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## Commentary On Gentili: Brigands Do Not Wage War

Piracy, from the beginning of the time, has been a controversial subject historian considered regarding whether the law should be applied to pirates in case of capture, treatment and punishment. Gentili highlights on areas of ethics, directly and indirectly, to argue if pirates are selfish sea bandits or if they are rebels who did not want to conform to society. According to Cicero, pirates are a common enemy of mankind and should not be treated by laws of war since what they are engaging is not war, but acts of brigands (Gentili, 1933). Since laws of war are derived from the law of nations, pirates do not recognize or respect these laws and only work for themselves (Gentili, 1933). One of the greatest heroes in the history of England 'Sir Francis Drake' was knighted by Her Majesty Queen Elizabeth I, and a renowned pirate and privateer ("The voyages", 13).

For Queen Elizabeth I, piracy was the main instrument for the kingdom at that time. Gaining sea power gave the kingdom great success upon plundering Spanish vessels (EMSP 2480/HIST 275, Renaissance Piracy, 37, Jan 30th 2019). The Queen issued letters of marque authorising attacks on any enemy ships; this led to pirates acting as privateers who brought more wealth to the English, but the key problem with this was that the pirates often went beyond the scope of the terms of their contract (EMSP 2480/HIST 275, Renaissance Piracy, 35, Jan 30th 2019). Such violation does highlight claims by Cicero, Pomponius and Baldus (Gentili, 1933), however, voyages under Drake's command had a significant impact on England that time.

[bookmark: \_gjdgxs]During war time, booty gained from piracy was one of the source of funding for war (EMSP 2480/HIST 275, Renaissance Piracy, 35, Jan 30th 2019). Attacking several Spanish and other enemy ships brought more wealth to the Queen. One of Drake's biggest exploits was the capture of Cacafuego (EMSP 2480/HIST 275, Renaissance Piracy, 52, Jan 30th 2019). Drake, an incredible navigator and privateer, was in pursuit of two ships from Callao when they learned of a treasure ship heading to Panama, he and his crew caught up to the Ship and successfully captured it near the Cape of San Francisco ("The voyages", 17). Cacafuego was loaded with silver, gold, jewels, uncoined silver and more, valued at three hundred and sixty thousand pesos ("The voyages", 17).

[bookmark: \_3ymnuhfkknm9]In 1588, when the Spaniards were on their way to seek revenge against Queen Elizabeth with a crew of over two thousand, Drake sailing to the West-Indies, took down few Spanish ships. This attack slowed down the Spanish Armada and delayed their plan to invade England ("The voyages", 21). If Drake and his crew did not attack the Spanish Armada, they might have been successful at invading England and overthrowing the English rule.

Drake as a commander was a compassionate person who had principles. In the readings, he is described as dignified and pious person who respects his crew and does the right thing. While they raided the town of Venta-Cruz, they found abandoned houses and found three Spanish gentlewomen; Drake commanded his own men and Symerons not to harm them ("The voyages", 8). In another incident sailing to Cape Barbas, Drake rejected the offer to traffick an African woman in his encounter with some Natives ("The voyages", 13).

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Pirates and piracy is frowned upon by some historians, lawmakers and the general public, however there are pirates/privateers in the history like Sir Francis Drake who contributed to the welfare of the society and were role models for generations after their death. Therefore, Cicero view of pirates as malefactors and piracy as acts of brigands is a black and white approach that does not do justice to the topic. It is a complex question that requires more of an individualistic approach to view piracy from multiple dimensions.

## **Bibliography**

1. Gentili, Alberico. *De Iure Belli Libri Tres*. Trans. J.C. Rolfe & C. Philipson. Oxford: Clarendon Press, 1933.
2. *The voyages and travels of that renowned captain Sir Francis Drake*. Stamford, Lincolnshire: 1725 EMSP 2480/HIST 275, Renaissance Piracy, 1-88, Jan 30th 2019