Marginalization and the High Seas: Piracy as a Function of Politically Sustainable Grievances in Somalia and Nigeria

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Abstract

African piracy is a devastating enterprise that diverts billions of dollars from the global economy each year, preventing profits and international aid from reaching Africans and thereby stunting development on the continent. Now more than ever it is crucial that the problem of piracy be solved; however, there is little academic consensus on why piracy arises and how it can be dealt with definitively. In this article, I argue that the degree to which grievances held by the population of African nations are sustainable affects the growth of piracy.

La piraterie africaine est une entreprise dévastatrice qui détourne des milliards de dollars de l’économie mondiale chaque année et empêche les profits et l’aide internationale d’atteindre les Africains et donc par conséquent retarde le développement du continent. Aujourd’hui plus que jamais, il est crucial que le problème de la piraterie soit résolu ; toutefois, il y a peu de consensus académique à propos des raisons pour lesquelles la piraterie surviendrait et des façons de l’anéantir définitivement. Mon article propose que l’accroissement de la piraterie peut être attribué aux différents degrés de griefs tenus par la population des pays africains.
Piracy is a worldwide phenomenon, reducing the global economy by billions of dollars annually and leaving heartbreaking violence in its wake. The adverse effects of piracy have been most drastic within Africa, where piracy disrupts shipment of foreign food aid, disturbs social and environmental ecosystems, by encouraging participation in informal economies (Hastings and Phillips, 2015). Efforts by the international community to create navies and maritime policing institutions have been successful in certain regions, such as Somalia, but they only address the issues’ symptoms. Unless the international community, as well as African nations, combat the root causes of piracy, the phenomenon will remain.

This paper will attempt to uncover the causes of piracy. My thesis argues the degree to which grievances are sustainable affects the growth of piracy. According to Murshed, “[grievances are] a motivation based on a sense of injustice in the way a social group is or has been treated.” (Murshed, 2004). This paper will be split into three sections. In the first, I review the literature that has been written thus far on the causes of African piracy. I analyze two major theories that scholars have proposed, and I identify a gap in the literature that my research fills. Second, I will use the comparative case studies of Somalia and Nigeria in order to analyze the role of grievances in facilitating piracy. Although grievances played a role in both countries in the rise of piracy, the grievances against the international community in Somalia were unsustainable, and therefore led to the decline of piracy in that region, while in Nigeria the grievances are sustainable and thus piracy has increased in the area. Lastly, my conclusion will discuss that in order for piracy to be definitively terminated, domestic and international forces must first work together to address and rectify grievances on land.

Literature Review

Although piracy has captured the attention and curiosity of scholars for centuries, there has been relatively little written about the causes of modern piracy, especially in the African context. The two predominant theories on the causes of African piracy, the failed state explanation and the rational economic actor theory, neglect the ideational factors influencing violence and conflict. In this section, I will evaluate the two major theories at length, indicating their use as well as identifying their shortfalls. The conclusion of this section will illuminate a previously underdeveloped component of explaining pirate behavior, which is the importance of ideational factors, including grievances, in facilitating piracy.

Failed State Narrative

The failed state explanation of piracy proposes that the inability of weak or nonexistent states to control, regulate, or punish criminal organizations, such as pirates, creates opportunities and incentives for these groups to exist (Menkhaus, 2006). The vast majority of proponents of this theory use Somalia as a case study to further prove their argument, due to the collapse of the state government in 1991 and the political and economic chaos that ensued (Sorenson, 2008). Similar to the inability of Middle Eastern states to reduce the power of terrorist groups within their own borders, the failed state literature refers to the inability of states, such as Somalia, to establish and reinforce maritime policing institutions (Boot, 2008).

There are many critiques of the ability of this theory to provide a complete analysis of pirate behaviour. First, the theory fails to explain regional variations in frequency of pirate attacks within a country. By the logic of the model, the less capacity for security states or regions have, the more piracy will flourish. However, within Somalia, piracy is concentrated within the region of Puntland, a relatively stable and self-governing segment of the country, as opposed to the southern and central regions, which see the most lawlessness, violence, and anarchy (Hastings and Phillips, 2015). This is due to the complicated, expensive nature of pirate operations, in which at least some baseline of infrastructure and institutional capacity within a country is needed in order to make the practice profitable.

Furthermore, the failed state theory is also criticized for its Western bias, in which countries that do not uphold to the Weberian state standard are classified as failed. The Weberian standard emphasizes the necessity of a state to maintain a monopoly of violence and control over its territory; this approach disregards the cultural and historical legacies of African states, including the tendency towards decentralization. In essence, although the failed state theory identifies structural conditions for piracy, it fails to account for regional variation in the phenomenon and shows bias against the cultural makeup of African state.

Pirates As Rational Economic Actors

Another theory explains piracy by framing the phenomenon as an economic activity as well as in terms of monetary opportunity costs. In the model, piracy is seen as an “unremarkable” practice that fits within the broader discourse on informal economies within African countries (Hastings and Phillips, 2015). Furthermore, the model contends that piracy is dependent on whether perpetrators believe the benefits outweigh the risks; the potential rewards, usually in terms of ransom or oil theft, provide motivation for attacks (Pham, 2010). According to Keating, piracy erupted in Somalia in 2005 because members of impoverished coastal communities realized the potential profit that could be made in the practice.
This theory, however, is limited in that it frames piracy as a rational choice, in which the only decision potential pirates must make is if they want to make $10,000 a year as opposed to $600 (Joffe-Walt, 2009). The model does not consider whether young men have been coerced into the practice by means other than promises of money. There is no room within the rational actor theory for cultural or ideational factors in the evaluation process of monetary opportunity costs, including grievances against the state or international community. Although profit is certainly a factor in the emergence of piracy, the economic actor model overstates its importance and disregards other influential, more subjective determinants of pirate behavior.

In sum, the failed state explanation of pirate behavior accentuates the inability of weak states to effectively police and constrain piracy, while the economic actor theory discusses the role of rational choice in facilitating the phenomenon. However, the existing literature has underdeveloped the degree to which cultural and ideational factors motivate and sustain piracy. Although structural factors, such as profit or inability of the state to provide security, play a role in fostering piracy, they do not fully explain variations in the phenomenon between countries. By analyzing the role of grievances in facilitating piracy in the case studies of Somalia and Nigeria, I hope to fill a gap the literature has produced by focusing solely on the structural and economic factors of piracy.

Somalia

In Somalia, several developments over the course of the past thirty years have produced feelings of resentment, marginalization, and desperation towards both domestic and international entities. As a result, the dramatic influx of pirate attacks in 2010 followed. This section examines Somali piracy as a function of grievances sustained by the population. First, the paper discusses the domestic and international incidences, which created sentiments of marginalization within the Somali community, and their continued impact on increasing piracy in the region. Second, I will examine the decline of piracy in the region due to the collapse of the defensive piracy narrative.

The domestic incidences, including the 1991 civil war, generated grievances against the state. A discourse on Somali political phenomena cannot take place without mention of the 1991 civil war, in which the corrupt president, Siad Barré, was deposed, the state and its institutions collapsed, and the country split further along clan lines (Rudloff and Weber, 2011). The lack of a central state to provide security and mediating forces, factional warfare between clans, and a subsequent “economy of plunder” led to the destruction of infrastructure, a reversal of development, the deaths of over 250,000 people, and a massive diaspora in which over a million Somalis fled the country (Menkhaus, 2006). The bulk of remaining Somalis were left impoverished, destitute, and desperate: the perfect ingredients in the generation of grievances. According to Rees, “the high levels of desperation in Somalia may also make ‘horizontal inequalities’ more noticeable,” which have made some individuals feel forced into piracy (Rees, 2011). Such grievances left young, impoverished Somali men susceptible to manipulation by warlords, businessmen, and corrupt political officials who wished to profit from piracy, both monetarily and by causing enough chaos to continue illicit business practices (Montelos, 2012). Because of low institutional deterrents of crime and the growth of feelings of resentment towards the state and international community, Somali piracy spiked in 2010-2011, reaching a high of 176 total attacks in 2011 (Eunavfor, 2015).

However, it is the defensive piracy narrative, generated by grievances against the international community, that provided the most legitimacy and motivation for the practice of piracy. According to Keating, defensive piracy is born out of a resentment toward foreign fishing companies for overfishing and using illegal techniques within Somali borders (Keating, 2013). Since the Somali government has been unable to react to this encroachment of sovereignty, the health of Somalia’s fishing industries have been severely impacted, devastating coastal communities, and the domestic economy has since lost about $300 million annually (Keating, 2013). Face-to-face interviews with Somali pirates show that for many rank and file members, the narrative of piracy as a coast-guard service against foreign overfishing is a motivation and justification for pirate behavior (Hastings and Phillips, 2015). Many Somalis resent the foreign fishing companies and the international community for taking advantage of their collapsed state and harming the environment. The desire to regain sovereignty over their territory leads some to resort to piracy, justifying it as a coast-guard service. Wealthy and powerful backers of piracy are able to hijack these feelings and recruit many susceptible young men to the practice. Furthermore, the coastal communities that supported piracy share the same grievances and find the defensive piracy narrative acceptable and legitimate, leading them to further corroborate pirate behavior.

Although the defensive piracy narrative was able to generate piracy in the late 2000s, it fell out of favor with the local populace as the social and traditional costs of piracy came to outweigh feelings of marginalization by the international community. According to Hansen, piracy began to threaten the fishing business, the sector for which piracy in the region flourished to protect (Hansen, 2011). Moreover, community and religious leaders started to condemn piracy for its contrast with conservative Somali and Islamic traditions (Hansen, 2011). As piracy spreads prostitution and HIV/AIDS, obstructs foreign entities from distributing food aid, and adds to the culture of violence, more and more Somalis
are opposing the practice (Hastings and Phillips, 2015). Although grievances against the state and international community remain, they are not enough to sustain the defensive piracy narrative against the cultural and social destruction caused by piracy. The legitimacy and frequency of piracy in the region is therefore evaporating, which is empirically supported by the report of only two pirate attacks taking place in 2014 (Eunavfor, 2015). Incidentally, piracy in Somalia may continue to decrease due to grievances against the pirates themselves. In essence, although the grievances sustained by the Somali population against the state and international community produced piracy in the region, the adverse effects of piracy outweighed the feelings of marginalization and injustice, therefore leading to the decline of the phenomenon.

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**Nigeria**

As in Somalia, developments taking place in Nigeria have created feelings of resentment and marginalization in certain segments of the population. However, piracy and maritime militancy continues to thrive in Nigeria because these grievances have pervaded deeper into a specific regional group and remain acceptable even in the face of violence and destruction. Moreover, the politicization of these grievances has reinforced them. In this section, I will first discuss the rise of grievances among the population residing in the Niger Delta. Then, I will examine why, in contrast with Somalia, piracy has been sustained in Nigeria.

The story of Nigerian piracy begins with oil. Extraction of crude oil, which constitutes up to 90% of Nigeria’s exports, takes place almost exclusively in the Niger Delta (Ibaba, 2009). Although crude oil extracts from this area provide much wealth, almost none of the profit reaches the hands of the population who reside in the region. Corruption at the elite level has kept oil wealth out of the hands of the ethnic groups and communities that live on the oil fields of the Niger Delta. This leads to feelings of alienation and resentment from these aggrieved groups against the government (Ibaba, 2009). Similar to Somalia, the failure of the Nigerian state to address issues of poverty and inequality led to grievances sustained by the population.

Furthermore, widespread environmental destruction at the hands of the foreign oil companies has led to feelings of resentment against the international community. The extraction of oil by foreign companies leads to pollution and degradation of environmental conditions, which decreases domestic agricultural productivity, diminishes development, and reduces quality of life for inhabitants of the area (Ibaba, 2009). Due to the immense profits foreign companies make from the area and the limited steps they have taken to combat poverty and environmental degradation in return, communities in the Niger Delta are infuriated with the actions of the oil corporations and feel marginalized by the international community.

In contrast with Somalia, however, these grievances have become politicized. Because of the politicization of grievances early on through peaceful protests, and later by the Movement for the Emancipation of the Niger Delta (MEND) group, these feelings of marginalization have become commonplace and sustainable within regional communities. According to Ibaba, the result of the alienation of the peoples of the Niger Delta against the state leads to the loss of federal government control over that region (Ibaba, 2009). The alienation from the state and marginalization of the people leads to lawlessness and the rise of militant groups in the area to provide authority that the state cannot. Ergo, MEND actions—such as bunker ing, oil rig kidnapping, and traditional piracy taking place in the swamps—are accepted by the communities because the behavior speaks to the grievances sustained by the local populace and is part of a larger movement to seek political reparations for lost oil profits and environmental degradation. In essence, in contrast with Somalia, grievances sustained by Niger Delta communities against the state and the international community have led to the rise of piracy and militancy in the area, and the politicization of these grievances engra in piracy and violence as legitimate phenomena within the framework and political trajectory of the region.

**Conclusion**

This paper has highlighted an alternative explanation of piracy. I argued that the degree to which grievances are sustainable affects the growth of the phenomenon. As the case studies of Somalia and Nigeria have shown, a cultural and ideational dimension, grievances, must be added to evaluations of structural deficiencies within a state in order to fully explain why conflict and violent activities, such as piracy, arise or decline. Poverty, environmental degradation, and socioeconomic inequalities perpetuated by state and international practices, such as in the case of Somalia with defensive piracy and in the Niger Delta, generate feelings of marginalization and injustice. In turn, these grievances tend to motivate marginalized individuals in destructive ways, leading to more violence and hatred as revenge for perceived injustices. In regards to piracy, grievances provide motivation and legitimacy, therefore leading to the rise and spread of the phenomenon. This was especially the case in Nigeria with MEND’s rise and its piracy affiliation. Thus, grievances provide motivation for piracy that cannot be explained by mere monetary cost/benefit analysis.

Furthermore, when state institutions do not change in strength, capacity, or effectiveness, and the
monetary cost/benefit ratio of piracy is stable, examining grievances as a cause of piracy helps to explain the growth or decline of the practice within a specific country. Because grievances can provide a justification and sense of legitimacy for piracy, the rate at which the phenomenon occurs depends on how sustainable a particular grievance is in the face of the violence, destruction of cultural and traditional values, and economic strife piracy can bring to a community. In both Somalia and Nigeria, grievances led to the rise of piracy as young, impoverished men sought violent retaliation against adverse forces. However, because these grievances differ in the degree to which they are sustained and accepted by Somalis and Nigerians, pirate attacks have declined in the former country and increased in the latter. In other words, piracy is sustained as long as the grievances that led to its emergence remain acceptable and poignant.

The ultimate goal of this paper is not only to shed light on a previously underdeveloped facet of piracy, but also to call attention to an area that domestic and international policy makers might focus in order to definitively deal with piracy in Africa. These forces must work together to address and rectify grievances on land. International naval coalitions have worked to reduce piracy in Somalia in the short term; however, unless they deal with the structural, developmental, and ideological factors on land, their solution will only be temporary. Dealing with grievances in both Somalia and Nigeria will require the international community to be more thoughtful of their environmental practices, as carelessness on the part of foreign fishing corporations in Somalia and oil companies in Nigeria have led to environmental degradation, the loss of local livelihoods, and poverty. Furthermore, the international community should take steps to shield citizens from the violence and harm of conflicts between the state and militant groups. In this way, less Nigerians and Somalis will feel marginalized, desperate, and willing to join a pirate organization.
Informal economies are those in which central states are unable to enforce or regulate their economies, enabling an informal, sometimes illicit, version to develop (Hastings and Phillips, 2015).

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Bunkering is the hacking of oil pipelines and theft of crude oil by militants and crime groups (Montclos, 2012).

Endnotes

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Works cited


