Introduction

AN ANTHROPOLOGY OF PROTECTION

TWO SMALL SKIFFS APPROACHED the aft side of the ship. On October 28, 2007, eight nautical miles off the coast of Somalia, the *MV Golden Nori* carried a cargo of highly flammable benzene as well as a crew of twenty-three merchant mariners primarily from the Philippines, South Korea, and Myanmar. A US naval official in Washington, DC, appraised the situation: "It was a perfect day for a hijacking, the waters were calm, the visibility was good, and the ship was moving along at a slow cruising speed of eight knots an hour." Weighing 11,676 deadweight metric tons (DWT) and the approximate length of one soccer field, the *Nori* was a relatively small cargo ship, though it would have towered over the fishing skiffs. Careful not to get caught in the wake of the ship, the pirates hooked a rickety ladder onto the side and climbed onto the ship. Once on board, things became a little tricky for the hijackers. The captain had sent a distress call just before they entered the bridge and the *USS Porter,* a naval destroyer patrolling the Horn of Africa as part of Operation Enduring Freedom—Horn of Africa (the African outpost of the US-led global war on terror), received this call. The *Porter* arrived shortly afterwards and shot warning rounds in the direction of the *Nori,* sinking the skiffs attached to the rear side of the tanker. Soon, a German naval vessel and a French Chinook helicopter also started following the ship. Given its highly flammable cargo, the owners of the *Nori,* a chemical tanker company based in Japan, urged the navies to cease fire, and the ship, which had changed course towards Somalia, continued on its way to Bosaso in the autonomous region of Puntland in northern Somalia. As the *Nori* arrived in Bosaso, the *Porter* and other warships blockaded the port, preventing the ship from entering. For the next two months, hijackers and hostages were trapped on board as negotiations for release ensued.

"Benzene is a highly volatile chemical," explained Samir, a broker for a tanker-chartering firm. "It evaporates quickly at room temperature, so the air in the immediate proximity of containers carrying benzene—and remember, the *Nori* has twenty cargo tanks, so about seventy-thousand-plus barrels of this material—is rich with hydrocarbons and oxygen. All it needed was a spark and the whole thing would have gone boom." Tanker-chartering firms are companies that hire chemical tankers from shipowners, and Samir was explaining to me why the *Nori* owners negotiated a tenuous ceasefire between the navies and the hijackers. "That would be our protocol as well," he said. "You want to avoid the risk of fire at all costs in that situation." We walked over to a model of a chemical tanker displayed prominently at the entrance to his office, a large open room of cubicles humming with activity and boasting an enviable view of the Singapore skyline. "See this whole thing?" He gestured towards the deck of the model tanker. "It's one big floating powder keg." As we both stood admiring the labyrinth of pipes and barrels that make up a chemical tanker, he added, "They got lucky—the pirates got lucky with their cargo."

The pirates did get lucky. The flammability of benzene prevented the navies from doing anything more than blockading the Bosaso port and keeping a watchful eye as negotiations commenced between the shipowners in Japan, maritime insurance companies in London, and the hijackers in Bosaso.

During my time in Bosaso in 2011, a range of people would recall with vivid detail the standoff between the *Nori* and the international navies. One day as I sat with Gurey, a port inspector, at the edge of the fishing jetty, he gestured past the sunken Pakistani dhow[1] that marks the entrance to the Bosaso port. "From here," he said, "we would have seen the *Nori* and the warships." As we watched a dhow glide out to sea in the hazy evening light, he continued, "For weeks we heard helicopters overhead and warnings from the navy to convince the pirates to give up. But they never attacked the ship because of the chemicals and hostages on board. You could see small boats going to and from the ship every day. Negotiators would travel to the ship and supply boats with food, water, and khat[2] . . . [They] would leave from this jetty at night to keep the hostages and the crew members fed."

This almost-daily movement of supplies and negotiators was crucial for ransom negotiations. But as time wore on and they accrued more debt, the pirates grew more nervous. "No pirate acts alone," Gurey told me. "They had procured the money to buy supplies from financiers belonging to their *diya* [group responsible for payment of restitution], and each passing day meant less reward [ransom] for the pirates."

Meanwhile, in a glass building in the city of London a group of insurance underwriters were also getting nervous. An underwriter whose company insured chemical and gas tankers explained to me the complexity of cases like the *Nori.* Given the high cost of chemical tankers, ranging from $6 million to $10 million, vessels are often leased through large shipping pools. A hijacking, then, meant that shipowners lost money daily during ransom negotiations. Additionally, given the volatility in chemical prices, delays meant potentially large losses to the cargo owners. "The adage 'time is money' was certainly relevant in the case of *Nori,*" he remarked, noting that long negotiations make everyone nervous, not only the families of seafarers. "The insurance company has the responsibility to protect the crew and cargo. In these cases, we always recommend hiring a negotiator, otherwise things can get derailed very easily. Luckily with the *Nori,* the hijacking was resolved in two months. I've heard of ships stuck for over two years."

Back in Bosaso, Gurey remembered when the *Nori* was released. "There were rumors the night before that an airplane had dropped a package [containing a million-dollar ransom] onto the ship. I didn't see anything, but the next day from the jetty I watched the *Nori* sail away." Pointing to a small settlement next to the port with fishing skiffs anchored in the little bay, Gurey recalled that a fisherman had reported watching the pirates slip away from the ship back onto land. "The pirates won that day: all these big navies were watching and they could do nothing." Gurey had almost a hint of awe in his voice and a grin was faintly visible in the post-dusk hour. "It was the *Nori* that made piracy into a big business. After that people went from catching fish to capturing ships."

The successful hijacking of the *Nori* was followed by an unprecedented upsurge in incidents of maritime piracy off the coast of Somalia. From 2007 to 2012, over one hundred fifty ships and over three thousand crew members of one hundred twenty-five different nationalities were held hostage in the western Indian Ocean (UNODC-WB 2013, 2). In contrast to maritime piracy in other parts of the world, piracy in the western Indian Ocean operates almost exclusively on a hijack-and-ransom basis, with crew, cargo, and ship held hostage until negotiators secure a ransom—a process that can take from as little as a few weeks to as long as three years. A ransom requires willing parties and a structure of exchange. Piracy could not exist without some kind of agreement, however forced, between the various actors involved in this world, or the infrastructures of communication and mobility that make negotiations and ransom payments possible. The *Nori* incident and subsequent hijackings foreground this complex network of insurance companies, shipping conglomerates, and coastal Somali piracy syndicates.

A chemical tanker hijacked by a few men on small skiffs who outsmarted international navies seems like an improbable story. In an era of US naval hegemony, drones, and near-constant surveillance, pirates and piracy should be anachronisms, relics of a different time. And yet, not only was the *Nori* hijacked—under the watchful eyes of naval destroyers—but a million dollars landed on the ship securing its release. Why did shipping companies pay this ransom (and even larger sums after the *Nori* hijacking)? Why were so many actors involved in negotiating the release of the ship? Why *did* pirates win that day?

This book examines the making of a hijack-and-ransom economy in the western Indian Ocean to show how the capture of a ship makes visible systems of protection that exist not only in coastal Somalia, but also in the offices of maritime insurance companies in London and on board NATO warships. In contrast to the common notion of piracy as *hostis humani generis* (enemy of all mankind) (Greene 2008; Heller-Roazen 2009), or "mere theft at sea" (Rubin 1986, 1), or even the romanticized figures of popular culture, the concept of protection emphasizes parallel and competing systems, where piracy represents not only an interruption but also an attempt—framed through the threat of violence—to insert oneself within a global sea of trade. The hijacking of a ship forced these varied systems of protection to come into contact with each other and reveals the often-surprising ways in which these seemingly distinct systems become legible, however briefly, to each other.

From insurance contracts to the protection of kinship groups, and from armed guards to the presence of naval destroyers, long-distance trade has been shaped by practices of protection. As this book will show, protection emerges clearly at sea because maritime journeys are always vulnerable. Waves engulf, boats sink, people drown, cargo transforms into flotsam and jetsam, and pirates (and navies) arrive at the threshold, armed. Before, during, and (importantly) in the aftermath of a hijacking, each of these actors *protects* their investments, interests, reputations, human lives, or all of them at the same time. These multiple forms of protection undercut the empirical and analytical divides between piracy and counter-piracy. In the popular imagination, the worlds of piracy and counter-piracy are generally seen as distinct and diametrically opposed, with a ragtag set of "desperados from a dysfunctional land" (Lane 2013, para. 5) pitted against the global leviathan of the shipping industry and naval forces from several powerful nation-states. "Bad"

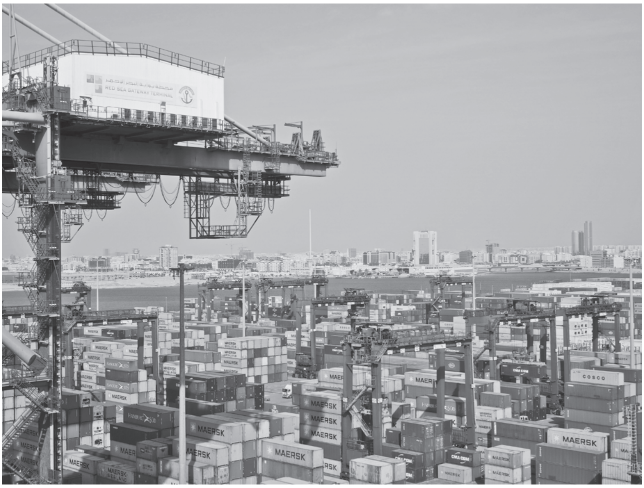


FIGURE 1. Shipping containers in a Red Sea port, 2018. Photo by author.

pirates and the "good" coalition of counter-piracy are divided both spatially and analytically. In opposition, the presence of protection across this global field of claim-making over ships and mobile objects at sea, from northern Somalia to the offices of Lloyd's of London, reveals an alternative system of connectivity, forged through protection.

SOMALIA AND THE WESTERN INDIAN OCEAN: CONNECTIONS AND INTERRUPTIONS

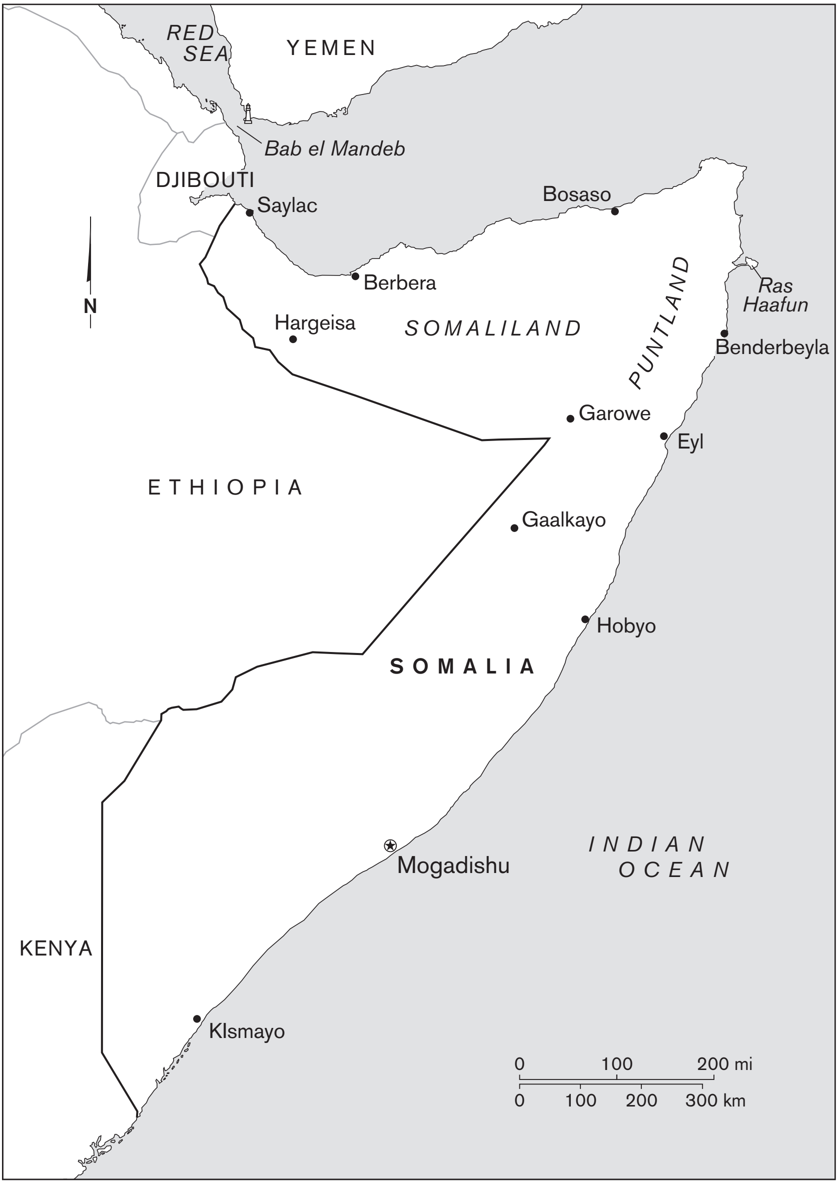
Millions of ships are at sea. From small fishing boats stitched together with balsa wood and rope to lumbering supertankers—leviathans of metal and machine—millions of vessels and millions of seafarers are currently afloat in the ocean. Almost everything we eat, wear, or otherwise consume on a daily basis has some connection to these vessels and to global shipping. Some 90 percent of global trade—approximately six billion tons of cargo—travels on over one hundred thousand cargo ships that are operated by 1.25 million seafarers (UNCTAD 2018).

The western Indian Ocean is central to this world of trade, with anywhere between twenty-two thousand and twenty-five thousand vessels transiting through the Suez Canal each year. Every day, in fact, 4.8 million barrels of oil move through the Bab-el-Mandeb Strait, representing over 30 percent of the world's oil supply (USEIA 2017). These numbers do not include the many millions who traverse these restive waters on a daily basis—the fishermen, the migrants, the smugglers, the pirates—whose journeys (both failed and successful) are equally central in shaping the contemporary world.

Despite its importance, life at sea, as well as the labor of those who toil in these waters, often remains murky to those on land. We suffer from a form of "sea-blindness"[3] that keeps us oblivious to the deep maritime connections essential to everyday life. Accidents and disasters such as oil spills, migrants drowning at sea, the search for the wreckage of commercial airlines downed at sea, and shipwrecks offer the fleeting moments when global attention turns to the ocean before returning again to land.

Coastal Somalia has a vexed relationship and a long history with the highways of maritime commerce. Adjacent to some of the busiest shipping lanes in the contemporary world, with the longest coastline in mainland Africa, Somalia abuts against the sinews and circuits that connect Europe to Asia by way of the Red Sea and the Indian Ocean. Yet one of the first and most enduring impressions of the Somali coast is its geographic inhospitality. North of Mogadishu, the East African coast transforms from the verdant forest-and-sea region that begins in Mozambique in southern Africa into a desolate desert-and-sea region that extends from Mogadishu across the Horn of Africa, South West Asia and the Indus Basin. Occasionally interrupted by small coastal settlements, this desert region is flanked by the jagged peaks of the Ogo Mountains as the coastline veers away from the Indian Ocean towards the narrow Red Sea.

Offshore, a series of wind patterns and oceanic currents circulates between Asia and Africa, between the Red Sea and the western Indian Ocean, creating both a rhythm to life on land and sea and, prior to the coming of steam, an infrastructure to transoceanic movement. This dynamism of hinterland and coast, of wind and currents, is central to the varied interactions that have shaped coastal Somalia from Zeila in the North on the Red Sea coast to the Bajuni Islands and the Lamu archipelago in the South.[4] As early as the first century AD, tales from Somali ports appeared on papyrus in ancient Greece. Compiled and copied to parchment by a Byzantine scribe in the early tenth century, the *Periplus Maris Erythraei* is one of the few extant chronicles of an Indian Ocean world prior to the coming of Islam. This practical handbook lists in great detail the prevailing wind patterns and offers tips on sailing the monsoonal seas, advice on goods to buy and sell, and brief references to the nature of political authority along the coast from Egypt to the Malay


RED SEA
YEMEN
Bab el Mandeb
DJIBOUTI
Saylac
Bosaso
Berbera
PUNTLAND
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MAP 1: Map of Somalia.

Peninsula. Following the *Periplus,* the Somali coast appears in the works of Arab geographers such Yāqūt ibn ʿAbd Allāh al-Ḥamawī (d. 1229), whose literary geography, *Kitab Mu' jam al-Buldan,* chronicles a lively and polyglot world of exchange in the port cities of the Red Sea and the western Indian Ocean. What emerges in these texts, as well as a rich Indian Ocean historiography developed over the past three decades, is a zone of connections created through centuries of cross-cultural trade and the mobility of people, ideas, and goods.[5] In the Red Sea and the Indian Ocean these routes were identified with an ecumenical Islam, specifically the Shafi'I school of jurisprudence and Muslim merchants and states. This was not a "Muslim lake" but rather a restless cosmopolitan ocean of multiple religious communities and social movements that existed alongside, and exceeded the temporalities of, various empires in this oceanic space (Ho 2004).

In recent years, scholars, particularly those working on the nineteenth-century western Indian Ocean, have sought to detail not only specific connections across oceanic space but also the economic, political, legal, and infrastructural forces that made them possible (Bishara 2017; Machado 2014; Mathew 2016; Huber 2013; McDow 2018). These works productively push beyond an earlier focus on cosmopolitanism by emphasizing inequalities and unfreedom (Hopper 2015) as well as the centrality of violence in shaping western Indian Ocean connectivity in the long nineteenth century (Prange 2018; Subramanian 2016).

Drawing from these archives of trade and navigation in the Indian Ocean as well as the more recent oceanic turn in the humanities,[6] *Captured at Sea* foregrounds a transregional geography and the dynamic ways in which Indian Ocean histories shape contemporary forms of mobility and interruption in this oceanic realm, including the interruptions and connections forged through piracy. In the western Indian Ocean, ships, crew, and cargo move and moor through ports and traverse geographies that are old and new. As the Indian Ocean emerges as a renewed locus for global trade and geopolitics, including South-South interactions (Kaplan 2010; Verges 2003; Hofmeyr 2010; Prestholdt 2015), new infrastructural visions of connectivity such as port projects, rail networks, and shipping lines find themselves traveling much older paths. Take for example recent megaport-development projects funded by new investments, particularly from China and its One Belt One Road Initiative, across the western Indian Ocean littoral from Lamu to Gwadar. In the everyday working and contestations over such projects, old networks of trade and exchange are both made visible and also reenergized (Dua 2017b; Jamali 2013). The contemporary mobility of ships, goods, and capital thus emphasizes the salience of long histories not as static contexts, but as both "project and process" (Ben-Yehoyada 2016, 24) in shaping the western Indian Ocean.

Thinking through the ocean has important consequences for how we understand Somalia as well. The collapse of the central government in 1991, warlords, haunting images of large-scale famine, and an American soldier being dragged through the streets of Mogadishu are often the only visual register through which the rest of the world understands this corner of East Africa. Somalis and others have sought to write against these images, noting the ways in which life continues and indeed thrives amidst this suffering. They have also emphasized western complicity in producing and perpetuating conflict in this region.[7] The absence and presence of the Somali state has been a central feature in thinking and writing about the region, often for good reason given the hardships endured by Somalis due to over twenty years of statelessness.[8]

Academic and nonacademic responses to maritime piracy similarly foreground this emphasis on state failure. The first camp of scholarship locates piracy primarily as a maritime offshoot of larger issues with governance and the consequences of state failure in Somalia (Daniel 2012; Ibrahim 2010; Stevenson 2010). In this narrative, pirates exist in Somalia because the state does not. Piracy, for these analysts, is often conflated with Al-Shabaab and other militant groups operating in the region.[9]

A second set of literatures has sought, with varying emphases, to critique and contextualize the narrative of failed states and the ways it obscures forms of governance and order without government. The rise and success of piracy in Somalia, as these works note, while tied to failures of governance, also requires a degree of stability in order to make possible the recruitment and redistribution that is central to the kidnap-and-ransom economy of Somali piracy. Empirically, if ungoverned space were a critical factor, piracy in Somalia would be concentrated in south-central coastal areas, which have been the most lawless, violent, and crime-ridden areas since 1991. But pirates have not been very active on the southern coast. Instead, they have clustered on the northeast coast in Puntland and in several fishing villages in central Somalia, where a weak, but functional, local administration holds power.[10]

While inspired by a number of these works, particularly scholarship that has nuanced understandings of state failure, the transregional oceanic geography that frames this book offers the possibility of a different kind of story.

Here, I emphasize worlds of obligations and long histories to show how spaces like Somalia and the Indian Ocean and practices like piracy are constituted through transregional connections and interruptions. Far from being an anachronistic practice or aberration, maritime piracy calls attention to the logics of contemporary capitalism and new forms of regulation while emphasizing longer histories and the oceanic contexts of these systems.

WHO IS THE PIRATE? A TALE OF TWO THALASSOCRACIES

Where the Indian Ocean and the Red Sea meet is a mist-covered promontory, Ras Asir (Cape Guardafui) in contemporary Somalia. In the early nineteenth century, this area had become infamous as a graveyard for ships making their way from the relative calm of Aden or Berbera in the Red Sea to the Indian Ocean. During the southwest monsoon, lasting roughly from May to November, when strong currents and gusty winds blow from the south, ships would often get caught in a whirlpool that developed northeast of Ras Asir. An unfortunate ship caught in this whirlpool would find itself thrown westward towards the treacherous rocky coast. By the beginning of the nineteenth century, this coastline and the Majeerteen inhabitants of the area had developed a ferocious reputation for plundering vessels that had the misfortune of being stranded along this desolate coast.

To curb this annual share of shipwrecks, the construction of a lighthouse was proposed to protect ships and provide comfort to sailors in these treacherous waters. From the beginning this project was staunchly opposed, and acts of sabotage occurred regularly. Writing in a briefing, a representative of the Italian Protectorate noted:

> A little beyond Obok rises the majestic promontory of Guardafui, where these many years past a lighthouse has been projected, though up till now the only ascertainable result of these projects has consisted in words and promises. The inhabitants are violently opposed to the idea, seeing themselves about to be deprived of a very profitable source of income, and Sultan Osman, himself being the person principally interested, is the head and front of the opposition. (Baldacci 1909, 71)

Shipwrecks, as the report highlights, provided the Majeerteen with a steady source of profit, and, importantly, the flotsam and jetsam of these wrecks was their ticket into the world of Indian Ocean trade and a source of political power on land. In particular, the Majeerteen created a redistributive economy through the sale of these goods in Arabia and the distribution of profits to kinsmen-turned-clients, creating obligations that could be exchanged later for rights in labor, water, and the use of pastures. Prior to the creation of this shipwreck economy, Majeerteen political organization consisted of small groups of inland herders and fishing communities along the coast interlinked through claims of common descent. By the mid-nineteenth century this world had significantly transformed. The Isman Mahmoud, one of the three major lineages of the Majeerteen, had consolidated power and created a new regional political economy built around shipwrecks (Durril 1986). All that came from the sea belonged to *Boqor* (Sultan), proclaimed the Isman Mahmoud as they jealously guarded the bounty of the sea with the Sultan's house exercising ownership over the profits of plunder. Within the Majeerteen Sultanate, plunder and trade were inextricably linked.

In the nineteenth century, as ships transformed into flotsam and jetsam and crew members found themselves marooned on the northern Somali coast, they were claimed within multiple regimes of protection. What the Majeerteen understood as redistribution, the Italians and the British called piracy. Efforts to curtail this shipwreck economy entailed port blockades and aerial bombardments (Portenger 1819) as well as the signing of protectorate treaties with various rulers of Puntland. The first treaty a Somali *Boqor* ever signed with a Western power was an agreement with the British in 1838.[11] It engaged him to protect British ships and nationals when passing by or shipwrecked on the shores of his chiefdom. Plunderers of shipwrecks had been transformed into protectors, and rulers into clients.

These contests over shipwrecks are part of a longer history of claim-making at sea. One of the first instances of the terms *pirate* and *piracy* appears in classical Greek. *Peirates* was used not to describe individual acts of banditry or takings on sea, but rather to describe the political structure of bands along the Aegean "where forcible seizure was one way to acquire metal or other goods from outside sources" (Rubin 2006, 5). For the Greeks, piracy had little to do with legality, but was an economic system practiced by diasporic[12] seafaring communities in the Aegean where raiding was a secondary system of transfer and redistribution. Opposed to this understanding of piracy as a form of commercial transaction, Roman law focused on pirates as rebels or enemies who refused to recognize the supremacy of Roman law. Daniel Heller-Roazen (2010) notes that Roman commentators, such as Livy, framed actions against pirates through a language of war (*belloque*). For the Romans, pirates were treated, not as criminals, but as enemies to be met in war and defeated—enemies that as Cicero notes were *communis hostis omnium* (common enemy of all).[13]

From piracy's earliest beginnings, then, we see a vision of two different thalassocracies (maritime empires)—one diasporic, the other imperial. From the vantage point of a diasporic empire, like that of the Greeks, piracy was part of an economic world that constantly blurred between seizure and exchange. For the Romans, piracy represented a political challenge to imperial legitimacy, one that required a moral and legal response—a war against piracy. This second vision of piracy, as a threat to imperial order at sea, emerged again in the context of the changing Mediterranean and Atlantic world of the fifteenth century, an era of imperial competition and transatlantic slavery. In a world dominated and divided through papal decree between Spain and Portugal, newcomers (such as the English, French, and Dutch) relied on a form of privateering initially financed by monarchs, and later funded by private enterprises and legally supported by natural-law and positive-law claims to legitimacy (Starkey, van Heslinga, and Moor 2001; Greene 2010). These new states desired empire but had neither the resources nor the military might to achieve these goals. Thus, a form of outsourcing emerged where "violent entrepreneurs"[14] carried out state policy by private means.

Through the issuance of letters of marque, European monarchs and republics "legalized" piracy and ensured that a percentage of the profits would finance state expansion and consolidation. Yet legalized privateering was always a precarious identity, and wartime privateers often turned pirate in peacetime. These pirates then threatened the very empires they had helped create, defend, and finance. Such fear of privateers gone rogue turned into a full-scale "war on pirates" in the late seventeenth and early eighteenth centuries, but, unlike the campaigns of Pompey and the Roman Empire, the end of the golden age of piracy was ushered in not through a declaration of war but through naval police actions and trials by admiralty courts and other municipal jurisdictions. Piracy, as jurors were regularly reminded in the seventeenth century, was *merely* robbery committed at sea. It was during this time that figures such as Captain Kidd and Samuel Bellamy, whose operations extended from the Atlantic to the Indian Ocean, were brought before admiralty courts in England and publicly executed in order to serve as a warning to other sailors who harbored dreams of "turning pirate" (Rediker 2004; Ritchie, 1989; Benton 2005).

In the Atlantic (and later the Indian) Ocean, this battle against piracy was central to promoting what the historian David Armitage (2000, 101) has called the "myth of an empire of the seas [as] critical to defining the British Empire as both free and benign." Campaigns against piracy (and slavery) became tools through which to transform oceanic space and to project a monopoly on violence at sea, especially in the Indian Ocean. The eradication of shipwreck economies on the coast of northern Somalia was part of this attempt to legitimize empire on land and sea.[15]

Contestations over piracy and protection in the Indian Ocean thus became a mode of delegitimizing local power and expanding European influence in the region. Importantly, they also became part of the vocabulary of resistance to European expansion. Rulers across the Indian Ocean claimed they were not pirates but legitimate protectors, thus turning the claims of piracy back onto their accusers.[16]

I was reminded of these longer histories and contests over the meanings of piracy when I started doing research in Puntland in 2010, specifically in my encounters with Asad. A former politician and an avid reader of *The Guardian,* Asad and I used to meet for weekly coffee to discuss the news, a meeting that would end—much to my delight—with Asad giving me his weekly pile of newspapers. We met when I first arrived in Somalia, and upon learning about my research he suggested a follow-up meeting so he could give me what he termed "the truth about piracy." The next day, he handed me a newspaper article written by a British journalist that proclaimed we had all been lied to about Somali piracy. "See, it says right here, piracy in Somalia is a revolt against illegal fishing. These people are just fishermen who had no other choice but to fight against the looting of our resources!" As he encouraged me to write about piracy, he noted that I should not fail to mention that "Who the West calls pirates, we call *geesiyaal* [heroes] in Somalia."

But a few months later, Asad's story had changed. Over coffee, I was asking him about fishing cooperatives as a potential solution for piracy, when he dismissed the question with a wave of his hand. "You won't understand piracy by studying fishing—it's a business. Even Harvard Business School teaches about piracy as a business. They're businessmen, that's it." I was somewhat taken aback by this change of tune, though not surprised. I was increasingly encountering a number of self-proclaimed pirates who were re-narrating piracy as a business enterprise, with one group in central Somalia changing its name from "coastguard" to "private investment group." Asad was fascinated by that group's business model, emphasizing, "That's what you should be writing about. It's very Somali, really: we are the most entrepreneurial people."[17]

When I returned to Puntland in 2013 for a follow-up research visit, I called Asad. When he found out I was still working on piracy, he somewhat abruptly replied, "Those people are bad, they are *tuugag* [criminals]. Why waste your time writing on them?"

For Asad, as for many in Somalia, the transformation of pirates from *geesiyaal* to *tuugag,* from heroes to criminals, reflects debates over piracy in Somalia during its rise and fall (and possible renewal) from 2007 to 2013. This transformation also points to a wider slippage in the meaning of piracy and pirates. Across space and time—from nineteenth-century shipwreck economies in coastal Somalia to Greek and Roman visions of maritime piracy, and from Atlantic and Indian Ocean debates on piracy to shifting meanings of piracy within Somalia—these terms are notoriously difficult to define. Yet, this is precisely why they remain central in shaping ideas about legality and economy.[18]

THE RETURN OF THE PIRATE

Late-nineteenth-century transformations in steamship technology that made vessels bigger and faster at sea, in addition to consolidating British and later American global control over the world's oceans (Mahan 1890), are broadly understood as sounding the death knell for large-scale organized maritime piracy. By the early twentieth century, the pirate and maritime piracy was seen as a relic of the past and by 1924, legal scholar Edwin Dickinson asked in the pages of the *Harvard Law Review,* "Is the Crime of Piracy Obsolete?"[19]

The codification of a definition of maritime piracy in the early twentieth century emerged, therefore, not in response to an immediate need for clarifying the definition of piracy, but instead as part of a larger project of legal codification of international law. Maritime piracy in these debates was hardly understood as an immediate problem. Instead, this codification reflected the institutionalization of a liberal international order and its desire for legal rationalization, as well as for the solidification of the role of the state in the governance of territorial waters; the codification of maritime piracy was thus part of a larger process of territorializing the ocean (Ranganathan 2015).

The end of the Cold War saw the surprising return of maritime piracy, a seeming vestige of a bygone era, to the world's oceans. Shifting regulatory regimes, a proliferation of small weapons, the growing demand for fish, and the de-peopling of global shipping made the busy shipping lanes of Southeast Asia and Africa once again sites of predation, profit, and plunder (Dua 2019; M. Murphy 2009). According to the International Maritime Bureau (IMB), beginning in 1991, a number of regions including the Straits of Malacca in Southeast Asia, the Gulf of Guinea in West Africa, and the Red Sea off the coast of Somalia saw a sharp increase in maritime predation.[20] From 1991 to 2006, the Straits of Malacca were the most heavily pirated waters traversed by global shipping. The attacks in Southeast Asia primarily involved the theft of cargo and (sometimes) entire vessels as ships passed through the dense archipelago of these straits. Operating from small islands in the shadow of bustling ports like Singapore, piracy in Southeast Asia in the 1990s was, in the words of one author, a sophisticated form of "maritime mugging" (Lehr 2006, 3).

Somali piracy had a very different character, because ransom making was its main objective. Prior to the 2007 hijacking of the *Nori,* the story at the beginning of this book, piracy off the coast of Somalia had been a sporadic and localized affair, with fishing vessels and dhows the primary target of the hijackers. Ransom payments were smaller, ranging from $50,000 to $100,000, and piracy seldom left the coastal region.[21] The hijacking of the *Nori* marked a significant scaling up of ransom payments. The *Nori* was released for an estimated $1 million and, importantly, set the stage for the ransom economy of maritime piracy. By 2008 Somali piracy had overtaken piracy in the Straits of Malacca such that, according to the IMB, 23 percent of all global piracy attacks were taking place off the Somali coast (IMB 2008). By 2011, the majority of all reported piracy attacks occurred in the western Indian Ocean. A listing of the number of attacks and crew members hijacked makes for sobering reading. A World Bank report published in 2013 noted that, since 2005, "pirates from Somalia ha[d] carried out 1,068 attacks. Of these, 218 resulted in successful hijackings with [the] abduction of at least 3,741 crew members of 125 different nationalities, and payment of US$315 million–US$385 million in ransoms. Between eighty-two and ninety-seven non-Somali seafarers are believed to have died in attacks, detention, or rescue operations" (World Bank 2013, 1).

This upsurge in incidents of maritime piracy led to a coordinated global naval and legal response. Acting under the legally binding Chapter VII