

City University of New York (CUNY)

CUNY Academic Works

Dissertations and Theses

City College of New York

2013

Toward Resolving The Problem of Modern Piracy; A Case Study Of Somalia

Kamil Peter Kozlowski
CUNY City College

[How does access to this work benefit you? Let us know!](#)

More information about this work at: https://academicworks.cuny.edu/cc_etds_theses/172

Discover additional works at: <https://academicworks.cuny.edu>

This work is made publicly available by the City University of New York (CUNY).
Contact: AcademicWorks@cuny.edu

Toward Resolving the Problem of Modern Piracy:
A Case Study of Somalia

Kamil Peter Kozlowski

June 2012

Master's Thesis

Submitted in Partial Fulfillment of the Requirements for the Degree of
Master of International Relations at the City College of New York

Advisor: Prof. Jacqueline Braveboy-Wagner

TABLE OF CONTENTS

| | | |
|------------------|---|----|
| | Abstract | 1 |
| Chapter 1 | Rationale | 2 |
| Chapter 2 | Research Design | 5 |
| | A Clear Definition | 6 |
| | Literature | 7 |
| Chapter 3 | Piracy Through the Ages | |
| | Piracy in the Ancient World | 18 |
| | Medieval Piracy | 21 |
| | The Pirates of the Barbary Coast | 22 |
| | Piracy in the East | 24 |
| | The Pirates of the New World | 29 |
| | Modern Piracy | 31 |
| Chapter 4 | Case Study: Somalia | |
| | Nature of Piracy in the Gulf of Aden | 37 |
| | Somalia and Its Pirates | 41 |
| | The Social & Economic Conditions that Influence Somali Piracy | 46 |
| | “Anarchy on Land Means Piracy at Sea” | 52 |
| Chapter 5 | The Response Thus Far | |
| | The International Reaction | 67 |
| | What Has Been Done at the National/Regional Level? | 74 |
| | Trying the Pirates | 76 |
| Chapter 6 | A Serious Solution | 80 |

Abstract

The purpose of this study was to outline and appraise the problems facing the country from where most modern pirates originate: Somalia. Another aim was to examine the international response to the piracy epidemic. Through this investigation, the argument was made that only by the resolution of Somalia's long-standing social, economic, and political problems will any substantial headway be made to erase its piracy epidemic from existence and secure the safe passage of its vital commercial waterways.

The thesis employed a qualitative analysis and a case study approach. While some statistics and economic figures were included in writing about the social and economic context in Somalia, the nature of this study required that most of the methodology be qualitative. The dependent variable, the topic under consideration, was modern piracy, Somali piracy in particular. The independent variables, the variables that explained the dependent variable, were the social, economic, and political problems in the pirates' host country, including those in the case study of Somalia.

The principal conclusion was that the elimination of piracy from the Gulf of Aden and its environs depends not only on the general international economic situation, but also on the willingness of the actors involved to seriously address, and ultimately expunge, the epidemic through substantial aid to Somalia. The international media, for its part, also shares responsibility in keeping this modern scourge under scrutiny. As of this writing, the epidemic is ongoing, however, so whether or not these conditions will be met ultimately depends upon the march of time.

Chapter 1. Rationale

Since time immemorial, mankind has been in motion. Whether it's been over mountains, through grasslands, or across the seas, people have traveled in search of food, to trade goods, and to explore new lands. Along with these pursuits, however, has come the bandit, the robber, the pirate. Exploiting the desolation of mountain passes, or the openness of the prairies, or the anarchy of the rolling oceans, human beings have been stealing from other human beings for millennia.

Through the ages, the open sea has provided some of the most favorable conditions for marginal behavior of all sorts. Among them has been the practice of robbery, which on the water is known as piracy. Accordingly, he or she who engages in such an act is labeled a pirate. From the ancient trade of the Egyptian, Greek, and Roman Empires, to the traffic of the Spanish and British Empires, to modern industrial commerce as we know it, this creature has posed a threat to all organized human maritime commerce for thousands of years.

Foreign Affairs magazine has estimated that seaborne piracy, still a lucrative operation to this day, leads to an average of \$13-\$16 billion in losses for transport companies per year. The majority of pirate attacks nowadays occurs in the Indian Ocean, whose passages are used by over 50,000 commercial vessels each year, some larger watercraft in particular carrying enough wealth to keep small nations afloat.¹ In more ways than one, the Indian Ocean has become the modern pirate's playground.

Within this mighty ocean, off the protruding coastline of the Horn of Africa in present-day Somalia, in a body of water known as the Gulf of Aden and its environs, the scourge of modern piracy is especially concentrated. While geographically minuscule,

¹ Gal Luft & Anne Korin. "Terrorism Goes to Sea." *Foreign Affairs*. November-December 2004.

this region has for thousands of years functioned as both a major waterway for transnational enterprise and as a hotbed of political and social intrigue.²

Piracy in the area has begun to make an impact on the world stage. Its reverberations have touched upon the nexus of international business, politics, and society at large. Economically, many influential shipping companies are forced to deal with lower profit margins due to the robbery of their vessels on the high seas,³ while, politically, the current power vacuum in Somalia, arguably the world's most unstable country, threatens to plunge all of eastern Africa into turmoil.⁴

The response by governments the world over to the security threat posed by Somali pirates has been relatively united. Countries with many divergent national interests, such as the United States, Russia, and China, have agreed that the piracy epidemic needs to be addressed and fought together, if necessary. Indeed, these state actors have initiated a largely cooperative policy of naval patrolling to ostensibly tackle the problem.

This crusade has not been confined to the efforts of foreign governments and entities. Within Somalia itself, the unstable Transitional Federal Government (TFG) has made some effort to combat piracy, even though several of its members have been discovered to have links with the very criminals they are presumably fighting.⁵ In June 2008, the TFG sent a letter to the United Nations (UN) Security Council asking for assistance from the international community in its anti-piracy efforts. The Security

2 William Gordon Holmes. *The Age of Justinian and Theodora: A History of the Sixth Century AD, Vol. 1.* John Wiley & Sons, Inc. New York, 1919, 184.

3 Muhammad Humaidan. "Somali Piracy Hurting Saudi Shipping Badly." *Arab News*. 28 June 2010. Available: <<<http://arabnews.com/saudiarabia/article74609.ece>>>.

4 Jeffrey Gettleman. "The Most Dangerous Place in the World." *Foreign Policy*. 16 February 2009.

5 Louis Charbonneau. "UN Cites Reports of Government Links to Somali Pirates." Reuters. 18 March 2009. Available: <<<http://www.reuters.com/article/idUSN18379298>>>.

Council shortly afterward unanimously passed Resolution 1816, which authorized TFG-sanctioned nations to enter Somali territorial waters and fight the pirate threat.

On December 17, 2008, pirates seized four ships off the Somali coast: a Chinese fishing boat, a Turkish cargo ship, a Malaysian tugboat, and a private yacht. The UN Security Council, having had enough, went on to unanimously adopt the controversial Resolution 1851. For the first time, those nations that had been involved in the anti-piracy crusade up to that point were officially allowed to go so far as to occupy Somali territory, acutely compromising the sovereignty of the eastern African nation.

This thesis argues that such a belligerent approach on the part of the international powers is woefully inadequate in addressing the modern pirate threat. Rather, a sincere appraisal of the problems of the country from where the pirates originate is necessary. Somalia in particular provides a fascinating case study of this ancient mode of theft as it is currently practiced. From an analysis of piracy in its present stomping grounds off the Horn of Africa, will arise a modest lesson for policy-makers in other countries and regions suffering from this security threat. In Somalia, as elsewhere, only by the resolution of long-standing social, economic, and political problems will any substantial headway be made to erase piracy from existence and secure the safe passage of vital commercial waterways.

Chapter 2. Research Design

I am focusing on piracy, using the Gulf of Aden and Somalia as a case study because this is the region where the intriguing yet problematic scourge of piracy is most concentrated in the world today. My hypothesis is that piracy can only be eradicated by resolving the underlying social, economic, and political issues affecting those countries that host pirates. I will first discuss the rise of modern piracy and its effect on various countries. I will then focus on Somalia, providing clear reasons why the national conditions and difficulties that Somalia has been facing for decades have influenced the spread of piracy. I will then offer proposals for dealing with the issue in the body of this work. Hopefully, such an analysis will contribute toward a thoughtful approach on the part of policy-makers in other countries and regions suffering from the devastation caused by modern piracy.

This thesis will employ a qualitative analysis and a case study approach. While some statistics and economic figures will be included in writing about the social and economic context in Somalia, the nature of this study requires that most of the methodology be qualitative. However, one can still identify the dependent variable, the topic under consideration, as modern piracy, Somali piracy in particular. The independent variables, the variables that explain the dependent variable, are the social, economic, and political problems in the pirates' host country, including those in the case study of Somalia.

I intend to clearly define piracy in the body of this thesis, and provide a short history of the topic in general. I will then discuss the effect of modern piracy around the globe before providing a background to piracy in the Gulf of Aden, and take a look at the

Somali pirates themselves. Who are they? Where do they come from? How do they plan and carry out their heists? Where do they get their weapons? What sort of impact have they had on local economies? These questions and more will be explored.

I will then pursue a study of Somalia's social, economic, and political background in order to elucidate the conditions that facilitate piracy in general. These underlying conditions include poverty, political instability, and regional security issues, among others. Once the present context to the problem has been laid out, I will then illustrate how Somalia's history has led to the modern epidemic of piracy off its shores.

I will then detail the local, regional, national, and international response to Somali piracy, and show how these approaches have proved inadequate. I will then consider alternative arguments and solutions. Finally, I will advance a comprehensive, diplomatic proposal to address the problem, which has as its starting point a serious consideration of Somalia's domestic misfortunes.

I will then conclude by exploring the implications of my proposal for other countries and for global security.

A Clear Definition

The English word "pirate" is originally an Old French term derived from the Latin word "pirata," which means a "sailor" or "sea robber," and from the Greek word "πειρατής," which means "brigand" or "one who attacks." The Greek term itself is derived from the word "πειράομαι," which means "to attack" or "to make a hostile attempt on," and from the word "πειρα," which means "an attempt" or "an attack."¹

¹ "Pirate". Online Etymology Dictionary. Accessed 20 September 2010. Available: <<<http://www.etymonline.com/index.php?search=pirate&searchmode=none>>>.

According to the United Nations Convention on the Law of the Sea (UNCLOS), ratified in 1982, piracy “consists of any criminal acts of violence, detention, rape, or depredation committed for private ends by the crew or the passengers of a private ship or aircraft that is directed on the high seas against another ship, aircraft, or against persons or property on board a ship or aircraft.”² Such a clear and precise definition of piracy serves the dual purpose of divesting the term of all foreign notions, as well as universalizing it across cultural and temporal contexts. This is the definition I plan to use in this thesis.

Literature

Pirates today operate all over the world, often with high efficiency, excellent operational organization, and precise execution. However, the issue of piracy in and of itself is but one aspect of a larger theoretical issue in international relations (IR), namely, the expansion of international security in the age of transnational crime. In contradistinction to crime in the classical period of nation-states (largely encompassing the 19th and 20th centuries), organized crime in the present age is characterized not only by the fluidity of its activity across national borders, but also by its “trans,” or multinational character. To be sure, many criminal empires today would cease to exist if they were forced to operate solely within the borders of a nation-state.

Not only has globalization brought with it the melting of national borders with respect to stock markets and communications technologies, it has also proven a boon for transnational criminals, who indeed often incorporate the aforementioned financial and

² *United Nations Convention on the Law of the Sea of 10 December 1982*. United Nations. Division for Ocean Affairs & The Law of the Sea. New York: United Nations, 1982. Print.

communications technologies as essential elements of their operations. One hears frequently of how drug or arms traffickers, terrorists, sex tourists, or even corrupt politicians take advantage of the rapid advances in online networks to perpetuate their acts.

The security implications of this new era of transnational crime for the international system, still officially composed of juridical units of nation-states, are many and diverse. Patrick M. Morgan's *International Security: Problems & Solutions*³ deals with general insecurity in the modern era. He devotes a substantial part of his book to the security threat posed by criminals operating out of today's conflict zones, aptly illustrating how one unstable community in one part of the world can have a profound impact even on a relatively more stable society thousands of miles away.

According to Morgan, his book offers “a framework that embraces the traditional way of thinking about security studies with its focus on intergovernmental wars, and the rising concern about wars inside societies ... It includes a three-level conception of security: physical safety from harm at 1) the level of the international system, 2) the level of governments, and 3) the level of societies. Wars have harmful effects, especially in promoting insecurity, at all three levels. In fact, they sometimes have harmful effects on all three levels simultaneously.”⁴

This idea can be applied to my case study of Somali piracy. For instance, how has the conflict zone in war-ravaged Somalia engendered the rise of piracy, but one form of transnational crime, off its coasts? How have Somali societal norms and mores facilitated or dealt with piracy? How has piracy impacted regional and global environments?

³ Patrick M. Morgan. *International Security: Problems & Solutions*. New York: CQ Press, 2006.

⁴ *Ibid.*, xiv.

Transnational criminals routinely violate the laws and statutes of many nation-states, including the most powerful. In today's global system, they have the opportunity to simply withdraw to another part of the world should they encounter legal problems in any one country, with no nation-state seemingly immune from such activity. They have disrupted the process of democratization in nation-states that had formerly been governed by military dictatorships, infiltrated and cartelized traditionally open markets, and penetrated the corridors of power in many capitals, all the while siphoning off resources that otherwise would be used for public welfare.

Organizations such as the UN, Interpol, and to an extent the International Criminal Court (ICC) exist in some measure to address the threat posed by transnational crime. The UN Convention against Transnational Organized Crime was adopted in 2000 with this aim in mind. UN member states agreed to initiate a closer level of cooperation in fighting transnational crime, with the creation of an Ad Hoc Committee charged with, among other things, adopting “new, sweeping frameworks for mutual legal assistance, extradition, law-enforcement cooperation, and technical assistance and training.”⁵

Some scholars, mainly those from the school of liberalism in international relations theory, would applaud these measures, and theorize that they are signs of an increasing tendency on the part of states around the world to embrace peace and security. On the other side of the divide, scholars from the school of realism would see things quite differently. They are highly skeptical of any international efforts to curtail transnational crime, arguing that an international order in which exclusive units of nation-states each pursuing their own exclusive interests, often at the expense of others, prevents the

⁵ *Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on the Work of its First to Eleventh Sessions*. United Nations. General Assembly 55th Session. Agenda Item 105. New York: United Nations, 2000.

establishment of an international law enforcement institution with universal jurisdiction that would be more effective in reining in organized transnational crime than such organizations as Interpol or the ICC. Indeed, this theme will later be explored in Chapter 5 of this thesis, which outlines the response to the Somali piracy epidemic by the various state actors that comprise the international community.

As Morgan says in his *International Security: Problems & Solutions*:

“The international system ... has no ruler or authority, nothing running it that is comparable to the way a government runs a country ... States do not have to take orders from someone higher.”⁶

“Elements of international law and order have developed over time, such as the UN Security Council and the numerous international agreements between governments that can deal with peace and security by limiting governments' behavior. But in the realist view these elements are weak in practice; they largely depend on states keeping themselves in compliance.”⁷

“States will not cooperate to set up a powerful regional or world government or greatly strengthen international law because [their autonomy] is an integral part of their sense of security, one of the things they most want to protect ... In addition, international organizations can fall under the control or influence of powerful blocs or individual states pursuing their own interests, so governments also fear that an international body will be dominated by unfriendly elements and used against them.”⁸

Behind these statements are the six principles of the school of political realism, outlined by the “father” of the school in the 20th century, Hans Morgenthau:

6 Patrick M. Morgan. *International Security: Problems & Solutions*. New York: CQ Press, 2006, 2.

7 Ibid.

8 Ibid., 55.

“1) Politics, like society in general, is governed by objective laws that have their roots in human nature.

2) Interest is defined in terms of power, which infuses rational order into the subject matter of politics, and thus makes the theoretical understanding of politics possible.

3) 'Interest defined as power' is not a meaning that is fixed once and for all, but rather it varies depending on the political and cultural context in which foreign policy is made.

4) Universal moral principles cannot be applied to the actions of states in their abstract universal formulation, but they must be filtered through the concrete circumstances of time and place.

5) The moral aspirations of a particular nation are not necessarily synonymous with the moral laws that govern the universe.

6) The political sphere is totally autonomous ...”⁹

Tom Obokata, in his recently-published *Transnational Organized Crime in International Law (Studies in International and Comparative Criminal Law)*,¹⁰ goes one step further and probes into the norms, principles, and concepts behind the language of transnational crime in international law. While the academic world is quite familiar with the conceptual development of such transgressions as “war crimes” or “crimes against humanity,” how have other transnational crimes, such as human trafficking, and even piracy, developed? How have the obligations to fight these offenses been translated and

⁹ Hans J. Morgenthau. *Politics Among Nations: The Struggle for Power and Peace*. Fifth Ed. New York: Alfred A. Knopf, 1978, 4-15.

¹⁰ Tom Obokata. *Transnational Organized Crime in International Law (Studies in International and Comparative Criminal Law)*. Belfast: Hart Publishing, 2010.

enforced in the international community?

As will be done later in this thesis for Somali piracy, Obokata seeks to understand the more general phenomenon of transnational crime by examining its social and historical roots. For example, he looks at the rise of the Italian mafia:

“The mafia was said to have emerged in the early 19th century when the Bourbon state in Sicily tried to curb the power of the traditional landowning aristocracy and encouraged the emancipation of the peasantry by abolishing feudalism. This created tensions between the central government and local landowners on the one hand, and the latter and peasants on the other. This led to the birth of a mafia which became adept at managing and resolving these tensions and conflicts ... providing protection for people, land, livestock, and produce. By the 1870s these 'mafias' were able to consolidate their organizational structures and activities.”¹¹

Similarly, beneficial conditions for the rise of an organized criminal underclass existed in China with the Triads, Japan with the Yakuza, the Ottoman Empire with people known as *kabadayi* who “sold protection, settled disputes, and protected the poor against oppressive administrations,”¹² and so on. Many of these groups spread out from their native lands into other countries and regions over the years. The more notorious of such organizations, such as the Japanese Yakuza and, of course, the Italian mafia, are well known to have business links in the millions of dollars with thousands of individuals all over the world.

Through analyzing the social and historical conditions that proved amenable to the formation of such groups of individuals, Obokata's holistic approach provides a

¹¹ Ibid., 1.

¹² Ibid., 2.

studied departure from the limited viewpoint that transnational criminals are an inherently seedy lot who need to be fought tooth-and-nail primarily with tough law enforcement methods. Unfortunately, this has largely been the perspective animating the international community's anti-piracy campaign in the Gulf of Aden. This thesis maintains that this piecemeal forceful approach is woefully inadequate in addressing not only the modern pirate threat, but also transnational crime. Rather, as Tom Obokata did in his *Transnational Organized Crime in International Law*, a studious and sincere appraisal of the conditions that give rise to the problem is necessary.

For much of the historical review of piracy in general in this thesis, I am indebted to John S. Burnett. In his *Dangerous Waters: Modern Piracy & Terror on the High Seas*,¹³ Burnett delves into a short but in-depth history of the practice, never traveling too far from the coast to illustrate piracy's historical debt to onshore lawlessness and disorder. More extensively, Burnett also examines piracy's background and areas of operation today.

Most of the works that deal with the topic of Somali piracy in particular are articles from journalistic publications. While some are more thorough than others in contextually explaining the problem in-depth, each one provides a glimpse into a phenomenon that is as multi-faceted as it is fascinating.

Najad Abdullahi's "Toxic Waste Behind Somali Piracy,"¹⁴ illustrates the complex interplay of psychology and the simple enrichment motive behind many acts of Somali piracy. Abdullahi adeptly demonstrates in few words how the resentment that has developed over time in the Somali population towards the West has translated into acts of

13 John S. Burnett. *Dangerous Waters: Modern Piracy & Terror on the High Seas*. New York: Plume, 2004.

14 Najad Abdullahi. "Toxic Waste Behind Somali Piracy." *Al Jazeera*. 11 October 2008.

piracy and terrorism toward prominent Western symbols, whether they are gigantic ships on the sea or even Westerners themselves on land.

Jeff Bliss's "US Military Considers Attacks on Somali Pirates' Land Bases,"¹⁵ argues for a diplomatic approach on the part of US foreign policymakers in addressing Somali piracy. Bliss informs his readers that there are some voices in and around the corridors of power in Washington that are indeed calling for such a stance, insisting on such measures as providing financial and food aid for the Somali people, along with military aid to the fledgling Somali government to train security forces. However, as he makes painfully aware, such thoughtful steps are far from being adopted. Furthermore, he also exposes the futility of the present course of action, which is limited to patrolling a massive body of water that is equal in size to the Mediterranean and Red Seas combined.

Jonathan Clayton's "Somalia's Secret Dumps of Toxic Waste Washed Ashore by Tsunami,"¹⁶ focuses on the environmental damage to the Somali shoreline caused by a multitude of Western companies over the years, which have exploited the long-standing political instability in the region to dump their industrial waste in its waters. Clayton also writes about the devastating impact such actions have had on the health of the Somali people as a whole, and exposes some of the more culpable parties in the affair. As Najad Abdullahi wrote about in his article mentioned earlier, such behavior on the part of these commercial interests can only breed resentment and ill will from those who have been most adversely affected. As both authors further contend in their respective articles, the fact that the enterprises in question are Western in origin only worsens matters,

15 Jeff Bliss. "US Military Considers Attacks on Somali Pirates' Land Bases." *Bloomberg News*. 13 April 2009.

16 Jonathan Clayton. "Somalia's Secret Dumps of Toxic Waste Washed Ashore by Tsunami." *Times*. 4 March 2008: CE12.

considering the long and often disastrous history of Western intervention in the region.¹⁷

Johann Hari's "You Are Being Lied to About Pirates,"¹⁸ is a well-written piece that begins by exposing some of the lies that have been attributed to pirates and their culture over the years:

"Pirates have never been quite who we think they are. In the 'golden age of piracy' - from 1650 to 1730 - the idea of the pirate as the senseless, savage Bluebeard that lingers today was created by the British government in a great propaganda heave ... If you became a merchant or navy sailor then - plucked from the docks of London's East End, young and hungry - you ended up in a floating wooden hell. You worked all hours on a cramped, half-starved ship, and if you slacked off, the all-powerful captain would whip you ... And at the end of months or years of this, you were often cheated of your wages."¹⁹

"Pirates were the first people to rebel against this world. They mutinied - and created a different way of working on the seas. Once they had a ship, the pirates elected their captains, and made all their decisions collectively, without torture. They shared their bounty out in what [historian Marcus] Rediker [in his book *Villains of All Nations*] calls 'one of the most egalitarian plans for the disposition of resources to be found anywhere in the 18th century.'"²⁰

Moving to the present, Hari likewise outlines some of the unfavorable circumstances that have compelled many in Somalia to turn to piracy. Indeed, there is

17 Najad Abdullahi. "Toxic Waste Behind Somali Piracy." *Al Jazeera*. 11 October 2008.

18 Johann Hari. "You Are Being Lied to About Pirates." *Independent*. 5 January 2009: A8.

19 Ibid.

20 Ibid.

even more to the story than has already been mentioned by both Najad Abdullahi²¹ and Jonathan Clayton²² earlier. Along with the collective resentment built up among the Somali population towards the West for having its waters used as dumping sites for all sorts of industrial and radioactive waste, Hari informs his readers that many European ships have also been illegally looting Somali waters for its abundant supply of seafood to sell to the European market back home.

Mohamed Olad Hassan and Elizabeth Kennedy's "Somali Pirates Transform Villages into Boomtowns,"²³ along with Robyn Hunter's "Somali Pirates Living the High Life,"²⁴ both take a look at the effect that piracy has had on the hometowns and villages of many Somali pirates. According to the authors, it seems that many areas have gotten a new lease on life due to the monies that have been flowing into the impoverished country from Somalia's homegrown pirates. The authors also take a look at the Somali pirates and the details of their practice, which will be covered in later chapters in the body of this thesis.

There are also those published authors who have taken quite a different stance toward Somalia and its pirates. More often than not, their answer to the problem lies in imploring powerful state militaries the world over to bring the epidemic to a violent conclusion.

To begin, David Ignatius's "In Praise of Snipers,"²⁵ published in the *Washington Post*, is an article that defends the use of violence on the part of state militaries in dealing

21 Najad Abdullahi. "Toxic Waste Behind Somali Piracy." *Al Jazeera*. 11 October 2008.

22 Jonathan Clayton. "Somalia's Secret Dumps of Toxic Waste Washed Ashore by Tsunami." *Times*. 4 March 2008: CE12.

23 Mohamed Olad Hassan & Elizabeth Kennedy. "Somali Pirates Transform Villages into Boomtowns." *ABC News*. 19 November 2008.

24 Robyn Hunter. "Somali Pirates Living the High Life." *BBC News*. 28 October 2008.

25 David Ignatius. "In Praise of Snipers." *Washington Post*. 13 April 2009: B2.

with the piracy epidemic. Ignatius favors the use of discriminate and discreet military action in particular over any larger deployment such as invasions or air strikes. However, what he fails to demonstrate in his short editorial piece is how such isolated military actions will lead in any substantial way to the diminishing of pirate activity in the Gulf of Aden and its environs.

Kenneth T. Walsh's "Obama's Authorization of Force Against Pirates is a Defining Moment"²⁶ hints at the negative repercussions that could follow from a policy of state violence against piracy. He mentions US Vice Admiral William Gortney's declaration in Bahrain shortly after the April 2009 US shooting of Somali pirates off the Kenyan coast, suggesting to reporters that the use of force at the hands of state actors could "escalate violence in this part of the world."²⁷ Walsh also brings up a comment by an unnamed Somali pirate leader who said that pirates would retaliate in kind if military operations against their operations were launched by nations to free hostages in the future. When all is said and done, however, Walsh still recommends a policy of military intervention, despite the negative consequences that he himself stated might follow.

Whether these authors support a violent military response or a more diplomatic humanitarian approach, they have nonetheless contributed to our understanding of Somali piracy. In this thesis, I hope to further contribute to the discussion by offering some thoughtful steps to address the worldwide piracy epidemic other than the simple patrolling policy that members of the international community have already pursued.

26 Kenneth T. Walsh. "Obama's Authorization of Force Against Pirates is a Defining Moment." *US News & World Report*. 13 April 2009.

27 Ibid.

Chapter 3. Piracy Through the Ages

Piracy in the Ancient World

Piracy has existed in one form or other as long as human beings have been crossing water. Like all modes of theft, piracy has offered its practitioners a quick and relatively easy way to acquire wealth. Unlike other modes, however, it has often evaded the long arm of the law. Pirates have usually operated in relatively isolated locations on the high seas, increasing the chances of a successful getaway. Also, the waters on which pirates have carried out their heists have typically been under no legal jurisdiction, an advantage that pirates have been exploiting for thousands of years. Indeed, one finds in a historical review of the practice that the weaker a regime is on land, the stronger the forces of piracy off its shores. This holds true for all of history's great empires, and still largely applies to the present, as will be illustrated in later chapters.

The earliest-mentioned cases of piracy in history are from the 13th century BCE. These are the exploits of the Sea Peoples, who at the time posed a threat to trade in the Aegean and Mediterranean Seas. The Egyptian pharaoh Merneptah (1213-1203 BCE) explicitly refers to them as the “peoples of the sea” in his Great Karnak Inscription,¹ a series of writings about the pharaoh's campaign against the Sea Peoples, still kept intact on a wall in an ancient temple in Luxor, Egypt. Beside piracy, the Sea Peoples also had political aspirations, attempting to conquer ancient Egyptian territory during the late 19th Dynasty of the New Kingdom (1292-1190 BCE). Incidentally, these invasions occurred during the nadir of the Kingdom's prestige and political influence.

In ancient Greece, pirates likewise posed a threat to official trade and commerce.

¹ Colleen Manassa. *The Great Karnak Inscription of Merneptah: Grand Strategy in the Thirteenth Century BC*. New Haven: Yale Egyptological Seminar, Department of Near Eastern Languages and Civilizations, Yale University, 2003.

“Tyrsenian pirates” were mentioned in the Homeric hymn to the ancient Greek god Dionysus, thought to be written sometime in the 7th century BCE: “Presently there came swiftly over the sparkling sea Tyrsenian pirates on a well-decked ship – a miserable doom led them on.”² On the whole, however, pirates posed a minor threat to ancient Greece, especially during the empire's prime (5th-4th centuries BCE). In ancient Greece, as in ancient Egypt, piracy only began expanding in influence with the decline of law and order on the mainland.

Piracy continued as a problem for the Roman Republic (508-27 BCE), albeit rarely and on less-frequently traveled passages. One of the most notorious piratical tribes, the Illyrians of the western Balkan peninsula, derived much of their wealth from acts of piracy, with the Adriatic Sea as their base of operations. Their escapades finally came to an end when the Romans conquered Illyria in 168 BCE. This in no way erased piracy for the Romans, however, as pirate havens continued to exist all along the Republic's eastern fringes. Many pirates during this time operated from such distant areas as the Anatolian coast, acting as thorns in the side of Republican commerce.

In one legendary historical episode in particular, renowned Roman general Julius Caesar was even kidnapped by a gang of Turkic pirates on a voyage across the Aegean Sea in 75 BCE, and then held prisoner in the tiny Dodecanese islet of Pharmacusa, an island with an area of just one square mile. According to the legend, when told that the pirates' original ransom for Caesar was “twenty talents of gold,” the Roman leader insisted that he was worth at least fifty. The pirates accordingly raised it to that amount. But all in vain, as upon his release, Caesar mobilized a fleet of Roman vessels, pursued

² Alfred Heubeck. *Praegraeca: Sprachliche Untersuchungen zum Vorgriechisch-Indogermanischen Substrat*. Erlangen-Nuremberg University. Erlangen, 1961: 65f.

and captured the pirates, and had his men put them to death.³

In 67 BCE, the Roman Senate voted overwhelmingly to address the threat of piracy to the Republic. It became apparent by that time that the future of Republican commerce depended upon it. In the *Lex Gabinia* (Gabin Law) of that year, Roman senators gave general Pompeius Magnus *carte blanche* powers to deal with the threat pirates were posing to official trade. Given three years to wipe piracy off the face of the Mediterranean, Pompeius “The Great” managed to accomplish his task in just three months.⁴ In the process, Pompeius managed to not only ensure the security of Mediterranean trade for the time being, but also to expand Republican influence into previously unheard of waters and lands.

With the Roman Senate granting the title of “Augustus” (“The Majestic”) to Octavian, the great-nephew of Julius Caesar, in 27 BCE, the Roman Republic officially became an Empire, heralding in a period of territorial expansion, prosperity, and political influence that lasted for approximately two hundred years. The magnificence of this era still resonates to the present day, leaving its imprint on everything from language to architecture. However, as is the case with all empires in history, a period of decline caused by a complex interplay of economic, political, and even natural environmental causes set in. In the case of the western Roman Empire, the process was quite lengthy, beginning in the third decade of the 3rd century CE and lasting until the capture of the city of Rome itself by Germanic tribesmen in 476 CE.

The increasingly anarchic conditions that resulted from Rome's protracted decline were exploited by all sorts of political actors, initially in the furthest reaches of the

3 C. Suetonius Tranquillus. *The Lives of the Twelve Caesars*. Loeb Classical Library. Harvard University Press. Cambridge, MS, 1913: 4.

4 Ibid.

Empire. The most prominent among them were Gothic pirates, who began plundering coastal towns on the Black Sea and the Sea of Marmara in the second half of the 3rd century CE. As their attacks increased in frequency and intensity, they began swarming into the ancient provinces of Galatia (north-central Turkey) and Cappadocia (east Turkey).⁵ At the same time, they also began raiding the islands of Cyprus and Crete, leaving with hordes of stolen goods and thousands of captured Cypriots and Cretans.

In 286 CE, the Roman Senate again sent one of its military commanders to address the pirate threat. This time, General Carausius was given the task of eliminating Germanic pirates who had been active on the coasts of Armorica (northwestern France) and Belgic Gaul (northern Belgium). While he was largely successful in his task at the time, the intensity of pirate attacks nonetheless increased proportionally with the gradual demise of the Empire's strength and influence. By the time of the Germanic capture of Rome in 476 CE, pirates were already comfortably ensconced on the waters of the Mediterranean, and would continue to be well into the second millennium.

Medieval Piracy

During the Middle Ages, from approximately 780-1066 CE, the most infamous pirates in the Western world were the Vikings, a tribe of Scandinavian peoples whose more scrupulous members also engaged in exploration and commerce. Throughout this time, it seemed nothing was out the reach of Viking pirates. Utilizing all bodies of water imaginable, they plundered both coastal and inland towns and cities in western Europe, even as far out as western Spain, north Africa, Italy, towns along the Black Sea, and

⁵ John S. Burnett. *Dangerous Waters: Modern Piracy & Terror on the High Seas*. New York: Plume, 2004, 57.

Persia.⁶ No centralized power, no Julius Caesar or Carausius, existed to rein them in. The Roman Empire was long gone as a force to be reckoned with. Political anarchy was the order of the day in Europe, giving rise to the period of chaos and disorder that has been immortalized in history as the “Dark Ages.”

Operating at the same time as the Vikings, and sometimes even in tandem with them, were Islamic pirates, who established havens along the coasts of southern France, northern Italy, and the Aegean island of Crete. They even went so far as to sack the city of Rome, along with the Vatican, in 846 CE.⁷ Once a fortress of imperial grandeur, Rome was frequently targeted throughout the Middle Ages for any riches that it still might have possessed from its majestic past.

Further up north on the European continent, the towns along the coasts of western Scandinavia were frequent targets of Curonian and Oeselian pirates, who originally hailed from villages along the Baltic Sea's eastern coastline. Just south of Scandinavia, and at roughly the same time, even the security of the powerful Hanseatic League, an economic alliance of municipalities that dominated trade along the coast of northern Europe from the 13th to 17th centuries, was being threatened by roving gangs of pirates, prompting calls from some influential Hanseatic merchants to beef up anti-piracy measures.⁸

The Pirates of the Barbary Coast

Across the Mediterranean Sea, from the Crusades in the 11th century up to the early 19th century, the infamous Barbary coast pirates operated out of the North African

6 Ibid., 88.

7 Ibid., 89.

8 Ibid., 102.

ports of Tunis, in present-day Tunisia, Tripoli, in present-day Libya, Algiers, in present-day Algeria, and Salé, in present-day Morocco. Often reaching the coastal villages and towns of Italy, Spain, and the numerous islands of the Mediterranean, the Barbary pirates even managed to enter Atlantic waters and strike as far north as Iceland in the 17th century.

From the 16th to the 19th centuries, Barbary pirates were well known for kidnapping Europeans and selling them as slaves to the political and economic elites of North Africa and the Ottoman Empire, with one historian estimating the total such sold between 1 to 1.25 million.⁹ Among the most famous of the Barbary pirates was the Turkish Hayreddin Pasha, along with his brother Oruç (known as “Redbeard” in the West). Turgut Reis (also known as “Dragut”), Kurtoglu Muslihiddin (“Curtogoli” in the West), Kemal Reis, Salih Reis, and Koca Murat Reis were also known and feared on Mediterranean waters.

Interestingly, a few Westerners counted themselves part of this brotherhood of bandits. Dutchman Jan Janszoon, born in an upper-class family in Holland sometime around 1570, left his post as a privateer for the Dutch state, where he was exclusively charged with harassing Spanish shipping during Holland's Eighty Year War with Spain (1568-1648), for the less restricted and regimented pirate life on the Barbary Coast. Once there, he was known to attack Spanish ships under the Dutch flag; for all others, he reserved the red half-moon flag of the Ottoman Turks. He was eventually captured by a gang of Barbary pirates and converted to Islam, adopting the name “Murat Reis.” After he was freed, he assumed a prominent political career in Morocco, in later life retiring

⁹ Robert C. Davis. *Christian Slaves, Muslim Masters: White Slavery in the Mediterranean, the Barbary Coast, and Italy, 1500-1800*. London: Palgrave Macmillan, 2003. XIV.

from piracy. The date of his death remains unknown.¹⁰

Englishman John Ward was born sometime around 1553 in the southeast English county of Kent, spending his young adult life working in the fisheries that dotted Kent's coastline. Disenchanted and fatigued with his demanding job on land, Ward became lured by the sea. He became a privateer for Queen Elizabeth I, whose government was then at war with the Spanish. Ward was given the task of pillaging and plundering any sign of Spanish presence on the waters. With the ascendancy to the throne of James I, however, the English conflict with Spain was ended, and Ward and other English privateers like him were put out of business. Ward refused to give up the bandit's lifestyle, technically becoming a pirate as he had no license from any political entity to pillage and plunder. He continued to lead a profitable pirate lifestyle for most of his life, converting to Islam and changing his name to "Yusuf Reis" sometime before his death from the plague in 1622.¹¹

Piracy in the East

Piracy has not only been confined to the waters off the European continent. Thousands of miles away, off the coasts of the great Asian landmass, men and women have been stealing from other men and women for millennia. Pirate raids are mentioned in numerous historical documents from the region, such as the Vedas in India, sacred Hindu texts that stretch back to 1500 BCE.¹²

Up until the 14th century CE, southern India was split into two often-warring

10 Ibid., 70.

11 Ibid., 78.

12 Dipavali Debroy, Ed. *The Holy Vedas: Rig Veda, Yajur Veda, Sama Veda, Atharva Veda*. Delhi: B.R. Publishing Corporation, 2006.

political entities: the Muslim Bahmani Sultanate, and the Hindu Vijayanagara Empire. As was characteristic of their cousins to the West, Indian pirates exploited the anarchic conditions resulting from frequent war between regional powers to plunder and pillage at will. One such notorious pirate in particular was Timoiji, who used Anjadip Island, located off the coast of southwestern India, as his base of operations in the early years of the 16th century. Timoiji was well known for looting merchant fleets sailing from the Indian state of Kerala for his own personal enrichment. However, he also rendered his services as a privateer to the monarch of the southern Indian principality of Honavar.¹³

European pirates in the 16th and 17th centuries, for their part, saw to it that India's riches were not the exclusive preserve of their south Asian pirate brethren. Mughal Indian vessels were frequently attacked by European pirates in the Indian Ocean, especially pilgrim ships en route to the Muslim holy city of Mecca. One such raid even led Mughal queen Mariam Zamani to seize the Portuguese outpost of Daman, after receiving word that a group of Portuguese pirates had captured the Mughal vessel *Rahimi*.¹⁴

Around the same time, on the southern coastline of the Persian Gulf, the intensity of pirate attacks on foreign shipping interests in the region was so pronounced that the area became known as the "Pirate Coast." The British crown in particular saw to it that its interests were protected against these raids, especially from pirates operating out of the present-day territory of Ras al-Khaimah in the United Arab Emirates, leading one such prominent campaign against the bandits off the Persian Gulf's southern coastline in 1819.¹⁵

13 John S. Burnett. *Dangerous Waters: Modern Piracy & Terror on the High Seas*. New York: Plume, 2004, 106.

14 Ibid., 107.

15 John Brinton. "From Pirate Coast to Trucial." *Saudi Aramco World*. Volume 24, No. 6. November-

Off the coast of Africa, just east of Madagascar, pirates had been using the island of Île Sainte-Marie as a base of operations throughout the 17th and 18th centuries. Interestingly, the idea of a “pirate utopia,” a sort of isolated society of pirates operating outside the scope of any formal laws and thus enjoying unrestricted freedom, has been bolstered by the apparent existence of one such community in northern Madagascar. Named Libertatia, it was supposedly founded by a Captain Mission and his pirate crew in the late 17th century, but was destroyed in 1694 in a surprise attack by native islanders. Whether or not Libertatia actually existed, however, is under dispute, as the entire story of this fabled society comes from only one source, a Captain Charles Johnson, which is in reality a pseudonym of novelist Daniel Defoe.¹⁶ Incidentally, in present-day Somalia, the pirate haven of Eyl, along with many others along the Somali coastline, bears many similarities to such a “utopia.” The existence of any sort of formal law in these villages is negligible at best, with all authority seemingly stemming from pirate gangs.¹⁷

However, one such “utopia” did in fact exist, but thousands of miles away, in the remote eastern European steppe. From the 16th to the 18th centuries, this community was known as Zaporizhian Sich, and was populated by Ukrainian peasants who had run away from their feudal lords. Along with these former serfs lived criminals and outlaws, former members of the upper classes, runaway slaves from slave vessels, etc. The inhabitants of Zaporizhian Sich even managed to form a sort of lawless “republic” in their villages, governed by unwritten laws and norms. Geographically isolated by both its remoteness and the rapids of the Dnieper River, invasions of Zaporizhian Sich were far and few

December, 1973.

16 Charles Johnson. *A General History of the Robberies and Murders of the Most Notorious Pirates, Volume II*. London: Lyons Press, 1998.

17 Robyn Hunter. "Somali Pirates Living the High Life." BBC News. 28 October 2008.

between. However, the inhabitants of Zaporizhian Sich, or as they called themselves, “Cossacks,” frequently invaded and plundered the rich Black Sea coastal towns of the Ottoman Empire and Crimean Khanate. Cossacks even managed to reach the outskirts of Istanbul at one point in the early 17th century, forcing the Ottoman Sultan to flee his palace and seek refuge.¹⁸

Returning to the Orient, the most infamous pirates in southeast Asia during piracy's classical period (roughly from the 16th to the 18th centuries) were the Buginese sailors of South Sulawesi, an island in Indonesia situated between Borneo and the Maluku archipelago. From Singapore in the southwest to the Philippines in the northeast, these pirates used the entire region as their playground. Likewise, members of the Orang Laut peoples of the Indonesian Riau island chain often resorted to piracy, along the coastlines of the Strait of Malacca and Singapore. Members of the Malay and Dayak peoples also joined in the fray, preying on shipping interests in the waters between Singapore and Hong Kong from their havens in Borneo.¹⁹

In eastern Asia, from the 13th century onward, Japanese pirates called *wokou* raided and plundered for more than 300 years. The theories for their decline are numerous, with the most accepted pointing to the increasing strength of the Portuguese Empire in the region beginning in the 16th century.²⁰ Here, as in the days of classical Egypt, Greece, and Rome, when an empire increases in strength and influence, pirate activity decreases accordingly. Indeed, as the succinct title of Robert D. Kaplan's April

18 Volodymyr Suprunenko. “21st-Century Travelers Go Around the Black Sea, Visiting Places Their Cossack Ancestors Used To Go To in the 17th Century.” *Welcome to Ukraine*. 26 October 2007. Available: <<<http://www.wumag.kiev.ua/index2.php?param=pgs20051/98>>>.

19 H. Wilfred Walker. *Wanderings Among South Sea Savages in Borneo and the Philippines*. Available: <<<http://www.fullbooks.com/Wanderings-Among-South-Sea-Savages-And-in3.html>>>.

20 C.R. Boxer. “Piracy in the South China Sea.” *History Today*, XXX, November 1980, 44.

11, 2009 *New York Times* article points out in relation to Somali piracy even today, “Anarchy on Land Means Piracy at Sea.”²¹

Historically, however, the most powerful pirate fleets in eastern Asia were not Japanese, but Chinese, particularly during the middle years of the Chinese Qing dynasty (in the 18th and 19th centuries). Chinese pirates had a marked effect on the economy at the time, threatening vital commercial arteries around the areas of Fujian and Guangdong. As in Somalia today, Chinese pirates in those days controlled political life in many coastal Chinese villages, collecting revenue through extortion and other underhanded methods.²²

In the early years of the 19th century, the world of Chinese piracy was given a boost when young gangster Zheng Yi inherited the pirate fleet of his cousin, Zheng Qi. Zheng Yi went on to form a fraternity of pirates that by 1804 would number more than ten thousand men, at one point even rivaling the strength of the Qing navy itself. Interestingly, it was Zheng Yi's wife, Zheng Yi Sao, who would eventually inherit the leadership of this confederacy, proving that the world of the pirate can belong as much to the female as to the male.

However, Chinese piracy as a force to be reckoned with in 19th-century China suffered a set of blows when famine swept the Chinese mainland in the 1820s. Also, the increasing strength of the Qing navy at the time, along with internal squabbling and intrigues in the pirate world, reduced Chinese piracy to marginal influence. The sort of power that Chinese pirates enjoyed during the 18th century was never to be reached again.

In one last hurrah, Chinese pirates fought against both American and British naval forces in 1855, at the Battle of Ty-ho Bay, in present-day Hong Kong harbor. At the end

21 Robert D. Kaplan. "Anarchy on Land Means Piracy at Sea." *New York Times*. 11 April 2009: A11.

22 C.R. Boxer. "Piracy in the South China Sea." *History Today*, XXX, November 1980, 45.

of the skirmish, the USS *Powhatan* and the HMS *Rattler* destroyed a total of eighteen pirate junks. Chinese pirate influence was further diminished during the Second Opium War (1856-1860), when British naval forces led frequent campaigns against piracy, destroying many pirate junks in their wake.²³

The Pirates of the New World

While the pirates of the Old World certainly deserve their place in the sun, it is the pirates of the New who have captured the minds of many in the West. Piracy in the Americas began with the large-scale colonization of the New World by Spanish and Portuguese settlers and explorers in the 15th century. Along with the new imperial towns and villages that were sprouting up all over the newly-colonized lands came men and women who engaged in the practice of piracy, one of the era's most lucrative occupations. What is today known as the “classical” period of piracy in the region began in approximately 1560, and extended up until the first quarter of the 18th century.

Many Europeans traveled to the Caribbean after the War of the Spanish Succession (1701-1714), and soon became swayed by the allure of living a pirate lifestyle in a land of palm trees and crystal clear waters, heralding in one of piracy's most prevalent periods in the New World. However, there were earlier arrivals to the region, namely, the buccaneers. Originally attempting honest occupations, such as farming or hunting on Hispaniola and other Caribbean islands, many were soon enticed by the more profitable pursuit of piracy, and began preying on the vessels of the then-dominant Spanish shipping trade from the middle to late 17th century. Privateering was also an option, with many hiring out their services to one or another rival European empire

23 Ibid.

operating in the region, be it the Spanish, Portuguese, Dutch, British, or French.²⁴

Some of the most well-known pirates in popular culture lived and breathed during this period, operating out of such havens as New Providence in the Bahamas, Tortuga in Haiti, or Port Royal in Jamaica. Edward Teach, or “Blackbeard” as he is more commonly known in the West, “Calico Jack” Rackham, and Bartholomew Roberts were just some of the more notorious outlaws stalking the bountiful waters. Many, however, were hunted down by imperial navies and executed, if the battles they fought with their pursuers didn't succeed in doing so first.

By the early years of the 19th century, the prevalence and effectiveness of piracy in the Caribbean declined, mirroring the emerging power of the United States in the region. The US Navy in particular dealt with pirates repeatedly during this period, patrolling the waters of the Caribbean, and even as far east as the Mediterranean Sea. One of the more famous pirates during this time was Roberto Cofresi, who operated out of Puerto Rico and was seen by many natives on the Caribbean island as a sort of modern-day Robin Hood, robbing from the opulent vessels of the empires to distribute to the poor.²⁵ In 1825, however, he was captured by the USS *Grampus*, turned over to the Spanish, and then summarily executed. The US navy in the meantime continued to roam the Caribbean in search of pirate gangs.

Piracy in the northern parts of the Americas continued until the late 1870s. Caribbean pirates often sailed north and attacked vessels off the US's eastern coastline. The most notorious raider was none other than Blackbeard, who in his exploits in the American south during the early 18th century even managed at one point to blockade

24 John S. Burnett. *Dangerous Waters: Modern Piracy & Terror on the High Seas*. New York: Plume, 2004, 151.

25 L. Cooper. *The Pirate of Puerto Rico*. London: Putnam Pub Group, 1972, 77.

Charleston, South Carolina.²⁶ After Blackbeard came Jean Lafitte, seen by many historians as “the last buccaneer.”²⁷ Operating primarily in the Gulf of Mexico in the early 19th century, the size, scope, and efficiency of Lafitte's pirate army had hitherto been unprecedented in history, with pirate havens that even extended to parts of the US mainland (Louisiana and Texas). Lafitte was finally expelled from US territory by American forces in the early 1820s, and died in 1823 after a botched raid on what at first appeared to the pirate leader to be two Spanish merchant vessels, but in actuality were heavily armed warships.²⁸

In 1870, in what was to be piracy's last hurrah in the New World, a gang of Mexican pirates attacked and captured the town of Guaymas, endangering the US consulate in the city. Washington, upon hearing of the incident, launched a naval expedition under Rear Admiral Willard H. Brownson to the region. Brownson's squadron managed to eliminate the pirate threat in short order, in a skirmish that has become known in the annals of history as the Battle of Boca Teacapan.²⁹ After this episode, the 20th century came and went with almost no pirate activity in the Western Hemisphere, save a few inconsiderable occurrences.

Modern Piracy

Throughout history, pirates have largely engaged in the practice to enrich themselves and their crews. An act of piracy conducted for any other reason, most notably politics, was altogether a rare occurrence. This is largely due to semantics, as

26 Robert E. Lee. *Blackbeard the Pirate*. North Carolina: John F. Blair, 1972, 47.

27 Jack C. Ramsay. *Jean Lafitte: Prince of Pirates*. New York: Eakins Press, 1996, 2.

28 *Ibid.*, 435.

29 John S. Burnett. *Dangerous Waters: Modern Piracy & Terror on the High Seas*. New York: Plume, 2004, 165.

those who engaged in political piracy in the past were known as “privateers” or “corsairs.” What these characters were called depended upon the motive for each attack they carried out, with one camp often maligning its opponent's privateers as “pirates” and vice versa in times of conflict. However, ever since the international condemnation of privateering as a tactic of warfare under the Paris Declaration of 1856, state actors have for the most part kept away from its application on the open waters in wartime.³⁰ Consequently, the confusion that arose over whether or not this or that sea robber was a “pirate” or “privateer” was largely eliminated from the public discourse.

Today, political piracy is mainly conducted by individuals or groups not officially affiliated with any nation-state. Acts of political piracy in this mold are far more numerous in the present age than at any time in the past, due in large part to the rapid advances in transportation technologies that were reached in the 20th century. Indeed, ever since the emergence of air travel as a reliable means of transport in the 1920s, most pirate attacks of a political nature have occurred in the skies. Incidentally, while “hijacking” is the term for such acts in English, piracy in the air is still regarded as such in other languages. In French, for example, the term for a plane hijacker is *pirate de l'air*, or, literally, “air pirate.”

The first recorded incident of “air piracy” occurred on February 1931. Pilot Byron Richards was flying a Ford Tri-Motor aircraft over Arequipa, Peru, when he was accosted from the ground by armed revolutionaries. The condition for his release was that he was to give one of the revolutionaries a ride to Lima.³¹ As time went on, and the airplane

30 Natalino Ronzitti. *The Law of Naval Warfare: A Collection of Agreements and Documents with Commentaries*. The Hague: Martinus Nijhoff, 1988.

31 “Feature: Hijack Part 1.” AirDisaster.com. Accessed 15 November 2010. Available: <<<http://www.airdisaster.com/features/hijack/hijack.shtml>>>.

began increasing its presence on the international travel market, an exponential increase in the rate of airborne pirate attacks of a political nature occurred. This reached its peak during the late 1960s with the emergence of the era's famous protest movements.

There were 82 such attacks in 1969, the largest ever recorded in a single year.³² Perhaps the most infamous act of air piracy for a political purpose, however, occurred more than thirty years later. On 11 September 2001, Islamist terrorists seized four aircraft and subsequently crashed them into prominent symbols of American power in New York City and Washington, DC, leading to the deaths of thousands of civilians both on board the aircraft and in the respective buildings. This event still resonates in the minds of many in the West more than a decade later, and has unfortunately magnified the utility of airborne piracy as another tool in the arsenal of terrorism.

Even though airplanes have taken over as the dominant mode of international transportation, seaborne piracy has not lost its appeal in the modern age. As they have for thousands of years, commercial vessels still plow the waters of the world, and are still the target of pirates of all nationalities and creeds. Most acts of seaborne piracy are carried out with the sole purpose of enriching the interlopers, as they have been for millennia. However, as will be seen later in the case study of Somali piracy, politics, along with complex psychological factors, can also be intertwined with the traditional enrichment motive as an explicatory variable for why today's pirates of the sea do what they do.

As mentioned in Chapter 1, seaborne piracy today leads to \$13-\$16 billion in losses for transport companies annually, with passages in the vicinity of the Indian Ocean, where modern piracy is particularly concentrated, used by over 50,000

32 Scott McCartney. "The Golden Age of Flight." *Wall Street Journal*. 22 July 2010.

commercial vessels each year.³³ Other areas that have seen recent acts of piracy include the South China Sea, located between the countries of Vietnam and the Philippines, and the Niger Delta, located off the southern coast of the west African country of Nigeria.

Without a doubt, the greatest benefit that pirates draw from their practice is its territorial anonymity. Pirates have been exploiting the anarchy of the high seas, waters that are outside the legal domain of any nation-state, for thousands of years. The international community has adopted the concept of universal jurisdiction, which states that action can be taken against pirates without objection from the flag state of the pirate vessel, in an attempt to address this window in international law. This, however, cannot contravene the fact that the high seas remain outside the territorial waters of any state, which presents a complex legal situation should any one state actor wish to pursue prosecution against pirates who had acted outside its territory.

With regard to the concept of universal jurisdiction, the political stability of the pirate vessel's flag state largely determines whether or not the state can apply it. Somalia, for example, in a constant state of civil war since the early 1990s, lacks the basic political and legal wherewithal to prosecute the pirates who hail from its towns and cities. Also, as briefly mentioned in Chapter 1, the anarchy that reigns in the country has proven conducive to a widespread culture of corruption in what passes for its political elite, as many members of its transitional government have given into temptation and accepted bribes and solicitations from many wealthy pirate leaders.³⁴ Somalia's piracy problem, along with the intersection of international law with piracy in general, will be covered in further detail in this thesis in Chapters 4 and 5, respectively.

33 Gal Luft & Anne Korin. "Terrorism Goes to Sea." *Foreign Affairs*. November-December 2004.

34 Louis Charbonneau. "UN Cites Reports of Government Links to Somali Pirates." Reuters. 18 March 2009. Available: <<<http://www.reuters.com/article/idUSN18379298>>>.

Other conditions that facilitate piracy in the modern age are quite incidental, but are still worth mentioning. Firstly, in an effort to restrict piracy, many nations forbid ships to enter their territorial waters or ports if the crew of the ships are armed, even if the armed men belong to well-known private security agencies that the shipping company has hired to protect its vessels.³⁵ Secondly, authorities have estimated that only between 10-50 percent of pirate attacks are actually reported as such by shipping companies to their insurers, so as not to increase premiums.³⁶ This has served to further mask the activities of pirates worldwide, which only proves beneficial for their continual evasion at the hands of authorities.

Compared to the financial and human impact of such ongoing conflicts as those between the Palestinians and Israelis or the wars in Iraq and Afghanistan, the impact of modern piracy has been quite insignificant. More pressing are the conditions that have facilitated and given rise to the phenomenon, which in the present age are primarily of a political nature. In the case of Somalia, the impact of its ongoing civil war is indeed on the minds of many policy-makers around the world, not only because Somalia's own internal instability has proven conducive to the growth of piracy off its shores, but also because the security of the entire region is threatened by the anarchy that is presently reigning in the country.³⁷

The activities of pirates worldwide continue to pose a problem not so much for political entities as they do for those engaged in commerce, namely, the shipping companies both large and small that depend upon the safe passage of the world's

35 "Guns On Board: A 'Real World' Look at Carrying Firearms on Your Vessel." MaritimeSecurity.com. Accessed 17 November 2010. Available: <<<http://www.maritimesecurity.com/gunsonboard.htm>>>.

36 Michael S. McDaniel. "Modern High Seas Piracy." Presentation Before the Propeller Club of the United States at the Port of Chicago. 20 November 2000.

37 Jeffrey Gettleman. "The Most Dangerous Place in the World." *Foreign Policy*. 16 February 2009.

waterways. However, as is the case with many elements in today's complex and rapidly integrating world, the intersection of economics with politics has assumed a fluid and seamless character. Many larger shipping companies, such as Denmark's A.P. Moller-Maersk Group, have links with all sorts of interests all over the world, and have assumed an influential voice in the corridors of power in many capitals.³⁸

The safety and security of the world's shipping routes is in the interests of many actors, chief among them political elites who recognize both the financial and symbolic value of their country's national shipping champions. As will be covered in more detail in Chapter 5, many countries, some even with divergent interests, have assembled their naval forces in a largely cooperative campaign against piracy, with the Gulf of Aden the principal target of their efforts due to its concentration of pirate activity. This is the region to which we now turn.

³⁸ Peter Suppli Benson, Bjorn Lamnek, and Stig Orskov. *Maersk: The Man and the Power*. Copenhagen: Politiken Boger, 2004.

4. Case Study: Somalia

Nature of Piracy in the Gulf of Aden

The Gulf of Aden is a narrow body of water that is located between the east African country of Somalia and the southwest Arabian country of Yemen, where the Horn of Africa juts out into the Indian Ocean. For thousands of years, vessels have sailed west through the Gulf and the Bab-el-Mandeb Strait on their way to the great Arabian markets on the coastlines of the Red Sea or further north through the Suez Canal to the European markets of the Mediterranean. If sailing east from the Mediterranean, they would head toward the equally great Asian markets off the waters of the Indian Ocean.¹



Figure 1. The Gulf of Aden²

The strategic significance of this ancient commercial route has not been lost in the present age. Indeed, were Atlantic- and Mediterranean-bound ships to sail around Africa instead of through the Gulf of Aden, they would rack up weeks and millions of dollars on

¹ William Gordon Holmes. *The Age of Justinian and Theodora: A History of the Sixth Century AD, Vol. 1.* John Wiley & Sons, Inc. New York, 1919, 184.

² “Armed Islamists Will Attack Pirates, Says Militant.” CBC News. 21 November 2008. Available: <<<http://www.cbc.ca/world/story/2008/11/21/pirates-islamists.html>>>.

their balance sheets. The amount of wealth that travels through the gulf easily reaches into the billions of dollars, ensuring its status as one of the world's premier commercial waterways.³ It has proven vital as a water passage for Persian Gulf oil in particular, a product that in and of itself powers many of the world's most productive economies, with approximately 11 percent of the world's seaborne petroleum making its way through the gulf's waters.⁴ Along with Aden on the southern coast of Yemen, from which the gulf derives its name, Djibouti City in Djibouti, and Zeila, Berbera, and Bosaso in Somalia all function as important ports off its waters.

However, alongside the merchants who have plied these waters for generations have come pirates of all shapes, colors, and creeds, opportunistically attaching themselves to the gulf's commercial traffic and preying on its vessels. Today, the pirates operating in the region are almost exclusively of Somali origin. Indeed, while piracy has existed in the region for thousands of years, the rate of pirate attacks in the gulf has increased exponentially since the beginning of the second phase of Somalia's civil war, beginning roughly in 2005.⁵

While most attacks are unsuccessful, the pirates themselves usually fleeing at the slightest hint of capture, a substantial portion of hijackings do prove lucrative. In 2008, of the 111 pirate attacks in the region, 42 were successful.⁶ The pirates expanded their operations in both scope and intensity in January and February 2009, with the rate of pirate attacks skyrocketing tenfold over the course of one year. Just one month later,

3 Ibid.

4 "Red Sea & The Gulf of Aden." Regional Profile. International Tanker Owners Pollution Federation (ITOPF). October 2003.

5 Ibid.

6 "Pirates Hijack Two Tankers Within 24 Hours off Somali Shore." Associated Press. 26 March 2009. Available: <<<http://www.foxnews.com/story/0,2933,510766,00.html>>>.

pirate attacks in the region were almost a daily occurrence, with 21 successful hijackings, of the 79 attempted, by the middle of April 2009.⁷ With the pirates' newfound riches came bigger ships, guns, and manpower. This has enabled them to expand their operations beyond the Gulf of Aden, with some Somali pirates even attacking ships as far away as the Indian and Tanzanian coasts.⁸

As these words are being written, the pirate attacks have been continuing apace. There were four prominent attacks spanning March to May 2011. On March 4, the merchant vessel (MV) *Guanabara*, a Bahamian-flagged ship owned by a Japanese firm, was carrying 24 crew members and a large oil cargo when it was captured in the Indian Ocean, 607 kilometers southeast of Oman. The hostages were promptly released a day later, however, when a naval team from the USS *Bulkeley* boarded the *Guanabara* and apprehended the suspected pirates. Said pirates were later tried in Japan.⁹

Just two weeks later, on 16 March 2011, the Indonesian-flagged and -owned MV *Sinar Kudus*, a cargo vessel carrying 20 crew members and a US\$225 million-worth shipment of ferronickel, was captured by a team of Somali pirates. The perpetrators at first demanded a ransom of US\$2.5 million for the crew members, but this was increased to US\$3.5 million and then to US\$9 million when their successive demands were ignored. Finally, after 46 days of detention, the hostages were released once the pirates received payment from the *Sinar Kudus*' owner, publicly listed Indonesian company PT Samudera Indonesia (PTSI). The amount given to the pirates is under dispute, with pirate

7 Ibid.

8 "India Claims Pirate Ship Sunk." CNN. 20 November 2008. Available:

<<<http://www.cnn.com/2008/WORLD/africa/11/19/somalia.pirates/index.html>>>.

9 "US Navy Frees Ship From Suspected Indian Ocean Pirates." CNN. 6 March 2011. Available:

<<http://articles.cnn.com/2011-03-06/world/africa.pirates.foiled_1_piracy-crew-members-indian-ocean?_s=PM:WORLD>>.

leaders claiming to have received US\$4.5 million from the company, while PTSI itself has remained silent on the issue. Unlike the US response onboard the *Guanabara* two weeks before the *Sinar Kudus* incident, however, the Indonesian government avoided a violent confrontation with the pirates, in consideration of the hostages' safety.¹⁰

Then, two months later, on 5 May 2011, a distress call sounded from Panamanian-flagged, Chinese-owned MV *Full City*. Pirates had boarded the ship, at the time situated approximately 850 kilometers west of the western Indian state of Karnataka. All 24 Chinese crew members on board, however, had already locked themselves up in the vessel's "citadel," a secured room built precisely for such an emergency. From within its confines, they then promptly sent out a radio message notifying nearby vehicles that they were under attack. Indian Navy and Coast Guard ships patrolling the general area rushed to the *Full City*'s help, having been preceded by the Indian Navy's TU-142 maritime reconnaissance aircraft, which had conducted several low passes over the *Full City* and demanded that the pirates abandon their attempt to hijack the vessel. The pirates, threatened by the aircraft, abandoned the *Full City*, boarded the skiff they had used to board the vessel, and then "rushed to a pirate 'mother vessel' nearby, which fled from the site at full speed."¹¹

Exactly one week later, on 12 May, a Danish warship, the *Esbern Snare*, approached a suspected pirate "mother ship" while on routine patrol in the waters off the Somali coast. (Pirate "mother ships" are in actuality larger vessels that have been captured by pirates and utilized as offshore bases for their operations.) The *Esbern Snare*

10 "Hostages Released After Ransom Paid." *The Jakarta Post*. 2 May 2011. Available:

<<<http://www.thejakartapost.com/news/2011/05/02/hostages-released-after-ransom-paid.html>>>.

11 "Indian Navy Thwarts Pirate Attack; Rescues Chinese Vessel, Crew." Indo-Asian News Service. 6 May 2011. Available: <<<http://www.ndtv.com/article/india/indian-navy-thwarts-pirate-attack-rescues-chinese-vessel-crew-103889>>>.

attempted to stop the suspected pirate vessel by blaring a message through its loudspeaker. Instead of stopping, however, the other vessel opened fire, which the *Esbern Snare* promptly returned. The better-armed Danish vessel came out ahead in the skirmish, and indeed discovered that the other vessel was a pirate ship, with 16 hostages in tow. When the dust finally settled, four pirates' lives were lost, ten were wounded, and the 16 hostages were freed, unscathed. The pirates who survived the confrontation were all captured, and are presently awaiting trial in Denmark.¹²

Somalia and Its Pirates

The success of many of the pirates' operations, at times leading to heists worth millions of dollars, has stirred the popular imagination in Somalia. In a land of widespread poverty and political instability, many locals have questioned the criminality of a practice that has brought in so much newfound wealth. Some scholars have ironically pointed to a new model of development for impoverished countries: Rob from the rich and bring the loot back home to spend, thus jump-starting ailing economies.¹³

Entire villages that were once nothing more than tiny coastal fishing spots, such as Eyl and Harardhere, have been transformed into veritable boomtowns. In these modern pirate havens, the pirates do largely as they please, with law and order seemingly stemming from their hands. Impoverished towns and villages that were once in a prolonged state of decay are "now bustling with restaurants, Land Cruisers, and internet

12 "Danish Crew Free Somali Pirate Hostages." Agence France-Presse. 15 May 2011. Available:

<<http://www.google.com/hostednews/afp/article/ALeqM5gF-vc4O5LAJxpP8ZS84Jqt8vv_yQ?docId=CNG.dd035276a74a1dfc4910aded0e7a6b3b.491>>.

13 Mohamed Olad Hassan & Elizabeth Kennedy. "Somali Pirates Transform Villages into Boomtowns." ABC News. 19 November 2008.

cafes,”¹⁴ many of which the pirates own themselves.

According to Abdi Farah Juha, a resident of the northern Somali town of Garoowe, “They have money. They have power, and they are getting stronger by the day ... They marry the most beautiful girls. They build big houses. They have new cars, new guns ...”¹⁵

While the general situation is still bleak in regards to poverty and political instability in Somalia, many locals in pirate-rich areas have begun to appreciate the amenities that in richer countries are often taken for granted. Local shop owners and others have used the new monies flowing into their villages from the pirates to purchase items such as water filters and generators, with a full day of electricity in many parts of Somalia previously being seen as an unimaginable luxury. “The pirates depend on us, and we benefit from them,” said Sahra Sheik Dahir, a shop owner in Harardhere.¹⁶ Some people even ensure that the pirates' supply of qat, a popular stimulating narcotic leaf, is well stocked, and offers support in countless other ways. “Regardless of how the money is coming in, legally or illegally, I can say it has started a life in our town,” said 36-year-old mother Shamsa Moalim in Harardhere. “Our children are not worrying about food now, and they go to ... school in the morning and play soccer in the afternoon. They are happy.”¹⁷

According to a BBC report, there are presently at least five pirate gangs and a total of 1,000 armed pirates operating out of Somalia. Somali pirates, usually between the ages of 20 and 35 and from the northeastern region of Puntland, can largely be divided

14 Ibid.

15 Robyn Hunter. "Somali Pirates Living the High Life." BBC News. 28 October 2008.

16 Mohamed Olad Hassan & Elizabeth Kennedy. "Somali Pirates Transform Villages into Boomtowns." ABC News. 19 November 2008.

17 Ibid.

into three main categories:

- 1) Local fisherman, considered the brains of the pirates' operations due to their skill and knowledge of the sea.
- 2) Ex-militiamen who used to fight for local warloads, considered the brawn of the pirates' operations.
- 3) Technology experts, who operate and modernize the pirates' equipment.¹⁸

Furthermore, there are four main groups believed to be operating off the Somalia coast:

- 1) The "National Volunteer Coast Guard" (NVCG), commanded by Garaad Mohamed, is believed to specialize in intercepting small boats and fishing vessels around the town of Kismayo, on Somalia's southern coast.
- 2) The "Marka group," commanded by Sheikh Yusuf Mohamed Siad (also known as Yusuf Indha'adde), is composed of several scattered and less-organized groups operating around the town of Marka, also on Somalia's southern coast.
- 3) The "Puntland group" is made up of traditional Somali fishermen operating around the region of Puntland, in northeast Somalia.
- 4) The "Somali Marines" are believed to be the most powerful and sophisticated of the pirate groups. They operate under a military structure, with a fleet admiral, admiral, vice-admiral, and a head of financial operations all in the chain of command.¹⁹

On the sea, these pirate gangs operate in much the same manner. Many are able to hijack a large ship relatively easily from just small motorboats, taking advantage of the fact that most commercial cargo vessels today usually only carry a few crew members.

¹⁸ Robyn Hunter. "Somali Pirates Living the High Life." BBC News. 28 October 2008.

¹⁹ Ibid.

However, the number of pirates per expedition depends on their scheme for the targeted vessel. If the plan is a simple raid on the ship's safe, then only four to ten pirates are needed. However, if they plan to seize the entire vessel, thereby holding the crew hostage for a cash ransom, then up to 70 pirates are usually mobilized. This also depends, of course, on the size of the ship and its crew.²⁰

Somali pirates have become well-known for making use of advanced technology before, during, and after their heists, from the most up-to-date cell phones and global positioning systems (GPS) to modern speedboats. Likewise for their choice of weaponry, with the latest models of assault rifles, shotguns, pistols, mounted machine guns, and even rocket-propelled grenades and grenade launchers figuring in their inventory. From the photographs that are available, the Somali pirates' weapons look to be predominantly of Russian and Chinese make, with AKM assault rifles, RPG-7 rocket launchers, and TT-30 semi-automatic pistols making frequent appearances. Also, they are reputed to carry the RGD-5 or F1 hand grenades, also of Russian design.²¹

The source of much of this weaponry is Yemen, but a large amount also comes from the Somali capital, Mogadishu. There, the open-air Bakaara Market has become renowned as the largest in the nation, where one can buy essentially anything one desires as far as weaponry is concerned, as well as forged passports and all sorts of other inauthentic documents. Gunfire is commonly heard in the area, as shoppers fire weapons into the air to test them before purchase. In 2001, a rough estimate by aid agencies placed the number of assault rifles in Mogadishu at somewhere near one million, in a city

²⁰ Ibid.

²¹ "Modern Pirate Weapons." MaritimeSecurity.com. Accessed 6 December 2010. Available: <<http://www.maritimesecurity.com/pirate_weapons.htm>>.

population of 1.5 million.²² In the capital, weapons dealers receive a deposit from a middleman on behalf of the pirates via a “hawala” company, a term that denotes an informal money transfer system based on honor. The weapons are then driven to the northern Somali region of Puntland, where the pirates pay the balance upon delivery.

Apart from the raiding of ship safes, pirates also derive funding from a variety of other sources. When it comes to ransoms, money is usually paid in large-denomination US dollar bills. It is delivered to the pirates on board the hijacked ship in burlap sacks, which are either dropped from helicopters or encased in waterproof suitcases loaded onto tiny skiffs. Ransom money has also been delivered to pirates via parachute, which was the case in January 2009, when an orange container with \$3 million cash inside was dropped onto the deck of the Saudi supertanker MV *Sirius Star* to secure the release of ship and crew.²³

To authenticate the banknotes that are dropped or carried to them, pirates use currency-counting machines, the same type used at foreign exchange bureaus the world over. According to one pirate, these gadgets are purchased from business connections in Dubai, neighboring Djibouti, and other areas.²⁴ Hostages, for their part, usually have to wait 45 days or more for the ships' owners to pay the ransom and secure their release.

Another source of illicit support for the pirates is, reportedly, wealthy businessmen in Dubai. According to Christopher Ledger, director of the maritime security company Idarat Maritime, “There is evidence that syndicates based in the Gulf – some in Dubai – play a significant role in the piracy which is taking place off the African

22 “Feature: Somalia Moaning in Gunfire.” *English People’s Daily*. 10 July 2001. Available: <<http://english.peopledaily.com.cn/english/200107/10/eng20010710_74565.html>>.

23 Robyn Hunter. “How Do You Pay a Pirate's Ransom?” BBC News. 3 December 2008. Available: <<<http://news.bbc.co.uk/2/hi/africa/7752813.stm>>>.

24 Ibid.

coast. There are huge amounts of money involved and this gives the syndicates access to increasingly sophisticated means of moving money as well as access to modern technology in carrying out the hijackings. This is [indeed] an international problem ...”²⁵ Due to the ongoing worldwide economic recession, however, it is apparently the businessmen these days who are receiving funding from the pirates.²⁶

Last but not least, one also has to consider the Somali diaspora, a community that over the years has scattered all over the world. Somali expatriates send funds, equipment, and information to the pirates. As mentioned previously, after their heists the pirates spend their newfound gains onshore, in the process rejuvenating impoverished towns and villages, a fact of which the Somali expatriates are perfectly aware and largely supportive. There are reputedly some 200,000 Somalis living in Canada, for example, who are allegedly a large source of funding for the pirates. There is also a substantial community of Somali migrants living in Columbus, Ohio, reputedly another source of pirate funds in North America.²⁷

For the next section, the question I seek to answer is: What influences Somalis to engage in piracy?

The Social & Economic Conditions that Influence Somali Piracy

Today, Somalia stands as one of the poorest countries in the world, with an estimated per capita GDP of only \$600/year.²⁸ Millions of Somalis depend on food aid,

25 Kim Sengupta and Daniel Howden. “Pirates: The \$80 Million Gulf Connection.” *The Independent*. 21 April 2009.

26 Ibid.

27 “Somalia: How Diaspora Funds Somali Pirates.” *Kenyan Business Daily*. 7 September 2009.

28 “Somalia.” CIA World Factbook. Accessed 5 November 2010. Available: <<<https://www.cia.gov/library/publications/the-world-factbook/geos/so.html>>>.

and as much as 73 percent of the population in 2008 lived on a daily income below \$2, with 43 percent living on less than \$1 daily.²⁹ In a report released at the end of March 2008, the UN Office for the Coordination of Humanitarian Affairs (OCHA) pointed to a desperate “humanitarian crisis in the country,” exacerbated by an ongoing drought that has left millions without access to drinkable water. “The water shortage has forced many people to walk long distances - up to 20 kilometers in some cases - while others are selling the remaining commodities they have to purchase water,” the agency said.³⁰ Meanwhile, the UN’s long-standing appeal for humanitarian aid has been largely ignored by major world powers, with only \$251 million raised, little more than a quarter of the \$918 million requested.³¹

A country's infant mortality rate has been used for years to measure the status of its infrastructure and general level of development. At 107.42 deaths per 1,000 live births, Somalia's infant mortality rate is currently one of the highest in the world, fifth behind Angola, Afghanistan, Niger, and Mali.³² Tellingly, four of the five countries with the highest rates of infant deaths are in Africa, with the other, Afghanistan, in a state of civil war for the past decade. Furthermore, Somalia's rate of life expectancy at birth, 50 years, is one of the lowest on the planet. At the rank of 213, it is again in a long line of African countries with a low level of social development. The only countries outside the

29 “Rural Poverty in Somalia.” Rural Poverty Portal. United Nations. International Fund for Agricultural Development (IFAD). Accessed 5 November 2010. Available:

<<<http://www.ruralpovertyportal.org/web/guest/country/home/tags/somalia>>>.

30 Humanitarian Response Fund (HRF) Annual Report 2008. United Nations. Office for the Coordination of Humanitarian Affairs. Accessed 6 November 2010.

31 “Somalia: Drought-Affected Flock to Towns in Central Region.” Integrated Regional Information Networks (IRIN). 22 April 2009. Available:

<<<http://www.irinnews.org/report.aspx?Reportid=84045>>>.

32 “Somalia.” CIA World Factbook. Accessed 26 November 2010. Available:

<<<https://www.cia.gov/library/publications/the-world-factbook/geos/so.html>>>.

African continent that have lower life expectancy rates are Afghanistan and Haiti.³³

What's more, Somalia's literacy rate, defined as the percentage of those 15 years and older who are able to read and write, is at a dismal 37.8 percent, with only 25.8 percent of the female population being literate.³⁴ Finally, in a particularly modern index of social development, Somalia only has three Internet hosts. Only the small east African island of Mayotte and the tiny Saint Pierre and Miquelon islands off the east coast of Canada have fewer hosts.³⁵

The effects of this widespread impoverishment and social backwardness can be seen everywhere in Somalia, from the streets of its larger cities such as Mogadishu and Kismayo to its rural desert and mountain villages. Gangs of children struggling to survive roam the streets in Somalia's cities, where basic infrastructure and social services have all but collapsed, trying to make a living and in some cases providing for families by doing such menial labor as shining shoes or washing cars. In a predominantly Islamic country, charities operating under the banner of Allah had previously catered to such vulnerable members of the population as these youngsters. However, funding for these services was cut after the 9/11 terrorist attacks in the US, particularly from such richer states as Saudi Arabia, after the US government haphazardly branded many prominent Islamic charities as sponsors of terrorism.³⁶

Added to this picture of social devastation are the manifestations of lawlessness reigning in the country ever since the beginning of its civil war in the early 1990s, as all sorts of criminal types, mercenaries, and beggars prey on what would in normal times be

33 Ibid.

34 Ibid.

35 Ibid.

36 Abdurrahman Warsameh. "Somalia: Poverty Forces Children Onto the Streets." Inter Press Service News Agency. 20 January 2009. Available: <<<http://ipsnews.net/news.asp?idnews=45482>>>.

law-abiding citizens. Meanwhile, many in the countryside move to the cities to get away from civil war violence, famine, and or drought.³⁷

Compounding these social problems are Somalia's long bouts with natural calamities. Apart from the recurring droughts that have plagued Somalia's desert lands for thousands of years, there are frequent dust storms over its eastern plains in the summer, along with floods during the rainy season. The effects of local human activity have also compromised the health of the environment, as deforestation and the overgrazing of livestock have only contributed to erosion of the soil and desertification.³⁸

Environmental damage caused by foreign parties, however, has arguably been even more considerable. As briefly mentioned in the review of the literature on Somali piracy in Chapter 2, Somalia's remote and extensive shoreline has a long history of being used as a dump site for the disposal of toxic waste, which was unearthed in large quantities during the aftermath of the Indian Ocean tsunamis of December 2004. The waste in general was found to include harmful concentrations of radioactive uranium, lead, heavy metals such as mercury and cadmium, and other noxious substances.³⁹

According to Jonathan Clayton, the culpability for this state of affairs lies largely with several Western shipping firms, which had taken advantage of the power vacuum arising from Somalia's long-standing civil war to sneak into the region and offload tons of toxic radioactive and industrial waste.⁴⁰ In a 1998 session of the European Parliament in Brussels, Belgium, the European Green Party (GP) presented several copies of

37 Ibid.

38 "Somalia." CIA World Factbook. Accessed 5 November 2010. Available: <<<https://www.cia.gov/library/publications/the-world-factbook/geos/so.html>>>.

39 Jonathan Clayton. "Somalia's Secret Dumps of Toxic Waste Washed Ashore by Tsunami." *Times*. 4 March 2008: CE12.

40 Ibid.

contracts signed by two Italian companies, the firm Achair Partners and the waste broker Progresso, with warlords then in power in certain strategic areas of Somalia. The latter were to accept ten million tonnes of toxic waste in exchange for \$80 million from the two consortia.⁴¹ Indeed, Nick Nuttall of the UN Environmental Program (UNEP) has estimated that the cost of dumping these materials off the Somali coastline is only \$2.50 per ton, compared to \$1,000 per ton for disposing of them in Europe.⁴²

Needless to say, the effects of this Western frugality for the Somali population have been disastrous. Far higher than normal rates of respiratory infections, mouth ulcers, abdominal hemorrhages, and unusual skin infections, all indicative of radiation sickness, have been reported, particularly around the northeastern coastal towns of Hobbio and Benadir. The UNEP “had planned to do a proper, in-depth scientific assessment on the magnitude of the problem,” said Nuttall. “But because of the high levels of insecurity onshore and off the Somali coast, we are unable to carry out an accurate assessment ...”⁴³

According to Ahmedu Ould-Abdallah, UN envoy for Somalia, the practice is still ongoing. “There [has been] no government control. There are few people with high moral ground ... [and] yes, people in high positions are being paid off, but because of the fragility of the government, some of these companies now no longer ask the authorities. They simply dump their waste and leave.”⁴⁴ According to the UNEP, the dumping scandal poses a very serious environmental hazard not only to Somalia, but also to the entire east African region.⁴⁵

Anger at this state of affairs has influenced many in Somalia to seek their own

41 Najad Abdullahi. "Toxic Waste Behind Somali Piracy." *Al Jazeera*. 11 October 2008..

42 Ibid.

43 Ibid.

44 Ibid.

45 Ibid.

form of retribution. Many Somalis, in particular those who derive their income from fishing, have argued that they have been compelled into acts of piracy as a result of their attempts to stop foreign ships from offloading this deadly cargo into the waters from which they have earned their livelihoods. In October 2008, Somali pirates captured a Ukrainian ship, the MV *Faina*, and used the press coverage from the attack to highlight the dumping scandal. Their act, according to pirate spokesman Januna Ali Jama, was a means of “reacting to the toxic waste that has been continually dumped on the shores of our country for nearly 20 years. The Somali coastline has been destroyed, and we believe this money is nothing compared to the devastation that we have seen on the seas.” According to the pirates, their \$8 million ransom demand would go towards cleaning up the waste.⁴⁶

To add insult to injury, foreign trawlers began poaching from Somalia’s seas at approximately the same time, with an estimated \$300 million of tuna, shrimp, and lobster taken each year from what had traditionally been the domain of local Somali fishermen. As a result, these fishermen attempted to either dissuade the dumpers and trawlers directly, on the high seas, or tried to levy a “tax” on them as compensation. “We don’t consider ourselves sea bandits,” said Somali fisherman Sugule Ali, also incidentally one of the foremost pirate leaders, to the British *Independent* newspaper. “We consider [the] sea bandits [to be] those who illegally fish and dump in our seas.”⁴⁷ According to Peter Lehr, an expert on Somali piracy at the University of St. Andrews in Scotland, “It’s almost like a resource swap. Somalis collect up to \$100 million per year from pirate ransoms off their coasts and the Europeans and Asians poach around \$300 million per

46 Ibid.

47 Johann Hari. "You Are Being Lied to About Pirates." *Independent*. 5 January 2009: A8.

year in fish from Somali waters.”⁴⁸

In a telling telephone interview on the BBC, 25-year-old Somali pirate Dahir Mohamed Hayeysi, speaking from the pirate haven of Harardhere in central Somalia, outlined the reasons for his turning to piracy:

“I used to be a fisherman with a poor family that depended only on fishing. The first day joining the pirates came into my mind was in 2006. A group of our villagers, mainly fishermen I knew, were arming themselves. One of them told me that they wanted to hijack ships, which he said were looting our sea resources. He told me it was a national service with a lot of money in the end. [So] I took my gun and joined them.

“Years ago we used to fish a lot, enough for us to eat and sell in the markets. Then illegal fishing and [the] dumping of toxic wastes by foreign fishing vessels affected our livelihood, depleting the fish stocks. I had no other choice but to join my colleagues.”

“The only way the piracy can stop is if [Somalia] gets an effective government that can defend our fish. And then we will disarm, give our boats to the government, and be ready to work.”⁴⁹ Referring to the international community's military response to the problem, Hayeysi resolutely says, “Foreign navies can do nothing to stop piracy.”⁵⁰ Indeed, the next chapter of this thesis will explore the correctness of that view.

“Anarchy On Land Means Piracy At Sea”⁵¹

But how did all this come to be? What can we learn from Somalia's past to further our understanding of Somali piracy? What brought about those social and economic

48 Ibid.

49 Mohamed Olad Hassan. “It's a Pirate's Life for Me.” BBC News. 22 April 2009. Available: <<<http://news.bbc.co.uk/2/hi/africa/8010061.stm>>>.

50 Ibid.

51 Robert D. Kaplan. “Anarchy on Land Means Piracy at Sea.” *New York Times*. 11 April 2009: A11.

problems that have facilitated this epidemic? As the old adage goes, “Those who do not learn from past mistakes are doomed to repeat them.” With that in mind, not only will a historical analysis further our study of Somali piracy, it will also aid in the formulation of a solution to a complex problem.

Stretching back to a time before the written word, Somalia's is a history that is both long and fascinating. However, as is the case with most African countries, Somali nationalism did not start to set in amongst the population until the late 19th century. This was, coincidentally, a time when Western powers, and their notions of nationhood, began asserting their influence on the continent.

The disparate peoples that had inhabited Somali territory for thousands of years up to that point, however, were not united by any all-encompassing feelings of “Somali-ness,” but rather by close-knit and interrelated family, or clan, bonds. While nationalism has since been firmly established in Somalia, these clan bonds still figure as unifying elements in Somali society. Therefore, even a perfunctory historical narrative of the country reads primarily not as a history of a distinct Somali nation, but rather of the peoples inhabiting Somalia's geographical territory as it is defined today.

The territory of Somalia has been inhabited by hominids ever since the Paleolithic period, stretching back some 2.5 million years ago. The earliest evidences of human activity, however, are cave paintings in the north of the country that have been dated to circa 9000 BCE. The most famous of these, the Laas Geel complex, contains some of the earliest known rock art on the whole of the African continent.⁵²

Much evidence, such as ancient pyramidal structures, tombs, ruined cities, and stone walls, exists to support the theory that the mysterious Land of Punt, an ancient

52 Susan M. Hassig and Zawiah Abdul Latif. *Somalia*. Tarrytown, NY: Marshall Cavendish, 2007, 22.

civilization that was known for producing and exporting gold, aromatic resins, African blackwood, ebony, ivory, slaves, and wild animals, was in modern-day Somalia.⁵³ In the 4th and 5th centuries BCE, the city-states of Mossylon, Opone, Malao, Mundus, and Tabae, all located on what is today the Somali landmass, developed a prospering trade network with the civilizations of Phoenicia, Ptolemaic Egypt, Greece, Parthian Persia, Saba, Nabataea, and even the distant Roman Empire.⁵⁴

Centuries later, the spread of Islam into Somalia occurred shortly after the birth of the religion itself. Early persecuted Muslims fled to the land of the Axumites, just west of the Red Sea, in what is today northern Somalia. Seeking protection from the Quraysh, a tribe that was known to vehemently oppose the spread of Islam and harass early converts to the faith, they received protection from the court of the Axumite emperor. They then settled in several parts of the Horn of Africa and promptly began spreading their religion.⁵⁵

Islam spread further into Africa as Muslims won repeated military victories over the Quraysh throughout the 7th century. Merchants and sailors residing in what is today Somalia converted to the religion of their Arab trading partners in droves, as the major trading routes in the Mediterranean and Red Seas came under the control of the Muslim Caliphs. It was during this time that Islam spread to all corners of the Old World, including the distant lands of Indonesia.

By the 13th century, the Ifat sultanate had emerged as a major regional power in the Horn of Africa, increasing in size and prestige through successive military victories

53 Ian Shaw and Paul Nicholson. *The Dictionary of Ancient Egypt*. London, British Museum Press, 1995, 231.

54 Susan M. Hassig and Zawiah Abdul Latif. *Somalia*. Tarrytown, NY: Marshall Cavendish, 2007, 45.

55 *Ibid.*, 52.

over nearby kingdoms. In 1270 CE, the sultanate conquered the ancient Kingdom of Shewa, located in present-day Ethiopia, which ignited a rivalry with a nearby kingdom ruled by a dynasty of Christians, the Solomonids. This resulted in a series of wars that ultimately ended with the victory of the Solomonids over the Islamic Ifats.⁵⁶

A century later saw the rise of the Ajuuraan sultanate, ruled by the house of the Gareen clan. Ruling well into the 17th century, the Gareens emphasized strong centralized administration, aggressive military policy, and open courting of foreign trading partners. The latter policy in particular led to the rapid growth of the Gareen's commercial base, as the cities of Merca, Mogadishu, Barawa, Hobyo, and their respective ports oversaw the arrival and departure of merchant ships from Arabia, India, Venetia, Persia, Egypt, Portugal, and even as far away as China. To illustrate, in the early 15th century, Portuguese explorer Vasco da Gama passed by Mogadishu, the historical and modern capital of Somalia, and noted that it was a large city with houses several stories high and large palaces in its center, in addition to many mosques with cylindrical minarets.⁵⁷

In the 16th century, the cities of Mogadishu, Merca, and Barawa, all in the south of modern-day Somalia, were the centers of a thriving textile industry known as *toob benadir*, producing clothes specialized for the Arabian market. The capital also served as a transit shop for Swahili merchants from the Kenyan cities of Mombasa and Malindi and for the gold trade from Kilwa, in modern-day Tanzania. Furthermore, Jewish merchants traveling from southern Iran also brought their Indian textiles and fruit to the Somali coast in exchange for grain and wood.⁵⁸ Clearly, Somalia has not always been a land of

56 Ibid., 76.

57 Sir Reginald Coupland. *East Africa and Its Invaders: From the Earliest Times to the Death of Seyyid Said in 1856*. Brasted, Kent, UK: Russell & Russell, 1965, 38.

58 R.J. Barendse. *The Arabian Seas: The Indian Ocean World of the 17th Century*. Armonk, NY: M.E.

poverty and political chaos.

After the downfall of the Gareens and their Ajuuraan sultanate in the late 17th century, successor states, among them ruled by the dynasties of the Gobroon, Gerad, Bari, and Hobyo clans, began to compete for influence in former Ajuuraan lands. However, these kingdoms agreed to let the successful policies of the Gareens continue, especially the former rulers' emphasis on castle-building and seaborne trade.

The Gobroon dynasty in particular ruled over something of a golden age in the history of Somalia. In the 1840s, the third sultan of the House of Gobroon, Yusuf Mahamud Ibrahim, led a victorious army over the Baardheere Jamaaca, a religious settlement founded on the upper Jubba river in southern Somalia that had been expanding in power and influence since 1819. This move restored stability in the region and revitalized the east African ivory trade. Sultan Ibrahim also nurtured cordial relations with the rulers of other kingdoms, some as far away as the Omani, Witu, and Yemeni sultans.⁵⁹

Meanwhile, thousands of miles north, major European powers were engaged in the Berlin Conference, called in 1884 to regulate European colonization of the African continent. The resulting “Scramble for Africa” effectively ended most forms of African autonomy and self-governance on the continent, as kingdom after kingdom fell to better-equipped and organized European armies. However, many refused to give up power peacefully, and organized colonial resistance wars that were often noted for the disproportionate number of casualties on the African side.

One such leader, Muhammad Abdullah Hassan, was a Muslim ascetic monk, or

Sharpe, 2002, 343.

59 Susan M. Hassig and Zawiah Abdul Latif. *Somalia*. Tarrytown, NY: Marshall Cavendish, 2007, 153.

Dervish, who rallied support across the Horn of Africa against the approaching European colonists. He aimed his ire at the British in particular, who had carved out much of modern-day Somalia as their colonial sphere of influence during the Berlin Conference. Known for his rousing poems and speeches, Hassan accused the British of destroying the Islamic faith and raising native African children as their own, and also harangued the nearby Ethiopian Christians for their pro-European attitudes. Going one step further, he also issued a religious ordinance calling on all Africans to fight colonialism. Whoever did not do so was to be considered a *kafir*, an “unbeliever” or “infidel.” According to Richard H. Shultz and Andrea J. Dew in their *Insurgents, Terrorists, and Militias: The Warriors of Contemporary Combat*, Hassan soon emerged as “a champion of his country's political and religious freedom, defending it against all Christian invaders.”⁶⁰

As the anti-colonial campaign grew from within, Hassan found himself receiving support from without. Other Islamic states, such as Turkey and Sudan, saw to it that Hassan's movement was well supplied with money and weapons. In 1896, Hassan found himself with enough authority and influence to proclaim the founding of a new Dervish state, appointing ministers and advisers to administer different areas of the Horn.⁶¹

True to his word, Hassan guided his state's foreign policy in a strong anti-Western direction, launching attack upon attack on British forces stationed in the region. At first, Hassan's anti-British offensive met with success, and even garnered support from other actors engaged in their own anti-British maneuvers, such as the Ottomans and the Germans. However, the British military, through a combination of attrition, superior airpower, and their infamous divide-and-rule tactics, eventually found themselves gaining

60 Richard H. Shultz and Andrea J. Dew. *Insurgents, Terrorists, and Militias: The Warriors of Contemporary Combat*. New York: Columbia University Press, 2006, 67.

61 *Ibid.*, 69.

the upper hand. By 1920, after more than two decades of Dervish resistance to colonial influence, Hassan's state collapsed after repeated British air strikes. What had once been Dervish territory was subsequently incorporated into a new British protectorate. The new territory was henceforth to be called British Somaliland, located in what is today the northwestern Somali region of Somaliland.⁶²

Throughout this time, Italy was also a major colonial player in the region, having been one of the major participants at the 1884 Berlin Conference. There, the European powers had agreed to cede much of modern-day Somalia, except Somaliland in the north, to the Italians. Under successive so-called “protection” treaties, the Italians were to rule this region, called Italian Somaliland, for almost half a century, from 1889 to 1936. The Italians who migrated to their new colony made it a point to respect the native Somalis' clan differences and Islam as the country's official religion. They also oversaw a program, however limited, of industrial development, such as the building of ports, railways between select major Somali cities, and even schools.⁶³

With the beginning of the Second World War came a new jockeying for influence in the Horn of Africa. On August 3, 1940, Italian troops, along with military units of native Somalis, crossed from Ethiopia in the south to invade British Somaliland in the northwest. Just two weeks later, on August 14, the Italian force succeeded in taking the northern coastal city of Berbera from the British. Not to be outdone, the British launched a counterattack from Kenya with a joint British-African force in January 1941. The objective had a dual objective: liberate British Somaliland and conquer Italian Somaliland. The British soon found themselves masters once again in British Somaliland

⁶² Ibid., 73.

⁶³ Prem Poddar, Rejeev S. Patke, and Lars Jensen, eds. *A Historical Companion to Postcolonial Literatures: Continental Europe and Africa*. Edinburgh: Edinburgh University Press, 2008, 310.

and, by February, the new rulers of its Italian counterpart.

However, eight years later, in November 1949, Italy was to reclaim its lost colony. The newly-founded United Nations granted the Italians trusteeship of Italian Somaliland, but only under close supervision and on the condition that Somalia was to achieve independence within ten years. The status was agitated for by several native Somali organizations, such as the Somali Youth League (SYL), the Hizbia Digil Mirifle Somali (HDMS) (later known as Hizbia Dastur Mustaqbal Somali), and the Somali National League (SNL). In the meantime, British Somaliland in the northwest was to remain under British control until 1960,⁶⁴ while French Somaliland, a French colony that occupied the territory of present-day Djibouti, was directly northwest of its British counterpart.

On June 26, 1960, British Somaliland finally gained its independence. Italian Somaliland followed suit five days later, and the two promptly united to form the Somali Republic. (French Somaliland, incidentally, did not gain its independence until seven years later.) A government was formed by Abdullahi Issa, with Aden Abdullah Osman Daar as President and Abdirashid Ali Shermarke as Prime Minister. On July 20, 1961, by popular referendum, the Somali people ratified a new constitution. Sensing the winds of change, many Italian colonists still in the country began to emigrate. By the time the Somali constitution was ratified, fewer than 10,000 were left.⁶⁵

However, any popular exuberance felt because of Somalia's newfound independence dissipated by the end of the 1960s. On October 15, 1969, then-Somali President Abdirashid Ali Shermarke was killed by one of his own bodyguards while on a

⁶⁴ Paolo Tripodi. *The Colonial Legacy in Somalia*. New York: St. Martin's Press, 1999, 145.

⁶⁵ *Ibid.*, 138.

visit to the northern town of Las Anod. The assassination was followed by a shift in the corridors of power in Mogadishu, with the Somali Army promptly seizing power in a bloodless coup d'etat. Just one day after Shermarke's funeral, on October 21, 1969, the commander of the Somali Army, Major General Mohamed Siad Barre, found himself at the helm of the Somali state.⁶⁶

Barre, along with Major General Salaad Gabeyre Kediye and soon-to-be Chief of Police Jama Korshel, went on to dissolve the parliament and the Supreme Court, and also suspended the constitution. From that point on, the "Supreme Revolutionary Council," (SRC) essentially a group of pro-Barre lawmakers and other statesmen, was designated as Somalia's new ruling body. The Somali Republic was also renamed, to the Somali Democratic Republic (SDR).⁶⁷

The SRC then inaugurated a series of large-scale public works programs - among them a successful campaign to increase literacy in rural and urban areas - and also nationalized Somali industry and land. Barre also placed Somalia within the orbit of the Arab world, emphasizing its cultural and religious links with Islam. Somalia joined both the Arab League and the Organization of African Unity (later renamed the African Union [AU]) in 1974, with Barre serving as chairman of the latter organization. Two years later, the SRC was renamed the Somali Revolutionary Socialist Party (SRSP). The ruling party's new name simply accentuated the political direction it had been following ever since it attained power in late 1969. Barre's emphasis on state control of industry and

66 Moshe Y. Sachs. *Worldmark Encyclopedia of the Nations*, Vol. II. New York: Worldmark Press: 1988, 290.

67 Peter John de la Fosse Wiles. *The New Communist Third World: An Essay in Political Economy*. New York: Taylor & Francis, 1982, 279.

land, coupled with a strict adherence to the Islamic faith, continued.⁶⁸

Then, in July 1977, war broke out in east Africa. Barre, a fervent nationalist, sought to expand the borders of Somalia to encompass those lands which ostensibly had a majority of Somalis, a rallying cry that is known as “Greater Somalia” among political circles in the region. As it was, many of these regions stretched into neighboring countries, namely, Ethiopia and Kenya. When it became known that Barre intended to incorporate into Somalia the predominantly Somali-inhabited Ogaden region, which encompasses much of the “horn” that lies immediately to the west of central Somalia (see Figure 1 on page 33), Ethiopia not unexpectedly declared war, and the so-called Ogaden War began.⁶⁹

The first week of the conflict saw Somali forces take southern and central Ogaden. This began a series of successful offensives on the part of the Somali military that saw it chasing the Ethiopians as far southwest into their country as Sidamo. By September 1977, Somalia controlled 90 percent of the Ogaden region. It was at this point that the world took notice. East Africa became, for however brief a time, the central stage of the Cold War, as the US and the Soviet Union immediately began investing material interest in the region.

While Barre had pursued a largely Soviet-inspired path of national development in Somalia since his first day in office, it was Somali neighbor Ethiopia that had the lion's share of Soviet support. Once the explicitly communist Derg regime took power in the country in 1974, the Soviets began courting Ethiopia as a counterweight to US influence in the region. Hence, when news reached Moscow of the Somali siege of the northeastern

68 Oihe Yang. *Africa South of the Sahara 2001*. 30th Ed. New York: Taylor & Francis, 2000, 1025.

69 *Ibid.*, 1027.

Ethiopian city of Harar in late 1977, the Soviets made their move. They began a mobilization of approximately 20,000 Cuban troops and several thousand Soviet military advisers with the aim of repelling the Somali offensive. The counter-attack proving successful, Ethiopia regained control of the Ogaden by 1978.⁷⁰

Surrounded by rivals that had the exclusive backing of one of the world's two superpowers, the Barre government naturally sought the support of the other major power, namely, the Soviets' Cold War archrival, the US. Barre continued to rule, with American support, but under a new constitution that called for a popularly elected People's Assembly. This, however, was largely window dressing, as Barre's Somali Revolutionary Socialist Party (SRSP) still controlled the helms. In October 1980, the SRSP disbanded and the Supreme Revolutionary Council (SRC) was re-established in its place. Barre's military dictatorship, however, remained.⁷¹

By the beginning of 1981, cracks were starting to appear in the edifice of Barre's Somalia. The Ogaden War, which led to such a devastating defeat for the Somali military, drained Barre's government of a substantial amount of moral authority. Also, living under a military dictator with official American support led to something of an identity crisis for many Somalis. Through their exposure to the American way of life, whether by way of radio or television broadcasts, or even the Americans sent to Somalia to advise the Barre government itself, the Somali nation gradually became disillusioned with life under an authoritarian political system.

The monumental shift in world politics that occurred with the ending of the Cold War in the early 1990s led to a further weakening of the Barre government. The new

⁷⁰ Ibid., 1028.

⁷¹ Peter John de la Fosse Wiles. *The New Communist Third World: An Essay in Political Economy*. New York: Taylor & Francis, 1982, 296.

Russian government made it a priority to remove all material support its Soviet predecessor had given to its Third World vassal states, and Ethiopia was no exception. Once Washington became aware of this development, it likewise pulled out of Somalia, leaving Barre to rule a society that had increasingly become ill disposed to his government throughout the 1980s.⁷²

Sensing this popular resentment, Barre's government became increasingly totalitarian. Signs of political and economic deterioration began to appear everywhere in Somalia. In 1990, the government issued an edict prohibiting people from gathering in groups greater than four individuals in major Somali cities. Fuel shortages were leading to long lines of both cars and people at gasoline stations. Inflation was rampant, with the price of such staples as dry noodles and khat, a popular narcotic leaf, skyrocketing. The official currency became almost worthless, with the metal in the coins being melted for its higher value. Black markets returned to the streets of major cities in Somalia. Incidentally, those same streets were often bathed in darkness at night, as the government had sold off the generators used to provide electricity. Finally, “disappearances” of select individuals from their homes, reputedly at the hands of government authorities, were a daily occurrence.⁷³

Various resistance movements, many supported by arch-rival Ethiopia, began to develop in Somalia as a response, chief among them the Somali Salvation Democratic Front (SSDF), the United Somali Congress (USC), the Somali National Movement (SNM), the Somali Patriotic Movement (SPM), the Somali Democratic Movement (SDM), the Somali Democratic Alliance (SDA), and the Somali Manifesto Group

72 Ibid., 300.

73 Susan M. Hassig and Zawiah Abdul Latif. *Somalia*. Tarrytown, NY: Marshall Cavendish, 2007, 444.

(SMG). In 1991, after more than two decades of dictatorship, President Mohamed Siad Barre was removed from office by a combined force of select northern and southern Somali clans, all of whom, incidentally, were materially supported by Ethiopia. At the same time, the former colony of British Somaliland in the northwest declared its independence from greater Somalia. Naming itself “Somaliland,” its independent status still holds to this day, although no foreign government has recognized it as such.⁷⁴

In January 1991, shortly after they had ousted Barre from power, the rebels selected Abgaal clan leader Ali Mahdi Muhammad as the interim Somali president. However, some rebel groups refused to recognize him, causing a split between the SNM, USC, and SPM on one side, and the SMG, SDM, and SNA on the other. Meanwhile, Barre, who still claimed to be the legitimate president of Somalia, commanded considerable support in the south of the country. There, fighting between his supporters and the rebel groups led to widespread destruction, with Mogadishu, once called the “pearl of the Indian Ocean,” largely reduced to ruins. Furthermore, the civil war caused tremendous devastation among the population, with 300,000 dying from famine.⁷⁵

In response to the humanitarian disaster in Somalia, in 1992, the UN Security Council authorized a limited peacekeeping operation, UN Operation in Somalia I (UNOSOM I). UN troops were only permitted the use of violence in self-defense, which led to a warm welcome upon their arrival from both the pro- and anti-Barre camps in Somalia. However, their presence was soon disregarded and overshadowed by the larger dynamic of the civil war, prompting the US to organize a military coalition charged with the task of creating a secure environment in southern Somalia for the management of

74 “Somaliland: No Way Back.” BBC News. 4 June 2001. Available: <<<http://news.bbc.co.uk/2/hi/africa/1367554.stm>>>.

75 Susan M. Hassig and Zawiah Abdul Latif. *Somalia*. Tarrytown, NY: Marshall Cavendish, 2007, 460.

humanitarian operations. The new coalition, United Task Force (UNITAF) was, unlike UNOSOM I, allowed to use violence in pursuit of its goal. Entering Somalia in December 1992 under the auspices of Operation Restore Hope, it was successful for a time in restoring order and alleviating hunger. It left the country in May 1993 to allow its new UN counterpart, UN Operation in Somalia II (UNOSOM II), to carry out its functions in the more stable environment UNITAF had created.

However, problems soon arose for the international community, as elements within the rebel camps began to perceive the UN presence as a threat to their power. In June 1993, the militia of clan leader Mohamed Farrah Aidid attacked UNOSOM II troops in Mogadishu, leading to over 80 casualties on both sides. Fighting escalated until 19 American troops and more than 1,000 civilians were killed in a raid in Mogadishu in October 1993. After two years of unabated violence, the UN withdrew its forces from the country in 1995. Law and order had still not been established, with some even pointing their fingers at the UN for showing alleged partiality to clan leader Aidid at one point, over and above those of other warlords. The civil war, in the meantime, continued to rage.⁷⁶

Then, in December 2006, Ethiopian troops, in conjunction with the US, invaded the country in support of the Western-backed Transitional Federal Government (TFG). The objective was to overthrow an Islamic government that was formed by a movement known as the Union of Islamic Courts (UIC), an Islamist organization that was accused by Washington of having ties to Al Qaeda. In the ensuing resistance, an estimated 16,000 civilians lost their lives, while another 1.2 million were made refugees. Ethiopia finally pulled its troops out of Somalia in 2007, causing the TFG to collapse. A former leader of

⁷⁶ Ibid., 467.

the UIC was subsequently elected Somalia's new president.

The civil war has not abated since then. The moderate Islamic forces of the TFG, largely supported by the international community, have been fighting against the more radical Islamist militias, many of which are grouped under the “Al-Shabaab” moniker. The resulting anarchy has proven a boon for all sorts of criminal elements, from drug dealers and human traffickers to the very pirates that this thesis is investigating.

5. The Response Thus Far

The International Reaction

As we have seen, some uncivil elements have benefited from the Somali piracy epidemic. Many individuals have a continued interest in seeing the Somali pirates continue their activities unhindered. Among them can be found poor Somali town dwellers who are attracted by the appeal of easy pirate money in a land of grinding poverty, businessmen in Dubai or Abu Dhabi who are involved in the laundering of pirate booty on the side, and arms dealers working in Mogadishu's markets and bazaars who keep the pirates well stocked with a ready supply of guns and ammunition.

While the major world powers' military response to the epidemic has received the most media attention, there are other actors who are taking smaller, but arguably just as effective, steps to deal with the problem. A popular handbook published and periodically updated by a plethora of international organizations, including the European Union (EU), the North Atlantic Treaty Organization (NATO), and the International Maritime Bureau (IMB), has been circulating in the corridors and cabins of merchant vessels plowing the waters of the Indian Ocean. Known as *Best Management Practices to Deter Piracy off the Coast of Somalia & in the Arabian Sea Area* (or BMP3 for short), it has received recognition as today's authoritative guide for shipping crews on how to defend themselves against pirates.¹

Among the measures BMP3 contains are: installing razor wire on the ship's deck; rigging fire-hoses to spray sea water over the side of the ship; constructing a shelter where the ship's crew can safely escape in case of pirate infiltration' and even the

¹ Consortium of International Organizations, June 2010. *BMP3 Best Management Practice III. Piracy Off the Coast of Somalia and the Arabian Sea Area*. London: Witherby Seamanship International, 2010.

positioning of mannequins posing as armed guards which pirates might mistake for the real thing from a distance. Indeed, the hiring of private armed guards is not excluded from the list of protective measures. As a matter of fact, the US government has removed its long-standing prohibition against the hiring of private security guards on US-flagged vessels in the wake of the epidemic.²

Shipping companies have followed the US example, utilizing private security guards to protect their vessels against piracy. One of the largest firms offering its services in this growing market is Espada Logistics & Security Group (ELSG). Founded in 2004, and based in San Antonio, Texas, its security officers “provide on-board protection from a ship’s point of entry to its point of destination,”³ along with “anti-piracy training en route to the Gulf of Aden.”⁴ To make it even more effective, ELSG has “teamed up with African Shipping Lines, a leading international shipping line company, to provide security to vessels traveling along the coast of east Africa.”⁵

Beyond these small pro-active measures lies the much-publicized international military campaign against Somali piracy, which has united nation-state actors far and wide, large and small, hostile and friendly, in the pursuit of one objective: countering the Somali pirate threat. At the present moment, there are three “international naval task forces” patrolling the Gulf of Aden and its environs for any sign of pirate activity: Combined Task Force (CTF) 150, Combined Task Force (CTF) 151, and the European Union Naval Force in Somalia (EUNAVFOR), the latter under the aegis of Operation Atalanta. These three coalitions are composed of select naval vessels from prominent

2 Ibid.

3 “About Espada Logistics & Security Group.” Retrieved 27 May 2011. Available: <<<http://www.espadaservices.com/about.html>>>.

4 Ibid.

5 Ibid.

nation-states, and through the use of representatives coordinate their activity in a monthly conference that has been dramatically titled Shared Awareness and Deconfliction (SHADE).⁶

The largest coalition of the three is CTF 150, primarily because it is, alongside its anti-piracy mission, also responsible for other assignments. Chief among these is its logistical support to Operation Iraqi Freedom land forces stationed in the North Arabian Sea, a task that uses up most of its manpower and resources. While it has been dominated by the US Navy, other countries have contributed to its mission. These include South Korea, Canada, Denmark, France, Germany, Pakistan, the UK, Australia, Italy, Holland, New Zealand, Portugal, Singapore, Spain, Thailand, and Turkey.⁷

More restricted in its mission is Combined Task Force (CTF) 151, which, like CTF 150, is also an international naval task force that has been established to fight piracy in the western Indian Ocean. However, unlike CTF 150, CTF 151 is solely assigned to fighting piracy, and serves no other purpose.⁸

Many powers have commanded CTF 151, from the navies of the US, to South Korea, to Turkey, to Singapore, which holds the responsibility today. The command staff is of mixed nationalities, and manages daily operations from onboard the South Korean naval vessel ROKS *Kang Gamchan*. The *Kang Gamchan* is classified as a Chungmugong Yi Sun-Sin class destroyer, considered one of the most modern of its kind in the world.⁹

The CTF 151 force initially consisted of US ships *San Antonio*, *Mahan*, and the

6 “European Union Meets China in Gulf of Aden.” EUNAVFOR Somalia News. 23 November 2009. Available: <<<http://www.eunavfor.eu/2009/11/eu-meets-china-in-gulf-of-aden/>>>.

7 Jim Garamone and Carolla Bennett. “Pakistani Admiral Takes Command of Regional Maritime Task Force.” American Forces Information Service. 24 April 2006. Available: <<http://www.defenselink.mil/news/Apr2006/20060424_4907.html>>

8 Ibid.

9 Ibid.

English HMS *Portland*. Twenty other countries have since contributed to CTF 151 with either manpower or military hardware. These include South Korea, Canada, Denmark, France, Holland, Pakistan, and Singapore. Australia has also contributed to the force with its own warship, HMAS *Warramunga*, which was re-tasked from active duty in the Persian Gulf to join its international allies in fighting the pirate threat.¹⁰

European powers in particular play a significant role in the international anti-piracy campaign off the Horn of Africa. In support of UN Security Council resolutions 1816¹¹, 1838¹², and 1846¹³, all drafted and ratified in 2008, the EU launched Operation Atalanta (OA) that same year, to be carried out by the newly founded EU Naval Force in Somalia (EUNAVFOR). EUNAVFOR was charged with protecting humanitarian aid ships, reducing pirate disruption to shipping routes, and re-stabilizing the maritime environment in the region.¹⁴

Thus far, 26 countries have contributed to the operation, while 13 EU member states have provided operational contributions, in the form of ships, personnel, or aircraft. These include France, Spain, Germany, Greece, Sweden, Holland, Italy, Belgium, the UK (which hosts EUNAVFOR headquarters), Portugal, Luxembourg, Malta, and Estonia. Other member states have provided military staff to work at either the EUNAVFOR headquarters in the UK or onboard EUNAVFOR vessels. This includes Cyprus,

10 Ian McPhedran. "Navy Warship & RAAF spy planes join fight against Somali pirates." *The Daily Telegraph*. 29 May 2009.

11 This resolution authorized those nations that were sanctioned by Somalia's Transitional Federal Government (TFG) to enter Somali territorial waters and fight the pirate threat.

12 This resolution called on those nations with vessels in the western Indian Ocean to apply military force as a means of repressing acts of piracy. Adopted unanimously by all nation-states in the UN Security Council, it recommends that states commit both naval and air forces to fight this crime.

13 This resolution authorized those nations that were sanctioned by the TFG to enter Somalia's territorial waters and use "all necessary means" to fight piracy, a step up from the measures called for in UN Resolution 1816.

14 "Mission." EUNAVOR Somalia News. Retrieved 20 May 2011. Available: <<<http://www.eunavfor.eu/aboutus/mission/>>>.

Romania, Bulgaria, Croatia, Slovenia, the Czech Republic, Hungary, Poland, Ireland, and Finland.¹⁵

Those European states that have opted out of EU membership or do not yet belong to the EU have also sought to contribute to the mission. Norway announced on 27 February 2009 that it would send the frigate HNOMS *Fridtjof Nansen* to the area to join in the anti-piracy campaign; it did so six months later. The Swiss Parliament, in the meantime, called for the deployment of elite Army Reconnaissance Detachment troops to combat piracy. The proposal, however, was rejected after one vote.¹⁶

During east Africa's monsoon season, when the rate of pirate attacks decreases due to the characteristically stormy weather and rough waters, EUNAVFOR sends fewer vessels and personnel to the region. The rate of attacks again increases at the onset of the dry season, during which EUNAVFOR responds in kind. The force typically consists of five to ten naval ships, one to two auxiliary ships, and two to four aircraft. Staff-wise, it consists of a total of around 2,000 military personnel. It operates in a zone that comprises the south of the Red Sea, the Gulf of Aden, and the western Indian Ocean, the region where piracy has been concentrated for the past five years. This represents an area of two million square nautical miles, a huge expanse of sea that provides more than enough space for a maximum force of twelve ships, four aircraft, and 2,000 personnel.¹⁷

Surprisingly, Japan also announced its intention, on 28 January 2009, of sending a naval task force to join the anti-piracy campaign. The issue was controversial in the

15 Ian McPhedran. "Navy Warship & RAAF spy planes join fight against Somali pirates." *The Daily Telegraph*. 29 May 2009.

16 "Swiss Military Action Against Pirates Rejected." *News.ch*. 20 January 2009. Available: <<<http://www.news.ch/Schweizer+Militaereinsatz+gegen+Piraten+abgelehnt/331308/detail.htm>>>.

17 "Mission." EUNAVOR Somalia News. Retrieved 20 May 2011. Available: <<<http://www.eunavfor.eu/aboutus/mission/>>>.

country, as its constitution specifically forbids the use of military forces for non-defensive purposes. The ruling party, however, justified its decision by declaring that the mission was tasked with fighting crime, rather than being a military operation. On February 4, 2009, the Japanese Maritime Self-Defense Force (JMSDF) sent a fact-finding mission to the region prior to the deployment of the JDS *DD-106 Samidare* and JDS *DD-113 Sazanami* destroyers. The two destroyers were deployed to the region on March 14, 2009, with the intention of staying on for four months. In its first mission, the JDS *DD-113 Sazanami* was able to fight off pirates attempting to hijack a Singaporean cargo ship.¹⁸

Notably absent from the international anti-piracy list that has been outlined so far, however, are those countries in the Shanghai Cooperation Organization (SCO), an alliance of central Asian states currently composed of members Russia, China, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan; observers India, Iran, Mongolia, and Pakistan; and dialogue partners Belarus and Sri Lanka. This is not because these countries have refused to participate in the campaign. On the contrary, they have been participating with zeal and vigor.

Unlike the multinational character of CTF 150, 151, and EUNAVFOR, however, the member states of the SCO have preferred to go it alone. China in particular outstrips all other SCO countries in terms of the number of military vessels and personnel deployed to the region. Its contribution to the campaign began on 18 December 2008, when it announced that it would be deploying ships, helicopters, and personnel off the coast of Somalia to escort Chinese vessels through the Gulf of Aden. The ships turned out

18 "Dispatch of MDSF Vessels to Water off the Coast of Somalia." Japan Defense Focus, no. 13. Japanese Ministry of Defense. Retrieved 30 May 2011. Available: <<<http://www.mod.go.jp/e/jdf/no13/policy.html>>>.

to be guided missile destroyers, specifically the *Haikou*, the *Wuhan*, and the supply ship *Weishanhu*.

Just a few months later, Beijing began to deploy several flotillas to the region, composed of the military vessels *Ma'anshan*, *Wenzhou*, *Qiandaohu*, *Chaohu*, *Guangzhou*, *Chaohu*, *Kunlun Shan*, *Lanzhou*, *Zhoushan*, and *Xushou*. In terms of manpower, it is believed that the Chinese have more than 800 military personnel operating in the region.¹⁹ Taking these figures into consideration, it has even surpassed the contributions from several prominent Western countries, such as the US and Canada.

India has also lent its support. It deployed two of its warships, the INS *Tabar* and *Mysore*, into the region to fight piracy. This force was tested when, on 14 March 2011, a skirmish ensued between Somali pirates and members of the Indian Navy. The Indian naval officers prevailed, and went on to seize 61 pirates, who had been fighting from a mother ship. The pirates had been holding the crew of a large commercial vessel hostage, all 13 of whom were rescued unscathed. As of this writing, India has also expressed interest in deploying up to four more warships to join the INS *Tabar* and *Mysore*.²⁰

Russia, for its part, has also sent several warships, though the scope of its contribution is smaller than that of China and India. As of this writing, it is reported that the Russian Navy has approximately 350 sailors in the region, serving on three military vessels: the destroyer *Admiral Panteleyev*, along with an unnamed tugboat and tanker. Like China and India, it has chosen to fight piracy alone, without the assistance of

19 "Chinese Ships Will Fight Pirates." BBC News. 18 December 2008. Available: <<<http://news.bbc.co.uk/2/hi/africa/7789303.stm>>>.

20 Surya Gangadharan. "Navy Intercepts Pirate Ship, Rescues 13 Sailors." CNN-IBN News. 14 March 2011. Available: <<<http://ibnlive.in.com/news/navy-intercepts-pirate-ship-rescues-13-sailors/1458403.html>>>.

another country or multi-national anti-piracy task force.²¹

Middle Eastern governments have also lent their support to the campaign. In the wake of the Somali pirate seizure of an Egyptian ship and a Saudi supertanker carrying \$100 million of oil in 2008, the Arab League, an alliance of Arabic states formed in 1945, called for a summit of countries in the Red Sea region, including Djibouti, Egypt, Jordan, Saudi Arabia, Somalia, Sudan, and Yemen. Members of the summit discussed the possibility of alternate, more secure, shipping routes for national sea carriers, as well as joining the international anti-piracy campaign off the Somali coast.²²

What Has Been Done at the National/Regional Level?

Throughout the duration of the anti-piracy campaign, Somalia's floundering Transitional Federal Government (TFG) has been battling a multitude of Islamist organizations, mainly in the central and southern regions of the country. This civil war has been ongoing for more than twenty years, and it has seriously compromised the TFG's ability to govern, and, as a consequence, its public image. While the TFG may have given permission to some members of the international community to enter its territory in search of pirates, something the UN has authorized in countless resolutions, in reality, its weak position leaves it little choice but to acquiesce to the demands of the world powers.

Furthermore, the TFG's reputation is not helped by revelations that some of its

21 "Russian Warships Sail to Horn of Africa on Anti-Piracy Mission." *RIA Novosti*. 29 March 2009. Available: <<<http://en.rian.ru/russia/20090329/120789018.html>>>.

22 "Arab League Anti-Piracy Meeting: Representatives of Arab Countries Bordering the Red Sea to Draw Up a Plan of Action." Al Jazeera. 21 November 2008. Available: <<<http://english.aljazeera.net/programmes/insidestory/2008/11/20081120113657918575.html>>>.

members have engaged in wheeling and dealing with the country's homegrown pirates. The temptation to share in the stolen money, which the pirates often parade in Somalia's towns and villages like badges of honor, has simply proven to be too much for some TFG representatives. In establishing contact with pirate leaders, these individuals have showered themselves with wealth that had been undreamed of years ago. Along with this, however, has come a loss of faith in the TFG from both respectable Somalis within the country and concerned citizens abroad.²³

So far as the fight against piracy within Somalia is concerned, it has not been the TFG that has made any inroads, but Somalia's local and regional governments. Throughout 2009 and 2010, the government of the autonomous Puntland region, located in the northeast of the country, enacted a series of measures as part of its declared anti-piracy campaign. They included: "the arrest, trial, and conviction of pirate gangs; raids on suspected pirate hideouts and confiscation of weapons and equipment; adequate coverage of its anti-piracy efforts by both local and international media; a social campaign led by Islamic scholars and community activists aimed at discrediting piracy and highlighting its negative aspects; and a partnership with the NATO alliance to combat pirates at sea."²⁴

This campaign has also been helped by the construction in 2010 of a new naval base in the town of Bandar Siyada, a small Puntland town 25 kilometers west of the region's commercial capital, Bosaso. The regional government is funding the project, which is also receiving financial and logistical assistance from UK-based security company Saracen International. Besides serving as a center for training recruits, the base

23 Louis Charbonneau. "UN Cites Reports of Government Links to Somali Pirates." Reuters. 18 March 2009. Available: <<<http://www.reuters.com/article/idUSN18379298>>>.

24 "Somalia: Puntland Government Continues Anti-Piracy Campaign, Rejects Monitoring Group Accusations." Press Release, Government of Puntland, Somalia. 10 March 2010. Available: <<<http://www.puntland-gov.net/viewnews.asp?nwtype=PR&nid=PRPR202231312104753706>>>.

will also function as a command post for the naval force, which will be actively charged with fighting the pirate threat.²⁵

Directly outside Somalia, the 54-member African Union (AU), for its part, has also maintained a peacekeeping force in the country throughout the epidemic. This detachment was augmented when, in a UN-sponsored international donors' conference held in mid-2009, a group of benefactors pledged more than \$250 million to strengthen Somalia's security forces. Most of the funding went to the AU force, which was expected to expand to 8,000 troops from its original 4,350. Some of the money was also earmarked for then-Somali President Sheik Sharif Sheik Ahmed of the TFG, who sought to build up a police force of 10,000, along with a separate security force of 6,000.²⁶

While pirate leaders continue to wield tremendous authority in Somalia, the enactment of all these measures by local, regional and international authorities has reportedly led to a substantial decrease in the rate of pirate attacks directly off the Somali coast. The number of attacks in the Gulf of Aden dropped from 86 in 2009 to 33 by the summer of 2010. Pirates had by that time already expanded their range of operations into the wider Indian Ocean to escape both the regional and international police presence.²⁷

Trying the Pirates

Most of the suspected pirates who have been captured by these military operations, both regional and international, have been set free for lack of evidence. The

25 "Somalia: Puntland to Start Construction of New Navy Base." Horseedmedia.net. 4 May 2010. Available:

<<<http://horseedmedia.net/2010/05/somalia-puntland-to-start-construction-of-new-navy-base/>>>.

26 "Donors Pledge Over \$250 Million For Somalia." Associated Press. *USA Today*. 23 April 2009.

Available: <<http://www.usatoday.com/news/washington/2009-04-23-somalia-donors_N.htm>>.

27 Eileen Ng. "World Pirate Attacks Drop 18%." *Sydney Morning Herald*. 15 July 2010. Available:

<<<http://news.smh.com.au/breaking-news-world/world-pirate-attacks-drop-18-20100715-10cld.html>>>.

few who are punished with any sorts of sanctions usually find themselves in the headlines of the international media. Some of the more notable trials are outlined below:

1) In May 2010, a Yemeni court sentenced six convicted Somali pirates to death and imposed harsh jail sentences on six others for their part in the hijacking of a Yemeni oil tanker in 2009. After a skirmish with the pirates, one crew member was allegedly killed, and another one went missing.²⁸

2) A milestone was set when, also in May 2010, the Netherlands became the first European country to try alleged Somali pirates. The incident for which they were tried occurred in January 2009, when a Danish vessel stopped a group of pirates in the Gulf of Aden as they were on their way to board a Dutch cargo ship. The pirates in question were each sentenced to five years in prison.²⁹

3) Perhaps the most widely covered modern pirate trial, however, occurred in a New York federal court, again in May 2010. There, Somali Abdiwali Abdiqadir Muse pled guilty to the April 2009 seizing of US-flagged ship *Maersk Alabama*, along with the kidnapping of its captain. This incident was notable for the heavy use of American firepower, in the form of US Navy SEAL snipers, in the rescue of the crew of the *Maersk Alabama*. While none of the *Maersk Alabama* crew was killed, several pirates lost their lives in the skirmish. Muse, in the meantime, was sentenced to 33 years imprisonment for his part in the affair.³⁰

4) Another incident occurred on 1 April 2010, when US military vessel *USS Nicholas*

28 “Yemen Court Sentences Six Somali Pirates to Death.” Reuters. 18 May 2010. Available: <<<http://www.alertnet.org/thenews/newsdesk/LDE64H1QB.htm>>>.

29 Henry Foy. “Somali Pirates Jailed By Dutch Court.” *Guardian*. 17 June 2010. Available: <<<http://www.guardian.co.uk/world/2010/jun/17/somali-pirates-jailed-netherlands>>>.

30 “Somali Pirate Sentenced to 33 Years in US Prison.” BBC News. 16 February 2011. Available: <<<http://www.bbcnews.co.uk/news/world-us-canada-12486129>>>.

received fire from a group of Somalis on board a skiff. The *Nicholas* chased and captured both the skiff and, later, its mother ship, along with all the individuals on board. The US government charged the Somalis with piracy, but Federal District Court judge in Norfolk, Virginia, Raymond A. Jackson, threw out the charge due to an 1819 law that defines piracy as solely “robbery at sea,” the penalty being life imprisonment. Since there was never an act of robbery during the April 1 incident, much less an attempt at it, many commentators agreed with Jackson’s decision. The federal government, however, managed to overturn Jackson’s ruling, and saw to it that the five Somalis who had attacked the *USS Nicholas* were sentenced to life.³¹

5) On 28 January 2011, off the coast of India, hijacked Thai trawler *Prantalay*, which had been serving a gang of Somali pirates as a mother ship, was involved in a skirmish with Indian naval forces. The Indians managed to kill 10 pirates and capture 15, while rescuing the 20 Thai and Burmese fishermen that were being held by the pirates as hostages. The 15 captured pirates were then taken to Mumbai, where they were subsequently tried under the Indian Penal Code for attempted murder, unlawful entrance of Indian waters, and various other crimes, including piracy. Besides the fact that the incident occurred so far away from the Somali coast, another interesting, and telling, side note concerns the ethnicity of the pirates. Along with the Somalis in the party were Ethiopian and Kenyan pirates.³²

Throughout all this, Somalia’s TFG has questioned the jurisdiction of foreign countries in extraditing and trying the pirates within their respective territories. Sensitive

31 Tim McGlone. “5 Somali Pirates Get Life for Attack on Nicholas.” HamptonRoads.com. 27 March 2011. Available: <<<http://hamptonroads.com/2011/03/somalis-get-life-plus-80-years-pirate-attack-nicholas>>>.

32 “Indian Navy Seizes Pirates Indian Ocean Mothership.” BBC News. 4 January 2011. Available: <<<http://www.bbc.co.uk/news/world-south-asia-12376695>>>.

to this criticism, the EU has tried to keep the trials confined to Africa, by involving Somalia's more politically stable neighbors. TFG authorities have nevertheless called for the pirates to be tried under their jurisdiction.³³ Due to the TFG's highly unstable condition, however, the likelihood of this happening is minuscule.

33 "Somalia Criticizes US for Putting Pirate on Trial." Portalangop.co.ao. 20 April 2010. Available: <<http://www.portalangop.co.ao/motix/en_us/noticias/a...te-trial,8b244622-c3d3-4951-ad9c05c930fe9514.html>>.

6. A Serious Solution

Many actors far and wide have felt the impact of Somali piracy, from sailors crossing the Indian Ocean, to shipping company executives, to influential politicians, to adventurous investigative journalists. As was written in the rationale to this thesis, acts of seaborne piracy, the vast majority presently concentrated in the western Indian Ocean, lead to an average of \$13-\$16 billion in losses for transport companies each year.¹ This is simply too large an amount to ignore.

Somali piracy is not simply a problem confined to a small, impoverished, politically unstable nation, in some remote part of the world that would otherwise best be forgotten. On the contrary, this epidemic has affected almost everybody involved in international shipping, a multibillion-dollar industry that is vital to the world economy. Likewise, the area in which Somali piracy prevails, the Gulf of Aden and its environs, is also one of the most vital routes in international shipping, with approximately 11 percent of the world's seaborne petroleum alone making its way through the gulf's waters.²

The influence of the international shipping industry has brought the international community into the fray. While this community's naval response to the problem has significantly reduced pirate attacks in the Gulf of Aden, the Somali pirates have simply expanded their operations and are now threatening new sea routes and waterways. As of now, there is no sign that the naval campaign will be expanded, thus leaving the pirates a huge area in which to continue their activities unhindered.

Meanwhile, the pirates' country of origin, Somalia, continues to fester in conditions of economic impoverishment and civil war. As this thesis argues, the only

1 Gal Luft & Anne Korin. "Terrorism Goes to Sea." *Foreign Affairs*. November-December 2004.

2 "Red Sea & The Gulf of Aden." Regional Profile. International Tanker Owners Pollution Federation (ITOPF). October 2003.

solution to this problem lies in diplomacy, not violence and bloodshed. As I wrote in the previous chapter, such an approach “will not only have the effect of winning over the hearts and minds of the Somali people, substituting their corrupted faith in piracy for the viable road to social and economic development, [it] will also open up one large part of the east African landmass to international trade and investment, not to mention wipe the scourge of piracy from one of the world’s most strategic and economically vital transshipment points.”

The military campaign against piracy rests upon the assumption that a hands-over-fist approach is needed. While this has contributed to a decline in the number of pirate attacks off the coast of Somalia, it has not erased the piracy threat. It has merely put the figurative band-aid on the problem, instead of addressing the conditions that have produced the epidemic in the first place. The pirates, aware of the increased concentration of military police vessels in their traditional haunts, have simply expanded their operations elsewhere. The modern pirate lifestyle is simply too lucrative to abandon.

As the historical outline in Chapter 3 of this thesis showed, piracy at sea has only flourished in the absence of law and order on land. Whether it was during the time of the Caesars, or the Spanish conquistadors, or stretching to the present day, whenever there has existed some sort of lawlessness on land, piracy off the coast has never been too far behind. Simply put, piracy has proven too lucrative an operation to not pursue under the right conditions. Unfortunately, these conditions usually entail a marked deficiency in the ability of the proper law enforcement authorities to curtail the epidemic.

When set against the large body of water where the pirates have been operating, the international anti-piracy campaign is microscopic; the number of ships and personnel

policing the Gulf of Aden and the wider Indian Ocean for pirates is minuscule.

Furthermore, a relative disunity exists amongst the state actors in the campaign. While they all agree that the piracy threat should be fought, even the member countries of the Shanghai Cooperation Organization (SCO) have not banded together into a common task force to fight the epidemic. In light of this, one cannot hold out too much hope for a truly international campaign under the aegis of a legitimate body of supra-national jurisdiction, such as the United Nations (UN).

It is not the argument of this author that policing the piracy epidemic in the open waters has no merit. On the contrary, such a policy can prove quite effective, but, as the historical record has shown, only when joined with the appropriate measures on land. At the height of the Imperial Age, for example, the Greek and Roman Empires ensured law and order on land and at sea. However, there is no such corresponding authority in the world today. Even the UN, composed as it is of a disparate community of nation-states, each with its own interests and objectives, cannot lay claim to such power and influence as the ancient empires exercised long ago. Indeed, one of the overriding benefits historians have accorded the empires of old has been their relative success at reining in crime within their respective territories, and, in the case of the Greek and Roman Empires, in the waters between their respective territories, as well.

Today, no great power has expressed an interest in deploying security forces in Somalia to address the anarchy that exists on its territory as a result of its long-standing civil war. In many respects, this unwillingness to support Somalia's Transitional Federal Government (TFG) in its battle with radical Islamist militias is due to the disastrous experiences many foreign countries faced the last time they were part of an outside task

force aimed at restoring order in the country: United Nations Operation in Somalia II (UNOSOM II) (1993-1995). The unabated violence UNOSOM II experienced in Somalia, and the operation's ultimate failure, arguably did more than anything to persuade the international community to stay out of the country's affairs for the indefinite future.

Where interventions have occurred, they have been executed by concerned neighboring nations, namely Ethiopia and Kenya. In 2006, Ethiopian troops intervened on behalf of the TFG, with US support. Even then, Washington preferred to keep American troops out, using the Ethiopians as proxies in their war against Somalia's hardline Islamist forces. Ultimately, however, this strategy too proved unsuccessful. Then, in 2011, Kenya intervened. As of this writing, however, the outcome is still uncertain, with Washington taking a cautious wait-and-see attitude.

Western powers are fully aware that any future military intervention on their part would likewise end in failure. One need not look too far to the example of modern-day Iraq and Afghanistan, along with the historical examples of the US war with Vietnam (1965-1975) and the USSR's intervention in Afghanistan (1979-1989), to see how the policy of open military violence against an indigenous population often fails to achieve the invading power's stated aims. While these aims might be related to restoring law and order or stabilizing the political situation in the country, any strategy solely involving guns, and no butter, more often than not simply proves ineffectual.

Sensing the futility of the problem, in November 2008, the International Association of Independent Tanker Owners (IAITO), an agglomeration of ship-owners that represents 75 percent of the world's independent tanker fleet, called for the UN to

step in. IAITO wanted more than just resolutions authorizing countries to enter Somali waters in search of pirates; it called for a naval blockade of Somalia, along with the “monitoring of all vessels leaving the country’s coastline.”³

Reflecting the already limited nature of the police campaign, the North Atlantic Treaty Organization (NATO) responded to the IAITO resolution by saying, “It would be impossible to effectively blockade Somalia’s vast coast.”⁴ As a result, IAITO tempered its demands, and called for all the Somali pirates’ “home ports” to be blockaded instead, along with “the insertion in Somalia itself of ground forces to destroy pirate bases.”⁵ Considering the recent history of Western military involvement in Somalia, particularly during the earlier stages of its civil war, IAITO’s latter suggestion seemed exceptionally shortsighted. US policymakers in particular were reminded about the American military’s intervention in Mogadishu during the Blackhawk Down incident of 1993, when a number of US servicemen lost their lives trying to capture two high-ranking lieutenants of a Somali warlord.

Should the international community wish to stop piracy in its tracks, it has to pull the proverbial rug from under the feet of the Somali pirates. In other words, the underlying social and economic problems in Somalia that have engendered the spread of piracy, namely its structural poverty and retarded state of social development, should not only be recognized and addressed, but should also be actively remedied. A long-term strategy must be developed, beginning, as always, with baby steps.

A comprehensive policy that aims at strengthening the economic development of

3 “Ship-Owners Call for UN-Led Force.” BBC News. 24 November 2008. Available: <<<http://news.co.uk/2/hi/africa/7745682.stm>>>.

4 Ibid.

5 Ibid.

such an impoverished country as Somalia entails a substantial amount of financial assistance from both developed and developing countries. Funds, whether in the form of grants or low-interest loans, need to be infused into the country should any progress be made on its road to development and political stability. The aspirations of the UN's Millennium Development Goals, such as improving educational standards, healthcare, and infrastructure, to promoting the use of cell phone and Internet usage, should be implemented with this injection of money from the developed and developing world. Achieving these goals will not only have the effect of winning over the hearts and minds of the Somali people, substituting their corrupted faith in piracy for the viable road to social and economic development, they will also open up one large part of the east African landmass to international trade and investment, not to mention wipe the scourge of piracy from one of the world's most strategic and economically vital transshipment points.

Global and regional programs of assistance to Somalia certainly do exist. At the forefront are those the UN has funded, chief among them the World Food Programme (WFP). Established in 1961 to fight world hunger and malnutrition, the WFP has been diligently sending food to the war-torn country since the beginning of its civil war. According to its website, "the total number of people being fed by WFP in Mogadishu [the Somali capital] stands at 240,000. This includes 20 feeding centers that WFP supports across Mogadishu, feeding a total of 85,000 people each day."⁶ Furthermore, with the aid of naval escorts provided by the EU and NATO, "more than 620,000 metric tons of WFP food – enough to feed 1.2 million people for one year – have been escorted

6 "WFP Activities." World Food Programme: Fighting Hunger Worldwide. Accessed 1 November 2011. Available: <<<http://www.wfp.org/countries/Somalia/Operations>>>.

safely to Somalia since November 2007.”⁷

Other public, government agencies providing aid to Somalia include the US Agency for International Development (USAID), the EU’s European Commission (EC), and the African Union (AU). Private aid organizations also provide assistance in the form of money or manpower, from the French charity *Medicins Sans Frontieres* (MSF), to the British Islamic Relief (IR), to China’s own chapter of the international Red Cross Society (RCS).

However, there are several factors that in all probability will prevent an augmentation of such international assistance to Somalia in the near future. The actual rate of pirate attacks in the Gulf of Aden has, over the past several years, decreased significantly. Many have cited this as proof that the international anti-piracy campaign has proven successful, thus obviating the need for increasing, much less keeping constant, the campaign’s presence in the region. What has been overlooked in this argument is the fact that the pirates have simply left their traditional haunts in the Gulf of Aden and expanded into the wider Indian Ocean. However, many countries that have participated in the campaign would rather let the problem alone and focus on more pressing concerns closer to home. The piracy epidemic has, for all intents and purposes, been swept under the rug.

Second, considering the violently factionalized situation in the country, the question of who exactly is to receive the funds deserves careful deliberation. For the purposes of conflict resolution, the size and influence of the UN makes it the first choice for policymakers. However, in the case of Somalia, UN intervention has largely failed to achieve political stabilization. While this hasn’t entirely been the fault of the UN, it has

⁷ Ibid.

reaped the lessons from its bloody experiences in the country and, as a result, has rejected sending more peacekeeping operations into one of the world's most dangerous and volatile conflict zones. It goes without saying that other private and public institutions feel similarly about maintaining a presence on the ground. From charities to NGOs, all organizations are rightfully circumspect about deploying personnel or resources into a land of violent anarchy.

With that said, the only viable alternative is to build up the strength of the forces of law and order on the ground, namely, the TFG. This is the government that, in its effort to spread homegrown Somali democracy, has been fighting the forces of religious extremism for the past two decades. Consequently, it should continue to receive the majority of any financial support from the international community. The TFG should then use these funds to win the hearts and minds of native Somalis to democracy and religious freedom.

Granted, several members of the TFG have shown that they are not above graft and corruption, so there is a danger of misappropriation of funds should this avenue be followed.⁸ However, considering the alternatives, no other viable option truthfully exists. The TFG is the leading institution fighting, on the ground, for some sort of internationally acceptable governance. It is inevitable that there will be a small number of criminals and opportunists within its fold, as is the case for all large bodies of individuals. While the international community does regard the TFG as the current and promising future government of Somalia, it should not let the proverbial few bad apples spoil the entire harvest.

⁸ Louis Charbonneau. "UN Cites Reports of Government Links to Somali Pirates." Reuters. 18 March 2009. Available: <<<http://www.reuters.com/article/idUSN18379298>>>.

Finally, any financial sacrifices, especially from the developed world, have to stand against today's backdrop of economic recession and uncertainty. While many members of the international community do in fact assist Somalia on its road to development, this might be less and less of a priority in today's economic climate, when many economies of the developed world, such as Greece, the UK, and even the US, are on the brink of collapse. Many countries in the developing world, however, such as the BRIC countries of Brazil, Russia, India, and China, are enjoying robust economic growth, along with healthy trade surpluses and rapid social and economic development. The leaders of these nations are fully aware that supplying financial assistance to Somalia not only shows a good face, but it also opens up another market for exports, further increasing economic growth domestically, and, in the long term, internationally, as well.

In conclusion, reading the countless news articles and academic publications on the issue of piracy, it seems there are as many suggestions to resolve the piracy epidemic as there are actual pirates themselves. These suggestions range from an out-and-out invasion of Somalia to corral its citizens by brute force, to diplomatic, long-term alternatives that involve political stabilization, economic development, and poverty alleviation.⁹

This thesis has argued that in Somalia, as elsewhere, only by the resolution of long-standing social, economic, and political problems will any substantial headway be made to erase piracy from existence and secure the safe passage of vital commercial waterways. The military campaign currently being waged has not erased the piracy threat. It has merely put the figurative band-aid on the problem, instead of addressing the

⁹ Lucas Velozo de Melo Bento. "‘Along Liquid Paths’: The Dualistic Nature of International Maritime Piracy Law." 25 September 2010. Available at SSRN: <<<http://ssrn.com/abstract=1682624>>>.

conditions that have produced the epidemic in the first place.

In the end, the elimination of piracy from the Gulf of Aden and its environs will depend not only on the general international economic situation, but also on the willingness of the actors involved to seriously address, and ultimately expunge, the epidemic through substantial aid to Somalia. The international media, for its part, also has a responsibility to keep this modern scourge under scrutiny. Whether or not these conditions will be met, however, depends upon the march of time.

Bibliography

- Abdullahi, Najad. "Toxic Waste Behind Somali Piracy." *Al Jazeera*. 11 October 2008.
- "About Espada Logistics & Security Group." Retrieved 27 May 2011. Available:
 <<<http://www.espadaservices.com/about.html>>>.
- Ahmed, Mohamed. "NATO Frees Pirate Hostages, Belgian Ship Seized." Reuters. 18 April 2009.
- "Arab League Anti-Piracy Meeting: Representatives of Arab Countries Bordering the Red Sea to Draw Up a Plan of Action." *Al Jazeera*. 21 November 2008. Available:
 <<<http://english.aljazeera.net/programmes/insidestory/2008/11/20081120113657918575.html>>>.
- "Armed Islamists Will Attack Pirates, Says Militant." CBC News. 21 November 2008. Available:
 <<<http://www.cbc.ca/world/story/2008/11/21/pirates-islamists.html>>>.
- Barendse, R.J. . *The Arabian Seas: The Indian Ocean World of the 17th Century*. Armonk, NY: M.E. Sharpe, 2002.
- Benson, Peter Suppli, Bjorn Lamnek, and Stig Orskov. *Maersk: The Man and the Power*. Copenhagen: Politiken Boger, 2004.
- Bliss, Jeff. "US Military Considers Attacks on Somali Pirates' Land Bases." Bloomberg News. 13 April 2009.
- Boxer, C.R. "Piracy in the South China Sea." *History Today*, XXX, November 1980.
- Brinton, John. "From Pirate Coast to Trucial." *Saudi Aramco World*. Volume 24, No. 6. November-December, 1973.
- Burnett, John S. *Dangerous Waters: Modern Piracy & Terror on the High Seas*. New York: Plume, 2004.
- "Chinese Ships Will Fight Pirates." BBC News. 18 December 2008. Available:
 <<<http://news.bbc.co.uk/2/hi/africa/7789303.stm>>>.
- Clayton, Jonathan. "Somalia's Secret Dumps of Toxic Waste Washed Ashore by Tsunami." *Times*. 4 March 2008: CE12.
- Cooper, L. *The Pirate of Puerto Rico*. London: Putnam Pub Group, 1972.
- Coupland, Sir Reginald. *East Africa and Its Invaders: From the Earliest Times to the Death of Seyyid Said in 1856*. Brasted, Kent, UK: Russell & Russell, 1965.
- "Danish Crew Free Somali Pirate Hostages." Agence France-Presse. 15 May 2011. Available:
 <<http://www.google.com/hostednews/afp/article/ALeqM5gF-vc4O5LAJxpP8ZS84Jqt8vv_yQ?docId=CNG.dd035276a74a1dfc4910aded0e7a6b3b.491>>.
- Davis, Robert C. *Christian Slaves, Muslim Masters: White Slavery in the Mediterranean, the*

- Barbary Coast, and Italy, 1500-1800*. London: Palgrave Macmillan, 2003.
- Debroy, Dipavali, Ed. *The Holy Vedas: Rig Veda, Yajur Veda, Sama Veda, Atharva Veda*. Delhi: B.R. Publishing Corporation, 2006.
- “Dispatch of MDSF Vessels to Water off the Coast of Somalia.” Japan Defense Focus, no. 13. Japanese Ministry of Defense. Retrieved 30 May 2011. Available: <<<http://www.mod.go.jp/e/jdf/no13/policy.html>>>.
- “Donors Pledge Over \$250 Million For Somalia.” Associated Press. *USA Today*. 23 April 2009. Available: <<http://www.usatoday.com/news/washington/2009-04-23-somalia-donors_N.htm>>.
- “European Union Meets China in Gulf of Aden.” EUNAVFOR Somalia News. 23 November 2009. Available: <<<http://www.eunavfor.eu/2009/11/eu-meets-china-in-gulf-of-aden/>>>.
- “Feature: Hijack Part 1.” AirDisaster.com. Accessed 15 November 2010. Available: <<<http://www.airdisaster.com/features/hijack/hijack.shtml>>>.
- “Feature: Somalia Moaning in Gunfire.” *English People’s Daily*. 10 July 2001. Available: <<http://english.peopledaily.com.cn/english/200107/10/eng20010710_74565.html>>.
- Foy, Henry. “Somali Pirates Jailed By Dutch Court.” *Guardian*. 17 June 2010. Available: <<<http://www.guardian.co.uk/world/2010/jun/17/somali-pirates-jailed-netherlands>>>.
- Gangadharan, Surya. “Navy Intercepts Pirate Ship, Rescues 13 Sailors.” CNN-IBN News. 14 March 2011. Available: <<<http://ibnlive.in.com/news/navy-intercepts-pirate-ship-rescues-13sailors/145840-3.html>>>.
- Garamone, Jim and Carolla Bennett. “Pakistani Admiral Takes Command of Regional Maritime Task Force.” American Forces Information Service. 24 April 2006. Available: <<http://classic-web.archive.org/web/20070109205251/http://www.defenselink.mil/news/Apr2006/20060424_4907.html>>.
- Gettleman, Jeffrey. “The Most Dangerous Place in the World.” *Foreign Policy*. 16 February 2009.
- Gortney, William. "Department of Defense News Briefing with Vice Admiral Gortney from Bahrain." US Department of Defense Office of the Assistant Secretary of Defense. 12 April 2009. Audio recording.
- “Guns On Board: A 'Real World' Look at Carrying Firearms on Your Vessel.” MaritimeSecurity.com. Accessed 17 November 2010. Available: <<<http://www.maritimesecurity.com/gunsonboard.htm>>>.
- Hari, Johann. "You Are Being Lied to About Pirates." *Independent*. 5 January 2009: A8.

- Hassan, Mohamed Olad & Elizabeth Kennedy. "Somali Pirates Transform Villages into Boomtowns." ABC News. 19 November 2008.
- Hassan, Mohamed Olad. "It's a Pirate's Life for Me." BBC News. 22 April 2009. Available: <<<http://news.bbc.co.uk/2/hi/africa/8010061.stm>>>.
- Hassig, Susan M. and Zawiah Abdul Latif. *Somalia*. Tarrytown, NY: Marshall Cavendish, 2007.
- Heubeck, Alfred. *Praegraeca: Sprachliche Untersuchungen zum Vorgriechisch-Indogermanischen Substrat*. Erlangen, Germany: Erlangen-Nuremberg University, 1961.
- Holmes, William Gordon. *The Age of Justinian and Theodora: A History of the Sixth Century AD, Vol. I*. New York: John Wiley & Sons, Inc., 1919.
- "Hostages Released After Ransom Paid." *Jakarta Post*. 2 May 2011. Available: <<<http://www.thejakartapost.com/news/2011/05/02/hostages-released-after-ransom-paid.html>>>.
- Humaidan, Muhammad. "Somali Piracy Hurting Saudi Shipping Badly." *Arab News*. 28 June 2010. Available: <<<http://arabnews.com/saudiarabia/article74609.ece>>>.
- Humanitarian Response Fund (HRF) Annual Report 2008. United Nations. Office for the Coordination of Humanitarian Affairs. Accessed 6 November 2010.
- Hunter, Robyn. "How Do You Pay a Pirate's Ransom?" BBC News. 3 December 2008. Available: <<<http://news.bbc.co.uk/2/hi/africa/7752813.stm>>>.
- Hunter, Robyn. "Somali Pirates Living the High Life." BBC News. 28 October 2008.
- Ignatius, David. "In Praise of Snipers." *Washington Post*. 13 April 2009: B2.
- "India Claims Pirate Ship Sunk." CNN. 20 November 2008. Available: <<<http://www.cnn.com/2008/WORLD/africa/11/19/somalia.pirates/index.html>>>.
- "Indian Navy Seizes Pirates Indian Ocean Mothership." BBC News. 4 January 2011. Available: <<<http://www.bbc.co.uk/news/world-south-asia-12376695>>>.
- "Indian Navy Thwarts Pirate Attack; Rescues Chinese Vessel, Crew." Indo-Asian News Service. 6 May 2011. Available: <<<http://www.ndtv.com/article/india/indian-navy-thwarts-pirate-attack-rescueschinese-vessel-crew-103889>>>.
- Johnson, Charles. *A General History of the Robberies and Murders of the Most Notorious Pirates, Volume II*. London: Lyons Press, 1998.
- Kaplan, Robert D. "Anarchy on Land Means Piracy at Sea." *New York Times*. 11 April 2009: A11.
- Kontorovich, Eugene. "International Legal Responses to Piracy Off the Coast of Somalia." American Society of International Law. 6 February 2009.
- Lee, Robert E. *Blackbeard the Pirate*. North Carolina: John F. Blair, 1972.

- Luft, Gal & Anne Korin. "Terrorism Goes to Sea." *Foreign Affairs*. November-December 2004.
- Manassa, Colleen. *The Great Karnak Inscription of Merneptah: Grand Strategy in the Thirteenth Century BC*. New Haven, CT: Yale Egyptological Seminar, Department of Near Eastern Languages and Civilizations, Yale University, 2003.
- McCartney, Scott. "The Golden Age of Flight." *Wall Street Journal*. 22 July 2010.
- McDaniel, Michael S. "Modern High Seas Piracy." Presentation Before the Propeller Club of the United States at the Port of Chicago. 20 November 2000.
- McGlone, Tim. "5 Somali Pirates Get Life for Attack on Nicholas." HamptonRoads.com. 27 March 2011. Available: <<<http://hamptonroads.com/2011/03/somalis-get-life-plus-80-years-pirate-attack-nicholas>>>.
- McPhedran, Ian. "Navy Warship & RAAF spy planes join fight against Somali pirates." *The Daily Telegraph*. 29 May 2009.
- "Mission." EUNAVOR Somalia News. Retrieved 20 May 2011. Available: <<<http://www.eunavfor.eu/about-us/mission/>>>.
- "Modern Pirate Weapons." MaritimeSecurity.com. Accessed 6 December 2010. Available: <<http://www.maritimesecurity.com/pirate_weapons.htm>>.
- Morgan, Patrick M. *International Security: Problems & Solutions*. New York: CQ Press, 2006.
- Morgenthau, Hans J. *Politics Among Nations: The Struggle for Power and Peace*. Fifth Ed. New York: Alfred A. Knopf, 1978.
- News Alerts. UN Office for the Coordination of Humanitarian Affairs. 20 March 2008. Available: <<<http://ochaonline.un.org/news/tabid/1080/default.aspx>>>.
- Ng, Eileen. "World Pirate Attacks Drop 18%." *Sydney Morning Herald*. 15 July 2010. Available: <<<http://news.smh.com.au/breaking-news-world/world-pirate-attacks-drop-18-20100715-10cld.html>>>.
- Obokata, Tom. *Transnational Organized Crime in International Law (Studies in International and Comparative Criminal Law)*. Belfast: Hart Publishing, 2010.
- "Pirate". Online Etymology Dictionary. Accessed 20 September 2010. Available: <<<http://www.etymonline.com/index.php?search=pirate&searchmode=none>>>.
- "Pirates Hijack Two Tankers Within 24 Hours off Somali Shore." Associated Press. 26 March 2009. Available: <<<http://www.foxnews.com/story/0,2933,510766,00.html>>>.
- Poddar, Prem, Rejeev S. Patke, and Lars Jensen, eds. *A Historical Companion to Postcolonial Literatures: Continental Europe and Africa*. Edinburgh: Edinburgh University Press, 2008.
- Ramsay, Jack C. *Jean Lafitte: Prince of Pirates*. New York: Eakins Press, 1996.

- “Red Sea & The Gulf of Aden.” Regional Profile. International Tanker Owners Pollution Federation (ITOPF). October 2003.
- Report of the Ad Hoc Committee on the Elaboration of a Convention against Transnational Organized Crime on the Work of its First to Eleventh Sessions.* Agenda Item 105. United Nations. General Assembly 55th Session. New York: United Nations, 2000.
- Rice, Xan et al. "Pirates Anchor Hijacked Supertanker Off Somali Coast." *Guardian*. 18 November 2008: C3.
- Ronzitti, Natalino. *The Law of Naval Warfare: A Collection of Agreements and Documents with Commentaries*. The Hague: Martinus Nijhoff, 1988.
- “Rural Poverty in Somalia.” Rural Poverty Portal. United Nations. International Fund for Agricultural Development (IFAD). Accessed 5 November 2010. Available: <<<http://www.ruralpovertyportal.org/web/guest/country/home/tags/somalia>>>.
- “Russian Warships Sail to Horn of Africa on Anti-Piracy Mission.” *RIA Novosti*. 29 March 2009. Available: <<<http://en.rian.ru/russia/20090329/120789018.html>>>.
- Sachs, Moshe Y. *Worldmark Encyclopedia of the Nations*, Vol. II. New York: Worldmark Press: 1988.
- "Saving Captain Phillips." *Wall Street Journal*. 13 April 2009: Opinion.
- Shaw, Ian and Paul Nicholson. *The Dictionary of Ancient Egypt*. London, British Museum Press, 1995.
- “Ship-Owners Call for UN-Led Force.” BBC News. 24 November 2008. Available: <<<http://news.co.uk/2/hi/africa/7745682.stm>>>.
- Shultz, Richard H. and Andrea J. Dew. *Insurgents, Terrorists, and Militias: The Warriors of Contemporary Combat*. New York: Columbia University Press, 2006, 67.
- “Somalia.” CIA World Factbook. Accessed 26 November 2010. Available: <<<https://www.cia.gov/library/publications/the-world-factbook/geos/so.html>>>.
- “Somalia Crisis: Situation as of 22 January 2009.” United Nations. World Food Programme (WFP). 20 April 2009.
- “Somalia Criticizes US for Putting Pirate on Trial.” Portalangop.co.ao. 20 April 2010. Available: <<http://www.portalangop.co.ao/motix/en_us/noticias/a...te-trial,8b244622-c3d3-4951ad9c05c930fe9514.html>>.
- “Somalia: Drought-Affected Flock to Towns in Central Region.” Integrated Regional Information Networks (IRIN). 22 April 2009. Available: <<<http://www.irinnews.org/report.aspx?Reportid=84045>>>.
- “Somalia: How Diaspora Funds Somali Pirates.” *Kenyan Business Daily*. 7 September 2009.

- “Somalia: Pirates Attack UN Aid Ship, Prompting Call for Action.” United Nations. News Centre. 20 May 2007. Available:
 <<
- “Somalia: Puntland to Start Construction of New Navy Base.” Horseedmedia.net. 4 May 2010. Available: <<
- “Somali Pirate Sentenced to 33 Years in US Prison.” BBC News. 16 February 2011. Available:
 <<
- “Swiss Military Action Against Pirates Rejected.” *News.ch*. 20 January 2009. Available:
 <<
- Veloza de Melo Bento, Lucas. “‘Along Liquid Paths’: The Dualistic Nature of International Maritime Piracy Law.” 25 September 2010. Available at SSRN:
 <<

<<<http://www.fullbooks.com/Wanderings-Among-South-Sea-Savages-And-in3.html>>>.

Walsh, Kenneth T. "Obama's Authorization of Force Against Pirates is a Defining Moment." *US News & World Report*. 13 April 2009.

Warsameh, Abdurrahman. "Somalia: Poverty Forces Children Onto the Streets." Inter Press Service News Agency. 20 January 2009. Available:

<<<http://ipsnews.net/news.asp?idnews=45482>>>.

"WFP Activities." World Food Programme: Fighting Hunger Worldwide. Retrieved 1 November 2011. Available: <<<http://www.wfp.org/countries/Somalia/Operations>>>.

Wiles, Peter John de la Fosse. *The New Communist Third World: An Essay in Political Economy*. New York: Taylor & Francis, 1982.

Yang, Oihe. *Africa South of the Sahara 2001*. 30th Ed. New York: Taylor & Francis, 2000.

"Yemen Court Sentences Six Somali Pirates to Death." Reuters. 18 May 2010. Available:

<<<http://www.alertnet.org/thenews/newsdesk/LDE64H1QB.htm>>>.