The confusion about privateers and pirates results from the ways they have been portrayed in mass media since the 1890s. Awareness of privateering has been largely overshadowed by the romantic depiction of pirates in adventure novels, illustrations and films. Names like Blackbeard, Stede Bonnett, Henry Morgan and Captain Kidd, or tales of buried treasure chests and “pieces of eight” are well known. Even fictional figures like Long John Silver and Captain Jack Sparrow cause us to think of anyone who sails the seas capturing ships for a profit as a “pirate.”

Some pirates, indeed, began their careers as legal privateers and later turned to piracy because the political arena shifted or the profits were just too tempting. Sir Francis Drake is a famous example. With support from Queen Elizabeth I, his success as a privateer helped finance England’s defeat of the Spanish Armada in 1588. In later raids on Spanish possessions, he acted out of a personal hatred of the Spanish and was considered a pirate. Henry Morgan and William Kidd also “crossed the line”, after beginning as privateers, and they are best known today as pirates.

How the enemy portrays the activity also plays a part in perceptions. In 1778, the British press railed against John Paul Jones’ raids on the Irish coast, depicting him as a blood thirsty pirate. From 1801 to 1805—when our Navy fought the corsairs of Tripoli, Tunis and Algeria—we referred to them as “Barbary pirates” although they were legally sanctioned by their governments.

The basic differences between privateers and pirates are:

**Privateers**
1. Operate only in wartime against a defined enemy.
2. Act under license and authority of the government.
3. Must post a bond which they forfeit if they stray outside the law.
4. All captured ships and cargo must be judged as legal prizes by an Admiralty Court.
5. Must provide fair treatment of prisoners and respect all personal property.

**Pirates**
1. Act outside the bounds of international law and custom.
2. Respect no flag and attack any ship, regardless of nationality.
3. Owe allegiance to no nation.
4. Operate independently and entirely for profit.
5. Do not respect personal property, and often terrorize and kill any witnesses to their actions.
6. Know that the universal penalty for piracy is hanging.

**Next:** Joshua Barney and Rossie