'Authority beyond the Ganges: The Politics of Predation on a Maritime Frontier'

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For Europeans sailing in the early nineteenth century, the spectre of piracy haunted the passage through the Straits of Malacca. For the native seafarers they feared, however, the threat posed by Europeans could feel just as real. In 1809, for instance, the annual Bugis convoy had the misfortune to come upon a blockading squadron of the Royal Navy, sent to prevent Arab vessels reaching French ports in the western Indian Ocean. Mistaking them for a fleet of pirates, the British let loose the powerful cannonade of a 40-gun French frigate, the *Piedmontaise*, captured a year before off Ceylon. '[W]e were much injured by them, plundered, and put to death when we were proceeding to Penang', the *nakhodas* protested to the colonel in charge of the island. '[T]wo Prows were taken and the men killed, six or seven only escaping in each Boat. We make this known to your Highness, and we dread to meet you again with the men of war.'

In six years time the close of the Napoleonic Wars would leave the British Empire with the largest and most capable naval force that it had ever enjoyed in peacetime. The East India Company, still with its mandate to direct the Royal Navy beyond the Cape of Good Hope, had by this time all-but conquered India. From their presidencies they auctioned ever-more opium to the 'country traders' who would take the drug through to the South China Sea. Penang, of course, was founded for just this purpose, as an entrepot. Francis Light had been a midshipman in the Seven Years War, who turned to arms-dealing for a private firm in Madras, and soon found himself at the diplomatic forefront of British imperial expansion. Notoriously, in bartering Penang, Light offered the sultan of Kedah a promise of protection that soon proved hollow, while the sultan, for his part, merely feigned independence from his overlords in Siam. As Light's career well-illustrates, British imperial politics in Southeast Asia began as a balancing act, between commerce and the maritime world on the one hand, and authority and territory on the other.

What I would like to do in this paper is explore this dynamic four decades later, when we see the spheres of commerce and authority diverging in the Straits of Malacca. As an administrative offshoot of Bengal, Penang represented the farthest reach of British imperial authority. This was affirmed in 1824, when a new template was drawn to delineate Dutch and British 'spheres', with a new border bisecting the Straits, lacing its way around the Peninsula. An important consequence of this, best treated by Carl Trocki, was the dismemberment of Johor; its core, the Riau-Lingga Archipelago (effectively autonomous between 1795 and 1818), became a laxly administered buffer zone for Dutch Batavia, while its twin heads—the sultan and the

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temenggong—landed in poverty on the British side, in Singapore. Thus this maritime empire, and heir to Malacca, gave way to a vacuous frontier-zone between two European rivals, each incapable of exercising the authority they claimed.

Johor, in a sense, was a polity run-aground. Daing Ibrahim, temenggong from 1825, ultimately departed from his sea-lord forebears by turning to the jungle, settling those who remained loyal to him to collect gutta-percha as a sorely needed source of both revenue and legitimacy. Seafaring subjects found themselves dislocated and stateless, while many coalesced into alternative organisations that tried to resist the new political order of the European powers. What the British called 'piracy', therefore, was a product of a political vacuum that their own imperialism had helped to bring about. It was not, as the colonial discourse maintained, a 'timeless' feature of Malay culture and Southeast Asian geography. In 1828, a Company servant took what he called 'The most casual view of a Chart of these Seas', and saw how

> no part of the globe is more favourably adapted for the secure and successful practice of Piracy'. 'When to these natural facilities are added the concurring habits and disposition of the Natives, which inhabit these Islands, we shall scarcely expect to find it less flourishing here than in the states of Barbary. From the earliest times of which we have any record of these Countries piracy has been a distinguishing feature in the Character of the Malays.

Piracy, thus represented, was indeed 'timeless' and, as elsewhere, essentially unrelated to the rising tide of British imperialism.

By the 1820s, characterising maritime resistance to British expansion as 'piracy' had had dramatic effects in the Indian Ocean world. In the drawn-out wars with the Marathas, this exercise in criminal branding wrested political control from the coastal states of western India; in 1809 and 1819, two dramatic anti-piracy expeditions against Ras al-Khaima effectively subordinated the entire Gulf-region to a western hegemony that lasted well into the twentieth century. In the Straits, however, Bengal authorities were far more reluctant to expand the empire's reach than Bombay had been in previous decades. Now, of course, the Company was fast-losing its commercial footing. A leading publicist in Calcutta went so far as to suggest that piracy was passively encouraged, due to a corrupt and despotic imperial rule which allowed it to thrive in spite of the free trader. 'Why is it', he asked,

> that the supreme rulers of these seas, the Dutch and English monopolists, do not extinguish these hordes of savages, who live by murder and rapine? The large Indiamen are too strong to incur any danger from the attacks of Malay prows, which are suffered to prey on the weaker merchantmen; becoming thus *useful allies* to the monopolists, who would be glad to see every ship driven off the ocean but their own.

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While Penang was left to languish as an administrative outpost of the Company-state, for James Silk Buckingham Singapore represented a brave new commercial world, even if the 'freedom' of trade came at the expense of its security.

Perhaps more important, however, was how the balance first struck by Captain Light had been tipped by the British conquest of Lower Burma. Although the war crippled the Company's finances and almost saw the governor-general recalled in disgrace, its perceived success in Bangkok finally induced the Thai kingdom to negotiate. Lord Amherst had sent a lieutenant of the Bengal Native Infantry, and former military-advisor to the government at Penang, largely to soothe growing tensions and dispel rumours of further Company expansion. The resulting 'Burney Treaty' acknowledged Siam's claim to Kedah, suspended its southward expansion against Perak and Selangor, and edged open the country's trade to British merchants in the Straits. As far as Bengal was concerned, the territorial game beyond the Ganges was now mercifully in abeyance.

It was unlucky, then, that in the following year the Straits governor authorised another Indian army captain to back Perak against Siam in the name of suppressing piracy. James Low, of the Madras Native Infantry, took-up the administration of Province Wellesley in 1827. Like Burney, and many others of middling rank, he was an avid Orientalist; he studied Thai as well as Malay, and frequently travelled into Kedah to excavate archaeological sites. Perhaps, though, it was his keen interest in soil and agriculture, which led him to believe that a determined effort to suppress piracy might 'prove a Salutary lesson to the Natives in our Neighbourhood, and induce them to adopt more settled habits.' In January 1827, with Governor Fullerton's consent, he led a detachment up the river Kurau to flush out a nakhoda by the name of Udin, alleged to be the head of a syndicate of pirates and slave-traders, preying on the sea-traffic of Penang and the weaker settlements of the coast.

The problem was that Kurau had by now become a disputed border, between Perak and Kedah—and Udin had declared himself an agent of Siam on the frontline of its expansion. Documents seized from Udin's *kampung* suggested that the nakhoda was indeed in league with Siam's satellite kingdom, Ligor, whose 'insidious dealings' sought to undermine Perak's independence without overtly antagonising the British. Worse, with Kurau being little more than twenty miles from Province Wellesley, Siam's indirect support for piracy meant that any profession of friendship contained in Burney's treaty was nothing other than 'an insult to our national character'. It was, rather, the Anglo-Dutch Treaty that Low and Fullerton believed should guide British policy in the Straits. Udin, they argued, was 'one of the common enemies of

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mankind, whom we are bound to destroy'. In Bengal, Amherst was inclined to see things in the light cast by Captain Burney, which shone favourably upon Siam. This view held that Low's excursion up the Kurau had drawn British boats 'far inland, and beyond our jurisdiction', only to serve the waning power of 'that poor chief' of Perak.

On the question of jurisdiction, Low was defended by both Governor Fullerton and Kenneth Murchison, resident councillor at Singapore. Udin himself was 'a noted Pirate', they argued, and thus 'one of the common enemies of mankind, whom we are bound to destroy'. It was not the treaty with Siam that need respecting, so much as that of 1824, with the Dutch. Moreover, piracy had become so well organised that there was little hope in suppression 'by the use of boats in the open Sea'. The sultan of Perak was to be commended for allowing British forces into his country, so as 'to root out from their strong holds the Gang of Banditti' that now flouted his authority, and was seen to be increasingly active on the island of Penang itself. Driving them out of their riverine lairs, Murchison wrote, was 'the only mode of proceeding'.

Although Low's meddling in 1827 drew consternation from Bengal, the rise of Singapore and relative decline in commercial importance of both Penang and the Company itself heralded a shift in jurisdictional aspirations within the British Empire, spearheaded by the merchants, and sanctioned by the Crown. Acts of maritime predation, especially on Chinese vessels, were increasing alongside Singapore's growing traffic in the early 1830s, and though the end of monopoly effectively excluded the Company from the profits of trade, it now faced mounting pressure to accept the burden of governance, and provide security in the Straits.

A compromise, it seemed, would be to extend Admiralty jurisdiction to a Court of Recorder, either in Penang or Singapore. In 1829, Singapore's resident councillor (and later governor), Samuel Bonham, had been frustrated to witness four pirates taken all the way to Calcutta to stand trial, where an inefficient legal process saw them convicted, sentenced to death, and released the following year. However, as far as the *Singapore Free Press* was concerned, Admiralty jurisdiction was a weak and token gesture, cynically calculated to 'cost government nothing, and ... be good for about as much'. Pirates were too skilled at evading capture, and rarely brought to trial. Moreover, when they did find themselves before a judge, they simply claimed the protection of recognised Malay rulers, usually of Johor or Kedah, and had their cases thrown out.

In 1835, Bonham outraged the free-traders by suggesting that a dedicated piracy patrol vessel could be maintained with a small levy on imports. Here, too, the *Singapore Free Press* led the uproar, accusing government of using piracy as a 'pretext' to shackle commerce in the eastern

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seas. Port duties, it declared, 'threat[ned] more serious injury to the trade of this place than piracy itself.'

> Government has tamely permitted the existence of an evil in our immediate vicinity, ... without endeavouring to oppose a single check to its progress. And now, after the shedding of so much blood, ... [it] intends to call upon us to pay for our protection *before* anything is done towards insuring it. ... Let us beware ... *that once* established, not only does Singapore *for ever cease to be a* FREE PORT, but Government will be at liberty to increase the duties, ... without our being able to offer any opposition that ought to be regarded. We desert our own cause in a manner that we shall have to repent of, the moment we abandon claims of Singapore to continue a Free port[.]

Once again, the Straits government was caught between the interests of its merchants on the one hand, and the increasingly apathetic authorities it represented on the other.

The image of piracy that had been put forward by Edward Presgrave in 1828—that piracy was a feature of an essentially anarchic geography—was reiterated by Bonham in 1835. The solution, it seemed to Bonham, lay not merely in more effective policing, but in entirely reappraising the role of imperial governance in Southeast Asia. In 1835, he was tasked with developing a comprehensive antipiracy programme in collaboration with Royal Navy's East Indies Station, headed by a new commander-in-chief, Rear-Admiral Sir Thomas Bladen Capel. It was in this commission that Bonham's arguments for increased jurisdiction were added to the militarism of the Crown's forces, while the authority carried by the latter freed the Straits civil-servants from the reticence of Bengal. Alongside Admiralty jurisdiction, it was agreed that a comprehensive pass-system should be introduced in the Straits, whereby all trading vessels would be required to carry documentation detailing cargo, munitions and port of origin, as well as fly a flag declaring their allegiances. If such a scheme could be made to work, it was argued, non-compliant vessels might then 'be dealt with as a pirate and an enemy'.

To implement this system, Capel sent Henry Chads, once praised by the Bengal government for his role in the capture of Rangoon in 1824, and now captain of the 28-gun frigate *Andromache*, to join Bonham as the other half of a special two-man antipiracy taskforce. But the belief that Britain could simply declare its intent to local rulers and impose a maritime pass-system throughout the Straits and archipelagos soon proved naïve. The Dutch, for their part, resisted the idea; Goldman, Batavia's resident at Riau, needed to refer to his superiors before allowing the commissioners to engage with any chiefs beyond the 1824 divide. Bonham himself reflected a broadly British belief that the Dutch were deliberately complacent in tackling piracy, knowing full-well that its primary victims were merchants trading in the British sphere. Chads, who shared

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this belief also, focused on one 'known haunt' in particular: the 'pirate depot' of Gallang, immediately southwest of Riau.

> The conduct of the Dutch in allowing the piratical depot at Gallang to exist to the sole injury of property going to a British port within sight from the flagstaff on their fort at Riau speaks but too plainly that there is no confidence to be placed in their profession of wishing to abolish piracy except so far as suits their own commercial interests.

However, the commissioners' plan to bring a British system of authority to maritime trade faced greater obstacles than the Dutch. The more serious challenge lay in imposing a pass-system across the vast network of trade in Southeast Asia—well beyond the few small centres that European powers had come to control. What of the Bugis convoys, for example, which sailed from as far as Celebes to the trading centres of the Straits?

Furthermore, from the Navy's perspective, Admiralty jurisdiction was hardly going to prevent maritime predation in the short-term. With shallow-draft, oar-propelled *prahus*, and an unsurpassed knowledge of their marine environment, capturing pirates was generally beyond naval officers and their mighty frigates. Captain Low had got it right by building-up his own local knowledge before moving in to chase the pirates from their havens, even though this had been condemned as trespassing on the rights of native states.

Denied by the Dutch resident to treat with the chiefs in Riau, Chads determined to attack Gallang. On his way, on 30 May 1836, a small search party that had been dispatched from the *Andromache* accidentally fell-in with over 130 'pirates', apparently from Gallang. With a steady fire, the British kept their prahus at distance for several hours, until the three largest vessels were entirely destroyed. As General Colin Mackenzie recalled in his memoirs, 'The whole crew having jumped into the sea, the work of slaughter began, with muskets, pikes, pistols, and cutlasses. I sickened at the sight, but it was dire necessity.' The British counted twenty-three Malays who managed to escape to shore, leaving 113 pirates dead in the water. After the massacre, as Chads reported back to Capel, 'It was Resolved by Mr. Bonham … and myself, that for the welfare of the Commercial Community and for the cause of Humanity, that this place, with every boat found there should be utterly destroyed.' The three villages understood to constitute Gallang were burned to the ground, as their inhabitants fled into the island's jungle. Fifty boats were also set alight, including an English brig that had been reported captured some weeks before. Finding this wreck was something of a relief for Chads, who was thus able to declare himself the avenger of a direct 'aggression on the British Flag'.

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This time, in stark contrast to Low's assault on the Kurau, the view from Bengal was much more favourable. Lord Auckland, the new governor-general, praised Chad's 'professional conduct and talents for command', and the 'gallant conduct' of his men 'exited his warm admiration.' Despite encroaching on the Dutch sphere, the massacre near Gallang was wholeheartedly endorsed. Far from being 'a breach of jurisdiction' (as Kurau had been), Chads and Bonham had triumphed in an impossible situation. Laws, passes and flags were futile against the piratical, apolitical Malay.

Much had changed between 1827 and 1836. The Company had lost its last monopoly, but the cost of fighting Burma was less keenly felt; the Straits Settlements were no longer a presidency, and Penang was no longer the capital; Singapore's rise was self-evident, and although it was now being governed at a loss, the new governor-general was perhaps more disposed to fight piracy than his predecessors (he had twice been Lord Commissioner of the Admiralty, and had presided over the Board of Trade). If they had been before, the pirates were no longer 'useful allies to the monopolists', as James Silk Buckingham had written in 1825.

However, the fact that Chads' attack was praised, while Low's was condemned, needs further explanation. 'Piracy' was an appellation that had to be applied in the perceived absence of politics, and it is telling that in each of these scenarios, it was a political border that was to blame. Both provided the spaces necessary for the contestation of authority; Malays who sailed against British interests consciously positioned themselves just out of its range. Nakhoda Udin's border was territorial, between two Malay states, but served at the same time as a riverine frontier between land and sea. Until Captain Low pushed pass the bar and worked his way upstream, Udin had been untouchable. Similarly, the seafarers of Riau-Lingga were able to take advantage of a 'porous border', for several years skirting authority on both sides of the imperial divide. Here, too, the Straits government and its military-minded collaborators set aside jurisdictional concerns to fight the so-called pirates on what they believed to be their own terms.

In 1837, Bonham finally got his wish, and the Straits courts were granted Admiralty jurisdiction. In a pivotal decade in the history of the British Empire, piracy's suppression forced a re-evaluation of imperial strategy, which entailed the extension of Britain's legal regime into a distinctly maritime frontier. It was, however, in keeping with the commercial function of authority that had motivated the likes of Light and Raffles during the imperial 'swing to the east'. The maritime arena, unlike the territory that lay 'beyond the Ganges', became a lawless frontier in the wake of Johor, and thus provided the easier pathway for expansion. In such spaces, and unlike the politics of the Peninsular, conceptualising the Malay 'pirate' removed the legal ambiguities attending extraterritorial force. In the fractured archipelagos, Presgrave's 'most

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casual view of a Chart of these Seas' illuminated the legitimate battleground in the war against piracy, while new territorial fronts continued to be problematic. Between the imagined divides of Dutch and British spheres, and between the more abstract realms of imperial governance and free trade, the idea of piracy was also fought for and against, by imperial agents seeking to survive the dying throes of mercantilism.

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