Alien/Stranger

In 1771, the English jurist and Tory politician William Blackstone concluded that the people of England could be split into two distinct legal groups: ‘Aliens, that is, born out of the Dominions, or Allegiance of the crown of Great Britain; or Natives, that is, born within it’.1 Blackstone’s mid-eighteenth-century binary division of natives and foreign-born aliens, also known as ‘strangers’, had a long tradition dating back to the fourteenth century. This division was based on the difference between a native-born ‘natural and perpetual’ allegiance to the monarch, and an alien’s ‘local and temporal’ rights and allegiance.2 In early modern England, aliens and strangers were defined by their status as foreign-born national residents. Unless endenized or naturalised, they owed their allegiance to someone other than the English monarch. However, this distinction became increasingly troubled over the course of the sixteenth and seventeenth centuries, as the number of migrants into England increased as English commerce grew and religious groups fled persecution and conflict in France, Germany, and the Low Countries.

First used in the 1380s, ‘alien’ is the older of the two words. It defined someone from another family or place, or who owed their allegiance to a foreign country. In his translation of the Vulgate Bible into Middle English, John Wycliffe saw the alien ‘other’ as a negative influence on the religious life of an individual, translating Genesis 35:2 as an order: ‘Do away with alien god’. Likewise, Psalm 18:13 illustrated a believer’s desire to ‘Make thou me cleene for my privy synnes; and of alien synnes’, while in the apocryphal 2 Esdras, Solomon was beguiled to sin by ‘alien wymmen’.3 In 1387, the English chronicler and Benedictine monk Ranulf Higden wrote that ‘No man suffer gladly an alien lord’; his observation signalled the word taking on a legal significance, so that by the sixteenth century it largely served to distinguish subjects and non-subjects on legal grounds.4

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Similar to ‘alien’, ‘stranger’ became used in the middle of the fifteenth century to denote an individual from one country who resided in another, originating from the old French *etrangier*, an outsider. As one fifteenth-century Scottish chronicler wrote of St. Machor, ‘God mad hym to rest syn in france, in toron, til honouryt be, set þare a strangere was he’. The word continued to be used in the same manner into the sixteenth and seventeenth centuries, and ‘alien’ and ‘stranger’ often functioned interchangeably to denote foreign status. In 1504, Parliament declared that ‘no spirituell persone ne straunger aleyne be chargeable’ for new taxes upon their land or chattels being raised for the Crown, although unlike naturalised subjects they would continue to pay for ‘such goodis and chattles as they be chargeable with to the fifteneths and tenthes’. Quoting St. Augustine, the translators of the 1611 King James Bible wrote: ‘A man had rather be with his dog than with a stranger (whose tongue is strange unto him)’. In 1651, Thomas Hobbes went one step further, clearly defining the markers of a stranger as being ‘not used to live under the same government, nor speaking the same language’.

Alien groups, especially Huguenots from France and the Low Countries, ‘became England's first minority of real significance in terms of size’, settling in towns and cities across England. Like other groups, Huguenots received a mixed reception from English authorities and local communities. Protestants celebrated their co-religionists’ escape from persecution, but often related migrants’ ‘alienness’ to their perceived threat against domestic economic stability. Many Huguenots were highly trained artisans who brought with them new professional skills that threatened to undercut the trade of city livery companies. Ian Archer has pointed out that aliens and strangers were resented in London for not only competing in ‘the same market-place’ as English artisans, but for evading ‘company regulations’, and they were accused of producing ‘substandard goods’. Anne Kershen describes how once ‘industrious and necessitous’ migrants settled in England, they eventually

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posed ‘an economic threat to the labour market’.11 English response to that perceived threat led to the development of a ‘xenophobic vocabulary’ that conflated economic anxiety with cultural unease about their ‘strangeness’ in language, religion, dress, and diet.12 The mixed reception from local communities in England was mirrored by that of national and local authorities who sought to both protect and regulate against foreign-born individuals. In many cases, the negative response to strangers and aliens was a combination of fear, jealousy, and mistrust, leading to legislative, political, and even physical persecution.

Fleeing the religious conflicts that ravaged continental Europe during the early seventeenth century, strangers and aliens came to England in substantial numbers in the hope of settling peaceably. They were, however, frequently met with hostility. Following the May Day riot in 1517, the humanist Thomas More acknowledged the tension within English society caused by negative perceptions of European migrants. Its continuing presence in collective memory was evident almost a century later in the play-text of The Booke of Sir Thomas More (c. 1603/04), written collaboratively by Anthony Munday and others. In a speech that is widely attributed to William Shakespeare, More chastises the aggressive anti-migrant rioters who wished to ‘put down strangers, Kill them, cut their throats, possess their houses’. ‘[W]ither would you go?’ the character of More asks the tumultuous crowd, in a reversal of the usual anti-immigration rhetoric.13 Shakespeare’s More highlighted the plight of the migrant by inviting the English audience to engage in an act of collective empathy by imagining if they, as strangers, ‘would you be pleas’d / To find a nation of such barbarous temper’.14 Henry Finch used a similar rhetoric during a parliamentary speech in 1593 where he reminded his fellow MPs of the plight of Protestants who fled England during the reign of Mary I. According to Finch, ‘in the days of Queen Mary, when our Cause was as theirs is now’ other nations granted English Protestants sanctuary, yet ‘now we seek to deny them’.15 Like More, Finch concluded that English people needed to remember that they ‘are strangers now, we may be

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12 Ibid.
14 Ibid.
strangers hereafter’, and so ‘let us do as we would be done unto’. Despite emphatic pleas on the stage, in Parliament, and in print, anti-stranger sentiment founded in economic hardship and an evolving sense of Englishness continued into the seventeenth century. Petitions to the Cromwellian state from ‘poore protestant Strangers’ echo those delivered almost a century before. Strangers, who ‘having no librtye to exercize the Protestant Religion in theyr native Countrye they fled into England’, desperately sought state protection so that ‘they may be freed from the violence’ that many English subjects directed towards them.17

The English conceptualised ‘alien’ and ‘stranger’ in both temporal and spiritual terms. While an ‘alien’ was legally a national outsider, a spiritual ‘alien’ was someone estranged or made foreign to God through their ‘erroneous’ faith and religious practices. The spiritual stranger, like the spiritual foreigner, was a popular motif throughout the early modern period. This pitted Protestants against non-Protestants, but it also emphasised the Protestant, particularly Calvinist, doctrine that sin made all foreign to God. A spiritual foreigner could only be naturalised through redemption and conversion. Ephesians 2:19 states that ‘[n]ow ye are no more strangers and foreigners: but citizens with the Saints, and of the household of God’, and became a popular verse to illustrate the status of a spiritual stranger, and their transition through conversion into citizens of God.18

Jewish people were particularly targeted for being spiritual aliens by English writers, who through contorted theological argument believed they were ‘aliens from the common-wealth of Israel’.19 Unlike Catholics who were considered ‘spiritual foreigners’ even when born in England, Jews represented a different perspective that highlighted the merging of national and religious strangeness. The Jewish faith not only represented a religious difference from Protestant/Christian English people, but a national difference, as Jews were thought to constitute their own nation. This blurred line between religious and national allegiance rendered English authorities uneasy about the presence of Jews and Catholics in the nation. Considered

16 Oldenburg, Alien Albion, p. 165.
17 ‘Petition of the French and Dutch Protestant strangers in or near Hatfield Chace level, in Co[untie]s York, Lincoln, and Notts, to the Protector’, 15 April 1656, Kew, The National Archives, SP 18/126, f. 159.
'Strangers to the Covenant' of the nation and the Church, Jews in England faced suspicion and often had their loyalty questioned, frequently leading to persecution. An 'alien', then, was often a temporal as well as a spiritual stranger. Given the interrelation between Protestantism and the post-Reformation English state, an individual's foreignness therefore became magnified and refracted in several ways.

Governing officials often perceived strangers and aliens as intruders. Elizabeth I’s successor, James VI of Scotland, represented an alien threat to many English officials who saw his succession to the English throne as hazardous to the country’s socio-political stability. Robert Persons, an English Jesuit priest, was one of the most vocal critics of James’s succession to the English Crown. In a subversive tract concerning issues of succession, Persons critiqued the legal weaknesses of James’s claim to the throne, and warned that if the ‘alien’ Scottish monarch was allowed to take the English throne, England could be thrown into instability, leading to a conflict not dissimilar to the War of the Roses. According to Persons, James was ‘excluded by the common lawes of Ingland from succession to the crowne’ for being foreign-born, and the ‘said lawes do bar al strangers borne out of the realme, to inherite’. To Persons, James was legally excluded from inheriting land or property within the country, let alone the throne. However, Persons’s claim that James, as a stranger, was barred from claiming the throne was a radical and uncommon position. On the eve of James’s coronation, Andrew Willet, a clergyman and controversialist, proclaimed that since James was of ‘the same religion’, he was ‘no forrainer’. Moreover, Willet biblically reinforced James’s rights to the English throne, reminding his readers that God had given Israel ‘no stranger to reign over them’ but ‘one of their owne kinred’, for the ‘Lord hath raised unto us a Soveraigne descended of Davids stocke [...] a prince of the same language, of the Island, of the English royall blood’. Here, religion and dynastic pedigree outweighed issues of the soil that often played into disputes over foreignness.

The succession of James I to the English Crown sparked a lively debate about the right of an alien Scottish monarch to inherit the English throne, but also wider questions about the status and rights of other aliens and strangers from Scotland and further afield. In the years following James’s
coronation, the debate on the rights of aliens and strangers intensified. Often returning to classical or biblical precedents, writers sought to highlight how strangers and aliens had always endangered society. Nathaniel Carpenter declared that ‘strangers amongst the Romans’ were called ‘enemies’ whilst the religious radical, John Saltmarsh, used the biblical example of Pharaoh to caution against dealing too ‘cruelly with strangers’, arguing that ‘aliens or forraigners multiply and grow numerous and potent besides you, you may have a vigilant eye upon them’. The heightened awareness of strangers and aliens described by Carpenter and Saltmarsh in the 1630s was in part a reaction to religious migration from Europe, and to Scottish migration following James’s arrival into England.

Not everyone agreed with Carpenter and Saltmarsh’s sentiments concerning the reception and position of strangers and aliens in England. In a speech to Parliament advocating the naturalisation of Scottish subjects, King James’s jurist, Francis Bacon, outlined the various degrees of aliens and their status in England. The first degree contained an ‘alien borne under a King, or State, that is enemy’, who were offered no protection whilst in the country. The second degree involved an ‘alien that is born under the faith and allegiance of a King or state, that is a friend’, and for whom ‘the Law doth impart a great benefit and protection’. However, Bacon noted that many Scots born after the coronation of James in 1603, also known as postnati, were not ‘aliens as the rest’. The distinction between the subject postnati and the alien status of those born prior to James’s coronation, the antinati, was legally enforced following the outcome of what came to be known as ‘Calvin’s Case’ in 1608.

Calvin’s Case brought an intense debate over the legal status and rights of individuals in the British Isles, one that had been complicated by the Union of the Crowns in 1603. The case deliberated whether the three-year-old Robert Calvin (actually called James Colville), born in Scotland of Scottish parents, could inherit property in London under English common law. The judges decided that postnati had the legal right under English law to be considered

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26 Ibid., p. 18.
27 Ibid., p. 17.
28 *The Case of the Postnati* (1608), 7 Coke Report 1a, 77 ER.
naturalised English subjects owing their allegiance to both the Scottish and English crowns. The *antinati*, however, were still considered aliens. At the same time as not sharing that same legal status as English subjects, ‘an Alien’ was still bound by allegiance to conform ‘to the Laws, and an obligation not to attempt anything against the King’.\(^\text{29}\) Although still suspicious of aliens and strangers at the end of the seventeenth century, English authorities had attempted to legally bind them in a form of allegiance to the state. By doing so, they reconciled some of the fears that had been raised over the century concerning the presence of aliens and strangers and the threat they posed to the stability of English society.

In essence, English authorities attempted to bind aliens and strangers in allegiance by either naturalising or conferring the status of ‘denizen’ upon them. The immediate distinction between the two statuses was that an act of naturalisation was passed and granted by Parliament, whereas denization was granted to individual – and occasionally groups of – migrants by the Crown. As today, naturalisation comprehensively provided a migrant with a full set of rights as an English subject. On the other hand, the rights bestowed through denization were limited to enjoying ‘al priviledges as an Englishman’, while still having to ‘paye customes and divers other things as aliens doe &c’.\(^\text{30}\) Although denizens paid homage and swore allegiance to the monarch, they, unlike naturalised strangers and aliens, remained aliens by birth and were prohibited by law from inheriting and bequeathing land to any children born before they were endenizened.

Another factor in the development of English perceptions of alien and stranger identities was the expansion of English global commerce. The difficulties around legally regulating transnational identities are evident in a legal case that baffled several lawyers in London during Cromwell’s protectorate. A case from the 1650s involved the inheritance rights and alien status of the children of a surgeon, David Salter, who had travelled to the island of St. Christopher’s (St. Kitt’s) in the West Indies, ‘an Iland wholie under the government of the late king Charles and now under the States of England and wholie inhabited by English people’.\(^\text{31}\) Whilst there, David Salter married an Englishwoman from Gloucestershire. The couple had a daughter, Elizabeth, on the island, but also a son (David) on their return

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29 Theophilius Downes, *A discourse concerning the signification of allegiance, as it is to be understood in the new oath of allegiance* (London, 1689; Wing D2082), p. 8.
31 ‘Legal case regarding inheritance of David Salter’s heirs’, c. 1650s, Washington D.C., Folger Shakespeare Library, MS X.d.564.
voyage to England. David was born in Holland, where the family stopped ‘to make sale of some com[m]odities: and there fore [the son] was an Alien borne’.32 In England, the grandfather of Elizabeth and David left Elizabeth the ‘land and a legacie in money as freelie as if shee had bin a native and borne in London’.33 To him, Elizabeth’s birth in an English colony in the Caribbean made her legally entitled to the rights of an English woman, whereas the younger David, born in Holland, ‘was an Alien borne’.34 Reviewing the case, the lawyer Orlando Bridgeman concluded that ‘neither of the children [...] are Aliens: But if the sonne were an Alien: the Devise is good: and neither the sonne nor the Com[m]on wealthe have anie right against the Devises’.35 Notes on the case suggest Elizabeth’s brother pressed a suit, but the outcome is unknown.

Commercial expansion in this period also brought substantial numbers of non-English merchants into England. Like other alien communities, ‘merchant strangers’ were perceived as having negative and positive influences on English society, some suggesting they deprived England of trade and others claiming such commerce encouraged lucrative growth.36 In 1689 the East India Company merchant, governor, and politician Josiah Child advocated the extension of greater freedoms to merchant strangers. Child proposed following Dutch trading practices towards aliens and foreigners as a means of encouraging English trade: ‘if all Strangers had free Liberty to enter into any of our Incorporated foreign trades’ like the Dutch, ‘it would greatly increase our Trade, and improve the value of the Land’.37 Child was not the first to advocate the adoption of Dutch commercial practices. Some 27 years earlier, an anonymous author praised Holland for offering ‘great freedom [...] to all strangers’, relating this to how the Dutch had grown ‘so potent in Trade and Wealth beyond other Nations’.38

The political writer Roger Coke noted how the lack of liberty afforded to merchant strangers or aliens placed undue constraint on trade, highlighting that Parliament had attempted to rectify this by giving ‘Liberty to bring in a Bill for a General Naturalization of all Alien Protestants, and allowing

32 Ibid.
33 Ibid.
34 Ibid.
35 Ibid.
36 Ephemeris parliamentaria (London, 1654; Wing F2422), p. 142.
37 Josiah Child, A discourse concerning trade (London, 1689; Wing D1590), p. 5.
38 Short notes and observations drawn from the present decaying condition of this kingdom in point of trade, laid down in twelve particulars (London, 1662; Wing S3608A), p. 5.
them Liberty to Exercise their Trades in all Corporations'. 39 Many advocated
‘naturalising Aliens’ in order to encourage merchants ‘to come hither, to
bring their Stocks, their Wealth, their Trading, their Manufactures hither’. 40
English manufacturers often aggressively opposed this position. If English
manufacturing was ‘delivered ever to Aliens’, this would leave the ‘English
impoverish’d’ and their jobs given to ‘Strangers’ who had beaten Englishmen
and women ‘out of their Trade, and eaten them out of their Country’. 41
Lawmakers were so concerned that alien commodities were undermining
the economy that during the Interregnum, they sought aggressively to
curtail aliens from importing commodities into the country. The Navigation
Acts increasingly narrowed the definition of ‘Alien’s Goods’, eventually
specifying that any ship that did not belong to ‘England, Ireland, Wales or
Town of Berwick upon Tweed’ and ‘navigated with mariners thereof’ would
‘pay all Customs and duties’ to the Crown and the town and port. 42 It was
also argued that the primary reason against establishing a bank for the
naturalisation and denization of aliens and strangers was that ‘the advancing
Aliens in Riches and Honour’ led to ‘impoverishing the native Subjects’. 43
Debates concerning the rights afforded to stranger and alien commercial
communities continued well into the eighteenth century. By this point,
however, the place of commerce in English society was firmly established,
as was the role of merchants and aliens in its continued growth. This came
to be accepted as a response to the English appetite for foreign goods. In an
almost defeatist tone, the merchant and politician John Pread observed in
1695 how ‘Alien Impositions are so much greater than ours on Exportation’
because ‘to our unnatural shame’, the English were ‘more inclined to Alien
Commodities, than Aliens are to ours’. 44

The growing reputation of England as a destination for religious migrants
made aliens and strangers increasingly common in Tudor and Stuart society.
As the numbers of aliens and strangers migrating into England increased over
the sixteenth and seventeenth centuries, English authorities had a mixed

39 Roger Coke, Reflections upon the East-Indy and Royal African Companies with animadversions,
concerning the naturalizing of foreigners (London, 1695; Wing C4980), p. 16.
40 Sundry considerations touching naturalization of aliens (London, 1695; Wing S6178), p. 3.
41 Ibid., p. 9.
42 ‘Act for the Encourageing and increasing of Shipping and Navigation’, 1660, 12 Car. II c. 18.
43 Reasons humbly offered against the clause intended in the act for the establishing the land-bank
for denizing or naturalizing of all aliens that shall subscribe 500 l. to the said bank (London, 1695;
Wing R527) [single sheet].
44 John Pread, An essay on the coin and commerce of the kingdom trade and treasure (which are
twins) being the only supporters thereof next to religion and justice (London, 1695; Wing P3163A),
p. 20.
response to their presence. Their status as foreign-born nationals raised serious questions about allegiance. Unless made a denizen or naturalised, English officials often felt threatened by their presence. Similarly, national and parish authorities, conscious of local opinion, often legislated to regulate foreign-born individuals in certain professions. Migrant women in particular faced the hurdle of being neither ‘native’ nor male, their citizenship or sense of belonging usually occurring through their association with their husbands or male kin. While English men and women often expressed sympathy for the plights of Protestant strangers and aliens, they also responded to the presence of migrants with fear, jealousy, and xenophobia, resulting in inconsistent social, legal, and political responses to strangers throughout the early modern period.

Related keywords: denizen, foreigner, merchant, native, subject