"This interesting anthology brings together the latest research on Asian piracy — from Japan and the Riau and Philippine islands to Singapore and China — between the sixteenth and twentieth centuries by scholars from as far afield as the US, the PRC (Hong Kong and Macau), Australia, British Columbia, France, Taiwan, and Japan." — Dian Murray, University of Notre Dame

"This is an impressive volume on a subject that never seems to go away — six hundred years’ history of piracy and smuggling in the Greater China Seas. It is important reading for anyone fascinated by Asia’s rich and complex maritime history.” — Mark R. Frost, author of Singapore: A Biography
ELUSIVE PIRATES, PERVERSIVE SMUGGLERS

Violence and Clandestine Trade in the Greater China Seas

Edited by Robert J. Antony
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Zhuó Jia Cun, Taipa, Macau
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2

Violence at Sea: Unpacking “Piracy” in the Claims of States over Asian Seas

Anthony Reid

The contemporary international community is rightly concerned with piracy as a global problem that challenges its system, and needs to be addressed by all. The word “piracy,” however, derives specifically from English, and comes out of a particular European experience of interstate rivalry. It translates readily into the major European languages, which used the concept when interacting with each other legally and commercially. Outside of that world, though, the Europeans employed the term to justify military expansion at the expense of Asians. Asian languages use several expressions that modern scholarship has translated as piracy, although no real equivalence of meaning or associations can be assumed.

It must be remembered that the European definition of piracy as illegitimate armed robbery at sea was imposed progressively on the rest of the world within an imperial context. With the advent of the steamship in the mid-nineteenth century, the European powers, acting in concert, extended their authority gradually over the world's seas, destroying or dispersing one “pirate nest” after another that had resisted the hegemony of European shipping. Led by Britain, the imperial states also included the world's great shippers and possessed a direct interest in making the sea lanes safe. That coincidence of interest and might lasted from roughly 1870 to 1940, the only period, in modern times, when piracy in the European sense disappeared from Asian waters. This chapter will seek to connect our present concern about piracy with reference to the two Asian experiences which have intersected most with European ideas of piracy, namely the Chinese and the Malay.

It will be helpful here to utilize the concept of “organized hypocrisy” in the international system, as it passed through different paradigms. The present form, “sovereign equality,” manifests itself in the United Nations Charter of 1945, whereby all nations purport to accept the equal sovereignty of all others, extending in a homogeneous way exactly to their border with the next sovereign nation-state. Earlier paradigms of “organized hypocrisy” included the high colonial system in which “civilized [European] states” partitioned the world among themselves, and
as empire with a low regard for seaborne trade in some periods, but with a clear sense
of the distinction between the "civilized" subjects of the empire and the "barbarian"
peoples outside it. The distinction made in Chinese records was not so much
between robbery in coastal waters or the free oceans as between various kinds of
"bandits." Although the Chinese never made such sharp distinctions, in general
and for the sake of argument, two of the most common terms for "bandits" were "zei"
and kou, can be broadly differentiated: the former referring to lawbreakers working
within the imperial system and the latter to those working from the outside. Thus,
the English term "pirate" has been used to translate a spectrum of Chinese terms,
including haiizi ("sea bandit"), perceived as being Chinese outlaws, and wokou
("dwarf bandit"), officially seen as barbarian "others," specifically evoking a hostile
Japanese stereotype. As for wokou, Chinese authorities in the Ming period viewed
them as pirates lurking on the periphery of or outside the imperial system — as a
conspiracy between foreign barbarians and Chinese traitors who had not engaged
in illegal commerce but had armed robbery at sea and on the coast. Because
China, particularly during the Ming and early Qing dynasties (before 1684), took an
exceptionally negative view of seaborne trade, except as an aspect of the so-called
tribute system, the second type of lawbreaker filled it sources.

As a perceptive Ming official noted, pirates and merchants comprised
fundamentally the same group of people. "When trade is permitted, pirates become
merchants. When trade is prohibited, merchants convert to pirates." The draconian
early Ming ban on trade, and on Chinese traveling overseas on any business except
that of the emperor, ensured that it would consider virtually all international
commercial activity illegal. Often the smugglers got around officialdom by bribery
and collusion with local authorities, who themselves depended on trade, but
frequently also needed to resort to arms to defeat or intimidate them. Early in the
Qing period, in May 1652, a Dutch official noted that their principal rival in the
Japan-Vietnam trade, Nagasaki's largest Chinese merchant, Wei Zhiyuan (Ichien),
could not go home "because he is considered a bandit in China." This book
shows so many examples of these phenomena that I do not need to elaborate.
Let me just remind the reader of four rather different cases that English
translations of Chinese material have too readily rendered as piracy:

1. Chinese commercial activity in Southeast Asia in the fifteenth century
encompassed several important centers, including Palembang, which Zheng
He conquered in 1407 by killing five thousand "pirates" and capturing its ruler,
"the pirate chief Chi Zui." Putani owed its commercial origins to another
Chinese settler in the sixteenth century, also described as "pirates." Since
Chinese traders outside China seemed necessarily illegitimate in the eyes
of the Ming state, Ming sources characterized them as "sea bandits" or "sea
traitors" (wokou), translated into English by the early orientalists simply as
"pirates."
2. In the sixteenth century, foreign traders anxious to circumvent the Ming trade ban, first, primarily Japanese but later European, needed to work with Chinese traders on the fringes of the imperial system. Officials regarded them as smugglers, while the Chinese, in turn, exaggerated the importance of the foreign element to evade and also intimidate local authorities. Hence, the term “Japanese” or “dwarf bandit” (wookau) appeared most commonly in Ming records, and came to be translated as “pirate” in English. The Ming officials, tasked to tackle the problem themselves realized full well, however, that most wookau they were dealing with were Chinese. According to Censor Du Zhongli, in a memorial to the Ming throne, dated 1555, barbarian people were ten percent, Ryukyu people twenty percent, and the rest hailed from the Fujian and Ningpo areas in China.

3. In the mid-seventeenth century, the Zheng family organized what we might fairly describe as a pro-Ming and pro-commerce resistance against the Manchu (Qing) conquest of China. Calling the Zheng and their followers “pirates,” though, does little to help our understanding. They were rebels, indeed, but also an alternative Chinese polity responsible for most of China’s international maritime trade for three decades.

4. In the period 1780–1810, tens of thousands of mariners of the Sino-Vietnamese water world were classified as “pirates,” partly because of shifting political fortunes during the Tay Son interregnum in Vietnam.

The “piracy” that found its way into the European literature by translating categories from the Ming sources, in particular, consisted of a maximalist category, potentially including almost all the international maritime commerce of the world’s then largest economy, and that of its sons outside China.

Malay World

The states of the Indonesian archipelago or “Malay world” comprised the opposite type, not only embracing international commerce but actually depending upon it. If Ming China legitimated trade only as a handmaid of diplomacy, the Malay states used diplomacy as a handmaid of trade. European traders quickly learned the value of bringing a royal letter and presents for the king, just as Asian traders did from their home ports, “with letters full of praising and compliments and also with small presents. This is done only to promote trade.”

Such states needed to encourage shipping to come to their ports, and frequently used their naval power to attack those who preferred to trade with their rivals or enemies. While Chinese or European sources could consider this piracy, Southeast Asian ones regarded it as warfare or statecraft. John Crawford noted in the 1850s, “There is no name in Malay and Javanese, or indeed in any other native [Southeast Asian] language, for piracy or robbery on the high seas.” The verb, rompoit, means to plunder; in general, but, at least by 1900, a more specific variant, rompur, had developed (perhaps precisely to translate the English term), meaning to plunder at sea. R. J. Wilkinson even produced a proverb to prove it: “Wherever there are trees there are pirates” (ada guna, ada-lah perompak). A more common usage, the etymology illusory (more properly Irunan), referred to one of the southern Philippine groups most given to the practice of raiding from the late eighteenth century, though this usage, too, did not distinguish piracy as a separate type of activity from sea robbery and murdering more broadly.

The key point remains that, as Sultan Husain of Singapore said to Raffles, what the Europeans called piracy “brings no disgrace” to a Malay ruler. Successful port-rulers in the Malacca Strait area needed to attach to their own service the sea people (orang laut), who for centuries lived on their boats by foraging and trading or plundering. As Carl Trocki put it: “As long as the Malay political system was operative, the activities of the sea peoples had been violent but perfectly legitimate pursuits . . . So long as their chief held a valid title from the Sultan, their ‘patrol’ activities regarding trade were a legitimate naval operation.” A strong and successful ruler used them to encourage shipping to call at his port and avoid those of his rivals or those he considered his vassals. When no effective ruler regarded as legitimate by the orang laut reigned, as occurred in the Straits during the late eighteenth century, they could resemble the stereotype of the “Malay pirate” of European imagining. Even if Europeans looked upon large communities of sea peoples as permanent or temporary pirates, no indication exists that this category was clear to Southeast Asians.

European usage has differed since the Renaissance, in specifying piracy as robbery at sea unsanctioned by one of the competitive nation-states then beginning to dominate the European scene. The first usage in the English dates back to 1555, and the 1944 Oxford English Dictionary (third edition, reprinted with corrections through the 1970s) still gave a definition of it which seems very evocative of the nineteenth century: “Piracy: Robbery and depredation on the sea or navigable rivers, or by descent from the sea upon the coast, by persons not holding a commission from a civilized state” [my emphasis]. This last point is very telling, since it reflects the nineteenth-century European system of extending its rules to the whole world but reserving their benefits for Europeans, the domain of so-called “civilized states.” On the one hand, since they did not authorize the maritime conflicts of Asians, they could regard all of them as piracy and suppress them as such. On the other hand, the European states could and licensed private shipowners to raid the shipping of those considered enemies during times of war, which they deemed legitimate privateering.
Privateering

Privateering deserves more discussion, since the legal distinction Europeans made between privateering and piracy could not have been clear to most Asians. Roman law already acknowledged a right of reprisal for private ships to recover by force losses sustained by attack by another. This pattern evolved in sixteenth-century Britain, Holland, and France into one that contracted private traders or ships of war to assault ships of a rival country, and to bring the prize taken back to their home country where they could legally adjudicate the cargo, most of it falling to the captors. The celebrated "Sea Beggars," who began the revolt of the Netherlands against Spain in 1568, offered a notable example of privateers, as did the plotters of British heroes such as Francis Drake and William Dampier, who raided Spanish shipping, and incidentally circumnavigated the globe. The Caribbean provided a prime site for all comers to prey upon the Spanish ships returning from Mexico. In all the revolutions of the New World, starting with the United States in 1776, privateers played an important role in attacking the shipping of the metropolitan power. In Asian waters, the raids of Portuguese and Spanish vessels on Muslim ships in the Indian Ocean could also fall under this category, while the eighteenth-century Anglo-French Wars gave rise to a further burst of privateering there.

Although privateering appeared as a "legal" form of piracy which arose from the peculiar European system of competitive nation-states, nonetheless, most Asian polities would have been familiar with the concept of government-sponsored maritime raiding, which lay at the heart of privateering. For instance, in the late eighteenth century, the Tay Son regime in Vietnam employed Chinese sentinels to plunder shipping on the Chinese and Vietnamese coasts (see Antony's chapter). As a common practice, both large and small politics in archipelago Southeast Asia supported sea raiding on the vessels and settlements of their enemies, using such raiding as an important part of warfare and statecraft.

The Imperial High Tide

Whereas privateering divided the European states, their usage understood piracy as an agreed-upon evil which all should cooperate to eradicate. Only after 1816, however, when the European wars in Asia had largely ended, did European powers begin to use this doctrine to unite against independent maritime forces in Asian waters. The nineteenth century uniquely marked a turning point when the world's dominant shipping interests obtained state support to suppress piracy virtually everywhere on the planet.

The establishment of an expanded Kingdom of the Netherlands (including today's Belgium) following the French Revolutionary upheavals, and the decision to restore its Indonesian territories despite Raffles' objections, already signified that Dutch colonial influence would operate beneath the protective umbrella of British naval hegemony. In entering into post-war negotiations with the Dutch about Southeast Asia in 1819, Britain had only two fundamental aims: to retain control of the Malacca Strait route to China (through the Straits Settlements), and to safeguard the freedom of British commerce throughout Southeast Asia, except in those few areas ruled directly by the Dutch, in Java and Maluku. In fact, the Dutch sought territorial demarcation, so that their prior boundary demands would be recognized even without the military and commercial power to give them substance. The London Treaty of 1824 labeled the Indonesian Archipelago as an area where the British would construct no establishments. In the new developing world where "civilized states" were asserting responsibility for every corner of the planet, this, therefore, became potential Dutch possessions. Article V of the 1824 Treaty particularly stressed the obligation of both British and Dutch parties "to concur effectually in suppressing piracy." Although Britain had the larger interest in security for its then-dominant shipping, the Dutch knew that their claims to particular areas would be challenged if piracy occurred without appropriate retaliation from them. Throughout the rest of the nineteenth century, treaties involving the British, Dutch, French, Spanish, Portuguese, Siamese, and, eventually, Chinese governments parceled out the whole of Southeast Asia into a system of "civilized states."

The suppression of "piracy" both motivated and justified this expansion — in a sense providing the major justification. On the one hand, the Dutch and British capture of the most lucrative arms of Asian trade in the seventeenth century had removed any chance that any of the trade-dependent port-states of the Archipelago could progress into a strong enough polity to cross the threshold to "civilized state-dom." Rather, a widespread assumption of the "decline" of Asian states emerged. On the other hand, it elevated piracy in the nineteenth century to "a great and blighting curse" that "civilized states" should combine to suppress, and would define it as any act of robbery at sea not authorized by such civilized states. Hence, European shipping and shipping interests possessed the perfect weapon to push their respective states into ever further expansion to eliminate whatever remained in the Malay world by way of independent military capacity by sea. In truth, the early nineteenth century witnessed a period of unusual anarchy in Southeast Asian waters (see below, as well as the discussion in Ota Atsushi's chapter), while the argument that piracy represented the greatest scourge to increased trade contained much plausibility.

Whereas in the eighteenth century and earlier, European (and Indian, Arab, and Chinese) ships armed themselves to exact their own view of justice, in the nineteenth century, appeals to the fleets of the European/American governments concerned most often punished offences against shipping. The Straits Settlements and Hong Kong became the favored bases for Chinese, Indian, and Arab shipping in
Southeast Asia partly for this reason — that they, too, could claim British protection, if attacked. Aceh operated the freest trade zone anywhere in the archipelago as the only state left formally independent by the 1824 carve-up. Both the Americans (1826, 1832, and 1838) and the French (1839) sent naval ships to “avenge” assaults on their pepper-ships by destroying the coastal port-villages where they deemed the piratical crimes to have occurred.

I might quote some words from a poem celebrating the bloody deeds of one of the American warships concerned, because its horrific tone to modern ears does illustrate some of the flavor of a particular period of so-called “civilized states” combating so-called “piracy”:

To revenge the sad wrongs which our friends and our nation,
So oft have sustained from these demons from hell;
Our work we commenced, and the bright conflagration,
Left but few of our foes that sad story to tell.29

Of course, the case of James Brooke illustrated the most successful alliance between the private adventurer and the European navies commissioned to suppress piracy. His successful portrayal of his Malay and Dayak enemies in Sarawak as “pirates” and “slave-traders” convinced Captain Henry Keppel, who commanded a small steamer of the Singapore squadron, and his superior, Admiral Cochrane, to join him in destroying them (1843 and 1846). Figure 2.1 shows a nineteenth-century European representation of a Dayak warrior. Because the British did not yet demonstrate any interest in direct authority over Archipelago societies, Brooke ended in a curious position as a private ruler with British support, founding his own “white raja” dynasty.

The middle decades of the nineteenth century marked something of a turning point, as steamships, better firearms, the telegraph, and a regular system of scheduled shipping services conspired to turn the tables on the “pirates.” All the major maritime powers developed permanent standing navies which would come to the aid of shippers against alleged pirates, eventually eliminating the role of privateers. After many appeals from Chinese and Bugis shippers servicing Singapore, as well as the British shipping interests, Britain sent out six warships and gunboats to Singapore specifically to suppress piracy. The first armed steamship arrived in 1836, which greatly helped in pursuing the fast galleys of raiders such as the Jranun. The expansion of telegraphic services around the world in the 1850s and 1860s provided another powerful incentive for cooperation between the European states in ensuring the safety of telegraph routes through hitherto unstable territory. Telegraphic interests were among the strongest lobby for British advance on the Malay Peninsula. While the most advanced country, England, inclined toward going it alone, an International Telegraphic Union was established in Paris in 1865, as the first of the potentially global organizations designed to unify the world’s communications. A comparable association of shippers came about more slowly, partly because of the dominance of British interests — the International Maritime Organization did not actually form until 1948, under UN auspices.

A fleet headquartered in Singapore combined with a small Dutch naval force in Tanjung Pinang (capital of the Riau Archipelago, to the south) to destroy one base after another of the Orang Laut, and reduce them first to a client people living on boats in the Singapore River, and then, finally, to land-based peoples of varying degrees of misery. “By the 1870s piracy in peninsula waters had effectively been eradicated.”30 As Trocki notes, the loss of the Orang Laut deprived Malay rulers of the Straits area of their subject class for all practical purposes. The most successful of them, like the Temenggong of Johor, survived by switching in the mid-nineteenth century to an alliance with Chinese entrepreneurs, who then, for the first time began to tame the forests of the Peninsula and Riau.31
Northern Sumatra and the southern Philippines held the last two concentrations of maritime power in the Archipelago outside European naval control, each positioned at vital maritime crossroads. They traded with British ports and ships more than with the colonial power that felt “entitled” to this sphere of influence. In the two cases, this hinge location between different commercial orbits, a strength in earlier times, now endangered them. The British in the last third of the century abandoned its policy of keeping such ports open to trade, in favor of holding “piracy” in check, and maintaining smooth relations with European allies. Both the Spanish and the Dutch feared that if they could not suppress “piracy” by expanding efficiently into these areas, some other power (Britain or Holland in Sulu, and France or the United States in Aceh) would do so under the pretext of protecting its shipping. Nevertheless, the brutal methods that proved necessary to subjugate these two centers caused problems for the later heirs to power in Manila and Jakarta.

James Warren has ably described how the Spanish effectively ended the century of Sulu power through conquest and an “Act of Incorporation” into the Spanish monarch in 1851. Armed with the new steamships and firearms, and the powerful motive of British flirtation with the Sultan of Sulu, they insisted on removing “piracy” from this zone, and they attacked the chief Balanginami Samal raiding center in the Sulu Archipelago in 1848. In early 1851, a force of nearly four thousand troops stormed the capital of the Sultan of Sulu at Jolo, and destroyed the town which served as the principal metropolis of Sulu’s commercial heyday. In the aftermath of this success, the Spanish intimidated all the Muslim rulers of the south — Sulu itself, Magindanao, and Buhayan — into accepting their position as “an integral part of the Philippine Archipelago.” Of course, this proved insufficient to control the south, and, in 1876, Spain sent a massive force of thirty-two ships and nine thousand men to complete the conquest of the “pirate’s nest” of Sulu. The Sultan appealed to his British trading partners for aid, but as they did in Aceh, the British had then switched their policy to supporting rival colonial powers in the name of a united front against “piracy.” Sulu remained a hotbed of resistance, and, therefore, of occasional attacks labeled piracy, and it was only a full-scale American war of pacification in the first decade of the twentieth century that brought a comparable colonial order to the southern Philippines as in the rest of Southeast Asia.

Aceh was also accused of being a nest of piracy, but much less persuasively. It had no Orang Laut population that lived by raiding and foraging, but instead, a very long coastline with scores of tiny river-ports, each with its own raja or nieehtang. Disputes with the Europeans throughout the nineteenth century had centered on the merchants’ wish for untrammeled access to each of these ports, in conflict with the sultan’s desire to oblige trade to concentrate at his capital and pay him the requisite duties. When the Dutch were looking for an excuse to intervene after the 1871 Treaty with Britain allowed this, they of course found it in what they claimed was “piracy.” Among the pepper-rich rajas of eastern Aceh, the more influential and reformist supported the sultan’s party, while the raja at Idi was using appeals to the Dutch and British to ensure his ability to trade freely. The Dutch sent a warship to Idi on the grounds that the partisans of the Sultan were blocking him and keeping out vessels including some with Dutch flags. The story is well known of how another disastrous colonial war was fought from 1873 to 1913, largely on the presumption that ensuring the absolute safety of European (and incidentally, among others, Chinese, Indian, and Arab) vessels throughout the seas had now become the responsibility of a colonial power.

Conclusion

This background of the modern world system needs to be understood. The world was made secure for European shipping, and, as a by-product, that of others, because the dominant shippers in the nineteenth century had the total support of their governments in suppressing piracy militarily. Those governments expanded their territory throughout Southeast Asia and much of the rest of the world precisely in order to make that shipping and other forms of commerce safe. That period ended in 1942 with the Japanese conquest of Southeast Asia. Piracy and smuggling revived under the Japanese, who unwittingly encouraged them by attempting to install a draconian system of self-reliance in each sze (province) of occupied Southeast Asia.

During the tumultuous revolutionary period that followed the Japanese surrender, piracy and smuggling became patriotic in the struggle against the returning Europeans. Twang Pek Yang has well described how whole new classes of small entrepreneurs with little to lose began as merchants in independent Indonesia by sending small boats across the Malacca Strait. Like the Malay “pirates” of an earlier period, they took their chances in a violent age, and some of them survived to become great traders in more stable times.

In the almost equally turbulent 1950s, the local authorities in Sumatra and Sulawesi saw no reason to give up their lucrative direct commerce with Singapore and Malaysia, even when the government in Jakarta declared it “smuggling.” Muslim small traders in the southern Philippines resumed their personal trade with Sabah, and even Saigon and Singapore. At each of the other unstable periods that followed, piracy revived. Most recently, the opening of China combined with the sharp decline in order in Indonesia accounted for the peak of piratical activity in the Malacca Strait area in the late 1990s — as James Warren and others have so ably explained.

In hindsight, one must recognize the period when “piracy” was suppressed, from about 1880 to 1940, as an exception rather than a norm for our international order. The powerful ship-owning states were then precisely the entities that thought it their primary mission to eliminate piracy. Through the colonial system, and the
fiction of an alliance of "civilized states," they had or acquired the authority on the ground to achieve it. In contrast, the prosperous era of global shipping expansion since 1960 has been one in which shippers registered their vessels under flags of convenience, of countries that have absolutely no capacity or desire to counteract piracy. As of 2000, half the world's shipping corporations registered their flags of convenience to evade taxes and labor regulations. Panama nominally has the biggest fleet in the world; and Liberia's vast nominal fleet is coordinated by nobody in that country, but by a company in Virginia. On the other hand, desperately poor countries, as for example, Indonesia and Somalia have neither the resources nor the motivation to patrol their vast coastlines, which offer shelter to piratical actors. The age-old collusion between legitimate traders and violent ones continues.

The world of shipowners and related interests can afford, more readily than ever before, to end the irritation of piracy. But it needs a new system to do so, more equitable than the colonial system but just as efficient.