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CLAREMONT MCKENNA COLLEGE
SOCIAL PIRACY IN COLONIAL AND CONTEMPORARY SOUTHEAST ASIA

SUBMITTED TO
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PORTRAIT OF A PIRATE IN BRITISH MALAYA

"It was a pertinent and true answer which was made to Alexander the Great by a pirate whom he had seized. When the king asked him what he meant by infesting the sea, the pirate defiantly replied: "The same as you do when you infest the whole world; but because I do it with a little ship I am called a robber, and because you do it with a great fleet, you are an emperor." - St. Augustine¹

Eric Hobsbawm relates confrontations between the Mesazgi brothers and the colonial Italian government in Eritrea to paint a portrait of social banditry in *Bandits*. The following relates the confrontation between Capt. John Dillon Northwood, a 19th-century trader based in Singapore, with Si Rahman, an Illanun pirate. This encounter illustrates the social and Hobsbawmian nature of these incidents of piracy. This narration is drawn from *Sixty Years: Life and Adventure in the Far East*, written by John Ross in 1911. It is based on the author's access to letters written by Northwood.²

Captain Northwood set sail for Singapore on his trading vessel the *Lizzie Webber* from Brunei sometime in the 1850s, his boat full of cargo, on a standard trip to the hub of British commerce in the region, Singapore. A few days sail from Singapore, he was approached by eight Illannun *prahus*, the raiding vessel of choice for many natives of the region, shallow-drafted boats pulled by forty oarsmen to a boat. They appeared suddenly from a shallow bay, and had menacing intentions. Northwood, a veteran of the region, was aware that the area was known for piratical attacks by Illanun fleets, and prepared the boat and crew as best he could as the lead boat approached.

The lead boat of the fleet of *prahus* pulled alongside the *Lizzie Webber*. On an exposed platform on the lead boat, a conspicuous figure

¹ Adam Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*. (Singapore: ISEAS Publishing, 2007), 1.

² "Strange Tales: Adventures of a Merchant in the Wilds of Borneo." *The New York Times*, March 17, 1912.

in a scarlet jacket hailed Northwood. The pirate chief was Si Rahman, and he was known as a notorious pirate in the region among British traders. Rahman urged Northwood to give up his vessel without engaging in a useless struggle, and informed Northwood that he wore magic charms that made him invincible in battle. Northwood refused, and the men of the *Lizzie Webber* shortly engaged in a pitched sea battle with the Illanun pirates:

"...Captain Northwood himself was fighting his ship for aU [sic] he was worth. His great object was to bring down Si Rahman, who exhibited the most extraordinary daring - possessed as he was of the idea that his magic charm would preserve him from aU [sic] danger. There he stood on his platform, like a scarlet demon [the Illanun were known for their scarlet dress], directing the attack, and constantly exposed to a rattling fire, and somehow nothing could touch him. "For goodness sake, Meldrum, do bowl over that ruffian in the scarlet dress!" roared Northwood.

...Meldrum [a passenger on the *Lizzie Webber* and a friend of Northwood's] methodically loaded his pet rifle and systematically potted at the scarlet Si Rahman - without the slightest effect. Northwood himself fired a few shots at him from his own favourite American smooth-bore carbine with the same result. From the main-deck and forecastle scores of shots were directed at Si Rahman without hurting him. The man was perfectly aware of the unavaihng [sic] attempts to bring him down, and openly rejoiced in the strength of his magic charm. It really seemed as if the charm was working to some purpose. Cassim, especially, tried the united effects of round shot and

bags of bullets on his hated enemy, but while they took full effect on the crew of the *prahu*, nothing could touch the scarlet Si Rahman."³

THE HOBBSBAWMIAN BANDIT (AND PIRATE?)

"Granted that piracy is really no more than robbery at sea, how did the crime come to acquire the aura of sinister glamour that still clings to it, an aura which sets the pirate apart from other and more commonplace malefactors?" - Edward Lucie-Smith⁴

Hobsbawm was a noted British Marxist historian who coined the term social bandit. He analyzed banditry from a socio-historical perspective in his work *Social Bandits and Primitive Rebels* (1960) and *Bandits* (1969). Hobsbawm's notion of banditry altered the accepted and holistic view of banditry as an extemporaneous form of primitive rebellion. Hobsbawm's 'social' bandits are individuals who the state regards as criminals but who are regarded as Robin Hood-esque heroes by their society.⁵ This paper will examine a maritime 'noble robber,' or social pirate, and the nature of his communities in mid-19th-century British Malaya as compared to the communities of 21st century pirates in the same region.⁶

³ John Dill Ross, *Sixty Years: Life and Adventure in the Far East*. (London: Hutchinson, 1911), 26-30.

⁴ Gene Chenoweth, "'Piracy' and the Modern World System," *Journal of Law and Religion*. 13. (1996-1998): 108.

⁵ Eric Hobsbawm, *Bandits*. (New York: The New Press, 2000), 20.

⁶ Hobsbawm classifies social bandits in three categories: 'noble robber,' 'haiduk' (primitive guerilla fighter), and 'avenger' (ruthless, vengeful fighter). The noble robber will be the focus of this paper as I examine colonial and contemporary pirates in Southeast Asia, specifically the nature of the social communities he is part of. Hobsbawm's noble robber is defined by nine traits:

1. He is a victim of injustice;
2. 'Rights wrongs;'
3. 'Takes from the rich to give to the poor;'
4. Kills only in self-defense or just revenge;
5. Welcomed amongst his people;
6. Admired and supported by his people;
7. Dies only through treason;
8. Is invincible or invulnerable;
9. Is the enemy of the local oppressor.

Ibid. 47-48.

Hobsbawm relies primarily on Western examples to support his notion of social banditry. As it turns out, Southeast Asia, and particularly Indonesia's history is rich with examples of characters who share important traits with social bandits. These individuals span in time from the founders of the ancient Melaka kingdom to the peasant rebels under the Dutch to the World War II resistance fighters.^{7 8 9} Whereas some of Indonesia's more widely-known bandits have been labeled as social bandits by historians, Ken Angrok for example, fewer of its seaborne robbers-cum-heroes, Si Rahman for example, have been examined through this lens.¹⁰ Moreover, despite an inclination that pirates, whether of a European, Caribbean, Somalian, or Southeast Asian variety, would be suited for such Hobsbawmian analysis given their stereotypically romantic nature (Captain Jack Sparrow in *Pirates of the Caribbean*, for instance, and modern Indonesian and Malay romances feature piratical heroes too), few historians have delved into this niche topic.¹¹

Pirates also warrant examination through this lens from an epistemological perspective, as piracy and banditry have similar connotations. Just as is the case for the Italian root, *bandito*, the original Latin-derived terms '*peirato*' and '*peirata*' connote inclusion or exclusion, respectively, from the traditional boundaries of states.^{12 13} The earliest use of the English word pirate in the Oxford English Dictionary was within the political context of the ascending

⁷ Chenoweth, "'Piracy" and the Modern World System," 108.

⁸ Margreet Van Till, "In Search of Si Pitung: The History of an Indonesian Legend." *Bijdragen Tot de Taal-, Land- en Volkenkunde*. 152. (1996): 461.

⁹ Sartono Kartodirdjo, *Modern Indonesia: Tradition & Transformation*. (Jakarta: Gadjah Mada University Press, 1984), 11.

¹⁰ Ibid.8.

¹¹ James Warren, "A Tale of Two Centuries: The Globalisation of Maritime Raiding and Piracy in Southeast Asia at the end of the Eighteenth and Twentieth Centuries." (Working Paper, Asia Research Institute, 2003): 8.

¹² Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*, 12.

¹³ Ibid. 7.

nation-state during the early 15th century.¹⁴ In the case of colonial and contemporary pirates in Southeast Asia, they too find themselves operating at the fringes of state boundaries and polity. But if these individuals are excluded from traditional boundaries of states, what communities are they part of, and what is the nature of these communities?

In this paper I will argue according to the firsthand account of James Brooke, Rajah of Sarawak, it appears that piracy in the state of British Malaya was community-driven and egalitarian, led by the interests of heroic figures like Si Rahman, while modern-day pirates operate in loosely structured, hierarchical groups beholden to transnational criminal syndicates. Contemporary pirates do not form the egalitarian communities of their colonial counterparts or play the role of 'Robin Hood' in their societies. Rather, the 21st century Southeast Asian pirate is a pawn in the increasingly corporate interest of modern-day criminal organizations.

HISTORICAL PIRACY IN SOUTHEAST ASIA

"This sea is infested with pirates, to meet whom is death." - Shih Fa-Hsien, in reference to the Straits of Malacca in the early 5th-century CE¹⁵

Southeast Asia has been known for centuries as an area rife with piratical and maritime raiding traditions. The earliest known references to piracy date to the 4th and 5th century CE. These describe the area as "infested" in translated Indian and Chinese works.¹⁶ As this paper delves into the history of piracy in Southeast Asia, and the

¹⁴ Chenoweth, "Piracy" and the Modern World System." *Journal of Law and Religion*, 109.

¹⁵ Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*, 26.

¹⁶ *Ibid.* 26.

social nature of its perpetrators, it is important to first define piracy.

'Piracy,' both historically and presently, is laden with a variety of connotations. It "...is a term that both describes and passes a (negative) judgment..."¹⁷ For the purposes of this paper, this epistemological point must be clarified, and this paper's definition of piracy will be identical to the International Maritime Bureau's Piracy Reporting Center's (IMB PRC) definition.¹⁸ This flexible and simple approach to the definition will allow for the comparison between these pirates and the social structures in which they operate.

These earliest references to piracy in the region are drawn primarily from the accounts of Chinese, Indian, and Arabic traders. Descriptions of these piratical maritime activities have only been documented sporadically, but these references as well as oral traditions suggest that maritime raiding has played a pivotal role in the regional social structures and survival strategies of local peoples.¹⁹ Consistent historical sources become available in the 15th and 16th centuries as Western accounts of maritime practices come into focus. It is at this time that some of these maritime communities were described as *perompak*, a Malay word which means "wanderers and renegades who included hereditary outlaw bands with no fixed abode,"²⁰

¹⁷ Chenoweth, "Piracy" and the Modern World System," 109.

¹⁸ The definition is "The act of boarding any vessel with the intent to commit theft or any other crime and with the intent or capability to use force in the furtherance of that act."

ICC International Maritime Bureau, "Piracy and Armed Robber against Ships. A Special Report. Revised edition - March 1998" (Barking, U.K.: International Chamber of Commerce IMB, 1998), 2.

¹⁹ Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*, 26.

²⁰ Carl A Trocki, *Prince of Pirates*. (Singapore: Singapore University Press, 1979), 56.

which suggests power structures similar to Hobsbawm's pre-capitalist agrarian societies.²¹

The diversity of maritime communities that inhabited the region from the 16th-19th centuries indicates the diversity of ethnicities and cultures which make up modern-day Southeast Asia. In varying degrees, many of these maritime peoples engaged in piratical activities. The maritime communities of this era can be broken into five groups: Bugis, Vietnamese / Chinese, Malay, Illanun, and Sea Dayaks. Most relevant to British sphere of influence were the Malay, Illanun, and Sea Dayak pirates.

Malays were based primarily between Borneo and Aceh, and were most prevalent in the Riau Archipelago and the Straits of Malacca. Their governance system was based on what is described as a "man of prowess," where a central, charismatic leader emerged within a community, and bound followers to him to form a transient sovereignty that expanded outwards from his influence.²² Piracy was a means to wealth, and Malays engaged in a cyclical nature of piracy dependent on economic trends, at times engaging in the collection of trade goods such as sea slugs, bird nests, or fish, and at other times pirating ships or enslaving other peoples for economic and political purposes. The vast majority was not full-time pirates, and as the British increasingly expanded their influence in the region, Malay political structure underwent what is referred to as "decay theory," or an accelerated power cycle; as this occurred, power and influence

²¹ Hobsbawm, *Bandits*, 27-28.

²² O.W. Wolters, *History, Culture, and Region in Southeast Asian Perspectives*. (Ithaca: Cornell Southeast Asia Program Publications, 1999), 112-113.

accumulated to individual leaders rather than their political centers which faded in influence.²³

The Illanun were raiders from the Sulu Sultanate, a state that ruled over the islands of the Sulu Sea in the southern Philippines from the mid-15th to early 20th century. Illanun raids were widely feared by Europeans and locals alike, and were the most advanced and deadly of all forms of piracy in the region. Slave raiding was a significant driver of their acts of piracy. The Sulu Sultanate needed additional labor power to drive production of local commodities in their trade with China, and labor scarcity in their home islands increased the attacks in the Malay and Indonesian region through the 1840s.²⁴ Even in modern-times, these raiders and the individuals in local maritime communities who fought them off, live on in Malay romances, popular folk epics, and dramas.²⁵ Warfare against the Europeans took on an honorable reputation for them as they increasingly interacted with them.²⁶

The Dayaks were early inhabitants of the island of Borneo, though according to oral tradition they arrived just a few generations before the British. The Dayaks began to migrate to the region of Sarawak during the 15th-century, and though there is little evidence that they engaged in sea raiding during this early period, by the mid-19th century they engaged in piracy. The Dayaks interacted with the local Malays in the region, and participated in their politics. According to Sandin, though, the Dayaks maintained the heritage of their social structure,

²³ Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*, 35.

²⁴ Nicholas Tarling, *Piracy and Politics in the Malay World: A Study of British Imperialism in Nineteenth-Century South-East Asia*. (Melbourne: F.W. Cheshire Pty. Ltd, 1963), 3.

²⁵ Owen Rutter, *The Pirate Wind: Tales of the Sea-Robbers of Malaya*. (London: Oxford University Press, 1986), 25.

²⁶ *Ibid.* 27.

which entailed complex systems of long-distance inter-tribal warfare.²⁷

It was at this juncture that European presence in the region began to be felt.

EUROPEAN COLONIALISM IN SOUTHEAST ASIA

"The inhabitants may be divided into three different classes, vis., the Malays, the Chinese, and the Dyaks; of the two former little need be said, as they are so well known...The Dyaks, by far the most interesting portion of the inhabitants..." - James Brooke, Dec. 10, 1841²⁸

From the 16th-century to the early 20th-century, England, Spain, Portugal, the Netherlands, and France became colonial powers. European colonialism was typified by mercantilist policies that strengthened the home metropole, the inter-European power competition, and the development at the expense of the indigenous populations from which the colonial wealth was drawn. Southeast Asia was no different, and was primarily settled by the Dutch, Spanish, and British. While the Portuguese and Spanish were the first significant presence in Southeast Asia in the mid-16th century, by the 17th and 18th centuries the Dutch and British had grown their trading empires as the Portuguese and Spanish naval powers declined. The British grew increasingly influential in the region that is modern-day Malaysia.

The first British to become involved in the area were companies like the East India Company that sought to open up markets with Malay Sultans for trading in the 1770s. The first official British settlements on the Malay Peninsula were built in Kedah following negotiations with the local Sultan in exchange for military assistance against Siamese forces. The British expanded their sphere of influence

²⁷ Benedict Sandin, *The Sea Dayaks of Borneo*. (East Lansing: Michigan State University Press, 1967), 59.

²⁸ James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841*. (Richard Bentley, 1853, *The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*), 157-158.

in the region through political strong-arming. By 1800, British trading posts had been established in Penang and Perai, which were renamed Prince of Wales Island and Province Wellesley respectively.

From the 17th to early 19th-century, Malacca was owned by the Dutch, but during the Napoleonic Wars between 1811 and 1815, like other Dutch holdings in Asia, it became occupied by the British to prevent French incursions. Following the end of the war the territory had been returned to the Dutch, but in 1824 due to increasingly tense relations over ambiguously-defined spheres of influence, the British and Dutch agreed to the Anglo-Dutch treaty of 1824 which divided the Malay Archipelago into a British zone in the north and a Dutch zone in the south. The British Straits Settlements were officially established soon after in 1826 by the British East India Company, and this body held jurisdiction over all British settlements in the region, which eventually included the Sultanate of Sarawak on the Island of Borneo. Sarawak, and its ruler, James Brooke, are of particular interest as Brooke, perhaps more than any other British subject in the period, interfaced closely with piratical communities in the region in his efforts to combat them.

JAMES BROOKE, THE WHITE RAJAH OF SARAWAK

"My intention, my wish, is to develop the island of Borneo." - James Brooke, December 31, 1844²⁹

James Brooke (1803-1868) was a British adventurer who established the Kingdom of Sarawak in 1841 after receiving the land and jurisdiction from the Sultanate of Brunei to reward his efforts

²⁹ James Brooke and John C. Templer, *James Brooke to John C. Templer, December 31, 1844*. (Richard Bentley, 1853, *The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*), 42.

assisting the Sultan fight piracy and insurgency. On September 24, 1841 Brooke was bestowed the title Rajah and founded what was known as the White Rajah Dynasty of Sarawak, which survived Brooke by two generations until 1946 when Charles Brooke ceded the region to the UK.³⁰ Sarawak became a state of Malaysia in 1963. As described by Payne, Brooke is the only "man [who] succeeded in coming from the West and making himself king over an Eastern race and founding a dynasty which lasted for a hundred years."³¹ Brooke did not rule from a mountaintop and engaged closely with the local peoples, personally administering, negotiating, fighting, and generally engaging in all facets of government administration. For this reason Brooke's writings are particularly insightful concerning the topic of local social communities.

Brooke first arrived in Southeast Asia from India in 1838, when he set sail for Borneo after inheriting £30,000 and subsequently purchasing a trade ship. When he arrived in Kuching, the capital of Sarawak, vassal state to the Sultanate of Brunei on the island of Borneo, the local ruler Pangeran Muda Hashim appealed for his assistance in putting down insurgent Malays and Dayak tribes. Brooke at first refused assistance, but returned in 1841 and agreed to assist Hashim. Following their successful repression of the rebellion, Sarawak and Serian were ceded to Brooke in gratitude. Brooke set out to establish an ambitious system of administration in the state, made up primarily of local Malays and Dayaks. One of his highest was "the

³⁰ Robert Payne, *The White Rajahs of Sarawak*. (New York: Funk & Wagnalls Company, 1960), 263.

³¹ *Ibid.* 5.

extirpation of piracy," and piratical communities which plagued the region and proved to be an ongoing issue throughout his rule.³²

PIRATE COMMUNITIES IN SARAWAK

"The piracy of the Archipelago is not understood because [the British government] cannot distinguish pirate communities from native states." - James Brooke³³

The pirates whom Brooke faced while in Sarawak seemed to form independent communities outside the realm of the local sociopolitical power structures and challenged the state administration of Brooke. A local Malay state north of Sarawak's jurisdiction which, according to Brooke, typified the power structures of the region, is "...in the last stage of decay and distraction, without internal power or external influence."³⁴ Brookes goes on to describe the corrupt and ineffective governance of these hereditary descendants of traders from the Middle East who, alongside Malays, formed hereditary kingships who ruled Malay and Dayak subjects.³⁵ The decay that Brooke witnesses is appears to be evidence for the cyclical nature of power structures in the area, and in the mid-19th century as these central powers declined, new power-holders were beginning to rise up. The new power holders were Malay traders who formed communities around river mouths. These are described as "nuclei of political power,"³⁶ by Tarling, and indicate the transient and ambiguous nature of state lines in the period. Brooke's descriptions of his visits to these riverine communities as he sought

³² James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*, 172.

³³ James Brooke and John C. Templer, *James Brooke to John C. Templer, April 10, 1845, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*, 163.

³⁴ James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*, 145.

³⁵ Tarling, *Piracy and Politics in the Malay World: A Study of British Imperialism in Nineteenth-Century South-East Asia*, 118.

³⁶ *Ibid.* 3.

to understand the locals and consolidate his administration seems to confirm this.³⁷

Brooke's descriptions of these river mouth communities portray an agrarian ethnic hierarchy, with the Malays at the top of the pyramid, primarily traders, and local Dayaks at the bottom as rice cultivators and hunter-gatherers. According to Brooke, the Dayaks were considered an inferior race by the Malays, and were subject to numerous taxes and various inequities. For example, if a Dayak wild boar trap injured a Malay, the responsible Dayak was required to compensate the Malay with two-thirds of his property. In contrast, Malays were not punishable by the rule of law for killing Dayaks.³⁸ Malays also held a monopoly over all Dayak trade goods such as beeswax and bird nests, and fixed prices in their favor. The Malays also subjected Dayaks to heavy rice taxation to the point where Dayaks were unable "...to feed [their] families...and too often [were] reduced to a state of famine."³⁹ The most serious form of oppression followed situations in which the Dayaks are unable to meet the taxes imposed by the Malays, in which case, according to Brooke "the Dyak tribe is attacked and plundered, and their wives and children seized *and sold as slaves.*"^{40 41} It appears that these communities rarely engaged in warfare, except in self-defense against a pirate raid or in the event of an inter-tribal Dayak feud, which sometimes included maritime raiding. This maritime raiding appeared to be less piratically driven than the cultural significance it held and

³⁷ James Brooke and John C. Templer, *James Brooke to John C. Templer, November 27, 1848, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*, 234.

³⁸ James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*, 159.

³⁹ *Ibid.* 160.

⁴⁰ 'Dayak' was written as 'Dyak' by British settlers in the region, though they reference the same peoples.

⁴¹ James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*, 161.

practices such as head collection.⁴² In a letter to Templer in 1850, Brooke explains that while the dozens of river mouth communities do not wage war or raid other communities except in the case of Dayak tribal feuds, the piratical communities wage war and raid all actors in the region, and do not follow traditional Dayak feuding practices.⁴³ Brooke even goes so far as to describe his relations with other Dayaks in the region as "excellent friends."⁴⁴ According to Brooke, this hierarchical power structure characterized the majority of river communities with which he was familiar, except in the case of distinctly piratical communities he encountered. It seems, according to Brooke, that these piratical tribes which he describes do not fit within the typical power structure of the region.

The Serebas and Sakarran Dayak tribes are given special attention in Brooke's letters, as distinctly 'piratical tribes' which Brooke faced in the 1840s. The Serebas and Sakarran Dayak tribes had "thrown off the authority of the Malays, [and] have turned pirates."⁴⁵ This description seems to indicate that these Dayak tribes departed from the nuclei of power around riverine areas. According to his letters, Brooke's encounters with pirates are primarily from these two tribes, though he does reference a number of encounters with Illanun raiders; the engagement between Si Rahman and Northwood, a contemporary of Brooke's, is illustrative of what such an encounter might look like. In both cases, evidence from Brooke's descriptions seems to indicate that the Serebas, Sakarran, and Illanun were independent of the power

⁴² James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*, 158.

⁴³ James Brooke and John C. Templer, *James Brooke to John C. Templer, March 5, 1850, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*, 273.

⁴⁴ James Brooke and John C. Templer, *James Brooke to John C. Templer, March 31, 1851*. (Richard Bentley, 1853, *The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 3*), 57.

⁴⁵ James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*, 151.

structures of both the decaying central Malay state and the more politically transient river mouth communities.

When contrasted with descriptions of Dayak and Malay river mouth communities with whom Brooke had dealings, the nature of the Serebas and Sakarran as distinctly piratical appears to emerge. Serebas and Sakarran communities are described as "forts" and "towns," their defenses as "strong and well built."⁴⁶ These settlements appear to be extremely mobile, and change locations as Brooke and his allies pursue them, in contrast to the more stable river mouth communities where Dayaks are primarily engaged in rice cultivation.⁴⁷ These piratical Dayak communities were not just made up of men, but included women and children of the pirates, who even joined them on their raids on occasion.⁴⁸ Brooke's frequent references to these distinctions between 'pirate communities' and 'native states' that fall under the domain of the local riverine power structures seems to indicate communities that are structured distinctly from the majority of Dayak communities.

Brooke does not include thorough descriptions of any illanun communities in his letters. He does however note that the "...Lanoons are mere settlers on this coast," indicative of the highly mobile nature of their piratical communities.⁴⁹ Illanun raiders were known to begin their maritime journeys in September as an eastern wind blew across the Malay Archipelago in September. This was known as *musim lanun*, or 'Illanun season;' also known as the pirate wind.⁵⁰ During this raiding system, the Illanun lived in small and compact settlements along the coast,

⁴⁶ James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*, 148.

⁴⁷ *Ibid.* 148.

⁴⁸ Rutter, *The Pirate Wind: Tales of the Sea-Robbers of Malaya*, 33.

⁴⁹ James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*, 150.

⁵⁰ James Warren, *Iranun and Balangingi: Globalization, Maritime Raiding and the Birth of Ethnicity*. (Singapore: Singapore University Press, 2002), 168.

located near allied communities or coral reefs. These mobile settlements were formed around the charismatic leaders that led the raiders, members of the same mosque, or were familial in nature.⁵¹

THE EGALITARIAN NATURE OF SARAWAK'S PIRATE COMMUNITIES

"My intention, my wish, is to extirpate piracy by attacking and breaking up the pirate towns - not only pirates direct, but pirates indirect." - James Brooke, Dec. 31 1844⁵²

These descriptions of Brooke of these distinct communities of piratical Dayaks and Illanun seems to indicate an egalitarian nature that is not evident in the hierarchical social structures of other nearby communities. Their apparent ethnic composition further distinguished them. For example, referring to Serebas and Sakkarans in northern Borneo, Brooke describes the northern part of the island as "inhabited by a number of piratical communities, formed from a mixture of the surrounding countries," and describes the power of the central Borneon government as "scarcely recognized" in this area.⁵³ He notes that some Malays and Bugis are part of these primarily Dayak communities, and are "notorious" within the Dayak communities for their shared piratical habits.⁵⁴ It appears that these communities were of mixed ethnicity, which contrasts sharply with Brooke's descriptions of the agrarian communities which seemed to be governed by a strict ethnic hierarchy.

The egalitarian nature of these communities is further elucidated by descriptions of the breakdown of goods taken following a successful pirate raid. Sheriff Sahib, an Arab leader, is a frequently referenced

⁵¹ Ibid. 168.

⁵² James Brooke and John C. Templer, *James Brooke to John C. Templer, December 31, 1844, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*, 42.

⁵³ James Brooke and John C. Templer, *James Brooke to James Gardner, December 10, 1841, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*, 150.

⁵⁴ James Brooke and John C. Templer, *James Brooke to Mrs. Johnson, May 3, 1844, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*, 18.

adversary of Brooke's, and an ally of the Serebas and Sakarran tribes. In exchange for firearms, whatever plunder or slaves are taken "is divided into two portions, one of which belongs to Sheriff Sahib, the other to his Dyak colleagues."⁵⁵ This contrasts with the oppressive systems of taxations the Arab or Malay rulers would enforce as they wished from their Dayak subjects, as opposed to these apportionments of goods shared across ethnicities, as described by Brooke.

Along with the Serebas and Sakarran Dayaks, the Illanun were known to bring other ethnic groups into their communities. Their raids were in part extremely successful because of their ability to form temporary alliances and cooperate with local tribes of varied ethnicities who knew the region well: "...young tribal warriors in search of adventure...particularly the Iban, or Sea Dyaks...often enlisted and served upon the Iranun raiding ships."⁵⁶ Moreover, the Illanun would also draft sometimes unwilling local peoples into their crews as they went about their slave raids.⁵⁷ According to these descriptions, it seems that piratical communities are greatly benefited by heterogeneously ethnic communities as it aided their raiding capabilities. It also seems that these communities were perceived by outsiders as an opportunity to escape their normal lifestyle and live a life of adventure, and possibly have the opportunity to be in a more upwardly socially mobile should they prove themselves.

Other authors offer evidence the Illanun social structure was upwardly mobile. Warren discusses their "fluid social system" within the Illanun raiding parties: "...a person who could manage to gain

⁵⁵ James Brooke and John C. Templer, *James Brooke to John C. Templer, June 18, 1844, The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 2*, 26.

⁵⁶ Warren, *Iranun and Balangingi: Globalization, Maritime Raiding and the Birth of Ethnicity*, 209.

⁵⁷ *Ibid.* 209

followers and accumulate wealth...could rise into the office of orang kaya (as a local leader) or in rare instances into the rajah or datu class."⁵⁸ He does note however that it was only extremely rare that commoners could rise into the highest echelons of the elite, though this is still more egalitarian than the structures of riverine Dayak and Malay communities.

The piratical communities whom Brooke describes seemed to differentiate themselves both in their egalitarian nature, piratical activities, and social structures. The nature of mobile piracy in the region, which made necessary more geographically mobile communities, and knowledge of different regions seemed to create more ethnically egalitarian groups of local peoples. Individuals appeared to enjoy more social mobility than their counterparts in other groups as individuals who were able to gather followers around themselves through skilled raiding rose to prominence. In the Hobsbawmian sense, piratical characters like Si Rahman and others were mythologized during their lifetime or have since become part of Indonesia's oral tradition of mischievous robber heroes.⁵⁹

The cyclical nature of transitory power-holders in these maritime communities was accelerated and made unpredictable, in part because of the arrival of the British. Tarling makes a compelling argument that this external colonial power challenged the political rule of local power-holders, and the loss of state-driven commerce was contributive to increased marauding, thus leading to marauding and piracy that was motivated for private, as opposed to state-sponsored means as

⁵⁸ Ibid. 209.

⁵⁹ Van Till, "In Search of Si Pitung: The History of an Indonesian Legend," 461.

individuals, as opposed to states, became powerful.⁶⁰ Brooke notes this as well, and explains that the undermined legitimacy of local Malay rule gave rise to piratical "petty states."⁶¹ Rutter suggests that besides breaking up the political state structure, maritime raiding against European ships grew to take especially honorable connotations, and some piratical communities were established for the explicit purpose of raising British ships.⁶²

The entrance of a new external power-holder, the British, to Southeast Asia and Sarawak specifically seemed to affect the social structures and communities of Malay, Dayak, and Illanun pirates by bringing together disparate ethnicities into egalitarian community structures that were opportunistic, private-interest driven characters. Next, as this paper examines contemporary piracy, the entrance of a different player, the transnational criminal syndicate, has an alternative impact on Southeast Asian communities and social structures in the late 20th and early 21st century.

GEOPOLITICAL PARALLELS IN CONTEMPORARY AND COLONIAL SOUTHEAST ASIA

"A new generation is coming to power in Asia. Where their parents' lives too often were defined by hunger, war, and revolution, Asia's youth have grown up in the midst of the biggest economic boom in history." - *Through the Eyes of Tiger Cubs: Views of Asia's Next Generation*⁶³

Today, what was colonial British Malaya and the Dutch Indies are Indonesia, Malaysia and Singapore. Indonesia and Malaysia are endowed with an abundance of natural resources and enjoy booming economic growth. Singapore is the financial hub of Asia, known for its skyline

⁶⁰ Tarling, *Piracy and Politics in the Malay World: A Study of British Imperialism in Nineteenth-Century South-East Asia*, 228.

⁶¹ James Brooke and John C. Templer, *James Brooke to John C. Templer, December 7, 1838. The Private Letters of Sir James Brooke, K.C.B., Rajah of Sarawak: Volume 1*, 5.

⁶² Rutter, *The Pirate Wind: Tales of the Sea-Robbers of Malaya*, 33.

⁶³ Mark L Clifford and, Janet Pau, *Through the Eyes of Tiger Cubs: Views of Asia's Next Generation*, (Singapore: John Wiley & Sons (Asia) Pte., 2012), Front book flap.

and its fast-paced city life. Indonesia is the fourth most populous country, a founding member of ASEAN, a member of the G-20, and has the 17th largest economy in the world.⁶⁴ The region has made enormous strides in development in the past 150 years, but the region remains home to disenfranchised maritime peoples that have not participated in this economic growth. In many ways the region's geography, the nature of regional trade and the opportunity it represents for pirates, and transient political boundaries has created a macro-narrative similar to that of the colonial era, and that continues to enable piracy to flourish.

The geography of Southeast Asia, and particularly the Straits of Malacca and the Indonesian and the Philippine coastlines, has been and continues to be a great enabler of piracy. The shoreline of the Straits of Malacca include hundreds of river mouths, swampy inlets, and countless tiny islands, reefs, and shoals; the geography of the strait made it almost impossible to secure in Brooke's time, and it remains so today. An IMB official recently commented that Philippines officials would need 10,000 patrol boats to secure their borders from modern day pirates, and that Indonesia would need at least as many.⁶⁵ Pirates can unexpectedly ambush ship, and their smaller craft can easily escape should a raid go wrong, whether one is steering a 19th-century *prahu* or 21st-century speedboat. Not only is the geography particularly conducive to pirates, but the economic opportunity that draws them.

Today, the 550 mile-long Straits of Malacca is the busiest sea route in the world, and the goods that traverse its waters drive Asian economies. Six hundred ships navigate the straits every day, and

⁶⁴ David Stott, "The Japan-Indonesia Economic Partnership: Agreement Between Equals?" *Asia-Pacific Journal*. (2008): Web.

⁶⁵ Warren, "A Tale of Two Centuries: The Globalisation of Maritime Raiding and Piracy in Southeast Asia at the end of the Eighteenth and Twentieth Centuries," 12.

annually 25% of the world's maritime commerce, and 50% of the world's oil, crosses the strait.⁶⁶ The Straits of Malacca have driven trade in the region for years, and this won't change any time soon, as the burgeoning tiger and tiger cub economies continue their rapid economic development. In the colonial period, the region was comparatively booming; "spices drove the world economies...the way oil does today;" and the Indies were the capital of the spice market!⁶⁷ While the contents of these ships' cargoes have changed, the scale of economic incentive has not altered for pirates.

Finally, the political borders of the region, have and remain conducive to piracy because of the ample space to hide between borders, where state enforcement is lax, porous, or at odds with another state, which prevents for the enforcement of the borders. Through the colonial period, the region was characterized by unfixed and transient polities, governed by a multitude of power-holders like the riverine Malays and Dayaks. The Malays and Dayaks were further aided in their piratical activities as colonial states like the British and Dutch butted heads over sovereignty, and were unable to create a unified anti-piracy policy until the end of the 19th-century.⁶⁸ Historian Keith Taylor has likened the region to a "succession of Thalassocrasies," or 'sovereigns of the sea' with mythical-historical examples being Minoan Crete or Ancient Phoenicia.⁶⁹ Today, in spite of a more rigid state structure, tensions between Malaysia, Indonesia, and Singapore have enabled modern day pirates to escape across borders. Even with the recent addition of

⁶⁶ John Payne, *Piracy Today: Fighting Villainy on the High Seas*. (Dobbs Ferry: Sheridan House, 2010), 126.

⁶⁷ Kristin Eddy, "A Taste for Adventure: Even The Most Familiar Jar In The Spice Rack Holds A History Of Piracy, Shipwreck And Nation-building." *Chicago Tribune*, sec. A&E, April 18, 2001, http://articles.chicagotribune.com/2001-04-18/entertainment/0104180470_1_spices-cardamom-importer.

⁶⁸ Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*, 23.

⁶⁹ Chenoweth, "'Piracy' and the Modern World System," 113.

joint Malaysia-Singapore-Indonesia patrols intended to deter piracy, patrols are merely coordinated, not collaborative, and 'hot pursuit' of pirates into another nation's regional waters is disallowed.⁷⁰ The porous borders of the region, 200 years ago and today, has afforded individuals and communities to traverse outside the realm of traditional nation states and boundaries.

THE RISE OF ASIAN CRIMINAL SYNDICATE, INC.

"...Shipowners and their crews are becoming increasingly concerned about a relatively new, and far more sophisticated, sort of crime: the high-seas hijacking of ships and cargoes by well-organised, international crime syndicates."⁷¹

In the past two decades, organized crime has grown significantly and changed structurally. This has enabled the advent of truly transnational criminal organizations, whose spheres of interests expand across international borders. Transnational organizations are defined by the U.S. Federal Bureau of Investigation as:

Any group having some manner of formalized structure and whose primary objective is to obtain money through illegal activities. Such groups maintain their position through the use of violence or threats of violence, corrupt public officials, graft, or extortion, and generally have a significant impact on the people in their locales or region of the country.⁷²

These changes have impacted the social structure of other non-state dark economy actors such as pirates. Liss argues that the end of the cold war and accelerating globalization are responsible for this.⁷³ In Asia specifically, home to some of the world's largest criminal organizations, the region's economic growth and trade in the 1980s has

⁷⁰ Andrew Erickson, *Maritime Security Cooperation in the South China Sea Region. Maritime Security in the South China Sea: Regional Implications and International Cooperation*. Edited by Shicun Wu and Keyuan Zou. (Surrey: Ashgate Publishing Limited, 2009), 62.

⁷¹ "South Sea Piracy: Dead Men Tell No Tales." *The Economist*, December 16, 1999. <http://www.economist.com/node/327568>.

⁷² Carolin Liss, *Oceans of Crime: Maritime Piracy and Transnational Security in Southeast Asia and Bangladesh*. (Singapore: ISEAS Publishing, 2011), 174.

⁷³ *Ibid.* 174.

been to the advantage of criminal organizations, and the economic opening of China and the 1997 Asian financial crisis have increased income inequality across the region and made recruiting for criminal organizations easier.⁷⁴

The political changes brought about by the collapse of the USSR and communist or communist-supported governments around the world created a breakdown of social orders and weakened central state power. This has enabled non-state actors to step into this power gap, especially in developing countries. Shadow economies in these regions grew increasingly influential and powerful as a result.⁷⁵ These international criminal organizations take advantage of advanced communication technologies that have made cooperation across borders and between different underground organizations much easier. Besides communication technologies, transportation technologies have advanced, which has allowed for the affordable and swift transportation of goods through the veins of the global economy.⁷⁶

As a result of the end of the cold war and accelerating globalization, criminal organizations like the Chinese triads and Japanese Yakuza have undergone structural changes which enable them to better take advantage of the 21st-century stage. Criminal organizations have transformed themselves into "loose networks of semi-autonomous criminal entrepreneurs," with varying degrees of connection.⁷⁷ Williams suggests that the structure of "criminal organisations have developed to resemble that of transnational corporations, who treat national borders as nothing more than minor inconveniences to their criminal

⁷⁴ Ibid. 174

⁷⁵ Ibid. 174

⁷⁶ Ibid. 177

⁷⁷ Ibid. 177.

enterprises.”⁷⁸ Liss notes however that the “core” communities of these networks or “organizers” are characterized by close relationships amongst members, and typifies these organizations as less hierarchical than their predecessors.⁷⁹ But while these organizations may be less hierarchical than the monolithic structure of the yesteryear Chinese triad, for players at the bottom rung, where the actual individuals who carry out acts of piracy fall, their position in this new community might be compared with the relationship seasonal workers have with a faceless corporation. From firsthand accounts of reporters in the region in interviews with individuals who are parts of these piratical or criminal syndicate organizations, their positions do not seem to be less hierarchical. Their social structures contrast starkly with the independent pirate communities of Sarawak, which seemed to be typified by close-knit social structure bound together by the livelihood of piracy.

PIRACY IN SOUTHEAST ASIA TODAY

“We were approaching the oil tanker and one of the pirates with a gun in his hand told our interpreter to shut up, or something like that...well all I know is that he said something to our interpreter and he started shitting bricks...at that points I knew we were losing a lot in translation.” - David Crabtree, interview with Miles Bird⁸⁰

While the British and Dutch and the efforts of individuals like James Brooke and his successors in large part had eradicated Southeast Asian maritime piracy by the late 19th century, opportunistic raiding in one form or another remained in the region until World War II.⁸¹ After the war, while piracy was “no longer supported and organized by entire

⁷⁸ Ibid. 176

⁷⁹ Ibid. 176.

⁸⁰ David Crabtree, Interview by Miles Bird. Skype. Claremont, April 5, 2013.

⁸¹ Liss, *Oceans of Crime: Maritime Piracy and Transnational Security in Southeast Asia and Bangladesh*, 5.

maritime communities and states,"⁸² opportunistic raiding resumed. It was not until the 1980s, though, that international organizations like the International Maritime Bureau (IMB) and International Maritime Organization (IMO), as well as state-players, began to seriously take note of, and respond to issues of piracy.⁸³

From the mid-1980s to early 2000s, Southeast Asia saw a large surge in acts of maritime piracy. This contemporary maritime piracy came in many forms. Young proposes a typology of piracy that "corresponds to an escalating scale of risk and return. As the risk and potential return increase so do the threat and degree of violence...[and] so does the apparent degree of organization of attackers."⁸⁴ At the bottom of this spectrum are low-end, opportunistic acts of piracy, which in Southeast Asia might take the shape of "inhabitants of remote islands...ganging up to attack ships for food and cigarettes."⁸⁵ These are the most common, and attacks against local fishermen constitute the majority of the victims as well as perpetrators. In the middle of the typology are Ronnie, Big Boy, Ariel, Tony, and Hassan, the crew of a 22-meter outrigger in the Philippines that "attacks cargo ships, tugs, fishing boats...they take whatever they can - cargo, watches, jewelry, money."⁸⁶ These pirates may seize large vessels for short periods of time and hold crews hostage; they are more organized, but remain mostly opportunistic.

⁸² Ibid. 5.

⁸³ Payne, *Piracy Today: Fighting Villainy on the High Seas*, 127.

⁸⁴ Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*, 12.

⁸⁵ "The Jolly Roger Flies High...As Piracy Feeds The Hungry." *Businessweek*, May 23, 1999. <http://www.businessweek.com/stories/1999-05-23/the-jolly-roger-flies-high-dot-dot-dot-as-piracy-feeds-the-hungry-intl-edition>.

⁸⁶ Teresa Albor, "Pirates throw crews overboard to sharks; Killers on the high seas; Pirate scourge sweeping across the South China Sea - From Hongkong and the Philippines to Malaysia and Indonesia, piracy has become the scourge of the South China Sea." *South China Morning Post*, Hong Kong, May 2, 1993.

At the far end of the Southeast Asian pirate typology are the pirates and communities which this paper will investigate. The seizure of the *Petro Ranger* on April 16th 1998 is a case study in the form of piracy these individuals engage. 12 heavily armed men boarded the *Petro Ranger* via speedboat, and the lead pirate took the captain hostage, explaining that he "worked for a multinational syndicate with bosses in Indonesia, Singapore, China and Hong Kong."⁸⁷ Had it not been for a nearby Chinese patrol boat which boarded the tanker and subsequent capture of the pirates, the *Petro Ranger* and its cargo would have likely have disappeared and been sold on the black market by the clients of these pirates. The lead pirate's description of his employment subtly hints at the aforementioned discussion of loosely structured groups that now constitute criminal organizations.

By the 1990s, piracy in the region had escalated to serious levels. In the 1990s, almost 75% of the world's pirate attacks took place in the Southeast Asia region, and the waters around Indonesia account for nearly 33% of global piracy attacks.⁸⁸ The IMB Piracy Reporting Center (PRC) was established in Kuala Lumpur in October 1992 and since then liaised with the various private and public sector interests on piracy issues. According to the IMB data from 1992 to 2006, acts of actual and attempted piracy in the Southeast Asia and Bangladesh region range from a low of 15 in 1993 to a high of 292 in 2000.⁸⁹ As noted earlier, piracy in the region tends to fall across a spectrum, and while the vast majority of attacks fall in the low-end of the spectrum of organization and scale of attack. The most organizationally complex acts of piracy and their communities will be

⁸⁷ "South Sea Piracy: Dead Men Tell No Tales."

⁸⁸ Ibid.

⁸⁹ Liss, *Oceans of Crime: Maritime Piracy and Transnational Security in Southeast Asia and Bangladesh*, 27.

examined, just as Dayak and Illanun acts of piracy against the British were at the top of their respective spectrum of organizational complexity within the communities of their time.

ASIAN CRIMINAL SYNDICATES: CORPORATE, NOT EGALITARIAN

"Four Asian syndicates, with mafia-style dons in Indonesia, the Philippines, Hong Kong and mainland China, are reckoned to have the right amount of transnational sophistication to make money from high-seas piracy on a regular basis. One syndicate is thought to be headed by an Indonesian tycoon who was one of former President Suharto's closest business pals." - South Sea Piracy: Dead Men Tell No Tales, The Economist⁹⁰

As Liss and others have examined, organized crime around the world has grown increasingly corporate. In Asia, these "mafia- dons"⁹¹ have adapted new social structures that fit the nature of their transnational operations in the 21st century. The corporate nature of these criminal syndicates manifests itself in a variety of ways.

The interests of true transnational criminal syndicates are driven for financial reasons, and served by the individuals or organizations that are willing to be engaged in a contractual or partnered relationship. As Galeotti notes, leaders in criminal organizations, no longer "give orders so much as have greater assets with which to purchase or compel the assistance of others within the network."⁹² In the context of 21st century Asian piracy, the leader of the gang of 12 that boarded the *Petro Ranger* is an example an agent that would serve these criminal organizations. According to the IMB, a shipping vessel can be ordered from a local group of Filipino pirates such as the *Petro Ranger* hijackers, likely through a broker, and for a price tag of \$300,000 will be hijacked and delivered to the desired location of the client. The *Isla Luzon*, hijacked off the Philippine

⁹⁰ "South Sea Piracy: Dead Men Tell No Tales."

⁹¹ Ibid.

⁹² Liss, *Oceans of Crime: Maritime Piracy and Transnational Security in Southeast Asia and Bangladesh*, 5.

coast in 1989 and later discovered trading in East Asia under the name *Nigel* is another example of this.⁹³

Jhonny Batam, a self-described "gentleman of opportunity" who works with Chinese crime syndicates explains the nature of his deal flow. First, a ship broker reaches out to him with a client interested in diesel fuel, for example. Next, Batam will call a contact of his on a tanker, and solicit their interest in getting involved. Finally, if interested, Batam will put together a team to execute the enterprise.⁹⁴ Batam is like a commodities broker on behalf of the client, the. He is contracted as a service provider. His work with multiple Chinese syndicates indicates the previously described loosely-structured groups that make up these criminal organizations.

It may be helpful to look at the compensation of modern day pirates to understand their role in transnational criminal syndicates. In an interview with the *Straits Times*, Sastra Genting explained that he worked as a cleaner on an oil tanker, and was paid a set sum of \$30,000 to pass on "the vessel's planned route, number of crew on board, their schedule and responsibilities and also [take] pictures of the ship."⁹⁵ Genting explained that he passed this information to his boss, who he only knows by Pang, and he does not know if the ship was even attacked. This seems to indicate that his compensation is less based on the set portion of a successful robbery, and more akin to an agreed upon payment or wage for a service. In another case, Sastra assisted in the hijacking of a ship, Sastra and his fellow hijackers received \$20,000 and further explained "the big boss gets profit from

⁹³ Ibid. 23.

⁹⁴ Peter Gwin, "Dark Passage: The Strait of Malacca. Pirates haunt it. Sailors fear it, Global trade depends on it." *National Geographic*, October, 2007. <http://ngm.nationalgeographic.com/2007/10/malacca-strait-pirates/pirates-text.html>.

⁹⁵ Mavis Toh, "Menace of the Seas: Piracy Around Singapore Waters." *Straits Times*, December 4, 2009. <http://wildsingaporenews.blogspot.com/2009/12/menace-of-seas-piracy-around-singapore.html#.UX-5-LVwfTo>.

the oil he sells.”⁹⁶ This further hints that the relationship between the criminal syndicate and these pirates is similar to a contracted service provider than a partner in an operation. Moreover, even if in these cases or other cases a share system is more clear, the size and scope of the hijackings, where the net-worth of a boat and cargo are between \$5 and \$15 million, compensation, even in the tens of thousands of dollars, is not so much a share but a miniscule portion of the value of the operation.

Phantom ships are another example of what this altered, ‘professionalized’ social structure enables. Phantom ships are ships that offer attractively priced services in a port, and upon securing a client and cargo, will leave the port and make off with the cargo, simply repainting and reregistering itself. As recently as 2007 IMB officials stated that, new cases of phantom ship incidents were being reported once every three weeks, and had been following an upward trend. In a good year, a phantom ship can earn between \$40 and \$50 million for a criminal syndicate.⁹⁷ The IMB estimated that phantom ship schemes resulted in the loss of at least \$200 million in 2000, and the number is likely much larger today. The vast majority of this wealth, if structured in deals similar to major ship hijackings, goes to the closed inner circles of these highly organized criminal organizations, while the local pirates are effectively paid a wage for their services.

Among other reasons, the extreme wealth of the criminal bosses of these organizations makes these individuals extremely difficult to convict. As a Philippine Coast Guard member explains: “These people are

⁹⁶ Ibid.

⁹⁷ Gwin, "Dark Passage: The Strait of Malacca. Pirates haunt it. Sailors fear it, Global trade depends on it."

rich, they can afford to bribe lawyers.”⁹⁸ An example of one of these high-net worth individuals would be previously mentioned ‘business pal’ of Suharto. This business pal is most likely Indonesian tycoon Anthony Salim, who is one of former President Suharto’s close business relations.⁹⁹ Salim’s net worth was estimated to be approximately \$5.2 billion in 2012, and he is the chairman of the Salim group, Indonesia’s largest conglomerate.¹⁰⁰

Prominent figures like Salim have not been officially implicated in any courts of justice, and it seems unlikely that they will be, given their connections, wealth, and the loose structure of criminal enterprise which does not leave room for Salim to be caught red-handed on the deck of a pirated vessel. These individuals control their massive operations “from a great distance – for example from an office building in Hong Kong, Singapore, or Manila, or from a flashy brothel or golf course on the Indonesian island of Batam.”¹⁰¹ As noted in a 1999 Economist article, two extremely similar high-profile hijackings of the *Alondra Rainbow* in October 1999 and the *Tenu* earlier that year indicate that while the pirates of the events themselves have been arrested, and even a supposed leader behind the attacks, the “mastermind” has not been apprehended.¹⁰²

An Illanun or Dayak raid upon a British ship might have been composed of 100 men across a number of boats. A similar number of individuals may, in one form or another, play a role in the pirating a

⁹⁸ Albor, "Pirates throw crews overboard to sharks; Killers on the high seas; Pirate scourge sweeping across the South China Sea - From Hongkong and the Philippines to Malaysia and Indonesia, piracy has become the scourge of the South China Sea."

⁹⁹ Stefan Eklöf, *Pirates in Paradise: A Modern History of Southeast Asia's Maritime Marauders*. (Copenhagen: NIAS, 2006), 79.

¹⁰⁰ "Anthoni Salim & family." *Forbes*, November 2012. <http://www.forbes.com/profile/anthoni-salim/>.

¹⁰¹ Warren, *Iranun and Balangingi: Globalization, Maritime Raiding and the Birth of Ethnicity*, 21.

¹⁰² "South Sea Piracy: Dead Men Tell No Tales."

ship in the Straits of Malacca today, from the different brokers to the small gangs that pirate ships. It is clear, however, that the nature of the community which surrounds these operations is much different. Galeotti notes that one result of such loosely-connected criminal networks might include a loss of loyalty within the group resulting from increased ethnic diversity.¹⁰³ Successful collaboration amongst colonial era figures across ethnic lines indicates that some social structures can overcome these boundaries, and while modern-day transnational criminal organizations successfully execute inter-ethnic operations, their community structure is such that it establishes a contractual, business relationship as opposed to a partnership.

BATAM, AND OTHER MODERN DAY "PIRATE TOWNS"

"The plot was hatched in a Batam coffee shop, Ariffin says, when a Malaysian shipping executive approached an Indonesian sailor named Lukman and inquired whether he could organize a crew to hijack the tanker." - The organizing of the Nepline Delima hijacking¹⁰⁴

Just as in Brooke's day, communities of modern day "pirate bases" exist in the 21st century.¹⁰⁵ In Southeast Asia, Batam like it is the most well-known of these. However, unlike Brooke's communities, Batam and others cannot be characterized as true communities as labor pools for brokers like Batam. For the most part, these communities are areas where the service providers of transnational criminal organizations recruit low-income Southeast Asians into piratical activities.

Batam is located seven miles south of Singapore, described by a visitor as the "dark sister" to "Southeast Asia's Cinderella," Singapore, and by Warren as the capital of the region's "dark alliance

¹⁰³ Liss, *Oceans of Crime: Maritime Piracy and Transnational Security in Southeast Asia and Bangladesh*, 210.

¹⁰⁴ Gwin, "Dark Passage: The Strait of Malacca. Pirates haunt it. Sailors fear it, Global trade depends on it."

¹⁰⁵ Liss, *Oceans of Crime: Maritime Piracy and Transnational Security in Southeast Asia and Bangladesh*, 58.

between triad-linked figures and space-age pirate gangs."¹⁰⁶¹⁰⁷ The island is ideally situated near the strait of Singapore and South China Sea, and 65,000 ships pass by the island each year.¹⁰⁸ Until the 1980s, Batam was nothing more than an under-populated fishing community, until an Indonesian entrepreneur and close friend of President Suharto's sought to transform Batam into a tariff-free zone that would attract investment and entrepreneurial opportunity. Batam's rule of law, unlike Singapore's proved weak, and while developers built golf courses, casinos, and strip malls, it also attracted gangsters, smugglers, and prostitutes.

Following the 1997 financial crisis, the situation in Batam took a turn for the worse. High unemployment rates on the island drove people into the black economy. This has made recruiting for pirate syndicate operations much easier, according to IMB and shipping officials.¹⁰⁹ Batam, the "gentleman of opportunity," explains the euphemism the word "coffee shop" serves on the island for the many "gambling dens where seamen meet brokers, trade gossip, drink beer, and bet a numbers game."¹¹⁰ Batam goes on to explain how Batam residents who carry out piratical activities operate as men for hire, networking in 'coffee shops' in search of the next operation. It is from this labor pool of unemployed low-income mariners and strongmen that criminal syndicates recruit for their business.

¹⁰⁶ Gwin, "Dark Passage: The Strait of Malacca. Pirates haunt it. Sailors fear it, Global trade depends on it."

¹⁰⁷ Warren, "A Tale of Two Centuries: The Globalisation of Maritime Raiding and Piracy in Southeast Asia at the end of the Eighteenth and Twentieth Centuries," 13.

¹⁰⁸ Mavis Toh, "Menace of the Seas: Piracy Around Singapore Waters." *Straits Times*, December 4, 2009. <http://wildsingaporenews.blogspot.com/2009/12/menace-of-seas-piracy-around-singapore.html#.UX-5-LVwfTo>.

¹⁰⁹ "The Jolly Roger Flies High...As Piracy Feeds The Hungry."

¹¹⁰ Gwin, "Dark Passage: The Strait of Malacca. Pirates haunt it. Sailors fear it, Global trade depends on it."

The pirate community of Batam differs significantly from the pirate communities during Brooke's reign. Batam provides an open labor pool that brokers for international criminal organizations use to carry out their assignments. These low-income pirates seem to be effectively be 'contract' or 'seasonal' employees who are paid an agreed upon sum for their services. The pirate towns of Sarawak were organized around their charismatic men of leadership, religious affiliation, and familial ties. Batam pirates are effectively at the bottom of the loosely structured hierarchy of transnational criminal organizations, as well as within the state and their own communities that look down upon them as they largely remain in the same social strata.

These modern day pirates that operate out of Batam also seem distinct from Hobsbawm's social bandit. Hobsbawm's social bandit is oppressed or exploited by individuals or institutions that are more powerful than him. In a sense, Batam's pirates are employed by institutional transnational criminal organizations that exploit them. Hobsbawm's bandit is not an interesting figure economically, but because of the "illumination [he] sheds on his situation within the rural society."¹¹¹ While the wages of these low-income individually have little impact outside of the brothels and karaoke bars they frequent, their actions relatively are much larger than their colonial counterparts, as contemporary piracy numbers in the billions of dollars.¹¹² Moreover, the head of the organization is a figure who is incredibly interesting from an economic perspective. Hobsbawm's pirates

¹¹¹ Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*, 94-95.

¹¹² Jack Gottschalk and Brian Flanagan, *Jolly Roger with an Uzi: The Rise and Threat of Modern Piracy*. (Annapolis: Naval Institute Press, 2000), 82.

are also "as important to their people as Napoleons or Bismarks."¹¹³ In contrast, according to Crabtree in his visit to the village where he met the pirates he would later go on a raid with in 2006, nearly all of the villagers in the community spoke of these men with great fear, even though this was the very community in which they lived. In the past, some residents had turned members of their own community into the police, and though they were released for lack of evidence, this contrasts to the relationship a social bandit has with his community.¹¹⁴

LANUN

"Though his jailers remain unsure who he is, they know exactly what he is: lanun. When asked for a direct English equivalent, an interpreter explains that there is none, that it is a word freighted with many layers of culture and history. The short, imperfect answer is: The prisoner is a pirate." - Peter Gwin, National Geographic, 2007¹¹⁵

As the quote above indicates, 'lanun,' or 'Illanun' is still a term used today to describe pirates. Few historians or security analysts have contributed to comparative studies between the colonial and contemporary piracy phenomenon in Southeast Asia. Almost completely nonexistent in the historical literature is a comparative analysis viewed through a social or Hobsbawmian lens.

This socio-historical, comparative view is important for two reasons. First, for the historian, the unique geography of the Straits of Malacca not only provides snapshots of piracy from different time periods, but an opportunity to analyze the piratical continuum in the evolving nature of nation-states and economic players within unchanging geographic boundaries and economic incentives for piracy. Second, for the security-minded reader, the majority of dialogue today is

¹¹³ Young, *Contemporary Maritime Piracy in Southeast Asia: History, Causes and Remedies*, 144.

¹¹⁴ Crabtree, Interview by Miles Bird, April 5, 2013.

¹¹⁵ Gwin, "Dark Passage: The Strait of Malacca. Pirates haunt it. Sailors fear it, Global trade depends on it."

restricted, with perspectives heavily reliant on individuals and institutions with legal, economic, or policing backgrounds. While this analytical approach is important when combating piracy, security measures will ultimately be unsuccessful if they do not address the social pressures that encourage piracy in the region. A socio-historical perspective can provide those insights.

While geography, economics, and the nature of political borders in the region remain similar, there are a myriad of differences inherent in these two time periods, among them technological, cultural, and the transition away from the colonial state-system to the modern states of Indonesia, Malaysia, and Singapore. As one would expect, the pirates of Brooke's time, described in his personal letters and according to the literature which describes them today, are distinct from modern-day pirates in a myriad of ways. Both time periods, however, underwent their respective experience upon the entrance of a new and significant external power-holder into the social structure: the British and the transnational criminal organization. The British and the transnational criminal organization have had different impacts on the local communities that are already external to the local power structure and operate in 'dark economies' of sorts.

Brooke's descriptions of the piratical Dayaks and Illanun communities in his personal letters indicate social communities independent from the power structures of both the Malayan ruling classes in the region that had been present prior to Brooke's arrival, and Brooke's attempts at social order. Opportunistic maritime raiding and piracy has a deep history in Southeast Asia and existed long before the appearance of corporatized criminal organizations. Both of these forces supported the development of new and alternate social structures

that are external to the state powers of their respective time periods. In both cases, these social communities were less dependent upon ethnic considerations than their peer communities. However, for modern-day pirates, their communities seem to be less driven by communal egalitarianism and opportunities for upward social mobility. They have become contractors within a community that does not afford the individual on the lowest rung of the economic ladder the benefits that communities outside the jurisdiction of the state-system provide, other than a salary.

To Hobsbawm, bandits are interesting because they offer insight into the mind of the peasantry; Indonesia's pirates do not seem to be, or are even perceived as such social bandits, even if they come from a similar socioeconomic background. Rather, these individuals are perceived as common thugs by their fellow fishermen, and pirates, terrorists, and in the last few decades, as menacing members of international crime syndicates by the international community. But while they are perceived as such, they are not true 'members' of these organizations, and do not seem to incur the benefits as such. The membership of these organizations is now closed to its tightest inner circle, which ironically may play significant roles within state-systems and structures, as the example of Anthoni Salim seems to indicate. The Salim's of today, while perhaps known by some to be connected to such sinister organizations, continue to reap the benefits as of significant power-holders both within and without the state system without the negative affiliation.

Indonesia's national motto, "Bhinneka Tunggal Ika," articulates the diversity of cultures, ethnicities, and languages that shape the

country. The phrase, means, literally "unity in diversity."¹¹⁶ As Indonesia, Malaysia, the Philippines, and other countries in the region cement their positions as a significant economic and political stakeholders, in the Southeast Asia region, it is important to understand the history perhaps states should take heed to offer political representation to avoid their citizens' move to the alternative allegiance of the mob.

¹¹⁶ Catherine Napier, "Analysis: Indonesia's Fragile Archipelago." *BBC News: World Edition*, September 13, 2000.

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