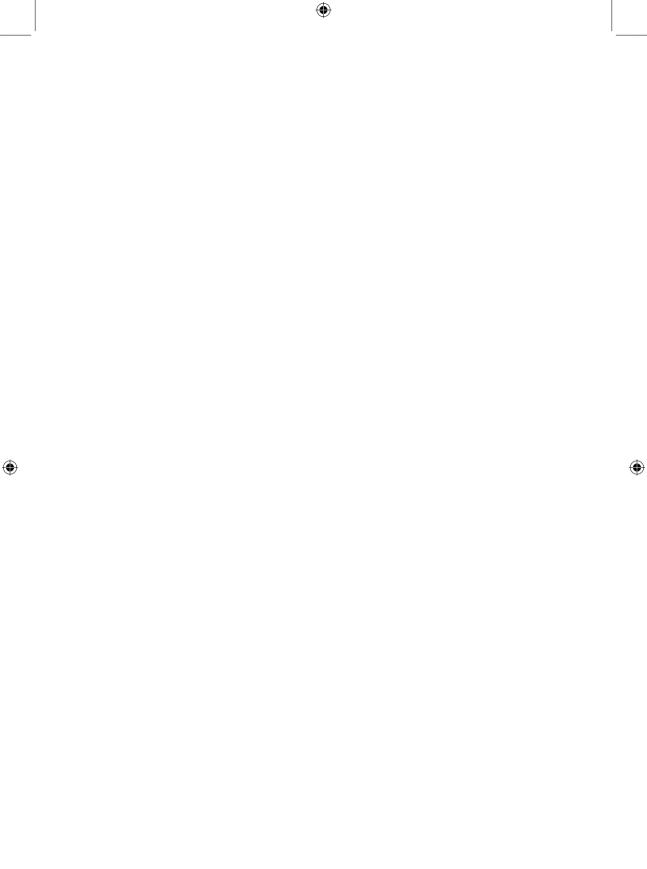# PART 1

Introduction

1

Pirates, Ports and Coasts in Asia

John Kleinen and Manon Osseweijer

INTRODUCTION

War, trade, and piracy. Three in one, indivisible: Goethe's *Faust's* well known complaint about the English of the seventeenth and eighteenth centuries indicates the contemporaneous, ambiguous use of the term "piracy" which parallels the way the term "terrorist" is employed nowadays.

The limited distance between rulers and pirates is still hailed in the romantic invention of tradition story, now eternalized in musicals and Holywood representations, written by William Schwenck Gilbert and Arthur Sullivan's *The Pirates of Penzance* (1879):

> When I sally forth to seek my prey
> I help myself in a royal way.
> I sink a few more ships, it's true,
> Than a well-bred monarch ought to do;
> But many a king on a first-class throne,
> If he wants to call his crown his own,
> Must manage somehow to get through
> More dirty work than ever I do.

The French consequently stigmatized their nationalistically inspired adversaries in colonial Vietnam as "pirates", with not the slightest reference to the sea. Piracy is often used in the same breath as "robbery" and "raiding", but they are not necessarily the same.

The terms "robbery" and "raiding" are not always confined to the high seas, but are also used when where human security is threatened in terrestrial areas by the absence of the monopoly of violence in the hands of a single ruler. For a long time, piracy was the extreme instance of marginal coastal and maritime livelihoods and hence assumed a pivotal position in attempts

to understand many of the complexities present in coastal and marine settings. Piracy, although it is the most dramatic of marginal(ized) maritime livelihoods available, is just one of the many illegal uses to which the sea can be put, the others being for example, drug smuggling and trafficking in human beings.

Many maritime coastal zones and their hinterlands in Asia started out as frontier societies in which all kinds of illicit and semi-legal activities took place. The political economy of the South China coast, for example, was historically based on an intrinsic cohabitation of rulers, peasants, fisher people, and the "froth of the sea", as pirates were known in those days.

Coastal zones are boundary areas, places of contestation, and cross-fertilization. They are naturally and socially marginal spaces in that they serve to demarcate the limit between sea and land, and the site of contact between cultures. Because of these factors, in contemporary times they have become highly desirable places and consequently areas subject to great social and ecological pressures.

Ports where the loading and unloading of shipments of people and cargo, as well as business transactions, trading, and provisioning, are taking place, are located in these coastal zones. Therefore it is necessary to investigate how port authorities have been operating, combating, condoning, or perhaps even encouraging different forms of piracy and smuggling. Whereas, in certain situations in the past, ports or port towns may have acted as pirate headquarters, in many cases they have also served as places of refuge for the vessels attacked by pirates. The port authorities in East and Southeast Asian ports have been the organizations designated to manage the ports and deal with the suppression of piracy, in cooperation with such (para)-military organizations as the navy and coastguards. Sea ports are also nodes in an emergent world system, and, despite globalization and the liberalization of trade, they are also the markers through which people and goods are controlled. They serve a dual purpose as physical bottlenecks for legitimating a geographical territory, and as identification and interdiction of prohibited commodities and people (see also Heyman 2004).

Social Science Perspective

From a social science point of view, maritime piracy, unlike maritime terrorism, can be regarded as one of many so-called "grey-area" phenomena in Asia. This term borrowed from political scientist Peter Chalk (1997) indicates a "parallel underground economy", comparable with other

"grey-area" activities in the socio-economic context of the coastal zone. Like smuggling, trafficking of goods and people, gambling, prostitution, and petty crimes on land, piracy is also pursued in a more or less organized form (Chalk 1997, pp. 15–16). The upshot is that maritime piracy is placed in the context of diminishing human security in the coastal zones of a number of Asian countries. Increasingly, these zones are being distinguished by environmental degradation, high unemployment rates, and livelihoods dependent on government development programme, which places them under a mounting threat of social problems (crime, prostitution). They are an outgrowth of compensation paid out by (inter)national companies to exploit natural resources (mining, overfishing), or by booming industries (tourism, manufacturing, electronics) which rely on migrant workers. Viewed from this angle, piracy is truly an economic activity whether it be a business concerned with the transportation and distribution or their production. Therefore, in this context, piracy is only one of the many criminal or semi-legal activities in a socio-economic context of a coastal zone, where it is often haphazardly linked to smuggling, trafficking of goods and people, gambling, prostitution, and petty crimes on land. All these activities are carried out in a more or less organized form, but the question remains as to how these activities should be studied and evaluated in the conceptual and material context of a modern nation state.

The recent developments in Somalia showed that the combination of a failed state and the protection of nation-states that serve as local policemen explains the possible motivations of the pirates in the Horn of Africa. The illegal fishing by the West and the dumping of toxic waste in Somali waters are not the only factors at play here. Military bases of the Ethiopian army, a force that is protected by the United States, serve as the recipients of the loot of the Somali pirates. In fact the militant Islamists have repeatedly denounced piracy as an offense to Islam. The question remains who else outside the pirates themselves is interested in the captured spoils of the sea?

Maritime terrorism and maritime piracy may be related phenomena in Asia, but there is no clear proof of a direct link between the two. Maritime piracy turns out to be an element in what was imaginatively called the "tapestry of maritime threats": degradation of coastal inhabitants, pollution of marine environments, illegal fishing, and smuggling. Yet, social scientists still need to understand the knots in this tapestry fully. When undertaking this type of work, researchers should bear in mind that their purposes and priorities fall under the purview of academic research, and not those of Southeast Asian governments or organizations such as the International

Maritime Bureau (IMB). There is an urgent need for research into the human dimension of maritime piracy, the pirates, and their socio-economic context or background in order to understand the situation completely.

So far, where research on contemporary piracy has been concerned, there has been a tendency to overstate the issue on the basis of sufficient evidence (basically the figures the IMB and its U.N. counterpart, the International Maritime Organization [IMO]). In many cases, the absence of thorough research may have led to such a romanticization and a consequent misunderstanding of piracy that "fiction" has overtaken reality. This is not a reason to underestimate the difficulty in undertaking research on pirates. As the American scholar Dian H. Murray (2002, p. 257) has aptly noted, "like other groups for whom written records are anathema, detailed information on pirates and their lives is difficult to come by". And she adds "what pirate would want to keep written accounts of activities which, if the records should fall into government hands, would automatically convict them?"

Conference in Shanghai

This volume is the fourth instalment in the Series on Maritime Issues and Piracy in Asia, a joint collaboration between The International Institute for Asian Studies (IIAS) and the Institute of Southeast Asian Studies (ISEAS) in Singapore. As Graham Gerard Ong-Webb has stated in the second volume, it is hoped the workshops and books will provide "an overview of the current knowledge and key themes in piracy studies vis-à-vis Southeast Asia, in order to provide a reference resource for those working on the topic" (2006, p. xii). The first volume in this series, *Piracy in Southeast Asia: Studies, Issues and Responses*, edited by Derek Johnson and Mark Valencia (2005), clustered around the characteristics of piracy and the measures to suppress this activity (framed as a security threat) in the region. A second aim was to provide a platform for piracy studies upon which a research agenda could be built and expanded. The authors also presented an elaborate research agenda which was formulated at the first workshop consisting of twenty-five building blocks in piracy research (Ong, ed. 2006, p. xvii). With the publication of the two subsequent books, *Piracy, Maritime Terrorism and Securing the Malacca Straits*, under the editorship of Graham Gerard Ong-Webb, and *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies* by Adam J. Young, we believe that this research agenda has progressed immensely and has fulfilled its

ambitions. In conjunction the three books explore the topic of contemporary maritime piracy in Southeast Asia, although the context of historical piracy has been disregarded. With this fourth volume we hope to conclude, at least temporarily, the topic of maritime piracy in Asian waters.

The articles compiled here in the book are based on presentations given at a conference held in Shanghai in November 2005 and organized jointly by the Shanghai Academy of Social Sciences (SASS), IIAS, and the Maritime Research Centre (MARE) of the University of Amsterdam. The organizers felt that the conference should deal with the broader context of maritime piracy, including the historical and social dimensions.

This volume encompasses a variety of activities ranging from raiding, destroying and pillaging coastal villages and capturing inhabitants to attacking and taking over vessels, robbing, and then trading the cargo. Other activities such as the smuggling of goods and people have also been part of this range of piracy acts. Generally speaking, what connects these activities is the fact that they are carried out at sea, often in the coastal inshore waters (within the twelve-mile zone), by vessels attacking other vessels or raiding coastal settlements. These acts of maritime piracy cannot be regarded as being located outside the relevant framework of the coastal zone. Coastal zones have, therefore, become highly desirable places, a circumstance which has transformed them into places subject to great social and ecological pressures. As piracy is the most dramatic of marginal(ized) maritime livelihood, it is our intention to bring the relationship between pirates, ports, and coastal hinterlands into focus.

Supplementing the former three volumes, this book aims to fill in some of the historical gaps in the coverage of maritime piracy and armed robbery, not only in Southeast Asia, but also in the waters surrounding India and China. The papers presented by Pasoroan Herman, Cees de Bruyne, Hong Nong, Catharina Raymond, Cai Penhang, Zhang Jian, Ota Atsushi, and Thomas Crump were valuable contributions to the Shanghai workshop, but we could not include them here because the number of topics in, and the sheer volume of this book would then make it unreadable. Also, these contributions did not focus specifically on the theme we have chosen for this publication.

Contributions in this Volume

In the opening chapter, Michael Pearson downplays piracy as a threat to world trade when compared with a host of other menaces to maritime

trade such as pilfering, and people and drug smuggling, which he claims are more serious than piracy. Broadly speaking, world trade is seriously threatened by the protectionist policies in the United States and the European Union, by climate change, and by military adventurism from the United States. Terrorism and piracy rank far behind these as serious impediments to the ideal of free and unhindered exchange of goods by sea. The author neatly summarizes the various dimensions which contribute to piracy, such as coastal poverty and the complete range of illegal and illicit activities.

This book is divided into two sections which deal respectively with the region of East and Southeast Asia, and they each underline how important it has been to choose this approach. Politically, between 1750 and 1850 Chinese piracy differed from piracy in Southeast Asia because in the latter area, piracy was associated with a multiplicity of small, contending states, whereas piracy in South China was geographically and economically peripheral to a great, but waning empire. (J.L. Anderson 1995). This even led to a surprising development in the transition zone between East and Southeast Asia where Chinese pirates helped the Tay Son rebels (1786–1802) in pre-colonial Vietnam to become state makers and were rewarded for their help. Perhaps it was too early to call them "military entrepreneurs" in the sense Gallant (1999) used in his overview of the historical link between brigandage, piracy, capitalism, and state formation, but in the eyes of the Vietnamese their support helped to unify the country after two centuries of political turmoil (Murray 1987). When the Tay Son rebels were defeated by the Nguyen, the pirates were outlawed once again, but their presence was to leave an indelible imprint on the future of Vietnam. The pirate confederation under the leadership of Zheng Yi Sao and others controlled trade and fishing along the north Vietnamese and southern Chinese coast until the Manchu-Qing government pacified the area and pardoned many of the pirates (Anthony 2002, pp. 42–45).

The world in which these pirates lived is vividly described by Robert Antony. In his contribution to this volume he deals with the Chinese-Vietnamese port of Giang Binh, twenty-five kilometres north of the modern border town of Mong Cai, which was a frontier in many aspects: From the official Chinese perspective, Giang Binh was beyond the pale of civilization and the pirates were no better than savages. However, Antony has a keen eye for the multicultural, multilinguistic, and multiethnic aspects of a port whose population thrived on illegal activities, especially piracy and smuggling, between 1780 and 1802. It was an international black market. Not only did

the economy burgeon on ill-gotten gains, the society and culture in Giang Binh were tied to crime, vice, and violence, and characterized by excessive profanity, intoxication, gambling, brawling, and sexual promiscuity. It was a Far South in every aspect. Giang Binh does not fit very well into our preconceived notions of Southeast Asia or China. It existed uneasily on the outside of any discrete, state-based geographical system. Giang Binh and the pirates and outlaws it supported created a world in itself. As he has done in his other works, Anthony puts piracy in the historical context of crime and violence being part of a larger society. For men and women alike, piracy offered a (sub)culture which engendered Southern China's transition to modernity.

In the seventeenth century, the place which Anthony describes was part of a larger region and already a rather dangerous place as it was constantly assailed by the raids of the pirate Thun, who persistently attacked vessels sailing between the northern part of Vietnam, called Tonkin or Dang Ngoai at the time, and the southern Chinese ports of Canton and Macau. Vietnamese rulers tried to pacify the waters, but succeeded only partially in their efforts. The Vietnamese author Hoang Anh Tuan reveals an early attempt by Dutch traders to open trade relations with Chinese merchants at a time when the loss of Taiwan, as a result of the activities of corsair Zheng Chong-gong blocking the import of Chinese goods for the United Dutch East India Company (VOC). The VOC had established itself in the capital of Tonkin, Hanoi, and hoped to use this place as a springboard from which to penetrate China from the south. Hoang in this volume argues that piracy and widespread political unrest in southern China had a devastating effect on these attempts.

In a much larger context, Paola Calanca studies the south of Fujian during the eighteenth century in terms of the power and counter-power used to try to gain control of maritime activities. In these fluctuations the local authorities, great lineages, and various coalitions, among them secret societies, struggled for control. Qing/Manchu sovereigns did not show a great interest in seaborne activities at a local level and discouraged many seafarers' activities, including maritime trade in extraterritorial waters. It is obvious that the Manchu emperors failed to take into account the maritime capital which had fallen into their hands following their conquest of China. When they became masters of the land, Fujian was rich in experienced seamen, and above all, a merchant fleet which was fairly active in ocean-going trade. However, it is possible that this "indifference" may also have run parallel to their reticence towards the monopolistic activities

of certain lineages or regional groups with respect to the local economy. At the end of the nineteenth century, when the Qing/Manchu Empire had been undermined by foreign Western powers, piracy was still a matter of concern.

The ambiguous concern of Qing magistrates towards maritime piracy is the subject of John Kleinen's detailed account of the case of the hijacking of the *S.S. Namoa*, a vessel which regularly plied between Hong Kong and Amoy at the end of the nineteenth century. The passengers were robbed and some members of the crew killed, crimes which led to a diplomatic exchange between the British and Chinese authorities as to, where, when, and by whom the perpetrators should be punished. Both sets of authorities regarded piracy as a capital offence, but the way the executions were organized forces Kleinen to rethink the Foucaultian discourse on torture and public executions as part of the *Ancien Regime* before they yielded to the development of the (modern) prison system. In China, the transition from a feudal *Ancien Regime* to a revolutionary state has not changed the regulation and punishment of individuals who are accused of criminal activities. The PRC still tops the list of regions where the majority of executions are carried out. At the time it was carried out more then a century ago, the execution of the *S.S. Namoa* pirates followed a pattern which did not deviate from what was being done in the West to punish such crimes. Nor could it be categorized as a pre-modern practice in itself. Where it did differ was in the way Chinese and Westerners viewed the pain of others.

The occurrence of piracy in the waters surrounding Southeast Asia is dealt with historically in a number of contributions which range from the seventeenth and eighteenth to the twentieth century and cover Indonesia, Papua New Guinea, and the remote Sulu Archipelago in the Philippines. Adrian Lapian takes the vantage point that the absence of definite boundaries, especially at sea where the margins of territorial waters were still in dispute, produced overlapping claims to jurisdiction. In such circumstances it was inevitable that conflicting claims should emerge about who had the sovereign right to take action against alleged encroachments, and subsequently to resort to the means of violence at their disposal. His message is that "piratical" raids as reported in contemporary colonial records should be scrutinized cautiously, and not taken as fact. The thin line between sea people and sea robbers has caused confusion about the way the monopoly of the means of violence was exercised.

This is illustrated by Gerrit Knaap who deals with Papuan piracy in the seventeenth century as part of complex centre-periphery relations at the

eastern end of the expanding sphere of Dutch supremacy in the Indonesian Archipelago. Papuans were deliberately used by local rulers to strengthen the latters' own prestige and authority. They manipulated the pirates — who probably would not have ventured as far west as they did if they had been acting on their own initiative — in their own political games. Since, the Papuan hinterland did not hold great promise compared with the more "developed" parts of Southeast Asia from the economic point of view it is not surprising that its human resources gradually became a prominent export item. Therefore, robbery and barter were two complementary sides of one activity. For a long time, this activity was intrinsic to the political economy of the area. In such circumstances, violence was lingering never far beneath the surface. Those persons acting as pirates, the aggressors as it were, were certainly not part of a marginal criminal group on the fringes of society. On the contrary, the phenomenon was taken for granted and members of the elite were often heavily involved.

Jim Warren in this volume continues his well known history of the Sulu-Mindanao region by commenting on the consequences of the international trade in slave around organized markets and ports of which the island of Jolo was the centre. He describes in great detail the pattern of slave imports, the explanation which he adduces as the main reason for the rise in the population of Jolo, which was several times larger than that of the dominant society. The consequence of this demographic development was that captives and their descendants began to dominate the indigenous society. Spanish fears of the encroachment of British and Dutch influence triggered a war on slavery, precipitating not only the demise of Jolo, but also the incorporation of the whole Sulu zone into the Spanish realm of the Philippines.

A survey of the impact of colonial maritime expansion on raiding and raiding networks, and consequently on piracy in general at the end of the nineteenth century around the fringes of the Dutch colonial empire (in Sulawesi), is presented by Esther Velthoen With a keen eye for detail, she describes the shifting power alliances of the local elites who abandoned mutual raiding to become intermediaries between the colonial power and their local allies or subjects. The subsequent establishment of the *Pax Neerlandica* did not lead to the end of piracy, but relocated it to other parts of the colony until the colonial power also managed to assert its authority in these regions as well.

Three authors deal with contemporary sea piracy. Stefan Eklöf has studied the development of piracy and its suppression in the Sulu region, still a marginal zone at the time from the perspectives of emergent state

powers after World War II. He attributes the failure to achieve efficient naval and police cooperation to curb piracy to a clash between what may be termed the British "trading state" of Malaya on the one side, and the "political states" of Indonesia and the Philippines on the other side. "The former saw free trade as the key to national (or colonial) advancement and the government's role, in that context, was to provide the institutions which allowed free trade to flourish — including to maintain law and order on the sea in order to secure the free passage of traders and goods." Indonesia and the Philippines looked askance at free trade because of its association with predatory capitalism and Western imperialism. His conclusion that the re-emergence of piracy in the Sulu region was the result of this clash is revealing and carries in it a lesson for the future. A recent example of competing state power and unequal development of economic sectors in the region is given by Carolin Liss who deals with maritime piracy in the waters along the coast of Sabah, between Malyasia, Indonesia, and the Philippines. The waters off the district of Semporna have a long history of piracy, ranging from petty smuggling to the violent hijacking of boats and their crews for ransom. The unsolved conflict between Muslim insurgents and the Philippine army hinders efficient cooperation between the two coastal (riparian is more apposite for two states on either side of a river) states, but her conclusion is that the Malaysian government should develop a more comprehensive approach to counter piracy and other illegal activities in Sabah.

The paucity of anthropological material on maritime piracy in spite of the interest in coastal and marine cultures is not a surprise. Like in the study of the Italian mafia, the criminology of piracy is a task which is not without personal danger for the professionals in the field of anthropology. Ikuya Tokoro has studied the activities of robbers and traders in contemporary Sulu to find out how modernity and tradition are combined to secure a paltry livelihood with illegal and illicit trade in copra, and with smuggling. His study shows that anthropological research should create a framework for understanding pirate life on the basis of its own conditions, rules, and body of thought. In his assemblage of the data, Ikuya Tokoro sets the actors — the pirates — in their social, political, economic, and cultural context, and pays attention to the options and motivations of the pirates. It is hoped that others will follow this type of study on those known as small-scale pirates and robbers, who are believed to be disempowered coastal people, most likely, former fishermen and unemployed migrants, who locked out of economic well-being and, excluded, choose piracy for their livelihood.

The purpose of this book is to study maritime piracy from a historical perspective. An important theme is the parallel between state formation processes and the role piracy, or in more general terms, maritime violence, played in these developments. From these historical examples it is possible to learn that the colonial powers made no linguistic distinctions when lumping "piracy" together with generic maritime violence. However, this may not have been the case among the local rulers who tried to defend their realms against intruders, or for whom warfare and indiscriminate maritime violence was a means to establish their power. The well known adage that bandits became state makers and state makers bandits can certainly be aptly applied to some of the historical developments which a number of authors described in this volume and this raises questions about the meaning of piracy as an illegal act. Also Braudel 1947, De Casparis 1979, and Gallant 1999). Another theme is the link between piracy and related forms of organized crime (smuggling of goods and people, drug trafficking, and hostage taking, to mention a few), which brings us to the question of what is illegal and illicit in the transnational contexts in which pirates operates.

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