

Atlantic Circulations. Literature, Reception and Imperial Identities, 1650–1750

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I came across *Atlantic Circulations* while writing an essay on the production of English colonial legal spaces in seventeenth-century North America, with a specific focus on Virginia plantations (Nicolini 2026). The term ‘plantation’ required an interdisciplinary approach because of the fake gentility it displayed. Usually ‘associated with far-flung, exotic places’ (Canny 1998), its horticultural connotation disguises the very nature of colonial (and capitalist) ventures especially within ‘Anglophone Atlantic contexts’ (2). Indeed, the legal geography of English settlements in North America was built at the expense of the landscape previously created (and inhabited) by Natives. In dispossessing them, and erasing their landscape, the colonisers introduced tremendous changes in the land that reflected their cultural and legal imaginaries.

As the research progressed, I realised that the colonial appropriation of North America was a process of politico-legal invention: the social and cultural beliefs underpinning English law and mentality were pivotal in building up the American plantations. The production of North American agricultural, social and politico-legal landscapes meant navigating through law and geographies but also literary exchanges across the Atlantic. In geographical terms, colonial landscapes also acted as ‘archives’ of situated legal practices (Godden 2019); their aim was ‘to silence or criminalize’ Natives’ perspectives, eulogise the colonial enterprise, distorting ‘them into forms that legitimize the domination, exploitation, and ownership’ engaged in by the English (9). Likewise, literary documents reflected the production of such landscapes through the ‘imaginaries’ especially created for the New World; but they also became imaginary places through which, as Holberton writes, ‘the colonial encounters of the New World, the transatlantic movement and interactions of people from across different parts of the Atlantic Archipelago’ effectively took place (6).

Atlantic Circulations is crucial for understanding these transatlantic interactions. The acts of politico-legal reinvention mentioned above took place also through the exchange of documents, poems and sermons across the Atlantic world. The production of the Anglo-Atlantic imperial identity was, as Holberton vividly stipulates, dominated (at least provisionally) by the ‘impulse . . . to elide the cultural differences between the colony and the metropolis’ (214). To this extent, the New World was shaped by the local reading of texts written and published on the other side of the Pond. Within the context of seventeenth-century England, the major literary drivers were religious pamphlets, sermons and poems, which Holberton examines very carefully. Although the Atlantic colonies were a composite religious and political web, within which all the three

Protestant British Kingdoms (England, Scotland and Ireland) were implicated, it was Anglicanism that pushed for a common politico-legal framework. As the Church of England was the established church of the mother country, it followed that ‘Episcopal liturgies and festive calendars . . . [converged] to create a British “transatlantic communion”’ (217; the quotation is from Parish 2017, 49). The unified theme was indeed the ‘westward Protestant expansion’ (210). Imperial identity was forged on the back of Protestantism.

No wonder, therefore, that Holberton’s book begins by commenting on the Atlantic circulation of George Herbert’s prophecy conveyed in *The Church Militant* (1625). Atlantic politico-legal imaginaries can indeed be understood only in the light of the religious fervour and militant Protestantism which pushed for the Westward Enterprise and the creation of English colonies in America – albeit also of Scottish ones, as the failure of the Darien scheme (1698–1700) demonstrates. It was a widespread belief that the Christian religion was entering a phase of decadence even in England: ‘Religion stands on tip-toe in our land, / Readie to passe to the American strand’ (as Herbert wrote in lines, 235–36). Hence, ‘Shall Religion to America flee: / They have their times of Gospel, ev’n as we’ (lines 296–97).

Herbert’s reception in the colonies was widespread. ‘I write the Wonders of the Christian Religion, flying from the Depravations of *Europe*, to the American Strand’, we find in the preface to Cotton Mather’s *Magnalia Christi Americana* (1702). Similar predicaments can be found, among others, in Francis Higginson’s *New-England Plantation* (1630) and Edward Johnson’s *Wonder-Working Providence* (1654). ‘*The Temple* was one of the most widely read books of poetry in colonial New England’, Holberton explains, because ‘New England writers found here a proleptic endorsement . . . of their colonial enterprise’ (22). Such a resonance is amply examined in Chapter 1 (‘Readie to Passe to the *American Strand*: Herbert’s *The Temple*, Anne Bradstreet and Edward Taylor’), which examines how Herbert nurtured local poets and Puritans (Anne Bradstreet emigrated in 1630 on Winthrop’s ship; Edward Taylor was a minister). Herbert’s prophecy was reread so as to uphold the political, constitutional and religious foundations of the English colonies in a land ‘providentially reserved for the settlers’ by God (26), where plantations were ‘divinely ordained’ (28).

References to Puritan political and constitutional theology makes this book explicitly relevant for lawyers. *Atlantic Circulations* has ample generative potential for thinking about how political thought infiltrates the realm of the law. This is a book on politico-literary interactions and pollination in the period of time (1650–1750) during which England underwent several regime changes, with the Civil War, the Interregnum, the Restoration, the Glorious Revolution and the Union with Scotland – that is, with a vast array of politico-legal ideas and constitutional solutions and regimes. Likewise, the Empire was still in its infancy: it was not yet ‘a singular unit organized by law and government’; rather, it was a constellation of communities, triggering ‘polycentric and hybridizing dynamics of archipelagic culture’ within contexts ‘which often do not align with the perspectives of metropolitan centre or colonial periphery’ (4, 2).

As legal scholars, we are used to probing the utility of metaphors: legal and literary fluxes, transplants and pollination intersect in Holberton’s book with a further metaphor, namely the idea of oceanic ‘circulations’ as large-scale movements of waters (often circular, as in the case of the Gulf stream) in the ocean basins. In the history of ideas, the connection between legal and literary circulations runs deeper into history and culture, also offering insights for understanding the meaning of law. To this extent, literature is *always* essential reading for lawyers, because it sheds light on how legal and literary currents have let themselves be carried along by oceanic currents towards new shores. Perhaps most striking of all, the act of diving into the depths of the oceans often undermines deep-seated assumptions. Take the Cape Colony, which the Dutch founded as a halfway supply base on the sea route to the East Indies. There, the reception of Roman-Dutch law did not follow the conventional routes (i.e. from the metropolis to the periphery) but a more mixed one: ‘Roman-Dutch legal literature was obtained via the Dutch territories in Asia and Cape students studying at the Dutch University of Leiden’ (Van der Merwe

2012, 93), mimicking that polycentric and hybridising dynamics of archipelagic culture that is at the heart of Holberton's *Atlantic Circulations*. To this extent, Holberton's idea of archipelagic culture differs from the one that John Kerrigan outlined in his *Archipelagic English* (2008). The circulations Holberton has in mind extend considerably beyond the British Isles, which are located within a broader archipelago that stretches over the Atlantic and encompasses the North American Colonies.

This is precisely the type of analysis Holberton's undertakes in several chapters when examining the Atlantic circulations of political ideas in the aftermath of the Glorious Revolution. Chapter 3 ('Reading the Revolution in Ulster and Maryland: William Trail's Miscellany, 1679–1690') focuses on the *circular* circulations of both Rev. William Trail (a Presbyterian) and his writings from Edinburgh to Amsterdam, from London to Ulster, Maryland and Scotland. The fear of Catholic conspiracies created an archipelagic juncture between England, Ireland, Scotland, and New England as regards imperial identity, Anglicanism and bonds of Union. Likewise, Chapter 4 ('Scotland in the Atlantic World: Literary Responses to the Darien Crisis') charts the politico-legal and religious implications of Presbyterian theology as regards Scotland's place in the Protestant Atlantic World. The influence of compactual theories and the setting up public corporations (The Company of Scotland Trading to Africa and the Indies, licensed by the Scottish Parliament in 1665) culminated in the attempt to set up a Scottish colony on the isthmus of Panama. The Darien enterprise failed also because of the lack of support from William III and the English establishment. This fourth chapter is also a literary analysis of Scottish ecclesiastical law, the related imaginaries upholding the covenantal relationship between God and Presbyterianism, as well as the multiple loyalties Scotland had with the monarch, God and her own community.

Chapter 5 ('The Commercial Atlantic. John Dunton's 'A Summer's Ramble' and Daniel Defoe's *Robinson Crusoe*') reverses the Atlantic circulations and 'the comparative perspective to explore the reception of colonial writing in England' (99). Through Dunton and Defoe, the relationships between Atlantic colonies and England are assessed by taking into account all the (economic, commercial, trade-related) implications functional to forging imperial identity, as well as common polite culture and taste on both sides of the Atlantic. 'Polite reading' was made up of sermons, newspapers and novels (such as Defoe's *Robinson Crusoe*), thereby reflecting capitalism as the organising theme of Anglo-British political communities in the seventeenth and eighteenth centuries. Legally speaking, this commodifying state of mind was on the verge of becoming an enthralling organising theme for the Anglo-British Empire. English-law attentiveness to private interests was well equipped. From the seventeenth century onwards, the processes of capital coding turned out to be linked to 'the potential of colonies to develop as markets and an expansive sense of the civilizing potential of conversation' (117).

The *Atlantic Circulations* chartered by Holberton are of the utmost importance to legal scholars, as they disclose new perspectives and interpretive strategies helping them to respond to contingencies (such as the 1688–89 Revolution) in ways that fit the legal system within which they operate. Likewise, the book assists lawyers in rethinking legal imaginaries in response to the novel circumstances posed by the Revolution. Chapter 6 ('Milton and Toleration in the Early Eighteenth-Century Atlantic World: Cotton Mather, Benjamin Franklin, and Benjamin Lay') goes straight to the point: if Milton's *Paradise Lost* was both the cornerstone of Protestant culture and freedom of conscience, how could its reception explain the tensions between colonial Protestantism, religious pluralism and toleration in the colonies? Again, the book engages with the idea of Atlantic and Protestant identity and offers a close reading of the 1689 Toleration Act, Milton's masterpiece and anti-Catholicism. *Paradise Lost* supplied 'contradictory arguments concerning the political and civil implications of British Protestantism', which were amplified by the archipelagic, not to say fragmented and polycentric, Anglophone Atlantic (158): Milton possessed the politico-legal imagination Cotton Mather needed to assert American Protestant identity in *Magnalia Christi Americana*. And the same is valid for Welsh settlers in the colonies;

through the ‘Society of Ancient Britons’ they tried to protect their Anglican identity and language in the colonies; likewise, Milton helped deists (like Franklin) and Quakers (like Lay) to shape the mentality and materiality of their communities. A similar approach is to be found in Chapters 7 (*The Barbados Gazette* and the Lyrics of Martha Fowke Sansom) and 8 (‘James Thomson’s *The Seasons*, British Union, and the Empire of the Seas’). Both navigate the Atlantic *à la recherche* of Great Britain’s legal claims to her ‘well-earn’d empire of the deep’ vis à vis the ‘lawless force’ of Catholic Spain (Thompson 1730, 50 and 197).

Atlantic Circulations has, as noted above, generative potential for thinking about and researching law. This is patent in terms of legal history – and especially colonial legal history. But, also, in terms of comparative law; owing to its critical approach, the book is interested in detecting the non-legal variables that underpin and shape the realm of the law. Transplanting, exchanging and reading texts has indeed always been coupled with ‘legal capital’ – that is, the importation of the social and cultural beliefs underpinning the law and its mentality. Holberton illustrates precisely this point: as far as the Atlantic imagination is concerned, his book teaches us how ‘to construct a world of legal meaning out of the events, actions and subjects, of social life’ (Offutt 2005, 60) taking place across the Atlantic.

As lawyers, we can learn several lessons from Holberton. First and foremost, the book teaches us to develop sensitivity and imagination when gaining understanding of the legal world through literary texts, styles and debates on identity, because all of them reflect the culture-specific contexts that nurtured the Atlantic imaginaries in past centuries. The book enhances our sensitivity and methodological pluralism, reinforcing cultural competences by privileging a contextualised approach to legal studies, avoiding ‘bracketing’, and constructing a formalistic ‘boundary within which interactions take place more or less independently of their surrounding context’ (Blomley 2015, 169). Instead of merely reading literature by way of literary criticism, *Atlantic Circulations* invites us to *read the law through literature* and literary exchanges to grasp the world as a place of situated legal practices.

This is, at least in my opinion, the take-home message: Holberton’s navigation through oceanic streams helps us to enhance our methodological pluralism because it sheds light on the deep connections between the legal and the literary. *Atlantic Circulations* meaningfully reflects the diverse communitarian commitments, disagreements, ambiguities and contradictions emerging from the polycentric directions taken by the literary and legal oceanic circulations still affecting us on either side of the Atlantic.

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