupied Charleston sending local elites suspected of possible parole violations to St. Augustine in 1780–1, and the brutal treatment of Jews transported from Dutch St. Eustatius during the British occupation of 1781.

Part two also includes a number of highlights. For one, the authors make the point that while colonial authorities sometimes enthusiastically pursued banishment as a means to deal with unwanted peoples, with few exceptions they did not transport them in the same way the British did because there was no place to send them. It is worth noting, however, that the few cases they do cite where Virginia and South Carolina authorities banished freed or criminal slaves in some ways foreshadowed later developments regarding colonization. That is, as authorities like Jefferson began contemplating emancipation during the early

Republic, they believed that it could only work if the newly freed slaves were transported elsewhere to begin their own colonies. Morgan and Rushton do not investigate colonization, but I wonder if this kind of thought did not have its roots in the episodes they do explore. Chapters eight and nine are the only two that address in detail the victims themselves and what happened to them. In the first case, American authorities played loose and free with the law when they sent Quakers suspected of Loyalism to the Virginia frontier, and in the second case British military commanders in Charleston did the same when they sent rebel leaders to St. Augustine. In both cases, the victims and others produced abundant documentation protesting against the legality of these moves, but it happened anyway. Chapter ten builds on this theme, in what the authors call the 'sordid finale' on St. Eustatius. Here too, British authorities stretched the law against significant protests (including Edmund Burke's speech in Parliament condemning their actions), but these protests were to no avail. Apart from the Quaker group already mentioned, one large group conspicuous by their absence from this study are the Loyalists during the War of American Independence. The forced removal of tens of thousands of people that American authorities viewed as treasonous, including the massive confiscation of their property, seems to fit in with many of the trends discussed in this book.

The book's brief conclusion is very good (so brief and good that it should be read first), as it ties these various cases and developments together and addresses their larger significance. In the early modern era forced labor, exile, judicial banishment, and ethnic cleansing mingled uneasily together. The need to provide 'better peopling' of new territories and homeland security issues led both to the development of new law and the evasion of that law when necessary. Their final statement, 'Migration and exile were fundamental aspects of the traditions of Empire' (p. 235), expresses the importance of these developments well.

At this point I would like to address or even speculate on some of the larger issues which this book raises. First, indentured servitude included a loss of freedom to make a beginning in America, and since the colonial period historians and others have argued for and against the benefits of this practice to the servants themselves. Here, at least in the cases of rebels and religious exiles, it should be considered that the practice was connected to their capture or persecution, which means that the victims hardly considered indentured servitude to be a stepping stone toward success in a new world. Second, this work shows the wider context and deeper roots of the phenomenon of mass convict transportations in the British Empire with which we are familiar. Third, for English authorities transportation was an alternative punishment to whipping or execution. Like the introduction of the guillotine, it may seem brutal now (and in many ways it certainly was), but in the 18th century many people viewed this practice as *humane*. I wonder if or how transportation might be connected to humanitarian impulses in the 18th century. Fourth, the recurrent theme in the book of authorities going beyond the law when treating captives in order to provide for better security during wartime has a current relevance. I wonder how recent, well-known, and recurring examples of this behavior by United States and other governments dealing with captured terrorists may have influenced the writing of this book. Regardless, the book shows how these recent trends have deep roots in Anglo-American history.

Morgan and Rushton argue that their book is an 'Atlantic' study, and I would like to address this idea and Atlanticize their subject even more. They point out that an Atlantic perspective shows that policy on banishment did not reflect political unity on the subject, nor was practice regarding banishment subject to the same law code everywhere. Further, an Atlantic perspective reveals how the major actors at the time developed a view that they were moving people around in their entire empire, and this helps us to better understand their actions. And, the authors note that while banishment and transportation happened in other empires, the British were the largest practitioners, and before the late 18th century their activities were confined to the Atlantic. I agree with all of these points, but wish to point out a number of broader Atlantic questions that their work raises – questions for which I only have a few partial answers.

For example, what was the nature of banishment and criminal transportation elsewhere in the Atlantic World, and how does the Anglo-American experience fit in? Did the increasing integration of the Atlantic World from the 16th century onwards lead toward other Europeans or even Africans shifting away from merely getting rid of unwanted peoples to sending them to someplace where they might be productive and strengthen their respective realms, or the entire Atlantic system? The development of the French penal colony in Cayenne in the 19th century is a well-known example, and Morgan and Rushton make brief

references to the French sending convicts to Louisiana in the early 18th century, as well as to the Portuguese sending convicts to Brazil in the 16th century. There is scattered evidence of German rulers sending convicts to America in the 18th century, and I wonder to what degree their actions were connected to the development of a rational 'Bevölkerungspolitik' in that period. If they believed overpopulation was a problem, territorial rulers would want to get rid of people, because they were a burden to the realm. In such cases, Prussian, Habsburg, and Russian authorities were happy to accept them, because they wanted trustworthy and industrious people in their expanding realms. This is a case in which we must examine interests and motives across empires in order to understand the movement of peoples and the nature of empire itself – something we should also do when studying the Atlantic World. For example, African authorities found it more profitable to send some slaves captured in war into the Middle Passage, in exchange for European trade goods. Although they certainly did not control what happened to the slaves on the other side of the Atlantic, by the 18th century the transatlantic slave trade and their interests and actions within it were so well integrated into the Atlantic system that one wonders if African authorities did not share at least a part of the mentality of British authorities described by Morgan and Rushton.

There are other Atlantic questions one might ask. Morgan and Rushton provide examples of banishment to further empire building that were beyond the law and hidden in or justified by wartime expediency, against the people's desires. Were there non-British examples of this kind of imperial mentality and action? I suspect so. This is not necessarily something that should be tied to early modern Anglo-American notions of liberty and violations thereof. Similarly, did forced labor, exile, judicial banishment, and ethnic cleansing mingle uneasily together elsewhere in the Atlantic world? Were forced migration and exile fundamental to empire elsewhere? Here too I suspect that this was the case, and examining the Anglo-American example in the context of others would also reveal important aspects of the Atlantic World. Some of these questions are perhaps not fully answerable, but this book is valuable among other reasons because it helps to raise them.

Notes

1. See Gwenda Morgan and Peter Rushton, *Eighteenth-Century Criminal Transportation* (London, 2004). Back to (1)

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[1] http://www.history.ac.uk/reviews/item/80906