CHAPTER 6

Indenture, Transportation, and Spiriting: Seventeenth Century English Penal Policy and ‘Superfluous’ Populations¹

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The Atlantic colonies held by England in the seventeenth century meant many things for the state, including a source for resources, a market for manufactured goods, a zone for territorial expansion, a manifestation of success against rivals in the imperial struggle, and also territory for shunting populations that the state deemed undesirable. These unwanted persons consisted of poor vagrants, criminals, and rebels against the state, including the Irish, who were sometimes identified as part of the latter group. By sending these groups abroad as indentured servants, the English government sought, at various times, a cleansing of unwanted populations, a perceived moral redemption for the individuals involved, and a savings in detention expenses. In addition to these motivations for expelling certain populations, a further stimulus for shipping indentured servants was to supply labor to the new colonies in the Atlantic. Yet at the same time, the state also strove, not always successfully, to present itself as exerting impartial justice in the three kingdoms of England, Ireland, and Scotland, and attempted to maintain synchronization of penal solutions to sedition, crime, and poverty in both England and Ireland.

Fairness was intrinsically difficult to achieve because of significant conflicts of interests within the state. The greatest obstacle was the fact that many of the individual contractors involved in shipping servants held influential government offices, and were able to shape public policy to support their private interests. The period of the Interregnum is particularly revealing in this regard, because it demonstrates a shift in public policy from a focus on the removal of populations deemed excess, surplus, or disorderly to a focus on a simultaneous though competing set of imperatives—moral redemption, populating the colonies, and economic profit. Nonetheless, the English government, even during the Interregnum, continued to express uneasiness about its participation in human trafficking, while lacking sufficient political will to halt it.

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During the sixteenth and early seventeenth centuries, overpopulation was a significant concern for the government. A number of authors have discussed the issue of population growth in early modern Britain and the perception of social danger that resulted.\(^2\) Seventeenth century authors frequently addressed their fear that England was inundated with vagrants and the poor. For example, a 1610 pamphlet by Thomas Blenerhasset, a leading planter in Ulster, proposed that England, “overcharged with much people” should colonize Ulster to find room for its “overplus” population.\(^3\) In 1621 colonial entrepreneur Edwin Sandys encouraged plantation in Virginia, claiming that it would allow the “nation to disburden itself” of “the abundance of people.”\(^4\) Writer Gervase Markham urged that jobs in husbandry be found for “waste persons.”\(^5\) Rapid population growth combined with lack of adaptation to the increasingly capitalist economy drove the English government to react to problems such as vagrancy, crime, and the presence of large numbers of “masterless” men and women through a variety of measures during the sixteenth and seventeenth centuries, including the establishment of the Elizabethan poor laws and their periodic modifications.\(^6\) A key provision of the poor laws was forced labor or apprenticeships for indigent youths and the “undeserving poor,” and in the

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