

**Understanding Career Criminal Kidnapping: A study of
offending dynamics, subcultural tolerance and policing in
Malaysia**

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Abstract

I subscribe to the notion that criminology needs to seek information about crime from successful criminals. Alohan is a Malaysian, ethnic Chinese, Triad member, businessman and police informer who also kidnaps people for ransom. He is a serious offender who has, so far, escaped conviction for kidnap, which is a capital offence in Malaysia.

This thesis seeks to understand the factors underpinning Alohan's lengthy and apparently successful criminal career but is subject to methodological constraints imposed by ethical and safety concerns. With methods such as participant observation ruled out, the research is based on a series of life history, narrative interviews, conducted with Alohan in a secure location. These are supplemented by semi-structured interviews with: officers from Royal Malaysian Customs; officers from the Specialist Police Kidnap Unit of the Royal Malaysian Police, and ethnic Chinese businessmen.

Alohan provides an account that can be examined and compared against influential strands of criminological thought in such areas as criminal careers, cultural criminology, subcultural tolerance of deviance and techniques of neutralisation. Alohan's story reveals the highly culturally specific nature of most influential criminological theorising, which has almost exclusively been generated from a 'western' perspective. It uncovers the need for more comparative research in order to fill gaps and correct faulty assumptions that have arisen from the fairly narrow world-view that currently informs the field.

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Alohan – this is your story.

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List of Abbreviations

ASA	Association of Social Anthropologists of the UK and Commonwealth
ASEAN	Association of Southeast Asian Nations
BBC	British Broadcasting Corporation
CJS	Criminal Justice System
DG	Director General (of Malaysian Police)
ESDS	Economic and Social Data Service
EEK	Economic Extortative Kidnap
FBI	Federal Bureau of Investigation
IRA	Irish Republican Army
KDRM	Royal Malaysian Customs (<i>Kastam Di Raja Malaysia</i>)
KFR	Kidnap for Ransom
MCC	Model Criminal Code
MO	<i>Modus operandi</i> (method of operating)
NTU	Nottingham Trent University
OAPA	Offences Against the Persons Act
OHCHR	Office of the High Commissioner for Human Rights
PCO	Police Control Order
PDRM	Royal Malaysian Police (<i>Polis Di Raja Malaysia</i>)
PPRD	Police Public Relations Department
SKFR	Strategic Kidnap for Ransom
SOA	Sex Offenders Act
SPKU	Specialist Police Kidnap Unit
UN	United Nations
UNODC	United Nations Office on Drugs and Crime

1 Introduction

Alohan¹ kidnaps people for ransom; he and his gang have been doing it successfully for quite a long time. He is Malaysian, ethnic Chinese, Triad member, businessman and, in my experience, charming and likeable. I first met Alohan over 20 years ago, when I was a young Customs and Excise officer, working in a preventive² unit that targeted smuggling and customs fraud.

A close police friend introduced Alohan to me as someone with useful information about the local smuggling syndicates and he has proved to be a highly reliable source of intelligence on illegal cigarette and alcohol markets. Later, I became aware of the extent of Alohan's involvement in organised crime and, in particular, his kidnapping business. Alongside his criminal enterprises, Alohan runs his own haulage company and a couple of restaurants. Although he has served time in prison and is one of the 'usual suspects' brought in for questioning whenever a particular type of kidnapping for ransom takes place, he has never been charged with kidnapping.

When I came to the UK and embarked upon a late academic career, culminating in this PhD thesis, it occurred to me that Alohan would make the ideal research subject. An in-depth case study, based on narrative interviews with an active, unincarcerated offender, informed by criminological knowledge and combined with thematic interviews with relevant criminal justice agents could make a significant contribution to criminological knowledge.

¹ Alohan is the pseudonym chosen by this research project's main research participant.

² The Preventive Unit in the Malaysian Customs Department is the division that pro-actively investigates smuggling and fraud activities in order to prevent loss of revenue to the Treasury.

As Klockars (1974) argues, in his seminal work on a professional fence: 'criminology needs information about crime from successful criminals'. Alohan's willingness to take part in this academic study provided a valuable opportunity to explore a 'revelatory case' involving one type of criminal usually inaccessible to criminological research (see Yin, 1984: 44, cited in Bryman 2004: 51).

People like Alohan appear to have multiple interfaces with the legitimate and illegitimate business worlds and with the criminal justice system, as suspect, offender and informant. This is not a picture that comes across in standard accounts of criminality and is probably not one that springs to mind when thinking about kidnapers. The research set out to provide academic knowledge about career criminals - including insights into the relatively neglected but highly important intersections between: serious crime, businessmen and criminals; the official agencies and social processes that regulate, influence and facilitate them; and the formal and informal economies that they inhabit. The scope of the thesis is necessarily limited, however, by ethical constraints, the narrative research methodology, and the problems of gathering data about an individual actively engaged in serious, organised and capital crimes.

1.1 The Crime of Kidnap

Kidnap is commonly considered to be one of the gravest crimes after murder, because of the heavy physical and psychological toll it takes upon victims, their families and their friends. In addition, there may also be a wider impact upon local and national economies; for instance, if an area is designated as a kidnap hotspot, it could lose inward investment, as business travellers and tourists are warned by their embassies, foreign offices and insurers to stay away. The following is an example of such a warning:

The US State Department has issued a travel alert for Haiti, following the violent killings of four US citizens. In a statement it warned: 'US citizens travelling to and residing in Haiti are reminded that there remains a persistent danger of violent crime, including armed robbery, homicide, and kidnapping.'

Peter Bellwood, Managing Director at Bellwood Prestbury commented: 'This kind of warning would nullify any normal insurance cover. Anyone visiting Haiti should consider specialist insurance.' (Bellwood Prestbury 2010)

Reliable statistics on kidnap are hard to come by, however the Federal Bureau of Investigation (FBI) (2009) believes that: 'every year there are significant numbers of people who go 'missing under circumstances indicating their disappearance may not have been voluntary', to use the US Federal Bureau of Investigation (FBI) terminology for cases they suspect involve kidnap or abduction (FBI 2009). For 2009, the FBI reported a total of 20,191 such cases. UK crimes statistics report 1,868 recorded cases for 2009/2010, a small decrease from the previous year of 2,033 (Home Office 2010).

Victims may be taken by force or trickery and detained against their will for a variety of motives: for direct exploitation, for sexual or other physical enslavement (Turner 1998; UNODC 2003); for love, as might happen in the case of relationship breakdown where a partner or child is seized (Finkelhor and Ormrod 2000); for revenge, where the kidnapper wishes to cause injury or loss to an enemy (Newman 2002); for political or ideological purposes, in order to gain some concession or to spread fear (Pharoah 2005; UNODC 2003); for material gain, where a hostage is exchanged for a ransom or other financial advantage; or even as a kind of informal conflict resolution (Turner 1998), where a person is

kidnapped to influence the outcome of a dispute or the recovery of a debt.

The type of kidnap that Alohan is engaged in can be broadly defined as kidnap for ransom (KFR), sometimes referred to as economic extortative kidnap (EEK) (Briggs 2001). This is where a person is seized or carried away, only to be returned upon payment of a negotiated sum of money. However, the KFR label is too loose a description of what Alohan does. According to Alohan, his targets are selected from a narrow pool of wealthy bosses who have made their money in particularly unpleasant ways, like loan-sharking and drug trafficking, or who have victimised people who subsequently turn to Alohan for help. As will be seen from Alohan's narrative, part of his rationale is that these people are safer targets because of their reluctance to involve law enforcement to settle the case. However, because of Alohan's position within the criminal underworld, his targets might also be rivals operating within his territory or, at least, people over whom he wishes to exert his power. For this reason, Alohan's sub-category of KFR will, henceforward, be referred to as Strategic Kidnap for Ransom (SKFR), to indicate an additional layer of motivation, beyond simple economic advantage.

Despite the gravity of KFR as an offence, primary academic research on the subject is scarce. Yang et al (2007) and Akpan (2010) agree about the lack of contemporary scholarship on kidnapping. Akpan (2010) gives three possible reasons for this state of affairs: difficulty of access to perpetrators; rarity of the event itself; and problems of data. Kidnappers are dangerous people and few academic institutions are keen to expose their researchers to such obvious risk. My own institution, Nottingham Trent University (NTU), was initially very reluctant to approve the project, until it was reassured that every possible safety protocol had been put into place. Research in the area of serious crime is an ethical minefield

and kidnap is seen as a particularly heinous activity. Some members of my Postgraduate Research Degree Committee felt that interaction with a kidnapper as a research participant was unthinkable on moral grounds. One of the reasons was that the possible penalty for kidnap in Malaysia is the death sentence and I might put Alohan at risk of a hangman's noose. There is also likely to be opposition from law enforcement authorities, who might be worried about a researcher interfering in a highly sensitive operational area. Secondary data on kidnap is very difficult to access, even though most countries do keep police and court records of the numbers of kidnaps that have been reported and prosecuted. These figures are seldom accessible in the public domain and are often buried deeply or counted in unlikely ways; for instance, if the kidnap ends in the death of the victim, the case might be reclassified as murder and the kidnap element lost to public record.

In recent years, the UK sectors most likely to commission, sponsor or publish research on kidnap for ransom are the security and insurance industries, sometimes in collaboration with government backed bodies with an interest in foreign trade. For instance, Briggs' (2001) useful report on 'The Kidnapping Business' benefits greatly from contributions by firms like Hiscox, who claim to be the 'world's largest provider of specialist kidnap, detention and extortion insurance, with a market share of 60-70% by premium income' (Hiscox 2010). Another sponsor is the Control Risks Group, a security consultancy specialising in risk management and hostage negotiation (Hiscox 2010).

There is a danger with such interest-group led research, as it presents kidnap as a problem mostly for business travellers who need to operate in riskier parts of the globe (Noor-Mohamed 2008). According to Briggs:

Economic kidnapping is one of the fastest growing criminal industries; it is estimated that kidnappers globally take home well over \$500 million each year – and rising. The business is centred largely around Latin America – most notably Colombia, Mexico and Brazil – but there are also pockets of activity in the Philippines, parts of the former Soviet Union and Africa (Briggs 2001: 1-2).

The security and insurance industry is also the source of accounts by field-workers. Wright (2009) has used his experience to write about kidnap for ransom from his perspective as a former hostage negotiator.

This industry focus has the unfortunate effect of situating KFR as an international crime that (a) occurs elsewhere; (b) victimises non-locals; (c) targets business travellers and tourists and (d) is a cost of conducting international trade. This is likely to be a misleading picture. In 2005, the UK Metropolitan Police released figures to the press that showed, for London alone, 358 known kidnappings had been carried out during the previous year (Cowan 2005). Half of these cases were said to be committed by foreign gangs operating in the capital, notably of Chinese, African-Caribbean, south Asian and eastern European extraction, who victimised people from a similar ethnic backgrounds, often for relatively small sums of money. Logically, as '[h]alf of all kidnappers and victims in the capital are foreign nationals, usually from the same ethnic group' the other half must have more domestic origins (Cowan 2005). There is an acknowledgement that, as many cases are linked to criminal underworld activities, the number of offences is almost certainly under-reported.

Apart from studies produced by and for the security industry, the other work on kidnap and abduction can be divided into socio-legal analysis,

victimological research, enforcement, risk management, offender profiling and comparative studies. Although there are numerous historical accounts (see Chapter Three), one of the earliest academic authorities on the topic of kidnap is Dr. Richard Clutterbuck (1978; 1987), who produced one of the first typologies of kidnap, out of concern for the threat to international businessmen and other global travellers. Alix (1978) from the USA and Ibrahim (2005) from Malaysia both review the history and evolution of kidnapping law and definitions, but from the vantage point of very different legal traditions. Biddulph and Cook (1999) investigated the Chinese trade in kidnapped women and children, and the problems this poses for law enforcement. Favaro et al (2000) and Navia and Ossa (2003) studied the effects of kidnapping upon victims and their families. Baker et al (2002) conducted secondary research on recorded FBI interviews with incarcerated non-family infant abductors. More recently, Soothill, Lui and colleagues conducted research on criminal profiles of convicted kidnappers in the UK (Lui *et al.* 2007; Soothill *et al.* 2006). Yang *et al* (2007) surveyed 146 kidnappers in Taiwanese prisons, regarding their motives for kidnapping and went on to hold 16 in-depth interviews.

In addition to academic work, there are several relatively high quality journalistic accounts available, including a book written about a series of Medellin drug cartel kidnappings that took place in Columbia (Garcia Marquez 1997) and another that describes the growth of international kidnapping in the aftermath of the cold war (Auerbach 1998). However, journalistic accounts are limited by their focus on individual, sensationalist and newsworthy cases rather than upon the mundane majority of kidnaps.

1.2 Criminal Careers

Kidnapping is of course the crime that Alohan specialises in, however, there are other aspects of his offending that form part of this research and which need to be compared and contrasted with existing knowledge and theory. The criminal careers perspective is particularly useful as a way of plotting Alohan's offending against ideas about commencement, trajectory, specialisation and desistence (Blumstein *et al.* 1986; Farrington 2002; Piquero *et al.* 2007). Greenberg (2001) notes that much theorising has been based on aggregate data from say, official records, which is not fine grained enough to yield information on individuals and their patterns of offending. He believes that more data on individual careers is required; this is where case studies of people like Alohan can help to fill a gap.

1.3 Cultural Criminology

Another important body of theory and research is that of cultural criminology. Born out of post-modernist movement, the main tenet of the cultural criminologist is that crime and crime control should be viewed as creative constructs that can only be understood in the context of the cultures that produced them (Ferrell 2004; Ferrell *et al.* 2008; Presdee 2000). As image, style, representation and meaning are emphasised, this makes it a highly suitable lens through which to focus upon Alohan's narrative account. There are many references within cultural criminology about the ways in which belief systems can be employed as symbols of resistance, which might or might not apply to illicit subcultures in a Malaysian context. That said, there is some important methodological and theoretical criticism of cultural criminology that we might conveniently name 'O'Brien's conundrum':

The central conundrum for any theoretically informed criminologist ... can be stated quite simply: what criteria of decidability enable a researcher to distinguish the specifically cultural from the psychological, social, economic, political and geographic forces that impinge either on any given instance of the experience of crime (as perpetrator, victim or control agent) or on any dispersion of crime across times, places and populations? If there are no such criteria, then what, precisely, is *cultural* as opposed to *ethnographic* about cultural criminology? (O'Brien 2004: 604-5)

Comprised as it is of all these forces, Alohan's story goes some way in assisting us to resolve O'Brien's conundrum.

1.4 Subculture and Subcultural Tolerance of Deviance

Subculture has been a central concept in delinquency studies dating back to the 1950s, where researchers like Cohen (1955) and Cloward and Ohlin (1961) were clearly influenced by Merton's (1938) strain theory. Theirs was an attempt to explain the mismatch between culturally approved goals and the inability of disadvantaged youths to achieve these aspirations. The ensuing status frustration led to certain types of adaptation, of which innovation was the most likely to result in criminal behaviour. Cloward and Ohlin (1961), furthermore, saw gang culture as a collective means of problem-solving. The drawback with much subcultural theory is that it posits subcultures in opposition with mainstream or dominant cultures and does not really contemplate the situation of overlapping or nested milieux. As Zdun (2007) remarks, most people move backwards and forwards between different milieux, from the bosom of their family to the street environment or their working lives. Some of these milieux are completely separate, but some are

contained within others, for instance, in Malaysia the Triad milieu is nested within the broader sphere of the Chinese ethnic subculture.

Despite the frequent reference made to subculture within the criminological literature, Sampson and Bartusch (1998) are justified in complaining that empirical subcultural research is rare and findings are inconsistent. The subcultural tolerance of deviance is usually interpreted to mean the levels of acceptance of offending behaviour within the immediate family or community. There have been attempts to measure this quantitatively with a 'tolerance quotient' (e.g., Khan 2007; van Vechten 1940), using defined scales to gauge the ratio between certain behaviours and the community's willingness to tolerate them. While Sampson and Bartusch (1998) found that there was no straightforward link between race and tolerance of crime, they did note that there did appear to be a dissatisfaction with policing and a connected tolerance of deviance in deprived inner city areas that they termed 'legal cynicism'. For instance, in a study of Skelmersdale New Town, Sutton (1987) found significantly higher level of tolerance towards vandalism among those living in the least desirable, more vandalised housing estates.

The situation of the Chinese population in Malaysia offers an interesting contrast to this picture of ghetto disadvantage, in that it is considered to be relatively prosperous and economically active although, arguably, it suffers from a high degree of political exclusion. This difference points to the importance of other possible criminogenic components of subculture, including ethnic identity, social trust, cultural values, and power imbalances (Halpern 2001).

After reviewing Alohan's narrative and attitudes uncovered in interviews with Chinese businessmen and with predominantly Malay police and customs officers, it seemed a very worthwhile exercise to compare these

against Sampson and Bartusch's conclusions, and against the findings of others working along similar lines. The research also examines attitudes of enforcement agents to crimes committed by and against members of a local subculture that may be viewed as different from and even alien to their own. The research further examines the complex relationships between informers who also engage in criminal offending and their official 'handlers'.

Although not intended as comparative research, there is agreement with Bayley (cited in Cain 2000: 257), that a lack of alternative perspectives within western criminology amounts to: '...the elevation of parochialism to a scientific principle'. Research on the ethnic Chinese community in Malaysia provides, therefore, a very valuable opportunity to add to academic knowledge by informing current debates on ethnic attitudes towards crime and punishment (Cohn *et al.* 1991; Roberts and Hough 2002); particularly outside of more heavily researched 'black versus white' and 'dominant versus subordinate class' paradigms.

1.5 Rationalisations and Justifications

Following on from subcultural theory, there is a case for examining the ways that both mainstream and subcultural norms contribute to both conformity and deviance within specific sectors of society. The classic theory that presents *techniques of neutralisation* (Sykes and Matza 1957) as a set of justifications that allow individuals to temporarily suspend feelings of guilt while they engage in activity considered by a supposed 'mainstream' to be unacceptable, has been revisited and refined by later theorists (see Agnew 1994; Cromwell and Thurman 2003; Maruna and Copes 2005; McGregor 2008; Topalli 2005; Zdun 2007). Some of these researchers attempt to overcome criticisms about the point in a criminal chain of events at which the justification needs to

be applied. Other theorists have proposed accounts (Scott and Lyman 1968) or storylines (Agnew 2006) as important elements in crime aetiology or after the fact rationalisation.

1.6 Methods

This research adopted a case-study design, using life-history interviews with the main research participant and supporting semi-structured interviews, which were subjected, respectively, to narrative and thematic analysis. Fourteen tape hours of interviews were collected from Alohan, although this does not represent the total amount of time spent with him, as at least the same amount of time again was spent simply relaxing and chatting. These interviews took place over a period of three months, in Malaysia. A further four months was filled by interviews with police personnel from the SPKU based at the Kuala Lumpur headquarters. Twelve police officers and one former unit chief were interviewed for between one and four hours each about their experiences as police specialists in kidnap and abduction. Officers from the Customs Preventive Unit were also interviewed about the handling of informers and working in a multi-cultural, multi-ethnic environment. All but one of the law enforcement participants were Malay, with one Chinese police officer. Two interviews were conducted with local, ethnic Chinese businessmen and one final interview took place with a close gang associate of the main research participant, Alohan.

Because of fears about researcher safety, interviews with Alohan and his fellow gang member were carried out in a safe house³. Unfortunately, this placed heavy constraints upon the type of information it was possible to gather. To appease major concerns expressed by some senior academic staff at my University, who were not criminologists, the

³ The name of the organisation that provided the safe houses is not identified here for reasons of sensitivity and confidentiality.

opportunity for a more ethnographic style of research, using stronger observational elements, was denied. Had I not reworked my proposal, the research would not have been 'green-lit' to proceed.⁴ This had an inevitable effect upon the type of data that could be collected, the analysis that was possible and, eventually, the type of knowledge that could be produced. Constitutive narrative analysis (Presser 2009) seemed the most appropriate method, as this views narrative as a tool whereby the narrator can recount stories, events, actions, reactions and circumstances, interpret them for himself and his audience and use these interpretations as patterns for future behaviour and sense-making.

1.7 Research Questions

To summarise, the key research questions are:

- What part, if any, does the tolerance of deviance, fostered by local cultural and political factors, play in the facilitation of the serious crimes committed by the main case study subject?
- What factors and dynamics can explain a continued involvement in serious crime when there appears to be no economic necessity?
- To what extent do local cultural and political factors influence crime planning and guilt neutralisation?
- What function does adopting the role of an official criminal justice agency informer serve for a career criminal e.g. professional/financial, strategic, self-protective or civic?

4 It took myself and my Director of Studies two weeks to rewrite my proposal to satisfy a host of Health & Safety and ethical objections which was then approved in the eleventh hour by the Assistant Vice-Chancellor who had to be pressed to do so by the Dean of the Graduate School.

1.8 Structure of the Thesis

Chapter Two describes the methodology of this project in more detail, including the problems encountered as a consequence of conducting what could be described as dangerous research. Chapter Three provides a broad overview of the ways that kidnapping can be contextualised and understood. Here also, the concepts of kidnap and abduction are introduced and definitions derived from different jurisdictions and cultures are discussed. There is an examination of related offences, including piracy, people trafficking, hostage-taking, tiger kidnap and other forms of extortion that involve ‘people-stealing’. One of the products of Chapter Three is a review of typologies of kidnap, in order to produce a schema that contains Alohan’s specific style of offending. This follows a purposive model.

The next three sections, Chapters Four until Six explore Alohan’s narrative with additional reference to corroboratory interviews from the other participants. Chapter Four begins with Alohan’s early years and the commencement of his criminal career. This chapter introduces ideas from cultural criminology and, in particular, raises questions about image and identity and the role played by cultural norms, memes⁵ and archetypes. The chapter also begins to relate the themes that emerge with theories on culture, subculture, delinquency and gang initiation. A major theme to emerge, which is explored in greater detail in Chapter Five, is the concept of crime as work. Here, it is possible to contrast Alohan’s criminal career with his legal entrepreneurial ventures. In the final substantive section, Chapter Six, the various strands are brought together, in order to address the research questions related to Alohan’s extended criminal career and continued involvement in serious offending

⁵ Memes can be defined as units of cultural information (ideas, practices, norms) that are transmitted between the minds of individuals or groups of people (see Dawkins, R. 1989).

despite his parallel engagement in legitimate enterprise, and his justifications or rationalisations for offending.

2 Methodology

This research aims to provide original and significant academic knowledge about career criminals - particularly insights on the relatively neglected but highly important intersections between serious crime, business owners, criminals, legitimate and illegitimate businesses, and the official agencies and social processes that regulate and influence them. These are global issues that have relevance for Malaysia, for the UK and for any other country that has experienced organised crime with an ethnic or subcultural component.

As already stated, this research project was heavily inspired by Klockars' (1974: 198) argument that: '...criminology needs information about crime from successful criminals...'. If Klockar's successful criminal is defined as someone who materially benefits from criminal acts while largely evading criminal sanctions or other negative consequences, I had come into contact with many such individuals during two decades of service as a Malaysian customs officer. In the preparation for this research, I approached several willing contacts who could all have formed the basis for a fascinating case-study, before Alohan emerged as, possibly, the most extreme and complex case. I knew that not only is he a gang boss, with Triad⁶ connections, who specialises in kidnap for ransom but that he also runs legitimate businesses and is, at the same time, an active police and customs informant.

People like Alohan appear to have multiple interfaces with the legitimate and illegitimate business worlds and with the criminal justice system, as suspect, offender and informant; this is not a picture that comes across in standard accounts of criminality. Hence, the opportunity to conduct this case study is very significant.

⁶ The Triad Society is an organised crime network with origins in mainland China but now with branches in most countries where there is a significant ethnic Chinese community.

2.1 Methodological Framework

The research comprised five distinct phases that are set out in detail in Appendix II. Advocates of the linear approach to research process generally advise researchers to follow a well-trodden path: firstly, decide upon a broad area; secondly, select a narrower topic within the area; thirdly, choose an appropriate methodology (Henn et al. 2006). A common piece of advice from supervisors and fellow research students is to beware of letting the 'tail wag the dog'. In other words, the nature of the research questions should guide the choice of methods, not vice-versa. Unfortunately, the real world rarely flows along in a neat, sequential manner and this research faced several false starts, roadblocks and dead-ends before circumstance, rather than any higher ideal, eventually dictated the research design.

In this case, the intended methodological framework was ethnographical and the methods that promised the richest and most authentic data were observation in the field combined with conversational interviews. One of the research questions revolved around the integration of legitimate and illegitimate behaviour and it would have been better to have observed as much as possible of this at first hand, in the participants' natural environment. However, this approach was forbidden by my university's Post Graduate Research Degrees Committee, on ethical and safety grounds. Another early suggestion, that Alohan be asked to keep a diary was also ruled out completely by my Director of Studies and I. The danger was that such a document might fall into law enforcement hands and be construed as a confession.

The constraints placed upon contact with Alohan and his fellow gang members, meant that formal, in-depth interviews, conducted in a safe and secure place, were the next best option. As this was a case study,

asking questions about the development and trajectory of a criminal career, the biographical or life-history interview seemed to be the most appropriate method, within the methodological framework of narrative inquiry.

Although a retelling of one professional kidnapper's story cannot claim to provide a definitive template that explains all such criminal careers, an in-depth case study of this offender based on life-history interviews, combined with semi-structured interviews with relevant criminal justice agents and other informants, could be of significant benefit not only to criminology but also to policy-making and policing in this topical and important area. The case-study aims, therefore, to uncover key *explanatory factors* for Alohan's and, by extension, others' involvement in kidnapping and serious crime.

In pursuit of this ambition, the main objectives of the project are:

- To undertake an in-depth case study of an ethnic-Chinese Malaysian who engages in serious crimes, including contract-based kidnap-for-ransom, who is also a regular official police and customs informer and to explore the relevance and applicability of criminological theories to his case (including rational choice, crime as opportunity, routine activities, subcultural tolerance of deviance and techniques of neutralisation).
- To identify and understand the motivations, offending dynamics and other relevant factors that underpinned this person's continuation as a career criminal and his persistent involvement in serious crime, despite increasingly successful ventures into legitimate business.

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- To uncover the complexities of relationships between informants and state agencies, and the functions that informant status can provide for the career criminal.
 - To research the work of specialist police units in Malaysia and to inform criminological knowledge, crime reduction, investigative policing and policy-making on serious career criminals within Chinese communities in Malaysia and elsewhere.

Interviews with Alohan were supplemented by theoretical, library-based research plus interviews with other informants, enforcement agency officers, members of the Chinese business community and other relevant individuals in order to answer the following research questions:

- What part, if any, does the tolerance of deviance, fostered by local cultural and political factors, play in the facilitation of the serious crimes committed by the main case study subject?
- What factors and dynamics can explain a continued involvement in serious crime when there appears to be no economic necessity?
- To what extent do local cultural and political factors influence crime planning and guilt neutralisation?
- What function does adopting the role of an official criminal justice agency informer serve for a career criminal e.g. professional/financial, strategic, self-protective or civic?

These are the typical 'who, what, where, when and how' questions that a case-study format is especially concerned with (Dooley 2002: 339).

2.2 A First-Person Narrative

In a departure from the third party academic style of writing, used traditionally to convey objectivity, the remaining discussion of the method and manner of research will regularly employ first person narrative. There are very good reasons for this. Firstly, I was an integral part of the research because of my relationship with Alohan and with some of the other key players. Given the circumstances, writing behind a stylised cloak of academic anonymity and impartiality would get in the way of telling the story 'like it is'. Secondly, life-history interviewing is a very personal, intimate and engaged method and, far from being required to keep a proper distance, the research would actually suffer if such a reserve was imposed and maintained. Thirdly, Alohan is my friend and sometimes nemesis. It is right and proper for me to acknowledge the incredible gift Alohan has given me with these interviews and this life-history. It would be very odd and wrong to try to offer it up, packaged, perfected and depersonalised. Richards (2005) comments upon the essence of reflexivity, as follows:

For any qualitative project, consider the ways in which you are a part of the study, and write yourself into the account. You made the data, you did the interview or observation. Such records are collaborative constructs, between you and the 'subjects' of your study. These are *your* data. Use the first person and accurately record what you did. Pay attention to the situation you created, the context you imposed: by being there, did you influence ideas or behaviour?' (Richards 2005: 51)

2.3 Research Participants

Depending upon the nature of his admissions and the fact that the official suspicions about him are true, Alohan is to date at least that *rara*

avis, the successful career criminal. His story provides an example of the 'revelatory case' (see Yin, 1984: 44, cited in Bryman 2004: 51) not often available for academic study.

The design of the study was intentionally robust, so that it could survive if Alohan should at any point decide, or be forced by circumstance, to withdraw from the research. Sufficient main aims, breadth, variety and quality of proposed data collection were included in the project design to ensure that the research would meet the requirements of a doctoral thesis. Fortunately, although there were disruptions to the planned scheduling of our interviews, fears about Alohan's possible withdrawal proved unfounded and he provided approximately 14 hours of digital sound recordings during the first interview stage. During later stages of the research, further interviews followed up on points that emerged during analysis and, on several occasions, a phone call was made seeking Alohan's clarification on certain points of meaning and interpretation.

With regard to the law enforcement officers, the research is concerned with quite specific aspects of their professional working lives: the trade-offs they make in handling informers who are also known criminals; the logistical and operational problems they encounter in trying to tackle kidnap for ransom; the priority level they accord to kidnappings committed within subcultural groups, etc. The interest is not in the enforcement agent *per se*, but in the role they inadvertently play in facilitating Alohan's criminal career.

For the corroboratory interviews, a former SPKU chief was recruited as having expert knowledge, both about police procedure in kidnap cases and as someone who was known to be aware of Alohan's kidnapping activities. The 12 officers from the SPKU in Kuala Lumpur also agreed

to give short interviews about kidnap for ransom in a Malaysian context. I was able to interview all undercover officers in charge of the D8 Technical Intelligence Unit (engaged in identification of suspects, surveillance, background information gathering etc) and those senior officers of the D9 Kidnap Investigations Unit (operationally in charge of kidnap cases and investigations) that were deemed most experienced. The ex-head of SPKU and 11 of the 12 other police officers were Malay, with only one Chinese participant.

Customs officers were selected because of their track record of informant handling, and 17 officers from Royal Malaysian Customs were interviewed primarily about this experience, to gain insights about this aspect of Alohan's interaction with Malaysian law enforcement. The Customs Officers were all Malay.

Two local Chinese businessmen went on record about their perceptions of policing and the threat of crime for the Chinese community. Last but not least, further confirmatory details were provided by Alohan's 'lieutenant' from his kidnap gang.

2.4 Access

2.4.1 Alohan

Klockars (1974: 198) confesses to graduate school hubris for telling people 'that there had never been a single sociological study of the fence' and in his assumption that finding a suitable subject would be a simple matter. It took him over 14 months to find a fence who was willing to talk to him on the record. In the end, he produced an extraordinary account of a successful career criminal.

I have to admit that I was not immune to my own feelings of hubris. When this project was first mooted, it was met with some excitement within my university because academic access to people like Alohan, outside of a prison setting, is remarkable. The starting point for this project was that access to the main participant already existed. All that was needed was for the additional participants to come on board and for my university's Post Graduate Research Degrees Committee to approve the research design.

At least, that was the theory. Because of a conference commitment in the region, it was necessary to travel to Malaysia in mid-June 2007, before the go-ahead from the Post Graduate Research Degrees Committee was received. One of the first things to do was to contact Alohan and confirm that, once approval had been given, the interviews would commence. For the sake of Alohan's personal safety, no other interviews could take place until his interviews had been completed. For instance, had I interviewed the SPKU first, I might have inadvertently led them to Alohan and his gang. Approximately one week after my arrival in Malaysia, the approval came through and it was at this point that Alohan performed a vanishing act.

He had supplied a mobile phone with which to contact him but for nearly two weeks the number rang and rang and no-one answered. As my anxiety levels peaked, finally Alohan called to say that he had to settle a few problems and that he would be in touch as soon as these had died down. A conscious decision was taken, at this point, to take him at his word and wait

patiently for the call. It was counter-productive to hound Alohan, especially if he was in two minds about whether to withdraw from the research. Previous experience suggested that it was best to trust his word and to give him space – additional pressure would not help him in dealing with whatever difficulties he was facing.

Patience paid off. Alohan finally phoned in the first week of August, to say that he was ready for the research to begin. The first interview took place within five days of his call.

2.4.2 Specialist Police Kidnap Unit

Access to the SPKU was achieved through a gatekeeper, a high-ranking police officer and a close friend of mine since we started secondary school together. He took me to see the Head of the Police Public Relations Department (PPRD) at National Police Headquarters. In addition to the letter of introduction that I carried from the Director General of Kastam DiRaja Malaysia (KDRM – Royal Malaysian Customs), he asked for a letter of introduction from Nottingham Trent, the sponsoring University, signed by the Director of Studies. I gave him this along with the written outline of the approved research project, its design and a summary of the methods that would be used. He also requested a sample consent form that individual officers would be asked to sign.

The PPRD assigned an Assistant Superintendent to the project as a liaison officer. The next step was to obtain approval from the Director of Criminal Investigations Department (CID) who had overall responsibility for criminal investigation including the SPKU. Because of this officer's heavy workload, it was very

difficult to make first contact. With the help of the liaison officer and my gatekeeper, it took over two months to set up a face to face meeting.

At this meeting with the Director of Criminal Investigations Department (CID), I was asked to prepare a definitive list of interview questions for vetting. I explained that I had hoped to conduct semi-structured interviews, based on the themes I wished to cover rather than on a fixed schedule of questions. I was advised that, without the list, there was no chance that access would be approved.

I had no choice but to comply with this request. (The final and approved question schedule is attached in Appendix III - this point is examined in more detail in the section on Ethics below.) Within two weeks, I was notified that access had been approved and the Director of CID provided a letter of introduction for me to take to the Superintendent in Charge of the D8 SPKU. He helped to draw up a timetable of interviews with the relevant officers. One day later the interviews began.

2.4.3 Customs Officers

The project was also able to take advantage of a special connection between me and my former employers, KDRM. There was a direct personal connection with the incumbent Director General (DG) of KDRM, as I had been a 'preventive' officer (in the dedicated anti-smuggling division) under his command during his time as a State Director. It was possible, therefore, to present the case for research and negotiate access by going straight to the top. An official letter was sent by the

DG's office to selected State Directors, asking them to extend full co-operation.

Unfortunately, it was at this level that serious resistance was first encountered. During the first meeting with a State Director and his Deputy in Charge of Preventive Division, several areas of disquiet were discussed. They began by talking about academic research that had been previously conducted with the police and that customs were approached for such cooperation far less often and usually only after access to the police had been denied. According to one of the officers present at this meeting, the police were now far less willing to grant access to researchers after suffering from negative criticism as a consequence of taking part. Natural anxiety about the possibility of reputational damage to the Customs Department was evident and this seemed to hinge partly on their inexperience with academic research and how they should go about managing it. There was further concern that the proposed research might compromise the identity of informers, or give away special operational procedures and other sensitive information. Finally, despite carrying letters of introduction from my university, there was no mention of me as a researcher on the University's web pages and, therefore, my authenticity as a researcher could not be instantly verified.

These were, of course, legitimate concerns and criticisms and required a measured response. I was able to assure the officers at this meeting that I had already gained access to the police. This was not a case of approaching KDRM as second best or an afterthought, as they were considered to be an integral part of

the research. Negotiations with headquarters had begun many months earlier. As a former officer, I was highly unlikely to undervalue the work and carelessly undermine the reputation of the KDRM. Furthermore, I was still bound by the Malaysian Official Secrets Act. Operational experience with informers and with other sensitive material meant that I was completely aware of what should and should not be revealed, without the proper clearances.

The issue of researcher authenticity proved to be minor, as the Director General had vouched for me. However, the problem was reported to my supervisory team and to the Head of Graduate Studies, so that they could take steps to remedy this for the benefit of future researchers, especially for those conducting fieldwork overseas. After gaining access to the Customs Department in the first state, the others were much more receptive and, of course, the Customs Department of my own state was the most hospitable of all.

2.4.4 Others

Access to a recently retired head of the SPKU was gained through a mutual acquaintance who was, at the time, a serving police officer. This was an invaluable contact as the current chief had only been in position for a relatively short period while the former head had been in charge for many years during which time I knew that Alohan had been actively engaged in kidnap. From my gatekeeper, I learned that the ex-chief had intimate knowledge of Alohan and his activities. Once contacted, he appeared very keen to take part and interviews took place at his house.

The Chinese businessmen are known to me personally. I had met them originally in my capacity as a customs officer. These participants were eager to contribute with their views on Malaysian policing and the impact upon their community and businesses. Although many of the local businessmen that I knew would have happily taken part, I had only a limited amount of time. The two finally selected had previously spoken about these issues to me and I knew that their views were fairly typical. The interviews took place at their business premises.

The interview with Alohan's lieutenant was fortuitous. This person regularly escorted Alohan to the safe house. He would stay in another room while the main interviews were being conducted. After the cycle of interviews with Alohan was complete, I asked whether it would be alright to have a short interview with his lieutenant. Alohan had no objections and the gang member seemed happy to take part. This interview also took place at the safe house, while Alohan waited in a different room. Alohan placed no restrictions upon the types of questions that could be asked.

2.5 Understanding Narrative Research

As previously stated, the overall methodological framework used in the project is narrative research. Before examining further specific issues of the research project design and methods, it is useful at this stage to examine what narrative research is.

Franzosi (1998: 517) states that: 'Narrative texts are packed with sociological information, and a great deal of our empirical evidence is in narrative form'. Narrative research is concerned with the study of

imagined, spoken, pictured, written or performed stories as rich sources of data about people, societies and cultures (Polkinghorne 2007). A story is a chronological ordering of events, presented so that there is a clearly identifiable beginning, middle and end or, in more formal terms, an exposition, development and resolution (Czarniawska 2004; Elliott 2005; Riessman 1993). Atkinson (1998: 3) gives the basic elements of the classic story as 'beginnings, conflicts, and resolutions'; he feels that both our lives and the stories we tell about them 'unfold according to an innate psychological blueprint, just as our biological development is governed by the genome, a genetic blueprint embedded within the species'. The main value of the story lies not just in the strict facts it contains but the chance it gives to 'step into the mind of another person' and 'glimpse the categories and logic by which he or she sees the world' (McCracken 1988: 9). Stories tend to be told from a particular point of view, with a distinctive narrative voice and are held together by plots that impose logical coherence and causality, enabling connections to be drawn between characters, actions, beliefs, events, motifs and any other elements present (Franzosi 1998; Polkinghorne 2007).

Humans have a seemingly natural tendency to plot out stories, as a way of framing events or of organising abstract concepts and emotions into episodic format. Not only does the story format provide us with a common template that can help us to share our experiences with others, it also helps us to reflect upon and make sense of the events in our lives, both the things that happen to us and the things we cause to happen:

Storytelling is a fundamental form of human communication. We often think in story form, speak in story form and bring meaning to our lives through story. Storytelling, in its most common everyday form, is giving a narrative account of an event, an

experience, or any other happening. We can tell of these happenings because we know what has happened. It is this basic knowledge of an event that allows and inspires us to tell about it. (Atkinson 1998: 1)

We might present stories for public consumption, as a way of sharing our understanding of events with others, or we might construct them for ourselves as part of an internal process of sense-making (Bruner 1986; Mishler 1991; Sarbin 1986). Story-making has such a strong basis in shared cultural conventions that, even when stories are fictional, the tellers cannot help but 'represent their identities and societies' (Fraser 2004: 180). Even when story-tellers diverge from objective standards of truth, subjective truths about the life lessons learned and about self-image are still likely to remain.

An article by Agnew (2006) tells of the role played by offenders' storylines and speculates about what this can reveal about causes of crime:

When criminals are asked why they offend, however, they typically do not place much emphasis upon background factors. Rather, they usually tell a story explaining why they engaged in crime. These stories describe the events and conditions leading up to the crime and, although they may refer to a situation that occurred, they often focussed on events and conditions prior to that situation' (Agnew 2006: 120).

Of particular interest to sociologists are the ways in which stories transmit and reinforce hegemonic norms and practices or, alternatively, how they serve to resist or subvert the dominant order (Ewick and Silbey 1995; 2003; Fraser 2004). What this implies is that the story itself might

play a part in crime facilitation and is, therefore, as suitable object of research in its own right.

2.6 Interview Styles used in Narrative Research

The social science data repository site, Economic and Social Data Service (ESDS) Qualidata, provides a useful preamble about different styles of qualitative interviewing. They note that:

It is usually possible to identify an interview's form as structured, semi-structured or open-ended by looking at a transcript. However, other typologies are derived from methodological perspectives and it is not possible unambiguously to classify an interview as, for example, life history, oral history, or narrative, as these approaches can depend on the analytical framework applied to the transcript. (ESDS Qualidata 2010)

Some sources use life-history, oral history, biographical or narrative interviewing as more or less interchangeable terms, while others describe them as distinct techniques. Atkinson (1998: 2) suggests that the life-history should be presented as a first person narrative, keeping 'the presentation of the life story in the words of the person telling the story' and that the end product should be a 'full-length assisted autobiography'. Harding (2006) uses the label 'biographical interviewing' as her master classification and distinguishes between the life-history and the episodic (or oral history) interview, where the former is interested in a full-life account and the latter is more concerned with stories about a particular period or a more short-term series of events. Harding (2006) argues, however, that all biographical research should adopt a chronological format which is 'more natural and less intrusive ...

people know how this format works and expect it, and, consequently, are less directed by the interviewer and more empowered in the interview’.

For my research, a narrative, biographical/life-history approach was not strictly adhered to although trying to do so was a guiding ideal. Alohan’s full interview transcripts are contained in Appendix I, translated, combined and edited to provide, for the most part, a flowing narrative that can be read in its entirety. However, while much of the material was related in chronological order, as the story of Alohan’s life unfolded, the interviews also produced material that could not be described as narrative but consisted, rather, of personal opinion, observations and worldview. Because this data could be viewed as a product of Alohan’s experiences, combined with retrospective sense-making that was encouraged by the interview process, it seemed most appropriate to include this at the end of the transcript, as a series of reflections.

The substantive chapters, which contain the analysis and discussion of Alohan’s interviews, are based on material that has been analysed more thematically, even though the themes themselves have been arranged into a quasi-chronological sequence. The early years are taken as an opportunity to analyse Alohan’s story, seeking insights about identity formation and factors that might predispose people like him towards delinquency. The next logical theme, in terms of time-line, is adolescence, Alohan’s induction into the gang and the beginnings of his criminal career. Chapters Five and Six concern Alohan’s work and the social support that enables him to continue offending, and there is still some temporal career progression although criminological themes multiply. For instance, two of the important themes (and theories) that recur and need to be considered in the context of Alohan’s adult offending career are subcultural tolerance of crime and techniques of

neutralisation - one does not strictly precede or succeed the other.

Throughout these chapters, the narrative is interspersed with analysis and commentary, purely for the convenience of the reader and so that the relevant theoretical concepts and debate can be introduced and discussed in an orderly fashion.

Corroboratory interviews from other research respondents have been approached more thematically and discussion of these is restricted to Chapters Six.

2.7 Life-history Interviewing in Practice

Atkinson (1998: 8) tells us that life-history interviewing is concerned with: 'the story a person chooses to tell about the life he or she has lived, told as completely and honestly as possible, what is remembered of it, and what the teller wants others to know of it, usually as a result of a guided interview by another'. Although this is a collaborative effort between the research participant and the researcher, power over the content and style of delivery remains with the story-teller while control over the final written account remains with the researcher.

Life-history interviews are not completely 'free-flow' and without agenda. Alohan was clear about the context in which he was being asked for his life-history. The project was overtly criminological and the research objectives had been explained at an early stage, well before the interviews began. As biographer, I was known to him as a former enforcement agent who had previously inhabited part of his professional landscape. A few of the stories he had to tell would have been heard by me before, because he had related them himself or because someone else had told the stories about him. Thus, when Alohan was asked to start at the beginning, he already had an orientation towards producing

the kinds of stories that would fit within the remit. The first 'editor' of Alohan's life-history interviews would, in effect, be the man himself as he selected stories to illustrate those motifs he thought most relevant. He would naturally highlight what he considered to be 'the most important influences, experiences, circumstances, issues, themes and lessons of a lifetime' (Atkinson 1998: 7) but, most specifically, he would be most likely to offer stories knitted together in a framework that he felt best explained his participation in serious crime and choose to cut, limit or place less emphasis upon other areas.

The questions were designed to be open-ended, to encourage a discursive response. Questions that invited 'yes-no' answers were avoided. During the first few interviews it was difficult, as an interviewer, to resist inserting myself into the interview, asking unnecessary questions and making too many encouraging noises. But I, like Alohan, learned to relax and be a better listener. What Alohan had to say was genuinely fascinating and there was never any need to fake interest. The process could, however, be draining. As Atkinson (1998: 33) warns: 'Listening is hard work that takes concentration and focussed attention'. After each interview we would have a 'warm-down' period, where the recorder was turned off and we could lounge around having a relatively aimless chat about nothing in particular.

There are many tips on how to get the best out of the interview. Atkinson (1998: 29) recommends starting with a few warm up questions, to get proceedings going. The setting is important, too. The interviewee needs to feel comfortable and relaxed. The best place is often the person's own home or some other familiar territory, but for security reasons this was out of the question. As Alohan is actively engaged in serious crime and often targets members of organised crime groups, there will always be a risk of raids upon his known haunts by the police

and by rival or avenging gangsters. Therefore it was arranged that interviews took place instead in safe-houses and an effort was made to create as homely and comfortable an atmosphere as possible. As some of the interviews went on for several hours, it was fortunate that the safe-houses were fully equipped with kitchen facilities. A quick shopping trip beforehand ensured that there was food and drink available.

During the initial stages, the interviews were taken in a roughly chronological order, which seemed the most logical approach. I started by asking about Alohan's childhood and progressed through his teens, his early career and his more mature years until the present date. Later interviews were more thematic and it was possible to go backwards and forwards to explore emerging patterns and motifs. The final interview contained a number of 'closure' questions, where Alohan was invited to talk about anything he felt had been missed out and to reflect upon the interview process itself.

On a practical note, interviews were captured using an Olympus digital voice recorder. Alohan and the other participants might have felt self-conscious if they were overly aware of being recorded and this could have resulted in stilted, awkward sessions. The digital device is small, reliable, easy to operate, noiseless and unobtrusive, yet can be left to record for up to six hours at a time without any tapes to turn over or change. Alohan and the other interviewees appeared to forget that it was there after a short time. Another advantage was that there were no tapes to mangle, corrupt, store or mislay; interviews could be saved as digital sound files and transferred directly onto a computer. It was easy to pass these files through encryption software and transfer away by email, leaving nothing behind on site, which might otherwise compromise Alohan. Any problems with sound quality could be quickly and efficiently remedied using off-the-shelf sound editing software.

Playback was achieved with minimum fuss and maximum convenience, using a common wave-player programme available on most personal computers, which made it very easy to move around the file, without the old tape problem of fast-forwarding and rewinding. Data storage could utilise several different technologies, giving plenty of options to insure against data loss. For instance, it was possible to store every interview recorded onto a single DVD disc, which was then protected by password. Unlike the older magnetic tape technology, as many copies as necessary of digital sound files can be made without loss of sound quality and these can be used repeatedly without significant deterioration (McLellan *et al.* 2003).

2.8 Corroboratory Interviews

As previously stated, supplementary interviews conducted with police and customs officers, local ethnic Chinese businessmen and a close gang associate of Alohan, all followed a semi-structured format. The questions were slightly different depending upon the type of participant, but were guided by a set of themes appropriate to each group. The questions I asked of Alohan's lieutenant were mainly corroboratory in nature, checking for similar viewpoints, decision-making processes within the gang or for factual information about gang structure or general *modus operandi*, for example.

Alohan's lieutenant and the local businessmen were included to cross-check Alohan's assertions about the nature of doing business as a member of a minority ethnic group. Interviews with the businessmen focus especially on their perceptions about dealing with the authorities, in terms of the regulation imposed upon them and the official protection afforded to them.

The questions directed at customs officers (see Appendix IV) were concerned, firstly, with their experience of handling informers. A second theme that was explored was their perceptions about and attitudes towards members of the Chinese business community that they encountered during the course of their work.

Interviews with the police officers of the SPKU were far more sensitive and needed even more careful drafting. These interviews presented several opportunities: first, to find out more about the types of kidnapping common in Malaysia and their prevalence; secondly, the difficulties the police faced in conducting their investigations and operations (in other words, the problems that Aohan could turn to his advantage); and thirdly, their attitudes towards the policing of minority ethnic communities and members of organised crime groups.

Even though these interviews were more structured than Aohan's, the questions were again designed to be open-ended, with time allowed for additional follow-up questions, if interesting threads emerged. Although the interviews for the police and customs officers were generally held in a private office, an effort was made to put participants at their ease with an explanation of the interview format and a reminder that they were free to withdraw at any time without fear of repercussions.

Interviews began with some gentle warm-up questions and ended, after the recorder had been turned off, with a debriefing chat about how they had found the interview, whether they had felt comfortable or anxious and if they had any comments that they would like to make completely off the record.

2.9 Quality Control

The question that needs to be answered for every piece of research is 'how do we know it is true?' (Pole and Lampard 2002: 206). This refers to the ever thorny issues of validity and reliability. Qualitative projects, like this one, cannot and probably should not aspire to the same measures of quality that are applied to quantitative data collection and analysis. It is very unlikely that this piece of research will ever be replicated and, even if it were possible, no two researchers will interpret and analyse the data the same way. However, that does not mean that what is contained here is unreliable or untrue.

Some researchers feel that narrative interviews are particularly strong with regard to internal validity (Elliott 2005; Polkinghorne 2007). They give rich and authentic detail and a coherent storyline is especially effective in transmitting as nearly as possible the meaning and emotional content that the individual has attached to the happenings described.

For thematic narrative analysis, it is important to remember that facts are, if anything, subordinate to the sense that has been made of them. Lindhe (1993 cited in Elliott 2005: 24) makes the point that, although stories might have been produced for the interview, many of them will already have been told to another person or group of people, for a completely different purpose: '... in the case of the life-story, interview data can be used because the life-story, as a major means of self presentation, occurs naturally in a wide variety of different contexts (including interviews) and is therefore quite robust'.

The main case-study participant is a person with whom I have forged a prior bond which means that questions about the authenticity and trustworthiness of the data collected should be raised. The existence of prior relationships between researcher and subjects is not unusual in

qualitative research projects, which are inherently subjective. However, care was taken to triangulate information received from Alohan with data gathered from interviews with enforcement agents, members of the local Chinese business community and so on. The main rationale for undertaking other interviews was to cross-check aspects of what Alohan described. The corroboration related to events or landmarks in Alohan's life, like actual kidnaps or arrests, trials and imprisonment. It also involved practice; for instance, the customs interviews could back up Alohan's account of informant handling, the police interviews could give credence to his accounts of modus operandi and the Chinese businessmen might shed further light on Alohan's beliefs regarding the ethnic and cultural pressures he was subjected to. There were other sources that reported on Alohan's criminal capers, including news stories, police records and other official documents. These had to be used with great caution, as background material. For instance, I have a newspaper clipping that shows a photograph of Alohan and his gang members and a heading that says they are wanted by the police, however, this cannot be reproduced here because it could be used in identification. My Director of Studies can verify that he has seen this type of material.

There was and still is a major problem with the way that participants presented themselves and how they are depicted in the final thesis. Of course, few people or organisations are happy to be portrayed in a negative light. At the same time, this research project is concerned with a very disturbing topic and it is essential that the story be told as it is, 'warts and all'. The ardent hope is that none of the participants will perceive any malice or wilful misrepresentation. There is no need to spice up the subject matter, as it is already quite sensational enough. If anything, there is an urge to play down the material so that it will be read soberly and seriously. In the end, the best that I can do is to reflect the

humanity of the people that gave me their time and trust, with all of their fallibility and their remarkable resourcefulness.

McCracken (1988: 32) fears that: 'deep and long-lived familiarity with the culture under study has, potentially, the grave effect of dulling the investigator's powers of observation and analysis ... [b]ut it also has the advantage of giving the investigator an extraordinarily intimate acquaintance with the object of study'. He advises the researcher to manufacture distance. By this he does not mean that the researcher should disavow his or her embeddedness in a particular culture or disown existing relationships with participants but, rather, a good solution would be to 'go off into another culture for an extended period of time and then return to one's own' (McCracken 1988: 32). This was a reassuring piece of counsel, as it was precisely what had happened in this case. I had left the country six years earlier as a Malaysian customs officer and returned as a partially (never entirely) Westernised academic criminologist. This did enable me to view the research as a homecoming, but also with a fresh pair of eyes that made it possible, in McCracken's (1988: 24) words, to 'see familiar data in unfamiliar ways'.

Other conditions forced by circumstance had similarly happy outcomes for increased validity. The constant change of safe-house, necessitated by security concerns, and the time pressures that called for many interviews of variable length with Alohan, rather than a few very long ones, meant Arksey and Knight's (1999: 52) ideal stipulation that 'respondents should be interviewed more than once, with the setting changing' was automatically met.

2.10 Data Processing

Some initial data processing took place during the fieldwork, to inform later interviews. Areas raised in earlier sessions were covered again at

later occasions to allow a reflexive and ongoing analysis of consistency and reliability in the narrative.

The sound recordings were the primary documents. They were processed first by transcribing to text files for printing to paper. The table in *Fig. 2.1* below sets out some generally accepted and reasonable sounding guidelines for the transcription of interviews.

Fig. 2.1 – Transcription Rules

Mergenthaler and Stinson's* 7 Principles for Developing Transcription Rules	
1	<p><i>Preserve the morphologic naturalness of transcription.</i></p> <p>Keep word forms, the form of commentaries, and the use of punctuation as close as possible to speech presentation and consistent with what is typically acceptable in written text.</p>
2	<p><i>Preserve the naturalness of the transcript structure.</i></p> <p>Keep text clearly structured by speech markers (i.e., like printed versions of play or movie scripts).</p>
3	<p><i>The transcript should be an exact reproduction.</i></p> <p>Generate a verbatim account. Do not prematurely reduce text.</p>
4	<p><i>The transcription rules should be universal.</i></p> <p>Make transcripts suitable for both human/researcher and computer use.</p>
5	<p><i>The transcription rules should be complete.</i></p> <p>Transcribers should require only these rules to prepare transcripts. Everyday language competence rather than specific knowledge (e.g., linguistic theories) should be required.</p>
6	<p><i>The transcription rules should be independent.</i></p> <p>Transcription standards should be independent of transcribers as well as understandable and applicable by researchers or third parties.</p>
7	<p><i>The transcription rules should be intellectually elegant.</i></p> <p>Keep rules limited in number, simple, and easy to learn.</p>
<p>*Mergenthaler and Stinson (1992, cited in McLellan, MacQueen & Neidig, 2003: 65)</p>	

Atkinson (1998: 54) did not exaggerate when he wrote: 'To transform hours of taped interviews, which may seem like a complex mass of confusing data, into a readable narrative ... is a daunting task'. Although he estimated that it would take between three to six hours to transcribe

one hour of tape', I found that as a novice it took nearer to seven hours to transcribe one hour of sound file.

The majority of the interviews were conducted in the Malay language, although this was complicated somewhat by the participants' use of idiomatic expressions, street slang and 'cop-talk'. To begin with, it seemed to make most sense to adopt a two-step process: Step one, transcribe the recording into Malay; step two, translate this transcript into an English transcription. At first, I was careful to observe the Mergenthaler and Stinson (1992 cited in McLellan *et al.* 2003) protocols, including the preservation of morphologic naturalness, but quickly noted that something very odd was beginning to affect the translation.

While the transcription into written Malay (if time consuming) was no problem, I discovered that during the written translation from Malay into English my transcripts mysteriously acquired a law-enforcement flavour that no doubt was seasoned by my earlier life as a Malaysian customs officer, thinking, talking and writing in Malay. The tone was stilted and read more like a confession or a case report than a life-history narrative. I was disturbed to find that my own experience and background was colouring the data. Not surprisingly, this was a phenomenon that no research methods text-book had warned me about.

For the last six years, I had lived and studied in the UK and the English language had become identified in my mind with the process of academic writing. I tried, therefore, to translate directly from the recordings not into my native tongue but into an English transcription instead. The result was faster, more fluid and, surprisingly, conveyed the flavour and meaning of the interview material far better. There had been a danger that meaning could have been lost in what I originally felt was the most comfortable translation and transcription process..

As the units of analysis were comprised of the themes revealed by the storyline (rather than the style or manner of delivery, as in conversation analysis), the aim was to produce a flowing written narrative, that retained as many of the nuances of the original speech as possible, yet cut out all the ‘ums’ and ‘ers’ and grammatical inconsistencies that detracted from the story and made it difficult to read. This is a process often referred to as ‘cleaning up’ the transcript (Elliott 2005: 52).

This was, of course, not a job that could be sub-contracted to professional translators, if confidentiality was to be preserved. As I conducted the transcribing and translation on my own, the development of rules that could be shared between researchers was not an issue. However, it is worth noting that, for future overseas projects where more than one researcher is engaged in the work involving translation, a great deal of attention would need to be given to shared standards covering translation and transcription performed as one combined, rather than two separate, tasks.

The other surprising advantage of transcribing directly into English was the significant time-saving. One hour of tape, as has already been stated, took approximately seven hours to transcribe in Malay. It took at least another eight hours to translate and transcribe the same hour’s worth of text into English. Thus, a massive 15 hours of work was reduced by a third, to 10 hours for each hour of interview. With 54 hours of tape to process (see *Fig. 2.2* below), this represented a time-saving of 270 hours, before the transcripts could be made ready for summative analysis.

Needless to say, it was not possible to sit and translate for hours on end, every day of the week for several months. As it is, the job took the best part of a year to complete.

Fig. 2.2 – Transcription and Translation Workload

Transcription and Translation Workload			
Participant	Sessions	Tape Hours	Translation/Transcription Hours
Main research subject	12 x variable length	14	140
Former SPKU chief	1 person	4	40
SPKU	12 officers x approx 1 hour 20 minutes/person	16	160
Customs Preventive Unit	17 officers x approx 1 hour/person	17	170
Local ethnic Chinese businessmen	2 people x approx 1 hour/person	2	20
Alohan's associate	1 person x 1 hour	1	10
Totals	45	54	540

Research that will be written up in English but that is conducted in a different language can create a lot of work. For example, there was still a need to translate back into Malay, so that the relevant participants could read the final draft and be given the opportunity to confirm its essential accuracy, and exercise their editorial insights or rights of veto. However, it was a much simpler task to translate one final draft, after the data had been reduced, the analysis performed and the thesis written up and near completion.

2.11 Data Analysis

Although Polkinghorne (2007: 12-3) writes that 'not all narrative research includes an explicit interpretative section' as the 'produced finding is held out as the stories themselves', this project certainly does require interpretation and comparison with other research and theory in the subject area, in order to reveal deeper levels of meaning contained within the stories. A collection of Alohan's and the others' stories might represent an entertaining and readable collection in their own right, however, there are questions that need to be answered and knowledge acquired, in the shape of explanations, additions and amendments to, or

refutations of, existing criminological theory. For that, the data needs to be dissected and its contents thoroughly poked and probed.

Some research uses narrative analysis on a very fine grained 'line-by-line' basis. This is the most time consuming approach and produces rich, highly detailed material. Because I had 14 hours of taped interviews from Alohan alone, the line-by-line method was not feasible in the time available. Similarly, producing a complete, uninterrupted narrative, in the style described by Atkinson (1998) and Polkinghorne (2007) seems too broad an enterprise for the aims of this project. Decisions about the most appropriate level of analysis to undertake must involve a return to basics. The question is, what kind of analysis needs to be performed in order to extract the evidence, information or insights that will help to achieve the research aims and answer the research questions.

Guidance to the best approach for this project is given by Fraser (2004: 184) who helpfully observes that: 'By entering into dialogue with others, narrative interviewers may unearth hidden or subordinated ideas .. [that] may cast doubt on official accounts and established theories'. When it comes to Alohan's life-history account, the stories he tells are themselves full of rich detail, readily accessible on the surface but, buried a little deeper, there is also important information about turning points in his life, key decisions that he makes and the conditions he is under when his career moves in a specific direction.

Bryman (2004: 412) recognises that there is 'little consensus on what narrative analysis entails' but that it involves 'at the very least ... a sensitivity to: the connections in peoples accounts of past, present and future events and states of affairs; people's sense of their place within those events and states of affairs; the stories they generate about them;

and the significance of context for the unfolding of events and people's sense of their role within them'. Of the four models of narrative analysis that he discusses (thematic, structural, interactional and performative), the most appropriate to this research is the thematic style, which focuses on what is said rather than how people say it.

Because two different styles of interview were conducted, two different strategies for data analysis had to be adopted. For Alohan's life-history, I chose to start with a strong chronological structure, which helped to place the themes into a logical order. Analysis of the semi-structured interviews followed a more typical qualitative procedure of thematic coding, where the data was initially sorted according to the theoretical concepts that had emerged from Alohan's life-history account and that addressed the research questions. A coding system was devised in several steps. Firstly, the broadest possible themes were identified. These included categories that provided a fit with the theories under review, like 'identity formation', 'technique of neutralisation', 'social learning' or 'tolerance of deviance'. Secondly, these broad themes were broken up into more specialised categories that could, for example, contain motifs, like 'crime as work' or specific techniques of neutralisation, such as the 'appeal to a higher authority' (Sykes and Matza 1957: 673).

Ideas about possible themes occurred naturally at every stage of the research, during the background literature review, while the interviews themselves were going on and especially when repeatedly playing back and transcribing them to Microsoft Word files. cursory analysis of the materials that the interviews produced provided the impetus and direction for later sessions. This is sometimes referred to as 'processual analysis' (Pole and Lampard 2002). However, a conscious decision was made not to get bogged down, too early, in the technical job of

separating and sorting data until after the translation/transcription was complete.

The stage that Pole and Lampard (2002) describe as summative analysis was not arrived at until late in 2008, towards the end of phase 4 (see Appendix II) rather than the beginning (as was originally planned). This was where the data was interrogated most intensively and where conclusions were drawn.

2.12 Ethical Standards

All research conducted under the aegis of Nottingham Trent University is bound by their Research and Ethical Governance Framework Document (2008). As the research topic belongs squarely in the field of criminology, the British Society of Criminology's Code of Ethics for Researchers also applies.

The chosen method of research, the life-history approach, itself involves a well established ethical framework of good practice. Atkinson (1998) believes that this should be centred on fairness, honesty, clarity and straightforwardness. Spradley (1979) states that it is the duty of the researcher to focus on the subject's interest, rights and privacy above all else. He feels that the aims, objectives, agenda and purpose of the researcher should be made explicit and clear from the start.

This project had the potential to be an ethical minefield. The ethical basis for the research could not be an afterthought and each step of the way would need to be carefully considered and structured in order to reduce risks to the researcher, the research participants and the sponsoring institution. Before the project could get off the ground it needed to pass the review by the Post Graduate Research Degrees Committee and, in this case, there was a distinct possibility that it would

not make it through unless it could be shown that every decision taken on the mode and direction of research was understood to have an ethical dimension. For example, the methodological stance and the methods themselves were designed to address the university's concerns over researcher safety. The order in which research objectives were completed was dictated by issues of confidentiality and participant safety and there were trade-offs between fully informing some participants and the protection and safety of others.

2.12.1 Informed Consent and The Balance of Power

Alohan - This project was a long time in the formation. After the initial idea was floated to Alohan, he was consulted by phone continuously as the research proposal was drafted. During my annual visit to Malaysia, we met and held a long conference, where we thrashed out some details of method and the probable time commitment involved. Here, Alohan was given the opportunity to ask any questions of me that he liked. I gave Alohan a copy of the original project proposal and also translated a copy of it into Malay for him, so that he could see for himself what the aims and objectives of the research were. On the basis of this, he was asked to read and sign a consent form which advised him, amongst other things, of his right to withdraw from the project at any point. Alohan was offered a copy of the future final draft thesis prior to submission and given the right of veto over any part of it that endangered or misrepresented him. Any articles for publication involving him were also subject to this veto power. He was promised copies of the completed thesis and any other publications that were based upon his story. In addition, he was told who would have access to the transcripts, how they would be used and where the data would be securely

archived. Although this process did resemble what Hagan (2006: 47) calls a researcher's Miranda warning, I was under no illusion that this represented a satisfactory discharge of my ethical duties. Consent would be 'a continual process dependent on mutual learning and evolution' (Hagan 2006: 48).

Alohan is a highly intelligent person and very successful not only in his criminal undertakings but also in several legitimate enterprises. He is a shrewd judge of character and has remained safe for an astonishingly long time because he has a highly developed sense of self-preservation and an expert nose for detecting insincerity and subterfuge.

Usually, in any research project, there is an issue over the balance of power between the researcher and the participant. As an expert in his field, the researcher is often seen as having power over his research 'subjects' which needs to be carefully negotiated so that the subject neither feels nor is in fact exploited. The power dynamics in this case were very curious indeed. A relationship already existed, but this was between a customs officer and his informant. The customs officer is a figure of authority but in most cases the informant has dealings with him very much on his own terms. In Malaysia, the most common incentive for a customs informer is financial reward, as much as 50 percent of the value of goods seized. There may be other reasons why an informer might come forward and offer his services, for instance, to settle a grudge against a rival person or gang by laying information and triggering a raid. There are cases, too, where an informant will try to protect his own

smuggling business by making himself indispensable to his local customs investigators at the expense of his competition.

In my experience, informants who are pressured or blackmailed into the role make unreliable sources and may be useful for one job but not worth cultivating long-term. In Malaysia, the Customs Department does not make deals of immunity from prosecution with suspects, as is more common in the case of police informers both there and elsewhere (see Settle 1995). Alohan was a long-term source of information, who came to me during my time as a customs officer, at his own discretion; I did not seek him out.

In his own circle, Alohan is a well-respected person and some people have very good reason to fear him. Our former relationship was one of mutual convenience with, if the truth be known, a measure of exploitation on both sides. Put brutally, we came together in the first place because each had something that the other wanted and this lent a certain equilibrium to the balance of power between us. Alohan remained my informant over many years because he knew that, provided he stayed within certain agreed bounds, he could rely on me to do him no harm.

The power balance shifted significantly immediately after the research began, as the customs officer became the researcher and, in effect, a petitioner. At no point was it ever suggested that there would be a direct financial incentive for participating in the research. The utility of the relationship to Alohan was something, therefore, that he had to rethink for himself – a task that he was very well able to do. Eventually it all boiled down to

the notion of legacy. I could tell his story and this was something that clearly appealed to Alohan. He knew that I was genuinely seeking an understanding of the forces that had shaped his life and criminal career and that, as someone from the opposite side of the fence but also someone with whom he had been able to deal with successfully in the past, I could be trusted not to rush to crude judgement on his behaviour and life choices.

There is a danger that the above might give the impression that the transition was easy; it was decidedly not. The first few interviews were quite stilted until Alohan realised that he was in control. One example of the power that he naturally took for himself was in relation to the length of the interview. Most interviews took place in the late evening because of Alohan's busy daily schedule. I did not feel that it was appropriate to request that he turn off his mobile phone and interviews would be regularly punctuated by telephone calls. Alohan started out by saying how long he thought that night's interview would go on for. This could be anything from as little as 10 minutes or as long as three hours; he would look at the clock and say that tonight we would only have until 10pm or, on good days, we might have until three in the morning. The usual reason for cutting proceedings short was that he had too many things on his mind to be able to concentrate. On more than one occasion, as we reached the allotted time and I asked Alohan if he would like to draw the interview to a close, he would motion to carry on because he was in full flow and did not want to stop just then. Some of our best interviews went on well into the small hours, with both of us caught up in the story-telling.

Law Enforcement - As the heaviest burden of care was towards Alohan's safety and wellbeing, this came into conflict with the desire to fully inform other research participants of the aims and objectives of the research. It had already been decided that none of the enforcement agency interviews should take place until the interview schedule with Alohan was complete because, for instance, if the police had been told of my full objectives they might have decided to place me under surveillance, thus jeopardising Alohan's security. Clearly, this involved a realistic need to compromise the ideal of disclosing everything about the project to police participants – a choice not covered by textbooks on research.

It was not possible to give anything more than a vague outline in a bid to convince gatekeepers of the potential value of such research. Undoubtedly, my former status as a trained enforcement officer was a major factor in gaining support for the project from senior police and customs officers, despite the sketchy details. Their openness and willingness to trust my judgement only increased my obligation to provide them with a sensitive, constructive and informative final product, even if I could not do so safely at the outset. I was given permission by senior officers to interview the whole of the SPKU and to select for myself officers from the Customs Department that I believed to have useful insights into the handling of informants. The enforcement participants were told about the main purpose of their contribution to the research and were also advised about measures taken to ensure confidentiality, anonymisation, secure data storage and transmission. They, too, were advised that they had the right to refuse to contribute (without this being

disclosed to their superior officers), to selectively refuse to answer certain questions or to withdraw at any point. They were given Nottingham Trent University standard release forms to complete and these were also kept on file.

Access to members of the SPKU and to customs officers, in order to conduct the planned series of semi-structured interviews, was always going to have to be granted by 'gatekeepers' – senior officers in both forces who could, if they so chose, restrict access or coerce compliance. This was ameliorated as far as possible by a thorough and conscientious consent process with the individual respondents.

It transpired that members of the SPKU, rather than being pressured into taking part, were much more welcoming than even I could have hoped for. Several of the officers that I spoke to expressed surprise that I had managed to get through the door where, no doubt due to the sensitive nature of their work, no other researcher or journalist had ever been given access. Once the protocols for protecting their identity had been explained, I found all of them, without fail, to be frank and forthcoming and apparently eager to have the chance to say what they thought.

Everyone was told that, at the end of the interview there would be a short period for debriefing, off the record, where they could review the tape and raise any concerns. Although they were offered the opportunity to delete any comments, none took up the offer. There was a distinct sense that officers were using the interviews to highlight some problematic areas of their work, for

instance, the shortcomings of their equipment and the lack of interagency co-operation.

Although the enforcement agency interviews were allocated about an hour each, several of them did overrun because I did not want to control how much was said and, although the interviews were semi-structured (as explained above, this was a condition of access), the officers needed no encouragement to go off script and I was happy to follow where they led.

I believe that one of the reasons that I was successful in gaining access and given such generous co-operation was because I was a fellow enforcement agent from the ranks rather than from further up the command ladder. I still speak the same professional language as they do and share their mindset, concerns and experiences.

This leads to a curious point made by Finch, where she says, of her interviews with other women, that:

The moral dilemmas which I have experienced in relation to the use of the data thus created have emerged precisely because the situation of a woman interviewing women *is* special, and is easy only because my identity as a woman makes it so. I have, in other words, traded on that identity. I have also emerged from interviews with the feeling that my interviewees need to know how to protect themselves from people like me (Finch and Hammersley 1993: 173).

In my case, my identity as a former law-enforcement officer was also a good part of the reason why I had both gained access and achieved rapport, but I perceive no moral dilemma here. Yes, if a researcher is malicious, careless or inept, insider status could give him or her great power to harm or exploit. But the opposite is also true. I was a skilled and painstaking customs investigator and am now, I hope, a scrupulous and conscientious social science researcher and criminologist. My identity is the best guarantee that these officers have that their contributions will be treated with gratitude, respect, insight and fairness.

2.12.2 Researcher Safety

One issue that needed to be settled before there could be any chance of Post Graduate Research Degrees Committee approval was my personal safety. The Committee had to be satisfied that I would come to no harm. The reassurance provided by over 20 years of experience in handling serious criminals and informants and over 15 years of close acquaintance and contact with this person in particular were persuasive but insufficient. My Director of Studies informed me of the fear expressed in the meetings of the Committee was that they might end up reading a newspaper headline: 'Kidnap Researcher Kidnapped, University to pay Ransom'.

From a data quality point of view, it would have been far preferable to meet up with Alohan on his own territory, where he felt secure and at ease. In addition to the interview recordings, the account could have been strengthened by observations of his surroundings and interactions with others in his various milieus. As a customs officer, I had often met with Alohan at

food stalls – the ubiquitous ‘warungs’ with which Malaysia is blessed. His men were all around while deals were done over food and drink, as was the local custom. I had been to his business premises where I was able to see him at his legitimate work, comparing and contrasting the different behaviours and styles that he adopted depending upon his setting. I had been to his home before, where I was able to observe him as a husband and father. However, I had to reluctantly recognise that I was no longer a law enforcement officer or even a free agent and that my sponsor, the University, had a moral and legal responsibility for my wellbeing.

The problem for criminological research is that criminal behaviour, offenders and victims are central to the subject but they all need to be approached with caution, particularly by novice researchers. There are, indeed, some research topics, subjects or methods that are effectively ruled out of bounds if the sponsoring institution does not consider the potential rewards worth the undoubted risks.

Rawlinson notes (2000: 353), that: ‘There are, to my knowledge few, if any, academics ... who have met with serious physical threats or harm in their investigations of organized crime. Unlike the journalist ... the academic is given more time and required to take a measured stance to his or her subject, and to that extent is less vulnerable’. However, this was my first project in the field, I was an untried researcher working on an ‘alarming’ research topic and I could not blame the University staff for their caution. I acknowledged that not only did the University have a duty to protect my hide, but I also had an obligation to protect

the University's reputation (and liability insurance). Thus, there were several physical risks that needed to be recognised and minimised.

I was never at any reasonable risk of kidnap myself. I did not fit the victim profile that will be described later in this thesis. However, there was a risk posed by close contact with a potentially violent research subject; the interviews were in-depth and could dredge up powerful emotions for the subject. There was a possibility that Alohan might become angry or frustrated and target that anger at me, the researcher who was the cause of his distress. Additionally, if Alohan inadvertently gave away sensitive information during an interview or in casual conversation I might be perceived as a threat to him or the security of other members of his gang.

Alohan, by virtue of his lifestyle, has many enemies. Anyone regularly seen in his company might be at secondary risk from reprisal attacks. I, for example, might also get 'caught in the real crossfire' in any dispute with rival gangs. Ironically, the greatest risk was probably from the Malaysian police rather than the criminal fraternity. Alohan was 'one of the usual suspects' who the police would attempt to round up after any kidnapping that fit his modus operandi. The Malaysian police are armed and, on some occasions, operate a shoot to kill policy. Therefore, it was decided that the best solution was to use a safe-house as a venue for the interviews. Not only would this be a more secure environment, it would also forestall any problems of researcher entanglement in criminal activity and the ever present threat for me, the field-worker, 'going native'.

Fortunately, it was possible to gain the Customs Department's support for the project; in broad principle and without revealing the identity of the interviewee. The Malaysian enforcement authorities are familiar with the moral dilemmas involved in recruiting informers from the very gangs and syndicates that they are fighting. In order to cope with this problem, they operate a strict code of conduct which requires a commitment to complete anonymity and confidentiality. Informants are given numbers and names are never used. The fact that Alohan was already registered as an informant made things simpler, nevertheless, I have to record here the generosity of Royal Malaysian Customs in every regard.

The situation needed to be explained with great care to Alohan, as his acceptance of the arrangement was vital. It was difficult for him to understand the reasons why he had to be put to such high levels of inconvenience at first, because the working relationship that had in the past existed between us was based on a deep mutual trust, built over years, that neither would cause the other harm. As it was agreed that Alohan was a skilled enough operator, the route to and from the safe-house was best left to him to organise. And so it was.

Other measures were also put into place, primarily to ease the anxiety of my family, colleagues and friends. My supervisory team and my wife back in the UK were sent secure emails, informing them of scheduled interviews. As soon as possible after the interview, I contacted my wife and my Director of Studies so they knew that I was safe. In any case, daily contact was the rule. If I was out of touch for longer than 24 hours, my

wife had instructions on what to do and who to contact.

Fortunately, one of my closest friends was a high ranking Malaysian police officer (since retired) who could be counted on, once in possession of the facts, to set all the necessary wheels in motion. Thankfully, he was never called upon to do so.

Because of previous interview work I have conducted with convicted criminals, I am always aware of the psychological toll that this can take. Although the tone was usually conversational and as relaxed as possible, the interviews could (and did) become intense. That said, it is fortunate that we were already well acquainted with each other, as this took away some of the pressure to interpret mood swings and body language, which can otherwise be mentally and emotionally exhausting.

Generally, Alohan was quite willing to lead the topics and all I had to do was follow, however, it was always necessary to stay alert to certain signs and signals. For instance, if Alohan became overly sombre or testy this might indicate a suitable time for a break or a subtle redirection.

At times, I felt isolated and far away from my UK support team. Debriefing sessions with my Director of Studies were of inestimable value and daily contact with family members was essential for my emotional equilibrium. I used web-conferencing to great advantage; not only was this cheap but being able to see my loved ones while I chatted to them made the six months away from home more bearable.

2.12.3 Harm to Research Participants

A researcher has a duty to avoid causing physical, emotional, or reputational harm to research participants. A major advantage to the project was previous knowledge of the main research participant and of running confidential informants. This meant that I was not a naive researcher; I was aware of the dangers involved, well-equipped to minimise them and to avoid 'dangerous methods', i.e. data collection techniques that compel a researcher to assume moral and physical risks (Lyng *et al.* 1998: 251-252). Yet, Alohan was also no stranger to rough and ready risk assessment.

A major part of Alohan's basic calculation of risk combines an assessment of the strengths and weaknesses of his allies and adversaries together with an appraisal of the place, the time and the cost-benefit analysis. He soon made it obvious that he put considerable faith in my ability to keep him safe and, after the reasoning behind some of the more inconvenient arrangements were explained to him, he appeared very relaxed and willing to trust my judgement. This put the onus even more squarely upon me to anticipate and work through, as painstakingly as possible, the very real dangers that Alohan might face as a result of taking part in the research. My duty was to reduce any such risks to acceptable levels.

A big advantage of having a law-enforcement background was an awareness of the harms that might be suffered by the other key participants from the police and customs services. The proposed interview schedule posed no threat of physical injury, but there were anxieties around the more psychological aspects,

including a possible element of coercion from or conflict with superior officers (both customs and police) that needed to be guarded against, in addition to duty of care to protect institutional reputations.

I set out to interview these participants purely in the spirit of investigation, and had no desire to produce an exposé-style thesis. Any information obtained had to be sensitively handled with an objective, critical but constructive intent. I was the first to be allowed access to certain groups of officers; I certainly did not want to be the last. Although it was never made explicit, there was a sense of what Bryman (2004: 518) calls 'the research bargain', with access granted in the hope of a useful research output. It would be unethical not to attempt to fulfil that unspoken promise.

2.12.4 Psychological Harm to Participants

It might seem odd to those unfamiliar with the social science research process that academics might be concerned about the psychological welfare of a career kidnapper but, ethically, this was a possible harm that needed to be addressed. From my previous acquaintance with Alohan, I was aware already of several traumatic events in his life that he might have to confront in the course of the proposed in-depth interviews. He was warned that emotional and psychological distress were real possibilities and relatively common in this type of research even for the strongest personalities. The name and address of counselling services in his locale were provided as part of the consent procedure.

And so it was explained to Alohan that reliving some of his experiences might be painful and that he should have no hesitation in asking for breaks or to stop interviews altogether if strong emotions were aroused; the reins were entirely in his hands. He was also warned that I might ask some challenging questions from time to time, but that these were not intended as any form of judgement upon him and were simply seeking information. He did not have to answer any particular questions if he chose not to and did not have to give any reasons for such refusals. His decisions about what to answer or how much to say on any subject would be totally respected and were at his discretion.

The concept of debriefing sessions were carefully explained to Alohan and time was set aside for these at critical points, especially where the subject matter of interviews might cause psychological turmoil, for instance when he made revelations about his criminality or bereavements he had suffered. At the end of each session, limitless time was allowed for a kind of mutual debriefing, where the tape was switched off and we reviewed anything that had been said. Generally, this was also a time to relax together and chat about any topic under the sun, from current affairs to philosophical musings.

Some interviewers have mentioned the difficulty of withdrawal from the research participant, when they come to the end of a research project and depart, having taken what they want and leaving the subject high and dry. This was never going to be a problem in this case. I have known Alohan for a long time and am not going to sever contact at the conclusion of this project.

Back in the UK, I telephoned Alohan every few weeks to enquire after him, just as any friend would. Four more annual holidays were taken in Malaysia and each time we were able to meet, outside the confines of the research project, in our old warung haunts – although any supplementary interviews for this project, as before, took place in safe-houses when the formal research protocols were observed.

Finally, I knew that Alohan had a very close relationship with his spiritual advisor and recommended that he discuss the project with his ‘Sifu’ (teacher), to ensure extra support if necessary.

2.12.5 Arrest

Arrest counts as both physical and mental harm as it entails the loss of freedom of movement and exposure to the privations and pains of prison life. To a serious crime suspect, the act of arrest by armed police also represents a significant hazard to life and limb. It was imperative that the research project should not put Alohan at any increased risk of arrest.

A preparatory task, high on the list of priorities, was to check with Alohan himself and with other confidential sources within the Malaysian criminal justice system to ensure that there were no outstanding arrest warrants either for him or for members of his immediate circle. Fortunately, this could be achieved with very little risk to Alohan himself, as he was already an informant to another high ranking Malaysian police officer, who is a close friend of mine and who, many years ago, introduced Alohan to me in the first place. With Alohan’s permission, this police officer was told about the broad aims of the research project, for

which he expressed sympathy and willingness to cooperate, provided that no departmental regulations were broken in the process. Without his clearance, the project could not be given the go-ahead. He was able to confirm the fact that Alohan was not, at least for the present, on any wanted or watch lists.

It was important not only to check Alohan's legal status at the beginning of the research but at frequent intervals throughout the fieldwork period. At one point, several months into the interview schedule, a high profile kidnap took place that had a similar modus operandi to Alohan's group. Alohan contacted me by telephone to let me know that he had no part in the case but that he needed to make himself scarce for a while, to avoid being hauled in as 'one of the usual suspects'. There had always been an understanding that this might happen and a protocol had been decided in advance to deal with such situations. No attempt would be made to contact him and no requests for information would be made through our police contact in case this aroused unwanted attention. Alohan would get back in touch only once he deemed it was safe to do so. Meanwhile, I stayed in Malaysia and waited.

The fear that Alohan might, inadvertently, put himself at risk of arrest had to be guarded against. Decker and Winkle (1996: 52-53) argue that one main worry when conducting research on subjects who are criminally active is the uncovering of past and future crimes as well as those criminal acts that have not been solved. In order to solve this problem, they suggest that the research subject should be informed that fore-knowledge of a crime is not wanted and there will be no guarantee of

confidentiality if such information was revealed. An agreement was, therefore, included in the release form warning that Alohan should not reveal any information about crimes he had committed for which he had not yet been charged or about any criminal act that he was planning to commit in the future, otherwise I might be obliged to report what he told me to the relevant authorities. He was told that, for his own welfare, if it looked as though he was about to make an incriminating statement then I would have had no choice but to halt the interview immediately and seek advice from my supervisory team.

Following Klockars' example, at the beginning of each interview, it was explained to Alohan that I was not interested in 'names, dates, or anything else that could put anyone in trouble' (Klockars 1974: 212) To repeat the point already made, it was instantly ruled out that Alohan complete any research diaries or written biographical accounts. Because such documents could, if they fell into the wrong hands, be construed as criminal evidence. As a skilled interrogator with recent training in the gentler techniques of Socratic questioning, it is not difficult for me to prevent dangerous revelations. In all the long years of our association, Alohan has always been very careful about imparting information that might implicate him legally. If, in the unlikely event that he did let it slip about a serious crime in the planning, it was in any case my first duty to dissuade him from his purpose. Laying information against him with the police would be a last resort.

As part of the preparation for fieldwork, I had a long session with a Malaysian criminal lawyer, to discuss in principal the legal dangers that interview recordings, digital sound files, interview transcripts, research logs and thesis drafts might pose to an active criminal like Alohan, with a criminal record. The lawyer advised me that, under sections 24-28 of the Malaysian Evidence Act 1950, a confession is only admissible or taken as evidence if it is given to a police officer with the rank of Inspector or above – otherwise, it is considered hearsay. For customs officers (under the Customs Acts 1967) this is someone of the rank of Superintendent or above. It was vouchsafed that, under Malaysian law, there is no duty for a researcher to disclose information to law enforcement authorities unless he or she has been a direct witness to an unlawful act or had information about a crime which was about to be committed.

Nevertheless, it was incumbent upon myself and my supervisory team to safeguard all materials that might conceivably fall into the wrong hands. Stringent data security was practiced. A digital hand-held voice recorder was used to capture interviews. As previously mentioned, this did not use tapes and the interviews were recorded directly into digital sound-files that could be erased at the touch of a button. These were transferred as soon as I returned to my base onto a laptop computer where, without delay, they were encrypted and transferred by email to my Director of Studies in the UK. All files were then deleted promptly from my laptop. Of course, it was necessary to work on the encrypted files to translate and transcribe them and in order to conduct a cursory analysis of the data they contained to ensure they could be used to inform the

project, and possibly, future interviews. A protocol of daily file transfers was observed so that a minimum of working material was kept on site. The general rule of thumb was that working data should consist only of the quantity of interview script that I was able to process in one working day.

2.12.6 Other Physical Harm

Because Alohan was also at risk from others besides the police, protocols were put in place that made it impossible to trace Alohan via his contacts with me. This is where the field craft learned through years as an investigative customs officer came into play.

I knew first-hand about surveillance techniques and, more importantly, when, where and how these could be countered. I was also aware of the risk that my research participant might be placed under surveillance and the circumstances that might make it more or less likely. Therefore, it was extremely useful to have live law enforcement contacts to gossip with about the latest news and events that might impact upon the project. Although no sensitive information was actively sought, a general sense of the way that the wind was blowing could not hurt.

That enforcement agency safe-houses exist at all in Malaysia is not well advertised and their actual location is an even better guarded secret. Interviews were scheduled at irregular times and several different houses were used. As already mentioned, Alohan was adept at making his way safely to and from these safe-houses. If anything, his field craft is superior to my own.

Telephone messages were kept short and cryptic, according to prearranged code. I used a mobile phone provided by Alohan himself, which was frequently exchanged for a fresh one. I avoided phoning him, except in emergencies and he seldom called me from the same number twice.

2.12.7 Other Concerns Around Anonymity and Confidentiality

Professional ethical guidelines place great store on the importance of maintaining confidentiality but, as many criminologists realise, this is a standard that is often difficult for them to uphold: 'Changing the names of respondents is not enough in this context; it is difficult to disguise the identity of some informants or organizations without changing the meaning of their roles' (Hancock *et al.* 2000: 380). Alohan is, of course, a pseudonym. Nowhere in this document will you find any reference to his real name, what neighbourhood he lives in, what schools he attended, what tattoos he sports (if any) or how many children he has. But this is a life-history of someone engaged in a specialised line of criminal enterprise. There cannot be many career kidnapers active in Malaysia at this time and simply by reporting his attitudes and some of the landmarks of his life, however disguised, there are some people who might be able to guess his identity. For their part in supporting the research, the Royal Malaysian Customs and the SPKU had been promised a copy of the final thesis. The latter are the very people best equipped to jump to the right conclusion. This presents another dilemma that textbooks on research methods do not cover.

In this context, I am reminded of Klockars (1974: 225) who claimed that he was 'convinced that from the evidence in the text

Vincent's [his research participant] true identity cannot be established'. This depends very much upon what Klockars means by 'established'. Knowing the enforcement grapevine as I do, I am equally convinced that sufficient detail was given in the narrative for the police in Vincent's neighbourhood to nudge each other and gossip about their local celebrity. But he may be correct that the evidence was not established to the level that would stand up in court. I am sure, in my turn, that the evidence in this text is sufficiently disguised to deter any notions of prosecution. Alohan declares himself satisfied with this degree of anonymity; provided that all a strictly limited number of people can do is guess, he is content.

Of course, there is no ethical guideline about the other side of the confidentiality coin. By this I mean that there is nothing to stop Alohan from using the finished thesis to actually enhance his reputation (or notoriety). He will be given a copy and it is entirely up to him who he tells about his participation, what he says about the experience and with what purpose. Along with Klockars (1974), I have a sneaking suspicion that my participant has strong ideas about the actor he would like to see playing his character in the film.

2.12.8 Appearing to Endorse or Encourage Criminal Behaviour

Shaffir *et al* (2003: 11) draw attention to the possibility of 'the researcher's failure to moralize, when accompanied by an intense interest in deviant life styles, as encouragement subtle of the subject's deviant behavior'. I was keen to avoid this possibility. Alohan knows that I most definitely do not approve of his kidnapping enterprise but he also knows that I have, in the

past, taken a nuanced view of his criminal activities because of what I know about his victim pool, his rationale and his modus operandi. During the interviews, I was able to differentiate between affirmation and validation. Affirmation was about: 'respectfully listening to someone's story without comment; it's about listening to them and affirming the story by the listening' (Dickson-Swift *et al.* 2007: 331). Validation, on the other hand, entails gestures of agreement and other signs of endorsement that I was not prepared to extend. In this, I was greatly aided by a prior training in Socratic questioning techniques.

In effect, my morality where Alohan is concerned has always been compromised, through the pragmatism forced upon me by my former job. What follows is as much an account of our readjustments to new roles as an investigation of Alohan's life-history. Our relationship is part of the story and, I believe, herein lies part of its fascination. I admit that my initial forlorn hope was that during the course of the research Alohan would be forced to confront his moral choices to date and decide to live his life differently.

Many will equate disapproval with judgementalism; this is not necessarily the case. I found it quite possible to heartily dislike what Alohan did yet like him very much as a human being. I even found myself rooting for him while I listened to his stories. During the course of the interviews, my informant was reaffirmed as a friend, someone whose interests I care deeply about. I was afraid for him when he went into hiding during the project and my relief when he re-contacted me was genuine and not pure self-interest for the progress of the research project.

This raised the spectre of *overrapport*, as discussed by Miller (1952 cited in van Maanen and Pogrebin 2003: 372), with: ‘the idea that the researcher may be so closely related to the observed that his investigations are impeded’. In the end, I must abandon any pretence of neutrality but point out the possibility that partisanship might have a subconscious or other impact upon the analysis of the interview content and direction.

As Kvale (1996, cited in Dickson-Swift *et al.* 2007: 331) points out, there are dangers in developing the level of rapport that facilitates disclosure and the ‘interviewer should also be aware that the openness and the intimacy of the interview may be seductive and lead subjects to disclose information that they may later regret’. This was a recognised issue and I was always alert and ready to prevent such disclosures.

2.12.9 The Rights to a Life

Atkinson (1998: 36-7) asks the pertinent question of who owns the life histories that are recorded; he is strongly of the opinion that they are ‘owned by the persons whose stories they are’ and that it is ‘the interviewer’s job to protect the rights of the storyteller’. I do hope for personal gain from using Alohan’s story – at the very least, my aim in doing this research was to get a PhD out of it, with the improved professional prospects that follow. I know that Alohan does not begrudge me these potential benefits and that he understands it would be difficult to share them with him.

2.12.10 Insider versus Outsider

There were some peculiar features of this research, particularly related to my shifted relationships with both Alohan and the law enforcement officers. This is one of the issues that might be familiar to the type of researcher referred to by Brown (1996) as the *outside insider*, or the ex-law enforcement officer who returns to conduct research on his or her familiar territory. Reiner (2000: 221) comments that once officers have 'left the force, their previous inside experience still presents unique advantages and problems compared to complete outsiders'.

Because Brown and Reiner are focusing upon police research they do not specifically discuss the problems and advantages of a former officer who conducts research on his or her close contacts within the criminal fraternity. As a customs officer, I associated on a daily basis with people who could be described as underworld characters; like Alohan, several became confidential informers and, to some extent, friends or at least working associates. The phrase 'being' native versus 'going native' (Kanuha 2000) seems to encapsulate the situation. I had been a native of this world, so to go back as an outsider, under outsider conditions was, frankly, a rather unsettling experience.

For instance, the safety protocols that had to be drawn up and rigidly followed seemed particularly strange, when Alohan was someone I was accustomed, before the research formally began, to meeting in cafes, restaurants and even at his own home. Alohan, too, found some of the measures ridiculous and it was possible, although he never said so, that he might even

have felt offended by them. This is a compromise I have to live with.

2.12.11 Other Ethical Business

There is a scientific principle of full disclosure of method and analysis. This usually assumes that raw data and documentation will be made available to other social scientists upon completion of a project (Hagan 2006). Most criminologists will appreciate why, in this case, giving general access to the raw data would violate the research participants' rights to confidentiality. The raw data, in the form of sound files, will be kept for a limited period of time only, so that they can be audited and verified by the supervisory team. If they are kept longer than 3 years after the completion of the project, consent will again be sought from the participants affected.

Although I did not force myself into homes or invade favourite bars, there is no doubt that I invaded privacy for the sake of this project. The SPKU's offices were a fairly private place, previously uncontaminated by social science researchers. I trespassed heavily on Alohan's time and goodwill and into some of the more private places in his memory. I do not see how it might be possible to conduct good quality, non-trivial qualitative criminology without being invasive to a greater or lesser degree. I do not regret wangling invitations into these spaces and would do it again in a heartbeat. But, because of the sensitive nature of the data that I planned to collect, this was an issue that troubled me. It is interesting that most recent criminological texts that I have studied on research methods, omit privacy as a concern. Of the more popular general sociological research

primers, both Bryman (2004: 59) and Hagan (2006: 59) cite the Association of Social Anthropologists of the UK and Commonwealth (ASA) *Codes of Ethics*, which advises that: 'Criminologists should take culturally appropriate steps to ... avoid invasions of privacy'. This of course, begs the question of the precise cultural factors that it is appropriate to take into account.

Boiled down, the imperative to respect privacy appears to be very closely related to the need to obtain informed consent in order to seek to counter power imbalances. My participants were encouraged to consider the boundaries around what they were prepared to discuss and what was off limits. My main commitment to privacy entailed backing off when told to do so, without hesitation or question.

2.13 Chapter Summary

This section on methodology has ranged over the many challenges presented, problems solved and opportunities grasped. The intention is to provide a life-history and a justification or, at least, an explanation of the approaches and the methods adopted. In the circumstances, I still do not know whether I would have done anything differently and wonder whether, in this case, there was simply a moment to seize a project to follow wherever it led and, as far as possible, make a rigorous attempt to design a project that abides by the British Society of Criminology's Code of Ethics.

The next chapter provides a review of the literature on kidnap, including an historical overview and a discussion of kidnap definitions and typologies.

3 Understanding Kidnap and Abduction

3.1 Introduction

Kidnapping and abduction stories often make the news headlines if they are sufficiently high profile or sensational in some way. For example, the much publicised plot to kidnap millionairess Victoria Beckham and demand a £5 million ransom for her release was the stuff of many a celebrity nightmare, even though it was eventually dismissed as a hoax (BBC News 2003). In a bizarre news story from the USA, a former astronaut, Lisa Marie Nowak, attempted to abduct a ‘romantic rival’. She was charged with attempted kidnapping but was found guilty of lesser charges after a plea bargain (Los Angeles Times 2007).

Another newsworthy kidnap threat was the terrorist plot by Parviz Khan and four others from Birmingham, to seize a British Muslim soldier and behead him on video (BBC News 2007a). The plot failed but the five defendants were convicted under the Terrorism Act 2000 and given prison sentences ranging from two to fourteen years. One case to affect the news media directly occurred when the BBC’s Gaza correspondent Alan Johnson was kidnapped by a jihadist group (BBC 2007).

The Chowchilla bus kidnapping of 26 school children is reputed to be the largest mass kidnap for ransom (KFR) in America (Newman 2002).

More recently, another bus hostage crisis was reported from the Philippines, where a dismissed policeman demanded his job back in return for the release of his prisoners (Mogato and Pomfret 2010). The hostage-taker and eight of the passengers died during the siege.

In 2006, the story of Natascha Kampusch emerged. She was abducted in Vienna by Wolfgang Priklopil at the age of 10 and held captive in a cellar for 8 years (BBC News 2006b). Priklopil committed suicide soon

after the escape of his victim. Then there was the disappearance of British toddler, Madeleine McCann, in May 2007. This was originally thought to be a kidnap or abduction either 'for a ransom or for sexual motives' (Guardian 2007), however, there have since been unproven accusations made against the parents that have muddied the water. To date, the case remains unsolved.

The news media have also reported on the supposed kidnap or ransom of non-human targets. Several headlines refer to the 1983 disappearance of Shergar, the Epsom champion racehorse as a kidnapping (Alderson 2008; BBC News). The horse was allegedly seized by the IRA for a £2 million ransom (Hughes 2008). Then there is the bizarre theft of the enigma machine, a famous relic from World War II, which was taken from Bletchley Park in Buckinghamshire on April Fool's Day, 2000; a 'five-figure' ransom was requested for its safe return (BBC News 2000b). Art works are another favourite target. Several million kroner in ransom were demanded for paintings by Rembrandt and Renoir, after their theft from the Swedish National Museum in December 2001 (BBC News 2001). For the purposes of this thesis, however, attempts to ransom non-human subjects will be considered as extortion, reserving the term kidnap for humans only.

The kidnap of humans seems, to modern sensibilities, a most heinous offence. Clutterbuck (1987, p3) feels that it is 'amongst the most loathsome of crimes', where victims are sometimes held captive for months or years not knowing whether they will come out alive or dead. Zannoni (2003) agrees that kidnapping, even for a short period of time, can be one of the most traumatic physical and psychological experiences. The emotional impact on friends and relatives can also be severe. There have been many high-profile kidnappings during the last century that, aided by media coverage, have both horrified and

fascinated onlookers, including the Lindberg baby (Gardner 1996), Patty Hearst (Graebner 2008), and John Paul Getty III cases (Pearson 1995). These conform to the stereotypical image of kidnap, much loved by crime novels and films, of the forcible taking of vulnerable but wealthy victims for financial or political motives. In actuality, not all victims are rich celebrities. Kidnap is committed against the highest and the lowest in society, for a wide array of motivations, including greed, political or religious conviction, revenge, lust and even love. According to a report by Armour Group (2007), middleclass businessmen and children are ‘the fastest growing groups of victims’ especially in South America. Although not rich, middle-class victims may still be wealthy by comparison with their kidnapers and, as they have fewer resources to devote to security and protection they may be seen as softer targets. The 2007 figures for Karachi show 90 cases of kidnapping, of which 60 were kidnaps for ransom; in the majority of these cases the victims were categorised as middleclass (Clayton Consultant Inc 2008). Cowan (2005) says that a ‘total of 358 kidnaps were reported in London last year, according to figures released by the Metropolitan police’. Few of these cases would be high profile with multi-million pound ransom demands. A common scenario is where the friends or relatives of addicts or street-level dealers are held hostage to encourage the payment of a drugs debt. There is a suspicion that a high number of kidnappings are taking place in urban centres where there is a large and relatively poor immigrant population: ‘Half of all kidnappers and victims in the capital are foreign nationals, usually from the same ethnic group’ (Cowan 2005).

This chapter will show that the picture is far more complex than Hollywood, crime writers or even the newspapers would have us believe. It will review kidnapping and abduction, firstly, from a historical perspective. Next, it will examine the varying definitions used by practitioners, academics, governmental organisations, non-governmental

organisations and private sector interests. Thirdly, there will be an overview of existing legal constructions, primarily from UK and Malaysia but with some comparisons with other jurisdictions, such as the USA and India. This will be followed by a review of emerging trends in KFR, where criminals take advantage of new technologies and other novel opportunities presented by changing social and economic structures.

3.2 Kidnapping in History

Two of the earliest recorded cases of kidnapping took place in 79BC and again in 75 BC, when Cilician pirates captured the Roman Emperor Julius Caesar, not once but twice, demanding ransoms for his release. The pirates, from what is now southern Turkey, were recognised as a destabilising force in the region but the Romans had failed to take decisive action to halt their activities because they were a useful source of slaves for Roman plantations. The crews of Mediterranean trade ships were captured and sent to market, whilst wealthy and aristocratic passengers were purchased back by their families (Lendering 2007; Robol 2000). By all accounts, Caesar did not appear unduly traumatised by his experiences. The first time he was captured, 25 talents were paid for his release but, on the second occasion, when ‘these men at first demanded of him twenty talents for his ransom, he laughed at them for not understanding the value of their prisoner, and voluntarily engaged to give them fifty’ (Clough 1996; Liddell 1860). After his second kidnap, Caesar had the pirates hunted down and ordered the crucifixion of his former captors. Later campaigns by Publius Servilius Vatia and Pompey the Great tamed the pirates, who were eventually resettled as farmers (Lendering 2007).

Kidnapping was a relatively common occurrence for the 12th century Mongols. It was common practice for the Mongol tribes to demand booty

from enemy Mongol tribal leaders and take hostages including men, women, children and horses in return for ransom or co-operation and good conduct. According to May (2001), military conquest provided captives who were used as human shields during subsequent battles or to operate siege machines. Kidnap was especially popular as a means of acquiring a wife. The mother of Temujin (who was to become Genghis Khan) was abducted by his father, a Borjigin tribe member, on her way to marry a warrior from the rival Merkit clan. Shortly after his own marriage, Temujin's wife Borte was kidnapped by Merkits, in a further instalment of the long-running feud between the clans. One of Temujin's projects after becoming Genghis Khan was the creation of a legal code which, amongst its provisions, outlawed the kidnapping of women and their sale into marriage (Smitha 2004).

Another famous hostage was King Richard I of England, who was seized in 1192 by Leopold V, Archduke of Austria, as he was returning from his third crusade. Richard was turned over to Henry VI, the Holy Roman Emperor, and was held for two years until a ransom of 150,000 marks was raised and paid by his mother (Barratt 2001: 646). Richard received considerably better treatment as a hostage than he had handed out. At the siege of Acre in 1191, he ordered the massacre of 2,700 Muslim hostages after Saladin failed to meet Richard's terms, including the payment of 200,000 gold pieces and the return of Christian prisoners (Gillingham 1999).

Arguably, the Atlantic slave trade constituted a mass kidnap. Although the African domestic slave trade had existed for centuries, the involvement of the French, Portuguese, Spanish and British transformed a local operation into a transcontinental industry, with at least 15 million native Africans being transported to the New World between 1450 and 1900 C.E (Fage 1997). An estimated 11,000 voyages were undertaken

by British ships, transporting slaves from Africa to their various colonies and client countries (Anti-Slavery International 2008). Although the slave trade is usually thought of as dominated by the British, Spanish and Portuguese, the Du Bois Institute dataset contains records of around 4,033 slaving voyages to the Americas alone by ships registered to France (Geggus 2001, p119). Inikori and Diouf (2004) classify slavery as trade in 'stolen goods'. To modern sensibilities, it might seem odd and highly insulting to think of human beings in this way but chattel slavery makes a direct reference to the status of the slave as a personal possession – an object that can be bought, sold or given away.

In 17th century England, it was not uncommon for children to be kidnapped and shipped to work in the colonies as indentured servants. Until their contract expired, indentured workers could be traded or even inherited as part of their owner's estate. Kidnappings could be sponsored or approved by the authorities, too. A proto-slave trade in poor children from the slums of British cities has been eclipsed in many people's minds by the industrial scale Atlantic slave trade. There was an agreement between the City of London and the Virginia Company to rid the city of vagrant children who 'formed a rowdy element there responsible for much of the disorder and petty crime that plagued the city' (Wilson 1994, p6). Edinburgh, Manchester, Liverpool and other major UK cities struck similar deals. The early links between kidnap and slavery are echoed today, in the kidnaps now being documented as part of the international sex and child slavery trades (OHCHR 1991).

3.3 Defining Kidnap and Abduction

In terms of etymology, the above discussion of indentured servitude is highly relevant, as it is in this context that the word kidnap first made an appearance. Captain Grose's Dictionary of the Vulgar Tongue,

published in 1785, was one of the cant or thieves' dictionaries that were popular in England during the 17th, 18th and 19th centuries, and contained an early reference to a kidnapper as '[o]riginally one who stole or decoyed children or apprentices from their parents or masters, to send them to the colonies; called also spiriting: but now used for all recruiting crimps for the king's troops, or those of the East India Company, and agents for indenting servants for the plantations' (Grose 2002). There is a similar derivation for the now obsolete 'prig-napper' or horse thief, contained in Richard Head's *The Canting Academy*, printed in 1674 (British Library 2008). It is often assumed, as above, that the 'kid' part of kidnap is a reference to the stealing or napping/nabbing of children. However, Williams (1989, p473) suggests that: 'the "kids" who were napped were not the young of the human species but labourers (called "kids") who were recruited by force or guile for agricultural service in the American colonies'.

The idea that one could steal a person would be natural in a time where people were bonded to others. Women, for instance, were often thought of as possessions and slaves were chattels or moveable property (from the Latin, *capitale*, which is also thought to be the common etymological root for capital and cattle). However, this simple conceptualisation of kidnap as the theft of another human being does not work so well in a modern setting. One of the key elements of the crime, at least where adults are concerned, now appears to be the deprivation of the liberty of a free person.

3.4 'Western' Definitions of Kidnap and Abduction

In the UK, kidnap is a common-law offence, triable upon indictment only. It is often described as an 'aggravated form of false imprisonment' (Warburton 2007). The current definition, endorsed by Lord Brandon in

D. [1984] A.C.778, is that kidnapping is committed by the taking or carrying away of persons without their consent, by force or fraud, and without lawful excuse. At first sight, this seems like a straightforward definition, but once it is deconstructed the situation becomes rather more complicated and confusing. For instance, with regard to the word lawful, problems may arise where more than one jurisdiction is involved; what is legal in one state may be illegal in another, or decisions taken by a court in one country may not be recognised by courts in another. Furthermore, questions of lawfulness might hinge upon factors such as the victim's age or mental capacity.

Under UK law, children are not usually emancipated until they achieve majority at the age of 18. Until recently, the mainstream view was that, as children cannot be deprived of a liberty they do not have, the key element of the crime where minors are concerned should be the disruption of the rights of legitimate guardians. As Williams (1989, p476) comments: 'Unluckily, Lord Brendon, who offered the definition [of kidnap], and his fellow lords who agreed with him, failed to notice that it was a definition of adult-kidnap, although they were supposed to be dealing with a case of child-kidnap ... [t]he rules must be different'. A child does not have the legal capacity to consent and so, Williams argues, consent must come from a legal guardian.

The case of Molly Campbell, or Misbah as she now wishes to be called, is an example of how the two issues of lawfulness and consent can come into conflict (Cramb 2006). Misbah's parents are divorced and she was under the legal guardianship of her mother. When Misbah was taken to Pakistan by her father, her maternal relatives claimed that she had been kidnapped, even though it was at Misbah's own behest. After a lengthy battle, involving two jurisdictions and clashing cultures, Misbah is still in Pakistan (BBC News 2007b). An out of court settlement has

been reached that allowed Misbah to stay with her father, but which gave her mother visitation rights.

One of the most interesting cases in recent years is that of Shannon Matthews, the Yorkshire girl who was reported missing by her mother in February 2008. The police investigation lasted over three weeks at a cost of several million pounds, however, it transpired that Shannon's mother Karen Matthews and an associate, Michael Donovan, had organised the kidnapping between them in order to claim rewards for her safe return (Williams 2010). In March 2008, Donovan was charged with kidnapping and false imprisonment but there was a delay until April 2008 before charges of child neglect and perverting the course of justice were brought against Karen Matthews. Much later, in September 2008, kidnap and false imprisonment charges were also laid against Matthews (BBC News 2010). The element in UK law that now appears to make it possible for a parent and legal guardian to be charged with kidnapping their own child is where there is no consent from the child. Both of these cases set intriguing precedents that appear to invest children with the ability to give or withhold consent to being moved or deprived of liberty.

The next issue revolves around the idea that the kidnapped person must be taken or carried away. There are different understandings of how far and how long someone must be removed. Originally, under UK common-law, the act of kidnap involved transportation from one country to another. The US law on kidnap, which was originally based on UK law, also gave prominence to the interstate transportation of victims. The 1932 Lindbergh Act specifically stated that if victims were not released within 24 hours, then it could be automatically assumed that they had been transported over state lines, giving immediate jurisdiction to the Federal Bureau of Investigations (FBI). One of the reasons why the element of 'asportation' was so important was that it was believed

that forced movement exposed victims to additional risks and deprived them of the protection of their own state (Columbia Law Review 1953, p129).

In some jurisdictions, unlawful detention has been added to the definition of kidnap. This does not necessarily clarify the situation as it raises the issue of whether such a detention should be more properly described as false imprisonment rather than kidnap. The United Nations Office of Drugs and Crime's (UNODC) Division of Policy Analysis and Public Affairs version also confuses false imprisonment with kidnap by stating that kidnapping 'may be understood to mean unlawfully detaining a person or persons against their will (or national equivalent e.g. using force, threat, fraud or enticement) for the purpose of demanding for their liberation an illicit gain or any other economic gain or material benefit, or in order to oblige someone to do or not to do something' (UNODC 2003, p6). To solve this problem, some states added that detention should involve an element of concealment or secrecy. As usual with the law, elaboration does not tend to make things any clearer; now we also have the problem of defining exactly what we mean by concealment or secrecy.

In the UK case of *Wellard* (1978) 67 Cr. App. R. 364 it was ruled that it was possible to commit a kidnap by tricking the victim into moving just a short distance from one place to another. However, there have been many legal arguments since about the precise circumstances under which this applies. Ormerod (2007) argues that deprivation of liberty should be considered as a separate and essential element, distinct from 'taking and carrying away'. He reports the commentary of Lord Phillips C.J., who asks whether 'the mini-cab driver, who obtains a fare by falsely pretending to be an authorised taxi, will be guilty of kidnapping' and

rejects this as transforming ‘the offence of kidnapping in a manner that cannot be justified (Ormerod 2007, p987).

The next segment of Lord Brandon’s definition that deserves close scrutiny is the requirement for force or fraud. Williams (1989) gives the example of baby-snatching, where a baby has been left in its pram outside of a shop and a woman makes off with it. No force or fraud is involved, except insofar as the woman has used the most basic kind of force to push away the pram. This is not one of the two kinds of force usually recognised under UK law, which are lawful compulsion or the unlawful use or threat of violence. Williams argues that the use of fraud or force must be additional, over and above the act of carrying away or pushing away of the pram. Ormerod (2007) describes a case where the defendant, Robert Hendy-Freegard⁷, posed as an MI5 agent and tricked three young college students into fleeing from their college in the belief that they were in danger from an Irish Republican Army (IRA) cell. The prosecution submitted that, even though the defendant had not been with the students at the time, he had fraudulently caused them to move from one place to another and that the *actus reus* elements of kidnap had, thus, been satisfied. Eventually, the court rejected the concept of a kidnapping accomplished through fraud but where the victim was not accompanied by the kidnapper.

Abduction is a term often used interchangeably with kidnap, however, it has different yet distinct meanings depending upon legal jurisdiction. Usually, abduction tends to be used when referring to the taking away of women and children. The Oxford Dictionary of Law (Martin 1997, p2) defines abduction as ‘the offence of taking an unmarried girl under the age of 16 from the possession of her parents against their will’ and, thus,

⁷ Robert Hendy-Freegard [2007] EWCA Crim 1236, (2007) 3 WLR 488, (2007) 2 Cr App R 27 (2007) Crim LR 986

contains reference to age, gender, marital status and parental custody of the victim. The Scottish Government (2005) executive focuses upon age and legal guardianship, stating in their website that ‘when a child is taken away without consent or lawful authority from a person who has the right in law to care for him or her, then that child has been abducted’. The Canadian Department of Justice (Department of Justice Canada 2006) classifies abduction as the unlawful taking of anyone under the age of sixteen.

The specific prohibitions against abduction in UK law were originally contained in the Offences Against the Person Act (OAPA) 1861. Section 53 gave statutory protection to a woman and her property against abduction, rape and forcible marriage by those who wanted to get their hands on her material assets. It made particular reference to women under the age of 18 and still under the control of their parents. Section 54 prohibited the abduction for sex or marriage of any woman, while section 55 specifically mentioned girls under the age of 16. Many of the relevant sections have been repealed and replaced, first by the Sexual Offences Act 1956 and now by the Sex Offences Act (SOA) 2003. The provision that prohibited the forcible abduction of an heiress was repealed by the Family Law Reform Act 1969.

Section 62 of the SOA 2003 discusses the commission of offences preparatory to a sexual offence. The two offences given prominence are kidnapping and false imprisonment. For example, an offender who kidnapped a woman in order to rape her could be charged with both the sexual offence and the kidnap. However, where the normal sentencing guidelines for a planned or violent non-sexual kidnap recommend a period of imprisonment of not less than eight years, a kidnap under Section 62 may be liable to life imprisonment. The word abduction is no

longer used in the Act, although it is used as a synonym in the sentencing guidelines (Sentencing Advisory Panel 2005).

Section 56 of the OAPA 1861 was entitled 'Child-stealing or receiving stolen child'. It seems clear that the legal attitude towards children was that they were possessions and that their removal without the consent of their lawful custodians was straightforward theft. Since the UK's ratification of the UN Convention on the Rights of the Child (UNCRC) in 1991, there has been shift away from this traditional view, however, parents and guardians still consider themselves to have rights over children as well as responsibilities towards them.

In *Regina v D* (1984) 79 Cr.App. R.313, it was argued by the appellant that, following OAPA 1861, it was not possible for a parent to commit the common law offence of kidnap against an unmarried minor and that, in any case, the common law offence of kidnap did not cover children under the age of 14. In this case, the father had seized his daughter on two occasions, at two and five years old, taking her out of the country first to New Zealand and then to Ireland. On the first occasion he had used two accomplices to intimidate the mother, who, was the child's court appointed guardian. The Lords finally concluded that it was possible to bring charges of kidnap where there had been exceptionally bad conduct but that, normally, it would be better to rely upon civil remedies, like contempt of court provisions (Williams 1989).

The offence of child abduction is now defined in the Child Abduction Act 1984. Section 1 makes it an offence if 'a person connected with a child under the age of sixteen ... takes or sends the child out of the United Kingdom without the appropriate consent'. Under section 2, any other person: 'commits an offence if, without lawful authority or reasonable excuse, he takes or detains a child under the age of sixteen'. The UK

Home Office identifies three typical scenarios: parental child abductions, stranger child abductions and 'other' abductions by a person 'with some previous connection to the child' (Home Office 2004). Problems now frequently arise over the identity of lawful custodians. A court in the United States ruled that a parent could not be convicted of kidnapping her own child from foster parents, reasoning that Federal kidnapping laws did not apply to natural parents (New York Times 1993).

US law is complicated by the existence of multiple-state jurisdictions, however, many of these share with the UNODC a focus upon the purpose behind the seizing and carrying away of people in their definitions of kidnap. Some states, like New York, subdivide the offence into first or second-degree kidnapping, depending upon the length of time a person has been held and the intention of the kidnapper. Examples of first-degree or aggravated kidnaps might include cases where ransoms were demanded, where there were political motivations, where victims were held for longer than twelve hours, where kidnaps were committed to facilitate other felonies, or where perpetrators terrorised, injured or killed victims in pursuit of their objectives.

In Australia, some states follow a common-law model and others have developed written Criminal Codes. There is currently a suggestion that all states adopt similar criminal codes to promote greater consistency throughout Australia. A Model Criminal Code (MCC) has been drafted that discusses kidnap and abduction and which acknowledges 'that many provisions contain antiquated terminology and structure'; part of the antiquated terminology that the MCC rails against is the use of the word abduction with its origin in the 'criminalisation of "heiress seduction"' (Model Criminal Code Officers' Committee 1998, pp88-89). The suggested formula for the offence of kidnapping includes most instances where a person is taken or detained without the appropriate

consent and abduction is only used in a limited number of cases involving children.

3.5 Malaysian Definitions of Kidnap and Abduction

Because there is, depending upon jurisdiction and legal codes, more than one way of defining or conceptualising kidnap, it is necessary, given the subject of the research, to examine the offence from a Malaysian perspective. This is particularly true as the main research subject is a Malaysian Chinese and the majority of his kidnaps have been conducted in Malaysia.

The Federation of Malaya won independence from the UK in 1957 after several centuries of colonial influence. Now known as the Federation of Malaysia, it is a member of the Commonwealth of Nations, the Association of Southeast Asian Nations (ASEAN) and the UN. One of the legacies of colonialism has been a legal system based on English common law, supplemented by federal laws passed by Parliament, state laws enacted by the State Legislative Assemblies and, for the Islamic population, Syariah family and religious law. Two important pieces of federal legislation are the Penal Code (Act No. 574) and the Criminal Procedure Code (Act No. 593). These specify the statutory punishments for specified criminal offences, the powers of the courts and police and the procedures to be followed in criminal cases. The Penal Code was closely modelled on the Indian Penal Code which, in turn, was heavily influenced by the US and French criminal codifications. Because of the common origin and close relationship between their respective legal systems, Malaysian common-law has been known to follow precedents set in Singaporean, Indian, Australian and English criminal courts.

The written law on kidnapping and abduction in Malaysia is contained within the Kidnapping Act 1961 (with amendments) and in the Penal

Code. The Kidnapping Act refers to ‘the detection and punishment of the offences of abduction, wrongful restraint, and wrongful confinement for ransom and other related offences’. It very clearly states that the meanings of abduction, wrongful restraint and wrongful confinement are taken from sections, 339, 340 and 362 of the Penal Code. As the Kidnapping Act is targeted squarely at KFR, it appears to leave the wider definitive detail to the Penal Code.

The Penal Code takes the concept of wrongful restraint, or the voluntarily obstruction of any person from going anywhere he or she has a right to go (s.339), as the first step in an offence ladder of increasing severity. The second stage is wrongful confinement, where a person is prevented from ‘proceeding beyond certain circumscribing limits’ (s.340). The above offences are aggravated by: the length of time a person is subjected to restraint or confinement (ss.343-344); confinement in secret (s.346); extortion of property or constraint to do something illegal (s.347); extortion of a confession or restoration of property (s.348), and the use of assault or criminal force (s.357). Thirdly, abduction is defined as the use of force or deceit to compel or induce ‘any person to go from any place’ (s.362). The tariff for unlawful restraint starts at a prison sentence up to one month and/or up to RM1, 000 fine, while for unlawful confinement this becomes up to one year imprisonment and/or up to RM2, 000 fines. The tariff for abduction depends upon the purpose, but may extend to seven years and a fine or may, where the victim is murdered, carry the death penalty.

It seems odd that the Kidnapping Act does not contain a straightforward definition of kidnap itself, nor does it acknowledge the definition of kidnap contained within the Penal Code. It is not clear whether kidnap is intended to be the overarching offence, containing the other three categories or whether, as suggested in the following extracts from the

Penal Code, that kidnapping forms the topmost rung of that ladder of severity. In any case, it seems that the intention behind the Kidnapping Act was only to remedy an omission in the Penal Code with regard to KFR. Although s.347 dealt with unlawful confinement for the extortion of property, it was thought that this did not adequately encapsulate the full range of KFR modus operandi, which might involve abduction or kidnap or unlawful confinement or unlawful restraint. As this is the case, it seems that the primary definitional authority for kidnap and abduction in Malaysian criminal law should always be the Penal Code and that the Kidnapping Act is supplementary.

The Penal Code states that there are two basic types of kidnap (s.359): the first is where a person is conveyed beyond the limits of Malaysia without the consent of the individual concerned or of their legal guardian (s.360); the second involves the taking or enticing of males under the age of fourteen, females under the age of sixteen, or anyone of unsound mind away from lawful guardianship (s.361). Abduction appears to be the default offence to cover cases where there is no issue of guardianship or of asportation outside Malaysian territory. However, it becomes obvious that kidnap and abduction are considered distinct from and more serious than unlawful restraint and confinement in the following provision: 'Whoever kidnaps or abducts any person with intent to cause that person to be secretly and wrongfully confined, shall be punished with imprisonment for a term which may extend to seven years, and shall also be liable to fine' (s.365).

This discussion shows that, even though English common-law was the original basis for the laws and legal systems of both US and Commonwealth States, each state system has developed along subtly different lines, with the main difference in the varying interpretations of the two key terms, kidnap and abduction.

3.6 Kidnap and Abduction Under Islamic Law

One of the other major influences upon Malaysian jurisprudence is Islamic legal scholarship. It is firstly important to note that, although Malaysia is a Sunni Islamic state, the crimes of kidnapping and abduction are never prosecuted under Islamic law. However, it might be useful to have a swift overview of the Islamic treatment of *ikhhtita*⁸ as this will make some contribution to the way that the Malay population, at least, conceptualise kidnap and abduction. In the following description, the work of Ibrahim (2005) was particularly helpful.

In Sunni Islamic law, the proscriptions and prescriptions given most weight are contained within the holy book, the *Quran*. The next best authority is the *Sunnah*, the example provided by the acts of the prophet Mohamed (s.a.w.)⁹. After these two sources, the law derives from *Ijma* (the consensus of Islamic scholars) and *Qiyas* (by analogy, a similar principle to case-law or precedent). This is a strict hierarchy of legal authority, as nothing in the *Sunnah* can contradict the *Quran*, nothing in the *Ijma* can contradict the *Sunnah* and so on.

There are three main categories in Islamic criminal law, *Hadd*, *Tazir* and *Qisas*. *Hadd* crimes are the most serious and are considered to be against God's law. Included in the list of crimes are apostasy, illicit sex, defamation, theft, armed robbery and alcohol drinking. The punishments are fixed and non-negotiable as laid down by the Quran and the Sunnah. *Tazir* crimes are the least serious and in some Islamic countries (e.g. Egypt) the courts will have a written penal code to follow, while in others (e.g. Saudi Arabia) the courts are allowed to exercise considerable discretion in the punishments they levy (Wiechman *et al.* 2008). A *Qisas* crime is one where the victim, the victim's family or the victim's clan has

⁸ Snatching away, taking away quickly

⁹ Sallallahu Alaihi Wassalam – Peace be upon him

a right to demand retribution or compensation for loss, as in the case of murder or assault. In the case of deliberate harm, compensation (*diyas*) and retribution of equal severity to the hurt suffered can be inflicted. In the case of accidental harm, only compensation may be imposed in accordance with a fixed tariff. Any penalty can be reduced or waived by the injured party, before or after conviction, in the spirit of forgiveness.

Ikhtitaf is the word often applied to kidnapping, although it can also be used to talk about the snatching away of moveable goods. Ibrahim (Ibrahim 2005) argues at length about which category kidnap or abduction rightly belongs in, before recommending that:

1. Kidnap for ransom, done secretly, should be classified as the *hadd* crime of *sariqah*. *Sariqah* is the crime of theft using secrecy, for instance, when a burglar steals property from a house while the owners are asleep or away.
2. Kidnap for ransom, conducted openly, should be classified as the *hadd* crime of *hirabah*. *Hirabah* is the crime of grand theft or robbery committed openly and by force.
3. Any other form of kidnap should be classified as *tazir*. It is the opinion of Ibrahim (2005) that, even though kidnaps for reasons other than ransom might culminate in serious harm or death for the victim, any murder, rape or other injury done should be charged as a separate count in addition to the kidnap.

The purpose of this discussion is not to argue with Ibrahim's (2005) logic, but to show how Islamic scholars have no problem with conceptualising kidnap as a form of theft. It is not surprising to find that there is only one root word in Malay for both kidnap and abduction – *culik* – which can roughly be translated as 'person-theft'.

3.7 General Hostage-Taking and Hijacking

Internationally and nationally, there are several situations in which a person may be described as a hostage. One recent and shocking case was the 2004 Beslan School hostage crisis, when Chechen separatists held over a thousand children and teachers hostage, demanding independence for Chechnya in return for their safe release (BBC News 2004a). Hostage-taking might take place in a domestic setting, as in the case of Sean Heslop, who held his wife captive in an armed siege after she threatened to leave him (Northern Echo 2000). Robbers might take hostages in order to guarantee co-operation, as happened to a woman customer in an armed bank raid at a North Wales branch of the National Westminster Bank (BBC News 2000a). In other robbery cases, hostages have been taken to act as human shields or as bargaining chips to negotiate a safe getaway.

The origin of the word hostage can be traced back to the Latin, *hostis* or 'guest'. As already discussed, political hostage-taking is a venerable and ancient practice, dating back thousands of years, where rulers might exchange family members or other high-ranking individuals with rival tribes, clans or states, as surety that treaties or agreements would be observed.

What most hostage-takers have in common is that they want something in exchange for the hostage's safety or freedom. The political hostage-taker might want to free his comrades from gaol, the criminal hostage-taker might want a ransom or a helicopter to escape in, while the deluded domestic hostage-taker might just want his life back the way it was.

Global Security Org (2005), a private information and intelligence organisation affiliated with the US military, agrees that the distinction

between hostage taking and kidnapping is negligible. However, because of their specialist focus, Global Security prefers to reserve the term for political situations where, they argue, key elements include open confrontation with authorities and the courting of media attention. By contrast, victims of kidnap for ransom tend to be held in more secretive locations and their captors seem less keen on publicity.

Clutterbuck (1987) argues that hijacking is a form of hostage seizure, using a 'vulnerable mobile extension' such as an aircraft or a ship. Another definition is given by the Aviation Safety Network (2004) which states that hijack: '...means the unlawful seizure or wrongful exercise or control of the aircraft (or the crew thereof)'. Holden (1986) cites two types of hijacking that can be 'distinguished on the basis of the hijackers' demands'. He calls the first type 'hijacking for transportation', where the only demand is for safe passage and means of transport to a desired destination. He calls the other 'extortion hijacking' where, in addition to the plane, boat, bus or other vehicle, other demands are made.

Clutterbuck (1987, p4) also prefers to differentiate between hostage-taking or hijacking and kidnapping and contends that, in the former, victims are held in a known location, such as planes, ships or buildings. He cites the examples of the hostage crisis at the American Embassy in Teheran, Iran in 1979 and the hijacking of the Italian cruise ship Achille Lauro in 1985. Clutterbuck is not necessarily wrong to want to make this distinction, as it is useful to have dedicated terms for different modus operandi, however, it would probably seem a little strange to Terry Waite and John McCarthy, who the British press insisted on referring to as hostages even though they were held in a secret location for many years.

3.8 Piracy

Although the French term for airplane hijacker is *pirate de l'air*, piracy is more commonly thought of as a crime against ships and boats outside of territorial waters. According to the 1982 United Nations Convention on the Law of the Sea, piracy is defined as:

...any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed: (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft; (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State. (United Nations 2006)

Those 'private ends' are generally viewed as criminal rather than political, although Mo (2002), in discussing the nature of the current piracy problem in the South China Sea (which involves both criminal gangs and terrorist groups), asks where the line should be drawn between robbing and killing for monetary gains and political and social reasons. The International Maritime Bureau (IMB) believes that a 'new brand of piracy' has emerged, in which 'the attacks are motivated by political agendas rather than a traditional motive to rob' (Barrios 2003, p151). This is a reference to fears about active dissident groups in the region, such as Abu Sayyaf and the Moro Islamic Liberation Front (MILF) in the Philippines, Laskar Jihad and Jemaah Islamiyah from Indonesia and the Kumpulan Mujahidin Malaysia, who the IMB believes represent a serious threat to the busy Southeast Asian shipping lanes. Of course, it always helps a state to brand its dissidents as criminal rather than political actors. The apparent engagement of such groups in piracy strengthens

claims that there is a growing organised crime-terrorism nexus and a 'crime-terror continuum' (Makarenko 2002).

One recent example is the case of British couple, Paul and Rachel Chandler, who were seized by Somali pirates in 2009 while they were on a yachting holiday in the Indian Ocean. This pirate group appears to be apolitical, however, they operate in an area which is under threat of takeover by Islamic militants. According to the press, the pirates were offered £1.2 million by the *Al-Shabaab* militant group but this was turned down. The story is that the pirates were asking for a ransom of £1.6million and that the *Al-Shabaab* offer was too low, however, there is a suggestion that the pirates and the militants are hostile to each other (Guardian 2010). In other words, there may be links between criminal and political kidnap, but often the situation is complex and requires a nuanced appreciation of local conditions.

One interesting point to note with regard to international law, where maritime piracy is concerned, is that the perpetrators are branded as '*hostes human generis* or enemies of the human race', which makes it 'one of the few crimes over which international jurisdiction is applied' and which is punishable by every single nation no matter where the crime occurred (Barrios 2003).

3.9 Culturally Specific or Emerging Kidnap Types

There are some culturally specific types of kidnapping that seem to be unique to certain areas or countries. Folklore has it that the British wedding tradition of best man has its origins in bridal kidnap; an eager bridegroom needed a strong and loyal companion with him when he raided the neighbouring community for his future wife. In some areas, however, the practice of bridal kidnapping has never quite died out. In Kyrgyzstan, for instance, *ala kachuu* is thought to account for more than

half of all marriages in that country (Smith 2005). According to Handrahan (2004: 208) this seems to be a 'method for Kyrgyz men to mark their ethnic coming of age'. The cultural tradition is mocked by Sacha Baron Cohen in the hit film *Borat* (2006) where he attempts to abduct the actress Pamela Anderson in a 'bridal sack'. There are reports of a resurgence of bridal kidnapping in China (Insight News 2008).

One of the reasons that it is important to keep abreast of regional trends in kidnapping is that methods invented in one region can spread rapidly to another. This has happened with *express kidnappings*, where the most common technique is to seize victims, take them to cash machines, force them to withdraw whatever sums of money are available and then release them. In this type of case it is difficult for authorities to decide whether the crime is a kidnap or a robbery, which can increase the difficulty of tracking this new and developing crime. Even where relatives are approached, the sum demanded will be low and, as the victim is generally released unharmed, there is a greater likelihood that the kidnapper will be paid and will avoid law enforcement efforts. This style of short duration, low ransom extortion originated in Columbia but has spread rapidly into surrounding countries like Brazil and Mexico (Harrigan 2005; UNODC 2005). Another Columbian initiative, the *double kidnapping*, is also spreading to neighbouring countries. Kidnappers make a first ransom demand and, when this is paid, immediately ask for a second instalment. The first payment is viewed as a 'goodwill payment' or 'down-payment' for accommodation (Briggs 2001, p11).

The label of *tiger kidnapping* is new, even if the practice is not. A tiger kidnap occurs when a criminal or criminal gang takes a hostage in order to coerce a family member, co-worker or other closely connected person to facilitate a theft, robbery or other crime for profit. The name refers to the predatory stalking of the victims and their families that takes place

preparatory to the commission of the offence. There seems to have been a spate of these robberies in Northern Ireland over the past few years. In January 2008, the family of a bar manager was taken hostage, so that he would co-operate in the robbery of his bar in Belfast (Northern Ireland News 2008). Campbell (2008) reporting in the Guardian, tells us that there were over 20 tiger kidnaps in the UK during 2006. The largest known cases to date were the £53 million Securitas depot robbery in 2006 (BBC News 2006a), where the wife and son of the depot manager were kidnapped, and the £20+ million robbery of the Northern Bank in Belfast in 2004, where the families of two senior executives were taken (Bowcott and Oliver 2004).

3.10 Cross-border Kidnap

Globalisation and communication technologies may be responsible for promoting new kidnapping methods. One example is where the kidnapping takes place in one country and the ransom is settled in another. This happened in the case of Subramani, an Indian national who was kidnapped on a visit to Malaysia but the ransom for whom was organised and paid in India (The Hindu 2006).

In another case, an Australian sheep farmer was duped into flying to Mali to meet his 'internet bride'. Expecting to meet 'Natasha', Des Gregor was met off the plane by a group of men who claimed to be her relatives. They turned out to be a criminal gang who kidnapped him and held him hostage for 12 days, while negotiating with his family in Australia for a £42,000 ransom (Dutter 2007). Fortunately, Australian police were able to liaise with local police to help Gregor escape without paying the ransom.

A recent case involving a UK national was that of five year-old Sahil Saheed from Oldham, who was kidnapped while on holiday in Pakistan

in March 2010. The ransom payment of £100,000.00 was raised and arranged in the UK and the drop off was made in France. The kidnapers were apprehended in Spain, where the ransom money was also recovered (Goodman 2010).

There are two main benefits of this type of scheme; firstly, there is the broader, wealthier victim pool that such methods open up for people in developing countries and, secondly, despite the good police cooperation in Gregor's and Saheed's case, any barriers that can be thrown in the path of enforcement agents will represent extra safety for criminals. When kidnapers are this mobile and cross borders with such ease, solving the case and capturing the culprits is a logistical nightmare for the many law enforcement agencies involved.

3.11 Kidnapping and Organised Crime

Although there have been incidents where individuals not affiliated to any groups take part in perpetrating kidnapping for ransom, it seems likely that many kidnappings are commissioned by organised criminal gangs or groups with some form of a network. Newman (2002) for example, stresses that organised criminal groups have for a long time used kidnapping as a valuable tool in their armoury, either to generate financial profits or as a weapon in their battles against rival groups. Clutterbuck (1987, p6) outlines that the 'greatest threat' of kidnap for ransom comes from criminal gangs, and these gangs are run as an organisation. According to Ponce *et al* (2004, p3) some groups that are already involved in other organised criminal activities look at kidnap for ransom not only as a very lucrative business, but see it as a way of upgrading their status in the criminal fraternity.

However, information about criminal gangs and their activities is not easily available in some countries; this is very much so in countries such

as Singapore, Indonesia and, more importantly for the purpose of this research, Malaysia. Curtis *et al* (2003) argue that this could be the result of resistance on the part of the authorities to reporting the existence of such groups.

The Philippines Center of Transnational Crime (PCTC 2003) believes that organised crime groups in their region lack the solid structure and clear hierarchy that others have noted elsewhere. This loose knit arrangement could be an advantage as the identities of the main players and group members are less easily uncovered. The PCTC (2003) say that many crime groups are involved in kidnap-for-ransom and that the majority of victims are ethnic Chinese Filipinos who criminals have targeted and researched in advance .

Williams (2006, p195) states that the main objective of organised criminal groups is generation of profit; in order to achieve this objective, they develop 'illicit business strategies'. One possible income sources for organised criminal networks is kidnap for ransom (Srinivasulu 2004, p1). According to Goldberg (2000) hostage taking and kidnapping has grown into a very profitable business for criminal groups or networks globally. Costa (2005, p1) claims that within the last 10 years, the upsurge in kidnapping for ransom incidents in many regions, including Asia, is due to organised crime networks' involvement in kidnappings. Wright (2006) reports that kidnapping is one of the top eighteen staple criminal activities engaged in by organised crime groups.

A recent report by the United Nations Office for Drugs and Crime acknowledges that kidnapping is of major concern internationally, and that organised crime groups are increasingly using kidnapping for ransom or for other material advantage (UNODC 2006). As part of an international initiative, the UN Secretary General asked governments to

cooperate with a survey into the extent of kidnapping and outline their responses to the legal, law enforcement, victim support and jurisdictional challenges posed. One of the key conclusions was that international judicial cooperation and interstate liaison, particularly between neighbouring states, was a valuable and effective tool in countering kidnap (UNODC 2005).

One of the more surprising responses to the UNODC survey was from the following European countries:

Belgium, Germany, the Netherlands and the United Kingdom indicated that, while the extent of kidnapping was worrying, such incidents were often confined to activities among criminal groups themselves. Thus, Belgium noted that kidnapping was an activity used in particular within illicit markets in order for groups to obtain particular advantages or to establish their authority over specific markets. Germany also reported that kidnapping was a means to settle scores within the criminal economy, in particular as regards the collection of debts ... Although the majority of such kidnappings were successfully resolved, the victims were – given their own illegal activities – generally unwilling to cooperate with the subsequent investigations and prosecutions (UNODC 2005, p8).

These are particularly interesting observations and will be revisited later in the thesis being, as they are, highly relevant to Alohan's story.

3.12 State-sponsored Kidnaps

Governments do not tend to want to discuss the possibility of state-sponsored kidnappings or, indeed, count them in their official crime figures. There are several ways in which states might be involved in

what some would see as unlawful restraint, confinement or asportation of either their own citizens or nationals of other countries. The first category might include the kidnap and extrajudicial imprisonment of political dissidents within a state, by agents of that state. The political disappearances that took place under the despotic Pinochet regime in Chile are a case in point and are partly responsible for triggering a response in international law (Newman 2002).

Article 2 of the *International Convention for the Protection of All Persons from Enforced Disappearances*, which was adopted by the UN General Assembly on 20 December 2006, says that:

For the purposes of this Convention, “enforced disappearance” is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law. (OHCHR 2006)

Although 72 States have become signatories, the United States, UK, China, Malaysia, Singapore, Thailand, and Russia are amongst those who have yet failed to do so. Only Albania and Argentina have fully ratified the treaty so far (OHCHR 2008). It is interesting that the word used here in relation to political disappearance is abduction, rather than kidnap. This echoes the ‘parental’ or ‘guardian’ role of the state *vis à vis* the citizen

Another category would include what McNeal and Field (2007) called extraterritorial abductions or kidnappings. This is where the agents of one state go to another, seize a victim and transport him to a location

outside of the host country. This can either be openly sanctioned by the criminal justice system of the state whose agents conducted the kidnapping, or in secret. An example of CJS sanctioned extraterritorial kidnap is the Mossad seizure of whistleblower Mordechai Vanunu, in Rome in 1986. He was taken back to Israel, tried and convicted for treason, and finally released in 2004 after 18 years in prison (BBC News 2004b). Another Mossad case that many might sympathise with was the kidnapping of Nazi war criminal, Adolf Eichmann, from Argentina to Israel in 1960. A furore ensued over the legality of Eichmann's prosecution and trial under Israel's Nazis and Nazi Collaborators (Punishment) Law 1950. Baade (1961, p402) asked whether it should be permissible for a state to enact laws which enabled it to pursue retroactive and extraterritorial prosecutions against people: (a) who were not nationals of that state; (b) who had committed offences outside of that state; (c) who had committed offences against people who were not nationals of that state at the time of commission and (d) who had been forcefully abducted from another state.

A more recent anxiety is displayed in the Telegraph headline that proclaims: 'US believes it can kidnap wanted Britons' (Gardham 2007). This was provoked by the case of Gavin Tollman, a British businessman who was wanted in the USA for tax evasion and fraud. American authorities had asked Canadian immigration to arrest Tollman and hand him over to them at the Canada-US border. Tollman was eventually released by a Canadian judge who refused to participate in what he called a 'sinister trap' (Gardham 2007). This practice is often referred to as *rendition* and the USA has previous form for it. In 1990, a Mexican doctor, Humberto Alvarez-Machain, was kidnapped from his office by an armed group of men posing as Mexican police (Gluck 1994). He was flown out of the country to Texas, where he was arrested for the alleged

torture and murder of a US Drugs Enforcement agency operative. A contemporary US legal scholar concluded that:

The abduction of Dr. Alvarez-Machain was probably not the last time that the United States will violate international law. And with the United States as the leader, it is only a question of time before other countries follow ... It is time for the United States to conform to the requirements of international law and refrain from undertaking international abductions (Gluck 1994, p655).

Those words have proved somewhat prophetic, in light of information now emerging about the US policy of *extraordinary rendition*. This calls for the kidnapping of foreign nationals who may then be transported to countries other than the US or, eventually, to places like Guantànamo Bay, to be tortured or imprisoned (Weaver and Pallitto 2006). A New York Times Editorial described Guantànamo as:

‘...merely one of a chain of shadowy detention camps that also includes Abu Ghraib in Iraq, the military prison at Bagram Air Base in Afghanistan and other, secret locations run by the intelligence agencies. Each has produced its own stories of abuse, torture and criminal homicide. These are not isolated incidents, but part of a tightly linked global detention system with no accountability in law (New York Times 2005).

3.13 Deprogramming and Rehabilitation

There are occasions where people have been taken, against their will, from locations or situations that their friends and family fear put them into danger. These cases raise real question over the issue of free will and the right to restrain people ‘for their own good’.

One example might be where individuals have joined what Barker (1996:53) refers to as 'new religious movements' or cults. Several 'rescuers' have been brought to court and charged with kidnap, with varying results. One deprogramming crusader is Ted Patrick, who claims to have saved over 1,600 people from cults amassing, in the process, over \$60 million in fines and prison sentences in four different US states on assault and kidnap charges (Allen 1979). One of his more controversial efforts was the kidnapping and attempted deprogramming of Stephanie Riethmiller. Patrick and two associates were engaged by Riethmiller's parents to rescue their daughter from a Lesbian relationship (Time Magazine 1982). The parents received immunity for cooperating with the prosecution but Patrick and friends were charged with abduction, assault and sexual battery. None of the defendants were found guilty.

3.14 Faked Kidnappings

Kidnappings may be staged or faked, with possible motives of defrauding friends or family members or other interested individuals or organisations. In the case of Pavan Verma, the son of a New Delhi entrepreneur plotted his own kidnapping to defraud his father of two million rupees or about £25,000; he wanted the money to pay debts and fund his extravagant lifestyle (Nelson 2010). In the UK, Hina Uroog, faked her own kidnapping in order to extort £300,000.00 from her husband (Tozer 2007).

The Shannon Matthews case, discussed earlier, could arguably be described as a faked kidnapping, however, the courts decided that the kidnapping was real enough even though the defendants were attempting to perpetrate a fraud.

3.15 Virtual Kidnapping

The fairly new trend of virtual kidnap is worth a brief mention. This is, in fact, a con or scam, where a fraudster makes a call to a target, claiming to have kidnapped a child, wife, employee, etc. This is a tactic that can be quite effective in a region with a high prevalence of real kidnappings. Ransom demands will tend to be relatively small; speed and shock tactics are of the essence, so that money is handed over before the target has realised that no kidnap has actually taken place (Lacey 2008; Miller 2010).

The suspicion is that, originally, many of these calls were made at random with supposed kidnappers unable to give authentic details about their claimed hostages. However, it is now suggested that the scam is becoming more sophisticated as criminals conduct real-life reconnaissance or turn to social networking sites, like Facebook, for usable information about individuals and their family members. There are also anecdotal reports where people have been called, ostensibly, by someone from their phone company, with requests to switch off phones for a certain period of time so that a technical problem can be fixed. While people are out of phone contact, ransom demands can be made to their families or companies (ThreatRate Risk Management 2010).

There are very few official figures on the extent of the problem, however, the Mexican Government is so concerned about this scam and other crimes conducted using mobile phones that they have instituted a national registry of mobile phone users. The idea is that any registered phones used in the commission of a crime can be traced back to their owners while unregistered phones can be blocked (Miller 2010). Family

members are also advised to learn code words to use in the event of a real kidnap.

This practice cannot be included in any typology of kidnapping, as the defining elements of unwilling asportation are not present. It could be classified as a form of extortion but is mostly likely to be reported and recorded as a robbery.

3.16 Stockholm and Lima Syndromes

Although not particularly relevant to this research project, no discussion of kidnap would be complete without a mention of Stockholm Syndrome and its less well known counterpart Lima Syndrome. Consultant psychiatrist Nils Bejerot is usually credited with coining the first term. He was called in by the police in August 1973, when a bank robber had taken employees hostage during a raid on the Stockholm branch of the Swedish Kreditbanken (Bejerot 1974). Bejerot noted, in a subsequent news broadcast, that the hostages appeared to fear the police more than the two men who eventually held them captive and became surprisingly attached to them, in what has since been referred to as terror-bonding, traumatic-bonding, transference, Hostage Identification Syndrome or, more prosaically Common Sense Syndrome (Fitzpatrick 2009; Strentz, 1977, cited in Turner 1985; Turner, 1985).

However, as Turner (1985) observes, such identification can be a two-way street with transference possible in both directions between captors and captives alike. Lima Syndrome was named after the Japanese Embassy Hostage Crisis that took place in December 1996 in Lima, Peru (Busuttill 2008). Here the hostage-takers eventually released their prisoners, apparently because of growing empathy for their plight as fellow human beings.

There are critics who, even if they do not deny the existence of Stockholm Syndrome altogether, believe that it has been ‘overemphasized, overanalyzed, overpsychologized and overpublicised’ and that ‘most hostages do not identify or sympathize with the hostage taker, nor do they see the police as their adversaries’ (Fuselier 1999). Fuselier (1999) cites FBI statistics that show, out of 1,200 hostage situations, fewer than 8 percent of victims exhibit any signs of Stockholm Syndrome.

3.17 Kidnapping and Abduction Typologies

There are many different ways of classifying kidnap and abduction. The United Nations Office of Drugs and Crime (UNODC 2003) break it down according to motive or purpose:

Fig. 3.1 – Kidnapping by Purpose

Type	Examples of Purpose
kidnapping for extortion	<ul style="list-style-type: none"> - for ransom - to influence business decisions - to obtain commercial advantage
kidnapping between or within criminal groups	<ul style="list-style-type: none"> - for debt recovery - to secure advantage in a criminal market
kidnapping for sexual exploitation	<ul style="list-style-type: none"> - to make money from human trafficking and sex slavery - to gratify own wants
Domestic/family kidnapping	<ul style="list-style-type: none"> - to gain access to spouse or child
Revenge kidnapping	<ul style="list-style-type: none"> - to kill, injure or cause loss to enemy
Political/ideological kidnapping	<ul style="list-style-type: none"> - to gain political concessions - for propaganda purposes

The list contained in *Fig. 3.1* is clearly not complete; for instance, certain types of hostage-taking are missing and so is the trafficking of humans

for non-sexual slavery. It is worth noting that the UN definitions avoid using the word abduction even for cases involving children and no ransom.

Such categorisations of kidnap by purpose are the most commonly encountered, especially for crime recording and statistical reporting. India lists twelve specific types of kidnapping by purpose: adoption, begging, camel racing, illicit intercourse, marriage, prostitution, for ransom, revenge, sale, selling body parts, slavery and unlawful activity. There is a further category, of 'other', which is the second largest category by volume, after marriage; in 2006, 10,674 cases of kidnap for marriage were recorded against 8,447 cases of 'other' kidnap (National Crime Records Bureau 2007). It is something of a relief to note only one case of kidnap for the sale of body parts was recorded for the year, although that was still one gruesome occurrence too many. The practice of kidnap to supply the camel racing business appears to have completely died out, presumably as a result of laws banning riders under 16 years old from competing and the introduction of mechanical jockeys (BBC News 2005).

Pharoah (2005, p23) prefers to start with three broad categories: criminal kidnapping, which includes hostage taking for escape, for ransom and for access; political kidnapping, where the main intention is the furtherance of political objectives, and 'pathological' kidnapping, which includes parental kidnapping and kidnapping for sexual purposes. At first sight, this seems like quite a useful subdivision. However, the use of the word 'pathological' is troubling, especially to refer to parental kidnappings. If the label is applied to someone who kidnaps while in the grip of a severe personality or mental disorder, then it might be warranted in the sense that the perpetrator is suffering from a medically or psychologically diagnosable condition. However, it is difficult to argue

that the parents who abscond with their children, or even that the 10,674 Indians who tried to gain a wife using kidnap in 2006 (National Crime Records Bureau 2007), are suffering from a disorder or even behaving in an extreme, excessive, or markedly abnormal fashion (which, according to the Merriam-Webster online dictionary, is a more common usage of 'pathological').

Similarly, Briggs (2001, p3) splits kidnapping into 'economic' and 'political'. She argues that even if there is an overlap between the two, the motivations and dynamics are different. As Briggs acknowledges, a simple political/economic split does not account for the sometimes complex relationship between political and criminal groups and activities, as discussed above under the label of the crime-terrorism nexus. Briggs maintains, however, that the distinction is useful in understanding the greater inclination that perpetrators motivated by political objectives may have towards taking extreme and unpredictable risks than have the perpetrators of economic kidnappings. In a way, what Briggs is suggesting is a typology according to offender-type, which might help a police kidnap unit, or a hostage negotiator decide upon the most suitable strategy or to plot an offender and offence profile. As might be expected (given her role as academic consultant to the Control Risk group), the types that Briggs is most concerned with are those that might affect businessmen or government officials when travelling abroad in trouble-prone regions of the world. She is not much exercised by instances of people trafficking or by high volume, low value kidnaps regularly conducted within the drugs trade as a form of debt collection.

One of the most interesting categorisations comes from Turner (1998, p147). He assigns four rationales: money but no politics; no money no politics; money and politics; and politics but no money. This might work as shown in *Fig. 3.2* below:

Again, this is a very useful way of expressing what is essentially a three way purposive split: political, economic and ‘other’, but allows for an overlap between the politics and the money. It speaks to the complexity of the crime-terrorism nexus but still, worryingly and misleadingly, combines kidnaps by sexual psychopaths and parental abductions together under a single and quite unsatisfactory heading.

Fig. 3.2 – Turner’s (1988) Four Rationales for Kidnap

Category	Examples
Money but no politics	<ul style="list-style-type: none"> • Kidnap for ransom • Kidnap to supply prostitution • Kidnap to supply slave labour • Tiger kidnaps
No money, no politics	<ul style="list-style-type: none"> • Parental abduction • Kidnaps as part of a rape or sexual assault • Kidnaps for revenge
Money and politics	<ul style="list-style-type: none"> • Kidnaps for ransom to fund political activities • Kidnaps by formerly political groups, in transition to criminal gang status
Politics but no money	<ul style="list-style-type: none"> • Kidnap for propaganda or to spread terror • Kidnap for prisoner exchange • Kidnap for political concession • State-sponsored kidnap

The Indian figures also demonstrate one of the main problems with categorising kidnap according to purpose. The motivations of human beings are often complex and varied and it is probably impossible to cover every permutation. The danger is that a set of statistics ends up with that large and unhelpful dumping ground, the ‘other’ category. There is no telling whether this column, which contains over 35 per cent of the annual kidnappings total, conceals important information about emerging crimes or about longstanding but ignored social problems, or whether crime recorders were simply too confused or too lazy to select a

more appropriate heading. It may also simply be that the purpose is not apparent at the time of recording.

3.18 A Proposed Schema

In all of the academic work on kidnap consulted so far, there is no existing schema that can be considered complete. There always appears to be an agenda built into the system of categorisation proposed, that either omits to mention or inappropriately groups together types of kidnap and abduction that appear to have very little co-relationship apart from the fact that the researcher is not much interested in them. This thesis, too, does not pretend to give equal treatment to all different types, as the main thrust of the research is towards kidnap for ransom by what most people would describe as criminal rather than political actors. Some people might question the value of a rigid system of categorisation. However, during interviews with police and other law enforcement agencies, and during the background research into the comparative legal positions, the international security industry and the various strategy and policy suggestions, it became more and more useful to have a clear picture in mind of what type of kidnap fitted into which category.

I have argued elsewhere (Noor-Mohamed 2008) for a regional recording standard, because crime statistics are the first resource that people turn to when devising policy, allocating resources and targeting crime reduction initiatives. At the moment, the categorisations of people like Briggs (2001), with their close affiliations to the international security industry and the foreign offices of wealthy nations, are dominating the discourse on kidnap. Although much good work has been done here, it has to be recognised that the concerns and priorities of the wealthy travelling elite, who can afford the services of, say, the Control Risk

Group, are not necessarily the same as the people who are most likely to face the greatest risk of kidnap or abduction.

The schematic diagram (*Fig. 3.3*) below attempts to cover all the major purposive categories and is proposed as the basis for an improved crime recording system. *Fig. 3.3* makes use of the historical distinction between abduction and kidnap to separate the political and economic from the familial, cultural and the sociopathological. Abduction is reserved for cases where there is no political or economic motive and where the victims are not seen as having an exchange or trade value. Because there should be a category for offences that target victims of all ages, based upon the motives behind the offence rather than the age of the victim, in *Fig. 3.3* there is an attempt to reinstate the idea that adults can be abducted.

On the abduction side of the chart, the division between adults and children is certainly open to criticism but this was justified by the importance of the concept of consent. No strictly defined age at which a child becomes an adult has been given, as different cultures have different rules and attitudes about the transition from minority to majority. Even so, it must be conceded that a division based on consent and autonomy is not without its problems. For instance, there are considerable cultural variations with regard to the status and autonomy of women, which have not been reflected here.

Child abduction has been subdivided into familial and socio-pathological categories, whilst adult abduction has been split into cultural and socio-pathological categories. The category of familial abduction includes the abduction of a child by a parent who has not been awarded legal custody. This is not restricted to natural parents or blood relatives, as child custody may be awarded to grandparents, foster parents, and

adoptive parents or even to the state, giving rise to disputed guardianship by other family members who may decide to take the law into their own hands. The cultural category includes cases that may have a long history as acceptable or semi-acceptable within certain communities, such as marital kidnap. More blurring of the lines occurs here, as it is recognised that girls may be kidnapped for marriage and that this may occur with or without the consent of the bride to be.

The term *socio-pathological* has been used in recognition of behaviour that does not necessarily arise from a disease process or mental defect affecting an individual but that does represent an excessive deviation from acceptable social norms. Of course, although different examples are given, the same motivations behind the abductions of adults, such as sexual desire or revenge, can also drive the abductions of children (however, revenge crimes are more likely to be targeted via younger children at their parents or guardians).

Because both categories invoke social norms, there is a considerable overlap between cultural and socio-pathological abduction. However, if a kidnap is slotted into the cultural category there is an implication that social norms support the practice to some degree, whereas, for kidnaps that belong in the socio-pathological category, the opposite is true. Revenge kidnaps may be sited in different places in the schema, depending upon the context. They could be classed as socio-pathological abductions where, for instance, a child is taken by one parent as revenge against another. Alternatively, they could be seen as strategic kidnappings, where one crime group is retaliating against the activities of another.

Moving over to the kidnap portion of the chart, we have the commonly cited political and economic divisions. This chart does not make use of

Turner's (1998) insights about the complex links between politically-motivated groups and criminal offending. For instance, it has been suggested that some former Irish Republican Army (IRA) groups may be responsible for the rise in tiger kidnaps in Northern Ireland and, as Briggs (2001) notes, the modus operandi of the groups may be affected by their former mindset and training. There is bound to be an overlap, especially for former members of political groups who are on the margins of society and without access to legitimate sources of income. This is important information for kidnap negotiators and police kidnap units, but it makes better sense when counting kidnap to categorise according to primary motivation rather than possible offender characteristics.

Hopefully, the chart has remedied a major political exclusion by adding a state-sponsored kidnap category, including CJS and non-CJS legitimated renditions, unlawful detentions and disappearances, along the lines discussed earlier. Even if governments do not want to count these cases, non-governmental organisations (like Amnesty International) or supragovernmental organisations (like the United Nations) have a need and a duty to categorise such data, whenever it comes to light.

Kidnaps by terrorists or dissidents belong under the 'non-state sponsored' heading, with three possible motives: to spread propaganda, promote a climate of fear, inflict harm or extract information; to demand political concessions such as the release of prisoners; keeping in mind the provisos above, the generation of income to spend on weapons or other operational needs. The boundary between propaganda and political concession might not always be clear – for instance, in the Beslan school siege, the kidnappers probably realised themselves that a demand for Chechen independence was highly unlikely to be granted.

As with a game of chess, any move by a political activist is liable to have more than one motive or objective behind it.

Under the economic heading comes any apolitical kidnap conducted for material gain. The first subheading is kidnap for ransom, which has been divided into opportunistic and organised types. The following chapter will talk about this in much greater depth, but suffice to say that Alohan is an example of the latter. He is a career kidnapper and works hard at his trade, using intelligence gathering, planning, cost-benefit analysis and many other techniques that a businessman would aspire to. The category labelled 'conflict resolution' is very much the preserve of organised crime and subculture. Many of the 358 London kidnaps that Cowan (2005) reported for 2004 would fall into this category. For instance an operational kidnap might occur where drug users and street dealers fail to pay their suppliers' bills and a kidnap is used as a tool of debt collection. Alternatively, where one crime boss trespasses upon the territory or business of another he might need to be taught a strategic lesson.

Tiger kidnaps are an example of the intentional use of kidnap to facilitate another crime, such as a robbery. Such kidnaps or hostage-takings have played an integral part in the largest robberies on record. A more controversial type is the incidental kidnap where someone is restrained, falsely imprisoned or moved during, say, a burglary. Sometimes, even the offender does not realise that a technical kidnap has taken place. These kidnaps depend very much upon the law in a particular jurisdiction.

A final major category, of people trafficking, has also been included here. Even where people have given their consent to traffickers as, perhaps, in the case of economic migration, any fraud or misrepresentation by the

traffickers as to their final destination or the circumstances in which they will eventually find themselves, should transform a contract into a kidnap. Any instance where a person is seized and sold into sexual or labour slavery should be classified as a serious offence on two counts, both for the slavery and for the kidnapping.

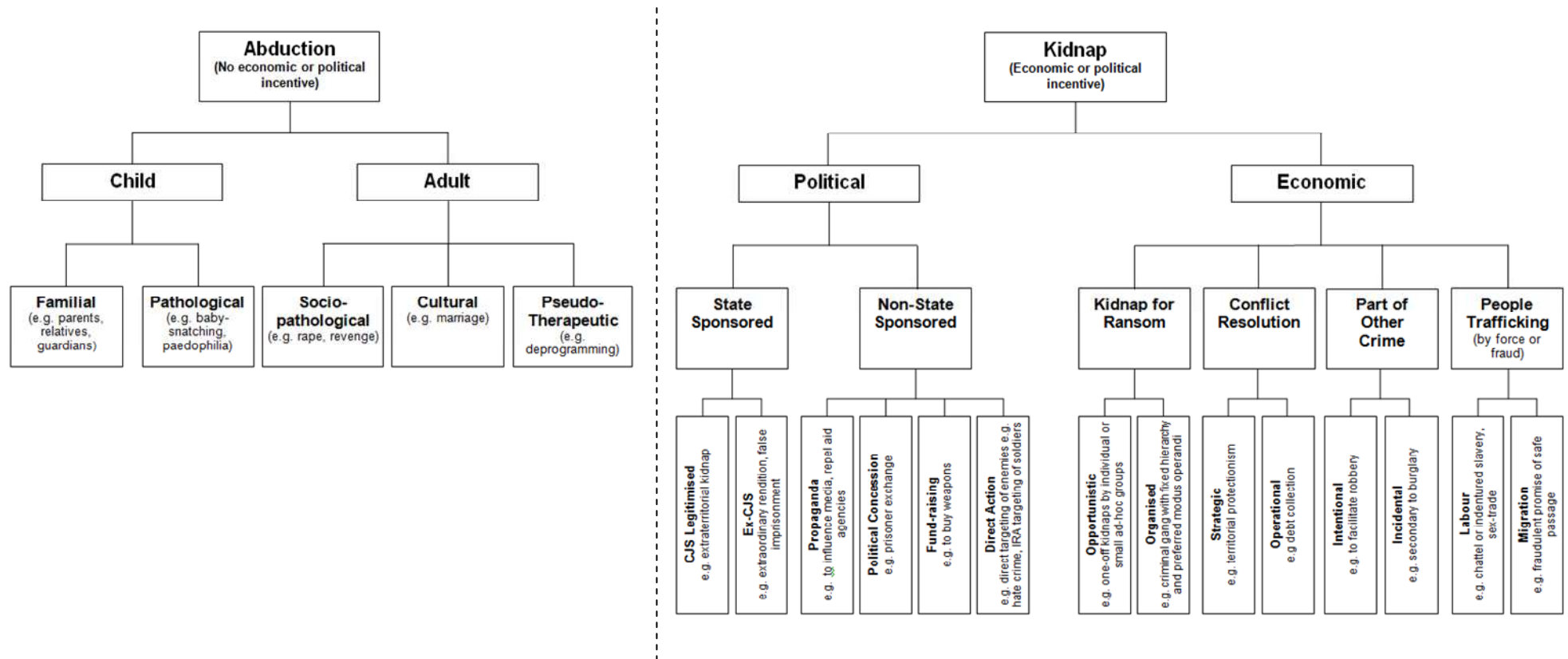
Unfortunately, this system of classification does not give any indication of the severity of impact of each abduction type, either on the individual victim or on their immediate and wider societal groups.

3.19 Chapter Summary

This chapter sets out to provide a broad overview of the ways that kidnapping can be contextualised and understood. It starts with a look at kidnapping throughout history and follows with a discussion about the ways that kidnap and abduction has been defined in Western, Malaysian and Islamic law. After a discussion of related offences, including piracy, hostage-taking, hijacking, tiger kidnap, express kidnap and state-sponsored rendition, and others, the examination of various typologies of kidnap and abduction allows us to distinguish between offences with emotional, economic and/or political motives. It is by this process of reviewing the typologies of kidnap that we are able to clearly produce a schema that contains and situates Alohan's specific style of offending.

Subsequent chapters will explore Alohan's narrative with additional reference to corroboratory interviews from the other participants. The next chapter will examine Alohan's early years and the commencement of his criminal career.

Fig. 3.3 – Proposed Schema of Abduction and Kidnap According to Purpose



4 **Becoming Alohan**

This Chapter and Chapters Five and Six cover the results of analysis of interviews with Alohan, translated, transcribed and edited so that they read as a narrative account. Each interview is preceded by a brief introduction to its content and succeeded by a commentary exploring major themes. In this introductory chapter Alohan includes significant background detail. Such knowledge is required in order to understand the context within which Alohan's story unfolds.

In the earliest interviews, Alohan eased himself into his narrative with an account of his childhood and early teens which is the logical place to tackle issues of early identity and attitude formation, leaving aside for the time being the more central questions that this research seeks to answer, about established criminal behaviour and illicit enterprise.

Alohan is an ethnic Chinese man, whose family settled in Malaysia several generations back. Although he is certainly from a minority background, in a Malaysian context the experience and politics of minority status are significantly different from those encountered in Western Europe and are, in large part, a legacy of British colonial rule and its aftermath. To appreciate these situational and cultural nuances it is necessary to know some fundamental facts about the research subject's homeland.

Malaysia is thought to be the state with the largest ethnic Chinese minority, at 23.7 percent. In 2010, the total population is approximately 26 million of which six million are Chinese; ethnic Indians form another sizeable minority at 7.1 percent (CIA 2010a). As a useful comparison, all ethnic minority groups in the UK combined come to lower than eight percent (National Statistics 2009) and, in the USA, black Americans account for fewer than 13 percent (CIA 2010b).

The Chinese have been migrating to the Malayan peninsula for many centuries, at least as far back as the founding of Melaka in approximately 1400 AD, particularly from the Southern China coastal provinces of Fujian, Guangdong, and Hainan. Early immigrants, known as Peranakans or Baba-Nyonya, have been partially assimilated into Malay culture through intermarriage and conversion to Islam. However, the wave that began in the 19th century as a response to the British colonial call for labour maintained a distinctive Chinese identity, most likely because at that time there was no cultural capital to be gained from integration with the local Malays (Beng and Ming 2003; Carstens 2005).

The concept of cultural capital is used by theorists like Bordieu and Passeron (1990) as a way of explaining differential achievement in terms of the social resources available to groups or individuals within society. Dominant groups are more able to impose cultural values like education, religion and customs upon subordinate groups. The groups that define, possess and control prevailing cultural values are in a better position to translate them into power, status and wealth. Before independence, Malays were politically subordinate to British colonial authorities and economically subordinate to the merchant Chinese who, thus, had little economic reason to emulate the indigenous population. The ethnographer, Carstens (2005, p72) reports of the Chinese community she studied: 'Believing that Chinese culture was superior to Malay culture, perceived changes in the direction of Malay customs were belittled and criticized'.

Immigration reached a new peak between 1911 and 1949, when the Chinese population grew from approximately 250 thousand to around a million, with many seeking refuge from the Chinese revolution and civil war (Saw 1988, p48). Since Independence, ethnic Malays are in the political ascendant and are the most populous group, but intermarriages

between Chinese and Malays, or Chinese conversions to Islam remain very much an exception to the rule.

There are some widely held stereotypes that each ethnic group holds about the others and, in many cases, about themselves. Malaysians have their own versions of 'Englishmen, Irishmen and Scotsmen' jokes. One example goes as follows:

During the Second World War, when the Japanese occupied Malaysia, they built prison camps to subdue the local population. They dug different sized pits in which to hold their captives, depending upon who was seized. For the Chinese, they dug small holes and put one prisoner in each hole. For the Indians, they dug slightly larger holes and put no more than two people in each. For Malays, they dug a massive hole and put everyone in together. When asked, the Commandant explained that if more than one Chinese was put in a hole they would form an association and help each other escape. If more than two Indians were put together, they would form a union and the noise would be unbearable. With the Malays, it was safest to put everyone in the same hole because if one tried to escape the others would seize his legs and drag him back down to their level.

Amongst the other character slurs, this joke picks on the perceived predilection of the Chinese for self-help and clan, dialect or regional associations. Another commonly circulated stereotype is that Malaysian Chinese hold a disproportionate amount of economic power and wealth but are under-represented in political circles, the Civil Service, the armed forces and enforcement agencies. As with most stereotypes, there may be some superficial truth in the belief that the Chinese control the economy while Malays control the government, however, this fails to

take into account the far less favourable situation of many working-class Chinese, who are just as economically disadvantaged as their Malay and Indian counterparts. Alohan is from such a working class background.

4.1 Introducing Alohan

Alohan is, of course, not the research participant's real name but, when asked to choose an alias at the project's inception, he settled on this with alacrity as if he had already given the matter considerable thought. Clearly, the chosen name holds a great depth of meaning and resonance for him and is closely wrapped up with an identity that he is keen to project.

The name Alohan has its origin in Buddhist influenced folk-lore. In Theravāda and Mahayana, the two main branches of Buddhism still existing, an *Arhat* or *Arahant* is a perfected being who has followed the path to enlightenment and, by overcoming his or her earthly passions and desires, has escaped from the cycle of rebirth. The Sanskrit word Arhat is often translated into Chinese as Luohan, Lohan or Alohan. In common tradition, Arhats have acquired a less lofty, more muscular aspect as temple guardians and slayers of enemies.

This is what Alohan has to say about his namesake:

Alohan: He captures evil ghosts. If people are evil, Chinese people call them Satan because there is no good in them. Alohan makes trouble for them ... wipes them out. This is the nature of Alohan and the meaning of his name.

His work is just like the special police; he wants to catch the bad guys. The Chinese say that Alohan likes people to be good. If you are good, he'll help. If you are bad and make trouble for everyone, whatever their race or religion, he will strike against

you. How does he get you? Maybe you are on a motorbike – he'll make you hit a lamp post and you are done for. It's like he captures you and takes you to another world.

So, it's the same for my *Scorpion*¹⁰ style – I also hit the bad guys, because they pay off the police and bribe politicians. It is like this with these people; neither God, Godfather nor Buddha can do anything to stop them. But we can do something. Us!

His narrative style is simple but Alohan's choice of name, in one economical move, deftly establishes a justification strategy and manifesto that sets the tone for much of what follows. As Alohan, he is an avenger, a force of nature, or fateful nemesis for his sinning victims. His reference to his work as Alohan's work might also be a self justifying nod to his interviewer who he knows is from a law enforcement background. However, he makes the comparison between himself as Alohan and the special police, rather than with rank and file officers or politicians, who he matter-of-factly accuses of corruption. Alohan sees himself and, presumably, his gang as uniquely able to act with functional morality, perhaps because neither he nor his gang are bound by the conventional rules that handicap religious or secular authorities.

A little more analysis uncovers even more layers of symbolic meaning, steeped in Chinese history, legend and culture. There are 18 Lohan statues guarding three golden Buddhas in the Daxiong Hall of the Shaolin Temple in Henan Province, China (Watters 1898). Since its establishment, which some say was early as 300 AD, the temple and monastery have played a prominent part in Chinese history and mythology. To Westerners, Shaolin is most famous as the home of

¹⁰ The use of *Scorpion* as code-word for kidnap for ransom appears to have originated with the Malaysian Police Specialist Kidnap Unit (SPKU), which adopted it as an operational call-sign at some point in the 1960s. There is a room at their headquarters labelled Bilik *Scorpion*, the *Scorpion* Room. Alohan and other members of his gang have been arrested several times by the SPKU and detained on the premises.

Kung-fu, a martial art that has many different styles, one of which is called *lúohànquan* or 'Arhat boxing' (Cheong 2005). The style is possibly the earliest form of Kung-fu from which all others were derived and is thought to have been developed by monks as they meditated upon the postures and expressions of the Lohans. For the Chinese and most especially for those overseas, Shaolin is much more than a centre for martial arts; it is an icon that lies at the heart of their national, religious, cultural and ethnic sense of identity. Stories of Shaolin are also central to Triad¹¹ tradition.

Legend tells of *Bodhidharma*, a 6th century Indian prince from the Tamil *Pallava* dynasty, who became a monk and took Mahayana Buddhism to China, at the invitation of Emperor Wu. Under his Sinitic name *Da Mo*, he is revered as the founder of *Ch'an* Buddhism, a fusion of Mahayana and Taoism. Taoism is an ancient Chinese religious philosophy that stresses the importance of living in harmony and balance with nature and, along with Confucianism and Buddhism, still has a powerful influence on the Chinese mindset and worldview. By the 8th century, Ch'an had spread rapidly throughout the region, becoming *Son* in Korea, *Thien* in Vietnam and *Zen* in Japan.

Da Mo retired to Shaolin, where he reputedly spent nine years gazing at a wall in deep meditation. Outside the monastery walls, bandits were lawlessly roaming the countryside. Emerging from his trance, Da Mo carefully selected and trained a group of 18 monks in martial arts, as a defence not only for the monastery itself but also for the local community. These were the Lohan, or special guard and their techniques were only passed down to monks of pure character who could be depended upon to protect the people against tyrants and

¹¹ The Triad Society is famous as a Chinese organised crime network.

outlaws. It is almost certain that Alohan identifies with these Lohans and not with the enlightened beings that an Indian Buddhist might imagine.

The tale now jumps a millennium, into the 18th century. Although there have been many assimilations in the course of Chinese history, the majority of Chinese people consider themselves to belong to the Han ethnic group. In 1644, the Han-led Ming dynasty was overthrown by Manchus from the North, who formed the Qing dynasty that would last until the revolution in 1911. The Shaolin monks were Ming loyalists who resisted what they thought of as foreign rule but the legend says that they paid the price when their monastery was destroyed by Qing forces and all but five of the 108 (or, in some accounts, 128) defending monks were killed. The survivors or *five elders* dispersed through China, teaching their fighting skills to disciples and forming alliances with secret societies who had also been declared illegal; together, their avowed purpose was to overthrow the Qing and restore the Ming. At least, so the stories say.

Apart from the few existing academic sources referred to above, these myths have been culled from the countless popular treatises that can be found on the internet. Type 'Shaolin' into any search engine and a multitude of sources appear offering versions of the legend as the background to their Kung-fu school. Arguably, the most interesting cultural thread to follow, where Alohan is concerned, is the one that has the destruction of the Shaolin Temple at one end and Chinese organised crime at the other.

Chin (1990) and Daye (1997) both note the central importance of concepts such as *guanxi* and *mianze* to the Chinese mindset. *Mianze* is usually translated as 'face', which refers to the maintenance of one's public reputation. *Guanxi* refers to one's personal connections or the 'web of benefit-driven relations' (Daye 1997, p41). This concept is

familiar to most Malaysians and has entered into the Malay English vernacular as *cable*, the rope to pull when one needs assistance. The Chinese *guanxi* network, Daye explains, is forged through blood relationships, shared regional origins or dialects, family name or trade associations and last, but not least, through brotherhoods and secret societies, such as the infamous Triads.

Again, there are many versions of the story of the founding of the Triads but, for now, the one paraphrased from Yiu (2000) will suffice. The five elders who survived the Shaolin massacre eventually set up the *Tiandihui* or Heaven and Earth Association; each one became the head of a lodge from which they fomented rebellion against Qing rule. The second of these lodges was known as the *Sanhehui*, the Three United or Three Harmonies Society and was based in Guangdong, from whence its influence spread to Hong Kong. It might have been the three in the title or, alternatively, the triangle imagery used to represent the relationship between heaven, earth and man that inspired a British administrator in Hong Kong to coin the term *Triad* to describe this type of organisation. After the downfall of the Qing regime in 1911 *Tiandihui* groups lost their patriotic *raison d'être* and turned to various forms of shady enterprise instead (Murray and Baoqi 1994).

More serious historians have looked into the origins of the Triads and have dismissed the Shaolin story as politically-motivated myth-making. Instead, they trace the foundation of the *Tiandihui* back to the Guanyin Temple in Fujian province as a mutual assistance organisation that specialised in the sale of private protection for travellers in the region (Yiu 2000).

For the purposes of narrative analysis, historical accuracy is not really at issue, any more than it matters to members of the Freemasons whether their founders were Knights Templar or 17th century London dilettantes.

What does matter is that Alohan deliberately chose a name infused with great resonance, which joined together the concepts of Chinese culture and identity, brotherhood and secret societies, resistance to illegitimate authority and law-breaking. And that was before the interviews had even started.

Alohan was not always an avenger empowered with a mission of dark justice; he was once just a boy, living with his family in a village in Peninsular Malaysia. In this first interview, he tells the story of his childhood and early teens.

4.2 Alohan's Narrative

The interviews were conducted between Alohan and myself. To a certain extent, both of us share similar cultural and lingual bearings, and it should be pointed out here that there are many 'taken for granted' assumptions in Alohan's narrative which make perfect sense to an Asian audience but may seem strange or confusing to the Western reader. A parallel here can be seen where Steffensmeier's (2005) interviews and his research subject's narrative in *Confessions of a Dying Thief* contain similar taken for granted innuendoes that make sense to a Western audience. There are also many historical details that Alohan felt no need to mention, not because he was unaware of them but, because he and I are of a similar age and from the same geographical area. Thus, he could take it for granted that I have lived through the same national and regional events, even if our personal experiences of them had been somewhat different. In order to provide context, wherever possible, there some note of explanation in the narrative to explain the scene clearly.

Alohan: I have brothers and sisters. I had one elder brother, but he died of an illness in childhood. Now, there is one older sister,

one younger sister and three younger brothers. So that makes six, right? That means two girls and four boys. I have three younger brothers, including me, that make four males. There were supposed to be seven - I had another younger brother and one younger sister. So you can say that altogether there were eight. The elder brother became ill and died when I was still at school. Also one of my younger brothers was shot by the police – this was the time when I was arrested.

Pak worked as a log lorry driver; Mak didn't always work¹². She mostly stayed at home, to take care of me and my brothers and sisters – there were so many of us. Pak worked on his own. Mak sometimes helped out by working on the oil palm plantation with other people from the village, harvesting and spreading manure, but there wasn't much work available. This plantation was close-by to the village.

[At school] there were 40 students. I was number 37 out of 40 people. I was better than three [students]... very bad at school. Because home life was difficult, I didn't have the right mood for it. I worried a lot because there was not enough food at home. Sometimes when it rained there were no wages coming in, so I wasn't in a mood to go to school.

I mixed with everyone. I never tried to disturb anyone. I don't like to disturb people. I like to take care of my friends. I will help whoever is in difficulty.

Even before quitting school, I sometimes worked on Saturdays and Sundays. I would go to the farm and help to prepare the soil

¹² Pak and Mak are common Malay diminutives for Father and Mother, i.e. Dad and Mum. Alohan used these terms because he was relating his tale to a Malay person, in the Malay language. Normally, he would use Chinese dialect terms.

for the oil palm. When I stopped going to school, my first job in the village was to deliver newspapers.

One day I picked up my clothes, took some of Pak's money and boarded a bus. I left a letter telling Pak and Mak that I was going to look for work. I didn't want to be in school anymore and burden the household. I wanted to help home, so I left home. Neither Pak nor Mak nor anyone else knew where I was going. So I left the letter at home and boarded the bus, heading for Johor Bahru¹³. The first night I arrived, I was not sure where to go. I walked with my bag - I walked and walked and walked and walked. Then I took a ride in a vehicle that was like a taxi, but not a taxi because it had no licence – a pawancha. I asked the driver where all the workshops were located. He took me to Tungku Mohsin Road, near Tampoi¹⁴, where there were many workshops.

I got out and enquired at each workshop: 'Do you need a worker?' When I asked at the first one, they looked at me and said no because I was too young. The second one also said no, and so on until I reached the last one, at the top of the hill where there were a great many lorries. So I went and asked there, too, and the owner again said no.

As I picked up my bag of clothes to move on it was late afternoon, around half past five. I wanted to walk back to the place where the pawancha had left me, which was about a mile away. But there was this old man, of about sixty, who seemed like the head man there. He kept looking at me and then asked

¹³ Johor Bahru is Malaysia's second largest city, after Kuala Lumpur. Johor Bahru is situated at the southernmost tip of Peninsular Malaysia, connected to the State of Singapore by a causeway over the Straits of Johor.

¹⁴ Tampoi is a suburb of Johor Bahru.

why I was not at school. I said that my home and school were very difficult, so he asked if I really wanted to work. Yes, I wanted work, whatever kind of work it did not matter. He told me to get in his car and took me to his home. The next day he took me back to the workshop to start work. The owner still did not want me but the old man insisted. I feel that there are still many good human beings in this world. Even when nobody wanted me there was an old guy who cared.

So I started work there, for half a year. Then my cousin opened a workshop near Bandar Baru¹⁵, for car painting and welding. He came searching for me and asked me to work for him. That is when I first went from Johor Bahru to Bandar Baru. It was in Bandar Baru where it all started, where I got mixed up with gangsters. I had stopped going to school at thirteen; I worked half a year in the village then left home for half a year. So I was fourteen to fifteen when I started at the workshop, painting and welding. I was very hardworking. My Abang¹⁶ paid me one hundred fifty ringgit a month. Food was provided and so was accommodation. All in all, I could send one hundred ringgit to Pak and Mak every month. I started going home then.

The job was wiring, car painting, and panel-beating. Nice job. So I made friends with people from Bandar Baru who live right next to the workshop. There was an office where everyone looked like the Mafia. There was this Taiko¹⁷ there. Each day as

¹⁵ *Bandar Baru* is a fictional area – the name has been changed to protect the identity of Alohan and his family. There are many such areas satelliting large towns and they are frequently notorious for gang activity.

¹⁶ *Abang* is a Malaysian multipurpose pronoun that literally means 'older brother', however, it can be applied as a familiar but respectful term for a male friend or relative who is a few years older or of slightly higher status.

¹⁷ *Taiko* is a Malaysian Chinese slang term meaning 'Big Boss', thought to derive from the Japanese word for a large barrel-shaped drum.

I passed by, I greeted them although I did not know them. They were all smartly dressed.

After a while, this one old man who seemed to have been sizing me up, called me over for a drink. I learned to drink - following them to eat at restaurants, drinking beer and everything. After following him for more than a month, the old man asked me if I was brave enough for a gang fight, or if I was a gangster? I replied "No, I am nobody". He took me into his gang. From then on I was in a gangster group.

I went to the gang fight. It is like this - Gang 21 and Gang 18 are enemies. We try to table talk¹⁸ but when negotiations fail, we fight. To cut a long story short, when I joined Gang 21 I followed them, observed and learned. Later on I became bolder than the Taiko.

I don't like to fight. I say we must try to be friends and not fight. Whatever happened, when there was a fight, I would go forward and table talk. Even if it happened ten times, I would try to settle the problem every time. It does not matter who is in the right or in the wrong - get them to shake hands, and promise not to fight.

I try to make friends with everyone. Because of this, the members of the other gangs all know me. For example, when businessmen come to Bandar Baru to set up their businesses, like Singaporeans opening up factories, they will definitely come and see me if there are any problems. If other gangsters disturb them or extort money for protection, like asking for tens of thousands per year or twenty thousand, or eighteen thousand, the owners will come and see me because they know that I don't

¹⁸ *Table talk* is a tradition in Malaysia, and is an unofficial, non-confrontational approach to settling disputes where negotiations may be eased when the protagonists share a meal.

like people who create trouble in the area. I will arrange a table talk with all the gangsters in the area. I will ask the gangsters not to disturb the businessmen. These businessmen are here to open factories for the benefit of this village and area, providing jobs for local people. We like this too. We do not want to create trouble. They come here to open factories for the benefit of everyone.

We are all nice people. We don't go and disturb others. So I suggest to the businessmen, once they set up their factories here, whatever the profits and when it is OK, please support us if any of us are not well or ask for help. Whatever the amount, it is entirely up to them, no problem. During festivals they should treat us to food and drinks. Within three years time my name became very famous. I am not the type who searches for a fight. This is my attitude and my preferred way.

Before I went to Bandar Baru, it was the most notorious area for gangsterism, not only in the state of Johor but in Malaysia. The record shows that the worst gangsters were from there. There was no fear of the police. The police had a headache – gang-fights here and there. People got killed. Even in schools there were gangsters.

From the very start, I do not like schoolboys joining gangs. I won't allow it. I won't support any gangs that get involved with school children. I asked all the other gangs who are not with me to follow the laws of gangsters.

Below is Alohan's account of his first involvement with a kidnap for ransom gang where he unwittingly was asked to be the errand boy to collect a ransom demand.

Alohan: Then I came to know this Scorpion [kidnap] group. It was a different group and a mature one. They are all retired now. Remember or not when I said that next to my workshop there was an office where they hung out? One day, the Taiko requested my help.

I asked: “What kind of help, Taiko?”

He said: “Tonight you go to the front of the bank, where you will take some money”.

I said: “Take what money?”

The Taiko told me: “This logging businessman owes salaries to his workers, who haven’t been paid, but we don’t have the time to go. You help us and get the money. Bring it back to us - we will wait for you”.

I knew nothing. I believed the Taiko that it must be the salaries that were owed. I cycled from the office; it was not that far, about half a kilometre. I went there and waited for the businessman. The car registration number had been given to me. That night, I saw the car go around twice. I stopped the car and said “Oi! Taukeh¹⁹! Do you want to give the salary money to Ah Long?” My Taiko was called Ah Long [a name which he later says is a fictitious one he conjured up for the police].

He wound down the screen and asked me why I wanted the salaries. I did not realise there were ten people close around me, who came and seized me. I didn’t know who they were. After I was arrested, I found out that they were the police. There were

¹⁹ *Taukeh*, *Tauke* or *Towkay* means Boss in the Chinese Hokkien dialect. Taiko is normally used for gangster bosses, whereas Tauke usually refers to more legitimate authority figures or business proprietors.

Chinese, Indians and Malays who arrested me and took me to the police station. They asked me who told me to collect the money and did I know why. I said I did not. All I knew was that the Taiko had asked me to collect the salaries and had given me the vehicle registration number.

It is assumed here that the driver of the car is the kidnap victim's family member who is supposed to make the ransom drop off. The word 'salaries' would be a code word for the ransom money. According to Alohan, he actually believed that he was collecting legitimate unpaid salaries for the Taiko. The police presence in that location might have been due to the fact that the victim's family had reported the kidnapping and a police ambush had been set.

Alohan: So, the police observed me, took my statement and decided that I had been duped. They did not torture me and I was never threatened. I said I wanted to cooperate - I would tell them whatever I knew.

The police then asked me to help them. They said that, if they released me and if I saw these gangsters again, I should call them. They would then come and make an arrest. I said that I could, why not! I would definitely cooperate. But by then I had already joined the gang. I must not tarnish my name - I must not betray them. I promised all this because I wanted to be released. So after ten o'clock that night, as they did not want people to see me being released, they let me go. I walked from the front of the station to the workshop - about one and a half kilometre. I walked back without the money.

The next day, I met the Taiko, who was still there and had not gone on the run. I never gave them away, never said it was them. The name I gave – Ah Long is one that I made up.

So the Taiko knew that I was arrested and had not given anyone away. Then he took me straight to Johor Bahru. He introduced me to all the other Taikos and said that I was a steady guy. I was very proud, I was very young and I was very pleased that people trusted me. It is not easy to gain people's trust.

This was not only one gang. All in all there were leaders of five or six gangs who all seemed to like me a lot. But I was a member of only one gang. They asked me why I did not lead the police to arrest the gang. I said why should I? I was interviewed by them. They asked if something like this were to happen again, what I would do. I said that if I was alone, I would take sole responsibility. I will never put a friend in trouble. When we join a gang, we have a common prayer, or ritual and oath.

So, from then on, all the gangsters knew who I was. I was only sixteen or seventeen years old. All within a three year period, right...fifteen, sixteen, seventeen.

Later on, when I was arrested and sent to Pulau Jerejak, I was eighteen years old – that too is because I wanted to help a friend.

4.3 Malaysian Context

Malaysia has often been referred to as a plural society, a term that Furnivall (1948) introduces to describe post-colonial societies where different ethnic, racial and linguistic groups have been brought together in one political unit, but cleave to their own separate ideas, cultures and

socio-economic spheres. Although there are many critics of pluralism as a recipe for successful government, it works well as a word to describe the same yet separate worlds that Alohan and I inhabited, as we grew up.

I was born and raised as a Muslim; Alohan would have been influenced deeply by Confucianism, Taoism and Buddhism. I admired stories of Malay heroes like *Hang Tuah*²⁰; he obviously admired the heroes of Old China. We observed different festivals, birth, marriage and death rituals, and rites of passage. In our cases, the usual Chinese versus Malay stereotypes were reversed. I was from a relatively well-off family, whereas his was poor. My father was a businessman and we lived in town, while his father was a labourer and they lived in the countryside. My family had the money to pay for my excellent education but, too hungry and anxious to study, Alohan left school as a 13 year old to find work.

We were both born in post-1957 Malaysia after independence from British colonial rule had been achieved. All residents were granted equal citizenship at independence, regardless of race, under a parliamentary democracy with proportional representation for the three main ethnic groups. Malay was declared the official language and the position of head of state was rotated every five years amongst the nine Malay Sultans. As Malays were in the majority and filled most civil service, police and army positions, the independent Federation of Malaya would be largely Malay controlled, except in areas with predominantly Chinese populations, like Singapore. The new state of Malaysia was born in 1963 with remarkably little bloodshed, but racial tensions simmered, sometimes openly and sometimes beneath the surface.

²⁰ Hang Tuah is a legendary warrior, said to have lived in the 15th century at the court of the Sultan of Malacca. For Malays, he epitomises the values of courtly honour, bravery and loyalty.

Arguably, the Chinese suffered the harshest treatment during the Japanese occupation of World War II. Many joined the communist backed Malayan People's Anti-Japanese Party, becoming skilled at guerrilla-style resistance. After the war ended, the Communist Party of Malaya (CPM) took advantage of this training and mounted an armed struggle against the British. The British responded with a double-edged strategy of mass internment and economic concession. They also promoted a political alternative to the CPM by sponsoring the formation of the Malayan Chinese Association amongst the largely pro-British business community (Soong 2007).

Alohan grew up in a New Village. These were created during the Malayan Emergency²¹ (1948-60) under the Briggs Plan to starve the communist insurgency of support and supplies. Approximately 500,000 people were forced to relocate to these purpose built settlements, the vast majority of whom were Chinese and characterised as squatters - people who hold no title to the land they occupy. 'Squatter' is a word that still rankles today. To begin with, the villages were under strict curfew, partially fortified and deliberately located near military encampments.

In Malaya, many Chinese, who were not necessarily communist supporters, referred to the New Villages established under the Briggs Plan as 'concentration camps', because the liberty of movement of the New Villagers was severely restricted and New Villages were enclosed behind barbed wire fences that were under constant armed police guard and kept under surveillance by the Special Branch. (Comber 2008, p152)

Although security was relaxed after the Emergency was declared over, this would have been a deeply traumatic passage in the lives of Alohan's

²¹ The Malayan Emergency was a period where a guerrilla war was fought between British Commonwealth armed forces and the Malayan National Liberation Army (MNLA), the military arm of the Malayan Communist Party, from 1948 to 1960

parents. Food shortages were common and employment opportunities were scarce. Lim and Fong (2005, p36) remark that: 'To protect their lives and solve daily socio-economic problems, some New Villagers became associated with secret societies, which were activated again after the squatters settled down in the New Villages'. Carstens (2005, p69), in her study of rural Malaysian Chinese villagers, adds that because of the powerlessness experienced during the Emergency, they exhibited a pronounced degree of alienation from the state: 'a well-nurtured distrust of government intentions, leading to a preferred avoidance of any involvement with government plans or issues'.

Tensions finally erupted in the May 1969 race riots. An observer based in Singapore commented that:

Ever since the Malay-Chinese riots which wreaked havoc in Kuala Lumpur and have caused what could be the gravest political and social crisis in Malaysia's history, Singapore has been preparing for the inevitable reverberations across the Causeway which links the two countries ... The troubled situation is ready-made for secret societies, criminal gangs, hooligans, bad elements, not to mention the leftist agitators who are now undoubtedly at work capitalising on a condition not of their making (but to their liking). After all, Chinese secret societies were originally designed for, among other things, self-defence. (Polsky, 1969, cited in Soong 2007, p75)

Parliament was suspended and a state of emergency was declared. The official number of fatalities was given as 137 with 300 injured, but the actual figure was probably much higher, with many more Chinese dead or wounded than Malays (Soong 2007, p42). Alohan was only a small child at the time, but it is likely that his father was amongst those who turned to secret societies for protection.

4.4 Family Life

Alohan is the oldest of four surviving brothers and this is a position of heightened responsibility in most Asian families. The first son is expected to take care of his parents in their old age and act as a moral authority for his younger siblings. His narrative shows that he was acutely aware of the poverty of his family and the anxiety this caused profoundly affected his ability to study and gain an education.

There seems to be a division of labour between his parents that was typical for the time. His father worked as a log lorry driver – heavy, high risk labour that meant long hours and days away on the road while his mother stayed at home, taking on whatever irregular agricultural labour occurred. Surprisingly, in view of their high status within any Chinese family, Alohan does not mention grandparents and the only other extended family member he mentions is his cousin, but this could be due to a decent reticence about personal and family matters. The family home is a deeply private realm and not often produced as a topic of small talk.

4.5 Leaving Home

When he ran away from home to find work, Alohan headed for Johor Bahru, Malaysia's second largest city. Along with its car workshops and light industry, the Chinese area of Tampoi was also a notorious hotbed of gambling and gangsterism. It is sobering to think of a thirteen year old boy setting himself deliberately adrift in this environment, however, among the more positive Chinese stereotypes are that they are hardworking, daring and more likely to offer help to a fellow from the same clan or dialect group than not. Part of the explanation for this lies with the guanxi system. As Daye (1997) points out, the Good Samaritan is not a Chinese ideal; strangers are more usually a curse than a

blessing and may pose a serious threat to one's immediate family and tight-knit community. However, a network of mutual indebtedness is the communal glue that binds Chinese and most other Southeast societies together and individuals will exert considerable effort to maintain and expand their *guanxi* as a vital personal resource. That said, what looks like kindness might simply have been kindness but, nevertheless, with an unconscious solid, pragmatic worldview underlying it. That the old man used *guanxi* to persuade the workshop owner to employ Alohan seems certain.

The next move came when his cousin set his own workshop in the Chinese enclave of Bandar Baru and sought Alohan out to offer him a job, clearly with the view that relatives make the most trustworthy and reliable employees. In no way does this appear to have been an exploitative arrangement; one hundred and fifty Malaysian dollars a month, with food and board thrown in, was a very respectable pay packet at that time. It is poignant that only when he was able to send money home and fulfil what he believed to be his responsibility to his family did Alohan feel able to go home again.

4.6 Juvenile Delinquency

Alohan became involved in crime at the relatively young age of fourteen so, technically, he was a juvenile delinquent. Although there are many points in his profile that converge with Western-style theories on juvenile delinquency, there are even more that do not. For a start, with its connotations of immaturity and childishness, the word juvenile seems wholly inappropriate to describe a young person who started work at thirteen and who, by fourteen, was regularly sending two-thirds of his pay packet home to support his family. As Newburn (1997, p613) suggests, youth is a highly 'elastic concept' and means 'different things, at different times, and in different places'. Many of the risk factors that

Western researchers have associated with offending by adolescent males in the West also need to be reviewed in the context of Alohan’s location, era and social setting.

Fig. 4.1 – Risk factors for Juvenile Delinquency

Category	Risk Factor	Applicable to Alohan?	
		Village	Town
Individual	Hyperactivity	No	
	Low IQ	No	
	Low self-esteem	No	
	Mental or physical health problems	Anxiety/depression	No
Family background	Poor parenting, harsh/inconsistent discipline	No	
	Lack of parental control supervision	No	Yes
	Poor parent-child attachment	No	
	Parental conflict	No	
	Family breakdown/ dysfunction	No	
	Criminal/anti-social parents	Yes, gangster father	
Educational	Poor academic performance	Yes	n/a
	Disruptive/aggressive behaviour	No	
	Lack of concentration/motivation	Yes	
	Poor attendance	Yes	
	Poor school organisation/discipline	No	
	Early school leaving	Yes	
Community	Community disorganisation	No	Yes
	Poor physical environment	Yes	
	High mobility/low attachment to community	No	Yes
	Majority local authority or rented housing	No	Yes
	Many single-parent families	No	
	High percentage of young people	Yes	
	Poor service provision locally	Yes	
Socio-economic	Low family income	Yes	
	Parental long-term unemployment	No	
	Poor housing	Yes	
	Large family	Yes	
	Single parent family	No	
National Crime Council (2002)			

Predictors of youth offending are usually allocated to one of five categories, which contain factors related to: individual biology and psychology; family background and parenting; schooling and education; neighbourhood and community; and socio-economic conditions (Farrington 2002; National Crime Council 2002; O'Mahony 2009; Piquero *et al.* 2007; Utting *et al.* 1993). Of the four listed individual factors (see Fig.4.1 above), there is no evidence in Alohan’s case for hyperactivity or impulsiveness or lower than average IQ. It is probable that Alohan suffered from low self-esteem and those mental or physical health problems most commonly allied to poverty and poor environment

– anxiety, depression and susceptibility to the illnesses arising from malnutrition and sub-standard public hygiene.

Predictably, Alohan scores high on educational risk factors (see *Fig.4.1*). He was a low-achiever and just above the bottom of the class. He ascribes his lack of concentration and motivation to the anxiety caused by his family's poverty and, as the present-day Alohan is a shrewd and capable operator, it is easier to believe in him as a distracted rather than an unintelligent boy. It is highly likely that Alohan's school attendance was poor but, when he did show up, he believes that he was helpful, non-aggressive and friendly to his fellow students. In his New Village, these peers would most likely be Chinese like him, and from a similar background and the primary school that they attended would use Mandarin as the medium of instruction. He dropped out of school at an early age, with no educational qualifications to his name.

The following extract could have been written about Alohan and his family:

When either a parent or both parents left the village for employment elsewhere, the New Village household was faced with other problems. When the bread-winners worked within the country, they would come home weekly, monthly or a few times a year. ... This means that members in the villages could not depend totally on remittances for daily subsistence.

Consequently, elder children had to drop out during the early stage of secondary school to assist their families in income generating activities. After some time, these elder children also left home for employment in the cities, leaving behind their mothers and younger children. Being lowly educated, these young people have had no choice but to be engaged in the

informal sector, noted for low income, irregular employment and long working hours. (Lim and Fong 2005, p72)

The drop-out rates amongst Chinese students are still a concern today (Chow 2008). One of the problems is that, while there are many Mandarin language primary schools in the state education sector, there are none at secondary level. All government secondary schools use Malay as the medium of instruction and the only option for parents who want their children to continue with Mandarin is to pay for private education. Of course, this would have been completely beyond the means of Alohan's parents. For Malaysian children, primary education starts at age seven and continues for the next six years. Malaysian schools tend to be strict and disciplinarian but only the first six years of primary education are compulsory. By the age of thirteen, Alohan had completed the primary stage and there was no duty, upon him, his family or the educational authorities to keep him in school. No doubt daunted, at the prospect of a new school and lessons taught in a new language when he had already lagged so far behind, it is not surprising that he dropped out and tried to find work. In common with many other young Chinese males, then and now, he knew that there would be apprenticeships in car workshops or other manual trades in the city's suburbs.

Turning to the family background factors (see *Fig. 4.1*), Alohan seems genuinely attached to and respectful of his parents and does not complain of fighting at home, or family breakdown. He did escape parental supervision when he ran away to the city, although his motives did not seem to include rebellion or hedonistic thrill-seeking. This is not to say that there was nothing amiss with the dynamics of his family-life. In a later interview Alohan relates that:

Alohan: Two of my younger brothers also have a criminal record. If you include me, then there are three of us now. With the brother who was killed, there are four. I have another brother who has no record. He just works normally.

That four out of five brothers have a criminal record is something that raises many questions. Alohan also lets us know that his father was a major player in Singaporean gangster circles but that he had no knowledge of this as a child, only finding out about the involvement later, after he had himself become a gangster:

Alohan: One time, I met up with an elderly gang leader. He asked me whether I knew who my father was. I said I wasn't sure. He told me that all the old gangsters respect my dad and pay their respect to him yearly by offering him money but my dad refuses to take it. They told me that my dad was in charge of the gangs when he was in Singapore, before coming home to take care of his sick parents. My grandparents wanted him to come back and my dad made a promise to them not to get involved in gangs anymore. Even now, when I meet up with old gangsters in Singapore - those who are in their seventies – if my dad's name is mentioned, they will give me face. I did not know that my dad was a major gangster because I have never seen him get angry or disturb anyone.

Although he may not have known about his father's gangster status until later in his life, it seems reasonable to picture a childhood where subtle messages about gangs and gangster behaviour would be more inclined to have a neutral or positive rather than a negative tone. But, as the eldest remaining brother, Alohan's own example may have been the most salient factor. The brother who stayed straight was the youngest

and, by time he was ready to follow in his brother's footsteps, those feet had already gone to jail.

Returning to the risk factors for juvenile delinquency, tick-marks can be placed beside at least three out of seven of the community-related predictors (see *Fig.4.1*). Alohan came from a poor physical environment, with a high percentage of young people and poor local service provision. Lim and Fong (2005, p62) note that, while the majority of New Villagers are currently satisfied with the quality of their housing, from the outset: 'many of these houses were not well planned and constructed'. They also remark that it was common for first generation families to have eight or ten children; nowadays, the norm is fewer than five.

A disproportionate level of social and economic disadvantage was reported within Chinese New Villages, in comparison with other sectors of society: in 1988, two-thirds of households were earning below the government designated poverty-line; agricultural land and local job opportunities were scarce; and education was neglected, as were other local services (Heng 1997; Ling *et al.* 1988).

The four remaining community risk factors in *Fig. 4.1* need adaptation before they can be applied to a Malaysian context. In the UK, for instance, the rental/ownership ratio might give serious clues to the crime levels in the neighbourhood. We have a picture in our minds, where private, freehold ownership means rural, middle-class, stable residency, relative prosperity, university education, skilled worker or white-collar jobs and gardens; whereas renting is associated with inner-cities, the working-class, transience, poverty, few educational qualifications, manual labour and, if any, concrete yards. These assumptions do not translate very well to a Malaysian setting, which has a very different history of urban and rural development. In the New Villages, for

instance, part of the deal was that residents should have title to their own property, some under outright freehold but most under leasehold for 30, 60 and 90 years; new villagers do not rent, but they are still amongst the poorest in the country.

Similarly, the image of single-parenthood in the UK conveys a kind of cultural shorthand, encompassing the stigma of illegitimacy, dependence upon the state for welfare, high levels of poverty, the absence of male role models, the breakdown of the family and social disorganisation. Alohan and his siblings had two parents, as would the majority of his peers. Divorce amongst Chinese couples is rare but absentee fathers, who have to travel away for work and return only a few times a year, are very common indeed. Alohan's father was a log lorry driver – he would have been away from home most of the time. Polygamy is another familial and community situation that needs to be factored into an analysis of Malaysian community risk factors. Alohan, himself, has five wives; while only the first is legally recognised, his subsidiary wives and their children would be astonished to hear themselves described as single-parent families. Illegitimacy, when it occurs, is attended by a great deal of stigma but the pattern in Malaysia leans towards extended rather than nuclear families and these will often rally round and absorb children born to unmarried female relatives, thereby avoiding public scandal and shame. For these reasons, it is difficult to find a family that a British person would recognise as a stand-alone, single-parent family unit.

Probably the most significant difference between countries like Malaysia and the UK is that, while the Malaysian state has some state welfare provision for people it defines as destitute or disabled, it is not a welfare state; there are certainly no government funded unemployment-related benefits or pensions. Malaysians have low expectations of public assistance programmes and know that they are expected to be self-

sufficient and work themselves out of poverty. To provide some perspective, UK government spending on social security and welfare benefits for 2009-10 is expected to be in the region of £156 billion, with £19.63 billion on housing benefit alone (Martin 2009). By contrast, the Malaysian 2009 budget allowed 'RM6 billion as assistance for students, disabled and poor families as well as RM3 billion for food assistance, while RM7 billion was for other forms of assistance', totalling RM16 billion. A further 'RM830 million was provided to implement social safety net programmes to ensure the well-being of the less fortunate, including the elderly, disabled and single mothers' (Prime Minister's Office of Malaysia 2009). Malaysia does operate a comprehensive system of food and fuel subsidy that could be classified as a type of social assistance, which will cost RM27.9 billion for 2009, but the benefit of these subsidies is felt by everyone, rich and poor alike. Taking relative populations and exchange rates into account, welfare spending in the UK, per capita and per annum, is eight and a half times greater than in Malaysia. If subsidies are removed from the calculation, then Malaysia spends only seven and a half per cent of the British outlay. What this long digression is trying to illustrate is that, here, the label of single-mother cannot be used as shorthand for 'benefits scrounger', and that being in receipt of benefits has different social and economic meanings from one place to another.

Neither does the high mobility experienced by Malaysian community necessarily imply the same transience or low attachment that it might suggest in a UK context. Young people do gravitate away from the villages to the cities, for work or for education, however, the spiritual importance of the home village or neighbourhood is expressed at every festival, when there is an exodus from the town to the country in a ritual known as *balik kampung*²². The family home and the community into

²² Literally, return to the village.

which one is born remain a powerful gravitational force in the lives of most Malaysians.

There is a comfortable cultural stereotype attached to Chinese diasporic communities, that they have a tendency towards tight and hierarchical organisation, cohesiveness and conservatism and that they safeguard traditional customs and cultural values by forming networks of associations based on family, name, regional origin or trade membership. Chin (1990, p51) presents a slightly more realistic picture of the structural disorganisation faced by some immigrant Chinese communities and notes that, despite the existence of many such benevolent associations: 'Those few organizations with adequate resources are normally inward-looking and provide help only to their members'. However, as part of the New Village experience, Alohan's family and their neighbours have a shared history of adversity and this could draw a community together, perhaps in a spirit of co-operation and strength in numbers but, equally possibly, in joint suspicion of the people or institutions they blame for their suffering. Lim and Fong (2005, p120) report, on the one hand, that: 'After the resettlement in the New Villages, clan or dialect or territorial associations were formed to foster ties among villagers. Their main functions included ancestral worship, mutual aid, supervision of the trades engaged by members, and fellowship'. On the other hand, they acknowledge the resurgence in influence of Chinese secret societies, which had been outlawed since the latter part of the 19th century and which are, by their nature, antagonistic towards governments: 'The existence of secret societies in the New Villages is not new. ... The secret societies operate to form [a] "family relationship" where members help each other in times of need, such as gaining protection and assistance for funeral expenses'(Lim and Fong 2005, p123). Hence, it is not enough to just list community disorganisation as a risk factor for delinquency, without taking into consideration the type of

community involved and making inquiries about the nature of the supposed disorganisation.

Working through the list of risk factors (see *Fig. 4.1*), we finally come to the socio-economic predictors and again have to struggle with the fact that Alohan did not begin to offend until after he left home. The main role played by a low family income, stretched across a large family, is that it propelled Alohan out of the home, away from his community, and into the city.

4.7 Gang Culture

Alohan's story is a personal narrative from which we can get a sense of his unique experience, his view of the world and how he explains and justifies his offending. However, from his account it is also possible to see beyond Alohan, the individual, and glimpse him as a social animal who inhabits a variety of milieux and negotiates a complex network of relationships on a daily basis. Alohan has many roles; besides being a serious and career criminal, he is: a son of parents he clearly cares about and whose hard labour in raising him he patently appreciates; an elder brother of siblings who look up to him and whom he watches over; a husband to five wives, all of whom he simultaneously supports; a father not only to his own offspring but also to children from his wives' former marriages; a partner in legitimate business ventures; a well-respected (or feared) figure in the shady underworld of Triad secret societies; a blood brother to his fellow gang members; an informer and adversary who regularly interacts with law enforcement; a religious observer and a philanthropist.

Apart from having many different facets to his personal identity, Alohan also remains deeply embedded in the plural society that produced both him and his victims. But mapping that society and Alohan's place within

it is a complicated task. Probably the best way of viewing him is as a member of nested communities and sub-communities that are distinct in some ways and overlapping or encompassing in others. Alohan is an Asian, then a Malaysian, then ethnic Chinese, then a Triad member and finally a gang member. Initially from the labouring class, he now has full-time membership in both the criminal underclass and the self-made entrepreneurial class. Each of these could be said to have an attached or implicit culture or sub-culture.

Sociology and criminology makes frequent references to culture, which can be broadly defined as a system of knowledge shared by groups of people. Social science is interested in, amongst many things, the ways that culture is communicated to and learned by group members and the effect that such shared beliefs and values might have upon individual and aggregate behaviour. Membership of a cultural group might be based upon one's region or country of origin, ethnicity, religion, gender, generation or social class. Such groups can be distinguished from each other by their language, meanings, beliefs, moral codes, norms, values, social organisation, dress and even by the kinds of material possessions they own.

Some criminologists are particularly interested in the view of crime and crime control as creative constructs arising from particular cultures in specific times and places (Ferrell *et al.* 2008; Presdee 2000; Young and Brotherton 2004). Ferrell *et al.* (2008, p2) explain that cultural criminology 'understands "culture" to be the stuff of collective meaning and collective identity; within it and by way of it, the government claims authority, the consumers considers brands of bread – and "the criminal", as both person and perception, comes alive'. This recently emerged perspective developed out of early research conducted by the Chicago School into subculture and classic work done in Birmingham on delinquency and subcultural symbolism (Ferrell *et al.* 2008).

Ethnographic research has been particularly influential, through its emphasis upon appreciative understanding or *verstehen* (Weber 1964). Cultural criminologists strive to apply a naturalistic, interpretive framework and avoid what they see as the mechanistic, positivist and reductionist approach of, say, rational choice theory (Young and Brotherton 2004). There are some important criticisms of cultural criminology, two of which are summarised usefully by O'Brien (2004): firstly, that it struggles to adequately link the behaviours and situations that are observed with their cultural and social settings; secondly, that cultural criminologists tend to be politically selective in defining the core of their discipline, for instance, by excluding more conservative explanations such as rational choice or control theory.

Keeping in mind some of the above critiques, one of the aims of the analysis is to extract from Alohan's narrative, clues that will aid in the understanding and interpretation of his attitudes towards crime and whether he appears to be following any kind of cultural template that guides his behaviour and beliefs. Hofstede (2005) groups what he sees as the main aspects of culture under four headings:

- **Symbols** – these are things that have meanings invested in them that are readily recognised by members of the group, for instance, language, gestures, ornamentation and objects. Hofstede (2005) sees this as the outermost layer of culture, because such symbols can be easily adopted by others and because their meanings alter over time, some changing and some disappearing altogether.
- **Heroes** – these are cultural role models and can be real or fictitious. They embody the personal characteristics prized by the group and act as moral exemplars.

- **Rituals** – these are patterns of behaviour that are thought to be socially essential and include not only religious ceremonies but also greetings, celebrations, demonstrations of respect, etc.
- **Values** – these are beliefs about what is right or wrong, good or bad. Hofstede (2005) notes that values are sometimes so deeply and unconsciously held that they can only be inferred from a person's behaviour or practice in any given situation.

In very short order, Alohan introduces meaningful examples from all four categories into his narrative. The symbols, heroes, rituals and values that appear to have the deepest and most personal meaning for him all seem connected in a significant way to Triad secret society subculture. At first sight, this seems to answer O'Brien's (2004) question about what is so cultural about cultural criminology. Heroes, symbols and rituals all could be said to have independent existence, apart from the immediate economic, social, political, temporal or geographic conditions that ethnographers might observe or experience; they are perpetuated in practice and in narrative, in the stories that we tell ourselves or each other. If these elements can be shown to have an impact upon an individual's or a group's engagement in crime, then a strong case might be made for cultural criminological explanations. Unfortunately, narrative interviewers always needs to ask whether they have uncovered what appears to be cultural simply because that is what narrative lends itself towards, what the rules of the story-telling game will automatically produce.

Subcultures can be considered as distinct cultures existing within other cultures; the term suggests subordination to another dominant or mainstream culture, which has either greater numbers or influence in a certain age or in a particular domain. In the UK, for example, working-class ideals and values are usually considered to form part of a

subculture, with middle-class values and aspirations more likely to be identified with the mainstream or said to have hegemony, even though the group of people who consider themselves to be working-class is greatest, at 52 percent (Ipsos Mori 2008). This is because the middle-class wields significantly greater power, in terms of wealth and access. The picture is often very complex indeed, especially in a place like Malaysia, where there are three main ethnic groups: Malays, Chinese and Indians. Although it is easy to tell just by looking around at the physiology and physiognomy of people in the street, one way that visitors to Malaysia can easily determine which ethnic group is dominant in a particular locality is to study the food on offer. Most Indian food stalls will not serve beef or pork, Malay-run stalls will serve beef but not pork and Chinese stalls will serve beef and pork. This is, of course, a fairly trivial example of differences that run much deeper.

The majority group, the Malays, account for just over 50 percent and the Chinese make another 24 percent (CIA 2009), so it might be more accurate to describe these two distinctive groups as co-cultures, but the tendency is to identify the Malays with the dominant Malaysian culture and refer to Chinese style as the subculture, even though most commentators would agree that the Chinese remain the strongest group in economic terms. A major irony is that the criminal law – an important national repository of symbols, rituals, exemplars and values - is a legacy of British colonial rule and can be claimed by none of the groups as encapsulating anything unique and meaningful to themselves.

As with British imperialism, there is often a tendency towards cultural ethnocentrism or the assumption that one's own culture is better than another, however, the following discussion will take a position of cultural relativism, where differences are noted but where one culture is not assumed to be intrinsically superior. There is also a recognition that individuals are guided not by a single fixed culture, but by many

overlapping and continuously evolving cultures. As already noted, Alohan moves through a multitude of cultural milieux: some are vertically nested – he is Asian, then Malaysian, then Chinese, then working-class, then gangster; some are horizontally networked and interconnected – clan, Triad, business and *guanxi*²³.

Becker (1963) is one of many criminologists to argue that crime and deviance are socially constructed or, in other words, that acts and actors are defined as deviant by the others around them but that these definitions or social norms are not fixed and immutable and can change over time and in different locations or cultural settings. Society is not only the source of rules and norms, it is also the setting for crime; it supplies the offenders, the targets and the motivation: ‘Criminal activities and the processes that sustain them are embedded in the transactions between individuals’ (Canter and Alison 2000, p3).

In addition to the rules of the game, society dictates the goals or objectives; it says what it takes to win, and then it stacks the odds. The example always cited is of capitalist social systems, where most people equate success with conspicuous consumption and the accumulation of material wealth. One early attempt to explain engagement in crime using these terms is Merton’s (1938) strain theory, which argues that people are more likely to commit crimes if they are blocked from achieving success by legitimate means. Merton believes that American culture is unusual in its extraordinary emphasis upon economic success as a suitable goal and that the so-called ‘American Dream’ is sold as accessible to everyone regardless of class or social status, provided they are willing to work hard.

²³ The Chinese cultural practice of *Guanxi* refers to a kind of network-building that has often been referred to as a private favour exchange. One of the main objectives is to form practical, mutually supportive relationships, rather than friendships *per se*. *Guanxi* is seen as a personal asset, the worth of which increases when the owner does a favour for another. Social scientists have recently linked *guanxi* with the concept of social capital.

Unfortunately, this apparently legitimate aspiration is subject to structural limitations. People from a poorer or lower class background are less likely to possess the educational or social qualifications that will help them to compete with those from a more privileged environment and may feel that their avenues to success are blocked. According to strain theory, such people are more likely to experience frustration related to their thwarted status and either strike outwards against the society that has handicapped them with deviant or criminal behaviour, strike inwards with drug abuse or some other self-destructive behaviour, or retreat physically or mentally from the contest. Merton (1968, p140) suggests a typology of adaptation, that describes the avenues available to people to resolve the strain generated by their inability to achieve legitimate goals: conformity, innovation, ritualism, retreatism and rebellion. Merton (1957; 1968) connected criminal behaviour with the innovative response to strain, because people who react in this way are more likely to turn to creative but illegitimate means to achieve their objectives when legitimate paths are closed to them. Goals other than material possession are rarely discussed, but these may also include the acquisition of power or respect as part of a three-fold package of success.

Subcultural theory takes the discussion further by proposing that individuals may find themselves inhabiting not one society, with its distinct and mutually shared set of rules, but several different milieus with separate, overlapping or competing moral codes (Cloward and Ohlin 1961; Cohen 1955). For instance, when a young male joins a gang he may be asked to take an oath of loyalty, which at minimum will include defending the gang against outsiders and keeping the gang's secrets. He may conform to the gang's rules, but this does not necessarily mean that he abandons conventional morality or forgets what is due to his family.

Sykes and Matza (1957) explore the ways that individuals negotiate different value systems and suggest a list of neutralisation techniques that can be employed by an offender to justify or legitimise his behaviour in relation to mainstream values. From his subsequent study of gangs, Matza (1964) believes that delinquents, in particular, inhabit a plural world and can drift backwards and forwards between mainstream and subcultures. Downes (1966) reaches a striking insight, based on his research into working class delinquency in London, that subcultural responses are not simply oppositional reactions to dominant cultures, or meaningless pathologies, but are instead collectively learned solutions to mutually experienced problems. Zdun (2007) posits an even more dynamic situation where reasons for and legitimisations of offending must adapt fluidly and situationally, depending upon who an individual is answering to and what he is answering for.

All of these views build up into what Young (2001) calls a 'mature subcultural theory' that tries to appreciate the ways that subcultural norms and values are transmitted, where they came from and what caused them. But there are pitfalls for the unwary and Young (2001) helpfully lists some of these for us, including the problem of recognising and distinguishing: individual agency from group behaviour; the rational from the irrational; the organised from the disorganised; and the voluntary from the determined. These are certainly issues that will be kept in mind, although Young's concern about lurching into the realms of cultural relativism is not shared, here.

4.8 Gang Recruitment

The paragraphs where Alohan tells the story of his recruitment into a Chinese gang are extraordinary yet fairly self-explanatory. After six months making it on his own and another period of working hard for his cousin, he would have seemed like a tough and competent lad. Now

that he is established, he has time to look around and assess his opportunities. The fellows from next door with their smart clothes and liberal style of entertainment must seem like the last word in glamour.

Alohan joins a gang and follows them around, learning the ropes as a young man in a tough environment. Chin (1990, p129) echoes Cloward and Ohlin in his views on the apprenticeship offered: 'Chinese gangs develop in ethnic communities in which adult criminal groups exist and in which the adult criminals serve as mentors and role models for the gang members. They not only provide the youths with jobs but also offer them an illegitimate opportunity structure'. This appears to be a close match to the scenario that Alohan depicts.

In his work on Chinese gang subculture, Chin (1990) pays tribute to the contributions made by earlier sociologists, Sellin (1938), Sutherland (1947), Cohen(1955), Miller (1958), and Wolfgang and Ferracuti (1967) on the transmission of subcultural norms and values within gangs. He agrees with Cloward and Ohlin (1961), in particular, about the role of 'carriers' who straddle different age groups and the divide between ostensibly legitimate and illegitimate spheres. Chin adapts this to explain the endurance and success of Chinese Triad organisations:

[W]ithin the Chinese communities where criminal gangs flourish, there is an integration of offenders at various age levels. Teenage gang members follow their gang leaders who are in their late twenties or early thirties, and the leaders in turn are closely associated with certain tong members whose age could range from mid-forties to late seventies. Furthermore, a small number of Chinese community leaders are the carriers of conventional and illegitimate values. These high-profile leaders, viewed by community residents as representatives, speak for the community, symbolize the community's political orientation, and

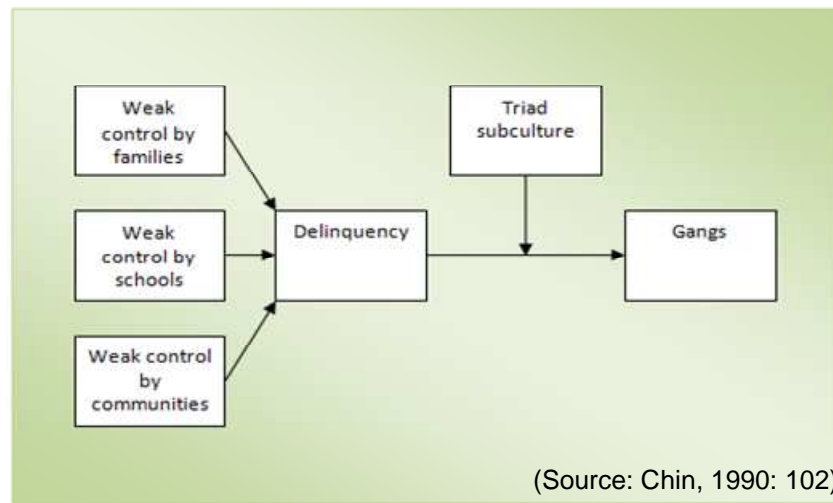
appear in the community media almost on a daily basis.

However, these are the same people who act as mentors of the gang members, drug traffickers, and providers of illegal services such as gambling and alien smuggling. (Chin 1990, p101-2)

Chin agrees about the importance of some of the risk factors already mentioned for Chinese gang delinquency, especially with regard to school and family problems and the scarcity of employment opportunities. However, he also stresses the salience of what he refers to as intervening factors, in particular, the 'affiliation with and internalization of Triad norms and values' (see *Fig. 4.2* for Chin's causal diagram). He believes that, while Chinese teenagers might form themselves into street gangs, these rarely become a problem unless they become associated with adult groups, when a critical change occurs: '... they may start hanging around the gambling clubs to run errands for the house and the gamblers. Their association with the adult groups is a crucial turning point for them; they are transformed from detached and alienated delinquents to paraprofessional criminals' (Chin 1990, p97). Alohan's trajectory into gangsterism is a little different but it does appear to confirm Chin's views on the importance of Triad subculture.

Alohan's narrative gives a spare but fascinating account of his recruitment. He is attracted at first by the smartly dressed mafia types, operating out of the office next door to his workshop; these will crop-up in the story again, very soon. However, the old man who has been sizing him up is from a different group and it is this second group that grooms Alohan, treating him to food and drink and teaching him how to socialise, before inducting him into their gang as the prospect of a gang fight looms.

Fig. 4.2 – Social Disorganization and Triad Subculture as Causes of Gang Delinquency



The order in which Alohan, the poor boy from the country, introduces the groups into his story implies that it is the first gang that he is really impressed by, with their big boss and their smart clothes. For Alohan, not only is it true that ‘style matters’ (Ferrell 2004, 61) but even more importantly, the people with style matter. In comparison with them, he is a ‘nobody’. He is already earning a respectable wage, in a steady job but there is something rather poignant about this presentation of himself as a non-person. He understands fairly accurately that the people in the office nearby are gangsters and signals his availability with courteous daily greetings. There is a strong possibility that, in Alohan’s mind, the only way to become a ‘somebody’ is to join an established gang. In the meantime, the second group spots him as a willing and useful lad and sets out to impress him with their open-handedness and camaraderie. In his narrative, Alohan expresses no misgivings, no reservations and no hesitation about the decision; he wants ‘in’ and the second gang will do fine. Kindly old men are a recurring motif in Alohan’s narrative and this is the second to put in an appearance and change the course of his life. The old guy will be his Taiko and his mentor.

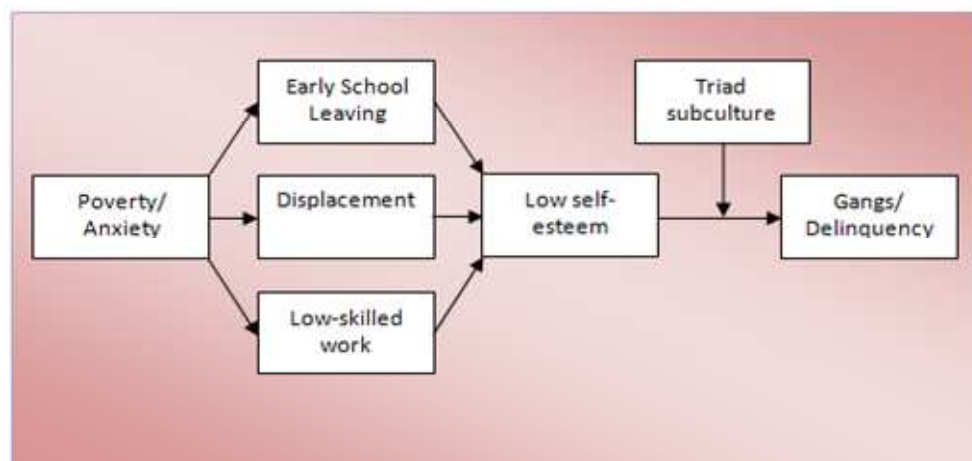
To confuse matters further, Alohan recounts joining a second 'Scorpion' gang. Although it is probable that most members did belong to Gang 21 or an allied branch, this was not a Triad group in the strict sense but more like the utilitarian criminal business unit described by Kent (2005). When Alohan talks about the large meeting of gangs in Johor Bahru, it is not clear whether these are full Triad gangs or a network of gangs related by their joint affiliation to the larger secret society.

A major turning point for Alohan is when the Taiko from the building next door asked for his help in what proved to be a test of his mettle. As he tells the story, Alohan seems to look back in wonder at his own naivety, but it is probable that, even if he had known the true situation, he would still have gone ahead with it. He does not voice any anger towards the Taiko who duped him into such a dangerous exploit and is, instead proud of his own quick wits and steadiness in not betraying his new gang to the police. Alohan has graduated as a fully fledged gangster at the tender age of seventeen.

It is interesting to note the apparently peaceful co-existence of two gangs in the same small area. The brewing fight that might have prompted Alohan's recruitment was with a third gang from a neighbouring area. Alohan sets out what he sees as the important qualities of a gang member and potential leader. He should be bold, skilled at negotiation and able to settle disputes, but ready to fight if there is no other option. He should be strongly territorial and ready to defend his area, Bandar Baru in this case, against predation by outside gangs. Apparently, Alohan does not equate boldness with aggression and violence but, rather, with the kind of nerve that is required for effective negotiation. He says that he learned by following along and observing the other gang members, so it seems safe to assume that the gang itself would only go to war when the options for mediation had been exhausted.

He is the facilitator and protector of business, which he sees as a benefit to his community. He also gives a fascinating insight into a practice that many observers might interpret as casual extortion – the requirement that local businessmen treat their ‘protectors’ to food and drink at festival times and help out financially during times of crisis. Chin (1990, p107) calls this *symbolic extortion*, ‘... which is used as a display of power to indicate control over a territory’. This may also be an extension of the cultural requirement for a person of high social status to show generosity, thereby elevating their public standing or *face* within the community. When it is kept within bounds, the practice is acceptable and even expected and only becomes a problem when competing gangs operate in a single area and proprietors end up supporting all of them, unsustainably. Alohan hints that this was the situation before he took over in Bandar Baru and used steady gangster ways to restore a semblance of stability.

Fig. 4.3 – Triad intervention in Alohan’s delinquency



Although Alohan’s route into delinquency began with poverty, there is a problem with settling upon this as the driving causal factor. Once he establishes himself in the city, Alohan quickly solves many of his problems by finding legitimate work. By the time he is approached by the gangs, factors other than poverty come into play, including a desire

to improve his self-esteem and social status, the attractiveness of the gangster lifestyle and the grooming he undergoes. One of the main diversions from Chin's (1990) schema, as shown in *Fig. 4.3*, is that Alohan skips the youth street gang stage and is inducted directly into an adult gang.

It is not the intention of this thesis to argue the rights or wrongs of ethnic politics in Malaysia, only two short generations after the departure of the colonial forces whose divide and rule policies forged a population with deliberately structured inequalities and imbalances in political and economic power. Nor is it an aim to lay the blame for Alohan's choices on forces beyond his control – he would be outraged, himself, at any suggestion that he is a victim and not in control of his own destiny. And herein, arguably, lies one subjective rational choice account embedded in the cultural milieu that forms the glue between Routine Activity Theory and Cultural Criminology, making neither of them superior, nor wrong.

The history of secret societies in Malaysia provides a context and a lead-in to Alohan's story. Chin (1990, p28) describes how, in Hong Kong, the Hung League transitioned from a patriotic, nationalist society comprised of 'bona fide labour associations' to flagrantly criminal and frequently warring organised crime groups. In Taiwan, says Chin (1990), the slide into criminality did not take place until after the 1980s, when the regime was liberalised. In the case of Malaysia, it seems as though the peculiar ethnic stresses and strains of the 1950-80's triggered the development of criminal gangs in the New Villages. With their strong tradition of self-reliance and self-defence, Chinese secret societies are energised and at their best when their community faces serious threat or trauma. But once the need has slackened, they are difficult to deactivate and may prey upon those they once sought to protect.

4.9 Initiation and Acceptance

In a recent BBC report into Malaysian Triad gangs, Kent (2005) claims that ‘...Malaysia's triads are rather more prosaic than those in Hong Kong. The element of ceremony has gone, and these groups are run as businesses’. This is almost certainly inaccurate. Elsewhere in his narrative Alohan makes the distinction between: street gangs, which he refuses to take seriously; his personal gang, with whom he conducts his kidnapping business, and a proper gangster group. Gang 21 is a Triad brotherhood with a moral code, full initiation rites and secret oaths not to be shared with the outside world. Consulting Daye’s (1997, p337) list of Malaysian Triads, this is the *Gee Sap It* gang of the *Hung Men* or Second Lodge Tradition.

Alohan refuses to talk about his gang initiation ceremony, beyond saying that:

Alohan: When we join a gang, we have a common prayer, or ritual and oath.

Beyond simple confirmation that such rituals exist, it is no use to ask Alohan for further details or about the structure of the organisation itself because he is honour bound not to tell. The only piece of information that he ever let slip was to say he had an upcoming meeting with his Hong Chu or Incense Master. This is the title for a Hung Society Head of Ceremonies, whose very existence implies that the element of ceremony is alive and well.

However, during a later interview, he alluded again to the importance of rules and oaths:

Alohan: If you look at armed robbers and crooks, all of them come out of the gangster groups and they, too, have laws and

regulations. One of these is: 'do not go and disturb good people again'. If you do and it becomes known, no one will like you. The majority of them will not do it again. Those who do go and disturb again are mostly drug addicts and they have no brains to think about what is proper and gentlemanly or about the oath taken. They don't think; they go and get what they want.

There are several references in the literature to the ritualised initiation employed by the Triad secret societies, which serve to strengthen their members' commitment and allegiance. Triads in Malaysia are sometimes called Hong or Hung Men – members of the Hong family. Both Daye (1997) and Chin (1990) comment upon the sense of brotherhood that is heavily promoted by participation in shared secret rites. This message is reinforced in Ter Haar's scholarly study of Triad ritual and mythology:

[M]embership of a Triad group was part of a social survival strategy, which entailed joining a network of mutual support and sharing in an exclusive body of ritual and narrative lore (which included an extensive initiation ritual, a foundation account, specific jargon and recognition symbols). This lore was essential in the construction of a Triad group and provided Triad members with the cultural and religious identity that they needed in a hostile world. ... Its ritual provided a strong means of transforming persons from outsiders, belonging to a hostile environment and without prior mutual ties, into insiders, bound to support each other come what might. (Ter Haar 1998, p3)

Ter Haar (1998) acknowledges that there are no verifiable accounts of the initiation ceremony given directly by active Triad members, but he offers a hypothesised version culled from ritual manuals and memory aids, transcripts of interviews and first or second-hand accounts

gathered in the field. According to his research, which spans nearly two centuries, the initiation involves feasting, the burning of incense at an altar, the enactment of a symbolic journey, and the taking of oaths sealed by a blood covenant. The leader of the initiation ceremony is called the Incense Master. Ter Haar says, of the Triads in Southeast Asia and peninsular Malaysia:

The present state of the Triads on the Chinese mainland and in Southeast Asia is unclear. Police raids still turned up Triad altars and written materials during the 1960s on the Malayan peninsula and as late as the 1970s in Hong Kong. This indicates that Triad members continued to practice the initiation ritual long after the Second World War and makes it not unlikely that they still do so today. During the early 1970s the Malayan sociologist Mak Lau Fong interviewed prison inmates who could recite many Triad poems, but to what extent their knowledge was part of a living ritual tradition is unclear. Only extensive fieldwork may throw further light on the vexed question whether and in what sense Triad groups as communities bound together by common rituals and a legitimizing foundation account still survive today. (Ter Haar 1998, p27)

Just before the research project began, in 2005, Alohan took me to meet with a group of his friends. He introduced one of them to me, with great deference, as his Incense Master. This, together with Alohan's brief comments about oaths, rituals and prayers undertaken, seems to clearly indicate Ter Haar's suspicion, that there is a living Triad tradition which survives until now, is entirely justified.

Chin (1990, p156) lists, as an appendix to his treatise on Chinese subculture and criminality, a list of 'Thirty-six oaths of the Hung Societies'. There is a small problem here, as Chin acknowledges his

source to be journalist, Fenton Bresler, who has often been criticised for sensationalism. However, as the list is almost identical to an account by a 1960s Hong-Kong Sub-Inspector of Police, W.P. Morgan, and other even earlier texts, it is worth summarising to show the range and intent of the rules. The first four oaths set out the duty of Triad members to treat the family of their brethren as if they were their own kin, to recognise people who can produce the right Hung credentials and extend unconditional hospitality to them. Several other oaths reiterate the importance of extending help to fellow members and their families in times of need. There are specific injunctions forbidding the theft or misappropriation of a Triad brother's property. The fifth oath binds the initiate to keep brotherhood secrets, without disclosing them even to close relatives, while the sixth forbids him to betray or detain a brother. Three oaths deal with sexual morality, forbidding adultery with or indecent assaults upon a brother's wives, concubines, sisters or children. Some of the oaths bear out Alohan's claim that gangster rules and regulations promote gentlemanly behaviour, especially rule 31, which reads:

I shall not oppose others or act unreasonably or violently by taking advantage of the influence of our Hung brethren. I must be contented and honest. I shall be killed by five thunderbolts if I do not keep this oath' (Chin 1990, p157).

It is true, however, that most of the oaths entail promises to support Hung brothers at the expense of everyone else in society. For instance, Oath 17 says, categorically, that anyone arrested for committing an offence should not pass blame on to other brothers. Alohan tells the story of how he entered deep into Triad circles by keeping this vow²⁴.

²⁴ See page 146-147

The issue of living Triad tradition, complete with rituals and oaths is an area that would benefit from further academic research.

4.10 Chapter Summary

This chapter has used Alohan's narrative and the background literature to explore, by no means exhaustively, the springboard that the culture of Triad gangsterism provided to launch his criminal career. This research found that, while there is a substantial body of literature on juvenile delinquency and criminal career trajectories, there are some major social, economic and political differences between this Malaysian example and accounts derived from European and American-based criminologists, whose ideas have been shaped primarily by the pervasive Western tradition in sociology. The nearest possible comparison is between Alohan and Chin's (1990) accounts of Chinese criminal subcultures but, even here, there is some variation, probably related to the diverse background cultures and the distinct dynamics and relationships between the dominant and subordinate cultures in these different settings. During the analysis of Alohan's narrative and comparison with literature from sociologists and criminologists working in the field of criminal careers, it became very clear that an emphasis upon risk factors and their presumed role in causation can give rise to flawed assumptions and conclusions, as such risk factors are also a product of particular times, places, societies and cultures. This is why more comparative work or, at least, more input from a range of different cultural settings is important for the further development of wider criminological theory that can take account of the reality of globalisation and the wider world of crime.

The following chapters deal more directly with Alohan's offending and how it has been supported by his own community and wider Malaysian society.

5 Alohan at Work

This chapter will examine Alohan's narrative to see what it reveals about his experience of and attitudes towards legitimate and illegitimate work and to explore further how he sees crime in general and kidnapping in particular. The way in which Alohan defines and conceptualises work is explored, followed by a discussion of his transition from work in the grey economy to fully fledged criminal activity. Theories about criminal careers and the so-called political economy of crime are reviewed against Alohan's narrative. The structure of his work relationships and networks is also addressed.

5.1 Work, Employment or *Cari Makan*?

In Malaysia, where there is no such thing as unemployment benefit, everyone is acutely aware of the need to *cari makan*. This colloquialism means to earn a living but translates more literally as 'search for food'. Alohan learned the equation that lack of work equals lack of food early in his life; when his mother couldn't find harvesting or manure spreading work in the oil-palm plantation, the family went hungry.

Alohan appears at first sight to define work and employment in ways that are easily comprehensible to a Western audience. In the first few interviews that deal with Alohan's childhood and young adulthood, he refers to work in the fairly conventional terms of paid employment. His father works as a log-lorry driver, an arduous and often dangerous occupation, which can take him away from home for long periods of time. Alohan's mother does not 'always work' and he sees her primary role as stay-at-home carer. Looking after a large brood of children, however onerous a task this might be, does not appear to count as work in Alohan's lexicon. Alohan says that she 'sometimes helped out' as a casual agricultural labourer but his narrative clearly connects the periods

when it rains with the periods when no money comes in and there is no food to eat. This suggests that his mother's weather-dependent plantation work and her subsequent earnings are rather more important to the family on a day-to-day basis than he is prepared to admit.

Alohan's storyline follows traditional gender lines, promoting the importance of his father as the principle wage-earner, while somewhat devaluing the economic contribution of his mother. The account, moreover, tells of work that is frequently irregular and unpredictable in terms of both availability and income. Clearly, his parents' example does not prepare Alohan to view a nine-to-five existence, in a steady job with a well defined career structure, as the norm.

The supposed link between mothers' participation in the labour market and the delinquent behaviour of their children has already been discussed in Chapter 4 and it is true that Alohan's mother was forced to take on casual employment, which some criminologists identify as a risk factor for delinquency (National Crime Council 2002); however, despite his mother's erratic absences for work, Alohan's delinquency did not begin until he removed himself beyond her influence. Furthermore, when he speaks of his family, he shows no lack of respect or attachment.

Alohan is very keen to find a job but this is closely tied-in with his duty towards his family and he makes no mention of any personal ambition, career plans or aspirations to find inspiring or enjoyable work. His sense of familial responsibility is the norm for most Malaysians, not just the Chinese. It is traditional for the oldest boy to take the lion's share of the burden, but in return he will receive the full measure of respect that is due from his younger siblings in view of his seniority²⁵.

²⁵ I, too, am a Malaysian eldest son and have been brought up to accept the privileges and duties that attend this status, as has my eldest son in his turn.

Before the age of thirteen, Alohan follows his mother onto the plantations as a paid labourer and delivers newspapers around his village. When he runs away to seek work in the city, it is to 'help home'. The job is fairly stable and suitably 'masculine'. After he is recruited by his cousin, conditions are really quite good and, as this is a family business, one might expect him to identify with and conform to the aims and interests of his boss and fellow workers. However, this is still not sufficient to protect him from the seductions of gang involvement.

There are some clues that suggest Alohan's ideas about work are not entirely conventional:

Alohan:...he asked if I really wanted to work. Yes, I wanted work, whatever kind of work it did not matter.

This begs the important question of what, exactly, is the 'it' that does not matter. Alohan might, of course, simply mean that he is ready to turn his hand to any trade but, equally, this might indicate his willingness through necessity to do types of work that are not entirely legal. This could be related to several factors, the first of which is the shortage of legal work opportunities for someone of Alohan's age. Secondly, this might be related to the 'greyness' of the economy in the Malaysian urban areas where workshops proliferate. There is not necessarily any connection between Alohan's openness to either legal or illegal working opportunities and Gottfredson and Hirschi's (1990) self-control theory, where he has failed to 'resist the easy temptations offered by crime and to sustain the hard work necessary to succeed in school, work, and marriage' (Lilly *et al.* 2007: 108). For Alohan, at this stage in his life, work in any shade of economy is likely to involve considerable effort and access to work, rather than ease of work, is the main issue for him.

Strictly speaking, it was against Malaysian law for the owner of the Tampoi workshop to offer Alohan a job. At 13 years of age, Alohan was legally defined as a child under the governing statute of the time, the Children and Young Persons (Employment) Act 1966, which tightly regulated the employment of minors. The first few workshops that Alohan approaches for work turn him down, probably because of his age and their potential liability. The ‘good human being’ who eventually convinces his workshop boss to give Alohan a job, could cost the owner a fine of up to RM3000 and/or a prison sentence not exceeding two years. Although the workshop itself is, presumably, a legitimate business, its relatively casual approach to employment law places it firmly within the grey economy. From the very outset, the *cari makan* imperative trumps legality as far as Alohan is concerned.

There is a legitimate question here that asks why everyone does not break the law due to the *cari makan* imperative. This of course, depends very much upon the circumstances that one finds oneself in. Due to poverty and poor home conditions, Alohan is driven to find work before achieving the legal age and is, therefore, excluded from the official labour market and automatically restricted to the ‘informal economy’. Many people in such circumstances would be similarly flexible. Ruggiero (2003), distinguishes between criminal, informal and legal economies, explaining that:

In this way, informal, marginal or hidden activities come to be linked to illegal ways of obtaining income ... Consequently, informal economies and conventional criminal activities end up almost coinciding ... I would identify the informal economy with the production and circulation of goods whose nature is not officially defined as illegal, though their production and circulation occur under illegal conditions. (Ruggiero 2003: 85-87)

Ruggiero (2003) shows us how the boundaries between these economic areas are blurred, with the illegal co-existing side by side with the legal and the informal with the formal. Alohan starts life in this informal economy, working hard, without the protection afforded to workers in the formal labour market. Although Gottfredson and Hirschi (1990) claim that employment exerts social control over individuals, this depends very much upon the type of work and the sector of the market they are referring to. In this context, the contention that criminals tend towards criminal opportunities because this is the impulsive, 'get rich quick' option, seems overly simplistic.

Alohan views the provision of jobs as an asset to the community:

Alohan: These businessmen are here to open factories for the benefit of this village and area, providing jobs for local people.

But his readiness to believe in the story told by the Scorpion gang, that the logging businessman had reneged on the payment of his workers' salaries shows, perhaps, a cynicism and a distrust of employers who might easily abuse their position to exploit or cheat the workforce.

Alohan does differentiate between legitimate and illegitimate work and denotes the former with terms like proper²⁶, normal²⁷, straight²⁸ or decent²⁹:

²⁶ The translation of this and the three following terms requires some comment. The Malaysian phrase *kerja betul-betul* has been translated as the verb-phrase, to 'work properly'. *Betul* is a word that means correct, right or true and tends to imply moral righteousness. However, there is a sense in which *kerja betul* can mean, simply, doing a job thoroughly or well. In this instance, there is no suggestion of a job description calling for a prescribed level of competence and, therefore, it is fairly safe to assume that Alohan is talking about decent, morally acceptable work. The doubling of the word into *betul-betul* adds emphasis and a certain wistful flavour.

²⁷ Here the original Malay word is *biasa*, which is a straight translation for 'normal' or 'usual'. His brother is a salaried employee.

²⁸ Alohan's actual words are *ikut jalan lurus* or, literally, 'follow the straight road'.

²⁹ *Kerja betul* is used again but, in this context, serves as a noun-phrase that best translates as 'decent job'.

Alohan: I said to myself that, whatever happened, when I was released I wanted to be good. I want to work properly, take care of my wife, my dad and my mum...

I have another brother who has no record. He just works normally...

At first, they sent me to the Johor Bahru prison but after three months I was transferred to Simpang Renggam³⁰. At some time during those four years, my second child was born³¹. I was very, very sad, worried and ashamed with my wife and parents. I vowed to myself to go straight once I was released. If others could find decent jobs, why couldn't I?

I started working as a builder – cement mixing, iron mongering. No matter how difficult it was for me to work, I kept on working because I wanted to take care of my wife and child and because I wanted to be good.

It is intriguing that the allusions Alohan makes to 'straight' work always appear in close conjunction with references to family. He mentions being ashamed, specifically, in front of his wife and parents but it is debateable whether the basis for this shame is a sense of guilt for the wrongdoing or lawbreaking that lands him in prison or, more likely, because his incarceration means that he cannot provide for the people who depend upon him. He wants to be 'good', but virtue appears to be linked more directly to taking care of his wife and child rather than with some abstract concept of sin.

³⁰ Johor Bahru prison was an old local institution built in 1882 during the British colonial era. Old and overcrowded, it was finally closed down in 2005. Simpang Renggam is a much newer detention camp built in 1986, but has been dogged by a reputation for bad conditions and overcrowding.

³¹ There is no suggestion that this second child was not Alohan's biological offspring. In the narrative, he implies that he received conjugal visits whilst in prison. The shame that he feels is the consequence of being unable to support his dependants.

There is a commonly held belief, in American and British society, that the work we do is an identity-defining activity and a partial expression of our cultural values. Fryers (2006: 1) is not alone in his opinion that: 'Many 'Western' societies are very work-oriented cultures ... [w]ork is usually necessary to earn a living, and there are strong moral pressures to work deriving from our Christian heritage'. He echoes anthropologist Applebaum (1992) and sociologist Worsley (1987) in maintaining that the conversational opener 'what do you do?' is actually shorthand for 'what work do you do?' and might almost be a stand-in for 'who are you?' This is not a universally understood contraction. When an American-Vietnamese journalist returned to his ancestral village, he observed that:

...after a barrage of questions from distant relatives, not once did anyone ask that common question in America: "So, what do you do?" Instead the questions were familial and personal: "How is your mother? Do you own a car and a cell phone? Are you married?" ... The idea of work as an identity and vocation is still new in many parts of the world. Vietnam, for one, is a country where, despite recent changes toward modernity, 85 percent of the population still lives in rural areas. Work is for them arduous and repetitive, really nothing to talk about. (Lam 2006)

I suggest that, based upon the hints from his narrative, Alohan shares this view of work as the means to an end - *cari makan* for himself and his dependents - rather than an end in itself.

5.2 The Work Ethic

Alohan says a few things that suggest he has a strong work ethic:

Alohan: So I was fourteen to fifteen when I started at the workshop, painting and welding. I was very hard-working...

...our ancestors taught us to work hard; even if you make a bit of a loss it does not matter...

Alohan is not afraid of hard work, or of taking on several jobs at once in order to make ends meet. Hard work, itself, is seen as a cultural value that has been passed down through the generations.

Western readers may already be familiar with Weber's (1968; 2000) idea of the Protestant work ethic but not so aware of his comparable work on the Confucian work ethic. In his most famous work, *The Protestant Work Ethic and the Spirit of Capitalism*, Weber (2000) considered that the development of advanced capitalist economies was favoured in largely Protestant Christian countries, possibly because a Calvinist religious training prized diligence, planning, accumulation and investment and discouraged idleness and consumption. According to the Protestant worldview, material wealth provided tangible proof of an individual's piety and virtue.

In his subsequent work, *The Religion of China: Confucianism and Taoism*, Weber (1968) concluded that the Confucian work ethic, while it appeared to stress similar virtues of industry and frugality, arose from a very different mindset, and was the least likely of all major world religions to lead to capitalism. Influenced, perhaps, by Weber's critique, Asian Communist regimes committed themselves to the eradication of Confucianism, in the belief that it was feudalistic and reactionary (Bell and Chaibong 2003). Lim and Chua (2003) summarise what many commentators believe is the key difference between the Protestant and the Confucian work ethic, which is that, in Chinese society, the work ethic is an expression of members' responsibility towards the collective rather than a blueprint for individual success: 'Diligence is an intrinsic value in itself and, since Confucius believed that relationships between society and individuals were important, it is also a way of contributing

back to society when one grows up and is able to work' (Lim and Chua 2003: 321). Under Confucianism, the claim is that the work ethic is connected to key values of communal harmony and responsibility rather than to the personal aspiration admired in more individualistic cultures, especially those with a history of Protestantism.

In recent years, the cultural narratives surrounding both the Protestant and the Confucian work ethic have been the subject of fierce debate and revision. The renowned sociologist, Daniel Bell (1979) was one of the first critics of capitalism to predict an accelerating shift away from abstemious accumulation and towards rampant consumption. He believed that this was an infantilising process characterised by a demand for instant gratification. More charitably, the novelist Fay Weldon (2000) coined the term 'ergonarchy' to describe a new arrangement where the Western work ethic is alive and well but linked inextricably to a duty to consume: 'Where once we worked in order to make things, and thus keep warm and fed, now we work in order to earn, and earn in order to spend in order to work'.

There has also been a marked revival of interest in Confucianism, presumably in an effort to explain the success of the Asian tiger economies, which are all based more or less on the capitalist model. This new enthusiasm has been greeted in some quarters with scepticism, as the introduction of culture as a meaningful variable raises the spectre of ethnic and cultural stereotyping (Stephens 1997). Street (1993: 25) maintains firmly that commentators should try to avoid giving cultural descriptions: 'Culture is an active process of meaning making and contest over definition, including its own definition'. It has to be said, though, that the recognition of cultural stereotypes that have relevance for research participants is perfectly acceptable in narrative analysis, provided the researcher remembers that their salience lies in how a

participant employs them, as memes, scripts or exemplars of appropriate behaviour.

Alohan is liberal in the use of such devices:

Alohan: Out of a hundred Chinese, ninety are like this. They want everyone to live. They want their businesses to run smoothly without any disruption. You see, Communist China made our ancestors suffer and become very frightened. The elders kept advising us, the younger generation, to remember the pain they went through. If we ask for anything, we must ask for it nicely and not show anger or be forceful. If you are forceful, it is just like a rock colliding with an egg, you end up with nothing.

However, he is quick to point out his own view of the variation between branches of Chinese ethnicity, particularly the differences between Malaysian Chinese and Singaporeans:

Alohan:... the Malaysian Chinese are unique. I dare say this because, in the whole wide world, the Malaysian Chinese are the most helpful of all. They help almost everyone they can. This is true with other Chinese too, but not on the same scale with the Malaysian Chinese. Singapore Chinese do this, too, but everyone knows that they are arrogant. If they donate ten thousand dollars to charity, they will claim back a hundred thousand dollars in tax rebates. Many Malaysian Chinese go to China and conduct business; almost everyone gets good business and is not cheated. But if you look at Singaporeans, out of a hundred persons, ninety will get cheated. That is why the Singaporeans do not like to do business in China.

Few cultures are homogenous and attitudes towards and beliefs about work are not clear-cut, which means that the accuracy and applicability of stereotypes cannot be taken for granted. Not only are these ideas culturally and geographically specific but, as has been shown here, they also vary over time. To date, it is impossible, therefore, to claim any universal mechanism by which work might operate to shape a non-criminal identity and promote social conformity.

5.3 From Informal Work to Crime as Work

There is still a gap to bridge between Alohan as a worker in the informal economy and Alohan as a recruit to the underworld economy. His entry into gang culture has already been discussed as a 'recruitment' and the following extract might confirm this as a career step.

Alohan: All in all there were leaders of five or six gangs who all seemed to like me a lot ... I was interviewed by them³².

It is telling that Alohan describes this meeting as an interview. He sees the gang bosses as being on the brink of offering him a position. There is a marked contrast in the way he talks about the work he does for his cousin and the satisfaction he expresses in relation to his performance at this meeting. He says of the former:

Alohan: The job was wiring, car painting, and panel-beating. Nice job³³.

This rather dry statement contains very little pride or excitement, compared with the more emotional reaction that Alohan recalls at his reception by the gang bosses:

³² For the full account of this incident see Chapter 4, p147.

³³ See Chapter 4, p142.

Alohan: I was very proud, I was very young and I was very pleased that people trusted me. It is not easy to gain people's trust.³⁴

Hobbs (1995: 81) is concerned that criminologists should not get carried away with the view that 'all serious crime is a highly rational activity, driven purely by commercial imperatives'. He points instead to the pursuit of pleasure and a hedonistic lifestyle as the incentive to embark upon a criminal career. This too, might be a rather narrow view, as Alohan appears to be responding to praise and appreciation. It is usually taken for granted that job satisfaction for 'normal' workers involves more than economic factors and that physiological, safety, social, self-esteem and self-actualisation needs are all part of the balance.

5.4 Criminal Careers and Career Criminals

Law enforcement officers label him a 'career criminal' and Alohan shares the view that his participation in crime has vocational elements to it. He is good at what he does and has the necessary qualifications:

Alohan: Not everyone can do an academic degree, even less for a master's and much fewer for a PhD. If it was easy, everyone would want to do it. Not everyone can maintain a Mercedes car, but I can; if I gave it to someone else, he might not be able to afford the repayment and it could be repossessed. The same goes for scorpion. Not everyone could do it, they would get caught.

However, this might be a case of Alohan making the best out of a bad situation. After leaving prison and struggling to work legitimately under

³⁴ See Chapter 4, p147.

the restrictive conditions of a PCO³⁵, he chooses to abscond and heads back to his home state and the opportunities that a new gang has to offer:

Alohan: Finally, I took my wife and kid, got on a bus one night and absconded from the PCO. I did not put in much thought; there was no food, no one to turn to and no work. So, I went back to Johor where I mixed with friends and a new gang.

Criminologists are careful to distinguish between criminal careers and career criminals. A criminal career, says Greenberg (2001: 65) ‘has a beginning and an end; its trajectory is characterized by age of onset, age of desistance, frequency of violations of each type of crime and the probabilities of switching between offence categories’. Some criminal careers might consist of a small number of offences before the perpetrator desists, while others might last considerably longer. In Alohan’s case, his first brush with the law came not long after he turned fourteen and his offending continues to this day, several decades later. As such, he fits the sobering criteria for career criminality:

Criminal careers may vary substantially among offenders. At one extreme are offenders whose careers consist of only one offense. At the other extreme are “career criminals” – also variously characterized as dangerous, habitual, or chronic offenders – who commit serious offenses with high frequency over extended periods of time. (Blumstein *et al.* 1986: 1)

Soothill et al (2009: 3) are keen to establish that the term ‘criminal career’ is a metaphor only, whereas career criminals are ‘the few high-rate or long-duration offenders who really do make a career out of

³⁵ Police Control Order under the Restricted Residence Act 1933 – under this act a person may be required to live in or be excluded from a specific place or area, subject to curfew, and be obliged to report to a local police station at set intervals.

crime'. The criminal career approach can be dated back to the 1980s, when Alfred Blumstein chaired a panel of experts who had been asked to consider research and policy aimed at tackling the approximately 10 percent of offenders who were most prolific and accounted for a disproportionate amount of crime (Blumstein *et al*,1986). In order to understand these high-rate offenders, it was deemed necessary to look at all criminal careers so that the variation might be explained. Of course, as social scientists, the panel were also interested to identify any factors that might be used to predict an individual's future course of offending:

With its focus on the development of behaviour across the life course, the criminal career model raises the possibility that factors that may influence early involvement in crime may be unimportant in later stages of a career. An obvious example is that involuntary unemployment might impel someone to steal. If you find such a person a job then he might well abandon stealing. However, there may be some who find these illegal sources of income sufficiently lucrative and attractive not to abandon them, even if opportunities for lawful income later arise. Hence, in such a case the inability to earn income lawfully at one point can be said to influence the onset of a criminal career but be irrelevant to its persistence when other motivating or social forces may come into play (Soothill *et al*. 2009: 17).

This is an area which is fraught with controversy, with some theorists refusing to accept the concept at all. Gottfredson and Hirschi (1990: 117) believe that there is an essential factor that 'is meant to explain all crimes, at all times', namely the absence of self-control; although offending may not start so early, they theorise that such control is learned early in life, around eight years of age, and its acquisition is a function of good or bad parenting . Individuals with good self-control can

delay gratification and carry out long-term plans, while those with poor self-control are less able to appreciate the long-term consequences of their actions and more likely to act impulsively, on the spur of the moment. The life course of offenders is irrelevant, they say, because once criminal propensity is established, it is very resistant to change.

The idea that self-control is on the whole a steady state – low in criminally-inclined and high in law-abiding individuals – is difficult to envisage. Furthermore, one of Gottfredson and Hirschi's (1990: 89) central tenets is that '[c]rimes require little skill or planning'. Like most people, Alohan experiences periods of frustration and low self-control:

Alohan: After about a year and with another to go, I just could not stand it any more.

... and periods where he is capable of extended planning and extreme caution:

Alohan: A few months after I was released, my prison mate came looking for me. I said: 'Eh! I thought we were not serious but you really came and searched for me'. I was surprised. We started getting in touch regularly with each other, going out for food and drinks and discussing what to do next. We talked about the Scorpion Project. We had to find a taukeh³⁶ as the target. If we decided to do this, we would need to think it over seriously, because the penalty for Scorpion in Malaysia is a mandatory death sentence. This was no joke, right? One day, after about two or three months and daily meetings for weeks, a friend came to see me...

Furthermore, Gottfredson and Hirshi (1990) refute the idea that criminals specialise, preferring to view this as repetitive misbehavior rather than

³⁶ Rich businessman

refinement of skills and citing instead the extensive evidence for offender versatility and opportunism (see also Hindelang *et al.* 1980; Hirschi 1969; Petersilia 1980; Wolfgang *et al.* 1972). Alohan appears to run counter to this theory, by appearing to develop a preference for a particular crime type and refine his skills and methods. A final but important criticism of Gottfredson and Hirschi's (1990) theory relates to their belief that gainful employment will divert people away from crime, simply by occupying their available time. Critics point to white collar criminals whose crimes are facilitated by their position at work (Benson and Moore 1992; Hopkins Burke 2009). Likewise, for a member of an organised crime network or a criminal specialist like Alohan, work is where crime gets committed. Some white collar crimes are due to an internal work culture of playing fast and loose with the rules. To be fair to Gottfredson and Hirschi (1990), the desire to have a neat, elegant theory for the messy subject of criminology is understandable, but this will always be a difficult and thankless endeavour. Sceptics' refutation may not be as compellingly elegant or unified as the theory, but sticking by something that is unified and elegant despite being refuted on many grounds and sound evidence to the contrary is not good social science (Gilovich 1991; Wilkins 1965).

Despite two jail sentences early in his career, Alohan's offending is far more prolific and serious than his prison sheet would suggest. He would not have stayed at liberty for so long, in the most serious phase of his criminal activity, without knowing when to be daring and when to be hesitant.

Although the differences between Blumstein *et al.* (1986) and Gottfredson and Hirschi (1990) appear to be irreconcilable, others have tried to find a middle ground, somewhere between the two positions. Developmentalists like Sampson and Laub (1995) argue that events in

the life-course, such as work or marriage, can divert an individual away from crime.

5.5 The Political Economy of Crime

Alohan's role in the underworld economy needs to be viewed against a theoretical background that comes under the heading of a political economy of crime. Poverty levels, employment and labour market conditions are historical suspects when property crime rates rise (Box 1987). This connection is not quite as straightforward as formerly supposed, according to more recent research by Field (1999:1), however, such is the acceptance of these supposed correlations, that the recent UK recession prompted the Home Office to issue predictions of an expected surge in acquisitive crime (Ford 2009). Conversely, the provision of work is often cited as a solution to the crime problem:

'Although a wide variety of policy initiatives have been undertaken to reduce crime and recidivism ... employment remains one of the most important vehicles for hastening offender reintegration and desistance from crime' (Uggen and Staff 2004: 141).

Alohan starts life from a position of relative poverty, enters a labour market that is restricted by his young age, low educational attainment and also, perhaps, by his ethnic background. The grey economy is his starting point, before he progresses into the black economy and quickly ends up in what Marxist theorists view as the reserve labour pool of prison (Reiman 1979). Even after his release, Alohan finds himself in a marginal economic position that, in effect, excludes him as a worker and corrals him towards innovative and criminally entrepreneurial solutions.

The 19th century social statisticians, Gerry and Quetelet were amongst the first to correlate crime rates with demographic data for education,

occupation and employment (Taylor 1997). They were probably set on their path by the widespread anxiety at the time about the 'dangerous classes'; this was as much an economic as a social designation for the 'unworthy poor' (Morris 1994). However, there have always been critics who are prepared to challenge the orthodoxy that the poor are responsible for most crime; amongst them is Howard Crosby, evangelist, Harvard professor and first president of the New York Society for the Prevention of Crime, who blasted the rich for their oppression and plunder of the poor and named them as the really dangerous class (Crosby 1883).

In 1939, Rusche and Kirchheimer, conducted their famous analysis of the relationship between unemployment and imprisonment, where they support the Marxist conclusion that the capitalist system requires a reserve labour force and uncertainty in employment, and go further by arguing that imprisonment is a useful way of regulating and warehousing the troublesome surplus during economic downturns. A central tenet of their theory is that:

The penal system of any given society is not an isolated phenomenon subject only to its own special laws. It is an integral part of the whole social system, and shares its aspirations and its defects. The crime rate can be influenced only if society can offer its members a certain measure of security and to guarantee a reasonable standard of living. (Rusche and Kirschheimer 2003: 207)

Of course, neither Alohan nor his parents have ever received such offers or guarantees although, to be fair, they probably never expected to.

More recently, it is no surprise to see Ireland's National Crime Council identifying low family income, persistent poverty and unemployment as

key socio-economic risk factors that predict the onset of a criminal career (National Crime Council 2002). The conclusion seems obvious that, to a person like Alohan, who is poorly paid or who has few or no legitimate employment opportunities, crime might well be a viable alternative - arrived at by careful weighing of the arguments for and against taking a criminal path.

Piehl (2003) discusses the tendency of criminologists to present acquisitive crime and work as substitutes; both require time and effort from the participant and criminal and legitimate labour market activities are likewise both a source of potential income (Hobbs 1988; 1995). A respectable volume of criminological research has been conducted on the supposed dichotomy of employment versus crime, where individuals choose between one or the other as a way of generating revenue (Calvó-Armengol *et al.* 2007; Carlson and Michalowski 1997; Gould *et al.* 2002; Weiss and Reid 2005). Piehl (2003: 2) summarises the typical view as follows: 'If crime is "work", the two types of activities are substitutes, and improving legal sector employment opportunities through programs emphasizing job skills and job search will prevent crime'. In addition, it is thought that regular employment can also discourage crime, for instance, by structuring individuals' available time and daily behaviour, by promoting their sense of social investment in community and conformity, or by increasing the potential costs of criminal activity to include loss of legitimate employment and the accompanying income and status (see also Gottfredson and Hirschi 1990).

This kind of explanation, of course, has its limits. Even where purely economic crime is concerned, it should be remembered that people at the bottom end of the employment market often hold down two or more jobs concurrently. This is true of Alohan:

Alohan: Three or four months later, I was released. I went home and started a VCD³⁷ business and a few other jobs in order to take care of my wife and kids. I was also with a workshop doing car spray painting...

The time constraints imposed by the average job do not rule out moonlighting and work itself may provide criminal opportunities. Indeed, research strongly suggests that the great majority of young people who receive some income from crime are also employed (Freeman 1999; Grogger 1998).

More attention is now being paid to the relationship between types or categories of employment and crime, rather than to job availability alone. According to the theory of labour market separation, jobs are categorised as belonging to either the primary or secondary labour market. In the primary segment, work is typically better paid, with comprehensive benefits, career structures, on-the job training, safe working conditions and so on. The secondary labour market is characterised by low wages, skills and status, and job insecurity. Under this categorisation, traditional industrial and manufacturing jobs would be described as primary, whereas equivalent entry-level jobs in the service industry would be secondary, because of the less favourable terms of employment and emphasis upon the 'flexible' workforce.

Working in the informal economy can, itself, constitute an offence. In the Malaysian context, Alohan and his employers broke labour law on employing minors. In a UK setting, claiming benefits while working is defined as a crime.

³⁷ Alohan did not elaborate but it is likely that this was a legitimate business selling licensed VCDs of Chinese/Hong Kong films. This seems to be a long-term interest of Alohan's, as he started up a similar business after I came to know him.

There is a respectable body of research that demonstrates that in areas where there is a sizeable secondary labour market, there is a positive effect on crime and delinquency rates (Bellair *et al.* 2003; Wadsworth 2000; Weiss and Reid 2005). This could be because, while there may appear to be satisfactory employment levels in the area, low pay and frequent lay-offs mean that employees subsist close to or below the poverty line and have difficulty in escaping, when a good work record is the passport to employment within the primary sector. This is borne out in earlier work which shows that offenders are more likely to have several short periods of unemployment than long-term joblessness (Cook 1975; Sullivan 1989; Uggen 2000).

Strain theorists, too, conclude from their research that employment in the secondary labour market, along with unemployment, could provide one of the negative emotional stimuli that, in their view, might contribute towards criminal behaviour in adults (Agnew *et al.* 1996; Baron and Hartnagel 1997; Cernkovich *et al.* 2000; Uggen 2000).

Another interesting area to review is the research on crime and maternal employment. There remains a general belief that the children of working mothers, the so-called latch-key kids, are more prone towards delinquency and crime, where neglect and lack of supervision or discipline are thought to be responsible for attachment disorders and behavioural problems (Eyer 1996; Glueck and Glueck 1950; Hirschi 1969; Nye 1963). The research in this field has been challenged by later studies, where much reduced levels of delinquency have been found amongst children whose mothers are engaged in regular work (Farnworth 1984; Vander Ven *et al.* 2001; West 1982; Zhao *et al.* 1997). Again, the importance of job quality and working conditions are highlighted:

Our study has demonstrated that regardless of how this issue was examined, maternal hours spent in the paid workforce had no measurable effect on youth crime ... for the 15- and 16-year olds in our sample, having a mother with a coercively controlled, secondary labor market job was related to increasing criminality ... It appears that it may be coercive, unsatisfying, and low-paying maternal employment, and not employment per se, that may be criminogenic. (Vander Ven and Cullen 2004: 288)

Alohan's mother was engaged in this secondary, flexible, unreliable and unsatisfying labour market, but it is difficult to see how her experience would affect Alohan's criminal career except, perhaps, insofar as it dampened any expectations of rewarding employment.

This type of analysis is no doubt attractive to policy-makers because it offers a hope that, by providing at-risk individuals and their key family members with appropriate skills-training and legitimate, good-quality work opportunities, some of them might then be diverted from the criminal justice system, or at least discouraged from reoffending.

5.6 Employee, Employer or Self-Employed?

Alohan started out with no apparent career ambitions or working identity but instead presents himself in many occupational guises, some more convincing than others, in an unfolding storyline. According to his narrative, he is or was:

A hard-working employee - willing to accept any job in order to support his family

An ex-con - excluded from the legitimate job market, with no option but to take his fortune into his own hands:

Alohan: The two years passed, and I was released. I was banished³⁸ to a different place under a PCO for two years. It was a bit more relaxed though, as I could stay with my wife and kid. I was free to go out after 6am and must be home by 8pm daily. Every week, I had to sign myself in at a designated Police Station. I started working as a builder - cement mixing, iron mongering ...The manager at my workplace was very fond of me but after about a year and a half, there was no more work for me. This was because I was a banished person - the manager did not want to give me lots to do and the salary was bad. In the end, I found it difficult to survive. It would have been OK if I was alone, but my wife and kid needed food too. Even when travelling to work, I was not allowed to go far. It was never easy to find work in an area where one was banished by the police.

A mediator - able to negotiate equally well with businessmen or with gangsters

Alohan: I try to make friends with everyone. Because of this, the members of the other gangs all know me. For example, when businessmen come to Bandar Baru to set up their businesses, like Singaporeans opening up factories, they will definitely come and see me if there are any problems. If other gangsters disturb them or extort money for protection, like asking for tens of thousands per year or twenty thousand, or eighteen thousand, the owners will come and see me because they know that I don't like people who create trouble in the area. I will arrange a table talk with all the gangsters in the area.

³⁸ A person who has been given a Police Control Order (see p187) is commonly described as having been 'banished'.

A community benefactor - taking it upon himself to exert informal social control and administer rough and ready justice

Alohan: I will ask the gangsters not to disturb the businessmen. These businessmen are here to open factories for the benefit of this village and area, providing jobs for local people...

...So, we use our ability to think, plan, target and initiate the project in order to change the mafia people. It is very important to us. ... I'm a businessman. But if everyone only thinks of taking care of their business, who is going to teach the crooks? The police can't arrest all of them, especially the drug dealers. The police will not be able to arrest the main players. So if we can do it, we might as well do it. The drug lords are like king cobras, everyday their poison can kill ten people, so if we leave them to it, how many will they kill in a year?

A project criminal – according to Mann and Sutton (1998) key characteristics of project crime are the use of advanced planning and the higher level of risk-taking. McIntosh (1971: 116) discusses project thieving as requiring 'a different assortment of somewhat specialized skills', as opposed to the more usual, non-specialised crime referred to by Gottfredson and Hirschi (1990: 111). Alohan specifically and frequently uses the word 'project' and always talks about the need for meticulous planning and advance intelligence gathering:

Alohan: We started on a project – where we would get information about the payday for factory workers and we would rob the payroll...

One of my partners suggested that we look out for another target and do the same project again...

So, we use our ability to think, plan, target and initiate the project...

We conducted surveillance and followed their movements for a month or so...

An habitual and serious criminal - who has experimented with various hard-core acquisitive offences before settling upon his preferred specialism:

Alohan: I contacted three friends whom I could trust. We started on a project – where we would get information about the payday for factory workers and we would rob the payroll. Sometimes, we got around a hundred and fifty thousand to half a million. I got arrested after doing it for about a year'...

...'Robbery is much easier to do. For Scorpion we need to plan well, survey and execute the plan properly. We will have to look at whether the target has the money, whether he or his family will report to the police or not and so on. So there is more work...

A criminal mastermind - responsible for initiating, planning and then training others in his trademark techniques:

Alohan: All the planning and strategising is done by me. From the beginning, I have instructed and delegated the various tasks to everyone - up until today...

Usually, before we target someone, we must first of all identify that the person is a bad guy... We must assess the capabilities of the police and everything. Only when all this is planned and confirmed, can we proceed. ...It must be one hundred percent

safe. This is my target, not like the others³⁹. Only I will know what I want to do...

A businessman – with, after a few false starts, an impressively diversified portfolio.

Alohan: We got involved in many types of business but we were not that capable and we ran out of money after about a year. It was very difficult for us to compete with others in business...

... Three or four months later, I was released. I went home and started a VCD⁴⁰ business and a few other jobs in order to take care of my wife and kids...

...I am not only involved in illegal activities. One of my businesses is a transport company, which I share with a friend. This started quite some time ago - 1995 until now - so roughly about twelve years? There are other businesses, too - a restaurant, a coffee shop and a food court. I also deal in scrap iron with another business partner. It is an export company but my partner takes care of the management. These businesses are quite profitable and we have never run at a loss. We run them very efficiently and there was no problem with incoming payments whatsoever⁴¹. The restaurant and food court are doing very well. I don't like opening up businesses and closing them down after one or two years. Just like my Scorpion activity, I make sure that I target and analyse the businesses I open and only get involved in those I think I can do. Otherwise, why should we waste our time; time is very precious. Just like

³⁹ He was referring to other kidnapping groups.

⁴⁰ Alohan did not elaborate but it is likely that this was a legitimate business selling licensed video compact discs (VCDs) of Chinese/Hong Kong films. This seems to be a long-term interest of Alohan's, as he started up a similar business after I came to know him.

⁴¹ I did not like to enquire too deeply into the efficiency of Alohan's debt collection techniques.

Scorpion, I am the one doing the planning, market surveying and analysis of every aspect. If I decide on something, there is no such thing as failure.

This pattern of employment brings to mind what Piehl (2003) has to say about pre-release inmates and their enthusiasm for self-employment and independence rather than more structured, paid work. She notes that 'the entrepreneurial spirit is consistent with a foraging-type behavior' and that 'planning money-making ventures is one pro-social activity among inmates' (Piehl 2003: 8). During Alohan's second term in prison he took part in exactly the type of planning described by Piehl (2003) and there do seem to be some oddly pro-social elements to his money-making scheme, if one ignores the fact that he is proposing to commit a seriously criminal act:

Alohan: I was with my mate in solitary confinement for two weeks⁴². At times, we would talk about what we would do upon release. As we were nearing thirty and age was catching up, we would talk about Scorpion⁴³, bank and goldsmith projects. We talked about it a lot. In the end we decided to do a Scorpion Project and search for an evil businessman. Why? Because, if he was evil, there would be no worries if we hit him ... There are businessmen who sell drugs – heroin - or are involved in loan-sharking. If the borrowers do not pay or can't afford to pay, these businessmen go and rape their wives and daughters. These are evil people who know the police; the police are on the take and will not arrest them. This is where we come in and hit them. If the police do not hit them, then we do, right? We don't target good people as God would be very angry, right? So I

⁴² In solitary confinement, each cell contains a single prisoner, however it is possible for them to talk to each other through the walls.

⁴³ kidnapping

discussed with my mate and agreed that this was the way it should be. If there was an opportunity, we would meet on the outside. We could not leave phone contacts for each other but I did tell him where I would be staying.

Alohan is an archetypal forager: he set out with no clear life goals but does seem to naturally think in terms of ventures or 'projects'.

There are other characteristics that Alohan seems to share with the classic entrepreneur. Although careful to point out that entrepreneurship is a complex and multidimensional construct, which cannot easily be predicted from the possession of personality traits alone, Deamer and Earle (2004: 100-101) summarise the features that are most commonly cited, including: a high need for achievement, or good self-image; an internal locus of control (i.e., a strong desire to exert control over one's environment); a propensity for risk-taking, and being more 'event-based' than 'stable-state' (i.e., an ability to seize opportunity and the urge to seek change or innovate). Sadly for the potential utility in identifying criminal entrepreneurs, it is unlikely that someone like Alohan would ever willingly agree to complete their EMAQ (Enterprising Management Assessment Questionnaire) form, in order to 'self-rate [his] personal characteristics and limitations as they are relevant to the work context' (Deamer and Earle 2004: 102). However, there can be little doubt that Alohan is prepared to take enormous risks, and that criminal enterprise has given him more scope than legitimate employment for achieving success, for exerting control over his environment and for being creative.

There are further characteristics that may be more specific to the criminal entrepreneur:

When criminal entrepreneurs engage in knowledge-intensive ventures, the need for human and social capital exceeds the

need for physical assets. Human capital might be defined as the abilities individuals possess and their demographic characteristics. Social capital might be defined as a network contributing to entrepreneurial goals, where resources are obtained through the social network of actors (Gottschalk 2009: 10).

As has already been discussed in Chapter four, networking is second nature to Alohan, as a personal strength and as assiduously cultivated cultural capital.

This brings into serious question the issue of work and reintegration. Most rehabilitation work focuses on traditional models of employment and, while Piehl (2003: 8) is one of the very few to raise self-employment as an issue for consideration, even she admits that: 'It is a challenge for re-entry programming to figure out how to harness the enthusiasm many inmates have for being independent and entrepreneurial and direct it toward achievable goals'. This realisation suggests a fruitful direction for future research, which could follow the post-release employment experience of offenders, taking into account their personality types and preferred working styles.

5.7 Legitimate versus Illegitimate Work

Like other known business people engaging in crime (see Klockars 1974; Steffensmeier and Ulmer 2005) Alohan oscillates between legitimate and criminal behaviour, in a manner dictated variously by circumstance, rational planning and the expectations and needs of other offenders.

Categorising Alohan's work as either legal or illegal should, on the surface, be a relatively simple task: his kidnapping is illegal whereas his

scrap iron business, transport company, restaurants and so on, are legal. However, it could be a mistake to oversimplify in this way.

Van Schendel and Abraham (2005: 7) argue that: 'Both law and crime emerge from historical and ongoing struggles over legitimacy, in the course of which power groups succeed in delegitimizing and criminalizing certain practices'. They use the word *imbricated*, to invoke an image of enmeshed or overlapping edges between the two modes of activity, legal and illegal. What they are saying, in effect, is that both legitimacy and illegitimacy are socially constructed. Nowhere are the borders between the legitimate and illegitimate more blurred than in the realm of entrepreneurial business. It is no accident that transport companies and scrap iron merchants are frequently the target of law enforcement attention, the former because of their involvement in the transportation of contraband⁴⁴ and the latter because of their knowing or unknowing complicity in metal theft (Kooi 2010).

Alohan's narrative exhibits uncertainty about the boundaries between the illicit and licit, where businessmen and crime are not necessarily exclusive:

Alohan: There are businessmen who sell drugs – heroin - or are involved in loan-sharking...

Approximately a year to fourteen months after this case, we did another one. This time the businessman was involved in smuggling contraband liquor and cigarettes and in prostitution...

However, in the following extract he does appear to distinguish between real businessmen and the pretend variety:

⁴⁴ As a former investigative officer with the Malaysian Customs Department, I have plenty of personal experience of raiding transport companies who helped their clients to smuggle goods.

Alohan: For example, these drug dealers and mafias who pretend to be businessmen usually try to be friendly with high ranking police officers, politicians or ministers.

Just as he distinguishes between real gangsters and punk gang members (see p141), there is a suspicion that, for Alohan, this is a matter of style – not what the pretend businessmen do differently from the genuine businessmen but, rather, the way that they do it. Mafias and drug dealers get their edge by corrupting officials and this seems to be particularly unacceptable to Alohan.

Ruggiero (2000: 28) sees a more functional overlap between the licit and illicit, as actors ‘oscillate between legal and illegal activities’. Ruggiero describes a process whereby certain actors engage with fluidity, seeking opportunities and income from official and hidden markets, which co-exist in an *urban bazaar*.

The idea of legal and illegal overlap is an interesting one. In response to van Schendel and Abraham (2005), it has to be said that Alohan has no doubt about what is legal and what is illegal. Kidnapping is a serious offence and Alohan does not put any effort into debating this. However, to be fair, he does dispute issues of moral legitimacy, taking into consideration the nature of his targets:

Alohan: From how I see it, when we get ourselves involved in Scorpion, it is wrong, according to the law. But if we do not do anything to people like these⁴⁵, it is very difficult for others to act...

Alohan attributes his involvement in kidnapping to the failure or unequal application of the law, rather than with the principle:

⁴⁵ Crooked businessmen.

Alohan: My involvement in Scorpion is because I weigh and look at the world today, especially in Malaysia, with the police, the crooks and bad businessmen, I feel so angry...

Ruggiero's (2000) approach accords well with Alohan's narrative in its local setting. His bustling bazaar is complete with workers and entrepreneurs, all wheeling and dealing, and using the eating house as much for information exchange as for food and drink:

The bazaar is constituted by a network of retailers, ambulatory vendors, distributors, wholesalers, seasonal workers, casual assistants and apprentices, who are all required to possess flexibility and versatile skills. This network offers partnership arrangements as well as employer-employee contracts.
(Ruggiero 2000: 29)

This is a flexible but practical world, where any overlaps are present because there is a functional reason. But it is a view from the middle, a meso-approach. Alohan's narrative can help us with the micro-level, by showing how one person negotiates between the two modes.

5.7.1 Opportunities

During the course of his life, Alohan has seized many opportunities, legal and illegal, but the way in which these have presented themselves does not appear balanced either in their quantity or quality. Legal opportunities often offer limited rewards for a lot of effort. For example, he could have stayed with his cousin in the workshop, saved money from his earnings and later invested in his own workshop. This would have involved a long-term commitment with no guarantee of eventual success, economic security and status. The criminal opportunities he

encountered were much more numerous. They were project-based, so each had a clear purpose and a predictable end in sight with a more or less quantifiable outcome.

While these opportunities were presented in the same geographical neighbourhood, there are some questions about the extent of the overlap. For instance, Alohan gives no information about the social world that his cousin and colleagues from the workshop inhabited and whether it was inevitable, even if he had stuck closely to his cousin's side, that he would have been exposed to Triad activity. The probability is that, given the centrality of the coffee-shop⁴⁶ to Alohan's urban bazaar, this was still very likely.

From experience, I know that a great deal of Alohan's informal business and relationship building gets done at one or another of his favourite coffee-shops; this included our meetings, in the days when he was my confidential informant. His induction into gang-culture started when he followed his new friends for food and drink and he readily admits gleaning opportunities at this important nexus:

Alohan: Sometimes I overhear a person talking; not complaining directly to me, just talking in a coffee shop about a taukeh who is harassing others. Or I hear from acquaintances at the coffee shop about how evil a taukeh is. The next thing I do is to get my men and we

⁴⁶ In Malaysia, coffee-shops serves in a similar capacity to UK public houses. Going to a favourite coffee-shop has similar connotations to frequenting a regular pub. This is a social space that provides a venue to meet friends or a neutral territory where business can be conducted. Table-talks or negotiations often happen at the coffee-shop, over food and drink.

set about confirming whether the reports are true or not...

This is not to say that Alohan uses the coffee-shop as the focus for righting the worlds' wrongs. Alohan is very frank about the targeting of his potential victims; underworld and unsympathetic characters are safer because 'there would be no worries if we hit him' (see p201).

Unfortunately, Alohan does not talk about the full extent to which his legal businesses provides criminal opportunities or vice versa, and this might be a fruitful avenue to explore in future discussions with him. While Alohan admits using money from crime to start his legal businesses, he gives no information about sharing resources after the start-up. For instance, Alohan does not discuss whether he uses vehicles from his transport company to move his kidnap victims, whether he juggles money between his companies and his kidnapping enterprise, or whether there is any overlap in personnel . Nor does he say whether he uses his interaction with other entrepreneurs to identify potential targets.

5.7.2 Income

This is what Alohan has to say about the flow of money:

Alohan: We took the one million then. ... Afterwards, I met up with my friend and his wife and gave them a hundred thousand Singapore dollars and told them to move away from the area. We had nine hundred thousand Singapore dollars left, which we divided

among the five of us. It was then that we realised how easy it was to get money. After some thinking we decided to go into straight business...

...we collected about nine and a half million Singapore dollars ... After this case we focussed on business...

There is also no suggestion that Alohan created his legitimate businesses as a cover for his income from kidnapping.

5.7.3 Personnel

Alohan often uses the word 'we' in a way that implies that at least some of the people from his gang are also involved in his businesses:

Alohan: We got the money and we ventured into business again...

... Even if we are doing business and making lots of money, if there is a person who is bad, we will do it again.

There is a notable departure when he describes the scrap iron business as being managed by a business partner. This could signify that Alohan has teamed up with someone with specialist skills from outside the gang circle.

This is an area where Gottschalk (2009) points out significant differences between the legal and the criminal entrepreneur. He believes that criminals are far more likely to select their associates or workers from their family, ethnic group or from

amongst other people with whom they have close ties, in the interests of loyalty and security. This ties in with Reuter's (1985) suggestion on why an illicit business cannot expand in the same way as a legal one because the illegal side must be kept hidden from employees.

Alohan carefully avoids talking about the practical ways in which his legitimate businesses can assist his kidnapping projects. For instance, he talks freely about using stolen cars for the bus hijack he was involved, but he is much more reticent about the source of the vehicles he uses for surveillance, interception or for transporting victims:

Alohan: We conducted surveillance and followed their movements for a month or so. We planned to hit them on the highway because they had to take the KL highway to their factory. We stood by with a Mercedes, two other cars and a lorry.

It is natural to speculate about a possible connection between Alohan's transport company and the origins of the lorry mentioned above. He is also silent on the subject of secure holding places, so again we are left to guess about procurement of suitable premises.

5.7.4 Network

Both Alohan's legal and illegal enterprises are supported by another important aspect of his working life – the development and maintenance of his *guanxi* network. His first real networking began with his induction into the Triads and through his gang

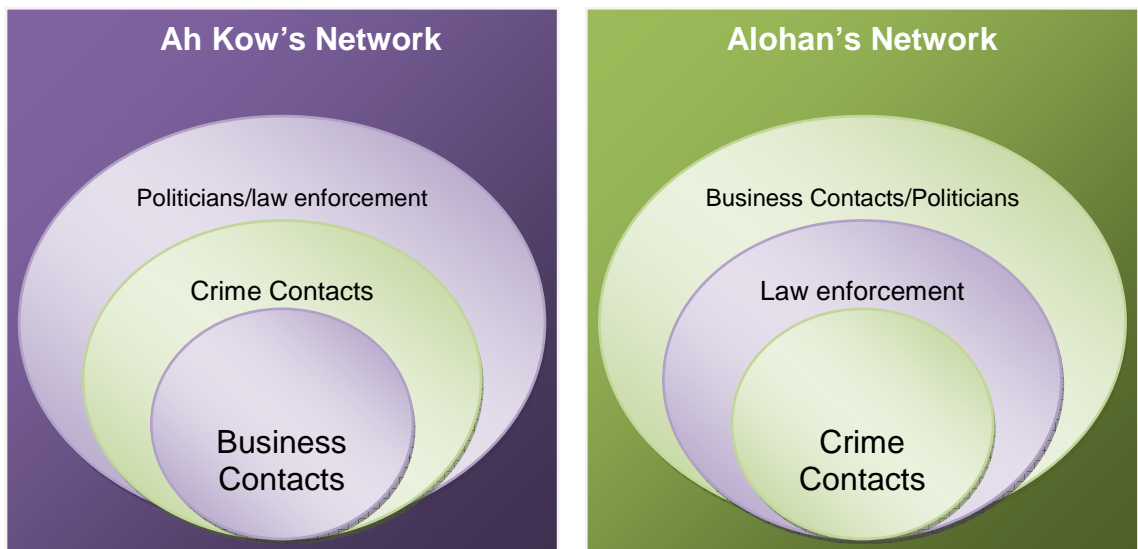
membership. However, in the later stages, this necessarily expanded to include people from law enforcement and the regular business community. There might be problems for Western readers in trying to understand Alohan's highly 'situational' approach to business ethics, particularly in the area of networking and *guanxi*. What might constitute unacceptable practice amounting to corruption in the UK would raise no eyebrows either from the business community or from the legal authorities. Alohan frequently expresses anger at the abuse of networks by 'taukehs', but this should not be interpreted as an intolerance of corruption as it is understood by other cultures – Alohan's anger is quite tightly focused on the role that powerful connections can play in the covering up or facilitation of specific crimes, like drugs or sex trafficking, and loan-sharking.

I found it useful to compare what I knew about Alohan's network, with another of my acquaintances from Malaysia. This other person, who I will name Ah Kow, is a successful businessman. He runs an import-export business where he is not above committing customs fraud or, on occasion, outright smuggling where there is an overriding profit incentive. Ah Kow's network is fairly typical, containing people who can alert him to opportunities or who can facilitate trading in some way.

Significantly, as his business expands it includes more and more politicians and people with a law enforcement connection. These last have been added in order to ameliorate risk, and they become even more important as Ah Kow becomes involved in riskier business behaviour. Ah Kow is different from Alohan in that his core network was designed to facilitate business before it branched into crime, whereas Alohan began with crime and

then diversified into business. It is interesting to note the point at which both began to cultivate law enforcement. This began earlier in Alohan's career, because he had a greater need to control for risk. The comparative order and importance of these network developments is illustrated graphically in *Fig. 5.1*.

Fig. 5.1 – Comparison Between Legitimate and Illegitimate Business Networks



5.7.5 Structure

Alohan does not give direct information about differences in the structure of his gang in comparison with any of his businesses. Gottschalk (2009: 26-27) discusses the basic similarities between legal entrepreneurship and illegal enterprise, stating that: 'organised crime is often entrepreneurial in character and ... entrepreneurship is often the basis for illegal business'. He presents a dynamic model, which outlines four stages of growth for a criminal, entrepreneurial organisation: 1) opportunity based; 2) activity based; 3) knowledge based, and 4) strategy based. During the first stage, the criminal entrepreneur will identify

criminal opportunities and organise in order to take advantage of them. This is followed by the active stage, when the organisation engages in a *bundle* of activities with which it experiments. During the knowledge stage, the organisation refines its techniques, to make more efficient use of resources and to maximise outcomes. This is where specialisation is likely to take place and also where the group might share knowledge with others on modus operandi and risk. The final, strategic phase is where the organisation takes stock of its strengths, weaknesses, opportunities and threats and positions itself to meet these in the future.

This model appears to fit quite well with Alohan's account. Alohan began involvement with a new gang after he absconded from a Police Control Order, and went on to exploit various criminal opportunities:

Alohan: So, I went back to Johor where I mixed with friends and a new gang. There was one or two of them in the gang who had also been at Pulau Jerejak and had completed their PCO sentence... The work we did at that time was something like carjacking – Mercedes or BMWs. We sold them to a fence and got some money. Depending on the car, sometimes we got around twenty thousand [Malaysian Ringgit], and the highest we got was thirty-five thousand, depending upon its class – S-Class, C-class or E-class.

...I contacted three friends whom I could trust. We started on a project – where we would get information about the payday for factory workers and we would rob

the payroll. Sometimes, we got around a hundred and fifty thousand to half a million.

One gets a sense of progression here, where Alohan is trying out different activities to see which are the most promising. Prison intervenes and he has to start again with his new friend, spotting, discussing and planning the exploitation of kidnapping as a new project.

Alohan comes out of prison, forms a new gang and starts work on his new modus operandi. Based on the success that he experiences, he begins on the knowledge based phase, where he specialises and hones his skills and even passes on what he has learned to apprentices:

Alohan:...There is no end to this type of case. I have 'copyright'. Up until today, even if I am not involved, those who followed me and learned from me will get involved in this kind of Scorpion. However, before they do it, they will enquire with me first.

As will be discussed in the next chapter, his involvement as a police and customs informer indicates the point at which he moves into the strategic phase, where he knowingly begins to cultivate contacts who can insulate him from risk.

There is a problem with Gottschalk's description as he does not compare this structure with legitimate entrepreneurial organisations. Because of the clear applicability of his material to Alohan's case, this would be a worthwhile area for future research and exploration.

5.8 Chapter Summary

In summary, this chapter addresses the research question that asks about the factors and dynamics that might explain a continued involvement in serious crime when there appears to be no economic necessity. Although Alohan now earns a satisfactory income from his apparently legitimate businesses, he says categorically that he will continue to target people to 'Scorpion'.

Alohan's early socialisation into the world of work, particularly though the experience of his parents may have been an influential factor in the development of his ideas, expectations and ambitions for employment. Alohan's main male role model growing up was his father, but with both parents working in unregulated labour markets, with all the associated implications for job and income insecurity, it is not surprising to find an adolescent Alohan who was for many reasons easily wooed away from conventional employment.

The theoretical background provided by theories on political economies of crime raise issues about the way that some social commentators see crime as a substitute for work and vice-versa, whereas, for Alohan, the picture is nowhere near as straightforward. Simply providing a job for someone like Alohan is unlikely to prevent him from seeking out and exploiting criminal opportunities. Of all the job types that Alohan might be engaged in, the poverty trap posed by the secondary, service-industry, labour market is probably the least likely to divert him from crime. Entrepreneurialism has proved to be a successful outlet for Alohan's energies but it is acknowledged that, firstly, self-employment is the most difficult type of work to incorporate into any offender reintegration programme and, secondly, even this has demonstrably failed to end his criminal career.

The Protestant work ethic (Weber 2000) is often brought into discussions about the importance of work for self-esteem and identity. However, Alohan's account shows how he has been influenced by the so-called Confucian work ethic (Weber 1968), which has a different set of motivating factors than the more European and American Protestant work ethic. This highlights the possible 'Western' bias behind the emphasis upon work as an effective vehicle for preventing or encouraging desistance from crime; and suggests the need for more culturally sensitive analyses when looking at offending in other cultures.

From an overview of the literature on criminal careers (Blumstein *et al.* 1986; Greenberg 2001; Hobbs 1988; Klockars 1974; Piquero *et al.* 2007; Soothill *et al.* 2009; Steffensmeier 1986; Steffensmeier and Ulmer 2005; Sutherland 1937; West 1982), it is very apparent that in Alohan's case we are dealing with the so-called 'career criminal'. Because of the lack of clarity in the theories themselves, where criminological debate compares life-course explanations against criminal propensity accounts, it is extremely difficult to understand Alohan and his offending using compelling elegant theories and neat explanatory principles. On the one hand Alohan is a persistent offender, but it is by no means clear that his propensity for crime was fixed by the age of eight or that his levels of self-control are uniformly weak. On the other hand, the life-course account that says marriage and work are important turning points does not explain the life-long offending and life in a criminal culture that is dissuaded by neither.

Finally, Alohan's involvement in legal and illegal enterprises is reviewed and this shows his need to consider operational details related to opportunity, income, personnel, logistics and networking for *both* types of work.

Chapter Six involves a discussion of Alohan's justifications for past, present and likely future offending, based on theories of guilt neutralisation. Secondly, there will be an examination of the ways in which his community knowingly or inadvertently supports his offending, incorporating insights from the field of subcultural tolerance of crime. The next chapter will also include testimony from active and retired officers of the SPKU, as these are the people tasked with protecting the public from Alohan.

6 Alohan at Large

As stated in the introduction, early inspiration for my doctoral research was derived from Klockars' (1974) and Polsky's (1967) remarks about criminology needing information from successful criminals.

Unfortunately, neither explain precisely what they mean by 'successful'. Alohan was approached as a potential research subject because he seemed, to me, to belong in the successful criminal category, but, when asked by my Director of Studies to clarify the term, the vague and unacademic definition that sprang to mind centred on people who were heavily engaged in crime yet who somehow managed to profit from and get away with it.

Alohan informs us that he has been arrested and detained several times and sent to jail at least twice. On the first occasion, he was sentenced to two years imprisonment and two years banishment for a bus hijack. The second sentence was six years (reduced to four) for armed robbery. His early criminal career would be classed, by most observers, as unsuccessful, with costs incurred high in comparison with rewards received. This picture appears to change after Alohan starts to specialise in kidnap for ransom. Although he has been arrested and detained several times since, on suspicion of involvement in kidnapping cases, he has never been tried or convicted in relation to these nor, as far as I am aware, for any other offence. He has also managed to evade retaliation from victims and their associates. This is no mean feat if Alohan is telling the truth, that his kidnap targets are crooked businessmen and 'mafias'. Furthermore, he has been able to use the ransom money to finance the start-up of several apparently legitimate business ventures, maintain a comfortable lifestyle for himself and his five wives and numerous children, and donate substantial amounts of money to charity.

Ishikawa (2001) uses a fairly simple measure of success in her study on 'successful' versus 'unsuccessful' criminal psychopaths – she designates the former as those who are still at large in the community, having escaped conviction for any crimes committed, while the latter are institutionalised in prisons or special hospitals. This could be described as a 'snapshot' approach, as she gives no indication of whether her subjects were institutionalised and released at any point in the past and only seems interested in their status for the period of her research. We are given no information about the circumstances that led to institutionalisation for her unsuccessful subjects, nor are we told much about the quality of life experienced by the supposedly successful subjects still in the community.

The more nuanced definition of the successful criminal career offered by Kazemian and Le Blanc (2007), who focus on 'differential cost avoidance', seems more satisfactory:

... a successful criminal career is defined as the longitudinal sequence of offenses characterized by a relatively high ratio of self-reported offending (measure integrating career length, offending gravity, and 'time free') to officially recorded crime. Therefore, the focus ... is not exclusively on individuals who manage to avoid detection by the criminal justice system but rather on those who display low detection rates relative to the degree of involvement in self-reported crime. (Kazemian and Blanc 2007: 39)

But such a definition does not take into account the level of rewards that might accrue from successful engagement in crime. McCarthy and Hagan (2001) talk about criminal success in terms of income and cite a respectable number of research studies and articles that report the variability that exists, with some criminals earning substantially more

than others (see Fagan and Freeman 1999; Levitt and Venkatesh 2000; Tremblay and Morselli 2000; Wilson and Abrahamse 1992). It is interesting to note the differential factors that are linked with success, depending upon whether the cost-avoidance or income-based definition is adopted. For instance, Kazemian and Le Blanc (2007) emphasize cognitive and social traits that might help offenders to avoid the cost of detection and imprisonment, such as self-control or familial bonds, whereas McCarthy and Hagan (2001: 1039) stress elements that ought to maximise income, such as competence, personal capital⁴⁷ or other 'potential resources for securing desired outcomes'.

There are problems in reconciling these two views of criminal success. For instance, Kazemian and Le Blanc (2007) report that the use of violence is connected to higher earnings but less successful cost-avoidance, possibly because of the police attention that violent crime attracts. McCarthy and Hagan (2001) detail a similar discrepancy, where the tendency towards risk-taking behaviour appears to favour higher earnings at the expense of cost-avoidance.

Alohan seems to do well on both counts. The fact that he is still at large and apparently prospering could be a testament to his competence in committing crime or his skill in covering tracks and evading those with a vested interest in his capture or incapacitation. However, there might be other interesting dynamics or factors at work that protect Alohan within his environment or encourage him to continue offending, related to social⁴⁸ or personal capital.

⁴⁷ Personal or human capital usually refers to those personal attributes, skills, knowledge and competencies that have been acquired through care, experience or training (Becker 1993, 1998). It is possible for individuals, groups, organisations and governments to invest in personal capital, for example, through the provision and uptake of educational or healthcare programmes.

⁴⁸ Woolcock (1998) gives a succinct definition of social capital as 'the information, trust, and norms of reciprocity inhering in one's social networks'. Social and personal capital can be viewed as assets or resources that may be harnessed productively to improve economic, social or political status.

Using Alohan's own words, supplemented by interviews from the SPKU, customs officers, and other supplementary interview participants, this chapter uses the concept of intrinsic and extrinsic factors as a useful device to organise the following discussion about possible contributors to Alohan's success. The topics that fall under the extrinsic heading include, firstly, his *modus operandi* (MO) and victim selection and, secondly, the concept of subcultural tolerance of deviance, where Alohan's offending is viewed against the potentially protective backdrop of his ethnicity, community, neighbourhood, gang and law enforcement affiliations. These factors are, in a manner of speaking, external to Alohan but involve his negotiation of the environment, tools and resources available to him. Intrinsic factors involve cognition or sense-making processes that appear to provide motivation or play a role in overcoming inhibitions or other prohibitions against offending.

There is considerable overlap between what can be considered extrinsic or intrinsic, where every physical action has a cognitive element, and it must be stressed that these terms are used for their convenience only. For instance, a criminal *modus operandi* might be studied by a criminal profiler for psychological clues that point to offender identity. However, MO and target selection have been allocated to the extrinsic category here because they are relatively static guides for physical action, whereas the doing of kidnap involves abstract thinking such as rationalisation and guilt neutralising justification.

6.1 Extrinsic Factors

6.1.1 Modus Operandi: 'Copyright' Crime

This is an area where Alohan could be said to rely upon his personal capital of acquired knowledge, experience and competence to marshal his resources in such a way as to

improve his risk-reward ratio. Alohan talked earlier about having 'copyright' which, without a trace of irony, implies unique development of kidnap techniques and yet he says very little about his *modus operandi*. This could be partly because Alohan is aware that such details could be used to identify his handiwork and partly because, as unlikely as it may seem, there is indeed some real underworld 'copyright' value (see also page 219).

The following are a few of the tips that he is prepared to divulge:

Alohan: We always ask for the ransom in Singapore dollars; it is easier for us to carry. When we go and take the money, we must not take a long time. We only have about half an hour to get the money and get away from the spot so it must not be heavy. If we ask for Malaysian currency, there is no thousand or five hundred dollar note. If we get three and a half million in fifty dollar notes we will need at least ten bags. How will we escape?

This link between large denomination notes and drug trafficking or money laundering has long been noted by law enforcement and economists, and is the reason behind the recent withdrawal of the 500 Euro note in Europe (Casciani 2010). Alohan confirms the highly practical reasons for the popularity of large denomination notes amongst criminals who need to make a quick getaway.

Collection of the ransom is, arguably, the most high-risk part of a kidnap for the kidnapper, which is perhaps why Alohan refers to this aspect of MO so often. Here he describes another useful trick for safe ransom collection:

Alohan: We have to be careful, even after taking the money because there might be a gadget in the bags the money is in, planted by the police to monitor our movements. You see, we learned this from movies like James Bond. We can substitute the bags or, for further safety, we can submerge the bag and money in a pond. It's just a bit of extra work to be on the safe side.

Alohan becomes cagey with further details that are, presumably, a more valuable area of his MO 'copyright' and arrived at through experience rather than culled from Bond movies or other teaching materials in the public domain:

Alohan: In the end we managed to get the money but, I'm sorry, I can't tell you how. The gang members have taken an oath not to divulge how we do it to anyone. Even when we were arrested under the ISA on suspicion of kidnapping and were interrogated by the police, we did not let out the secret. Even now the police do not know how we do it.

Alohan refers here to his technique of collecting the ransom money and getting away without being apprehended by police. Of course, the police do have some idea of how this part of the operation is worked:

Police officer D8-3⁴⁹: What we see is that these criminals do their own research ... They have expert knowledge of

⁴⁹ 12 police officers were interviewed from the Specialist Police Kidnap Unit (SPKU). This squad is subdivided into two further operational units - D8 Technical Intelligence (engaged in identification of suspects, surveillance, background information gathering etc) and D9 Kidnap Investigations (operationally in charge of kidnap cases and investigations). The police officers are referred to by

the area, especially when it comes to dropping off the ransom ... They may tell the victim's family to drive for a long stretch that will spread the police thin. How are we to control all along the road from Johor to Selangor? The reason is these criminals are organised and each of them will have their particular role to play. Some take the money, some are involved in making the calls and some are observers who will survey the drop area. Usually the drop is done at night or in an area which is isolated, which makes it easier for them to observe movements in order to avoid problems with the police.

Police officer D8-4: If you notice, below the highway are so many roads – minor roads, some dirt tracks, secondary roads and dead roads. So the kidnapers use these underpasses. We call them 'rat lanes'. The family members will be instructed to use the highway. Once they get to a selected point, they are asked to stop and drop it [the ransom] there.

In an interview with the retired former head of the SPKU, who is familiar with Alohan and his kidnapping activities, this aspect of MO was confirmed:

SPKU ex-head: One particular case was by Alohan [uses Alohan's real name]. He was involved in not less than eight kidnap cases in a period of three years. I consider him a professional because of his modus operandi. His group comprises of about eight to ten Chinese, with some

their unit, followed by a number that has been randomly allocated to aid in the collation of their interview material (e.g., D8-3 or D9-2).

Malays and Indians as well. He has his own strategy. He takes time for preparation and planning. His MO will normally be to kidnap the victim from the roadside and demand the ransom from the family, but the payout will be along the highway. The paymaster will throw the money out at a certain kilometre⁵⁰. For example, Alohan will say drop the money at KM-33 and he will make sure that at KM-33 there is a side road or underpass. Needless to say, his group has surveyed the area. Normally, our surveillance team will follow along the highway but once the money is thrown out, we lose track. So far, we have never caught this group red-handed ... Since the MO is so good, other kidnapers follow it - copycats. Whenever there is a highway payout our first suspicion will be Alohan.

From my knowledge of Malaysian roads and experience in surveillance, what I understand from this description is that the person delivering the money will be instructed to drive, alone, along the highway. He will have a mobile phone with him in his car and will be contacted, after he has set out, with instructions about where and how to drop the money. The kidnap gang will site members along the route at strategic points and monitor the progress of the car. When the person delivering the ransom nears the desired drop-off point, he will be telephoned and told to throw the money out, usually over a bridge or barrier to an underpass or side road below. The police, although they will follow as closely as possible cannot be too obvious in pursuit,

⁵⁰ Locations on Malaysian highways are often referred to by the nearest kilometre marker. The main North-South Expressway starts at Johor Bahru (JB) in the South and runs the length of the country to the Thailand border in the North; a total of 772km. Thus, KM-33 is the kilometre marker 33km from JB.

and do not have the personnel to monitor all of the possible drop-points. Of course, there is always the fear that, if the drop is compromised the safety of the victim might be jeopardised.

The other key element mentioned in the above interview extract from the SKPU ex-head is the extensive planning and surveillance that Alohan conducts before each job. This emerges as a strong preoccupation from Alohan's narrative:

Alohan: We tailed him for a week; his mistake was that he always had his breakfast once he arrived in Johor Bahru ... It took us about a month to properly scope the second boss ... We conducted surveillance and followed their movements for a month or so ... We managed to get him after about a month's surveillance ... So we took about a month to survey his movements to confirm things. ... We planned for about two weeks, which was quick because we already knew where his office was.

Thoroughness and attention to detail in the planning stages is something that Alohan takes great pride in and has adapted to other aspects of his operation:

Alohan: Just like my scorpion activity, I make sure that I target and analyse the businesses I open and only get involved in those I think I can do. Otherwise, why should we waste our time; time is very precious. Just like scorpion, I am the one doing the planning, market surveying and analysis of every aspect. If I decide on something, there is no such thing as failure.

There are two other aspects of Alohan's MO that require a mention here, but will be discussed in more detail later in the chapter. The first is the quite shocking story of how he convinces his victim that he means business:

Alohan: If they won't cooperate and give us the money, we use our heads and guile to brainwash or counsel them until they are willing to give us the money. The most we do to threaten them is to let them sniff the smell of petrol that we pour on a cloth and which we threaten to douse them with and set alight. What we actually pour on them is ice-cold water to give the sensation of petrol; if this is done in a cold, air-conditioned room it makes them fear for their lives. We then give them a lighter and ask: 'Do you want to set yourself alight or do you want us to do it for you?' ...

...[The victim] did not cooperate here and claimed that he did not have much money. All this while, we had never spilt any of our target's blood. This was the first time. We did it to extract the truth from him. We got a hammer and swung it on his big toe. That broke his toe and blood kept pumping out. He screamed in pain at the top of his voice, loud enough for the hills to hear him.

These are very tough paragraphs to read; and they bring home just how brutal the kidnap experience is and how cold-blooded and efficient Alohan's 'counselling', control and extortion tactics are. He even admits, at one point, that there are circumstances under which a victim might be killed:

Alohan: They do not know who we are because they are blind-folded. We must not let them recognise our faces because if they do, we cannot let them go alive.

But Alohan's group takes trouble to ensure that this does not happen, including administering 'lessons' (or beatings) to dissuade victims from looking:

Alohan: We blindfold them because we want to let them live. That is why we do it - because we never want to kill them ...

... Sometimes we ask them if they want to see our faces and also look out to see if they want to steal a look at us even when they are blindfolded. We only blindfold them. We do not tie their hands up with masking tape and then observe what they do. If they try to sneak a look at us, we will teach them a lesson. But we warn them that if they want to go home, don't try to look at us.

Fortunately, for my peace of mind, the SPKU ex-head gives confirmation:

SPKU ex-head: They never use firearms and never harm the victims. They only want money and they normally ask for millions of dollars.

The SPKU ex-head does not acknowledge the psychological hurt that Alohan inflicts upon his victims or mention any beatings. Presumably, therefore, when he says that Alohan

does not 'harm' the victims, he is either not fully aware of all the facts or he simply means that none of Alohan's victims are killed.

There is a sense of rapid evolution towards increasing specialisation in Alohan's kidnapping MO, particularly over the first three cases that he describes. In the first kidnap, he talks about having to quickly decide how to arrange the ransom drop and being guided by a movie he had once seen but, by the third kidnap, this is a well worked out routine:

Alohan: We had to think about how we were going to take the money because we had not seen this amount before. We also worried about him reporting to the police and what would happen then. Then I remembered a movie I saw on how kidnappers got the money ...

... We got the money at a pre-planned place, after making sure that we were not tailed by the police. But even if the police were aware, I was not worried as we had our own tactics for getting away.

It is not unheard of for real world criminals to learn MO from film or fiction. Identity fraud learned from the *Day of the Jackal* (Forsyth 1971) has been used by many criminals (Laville 2005). The information that we have here about Alohan's MO provides no real surprises or secrets of success. The weeks, if not months, of planning invested in each case do not paint a picture of impulsivity, even though kidnap itself is one of the more risky criminal ventures. What emerges instead is a picture of managed risk that might be instrumental in reducing costs yet maximising earnings.

As Kazemian and Le Blanc (2007) suspect, the use of violence tends to increase earnings yet attract police attention, so is a bad cost-avoidance strategy. Alohan certainly uses violence and intimidation but, again there is sense that this has been calibrated at an optimum level, at least for his particular circumstances. The police do not believe that Alohan intends to kill his victims and are, perhaps, justified in their policy that prioritises the recovery of the victim over the capture of the kidnapper. Alohan also knows, from bitter experience, that the use of firearms, in Malaysia, is liable to end in a jail-sentence. Furthermore, simply going armed in Malaysia is an invitation for the police to shoot on sight. He learned these early lessons and cultivated a reputation for committing kidnap without using guns.

However, there is another factor related to MO that might be even more responsible for reducing costs and increasing rewards – victim selection.

6.1.2 Victim Selection

Whenever the issue of victim selection is raised, the relevance of rational choice and routine activities theory must be considered, along with the three-fold requirement for motivated offender, suitable targets and absentee guardians (Cohen and Felson 1979; Cornish and Clarke 1986; Felson 2002). Offenders are assumed to weigh criminal opportunities and engage in these only when the positives outbalance negatives. Victim selection is, supposedly, part of this rational calculation and the logical suggestion is that successful criminals are more careful in their reckoning than unsuccessful criminals.

For his second major job, Alohan fell in with the victim selection dictated by his gang, when they decided to hijack a Singapore to Penang express bus full of Chinese passengers, because:

Alohan: ... it was the Chinese New Year celebrations – everyone had money. Those who worked in Singapore would have around four to five thousand ringgit to bring home.

This seems like a highly rational, if heartless choice, based on the gang's sophisticated understanding of local Chinese culture and behaviour and the earnings potential of cross-border workers. The other early crimes that he lists, before commencing upon the Scorpion project, include carjacking and payroll robberies. For Alohan, the foci are non-human – cars and payrolls. He ends up back in prison.

A pivotal juncture in Alohan's criminal career occurs when he is put into solitary confinement. He debates the ideal target with the man in the cell next door.

Alohan: In the end we decided to do a scorpion project and search for an evil businessman. Why? Because, if he was evil, there would be no worries if we hit him.

Although Alohan presents this decision as a moral choice, there are some highly pragmatic reasons for targeting 'evil businessmen'. Firstly, they are less likely to turn to the police:

Police officer D8-2: Those that are not reported are for reasons better known to them. Like families that are

involved in dodgy businesses. They could be in the drug syndicate or what. If their kingpin is kidnapped, they would rather pay hush-hush and get him released. Illegal gambling bosses for example.

Secondly, even where a police report is made, Alohan might count upon a lack of police sympathy and enthusiasm when it comes to helping victims who are crooks themselves. More than one criminology paper has concluded that a major benefit of robbing fellow criminals is that they have no recourse to legal authorities (Jacobs 2000; Wright and Decker 1994). The police insist that they treat all victims alike, but Alohan is convinced otherwise:

Alohan: [The police] have the ability to shoot us but they do not have the heart to do so because we are not an evil group that deserves to die. They are happy, too, because they can't do anything about those drug dealers and loan-sharks that they want to arrest; they can't do anything because their top bosses are in cahoots and stop them doing their job. Since our name became famous, they make noises about coming to get us but actually they give us advance warning.

SPKU ex-head: But there are a few cases where known underworld figures are kidnapped. Of course, some of them are reported. We know they are kingpins of illegal betting and gambling but, if they make a report, we still investigate without bias.

There is a discrepancy between Alohan's narrative and that of the SPKU ex-head with regard to his victim selection:

SPKU ex-head: Alohan only targets rich people who can pay any amount. They are not underworld people, they are not criminals, and they are genuine businessmen ... The Alohan group, as far as reported cases are concerned, goes for businessmen. I think all of them are Singaporeans stationed in Johor Bahru.

This does not necessarily give the lie to Alohan's word, as he consistently refers to his targets as 'businessmen'. Of course, there is no hard proof that Alohan only targets bad men and not innocent businessmen. However, there are few benefits for Alohan in telling outright lies about this. The first three victims are reported by him to be bona-fide, if abusive, factory owners. However, Alohan takes care to flag up possible underworld connections by his use of the word *Taiko*⁵¹ and his reference to bodyguards:

Alohan: The boss started swearing at me and said: 'Are you a *Taiko*? Who are you? Do you know that I am a much bigger *Taiko*? Just one call, all the guys will be here' ... It was useless for me to talk to him with his bodyguards around.

One of the more puzzling features of Alohan's target selection is that he does not choose particularly easy targets. These are people who, he says, are well-connected both to underworld networks and to high-ranking policemen and politicians.

⁵¹ Gang leader

According to Alohan, this insulates the crooked businessmen against law enforcement action but does not guarantee them protection against outlaws like himself:

Alohan: For example, these drug dealers and mafias who pretend to be businessmen usually try to be friendly with high ranking police officers, politicians or ministers. So if anything happens to their people, especially the bottom level who are involved in loan-sharking, for example, it takes just one call to these influential people who, in turn, will call their lower ranking officers and tell them not to take action ...

... Even though we take money, we only take them from the evil *taukeh*s⁵². The good police weigh this factor in. Those police who are out to get us, they don't weigh all this in because they are friends with the bad *taukeh*s.

...That is why we get to know the good police. They give us chances and advise us, too.

It seems somewhat judgmental of Alohan to talk about gangsters who pretend to be businessmen when he is, himself, a gangster and a businessman. This could be interpreted as highly subjective, self-absorbed reasoning on Alohan's part, where anyone against him is designated as bad and anyone on his side is characterised as good. There are links here to guilt neutralisation, which is discussed in greater depth in section 6.2.2, below.

⁵² Business owner or boss

There is still a remaining question about Alohan's choice of relatively hard targets, which goes against the logic of rational choice and against much criminological orthodoxy. Alohan says that he has a hierarchy of preferred victims:

Alohan: I warn my followers not to disturb good businessmen. This is our law. I tell them to go and get evil people – loan-sharks, drug traffickers, prostitution gangs.

These are people who are likely to have access to large sums of ready cash. In Jacob's (2000: 51) study of robbers who target drug dealers, one of his subjects gives a clear statement of targeting policy: 'The big boys are the best boys ... They the ones with the money'.

But as Jacobs (2000) notes, there is more to the selection of black-market entrepreneurs as targets than plain pragmatics and rational choice. He argues for a hybrid analytical approach that combines rational choice theory with phenomenological interactionism – the former to take account of the objective factors that shape offenders' decisions and the latter to tackle the subjective feelings and emotions that play an equally important part (see also Wright and Decker 1994).

Alohan is most emphatic about the moral reasoning behind his victim selection. He disapproves heartily of drugs traffickers and considers them legitimate targets:

Alohan: The drug lords are like king cobras, everyday their poison can kill ten people, so if we leave them to it, how many will they kill in a year? ...

... We targeted him because his activity was very evil and could destroy families. If one person in a family is addicted this badly affects the rest of the family.

Alohan's antipathy towards loan-sharks is less clear in origin. His reasons centre upon their strong-arm tactics and abuse of 'wives and daughters'; this gives rise to speculation about the possibility of motives derived from specific and personal experiences in Alohan's past:

Alohan: We targeted him because when he does his loan-shark business, if his debtors are unable to pay, he will go and get their women or daughters, strip them naked and photograph them and beat up the borrowers, too. ... We think this is excessive and believe that they should not do this to their debtors if they can't afford to pay up. People borrow money from them only when they are desperate. They force the wives and daughters to go and get money to pay the debts⁵³ ...

... The loan-shark is worse than a drug dealer because he goes and abuses other people's wives.

Victim or target selection criteria can be expected to vary according to crime type. When offenders choose to specialise in offences that bring them into close physical contact with human victims, they may have already rejected softer, easier targets. Even then, a well-planned kidnap for ransom is not like the typical robbery that, according to many researchers, is seldom attended by more than a few minutes of forethought and

⁵³ Alohan is probably implying, here, that the female relatives of debtors are forced into prostitution in order to pay off the loan-shark.

preparation (Hochstetler 2001; Jacobs 2010). As the phenomena of Stockholm and Lima Syndromes demonstrate, there are problems of transference to contend with, so there might be practical advantages where victims are selected from a pool of people that the kidnapper dislikes and despises.

There is also a view, particularly relevant for kidnapping and extortion, that this type of crime involves *strategic interaction* (Best 1982: 108), where there may be higher than usual levels of cooperation between perpetrators and victims: 'Tactical concerns set extortionists and their targets apart from their counterparts in other exploitative crimes'. This might offer some explanation for why Alohan targets Chinese victims from within his own underworld milieu. Cultural homogeneity and shared understandings could reduce the numbers of variables that Alohan has to take into account when dealing with his victims and the people he hopes will meet his ransom demands.

6.1.3 Informers and Informer Status

As already stated, I first came to know Alohan when he was introduced to me as a potential customs informant. I also know that he is a registered informant with the police. Although Alohan does not mention this at all, during his narrative, there is good reason to believe that informant status offers significant risk-reduction benefits to Alohan, along with other strategic advantages.

All customs officers interviewed during this research project emphasised the importance of informers to their work by stating that the majority of their investigative cases were based on

information received. Some of the KFR squad officers felt that informants did not have such a vital role to play, at least during the early stages of their investigations, but nearly all thought that informers could be useful in the later stages of a kidnap investigation, after the hostage had been secured or for intelligence gathering purposes.

Most of the customs officers believed that the best informants tended to be Chinese, because of their ties to syndicates and organised crime. Difficulties in recruiting Chinese informants were acknowledged, when the majority of customs officers were Malay. The following is the most typical comment:

Customs officer 14: I am Malay so it is very difficult to get Chinese informers. But if I do get Chinese informers they are A1 (the best!). It is so difficult to gain their trust unless we have mixed around with them a lot. The risks are very high. Usually the Chinese informers are those who are involved or live in the areas.

There was some specialisation according to ethnicity and locale noted by officers. It was suggested that, for the villages, the Malays made up the majority of informers, whereas for the cities, the Chinese predominated. Indians and Chinese were cited as the best informants in cigarette and alcohol smuggling cases, whereas Malays were more likely to have information about illegalities in car importation.

The customs respondents identify four main motivations for informing, which fall into the following broad categories: 1) money and rewards; 2) rivalry and competition; 3)

dissatisfaction, dispute or jealousy; and 4) civic-mindedness. This accords relatively well with the theory in this area. Fitzgerald (2007) argues that financial reward is probably the most often cited motivation, with informants of this type often referred to as mercenaries. Dunningham and Norris (1996) list the top four motivational factors for informers as: money; concessions regarding charge, bail or sentence; revenge, and help and protection in the future. They do not note the more strategic uses of informant status, such as competitive advantage or dispute.

Police and customs differ in how they recruit informants. The police often 'turn' a criminal once he or she has been apprehended for some offence. The criminal or defendant informant will strike a deal to lessen punishment in return for cooperation and information (Fitzgerald 2007, p23). These are non-existent within Malaysian customs, where defendants always face, in the first instance, a financial rather than a penal sentence, and so have less motivation to turn informant than those facing prison or worse – death.

A type common to both police and customs is the double agent or perversely motivated informant, who uses his relationship with law enforcement strategically, to help his own criminal operations. By getting close to his handler, he gains an inside track, which he can use to gather information about ongoing investigations and other enforcement agents (Fitzgerald 2007). As a former customs officer, I have encountered informants who deliberately passed information about rivals in order to gain competitive advantage. I have also seen how such informants nurture their handlers as assets by giving information leading to

good quality cases and seizures. As the handler's profile rises and their influence increases, so does their usefulness to their strategically-minded informant. This works like a perverse loop feedback cycle of mutual benefit and hidden detriment for customs and their opponents the criminals.

All of the officers insist that they are firmly in control and, as with UK police officers ACPO (Association of Chief Police Officers) guidelines for handling informants, under no especial obligation to protect their informants. As is the case in the UK, officially at least, if their informants are caught out in illegalities, the officer has no choice but to take action against them. However, a few of the Malaysian customs officers admit to grey areas and dilemmas:

Customs officer 1: Sometimes this kind of people, you know there are so many types of informers but most of the informers are not the type that will stick with you for long. ... they just become normal friends, so probably, we will use them when they migrate to a different syndicate. There is a relationship (between us and the informer). In the issue of who controls who, the way things are, they just provide us whatever they should provide us. We don't listen to them. We do our own investigation and surveillance and make sure whatever they say is right or wrong.

To the question of whether or not we must adhere to the provisions stated in the PBSI⁵⁴ regarding the handling of

⁵⁴ The Preventive Branch Standing Instruction (PBSI) is a confidential document kept only by very senior officers in the Customs Preventive Division. This document serves as a guideline for conduct of officers within the Preventive Branch. Unfortunately, it is not possible to say what this document

informers, what is written and what we practice in real life are very different. We can't follow what's there.

Sometimes the officers (senior officers) can only talk but they have never handled informers. ... There are rules and regulations to follow – yes we follow but then when you are on the ground, you must understand what happens. The problems with informers like if they need funds or others, we have to handle this personally.

The Malaysian customs PBSI does lay out explicit conditions for the ethical use of informers. But, as some of the testimony above suggests, the officers are well aware of the dilemma that says the most valuable informants are active criminals, but these will immediately lose their value if they are arrested for their own crimes (Williamson and Bagshaw 2001).

Although I have only used Alohan as an informer in smuggling cases, the SPKU ex-head has also used him to inform on other kidnap gangs:

SPKU ex-head: I made use of him [Alohan] a lot of times. Not only him but other kidnappers ... They know the network

I am convinced that Alohan is a clever strategist and has used me and other colleagues in law enforcement, knowingly, as a means of risk reduction.

contains as any leak of the content is classed as an infringement of the Official Secrets Act of Malaysia.

6.1.4 Subcultural tolerance or legal cynicism

One of the main questions that this research hopes to address is the possible role played by subcultural tolerance of deviance in the facilitation, by others, of Alohan's serious criminal offending. Cloward and Ohlin (1961) define subcultural tolerance of deviance as the situation where subordinate groups or neighbourhoods share norms that render certain forms of illegality or violence more likely than for more dominant or conventional sectors of society. Alternatively, there is what some theorists refer to as legal cynicism (Carr *et al.* 2007), where the critical issue is less about norms that encourage or fail to deter offending and more about shared distrust of the police and other sources of authority and control.

While Alohan acknowledges the reluctance of Chinese Malaysians to report crimes to the police, at first he attributes this to the Chinese philosophical outlook, which he feels is very different to the Malay or Indian attitude:

Alohan: As I am a Chinese, I know what the Chinese attitude is. If the Malays or the Indians are robbed or assaulted they will go and make a report. If the report is not accepted, they are tireless and will go here and there to make the report. The Chinese feel that when they are robbed but are not injured or killed, they should take it as a debt paid to someone and not a problem. They do not want to make a fuss; if the robber is in need, let him have the money. When there is no report, the person who did the robbery will say: 'this guy did not make a report, so I will not disturb him anymore'. The Chinese do not want

any more problems; they just take it as a debt that they had to pay. If they think of it as debt, ninety percent (if not all) of the Chinese do not want to make a report. I am not able to say this if it is the Malays or Indians who are the robbers.

However, Alohan does speculate that his Chinese targets might not make police reports because they lack trust in the authorities:

Alohan: The majority of the Chinese will not make a police report. Where there is a report lodged, it is done by the wife or a share partner. They don't usually report because they know what wrong they have done. If they go on to report it they will get themselves into trouble because they are involved in drugs, loan-sharking and smuggling. Another reason is they are worried that, if they break their promise to us, we will return and get them. They also see in the media that in ninety percent of cases, especially scorpion cases, there are no arrests. This makes them frightened and they mistrust the police ...

... The political situation in Malaysia is not right. The power is with the Malays – not balanced; when we look at the police, ninety five percent are their people. It is difficult for the Chinese, Indians or Sikhs to get promoted....

These are quite telling passages. Alohan's victims have cause to be afraid on several levels; firstly, it has been brutally brought home to them that their security is not assured; secondly, there

is a chance that their own criminal activities might be uncovered and, thirdly, the low arrest rates make them doubt police effectiveness and, possibly, police commitment to them as members of an ethnic minority at high risk of kidnap. Alohan notes the under-representation of Chinese and other ethnic minorities in the Malaysian police as a political problem.

The officers from SPKU agree, to some extent, that the Chinese approach makes them particularly vulnerable to extortion:

SPKU ex-head: The Chinese normally, if they think they can afford to pay and the amount is reasonable, they pay and settle everything off. That is why, for example, so many extortion cases in Malaysia are not reported. Businessmen are extorted for money monthly. It is a known fact that this exists until today.

But there are also some thoughtful comments about the Chinese lack of confidence in the police and their fear of reprisals from members of their own community:

Police officer D8-4: I don't think they have confidence in the police. I think because of the way we handle some of the cases. Of course, not all police officers are professional. So, sometimes, when the Chinese look at the police, the first thing they think is that they [the police] want money. The perception that they have of the police is, sometimes, very negative. Not all Chinese are like that. We have a lot of cases where the Chinese family members came and reported to the police and we managed to solve their cases. But, with the majority, we

do have a lot of problems. It is not only with kidnapping. In other types of crime we also cannot get much information or cooperation from the Chinese community ...

... The majority of policemen are Malays and, if you look back, there is the impact of the secret societies. Before, when they knew that people from the Chinese community had given information to the police, they [the secret societies] would take action against them. Maybe that is what the Chinese fear.

These are extremely suggestive answers and raise many important issues for policing and crime control in a multi-ethnic country such as Malaysia. Officer D8-4 acknowledges that the majority of police are ethnically Malay and admits that this dominant group has problems in gaining the confidence of the second largest ethnic group in Malaysia, the Chinese. He highlights two of the three key factors that Henderson and Davis (2003) say underpin the unwillingness of immigrant populations to report crime: distrust of authorities, fear of retaliation and lack of confidence in the police.

On the other hand the SPKU ex-head does seem to take a more subcultural stance. He alludes instead to a Chinese way of doing things, a willingness to negotiate and settle affairs without recourse to officialdom, provided it is practicable and affordable.

6.1.5 Ethnicity and Offending

Very few of the police or customs officers⁵⁵ have qualms about describing offending behaviour along ethnic lines. The majority of kidnappers are thought to be ethnically Chinese, although more Indian groups are emerging. The majority of alcohol and cigarette smuggling syndicates are said to be Chinese.

The predominantly Malay interviewees feel that there are ethnic characteristics that favour the involvement of Chinese people in criminal enterprise. The features on the list are largely complimentary, if stereotypical, and range from smartness and boldness, to money-mindedness and the gambling spirit.

The small-time criminality of Malays is mentioned, as opposed to the big-time, business-like enterprise of the Chinese:

Customs officer 2: The biggest smugglers, for example, cigarettes are the Chinese. When it comes to narcotics, most of them are Malays but they are the small cases.

Customs officer 16: Most of the direct smuggling for alcohol and cigarettes ... are done by syndicates. Most of the syndicates are Chinese because it is big business ... The lower runners are Malays or Indonesians.

Customs officer 2 is a little incoherent, but I understood him to mean that most of the cases that he is aware of to do with narcotics involve Malays, but these have been small cases. He

⁵⁵ As the police were from the Kidnap for Ransom squad, their main focus is naturally upon kidnap and extortion. Customs officers, of course, will talk from the perspective of their experience in smuggling and customs fraud, etc.

does not say who he thinks are the narcotics king-pins. From my own experience, the narcotics syndicates tend to be headed by non-Malays, most commonly the Chinese. This is for the reason given by customs officer 16, that they are in charge of well-financed syndicates. Two customs officers saw the lack of Malay involvement in a more positive light, as stemming from their greater respect for the law and religious morality.

Several references are made to the monetary capital required to fund large-scale criminal activity. This, perhaps, taps into beliefs about the Chinese as the dominant economic force in the country, with greater access to capital and business skills.

Officer D8-1 does not comment upon hierarchies within criminal gangs or say whether gang bosses tend to be from one ethnic grouping more than another, but does paint a complex picture of racially mixed gangs.

Officer D8-1: There is a mixed community in Malaysia.

We have come across kidnapping members who are Chinese, Indian and Malay grouping together to kidnap a Chinese victim. We do have solely Chinese groups who kidnap other Chinese. We have a solely Indian group who kidnapped a Malay guy. It is a mix. So far we do not have specialised groups that only go for Chinese and so on.

The SPKU ex-head also refers to exceptions, but insists that the main players are usually Chinese.

6.1.6 Ethnicity and Victimization

The police interviewees are in no doubt about the ethnic group that is targeted most by Malaysian KFR gangs. For the SPKU ex-head and most of the other policemen, there is a simple explanation. The Chinese (whether they be Malaysian, Indonesian, Singaporean, Hongkongese or Taiwanese Chinese) have more money. Officer D8-3 agrees but holds some rather more interesting views:

Officer D8-3: Firstly, if we look at their standing in the community, the Chinese are mostly businessmen. They have the money. The kidnapers look at those who can afford to pay. The kidnapers also prefer to kidnap those whose language, culture and background they are familiar with. They need to understand this. Chinese prefer the Chinese. The Indians prefer the Indians. There are not many Malays ... What I see, especially with kidnapping involving Indians, is that even when they demand one million they will never get one million. Usually, they get around 100 to 200 thousand only. Their homework on their target is flawed. They see their target as having money but it is usually not to the level they expect. But when it comes to the Chinese, we must not underestimate them. Even though the demand is big, sometimes up to three or four million and where we thought that this amount of cash could not be taken out from the bank in one or two days, they can still do it. They may have friends who can help or contribute - there is a support network. You know the Chinese business community is very big so they can support each other.

What officer D8-3 may be referring to are those strategic moves and decisions that a successful kidnapper like Alohan needs to take into account, if he is to remain at large. According to this officer, it makes sense for Alohan to choose victims who can pay the ransom and with whom he can identify. This understanding will form the basis for better predictions, efficient negotiations, profitable outcomes and reduced risks.

6.1.7 Ethnicity of Enforcement

To repeat a point already made, Malays are over-represented in Malaysian law enforcement agencies and civil office in proportion to the other main ethnic groups, the Chinese and Indians. This is confirmed to be true for the Kidnap for Ransom Squad, in common with most other departments and divisions in the police. The SPKU ex-head explains that it is important to have Chinese officers available to the unit, for the sake of the victims. However, he makes no mention of the operational importance of Chinese officers when it comes to actual investigation, where language skills, local and cultural knowledge and the ability to blend unnoticed into the community are invaluable.

SPKU ex-head: Whenever a kidnapping takes place, for example in Johor, the IO⁵⁶ will be from Johor's D9 Unit. D8 is the coordinating body. If the victim is a Chinese, we make sure that we put a Chinese officer with the family to coordinate with us and our control team. We have a combination of people on the ground doing the surveillance. If we believe the perpetrators are Chinese

⁵⁶ Investigating officer

and the victims are Chinese, we will try to put Chinese rank and file officers with the victims ...

... The government has been trying to impress non-Bumiputras⁵⁷ to join the force for many years, hoping that they come forward, but we don't have a good response from them ... probably because the Chinese, in particular, are more money conscious. They fear that they may be shot dead and also the pay is so low. So it is better for them not to join the police. During the 1970s, starting pay was only about RM100 [per month]. Without promotion the most it went to was six hundred plus⁵⁸ ... I can say that a lot of the Chinese feel that it is not up to their expectations ... Normally, they [Chinese recruits] will try to make detective ... Maybe because it is easier for them to get money, to put it very bluntly. And you can see in the force, in the past, most of the Chinese detectives are positioned in the place where they can easily make money. They work their way to these positions.

There is a pronounced stereotype at work here that says the Chinese love money and the reason they do not favour a career in the police force is because it represents high-risk for low pay. If they do join, Chinese officers try to manoeuvre themselves into positions where they can 'make money'. That these stereotypes are so widely held suggests that, perhaps, institutional racism

⁵⁷ A Bumiputra, literally translated as a 'Prince of the Soil', is defined in Peninsular Malaysia as a person who has one Malay parent or who is an indigenous native (there are slightly different definitions for the Borneo states of Sabah and Sarawak). Malays are well represented in government and public service roles.

⁵⁸ In 1980 exchange rate for the Malaysian dollar, the Ringgit (RM), was just over RM5 to £1. Today, it stands at about RM5.70, although this may fluctuate widely because of the volatility in current global currency markets.

might be a barrier to Chinese recruitment and retention as well as the slim pay packet.

6.1.8 Problems with Investigating Crimes in Ethnic Communities

In this section, we return to the problems that afflict a mainstream law enforcement department when they investigate crimes committed in subcultural enclaves or perpetrated by members of ethnic minorities. Any disadvantages for the police might represent advantages for Alohan to exploit.

Police officer D8-2 identifies problems encountered by the police when entering close-knit Chinese communities. Gossip about police activity quickly spreads, alerting suspects. Secluded villages are particularly difficult for outsiders to penetrate. Where Chinese family members are involved the police get no support.

According to police officer D8-1, there is a general disinclination amongst the general public to help the police and 'meddle in other people's business'. He believes that this is a little more pronounced in Chinese communities but is less so than before, say, in the 70s.

The SPKU ex-head remains optimistic about Chinese attitudes towards the police themselves but shares some concerns about police image versus effectiveness:

SPKU ex-head: I think now, the thinking is a bit positive ... Even in the papers you can see, especially Chinese newspapers, all about the crimes being committed and

what the police are doing about it. In Johor especially, even the MCA⁵⁹ and DAP⁶⁰ highlight this issue...

It depends on the leader of the police force and how we run the organisation, especially the CID people. If you disallow the police to look for information in places like night clubs or karaoke bars ... this is where the criminals gather. We are not allowed to go there now, to the places where the underworld gathers and spends or gambles their money ... It's more about protecting image. Everybody presumes that, being policemen or police officers, we cannot afford to go to these places. They assume that if we go there, we are corrupted, that we are being entertained by certain characters.

Image is, of course, important if members of the community are to have trust in the police and authorities. However, my interviews with two prominent Chinese businessmen showed that problems run much deeper than the police themselves appear to realise. There were three broad areas that were identified as possible causes for failure to report crimes to or reluctance to co-operative with the police: lack of faith due to incompetence; corruption; and differential policing of ethnic groups:

Chinese Businessman–1: No, I will not report ... If the money is not too much. For example, if you have 100 ringgit but they ask for 20 ringgit, you can give. If you

⁵⁹ Malaysian Chinese Association – the political party representing Chinese moderates, founded in 1949.

⁶⁰ Democratic Action Party – nominally a multi-racial party, but with a core membership of ethnic Chinese

have 100 ringgit but they demand 200 ringgit ... which is more than you can afford, you have no other way but to report ... Once, people came to my premises with a gun, to extort money from me. Maybe I did not tell this before to you. They demanded RM132,000 from me – asked me to cash a cheque ... I told them I couldn't afford it. Then they demanded RM8,000 ... I gave them the money. I did not make a report ... Once released, one of them came to me again and demanded RM20,000 and I settled it with him. This is normal with businessmen who face criminals. If you do not give, it is problematic.

Chinese Businessman–2: If it is a burglary, we are forced to [report] because of insurance claims. The rest we do not like to report ... For us, if we can settle, we will settle. Even if it is a big case, we will try to settle.

This looks like the cultural norm that favours settling matters privately, claimed for the Chinese by members of law enforcement and by Alohan himself. However, this is tempered by the first businessmen, who doubts the police ability to handle cases competently, perhaps, as a result of poor systems or technology. He mentions recent cases from Tangkak and Malacca⁶¹, where the families did report kidnappings of their children but where the victims were eventually murdered. Presumably, he feels that these were bungled.

The second businessman contrasts Malaysian police unfavourably with the neighbouring Singapore police:

⁶¹ Tangkak and Malacca are towns in Malaysia.

Chinese Businessman–2: We do want to make a report. But then even when we report, there are no results, what is the point? ... If you look at Singapore, there are many Chinese there. People make reports on any matter, no matter how small it is, because they [Singapore police] take action ... they do not differentiate whether you are Chinese, Malay or Indian. If you make a report they will come in 5 minutes. Here's an example - my friend's house [in Malaysia] was burgled. He made a report in the morning but until the evening the police did nothing and did not come over. Even until late at night, they did not come ... When others make a report, they are quite eager to take action ... Malays. They [police] look at the race ... Maybe because they are from the same race, that's first ... If we report, they do not take action.

Corruption, where police take bribes, is a common complaint and each businessman believes that this is endemic within the police force:

Chinese Businessman–1: Just like my friend, he was a supplier of ecstasy pills. He was caught with 20,000 pills in his car, right here with three others. They paid the police RM400,000. They were in the lock-up for 30 days. The police who took the money promised them that the case would be settled but they had to be locked up for 30 days just as a show. They then 'throw' the case ... The police before then [1997] were not too bad. Even if they took money they still worked. Now they take the money but do not work. The Chinese way of thinking is different. When we pay, we want you to work.

Chinese Businessman – 2: I believe that formerly there were about 20 percent of police officers who do their duty, but their bosses are corrupted. So the bosses might get the officers transferred. These officers are forced to become corrupt in order not to be transferred or denied promotion. If they do not cooperate, they might get transferred anywhere.

Both businessmen confirm that they would not report kidnap or extortion to the police, if they could afford to pay the demands. They present this as a practical, rational decision and culturally determined approach. They express a lack of confidence in the ability of the police to protect kidnap victims and voice strong convictions about police corruption and the pointlessness of following the official route, when the culprits can easily bribe their way out of trouble. The Chinese way of thinking is cited by these interviewees, where ‘settling’ things amongst themselves is by far the preferred approach. The second businessman holds strong opinions about what he sees as race-based policing. Although the subcultural norm of ‘settling’ might provide a crime-tolerant environment for extortionists, legal cynicism is also present, making it impossible to discount either explanation.

6.2 Intrinsic Factors

6.2.1 Searching for Validation: Robin Hood Syndrome

Classic subcultural theorists like Cohen (1955) propose delinquent subcultures as the means by which pro-crime attitudes, rationalisations for deviant behaviour and techniques

for offending are transmitted. This influential idea has been seen as a useful extension to Sutherland's (1947) theory of differential association, which presents criminal conduct as learned behaviour developed through social interaction with others. Delinquent subcultures are sites of rebellion against mainstream society and members hold norms and values that reject those of the dominant culture. However, in their seminal article, *Techniques of Neutralisation: A Theory of Delinquency*, Sykes and Matza (1957) disagree that delinquent subcultures are a 'countervailing force directed against the conforming social order' (Sykes and Matza 1957: 664). They argue that individuals who completely identify with a subculture's supposedly oppositional norms should, logically, feel no guilt or shame for breaking society's rules, yet present evidence that delinquents do feel shame or remorse and that respect for honest, law-abiding citizens is not unusual.

Alohan's narrative confirms his belief in some mainstream values and religious belief systems. As he says, he does not 'target good people as God would be very angry, right?' Alohan appears to accept that 'good' and 'bad' people exist and, as Sykes and Matza (1957: 665) suggest, draws a 'sharp line between those 'bad' people who can be victimized and the 'good' ones who cannot. He believes 'the laws are valid' but that 'some do not work according to the law'. From not liking the police, particularly in the aftermath of his brother's shooting, Alohan eventually arrives at the view that: 'There are some police who really follow the laws and I do admire them'. This very much echoes what Sykes and Matza (1957: 65) say about delinquents' respect for 'really honest' people but their keenness to detect hypocrisy in those who claim to be righteous.

There is a fascinating passage in the narrative where Alohan's conscience is bothering him and he goes in search of absolution:

Alohan: After about being involved in five or six cases, we started praying and went in search of a sifu⁶², because we were worried and we knew what we were doing was wrong. The police were searching for us. The gangsters were also looking for us. We were not worried about our own safety but we were afraid for our families. So we searched for a sifu to advise us on what to do. We didn't actually tell him what we were doing. What we did was to ask him: 'If there is someone who hurts or kills good people, what should we do?' We learned a lot from our sifu, who is a Buddhist. He is quite old, over seventy years old. [Through him] we came to know what Alohan does; we feel that we are Alohan and are doing his work. We feel at ease because we don't target the innocent. I do believe that, all this while, we have been safe because of the way we do things.

After the sifu told us this, we felt a bit relieved and could see that we were helping many people. Once we help people, there is nothing to worry about. We feel that we are doing Alohan's job and according to the religion we are not guilty. We may be guilty according to the law but, according to the religion, we are right.

Alohan and his group deliberately cast around their wider culture in the search for justification and find it in the old battleground of religious morality versus secular law. At first sight, this appears

⁶² Religious teacher

to show that criminal groups can and do look outside their immediate subculture for norms and values, which can be applied retrospectively to morally suspect behaviour. However, Alohan is no stranger to quasi-religious ritual, if accounts of Triad initiation ceremonies are correct, and he seems to know in advance where he will find spiritual comfort. As previously discussed, Buddhism plays a prominent role in Triad mythology.

Religion is traditionally thought of as therapeutic and a powerful force for the rehabilitation of offenders (Knutten and Knudten 1971; Pearce and Haynie 2004) but empirical research has shown both positive, negative and non-existent links between religiosity and delinquency (Hirschi and Stark 1969). Stark (1996: 164) eventually concludes that ‘what counts is not only whether a particular person is religious, but whether this religiousness is, or is not, ratified by the social environment’.

Social context is, in other words, all important. There are plenty of precedents for sinister links between religion and crime. Gomez (2009) reports the Federal Police Commissioner of Mexico’s concerns about the troubling relationship between the religious cult of *Santa Muerte* and organised crime in his country. Religious elements have been adapted for use by criminal gangs to encourage recruitment and group cohesion, holding out as they do the seductive promise of divine protection and expiation of sins. In the above extract, Alohan seems to be claiming a similarly potent mix of supernatural defence and religious endorsement.

There are obvious parallels between the mythologies of Alohan and Robin Hood. The latter has achieved the status of a

syndrome in Western criminology, being used to describe a wide range of criminal behaviours where material resources are redistributed away from the rich towards the poor and where victims are denied on the basis of their disproportionate wealth or power. Eoyang *et al* (1997) explains that heroic, yet anti-establishment images often have great significance for gangs and may provide an important adaptive device for bonding groups together under simple sets of rules.

Hobsbawm (2001: 20) coins the phrase 'social banditry' to describe 'peasant outlaws whom the lord and state regard as criminals, but who remain within peasant society, and are considered by their people as heroes, as champions, avengers, fighters for justice, perhaps even leaders of liberation, and in any case as men to be admired, helped and supported'. Robin Hood is presented by Hobsbawm (2001: 46) as the archetypal 'noble robber' who needs, in order to qualify for the designation, to begin his career with some non-criminal dispute which involves an affair of honour, injustice or defence of the poor against the rich and powerful. If a gangster is successful in appropriating such imagery, there are many precedents that suggest, as the people's champion, he may be able to promise some level of community support to his followers.

Young (2001) remains sceptical about the validity of romanticised Robin Hood imagery:

The subcultural theorists are in agreement with more orthodox views on crime on one thing. That is that crime is carried out by criminals who positively embrace illegality. For the conservative theorist it is because the

person is either wilfully evil or lacks a sense of legality; for the subcultural theorist it is because a culture has emerged which elevates criminality to a virtue. Both of these are - in the vast majority of instances – wrong. (Young 2001)

This is only a problem if criminologists get carried away with the imagery, too, and begin to believe in their subjects as bona fide rebels and folk heroes. It remains perfectly valid, however, to speculate about the utility of hero or anti-hero status for transmitting, via cultural short-hand, the rules and values that bind groups together and garner community backing. Alohan, himself, seems sure that this message has been successfully conveyed:

Alohan: Real gangsters are steady⁶³ and help people, they don't burden them. I see this as my character and my style, and I call upon others to copy me. So I carry on like this and everyone is happy and everything is fine. Even the school teachers, Ustaz⁶⁴ and Buddhist monks all like me.

6.2.2 Techniques of neutralization: Feared by the Bad, Loved By the Good

Sykes and Matza say that, while justifications can follow deviant behaviour and prevent self-blame or maintain a healthy, unspoiled self-image, they can also pave the way for deviant behaviour to follow by overcoming inhibitions or neutralising the

⁶³ Steady is one of Alohan's favourite complimentary terms and signifies a person who is cool, calm and collected and whose behaviour is trustworthy and reliable.

⁶⁴ Islamic religious teachers

internalised social controls that might otherwise prevent an individual from committing a proscribed act. Throughout Alohan's narrative, there are many justifications or rationalizations of his offending behaviour. One way of organising these justifications is to use techniques of neutralisation (Sykes and Matza 1957), which include: denial of responsibility; denial of injury; denial of the victim; condemnation of the condemners; and appeal to higher loyalties. Examples in Alohan's account that appear to fit the description for each of these so-called techniques are easy to find.

Denial of responsibility refers to the way that offenders try to disarm criticism by claiming that they are affected by forces outside of their control. When he absconds from the PCO⁶⁵, it is because there was no food, no work, no one to turn to and no choice. There is a section in Alohan's narrative where he describes the death of his brother and the purpose of this story may be to show the powerful forces ranged against him.

Alohan: After a short distance, I heard something that sounded like a firecracker popping. There seemed to be a crowd gathering, so I went to have a look too. There was a night market there ... When I looked, I said to myself: 'That's the car I lent my brother'. I saw my brother slumped on the steering wheel, dead. I also saw a friend of mine dead in the same car. I wanted to get closer, to touch my brother. Just as I was about to do that, a friend of mine pulled my arm, told me not to make any noise and said that the police wanted to shoot me too. They were aiming for me. My friend dragged me back to the housing

⁶⁵ Police Control Order

estate. We took two taxis to where my family was, got my wife and kid into the taxi and left. At that time she was pregnant again. All of us, including my friends, got into the two taxis and left hurriedly without taking anything with us. I was very sad then - very, very sad. Those puki mak⁶⁶ police shot my brother dead. My brother - he did not do anything wrong ... Actually, they wanted to shoot me but shot him by mistake. The police wanted to ambush me but my brother's face was similar to mine.

Alohan complains about the unjust killing of his brother, which propels him into flight again with his pregnant wife and child, underscoring his own helplessness in the face of police persecution.

Matza (1964) writes about the role of desperation, where delinquents who have been made to feel powerless in some way regain control by committing offences. The picture painted by Alohan is of a period where the reins of his life are out of his hands. The idea behind the PCO (commonly referred to in Malaysia as a banishment order) is to separate offenders from their former criminal associates in an attempt to wean them from crime, but this also cuts Alohan off from family support. The act of absconding, on the one hand, sees Alohan seizing back control yet, on the other hand, such self-control is limited as it propels him back into gang culture.

Alohan seeks the moral high ground in his escape from a lawful existence, saying that he does not 'harm' his victims even

⁶⁶ The English equivalent to this Malay profanity would be 'motherfucking'. While telling this story Alohan becomes very agitated and is clearly upset at recalling the death of his brother. This is the only time he swears throughout the entire series of interviews.

though he admits to administering severe beatings on several occasions. These beatings are framed as lessons: 'I wanted to cut his penis off to teach him a lesson'; '[w]e intended to chop him up but not kill him - just teach him a lesson'; '[i]f they try to sneak a look at us, we will teach them a lesson'. He gives no thought at all to the psychological trauma that he inflicts. His victims need to become like 'students' who learn. Alohan is satisfied that he is providing a public service in teaching them and that they come to no permanent harm. In the grander scheme that Alohan has devised, he is actually preventing injury by reforming bad guys who hurt others: 'He couldn't promise to stop doing illegal things but he did promise to stop hurting people'. Although Alohan repeats his reluctance to kill his victims, there are occasions when he envisages that this might be unavoidable, for instance if a victim sees the faces of his captors and might be able to identify them or target them for retaliation.

The technique that appeals to higher loyalties seems to be relevant. Alohan confirms what Sykes and Matza (1957: 669), say about always having to help a buddy. The ritual bonding that he and his gang peers go through has already been mentioned, as has his first stint in prison at 18 years of age, which came about because he wanted to help a friend. Alohan also talks about the difficulty of retiring from kidnapping, because he has to keep watch over his criminal 'franchisees':

Alohan: I don't take any money for what my followers do. They are the ones gambling with their lives, they take the risks. If anything goes wrong they are the ones who will be jailed or hanged. I just help them, without taking any

money, because they follow me and my way ... For those who follow me, I must not let them down as they are still young. They ask for my assistance and I will surely help them.

Clearly, there is an issue of status maintenance here. Alohan is a respected criminal. Retirement from crime might terminate this status. Such criminal status maintenance as a guilt neutralization factor was not considered by Sykes and Matza (1957), perhaps due to their focus on more chaotic offenders such as delinquent boys.

The next technique of importance considered by Sykes and Matza (1957) refers to 'condemnation of the condemners'. In this respect, police and political corruption are abiding themes for Alohan, although there needs to be some care in delineating precisely what Alohan would classify as corrupt behaviour and what it is that he is actually condemning. Alohan always thinks situationally in terms of corruption and he does not necessarily equate this with the use of networking and influence, which are important aspects of both Chinese and Malaysian culture. The use of connections is only bad if used to further 'bad' business, for instance, loan-sharking, drugs trafficking and running prostitution rings:

Alohan: The taukehs are close to the police. Every month they give salaries⁶⁷ to the police. Let's say they are friends with a Chief Inspector or ASP⁶⁸. After ten years, the officers may have been promoted to the rank of

⁶⁷ The word salary is used here as a euphemism for a regular bribe or pay-out.

⁶⁸ Assistant Superintendent of police

SAC⁶⁹, DC⁷⁰ or maybe even IG⁷¹. The taukehs will contact them and tell them: 'Hey boss, these are my people'. The top officers will only consider the number of years they have taken money and nothing else. They will call the people below and say: 'Hey look at these cases. They are our taukeh's people, see what can be done'...

... The police have to listen to those who have money and who are close to the politicians. If a policeman wants to get promotion, he has to be friends with politicians. The politicians in UMNO⁷² or the MCA⁷³ are the ones with power, so the police will be close with them.

However, Alohan's attitude towards the police does not, as would be predicted by the work of Sykes and Matza (1957: 668), harden into 'a bitter cynicism directed against those assigned the task of enforcing or expressing the norms of the dominant society'. For example, after a well-intentioned ex-Internal Affairs officer convinces his parents to make a successful complaint against the officers who shot his brother, Alohan's attitude softens over time:

Alohan: This police officer wanted to have his car repainted. I found out that he was the head of the Internal Affairs. When I finished doing his car and returned it to him, he asked me to tell him about myself. I told him that I

⁶⁹ Senior Assistant Commissioner

⁷⁰ Deputy Commissioner

⁷¹ Inspector General

⁷² United Malays National Organisation – the largest Malaysian political party and part of the ruling Barisan Nasional (National Front) coalition.

⁷³ Malaysian Chinese Association – another constituent member of the Barisan Nasional (BN), this time representing Malaysia's ethnic Chinese. The other major BN party is the Malaysian Indian Congress (MIC).

did not like the police much and did not want to have anything to do with them. I told him I was angry because in 1990 my brother had been shot dead by the police for no apparent reason.

He advised me to get my parents to lodge a police report. Only then did I realise that there was an Internal Affairs division in the police. Within four months of the report, members of the D9 were arrested. They had been involved in the staging of bank and goldsmith robberies and then shooting their sources in the gang. Sixteen officers with the ranks of ASP, Chief Inspector, Sergeant and all were arrested and suspended. There were three or four of them that went to prison ... They were caught in 1995 ... I now felt then that there were good police officers, too.

Alohan, while certainly no angel himself, seems justified in condemning his condemners, based on his personal experience. However, Sykes and Matza (1957) explain that the validity or otherwise of any counter-condemnation is not the issue – apparently, the trick the offender tries to pull is the deflection of criticism away from himself and onto others. Despite the superficial fit between Alohan's narrative and the description given of this technique, this is less convincing upon reflection. All police are not held in contempt and Alohan does not appear to elevate his condemnation of certain corrupt officers to a level where it excuses his own offending. He is not saying, in effect, society is corrupt, therefore he is justified in behaving as he pleases. The main problem, according to Alohan, is that police corruption leaves him with no choice but to take the law into his

own hands. His explanation is that the police do not act to control the bad guys, so Alohan and his group have a 'duty' to step in, in their place.

Although Alohan uses rationalisations that resemble those on Sykes and Matza's (1957) list, the one that has been saved until last, the denial of the victim, requires a more in depth discussion and its own dedicated section.

6.2.3 Denial of the Victim

The justification strategy that leaps out of the narrative is Alohan's denial of the victim. Denial of the victim can take two forms. Firstly, crimes can be represented as victimless, or where victims are absent, remote or abstract. The second form is the most significant where Alohan is concerned. This is where offenders 'see their victims as wrongdoers and perceive themselves as avengers of the wrong' (Maruna and Copes 2005: 233). The victims are, thus, cast as responsible for their own victimisation and deserving of righteous retribution (Jacobs 2000; Sykes and Matza 1957).

Alohan supplies parables that explain his moral position with regard to his victims:

Alohan: Scorpion is deemed as wrong, we know that. But we try to balance the whole thing and we are not worried. ... Let me tell you a story. There is a man who has a knife and stabs people, killing many. If you had the ability to kill the guy, would you go and kill him or not? God knows, if you do not want to kill him then you are more evil than

him because you would let him kill innocent people. This is what the sifu told us ...

... Here is another story ... the elderly from previous generations ... tell us not to step on living things or kill flies. Now there is this mosquito - it bites people and they become sick and die. The older people say I must not hurt any breathing being, yet they know the end result – these older people are so stupid. I must weigh all this because this mosquito kills and, if I let it go, it is just like I killed the whole village myself. I had the power to kill it, but I did not. Why? Because I wanted to save myself. So this makes me a useless person ... Just like if I see a snake, I will go and kill the snake. If I don't kill it when I can and it goes and kills two people a day how will that be? In the end the bodies will pile up, you know.

Alohan clearly believes that his victims deserve what happens to them and that he is performing a useful social service by teaching them lessons. He does not doubt that kidnapping is normally wrong, but that his victims need not be considered because of their own culpability. As discussed earlier, there are practical advantages, too, associated with targeting other criminals. There appears to be no need to choose between neutralisation or more strategic considerations as motivating factors behind Alohan's victim selection. Each can co-exist to support and strengthen the other.

Maruna and Copes (2005) highlight one of the main problems with neutralisation theory, the issue of sequencing. This refers to the point at which the neutralisation is invoked, before the

offence in order to neutralise inhibitions or after the offence in order to protect self-image. Sykes and Matza (1957), themselves, suggest that while rationalisations and justifications are used after the event, techniques of neutralisation may be used in advance to deflect anticipated disapproval of deviant behaviour whilst maintaining a positive and intact self-image. If neutralisations do, in fact, precede offending then they can be viewed as a part of criminal aetiology, even if the causation involved is of the negative variety⁷⁴.

Narrative analysis does not provide the ideal basis for making definitive decisions about the staging of neutralisations. By its nature, this narrative is an *ex post facto* account. Alohan relates his story quite a long while after he first specialises in kidnap for ransom and it is, therefore, difficult to be certain about the way that neutralisations are employed and whether, indeed, they are neutralisations at all or whether they are simply after the fact rationalisations.

If Alohan's narrated timeline is uncritically accepted, there is ambiguity in the narrative about the initial motivation behind his victim selection. The two prisoners, in their adjoining solitary confinement cells, begin by talking about different types of ideal crime, including bank, goldsmith and Scorpion projects. They decide that kidnapping is best because it will create 'no worries' if they target evil businessmen. There is an unanswered question over whether Alohan means moral or practical worries,

⁷⁴ Negative causation refers to cases where the absence of a specific factor can be held responsible for causing an effect or, conversely, the presence of a specific factor prevents an effect. This is the topic of much philosophical debate (see Schaffer, 2010). One example frequently cited is the negative causal link between vitamin C deficiency and scurvy, where the disease results if the vitamin is absent from the diet but is prevented if the vitamin is included. The question here is whether the removal of an inhibition against committing crime can be viewed as a necessary or sufficient causal condition. Negative causation is notoriously difficult to test empirically.

but the suspicion is (as discussed earlier) that risk reduction is a strong motivator. Alohan does not seek out a sifu until he and his gang have carried out five or more kidnappings. Alohan's denial of the victim technique was not fully formed when he carried out his first kidnap and has the feel of a story that has since been retrospectively shaped and polished.

The evidence for this view can, perhaps, be teased out from between the lines, as Alohan tells the story of the first three kidnaps. To set the scene, Alohan says that he met with his former friend from solitary confinement for daily meetings over a period of weeks, to plan the Scorpion project they had envisaged while in jail. Their first opportunity presents itself in the shape of another friend who needs Alohan's help with a private problem:

Alohan: One day, after about two or three months and daily meetings for weeks, a friend came to see me. He said that his wife worked in a big factory and the owner was a Singaporean. He complained that the owner raped his wife but he did not dare to report the matter because he feared that the owner had gangster connections. He started sobbing and explained that, although his wife wanted to resign, the owner refused her resignation.

This factory was co-owned by three Singaporeans; two had majority ownership and the other one was a minor partner. The first and second bosses were the culprits. I was very annoyed when I heard this. I told my friend to bring his wife over; I wanted to hear the whole story. A day later, he and his wife met with me and my mate from prison. According to her, she was invited by the boss to a

dinner party. She said that the boss got her drunk and, instead of taking her home, he took her to his factory. There was a bedroom there, where the boss raped her; she was not able to resist as she was drunk. In the end, the boss threatened to tell everyone that she'd been meeting him for sex if she did not comply. Afraid of this, she kept the secret for about six months.

I was really angry. I said: 'Never mind, if you want to resign, tomorrow I will go to the factory and meet the boss. You just stop going to work. I don't think there will be any problem'.

Although Alohan has juxtaposed this story with a parallel plot, where he and his mate from prison are planning the perfect crime, he is careful not to say that the factory owner is targeted for kidnap straightaway, despite letting us know that his prison friend was present for the meeting with the wronged wife. Alohan, throughout, stresses his anger.

Alohan: So the next day my friend and I met up with the boss. I told him that my friend's wife wanted to resign: 'Please don't force her to stay on. We will forget about whatever has happened before this'. The boss started swearing at me and said: 'Are you a Taiko? ... My friend and I left and discussed what to do next. At that moment I wanted to cut his penis off to teach him a lesson.

Initially, the meeting is not presented as a reconnaissance for kidnap, but as an attempt at mediation, where the boss is given the chance to do the right thing. He ignores this chance, thus

sealing his fate. The key motif is that the boss is responsible for his own victimisation and that Alohan, because of his anger, is not responsible or accountable for the consequences of the boss's intransigence. It is only after the boss disrespects him that Alohan declares his wish to emasculate the man:

Alohan: For one week we did our work, stole a car and stood by. He would arrive at the Singapore customs checkpoint and head for Johor Bahru around 9am daily. The journey to his factory took about one and a half hours but he usually went for breakfast in Johor Bahru first. We tailed him for a week; his mistake was that he always had his breakfast once he arrived in Johor Bahru.

My friend and I decided to get him. We didn't have firearms, only knives. We and three other guys, five of us altogether, decided to get him and teach him a lesson. However, luck was on his side. Whenever we saw him at the place, policemen were having breakfast there at the same time. On the third day, I decided to follow him on the highway. I wanted to see if he stopped for a toilet break along the way. If he did, we would get him then. God answered my prayers. After breakfast, we tailed him onto the highway. Suddenly, he stopped at a rest area and went to the toilet. We smiled, parked our car, put on crash helmets and then bundled him into his car. We drove off with both cars.

It was daylight and there were people who saw us but we did not care as we were very angry. We intended to chop him up but not kill him - just teach him a lesson.

Alohan is still implying that he is in the grip of overwhelming, vengeance fuelled anger. The impression he wants to give is that he is someone who is not in control of himself, so much so that he is oblivious to the risk, not caring that people can see him. Katz (1999) describes a remarkably similar phenomenon in 'pissed off drivers', where anger and the desire to teach an offending other a lesson also come into conjunction. This can sometimes erupt into road-rage but, usually, the most the pissed off driver can do in the way of instruction is lean heavily on the horn or indulge in some aggressive tail-gating. In the story that Alohan tells us, however, he acts on his righteous anger:

Alohan: We switched cars along the way and got another friend to ditch the car we used. In the end, I drove the car and my mate started to hit him and threatened to kill him. We threatened to cut off his penis; this made him very scared. He said he was willing to pay us two hundred thousand if we released him. I got very angry and hit him, too. I grabbed his arm and put his hand on my pocket. He asked me what is in it.

Alohan wants us believe that only now does the snatch turn into a full-on kidnap for ransom. Suddenly everything is very businesslike and there are no more threats about cutting off penises.

Alohan: I said: 'I have half a million US dollars here, why should I want two hundred thousand? Are you crazy? You think we are car boot sales merchants?' He then said: 'Never mind, I can give you one million'. I said: 'I want one million Singapore Dollars, OK?' He said: 'Please don't

cut off my penis ... don't hurt me'. I told him: 'Now you call, I will give you an hour'. He said: 'It's not possible in one hour'. He requested two hours but I gave him three ... special for him. He called his business partner to get the cash ready.

We had to think about how we were going to take the money because we had not seen this amount before. We also worried about him reporting to the police and what would happen then. Then I remembered a movie I saw on how kidnapers got the money. We went into an orchard near the highway and contacted the second boss. Even if the police arrived we were not worried; Boss number two had not seen us before. We told him to come at 8pm. He came and was very steady – he did not make any report. We took the one million then. After about two hours, we let the first boss go. We kept our word and did not harm him.

Afterwards, I met up with my friend and his wife and gave them a hundred thousand Singapore dollars and told them to move away from the area. We had nine hundred thousand Singapore dollars left, which we divided among the five of us. It was then that we realised how easy it was to get money.

This account is followed by a further two episodes of kidnap, repeated against this boss and his business partners. Each kidnap is motivated, Alohan would have us believe, by anger and not by cold calculation:

Alohan: After some thinking we decided to go into straight business. But after two weeks, one of our friends overheard the two bosses talking in a restaurant about giving away a million dollars. They were boasting that one million was like a single hair from their legs. They said that they had engaged the services of armed bodyguards and would like to see if anyone was brave enough to approach them now ... This made us very angry, so I contacted all my mates and planned a second case. This time the target was the second boss. The second boss also took part in the sexual assault on my friend's wife.

By the third kidnap, the story has taken on the quality of a folk-tale. The bosses have issued three dares, direct challenges that Alohan and his gang cannot allow to pass:

Alohan: After that, they started having bodyguards waiting for them at the customs checkpoint. They didn't go separately; the three bosses took two cars and were escorted by armed bodyguards to and from the factory. We thought that was that, enough!

But some time later, they were overheard again, saying: 'If they come again, next time they'll be in deep trouble, they'll be terminated'. They boasted that their bodyguards were sharpshooters from the Special Action Squad. This was also overheard by our friends. This made me really angry. Now, we had a better plan – we were going to kidnap all three of them.

Katz (1999: 47) remarks upon the sensual dimensions of anger but notes that 'anger doesn't seek audience approval'. This might be true, but Alohan's claims of anger in his narrative do elicit an audience response. We are expected, if not to approve, then at least to understand that anger is a force that has its own momentum, beyond and outside of Alohan's control. This could be taken as evidence for the use of two techniques of neutralisation, simultaneously, the denial of the victim and the denial of responsibility. Crimes of passion, committed in hot-blood or states of temporary insanity, are viewed by most cultures as less cruel and culpable than those committed in cold-blood. One of the problems that Alohan has is to reconcile his extensive, highly rational and presumably cold-blooded planning, which takes place over weeks, with his account of hot-blooded anger. He manages this by relating a series of insults and challenges which allow him to exhibit righteous anger at critical points.

Other criminologists have added to the list of possible neutralisation techniques, including: the metaphor of the ledger; comparison and postponement; the claims of normality, entitlement and the defence of necessity (Benson 1985; Coleman 2002; Conklin 2004; Cromwell and Thurman 2003; Klockars 1974; Maruna and Copes 2005). This research, too, could add refined techniques to the list, but this is currently beyond its scope.

Existing neutralisation knowledge provides a useful hypothesis for explaining Alohan's narrative, although it does not go far enough in appreciating the rich storyline that he has constructed. The problem with proliferating more and more techniques of

neutralisation is that increasing focus upon fine distinctions is not helpful when faced with the broad reflective, subjective account of Alohan's life history. This is especially true when the research methodology is based upon narrative analysis which, by its nature, cannot realistically solve the fundamental problem of guilt neutralisation sequencing.

Maruna and Copes (2005) complain that neutralisation theory (Sykes and Matza 1957), although widely recognised and cited, is badly underdeveloped and is failing to achieve its explanatory potential. They are doubtful whether it is possible to confirm or disprove neutralisation as a causal element of crime but, instead, believe that the theory is useful for explaining persistence once a criminal career has begun.

6.2.4 Accounts, Excuses and Justifications

Alohan has provided a narrative which can be thought of as a series of accounts. Scott and Lyman (1968) define accounts as linguistic devices that are drafted into use whenever social actors need to explain unexpected or untoward behaviour. The following explanation is based upon Scott and Lyman's (1968) thesis. According to the authors, there is no need for an actor to produce an account for behaviour that is natural or commonsensical or follows culturally accepted patterns. Accounts are more loaded than simple explanations as the latter are not called upon to answer for the 'wrongness' of the behaviour under review.

Accounts can be split into two types, excuses and justifications. Excuses are employed to relieve actors of responsibility for

questionable behaviour and fall into one of four modes: appeal to accident, appeal to defeasibility, appeal to biological drives and scapegoating. By appealing to accident, people attempt to escape blame by placing responsibility for their untoward behaviour on circumstances they claim are beyond their control. This excuse is usually accepted, provided people do not make use of the accident account too often. For instance, a person will receive sympathy if she accidentally falls over and injures herself but, if it happens too often and cannot be attributed to an acceptable cause like illness, she might get a reputation for clumsiness and be blamed for not paying attention to where she is going.

Defeasibility refers to knowledge or volition. If a person has not been given all the facts, is acting under duress, is intoxicated or is not in full possession of his mental faculties, this might also excuse his behaviour. Again, this is an excuse that must be used sparingly. In cases of fraud victimisation, for instance, a person might be excused for falling victim to a scam the first time, but could be scorned for foolishness if he makes a habit out of it. The saying 'fool me once, shame on you, fool me twice, shame on me' is apposite.

The biological excuse diverts blame for bad behaviour away from us and onto our uncontrollable bodies, including gender-linked biological urges or unruly hormone levels. Finally people use scapegoating to excuse bad behaviour by blaming others for their actions (Scott and Lyman 1968). These excuses are roughly analogous to the fatalistic 'denial of responsibility' technique of neutralisation.

When people employ justifications, they are not necessarily setting out to deny responsibility. They accept that under normal circumstances the behaviour in question is wrong or unwarranted but on this occasion there are specific conditions that render it acceptable. For instance, it is normally considered bad to kill another human being, but acceptable if done in self-defence. Scott and Lyman's (1968) four main justifications are derived from and are thus exactly the same as for the remaining techniques of neutralisation: denial of injury, denial of the victim, condemnation of the condemners and appeal to higher loyalties. There are two other justifications listed: sad tales, which explain a person's present state based upon their sad past; and self-fulfillment, where a person justifies behaviour as an expression of their right to a happy, exciting or fulfilling life.

Approaching Alohan's narrative as a set of accounts rather than as a collection of neutralisations has the advantage of making the social context of his story-telling explicit. Techniques of neutralisation supposedly work primarily on the conscious and subconscious minds of individuals who are contemplating deviant behaviour to overcome inhibitions against offending or protecting self-images against potential damage. However, an account is a statement of justification, produced by the account-giver and received by the account-seeker. I set out to elicit Alohan's explanation and justification and he obliged. As Scott and Lyman (1968) suggest, accounts may be honoured or rejected and much depends upon the 'background expectancies' of story-teller and auditor. Alohan might feel the need to justify or explain behaviours to me, a former law-enforcement officer and present researcher, where no such obligation would exist between him and, say, his gang members. The account

paradigm recognizes that normal individuals will change their account depending upon their audience. It seems, thus, safer and more accurate to view Alohan's narrative as a series of accounts than as a collection of techniques of neutralisation.

6.2.5 The Importance of Narrative

The cognitive revolution has been welcomed by most other sociological disciplines but, despite neutralisation theory being 'one of the earliest, fully articulated sociocognitive or narrative accounts of deviant behavior', criminology has hesitated until recently to embrace cognitive and narrative-based research (Maruna and Copes 2005: 224).

There is increasing recognition that neutralisations, excuses and justifications are all aspects of self-identity, incorporated into narratives that are used by social actors to guide and organise their behaviour (Maruna and Copes 2005; McAdams 1993; Sarbin 1986). But they are only a narrow part of the full narrative. Agnew (2006: 126) believes that the stories criminals tell can play a role in the aetiology of crime:

The qualitative research points to the existence of certain common storylines conducive to crime. Criminals often describe such storylines when asked why they committed particular crimes, and field researchers often detect storylines when observing offenders.

Agnew (2006: 127-136) identifies five common storylines: 1) a desperate need for money; 2) an unresolved dispute; 3) a brief but close involvement with a criminal other(s); 4) a brief,

tempting opportunity for crime; 5) a temporary break with conventional others and/or institutions. Instead of looking to extract neutralisations, justifications or excuses, the scope of storyline analysis is deliberately kept broad, so that all the background factors leading to the crime and any initiating factors can be noted. Storylines allow for fluctuating levels of self-control, which change over the course of the story as they are affected by prevailing conditions, rather than viewing self-control as a fixed quality or background factor.

The storyline reproduced above, detailing Alohan's flight from banishment fits with the desperate need for money, while his first three kidnaps definitely fall within the parameters of the unresolved dispute. Agnew (2006) says of the unresolved dispute that it has four key elements. Firstly, there must be some provoking behaviour, where another person does something that poses a challenge, perhaps to a core value or cherished identity. This is perhaps what happened when the first boss rejected Alohan's attempts at mediation. Secondly, the other person is blamed for, thirdly, provoking negative emotions, like anger. Finally, crime is seen as the best response. Alohan wanted to give the boss a lesson but, surrounded as he was by bodyguards, this was not possible unless they kidnapped the boss and separated him from his minders.

Remarkably, this seems to be the pattern that Alohan describes for all subsequent kidnaps, which become practiced, honed and formularised. In other words, a template has been produced, that has been cumulatively built and refined over time. This provides a pattern by which he can interpret the actions of potential targets, creating self-fulfilling predictions about their

behaviour so as to satisfy the conditions for kidnap to occur. On one occasion, outside of the interview, Alohan inquired with me about a mutual acquaintance who was a wealthy Malaysian entrepreneur. I felt strongly that, had I complained about this businessman's character, there was a high likelihood that he would be made to fit Alohan's template and would have been kidnapped soon afterwards. I made sure to speak very highly of this gentleman's moral character.

6.3 Chapter Summary

This chapter considers Alohan's status as a 'successful', persistent criminal and uses his narrative to search for clues that might account for his apparent ability to profit from crime whilst avoiding associated costs.

Possible factors have been divided into extrinsic factors related to Alohan's negotiation of his environment and use of resources available to him. The category labelled intrinsic factors includes his belief system, norms, values and how he rationalises, justifies and neutralises his behaviour.

What we see from a close analysis of the narrative is that it is not possible to privilege extrinsic over intrinsic factors from Alohan's account alone. Nor is it possible to say in what order factors are brought into play now that Alohan has woven them into a rich fabric that contains descriptive detail alongside justification, rationalisation, template formation and, it cannot be denied, a degree of mythologizing.

Fortunately, this PhD thesis is the beginning rather than the end of a study of Alohan. Alohan is someone whom I have known for many years already and is likely to remain in my life for many more years to come. With his ongoing consent, a fully longitudinal study can be undertaken to

see whether he desists from crime in future or whether his criminal career develops in any new direction. Once the constraints imposed by PhD level research are relaxed, it will be possible to approach future research using mixed methods aimed at understanding his organised crime networks and observation of his legitimate business activities. Of course, there are some areas of Alohan's life where no researcher will ever be able to follow.

7 **Conclusion**

This research took advantage of the opportunity to conduct in-depth narrative interviews with a successful career criminal, who specialises in kidnap for ransom, with an aim to identify and understand factors that underpin his long history of offending and his extended involvement in serious crime. As such, this thesis is the first known published, academic account furnished by someone who is suspected by police to be actively engaged in the kidnap business but who is still at liberty. On the one hand, therefore, it provides an original and significant contribution to existing academic knowledge on kidnap, which more usually revolves around: legal definitions; discussions of high-profile cases; interviews conducted with victims or incarcerated offenders; or statistical and risk analyses based upon police, court or news reports. On the other hand, the very fact that the main research participant is an active and serious offender imposes some major limitations upon the scope of the study.

The primary method chosen for the research, a case-study based upon life-history interviews and narrative analysis, was largely dictated by circumstance. Direct observation might have been the preferable approach, or least one that is easier to justify, because it avoids the criticism that there has been an over-reliance upon the word and the memory of a single participant and one who, furthermore, has every reason to view the truth as a flexible commodity. However, as outlined in Chapter One, observational work was never a possibility; while Alohan was a long-standing associate and known entity by virtue of his role as a police and customs informant, there were understandable concerns from the University Research Ethics Committee about researcher safety. Any form of direct observation of Alohan and his gang was ruled out altogether as presenting unacceptable risk. Consequently, tight restrictions were placed upon the way in which the research was

conducted. Meetings were confined to safe houses, cutting off researcher and participant alike from a more natural setting. This was a deep shame and something of an inflexible waste of valuable access, of established trust between participant and researcher and of the well-honed observational skills of an ex- law enforcement officer. An observational element to the project could have lent greater authenticity and veracity and is a direction that is being seriously considered for future post-doctoral research.

Thus, the research format that the project has been forced to adopt has shaped the kind of analysis that is possible. The life-history, narrative interview is able to provide insights through the stories that Alohan chooses to tell about his life and the way that he has lived it. Even with the benefit of skillful interviewing to draw out particular themes, those aspects that he remembers most vividly or which he selects for retelling may be the most revealing. The four key perspectives employed in this thesis are a *criminal careers* approach (Blumstein *et al.* 1986; Farrington 2002; Piquero *et al.* 2007; Soothill *et al.* 2009), *techniques of neutralization* (Agnew 1994; Sykes and Matza 1957; Zdun 2007), *storylines* or *narrative criminology* (Agnew 2006; McAdams 1993; 2001; Presser 2009) and *cultural criminology* (Ferrell *et al.* 2004; Ferrell *et al.* 2008; Ferrell and Sanders 1995; Presdee 2000). These perspectives have formed the focus of the thesis, perhaps, at the expense of other equally relevant theoretical material. One reason for this is that narrative analysis fits particularly well as a method of analysis with theories that contain a strong cognitive component.

This thesis cannot compare with published biographies of the stature of Klockars' (1974) *Professional Fence* and Steffensmeier and Ulmer's (2005) *Confessions of a Dying Thief*. Because these authors had the luxury of time and word-count, they were able to examine every theoretical gap in minute detail. This research project is restricted in

scope to aims and objectives that have been approved by a postgraduate research committee. The committee, in turn, is constrained by ethical, duty of care and reputational considerations, especially where its student researchers are concerned.

Alohan is an active, organised and serious offender who is relating information about the commission of crimes that are capital offences in Malaysia. He has to be careful about the level of detail that he gives and I had to warn him not to divulge any information that might place me under an obligation to report him to the authorities.

At the outset of this project, the literature review gave rise to an expectation that Alohan's narrative would most likely include a justification for his offending, in order to counteract feelings of guilt. In recent years, the dominant theory to grapple with this concept of justification has been Sykes and Matza's (1957) *Techniques of Neutralization* and, sure enough, it proved possible to match some of their categories against Alohan's account, but this was only the beginning of the story.

The next major analytical influence brought to bear was the concept of storylines, which deals with narratives not only as a description of criminal activity but also as a possible explanation. Of particular relevance is the emerging awareness of the role that offenders' stories might have in instigating and justifying their behaviour (Agnew 2006; Bennett 1981; McAdams 1993; 2001; Presser 2009). Storylines or narratives might incorporate accounts or 'neutralisations' of the crimes themselves but, in addition, they also pinpoint key events or turning points that lead up to the crime but which might be at some distance from it, temporally, spatially or emotionally. For example, Alohan describes the situation after he was released from prison under a police control order, where he wanted to go straight but found himself unable to

provide for his new family. This is a distinct part of his narrative that helps us to understand why he absconded from police supervision, and which eventually culminated in career criminality, but would not fit neatly into any scheme of justification or deviancy neutralisation.

Although often seen as problematic because they may not contain strictly accurate representation of events, narrative accounts have long been recognised as valuable by criminologists, (e.g. Sutherland's (1937) 'professional thief' to Steffensmeier and Ulmer's (2005) 'dying thief'). There are three main ways in which narrative might be employed within criminology. The first is as a 'factual' record of what happened, but this is most often criticised because the narrator might understandably be motivated to present a selective and distorted account. The second use is more interpretive, where researchers attempt to understand the subjective view of an offender and his or her reaction to events. The third use has been termed a 'constitutive view of narrative' (Presser 2009, p184), where a narrative incorporates accounts of experience, acts of symbolic interpretation on the part of the narrator and also patterns of behaviour. These latter can be built from a variety of sources but, in Alohan's case, the role of myth and legend is highly apparent as a model for his conduct. As McAdams (1993, p13) maintains: 'We do not discover ourselves in myths; we make ourselves through myth'. It was this constitutive approach that proved most illuminating in the analysis undertaken.

From the very start, with the alias that he chooses, Alohan anchors himself firmly within a specific cultural setting. He might be a member of a despised or distrusted ethnic sub-group, but he is also a diasporic descendant of one of the planet's most ancient civilisations, with its rich tradition of folktale, symbolism, motif and archetype. Alohan has aligned himself with the mythic history of the Shaolin monks in the same way that Jamaica's Christopher 'Dudus' Coke has courted the Robin Hood

tag (McLaughlin 2010). So, while we seek more pragmatic and direct answers about Alohan's descent into the criminal underworld – related perhaps to his childhood poverty, his early education, his association and offending patterns and journey into crime - narrative analysis also helps us to uncover a deeper on-going reality for the career adult offender. This fits particularly well within the area of cultural criminology and with what Young has to say about 'the importance of placing crime and its control in the context of culture', where crime and control are both viewed as 'creative constructs' (Young and Brotherton 2004).

In the quest to understand crime as meaningful activity, cultural criminology has evolved from a combination of sociological criminology and cultural studies, via symbolic interactionism and post-modernism. Unlike the more positivist branches engaged in the study of crime, the 'doing' of cultural criminology encourages the consideration of identity formation, sense-making and representation. Ferrell (2010) believes that illicit subcultures should be seen as sites of 'stylized resistance and alternative meaning', and Alohan's account provides us with a significant example against which to examine such concepts.

In Chapter Three, there is an attempt to synthesise the various typologies encountered during the literature review, so that Alohan's specific style of kidnap can be characterised and situated within the broad range of offences that fall under the kidnap and abduction heading. The approach taken to this categorisation is purposive, looking at kidnap for ransom as a largely rational crime with an economic or political incentive, as opposed to abduction, where psychological or pathological elements may be more readily apparent. The kidnaps carried out by Alohan appear to fit more comfortably at the economic end of the spectrum and display a strongly strategic aspect, where targets are selected because of their illicitly acquired wealth and their prominent position within the local criminal underworld which makes licit

dispute resolution problematic. These factors combine to produce a supply of victims for Alohan and his gang. His victims are likely to behave in ways that Alohan understands and is able to predict and control. Underground economies are often cash-based because of the anonymity this provides, so it is a fairly safe bet that crime bosses will have easy access to substantial sums of untraceable currency to facilitate their own operations. Alohan clearly counts upon the reluctance of his targets to involve law enforcement for fear that their own illegal dealings might be uncovered.

Although Alohan's motivation appears to be best explained by the rational choice perspective, where he carefully weighs the benefits versus the risks of kidnap for ransom, it cannot be said that he derives no emotional satisfaction or political benefit from his kidnapping business. Even if some of his kidnappings are viewed as strategic acts, rather than purely economic ones, some important elements of purpose would be neglected. This raises the question of whether any schema could adequately chart all the purposes that might be served when a serious crime is planned and committed.

Chapter Four deals with Alohan's account of the onset of his criminal offending, comparing and contrasting the details of his story with criminal careers and subcultural theories, which have been forwarded predominantly by western criminologists in the context of British and American gang culture and youth crime. With regard to criminal careers theory, many of the predictors of youth offending do appear, superficially, to apply to Alohan: his family regularly subsisted on an unreliable and inadequate income; his educational achievement was poor and he left school early with no formal qualifications. One of the main areas of discussion within these chapters centres on the relevance and applicability of such predictors to a non-Western setting. For instance, some countries do not share the British history of welfare and

social housing provision, so it would be dangerous to make assumptions about the role played by poor housing or low family income, based on British research into delinquency.

The chapter begins to grapple with the research question that queries the role of culture and subculture, by an introduction to Chinese cultural norms, archetypes, myths and legends, all of which form a backdrop to Alohan's early socialisation. This overview is necessary, in order to appreciate his 'seduction' into gang culture. The chapter also takes a historical look at the Chinese immigrant experience in Malaysia as the setting for Alohan's story and as necessary information if the reader is to appreciate the tensions between the various ethnic groups within the country. In particular, the most recent resurgence in Triad influence and Chinese distrust in Malay authority can be traced to the traumatic events around the time of the communist insurgence, when many Malaysian Chinese were subject to compulsory resettlement in New Villages. The police, who are mainly recruited from the ethnic Malay majority, face great difficulties in policing an ethnic Chinese community that has cause to close ranks against them. The question is whether this could give the appearance of a subcultural tolerance of crime when it could, in fact, simply be a rejection of police legitimacy. The chapter continues with these themes by examining the relationship between culture and subculture, juvenile delinquency and recruitment into gangsterism.

Alohan's offending did not begin until he moved to the city, secured a job and began to provide not only for himself but for his family. His entry into the gang owed more to their seductive image and their attractive subculture, which he seemed to positively embrace, rather than to a rejection of main-stream norms. Alohan may have been primed for this by his early experience, as a member of a distrusted minority, for which gang culture and legend were embedded and historically resonant. He did not follow exactly the path described by Chin (1990), who blames

weak social control by families, schools and the community in general for the provision of a reservoir of alienated and delinquent youths ripe for gang induction. Instead, according to Alohan, he does not come into conflict with the law until after he has been recruited by the gang and bound by oaths of loyalty and images of toughness, reliability and 'steadiness' in a crisis. The very word delinquent, meaning as it does the failure to do what is required by law or duty, seems inappropriate. Duty is something that Triad-style gang membership emphasises, with its long list of rules setting out members' obligations and responsibilities. Again we are pointed in the direction of subcultural theory and cultural criminology, for a framework within which to understand the role of image, style and meaning construction and how these contribute to the onset of Alohan's criminal career.

Incidentally, Chapter Four suggests a solution to O'Brien's conundrum, where he asks what is cultural about cultural criminology. The main methods of ethnography include various degrees of participant and non-participant observation combined with interviewing. This PhD research has been forced to forego observational data and, therefore, can only access a subjective account of behaviour filtered through the memory of experiences, actions, feelings and sense-making. Because of its methodology, this thesis has no choice but to focus upon the narrative elements, such as symbols, heroes, rituals and values. These are perpetuated primarily in the stories that we tell – in an arena where words do speak louder than actions and where the pen is mightier than the sword. One of the conclusions of this thesis is that the impact of such cultural elements can be traced through offenders' accounts of engagement in crime and that the cultural criminological approach provides a useful framework for understanding this.

Chapter Five addresses a major theme that reoccurs throughout Alohan's narrative, the concept of crime as work. The relationship

between crime and work is considered against theories about the so-called political economy of crime and is reviewed against Alohan's experience and ideas on the subject. This is where answers to research questions are sought regarding the interplay between legitimate and non-legitimate work and persistence of a criminal career where there appears to be no economic necessity.

It is a commonly expressed notion that work is tightly bound up with a person's sense of identity. Beck (1992) is not the only person to have made statements like the following, in the apparent belief that he is speaking a global truth: 'The occupation serves as a mutual identification pattern, with the help of which we can assess personal needs and abilities as well as economic and social position'.

Alohan suggests that he might have been diverted from his criminal career after leaving prison, had he been able to earn enough through legitimate employment to support his young family. However, it becomes clear that, in common with other entrepreneurs (for it must be accepted that, with his varied portfolio of legitimate businesses, Alohan is genuinely entrepreneurial in nature) he does not see 'work' as synonymous with employment. He presents his kidnap for ransom business as a vocation, for which he possesses the necessary attributes. Alohan appears to gain satisfaction from a 'job' well-done, has worked hard to perfect his *modus operandi* and is keen to pass on his skills to worthy apprentices or franchisees.

Alohan's narrative tends to support the observations of authors like Ruggiero and Gottschalk. Ruggiero (2000) sees people oscillating between the licit and illicit with a certain amount of freedom and fluidity, seeking opportunities wherever they are presented, while Gottschalk (2009) notes some of the basic similarities between legitimate enterprise and criminal entrepreneurship.

However, one of the most valuable insights gained from an analysis of Alohan's ideas about work and crime is that these, too, are culturally, temporally and geographically specific. Protestant and Confucian work ethics might sound superficially the same but stem from different worldviews and may be expressed in quite different ways. When Beck made his general statement about the defining nature of work, he ignored cultural differences, but criminologists do this at their scholarly peril, especially when they are proposing general policies that equate desistance from criminal careers with the provision of job opportunities.

Chapter Six attempts to draw together some of the disparate strands introduced in previous chapters. Alongside Alohan's narrative, interviews with a fellow gang member, law-enforcement officers from the police and customs and other Chinese businessmen are introduced. This additional testimony helps in rounding out answers to the central research questions about the part played by subcultural tolerance of deviance and criminogenic norms, attitudes and beliefs in Alohan's extended criminal career. The concept of the successful criminal provides a helpful theme, where dynamics or mechanisms that might help to explain Alohan's effective cost avoidance and material gain are discussed under the headings of extrinsic and intrinsic factors. Extrinsic factors relate to Alohan's negotiation of the environment, tools and resources available to him, while intrinsic factors refer to cognitive or sense-making processes.

The external factor that seems to have most protective and productive utility for Alohan is his victim selection, where he counts upon the involvement of his victims in criminal enterprise or otherwise blameworthy behaviour. Alohan selects his victims from the Chinese business community, which could confer protection as a result of Chinese norms against reporting serious crimes like kidnap and extortion to the police. However, when asked, Chinese businessmen refute this

suggestion, saying that they would happily report such crimes if they had confidence that the police would afford them the same level of protection as the Malay community.

Moving to intrinsic factors, another principal focus is upon techniques of neutralisation and alternative methods that Alohan might use to rationalise his own behaviour. It did appear, at first sight, that Alohan made significant use of neutralisation techniques. Most notable was the apparent denial of the victim, with the kidnaps acting as a 'form of rightful retaliation or punishment' and his appeal to a higher loyalty in his Triad gang membership (Sykes and Matza 1957, p668). However, this does not seem to cover Alohan's whole system of justification and explanation, as he seems also to be appealing to a higher authority or higher morality. So needful is he for this kind of endorsement that he seeks out a venerable Buddhist monk to provide him with spiritual guidance and approval. For example, such guidance should be compared and contrasted with that sought by an Italian Mafia boss confessing to his priest.

A problem with a *techniques of neutralization* approach that has been highlighted by theorists like Zden (2007) is that it is unclear at what point neutralisations should appear, to qualify as such. They might be produced prior to a crime or during a chain of contributing acts in order to overcome inhibitions, or they might be produced after the completion of an offence as a retrospective legitimisation that restores the offender's positive self image. However, as part of Alohan's unfolding narrative, they were being produced at a much later date than most of the events that he described. His justifications and legitimisations became mere elements in a complex, richly interwoven tapestry that, as Presser (2009, p179) notes was 'tailored to the present, and specifically to the moment of narration'.

Then there is the so-called ‘Robin Hood Syndrome’, where Alohan makes powerful use of the imagery of the ‘noble robber’, to provide himself not only with a potent rationalisation but with a practical means of transmitting group norms, rules and values.

At the outset of this research project, one aim was that, if possible, useful information should be found that would be helpful to law-enforcement or policy makers, perhaps through advice on hostage negotiation or details of *modus operandi*. Realistically, that may have been over-ambitious. With the benefit of hindsight, a narrative analysis is not a reliable platform from which to make policy suggestions or give advice. Alohan was very careful not to have his trade secrets recorded on tape, although he did discuss this in detail off the official record, and the ethical considerations that governed the project mean that there is an obligation to confidentiality. However, here it is appropriate to recommend the collection of further life-history interviews with other career criminals as this would strengthen any conclusions that could be drawn and would always be a welcome addition to the canon of narrative criminology.

There are some areas where the results were suggestive, particularly with reference to the need for greater ethnic representation in law enforcement agencies but a single-case study is no basis for concrete recommendations. This is an area that would certainly benefit from further research, looking into the perceived legitimacy of law enforcement, criminality and police performance within Chinese diasporic communities. There has been some research done on this topic in the United States (Chin 1990; Daye 1997; Kane 2005; Wu and Sun 2010) but none of any significance in a United Kingdom context.

As a possible result of the successful conclusion of this project and, particularly, in view of the careful risk management and lack of incident,

it ought to be possible to convince sponsors in future to support more ethnographic, observational research with organised crime groups and criminal entrepreneurs within Southeast Asia. There is, currently, a highly respected US-based academic, Koh-lin Chin, engaged in ethnographic and interview-based research in Southeast Asia (Chin 1990; 2009; Finckenaer and Chin 2007). As he has discovered, the region is a hub for other serious crimes, such as drugs and people trafficking, counterfeiting, smuggling and extortion. The extraordinary access possessed by current and ex-law enforcement officers, along with their specialised training and experience, is a resource that has so far been under-utilised by criminology and could be harnessed for projects of international importance within the region.

This thesis has been strongly influenced by the concept of constitutive narrative analysis, where the life-history interview given by the research participant is viewed not only as a factual account of what happened, nor merely as a purely subjective version that shows how the participant has interpreted acts, events and conditions in a sense-making process. The extra dimension that elevates constitutive narrative analysis above the more commonly employed representational or interpretive modes is the recognition that the participant is a consumer of narrative as well as a producer. Alohan is the hero in his own story but he models himself on other heroes, real and mythic, with whom he identifies. Alohan is strongly affected by the stories that he has been exposed to, from childhood onwards, and these stories have a strong role to play in guiding his behaviour and shaping his response to the prevailing norms of the subcultures with which he mostly identifies himself and the other cultures that he finds himself nested within. To reflect on just one example, the story behind his alias is of vital importance if we are to understand the paths that he has taken.

In contrast with, say, labelling or techniques of neutralisation theories, which try to explain the individual in isolation, constitutive narrative analysis recognises the collective nature of social action. Alohan always situates his story in relation to other people. There are always other people involved, instigating, benefiting, collaborating, opposing or suffering. This emphasises crime as a group rather than a solitary affair.

As a final word, probably the most important conclusion of this thesis is that a narrative analysis of Alohan's story has revealed the highly culturally specific nature of most influential criminological theories, which have almost exclusively been generated from a 'western' perspective. It reveals the need for more comparative research in order to fill gaps and correct faulty assumptions that have arisen from the fairly narrow world-view that currently informs the field. This is especially relevant as globalisation gathers pace, where our major cities are now notable for ethnic diversity and where crime itself is increasingly transnational.

79,480 Words

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Appendix I – Alohan's Narrative

I have brothers and sisters. I had one elder brother, but he died of an illness in childhood. Now, there is one older sister, one younger sister and three younger brothers. So that makes six, right? That means two girls and four boys. I have three younger brothers, including me, that make four males. There were supposed to be seven - I had another younger brother and one younger sister. So you can say that altogether there were eight. The elder brother became ill and died when I was still at school. Also one of my younger brothers was shot by the police – this was the time when I was arrested.

Pak worked as a log lorry driver; Mak didn't always work⁷⁵. She mostly stayed at home, to take care of me and my brothers and sisters – there were so many of us. Pak worked on his own. Mak sometimes helped out by working on the oil palm plantation with other people from the village, harvesting and spreading manure, but there wasn't much work available. This plantation was close-by to the village.

At school there were forty students. I was number thirty-seven out of forty people. I was better than three... very bad at school. I mixed with everyone. I never tried to disturb anyone. I don't like to disturb people. I like to take care of my friends. I will help whoever is in difficulty.

Because home life was difficult, I didn't have the right mood for it. I worried a lot because there was not enough food at home. Sometimes when it rained there were no wages coming in, so I wasn't in a mood to go to school. Even before quitting school, I sometimes worked on Saturdays and Sundays. I would go to the farm and help to prepare the soil for the oil palm. When I stopped going to school, my first job in the village was to deliver newspapers.

⁷⁵ Pak and Mak are common Malay diminutives for Father and Mother, i.e. Dad and Mum. Alohan used these terms because he was relating his tale to a Malay person. Normally, he would use Chinese dialect terms.

One day I picked up my clothes, took some of Pak's money and boarded a bus. I left a letter telling Pak and Mak that I was going to look for work. I didn't want to be in school anymore and burden the household. I wanted to help home, so I left home. Neither Pak nor Mak nor anyone else knew where I was going. So I left the letter at home and boarded the bus, heading for Johor Bahru. The first night I arrived, I was not sure where to go. I walked with my bag - I walked and walked and walked and walked. Then I took a ride in a vehicle that was like a taxi, but not a taxi because it had no licence – a pawancha. I asked the driver where all the workshops were located. He took me to Tungku Mohsin Road, near Tampoi, where there were many workshops.

I got out and enquired at each workshop: 'Do you need a worker?' When I asked at the first one, they looked at me and said no because I was too young. The second one also said no, and so on until I reached the last one, at the top of the hill, where there were a great many lorries. So I went and asked there, too, and the owner again said no.

As I picked up my bag of clothes to move on it was late afternoon, around half past five. I wanted to walk back to the place where the pawancha had left me, which was about a mile away. But there was this old man, of about sixty, who seemed like the head man there. He kept looking at me and then asked why I was not at school. I said that my home and school were very difficult, so he asked if I really wanted to work. Yes, I wanted work, whatever kind of work it did not matter. He told me to get in his car and took me to his home. The next day he took me back to the workshop to start work. The owner still did not want me but the old man insisted. I feel that there are still many good human beings in this world. Even when nobody wanted me there was an old guy who cared.

So I started work there, for half a year. Then my cousin opened a workshop near *Bandar Baru*⁷⁶, for car painting and welding. He came searching for me and asked me to work for him. That is when I first went from Johor Bahru to Bandar Baru. It was in Bandar Baru where it all started, where I got mixed up with gangsters.

I had stopped going to school at thirteen; I worked half a year in the village then left home for half a year. So I was fourteen to fifteen when I started at the workshop, painting and welding. I was very hard-working. My Abang⁷⁷ paid me one hundred fifty ringgit a month. Food was provided and so was accommodation. All in all, I could send one hundred ringgit to Pak and Mak every month. I started going home then.

The job was wiring, car painting, and panel-beating. Nice job. So I made friends with people from Bandar Baru who lived right next to the workshop. There was an office where everyone looked like the Mafia. There was this Taiko⁷⁸ there. Each day as I passed by, I greeted them although I did not know them. They were all smartly dressed.

After a while, this one old man who seemed to have been sizing me up, called me over for a drink. I learned to drink - following them to eat at restaurants, drinking beer and everything. After following him for more than a month, the old man asked me if I was brave enough for a gang fight, or if I was a gangster? I replied 'No, I am nobody'. He took me into his gang. From then on I was in a gangster group.

⁷⁶ *Bandar Baru* is a fictional area – the name has been changed to protect the identity of Alohan and his family. There are many such areas satelliting large towns and they are frequently notorious for gang activity.

⁷⁷ *Abang* is a Malaysian multipurpose pronoun that literally means 'older brother'; however, it can be applied as a familiar but respectful term for a male friend or relative who is a few years older or of slightly higher status.

⁷⁸ *Taiko* is a Malaysian Chinese slang term meaning 'Big Boss', thought to derive from the Japanese word for a large barrel-shaped drum.

I went to the gang fight. It is like this - Gang 21 and Gang 18 are enemies. We try to table talk⁷⁹ but when negotiations fail, we fight. To cut a long story short, when I joined Gang 21 I followed them, observed and learned. Later on I became bolder than the Taiko. I don't like to fight. I say we must try to be friends and not fight. Whatever happened, when there was a fight, I would go forward and table talk. Even if it happened ten times, I would try to settle the problem every time. It does not matter who is in the right or in the wrong - get them to shake hands, and promise not to fight.

I try to make friends with everyone. Because of this, the members of the other gangs all know me. For example, when businessmen come to Bandar Baru to set up their businesses, like Singaporeans opening up factories, they will definitely come and see me if there are any problems. If other gangsters disturb them or extort money for protection, like asking for tens of thousands per year or twenty thousand, or eighteen thousand, the owners will come and see me because they know that I don't like people who create trouble in the area. I will ask the gangsters not to disturb the businessmen. These businessmen are here to open factories for the benefit of this village and area, providing jobs for local people. We like this too. We do not want to create trouble. They come here to open factories for the benefit of everyone.

We are all nice people. We don't go and disturb others. So I suggest to businessmen, once they set up their factories here, whatever the profits and when it is OK, please support us if any of us are not well or ask for help⁸⁰. Whatever the amount, it is entirely up to them, no problem. During festivals they should treat us to food and drinks. Within three years time my name

⁷⁹ *Table talk* is a tradition in Malaysia, and is an unofficial, non-confrontational approach to settling disputes where negotiations may be eased when the protagonists share a meal.

⁸⁰ This might sound suspiciously like a veiled form of extortion, but such largesse is a very important part of Malaysian and Chinese culture. At festival times, people with relatively high status are expected to provide food and drink to dependents or lower-status associates. Gifts of money will also be given, by the Chinese in red packets (*ang pow*) and by the Malays in corresponding green packets (*duit raya*). The practice and underlying principle bears comparison with the western concept of *noblesse oblige*.

became very famous. I am not the type who searches for a fight. This is my attitude and my preferred way.

Before I went to Bandar Baru, it was the most notorious area for gangsterism, not only in the state of Johor but in Malaysia. The record shows that the worst gangsters were from there. There was no fear of the police. The police had a headache – gang-fights here and there. People got killed. Even in schools there were gangsters.

From the very start, I do not like schoolboys joining gangs. I won't allow it. I won't support any gangs that get involved with school children. I ask all the other gangs who are not with me to follow the laws of gangsters. Real gangsters are steady⁸¹ and help people, they don't burden them. I see this as my character and my style, and I call upon others to copy me. So I carry on like this and everyone is happy and everything is fine. Even the school teachers, Ustaz⁸² and Buddhist monks all like me. I never like to disturb anyone.

Then I came to know this Scorpion group. It was a different group and a mature one. They are all retired now. Remember or not when I said that next to my workshop there was an office where they hung out? One day, the Taiko requested my help. I asked: 'What kind of help, Taiko?' He said: 'Tonight you go to the front of the bank, where you will take some money'. I said: 'Take what money?' The Taiko told me: 'This logging businessman owes salaries to his workers, who haven't been paid, but we don't have the time to go. You help us and get the money. Bring it back to us - we will wait for you'⁸³.

I knew nothing. I believed the Taiko that it must be the salaries that were owed. I cycled from the office; it was not that far, about half a kilometre. I went there and waited for the businessman. The car registration number had

⁸¹ Steady is one of Alohan's favourite complimentary terms and signifies a person who is cool, calm and collected and whose behaviour is trustworthy and reliable.

⁸² Islamic religious teachers

⁸³ What was really happening, of course, is that they were using Alohan to collect a ransom.

been given to me. That night, I saw the car go around twice. I stopped the car and said: 'Oi! Taukeh⁸⁴! Do you want to give the salary money to Ah Long?' My Taiko was called Ah Long.

He wound down the screen and asked me why I wanted the salaries. I did not realise that there were ten people close around me, who came and seized me. I didn't know who they were. After I was arrested, I found out that they were the police. There were Chinese, Indians and Malays who arrested me and took me to the police station. They asked me who told me to collect the money and did I know why. I said I did not. All I knew was that the Taiko had asked me to collect the salaries and had given me the vehicle registration number.

So, the police observed me, took my statement and decided that I had been duped. They did not torture me and I was never threatened. I said I wanted to cooperate - I would tell them whatever I knew.

The police then asked me to help them. They said that, if they released me and if I saw these gangsters again, I should call them. They would then come and make an arrest. I said that I could, why not! I would definitely cooperate. But by then I had already joined the gang. I must not tarnish my name - I must not betray them. I promised all this because I wanted to be released. So after ten o'clock that night, as they did not want people to see me being released, they let me go. I walked from the front of the station to the workshop - about one and a half kilometre. I walked back without the money.

The next day, I met the Taiko, who was still there and had not gone on the run. I never gave them away, never said it was them. The name I gave – Ah Long is one that I made up. So the Taiko knew that I was arrested and had not given anyone away. Then he took me straight to Johor Bahru. He

⁸⁴ *Taukeh* (*Tauke* or *Towkay*) means Boss in the Chinese Hokkien dialect. Taiko is normally used for gangster bosses, whereas Taukeh usually refers to more legitimate authority figures or business proprietors.

introduced me to all the other Taikos and said that I was a steady guy. I was very proud, I was very young and I was very pleased that people trusted me. It is not easy to gain people's trust.

This was not only one gang. All in all there were leaders of five or six gangs who all seemed to like me a lot. But I was a member of only one gang. They asked me why I did not lead the police to arrest the gang. I said why should I? I was interviewed by them. They asked if something like this were to happen again, what I would do. I said that if I was alone, I would take sole responsibility. I will never put a friend in trouble. When we join a gang, we have a common prayer, or ritual and oath.

So, from then on, all the gangsters knew who I was. I was only sixteen or seventeen years old. All within a three year period, right...fifteen, sixteen, seventeen. Later on, when I was arrested and sent to Pulau Jerejak I was eighteen. I was eighteen years old – that too is because I wanted to help a friend. When I was seventeen going to eighteen, I was already a gangster and I mixed with gangsters. Because of that, I was sent to Pulau Jerejak under the Malaysian Internal Security Act (ISA).

It started with my friend, an elderly guy. His son was the same age as I was - about seventeen. This friend said that he needed cash to finance his son's studies. I said OK; let's try to find money wherever we can. He said that, because I was a good driver, all I needed to do was to drive a car. He did not fully explain but told me to wait until it was time. After about a week, he called me around 6pm and asked me to go over to his place. This was just two days before the Chinese New Year. When I arrived at his place, there were about six other people waiting there. He told me that we were going to hijack the Singapore to Penang express bus. When I asked him what my role would be, he told me I was just to drive and follow his commands. I could see that everyone had firearms in their cars. He gave me a gun, even though I told

him I did not know how to use one. However, he insisted that I take the gun, so I kept it in the glove compartment of the car.

I drove a Toyota and there were three other people in my car. My friend drove a Nissan Sunny and there were two other men with him. So, all in, there were seven of us. I drove the men to Johor Bahru town where they got out and waited for the express bus. They had all bought tickets for the bus earlier, in Singapore. When the bus arrived the three men from my car and the two from the other car all got on and, once the bus started moving, we followed it in the cars. In those days there were no highways in Malaysia, so the bus used the old Johor Bahru Road passing through many oil-palm plantations. Once we reached Simpang Renggam, the other car overtook the bus and switched the hazard lights on while I tailed the bus. Eventually, I saw the bus starting to follow my friend's car. In the bus, the men had begun their hijack. I heard the sound of a gun being fired, twice. I wound down the side-screen and could hear it clearly. The bus was led down a dirt road, through a plantation and vegetable farm, for about half a kilometre before it stopped. Then, the men on the bus relieved all the passengers of their cash, gold and any other valuables. All the passengers were Chinese. Why? Because it was the Chinese New Year celebrations – everyone had money. Those who worked in Singapore would have around four to five thousand ringgit to bring home. Added up, there was about sixty thousand ringgit in cash and, including the gold that was sold later, they made about a hundred thousand ringgit in total. My friend gave me three thousand ringgit for the New Year and I went back to my home town for the holiday.

About two months later, the police managed to arrest all the men involved. They set an ambush and managed to arrest me when I came back from having a meal at my friend's house. Everyone's statement was recorded. My friend tried to shift all the blame to me, saying that I was the mastermind and that the guns belong to me. I wondered why he was putting me in trouble when I only wanted to help him.

Initially, I thought that the most I would get was a sixty day detention under the ISA⁸⁵. However, the police recommended that I should be sent to Pulau Jerejak. And you know why? The DSP⁸⁶ had taken a bribe from my friend's brother to shift the blame onto me alone. I fought back. I reasoned with the Officer in Charge of Police District (OCPD) that I was not the mastermind. Yes, I was there and I was involved, but I was not the mastermind and the gun did not belong to me.

In the end, everyone was sent to Pulau Jerejak⁸⁷. In the vehicle, there were six of us. I gave a warning to my friend and two of his gang members. I said: 'today we go in Pulau Jerejak for two years, we are still friends. Later, once we are released, our friendship ends'. I warned them 'do not let me get used to the idea of using firearms'. They were not the steady type and I said this because I was very angry with them.

In the twenty-four months I was there, I learned a lot of things because I mixed with everyone. I was the youngest inmate at eighteen. I learned from the gang leader there who took care of me and counselled me. Even my cell mates gave me good advice, which made me feel that there were still good people around. Out of every ten people I met here, six would advise me against going back to my bad old ways, saying that it was not worth it.

I said to myself that, whatever happened, when I was released I wanted to be good. I want to work properly, take care of my wife, my dad and my mum. I was arrested one week before I was due to marry. My wife was pregnant although we were not married yet. I asked Pak and Mak to take care of my wife even though we had not gone through the Chinese ceremony. My parents loved my wife. After being in Pulau Jerejak for seven months, my wife

⁸⁵ Internal Security Act 1960 – under this act the police may detain any person for up to sixty days without charge. This can be extended for up to two years after application to the Minister for Home Affairs, but this is usually reserved for political cases and is not usually used against criminal offenders.

⁸⁶ Deputy Superintendent of police

⁸⁷ Pulau Jerejak is an island near Pinang which, formerly, was home to a quarantine centre, leper colony and high-security prison and, as a result, was known locally as Malaysia's Alcatraz.

gave birth. I was so happy then. It was a great feeling to be a father. I would be released in a little more than a year's time and I wanted to take care of my wife and kid.

It was in Pulau Jerejak that I embraced Buddhism. There was a Buddhist monk who came to the facility every week to talk about Buddhism. I attended the talk every week and started to learn.

The two years passed, and I was released. I was banished to a different place under a PCO⁸⁸ for two years. It was a bit more relaxed though, as I could stay with my wife and kid. I was free to go out after 6am and must be home by 8pm daily. Every week, I had to sign myself in at a designated police station. I started working as a builder - cement mixing, iron mongering. No matter how difficult it was for me to work, I kept on working because I wanted to take care of my wife and child and because I wanted to be good.

The manager at my workplace was very fond of me but after about a year and a half, there was no more work for me. This was because I was a banished person - the manager did not want to give me lots to do and the salary was bad. In the end, I found it difficult to survive. It would have been OK if I was alone, but my wife and kid needed food too. Even when travelling to work, I was not allowed to go far. It was never easy to find work in an area where one was banished by the police. After about a year and with another year to go, I just could not stand it anymore. There were not many people who could help me. Finally, I took my wife and kid, got on a bus one night and absconded from the PCO. I did not put in much thought; there was no food, no one to turn to and no work. So, I went back to Johor where I mixed with friends and a new gang. There were one or two of them in the gang who had also been at Pulau Jerejak and had completed their PCO sentence.

⁸⁸ Police Control Order under the Restricted Residence Act 1933 – under this act a person may be required to live in or be excluded from a specified place or area, subject to curfew, and be obliged to report to a local police station at set intervals.

We mixed together and discussed about what to do next. They took me in and asked me to help them with a small task. The work we did at that time was something like carjacking - Mercedes or BMWs. We sold them to a fence and got some money. Depending on the car, sometimes we got around twenty thousand⁸⁹, and the highest we got was thirty-five thousand, depending upon its class – S-class, C-class or E-class. After a few months doing the job we felt it was still not enough.

At that time, my younger brother has just completed his banishment order. This was the one who was later shot dead by the police. His PCO was related to two gangsterism issues. He was fixed-up, too. When he was arrested, five or six of the gang members said that he was the gang leader, so he was banished under PCO. A week after completing the PCO, he searched for me and also wanted to see my child in Johor Bahru. He asked to borrow my car but I told him that I had just borrowed it from a friend and wanted to use it, too. He said he only wanted it for a couple of hours. So I said: 'If you are going to use it for two hours it is OK, you can take it. I'll call you back later'. He then drove the car away.

After the two hours were up, I waited and waited for him but he did not come back. I could not contact him. I decided to get a taxi to go out and call his pager. There were no hand-phones then, so we used pagers. I arrived at a housing estate where I saw a public phone. I got out of the taxi and tried to contact him many times through his pager. I waited for another five minutes and still no joy, so I started to walk. After a short distance, I heard something that sounded like a firecracker popping. There seemed to be a crowd gathering, so I went to have a look too. There was a night market there.

When I looked, I said to myself: 'That's the car I lent my brother'. I saw my brother slumped on the steering wheel, dead. I also saw a friend of mine dead in the same car. I wanted to get closer, to touch my brother. Just as I was

⁸⁹ Malaysian Ringgit

about to do that, a friend of mine pulled my arm, told me not to make any noise and said that the police wanted to shoot me too. They were aiming for me. My friend dragged me back to the housing estate. We took two taxis to where my family was, got my wife and kid into the taxi and left. At that time she was pregnant again. All of us, including my friends, got into the two taxis and left hurriedly without taking anything with us. I was very sad then - very, very sad. Those *puki mak*⁹⁰ police shot my brother dead. My brother - he did not do anything wrong.

Actually, they wanted to shoot me but shot him by mistake. The police wanted to ambush me but my brother's face was similar to mine. There was only a year's difference in age and many people thought we were twins. But my brother never messed around with firearms, never robbed anyone. When I got involved with robbery and carjacking, he scolded and swore at me. I thought to myself, my brother who wanted to be good ended up like this. I was really saddened. At that moment, I did not know what to do. I needed to think about where to go and what to do.

Two of my younger brothers also have a criminal record. If you include me, then there are three of us now. With the brother who was killed, there are four. I have another brother who has no record. He just works normally. After my brother was shot dead, I was very sad because he did nothing wrong. Even when he was under a PCO⁹¹ for gang activities, it was a fix-up by the police and they victimised him. The police officers from the D9 who were involved in his shooting were all arrested after that. Some were suspended from duty some were sent to prison. All this happened after five years. My brother was shot dead in 1990 and two months later I was arrested for possession of a firearm. However, I was not convicted and the case was thrown out of court. This is because the gun was not found on me but they

⁹⁰ The English equivalent to this Malay profanity would be 'motherfucking'. While telling this story Alohan became very agitated and was, naturally, clearly upset at recalling the death of his brother. It is the only time he swore throughout the entire narrative.

⁹¹ Police Control Order (or Restricted Residence)

tried to frame it on me. So they charged me in court and kept detaining me under Section 117⁹².

I contacted three friends whom I could trust. We started on a project – where we would get information about the payday for factory workers and we would rob the payroll. Sometimes, we got around a hundred and fifty thousand to half a million. I got arrested after doing it for about a year. When we were arrested, they also found a gun on my friend⁹³. However, I confessed that it was my gun because I did not want my friend to be in trouble. Anyway, the police only wanted me to go to prison - they asked me to confess anyway.

The gun that I had was new, had never been fired and had never shot anyone. For firearms offences, they have Section 8. If you are charged for a pistol, it comes under Section 8, but for ammunitions it is 8a⁹⁴. But if the sentence is eight years for each, they will run concurrently, except where caning is concerned. If it is four strokes for one offence and eight strokes for the other, they are counted separately. You get twelve strokes on the same day. If you discharge a firearm while committing a robbery, you are charged under Section 4. There are also Sections 3 and 57a, which carry the death penalty. Sections 8 and 7 carry a lighter sentence with a maximum of twenty years imprisonment and a minimum of five years.

I was handed a punishment of six years imprisonment and six strokes of the cane. I was in for four years, with discount. I was twenty coming out of PCO, so I was around twenty-two or twenty-three then. I got out between twenty-six or twenty-seven years old.

⁹² Section 117 of the Malaysian Criminal Procedure Code – which provides for the arrest and detention of a suspect in a serious crime for up to seven days, to allow investigations to be completed

⁹³ The possession of firearms by civilians is completely prohibited by Malaysian law and is usually punished severely with a long prison term or, in some circumstances, the death penalty

⁹⁴ Some of the following does not appear to be entirely accurate, at least with reference to the Firearms Act as it now stands – there is currently no Section 8a, for instance. However, the various Weapons, Arms and Firearms Acts have undergone numerous revisions over the last three decades and Alohan might be referring to earlier versions – the Arms Act 1960 does have a section 8a that refers to ammunition. On balance, Alohan's summary of the law is more right than wrong.

At first, they sent me to the Johor Bahru prison but after three months I was transferred to Simpang Renggam⁹⁵. At some time during those four years, my second child was born⁹⁶. I was very, very sad, worried and ashamed with my wife and parents. I vowed to myself to go straight once I was released. If others could find decent jobs, why couldn't I? I worked with the rattan⁹⁷ section in prison, so I managed to fill my time.

Three months before my release from prison, I came to know a guy. I was a bit older than him. He was a drug-user but a very steady person. He was also imprisoned for robbery. He worked as a cleaner in the prison. I saw him and chatted with him every day.

It was difficult to get cigarettes in prison and, moreover, the new director of the prison did not permit inmates to smoke – no-one was allowed to smoke in the cells. However, there were ways to get cigarettes in. You could get the prison officers to buy them for you, but if you were caught, it was an offence.

My new friend wanted me to help him get some cigarettes or tobacco to smoke. I managed to get some tobacco for him but he was caught with ten packets of tobacco and this was considered a major case. He was sent to solitary confinement, in a dark room, and an additional month was added to his sentence. It was because of me that he got into the mess and I was ashamed. Later, I also got into trouble and was sent to solitary confinement, too. My cell was just next to him.

The reason I was sent there was because of this DSP⁹⁸. He gave me special privileges when my wife and boss⁹⁹ visited me. Usually they should make a

⁹⁵ Johor Bahru prison was an old local institution built in 1882 during the British colonial era. Old and overcrowded, it was finally closed down in 2005. Simpang Renggam is a much newer detention camp built in 1986, but has been dogged by a reputation for bad conditions and overcrowding.

⁹⁶ There is a later section that explains how it is possible for Alohan's second child to be born while he is still in prison (see footnote 92)

⁹⁷ Rattan is a type of palm that grows in tropical regions, the woven stems of which are widely employed in basketry and furniture-making. They are also used to make canes for corporal punishment

⁹⁸ Deputy Superintendant of Prisons – a fairly high-ranking prison officer

visit request but sometimes he allowed them to see me without any advance request. He even let me meet my wife at his house¹⁰⁰, which was in the prison compound. He took pity on me and was very good to me. Three months before my release some people were jealous of him and reported this to the Director, so he came under investigation. I was called to meet the Director who wanted me to confess that this officer had accepted bribes from me. I refused and stressed that the officer was not corrupt. The Director tried to make a deal with me, saying that he would not add extra days to my sentence if I admitted to the bribes.

Because I refused, I was sent to solitary confinement. There was one corridor with seven rooms and one or two of us there. This place is famously called 'Lorong Hantu'¹⁰¹. Everyone was terrified of being sent there. There were no blankets, no shirt to wear – only underwear. You only got bread - morning, afternoon and night, everyday of the week. They didn't give you rice. That was the punishment – bread rations.

I was with my mate in solitary confinement for two weeks¹⁰². At times, we would talk about what we would do upon release. As we were nearing thirty and age was catching up, we would talk about scorpion¹⁰³, bank and goldsmith projects. We talked about it a lot. In the end we decided to do a scorpion project and search for an evil businessman. Why? Because, if he was evil, there would be no worries if we hit him.

There are businessmen who sell drugs – heroin - or are involved in loan-sharking. If the borrowers do not pay or can't afford to pay, these businessmen go and rape their wives and daughters. These are evil people who know the police; the police are on the take and will not arrest them. This

⁹⁹ It is unclear who this 'boss' is but, given the circumstances leading up to Alohan's imprisonment, it is more likely to be a senior gang figure than a legitimate employer.

¹⁰⁰ This explains how it is possible for Alohan's second child to be born while he is still in prison (see footnote 87).

¹⁰¹ Ghost Lane.

¹⁰² As previously stated, his mate was in the solitary confinement cell next door to him.

¹⁰³ Kidnapping.

is where we come in and hit them. If the police do not hit them, then we do, right? We don't target good people as God would be very angry, right? So I discussed with my mate and agreed that this was the way it should be. If there was an opportunity, we would meet on the outside. We could not leave phone contacts for each other but I did tell him where I would be staying.

Three or four months later, I was released. I went home and started a VCD¹⁰⁴ business and a few other jobs in order to take care of my wife and kids. I was also with a workshop doing car spray painting and my taukeh introduced me to some high-ranking police officers at the HQ. This police officer wanted to have his car repainted. I found out that he was the head of the Internal Affairs. When I finished doing his car and returned it to him, he asked me to tell him about myself. I told him that I did not like the police much and did not want to have anything to do with them. I told him I was angry because in 1990 my brother had been shot dead by the police for no apparent reason.

He advised me to get my parents to lodge a police report. Only then did I realise that there was an Internal Affairs (IA) division in the police. Within four months of the report, members of the D9 were arrested. They had been involved in the staging of bank and goldsmith robberies and then shooting their sources in the gang. Sixteen officers with the ranks of ASP, Chief inspector, Sergeant and all were arrested and suspended. There were three or four of them that went to prison. One of them was an ASP called Abdul Wahab¹⁰⁵. They were caught in 1995.

I now felt then that there were good police officers, too. It was not me who wanted to report, it was the IA Chief who asked me to report. I never thought that it could happen after four or five years but it did happen. There are some police who really follow the laws and I do admire them.

¹⁰⁴ Alohan did not elaborate but it is likely that this was a legitimate business selling licensed VCDs of Chinese/Hong Kong films. This seems to be a long-term interest of Alohan's, as he started up a similar business after I came to know him.

¹⁰⁵ Name disguised as it could be used to identify Alohan.

A few months after I was released, my prison mate came looking for me. I said: 'Eh! I thought we were not serious but you really came and searched for me'. I was surprised. We started getting in touch regularly with each other, going out for food and drinks and discussing what to do next. We talked about the scorpion project.

We had to find a taukeh¹⁰⁶ as the target. If we decided to do this, we would need to think it over seriously, because the penalty for scorpion in Malaysia is a mandatory death sentence. This was no joke, right?

One day, after about two or three months and daily meetings for weeks, a friend came to see me. He said that his wife worked in a big factory and the owner was a Singaporean. He complained that the owner raped his wife but he did not dare to report the matter because he feared that the owner had gangster connections. He started sobbing and explained that, although his wife wanted to resign, the owner refused her resignation.

This factory was co-owned by three Singaporeans; two had majority ownership and the other one was a minor partner. The first and second bosses were the culprits. I was very annoyed when I heard this. I told my friend to bring his wife over; I wanted to hear the whole story. A day later, he and his wife met with me and my mate from prison. According to her, she was invited by the boss to a dinner party. She said that the boss got her drunk and, instead of taking her home, he took her to his factory. There was a bedroom there, where the boss raped her; she was not able to resist as she was drunk. In the end, the boss threatened to tell everyone that she'd been meeting him for sex if she did not comply. Afraid of this, she kept the secret for about six months.

¹⁰⁶ Rich businessman

I was really angry. I said: 'Never mind, if you want to resign, tomorrow I will go to the factory and meet the boss. You just stop going to work. I don't think there will be any problem'.

So the next day my friend and I met up with the boss. I told him that my friend's wife wanted to resign: 'Please don't force her to stay on. We will forget about whatever has happened before this'. The boss started swearing at me and said: 'Are you a Taiko¹⁰⁷? Who are you? Do you know that I am a much bigger Taiko? Just one call, all the guys will be here'. I quickly said: 'I am sorry, Boss, I do not want to interfere in this matter'. I apologised to the boss and we left the office. I thought to myself: 'You just watch what I'll do to you later'. It was useless for me to talk to him with his bodyguards around. I would be in deep trouble if I assaulted him and he made a police report. My friend and I left and discussed what to do next. At that moment I wanted to cut his penis off to teach him a lesson.

For one week we did our work, stole a car and stood by. He would arrive at the Singapore customs checkpoint and head for Johor Bahru around 9am daily. The journey to his factory took about one and a half hours but he usually went for breakfast in Johor Bahru first. We tailed him for a week; his mistake was that he always had his breakfast once he arrived in Johor Bahru.

My friend and I decided to get him. We didn't have firearms at that time, only knives. We and three other guys, five of us altogether, decided to get him and teach him a lesson. However, luck was on his side. Whenever we saw him at the place, policemen were having breakfast there at the same time. On the third day, I decided to follow him on the highway. I wanted to see if he stopped for a toilet break along the way. If he did, we would get him then. God answered my prayers. After breakfast, we tailed him onto the highway. Suddenly, he stopped at a rest area and went to the toilet. We smiled, parked

¹⁰⁷ Gang leader

our car, put on crash helmets and then bundled him into his car. We drove off with both cars.

It was daylight and there were people who saw us but we did not care as we were very angry. We intended to chop him up but not kill him - just teach him a lesson. We switched cars along the way and got another friend to ditch the car we used. In the end, I drove the car and my mate started to hit him and threatened to kill him. We threatened to cut off his penis; this made him very scared. He said he was willing to pay us two hundred thousand if we released him. I got very angry and hit him, too. I grabbed his arm and put his hand on my pocket. He asked me what is in it.

I said: 'I have half a million US dollars here, why should I want two hundred thousand? Are you crazy? You think we are car boot sales merchants?' He then said: 'Never mind, I can give you one million'. I said: 'I want one million Singapore Dollars, OK?' He said: 'Please don't cut off my penis ... don't hurt me'. I told him: 'Now you call, I will give you an hour'. He said: 'It's not possible in one hour'. He requested two hours but I gave him three ... special for him. He called his business partner to get the cash ready.

We had to think about how we were going to take the money because we had not seen this amount before. We also worried about him reporting to the police and what would happen then. Then I remembered a movie I saw on how kidnappers got the money. We went into an orchard near the highway and contacted the second boss. Even if the police arrived we were not worried; Boss number two had not seen us before. We told him to come at 8pm. He came and was very steady – he did not make any report. We took the one million then. After about two hours, we let the first boss go. We kept our word and did not harm him.

Afterwards, I met up with my friend and his wife and gave them a hundred thousand Singapore dollars and told them to move away from the area. We

had nine hundred thousand Singapore dollars left, which we divided among the five of us. It was then that we realised how easy it was to get money.

After some thinking we decided to go into straight business. But after two weeks, one of our friends overheard the two bosses talking in a restaurant about giving away a million dollars. They were boasting that one million was like a single hair from their legs. They said that they had engaged the services of armed bodyguards and would like to see if anyone was brave enough to approach them now.

This made us very angry, so I contacted all my mates and planned a second case. This time the target was the second boss. The second boss also took part in the sexual assault on my friend's wife. It took us about a month to properly scope the second boss. We found out that he had a girlfriend who got a lift home from him every day. So we waited near the girl's home and, as she got out, we crept behind his car and caught him. He tried to resist but we smashed the side window with an axe and dragged him into our car. It was around 4pm and there were many passers-by but we did not care. He had abused another man's wife, we must teach him a lesson and we were not frightened of anything, right? We got him in the car and hit him many times, all the while threatening to kill him.

He was frightened and realised that this must be the same gang that got the first boss. He offered half a million. I said: 'Are you crazy? Do you think we want half a million? We are wealthy people, don't you know that?'

We told him to call his girlfriend but warn her not to report to the police. If we come to know of any report, he would not get home. He used his mobile to call his girlfriend. We then asked him to contact his share-partner. The first boss pleaded with us not to harm his partner. We asked for two million Singapore Dollars. The first boss said: 'Please don't do this. When I was kidnapped we only paid one million, two million is too difficult to raise'.

I told him that the last time it was someone else - we were a different gang. He proposed one and a half million Singapore Dollars. After thinking about it, one and a half seemed quite a big sum of money and we finally agreed. We instructed him to confirm that the cash was ready in one hour. He said that this was not a problem and asked about the drop-off point but we said that we would inform him later by telephone. That night we contacted him again and used the same method but with a different location. We took the money from the first boss. We did not touch the third boss because he was not involved.

After that, they started having bodyguards waiting for them at the customs Checkpoint. They didn't go separately; the three bosses took two cars and were escorted by armed bodyguards to and from the factory. We thought that was that, enough!

But some time later, they were overheard again, saying: 'If they come again, next time they'll be in deep trouble, they'll be terminated'. They boasted that their bodyguards were sharpshooters from the Special Action Squad. This was also overheard by our friends. This made me really angry. Now, we had a better plan – we were going to kidnap all three of them.

The three bosses always came into Johor Bahru together. They alternated drivers; sometimes it was the first boss and sometimes the second boss who drove. But all the time, the bodyguard sat in front. The third boss drove his own BMW and followed behind.

They bragged that no one could do anything to them because they had a bodyguard. We heard this about six months after the previous kidnap. This made us very angry and we planned to get all of them at once, not only for the money but to teach them a lesson. They thought we were frightened and would not be able to do anything.

We conducted surveillance and followed their movements for a month or so. We planned to hit them on the highway because they had to take the KL

highway to their factory. We stood by with a Mercedes, two other cars and a lorry. We intended to get them when they reached the exit, where the toll plaza¹⁰⁸ was. Once you leave the highway and before you reach the toll plaza it is secluded, that is, if there are no other cars coming behind you. We tailed them on the highway and, just before the exit, two cars overtook them and one stayed behind. After they exited the highway, the two cars in front blocked the road and the car behind boxed them in. Our lorry pretended that it had broken down at the exit in order to prevent other cars from using it and messing up our project. There were eight of us but five of us got out of our cars and went to the targets' cars. We managed to get the first and third bosses but the second boss escaped by driving through the barricade in front. We threatened to kill the two bosses if they did not co-operate.

We got them to contact the second boss, tell him not to report the kidnapping and to co-operate with us. We told him that we had our own sources in the police and if we came to know that he had approached them, any deal would be off. We would contact him again later. After about three hours, we got the first boss to contact his partner. The second boss claimed that he had no authority to deal in the financial side and wanted us to release the first boss who was in charge of finance. He thought we were stupid enough to let the first boss go. We did not want to discuss things further with the second boss and contacted the first boss's family directly.

We asked the two guys to decide who should be released. The first boss said that we should release him to go and get the money, as the third boss would not be able to raise it. But we were not naïve - if we let him go, we would have to accept whatever amount he fixed, even if it was only one million. Our demand was five million Singapore dollars. The first boss said that this would be very difficult to raise. We took the third boss to one side and counselled him. We asked him whether we should let him go or whether it should be the

¹⁰⁸ This is the area where toll collection booths with barriers are arranged across the road, blocking the exit to the highway.

first boss. He said if we let the first boss go it would be his death warrant because no one was going to raise more than half a million for his release. We asked his opinion about whether the first boss's family had a lot of money and, if we let him go, whether he would cooperate in surrendering the money to us.

After a lengthy discussion, we decided to free the third boss. While he was in the car, on the way to release him, the third boss said that he was very happy, that we were gentlemen in letting him go and he promised to bring us the money.

After about an hour, we contacted him and he said that they could only raise three and a half million Singapore dollars and hoped that this was enough for us. He said that, if we needed the extra one and a half million, we would have to wait for another two days as the banks were closed on Saturday and Sunday. We decided to take the offer. We then warned the first boss's wife to remind her husband not to do evil things, such as raping someone else's wife. I told her not think that, just because he had weapons, no one would dare to come and get him.

We got the money at a pre-planned place, after making sure that we were not tailed by the police. But even if the police were aware, I was not worried as we had our own tactics for getting away. An hour after getting the money, we released the first boss.

Later on we found out that the three of them did not want to go to the factory anymore and the manager was made responsible for handling its daily running. Looking back, between them, we collected about nine and a half million Singapore dollars from the first and second bosses. We did not harm the third boss. We never intended to take anything from him and wanted to let him go, because we knew that he was a nice man who never hurt women. Our friend's wife said the same of him.

After this case we focussed on business, kept a low profile and did not get involved in any more cases for the time being. We got involved in many types of business but we were not that capable and we ran out of money after about a year. It was very difficult for us to compete with others in business. We then evaluated the situation and discussed our future plans. One of my partners suggested that we look out for another target and do the same project again.

Following two months of searching, we found a target. He was a loan-shark who charged very high interest. He was also involved in the supply of amphetamine tablets. We came to know that the target had a very cosy relationship with the police and no one dared to touch him. We managed to get him after about a month's surveillance. He would finish his dinner at a restaurant and then pick up his second wife to send her back to her five-star penthouse apartment, which I think was valued over a million Malaysian ringgit. He drove an S-class 500 series Mercedes. We detained them near the apartment. The wife pleaded with us to let her go because she had to take care of her two kids at home. We let her go but we warned her to cooperate with us when it came to handing over the money.

The businessman called his sister to arrange the money. We asked for five million Singapore dollars. In the end we only managed to get two point eight million because the sister reasoned out that, in order to raise the balance, she would need time to sell off properties. The businessman was also steady; we told him to get his second wife to bring the money to us; however, the sister insisted on dropping the money herself. The second wife warned us to be careful because she knew the sister had informed the police about the case and they might be springing a trap. She said she warned us because she was worried about her husband's safety. She was very cooperative with us and we were worried, too. Once the sister reported the case, we needed to be careful when going to get the money and we were very dissatisfied with her. We shouted at the businessman, saying that his sister's actions would cause his death.

In the end we managed to get the money but, I'm sorry, I can't tell you how. The gang members have taken an oath not to divulge how we do it to anyone. Even when we were arrested under the ISA on suspicion of kidnapping and were interrogated by the police, we did not let out the secret. Even now the police do not know how we do it. That is why they have not been able to do anything about us until this day. So when we took the money, the police were there but were not able to catch us.

We have to be careful, even after taking the money because there might be a gadget in the bags the money is in, planted by the police to monitor our movements. You see, we learned this from movies like James Bond. We can substitute the bags or, for further safety, we can submerge the bag and money in a pond. It's just a bit of extra work to be on the safe side.

The businessman was also a gentleman; when he was interviewed by the police, upon his release, he said that the money was for paying a financial debt. We were quite pleased because he did not hold it against us for taking the two point eight million. We never hurt him or his wife who, I must say, was a beautiful lady. We did not even touch her hand because she had done nothing wrong. Even if we are bad, we have to follow our own laws. If we want money, we must not disturb others. We must have principles. If my guys had tried to disturb the lady, I would not have allowed it and I would have shot them dead. These are my orders to them.

All the planning and strategising is done by me. From the beginning, I have instructed and delegated the various tasks to everyone - up until today.

We got the money and we ventured into business again, but what we did first was to go on a holiday and went for our prayers. This is how we operate, after any job, we perform our prayers. We go and perform a pilgrimage at one of the various Buddhist sites and donate some money or goods to the needy,

like the aged or orphans. We also give cash to buy medicine and other things. Then we relax for about four or five months.

Even if we are doing business and making lots of money, if there is a person who is bad, we will do it again. We feel that in this world there are taukehs who are rich but bad and who victimise other people. Because of their wealth, the police are not able to stop them. It is not because the police do not want to do anything. It is because these taukehs have a close relationship with the police higher-up; lower ranking officers see that they are close with their superiors and do not dare to disturb them. This allows the taukehs to do anything they like. They operate prostitution rings, gambling joints, loan-sharking operations and all. And the police do not stop them. These kinds of people damage Malaysia, or any place for that matter, they don't care. We are worried that this in turn might hurt others, especially our children or relatives. So we must act and get them. We teach them a lesson. They won't know what hit them.

We look at the people we kidnap as humans, too. Even though we want to teach them a lesson, we must not shame them. For example we would not strip them naked or get them to eat shit because they 'have face'¹⁰⁹ and we people who pray know this. If they won't cooperate and give us the money, we use our heads and guile to brainwash or counsel them until they are willing to give us the money. The most we do to threaten them is to let them sniff the smell of petrol that we pour on a cloth and which we threaten to douse them with and set alight. What we actually pour on them is ice-cold water to give the sensation of petrol; if this is done in a cold, air-conditioned room it makes them fear for their lives. We then give them a lighter and ask: 'Do you want to set yourself alight or do you want us to do it for you?' They do not know who we are because they are blind-folded. We must not let them recognise our

¹⁰⁹ Face or Guanxi - a very important concept to the Chinese, Malays and other Asian cultures – 'having face' means having dignity, pride or status to uphold; 'giving face' means exercising courtesy or restraint so that other people are able to maintain their dignity, pride or status.

faces because if they do, we cannot let them go alive. We blindfold them because we want to let them live. That is why we do it - because we never want to kill them.

So after this we carried on with our businesses. But we never claimed that we were going to stop or carry on doing scorpion. We tried to make money with our businesses but even so, once in a while, we would search for a suitably bad guy and target him. Whether our businesses make profits or not, we still seek these kinds of people because there are so many of them around. There was no way we can get them all. We do the best that we can.

Three or four months later we got involved in another case. This one is where the guy was a drug and amphetamines supplier. He was a big fish in the supply chain and controlled the supply to the whole of Johor state; his people even trafficked the drugs to Singapore. They used motor bikes and plied the causeway in the morning between 4-6am, with workers going to Singapore. One of my mates was involved as a lookout for the syndicate. Those who worked for him were twenty-five years old at the most.

We targeted him because his activity was very evil and could destroy families. If one person in a family is addicted this badly affects the rest of the family. Just imagine, in one day he can ship about fifty pounds of drugs to Singapore alone. So we took about a month to survey his movements to confirm things. We found that it was true that he controlled the market in Johor, because he had his own drug lab.

We came to know that one of his main men had been kicked out of the syndicate recently and this person was my aunt's son. This guy was in charge of the store. He did not know a lot about what went on. One day he showed me a one pound sample of the stuff, which I later confirmed to be heroin. We sneaked in to see his store and there was a lot of it; the stuff even had a label identifying it as theirs.

We always ask for the ransom in Singapore dollars; it is easier for us to carry. When we go and take the money, we must not take a long time. We only have about half an hour to get the money and get away from the spot so it must not be heavy. If we ask for Malaysian currency, there is no thousand or five hundred dollar note. If we get three and a half million in fifty dollar notes we will need at least ten bags. How will we escape? If the police are involved they might plant a homing device in the bags. Even for Singapore dollars, we will ask for five hundred, one thousand or ten thousand dollar notes. We give them time to exchange it with a money changer. We have got to be careful when we go and take the money. The police are not stupid. We are not only up against the mafia¹¹⁰ but also the police who are quite clever, so speed is important when we get the money. We must leave as fast as we can. Within half an hour, we must not be within a ten mile radius of the area.

Approximately a year to fourteen months after this case, we did another one. This time the businessman was involved in smuggling contraband liquor and cigarettes and in prostitution. He and his gang were also involved in loan-sharking. We targeted him because when he does his loan-shark business, if his debtors are unable to pay, he will go and get their women or daughters, strip them naked and photograph them and beat up the borrowers, too.

We think this is excessive and believe that they should not do this to their debtors if they can't afford to pay up. People borrow money from them only when they are desperate. They force the wives and daughters to go and get money to pay the debts¹¹¹.

We found out about a businessman who had borrowed about fifty thousand ringgit from them and had been paying the interest alone for about four months, totalling almost one hundred thousand ringgit, but later found it

¹¹⁰ Of course, Alohan is not referring to the Italian mafia, but is using the word as a slang term for local organised crime syndicates. He tends to reserve the word for the corrupt businessmen that he targets, preferring to call his friends and himself gangsters.

¹¹¹ Alohan is probably implying, here, that the female relatives of debtors are forced into prostitution in order to pay off the loan-shark.

difficult to pay. We thought that getting one hundred thousand for a fifty thousand loan should be enough, or they could have given the businessman more time to pay up. This businessman escaped overseas but promised that he would raise the money in two months to pay his outstanding debt. But instead, the loan-shark threatened the businessman's wife to pay up otherwise he would harm the family. The loan-shark forced the wife to have sex with him. This woman asked her friend to lend her some money to pay up the debts; otherwise she would be raped again. The friend knew us and told us the story. We will not tolerate this kind of behaviour. The loan-shark is worse than a drug dealer because he goes and abuses other people's wives. He has already got back more than he gave. We had to teach him a lesson.

We planned for about two weeks, which was quick because we already knew where his office was. So we waited for him to come to his office and when he came, he was with his armed bodyguard. We seized him and his bodyguard, got them into the car and sped off. Along the way we let the bodyguard off and threw his gun out too. The guy warned his bodyguard not to inform anybody about the kidnap.

We took him back to our place. Here we intimidated him and questioned him about why he was so arrogant and involved in illegal dealings and rough tactics, but did not mention about the rape. He said that he did all this to earn a living, had never killed anyone and only got back the money he gave out. He did not cooperate here and claimed that he did not have much money. All this while, we had never spilt any of our target's blood. This was the first time. We did it to extract the truth from him. We got a hammer and swung it on his big toe. That broke his toe and blood kept pumping out. He screamed in pain at the top of his voice, loud enough for the hills to hear him.

We then asked him again about the evil things that he did. He confessed that he had hurt people and got his men to hurt others. Finally we asked him whether he had ever raped another man's wife. In the end, he confessed that

he had. Once he confessed we decided not to hurt him anymore; we had promised ourselves that if he told the truth, we would stop hurting him. He pleaded with us to let him free and promised to give us one million ringgit. We laughed at him. We said that he had profited so much and yet wanted to give us just one million. Even if we took the money, we would not let him go because his value was not one million - we wanted ten million ringgit. He said that he did not have that kind of money and offered us three million. He also promised us that he would not go on hurting people or raping women. He said if he ever did it again, he wanted us to come and get him. He couldn't promise to stop doing illegal things but he did promise to stop hurting people.

We said we would hold him to his word and that if he broke his promises, we would come and finish off him, his gang and his family. We told him that we would let him go for now but he should not think that we were stupid. We said: 'If we come back to you again, you will not have a second chance because we will not want money anymore'. After we took the money, we let him go.

His partner reported the case to the police because he borrowed one million from his partner to pay us off. We knew that the police were following the case and we also knew that the police were tapping our phone calls. But there was no problem and we managed to do everything safely.

There is no end to this type of case. I have 'copyright'. Up until today, even if I am not involved, those who followed me and learned from me will get involved in this kind of scorpion. However, before they do it, they will enquire with me first. I warn my followers not to disturb good businessmen. This is our law. I tell them to go and get evil people – loan-sharks, drug traffickers, prostitution gangs. I advise them on how to get the evil ones and if they have any problems with the execution of their plans, they can get in touch with me and I will assist. I don't take any money for what my followers do. They are the ones gambling with their lives, they take the risks. If anything goes wrong they

are the ones who will be jailed or hanged. I just help them, without taking any money, because they follow me and my way.

As for me, age is catching up with me and I have my wives and children to think about. When the time comes for me to stop, I will stop. For those who follow me, I must not let them down as they are still young. They ask for my assistance and I will surely help them. I am not interested in the details of what they do. Because I know them deeply, how they behave, their attitudes. They are similar to me. They are not involved in scorpion for the money. Put it simply, if they target good people, I will know about it very fast. You see in the gang of six there will always be one who is very close to me. I will know. I have my sources. I don't use my sources to put them in trouble but to monitor whether they victimise good people.

We must not hurt anyone badly. Most importantly, we must not kill anyone. This is our law. If the prisoner sees our faces, we cannot let him go - I am sorry, no way. So we will not show our faces. If the person wants to see our faces and plans to get back at us later, we will let him see but not let him go. But such a situation has never happened so far. Sometimes we ask them if they want to see our faces and also look out to see if they want to steal a look at us even when they are blindfolded. We only blindfold them. We do not tie their hands up with masking tape and then observe what they do. If they try to sneak a look at us, we will teach them a lesson. But we warn them that if they want to go home, don't try to look at us. These mafia guys might want to identify us for when they are released. Later on, they might want to come back searching for us. We won't tolerate this.

If you look at newspaper reports there are one or two big cases this year¹¹². I am not involved in any of them, but I know of them going on – who the targets

¹¹² 2007

were and whether it was a big or small case. When they¹¹³ get in touch with me, they won't lie to me.

From how I see it, when we get ourselves involved in scorpion it is wrong, according to the law. But if we do not do anything to people like these, it is very difficult for others to act. For example, these drug dealers and mafias who pretend to be businessmen usually try to be friendly with high ranking police officers, politicians or ministers. So if anything happens to their people, especially the bottom level who are involved in loan-sharking, for example, it takes just one call to these influential people who, in turn, will call their lower ranking officers and tell them not to take action. The lower ranking officer does not dare to go against his Director. One call from the Director, he will let these people go, no questions asked.

Those who involved in drug trafficking and smuggling are much more intelligent. They are close with politicians and high ranking police officers. They don't associate themselves with the lower ranks and even if their boys are arrested for armed robbery, within twenty-four hours they will be let free. What can the police do with them? If I ask you to go to the police and verify this, I am sure the officers will say they can't do anything if the instructions are given from the top. In the end, these mafias do whatever they like. If we do not act against these types of businessmen who else is going to act?

I am a Buddhist and I pray. I believe that, whatever they do, someone or something will get them. Maybe it is the police, maybe it will be others. God will fate it to them. They might think that no one can do anything against them. Who knows, we could do something. But from a legal point of view, we are wrong. From a religious point of view too, we are not good but I feel if I get the bad guys, my heart is at peace. I believe God will not be angry with me. Why, because we are also the children of God. This is a God-given task for us to act upon. Even after death, if we are punished, we are satisfied.

¹¹³ The other kidnap gangs

You see, if we destroy or harm bad people, the community will say that we did good. But if I go and kill a single good guy, not only the local community but the whole world will get angry and hate me. So that is why we, as a group, do not go for just any type of businessman. We only go for the very evil ones. That is why the police love me. I have many friends in the police. At one time my mug-shot was popular with the police; me and my group were on their shoot to kill list¹¹⁴. Because God loves us he gave us a sign. There was an SAC¹¹⁵– when he caught up with me this SAC did not have the heart to kill me. After I was arrested he took my statement asking me why I did these things; I told him frankly the whole story.

I said: 'If we do not go and get these kinds of people, will the police get them? You see all these big businessmen; they always curse the police but the police are angry with us, the gangsters. In actual fact, the police should be thanking us. Why should you put us into trouble? These bosses complain to your bosses who then pressure you to get us. But we, in return, hit back at the taukehs. They fear us. The police know that we are not evil people. Even though we take money, we only take them from the evil taukehs. The good police weigh this factor in. Those police who are out to get us, they don't weigh all this in because they are friends with the bad taukehs.

That is why we get to know the good police. They give us chances and advise us, too. We are thankful to them for taking care of us. I don't mean they are corrupt and take money. They have the ability to shoot us but they do not have the heart to do so because we are not an evil group that deserves to die. They are happy, too, because they can't do anything about those drug dealers and loan-sharks that they want to arrest; they can't do anything because their top bosses are in cahoots and stop them doing their job. Since our name became famous, they make noises about coming to get us but actually they

¹¹⁴ There is a widespread public perception that the Malaysian police force operate an unofficial shoot to kill policy, especially where offenders are themselves armed or on a 'most wanted' list. By its nature, such a perception is difficult to uphold or disprove.

¹¹⁵ Senior Assistant Commissioner of police

give us advance warning. Even when we are arrested, they do not beat us. In fact they help us by asking us to confess only to those things we want to confess to.

Everyone in Malaysia knows that there are many corrupt policemen. I think the laws are valid but some do not work according to the law. Let me give you an example. A taukeh who is involved in drugs is arrested. There is clear evidence and he should be charged in court and sent to the gallows¹¹⁶. However, a corrupt investigating officer twists the evidence and says that the drugs were not in his car or in the house. So the public look at this and thinks that the police are incompetent. This kind of incompetence and bad officers are everywhere, in politics and the civil service, too. And not only in Malaysia - it is the same in Thailand, Singapore and everywhere.

The majority of the Chinese will not make a police report. Where there is a report lodged, it is done by the wife or a share partner. They don't usually report because they know what wrong they have done. If they go on to report it they will get themselves into trouble because they are involved in drugs, loan-sharking and smuggling. Another reason is they are worried that, if they break their promise to us, we will return and get them. They also see in the media that in ninety percent of cases, especially scorpion cases, there are no arrests. This makes them frightened and they mistrust the police.

My brothers have their own businesses now. My parents are getting old now and I do not want my younger brother to follow what I do. When I am not involved in scorpion, I help my friends out and do charitable work for the temples, the home for the aged, the orphanage and all that. We help them by buying food and building shelter for them. The money comes from scorpion activities.

¹¹⁶ The death penalty by hanging may be imposed by Malaysian High Courts for the capital offences of murder, drugs and arms trafficking, treason and terrorism.

At the present, I have five wives. From my first wife, I have five children – four boys and one girl. With my second wife I have two girls but these are from her previous husband who died. My third wife is in Thailand and we have one daughter. My fourth wife is a foreigner but is now in Malaysia with my parents; we have a daughter. My fifth is also from Thailand and we have one daughter, too.

Everybody wants the best for their children and family, I am no different. I want them to be happy but I do not want them to know what my job is. I don't tell my wives what I do; I do not want them to be worried. Even when I was arrested, they believed that I was not involved. Sometimes I have to tell lies. Even though they suspect something, I still lie to them. I do not want to destroy my family because of this.

When I was a kid and up until today, everyone in the village respected my dad and said that he was a good person. One time, I met up with an elderly gang leader. He asked me whether I knew who my father was. I said I wasn't sure. He told me that all the old gangsters respect my dad and pay their respect to him yearly by offering him money but my dad refuses to take it. They told me that my dad was in charge of the gangs when he was in Singapore, before coming home to take care of his sick parents. My grandparents wanted him to come back and my dad made a promise go them not to get involved in gangs anymore. Even now, when I meet up with old gangsters in Singapore - those who are in their seventies – if my dad's name is mentioned, they will give me face. I did not know that my dad was a major gangster because I have never seen him get angry or disturb anyone. My dad had warned me not to get involved in drugs, in pimping of women and cheating others. We still remember his advice. So when we do things that he did not mention, we don't feel guilty. He also told us not to disturb good people but we could hit evil ones.

After my arrest, I feel that my dad knows about it. But he said to me only one thing. When I was in the lock-up, he told me that I needed to think hard when I wanted to do a thing. We need to raise the pillow up a little, go to sleep and think hard of what we are able to do. If you think you shouldn't do it, don't do it. He was not angry with me. I believe he knows what I do but he never asks me anything about it.

Usually, before we target someone, we must first of all identify that the person is a bad guy. We follow his every move in order to check whether he is really a bad person or not. Once this has been confirmed, we will start planning on how to get him. We also have to plan how to collect the money and release the hostage safely because his family may report to the police. We must assess the capabilities of the police and everything. Only when all this has been planned and confirmed can we proceed. If not, we will not attempt it.

It must be one hundred percent safe. This is my target, not like the others. Only I will know what I want to do. From the start to the execution of the plan and the final taking of the money, the amount of planning will depend on individual cases. The quickest will be two or three months but some can stretch for one year. This is because we need to really confirm the target. We do not want to get the wrong target. You see, sometimes just rumours of how bad a person is might put him in trouble, so we need to confirm whether he is hurting others with his business and so on. We might need to survey him for six months to a year.

Let's say we talk about choosing to do other types of crime, for example robbery or auto theft. If we steal a good person's car we might put his family in difficulty - why should we put them in misery? Another example is if we go and commit, say, a bank robbery. In the course of the robbery we could shoot a security guard dead - even though our own mates are shot dead, this is not good. And, let's say, we rob a businessman of his money and later on find out that he needs the money to care for his sick mother in hospital. We have

actually encountered a similar situation. We robbed a businessman of eighty thousand ringgit and read in the newspaper the next day that his wife needed the money for an urgent operation. This made us feel very bad. By then we had already spent thirty thousand ringgit, with only fifty thousand left. So I gathered my friends together, we topped it back up and returned the money. We took the money to his house at midnight, threw it onto the yard and then threw a brick at the house before running off. We checked the phonebook for his number, called him and apologised. He thanked us and hoped that we would become good. This came out in the papers. You see, when we rob someone, we won't know whether he needs the money for something important, the only thing we know is that he has money.

When we target someone bad and he does not have millions of dollars, we enter his house to rob him of whatever we can and maybe take his car, sell it cheap and serve him with a warning that, if he carries on with his evil ways, we will return to make it even worse for him physically. The really evil ones we scorpion because we want to scare them; if we only rob them it does not instil much fear in them. The other thing is that if you scorpion someone who does not have much money or, let's say, only for a hundred thousand ringgit, the punishment is the same as if you did it for five million. It is still either mandatory death or a life sentence, but for robbery it is much less. So we let the police handle the easy ones. We only tackle the hardcore ones.

Robbery is much easier to do. For scorpion we need to plan well, survey and execute the plan properly. We will have to look at whether the target has the money, whether he or his family will report to the police or not and so on. So there is more work.

Making the safe release of hostages the priority, rather than the arrest of the kidnappers, will not make kidnap more likely but it will make sure that the hostage is properly taken care of. It makes it easier to get the money without fear. The police must first think of the safety of the hostage. They will want the

hostage to be released before they act. Otherwise they would just come and arrest or shoot everyone.

If you look at a robbery at the goldsmiths - they robbed two million dollars worth of gold. They might only get six hundred thousand ringgit on the black market. How much do they get if it has to be divided between five people? Might as well do scorpion. If they get two million, that's two million. If it is divided amongst five people, each will get four hundred thousand. They do not have to deal with the guards or the police or the insurance companies, who will pressure the police to clear the case. If the police are not angry you can stay safe a little bit longer. If we anger the police by hurting the hostages we will be in deep trouble and they will make sure to get us in any way they can.

The police have a difficult job to do. It is not easy for them to get us. They know that they can't just go and arrest us. They must have all the evidence and witnesses first. If not, even if they arrest us under the ISA¹¹⁷, the politicians or the public will think that they have not done their job. Our job is easy, we get our guy and we can sleep and relax. They can't. They will have problems if the leader of the gang is clever. Just like me; they find it difficult to get me. One man did manage to get me and maybe that was luck. At least he gave me a chance, perhaps because I did not kill anyone. That is why, maybe, many think kidnap is easy. The Malaysian police are very good hearted. If there was no ISA in Malaysia, it would be ruined. I was detained three times under ISA but I still support it. In Thailand, the police do not care if the hostage is safe or not. They want easy work. Malaysian police do not work like that - they follow procedures. That is why they have a hard job.

¹¹⁷ Internal Security Act 1960 – allows for the arrest and detention without trial of people considered to be security threats. In the first instance, this may be for up to sixty days during which the prisoner is not allowed access to legal representation or to be visited by friends or family members. The period may be extended by further periods of two years each upon application to the Minister for Home Affairs. In some cases, this has meant indefinite imprisonment without trial – a situation heavily criticised by civil liberties organisations but staunchly defended as necessary for state security by representatives of the government.

Not everyone can do an academic degree, even less for a master's and much fewer for a PhD. If it was easy, everyone would want to do it. Not everyone can maintain a Mercedes car, but I can; if I gave it to someone else, he might not be able to afford the repayment and it could be repossessed. The same goes for scorpion. Not everyone could do it, they would get caught.

Look at the Li Kah Shing kidnap case in Hong Kong. Cheong Tze Keong did it - he got a lot of money but what happened to him? He kidnapped Li's son and he went in person to meet Li and discussed the ransom without hiding his identity. He should have done his work and checked out who Li Kah Shing was. Even I, in Malaysia twenty years ago, knew what a philanthropist Li was, how much he helped China and the communist party financially and how close he was with Chan Tze Meng, the party leader, as well as other top leaders. So they managed to push Cheong into mainland China where the penalty for kidnapping was death and where they shoot on sight. The whole Chinese police force was set upon him – where could he run? He was only into robbery before that and tried kidnapping, thinking he could get away with it. When I read about the kidnap in the papers, I said to myself and my friends: 'this guy is finished within three months, the rest is history'. He was stupid. Li Kah Shing is a good person who helps people everywhere, even in Africa. Why should you target a good person, even though he is filthy rich, when he helps a lot of people? I might do what people say is a bad thing, but I do it to bad people, not to decent ones. This is what I mean by targeting and confirming who you want to hit. Robbery is much easier, many people can do it. Scorpion is like a PhD, not everyone can do it.

I am not only involved in illegal activities. One of my businesses is a transport company, which I share with a friend. This started quite some time ago - 1995 until now - so roughly about twelve years? There are other businesses, too - a restaurant, a coffee shop and a food court. I also deal in a scrap iron with another business partner. It is an export company but my partner takes care of the management. These businesses are quite profitable and we have never

run at a loss. We run them very efficiently and there was no problem with incoming payments whatsoever. The restaurant and food court are doing very well. I don't like opening up businesses and closing them down after one or two years. Just like my scorpion activity, I make sure that I target and analyse the businesses I open and only get involved in those I think I can do. Otherwise, why should we waste our time; time is very precious. Just like scorpion, I am the one doing the planning, market surveying and analysis of every aspect. If I decide on something, there is no such thing as failure.

My involvement in scorpion is because I weigh and look at the world today, especially in Malaysia, with the police, the crooks and bad businessmen, I feel so angry. Look at what I said before about loan-sharks. They lend money to people and if they are not paid back, they go and beat them up, murder the borrowers or even rape their wives. They make lots of profits yet they are still bloodthirsty. If we do not take care of these kind of people, who else is going to? Maybe the police are also angry but they cannot do a thing to stop them.

Our police friends tell us when to make ourselves scarce, because there is a hunt on for our scorpion group. We would not know this if the police officers did not tip us off. We know that the good police officers give us signals to run, by giving out details of who they are targeting, the vehicles used and our description. We get these tips and lie low. The police will not tell us directly but by way of rumours.

Scorpion is deemed as wrong, we know that. But we try to balance the whole thing and we are not worried. We are very religious people and we pray a lot. Sometimes we seek the advice of our *sifu*¹¹⁸. We asked him whether it was OK to hit someone evil, who does very bad things. The sifu said it is good to teach bad guys a lesson and, because you have helped many other people, even God will not be angry. This is what he said, so we felt relieved.

¹¹⁸ Chinese term for master, or teacher. In this case, Alohan is referring to his Buddhist teacher and spiritual guide.

Let me tell you a story. There is a man who has a knife and stabs people, killing many. If you had the ability to kill the guy, would you go and kill him or not? God knows, if you do not want to kill him then you are more evil than him because you would let him kill innocent people. This is what the sifu told us. So now we go and scorpion the crooks who sell drugs or who are involved in smuggling or hurting people. If we don't teach them a lesson, they will become much more daring. One of these days, they might do something to my family or good friends – right? So if we have the chance to stop them with what we do, we should. What we do serves as a warning to them. We change these kinds of people, but we still must take the money.

Here is another story, a religious one. Let me say that, apart from Buddhism, I also believe in Islam, Christianity and Hinduism to a certain extent. This story concerns the elderly from previous generations, who tell us not to step on living things or kill flies. Now there is this mosquito - it bites people and they become sick and die. The older people say I must not hurt any breathing being, yet they know the end result – these older people are so stupid. I must weigh all this because this mosquito kills and, if I let it go, it is just like I killed the whole village myself. I had the power to kill it, but I did not. Why? Because I wanted to save myself. So this makes me a useless person. Even if I pray, my prayers are worthless. I kill the mosquitoes to help the whole village, even if it means something bad will happen to me. Just like if I see a snake, I will go and kill the snake. If I don't kill it when I can and it goes and kills two people a day how will that be? In the end the bodies will pile up, you know.

It is just like this with the mafia, if we don't teach them. I do not purposely go with any intention of killing them. They have wives and children and family, too. I scorpion them, see how much money they can give, take it and then warn them. We show them how strong we are and how smart we are. We give them an opportunity to change. If they don't change in three months, we come back again and this time: 'No chance for you'. We will kill them, or whatever -

we don't know yet because I have not seen anyone doing it for a second time, after the warning. So, we use our ability to think, plan, target and initiate the project in order to change the mafia people. It is very important to us. I do not need the money from scorpion to take care of my family. I can use my skills to get money from the businesses I have. Even though I did not finish school, I am able to support myself through my businesses. I'm a businessman. But if everyone only thinks of taking care of their business, who is going to teach the crooks? The police can't arrest all of them, especially the drug dealers. The police will not be able to arrest the main players. So if we can do it, we might as well do it. The drug lords are like king cobras, everyday their poison can kill ten people, so if we leave them to it, how many will they kill in a year?

This is just like the Buddha's story of Alohan. My sifu told me that my actions and character are similar to Alohan. So I questioned him about what Alohan meant. He said Alohan is the one who teaches evil spirits and crooks a lesson. If there is no Alohan, how is God going to clear this job? He will use whatever means there are available, the police and Alohan.

After about being involved in five or six cases, we started praying and went in search of a sifu, because we were worried and we knew what we were doing was wrong. The police were searching for us. The gangsters were also looking for us. We were not worried about our own safety but we were afraid for our families. So we searched for a sifu to advise us on what to do. We didn't actually tell him what we were doing. What we did was to ask him: 'If there is someone who hurts or kills good people, what should we do?' We learned a lot from our sifu, who is a Buddhist. He is quite old, over seventy years old. We came to know what Alohan does; we feel that we are Alohan and are doing his work. We feel at ease because we don't target the innocent. I do believe that, all this while, we have been safe because of the way we do things.

After the sifu told us this, we felt a bit relieved and could see that we were helping many people. Once we help people, there is nothing to worry about. We feel that we are doing Alohan's job and according to the religion we are not guilty. We may be guilty according to the law but, according to the religion, we are right.

The amulets that I wear were given to me by my sifu when I met him. He wanted me to wear these to keep me safe. But he also warned us not to cross the boundaries of what we do. As long as we do Alohan's work, we are alright. We do not want show off our amulets; they are only for us to feel safe. We wear the amulets out of respect for our sifu. They serve as a reminder to us not to cross the boundary. We do not want to prey on good people and we do not want to forget who we are. Sometimes, some people forget themselves when they become rich. We must remember what we do. We must not take the money that we get and go out gambling and all. We use the money that we get to help others. We donate to temples, mosques or any place of worship. We also help the orphanages.

I do donate to orphanages in Malaysia but it is in Thailand where I donate the most. I can see, when I am there, that the Thai government is not rich and neither are the people. Community leaders and orphanages find it difficult to get funds. When I saw all of this, I decided to donate things like food, clothing, baby stuff and other things too. On my travels I saw some orphanage children showering near a river. I asked the people in charge what assistance I could give them. In the end, I financed the construction of a dormitory complete with toilet and shower facilities for the children. This made me feel great. If I can, I definitely will help, because I know that this money is not mine. The money belongs to the bad bosses, so I am actually helping them to become good.

When I give donations, I do not want to be recognised for helping. I try not to deal with the government but with the local leaders and I tell them not to

mention our names, just take the money and we will be happy about it. But there are occasions where the leaders say they will not accept the money if we do not attend a ceremony to thank us, so we oblige. But we are very careful not to have our photos taken because if they get out and are published in Malaysia then we worry we might get into trouble. We do not help because we want to be recognised or awarded with a medal. We just want to help.

I choose the targets myself, although people will come and report bad businessmen to me. I will surely check these reports first. And if they are true I will know. If not true, I will not do anything. Sometimes I overhear a person talking; not complaining directly to me, just talking in a coffee shop about a taukeh who is harassing others. Or I hear from acquaintances at the coffee shop about how evil a taukeh is. The next thing I do is to get my men and we set about confirming whether the reports are true or not. We also see if the police have done anything. I am not saying that all policemen are bad, but they are often instructed not to take action by their superiors.

I think it happens everywhere. I hear it in the news and from people I know. This happens in Thailand, Philippines, Hong Kong, China, the UK or anywhere but not to the degree that it is happening in Malaysia, where the taukehs can handle the police like this. I have not been to other foreign countries apart from Thailand, Singapore and so on.

I see in the news that, for example, people in Iraq are not happy with America and have kidnapped people but not for ransom. Similar to what I do, it is not because they need the money. The police have to listen to those who have money and who are close to the politicians. If a policeman wants to get promotion, he has to be friends with politicians. The politicians in UMNO¹¹⁹ or

¹¹⁹ United Malays National Organisation – the largest Malaysian political party and part of the ruling Barisan Nasional (National Front) coalition.

the MCA¹²⁰ are the ones with power, so the police will be close with them. Even in Singapore, where politics are said to be clean and without corruption, I know it still happens. Maybe it is not corruption with money but with favours instead.

It is very difficult to eradicate corruption. People's thinking and mentality are different. Even if someone works according to the law, there will be those who do not like him or hate him for what he does for the people. When there is hate, many things can happen. In order to stop this, I believe firstly in politics. Politics must be properly handled, especially in a country with many races and religions. You must not torture, you must not give less, even if you don't like other people or religions. Even if there are only two or three people, you must allow them to pray. If thoughts and ways are sincere, only then there will be satisfaction. So the people in politics should control this, so that everyone has work and, if people report anything to them, the police go and handle it.

Politicians must show the way not only those below. Just look at America - even when the President¹²¹ knows that what he does is wrong, he still goes on and does it. Why? Because of oil. He only takes care of himself. Look at this war. When he was a friend of Saddam Hussein, there was no problem. But when Saddam Hussein wanted to invade Kuwait, he did not say anything. Saddam was a friend of America and he thought there was no problem with an invasion; he was taking oil for America too. America decided it did not want Saddam to handle the oil so they found a way to come in. If America truthfully wanted to be a gentleman, it would not have allowed Saddam Hussein go into Kuwait. They surely knew, they have their FBI and their sources. America could have stopped the Iraqis from going to war, so why did they allow it. Even the weapons were supplied by America.

¹²⁰ Malaysian Chinese Association – another constituent member of the Barisan Nasional (BN), this time representing Malaysia's ethnic Chinese. The other major BN party is the Malaysian Indian Congress (MIC).

¹²¹ Alohan is speaking of President George W. Bush

Firstly, politics must be clean because this is right at the top. If politics is clean and the parliamentarians, ministers and presidents are all clean, the citizens looking at it will be happy. The political situation in Malaysia is not right. The power is with the Malays – not balanced; when we look at the police, ninety five percent are their people. It is difficult for the Chinese, Indians or Sikhs to get promoted. The chiefs of police that I know are Tan Sri Haniff, his successor Tan Sri Rahim Nor, next it was Tan Sri Bakri but before him it was Tan Sri Norian Mai and up till the present IG¹²², Tan Sri Musa¹²³. I feel that the Tan Sri Musa is a little different because he does not want to see his officers involved in corruption. His mobile phone is always open. He wants all his police chiefs to keep their hand phones open, too. If anybody wants to complain and if the chiefs do not take action, the IG can be contacted directly. There is change and this is good but there are some bad stories, too. When they try to clean up the old corrupted police chiefs, many criminal cases come up. Nowadays, those who do crime are not necessarily gangsters or immigrants. Many police personnel are involved in crime. There has been talk about this recently, about the Mongolian girl that the UTK¹²⁴ murdered. It is because of politics, everybody knows. Although there is proof and witnesses, because of politics, nothing will happen. Apart from that, there are many cases where the police went and robbed goldsmiths and banks. They were shot at and arrested, too. Even though this head of police wants to clean-up the police, it is very difficult and it will take some time, because on top of him there are still those politicians.

The Chinese do not like to report crimes against them to the police. Even if they report to the police, about ninety percent do not want to take action. If a

¹²² Inspector General of police – the head of the Malaysian police force

¹²³ Alohan is drawing attention to the fact that, from their names, the incumbents are easily identifiable as Malay and Muslim, rather than Chinese, Hindu or Sikh.

¹²⁴ Unit Tindakan Khas (Special Actions Unit). This case is something of a *cause célèbre* in Malaysia. A female Mongolian translator, Shaariibuugiin Altantuyaa, was murdered in 2006 and her body blown up with C4 explosive. Contrary to Alohan's prediction, in April 2009, two officers of the UTK were convicted of her murder. However, there are still widespread rumours about a conspiracy and cover-up at the very highest levels of government.

person knows the policeman, no problem, he will take action quickly. In the case of armed robbery, for example, the police officer will have to call the OCCI¹²⁵ who will then have to call the D9¹²⁶. So, while this is turning around, the guy will have escaped and gone home to eat rice! The police report was useless. Even when a report is made and there are arrests, the gangsters who have guns are friends with certain taukehs. These taukehs might look like businessmen but they are also involved in illegal gambling or loan-sharking. They need the help of armed guys for protection, or use them to kill others.

The taukehs are close to the police. Every month they give salaries¹²⁷ to the police. Let's say they are friends with a Chief Inspector or ASP¹²⁸. After ten years, the officers may have been promoted to the rank of SAC¹²⁹, DC¹³⁰ or maybe even IG¹³¹. The taukehs will contact them and tell them: 'Hey boss, these are my people'. The top officers will only consider the number of years they have taken money and nothing else. They will call the people below and say: 'Hey look at these cases. They are our taukeh's people, see what can be done'.

The lower ranking officers can't refuse; otherwise they might be transferred out to the jungle- many have been transferred to guard the jungle¹³². The policemen who want to do their work and take action are frightened to do so. Out of one hundred officers, there may be five who will take action – the brave ones - but those five percent are the ones guarding the jungle and the villages. If they are transferred to the outskirts, they worry about what will happen to their families and who will take care of them. They just put their feet up and say: 'What is the point?' So, no one will come and make a report.

¹²⁵ officer in Charge of Criminal Investigations

¹²⁶ Serious Crime Unit

¹²⁷ The word salary, used here, is a euphemism for pay-out.

¹²⁸ Assistant Superintendent of police

¹²⁹ Senior Assistant Commissioner

¹³⁰ Deputy Commissioner

¹³¹ Inspector General

¹³² The General Operations Force, formerly known as the police Field Force and, earlier still, the Jungle Squad. Alohan believes that this is an undesirable posting and prejudicial to an officer's advancement.

As I am a Chinese, I know what the Chinese attitude is. If the Malays or the Indians are robbed or assaulted they will go and make a report. If the report is not accepted, they are tireless and will go here and there to make the report. The Chinese feel that when they are robbed but are not injured or killed, they should take it as a debt paid to someone and not a problem. They do not want to make a fuss; if the robber is in need, let him have the money. When there is no report, the person who did the robbery will say: 'this guy did not make a report, so I will not disturb him anymore'. The Chinese do not want any more problems; they just take it as a debt that they had to pay. If they think of it as debt, ninety percent (if not all) of the Chinese do not want to make a report. I am not able to say this if it is the Malays or Indians who are the robbers.

However, Malaysian Chinese and Indian women will go and make police reports. The Malay women will usually discuss with their husbands or families before doing anything - Malay women are less free. The only exception is when it comes to Chinese women in rape cases, because of shame.

If you look at armed robbers and crooks, all of them come out of the gangster groups and they, too, have laws and regulations. One of these is: 'do not go and disturb good people again'. If you do and it becomes known, no one will like you. The majority of them will not do it again. Those who do go and disturb again are mostly drug addicts and they have no brains to think about what is proper and gentlemanly or about the oath taken. They don't think; they go and get what they want.

There are many who are close to me. There are the police officers who are very close to me, like my brothers. There are also some religious people and businessmen, as well as those in politics. The ones who follow me or are in scorpion with me are very, very close.

There are some, for example those in my village, who see us as gangsters and are fearful of going near us. We have been in and out of prison and they

are frightened. Before I went into prison, I had many good friends and some not so good. When I came out of prison, those who had been formerly close to me ran off. Those who had not been so close, started to come closer, maybe because they saw that I had been to jail so they had respect for me. The ones who were good friends before thought that I was bad as I had been to prison, so they left me. They can think what they think, I cannot control it, but I try to be good to all my friends. If I see my friends are in trouble, I will help whether they want my help or not. I will even hand the money through another friend to help him with any table talk, without my name being mentioned.

This is my attitude: if people show me respect, I will show the same respect towards them. Even if there are people who look down on me, I am not angry. I will not be in pain. I am not worried. When I eat my bowl of rice, I don't rely on them. Whatever I do, or whatever assistance I give, I do not want anything from them. If they respect me, I will respect them more. If I get arrested, I don't put them in trouble. Maybe I make them worried because they care about me and do not want me to do wrong; I can't control their feelings, but it is them who are worried, not me.

I am not in the wrong here. If they use their brains to reason out, that maybe I was in prison but I am still a steady person, it is OK. But if they think that everyone who goes to prison is bad, I cannot do anything. I am not worried about being deprived of this kind of friend. Even if I have a hundred friends, I don't expect all of them to love me. If I have one or two who really care about me, it is enough.

When I was arrested as a suspect by the police there was no proof, just suspicion. It came out on the TV and newspaper. There were friends who did not believe the news because they knew my character. To them I was just a normal person, not a smart guy, just a gangster. Those who mix with me now do not really know who I am. When I drive a Mercedes, they think it belongs

to a taukeh and I am just the driver. I tell them that it is not mine, even though I own it. I am not a show-off.

My friends have a lot of respect for me. There are also those who are frightened of me - people like businessmen and politicians can be frightened of me. Some people are nice to my face but are frightened of me behind my back. There are many types. I will not be able to finish talking about the types of people. A hundred people may have thousands of thoughts.

Respect is different from fear. Those who respect me, say that what I do is right. Those who fear me do not understand what I do and why I do it. All they know is what I do is wrong, against the law and they are frightened. Before they knew what I did, they came to see me, respected me and I helped them. But once they knew what I did, they were frightened to get in touch with me. They might say that: 'I am a business person, I cannot mix with that kind of a person, but he is a good person'. So they mix very little with me. They don't say I am bad, no, but they say they fear me.

When the people in my community see me arrested by the police on suspicion, they gather from the police that the taukehs are bad and even the police think so. If the police do not understand us, they would have erased us. The police can't say directly that they agree with what we do, because our work is against the law. But they will say this: 'We'll not take any action against this scorpion group because it is just like they are helping the police'. The police cannot take action against the big taukehs because they do not dare. You can say that we help them with half their work.

I think the reason that I am alive to this day is because some policemen, politicians, businessmen and others who know me will warn me if the police are after me and give me a chance to get away. They help make things easier for me.

From what I see in this world now, there is a lot of crime everywhere. There is also a lot of political disturbance, which can bring the economy down, for instance in China, Taiwan and the USA. China has its own gang. The USA is like the leader. If the USA sees a benefit they will not care; they will go and get it, just like with Iraq. Formerly Saddam Hussein was America's best mate and they sponsored him. Same thing with Osama bin Laden. Whose friend was he before? Then he turns back and hits America; it was their own doing. It is politics that makes things unbalanced.

Everybody in the world knows why America went to war in Iraq. It is all because of oil. Look at Kuwait. Why did the USA wait until Kuwait was attacked before going in to help out? Why couldn't they go in before that? It is like when you see people quarrelling and about to hit each other, you go and stop them, not wait until they hit each other half dead and then send them to hospital. That is useless.

Nowadays everyone listen to the news and knows what America wants. We don't have to look far, Malaysia, Thailand, Singapore and the Philippines. With politics in Malaysia now there are so many things happening. Look at Anwar¹³³; they brought him down and charged him in court. Did he really do the crime? No he didn't, everybody knows he was framed. America didn't come and help him; they only came, showed their face and went home.

If not because of America, China would have eaten up Taiwan much earlier. If they invade Taiwan, America will definitely hit them. China is not that rich yet but, maybe, in ten years time it will be. America has a lot of weapons, so they don't care. They will do whatever they want. But what they do is not balanced.

At the moment, Malaysia has got problems with the Indians. This is the politicians' problem. In fighting, they want to show their power. The

¹³³ Anwar Ibrahim, Malaysia's former deputy Prime Minister, was imprisoned for corruption and sodomy from 1999 to 2004. The conviction for sodomy was overturned in 2004 but he now faces a trial over new sodomy charges.

Government went and pulled down the Indian temples. This was a bold move, however, they did not bother to think about what was bound to follow.

Everyone now sees that there is no leader in Malaysian politics. Everyone in UMNO wants to become a leader. There is internal fighting going on in both UMNO and MCA. Some want to have an early election and some don't. The ones who want an early election will stir up anger between the Malays, Chinese and Indians. As for those who would like to see an early election, they are also worried that they might lose big.

Did you see Malacca recently, with the pig farming issue? The Government says that there is no proper drainage system, so the farms must close. The pig farmers invested millions to install proper drainage. But then the government said that they still couldn't do the farming because people have complained about the stench. Why complain now, when this farming has been going on for the past fifty years? If they stop pig farming locally, the Chinese will have to purchase pork from China and our money will be taken out of the country. Why is it like this? All because of politics. The people are very disappointed with the political situation in Malaysia. Local businessmen, both Chinese and Malays, are taking their money abroad and investing it where the political situation is OK. Many run to Vietnam or Thailand. Thailand may not have a good political climate but they do not disturb people who do business.

If this new problem with the Indians gets out of hand, there will be clashes. So, because of one or two people in politics, everyone is in trouble. Previously the Indians all worked in the estates¹³⁴ but now some are getting education and becoming rich, so they start to ask for many things. All people are like this, not only the Indians. Even the Chinese are asking for many things, but they do not fight this way. They do it slowly; they ask and negotiate.

¹³⁴ Palm oil or rubber plantations

Out of a hundred Chinese, ninety are like this. They want everyone to live. They want their businesses to run smoothly without any disruption. You see, Communist China made our ancestors suffer and become very frightened. The elders kept advising us, the younger generation, to remember the pain they went through. If we ask for anything, we must ask for it nicely and not show anger or be forceful. If you are forceful, it is just like a rock colliding with an egg, you end up with nothing. So our ancestors taught us to work hard; even if you make a bit of a loss it does not matter. That is why the Chinese can survive wherever they go, on top of a mountain or near the ocean.

However the Malaysian Chinese are unique. I dare say this because, in the whole wide world, the Malaysian Chinese are the most helpful of all. They help almost everyone they can. This is true with other Chinese too, but not on the same scale with the Malaysian Chinese. Singapore Chinese do this, too, but everyone knows that they are arrogant. If they donate ten thousand dollars to charity, they will claim back a hundred thousand dollars in tax rebates. Many Malaysian Chinese go to China and conduct business; almost everyone gets good business and is not cheated. But if you look at Singaporeans, out of a hundred persons, ninety will get cheated. That is why the Singaporeans do not like to do business in China. Formerly, politicians like Lee Kuan Yew kept telling them that, if they do business, it must be profitable at any cost and they must use English as the main language. Now after tens of years, they regret going about it the wrong way. The Singapore Chinese can't even speak their own Chinese language. These Chinese are not Chinese and whose fault is that? That's politics. The majority of their schools and TV programs are in English. Now, Lee Kuan Yew cries on TV saying that he made a mistake. Of the Malaysian Chinese, ninety percent can speak Malay, some can speak the Indian language, but all of them can speak many Chinese dialects: Kek, Kwangtung, Teochew, Hokkien. One Malaysian Chinese person can speak at least five languages or dialects but the Singapore Chinese can only speak two at the most, English and Mandarin –

that's all. You know why? Back in the seventies they never thought that one day China would rise up.

Because we are born in Malaysia, we are Malaysian, even our parents are. However, our grandparents are Chinese because they come from China. We are Malaysians one hundred percent. Some politicians may say we are Chinese and tell us to go back to China. So where do the Malays go back to - Indonesia or the jungle? Do they not think, when they say things like this - do they have brains or not? They shouldn't play around with this kind of childish statement. When politicians say these kinds of words, others will imitate them. But you don't hear the Chinese telling the Malays to go back to the jungle. Their parents do not teach them manners. We do not want to fight with them, we stay quiet and relaxed. That is the Malaysian Chinese style.

The Chinese style is different. If there is a problem, we don't go and fight it out. We see if we can settle the matter. This is what our parents taught us. Once we reach the age of eighteen, we are told to make our own mind about who we want to marry, be they white, black or Malay. Our parents will not stop us. They say that they can support us with money but we must find happiness on our own. Indian parents will arrange their children's' marriages. They will search for suitable partners and reject those they think are not in the same class. Malays are also like that; the issue might be whether you are rich, or from the village, or a Kelantanese.

The crime problem in Malaysia is all due to the political situation and the police. The politicians make pacts with the gangsters, in order to secure victory in the areas they contest. They promise the gangsters anything as long as the gangsters will help them achieve their goals. For instance, in a village of ten thousand there might be fifteen hundred gangsters who tell their friends and families, totalling eight and a half thousand, to vote for MCA or UMNO - problem solved. The gangsters will table talk or intimidate them and, sometimes, even use kidnapping. So many things can happen. The children

of DAP supporters will be intimidated or even kidnapped. When they go and make a report to the police, the politicians will tell the police not to interfere. The gangsters then feel invincible. After ten or fifteen years, they start operating illegal betting machines, illicit massage parlours, smuggling and so on. The politicians keep on enlisting the help of gangsters. This makes the gangsters bolder. They say: 'If you want us to help you, we will, but if we get into any problems, you must help us'. If the police want to arrest them, the politicians will tell them to close one eye.

If you want to reduce crime, politics must not control the police. I call for those who are highly educated to use their knowledge, intelligence and expertise to pave the way for our, or any, country. They must find a way to curb this.

Appendix II – Phases of Research

The project began in the Autumn of 2006, as a two centre research project, based in the United Kingdom and Malaysia. The project was carried out in five distinct phases.

Phase 1

The first phase, a short three month period from October 2006 to January 2007, included as much research training as could be managed and began with an intensive review of the existing literature, with a strong focus upon published academic and policy-oriented research concerning, in particular: kidnapping for ransom; kidnapping for political or other motives; the coexistence of legal and illegal businesses and markets, and Asian criminal and business cultures. As the subject of kidnapping is very much under-researched, it was also necessary to include other sources of information, for example: criminal autobiographies, journalistic accounts, insurance briefings and risk management analysis. The literature review helped to define the parameters of the study and its context in relation to existing knowledge.

Phase 2

During the second phase, from January to July 2007, access arrangements needed to be made. Relevant written consents and permissions were secured from Alohan, the main research participant. Agreements in principle were struck with gatekeepers within Malaysian customs and police, who were approached to confirm previous half-promises about the possibility of interviewing officers from the SPKU and customs anti-smuggling divisions (also known as 'Preventive' units). Other key tasks included working out the various protocols for communication and security between the fieldwork in Malaysia, and the supervisory team back home in the UK.

A major hurdle that needed to be overcome was gaining Ethics Committee approval from my university. A College Research and Ethics Committee form was submitted, in accordance with University regulations, in May 2007. Having read it, the Post Graduate Research Degrees Committee, quite justifiably, expressed some grave reservations, particularly about: the safety of both researcher and main research participant; the University's duty of care and reputation; the possible legal pitfalls of consorting with active criminals; and the propriety of the research itself. In addition to the usual ethics paperwork, the Committee needed more reassurance that all reasonable contingencies had been worked out scrupulously and that robust protocols drawn up that everyone involved had to abide by, in order to reduce risk to an absolute minimum. An extra submission was made to the Committee for review during their next meeting in June 2007. The airline tickets had been bought several months in advance to reduce costs, yet the project was not given final approval to go ahead until after my arrival in Malaysia, which rendered this an anxious time.

Accommodation in Malaysia was organised, travel tickets were booked and paid for, doctors appointments were made, banks and credit card companies were informed and UK souvenirs were bought as polite thank you tokens for the many Malaysian friends, relatives and ex-colleagues who would help to smooth the way over the next half-year in Malaysia.

Phase 3

The third and most critical phase (July to December 2007) comprised the fieldwork itself, which took place entirely in Malaysia. Alohan had accepted an interview timetable of one session per week lasting about two hours per session, with some elasticity in the schedule if he needed time away for business, or any other reasons. These interviews took place in safe-houses.

Some transcription/translation work was carried out during this phase and basic analysis work was undertaken, sufficient to inform later interviews. Atkinson (1998) estimates that 1 hour of taped interview should take 3-6 hours to transcribe. Estimates for translation from Malay to English assumed that this would be even more time-consuming with approximately 8 hours (or one working day) set aside for every hour of recording. For security purposes, the transfer of data transfer to the UK was performed on a daily basis, so that only the material being worked upon was present on-site. Communication with the supervisory team and Director of Studies was conducted via telephone, email and web conferencing at least once a month or more frequently when problems appeared, worries surfaced or general support was needed. This communication was recorded and, with the assistance of the supervisory team, documented on the periodic monitoring forms.

Phase 4

This ran from January 2008-December 2008 and marked a return to the UK. During this phase, the literature review and methodology chapters were finalised and analysis of the interview data began.

Phase 5

During the remaining time, from January 2009 until September 2010, the major work of analysis was undertaken and the thesis was written. The final draft was submitted in September 2010

Appendix III – Interview Schedule for Police Officers

1. When did you join the police service?
2. What would you say prompted you to join the police force?
3. What is your ultimate ambition as a police officer?
4. What do you think is your highest achievement as a police officer up till now?
5. Malaysia itself is very unique because it is a multicultural society. We have Malays, Chinese Indians and others. How do you feel this effects enforcement of laws?
6. Can you tell me the background of this Department and what are the duties of officers in this department?
7. What types of crimes do you usually investigate?
8. What laws are there in Malaysia to tackle kidnapping and abduction?
9. Approximately how many cases of kidnap have you personally investigated?
10. How would you describe your most successful case?
11. In cases of kidnap, from what ethnicity are the victims from?
12. If a kidnapping has not been reported to the police, but the police somehow come to know about it, will the police investigate?
13. When it comes to reporting by the victim's family or relatives, who usually comes forward to make the report, is it the male member or female member?

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14. What about the actual incidences of kidnapping in Malaysia? Are there many cases that are not reported?
 15. Why do you think victims sometimes do not report kidnap cases to the police?
 16. With regard to the kidnappers. Do you think they are usually opportunistic individuals or are they career criminals?
 17. In terms of organised crime groups or secret societies and the like, do you think that there is a lot of kidnapping done between them as a form of dispute resolution?
 18. In terms of geographical location, where do see the most concentration of the prolific cases of kidnapping with regards to ransom demands and occurrence?
 19. What has been the highest ransom demand that you have investigated or that you know of?
 20. In your opinion, what are the types of kidnap that will least likely result in the death of the victim?
 21. How much concession do you give to the wishes of the affected family members in the conduct of a kidnap case?
 22. Have there been any cases where families reported to you and yet they do their own separate dealings?
 23. Which type of kidnap do you think gets priority in terms of allocation of resources?
 24. What kind of problem would the ethnic background of a perpetrator or kidnapper present to the police investigations?

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25. How important a role do informers play for the police in solving kidnap cases?
 26. How important do you think that members of the public play in the resolution of a kidnap case?
 27. Is there anything else that is important that I have not covered here, especially about kidnap for ransom, that you think should be highlighted?

Appendix IV – Interview Schedule for Customs Officers

1. When did you join the service?
2. Has it always been in the preventive section?
3. What are your feelings of working as an enforcement officer in customs?
4. What do you think is the best achievement you had in preventive over the years?
5. In the years working as a preventive officer, you come across many smugglers who are involved in fraudulent evasion, under declaring of goods etc. What would you say is the ethnic group of the majority who are involved?
6. In the customs itself now, what is the makeup of officers in terms of ethnicity?
7. Why do you think there is a lack of interest from non-Malays?
8. Where do most of your cases come from?
9. What ethnic group will the informers come from
10. Are they involved in the same kind of activities?
11. How do your relationships with informers develop?
12. Do you still look at this person as an informer or does he become more like a friend?
13. What do you think is the perception of the public, especially non-Malays, towards customs – especially on the preventive side?

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14. How well versed are you with the PBSI [Preventive Branch Standing Instructions] in relation to handling informers?
 15. Do you think there needs to be further clarifications on how to handle informers, especially with informers who are themselves involved in the infringement of customs laws?
 16. What kind of protection do you normally accord to informers? We know that anonymity is one. Are there any others?
 17. How is the relationship between the officers on the ground and officers on the management level?
 18. Is there anything else that you want to add to what you have said or are there any other issues that you want to bring up in this interview?