The Global Assemblage of Multi-Centred Stowaway Governance

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Dedication

To my beloved parents and to those trapped in the ‘stowaway limbo’ chasing an elusive dream

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Abstract

This thesis explores the global governance of stowaways in the shipping industry involving multiple actors, and the implications for the dynamics between seafarers and stowaways on board ships. The governance of stowaways has only been marginally explored in studies of migration governance with much of the limited empirical focus confined to analyses of the policies and practices of states and institutions. An empirical investigation into the maltreatment of stowaways has also been lacking. For the purpose of exploring the global governance of stowaways more holistically and explaining why some seafarers maltreat stowaways, including casting them off on makeshift rafts or throwing them into the sea, a multi-method qualitative research design was used underpinned by an adaptive approach to data collection and analysis. The findings offer insights into how governing efforts by a range of actors impinge upon seafarers and stowaways. The global governance of stowaways is conceptualised in this study as an assemblage involving multiple actors whose asymmetric interrelationships lead to the emergence of the causes for the maltreatment of stowaways.

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List of Acronyms and Abbreviations

CR	Critical Realist or Critical Realism
EURODAC	European Dactyloscopy
FAL Convention	Convention on Facilitation of International Maritime Traffic
GISIS	Global Integrated Shipping Information System
IGP&I	International Group of P & I Clubs
ILO	International Labour Organization
IMO	International Maritime Organization
IMODOCS	An online repository maintained by the IMO to provide prompt access to IMO documents
ISM	International Safety Management Code
ISPS	International Ship and Port Facility Security Code
ITF	International Transport Workers' Federation
MARS	Mariners' Alerting and Reporting Scheme
P & I Clubs	Protection and Indemnity Insurance Clubs
P & I Correspondents	Protection and Indemnity Insurance Correspondents
SIRC	Seafarers International Research Centre

Chapter One

Introduction

1.1 Background

This thesis is the culmination of two trajectories in my life, one of a former seafarer and the other of a budding social researcher with a long-standing interest in undocumented migration in the maritime sphere. It was during my final year of my undergraduate studies, preparing myself for a career at sea as a navigator, that I stumbled on the grim and yet fascinating issue of undocumented migration at sea. I enjoyed tremendously my stint at 'researching' undocumented migration when I wrote my undergraduate dissertation on undocumented African migration across the Mediterranean. After working at sea for a total of two years, fending off pirates and walking through the alleys in port cities, the thrill of venturing the oceans had already dissipated and I had had enough of life at sea. Nonetheless, I was very clear on what I wanted to do next which was to pursue a career as a social science researcher. During the interview for the SIRC-Nippon Foundation fellowship, my supervisor, who was interviewing me at the time, noticed my interest in undocumented migration in the maritime sphere and nudged me to think about stowaways.

It was apparent to me from the very preliminary readings I undertook on stowaways, while awaiting the outcome of my application for the fellowship, that the literature on stowaways was very scant, save their reoccurrence in works of fiction. Nonetheless, what drew my attention was the writing I stumbled on that highlighted the dumping of stowaways at sea by some seafarers. Not having heard of such incidents even during my career at sea, I was very keen to explore this issue. In order to explain why some seafarers treat stowaways in this manner, one has to develop a detailed understanding of how stowaways are generally dealt with in the wider context of the inner workings of the shipping industry and the immigration policies adopted by states. Hence, this thesis set out with the aim of exploring the global governance of maritime stowaways to ultimately understand why stowaways are mistreated and thrown overboard and the extent of such practices.

1.2 Research Questions

In order to achieve this research aim, the following research questions were developed, based on the reviewed literature, to guide data collection and analysis:

RQ1. How do global efforts in controlling and governing the movements of stowaways impact upon seafarers and stowaways?

RQ2. How do seafarers make sense of the roles they play in the global governance of stowaways?

RQ3. How do seafarers perceive stowaways and vice versa?

RQ4. What measures do seafarers take when dealing with stowaways?

RQ5. How can the measurers seafarers take when dealing with stowaways be explained?

1.3 Scope of the Study

This study focused on the governance of stowaways in the segment of the shipping industry that is engaged in the international ocean-going trade of transporting cargoes. Therefore, it has not explored stowaways and their governance in those forms of trade engaged in the transportation of persons such as cruise ships and ferries, coastal or crossing international boundaries. Furthermore, the stowaways I focussed on in this research were confined to those engaged in individual or group endeavours to board ships docked in a port and attempting to travel with the ship to a different destination. Although these groups may obtain assistance from workers inside the port (as the evidence from this research shows), I have not explored those that are smuggled and/or trafficked, often inside containers, by organised criminal and smuggling networks such as those assisted by the 'snakeheads' in China (Kyle and Liang 2001). Even when stowaways are assisted to hide inside containers by personnel ashore, such as in North African ports, this is a far cry from the organised criminal networks that are engaged in the business of smuggling/trafficking persons inside containers via ships. Furthermore, drug smuggling networks and their involvement with stowaways are not explored in this study even though the issue is highlighted in this thesis. The interconnectedness of the drug business with stowaways in some parts of the world begs for an empirical investigation on its own. Finally, the impact of socio-political developments, such as the Libyan crisis or the war in Syria, on the stowaway traffic is not accounted for in this research.

1.4 Thesis Structure

This thesis is organised into ten chapters including the current one. The next three chapters provide the foundations for subsequent chapters in the thesis discussing research findings and their analyses. The organisation of Chapters Five to Eight mimics the progression of a typical stowaway incident from pre-embarkation all the way to disembarkation and repatriation.

Chapter Two discusses the scale of the stowaway problem. It provides the available statistics on stowaways and highlights that despite their relatively small numbers, stowaways pose significant financial costs to the shipping industry. The chapter locates the financial cost of stowaways in a specific form of migration governance where responsibilities are 'externalised' to private actors in the shipping industry. Such 'externalisation' is understood in the literature to stem from the wider context of the securitisation of migration as conceptualised through non-discursive practices, routines, techniques and technologies of governance. The chapter also identifies the gaps in the literature that the thesis set out to address. However, the literature on the 'externalisation' of migration governance in shipping and the securitisation of migration will be revisited and discussed further in Chapter Eight and Chapter Nine respectively.

Chapter Three details the methodology used in this research by first highlighting the critical realist ontological and epistemological positions taken up in the thesis and the related use of an adaptive research strategy. This adaptation entailed an iterative process between data and theory in which the data generated through an exploratory and explanatory multi-method qualitative design was read through, analysed, framed and reframed with existing theories, concepts, and frameworks throughout the data collection and analysis. As the data chapters from Chapter Four to Chapter Eight demonstrate, a range of concepts and literature were drawn upon in making sense of the data collected in the course of the research. The data collection methods involved documentary analysis of stowaway incident reports, guidelines and legal documents which informed the data collection during interviews in line with the adaptive theory approach used in this research. Unstructured interviews and semi-structured interviews involving face-to-face, telephone, Skype as well as email and WeChat were used to collect data from participants that included stowaways and seafarers among others.

Chapter Four presents the first data chapter and begins with a discussion of the profiles of the stowaways included in the study. As governing a problem inherently entails

problematisations and representations, the various ways stowaways are problematised and represented, such as as an economic risk and a security threat, are discussed in the chapter. The chapter also introduces the legal definitions of stowaways and their evolution over time highlighting how these definitions are embedded in specific administrative processes. The 'everyday' representations of stowaways by actors that are directly involved in the governance and handling of stowaways are also discussed in the chapter, and a contrast is made between the various representations of stowaways and the stowaways' self-representations. As Chapter Eight will highlight, the discrepancies between these rival representations fuel conflict between stowaways and those actors responsible for their control.

Chapter Five introduces the notion of 'stowaway counter-apodemics' which is the shared body of knowledge constituted by stowaways that is subsequently drawn upon throughout their journeys starting from the selection of ships to stow away on, to surviving at sea, and maximising their chances of success as well as profiting from the disembarkation-repatriation process. However, the chapter focuses on those aspects of the stowaway counter-apodemics that provide valuable insights into their treatment by seafarers including dumping at sea.

Chapter Six discusses the on-board dynamics between seafarers and stowaways from boarding to detection and detention. The chapter emphasises that despite port state obligations in the prevention of stowaways, the main focus of security interventions have shifted to what is called the '*ship/port interface*' forcing seafarers to juggle between their commercial commitments and security duties. In ports that are less secure and where stowaways board often, this exacerbates the pressure on seafarers which manifests in the anger and frustration that is displayed when stowaways are initially detected on board. The chapter also points out how this initial interaction is fraught with fear for both seafarers and stowaways, their perceptions shaped, respectively, by the securitisation of stowaways and by stowaway counter-apodemics. The chapter also highlights some of the challenges faced by seafarers in detaining stowaways on board.

Chapter Seven pivots the focus to the treatment of stowaways on board where patterns for the dumping of stowaways at sea are identified and causal explanations developed based on insights gained from the stowaway counter-apodemics, seafarers' accounts and literature on employment relations in the maritime industry. The chapter also discusses what counts as good

treatment of stowaways and points out a few discrepancies in what stowaways conceive as good treatment and those that are promoted by actors in the shipping industry.

Chapter Eight focuses on the disembarkation –repatriation process and how it impinges on the dynamic between seafarers and stowaways on board. Here, issues of unauthorised assistance by seafarers to stowaways in making unauthorised entries into states' territories and the role of seafarers in the collection and documentation of evidence are discussed. The chapter points out that seafarers, specifically ship masters, are central figures in the collection of this information that subsequently constitutes 'governmental knowledge' about the problem of stowaways. Governmental knowledge stands in opposition to the stowaway counter-apodemics. It is a body of knowledge constituted by various actors in the shipping industry, including seafarers and P & I Clubs, and is drawn upon by actors that seek to govern, control and prevent the problem of stowaways. The chapter highlights how this body of knowledge is also constituted by P & I correspondents who are instrumental actors in the disembarkation-repatriation process and play a central role in the governance of stowaways. The role of other players in the disembarkation-repatriation process is also discussed and the conflicts that arise during this stage, partly stemming from disparities in the representations of stowaways and their self-representations, are highlighted. The discussions in Chapter Eight and Chapter Seven are contextualised in terms of the 'externalisation' of migration control including carrier sanctions.

Chapter Nine explains the 'global assemblage of multi-centred stowaway governance'. The chapter introduces the concept of assemblage as a suitable framing for understanding the governance of stowaways at the global level and discusses the analytical eclecticism used in the research, drawing from a range of concepts and approaches, specifically the securitisation of migration, studies of governmentality, counter-apodemics and multi-centred governance, to make sense of the findings of the research under the rubric of a critical realist ontology. The chapter highlights the analytical insights offered by these concepts and approaches in understanding the governance of stowaways, and engages in an extended theoretical deliberation to lay the theoretical foundation for conceptualising the governance of stowaways. Then, the notion of 'global assemblage of multi-centred stowaway governance' is reintroduced where the various actors implicated in the governance of stowaways, including the stowaway communities themselves, are conceptualised as multiple centres of governance constituting a global assemblage, and in whose interrelationships with each other the causal mechanisms for the dumping of stowaways emerge.

Chapter Ten finally brings this thesis to a close by drawing out the empirical, theoretical and methodological contributions of the study, as well as limitations and avenues for further research.

Chapter Two

Stowaways, Shipping and Migration

2.1 Introduction

The issue of maritime stowaways is arguably as old as shipping itself. Stowaways were a common feature when shipping was the main mode of international transport. The practice of stowing away on ships has served as a means of escape for many including slaves (Donald 1928; Banton 1955; Schoeman 2007, pp. 285-286). Subsequently, stowaways have inspired a number of works of art (von Zharen 2000). There is, however, a dearth of literature on stowaways when we come to academia, a gap this thesis seeks to address.

Contemporary stowaways, unlike their counterparts in the 19th and first half of the 20th centuries, do not capture public imagination except for the occasional instances when they feature in news articles, often in relation to their deaths due to suffocation in some obscure part of a ship. However, this is not the case for insiders in the shipping industry where their presence is keenly felt due to the delays, complications and costs they bring about disrupting the smooth operations of ships.

In the subsequent sections, I will discuss the scale of the stowaway problem and the costs incurred by the shipping industry as a result. The costs arise because of the ways in which responsibilities have been 'externalised' to actors in the shipping industry such as ship owners. Hence, I will situate the issue of stowaways in the wider literature on migration governance and review the limited studies that have specifically addressed the issue of stowaways. I will also highlight some of the gaps in the literature that this research has sought to fill.

2.2 Scale of the Problem

It is difficult to make reliable estimates of the number of stowaways around the globe for a couple of reasons. The first problem stems from the way a stowaway is defined. As I will elaborate in Chapter Four, the legal definition of a stowaway is limited to those who are detected on board after a ship departs from a port and/or territorial waters. This implies that those who are caught before a vessel leaves territorial waters, and are subsequently handed to the authorities in embarkation ports, do not make it to the official statistics. Nonetheless, it is

observable from the limited literature on stowaways that there are communities of stowaways around ports who make many unsuccessful attempts in port and, yet, do not appear in the official statistics (This issue will be addressed in detail when exploring the various representations of stowaways in Chapter Four).

The second reason that makes estimating the number of stowaways around the globe difficult pertains to the inefficient reporting practices that surround the compilation of official stowaway statistics. The International Maritime Organisation (IMO), based in London, used to publish annual statistics (IMO 1998). This practice has, however, been suspended since 2015 and statistics on stowaways are now available from the online database, Global Integrated Shipping Information System (GISIS), run by the IMO (IMO 2016). The IMO statistics on stowaways rely exclusively on reports that are submitted to the organisation by member states on whose ships the stowaway incidents occur. However, as the IMO repeatedly highlights, such reporting has always been unsatisfactory. In its latest call for states to submit reports on stowaway incidents, it was pointed out that there is a 'pronounced downward trend of notifications to IMO', rendering the data unreliable (IMO 2017, p. 20). See Appendix 1 for the IMO annual statistics on stowaways between the years 2000 and 2016.

Despite confining their data to those stowaways that are detected once a ship has left port, P & I Clubs[1] are more reliable sources of data on stowaway figures as they are directly involved in the handling of stowaways found on board. Although each club maintains data on the number of stowaways it handles, there are only a few figures compiled from individual P & I Clubs that show the aggregate numbers of stowaways handled over specific periods. Nonetheless, a comparison between data from P & I Clubs and that of the IMO highlights how the figures from the IMO significantly underestimate the scale of the problem. For instance, IMO figures indicate 2,271 reported incidents involving 6,909 stowaways for the period 2000-2008. The statistics for the same period from one P & I Club alone (The Standard Steamship Owners' Protection & Indemnity Association) indicates 982 incidents involving 2,051 stowaways handled by the club (StandardP&I 2009). Data from another P & I Club (The West of England P & I Club) for the year 2012 indicates that the club dealt with 51 stowaway incidents involving 125 stowaways (WestOfEngland No Year). The IMO data for the same

[1] P & I Clubs (Protection and Indemnity Insurance Clubs) are non-profit mutual insurance associations that provide cover against third-party liabilities for their members, who will typically be ship-owners, charterers and ship-operators. Unlike a marine insurance company, which is answerable to its shareholders, a P&I Club is answerable to its members. They have developed a significant expertise on stowaway cases and are crucial source of data and information on stowaways.

year, however, shows a total of 90 incidents involving 166 stowaways (see Appendix 1). This disparity is starker when looking at the most cumulative data compiled to date by the International Group of P & I Clubs (IGP&I).[2] While the IMO data for the year 2007 (1st January – 31st December) shows 252 incidents involving 889 stowaways, the data collated by the International Group of P & I Clubs for the same year (20th February 2007 – 20th February 2008) documents 842 incidents involving 1,955 stowaways. Furthermore, the IMO data for the year 2011 indicates 73 incidents involving 193 stowaways while the data from the International Group of P & I Clubs for the period 20th February 2011 – 20th February 2012 indicates 774 incidents involving 1,640 stowaways (IGP&I 2010, 2013).

Nonetheless, even the figures from P & I Clubs appear insignificant when compared to other groups of migrants, such as those crossing the Mediterranean, where a few hundred migrants are cramped into a small boat. It is rather when we look at the cost associated with these figures that we appreciate the significance of them and, subsequently, the problems stowaways entail for the shipping industry.

2.3 The Economic Impact of Stowaways

A brief glance over a couple of publications on stowaways produced by the shipping industry highlights how stowaways are primarily construed in economic terms. Despite their relatively small numbers, they have a disproportionate economic impact on the shipping industry. Looking at some of the data from P & I Clubs cited already, for instance, the financial cost to Standard P & I Club for the stowaways between 2000 and 2008 was a staggering sum of $9.2 million (StandardP&I 2009). Similarly, the cost incurred by the West of England P & I Club for the 125 stowaways mentioned earlier was approximately $1 million (WestOfEngland No Year). The costs to the IG Clubs for the periods 20th February 2007 – 20th February 2008 and 20th February 2011 – 20th February 2012, were approximately $14.3 million and $15.3 million respectively (IGP&I 2010, 2013). However, these P & I Club figures do not include the deductibles the members themselves have to pay. In addition, costs that are not associated with the disembarkation and repatriation of stowaways, such as those arising from delays or the ships being off-hire in the case of chartering, are carried by the ship owners and do not feature in these figures.

[2] The IGP&I is comprised of the 13 major P & I Clubs which, in total, provide liability cover for approximately 90% of the world's ocean-going tonnage.

The financial costs pointed to above stem from the process of disembarkation-repatriation where a number of actors are involved. Costs include fines that may be imposed by states for bringing undocumented individuals into states' territories, 'guarantee deposits' that may need to be paid to the authorities when stowaways claim asylum for the purpose of repatriating the stowaways if the applications subsequently fail, the process of soliciting a temporary travel document for repatriating the stowaways, maintenance of stowaways on board and ashore which at times involves placing them temporarily in hotels, the payment for services offered by crucial actors such as P & I correspondents[3], air tickets for the stowaways which often involve connection flights and transits, return tickets for security escorts who are requested to accompany the stowaways throughout the flights and the associated maintenance costs for the escorts such as hotels, 'pocket money' that will have to be handed out to the stowaways, as well as fuel costs if there is a diversion from the ship's initial passage plan for the purpose of disembarking stowaways (NEPIA 2015, p. 10).

The cost per a stowaway varies from case to case depending on where the stowaways are repatriated from and to, the number of stowaways involved as this might require that they are broken up into small groups, hence, inflating the expenses by virtue of employing security escorts for each flight, the transit period involved which may entail booking hotels at transit airports for escorts and possibly stowaways, the various charges at the disembarkation ports, the level of cooperation from the stowaways in expediting the process and so on. Nonetheless, there are varying estimates and also anecdotes that highlight the economic impacts of stowaways on the shipping industry. For instance, a publication by one of the major P & I Clubs indicates that the cost per stowaway, strictly confined to the disembarkation-repatriation process paid up by the Club, was around $18,000 for the year 2008. As the same source points out, 'if more than one stowaway gains access to the vessel, the costs have been known to escalate to $100,000 or more, simply because repatriation is usually only permitted with two security guards escorting each stowaway' (GARD No Year, p. 4). UK P & I Club also pointed out in one of its 'Loss Prevention Bulletins' directed at its members that it was not uncommon

[3] P & I correspondents are local actors in various parts of the world that carry out a number of responsibilities on behalf of P & I Clubs among which processing stowaway cases is one. The correspondents are involved in interviewing and ascertaining the nationalities of stowaways, liaising with embassy/consulate officials to obtain temporary travel documents, liaising with immigration authorities, arranging for flights and security escorts, etc. They also possess local knowledge on immigration rules as well as on the stowaways. They are often paid by the hour for their services.

for costs between $20,000 and $25,000 per a stowaway for repatriations from Brazil to African countries (UKP&I 2006).

Evidently, stowaways entail a significant cost and disruption to the shipping industry. This is due to ship owners and their P & I insurance shouldering all aspects of the cost and management of the disembarkation-repatriation process. For some, this is a manifestation of a wider trend, securitisation of migration, where 'migration control' functions and responsibilities are 'externalised' to private actors, prompting them to align their economic activities with the immigration control objectives of states.

2.4 Securitisation of Migration

There is now a well-developed literature on how the issue of migration has come to be linked with issues of security. In this regard, the notion of 'securitisation of migration' has been central. Buzan et al. (1998), from the 'Copenhagen school', developed securitisation as a framework for analysing the process through which socio-political phenomena emerge as security issues on the political scene. According to Buzan et al. (1998, p. 25), securitisation is a process involving the initial 'inter-subjective establishment of existential threat', also called a 'securitising move', by securitising actors to bring an issue to the forefront of political discussions. Securitisation of issues, subsequently, follows such 'securitising move' if and when the 'audience' accepts the notion that there is a threat.

Migration is said to be securitised through what is referred to as the 'migration-security nexus' (Castles and Miller 2009), or what Huysmans (2006) calls 'the security continuum' which is 'an institutionalised mode of policy-making that allows the transfer of the security connotations of terrorism, drugs traffic and money laundering to the area of migration' (Huysmans 2006, p. 71), subsequently, posing migration as a threat to society. Securitisation in migration studies has taken different trajectories and has moved well beyond its original conception as per the 'Copenhagen school'. Walters (2010) broadly groups important approaches to the study of the migration-security nexus into two while pointing out the fuzzy nature of this boundary: discursive and material-semiotic. The discursive approaches focus on the political, media and popular representations of migration and its discursive problematisation as a threat or risk to society. Discursive approaches have explored the social construction of migrants as threats in relation to the economy, internal security as well as cultural and identity issues (Huysmans 2000; Pugh 2004; Tsoukala 2005; Charteris-Black 2006; Fox et al. 2012).

The material-semiotic are those that extend the discursive approaches and argue that representational politics cannot be studied in isolation from its imbrication in different institutional bureaucracies, practices, materialities, techniques and technologies. Here, Didier Bigo's Foucauldian-Bourdieusian analysis of the migration-security nexus is notable (Bigo 2001, 2002, 2008). Bigo emphasises the crucial role played by security professionals (policemen, gendarmes, intelligence services, military, surveillance technology providers and risk assessment experts) in the securitisation of migration who engage in a bureaucratic struggle to legitimise their roles in the post-cold war era and, subsequently, compete over allocations of budget (Bigo 2001, 2002). His works constitute part of related literature in which the bureaucratic field at the level of the European Union has been analysed, forwarding the argument that security professionals have used the platforms available at the EU to bypass national judicial constraints and also to dominate other competing voices, such as ministries of labour, to effectively frame migration in security terms (Guiraudon 2000; Guiraudon and Lahav 2000; Bigo 2002; Guiraudon 2003; van Munster 2009).

Analyses that have explored political and media discourses in which migrants are framed as threats, as well as those that have explored the practices of security professionals and their bureaucratic struggles, have done much in expanding our understanding of the processes through which migration is securitised. Nonetheless, the practical outcomes of these processes are only realised by their translation into specific measures, routines, techniques and technologies. As Huysmans (2006, p. 5) notes, even the post- 9/11 measures and emergency legislation that were articulated using the language of existential threat were still embedded in 'long-term institutional and political histories' that were enacted in 'everyday' practices, routines and technologies. In this regard, 'everyday' technologies and practices such as EURODAC (a database for fingerprints of asylum seekers) and legal instruments such as the Dublin Convention and Schengen Visa that are tailored to limit the mobility of migrants, administrative practices such as providing asylum applicants with vouchers instead of cash, thereby, rendering them easily identifiable, legislation requiring landlords to check the status of foreigners when renting a house, or incorporating universities in the mechanism of verifying the legal status of their students are examples of the mundane technologies and techniques through which securitisation of migration is made manifest (Huysmans 2000, 2006). Huysmans's (2006) analysis of securitisation of migration through a Foucauldian lens advances the discussion further to a more technocratic interpretation of securitisation. This is taken up by van Munster (2005, 2009) who explains securitisation from a combined bureaucratic-

politics perspective, i.e. 'bureaucratic level of risk management' and 'the political level of security speak' (van Munster 2009, pp. 6-7), and argues that at the level of practice, securitisation of migration is de-dramatized, underpinned by advanced-liberal logic of governance where technocratic interventions are targeted towards those whose movements within the EU are deemed 'abject' vis-à-vis Europeans who are actively encouraged to move freely.

What these 'material-semiotic' (Walters 2010) or 'post-discursive' approaches highlight is the 'banality of security' (Walters 2008a) in which securitisation to be realised has to be implemented in routinized, communicable, mundane administrative and technical practices. For some, this less dramatic aspect testifies to the absence of securitisation (Boswell 2007) and, rather, a response based on the logic of risk (Neal 2009). This stems from understanding securitisation primarily in the sense of 'dramatic language' as per its original conception in the 'Copenhagen school'. Those who extend the discursive understanding of securitisation to the analysis of practices and technologies tend to use 'risk' and 'threat' interchangeably. As Walters (2008b, p. 161) points out, 'although risk has not always been explicitly theorised in studies of the security-migration nexus, there seems to be an underlying assumption that risk is a question of danger and threat […] risk is understood as a potential for harm embodied in particular behaviours and/or types and classes of persons' (cf. Aradau 2004; van Munster 2005; Aradau and van Munster 2007; Aradau 2008, pp. 91-108; van Munster 2009). However, this conflation is not a contradiction as the type of risk and technologies of risk referred to in discussions about securitisation are not in the traditional sense of mutual solidarity vis-à-vis equally shared risk. Rather, the risk and technologies of risk alluded to in the securitisation literature are those of 'prevention' which necessitates, in turn, the identification of particular groups as risky/threatening and implies subsequent interventions to minimise or avert such risk (Aradau 2008, p. 94). As such, 'the grammar of threat and the idiom of risk' (Walters 2008b, p. 175) are simultaneously subsumed in the securitisation of migration. What we have in practice is then the targeting of specific 'risky/threatening' groups towards whom specific interventions are directed in what is called '*ban-opticon*' (Bigo 2002, p. 82) or 'targeted governance' (Valverde and Mopas 2004). One such form of intervention is arguably targeted at stowaways where private actors in the shipping industry are reconstituted in efforts to control and govern the movements of the stowaways.

2.5 'Externalisation' of Migration Control to Shipping

The efforts by states to involve private actors, such as transport companies, in migration control have variously been labelled as 'remote control' (Zolberg 2003), 'policing at a distance' (Bigo and Guild 2005a), 'privatisation/externalisation of immigration control' (Lahav 1998; van Munster 2005; van Munster and Sterkx 2006; Scholten 2015). This is a governmental technique through which states extend their reach of migration control by 'encouraging' private actors to assume functions in the controlling and governing of undocumented migration through legislative tools. Carrier sanctions are prime examples in this regard where transport companies, such as shipping companies, are fined and rendered responsible for the financial and administrative obligations entailed in the handling of undocumented migrants (Lahav 1998; Guiraudon and Lahav 2000; Lahav 2003; van Munster 2005; Guiraudon 2006; Scholten and Minderhoud 2008; Scholten 2015).

Terminologies like 'privatisation' and 'externalisation' seem to suggest a new development in which immigration control functions which were traditionally located in the purviews of public authorities are now 'privatised' or 'externalised' to private actors. This is a slightly problematic assumption when looking at the issue of maritime stowaways. All the literature reviewed and documentary data examined in the course of this research highlights that the responsibility for dealing with stowaways has always resided with ship owners and, subsequently, their P & I Club insurance. The literature is cognizant of the long history of carrier sanctions (Stevens 2004, p. 19; Menz 2011, p. 121; Scholten 2015, pp. 3-4; Gammeltoft-Hansen 2016, p. 208). However, the argument made in the literature is that these old governmental tools have now been reemphasised to extend the capacity and reach of authorities in immigration control efforts (Guiraudon 2006; Scholten 2015) (The issue of 'externalisation' and carrier sanctions along with the literature will be discussed in further details in Chapter Eight).

Nonetheless, efforts to control undocumented migration involve forceful actions, such as detention, that are legitimised by the state's monopoly of violence (Weber [1921] 1946). However, forceful actions are dangerous and should be located in those places where maximum checks and balances exist (Braithwaite 2000). It is precisely for this reason that Nourse (1993) argues the responsibility for detaining maritime stowaways should be a public rather than a private one. The case of seafarers and maritime stowaways provides an interesting empirical focus to investigate the implications of 'externalising' the governance of undocumented

migration to private economic actors. It is not unheard of for stowaways to be maltreated by seafarers and/or even dumped at sea. Many have attributed this to such 'externalisation' although there is a dearth of empirical investigation into the issue.

2.6 Gaps in the Literature

Although the literature on carrier sanctions mentions shipping companies often, much of the analysis has focussed on top-tier institutional actors and the institutional settings where these policies have been articulated (Cruz 1995; Lahav 1998; Guiraudon and Lahav 2000; Lahav 2003; Guiraudon 2006; Menz 2011). Furthermore, much of the emphasis has been, understandably, on airliners as these constitute the main mode of contemporary human transport. This, however, has skewed the analysis away from the shipping industry, particularly the cargo transport sector, where stowaways have always been a common occurrence.

Nonetheless, there has been some limited empirical exploration of the 'externalisation' of migration governance to actors in the shipping industry to varying degrees. The works of van Munster (2005), Walters (2008a) and Scholten (2015) are notable here. All three are theoretically informative and empirically driven, albeit, much of the emphases in the works of van Munster and Scholten have been on airline companies. Nonetheless, in all the three works, there is an attempt to bring the discussion down from top-tier institutional actors, policy makers and institutional settings to middle level actors such as shipping and airline companies' officials, consultants and individuals from the P & I Clubs. However, this does not go far enough to include front-line actors in the implementation of 'externalised' migration control policies, such as seafarers, cabin crews or the stowaways themselves, and how governmental strategies aimed at migration control impinge upon the dynamics between these front-line actors and the undocumented migrants through their own accounts. This research takes a more holistic approach to the exploration of the governance of stowaways and its implications for both seafarers and stowaways by incorporating analyses of institutional policy tools such as those coming from the IMO, middle level actors such as shipping companies and P & I Club representatives as well as those at whom governmental interventions are targeted, specifically, seafarers and stowaways. The ultimate aim is to explore the governance of stowaways at the global level by various actors for the purpose of gaining a deeper insight into the dynamics between seafarers and stowaways including the treatment of stowaways. Hence, it answers the calls made by Côté-Boucher et al. (2014) as well as Bueger and Mireanu (2015) to foreground the practices, experiences and perspectives of front-line actors in the study of border security,

migration governance and critical security studies, as opposed to having an exclusive focus on policy documents, political and media discourse, bureaucracies and institutions, etc. that lack 'proximity' (Bueger and Mireanu 2015) to the practices of front-line actors.

In this regard, a cross-country study conducted by Migreurop (2011), involving seven countries and 23 ports, is an exemplar in bringing the empirical focus close to seafarers and stowaways. Although the report covers a wide range of issues from port security to detention on board and repatriation based on interviews with various actors, this also excludes substantive engagement with the maltreatment of stowaways by seafarers. This is simply attributed to the 'externalisation' of the governance of stowaways to private actors in the shipping industry. Furthermore, although the accounts of stowaways are included, these are very limited and revolve around a simple description of anecdotal experiences. The Migreurop report, similar to a *Statewatch* journal article by Maquet and Zortea (2013), highlights the policing roles that are reluctantly taken up by seafarers in relation to stowaways. However, both works give the impression of stowaways as 'pawns in the game' (Maccanico 2012) as the emphasis is on how stowaways are not informed about their rights with regard to asylum during disembarkation. Nonetheless, as other researchers have shown, undocumented migrants are very creative, adaptive and with their own knowledge economy whose agencies and creativities should be taken into account in any discussion of their governance (Martin 2012; Papadopoulos and Tsianos 2013; Andersson 2014). Hence, this research will tap into these aspects of migration governance to develop a more enhanced understanding of the governance of stowaways.

There is an even greater dearth of empirical research when we come to the maltreatment of stowaways, specifically, the dumping of stowaways at sea. Most of the work written on this issue stems from journalism as opposed to academia. While journalistic reports simply relegate the reasons for the dumping of stowaways at sea to the 'externalisation' of their governance to private actors, they, nonetheless, provide important insights and anecdotes about such practices (Davies 1995; Knickmeyer 1997; Malcomson 1997; Fairplay 2004). However, the issue still remains to be systematically investigated in terms of the overarching governance of stowaways. The limited academic literature on stowaways comes from legal scholars who explored the possibility of prosecution of seafarers who dump stowaways at sea (Steglich 1999) or issues of immigration, asylum and detention rules (Mason 1987; Jarvis 1988; Ort 1991; Nourse 1993). Hence, this research also seeks to address this gap by intensively exploring the dumping of stowaways at sea with the aim of understanding the extent of the problem and the reasons that

lead some seafarers to take such harsh measures when encountering stowaways. Subsequently, the following research questions are developed to explore the global governance of maritime stowaways by a range of actors and to understand the implications of such governing efforts to the dynamics between seafarers and stowaways:

RQ1. How do global efforts in controlling and governing the movements of stowaways impact upon seafarers and stowaways?

RQ2. How do seafarers make sense of the roles they play in the global governance of stowaways?

RQ3. How do seafarers perceive stowaways and vice versa?

RQ4. What measures do seafarers take when dealing with stowaways?

RQ5. How can the measurers seafarers take when dealing with stowaways be explained?

2.7 Conclusion

As I discussed in this chapter, the scale of the problem of maritime stowaways is relatively small in comparison to other migratory flows such as those across the Mediterranean. Hence, stowaways are not sensationalised in the media or political platforms. Rather, they are often dealt with quietly by private actors in the shipping industry. Nonetheless, as I have argued, their economic impact on the shipping industry is significant due to the disembarkation-repatriation costs solely incurred by ship owners and their P & I insurers. Furthermore, disembarking stowaways is increasingly difficult, often leading to delays or deviations in a ship's course, further exacerbating their economic cost.

The economic impact of stowaways on the industry is argued to stem from the 'externalisation' of migration governance where responsibilities are completely delegated to private actors through legislative tools. While I will explore these legislative tools that 'externalise' responsibilities to actors in the shipping industry throughout the subsequent chapters, it is pointed out that this 'externalisation' is part of a governing strategy that stems from the securitisation of migration in some cases. As the discussion of the securitisation of migration highlighted, the material-semiotic approaches that draw our attention to the practices, routines, techniques and technologies through which the securitisation of migration is made

manifest are useful in understanding techniques, such as carrier sanctions, through which stowaway governance is 'externalised' to private actors.

While I will revisit the literature on the 'externalisation' of migration governance through carrier sanctions and the securitisation of migration in Chapter Eight and Chapter Nine respectively, it is worth emphasising that such governing strategies have major implications for seafarers and stowaways. These manifest in the maltreatment of stowaways which is of a central focus in this research and for which there is a dearth of literature. Hence, in order to understand and explain the maltreatment of stowaways, I have found it necessary to make a holistic exploration of the global governance of stowaways by various actors, guided by the research questions listed earlier. In the next chapter, I will discuss in detail the methodology adopted in the course of investigating the issue of stowaways including their maltreatment at sea.

Chapter Three

Methodology

3.1 Introduction

The governance of stowaways takes place on the global scale involving various actors including: stowaways from different countries stowing away from different ports in the world; P & I Clubs mostly based in Europe; P & I correspondents located in various parts of the globe; ships traversing the world oceans crewed by seafarers of different nationalities; shipping companies based in different countries; various embarkation and disembarkation states; international institutions such as the IMO, etc. Hence, the truly global nature of the problem poses methodological challenges in investigating the issue. Multi-sited ethnography is one of the research strategies that is proposed in studying research problems of global or transnational nature (Marcus 1995). For instance, Sampson (2013) used multi-sited ethnography in her study of seafarers' transnationalism by combining fieldwork on cargo ships engaged in international trade with fieldwork in Goa, Mumbai, Bremen and Hamburg. Andersson (2014, p. 284), on the other hand, used what he called 'the extended field site' in studying the 'illegality industry' of undocumented migration across the Mediterranean by treating the many locales he traversed, from villages in West Africa to Maghreb and Spain, as a single field site.

While these methodological approaches are insightful, the research focus here is not amenable to such 'multi-sited ethnography' (Marcus 1995; Sampson 2013) or 'extended field site' (Andersson 2014) or even 'global ethnography' (Stepputat and Larsen 2015). Although I was already aware of the existence of stowaway communities in different countries which could be fruitfully explored by an ethnographic approach, I was also mindful of the 'researcher safety' issues an extended 'immersion' would entail as I learned early on that these communities were rife with violence (Bouyalew and Soribes 2010). Furthermore, as my focus was primarily on their governance and treatment, I was convinced that extended interviews in a safe location would suffice for my purpose rather than following the stowaways in their everyday lives. This, however, did not avoid the 'burden' of travelling to locations where the stowaways were located as I will detail subsequently.

Further complicating the problem of studying such a global phenomenon was my selection criteria for seafarers. As I was specifically interested in seafarers' experiences in dealing with stowaways, it was important that I interviewed seafarers who had past experiences with stowaways on board. This rendered the sampling of an already hard-to-reach and highly mobile group more complicated. This implied the strategies used by Sampson (2013) to study seafarers, i.e. on board field work and accessing seafarers at the hostels where the seafarers stayed, were ill-suited as they would not guarantee finding seafarers with actual stowaway experience(s). In addition, the governance of stowaways also potentially implicates any state with ports catering for international shipping. Hence, there was also the issue of what selection criteria ought to be used to identify which countries to focus on, if any.

As the above paragraphs highlight, investigating the issue of stowaways poses challenges and raises certain methodological questions. This chapter addresses the methodological choices made in investigating the research problem and the strategies used in countering the challenges. I will begin my discussion by elaborating on the critical realist (CR) ontological and epistemological assumptions underpinning the research. I will then explain the adaptive approach (Layder 1998) used throughout the research informing the sampling, data collection and analysis. The methods used in collecting data and some of the issues that emerged in the process will also be addressed before moving the discussion to issues of sampling and validity. The ethical and safety issues I grappled with in the course of the research will also be highlighted before closing the chapter.

3.2 Ontology, Epistemology and Research Strategy

This research is underpinned by CR philosophy of social science which articulates the ontological position that social reality is independent of our thought and knowledge of it. Epistemologically, our knowledge of this reality is mediated through our language and concepts; our knowledge of this reality being only an approximation of that reality (Bhaskar 1989; Sayer 2010). CR has a detailed articulation of the nature of this reality. However, the attraction of CR for me in the context of this research stems from two of its strengths. The first one is from the ontological and epistemological positions stated above. Secondly, CR is also committed to developing causal explanations for social phenomena while abstaining from bestowing the status of absolute truth on the explanations developed (Bhaskar 1989; Collier 1994). In that sense, any explanation given and conclusion made in social research is provisional, open to further expansion.

Hence, CR provides the ontological and epistemological scaffolding for the identification of the causes for the maltreatment of stowaways that will be identified later on in the thesis, albeit, more in line with a Foucauldian understanding of causality that emphasises multiplicity as I will discuss in Chapter Nine (Foucault 1991c, p. 76). This research has adopted an explorative as well as explanatory multi-method (documentary analysis and interviews) qualitative design combining traits of inductive, abductive and retroductive modes of inferences (Danermark et al. 2002). It is partly inductive in the sense that it seeks to explore the problem from the 'bottom up' and accumulate data to reach an analytic generalisation (Yin 2009). Nonetheless, as I will discuss later on in this chapter, the governance of stowaways has certain characteristics that will allow for making generalisations beyond the sample used in this research. The research has also utilised 'the two indispensable modes of inference' in critical realist research- abduction and retroduction (Danermark et al. 2002, p. 73).

Retroduction involves asking questions like 'what must an event presuppose to exist, what makes it possible, what is it about the structures that produce such effects', etc. (Danermark et al. 2002; Sayer 2010). The aim here is to engage in a series of questions, reasoning and counter-factual thinking for the purpose of identifying causal mechanisms that will lead to the emergence of an event which in this case is the dumping of stowaways at sea by some seafarers. Counterfactual thinking involves asking questions like 'how would this be if not...? Could one imagine X without...?' (Danermark et al. 2002, p. 101) with the aim of identifying what is a necessary precondition for an outcome by looking at what is not necessary. Abductive reasoning, on the other hand, can imply a number of things (Danermark et al. 2002), but the most prominent characteristics are to describe and understand social life in terms of actors' motives, lay concepts and meanings in the context of everyday activities (Blaikie 2007) as well as the redescription or recontextualisation of phenomenon within a particular frame of interpretation (Danermark et al. 2002).

In this research, I have attempted to capture the motives, lay concepts and meanings of my respondents and incorporated those throughout the analysis including in the identification of causes for the maltreatment of stowaways. Furthermore, in line with retroductive reasoning, a series of questions, including 'counter-factuals', were grappled with in the process of identifying causes for the maltreatment of stowaways. Nonetheless, retroductive reasoning goes hand-in-hand with the second aspect of abduction that involves a recontexualisation of social phenomenon within a particular frame of interpretation (Danermark et al. 2002). In other words, this implies an iterative process of analysing empirical data with concepts and theories

throughout the research. This is in line with the adaptive approach adopted in the research which emphasises theoretically-driven research that adapts continuously to incoming data.

3.3 Adaptive Theory Approach

As Danermark et al. (2002) note, one of the challenges in critical realist research is the difficulty of operationalising concepts using retroduction. One way of going about retroduction is the use of models (Blaikie 2007). In qualitative research, this entails developing a set of provisional propositions that help to explain a phenomenon, having done 'enough' reading as part of reviewing the existing literature. However, these propositions will be modified or even jettisoned vis-à-vis the emerging data during the data collection and analysis stages, according to Layder's (1998) adaptive theory. In that sense, adaptive theory has an affinity with Glaser and Strauss's (1967) grounded theory approach excluding the over-empiricist tendencies of grounded theory. As Layder (1998, p. 150) points out, adaptive theory 'preserves a residual 'core' of grounded theory, but stripped of its empiricist limitations'. Adaptive theory entails using extant theories and concepts to guide and shape data collection. However, any theoretical proposition is provisional in the sense that it is also informed and modified by incoming data. The strength of adaptive theory is the acknowledgment that one cannot bracket off any a priori knowledge. Hence, one should engage in an iterative process of attempting to 'read' incoming data through existing theories and concepts while at the same time engaging in continuous reading to identify other concepts with increased explanatory power. In that sense, adaptive theory engages in a continuous counter-factual thinking to challenge all provisional concepts and frameworks initially adopted to think with the data. Furthermore, adaptive theory also adopts grounded theory's approach to data collection in which all new data collected informs and shapes subsequent lines of inquiry in the data collection process.

In line with the tenets of adaptive theory, I initially formulated the proposition that *'the externalisation of migration governance to private actors in the shipping industry, when in the co-presence of other factors such as seafarers' perceptions of stowaways, tends to result in malign displacement/deflection that manifests in the dumping of stowaways at sea.'* However, as the research progressed the explanatory power of concepts such as 'malign displacement/deflection' (Barr and Pease 1990) were limited in relation to understanding why some seafarers maltreat stowaways at sea. Furthermore, I also continued engaging with various literature during the data collection to ensure an iterative process between data collection and theoretical deliberation. For instance, while conducting interviews with the stowaways it

became clear that they possessed an elaborate set of assumptions and body of knowledge that they use throughout their 'adventures'. Hence, when I stumbled on Walters's (2015a, b) notion of 'counter-apodemics', I adopted that as a useful organising concept for the vast body of knowledge the stowaways draw on throughout the stowing away process.

As the research further progressed, the analytical benefit of governmentality analysis also became apparent which was subsequently adopted in the analysis of the collected data. Furthermore, the notion of 'assemblage' also emerged as a useful descriptive-analytical concept to capture the range of actors involved in the global governance of stowaways. Importantly, it also offered a breakthrough to the methodological challenges I was grappling with in relation to studying an issue that plays out on the global scale. As I pointed out in the introduction to this chapter, there were a number of methodological dilemmas I was grappling with, such as: how one can explore the global governance of stowaways by just focusing on a limited group of stowaways, seafarers, shipping companies, P & I Clubs, etc.; how the selection of states, if any, can be justified and so on. The notion of assemblage was useful not just to capture the various actors involved in the governance of stowaways, but also as a methodological approach to studying such global governance. Assemblage prompted me to think of approaching the study by treating the various actors I interviewed and explored through documentary analysis as 'nodal entry points' that provide insights which can be subsequently used to map out the global governance of stowaways. While these points highlighted will become clearer in the subsequent chapters, the aim of the above discussion is to provide an insight into how adaptive theory was used in the course of the study. It is important to point out here that the various concepts and theories that are drawn upon in the subsequent chapters are the ones that were retained in, as well as generated through, the iterative process of data collection and theoretical deliberations prompted by an adaptive research strategy.

However, it was not entirely possible to fully adhere to the tenets of adaptive theory in the context of this research. Drawing from grounded theory, adaptive theory also advocates 'theoretical sampling' of data sources in which subsequent data sources are identified based on insights gained from the preceding data collection. My informants, data sources and field sites were predetermined and were not so flexible in the manner suggested by Glaser and Strauss (1967). My access to stowaways was limited to only two groups of stowaways. Furthermore, my sampling of seafarers was also very selective as they had to have had encountered stowaways during their careers at sea. However, the spirit of grounded theory approach was embraced in the data collection process to an extent. As I will discuss in the next section, I first

scrutinised documentary sources and undertook part of the coding and analysis of these documents. Hence, my interviews were informed by salient themes that emerged from reading and analysing the documentary materials. Nonetheless, a strict grounded theory approach to data collection could not be employed due to time constraints. Adhering to the tenets of grounded theory as part of an adaptive research strategy would have entailed transcribing every interview and undertaking analysis before proceeding with the next interview. Since I was limited by time constraints, I resorted to listening to the records of every interview and took notes to identify themes I needed to follow up in subsequent interviews which is a perfectly acceptable adaptive strategy. In the next section, I will elaborate further on the data collection methods used in this research.

3.4 Methods and Data Sources

The research utilised a combination of methods of data collection to add rigor and depth to the investigation (Denzin and Lincoln 2000, p. 5; Fine et al. 2003, pp. 187-188) that focussed on understanding the governance of stowaways and identifying the reasons for stowaways being cast off on makeshift rafts or thrown overboard at sea. As this was a highly invisible phenomenon taking place on a global-scape, and since there was no guarantee at the initial stages of ever meeting seafarers or stowaways who were involved in such incidents, I deemed it necessary to conduct a documentary analysis of stowaway incident reports including those in which stowaways were thrown overboard. Nonetheless, in accordance with the adaptive strategy used and the subsequent appreciation of governmentality that I developed, it became apparent that the documentary analysis should also be expanded to encompass conventions, guidelines, instruction manuals, etc. that have an active role in the governance of stowaways. The insights gained from the documents informed the interview stage of the data collection, including the formulation of questions and themes to focus on. In the following subsections, I will discuss separately the steps that were taken during both the documentary analysis and interviews.

3.4.1 Documents

The documents analysed as part of this research were broadly categorised into ‘stowaway incidents’ and ‘guidelines, procedures and conventions’. A total of 89 documents that reported on actual stowaway incidents were collated as part of the first phase of data collection. These documents included: annual IMO stowaway incident reports for the last seventeen years (the IMO started publishing annual statistics in 1999); stowaway incidents

detailed in P & I Clubs' Loss Prevention Bulletins; newspapers and online articles that reported on incidents where stowaways were dumped at sea; books; industry newsletters and journals; court scripts that involved the prosecution of seafarers accused of throwing stowaways at sea; as well as stowaway incidents reported in the Mariners' Alerting and Reporting Scheme (MARS) run by the Nautical Institute.

The majority of these documents on stowaway incidents were compiled and read carefully between November 2013 and November 2014. However, most of these were coded using NVIVO 10 qualitative data analysis software between December 2014 and November 2015. Insights gained from reading these reports and the initial stages of the coding process were utilised to guide interview questions. The extended timeline allocated for the coding and analysis of the documents on stowaway incidents reflects the effort made in continuing the documentary search even when interviews were being conducted and analysed simultaneously, in an attempt to keep up-to-date with the available documentary data. In fact, searching for stowaway incidents and analysing them along with other relevant documents continued throughout the entire research span.

Although stowaway incidents that took place after the 1970s were deemed relevant, as the shipping industry went through major structural transformations and assumed its current globalised form after that timeline (Lane 2002; Sampson 2013; Walters and Bailey 2013), I did not exclude stowaway incidents that took place before the 1970s from my analysis. For incidents that involved the maltreatment of stowaways in particular, there was no time limitation set in the selection criteria for documents. This was because I was convinced that even those incidents that took place before the 1970s would still provide insights and a valuable contrast in understanding why stowaways are dumped at sea. Nonetheless, as Appendix 4 demonstrates, all the stowaway incidents identified that involved the dumping of stowaways at sea took place after the 1970s with the exception of two incidents.

The second group of documents analysed involved 53 documents which were broadly categorised as 'guidelines, procedures and conventions' that stipulate the prevention, handling and overall governance of stowaways. Such documents were included in the analysis due to the appreciation of 'governmentality' I developed in accordance with the adaptive research strategy. These documents play a central role in the allocation of various responsibilities to different actors in dealing with stowaways, stipulate stowaway prevention measures, establish norms for the treatment of stowaways, inform and influence the practices of shipping

companies and seafarers, and underpin the global governance of stowaways to a large extent. The documents analysed in this category included: international conventions and IMO guidelines; reports on the Facilitation Committee's[4] sessions at the IMO where the issue of stowaways was on the agenda; P & I Clubs' 'Rules & Bye-Laws'; Loss Prevention Bulletins, guidelines and advices issued by P & I Clubs and correspondents; maritime security books and instruction manuals; as well as immigration regulations and directives from a few countries such as South Africa and Singapore. Most of these documentary sources were carefully read when preparing interview guides intended for seafarers, P & I Clubs, P & I correspondents, and shipping companies. These were also subsequently coded and analysed using NVIVO 10. However, relevant documents were also purposefully selected and analysed during the subsequent period in the course of the research.

Hence, a total number of 142 documents were analysed for this research. These were obtained from publicly available sources that included: databases, online repositories and websites such as the Global Integrated Shipping Information System (GISIS) and IMODOCS run by the IMO, the Mariners' Alerting and Reporting Scheme (MARS) run by the Nautical Institute, and Lloyd's List; P & I Clubs' webpages; as well as digital newspaper archives. These resources along with Google search were utilised to identify relevant documents and publications by using a combination of keywords such as 'stowaway', 'thrown', 'dumped', 'oil drums', 'makeshift rafts', 'seafarers', etc. I also spent one week at the IMO's Maritime Knowledge Centre based in London going through relevant documents and publications. Some documents, such as court scripts, were obtained by contacting the appropriate individuals while others were passed on to me by some of my participants.

Throughout the documentary analysis, I kept Prior's (2003) cautionary note in mind where he points out that documents are usually produced with an audience in mind and that the production of some documents might involve self-censorship. Hence, I maintained a healthy scepticism throughout the documentary analysis which entailed trying to cross-check documents against each other when applicable. This was particularly the case for those incidents that were said to have involved the maltreatment of stowaways. Other reports on stowaway incidents that did not involve maltreatment, such as those circulated by P & I Clubs,

[4] The Facilitation Committee is a subsidiary body of the IMO's Council (the executive organ of IMO) and consists of all the member states of the organisation. The committee focuses on eliminating unnecessary formalities and 'red tapes' in international shipping to facilitate maritime traffic. The issue of stowaways falls under the purview of the Facilitation Committee.

were mostly taken at face value as these institutions have a vested interest to prevent stowaway incidents, ensure their humane treatment on board and disembark them swiftly. While Walters (2008a) notes the existence of a grey zone of legality in relation to efforts to swiftly disembark stowaways[5], and hence, the potential for distortions in what is being documented in this regard, P & I Clubs also have a stake in producing accurate accounts in their efforts to disseminate the 'lessons learned' from stowaway incidents and advise their members. Hence, I kept these considerations in mind in my attempt to 'think beyond' the contents in the documents during the analysis.

Documents do not represent factual reality, they represent specific versions of realities constructed for specific purposes (Flick 2014, pp. 356-357). They are not 'transparent representations' of reality, rather they 'construct particular kinds of representations using literary conventions' (Atkinson and Coffey 2011, p. 79). Nonetheless, they provide valuable insights particularly when other means of accessing a particular issue, such as the dumping of stowaways at sea, are quite limited. Thus, the documents analysed served as a way of 'contextualising information' (Flick 2014, p. 357) as well as means of gaining useful insights which informed the interview stage of the data collection. Prior (2003) treats documents as 'fields or networks of action' involving creators, users and settings. He argues that they should not be exclusively treated as containers of content, but rather also as products with purpose and even as having agencies of their own (Prior 2011). In this regard, certain documents, such as legal documents, guidelines and instruction manuals, should also be scrutinised in terms of their agencies by looking at how they influence and shape social action (Prior 2003; Cooren 2004; Prior 2008, 2011). For instance, certain IMO conventions and guidelines, P and I Clubs' publications, state regulations, etc. prescribe certain procedures, tasks and roles to seafarers. Hence, such documents manifest their agencies by influencing the behaviours of seafarers on board vis-à-vis stowaways. In addition, they also construct stowaways in specific ways. Accordingly, I was sensitised to this dimension of documents throughout the analysis and discussions of the findings.

The impetus for incorporating documentary analysis in the research was twofold. The first reason was to compliment the limitations of relying solely on interviews as gaining access

[5] For similar observations, see Maquet and Zortea (2013, p. 40), Migreurop (2011, pp. 81-87) and UKP&I. 2009. Illegal Disembarkation of Stowaways- Douala- Cameroon. *Loss Prevention Bulletin* [Online] Bulletin 646- 7/09. Available at: http://www.ukpandi.com/fileadmin/uploads/uk-pi/LP%20Documents/LP_Bulletins/Bulletin%20646.pdf [Accessed: 13th April 2013].

to research participants was expected to be a challenge due to the sensitivity of the research topic as well as the dispersed locations of potential participants. Some of the respondents, such as stowaways and seafarers who have had stowaway experiences at sea, are hidden populations (Lee 1993), thereby, constraining access and shrinking the sample pool. Thus, utilising different methods became a necessity in the context of this research. Secondly, it was expected that insights and contextual information gained from consulting the relevant documents would be utilised to refocus and reframe the line of inquiry and generate interview questions (Bowen 2009) along the tenets of adaptive theory. Insights from documentary materials not only served to shape the subsequent line of inquiry and formulate interview questions, but they were also used to construct vignettes that were put to use when interviewing seafarers as I will detail in the next subsection.

3.4.2 Interviews

In the course of this research, a total of 45 participants were interviewed. These involved: 17 seafarers who had encountered stowaways during their careers; 15 stowaways (11 Tanzanians and 4 Ethiopians); four P & I Club representatives (three based in the UK and one based in China); six P & I correspondents (four based in South Africa, one formerly based in Singapore and one based in China); one port security official in South Africa; one stowaway search company owner based in South Africa; and one shipping company representative based in the UK (see Appendices 2 and 3 for details on stowaways and seafarers). The findings from the documentary analysis were utilised to inform and refine the interview guides. Furthermore, insights from preceding interviews were also used to refine and reframe interview questions in the spirit of the adaptive research strategy discussed in section 3.3. Participant information sheets were provided detailing the purpose of the research and guaranteeing anonymity. Consent forms were also provided prior to the interviews, which were signed and returned or collected during face-to-face interviews (see Appendices 9 and 10). However, for those participants interviewed via various information communication technologies, as I will discuss shortly, having the consent forms returned was a little problematic. Although all my participants gave consent and I adhered to strict ethical principles, some of the consent forms were not returned as some of my participants were interviewed amid their busy schedules, while working on board or during their vacations at home, which resulted in signed forms not being emailed back. The interviews were digitally recorded and transcribed for analysis.

I initially conducted unstructured face-to-face interviews with two Ethiopian former stowaways who were based in the UK. I then undertook three months field trip to South Africa

where I conducted 11 face-to-face unstructured interviews with Tanzanian stowaways based in Cape Town. The interviews with stowaways took over two hours on average with detailed accounts of their stowing away experiences provided. The fieldwork in South Africa was conducted between January and March 2015 in Cape Town and Durban. I initially interviewed nine Tanzanian stowaways before proceeding to interview four P & I correspondents, one stowaway search company owner and one port security official based in Cape Town and Durban. I followed up on the insights that emerged during the interviews with these industry actors with the last two Tanzanian stowaways I interviewed in Cape Town.

Upon my return to the UK, two more telephone interviews with former Ethiopian stowaways were conducted in July 2015. Furthermore, in the period between July 2015 and April 2016, interviews with seafarers, P & I Club representatives, P & I correspondents and one shipping company representative were conducted. Face-to-face semi-structured interviews with three P & I Club representatives and one shipping company representative were conducted in the UK. In addition, four face-to-face semi-structured interviews were conducted with former seafarers who had stowaway experiences in the past, all based in the UK. To overcome geographical constraints, communication technologies such as telephone, Skype, WhatsApp, Viber, WeChat, Facebook, and internet forums were used in this research to recruit and interview participants. Accordingly, one semi-structured Skype interview and one semi-structured interview via WeChat were conducted with P & I correspondents based in Australia (formerly based in Singapore) and China respectively. Furthermore, eight semi-structured telephone interviews were conducted with active and former seafarers, all with stowaway experiences in the past. The seafarers were based in different parts of the globe including China, Ghana, India, Thailand, UK as well as the US. In fact, two of the telephone interviews with seafarers were conducted while their ships were in anchorage off the coast of China. One former stowaway-turned-seafarer was also interviewed via telephone while the ship he was working on was in anchorage. Skype interviews were also used with four seafarers based in the China, Philippines and the US. On one occasion, an email interview was conducted with a seafarer who was on board at the time.

As not all of the stowaways and seafarers who participated in my study were involved in incidents that resulted in the dumping of stowaways at sea, my participants were encouraged to provide second-hand accounts of the experiences of their other colleagues, if they knew of any. Levi (2008, p. 327), in his study of the organisation and control of long-firm fraud, used this strategy to gather information on the practices of fraudsters by encouraging his

businessmen informants to recount information that was imparted to them by the fraudsters. He took this information as insightful in circumstances where he considered his businessmen informants had no motive for misinforming him and 'there was no discernible reason why the fraudsters should have lied' (Levi 2008, p. 327). He also used the accounts of other actors with expertise in long-firm frauds, such as police officers, prosecutors, and other fraudsters, for the purpose of corroborating the accounts. The stowaways' accounts on incidents that involved the dumping of stowaways at sea were amenable to similar corroboration due to their community-like existence around ports, and their practices of sharing information and experiences. This will be discussed in detail in Chapters Four and Five.

Since none of my seafarer participants were involved in incidents where stowaways were thrown overboard or cast off on makeshift rafts, and I also did not foresee they would be forthcoming even if they had had, I resorted to utilising vignette interviews on the issue where vignettes were provided to the seafarers detailing a sequence of events in which stowaways were dumped at sea. In the following subsections, I will delve a bit deeper into certain aspects of the interview process that required some deliberations and methodological reflections. These issues pertain to the use of vignettes, telephone/Skype interviews, and issues of translation and interpretation during interviews.

3.4.2.1 Vignettes

I provided the seafarers with three vignettes during the interviews. Two of these vignettes were prepared from reports on two actual incidents in which the details were simply extracted from all the available documentary sources and compiled into a single coherent document. The third vignette was a fictional incident constructed out of the salient themes that emerged during the interviews with the stowaways as well as from findings of the documentary analysis (see vignettes in Appendices 6, 7 and 8). As the seafarers I interviewed inhabited the same 'structured space' (Sampson 2013) as the seafarers who have been implicated in dumping stowaways at sea, i.e. engaged in the same profession in a globalised industry where on board procedures and functions are standardised, marked by a temporary contract-based employment in a globalised seafarers' labour market, as well as equally influenced by states' and IMO legislations and recommended practices in the industry, it was deemed that my participants have a significant level of 'proximity to the world of practice' (Bueger and Mireanu 2015, p. 119) that the perpetrators of such incidents were embedded in. In other words, the seafarers interviewed were considered as key informants on the issue of the maltreatment of stowaways who could provide deeper insights into why some seafarers resort to such actions. Thus,

vignettes were utilised to elicit their informed opinions and insights on the issue of the dumping of stowaways at sea.

When probing into the abuse, casting off or throwing overboard of stowaways, vignettes are useful elicitation tools. Vignettes can be defined as 'stories about individuals and situations which make reference to important points in the study of perceptions, beliefs, and attitudes' (Hughes 1998, p. 381), and can be prepared using a range of sources including findings from previous research, practice knowledge, preliminary qualitative study, newspapers or magazine articles (Johnson et al. 1997; Hughes 1998; Taylor 2006). They can be used to provide concrete examples of people and their behaviours on which the interviewees will be asked to offer their opinions (Hazel 1995), or asked to tell what they or third persons would do next (Hughes 1998).

One of the concerns usually raised in relation to vignettes is how much vignette responses reflect real life response (Finch 1987; Hughes 1998), particularly when used to elicit responses on what the participants or third persons would do. In addition, how close the hypothetical scenarios depicted in the vignettes are to real life situations is also a source of concern. However, in this research these concerns were not an issue for two reasons. First, the vignettes were not intended to solicit responses on how the interviewees would behave and react in the situations portrayed by the vignettes. Rather, they were used to prompt them to offer their informed opinions on why they thought the seafarers in the vignettes behaved the way they did, if they sympathised or disagreed with any of the reasons the seafarers in the vignettes used to justify their actions, and generally facilitate discussion on the issue of the maltreatment of stowaways. The insights obtained from these vignette interviews were instrumental in explaining why some seafarers resort to such measures when dealing with stowaways. Regarding the second concern about how close the vignette scenarios mirror real life situations, two of the vignettes were actual incidents that were obtained from incident reports, news articles, court room proceeding reports, etc., and not hypothetical scenarios. Furthermore, the fictional vignette used was also not strictly fictional in the sense that all the details included were extracted and compiled from actual incidents that were analysed during the documentary analysis as well as based on the accounts of the stowaways I interviewed.

The vignettes were also considered to be useful tools in approaching a sensitive topic. Vignettes 'provide a less personal and therefore less threatening way of exploring sensitive topics' (Barter and Renold 1999) as well as gently 'prompt a discussion of individuals' personal

experiences' in relation to the narrative offered by the vignettes (Hughes 1998, p. 383). Although the vignette interviews did not result in my participants admitting to involvement in similar incidents, they, nonetheless, encouraged frank discussions wherein some of the seafarers revealed incidents they knew about where stowaways were dumped at sea as well as indicated either that they had thought of dumping stowaways or that this was suggested by crew members on their ships.

Barter and Renold (1999) note that participants' ability to engage with the story depicted in the vignettes may be enhanced if they have a personal experience of the situation described. While none of the seafarers were involved in incidents in which stowaways were thrown into the sea, all had encountered stowaways at sea which enhanced their ability to relate to the issues highlighted in the vignettes such as the anxieties of seafarers about their safety, concerns for their jobs and professional reputations, fear of direct reprisals from their employers, commercial pressures as well as the difficulty of disembarking stowaways.

As the vignettes were a bit long, they were provided to the participants in advance via email and the seafarers were subsequently asked to confirm if they had read them during the interviews. Although I feared this may lead some of the seafarers to withdraw their consent to participate in the interviews, this was not the case and I did not observe any undesirable effect on the interviews as a consequence of providing the vignettes in advance. Rather, time was saved as the entire interview session could be dedicated to exploring the seafarers' experiences with stowaways and the issues highlighted in the vignettes.

3.4.2.2 Telephone and Skype Interviews

Telephone interviews require some methodological reflections particularly when the interview involves sensitive topics. The most obvious advantage of telephone interviews is that they make access to inaccessible respondents possible and, thus, reduce cost significantly. However, loss of visual cues is their inherent limitation. Nonetheless, Sturges and Hanrahan (2004) argue that non-verbal cues, such as hesitation, sighs, anger, sarcasm, curt responses, tears, rapid compulsive speech, etc. (Tausig and Freeman 1988), can compensate for the loss of visual cues that hint further probing and follow-up questions.

According to Sturges and Hanrahan (2004), when discussing sensitive issues the nature of the sensitivity may matter in telephone interviews. They suggest that for topics that are sensitive because they are embarrassing, telephone interviews may increase data quality. For topics that are sensitive because they are emotionally painful, however, telephone interviews

may not be well suited. The 'visual anonymity' (Tausig and Freeman 1988, p.419) offered by telephone interviews can enhance data quality in researching certain sensitive topics but can also have drawbacks.

The limited literature comparing telephone versus face-to-face interviews (Novick 2008) does not indicate clear-cut advantages of one over the other. For instance, Sturges and Hanrahan (2004) found no difference in data quality between the two modes of interviews. Sweet (2002) also indicates telephone interviews can be equally valuable data collection mode in qualitative research. However, Irvine (2011), in a secondary analysis of a dataset collected through both face-to-face and telephone interviews, notes that the average length of telephone interview was shorter, provided relatively less detail and shorter answers. McCoyd and Kerson (2006) also report that their telephone interviews generated less rich data even though they conducted 3 telephone interviews in comparison to 20 email and 7 face-to-face interviews.

Similarly, Skype interviews provide access to hard-to-reach participants allowing to overcome geographical and financial constraints as well as offering increased flexibility in scheduling interview times. They also allow to account for the loss in interpersonal and visual rapport that is associated with Telephone interviews to a certain extent (Hanna 2012; Deakin and Wakefield 2014). Like telephone interviews, Skype interviews enhance researcher safety as travelling to unfamiliar places is avoided although this involves a significant trade-off. However, Skype interviews also skew the sample towards those who have good internet access (Deakin and Wakefield 2014). Furthermore, as interviews via Skype may involve participants being interviewed in the comfort of their homes, there is an increased likelihood for distraction (Deakin and Wakefield 2014) which was also observed in this research. Phone calls, occasional interactions with family members and ambient noise arising from activities at home, such as the use of a blender on one occasion, were issues that disrupted the flow of the skype interviews in this research.

Nevertheless, I resorted to telephone and Skype interviews of necessity in order to access participants in different countries. Recruiting relevant respondents based in various countries was important in exploring the global governance of stowaways. However, there are few reflections that I will point out here concerning the process of interviewing via these technologies. The issue of skewing the sample of respondents to those with access to telephones and Skype and other communication software, such as WeChat, was not a source of concern in this research for two reasons. First, the sampling in this research was very purposive and not a

representative sample of any population in the statistical sense. As my sample pool was already narrowly defined by virtue of the criteria of selection, I was determined to make use of any available technology that would provide access to this selective group. Secondly, I did not encounter a potential participant who was willing to participate in the research and was not able to due to lack of access to such communication technologies. Rather, access was enhanced as I adapted to whichever technology was available to my participants. For instance, my use of WeChat was in response to the wide use of that technology in China.

Nonetheless, there were some challenges in using these technologies. For all mediums, interruption due to network failure was an issue. Loss of audio signal was also frequent. Hence, the interviews were interrupted a number of times by both sides requesting the other to repeat what was being said. Although this was beyond my control, the strategy I adopted to account for such interruptions was to remind my participants where the narration stopped and picking up from there. Similarly, distractions due to phone calls, noise and family members were also coped with a similar approach.

3.4.2.3 Issues in Translation and Interpretation

Researchers such as Temple (1997, 2002), Temple and Young (2004) as well as Wong and Poon (2010) highlight how the issue of translation is given little attention in social research and stress the importance of some methodological reflections in cross-language research . My research involved conducting interviews in one language and presenting the findings in another as well as the use of interpreters during the interviews. The Ethiopian stowaways were interviewed in the official language of Ethiopia, Amharic, which I simultaneously translated into English during transcription. Therefore, I assumed both a researcher and a translator role at the same time in this case. However, as Temple and Young (2004) note, this does not necessarily entail the final text being closer to the 'truth' as the 'socio-cultural positioning' (Temple and Young, 2004) and 'intellectual biography' (Temple 1997) of the researcher/translator are introduced in the translation process. According to Birbili (2000), the linguistic competence of the translator, the translator's knowledge of the culture of the population being studied, the autobiography of the translator as well as the circumstances in which the translation takes place are among the factors that influence the quality of translation.

I was well positioned to produce a translation of the accounts of this group of stowaways in relation to Birbili's criteria. I was confident in my linguistic competence to undertake the translation from Amharic to English and took caution to faithfully translate the

stowaways' accounts. Furthermore, the issues explored with the stowaways were largely confined to the maritime industry to which I am an insider as a former seafarer. Having worked on-board ships, having docked frequently in a port regarded as a 'home port' by the national shipping line I was working for (a port from which the Ethiopian stowaways stowed away), and originating from the same country as the stowaways allowed me to grasp the 'cultural context' as well as the terminologies they used during the interviews. I could easily understand what they were referring to when they were discussing port security issues at the port of Djibouti using 'esoteric' expressions or when they were detailing their hiding places on board. For instance, two of my participants talked about hiding inside what they referred to as the 'white round JRC' in reference to the INMARSAT antenna on board. I also attempted to keep the translation as verbatim as possible, only adding clarifications in brackets when the terminologies used became very 'esoteric' to provide the reader with clarifications.

However, an interpreter was required when interviewing Tanzanian stowaways in South Africa. Edwards (1998) and (Temple 2002) do not regard interpreters as neutral conduits of information. Instead, as Temple (2002, pp.845-846) contends, they are active producers in the research process whose 'socio-cultural positioning' (Temple and Young 2004) and 'intellectual biographies' (Temple 1997) always leave a mark on the research (Temple and Young 2004). This is clearly demonstrated by the exercise carried out by Wong and Poon (2010) in which three translators with different backgrounds emphasised different aspects when translating the same interview account.

Hence, Edwards (1998), Temple (2002) and Temple and Young (2004) propose interviewing the interpreters to assess how their world views, lived experiences and intellectual biographies impact upon the interpretation as well as engaging in discussions about the interpretation process with the interpreters. This is particularly important when the interpreters have significant differences from the interviewees despite speaking the same language. For example, in the work of Temple (2002), the interpreters had marked differences from the interviewees in the fact that the former were born and educated in England while many of the interviewees were recent migrants who probably possessed views that were significantly different from the interpreters.

The interpreter I used to interview the Tanzanian stowaways, Mohab, was, however, an insider to the group as he was a stowaway himself. He was also the first person I interviewed among the Tanzanian stowaways. Furthermore, he also had a previous experience in

interpreting for a journalist who acted as my gate keeper to the group. The fact that the interpreter hailed from the same place as the stowaways, had experience in interpreting and, furthermore, was a seasoned stowaway himself made him most suited for the task. I sat down with him first to explain how the interpretation should proceed before conducting the interviews. He was instructed to interpret the interviewees' accounts as verbatim as possible. If the interviewees' accounts prompted him to add his own account, he was told to do that separately after the interpretation of the particular segment is completed and only after explicitly pointing out that the subsequent account was his own. The fact that the majority of the Tanzanian stowaways interviewed could hear and understand what was being said in English made it possible for them to monitor that their accounts were accurately interpreted. Most often, I commenced the interviews without the aid of my interpreter to assess if the stowaways were able to articulate themselves in English. When I felt that they were able to articulate themselves comprehensibly, I let the interviews proceed without resorting to the aid of my interpreter. However, the interpreter stepped in to assist when they struggled. Whenever I assessed that the interviews would be impaired rather than be enhanced by their direct accounts, I always resorted to using my interpreter. Nonetheless, most of my participants occasionally switched to speaking in English at various stages during the interviews which is reflected in the quotes in the subsequent chapters.

I was initially nervous when my interpreter chose to listen to the interviewees' accounts for what seemed to me an extended period before proceeding with the interpretation. However, I noticed he always gave signals to the participants to pause their narration when he felt he had heard enough to interpret. Hence, I allowed him to carry out the interpretation at a pace he felt comfortable with. In addition, the use of the interpreter also created the opportunity to expand the interview into a three-way format at times where more details were revealed. He also added his own account in some occasions following up on his interpretation of the participants' accounts which enriched the data further. Nonetheless, he was always careful to point out that the information he was adding was his own and always did that after completing the interpretation of the specific segment in accordance with my instruction to him regarding the interpretation process.

Interpretation through two Chinese colleagues of mine was also used when interviewing two Chinese seafarers. Similar to the case with stowaways, one of the interpreters was a former Chinese seafarer who had had a stowaway experience and was also interviewed as part of this research. In addition, he was also a social scientist who had extensive experience

in interviewing Chinese seafarers and translating interview accounts into English in his own research. Hence, he was suited for the task and, similar to my Tanzanian interpreter, he undertook the interpretation at a pace he felt comfortable with. He preferred interpreting accounts in shorter segments and was also instructed to interpret accounts as verbatim as possible. In this case, the fact that all three of us had experiences of working on ships and were 'insiders' to the wider shipping context enabled a smooth interpretation process. However, I had to seek the assistance of another colleague for an interview with another Chinese seafarer as the aforementioned interpreter was not available. Although the second interpreter did not have a seafaring experience, she, nonetheless, had interviewed Chinese seafarers and translated their accounts in her own research. There were a few instances in this case where the interpreter struggled with specific words, such as port names and parts of the ship, as she did not have a seafaring background. However, I was able to easily understand what she was referring to due to my experience as a former seafarer. I could also hear the technical words the interviewee was using at the time. In addition, the Chinese seafarers were also able to understand English and were only constrained in their abilities to speak which made possible a level of oversight on the interpretation process. I did not observe any serious issues during the interpretation process throughout this research that would have led me to conclude the use of interpreters had had inadvertent effects on the quality of the data.

Edwards (1998) argues that interpreters should be rendered visible in research outputs and suggests some strategies to do so. She suggests making interpreters use third person pronouns when interpreting and using a similar approach when quoting from the transcript. I have embraced this position and the interpretations were done in third person pronouns. Furthermore, quotes from these interview accounts in the subsequent chapters also render the interpreters' presence visible through the use of third person pronouns and pointing out that the specific account was solicited through interpretation by a particular interpreter in each case.

3.5 Sampling, Access and Validity

The sampling used in this research involved purposive sampling (Bryman 2012). Section 3.4.1 has discussed in detail the sampling of documents and the sources they were obtained from. This section focuses on the sampling of interview participants. The sampling strategy used for stowaways was snowballing (Lee 1993; Bryman 2012, p. 203). An encounter with the first former stowaway from Ethiopia was facilitated by a mutual acquaintance. Snowballing was then used to recruit three more former stowaways. In relation to the

Tanzanian stowaways, I came across the name of a journalist, Sean, who wrote a piece on Tanzanian stowaways in Cape Town. I emailed him and followed it up with a phone call. He was keen to facilitate access to the stowaways and, subsequently, introduced me to three stowaways including my interpreter when I travelled to South Africa for my fieldwork. A similar snowballing strategy was used subsequently. There is a bias in the stowaways' sample as snowballing meant that my participants were known to each other and implicitly on good terms. While this is an inherent limitation in snowball sampling, this was the only sampling strategy that could be envisaged to access a 'hidden population' such as stowaways (Lee 1993; Bryman 2012, p. 203). However, there is a need for some reflection in the context of this research.

In Chapter Five, I have developed the notion of 'stowaway counter-apodemics', based on Walters's (2015a, b) neologism 'counter-apodemics', where I forward the argument that the stowaways possess an elaborate shared body of knowledge that they draw on throughout their attempts to stowaway, and which has provided instrumental insights into their treatment. However, a question can be raised as to what extent I can make a claim about the existence of a shared body of knowledge as my participants in both groups were known to each other and, hence, inevitably shared experiences and knowledge. There are three answers to counter this point. The first one is quite obvious in the sense that a shared body of knowledge implies a sharing of experiences and knowledge. In order to do that, one has to be in an amicable relationship with the other party. However, as I will highlight in Chapter Four, the stowaway populations around ports are known for violence and conflict among each other. This, *prima facie,* gives credence to the argument that the stowaway counter-apodemics that emerged as part of the research findings in this study came about precisely because of the sampling strategy and the implicit 'friendly' relationship this entails.

However, as Chapter Five will demonstrate, the significant similarities between the stowaway counter-apodemcis of the two groups of stowaways (who did not know each other) suggest that shared understandings go beyond the participants interviewed in this research. Other research into undocumented migrants have also shown that there is an elaborate body of knowledge constituted and utilised by the migrants throughout their journeys (Papadopoulos and Tsianos 2013; Andersson 2014). In addition, my data and the limited secondary sources available on stowaways strongly indicate the existence of stowaway communities around ports. Based on this fact, Collins and Evan's (2017, p. 336) notion of 'probes' can be invoked here. They argue that when the population is 'characterised by dense networks of social relations in

which shared participation in social practices and institutions enables members to develop a reflexive understanding of what counts as an appropriate action', a small sample of participants can be probed using qualitative methods to develop an understanding generalisable to the whole population. This will be further discussed in Chapter Five when looking at the stowaway counter-apodemics.

The selection of seafarers was challenging as the selection criteria confined the sample to those who had had stowaway experiences. Hence, a range of techniques were used to recruit participants for this study. Advertisements were posted on online platforms that cater for seafarers such as Facebook groups dedicated to seafarers and an online forum – *Ships Nostalgia*. I also advertised a call for research participants in a newspaper that is delivered weekly to about 10,000 ships, *Your Crewtoo.* In addition, I asked fellow researchers at the Seafarers International Research Centre to check with the seafarers they met in their individual research endeavours if they had had stowaway experiences and provide them with my details. Furthermore, I took the opportunity to post advertisements about the research in Maritime Training and Education Centres in China, India and Philippines through colleagues who were going on research trips to those centres. Although recruiting seafarers was difficult, through patience and persistence, a sample of 17 seafarers were recruited (see Appendix 3). Although the sample is not representative in the traditional sense, the findings from the accounts of these seafarers can be generalised to the wider seafaring community in the shipping industry to an extent. First, the generalisation sought in this thesis is that of analytic generalisation (Yin 2009) aimed at identifying causes that predispose seafarers to take harsh measures when dealing with stowaways. Furthermore, the experiences and accounts of the seafarers in this study can also be seen to be applicable to other seafarers by virtue of the shared 'structured space' seafarers inhabit in the context of a globalised and standardised industry (Sampson 2013).

Prior to embarking on data collection, an elaborate selection criteria was also adopted for shipping companies based on the areas and the types of trade shipping companies are engaged in. As the documentary data from P & I Clubs indicate, stowaways frequently board ships in certain ports and are often found on specific types of ships such as bulk carriers, car carriers and container ships. Letters were sent to relevant individuals and departments in a number of shipping companies and these were followed up by emails, and when they failed too with Phone calls. However, requests were consistently declined. Companies that even have a history of being accessible to researchers pointed out that they cannot be part of this study as the issue of stowaways falls under the 'security domain'. I had already given up on the

possibility of accessing shipping companies when the only company that participated in this research consented to take part. Hence, the views of shipping companies are significantly lacking in this research.

By contrast, P & I Clubs and P & I correspondents were very enthusiastic about participating in the research. Letters were sent out and often I received an email before the need to follow up. In addition, I also sent out emails to correspondents in different countries which were fruitful. Some correspondents and Club representatives were also accessed through the contacts of some colleagues. I will not delve deeper into the sampling and accessing of these groups as doing so will entail providing cues that would undermine research ethics with regard to anonymity. However, the accounts of P & I Club officials and correspondents included in this research are representative of these groups.

3.6 Ethical Issues and Researcher Safety

My research raised some ethical issues that needed due deliberation as it focussed on an activity that is deemed illegal- undocumented migration in the maritime sphere. Furthermore, I was also interested in exploring the dumping of stowaways at sea which is of a criminal nature. Ethical dilemmas also emerged when exploring the practices of the various actors involved in the governance of stowaways as some of these actors, including stowaways, have conflicts of interest with each other. While I will detail the ethical decisions I made with regard to the stowaway counter-apodemics in Chapter Five, it suffices here to point out that I was cognizant of the possibility of this research serving a voyeuristic and surveillance role into the activities and modus operandi of stowaways (De Genova 2002; Andersson 2014). Hence, I have taken certain precautions in relation to the stowaway counter-apodemics which I will detail in Chapter Five.

However, one ethical issue that needs to be highlighted here is the giving out of money to the stowaways. All of the Tanzanian stowaways and one former Ethiopian stowaway were provided with financial remunerations for their time and assistance with the research. I did not point out that this would be the case to my participants beforehand, and all my stowaway participants were enthusiastic to tell their stories as they realised part of my interest was on exploring their treatment. Hence, most wanted their stories to be told which were often grim. Nonetheless, I also decided that it would be ethical to compensate my participants considering their rough living, particularly the Tanzanians in South Africa. Three of the former Ethiopian stowaways were doing well for themselves and, thus, there was no need for financial

remuneration. However, as one has become a seafarer, I helped him with certain books he needed on navigation and shipping for his career. One of the former Ethiopian stowaways had just graduated from a university and was unemployed. Hence, upon completion of the interview I deemed it appropriate to compensate him for his time and willingness to participate in an uninterrupted telephone interview that took well over two hours. The Tanzanian stowaways were interviewed in a quiet café whose owner kindly arranged a quiet separate space for the interview. All my participants were first provided with meals and subsequent drinks (and occasional cigarettes!) over the course of the interviews that were often two hours or longer. Upon completion, they were provided with two hundred South African Rand (about 11 GBP). My interpreter, who was also a former stowaway, was present during all the interviews and was always treated in a similar manner as the interviewees. However, he was also paid the hourly rate for interpreting in South Africa for all the interviews.

I was also aware before embarking on data collection that this research would entail revelations that are illegal such as the dumping of stowaways at sea, illegal assistance to stowaways in entering states which would count as smuggling, etc. Hence, there were questions as to what extent I would ensure anonymity to my participants. As Adler and Adler (1993), Fitzgerald and Hamilton (1997), and Palys and Lowman (2000) have all stressed, there is a need for assuring participants about confidentiality when researching illicit activities such as drug use, prostitution and so on. Such participants have little, if any, incentive to reveal their personal stories, and the effective way of carrying out valid research is by ensuring confidentiality. The above scholars forward this justification for research that looks at illegal activities occurring ashore relatively within the range of sight of law enforcement. The problem I sought to explore takes place out in the oceans away from the gaze of law enforcement, even in the age of satellites and communication technology. We get to know of instances of stowaways being thrown overboard only when stowaways survive to tell their stories, making even a rough estimation of the extent of the problem impossible.

In those cases where seafarers have been apprehended for the charge of dumping stowaways at sea, prosecutions have often proved difficult due to the complexities with regard to legal jurisdictions. Hence, blocking any crucial information that might have been gained by alerting participants to the possibility of reporting to authorities from the onset did not appear to serve any purpose other than inhibiting the research. Fitzgerald and Hamilton's (1997) 'ethical balancing test' was considered here in which 'the public need to gain knowledge' about the issue of stowaways outweighed 'the public need to prosecute' following the breach of

confidentiality. The need to fill this knowledge vacuum can only be fostered by ensuring researcher-participant confidentiality in the strict sense (Palys and Lowman 2000). Furthermore, Sieber and Stanley (1988, pp. 51-52) highlight that the breach of confidentiality can have repercussions for future researchers who may want to research into this issue. This consequentialist defence to maintain confidentiality (Feenan 2002; Israel 2004) was also considered.

However, the foreseeability of future or ongoing harm and its preventability through intervention (Israel 2004, p. 728) was considered as an important reason for disclosure which was explained to my participants. Whereas past eventualities were removed from the calculation. During the interviews, a number of illegal activities have emerged including illegal assistance being provided to stowaways by seafarers, stowaways admitting to engaging in violence, accounts of stowaway's being murdered by other stowaways within the stowaway communities, physical abuse of stowaways by security escorts during repatriation, etc. All these were not reported. Besides, even if one wanted to report such issues, it is not clear which responsible authority to report to which, in turn, highlights one aspect of issues in global governance.

Nevertheless, some methodological strategies were employed to minimise the ethical sensitivity of this research. One pertains to the stowaway counter-apodemics which will be detailed in Chapter Five. Seafarers were also not directly asked if they had dumped stowaways at sea as this would have been counter-productive but also disrespectful. Instead, they were encouraged to discuss if they knew of any cases of maltreatment at sea including the use of makeshift rafts to cast off stowaways. This is one strategy recommended by Feenan (2002) in exploring very sensitive topics.

The issue of researcher safety during the fieldwork was also of concern as I had never been to South Africa before and was aware of some of the dangers associated with the stowaway communities as well as the crime rate in South Africa in general. Hence, all interviews were conducted during late mornings in a café far removed from the areas where the stowaways resided. All safety precautions were also taken throughout my stay in Cape Town and Durban in line with some of the advice provided by the UK Home Office. Partly due to the strict precautions taken and partly due to good fortune, there were no safety issues or incidents I experienced throughout my fieldwork.

3.7 Pilot Study

Sampson (2004) emphasises the need to undertake pilot studies in qualitative research for reasons including: acquainting oneself with the field; foreshadowing potential problems; identifying gaps in data collection and, hence, avoiding wastage as well as tackling researcher safety issues. While it would have been ideal to conduct a pilot study, there were certain limitations in my study. For instance, my field sites, Cape Town and Durban, would have benefitted much from going there to acquaint myself with the places although this could not be realised due to financial and temporal constraints.

However, the main reason I decided not to carry out a pilot study was a methodological one. As I elaborated at the beginning of this chapter, the design involved an adaptive theory approach to data collection and analysis. This implied that, propositions, interview guides, thematic focuses, concepts, theoretical framings, etc. were continuously evolving throughout the research process. Hence, I did not see the methodological significance of undertaking a pilot study as data collection and analysis went hand in hand to direct and improve subsequent lines of inquiry.

3.8 Data Analysis

Qualitative data analysis software (NVIVO 10) was used to code and analyse both documentary and interview data. The coding approach involved open coding (Strauss 1987) initially where the data was fragmented into little thematic details. However, these were soon reorganised into larger themes with subcategories coded under the more salient themes. However, whenever a new theme emerged, I went back to the previous data to recode those segments that might have fallen under the new theme. Analytical memo and research journals were also maintained documenting the progress of my thinking.

Furthermore, in accordance with the tenets of adaptive theory, theoretical insights were also useful to read through, interpret, frame and reframe the data. Hence, some of my codes were theoretically informed such as the notion of counter-apodemics. 'Outside' of NVIVO, my theoretical engagement was also chronicled in a research journal as a way of documenting my progressive theoretical deliberations. Hence, the next six chapters are the outcomes of such an iterative process that involved working with data, concepts, theories and literature.

3.9 Conclusion

This Chapter has sought to discuss the methodology that was used in conducting the research. The research design involved an exploratory and explanatory multi-method qualitative design with documentary analysis and interviews constituting the methods of data collection. The research is underpinned by critical realist ontological and epistemological assumptions which were operationalised in empirical research by using an adaptive research strategy. The sampling strategy used was purposive using a range of techniques in an attempt to recruit a highly select group of respondents. The geographical constraints in accessing participants were transcended by embracing the use of information communication technologies to extend the reach of the research. The research has probed key actors involved in the global governance of stowaways with the ultimate aim of explaining why some stowaways get dumped at sea. However, a prerequisite of exploring the governance of any problem is a consideration of the multifarious ways in which it is problematised and represented. Hence, the next chapter addresses the number of ways stowaways are problematised and represented including their own self-representations.

Chapter Four

Stowaway Representations

4.1 Introduction

Stowaways are understood and represented differently by various parties. Their representations, including their own, deserve attention as some of these are embedded in particular regimes of knowledge and administrative practices with practical implications for their governance (This will become clearer in Chapter Eight and Chapter Nine). For instance, legal representations often essentialise the whole identities of stowaways reducing them to certain 'moments of capture' (Walters 2008a, p. 19; Walters and Lüthi 2016, p. 364), while the word 'stowaway' denotes much more as this chapter demonstrates. While these points will be fleshed out in the proceeding discussion, it is important to reflect here on how this research might also be guilty of essentialising particular aspects of the lives of these individuals. There is indeed a level of emphasis on one aspect of their identity in this thesis even if I adopt their self-representations to capture what a 'stowaway' signifies. Even when using their own reflections, however, good portions of their biographies and multiple identities as fathers, sons, nationals, immigrants, etc. are abstracted out from the discussion. However, these details are marginal to my research focus. Hence, conceiving a 'stowaway' through their self-representations and concentraing on that aspect of their biographies will suffice.

As Aradau (2008, pp. 18-19) points out, problematisations and representations, which often are knowledge and expertise-based, have the effect of conferring particular identities on actors leading to responses and interventions based on those conferred identities. She asserts that interventions are inseparable from representations of a problem. Edwards and Gill (2002, p. 247), in their study of transnational organised crime, also emphasise the way in which the narration of a problem selects and deselects certain strategies of intervention. It is therefore important to ground the discussion of the governance of stowaways in the different ways they are problematised and represented.

I will begin by looking at the profiles of the stowaways included in the study, before moving the discussion on to their representations including their own. By drawing on interview data and documentary sources, salient representations are identified that are broadly grouped

into 'popular', economic, security, legal and 'industry' representations. A contrast will be made between some of these representations and the stowaways' self-representations which at times diverge widely. This divergence becomes a recipe for conflict between stowaways and industry actors in some instances as will be highlighted here as well as in Chapter Eight when their disembarkation-repatriation is discussed.

4.2 Profiles of Stowaways

Michael Banton's work on immigrants from West Africa and the West Indies into the UK offers some glimpses into the profiles of earlier stowaways in the mid-20th century (Banton 1953, 1955). What is interesting about his work is some of the parallels between his depictions of stowaways then, particularly from West Africa, and contemporary stowaways. For instance, he notes most of the stowaways were young men under 30 years old (Banton 1953, p. 7; 1955, p. 50). This resonates strongly with the profiles of the stowaways I interviewed. Most embarked on the 'stowaway life' in their late teens and early twenties, and some were in their thirties at the time of the interview when they remained 'active' stowaways, i.e. they were still attempting to stow away on ships. Other sources also indicate that most stowaways tend to be males between late teens and early thirties (Holder 1997, p. 231; Reid 1997, p. 49; McNicholas 2008, p. 174).

All 15 stowaways who participated in this research were males, and I did not come across female stowaways during my fieldwork in South Africa. Women stowaways featured in the newspapers published in the mid to late 19th century (NoAuthor 1892, 1896). There were also incidents where women sneaked onto naval ships to see their lovers in the past (Boyle 1992, pp. 11-12). Nonetheless, on contemporary cargo ships, female stowaways are very rare. There are only a few reports available in which female stowaways were found on board in the company of male stowaways (Dentlinger 2003; Heads 2010; Christie 2016, p. 120). For the two groups of stowaways I interviewed (see Appendix 2), the absence of female stowaways in their mix was not surprising. The conditions in which the stowaways live are harsh and violence frequent, possiblily making it difficult for women stowaways to 'blend in' (Bouyalew and Soribes 2010; Christie 2016). As Christie's (2016, p. 120) informant who was also a stowaway put it, 'female stowaways are 'very rare' and that they would have to be 'pure ghetto' to survive in the Beachboy areas.' These aspects of stowaway communities will be discussed towards the end of the chapter. In this chapter and subsequent ones, I will use masculine pronouns to refer

to stowaways so as to reflect the strongly gendered aspect of contemporary stowaways and their communities.

Although stowaways can potentially originate from any country, the limited data available indicates the preponderance of certain nationalities. The data from the International Group of P & I Clubs (IGP&I 2010, 2013), which is the most comprehensive to date, indicates the following as the top-ten nationalities of stowaways for the years 2007 and 2011: Nigeria, Ghana, 'Republic of Congo/ Democratic Republic of Congo', 'Guinea/ Guinea- Bissau', Cameroon, Liberia and Sierra Leone from West Africa; Morocco and Algeria from North Africa; Tanzania from East Africa; Dominican Republic from the Caribbean; Afghanistan and India from Asia.

The stowaways who participated in this study originated from Tanzania and Ethiopia. While the Ethiopians stowed away from Djibouti port in East Africa, the Tanzanians stowed away, and continue to do so, from ports in South Africa such as Cape Town, Durban and Richard's Bay. They often make multiple attempts to stowaway over a number of years. Increased port security makes it difficult to gain access to ships, and even when they succeed in travelling with a ship, they are often caught and flown back to their countries. This results in a state of limbo where they will remain in the stowaway life for many years. Being trapped in these cyclic travels forces some to abandon the stowaway life. Others continue their attempts, engaging in illicit activities, such as theft and selling drugs, to sustain themselves in the meantime. They also try to extract some financial benefit out of their cyclic trips in the form of 'pocket money' during disembarkation-repatriation. This raises the interesting prospect of the notion of 'career stowaways'. The issue of 'pocket money' will be elaborated further in this chapter as well as in Chapter Eight.

The determination and resilience of stowaways are apparent from the vast disparity between the numbers of attempts they make to stow away in ports over a span of many years and the few instances in which they manage to leave the ports of embarkation and travel with ships to different destinations. To make a distinction between their numerous attempts in ports and the few times they manage to stowaway and travel with ships, the latter are referred here as 'successful attempts.' 'Successful' here does not mean succeeding in achieving their goals of being disembarked in a desirable country and settling there. It merely implies avoiding detection before the vessel departs from territorial waters and travelling to a different country. In most cases, the stowaways are repatriated back to their countries of origin only to find their

way back to the ports. This state of limbo is what prompted one former stowaway to state, 'being a stowaway can feel like a game in which you always land on the square that sends you back to the start' (Christie 2016, p. 126). Even the few stowaways in my sample who finally made it to Europe and settled there, only managed to do so after many attempts over many years.

Due to the difficulty of avoiding detection and travelling with a ship, successful attempts garner respect and social capital among the stowaway communities (Bouyalew and Soribes 2010; Christie 2016). For instance, Mohab said the following about David who was, in fact, the most successful stowaway I interviewed with 11 successful attempts under his belt:

> *[David] is working in the harbour now in the fire service. He stow away more than ten ships that guy. He has seen a lot.* (Mohab, Tanzanian stowaway).

However, as Appendix 2 indicates David was a stowaway for almost 14 years and managed to make successful attempts only 11 times which positions him as among the most experienced stowaways. The time periods that are left open-ended in the table imply that the stowaways identified themselves as stowaways and were still attempting or planning to attempt to stow away at the time of the interview. In other words, they were still part of the stowaway communities, identified themselves as a stowaway, and still had intentions to board ships even when they had not made an attempt to stow away for some time.

As Appendix 2 shows, among the 15 stowaways I interviewed, only five ended their 'stowaway life'. Hence, for these stowaways, the entries in the 'duration' column are close-ended. David, who abandoned the 'Beachboy' life as it is called among the Tanzanian stowaways, found a job in the fire department inside the port of Cape Town. Eyoel, on the other hand, was making attempts between 2002 and 2003 when he was disembarked in Durban without the authorities being notified. He stayed working in Durban and Cape Town, and was caught in 2008 when he attempted to stow away on a ship in Cape Town. He was subsequently deported to Ethiopia from where he proceeded to Djibouti to resume the stowaway life. After making a number of unsuccessful attempts as well as being repatriated back when he managed to stow away on a ship, he decided to abandon his life as a stowaway and obtained a seaman's discharge book. He was working as a seafarer on board at the time of the interview. Issac also made 'over a hundred' unsuccessful attempts in Djibouti port between 2002 and 2005, only to be caught while the ship was in port. During his last and only successful attempt, he managed

to avoid detection and proceeded to sea with the ship and was settled in Europe at the time of the interview. Similarly, Moses also made a number of unsuccessful as well as successful attempts for three years. However, as successful attempts only mean going with the ship to another port, he was always repatriated back. In his last attempt, he managed to reach European shores and was settled in Europe when I interviewed him. Yonathan joined the Ethiopian stowaways in Djibouti in 2001 at the age of '17 or 18'. Like Moses, he made a number of successful attempts but always ended up being repatriated only to find himself where he initially began. Unable to get a break and having had enough of the hardship that comes with life as a stowaway, he decided to return to his hometown and pick up where he first left off in high school. He was awaiting his graduation ceremony from a University at the time of the interview.

While I did not ask my participants about their immigration status, I noted that they lived on the margins of society under gruelling conditions. Going hungry, falling ill and being victimised are the norm rather than the exception. Interpersonal and group conflicts within the respective communities are so prevalent that losing a life, getting stabbed or at times getting raped are palpable threats to one's safety. Incidents of rape were reported in relation to the Tanzanians where rape was used as a tool of retribution. It is not clear if there were similar incidents among the Ethiopians in Djibouti (For details on living conditions and violence, see Bouyalew and Soribes 2010; Christie 2016).

The stowaways also had accounts of being imprisoned or kept in detention centres in various foreign countries (some for a few weeks and often for months) during their travels. In certain prisons, conditions can be so harsh that even the most hardened of the stowaways like Issa exhibited dread when recounting his experience of a Cameroonian prison where he and his friend were detained for two months awaiting repatriation. Issa gave an account of his experience in a Cameroonian prison as follows:

> *Round wall like this, it's open. There is no cell. Or if you want a cell, you have to call your family to bring you mattress, wood so that you can build some place. If you got no family to bring you that, you will sit there until you die, my brother. Amaha! when I give that story, you can cry. Me, myself, was cry all the time, all the time was crying. I think I am gonna die. You want to go to pee, you have to pay someone money. Where I gonna get money, me I am a foreigner. When I go to toilet too much people beat me until I bled*

there. It's not good, you can cry, my brother. Fucked up, you can cry. […] There was no food. You can buy. Because agent before he was giving 10,000 CFA Cameroon. He give us the time we got caught. […] So that money, how I gonna do, how I gonna use the money inside there the prison? When you have money, someone he see you have money, that someone want to take your money. Even when I walk in the prison someone search me anytime, beat me anytime. Fucked up. I cannot explain you very very well, my brother. But it is hard time. But when I explain you very very well, you gonna cry, my brother. It is not good, that prison. It is not prison. Me I know prison. That is not prison. (Issa, Tanzanian stowaway).

Although there are some parallels between the stowaways I interviewed and those who featured in Banton's work at the beginning of this section, the everyday realities of modern stowaways seem far removed from those of the past. Whereas in most literary works stowaways are romanticised and portrayed as imbued with adventurous spirits, the experiences and living realities of the stowaways I encountered were often grim, violent, painful and far removed from their 'popular' representations.

4.3 Stowaways in 'Popular' Imaginations

Before aviation replaced shipping as the primary mode of human transportation across long distances, the figure of the stowaway provided ample material for the imaginations of writers and cinematographers. As von Zharen (2000) notes, stowaways have long featured in popular imagination as heroic adventurers; and he identifies four different 'stowaway genres' in literature and cinema. Two of the genres are quite relevant to the experiences of real-life stowaways: the 'heroic adventurer' and the 'victim'. Robert L. Stevenson's account of his experience with a stowaway is peppered with portrayals of a free-spirited adventurer (Stevenson 1895). This can also be observed from John Donald's prefatory note where he points out that the stories in his book are 'faithful records of actual experiences narrated by the *adventurers* themselves' (Donald 1928, emphasis added). He writes, 'so far as the writer is aware, there has not hitherto been placed on record any reliable narrative of the actual experiences of those boys who, lured by the magic of the waves, foolishly abandoned their homes […] to brave the dangers of the 'hollow-sounding and mysterious main'' (Donald 1928, p. 18).

Although stowaways were being portrayed as adventurers, the underlying theme seems to be that of stowing away as an escape with the ship as a means to do so. This could have been escaping from boredom and discontent, persecution, hardship, punishment, poverty, etc. In fact, stowing away had served as a means of escape for slaves in the 18th and 19th centuries, such as those from Cape Town, America and West Indies (Banton 1955, pp. 23-26, 39; Schoeman 2007, pp. 285-287). Related to this theme of the ship as a means of escape, newspaper reports on actual stowaway incidents in the second half of the 19th century often portrayed stowaways as 'free riders' who hoped to avoid transportation fees (NoAuthor 1850, 1869). In other instances, stowaways were portrayed as victims where the captains or chief mates subjected them to inhumane treatment and physical abuse, at times for no apparent reasons (NoAuthor 1867, 1868, 1897; Donald 1928, pp. 51-79).

In the various reports analysed in this study where stowaways were maltreated, including being thrown overboard, stowaways are rightly portrayed as victims (The maltreatment of stowaways will be discussed in subsequent chapters.) Nonetheless, despite the grim realities and difficulties endured by the stowaways interviewed in this research, there is, indeed, a sense of adventure in their experiences, albeit, an implicit one that is often overshadowed by hardships. Stowing away is indeed not for the faint-hearted. The adventurousness of these men can be observed from their readiness to quietly enter foreign lands and find their ways in places that are completely alien to them. The experiences of Eyoel and Mbongo Mzulu are quite telling.

> *I had no clue about this entire stowaway practice in the beginning. I didn't even plan to become a stowaway. I left my home in Addis Ababa to go to St. Gabriel church, south of Dire Dawa. After I came to Dire Dawa, I didn't have the means to return back home. […] So, I went to the train station and jumped onto the train, thinking that it was going to Addis Ababa. But after two stops, people informed me that the train was going to Djibouti. That's when I decided to just carry on and head to Djibouti. […] I knew nothing or no one initially. But then, I met some Ethiopians around the port who were stowaways and joined them.* (Eyoel, Ethiopian stowaway, author's translation)

> *[The ship] was going to dry dock, Istanbul. […] They said it's gonna stay more than three month. I said, 'ah! three month I gonna stay inside the*

ship?!' […]So, me I think I gonna run. But I can't run just like that because all of them are white and me I am the only one was black. So very difficult, but I said I'm gonna try my luck. […] [When they arrive to Istanbul his shoe has Paint on it. So everybody was telling him, 'this man, his shoe has Paint. So, he came by ship.' So the police now, they blow the whistle. But these guys they run to town, and sometimes they go to the coffee shop and sit there and just chilling, kill the time. Then they started asking were other black people were staying in Istanbul. […] Then he saw in Istanbul there was too much drugs, and the Tanzanian brothers were dealing too much drugs. […] So, he didn't like the place. […] So, after six months he stow away a ship from port in Istanbul.] (Mbongo Mzulu, Tanzanian stowaway, interpreted by Mohab).

For the various actors in the shipping industry, such as seafarers, ship owners and P & I Clubs, stowaways are primarily construed through an economic lens. Stowaways entail a significant cost to shipping in terms of repatriation cost, operational delays and, on some occasions, damage to cargo and the ship's accommodation. One Loss Prevention publication by the American P & I Club succinctly counterposes the 'popular' representations of stowaways against their economic costs.

> *Unlike their literary reputations as rustic 'swashbuckling heroes,' modern stowaways are a grave nuisance—costing millions of dollars a year in fines, expenses and wasted resources.* (Miller 2009, p. 4)

4.4 Economic Risk

The financial cost of stowaways to shipping was detailed in Chapter Two. It is, therefore, not surprising that for most actors in shipping, stowaways are primarily understood in economic terms. All the archives and literature explored in this research reveal that national laws have always maintained that the economic burden of stowaways should be shouldered by ship owners and subsequently their P & I Clubs. All legal instruments coming from the IMO have also made it unambiguously clear where the financial burden lies (IMO 1957, 2011b, a). Hence, stowaways feature regularly in Loss Prevention Bulletins circulated by P & I Clubs. These publications often elaborate on current stowaway traffic and practices, stowaway incidents, measures that need to be put in place to prevent future incidents, etc. with the aim of minimising the economic losses caused by stowaways. Stowaways feature alongside operational liabilities such as cargo damage, crew injuries, oil spills, etc. in these publications,

framing stowaways as primarily an economic risk that needs to be minimised (Walters 2008a). The cost of stowaways was given strong emphasis during interviews with P & I Club representatives.

> *For the cases I have handled, sometimes the figure ranges from $20,000 to $50,000, I mean the whole figure.* (Chen, P & I correspondent, China)

> *Average cost per stowaway is about $12,000. That's for his flights, for escort fees, for getting documentation for him. It covers everything basically.* (Victor, P & I correspondent, SA)

> *From club to club, of course, the deductible is different. It may be from $5,000 to $30,000, the deductible. So, this is the cost to the company. So, if you have a high deductible, it may be solely from the company's account. […] usually depending on how difficult the case is, the cost will vary, and of course, how many stowaways you find. If it is one, it goes without saying that the cost will be low. But in my first company, we were actually trading in West Africa. We had cases where we found three and four stowaways, and that costed us up to $100,000 to disembark them.* (Liya, shipping company A, UK)

In addition to the immediate financial costs, stowaways also introduce uncertainty in routine commercial operations which further reinforces their framing as an economic risk.

> *There is always the worry that things might not work for some reason. Or more importantly, depending on what cargo you're carrying, if you don't get it to the next port on time, you don't meet your next charter, and you know the ramifications of that. So, that doesn't happen often, but it's on the back of the ship owner's mind that until it's resolved, there's always the worry that the vessel is going to be delayed.* (Sarah, deputy claims director, P & I Club A)

> *Of course, we have the coverage by the P & I Club. But still we have deadlines; we have many restrictions when it comes to our clients as well. We cannot deviate our vessels all the time. This also is a burden on our P & I records. Because the P & I will arrange disembarkation and then they will arrange all the paperwork in order for him to be sent home. But that will be*

added in our records. All the expenses, at the end of the year when it comes to renewal, it will be shown there. (Liya, shipping company A, UK*)*

As these quotes demonstrate, the economic risk posed by stowaways is a salient issue for certain actors such as shipping companies, P & I Clubs, and their correspondents. Nonetheless, this does not mean other stowaway problematisations are overlooked by these actors. For instance, P & I Clubs are very cognizant of the possibility of stowaways being victimised and maltreated on board. This can be noted from the guidelines they issue to seafarers that are keen to emphasise the humane treatment of stowaways on board. Furthermore, the security implications of having stowaways on board are not lost on these actors.

4.5 Security Framings

Alongside their economic framing, stowaways have also been problematised as a security issue. Industry publications published in the 1990's link stowing away with criminality, security threats, piracy and organised crime. (Parrit 1992; Ellen 1997). It should also be noted that 'stowaway threat', and in one instance 'stowaway attacks' (SKULD 2016), is often used in such publications. Four prominent security motifs can be identified here that frame stowaways as a security issue. The first one derives from the immediate security threat stowaways pose to the ship's crew and the commotion they sometimes arouse on board. Their representation here constitutes a threatening presence to seafarers on board, a framing that emerged out of a number of documented incidents. This threat is exacerbated when they are found in large numbers, at times, outnumbering the crew on board.

Even more recently, there has been a ship with 17 stowaways on board, […] [the ship] had a crew of 21 persons. The crew keep watches and the risk is real of the ship being taken over by stowaways and effectively pirated and taken to a port of their choice. The safety of the crew is then seriously in question and this would come back to the argument for carrying weapons on board that has been raised on several occasions with the China Sea Piracy. (Beetham 1997, pp. 28-31)

This excerpt establishes an interesting link between stowaways and piracy. This relates to the second security motif that can be referred to as a 'stowaway-piracy nexus'. Stowaways are framed as a security threat by placing their discussion alongside piracy, which in and of itself is problematised in a number of ways among which security framing is only one (Bueger

2013). A good example of this 'stowaway-piracy nexus' is a chapter in McNicholas (2008) titled, ' Plagues of the Seas: Piracy and Stowaways.' One captain also made this connection during an interview when asked if he or the seafarers on his ship had felt threatened by the presence of stowaways on board.

> *Threatened by a stowaway on a ship? Fine, but a stowaway who threatens a seaman on a ship is no longer a stowaway. I will see him as a pirate or an armed robber or something else. So, he has graduated from just somebody who is trying to hide and then make his way to somebody who has become a bandit.* (Captain Kofi, Ghanian)

Although the 'stowaway-piracy nexus' is often established by casually grouping the two groups together, there are a few incidents that reinforce the link between the two. In one incident involving the ship *MV Med Star*, a group of 14 Iranian and Iraqi stowaways hijacked the ship, demanding to be taken to a European city, an incident that conjures images of hijacking in aviation (BBC 2000). In another incident, it was rather pirates that adopted stowing away tactics with the intention of hijacking a ship. In 2005, a ship departed from the port of Muntok in Indonesia and was subsequently hijacked by pirates who managed to get access to Muntok port's premises and hid themselves inside the ship until the ship departed from the port (Ng and Gujar 2008).

A similar security framing of stowaways also emerges from a 'stowaway-terrorism nexus.' The ways through which this nexus is establised are not any different from the 'stowaway-piracy nexus'. More often, the link is made by casually placing stowaways next to maritime terrorism and piracy in the discussion of maritime security. In other instances, terrorism is invoked as one of the potential security threats that may be associated with stowaways. For example, Edey (2015) writing for Dryad Maritime, which promotes itself as 'unrivalled in the maritime security market' (http://www.dryadmaritime.com/about/), states:

> *[…] stowaways instead of being political or economic migrants could possibly be terrorists attempting to gain access to western countries via less protected routes. Islamic State have already made a clear intent to use the irregular migrant routes in the Mediterranean to enter southern Europe. What is to stop them attempting to do it as stowaways?*

Such invoking of terrorism when discussing stowaways was also observed during interviews, as the following quote shows:

> *Also, we have to be aware that any stowaway on board is an unauthorised person on board, and as such, is a potential danger to the vessel or the crew. At an exaggerated level, perhaps even some form of terrorist.* (Sarah, deputy claims director, P & I Club A)

In any of the stowaway incidents I looked at, stowaways were not implicated in terrorist acts. Nevertheless, there were a few cases where there was a strong suspicion that the stowaways might have been potential terrorists. One instance involved a stowaway who was found inside a container with a bed, toilet facility, enough food supplies, a laptop, mobile phones, passport and airport security passes. This aroused suspicions that the person in question could be a terrorist although this suspicion was not confirmed (Bakir 2007). In another case, UK P & I Club's Loss Prevention Bulletin reported about stowaways on a ship that was sailing from Italy to Turkey. The bulletin pointed out that the stowaways' intentions were to travel to Syria, raising concerns about possible plans to join the 'Islamic State' terrorist group. Moreover, the bulletin states that there was information regarding 'a number of similar incidents involving ships from French and Italian Ports, Marseilles in particular.' (UkP&I 2015).

A more prominent security motif in the framing of stowaways is, however, that of 'the criminal stowaway'. The notion of criminality here ranges from illegal boarding to violence and, more frequently, drugs. Stowaways are frequently implicated in the transportation of drugs either for personal benefit or as part of a wider drug smuggling network. Those from the Caribbean and certain Latin American countries have often been noted to bring drugs along while stowing away (Nourse 1993, p. 439; McNicholas 2008, pp. 174-175). This also holds true for some of the stowaways I looked at in this research, particularly the Tanzanians. While Khat is widely consumed in Djibouti and the stowaways admitted using that to bribe port workers, it is not evident if they are engaged in organised and/or semi-organised smuggling activities. This should, however, be considered in the context of the data collection strategy used with this group which involved face-to-face and telephone interviews with only four former stowaways. No fieldwork was undertaken in Djibouti. There is also not much written on stowaways in Djibouti other than an authobiography by a former stowaway (Bouyalew and Soribes 2010). When it comes to the Tanzanian stowaways, however, the opportunity offered

by fieldwork and extended interviews with a larger sample of active stowaways that often went for over two hours, offered the opportunity to gain detailed insights into aspects of their lives on shore. Some smoked *Unga* (marijuana laced with heroin) during interviews and revealed about the intertwining of drugs and stowaway lives in South Africa. This ranges from personal use, to selling drugs to generate income, or being involved in a more elaborate underground network with those involved in the drug business (see Christie 2016 for a detailed account on this issue). The issue of carrying drugs on board also emerged during the interviews with stowaways and industry actors. When I asked Mohab about a previous comment made by a stowaway search company owner who suggested that stowaways often carry copper wires, brass, etc. with the intention of selling them at their destinations, he said the following which was also shared by a P & I Club representative.

> *That's lie. He is lying. You can carry drugs. Stowaway, you can carry heroin or cocaine or ganja, that's what I know.* […] *if I go to other country, I can sell it and I get money. Because drugs, you know, you just swallow or you just plug in the ass, yeah.* […] *Yeah, few stowaway they did that and make it. When they go to other country, they make enough money. […] Few people here they do that. Not everyone.* (Mohab, Tanzanian stowaway)

> *[…] on the east coast of Africa, we had people coming down to South Africa, and we believed that they were drug runners where they were coming into South Africa. And then, of course, they wanted free trip back to their country. So, they'll again board ships and coming back up to get home, to come back down again and they keep going in a circle. Those were actually quite easy cases because they wanted to go home. So, there's a criminal aspect to it as well which is a shame.* (Nick, senior claims executive, P & I Club B)

The security framing *par excellence,* however, stems from the ISPS code which was the maritime industry's response to the 9-11 attacks in the USA. This mandatory international legislation addresses extensive security issues. These include the security steps stipulated under Part A sections 7, 8, 9.4 and Part B sections 8.14, 9.9-9.24, 9.42-9.49 of the code that articulate the security measures that ships are required to put in place. As I will argue in Chapter Six, those provisions of the code that are relevant to preventing unauthorised access to ships have long been recommended as early as the 1990s precisely for preventing stowaways, albeit, not in the detailed manner of the ISPS code. Nonetheless, by making such security provisions

compulsory, the code has rendered the presence of stowaways on board into a breach in ships' and ports' security infrastructure. Furthermore, although the code explicitly mentions stowaways only twice (Part B, sections 8.9.4 and 15.11.4), it does so by situating them among 'all possible threats' that ships and ports should consider when carrying out security assessment. In other words, stowaways are included as 'security incidents' (IMO 2003). Hence, the ISPS code framed stowaways primarily through a security lens. However, ISPS is not the primary legislative instrument that establishes what a stowaway is. This is rather under the purview of the Convention on Facilitation of International Maritime Traffic (FAL Convention).

4.6 Legalistic Representations

Legal representations of stowaways, i.e. formal definitions, are not neutral statements. They are designed to demarcate the boundaries of who and what constitutes a stowaway as this has practical administrative implications. The transformations of these formal definitions over the years highlight important changes that were introduced for specific administrative purposes. The International Convention Relating to Stowaways, 1957, commonly referred to as the Brussels Convention, established the first formal definition of a stowaway as:

> *a person who, at any port or place in the vicinity thereof, secretes himself in a ship without the consent of the shipowner or the Master or any other person in charge of the ship and who is on board after the ship has left that port or place.* (IMO 1957)

According to this convention, for a person to be considered a stowaway, he has to board the ship while inside or in the vicinity of a port and has to remain on board after the ship has departed from that port. Although this convention never came to force, as it failed to acquire the required minimum number of ratifications, it stipulates that the cost of maintenance of a stowaway, disembarkation and repatriation shall be defrayed by the ship owner (article 4). The convention is not clear, however, on the costs associated with those who board a ship inside (or in the vicinity of) a port and are caught before the vessel has departed. Neither is the responsible party for these individuals addressed. The IMO, subsequently, adopted a resolution in 1997 (Resolution A.871(20)) that recommended 'Guidelines on the Allocation of Responsibilities to Seek the Successful Resolution of Stowaway Cases' (IMO 1997). This resolution tinkered with the above definition as follows:

> *A stowaway is defined as a person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board after the ship has departed from a port and reported as a stowaway by the master to the appropriate authorities.*

Although ship owners are still deemed responsible for stowaways as construed above, there are two important phrases in this definition that were introduced. First, as opposed to the Brussels Convention, a stowaway does not only have to 'secret himself in a ship'. Rather, the definition also captures those hiding inside a cargo that is subsequently loaded onto the ship. This should be seen in the context of containerisation that became widespread in shipping after the Brussels convention. Despite no mention of 'charter party' in these guidelines, we should also bear in mind BIMCO's 'Stowaways Clause for Time Charter Parties' that was introduced in 1993 to clarify the responsibility of ship owners and charterers for costs incurred due to stowaways. In the 1993 stowaway clause, which was subsequently revised in 2009, charterers were made responsible for stowaways who gained access to the ship by concealing themselves inside a cargo (BIMCO 2010). The second change involved the inclusion of the phrase '*who is detected on board after the ship has departed from a port.*' While the guidelines still referred to those individuals detected before the ship left a port or territorial waters as stowaways, they point out that no charge should be imposed on ship owners regarding detention and removal costs as well as penalties (see guidelines 4.3 and 4.4).

The FAL Convention, which was adopted in 1965 and entered into force in 1967, was amended in 2002 with important provisions that included a new section on stowaways (Section 4). The amendments also included new definitions that established a distinction between *'attempted stowaway'* and *'stowaway'*.

> Attempted stowaway*: a person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board the ship* ***before*** *it has departed from the port.*
>
> Stowaway*: a person who is secreted on a ship, or in cargo which is subsequently loaded on the ship without the consent of the shipowner or master or any other responsible person, and who is detected on board the ship* ***after*** *it has departed from a port, or in the cargo while unloading it in*

> *the port of arrival and is reported as a stowaway by the master to the appropriate authorities.* (IMO 2011a, pp. 9-11, emphasis added)

According to these definitions, one is a stowaway if he is detected after the vessel leaves port. However, similar to the 1997 guidelines, the FAL Convention also states in section 4.12.2 that for 'attempted stowaways' and 'stowaways' detected while the ship is still in territorial waters, ship owners should not bear any cost.

> *When it has been established to their satisfaction that attempted stowaways have embarked a ship in a port in their state, public authorities shall accept disembarkation of attempted stowaways, and of stowaways found on board the ship while it is still in the territorial waters […]. No penalty or charge in respect of detention or removal costs shall be imposed on the ship owner.* (IMO 2011a, p. 42)

The Republic of South Africa, whose ports are often among the top stowaway embarkation ports, has further tinkered with the FAL definitions effectively shifting the responsibility for 'attempted stowaways' to ship owners. The Department of Home Affairs Immigration Directive No. 9 of 2012 redefines a stowaway as '*a person who without permission, unlawfully boards a vessel at port of entry with the intention of travelling to a destination within or outside the Republic*' and sets out the terms under which a stowaway may be allowed 'entry'. The terms are, if the 'stowaway' is a 'citizen of the republic', 'permanent resident holder in the republic', 'recognised refugee in the republic', 'in possession of a valid temporary resident permit', 'in possession of a valid travel document, passport or visa if so required', not a 'prohibited or undesirable person', or 'a person who may be allowed entry in terms of the provisions of an existing law'. It also spells out that in circumstances other than the ones stated, the ship shall be responsible for the cost of removing the stowaway from South Africa. The directive also adds, 'a *person who stows from one RSA port of entry to another shall be handled by adhering to the criteria mentioned above'* (RSA 2012).

This does not entirely contradict the FAL convention. Section 4.12.2 of the convention quoted earlier includes the phrase *'when it has been established to their satisfaction that attempted stowaways have embarked a ship in a port in their state'*. However, the challenge emerges from the nature of evidence the immigration authorities are willing to consider in order to prove boarding took place in South Africa. The rationale behind this directive, as it points out, is that stowaways have been 'allowed entry into the Republic unlawfully.' I have indeed

come across cases, from both the interviews and documents reviewed, that stowaways have been disembarked into the country without the notification of the authorities. I will discuss this in Chapter Eight when addressing the issue of disembarkations.

However, the immigration directive turns a blind eye to the many stowaways already residing in South Africa, most of whom have crossed land borders to enter the Republic. According to the rule, if a person is caught inside the ports or at the ships' gangway before boarding, he will be considered a 'trespasser' and the authorities will handle the case. However, if he is found on the ship, then the onus will be on the ship to prove that he boarded in South Africa. The evidence accepted by the authorities involves the list of formal documents mentioned above. What complicates the issue further is that most of the stowaways in the country are foreigners, primarily Tanzanians. One P & I correspondent pointed out that he had never dealt with a South African stowaway, and highlighted the conundrum ship owners face as follows:

> *I have had a ship that the captain refused to sail because immigration said, 'no, he's now a stowaway. He's your problem now.' Captain refused to sail. The owners had to tell him to sail, go to the anchorage. And then, we organised travel documents and we took him off with the launch. Cost to the owners. So, there you hear the big moans and grunts, and I don't blame them. We know they got on board here. That's just a small loophole on the immigration side of things. You can't prove he's got on here, you brought him here. Never mind the fact that you've never been to a Tanzanian port or West or East African port. [...] At the end of the day, you can't prove that he got on here, he's now a stowaway, cost to the owners and the club.* (Zack, P & I correspondent, SA).

A stowaway search company owner also elaborated on the difficulty faced by ship owners in proving that the stowaways boarded in South Africa.

> *We've had incidents where we've found people and they had documentation on them. When we call immigration, we show them the documentation, they turn around and say, 'no, that's false.' And I mean, where would someone who's homeless and basically living on the streets get access to an official stamp and photographs, et cetera, et cetera? We've had incidents where we found them with local foodstuffs that can only be bought here and we said,*

> *'but yeah, and he was found with this food.' 'No, no, no, you, someone planted it.'* (Phillip, Stowaway Search Company, SA)

Nonetheless, one port security officer, while he was not able to provide actual figures, estimated that 'about 95% - 97%' were regarded as 'trespassers' (i.e. caught before they reach the ship or at the gangway), and pointed out that the port security team's effort is 'to prevent trespassers from becoming stowaways'. In light of these legal definitions, it is interesting to note how some of my participants either corrected themselves or myself in the usage of the word 'stowaway'.

> *The whole problem is one of states, isn't it? You start off with the need or desire for individuals to want to seek a future elsewhere for whatever reason, maybe for economic reasons, for political instability reasons, or as a way of human trafficking, drug trafficking, and just a way of keeping under cover. […] that problem always exists, and individually, the ship owners, even states, aren't going to resolve that. So, therefore, we are always going to have the stowaways. Because that is going to transform* ***to stowaways, or rather, people trying to stow away****.* (Sarah, deputy claims director, P & I Club A)

> Interviewer: […] *I know that there are large number of stowaways. For example, in Cape Town, I've talked to some of them, and they estimated maybe like 500 or whatever.*

> John: *The number of people attempting to become stowaways. Remember, once they're there, they're no longer stowaway. They're not even a stowaway attempting or getting into the facility. They're only a stowaway when they board a vessel.* (John, port security officer, SA)

These legal demarcations around who and what constitutes a 'stowaway' have little resonance with the stowaways' own conceptions. The stowaways identify themselves as such for the entire timeline they desire, hope, aim and attempt to board ships. This status, or more appropriately identity and way of life, often spans many years. The stowaways I interviewed formed communities around the ports they were stowing away from. The implication of this is, while official reports only document those that are spotted at the point of contact with a ship, there remain a large group of people who identify themselves as stowaways living around ports.

An indicative estimate by one key informant, for instance, places the number of stowaways living around the port of Cape Town at around 500. Christie (2016, pp. 105-106) makes a more informed estimate of the stowaway community in Cape Town. Based on 'the number of subscriptions[6] that are paid whenever a Beachboy dies', he estimates their numbers to be between 150 and 300 individuals. 'Stowaway' as an identity and a way of life, which transcends the spatial and temporal limitations set around the word by the legal definitions, will be explored in the final section of this chapter. However, I would like to first address the 'everyday' representations of stowaways by industry actors in their interaction with stowaways. This is relevant as it impinges on the disembarkation-repatriation process as highlighted here and in Chapter Eight.

4.7 Stowaways as Construed by Industry Actors

Stowaways are often portrayed as deceitful and manipulative by industry actors such as P & I Club representatives, local P & I correspondents and security professionals. This is also a recurring theme in the publications circulated in the industry including security manuals, guidelines, Loss Prevention Bulletins, etc. These industry actors, in their interactions with stowaways, have noted that stowaways often provide incorrect information such as regarding their true nationalities. In other instances, stowaways are also understood to be manipulative to try to gain the sympathies of seafarers, only to turn on the same crew if they believe that will help their chances of success.

In January 2006, two out of a total of seven stowaways drowned inside Durban port. They were being disembarked from the seaside of the vessel using a rope without the knowledge of the authorities. The stowaways alleged that they were threatened and forced to disembark (Carroll 2006). The dossier from the court shows three members of the crew were found guilty of endangering life and culpable homicide. However, a piece circulated by the local correspondent articulates a different account and warns seafarers against befriending stowaways.

> *The crew then broke the cardinal rule when it comes to stowaways in that they allowed the stowaways to befriend them. […]The crew felt sorry for the stowaways and the master failed to report the presence of stowaways on*

[6] These are contributions made by each stowaway to raise enough fund to send the body of the deceased back to his hometown in Tanzania. The list of names of the contributors and the amounts are recorded in a notebook.

board the vessel to the Owners. […]The Stowaways turned on the crewmembers who they had befriended on the way to Durban in order to get off the vessel. […] Stowaways befriend the crew in the hope that the crew will feel sorry for them and will then help them to get to where the stowaways want to go. […] the crew should never think of the stowaways as being their friends. Stowaways will not be the crew's friends when something goes wrong. In fact, as this case clearly illustrates, they will turn against the crew as quickly as they befriended them. (Heads 2006)

Some seafarers also shared this perception of stowaways as deceitful and manipulative.

We're following all the protocols, from the time they left Nigeria, […], we give them clean clothes; they have food and recreation, playing ping pong with the crew. No problem with that at all. […] The Nigerian Embassy lady there, interview one by one. They tried every trick in the book. One comes in, 'oh, I'm feeling bad. I'm feeling bad. I'm very sick. I'm very ill.' […]The next trick, one comes in with a can of Coke, one day expired, 'the captain's trying to poison us.' This is during the interview with the embassy lady. One can of Coke, one day expired. 'The captain is poisoning us. He's trying to poison us. He's trying to kill us.' […] straight to laboratory. Result the next day, absolutely nothing wrong, of course. (Capt. Smith, British)

[…] you'll never believe any of these stories. I mean it's just shit that they come up with all the time anyway as far as I'm aware. But that was his story. (Capt. Bill, British)

However, lying is not habitual. It is, rather, a tactical choice stowaways make. Andersson (2014, p. 111), in his study of undocumented migration from Western Africa to Europe, encountered a similar sentiment among border guards, aid workers, journalists, etc. in which the migrant is portrayed as 'a big liar'. He points out that for the migrants, 'blurring of truths and lies was part of their everyday experience' and forms 'part of their migratory toolkit'. This holds true for the stowaways as well. However, such behaviours by stowaways nudge industry actors to make a distinction between what they perceive as 'genuine stowaways' and 'professional stowaways'.

The distinction is a curious one. Often in migration discourse, the word 'genuine' invokes a distinction between those fleeing persecution and whose lives are in danger and those that are alleged to be economic migrants seeking to 'exploit' an asylum system. When we come to stowaways, however, 'genuine stowaway' holds a slightly broader connotation for industry actors. It is not limited to those fleeing persecution, war, etc. but also includes those seeking better economic opportunities. 'Professional stowaways', on the other hand, refers to those who have mastered their craft and learned their trade, are experienced, calculative, deceitful, and ready to exploit the stowing away process to their advantage. 'Professional stowaways' are also alternatively labelled 'career stowaways' and 'opportunistic'. More importantly, they are 'repeat offenders' and keen on extracting financial benefit.

> *[…] the stowaways are very good in what they do. They're professionals. You get a few cases where the guys are doing it for the first time just to, maybe, go to Europe or Australia or somewhere; to find better living. But then, most of the stowaways actually do it as a profession. Yeah, for income. We have a few cases where guys came back within two weeks. We repatriated them to Tanzania and two weeks later they're back again in Durban. So, that's how bad it is.* (Victor, P & I correspondent, SA)

> *When I started handling these type of cases, I think it's fair to say that there was a lot of people who were very genuine stowaways, who were looking for a better life. But as times goes on, that's kind of changed. […]As I say, there's also the sort of the economic-type individuals who just genuinely want to find a better place to go. […] some of the stowaways are repeat offenders, like the gentleman you met in South Africa. I recently had a case in Brazil whereby ten stowaways managed to get on board the ship. […] I think four out of ten had been in Brazil at least four times previously. So, as I say, years ago when I first started, which was 20 years ago, it was very much people who are genuinely looking to better themselves. Now it's almost become a profession to some people.* (Nick, senior claims executive, P & I Club B)

Data from interviews and industry publications are replete with this notion of 'professional stowaways' who are experienced, repeat offenders, and whose primary objectives are extracting 'pocket money' during repatriation (This issue will be addressed in detail in

Chapter Eight). When industry actors, such as P & I correspondents, keep encountering the same stowaways more than once and realise the stowaways are well aware of the process and, furthermore, are adamant on being given 'pocket money' to cooperate, their impressions of the majority of stowaways as 'professionals' are reinforced.

> *Truck owners or companies, they're responsible for that person, the illegal immigrant. If we go to the flight, the airports, exactly the same thing. The difference comes in that your stowaways that are coming through, are doing it for professional reasons. They're not doing it only for monetary, sorry, not for all the other reasons people would say, for a better life and avoid persecutions, all those things. That is maybe one percent of their motivation. So, the motivation, it purely becomes commercial. They're now looking for a way of income.* (John, port security officer, SA)

> *So there's two types of stowaways. There's the ones that you've obviously interviewed there in Djibouti that have been successful and they've made their way; they've made it. Our stowaways, yeah, I don't know if you know this, you may not, are not looking for a better life. They're not trying to get to any country. Our stowaways are career stowaways. So, it's a way of earning a living for them. […] Once they find a country that will repatriate them, they often get cared for in a hotel or seldom in prison. They then go to the aeroplane. They will not get on the plane without a thousand dollars at least in their pocket. […] And then the next week they're back out again. So, we almost get to know…my staff, I don't do the searches anymore, but my staff know a lot of them by name.* (Phillip, stowaway search company, SA)

> *[…] Many of them, they are professional stowaways. They've done it numerous times. So, they know the game. They know to lie about their nationality, about their name, they make it as difficult as possible to be identified so that they can't be sent home.* (Ellis, senior claims executive, P & I Club A)

> *The funny part is that, in most times, we have almost seen every stowaway is quite happy with repatriation. It looks like they are quite concerned about the money of their sea journey. And they are not afraid of the Chinese, the*

> *crew members or their embassy officers. The only thing they care is money. They get the money, it's fine. They can go home.* (Chen, P & I correspondent, China)

A seafarer who detailed his experience with Cameroonian stowaways from the port of Douala in 2012 also made similar observations during email exchanges about his experience.

> *I had the chance to chat some of them, and they were like [it] is a form of business they do because they know that they are not dealt with when they return to their home country. One guy told me he has been doing this for about nine years and he has travelled to many countries; he once went to Brazil through stowaway and he was caught. He was given 1000 dollars for him to return to his country, don't know how true that is but that was the info he gave me. For that guy it is something he will not stop.* (Deck Officer William, Ghanaian, email)

However, this distinction between 'genuine' and 'professional' stowaways is not straightforward and needs some nuanced understanding. It is important to remember the stowaways live in communities. That would entail sharing experiences, learning the tricks from each other and becoming imbued with 'the migratory tool kit', to use Andersson's (2014) expression. Furthermore, in the light of the limited success rates in departing with the ship, and the even slimmer prospect of being settled in a favourable destination, cyclic repatriations are predominant.

> *He say, you know his ambition, his dream, was to take that ship go somewhere better. But in the end, he end up fucked up place, you know, like say Nigeria, Namibia. But his dream not to end up in Namibia. So, no matter what happened there, he take it like a man, you know. Because his ambition is not there, but the reality is there. So, you have to face the reality no matter what happened.* (David, Tanzanian stowaway, interpreted by Mohab)

This inevitably leads to repeated attempts, thereby, reinforcing notions such as 'professional' or 'career stowaways' or 'repeat offenders'. Further complicating the issue is the living conditions of the stowaways around the ports which are marked by their position in the margins of society and 'hustling the streets' to sustain themselves. Hence, any opportunity to solicit financial benefits will be seized without hesitation. Even some of the stowaways who

would easily fit the profile of a 'genuine stowaway' did not abstain from requesting for 'pocket money'. The accounts of former stowaways Moses and Eyoel, the former who is now settled in Europe and the latter who has abandoned his dream of reaching 'El Dorado', are quite telling.

> *[The Captain] said, 'you have promised me, you have told me you can swim. And you can see the city from the ship. You can swim your way.' That was the captain's thought. But we suggested a different offer. […] we told him to give us some money and we will get off the ship. But he said, 'the way you enter [Madagascar] is with a ship, and you will be identified as strangers in that place. If you are carrying dollars, it will be known that you came with a ship. You will be caught and tell the authorities that you came from my ship.' So, we said 'no' and the moment we said that he was angry. The 'guards' grabbed us and threw us into the cabins.* (Moses, Ethiopian stowaway, author's translation)

> *Then P&I Club came, there is this thing called P & I Club. It is a stowaway insurance or something. […] So, before we were disembarked, we demanded, 'give us pocket money. Otherwise, we are not getting off the ship.' When he then gave us 100 dollars each we refused. Finally, we negotiated for 400 dollars each and took that amount. They took us off the ship, and to Cairo airport; […] then flown to Addis Ababa and went our separate ways. I returned back again to Djibouti. But finally I stopped stowing away. This was my last ship. The reason I stopped was because I could not succeed. Secondly, time is just passing, you know. It really wastes your time. You hope you would succeed, wait for ships, and the situation of the port changes over time. It became tighter also. So, that's why I stopped.* (Eyoel, Ethiopian Stowaway, author's translation)

Eyoel's account of 'time passing one by' is quite revealing. The stowaways are trapped 'between their dreams of Europe and the homes they left in the slums of Dar es Salaam' (Christie 2016, p. 13) or the different towns in Ethiopia. Christie (2016, p. 13) aptly labels this entrapment of stowaways in Cape Town, 'Limbus Tanzanium', which we can relabel 'the stowaway limbo'. Facing multiple failures and dwindling chances of success, while having to worry about their next meal, dreams can easily change to the pragmatics of making money. It should also be noted that part of the 'pocket money' is used to finance their way back to the

stowaway communities. Disillusioned and short of cash, some may simply settle for making 'deportation their life', as Isaac put it.

> *The ship then docked in Port Said. They wanted to get us off the ship there and an argument ensued. Two of them among us said, 'we should get off and be repatriated as long as we are given some money.' I said, 'our problem is not money but political. […]You see, if they manage to convince you to get off the ship, the company will allocate some money for you, for cloth, shoe, plane ticket, pocket money up to $500 or $600 sometimes. So, those who received some of that have made deportation a life, as a trip to make money. They lost sight of their goals. They even talk about it as a big experience.* (Isaac, Ethiopian Stowaway, author's translation)

However, there is a difference in expectations between the two groups of stowaways. The Ethiopians talked about 'pocket money' in the range of $300 to $600. The Tanzanian stowaways had significantly higher expectations. The amount of 'pocket money' they deemed appropriate featured in the thousands, $5000 being the maximum amount one stowaway wished for. The fact that they share their experiences with each other does not help either. With each increased sum a stowaway manages to solicit, the collective expectations rise. Furthermore, as the following section argues, the stowaways strongly see themselves as part of the 'shipping community' which, subsequently, leads to a sense of entitlement. It is important to note here that their deceitfulness, repeated attempts, sense of entitlement, and identification with the shipping industry are not peculiar to stowaways. Andersson (2014) also made similar observations in his ethnographic study of undocumented migration between West Africa, the Maghreb, and Spain.

4.8 Self-Representations

Stowaways have a subculture of their own with a well-articulated sense of identity, codes, internal politics, shared wisdom, and cultural expressions in the form of graffiti and parlance. The Tanzanian stowaways in South Africa all refer to themselves as 'Beachboys' although there are internal fault lines based on where in Tanzania they originated from (Christie 2016, pp. 137-139). Similarly, the Ethiopians in Djibouti simply refer to themselves as 'stowaways'. Here again, there are fault lines between 'Aseb boys' and 'the Oromos', a spillover from Ethiopian internal ethno-politics. Internecine conflicts along and within the fault lines, personal injuries, death and violence take place in both communities. While Banton (1953, pp. 5-6;

1955, pp. 47-48) does not mention any internal conflicts, his work also indicates that stowaway communities existed around West African ports in the 1940's and 1950's. These were variously known then as 'pilot boys', 'bummer boys', 'rarray boys' and 'King Jimmy boys'. The recurrence of 'boys' in these references suggests the gendered aspect of stowaway communities as pointed out in section 4.2. There is not enough space to map out the contours of the stowaway communities here which requires an extended ethnographic gaze. However, I will highlight some of the self-representations that emerge from their community-like existence. These representations are relevant to stowaway governance as a whole and the stowaways' interactions with industry actors.

In contrast to legal representations that confine stowaways to particular spatial and temporal contact with the ship, for the stowaways, stowing away is not simply a migration avenue that is limited to their time on board. It is an identity and a way of life. My interviews with stowaways are replete with phrases such as 'when I was a stowaway', 'in the stowaway life', 'this is my life', etc. Stowing away as a way of life and identity spans years and transcends geographic boundaries, and is certainly not limited to their brief time inside the ports or ships. Stowaways in East, South and West Africa are known to cross boundaries to neighbouring countries to stow away from different ports. The Tanzanian stowaways constitute a trans-border community dotted along the South and East coasts of Africa. The Ethiopians are constrained to Djibouti. Nonetheless, there is a level of trans-boundary network effected through digital platforms, such as Facebook, between active stowaways and retired ones. In Sean Christie's part-ethnographic, part-biographical, part-participatory account, the main protagonist who is a real life Tanzanian stowaway named Adam states, 'you will find Beachboys from here to Mombasa, all following the Sea Power way. It's like our Qur'an, only nobody ever wrote it down.' (Christie 2016, p. 11).

Adams description is quite telling. His use of 'the Sea Power way' is not a casual grouping of words. Rather, it is part of a way of life that is captured through distinct lexicons and parlance, body tattoos, monikers, and set of rules- 'the Sea Power code' (Christie 2016, p. 139). There is also a sense of hierarchy often based on brute force, and punishments being, at times, very brutal. Thanks to Christie's work, we gain insights into this way of life through his keen observations of the cultural artefacts with which the stowaways emblazon their surroundings. Some of the interesting graffiti he picked up from the 'Beachboy areas' include: 'The power of the sea forever and ever', 'Some win Some lost Some die, ' Seaman life no story only action', 'No way to escape my life without ship', 'Push life to sea', 'Die or save

Seamanlife is not story. Action'. He also notes how the stowaways have renamed various areas of Cape Town they frequent as 'Beachboy Office', 'Seaman Bar', etc. (Christie 2016, pp. 22-25).

The frequency of nautical lexicons in these graffiti relates to the stowaways' self-representations. The Tanzanian stowaways often refer themselves as 'seamen' which explains the recurrence of the word in the graffiti. Such reference also emerged during interviews.

> *You know, in the spirit, like you said, we are 500 people. But, say 200 those ones, they got spirit of, you know, seamen. Even you come to him now and you say, 'yo, can you work on the ship', you will take him straight. He not gonna ask you any questions. But another one is gonna say, 'ah wait' and he start thinking different. […] Him he is gonna tell you excuse, 'ah I am not gonna do this or this'. But other people he say, 'yo, let's go' and he is going straight, you see. So, it's like we are 500, but 250 is truly seamen and 250 just follow the wind like flag, you know. People they are like that. Same like these people they kill each other. These people they not seamen. You go to stab another brother, can you tell me you are seamen? So, if you are inside the ship now you gonna fight, me and you and we gonna start kill each other? So, you are not seamen. But you just follow and pretend like you are seamen. But you are not seamen. So, we got too many here, they are not really, you know, sea sailor. They pretending.* (Mohab, Tanzanian stowaway)

In addition to referring themselves as seamen, some of them have even managed to obtain seaman's discharge books and some mandatory certificates, such as basic firefighting, in the hope of becoming a seafarer at some point. Even Barrack, who expected the most inflated amount of 'pocket money', showed a strong desire to become a seafarer.

> *[Maybe one agent give him 5000 [dollars], maybe he could go to school, you know, and get seaman book. […]Him himself, he like to seamen. He like to work in a ship, you know. But you can't work in a ship if you got no document, certificate. To get certificate, it's hard if you got no money to study. He say, you know, for a better life, that's why he stow away a ship. Maybe he can end up better country and he can have better future; maybe he can go study there as a seamen. […]The plan maybe to go Europe to have a*

better life. He has a plan to work in a ship, you know.] For me, to work in a ship one day. (Barrack, Tanzanian stowaway, interpreted by Mohab)

The stowaways' accounts suggest a sense of identification *as part of* the shipping community. This seems to raise the sense of entitlement during disembarkation-repatriation that peppers the process with tension and conflict as will be discussed in Chapter Eight. There is a feeling among the stowaways that 'they worked for it' and 'it is their sweat' – 'my money'.

They abuse me because we start fighting over money. Because they must give me something, isn't it? So, they don't want to give me the amount I want, so they have to abuse me first. […] the P and I, we make them rich, man. They become rich because of stowaways. They take too much our sweat. You know, we do the job, all this stuff now we are talking. (Mohab, Tanzanian stowaway)

Those agents they eat our money. They didn't give us nothing. But the money was there. But them they take our money. (Vancouver, Tanzanian stowaway)

Bearing in mind the methodological limitations when it comes to the Ethiopian stowaways (i.e. only four interviewed, two of which were via telephone, and no fieldwork undertaken in Djibouti), there are some important differences when it comes to this sense of entitlement. The Ethiopians seemed happy to receive the amounts that are often regarded acceptable by the industry actors, i.e. up to $500. Although I noted that they considered themselves as 'insiders to the industry' in the sense that they felt they knew a lot about it, I have not picked up any self-reference as 'seamen' or use of nautical lexicons. Nonetheless, there are strong parallels between the two communities. There were some indications that the Ethiopians, like their Tanzanian counterparts, have developed some 'stowaway parlance' such as 'goradew' (translates as 'the sword') in relation to Mandarin alphabets on Chinese ships. This relates to the reputation Chinese seafarers have as being quite brutal in their treatment of stowaways, one that is also shared by the Tanzanians as will be pointed out in the next chapter. Moreover, both communities have their own codes of conducts and sense of hierarchy. Violence, conflicts, and harsh living conditions are also prevalent in both communities. Both identify themselves as stowaways for all the period they consider themselves to be as such and aim to board a ship. In short, for both groups, the notion of stowaway transcends the parochial conceptions of the word among industry actors, institutions, such as the IMO, and national authorities.

4.9 Conclusion

This chapter has elaborated on the profiles of stowaways and the diverse ways they are represented, including their self-representations. Grounding the subsequent discussions on the governance of stowaways and their treatment in these representations is important as interventions are often articulated based on the representations of a problem. For the governance of stowaways, five representations are relevant, namely, economic, security, legal, 'industry', as well as the stowaways' own self-representations. As the chapter demonstrated, these representations give salience to certain issues such as economic calculations or security-related considerations. However, the representations of the stowaways by others stand in contrast to how the stowaways see themselves. 'Stowaway' is better understood as a shared identity and experienced way of life, rather than narrow, transitional legal status. Such conceptions of a stowaway provide an explanation for why a detailed shared body of knowledge has emerged among the stowaways. The next chapter will focus on this body of knowledge accumulated by the stowaways, which I have named 'stowaway counter-apodemics'.

Chapter Five

Stowaway Counter-apodemics

5.1 Introduction

In the last chapter, I emphasised the need to link the governance of stowaways to their representations. The chapter also pointed out that stowing away is more than a simple migratory technique. It is an identity and a way of life that is grounded in the communities the stowaways form around ports. These stowaway communities possess their own codes, practices, micro-politics and subculture, constituting what O'Malley (1996) calls 'indigenous governance'. Emerging out of this is a shared body of knowledge that is based on experiences, observations, accounts, myths and beliefs, etc. which the stowaways draw on to mitigate the obstacles in their way during their stowing away attempts.

This chapter focuses on this shared body of knowledge largely drawing from data gathered through in-depth interviews with 15 stowaways. The majority of the interviews took well over two hours and were very rich in detail. As Chapter Three pointed out, the sampling involved a snowballing approach to both groups of stowaways which provided access to eleven Tanzanians and four Ethiopians. Having these two groups of stowaways, stowing away from two different ports, in the sample was very useful in contrasting their accounts. The findings indicate a striking overall similarity in their experiences, perceptions, and assumptions with just a few variations as I will demonstrate in this chapter.

A question can be raised here as to what extent one can talk about a shared body of knowledge, which shows striking overlap across the two stowaways communities, based on interviews with only 15 stowaways. As discussed in Chapter Three, I adopted Layder's (1998) adaptive approach to data collection involving an iterative analytic process of engaging between theoretical concepts and emerging data. In this regard, the concept of counter-apodemics developed by Walters (2015a, b) was very useful in framing this shared body of knowledge as I will elaborate shortly. The approach also allowed me to cross-validate accounts against each other with every subsequent interview, thereby, ensuring construct validity in the Schutzian sense (Schutz 1967; Cherryholmes 1988; Levi 2008). Furthermore, although 15 stowaways were interviewed, the accounts obtained from the sample can still be defended to

be representative of the two respective groups by drawing on the principle of uniformity as set out by Collins and Evans (2017).

According to Collins and Evans (2017, p. 336) when there is uniformity in a population, i.e. when the population is 'characterized by dense networks of social relations in which shared participation in social practices and institutions enables members to develop a reflexive understanding of what counts as an appropriate action', a small sample of participants can be probed using qualitative methods to develop understandings which are generalisable to the whole population. As my focus was not on individual stowaway biographies, such as why they became stowaways, but rather on their shared experiences in a maritime domain that is highly structured by virtue of standardised and globalised procedures, the findings can to some extent be generalised to the whole stowaway communities explored in this research. Moreover, the data shows striking similarities in the modus operandi, assumptions, practices and shared knowledge of the Ethiopians and the Tanzanians, further giving credence to the validity of the findings. Nonetheless, I remained sensitive throughout the data collection and analysis to any nuances and differences between the two groups. Any atypical accounts were followed up throughout the data collection, constantly cross-validating accounts between individuals and across groups.

I will begin my discussion on this shared body of knowledge by introducing the notion of 'stowaway counter-apodemics'. As 'stowaway counter-apodemics' develops in the context of measures that are put in place to deter, disrupt and control the movement and behaviours of stowaways, exploring this fund of knowledge provides useful insights into the governance of stowaways through the stowaways' perspectives. Nonetheless, as stowaway counter-apodemics is a tactical knowledge store to counter regulatory and control measures, it is important to address the ethical issues in discussing such body of knowledge. After setting out the limits of what I will discuss based on ethical considerations, I will delve deeper into the details of this shared body of knowledge, particularly those assumptions and experiences that will enrich our insights into the treatment of stowaways on board.

5.2 Stowaway Counter-apodemics

Walters (2015a, b) coined the neologism *counter-apodemics* based on its root word *apodemics*. Apodemics emerged as a guidance on the art of travel at the end of the sixteenth century and 'offered instruction on how to travel so as to make the long-distance journey into a machine for knowledge accumulation' in the service of the sovereign (Walters 2015a, p. 473;

2015b, p. 99). Walters introduced *counter-apodemics* in the study of migration governance as a concept that seeks to capture 'the dynamic fund of knowledge animated by the challenge of negotiating or evading migration control and surviving the difficult life of the road' (Walters 2015a, p. 479). This is similar to Martin's (2012) notion of 'extra-logistical knowledge' in reference to the body of knowledge mobilised by migrants. This same idea is also discussed under the rubric of 'mobile commons' in Papadopoulos and Tsianos (2013) in reference to the sharing of knowledge, connectivity, cooperation, mutual support and care among people on the move in learning the tactics and surviving the many facets of the migration process. However, I have chosen to use 'counter-apodemics' instead as it captures how this shared body of knowledge is situated vis-à-vis an assemblage of a regime of control and governance with its own set of opposing knowledge. I have called this 'governmental knowledge' which will be discussed in Chapter Eight. Counter-apodemics stands in opposition to its counterpart, governmental knowledge, that which is actively collated, accumulated, distributed and utilised by those that seek to halt, regulate and monitor the movement of stowaways. Hence, the prefix 'counter-' renders the power relations that exist more explicit. The root word 'apodemics' also captures the active observations, gathering of information and learning processes that are involved in constituting the stowaways' shared body of knowledge.

Stowaway counter-apodemics refers to the body of knowledge, experiences, beliefs, assumptions, etc. shared among and utilised by stowaways in responding to the obstacles they encounter both ashore and at sea in their 'adventures'. These obstacles range from the vagaries of life in the margins to, more importantly here, the body of knowledge, techniques and technologies drawn upon by port authorities, P & I Clubs, shipping companies, seafarers, stowaway search companies, etc. for the purpose of preventing stowaways. Counter-apodemics also refers to that body of knowledge, shared experiences and shared myths drawn upon by the stowaways in order to maximise their chances of survival while on the ship at sea as well as to exert some leverage during disembarkation-repatriation as will be discussed in Chapter Eight.

Stowaway counter-apodemics is a dynamic and responsive fund of knowledge. The stowaways observe and come up with clever methods in response to security measures and changes in practices in the shipping industry. This accumulated knowledge is constantly updated and shared by stowaways who share, tell and retell their individual experiences and the experiences of others. New and inexperienced stowaways learn a great deal from the more seasoned ones as well as mentor each other in the ways of the stowaway. The practice of sharing information was very discernible from the interviews. As the sampling approach involved

snowballing, my respondents were known to one another and certainly on good terms with each other. Hence, it should not be surprising that same incidents and experiences were told and retold in more than one occasion. For instance, when I inquired about incidents in which people they know might have been thrown into the sea by seafarers, there were a number of incidents that were retold by more than one participant, occasionally with the opportunity of interviewing the protagonist himself. In addition to accentuating how experiences are shared among the stowaways, this also contributed to a level of construct-validation in relation to the incidents described.

Stowaway counter-apodemics is basically an all-encompassing 'survival toolkit' covering issues from how to survive on the streets of Djibouti or Cape Town or even within the stowaway communities themselves, to ways of circumventing port security, selecting and boarding ships, avoiding detection during stowaway searches, when and how one should reveal oneself to the seafarers, maximising survival at sea, dealing with authorities at embarkation ports, benefitting from the repatriation process, etc. Hence, there is a critical ethical issue here in 'exposing the secrets' of this tactical body of knowledge. As De Genova (2002, p. 422) cautions, a study of undocumented migration, particularly those studies on the migrants themselves, pose 'the danger that ethnographic disclosure can quite literally become a kind of surveillance, effectively complicit with if not altogether in the service of the state'; and hence, 'documentation and exhibition of such practices can have quite practical consequences'.

The stowaways can be protective of their 'secrets' precisely for this reason as Christie (2016) also realised in his interaction with the Tanzanian stowaways. In one occasion, some of the stowaways were angry as they did not want some of their comrades to tell Christie 'anything about the Beachboy life' (Christie 2016, p. 16). In another instance, two stowaways alleged of being 'banished' from the stowaway areas in Cape Town, accused of 'sharing the secrets' of the stowaways with Christie while he was still at the initial stages of negotiating access to the community (Christie 2016, pp. 91-92). Although my participants were willing to share their tactical knowledge with me including critical aspects of their experiences, such as how they try to circumvent port security and avoid detection during stowaway searches, I will limit my discussion of stowaway counter-apodemics here to those issues that pertain to their treatment on board. This decision is for two reasons. First, my participants were quite eager to talk about their experiences with regard to treatment and, quite understandably, wanted their stories to be told. Secondly, this aspect of stowaway counter-apodemics provides invaluable insights into the treatment of stowaways which will be further expounded in the proceeding chapters.

Whenever it is deemed necessary to touch upon aspects of the stowaway counter-apodemics other than those pertaining to their treatment, I have taken caution to limit my discussion to what is absolutely necessary, and to those aspects that are already known to authorities and industry actors. This also applies to my discussions in subsequent chapters. Although I have taken these precautions, it is also important to point out that much of their counter-apodemics is actually known to the authorities and industry actors as data from interviews and documents strongly indicate. This will be become clearer in Chapter Eight when I discuss 'governmental knowledge' and demonstrate how these two opposing funds of knowledge mutually permeate each other. In the following discussion, I will focus on one aspect of the stowaway counter-apodemics, selection of ships, which offers an insight into their treatment on board.

5.3 Selecting ships

The selection of which ships to stow away on is one of the most important considerations stowaways keep in mind before boarding. Stowaways have amassed an impressive body of knowledge that assists them in making decisions about which ships to target and which ships to avoid. Stowaways attempt to gather information on the ships prior to boarding when possible although at times they may not get the chance to undertake sufficient assessment as they have to seize every window of opportunity to board ships. The next port of call is one important bit of information they often seek. This stems from the desire to reach a preferred destination such as Europe, North America, Australia etc. as is the case with other undocumented migrants embarking on different kinds of journey. Furthermore, knowing the ships' destinations saves stowaways their time and efforts by avoiding boarding ships that are going to undesirable destinations such as most African countries. Nonetheless, in the light of the circumstances I pointed out in the previous chapter, such as the South African immigration rules that often entail repatriation even when caught in a South African port, frustration over frequent failures vis-à-vis the difficult living conditions ashore, etc., some stowaways decide to board any ship they get at first chance without undertaking any 'risk assessment'.

An important selection criterion that concerns me here, however, is that of the nationalities of seafarers. Stowaways are very keen to find out which nationalities of seafarers are crewing a vessel before boarding. This is due to the reputation that precedes certain nationalities in relation to their perceived treatment of stowaways. What is interesting about this component of the stowaway counter-apodemics is the striking similarities that exist across the two communities of stowaways. As I will point out shortly, for certain nationalities of

seafarers, such as the Chinese, there is anecdotal evidence that suggests the assumptions are also shared by stowaways from West Africa. This overlap in the beliefs of the two groups of stowaways interviewed here is an important finding in two ways.

Firstly, considering the geographic and linguistic gap that exists between the two communities of stowaways, such close overlap prompts us to take the validity of the stowaways' perceptions towards certain nationalities seriously and probe further into why certain nationalities have reputations for maltreating stowaways including throwing them overboard or casting them off on makeshift rafts at sea. Secondly, while not undermining the veracity of the assumptions, this might also highlight to the existence of a prototype 'transnational stowaway counter-apodemics'. During my interviews, I learned that stowaways based around different ports at times cross paths on ships, in ports as well as inside airports. For instance, two of my Ethiopian participants had encountered Tanzanian stowaways on the ships they stowed away on. Some of the Tanzanian stowaways also talked about how they met stowaways from West Africa, such as Ghana, on the same ships. Furthermore, those stowing away from Djibouti may disembark in Durban or those from West Africa disembark in Cape Town and end up meeting the Tanzanians around those ports. There are also chances of meeting stowaways from different countries in airports during repatriation. Such encounters may facilitate the exchange of information and experiences contributing to the emergence of similar stowaway counter-apodemics at different locales. Whether this overlap is a result of similar experiences across the two communities only or a combination of similar experiences and occasional information exchanges between them, their accounts provide important insights into the treatment of stowaways by different nationalities of seafarers.

5.4 Nationalities of Seafarers

This is an important consideration for the stowaways in deciding which ships to board as some nationalities have a bad reputation among the stowaways for alleged maltreatment including throwing stowaways overboard. I noted the stowaways categorised seafarers into 'good' and 'bad' based on their nationalities early on in the interviews. However, I was sceptical about the stowaways' ability to distinguish between different nationalities of seafarers. Therefore, I wanted to know how the stowaways manage to ascertain the nationalities of the seafarers they encounter in ports. Often times, they try to make 'informed' guesses by drawing from their experiences and shared body of knowledge. Although they strongly professed their confidence in their abilities to distinguish between different nationalities of

seafarers, they also acknowledged the inherent limitations. They have to rely on bits of observational information and existing knowledge to make reasonable guesses.

> *[…] You read the name of the ship and register port, you know what kind of people they are. Even if you go there near the ship you listen the language they are talking, is it Arabic language or Portuguese, you gonna know people from the language they are talking.* (Abdallah, Tanzanian stowaway)

Abdallah, for instance, is able to pick up some Arabic words since he is a Muslim and knows certain Koranic recitations. Furthermore, growing up at the border between Tanzania and Mozambique and subsequently spending time in Mozambique, he is able to speak some Portuguese. Nonetheless, I was curious as to how he is able to identify other languages spoken by seafarers. In what I came to realise to be a characteristic stowaway response, simultaneously emphasising the accuracy of their knowledge while at the same time subtly acknowledging the possibility of error, he said the following:

> *Yeah, I know the language, if they speak Greek language, I know this is Greek language. If they speak Philippines language, I know this is Philippines language. Even I saw the people, their face, I see the guy who work inside the ship, I gonna know that guy is Italian, I gonna know that guy is Norway or Russia. You cannot be sure, but I just think and it gonna be real sometime the way I think. Because I gonna see the face and the way the people are and say 'they are Arabic', and it is true they are Arabic. I gonna say 'those people are Turkish', and the crew is Turkish. I see the name of the ship and register port is Istanbul; and I saw the people, their face and the language they speak, I say 'this ship is Turkish.'* (Abdallah, Tanzanian stowaway)

Other stowaways also explained how they try to piece together bits of information in working out the nationalities of seafarers before boarding although their final conclusions may not always be spot on.

> *You cannot be sure. It is like I told you earlier, if the ship is on anchorage, or just taking fuel or water, it will not stay long in port. It might just stay 3 hrs, 8 hrs or 48 hrs. But if cargo work is going on, the ship will stay 10 to 15 days since the operation is quite slow in Djibouti port. Hence, the seafarers*

> *will come down from the ship and we are right down there watching them. There are also guides who show the seafarers where the women are and so on. There are also the [security] watchmen. We don't ask the watchman for that information. But we will tell one Somali that we will buy him Khat [a stimulant leaf popular in that part of the world] and send him to the watchman to get information. So you will try to ask around, but then you also see the flag, the company name and so on. Though you cannot be entirely sure, you can make a reasonable guess.* (Moses, Ethiopian stowaway, author's translation)

> *Well, if we manage to meet one of the seamen and ask him, that way we will be able to tell. But we cannot tell from their faces. And mostly if a ship is flying a Japanese or Korean flag, the seafarers would usually be Filipinos. If the ratings are Filipinos, the captain is usually white from our observation (study) of ships. So we might be able to tell based on those observations.* (Yonathan, Ethiopian stowaway, author's translation)

Hence, identification of the nationalities of seafarers is achieved through a combination of observation, information gathering and making a judgement based on an already accumulated shared body of knowledge. Nonetheless, as already pointed out, there are limitations to the stowaways' ability to distinguish between different nationalities. This became more apparent when I inquired some of my participants about the nationalities they encountered in their personal experiences.

> *You know, he can't tell that guy is Arabic, Greek, Malaysia, he is not sure. But the way he look, you can say he is Greek, Malaysia. The way he look, you can't tell where he is from.* (David, Tanzanian stowaway, interpreted by Mohab)

However, the stowaways were consistent in pointing out details they were not certain about, whether in their own experiences or in their accounts of the experiences of friends. Hence, the above limitations should not deter one from taking seriously some of their strong assumptions about certain nationalities. About 25 nationalities were mentioned during interviews either in a negative or a positive light. Certain nationalities stood out for being a cause for concern for the stowaways. Such apprehensions towards certain nationalities of seafarers are not surprising as the stowaways feel most vulnerable when they are out in the sea

usually outnumbered by the ships' crews. Their accounts reveal a sense of helplessness and reticence at sea, which contrasts with their defiant and even aggressive postures in ports and at airports during disembarkation as the next chapters will highlight. There is not enough space to go through all the nationalities that were mentioned during the interviews. In the following subsections, I will discuss some of the more prominent nationalities that provide a window into the intricacies of the stowaway counter-apodemics as well as useful insights into the maltreatment of stowaways on board.

5.4.1 'Chinese' Seafarers

There was a near unanimous consensus among both groups of stowaways regarding their negative perceptions of Chinese seafarers. In fact, there is also an anecdote that this might also be shared by stowaways from West Africa. In an email exchange with a Ghanaian seafarer concerning his experience with Cameroonian stowaways, I asked him if the stowaways told him about experiences of being thrown into the sea. His response was:

> *No, but he told me he would never join a ship make up of Chinese because they would throw him over board.* (Deck Officer William, Ghanaian)

It is important to point out here that my participants did not make distinctions between Chinese seafarers from mainland China, seafarers from Hong Kong and Taiwanese seafarers in their accounts. Thus, my use of 'Chinese' seafarers here reflects the stowaways' use of 'Chinese'. In Chapter Seven, however, where I will develop possible causal explanations for the maltreatment of stowaways, my discussion of Chinese seafarers revolves around those from the mainland.

Chinese seafarers have a notorious reputation among the stowaways for dumping stowaways into the sea, often on oil drums as makeshift rafts. In fact, a ship that is believed to be crewed by Chinese seafarers is a no-go-zone for the stowaways. For instance, when I asked David if there are any groups of seafarers he might be concerned about, he said the following:

> *He say Chinese. He say he don't like. Everybody knows.* (David, Tanzanian stowaway, interpreted by Mohab)

Stowaways that were maltreated by other nationalities also held similar perceptions towards the Chinese. Kerry, who had been been forced to disembark onto a makeshift raft in 2006 by a mixed crew involving a Greek Captain, Russian and Ukrainian seafarers, still remained anxious about Chinese seafarers. Similarly, Eyoel's account also highlights this fear of Chinese

seafarers although he had been treated well by them in the past. Their accounts demonstrate the extent negative perceptions about the Chinese are deeply entrenched in the stowaway counter-apodemics.

> *He say Chinese, when he see the Chinese, he never go. The story he heard from other stowaways about the Chinese, he will never take a chance. He heard Chinese they throw too much people in the sea.* (Kerry, Tanzanian stowaway, interpreted by Mohab)

> *As far as I am concerned, it was after I was dumped that I started to worry. Before that, I was not scared at all. I had even stowed away on a Chinese ship where the entire crew were Chinese. Even them, they did not do anything bad to me. I never thought the Turkish would do that. In fact, I was scared of the Chinese. Because I knew that they had dumped people before that I know of.* (Eyoel, Ethiopian stowaway, author's translation)

As the above quotes indicate, these perceptions are based on accounts and experiences shared among the stowaways. Such exchange of information and experiences among the stowaway communities is what leads to the emergence of stowaway counter-apodemics from which individual stowaways subsequently draw during their attempts at boarding ships. These assumptions are further reinforced when the stowaways experience maltreatment first-hand by Chinese seafarers. Mbongo Mzulu, for instance, wanted to disembark from a ship after he realised it was crewed by Chinese seafarers. However, he was unable to do so as the vessel was already leaving port. Unfortunately for him, he ended up being disembarked onto oil drums from that very ship and floated for ten days before being rescued. His account also highlights the point I made earlier on how stowaways can get it wrong when selecting ships.

> *In Durban, 1999, the best ship, it came there to stowaway. We took the ship. That time we took the ship, it doesn't say a Chinese ship. I saw register port Singapore. So I think 'this one is good.' But I know very well Chinese people is not good. So I took the Singapore because Singapore is good. But inside was Chinese. But register port is Singapore. I already know about the Chinese. […] But the problem that time we take the ship, because I did not see any seamen. You are supposed to know, to see first what kind of seamen, maybe Chinese, maybe German, maybe what. Supposed to know first, supposed to check first. I can't take any kind of ship. It gonna create a*

problem. Because Chinese ship, they kill so many people. Chinese, Korea, so many people, so many, so many. Then I heard 'chuan chuan', Chinese. The ship already stand by to go away. Me I want to go out. But my friend catch me my legs, 'come!' I know the Chinese, what they can do. But the ship already sail. (Mbongo Mzulu, Tanzanian stowaway)

This does not mean Chinese seafarers were never portrayed in a positive light, albeit, to a much lesser extent. The Stowaways were careful not to over-generalise in their accounts. However, even in their cautions to avoid generalising as well as limited positive portrayals, their accounts were still largely underpinned by the assumption that Chinese seafarers need to be avoided.

Like I said, you meet good people and bad people. You know, for me, have been meeting good people. I have even tried the Chinese ship. The name was MV Delive, full Chinese; but those were good people man. The captain was the coolest dude man. I can't believe it the Chinese were good like that. (Mohab, Tanzanian stowaway)

The ship was a new Chinese ship, and it was carrying wheat. Three stowaways got on the ship, and I think those guys were new to Chinese ships, whereas we know the Chinese since Aseb [an Eritrean port]. But then, we also used to see the Chinese bringing you back to port [without dumping into the sea] once in a while. In fact, there are even some that will assist you to get into a country, but that is rare. (Moses, Ethiopian stowaway, author's translation)

It is important to point out here that stowaways were not the only ones who singled out Chinese seafarers. A few of my participants from the industry, such as a P & I correspondent and a stowaway search expert, also indicated their impressions that Chinese seafarers tend to 'take care of the problem' on their own.

[…] All the bulk ports, Richards Bay, Port Elizabeth, Saldanha Bay, the vessels that call there probably now 60% Chinese and Japanese. And it's hurting me because they don't make use of our service. I think I've got one Chinese client. And we know from my interviews with stowaways that they're reluctant to go on Chinese vessels because they're saying the Chinese will

kill you. And I, myself, when I first started this business, I used to personally cold call marketing on the actual ships. The Chinese captains would just look at you and say, 'no, I don't need your service. Any stowaway the captain put over.' To your face, 'captain throw and put over, No problem. No stowaway. No problem.' (Philip, stowaway search company, SA)

Out of the 17 seafarers I interviewed as part of this research, only three of them were aware of incidents in which stowaways were thrown overboard (see Appendix 5). Two were recounted to my participants by other seafarers who were on board the ships where the incidents happened, and one incident took place on a ship owned by the same company that my participant was working for. Interestingly, out of these three incidents, two had involved Chinese seafarers as my participants, who were also Chinese, pointed out. Furthermore, the idea of casting off stowaways on makeshift rafts was suggested during a stowaway incident one of my Chinese participant was involved in. As my participant subsequently pointed out though, such action was not taken.

[...] One of our crew member suggested to the captain to design a simple life raft for the stowaways. […]It was an engineer from the engineering department [who suggested that] because he heard other vessels conducting like that […]. (Second officer Chen, Chinese, interpreted by Desai).

Due to these frequent accounts that implicate Chinese seafarers in the dumping of stowaways at sea, I will highlight some of the salient causes that may be pertinent to Chinese seafarers when I address the reasons why seafarers resort to such measures in Chapter Seven.

5.4.2 'Korean' Seafarers

A quote from Mbongo Mzulu earlier briefly mentioned 'Korean' seafarers and grouped them in the same category with the Chinese. The perceptions towards Korean seafarers is a mixed one. My first interviews were with two Ethiopian stowaways, Moses and Isaac. Both of them had distinct perceptions of the two Koreas. For Moses and Isaac, North Korean seafarers were the ones deemed problematic.

Mostly, it is by looking at the crew that you will decide. […] you will check the crew and if their eyes are a bit smaller, you get scared. You will wonder if they are Chinese or North Koreans. Sometimes the North Koreans use their own flag, and no one will dare board that ship. Even if there is no security

guard posted, no one will look in the direction of that ship. (Isaac, Ethiopian stowaway, author's translation)

I had expected similar distinctions to be made between seafarers from the two countries when I proceeded to interview the Tanzanians in South Africa. Instead, the picture became unclear and the distinctions more blurred. Furthermore, some of the Tanzanian stowaways did not accurately identify the two countries. For instance, Abdallah kept on discussing negative accounts he heard from his friends concerning 'South Korean' seafarers. When I proceeded to inquire if the negative perceptions also apply to North Koreans, he responded, 'No, South, Pyongyang.' This prompted me to probe further pointing out Pyongyang is in the North and adding few details about the widely known political realities in the country, to which he responded:

> *Yeah, that's the one which is not good, Pyongyang. Me I was thinking Pyongyang was South.* (Abdallah, Tanzanian stowaway)

Mbongo Mzulu on the other hand did not draw any distinction between the two and simply used the generic word entirely in a negative light. He actually equated the reputations of the Koreans with that of the Chinese seafarers.

> *I can't take any kind of ship. It gonna create a problem. Because Chinese ship, they kill so many people. Chinese, Korea, so many people, so many, so many. […] you are supposed to be careful too much. Richard's Bay, big ship, but too much Korea, Chinese ahh!* (Mbongo Mzulu, Tanzanian stowaway)

As the incidents revealed by the interviewees in Appendix 5 show, whereas the Chinese featured a number of times in incidents described by the stowaways in which stowaways were dumped into the sea, only one was said to have involved Koreans which was revealed by Mbongo Mzulu. Even then he was not certain whether it was the Chinese or the Koreans who were implicated. As stowaway counter-apodemics is largely constituted of shared experiences and accounts as well as specific incidents the stowaways might have heard about, I found it curious when the stowaways could not recount any specific incidents that involved Korean seafarers.

This apparent discrepancy actually sheds some light on some of the considerations that come into play in the constitution of the stowaway counter-apodemics vis-à-vis the nationalities of seafarers. The distinction made between North Korean and South Korean

seafarers seems to be based more on economic considerations than actual experiences. South Koreans are perceived to be from a wealthy nation, and hence, are thought to be less likely to put stowaways into the sea and more likely to uphold their rights. This is consistent with the stowaways' accounts where they established a link between the manner of treatment on board and economic realities of nations as well as shipping companies. The following quotes clearly demonstrate the economic considerations that underpin the characterisation of seafarers:

> *Me now, I don't know which one is which one to be honest. But the people I meet, I think is South Korea, not North. I think the South Korea people they got like white people mind still, like Japanese. They are up in lifestyle. Even the ship I took was from South Korea, and you see everything like shoe original, you know. You see cloth very original, everything. I stowaway with the south people, I never stowaway with the north people.* (Mohab, Tanzanian stowaway)

> *If they are Japanese or Koreans, no one gets scared. Because they are from rich countries. They do not dump you into the sea. No one suspects them of that. But it is hard to tell whether they are Japanese or Koreans or Chinese since they resemble each other. So our only concern is being able to differentiate. Other than that, no one is concerned about the Japanese or the Koreans.* (Yonathan, Ethiopian stowaway, author's translation)

Hence, in the case of the 'Korean' seafarers, the data suggests that what underpins the stowaways' assumptions is the perceived economic and social realities of the countries as opposed to widely shared accounts of lived experiences, which is the case with Chinese seafarers. This aspect becomes even more apparent when we look at the perceptions towards Japanese seafarers.

5.4.3 Japanese Seafarers

Japanese seafarers have a very good reputation among the stowaways. No mention was made of Japanese seafarers in relation to maltreatment of stowaways. In the biography of a former Ethiopian stowaway from Djibouti named Benyam, however, they are lumped together with the Koreans and Chinese for being known for what the writer labelled 'oriental cruelty and anger'. It is not clear though if these are the words of Benyam himself or a possible shortcoming on the biographer's part to flesh out the nuances in stowaways' perceptions

towards different nationalities of seafarers. The accounts of the stowaways who were contemporaries with Benyam portray the Japanese seafarers positively.

> *The Japanese are also good. For instances, Japanese RoRo car carriers come to Djibouti port and stowaways attempt on those ships without any concern. The Chinese with their own population problem, do you think you will be welcomed? There is that awareness.* (Isaac, Ethiopian stowaway, author's translation)

It is interesting to note how Isaac linked the perceived negative reputation of Chinese seafarers to overpopulation, and by extension to economic considerations. Mohab's account also emphasises the perceived impact of the economic situation of home countries on the manners of treatment on board.

> *Japanese is different economy, different people. I don't think Japan they are really bad, I don't think so. I will take a risk Japan, like Singapore, those people. I will take a risk. But no Chinese. Japanese they are different, Chinese they are different.* (Mohab, Tanzanian stowaway)

Such economic considerations partly underpinning the stowaways' assumptions about certain nationalities are plausible especially when we consider the fact that none of my participants ever mentioned of encountering Japanese seafarers during their stowing away experiences. Neither were any recounts of the experiences of their friends involving Japanese seafarers. Thus, it is fair to assume that the perceptions towards Japanese seafarers are constructed through the belief that '*they got like white people mind'*, to use Mohab's words. However, the case of Filipino seafarers completely undercuts the stowaway counter-apodemics that is constituted through economic considerations of the home countries of seafarers. For the Filipinos, like the Chinese, reputations are largely based on actual encounters that are subsequently shared within the stowaway communities.

5.4.4 Filipino Seafarers

Filipino seafarers stand in stark contrast to the aforementioned observation in which the economic condition of the home country has a level of influence on the perceptions of the stowaways towards different nationalities. If the stowaways' considerations had been solely limited to the economic conditions of the home countries, then the Filipino seafarers would have been a cause for concern. Instead, the Filipinos have a positive reputation among both

groups of stowaways. Some of my participants actually pointed out that the Filipinos are sympathetic towards the stowaways as they can allegedly empathise with poverty that leads the stowaways to embark on their 'journeys'. This highlights a contradiction that exists in the stowaway counter-apodemics when it is constituted based on actual experiences, as is the case with the Chinese and Filipinos, and when it is largely based on assumptions, in the case of Japanese and Korean seafarers. However, as counter-apodemics is based on a wide array of sources including accounts from experiences, assumptions, various sources of information, myths, etc. such tension is to be expected.

The Filipinos, in stark contrast to the Chinese and the Koreans, have an overwhelmingly positive image among the stowaways. Unlike the case with Japanese seafarers where no stowaway mentioned of having actually met Japanese seafarers, most of the stowaways have actually encountered Filipino seafarers on the ships they boarded. This should not be surprising as the Philippines, along with China, is among the leading sources of supply of seafarers to the global labour market (Ellis and Sampson 2008; BIMCO/ICS 2015).

Filipino seafarers are portrayed as affable and sympathetic by many stowaways. In the biography of Benyam, for instance, they are contrasted with the Chinese and Koreans.

> *Benyam was hauled back on board by three or four of the crew, all Oriental, possibly Korean, Japanese or Chinese. They were furious. Without saying a word they set about giving him the worst beating he had ever received. […] The officer concluded his one-sided interrogation and took his leave with a sharp punch to Benyam's stomach, which brought him to his knees and left him winded. He remained silent, and was taken off to a room, as usual. But this time he was truly scared that they would throw him overboard. He had heard a lot of very bad things about Oriental cruelty and anger. At least in his room nobody was beating him up, which was a relief. After a while some Filipinos came, who were also part of the crew. They let him take a shower, gave him clothing to change into and a little rice to eat. His previous experiences with Filipinos on other ships reinforced his view of them as good people. […] On the following morning he was visited by a Korean. […] At first it seemed that the man was just checking in on him, but then he came up to Benyam and kicked him hard in the chest with the sole of those hard boots.[…] Later a Filipino came in to give him some food. What a difference!*

> *He felt immense relief at receiving even a modicum of civility.* (Bouyalew and Soribes 2010, pp. Kindle location 1098-1117)

This was also a recurring theme throughout the interviews. The Filipinos were alternatively portrayed as 'having good heart', 'good people', 'sympathetic', etc.

> *Filipino seamen, they are good. They got good heart. Inside the ship, they don't have big problem.* (Barrack, Tanzanian stowaway)

> *Oh no! No one is scared of the Filipinos. They are good people. They won't do anything bad to you. They also usually work on big, rich ships. So no one has a negative view of them.* (Yonathan, Ethiopian stowaway, author's translation)

I argued earlier that considerations of economic realities of the home countries of seafarers are incorporated into the stowaway counter-apodemics shaping the stowaways' perceptions. Accounts of Japanese and Korean seafarers support this claim where frequency of encounter is minimal as the data indicates. For Chinese and Filipino seafarers, however, perceptions are largely formed on actual shared experiences. Having encountered Filipinos who seemed to have treated the stowaways well, the relative poverty in Philippines is actually given as an explanation for the sympathy the stowaways received from the seafarers.

> *You know, the Philippines come from poor families. So, they little bit understand man, hard life, why you stowaway a ship. Philippines, they understand you straight. […] They will tell you 'Manila is poor, me work on ship to help my family'. So, we share the same feeling. Philippines, they are not bad, man. Philippines they are seamen, man.* (Mohab, Tanzanian stowaway)

> *The Filipinos are also very good, very very, I don't even know how to describe them. I think anyone will agree that the Filipinos are very good at sea. They will bring you food. They are very good. I think it has to do with their religion. I also think it is because they are poor. But they are good anyways.* (Moses, Ethiopian stowaway, author's translation)

Despite this overwhelming positive perceptions towards Filipino seafarers, there were still a few accounts where they were discussed in a negative light. Issa, for instance, shared his

experience on a ship where all the seafarers, except two, were from the Philippines. His experience involved being berated by the captain, threatened with being cast off on makeshift raft, among other things. His experience seemed to have made Issa quite careless when it comes to selecting ships based on nationality.

> *Me, everything I leave for God, everything I leave for God. […] That's why me I don't scared I go die. I don't scared of China, I don't scared of Korea. Me I take ship all. Because that's…that many, there many…he promise me to throw the sea, it is not Chinese, it is not Korea. It's Philippines! So anybody he can take you throw the sea.* (Issa, Tanzanian stowaway)

> *[…] After that [stowaway] came up, they had a meeting, and the captain told everybody, 'you are not allowed to say anything, do what I tell you to guys.' So, you have to listen to what the captain says, and captain told them to get rid of the guy and they did what captain said. So, the idea came from Captain. Even him he feels sorry about what they did, that is why he told his friend. He was feeling bad. What they did is not human, you know. But you have to listen to the captain. I think it was full Philippines. You know, when the ship is full, seafarers they all from same place, same language, it is dangerous. Anything can happen to you.* (Mohab, Tanzanian stowaway)

Mohab's account of an incident that was imparted to him by a Filipino seafarer he met on board highlights an important point. As Mohab claimed, the seafarer learned about the incident from a friend who was on board the ship the incident allegedly took place. As Mohab pointed out, he believed the ship was crewed by single nationality crew. For the stowaways, this is a critical issue. They maintain that even the Filipinos are not above dumping stowaways into the sea when one encounters them as a single nationality crew. Single nationality crew overrides any other considerations in the stowaway counter-apodemics when selecting ships.

5.4.5 Full Ngome

'Full Ngome' is a term the Tanzanian stowaways use in reference to ships that are crewed by a single nationality crew. It is a combination of the English word 'Full' and the Swahili word 'Ngome', which translates as fortress or garrison in English. The expression denotes that single nationality crew on board, i.e. full, are likely to have a unity of mind and solidarity. The stowaways believe that single nationality crew can easily result in the seafarers ganging up against the stowaways, leading to maltreatment or throwing into the sea. Avoiding

single nationality crews is of such critical assumption in the stowaway counter-apodemics that the Tanzanians have coined a term for it. Even nationalities, such as the Filipinos, who have positive reputations among the stowaways are thought to behave differently when they constitute a single nationality crew on board. For instance, those stowaways who earlier had positive things to say about the Filipinos took a different tone here.

> *No, I never take full ngome Filipino. But I meet them with mixed ship. I never take full ngome. Maybe the crew is Kabayano, maybe bosun is Kabayano, chief officer is Kabayano, Captain maybe from Germany.* (Barrack, Tanzanian stowaway)

> *If the Filipinos are many and there is also a Filipino among the senior officers, I suspect that if he decides to do something bad they will not oppose him. So, I prefer if they are not too many. I prefer if they are three or four or five on a ship instead of them being twenty. If they are twenty or something, I don't feel comfortable. They can all conspire against you. But if they are mixed and you get like three of them from every nation, then the Filipinos are the best.* (Moses, Ethiopian stowaway, author's translation)

For nationalities that are already viewed with suspicion, such as the 'Chinese' and the 'Koreans', being full ngome exacerbates the anxieties of the stowaways. Stowaways at times even attempt to disembark from the ship before it leaves port when they realise the crew composition is one they deem problematic.

> *We didn't realise that is fucking full Chinese. [...] We went to the life boat, but it was open life boat. So, we just lie down there. And they already done the searching. They finished everything; just waiting for the tug by the time we stowed away. So after leaving, in the life boat, all I hear was Chinese words.[...] Me I won't go with these motherfuckers, you see. So, I told my friend, 'you give it a try man, fuck, I won't go deep with these guys. This is Chinese, man'.* (Mohab, Tanzanian stowaway)

Nevertheless, there are nationalities who are still viewed positively even if they constitute a single nationality crew. The following quotes capture the apprehensions over full ngome as well as the distinctions stowaways make between different nationalities in relation to full ngome crew.

> *One nation very dangerous. Oh! Dangerous too much, my friend. […] So, that's why I told you, you supposed to watch it first before you take it. If full ngome, dangerous. Some other full ngome from Asia, dangerous. Full ngome nice, Japanese from Asia. Japanese, Singapore is nice. Indonesia what what is nice. Problem Chinese, South Korea and the other like India, Sri Lanka. Dangerous too much. They gonna kill you.* (Mbongo Mzulu, Tanzanian stowaway)

> *He say full ngome like manila, he don't worry. But if it is Russia, he worry, you see. But people like Norway, he say alright.* (Kerry, Tanzanian stowaway, interpreted by Mohab)

European and American seafarers are also thought to be unproblematic almost unanimously. The perceived wealth and democratic traditions of their home countries have garnered a positive reputation, and hence, 'full ngome' is not a source of concern when it comes particularly to these groups of seafarers.

> *If it is crewed by Europeans, there is no problem. For example, this one were Croatians, so there was no problem. But like I told you earlier, if it is the Chinese or if the ship is from a poor country like Asia, because they do not want to incur cost, that is why they would endanger you. If it is mixed, it is good even if it is Asian. But if it is European and they are all from a single nationality, there is no problem. They are mostly not cruel against another person in both my experience as well as others. So, the last ship, I saw that the crew were Europeans and I boarded with confidence.* (Yonathan, Ethiopian stowaway, author's translation)

> *If they're all the same, then at least they should be of a different colour. For example, if they are all Americans… actually, if they are Americans we would usually attempt, usually. However, even if I said this, what I would, we would, prefer is if they are black and white and so on. Because if they are all the same…* (Moses, Ethiopian stowaway, author's translation)

As these quotes indicate, stowaways generally have a preference for multinational crewed ships or what they commonly refer to as 'mixed ships'. Furthermore, there is a strong

preference for Western Europeans and Americans. In some of the accounts multinationality on board was often given as an explanation for the good treatment the stowaways received.

> *The ship was mixed and they didn't do any bad thing to them. Captain was Greek, Chief Officer was England, and Chief Engineer German, Second Engineer German and America guy, maybe third officer or second officer. There were also Philippines, Manila. It was nice, they treat them good.* (Charlie, Tanzanian stowaway, interpreted by Mohab)

> *Captain was Greek, chief officer was Greek, some other crew were Manila. It was mixed ship. That's why they treat me nice.* (Abdallah, Tanzanian stowaway)

Throughout the stowaways' accounts seafarers from Western Europe, as well as the USA, are perceived to treat stowaways well and, hence, are most preferred. My participants randomly threw around names of Western European countries as their preferred nationalities of seafarers even if they constitute a single nationality crew. However, the same cannot always be said for seafarers from Eastern Europe such as Russia and Ukraine.

5.4.6 Russian and Ukrainian Seafarers

The perceptions of seafarers from these countries are quite mixed. In fact, more than the stowaways, it was seafarers, P & I Club officials and correspondents that assumed seafarers from these countries are much more implicated in dumping stowaways overboard. This seems to be due to incidents that were widely known such as those that took place on MV MC Ruby and MV African Kalahari (see Appendix 4 on reported incidents). For the stowaways, these nationalities were more of a concern when they constituted a full ngome ship. For instance, when I asked Mohab if he got concerned over single nationality crews, he responded:

> *Definitely. But it depends which, you know. The Asia side and Russia, Ukraine. But you can even meet the full you know, but it depends on your luck man, I won't say the whole Russian they are bad, all Ukraine they are bad. It depend on the people you meet. They are full, yeah, and all they got same mind, anything can happen.* (Mohab, Tanzanian stowaway)

In addition to the widely known cases that were also known to some of the stowaways, the stowaways also had accounts of their friends being dumped into the sea by full ngome crew

from these nationalities, further reinforcing the assumptions of the stowaways (see Appendices 4 and 5).

> *He say he know some of his friends; I know them you know, his name Mangala. You know, they stowaway ship full ngome Russia. They go to throw them in the sea. They put them in the sea Mwambani side, Mozambique side, where there is no Satellite. Russia put them in the sea there.* (Sadik, Tanzanian stowaway, interpreted by Mohab)

Although the stowaways indicated they would be concerned about Russians and Ukrainians when they constituted a single nationality crew, the stowaways also had accounts of boarding such ships and being treated very well. Hence, my participants were careful not to make sweeping generalisations about the nationalities of seafarers. However, the conversations on Russian and Ukrainian seafarers brought forth two distinctions in the stowaway counter-apodemics of the two groups of stowaways. The Ethiopians had distinct perceptions towards the Russians, one that did not surface during interviews with the Tanzanians. For the Ethiopian stowaways, Russian seafarers have a reputation for beating up stowaways during the initial encounter on board. Nonetheless, this is deemed unproblematic by the stowaways as the Russians also have a reputation for 'assisting' the stowaways.

> *Many boys that got on Russian ships, it seems as if their motto is, 'first knock him out and ask questions later.' They start punching you first, whoever you are. First you will be punched and knocked down. […] There are many to whom this happened and the Russians are feared for that.* (Isaac, Ethiopian stowaway, author's translation)

> *[The Russians] will beat you, but other than that they don't do anything. Even if they beat you though, they will assist you. I have one friend who made it to Greece. He stowed away on a Russian ship and hid for seven days until they arrived in Greece. The ship was entering Greece on the eighth day, as he told me. On the seventh day, he came out and they let him shower and gave him clothes. Then without informing the authorities they took him to a restaurant in Town and left him there. So they assist you in such ways, that's what I mean.* (Yonathan, Ethiopian stowaway, author's translation)

The discussion on Russian and Ukrainian seafarers also brought forth 'religion' as one theme in the stowaway counter-apodemics. This is a point where the two communities of stowaways widely diverge in their perceptions of different nationalities of seafarers. The Ethiopians I interviewed were mainly followers of Oriental Orthodox Christianity. Hence, they assumed that Ukrainians and Russians, who may also adhere to Orthodox Christianity, would be more helpful to their cause. This differs widely from the Tanzanians who were predominantly Muslims as the next section addresses.

> *The Ukrainians are also very good, especially if you also follow their religion. They will like you very much.* (Moses, Ethiopian stowaway, author's translation)

5.4.7 Religion

Some of the stowaways believed the issue of religion can influence their interaction with seafarers on board. In both groups, there were a number of stowaways who were of the opinion that religion can enhance or undermine their dynamics with seafarers. Religion seems to serve as a metaphorical common language between the two parties in some occasions. Some of the stowaways preferred to come across seafarers who are their coreligionists based on the assumption that this might result in obtaining seafarers' sympathies.

> *Even in the mosque they talk like this, 'other Muslim must help other Muslim, don't let down.' Other Muslim must help other Muslim. It is going to be difficult to let him down. [You understand? He is saying Allah Subhan Allah, you know, in Quran there is a word saying Muslim must support Muslim, never let down other Muslim. […] So like I say 99% if you take Muslim ship and you say 'I am Muslim', he is going to help you. He must help you.]* (Abdallah, Tanzanian stowaway, interpreted by Mohab)

Some stowaways felt their interactions with the seafarers were enhanced on account of sharing the same faith.

> *On the ship, was good people, Iranian, Muslim people. They used to pray with them, you know. Because him also is Muslim. They said you are not lucky, but we are gonna leave you Ivory Coast. They left him Ivory Coast.* (Barrack, Tanzanian stowaway, interpreted by Mohab)

> *I remember the Chief Officer was an Orthodox Christian, and he asked me what my religion was. When I told him that I was Orthodox he run to the captain and told him. […] Then the captain kissed me, and I said to myself, 'now I will arrive safe'. He even apologised for the one day he locked us in. […] Then, he gave us the bible. He even gave me his address when I disembarked though I have no idea where I have kept it.* (Moses, Ethiopian stowaway, author's translation)

There is, however, an important distinction in the perceptions of the two groups of stowaways. The Tanzanians, who are predominantly Muslims, regarded encountering Muslim seafarers helpful. But this was not shared by the Ethiopian stowaways who were mainly Orthodox Christians. In fact, the Ethiopians regarded Muslim seafarers to be as problematic as the Chinese seafarers.

> *It is known that getting on an Islamic country's ships means you are going to disappear at sea. […] I would recommend to people a mixed European crew who are also Christians. I wouldn't recommend attempting to stowaway on ships crewed by Muslim seafarers, in my experience. There is no question on that.* (Moses, Ethiopian stowaway, author's translation)

> *Wow! the Arabs are feared. No one will dare attempt with the Arabs. […] A person who attempts on an Arabic ship is one who is really fed up and has given up. No one will attempt, No one! They won't even look in their direction.* (Isaac, Ethiopian stowaway, author's translation)

Religion did not feature as strongly as the other considerations stowaways kept in mind when selecting ships. It was not also brought up by all the interviewees. Nonetheless, in those few accounts in which religion was discussed, it was highlighted as a factor that can influence the dynamic between stowaways and seafarers. More importantly, the issue highlights an area where there is a gulf between the stowaway counter-apodemics of the two communities of stowaways, which otherwise show striking overlap.

5.5 Conclusion

My participants formed stowaway communities around ports with their own rules, internal politics and power hierarchies, constituting what O'Malley (1996) calls 'indigenous governance.' Their community-like existence serve as a fertile ground for the emergence of a

set of assumptions, shared experiences, gathered information, observations, beliefs, etc. that coalesce into a shared body of knowledge which the stowaways utilise throughout the entire stowing away process. I have drawn from Walters (2015a, b) notion of 'counter-apodemics' to call this shared body of knowledge 'stowaway counter-apodemics.' This is a dynamic and continuously updated fund of knowledge that the stowaways use to survive around the ports, to evade port security measures, to select ships, to survive at sea, to gain the maximum benefits out of the repatriation process, etc. However, for ethical reasons, I have limited my discussion of the stowaway counter-apodemics to those aspects that enhance our understanding of stowaways' treatment on board, and to those that are already known to various parties in the maritime industry.

As the preceding discussion demonstrated, nationalities of seafarers and the composition of the crew are important considerations for the stowaways in selecting ships. A number of nationalities are categorised into the 'good' and 'bad' dichotomy based on actual shared experiences and considerations underpinned by economic evaluations of the home countries. What is interesting about this aspect of the stowaway counter-apodemics is the consistencies that arise across both groups of stowaways. For instance, whereas Chinese seafarers are often portrayed negatively and are much feared, the Filipinos are the direct opposite in the perceptions of both groups of stowaways. Western European, American and Japanese seafarers are also perceived positively whereas perceptions are mixed over Russians and Ukrainians. Nonetheless, the interviews about Russian and Ukrainian seafarers brought forth the theme of religion which was followed up in subsequent interviews which revealed religion to be an area where the stowaway counter-apodemics of the two communities, which are otherwise very similar, widely diverged.

Stowaway counter-apodemics is not limited to ship selection. It traverses the entire experiences of stowaways from their lives around the ports, to evading port and ship security, avoiding detection during stowaway searches, dealing tactically with seafarers on board, etc. Hence, I will refer back to counter-apodemics throughout the next chapters where I will discuss the on-board dynamics between seafarers and stowaways, including treatment, and the disembarkation-repatriation process. I will particularly tap into the incidents described by the stowaways where they or their compatriots were thrown into the sea when addressing the maltreatment of stowaways in Chapter Seven. As a locale of indigenous governance on their own right, probing the stowaway communities through the analytical lens of stowaway counter-

apodemics has proved useful in understanding the governance of stowaways and explaining their maltreatment as will become more apparent in the following chapters.

Chapter Six

On-board Dynamics

Part I: Boarding, Detection and Detention

6.1 Introduction

As I discussed in detail in the last chapter, stowaways have different perceptions of various nationalities of seafarers vis-à-vis their treatment of stowaways, and base their selection of ships on such considerations. Stowaway counter-apodemics also supply the stowaways with tactics for evading port and ship security as well as avoiding being detected during stowaway searches conducted on board. Furthermore, stowaways continue operationalising their counter-apodemics throughout the voyage in the course of their interactions with seafarers on the ships. This poses a significant challenge to seafarers that includes reconciling commercial duties with security measures to prevent stowaways as well as managing their presence on board.

This chapter, and the next, pivots the focus to the dynamics between stowaways and seafarers on the ship. Both chapters will seek to mimic the natural progression of events in a typical stowaway incident. I will begin the discussion in this chapter by looking at the embarkation process and some of the challenges faced by seafarers in relation to securing access to ships. The focus will then move on to what unfolds once a stowaway manages to successfully board a ship and is subsequently discovered. The treatment of stowaways will also be discussed here and in Chapter Seven.

This chapter will demonstrate how efforts by various actors, such as national authorities, international organisations and P & I Clubs, in controlling and regulating the movement of stowaways impinge upon the dynamics between seafarers and stowaways. Furthermore, seafarers' accounts of how they juggle their commercial responsibilities with security tasks, and the challenge this poses to seafarers will be explored. I will also examine how seafarers deal with stowaways with the aim of explaining the maltreatment of stowaways which will be the central focus of the next chapter. In doing so, I will draw on material from interviews with stowaways, seafarers, P & I Club representatives and correspondents, security professionals

and a representative of a shipping company. In addition, I will also utilise insights gleaned from the various documents I analysed for this study.

6.2 Accessing the Ship

The discussion of the economic cost of stowaways in Chapters Two and Four has shown that stowaways pose a significant financial burden to shipping companies and their P & I Clubs. As a result, seafarers have always been encouraged to prevent stowaways from boarding their ships. A plethora of detailed guidelines and procedures have been provided to seafarers over the years to enable them to cope with the challenges of preventing stowaways. Some of the recommended practices include: controlling access to the ship from both shore and sea while the ship is berthed and at anchor; implementing an identification pass system at the ship's gangway; roving patrols and the maintenance of a security watch; sealing off restricted areas of the ship; adequate lighting at night; a systematic stowaway search assisted by a checklist prior to departure; making use of technologies such as CCTV cameras, CO2 and heat detectors, automatic intrusion detection devices (AID) and alarm systems to detect stowaways, etc. (Parrit and Parker 1992; Holder 1997; Robertson 1997; NEPIA 2001; Miller 2009; BIMCO 2013; Jones 2014; GARD No Year). While these procedures were recommended as early as during the 1990's, the introduction of the ISPS code (adopted on 12 December 2002, by resolution 2 of the conference of contracting governments to the International Convention for the Safety of Life at Sea 1974 (IMO 2014b, p. 375)), formalised these procedures and rendered them mandatory. For instance, a publication by the Nautical Institute titled 'Stowaways by Sea: Illegal Immigrants-Refugees-Asylum Seekers', published a decade earlier than the ISPS mentions of a 'ship security plan' in relation to stowaways.

> *Once a company has decided to make a serious attempt to stop stowaways, the first step is to compile a ship security plan. This has the great advantage that the plan can also be used to fulfil IMO and governmental requirements against terrorism and the smuggling of illegal drugs. The security plan should blend together routine crew protection procedures, gangway duties, searching techniques, duties and responsibilities of security guards, locks, CCTV and alarms plus any other overt or covert protection methods which are suitable for the particular vessel. Once in place, the security plan has to be used with common sense. When the threat is high, the measures should be applied with discipline. As soon as the threat is reduced, so should the*

> *security measures be reduced. High security measures cannot be maintained effectively by a crew for a period of longer than three days.* (Parrit and Parker 1992)

This excerpt is interesting not only for mentioning 'ship security plan' which is an important topic within the ISPS code, but also the allusion it makes to 'security levels' which later came to be clearly stipulated in the code. A publication by the International Maritime Bureau is more revealing. The 'Anti-Stowaway Plan' stipulated, has strong resonance with the general security measures detailed in the ISPS code. The 'Anti-Stowaway Plan' includes practices such as 'imposition of access controls to the vessel and restricted areas on board', implementing an 'identification pass system', conducting security patrols, maintaining gangway watch, adjusting security measures to the assessed risk, etc. (Holder 1997, p. 244). Furthermore, long before the ISPS code formalised the practice of assigning Ship Security Officer (SSO) on board, the same publication mentioned the concept exclusively for the purpose of preventing stowaways.

> *Fundamental to the success of any anti-stowaway plan is the appointment of a Ship Security Officer who is responsible for the operation and maintenance of measures to prevent stowaways getting on board.* (Holder 1997, p. 244)

While it is not surprising that these practical guidelines are later included in the code, the point emphasised here is when it specifically comes to the issue of stowaways, most of the security measures were already recommended to seafarers through such publications. However, following ISPS's formalisation of these and other expansive security measures, the presence of stowaways on board now formally constitutes a breach in ships' as well as ports' security. This arguably could be considered incompliance with mandatory security provisions of the code. It is now a standard and mandatory practice to implement at least the basic security measures stipulated in Part A of the ISPS code (IMO 2003).

Despite all these guidelines and procedures, preventing stowaways is not an easy task for seafarers. Responsibility for the initial prevention resides with officials in charge of security measures in and around the port. Annex 4, number 4.3.1.1 of the FAL Convention stipulates that countries should ensure that 'the necessary infrastructure, and operational and security arrangements for the purpose of preventing persons attempting to stowaway on board ships from gaining access to port installations and to ships, are established in all their ports […]'. Annex 4, number 4.3.1.2 further recommends specific steps the authorities can take to deter

stowaways (IMO 2011a, pp. 37-38). The ISPS code, which is concerned with security issues as opposed to the facilitation of maritime traffic, which is the purview of the FAL Convention, addresses the whole gamut of ship and port security. While it does not specifically focus on stowaways per se but rather on the wider issues of security, it gives important emphasis to preventing unauthorised access in detailing provisions of what ports should do to prevent access by unauthorised personnel including stowaways.

Part A section 14.2 of the ISPS code makes it very clear that ports should 'control access to the port facility', 'monitor the port facility, including anchoring and berthing areas', and also 'monitor restricted areas to ensure that only authorized persons have access' (IMO 2003, p. 16). Section 16.3.2 of Part A also dictates that a port facility security plan should address, among other things, 'measures designed to prevent unauthorized access to the port facility, to ships moored at the facility, and to restricted areas of the facility' (IMO 2003, p. 18). Part B of the code section 16.17.5 also recommends that at *Security Level 1*, which is the minimum security level, measures should be maintained at all times and access should be restricted to those employed by the port facility or working within it (IMO 2003, p. 74). It further recommends in section 16.21 that restricted areas should be established to 'protect ships using, and serving, the port facility' and that restricted areas should have 'clearly established security measures to control access by individuals' (section 16.22.1). It also stipulates in section 16.25 that restricted areas may include 'shore and waterside areas immediately adjacent to the ship' (IMO 2003, pp. 75-76). ISPS, thus, unambiguously points out the responsibility of ports in preventing stowaways from getting access to the ships in the first place.

Despite the implementation of ISPS, P & I Club sources indicate that the ports that are prone to stowaways remained the same, namely ports of North, South, East and West Africa, certain South American ports as well as ports in the Caribbean (StandardP&I 2009; GARD 2010; IGP&I 2010, 2013; NEPIA 2015). Certain ports in Asia as well as in Europe, such as Le Havre and Zeebrugge, have also been identified as ports where stowaways regularly board ships (NEPIA 2001; StandardP&I 2009; Porter 2010; WestOfEngland No Year). There needs to be a case by case study of each port to identify reasons why these ports experience frequent stowaway embarkations. However, the obvious reason is the presence of many individuals attempting to stow away from these ports. In such circumstances, there is an acknowledgement that there is a limitation on how much ports can do to prevent stowaways from having access to their premises. For instance, one deputy claims director of a P & I Club said the following about limitations of securing ports and the impact of the ISPS:

In our experience, [ISPS] hasn't really affected how many stowaways come on board. Other reasons might impact on why stowaways come on board. But overall, the ports where stowaways are most likely to come on board, and again, Africa, South America, various countries like that, you're talking about often miles and miles and miles of fencing, and it's almost impossible for one port to keep everything patrolled and secure. So it doesn't make that much of a difference in itself. I think perhaps pass systems within the port, so stevedores having identification, that being monitored more carefully, maybe is helping a little bit. Ramifications locally for stevedores or companies who may be assisting in coming on board, I think perhaps is helping a little bit. But certainly, the ISPS on its own has not meant the end of stowaways. (Sarah, deputy claims director, P & I Club A)

One P & I Club correspondent based in South Africa also shared a conversation he had with personnel responsible for port security. After observing the success at Richard's Bay port in preventing stowaways, he inquired why this could not be duplicated in other major South African ports, such as Durban and Cape Town.

I had a couple of meetings with them previously and saying, 'well, why can't you duplicate what you do in Richards Bay to Durban and Cape Town and other ports?' And their biggest problem is that they have so many access points. And they have a lot more labour and traffic moving through the port. And Richards Bay is basically a bulk port. So, they don't handle a lot of general cargo as such, [and] so all of the labour et cetera is fairly limited. So no one that doesn't have a permit can come in the port. Whereas Durban, it's very labour intensive on certain docks that have private access, et cetera, et cetera. And that is very difficult to control the whole port. And whereas in Richards Bay, two access points, that's it. (Robert, P & I Correspondent, SA)

One owner of a stowaway search company operating in South African ports also explained this limitation further.

If your ship calls Maydon wharf, you know, the sugar loading facilities, et cetera, if it goes to Maydon wharf 5 or 6, I can almost guarantee it will have a stowaway on board. The main reason Durban's Maydon wharf is so

notorious is due to the high number of access points owing to the numerous rail sidings and road access points to this wharf. Secondly it is also the nearest point to where the stowaways live in Durban, namely the underground train tunnels bordering the Maydon wharf area. So, there are sort of safer berths. Before, the container terminal, it was very secure and there were no stowaways. And then suddenly, they started popping up. So there's no such thing as a safe berth, but there are berths that are notoriously dangerous. Cape Town, Landing wharf, where they do the bunkering. I mean, that's a hollow berth. [Stowaways] come through the tunnel and then they climb through the fenders […]. The problem is that the bunkering berth where stowaways are common is hollow with a tunnel running through it from the main road. Furthermore, there are a lot of abandoned or arrested vessels in the vicinity where stowaways often hide in or take refuge prior boarding vessels in the port. (Phillip, stowaway search company, SA)

As the above quotes indicate, certain ports are difficult to completely secure due to the geography and the type of activity that takes place. A Captain who had a lot of experience calling at West African ports also pointed out similar issues.

The worst ports are those with no control, which you can understand why. Lagos has a river port and so has Abidjan. Huge lagoon. You could see the camps on the other side, and there's canoes around all day long and guys in boats. It's a huge problem for Nigeria and Ivory Coast, because of their river ports, to control the traffic on the riverside. They might control the traffic on...Abidjan was quite good controlling access to the quay, was quite strict. But controlling the riverside was impossible. (Capt. Smith, British)

Hence, because of such limitations in securing the ports completely, the focus has shifted to access control at what is called the '*ship/port interface*' which is '*the interactions that occur when a ship is directly and immediately affected by actions involving the movement of persons, goods or the provisions of port services to or from the ship'* (IMO 2014b, p. 375). What this effectively does is shift the focus of security interventions to the ship. The following account from a port security officer captures this perfectly.

If you got five kilometres of fencing, where am I going to get 50 guards to patrol it? That's impossible. Economically, doesn't make sense. So what we

do is we do have the patrols to deter. We got the access control to make sure that you get everybody that comes through. And then all we ask from the vessel when they come into our port is implement their security plan. Your security plan is very easy. You've got a gangway security, you've got aft and forward. So there are three points of entry on your vessel. So, make sure that you have people there. Put a person forward, one on the rear, one on the gangway. No one will board your vessel. But the ships try to save money. They don't do it. (John, port security officer, SA)

In the case of South Africa, this shift in security interventions to the '*ship/port interface'* is even starker as we have seen in Chapter Four where ship owners are made responsible not just for 'stowaways' but also 'attempted stowaways', as construed through the legal distinctions. What this shift in security interventions to the ship does is to exacerbate the challenges seafarers face in managing security obligations vis-à-vis their commercial commitments.

6.3 Managing Security Roles and Commercial Duties in Port

Although the South African case is an exceptional one, the burden of preventing stowaways has always resided with the ship. A subtle 'shift' in the policing and governance of stowaways to the ship, and subsequently the seafarers, has always existed. This has to do with the long standing arrangement whereby ship owners have taken up the financial responsibilities and management of stowaways. A comment made by one official from a major P & I Club reflects the sentiment industry actors feel in light of this arrangement.

In order to get to that ship that's at the end of a pier somewhere, they've got to come in through the port and then they've got to get on board that ship. Where is the security in the port? And it's always the ship owner who ends up paying. I know a short while ago, […] the [International Group of P & I Clubs] did a presentation to the authorities in Africa. They said, 'look, you know, from the port of Lagos, there has been 200 stowaways in the last so many years. You need to do something about security.' But it just doesn't.... nothing ever changes. (Nick, senior claims executive, P & I Club B)

In light of such short comings on the port security side, seafarers find themselves trying to juggle between their commercial activities in port and security obligations including the prevention of stowaways. Seafarers are instructed to take a number of security measures to

prevent boarding by unauthorised personnel. Such measures as per the FAL Convention include: locking all doors, hatches and means of access to holds or stores that are not in use when the ship is in port; keeping access points to the ship minimum and secured; securing areas seaward of the ship; maintaining a deck watch; tallying boarding and disembarkations; and maintaining adequate lighting all around the ship (IMO 2011a, p. 158). The guidelines from P & I Clubs are even more detailed in the security measures they recommend to seafarers.

> *Outside doors on all decks, including the funnel deck and the poop, should be locked and sealed. Such doors may include cargo hold access arrangements, mast houses, store rooms, electrical compartments and machinery rooms. However, accommodation and machinery space doors must be capable of being opened from the inside in the event of an emergency.*
>
> *External access to the accommodation and the entrance to the machinery space should be restricted to one door only.*
>
> *All cabins and storerooms within the accommodation and machinery spaces should be locked. Portholes and windows should be closed and secured if accessible from deck.*
>
> *While at anchor, a roving patrol should check the main deck, forecastle and poop deck at regular intervals. Roving patrols may also be carried out immediately after sailing until such time as the vessel is full away on passage.* (WestOfEngland No Year)

Another guidance goes further in recommending active '*intelligence gathering'* on local practices of stowaways by the ship's master:

> *The following can serve as a reminder to the Master when trading in areas where stowaways are a common problem: Gather information from all available sources, e.g. the ship owner, agents, maritime journals and newspapers, concerning the current status of the stowaway problem in the area. […] Ascertain the techniques used by stowaways to gain access to the vessel, e.g. bribery, in containers, [using] boats or [swimming] to hide in rudder trunks, or by posing as stevedores. Discuss the procedures with other*

Masters to determine effective countermeasures and to gather more intelligence. (GARD No Year, p. 5)

There are also a number of resources providing detailed guidelines on how to conduct stowaway searches. Although such mandatory and recommended practices are all aimed at assisting seafarers to cope with the challenges of preventing stowaways, they also bestow very detailed sets of security-related roles to seafarers. For those seafarers often calling to stowaway prone ports, where the security measures they take are not adequately complimented by port security measures, this can be a source of frustration.

From the ship's side, we were left to do all the work with no extra help for the crew. My company said right from the start when we first started setting up ISPS code, a lot of the captains wrote to say, 'okay, we need one extra seaman on deck.' 'No way. No, you're not getting any extra man.' So, we had to do it all ourselves. But what we saw from our side, we're going through all this huge, massive procedures, setting up procedures on board, and audits and inspections and security measures, and the ports are doing nothing. We go to some ports and there's thousands of people just wandering around the jetty. And we're the ones who have to try and stop them getting on board. But nobody was taking the trouble to try and stop them getting into the ports. […]And what really annoyed us so many times, in so many ports, there's no attempt by the port to control access to the port. And some ports we go to in West Africa, alongside canoes, boats, fishing boats, guys in the canoes trying to get up, you know, all around the ship all day long. So, it means not only I have to keep people on the gangway for the security watch but one to two guys on deck, all day long, all night long […]. So, a lot of things didn't get done in port that we'd like to have done. All the maintenance, painting and cleaning. There's the whole crew that's just occupied in manning the gangway and walking up and down the ship's side, you know, looking over the side, canoes, boats. It was a huge burden on the ships, but we had to do it because if we didn't do it, we end up with a situation I found myself in. (Capt. Smith, British)

The security arrangement in some ports is also suspected of being compromised such that stowaways are believed to be assisted by individuals working inside the ports. This was

demonstrated by the documentary analysis as well as during interviews with stowaways and seafarers. For instance, GARD, which is one of the major P & I Clubs, highlighted such suspicion in a detailed guidance note it circulated to its members.

> *Stowaways may enjoy extensive shore backup and assistance from individuals who are part of various organisations related to port operations when boarding vessels. They will have inside knowledge of the ship's destination, departure date, at which pier it is going to berth etc. Especially in North Africa, stowaways bribe their way into port facilities and other restricted areas.* (GARD No Year, p. 9)

Interestingly, a seafarer who found stowaways inside containers in two separate occasions on his ship from the same North African port shared his suspicion that the stowaways were assisted by personnel inside the port.

> *Each container was 20 feet long. So, they made a false ceiling [partition], you know, two feet they left. They made a false ceiling. Between the two feet these 11 stowaways were hiding. So, when the ship staff looked inside the container, they didn't see anything. Because they really saw the back bit of the container. It was a false ceiling between 20 ft. and 18 ft. […] and this incident which happened with me, definitely somebody in the port is involved. Everybody's hand in hand. How come that container they can make it a false ceiling? It cannot be made in one day. Somebody must have helped, you know, putting the stowaways inside, making the ceiling. So, everybody involved or somebody was necessarily involved, you know.* (Chief Officer Rohit, Indian).

Two captains also had very similar incidents and in both cases the captains expressed their suspicions that the stowaways had obtained assistance from the people ashore to access the ships by boats or canoes. Both accounts involved stowaways hiding in the rudder trunk housing which can be accessed from outside. The first captain took over command from another captain at a port different from where the stowaways boarded, and hence, was handed over the ship with stowaways already on board. But by examining the ship's logbook entries, this is what he concluded:

Looking at all the log book entries, I asked the crew, 'why did we stop?' They said, 'we don't know, cap.' 'Is there any problem with the engine?' 'No, the pilot said he was just waiting for the pilot boat.' Two of the crew, it was late evening, so not quite dark but not quite light, they said they thought they saw a small boat coming. Because Lagos anchorage, I mean, even where you drop the pilot, there's hundreds of vessels around, motorboats, canoes, launchers and things. They thought they saw a small canoe or boat coming under the stern of the ship and then, going away again. So, what might have happened, they might have cut through the bars [welded to prevent access] in Lagos during the five days the ship was there. And the pilot stopped the ship for 20 minutes or half an hour, which is not usual. He said he was waiting for the pilot boat. (Captain Smith, British)

Captain Bill, who was a chief mate at the time of the incident on his ship, also made a strikingly similar observation about the stowaways who incidentally boarded the ship from the same port (Lagos, Nigeria) as was the case in Captain Smith's experience above.

We had the normal ISPS procedures in place, stowaway checks, et cetera, et cetera. […] So we departed Lagos under pilotage all very slowly. We got to the pilot station where we basically came to a standstill, came to a stop if you like, for the pilot to disembark. However, we considered this to be an unusual manoeuvre and normally we would conduct pilotage between sort of like five and eight knots depending on the pilot vessel. However, on this occasion, it was like 'stop the vessel, pull us in and then the pilot would disembark.' At that time, we thought was a bit strange but, nonetheless, we proceeded on our way only to find three days north or heading north we were three days within... on the passage, the third engineer went down to examine weekly the steering flat, at which point they heard a noise within the rudder trunk. […]It was found that they boarded the ship at pilotage in Lagos when the vessel came to a stop. Through the master's interview process, it was found that they were on a small high-speed craft that came right up under the vessel. We're talking about a 60,000 tonnes container ship now. They came right up to the rudder where of course they used climbing equipment to climb up the rudder, and accessed the rudder trunk. So, I believe that from then on, procedures for embarking and disembarking pilot at Lagos in

Nigeria were changed. Because although there was no proof that anyone was in collusion with them, it would seem that this had very well been facilitated by the pilot or by someone who knew the procedures that the vessel would actually come to a standstill which would allow any stowaways a nice and convenient speed and access to the vessel. (Captain Bill, British).

In such circumstances where seafarers felt that they had taken all the precautions on their part, only to find stowaways on board for reasons they attributed to breaches in port security arrangement, the feeling of frustration was significant. For instance, Captain Sean, who also asserted that the 11 stowaways who boarded his ship in West Africa had received assistance from the shore side, said the following when asked about the reaction of the crew:

Anger, all right. The company paid a lot of money for security representation in the port of Abidjan and it clearly failed or it clearly have been breached at the port level, all right. We didn't get people come up the gangway. We got people come inside a container that had been checked. The seal was intact, all right. The box was conveniently stowed on a tier which will allow easy access to the main deck for the person to then get into the box and then at a later date declare themselves as stowaways. (Captain Sean, British)

Considering the plethora of challenges faced by seafarers in preventing stowaways from boarding their ships, it is not surprising that there are accounts of seafarers getting extremely angry when stowaways are discovered. This anger is understandable as, for seafarers, it represents a failure of their efforts, and they are ultimately the ones who will be left to handle the stowaways at sea.

6.4 Detection On Board

There were instances where seafarers, particularly senior officers, became extremely angry when stowaways were discovered on board. This is not surprising, considering the extreme challenges seafarers face in port. There are economic pressures on seafarers to complete cargo operations as soon as practicable and leave port in order to minimise operation costs and meet tight schedules. As the previous section clearly demonstrated, in ports where there is an increased risk of picking up stowaways, this pressure is exacerbated. It is a relative relief for seafarers, particularly those in the deck department, to finish port operations and sail out to sea. Hence, when confronted with stowaways on board after the intense work pressure experienced in port, some senior officers get extremely agitated.

For instance, Captain Joseph described his experience with stowaways as follows. Although his experience with stowaways took place when he was a chief mate in 1981, and hence, much earlier than the mandatory security duties that followed from the ISPS code, his experience still highlights the anger some seafarers feel when confronted with stowaways after a busy schedule in port. The fact that operations in ports have become increasingly demanding for seafarers makes his account ever more insightful.

> *Because the stevedores in the Sudan did not know how to handle this cargo, I had to learn how to handle the cargo. I doubled up the crew so that we could work day and night shifts. […] We were all tired, but after four days of work, we were almost done and we could slip our lines at two o'clock in the morning. But that prevented us from having a good thorough stowaway search. But I was happy to get out and leave the port. […] We had left the port at two o'clock and at six o'clock in the morning, the steward knocked on my door and he was holding up these two guys […] I was mad! I was about as close to murdering somebody as I ever got. I was just thinking, 'oh you know, there goes more paperwork, more headaches […].' I'm not a violent person, but the first thing that entered my mind is, 'all this could be over if we just toss them back in the ocean.' But of course, your humanity takes over and you try to do the best you can.* (Captain Joseph, American)

Similarly, the following account by Captain Rajav, who was a third officer on the ship when he had an incident with stowaways, also demonstrates the anger some senior officers feel.

> *They were brought up [to the bridge] and they were asked questions. […] I mean, what happened on the bridge was just an outburst of 'why the hell are you here? Why the F are you here? How did you come in?' That was the captain. It was not necessary. I mean it was not questioning. It was outburst really. 'You're adding a hassle into my life' sort of thing. […]It was not a very calm conversation. 'What the fuck! [Bosun] you take them forward and make them do something that's really tough.' That sort of thing, out of frustration that they are on board and therefore problem.* (Captain Rajav, Indian)

However, senior officers are not the only ones that may react angrily when stowaways are discovered. In fact, in some cases other crew members reacted angrily and senior officers stepped in to calm the crew down. As the following account demonstrates, crew members can get agitated as the disruption stowaways cause is obvious to all, particularly when the stowaways have boarded in large numbers.

> *Everybody was angry, really. Many people were angry. Many people wanted to kick them because, you know, for us, how to handle them? But the captain said, 'don't do all those things. Don't hit anybody.' Captain said, 'what is the point? We know these things. We have to handle this. Okay, no problem. We have to take care of them for only 24 hours.' [...] And the people who got angry, they calmed down and we started doing our normal duties. [...]But everybody was angry because they were on board the ship. Stowaways on board means headache. Additional duty, additional headache, additional watch, additional working hours. So, everybody initially got angry, you know. [...] The headache is how to handle these guys. Usually they are two. Now, it is 11. How to handle them. Very difficult, you know.* (Chief Officer Rohit, Indian)

However, seafarers do not always react in such a manner. In fact, there were ample examples during interviews with both stowaways and seafarers where the seafarers were reported to have responded very calmly. Nonetheless, most often the initial detection of stowaways on board is fraught with fear on both sides. Seafarers are often anxious for their safety when they initially encounter stowaways. The stowaways are also fearful about possible violent reactions by the seafarers. In such cases, senior officers play an important role in providing guidance to the whole crew.

> *Third officer and duty AB were scared because the incident happened at night time. [...] We carried some steel pipe, and ropes and some wood. So, Bosun, AB, and fitter and some of the young guys, I think at least five or six people carry some of the protective tool to, yes, to protect ourselves against these two guys, yes. Because when we heard this news actually, we didn't know how many stowaways we had on board. How many African guys, what kind of weapon they had, maybe some knife or maybe some of the more dangerous weapon. So, we use some protection too, yes.*

Interviewer: *Did any of the seafarers use those protective tools on the stowaways?*

No, no. And they…you know, all the seafarers follow my order. And actually, I stand in front of my crew. And I will ask my question to the two guys. And, you know, when we saw each other, the stowaways were more scared than us because we are more than 13 crew, they were two guys. (Captain Yang, Chinese)

As I pointed out in Chapter Four, stowaways are sometimes lumped together with pirates constituting a 'stowaway-piracy nexus'. In geographical areas where there is a history of piracy, such as West Africa, seafarers also fear that the stowaways could possibly be pirates further exacerbating the tension during the initial encounter. For instance, one chief engineer who had a stowaway experience off the Nigerian coast gave an account of the fear his colleagues felt on the ship. Stowaways' accounts are also replete with details of seafarers screaming and running away when they unexpectedly ran into stowaways in different parts of the ship. This is particularly intensified when a seafarer is alone.

I remember that [the seafarers] said, when they saw [the stowaway] actually they were a bit scared because in Nigeria there were rumours about pirates and all that. So, we were not sure whether it was a pirate or…, from what they said. They were scared and they were taking, what do you call them? They were taking pieces of metal as if the stowaway was going to attack. But then the person was not holding anything. The person was unarmed. So, they just escorted him to the captain's room and later to the tally room like I said. (Chief Engineer Lamptey, Ghanaian)

On the other hand, stowaways also tend to be more apprehensive and fearful during the initial encounter with seafarers. Here again, officers play a critical role in assuming leadership and diffusing the tension as the following account demonstrates:

Well, one of the AB shouted and informed the bridge. Then, the bridge raised the alarm and all the crew mustered at the station. They shouted 'stowaway! stowaway!' and they all came towards me. During that time I feared that they might beat me, so I ran to the bridge. […] it was because I feared they might beat me up. Because when I saw one of the guys carrying a stick, I was

not sure if it was because he thought I was a pirate. Then, when they heard 'stowaway! stowaway!', they were all carrying sticks. So I ran to the bridge and told them, 'I am just a stowaway, there is nothing I am carrying'. They calmed down. The third mate calmed everyone down and called the captain. (Eyoel, Ethiopian stowaway, author's translation).

In light of such tension during the initial stages of stowaway discovery on board, how one reveals himself to the seafarers constitutes an important component of the stowaway counter-apodemics. The stowaways are very apprehensive in these initial stages based on their experiences (own or imparted) with some violent seafarers. This does not necessarily suggest that seafarers often resort to physical violence when stowaways are spotted on board. In fact, although some of my seafarer respondents indicated that in their experiences the seafarers were initially afraid and that they carried 'protective tools' such as broom sticks and pieces of metal, all of them pointed out that there was no physical violence involved. However, there was the temptation in few cases and senior officers managed to calm the crew down.

It is rather in the accounts of the stowaways that there were a number of incidents where the seafarers got violent. Such discrepancies occur for a number of reasons. First, most of the seafarers (11 of them) had only had one experience with stowaways in their entire careers till the time of the interviews. The remaining six experienced between two to four stowaway incidents. The average number of successful attempts by a stowaway on the other hand, i.e. where they were not detected while the ship is in port and sailed out with the ship, was more than five with some exceeding eleven successful attempts (see Appendices 2 & 3). Hence, it is not surprising that the stowaways have many more accounts of stowaway-seafarer interaction and maltreatment. There is also the possibility that seafarers may not have been forthcoming when it came to the issue of their own maltreatment of stowaways.

Secondly, as the stowaway counter-apodemics is a body of shared knowledge aimed at increasing chances of survival and success while minimising risk, it is bound to be much more geared towards highlighting challenges and bad experiences. In fact, when stowaways provided accounts of their experiences there were many examples of seafarers responding in accordance with the recommended procedures. Nonetheless, their counter-apodemics is a survival tool and a 'risk minimising' body of shared knowledge. Accordingly, stowaways emphasised the need to avoid other seafarers and head to the bridge as quickly as possible when they come out of

hiding. Following on from the previous account, Eyoel elaborated further on why he saw the need to run to the bridge by relating it to another experience he had on another ship.

> *Because some of them might just push you overboard or beat you up. But if the officers saw you, they would either take you to the captain or he might even be already there. So if the officers see you, we believe that such things won't happen. […]There is something I experienced myself. In 2002, when I began stowing away, I boarded a Bahraini ship. That was my first ship. I was hiding and I was caught in the ratings' mess when I went in looking for food. They were playing cards, two of them. The rest were asleep. So, I remember the Bosun and the Fitter raised my two feet on the chair and they kicked my feet with a stick. When they kicked me once or twice my foot started bleeding. When that happened they took me to the captain. […]First they asked me where I was hiding. I think they were the ones who were assigned to search that area during the stowaway search. So, when I told them I was hiding in that place, they insisted I was not hiding there. I again told them that I was hiding at that place. They said, 'no, you were not hiding there' and they started beating me. Because they would be held accountable since they were assigned to search that area.* (Eyoel, Ethiopian stowaway, author's translation)

Another stowaway also shared his experience of being beaten on board when he was initially found.

> *[He say the day he went to the captain on the Chinese ship, the Chinese seafarers they caught him when he was coming out from the engine. So, they start beat him with] some irons, [they use iron, they use stick.] I got injury until today. [The Chinese people they did that, they beat him to injury the arm. That was the first time, with the other seafarers that never happened to him.]* (Mbongo Mzulu, Tanzanian stowaway, interpreted by Mohab)

As a result of such accounts that are shared among themselves, the stowaways are very explicit about how they would reveal themselves on the ship. They emphasise that it is best to come out of hiding during the day, preferably morning, and avoid ratings. Instead they prefer to head as quietly and as quickly as possible to the navigation deck.

> *When you stowaway a ship, don't come out in the night, you know. Stay there until in the morning, dangerous. It's like you terrify the person, you terrify someone. Because we are in the middle of the sea and then it is night. So in the sea there is so many thing. So, you can come in the night and there is somebody who won't believe you are human being. So, he can even put you in the water thinking maybe you gonna harm him, you know. So, he say don't come in the night.* (Sadik, Tanzanian stowaway, interpreted by Mohab)

The following quote further demonstrates that the initial encounter between seafarers and stowaways is a tense one fraught with fear for both sides, and one that can also turn violent. While seafarers are likely to get both frightened and angry with the possibility of getting physically aggressive, stowaways try to draw from their shared experiences and body of knowledge to minimise the risk of violence and ensure their safety. When one was asked if he tried to avoid ratings when coming out of hiding, he answered:

> *But I have heard from those who were before me about such incidents. There were a couple of boys who were thrown overboard near Tanzania without the knowledge of the captain. But I am not aware of any tangible incidents. All I know is that [the stowaways] have this attitude towards the ratings.* (Yonathan, Ethiopian stowaway, author's translation)

Seafarers are also advised to take a number of precautions to protect themselves, as well as the stowaways, starting from the stowaway searches to the final disembarkation of the stowaways. For instance, they are advised not to conduct stowaway searches alone and to take precautions to ensure their own safety and that of the stowaways. Furthermore, they are advised to avoid search methods that could potentially harm stowaways (IMO 2011b; Jones 2014, pp. 43-46). Seafarers are also advised to be calm, firm and cautious. Some of the detailed guidelines include, inter alia, having the stowaways 'extend their arms straight out with palms up' as well as 'order the person to place hands on head', 'turn until facing away from the seafarers', have the stowaways 'remove any outer clothing, empty all pockets, remove belt and shoes', etc. Instructions are also provided on how to do body searches as well as advising additional personal protective equipment, such as vests, if there is a history of violence by stowaways from certain ports (Jones 2014, pp. 45-46). While these procedures and precautionary advices may be pedantic, they are useful considering the usually tense initial encounter. As the subsequent discussion will point out, lack of training and failure to follow

recommended practices, such as separating stowaways when detaining them on board, can prove to be costly to seafarers.

6.5 Detention On Board

After a stowaway is found, searched for any evidence, such as I.D. cards as well as potentially harmful tools, he will normally be allowed to bath and will be provided with clean clothes. As the stowaways conceal themselves in the most inaccessible, dangerous and dirty corners for number of days, such as chain lockers, engine room bilges, under mooring ropes, vents, cargo holds or even inside rudder trunk housing and satellite antennas (UkP&I 2004, 2006; McNicholas 2008; UkP&I 2011; WestOfEngland No Year), they often come out in a precarious physical state. After they are clothed and fed, they will be provided accommodation and this is where seafarers assume the role of 'detaining' the stowaways. Again here, there are recommended practices to guide seafarers such as keeping stowaways locked up and guarded at all times, having them accompanied and supervised when they are allowed to go outside the accommodation they are provided with, segregating them if there is more than one, reducing contact between the seafarers and stowaways to the necessary minimum, and when doing so, always ensuring there is more than one seafarer, reinforcing the doors and portholes where stowaways are housed, removing anything that could be improvised as a weapon such as mirrors from the cabins, etc. (Anderson 2006; StandardP&I 2009; NEPIA 2015; GARD No Year).

Although these guidelines are widely available, during actual incidents even the most prudent of seafarers may overlook any one of these practices which may prove to be problematic. For instance, segregating stowaways is something that is easily overlooked. The limitation of space to accommodate stowaways can make this impossible. Among the seafarers that were interviewed for this study only three had incidents involving a single stowaway. The rest dealt with 2 to 11 stowaways in a single incident (see Appendix 3). It is not unheard of for as many as 17 stowaways to be discovered on a ship with 21 crew members (Beetham 1997, p. 31), or for as many as 20 and 22 to be found on a single ship (UKP&I 2006; WestOfEngland No Year). In such situations, in addition to the lack of space, the vessel can also be rendered in contravention of safety regulations as there may not be enough safety equipment, such as life jackets and life boats, for everyone on board. These issues were emphasised by P & I Club representatives.

> *I've had that very situation where there's more stowaways on board than there were a crew. So, class wouldn't let the vessel sail because there wasn't enough life-saving equipment for all of the people that were there on board. But the local authorities wouldn't let the stowaways disembark. So, the ship was stuck in port for a couple of weeks till it was all resolved. That's the sort of problems that we come across. Well, like I say, that is an extreme because you don't normally get the stage where, it exceeds the safe manning capability of the vessel.* (Ellis, senior claims executive, P & I Club A)

Even when smaller numbers of stowaways are involved accommodation can still be an issue. For instance, second mate Chen, who only had two stowaways boarding the vessel, nonetheless, talked about the unavailability of cabins on the ship.

> *[…] alongside the African coastal area, we spent several days together. We had the same food made by our chef, our cook on board. The problem is that we did not have actual room for them. And also, it was unsafe if they stayed in our room because they'll probably jump into the sea. So, at that time most of them, they stay in the table tennis room.* (Second Officer Chen, Chinese, interpreted by Desai)

In light of the issue of limited space to accommodate stowaways, there are some recommendations to maintain cabins or some form of accommodation for the sole purpose of housing potential stowaways, especially if the ship is regularly calling at ports that are prone to stowaways (Jones 2014; GARD No Year). One company has reportedly resorted to implementing the above recommendation due to the experiences it had with stowaways in the past. It was reported that 'after incidents in which stowaways turned violent, and yet the local police refused to intervene', the company decided to convert 40ft containers into 'temporary prison cells', with each container divided into four cabins where any stowaways found on board will be locked in until they can be handed over to the authorities. The containers are reported to have been fitted with bathroom and heating facilities (Porter 2010, 2011). Furthermore, there is also a company based in the US that supplies 'ISO container cells made for shipboard security.' On the company's website, it states that the company 'provides the necessary tools to secure the ship from stowaways, unruly passengers, troublesome crew, pirates' and this includes permanent or portable containers 'designed for 4 prisoners' (http://www.powellsafetysolutions.com/containment-prison-cells/). The following images are

taken from the website showing a detention container fitted on board ship and the security tools provided with the container, such as helmets and shields, as well as the beds fixed inside it (courtesy of Powell Safety Solutions).

Figure 1 Detention Container On Board

Figure 2 Security Tools

Figure 3 Beds inside Detention Container

How such responses to the stowaway problem are received by seafarers require further study. However, while these measures ensure the safety and security of both stowaways and seafarers, there is also the possibility that seafarers may not necessarily be comfortable with such measures that assign overt policing roles. None of my participants came across such practices as this is a very unique response. However, even with the common security measures that are taken on board to prevent, search and deal with stowaways, some of seafarers commented they are not trained to undertake some of the security roles they are expected to take on.

It should be of a different job. We are not hired as policemen on the ship. We come to do a particular job we are more concerned with. Like I'm Chief Engineer, I'm supposed to make sure everything should be running safely and smoothly. I'm not there as a policeman to check who's coming on board and who's not coming on board. It's not my job, it's not my responsibility. There are supposed to be other people who are supposed to be keeping a watch. So that's how it is. (Chief engineer Pradeep, Indian).

Nonetheless, the recommended practices in relation to detaining stowaways on board prove to be quite crucial. In those instances where there is more than one stowaway on board, failing to implement some of the procedures, such as segregating the stowaways, can be very problematic. For example, while rare, fights can break out among the stowaways.

Sometimes, not so often, when we discover one stowaway, we actually discover several stowaways. And sometimes, they have not boarded together. So, we have had problems with different packs of stowaways, fighting with each other. And also, it can be with the crew as well. So, when it's the safety of stowaways and the crew, we have to maybe separate them and consider keeping them under guard. (Sarah, deputy claims director, P & I Club A)

[…] they took us and crammed us with the five Tanzanians. […] they ended up mixing us with the five Tanzanians. So, there was a fight. The Tanzanians were furious. They thought we just boarded the ship and that they were the first ones who were on the ship. They said, 'how can you attempt on this ship while we are here, why don't you try on another ship?' But we boarded the ship in Djibouti. […] We were severely beaten while in the cabin. They knocked the other guy's teeth and they beat me really hard. We were seriously bleeding. (Moses, Ethiopian stowaway, author's translation).

In addition, when large number of stowaways are locked together, there is also the possibility that they can overpower seafarers and pose a threat. It should be remembered here that stowaways tend to be calculative in their behaviours and respond to different contexts with the intention of maximising their success. This includes resorting to violence if, and when, it suits their purpose, such as trying to escape when the ship reaches a port where they might want to disembark. It should also be remembered that they may become violent out of frustration. The following

very similar but contrasting experiences of two captains highlight two important issues. First, they highlight how even the most prudent seafarers can fail to implement some of the recommended guidelines to their own detriment due to lack of security expertise. Secondly, they clearly demonstrate how stowaways' tailor their behaviours differently to different situations as part of their stowaway counter-apodemics to maximise their chances of success.

Both Captain Bill and Captain Smith picked up similar numbers of stowaways of the same nationality (four and five Nigerians respectively). The vessels were also trading on the same route (between Lagos and Algeciras) around the same period (2004 for the former and 2008 for the latter). The stowaways boarded using the same technique by using boats to climb into and hide in the rudder trunk housing as pointed out earlier in the chapter. Furthermore, the incidents took place on ships owned by the same shipping company which had detailed procedures on how to deal with stowaways. The compositions of the crew were also similar on both ships with European officers and Filipino ratings. In both cases, the seafarers kept the stowaways together in the same cabin. However, the outcomes were radically different due to the stowaways responding differently to contrasting disembarkation contexts.

> *There were four of them. We put them in a four-man cabin whilst head office was contacted. […]It's a crew cabin but it was.... we're only working to quite low-manning standards at the time and the vessel has a lot of cabins for extra crew. So yeah, it was one of our... probably what I would say would be like a supernumerary cabin or a superintendent's cabin if you're carrying additional personnel for whatever reason. […]They were very good. They were not troublesome. […] When they were informed that they would be... the vessel's going to continue on its passage to Europe, there was no problem. There was no problem during the exercise. They exercised individually so that there was.... they couldn't overpower the crew. So, you would have two or three of the crew to supervise one man on the poop deck for an hour and then he was... he will be returned to the cabin and then another man would come out for exercise. […]I think [the seafarers] felt uncomfortable. We're talking quite a small Asian, Filipino crew and we're talking big healthy West Africans. So while they were exercising one at a time and while there were three Filipinos there in order to supervise them. […] The local constabulary, the local police came on board. Now it kind of*

turned surreal because the guys were taken from their cabin which was on the main deck and were not handcuffed. They were just front marched to the gangway by the local police. There were three or four local police and they were told to go down the gangway and get into a waiting police van. As they got to the top of the gangway, they all ran and they all ran throughout the port. That's last we ever saw or heard of them. (Captain Bill, British)

The company had detailed guidelines and while it was not clear during the interview if those guidelines included segregating stowaways into different cabins, such instructions are available from P & I Club sources. Nonetheless, despite the ship having enough spare cabins, the stowaways were kept together in one cabin. However, the seafarers also exercised prudence by allowing only one stowaway out while being supervised by two to three crew members during exercises. Hence, the seafarers were clearly cognizant of the danger posed by having too many stowaways together in one location. Secondly, the account also pointed out one important aspect on the behaviours of stowaways on board. He indicated that they all behaved well as they realised that the ship was heading to Algeciras, Spain. However, this contrasts radically with their attempt to escape from the Spanish police officers when they were being disembarked off the ship. This highlights the important aspect of stowaway counter-apodemics in which they strategise and tailor their responses differently to different situations and at different stages of the journey. Let us now consider the similar but contrasting experience of Captain Smith.

These are stowaways from Nigeria [and] the ship came into Tangier. That's where I joined the ship. So, I inherited these guys. […] We're following all the protocols, and from the time they left Nigeria, we're talking to the crew, 'yeah, we give them clean clothes, food and recreation', playing ping pong with the crew. You know, no problem at all. […]And at least two of them had been through this routine before. They knew what a P and I Club was. They knew what lawyers were. They knew what a P and I correspondent was. And they knew the protocols and the procedures and everything else. So, they'd been around before some other port, maybe some other country. […]So, we reached an impasse [unable to disembark]. We had to take them back to Nigeria. The ship was loaded in Algeciras and then, supposed to go back to West Africa. […]So, we pulled out of Algeciras. Luckily for us, we just went outside the port, dropped anchor because we had to take bunkers

of fuel. Early morning, just finishing bunker, big commotion downstairs. These guys have broken out of the cabins. The steward was trying to take the food. They smashed him inside. Ran out on deck, all five of them. And then, took the ship hostage. Took one crew member, a little Filipino guy, and threatened to kill him. […][Then] we got six very professional security guards on board, these are ex-prison officers, police officers, armed forces guys. Serious people. Came on board, sort the stowaways out, three in one cabin, two in another cabin. We learnt a lot from them too. Go right through the cabin, anything that could be moved is taken out. Drawers, mirrors, the doors on the wardrobes, the toilet seats, the bathroom cabinet. Everything is stripped out. But they still had the toilet, they still had the shower. They still had the beds. But everything is removed. So, we learned a lot from them. […] So, after we left Algeciras, we had no dealings with them at all. The guards took care of them. Three in one cabin, two in another cabin. We take the meals, the guards go in. And we could see what we lacked in training and professionalism. We were babes in the woods come off. We're seafarers. The way they open the door, three guards open the door, two initially step into the cabin and the third one takes the food in. […] [The stowaways] weren't initially malicious. They took a chance and there was nothing malicious until they turned nasty, of course, when they realised they weren't going to get put ashore in Spain. It was amicable. There was no problem at all. I went to speak to them, 'there's five of you in one cabin. We'd like two of you to move to another cabin and three stay in this cabin.' 'No, we're staying all together.' 'Okay, fine. That's fine.' We told the company, we told the security people, 'no, they're staying in the cabin.' 'Okay.' So, when we went into Algeciras, that's when they got some security guards, and they separated. 'No, cap. Sorry, we still want to stay together.' 'That's fine.' […]They'd been living in it since they came out of [their hiding]. They'd been living in that cabin anyway. Just that I was asked to try and separate them. I tried and had a chat with them. 'No.' 'That's fine guys.' We were about to try and force them to separate, but it was unrealistic. So, they were not antagonistic. They were not belligerent. They were just chatting because they still thought they might get into Spain. I'm not a policeman. That's not

part of my pay to do that sort of work. Left all five of them in the same cabin.
(Captain Smith, British)

Similar to the previous incident with Captain Bill, the above quote clearly shows how the stowaways can radically alter their behaviours to achieve their aims in response to different situations. During the interview, Captain Smith pointed out how the stowaways initially maintained a religious countenance, always praying as well as being very unthreatening. But when they realised they were not going to be disembarked in Spain, they turned violent. Another detail that was not included in the above extended quote was the fact that they all stripped naked while they were holding the seafarer hostage demanding that they be taken off the ship in Spain. As the security professionals later pointed out to the captain, this was a strategic move with the knowledge that people tend to avoid shooting a naked person. Although the stowaways have been clearly manipulative and deceptive in this incident, as I have already pointed out in Chapter Four, such tactics are also part of their 'toolkit'.

Secondly, even though the seafarers wanted to segregate the stowaways into smaller groups early on, this was resisted by the stowaways and the seafarers could not compel them to comply. The seafarers were also mislead by their amicable pretensions. What the captain pointed out as the seafarers' 'lack in training and professionalism' also manifested when only a single crew member was taking food to the stowaways at which point they overwhelmed him. The captain also emphasised that seafarers are not trained to handle such situations and that they are not security experts, a point made earlier. The third important point is the fact that stowaways can pose a grave threat to seafarers and especially when they come in large numbers, at which point seafarers' feelings of being threatened are exacerbated. A reverend from Missions to Seafarers reported that on one of the ships he visited there were 19 stowaways on board. The crew were 'afraid for their lives when they realised that such a large number of [illegals] were present on their ship, so much so that some of them slept with knives, etc. at their sides' (Peters 1997, p. 71). As we will see in the next chapter this is given as a reason for tossing stowaways overboard by some seafarers.

6.6 Conclusion

Although ports have legal obligations to secure their premises from stowaways, those that are prone to stowaways are often limited in their abilities to do so. This has led to port authorities shifting the site of security interventions to the *ship/port interface* forcing seafarers to pick up the slack. There are also legal instruments, such as the ISPS code and the FAL

Convention, that bestow security responsibilities on seafarers. Nonetheless, some of these ports are also suspected of being compromised in their security arrangements with stowaways getting assistance from shore-side personnel. With increased commercial activities in ports and fast-turnaround times, seafarers find it challenging to meet both their commercial responsibilities and security commitments. Although conventions and guidelines from institutions, such as the IMO and P & I Clubs, instruct seafarers to treat stowaways humanely, emotions run high in some cases as a result with seafarers getting extremely angry to find stowaways after busy schedules in port. Furthermore, the initial encounter between seafarers and stowaways is fraught with fear on both sides. Seafarers fear that the stowaways could be potential pirates, criminals, etc. which links to aspects of the security framing of stowaways discussed in Chapter Four. The stowaways, on the other hand, are fearful that seafarers might physically assault them or even throw them overboard based of their shared body of knowledge. Hence, consistent with their decisions throughout the stowing away process, they draw from their counter-apodemics to attenuate any risk by strategising how to reveal themselves on board.

Although there are detailed guidelines on how to detain stowaways on board, seafarers take up these responsibilities grudgingly. As they are not security experts, they might err in their implementation of the recommended procedures or be constrained by the context on board such as unavailability of cabins to house the stowaways. In instances where a number of stowaways are locked in together, fights can break out between the stowaways on rare occasions. Alternatively, stowaways can also overpower seafarers and end up threatening the safety and security of those on board. This may not necessarily be out of malevolent intentions, but is consistent with the stowaways' calculations to increase their chances of success. However, in some instances, this can compel seafarers to take drastic measures such as casting off stowaways on oil drums as I will discuss in the next chapter.

Chapter Seven

On-board Dynamics

Part II: Treatment of Stowaways On Board

7.1 Introduction

I touched upon the treatment of stowaways by seafarers in the previous chapter in relation to the sequence of events that unfolds when stowaways are initially discovered on board. As I pointed out, seafarers get angry on some occasions resulting in stowaways being beaten. The initial encounter is also fraught with anxiety and fear for both parties with seafarers often carrying 'protective tools' such as pieces of metal and wood. There were also instances where stowaways were perceived as threatening to the seafarers either because they became violent or simply on account of their large numbers. As I will demonstrate in this chapter, this is one of the reasons why some seafarers dump stowaways into the sea. This chapter focuses on the treatment of stowaways on board in much more detail.

Guidelines and publications from the IMO and P & I Clubs clearly stipulate that seafarers should treat stowaways in a humane manner. Such treatment includes: providing adequate meals, clothing, accommodation and sanitation; ensuring the safety and wellbeing of stowaways; not putting them to work except in emergency situations or in relation to their accommodation; familiarising them with what they need to do in emergency situations; not threatening the stowaways or exposing them to any form of violence and maltreatment, etc. (IMO 2011b, a; Jones 2014; NEPIA 2015; GARD No Year). These are standard practices and it is fair to assume that the majority of seafarers will abide by these instructions. However, there are occasions when seafarers deviate from these standard practices and resort to 'getting rid' of stowaways at sea.

In order to gain insights into the extent to which such incidents take place and examine any patterns, I have compiled two datasets. The first one is collated from incidents reported in news articles, industry publications, books, in few cases court documents and reports from court hearings, etc. The other dataset was compiled from incidents that were articulated during interviews with the stowaways and, in few cases, with seafarers. I have collected as many

reports as possible on each incident to crosscheck the accuracy of the details such as nationalities of seafarers, crew composition, the numbers of stowaways involved and so on. A number of incidents that emerged during interviews with stowaways were retold by more than one stowaway providing greater validity in the case of some of the accounts. As Appendices 4 and 5 show, an attempt has been made to extract as much details as available on all incidents for the purpose of gaining a deeper understanding of these incidents.

In the subsequent discussion, I will draw from: the stowaway counter-apodemics on different nationalities of seafarers as elaborated in Chapter Five; the two aforementioned datasets; as well as data from interviews and documentary materials to identify patterns and reasons for the dumping of stowaways at sea. Furthermore, as none of my participants in the seafarers' sample confessed to having been involved in such practice, I will present my findings from vignette interviews I conducted with the seafarers (see Chapter Three for details on the vignettes). As the seafarers have a level of 'proximity to the world of practice' (Bueger and Mireanu 2015, p. 119) in which such incidents take place, i.e. are engaged in the same profession in a globalised industry as the perpetrators of such crimes, and hence, experience(d) the same practical, institutional and structural context, the purpose of using the vignettes was to treat my seafarer participants as key informants on the issue and use their insights to gain understanding and develop causal explanations.

I will now proceed with my discussion by focussing on the maltreatment of stowaways and will identify patterns within, and possible causes for, such behaviour. I will then move the discussion to 'good treatment' to highlight certain fault lines that lie between stowaways' conceptions of 'good treatment' and what actors in the shipping industry regard as the proper ways of handling and dealing with stowaways on board.

7.2 Maltreatment

Whereas the previous chapter highlighted the beating of stowaways by some seafarers, the maltreatment I want to focus on here revolves around cases where seafarers have forced stowaways to disembark on makeshift rafts in the middle of the sea, and in rare cases, have simply thrown them overboard. The extent of such practices is very difficult to estimate. Currently, there has not been any systematic attempt to explore how often and why such incidents take place. Hence, there is the possibility of both overestimating and underestimating the extent of the problem. Phrases like 'tip of the iceberg', 'many seafarers or ship owners', or 'many cases' (Nelson 2004b) are sometimes used in reporting these incidents alluding to the

notion that such practices are much more widespread than known. Interviews with industry insiders, on the other hand, have a tendency to underplay the issue suggesting that the practice is something that happened in the past or is, at times, just a rumour. This belief is shared across my industry participants who argued that the present day regulation of shipping and modern communication technologies render such practices highly unlikely. This, of course, is not the case for the stowaways who still operate with the assumption that such practices take place to this day. An account from a P & I correspondent based in China exemplifies the assumptions of industry actors.

> *[…] with the development of the economy and the technology, I can say it is more and more difficult to hide some secret or hide someone on board. […] So, it is quite difficult to throw or kill a man by throwing him into the sea nowadays. In the books we have learned that, maybe 20, 30 years ago, the Chinese crew members said sometimes they have seen on their own vessels, have thrown the stowaways into the sea, or maybe gave limited belongings to the stowaways and let them sail by themselves. […] But I can say, yes, in recent years, I've not learned or seen any people done such kind of matters.* (Chen, P & I correspondent, China)

It is difficult to make a reliable estimate of the extent of the issue as the crimes take place offshore and in the high seas, on ships that are in constant state of flux in terms of their movement and the constant turnover of the workforce on board. Such incidents come to light either when stowaways survive or when seafarers come forward to report incidents that have occurred on their ships. As the entries under 'mode of survival' and 'mode of revelation' in Appendix 4 show, most of the reported incidents listed in the table were revealed when stowaways survived to tell their stories after swimming to shore, or after having been rescued by fishermen, seafarers or coastguards/navies.

A number of incidents that were, hitherto, unknown were also revealed during the interviews that were undertaken as part of this research (see Appendix 5). Stowaways provided accounts of incidents they were personally involved in as well as incidents that involved other stowaways, and subsequently became known to them as part of their shared body of knowledge. The majority of the seafarers I interviewed, on the other hand, were not aware of any specific incidents except for hearing rumours about the issue. Two seafarers, however, recounted what was imparted to them by other colleagues who were present on board ships

from which stowaways were dumped at sea. Furthermore, one seafarer discussed an incident that took place on one of the ships of a company he was working for. One second officer also pointed out that a crew member had suggested to cast the stowaways off on makeshift raft after they were found on the ship the second officer was working on. As he pointed out, however, the seafarers did not go through with the suggestion. A stowaway search company owner also revealed what one captain confessed to him concerning a stowaway he forced to disembark on makeshift raft at sea, albeit, alleging to have ensured the current and the distance from shore would help the stowaway survive.

There are two important findings that can be gleaned from Appendices 4 and 5. First, despite the impossibility of coming up with a conclusive estimate on the frequency with which stowaways are dumped at sea, an important observation is made by comparing the two tables. Appendix 4 lists all the 26 cases I managed to compile after an extensive search specifically aimed at identifying these type of stowaway incidents. After reviewing 89 reports on actual stowaway cases, I was able to identify only 26 instances that involved stowaways being thrown overboard or cast off on makeshift rafts. However, after conducting interviews with just 15 stowaways, 17 new cases that had not, hitherto, been reported anywhere were compiled. This is a strong evidence to suggest that stowaways have been, and probably still are, dumped at sea to a greater extent than we are currently aware of. The second important finding pertains to the contemporaneous nature of the practice of dumping stowaways at sea. Although my participants from the industry stated that such practices took place 20 or 30 years ago and do not happen anymore, we can observe from the tables that there have been relatively recent incidents. In the last ten years alone, a total of seven incidents have been identified, with the most recent being in 2013, as Appendices 4 and 5 indicate (the case of MV Island of Luck has been excluded from the analysis as it was highly disputed). Thus, these two sets of findings highlight the importance of gaining deeper understanding of the issue and identifying the reasons that predispose some seafarers to resort to harsh measures when finding stowaways on board.

7.2.1 Patterns

For the purpose of mapping out any possible patterns, all the available details were extracted on each incident by using categories that include: time of the incidents; names of the ships and their flags; nationalities of seafarers and stowaways; estimated distance from shore where the stowaways were forced off the ship and/or the number of days the stowaways were afloat before reaching shore or being rescued; whether floatation aids such as makeshift rafts,

life jackets or any other devices were provided; if there was physical violence against the stowaways; number of stowaways including those who might not have survived the ordeal; modes of survival; how the incidents were revealed; embarkation port as well as next port of call.

Certain patterns have emerged from the analysis of the two datasets. As it can be noted from Appendices 4 and 5, some form of floatation aids were provided in most cases. The provision of floatation aids have the uncanny paradox suggesting an effort to preserve the stowaways' lives while simultaneously putting them at the risk of death. This is a possible indication that as opposed to malice on the part of seafarers, there are some structural constraints that force seafarers to resort to such actions. The tables also show that the main mechanism through which these crimes come to light is when the stowaways survive, and as the tables clearly demonstrate death of stowaways due to drowning and/or exhaustion is not uncommon. The possibility of rescue is not always guaranteed with stowaways having to float at sea for hours or for a number of days. One of the stowaways who endured ten days of floating at sea before being rescued by fishermen described his ordeal as follows:

> *It was all water and I cannot go anywhere. I floated for seven days. Eighth day, I start to write on the timber saying, 'this is me, I took a ship somewhere what what.' Because already I know I am going to die. I was writing maybe, so that somebody might find it and tell someone. I was writing my name, call this number, tell my family. […] Ten days. I got a small water. They put 25 litres, 25 litres in the drums. They also give us small food, cabbage and rice. After four days the food was finished. We just survived drinking some water, catch a fish and eat. In the night the wind was strong. So I put rope around myself, because otherwise I fall down from the drum. I just sit and all days, I pray. […] If you fall down, in the night when the wind is coming, sometime the drum will turn upside down and I cannot get inside the drum. So just sit on top of the drum.* (Mbongo Mzulu, Tanzanian stowaway)

As well as provision of floatation devices, there are also two important patterns that can be observed from Appendices 4 and 5. These pertain to the nationalities of seafarers and the composition of the crew on board. As we have seen in Chapter Four, stowaways were apprehensive about certain nationalities and also about single nationality crews on a ship. The Chinese particularly stood out both for the intensity of the sentiments the stowaways had

towards them as well as the consistency with which they were portrayed as 'dangerous' across different groups of stowaways.

When such cases are reported, the details on nationalities of seafarers and crew compositions are often incomplete. In addition, a number of reports also do not specify the nationalities of the seafarers involved altogether (see Appendix 4). For instance, a news article stated that Ghanaian police arrested three Chinese seafarers over three Ivorian stowaways that were thrown overboard after two were rescued by the Ghanaian navy (BBC 2010). However, the report does not provide the further details that are of interest here, such as if the crew were multinational or entirely composed of Chinese seafarers. Hence, the reports on the incidents identified in Appendix 4 render any attempt at a systematic analysis of patterns pertaining to the nationalities of seafarers difficult. With this limitation in mind, I will, nonetheless, discuss what limited 'patterns' can be gleaned from the table in Appendix 4.

Out of the 26 incidents reported that were identified from documentary materials, three are not considered in this specific analysis (the cases on the ships Arran, John St. Martin and Island of Luck). The first two (those on the Arran and John St. Martin) took place long before the significant transformations that took place in the shipping industry since the 1970s, and the third one (MV Island of Luck) was a highly disputed case where the reports suggest that the seafarers might have been wrongly framed due to cargo disputes in the port of Matadi, Democratic Republic of Congo (see Appendix 4). Furthermore, for eight of the remaining 23 cases, the nationalities of the seafarers involved were not specified leaving 15 valid cases to consider. However, on ships with multinational crews, there is the challenge of knowing the roles played by each nationality of seafarers except in those instances where the cases made it to court and the guilty parties were identified. If we focus on only the three nationalities that were mostly implicated in the incidents in Appendix 4, however, this challenge is circumvented. The three nationalities are Chinese, Filipinos and Ukrainians. For these three nationalities, the majority of the cases had either made it to courts or they were the only nationalities mentioned in relation to any particular incident. The three nationalities were implicated in three incidents each. For the Ukrainian seafarers, they were found guilty in two of the incidents (MV MC Ruby and MV African Kalahari), whereas they were the only nationality mentioned in relation to the third incident (MV Atlantic Mercado). Similarly, the Filipino seafarers mentioned in relation to two incidents were brought to court where they were found guilty along with a Dutch captain and a Russian chief engineer in one case (MV Eesmond), and were acquitted in another one due to lack of evidence and jurisdiction (MV RM

Power Ship) which often happens in cases where stowaways are dumped at sea. In the third incident, it is not clear what roles the Filipino seafarers played as the report simply mentions 'Italian captain and mostly Filipino crew', and none of the seafarers were ever caught (MV Dona Liberta). When we consider the Chinese seafarers, they were the only nationality mentioned in relation to two of the incidents (MV Sea Lantern and MV Rui Ning 3). In the third one, they were apprehended along with the Taiwanese captain (MV Well Pescadores). However, if we take the stowaways' conception of 'Chinese' seafarers where no distinctions are made between Mainland China, Taiwan and Hong Kong, the number of incidents implicating 'Chinese' seafarers will be four in total, including the case of MV Maersk Dubai where Taiwanese seafarers were found guilty in a Canadian court after being reported by the Filipino crew members on-board. It is important to point out that these three countries are among the top five seafarer supplying nations in the world with a recent report indicating China and the Philippines as the first and second seafarer supplying countries respectively (Ellis and Sampson 2008; BIMCO/ICS 2015). However, as pointed out earlier, due to the incomplete information that is included in the reports, no conclusive statement can be made about patterns pertaining to the nationalities of seafarers implicated in the dumping of stowaways at sea, and even more so about crew compositions. Nonetheless, it is interesting to note that the reported incidents do not reflect the radically opposed perceptions of both groups of stowaways interviewed in this research in relation to Filipino and Chinese seafarers. As we have seen in Chapter Four, whereas both groups perceived the Filipinos very positively, the Chinese were perceived negatively.

The incidents that came to light during my interviews are more suited here for analysis of patterns since there was an opportunity to probe about some of the details during the interviews. A total of 23 incidents emerged from the interviews in which the nationalities of seafarers were identified for 18 incidents. Accordingly, 'Chinese' seafarers indeed stood out in the incidents that emerged during the interviews as Appendix 5 shows. They were implicated in five or six incidents (in one incident the interviewee indicated the seafarers were either 'Koreans' or 'Chinese'), followed by Russian seafarers who were implicated in three incidents. Furthermore, 'full ngome' crew are also prominent in these incidents where it was specifically pointed out in eight incidents. In addition, only single nationalities were mentioned in five more incidents by the interviewees without explicitly indicating if this meant 'full ngome' crew. Appendix 5 clearly indicates that 'Chinese' seafarers and single nationality crews feature predominantly in the interview accounts which explains why the stowaways are adamant about

avoiding Chinese seafarers (as well as full ngome crews) as we have already seen in Chapter Four. While this does not necessarily entail the overrepresentation of Chinese seafarers in incidents where stowaways are dumped at sea (as Chinese seafarers constitute the largest number of seafarers in the world as well as perhaps as more Chinese ships may be calling at African ports), this, nonetheless, raises some questions particularly when considering Filipino seafarers who had also constituted the largest number of seafarers in the world before being overtaken by the Chinese in recent years. The stowaways I interviewed had indeed encountered Filipino seafarers on ships on numerous occasions. Their experiences with Filipino seafarers have led them to hold positive assumptions about the Filipinos in their counter-apodemics. Hence, the radical contrast between these two nationalities of seafarers in the stowaway counter-apodemics requires taking these assumptions seriously and exploring the issue of Chinese seafarers further, which is undertaken in the subsequent sections.

Single nationality crews, however, are indeed overrepresented in the incidents that were identified from the interviews. When we add up all the incidents in which 'full ngome' crews were specifically pointed out and those in which single nationalities were mentioned, 13 out of the 18 incidents had involved single nationalities. This contrasts with crewing patterns in shipping where it is estimated that about 60% of the world's ocean-going fleet is crewed by more than one nationality (Wu and Morris 2006, p. 41). It should also be noted here that Chinese seafarers often constitute a single nationality crew on ships (Wu and Winchester 2005, p. 327), a point I will return to later in the chapter. Nonetheless, these observed patterns still do not give us insights as to why the stowaways are dumped in the first place.

7.2.2 Causal Explanations

Although it is difficult to exhaustively determine the reasons why some seafarers resort to dumping stowaways at sea, I have identified a number of causal factors through analysing stowaway incident reports and data from interviews. A number of studies that explored a range of issues in the shipping industry are drawn upon here to add context to and strengthen some of the causes I identified in this study. The causes I established are very much interlinked and often emerge from the interrelationships between various actors including stowaways, seafarers, shipping companies, crewing agencies and states. As I will elaborate in Chapter Nine, these causal mechanisms work in tandem and in a web of complexity and, thus, the outcomes of specific stowaway incidents often emerge from a multiplicity of causes. Nonetheless, these causes are discussed here individually for the purpose of analysis, and include: those that emerge from the immediate context on board such as *seafarers' fear of stowaways*; *insufficient*

provisions on board; *crew composition on board*; those that are largely situated in prevalent practices in the shipping industry such as *punitive practices by shipping companies and crewing agencies, and the associated concerns seafarers have over the security of their jobs and their professional reputations*; and those that are located within state policies and practices such as *disembarkation refusals by port states* and *the wider context of 'externalisation' of responsibilities* in which ship owners remain responsible for the cost and management of stowaways. I have also acknowledged *'individual, cultural, and racial'* issues as possible contributing factors even if the study has not generated the data to substantiate this proposition. Although these causes are often very much linked to one another, I will discuss each one of them individually in order to demonstrate the saliency of their contribution to incidents involving the dumping of stowaways at sea.

7.2.2.1 Feeling Threatened

As I pointed out in Chapter Four under the discussion on 'Security Framings', stowaways are at times understood as a threatening presence on board. It was also highlighted in Chapter Six that seafarers often feel fearful when initially discovering stowaways on board. Furthermore, there are documented cases in which the stowaways became incompliant, agitated, and fought among themselves or even with the crew. In such instances, seafarers can feel threatened when stowaways show signs of aggression. My data indicate that stowaways were at times dumped into the sea when the seafarers felt threatened due to the behaviours as well as large numbers of stowaways on board. Findings from the analysis of stowaway incident reports and interview data provide evidence for this.

> *These guys, two people stowed away in Mombasa and the ship came here, Cape Town, to take bunker. So, after the ship came here to take bunker, the seamen they already know there were two people before they got to Cape Town. So, they hide them there somewhere. So, after they leave Cape Town, other two people stowed away in Cape Town. So the seamen, the Greek, they say, 'no, we won't carry on with them'. […] so, put drum and throw them in the sea.* (Mohab, Tanzanian stowaway).

David, a seasoned former stowaway, also shared his personal experience of being dumped at sea after a fight broke out between the stowaways and some members of the ships' crew. He and three other stowaways had been on board the ship for almost three months. They were treated well during that period including being left free to roam around when the ship was at

sea. David believed the captain had initially intended to 'help them' by continuing the journey to Indonesia. But as the stowaways were found as the ship was en route from Cape Town to various West African ports, it could likely be the case that the captain was simply intending to disembark them at Cape Town during the return voyage. Nonetheless, after a fight broke out one afternoon, they were disembarked on makeshift rafts during the night.

> *So when they stowaway, the ship was going to Asia he say. They been around African countries for three months, you see. The ship was container boat, so it was like they left to pick different container. From here they went to West Africa, somewhere in Ivory Coast. But the trip was still to Indonesia. […]Nobody show them bad sign you see, until…, everybody was alright. Food, in the sea they walk around. It was free, you see. Nobody bully them, nothing. He say the incident started when the young boy fight. […] Philippines tell him, 'don't make tea,' him he make tea. The Philippines slap him, and they start fighting. And then, they fight with the other seafarers. The captain, he come separate the fight. He brought them to their room and lock them in. That was like Nigeria side. Three o'clock in the morning captain call them one by one; they take them rope, go down. They give them knife, they cut, and they were left there until the fishing boat they come rescue them.* (David, Tanzanian stowaway, interpreted by Mohab)

Some seafarers who stood accused of dumping stowaways overboard in the past also defended their actions by claiming they were threatened by the stowaways. The case of MV Garifalia (see Appendix 4), in which a Greek Captain and number of crew members threw 11 stowaways overboard is one example. The captain claimed he had initially intended to set the stowaways adrift on makeshift rafts near the Somali coast. However, after the stowaways threatened the crew, according to his claim, he decided to throw them overboard. Although his claims were disputed by other crew members and he had intended to cast them off on makeshift rafts from the beginning, the large numbers of the stowaways involved could have indeed raised security concerns for the captain (OttawaCitizen 1984; TheAfroAmerican 1984; TheMontrealGazette 1984; SunSentinel 1985). If we look at cases like MV TCK Sunanta and MV Sea Lantern in Appendix 4, a total of 12 and 13 stowaways were present on board respectively. When stowaways are in large numbers vis-à-vis the ship's crew, it is plausible that some seafarers resort to 'getting rid' of them because they feel threatened by their large

numbers on board. Nonetheless, having many stowaways on board also entails having many extra mouths to feed, which directs our attention to the next contributing factor.

7.2.2.2 Provisions On Board

There are a number of regulatory mechanisms in place to ensure that living conditions on board meet the minimum standards set by various international institutions such as the IMO and the ILO. Nonetheless, there have always been ships that roam the oceans providing substandard living and working conditions for seafarers. Couper et al. (1999) have carefully chronicled abuses of seafarers by certain ship owners who operate substandard ships where arrears of payment and abandonment of seafarers in ports are common. The living conditions on board can be so abysmal that food and water have to be rationed.

Seafarers working on such ships can indeed resort to extreme measures with regard to stowaways. On board ships with reduced victualling budgets, where the seafarers themselves are not adequately supplied with sufficient provisions, feeding extra mouths on board is a problem. This was pointed out by one captain as a factor that will lead to stowaways being thrown overboard on substandard ships.

> *You could also look at some of the shipping companies and you look at their victualling budget, allowances for food, et cetera, et cetera, which in many different shipping companies, I've heard, it's quite low [...]. So, if you've got stowaway and they need feeding and they need looking after on a daily basis, then you're more or less taking food from the mouth of the guy that's on board [...]. It could be on a 15-day passage or longer. You're looking at.... if you've got a low victualling budget and you actually haven't got so much, then it's quite easy to, perhaps, get rid of the stowaways rather than having to have to feed them.* (Captain Bill, British)

The evidence from the data collected in this research shows cases where stowaways were given meagre food or even starved. For instance, the two Rwandan stowaways thrown overboard from MV Eesmond accused the seafarers of locking them for days without giving them food and water before they finally threw them overboard with plastic jars provided as a floatation aid (NoAuthor 1994, p. 31). The case of MV Dona Liberta and the background story of the ship provides clear evidence of how living conditions on board substandard ships can easily lead to stowaways being dumped at sea. An exposé done by The New York Times on the ship and its owner demonstrates that the ship fits the profile of a substandard ship and an

unscrupulous owner as discussed in much detail in Couper et al. (1999). Unpaid debts, intimidation of the crew, arrears in crew salaries, egregious living conditions on board including lack of sufficient provisions, as well as abandonment of the crew were among the long list of infractions by the owner (Urbina 2015). Unsurprisingly, a month after the stowaways were cast off on makeshift rafts off the Liberian coast, the ship's crew were abandoned by the owner (Urbina 2015).

In an attempt to verify if the ships in the reported incidents (Appendix 4) had a history of poor living and working conditions around the time the incidents took place, I contacted the International Transport Workers Federation (ITF) staff to check their records on the ships within a time frame of one to two years before and after the time of the incidents. The staff managed to find records on one of the ships, MV Rui Ning 3. The Portuguese port state control had filed a report on a list of deficiencies just 15 days before stowaways were thrown overboard. However, the deficiencies were not related to living conditions but rather technical, and it is not clear if the outcomes of the port state inspection had played any role in the stowaways being thrown overboard.

A number of stowaways pointed out that they had been given meagre amounts of food and, at times, starved. In one occasion, this was followed by the stowaway being forced to disembark onto a makeshift raft.

> *He say he's got one of his friends, I know him you know, even me I know that guy. He say he been stowaway Chinese ship, full ngome Chinese. When he came out, the Chinese, all the food they give him is one piece of tomato and one slice of bread every day. […] Chinese, you know, it's like they show him how bad they are, you know. […] One thing they didn't throw him in the water. But all they give him, one slice of bread and one piece of tomato, just the meal for the whole day. He say the last day, when they get to Argentina, is the day they call him; he went to shower; they change him cloth […]. And they call him to the mess, in a table like this, nice food. […]They did that on the last day so he couldn't complain.* (Sadik, Tanzanian stowaway, interpreted by Mohab).

> *They send me back and lock me somewhere inside the ship. More than four days, and then he doesn't give me anything, something to eat. Four days, just drink some water. […] Don't bring any kind of the food. Chinese very*

dangerous! Didn't give me. The last day, he just give me something, he give me a small rice and cabbage and then he put it in a small plastic. He start to throw me on the water. He give me big knife, what, which knife, to cut it rope. Because that time he put me on the sea. He put the drum first, the crane put the drum first, and then you start to take it rope gangway. (Mbongo Mzulu, Tanzanian stowaway)

As the above quotes suggest, victualling issues are more pertinent for some Chinese seafarers. This is due to an arrangement referred to as 'provision wages', which is a practice among Chinese seafarers whereby the cost of food for the seafarers is directly paid to the master of a ship for the purpose of purchasing provisions in ports (Zhang 2016, p. 133). This means the seafarers have control over how and on what they spend the money. As Zhang (2016) points out, on most Chinese vessels or vessels crewed by Chinese seafarers, only a third to half of the 'provision wages' are spent with the balance distributed among the seafarers. This implies the seafarers are willing to compromise on the standards of their nutrition on board and save part of their 'provision wages' to increase their incomes. Hence, the findings indicate that the issue of provisions on board may well be one of the contributing factors to the dumping of stowaways by Chinese seafarers. However, the fact that Chinese seafarers often work on board as a single nationality crew could also be relevant as I will demonstrate in the next subsection.

7.2.2.3 Crew Composition

It was pointed out in Chapter Five that both groups of stowaways I interviewed as part of this research hold the same assumptions concerning single nationality crews. For the stowaways, ships that have crews of a single nationality raise 'red flags'. This is based on their assumption that it is easy for a single nationality crew to reach a consensus if they decide to dump stowaways at sea. This assumption is also shared by some industry actors who argue that stowaways are no longer thrown overboard due to the prevalence of multinational crews in contemporary manning patterns within the shipping industry. As Appendices 4 and 5 demonstrate, however, there were a number of cases that involved multinational crews. Nonetheless, ships with single nationality crews are implicated more often than multinational crews particularly in the incidents that were revealed during the interviews as pointed out earlier in section 7.2.1 (see also Appendix 5).

This does not, however, mean that a single nationality crew will always condone the dumping of stowaways into the sea. For instance, in an incident involving the ship MV Well

Pescadores where the crew constituted Taiwanese and Chinese seafarers, it was reported that some crew members were reluctant to dump the stowaways and only complied due to duress from their superiors (Nelson 2004a). There is also evidence in my interview data that indicates certain crew members even on 'full ngome' ships do sympathise with stowaways that are maltreated by their colleagues and take their own actions to alleviate the discomfort and/or the suffering of the stowaways.

> *[Chief Officer told him she is going to throw him in the sea. But they never throw him in the sea. What they did they don't give him food. [...]But what they did they don't give him ration you know, the ration was too small. He remember one seafarer who used to sneak around the food to give it to him. That's how he survived until he get to Durban.] I think he was mess boy. He was Ukraine, from Ukraine. But was good guy. The entire ship was Ukrainian.* (Barrack, Tanzanian stowaway, interpreted by Mohab)

Nonetheless, there are certain aspects about ships with a single nationality crew that may create the conditions for stowaways to be dumped at sea. Research conducted on multinational crews suggests that some seafarers consider working on a ship entirely constituted of co-nationals as a potential recipe for inter-personal problems; and, hence, prefer working with multinational crews (Sampson and Zhao 2003; Sampson 2013). Such preference for working with multinational crews also stems from cosmopolitan dispositions where many seafarers are interested in meeting and learning about people from different cultures (Sampson 2003, p. 274). However, a level of 'social distance' among seafarers from different nationalities on board has also been observed which confines their relationships to mainly maintaining cordial professional dynamics (Sampson and Zhao 2003, p. 35). The linguistic barriers to communications in non-professional social settings among multinational and multilingual crews on board are also noted to result in a level of isolation among seafarers (Sampson and Zhao 2003).

Although multinational crews may tend to give appearances of 'recognizable communities' on board under normal circumstances, as Sampson (2003, pp. 274-275) observed during her field research on board ships, the 'social distance' noted earlier will also likely make it harder to galvanise consensus among multinational crews particularly when involving actions of a criminal nature such as casting off stowaways in the middle of the sea. Furthermore, there is a likelihood that seafarers from the same nationalities on a particular ship will have

commonly shared anxieties and vulnerabilities vis-à-vis stowaways by virtue of their similar recruitment and employment context. As I will discuss in the next two subsections, employment practices and 'cultures' by manning agencies and shipping companies are among the reasons that force seafarers to dump stowaways at sea. Hence, a single nationality crew will share these structural constraints due to the similar ways they are recruited, managed and paid. They also share the macro national contexts of their home countries such as economic and labour market conditions at home. For instance, on a ship composed of Ukrainian seafarers, it is very likely that most of them will be sensitive to the competition for seafaring jobs in Ukraine as well as the practices of crewing agencies where seafarers are expected to make payments in excess of $1000 to secure jobs on board (Bailey 2003; Surtees 2012). It is, therefore, clear how such shared vulnerabilities can create the conditions for galvanising consensus vis-à-vis actions to be taken against stowaways whose presence may compromise seafarers' jobs.

Here again, the issue of 'full ngome' is an important factor for Chinese seafarers. A number of studies indicate that Chinese seafarers often work as a single nationality on board (Wu and Winchester 2005, p. 327; Wu and Morris 2006, pp. 41-42; Wu et al. 2007, p. 6; Zhang 2016, p. 101). Hence, other causal mechanisms identified in this chapter that are relevant to Chinese seafarers, such as the issue of 'provision wages' outlined in the preceding subsection or 'performance wages' that will be discussed in the next one, will affect all the Chinese seafarers on board that often constitute a single nationality crew. Subsequently, in the face of the shared anxieties and vulnerabilities they face as a result of stowaways, such as financial deductions by crewing agencies, the 'full ngome' crewing pattern prevalent among Chinese seafarers is likely to make it easier to galvanise consensus against the stowaways.

7.2.2.4 The Role of Crewing Agencies

Developments in the maritime industry, such as the standardisation of training and certification of seafarers and the practice of flagging out, have allowed ship owners to recruit seafarers from the global labour market. These developments have led to the proliferation of crew management or manning companies across many seafarer supplying countries (Lane 2002; Sampson 2013; Walters and Bailey 2013). Walters and Bailey (2013, p. 91) highlight that a crewing agency is the likely employer of a seafarer although her/his temporary employment contract is still with the ship owner or ship management company. Crewing agencies often wield significant powers over seafarers in 'non-traditional maritime nations.' These range from holding the doors to seafarers' employment access to effectively influencing the behaviours of seafarers on board. The extent to which crewing agencies wield power over

seafarers' job prospects renders seafarers anxious about their 'records' on board. For instance, the practice of blacklisting seafarers by crewing agencies in the Philippines and the subsequent circulation of the names of blacklisted seafarers among the agencies have been noted to have the effect of discouraging seafarers from contacting the ITF (ICONS 2000).

Furthermore, as Walters and Bailey (2013, p. 92) point out, crewing agencies utilise reports received from the captain of the ship regarding the conduct of a seafarer on board, and a bad report renders further employment through a particular agency unlikely. In addition, some crewing agencies charge seafarers a huge sum or require a seafarer to give up part of her/his income for their service of securing employment. This means some seafarers might have been already indebted before joining a ship, and for seafarers from certain Eastern European countries and Russia, failure to pay back their debts can have serious implications including violence and threats to their families (Couper et al. 1999).

Seafarers who are entangled with such crewing agencies and who coincidentally find themselves working for unscrupulous ship owners might feel driven to throwing stowaways overboard for several reasons. Such ship owners often operate substandard ships where provisions on board are a problem. They are also noted to withhold seafarers' salaries and make excuses for deductions (Couper et al. 1999). Seafarers who find stowaways on board ships will invariably find themselves on the very wrong side of owners. This complicates the seafarers' relationships with their crewing agencies who operate on behalf of the owners which can pose a significant financial risk for seafarers. In such circumstances, tossing a stowaway overboard may be seen as a preferable option.

The case of MV MC Ruby sheds some light in this respect. The Ukrainian crew of MV MC Ruby were working for the Black Sea Shipping Company, according to one report (Davies 1995). It has been noted elsewhere that the crews of this company and their families had been threatened with violence by Ukrainian crewing agents (Couper et al. 1999, p. 48). A report on the trial of the Ukrainian seafarers in a French court (for the murder of stowaways) highlights the vulnerability felt by the seafarers in relation to the threat of loss of jobs as well as the threat to their families safety (Davies 1995). Although the available reports on the case do not provide enough detail to identify the role directly played by crewing agencies in the decisions of the seafarers to throw the stowaways overboard, the context surrounding their employment and the local practices of crewing agencies in Ukraine highlight the indirect role crewing agencies can have in stowaways being dumped at sea.

The practices of crewing agencies as contributing factors to these incidents are more discernible when we look at Chinese seafarers as they are significantly dependent on crewing agencies who are effectively their employers. Foreign shipping companies cannot directly recruit seafarers from the Chinese seafarers' labour market (Wu et al. 2007; Zhao 2011, p. 51; Zhang 2016). According to Zhao et al. (2016, p. 740) 'seafarers first sign an employment contract with a Chinese crewing agency which consequently becomes the buyer of the seafarers' labour power and decides all employment issues, e.g. wages, working hours, holidays, etc.' The crewing agencies then subsequently supply seafarers to parent shipping companies (if they are subsidiary to one), private shipping companies in China, as well as foreign shipping companies (see Zhao 2011 for an excellent discussion on crewing agencies in China).

Following the economic reforms undertaken in China, wage structures have undergone major transformations in certain manufacturing and textile industries with 'performance wages' constituting a significant proportion of the total income an individual gets at the end of the month (Zhao and Nichols 1996; Nichols et al. 2004, p. 672). The Chinese shipping industry is also notable for the implementation of the 'performance wage' which constitutes a major component of the seafarers' wages; and based on 'satisfactory' performance during the period of a sailing contract, each crew member can earn a set amount of 'performance pay' according to his position (Wu et al. 2007, p. 49). As Wu et al. (2007) note this constitutes an increased part of the salary for senior officers. This practice is implemented in both state owned and private shipping companies.

Zhang (2016, pp. 126-127) points out that according to the Provisional Rules on Payment and Wages of the People's Republic of China (Art. 16 of PRPW 1994), if any economic loss is incurred by the employer due to the fault of the employee, the former is entitled to deduct the compensation directly from the wages of the employee according to the terms of the employment contract. In the case of seafarers, such deductions are made by the crewing companies as they are effectively seafarers' employers. A sample of a Seafarers Employment Contract with one of the major state owned crewing agencies obtained by the author clearly stipulates the possibility of deductions based on performance (Author's source). Zhang (2016, pp. 127-128) also found that some of the Chinese seafarers in his study had experienced deduction of wages for reasons ranging from dropping a walky-talky into the sea, pump breakdowns, to kitchen equipment failure. He also points out that high-ranking officers such as captains, chief engineers, chief officers and first engineers may face a higher risk of

deduction. He gives the example of a captain who, along with his chief officer, was initially 'requested to lose two months' wages as compensation' due to failed cargo hold inspection and delay, which was subsequently reduced to a deduction of one month's wage.

Zhao (2011) also discusses the issue of 'performance wages' or 'Ensuring Behaviour Fee' in her case studies of two of the main state-owned crewing agencies in China. While the calculation of the performance wage is an intricate matter, what is of interest here is the practice of hiding incidents on board by seafarers. As she found out, a number of incidents on board, including personal injuries, were not reported due to concerns that the performance wages of the seafarers would be affected (Zhao 2011, p. 138). In the light of such employment conditions for Chinese seafarers, it is clear that a stowaway incident, which is costly as we saw in Chapters Two and Four, will pose financial liabilities not only to the owners but also to the seafarers directly. Hence, this renders Chinese seafarers more predisposed to dealing with stowaways 'on their own'.

In my interviews with Chinese seafarers, I explored how stowaways might impact on their wages in relation to the 'performance pay' discussed. Two of my respondents pointed out that stowaways can indeed have an impact on their incomes as part of their wages were performance-based, while one did not see any direct financial consequence as the wage arrangement in his case was not performance-based.

> *It was a serious issue for us to find stowaway on board. Not only our wage, but also the bonus would be impacted. Because if there was stowaway on board, that means…that shows that we've got some negligence in our work. All of us, we will lose bonus every voyage. […] Before, normally, the company will give us a lot of the instructions and they would make a plan which area you should search. So, if finally a stowaway was found, that means our enforcement was problematic. Captain is a major responsible party to take this responsibility. And the bonus, especially the monthly voyage bonus, the company will not pay us.* (Second officer Chen, Chinese, interpreted by Desai)

> *If you do very well, the performance, when you were in service time on board, no accident, no bad behaviour, no illegal accident, okay, when you left from the ship at home, then the captain gave you the good performance report to the manning officer of the owner. And after one month or several days, okay,*

you can receive this money. […] If like [the scenario] you mentioned, escort by the European immigration, disembarkation plan and there's much more cost that happened, maybe the captain and the chief officer or the top four, the performance bonus, may be reduced. But, yes, in my particular case, if the scenario you mentioned happened [cost incurred due to disembarkation], I would suffer some of the performance bonus, yes. (Captain Yang, Chinese)

Although in Captain Yang's experience, they carried the stowaways back to the embarkation port during the return trip without any cost for the owner, except for taking care of the stowaways on board, he pointed out that had the owner incurred cost, the crewing company would have deducted his salary. As Zhang (2016, p. 98) observes, there are crewing agencies in China who come up with all forms of excuses to withhold or deduct seafarers wages. Financial repercussions are not the only concern Chinese seafarers have vis-à-vis stowaways. Like the other seafarers I interviewed, there is also anxiety about their professional reputations and career prospects. This is particularly relevant to seafarers who come from labour markets that have a significant labour surplus like China (Zhang 2016, pp. 31, 102).

7.2.2.5 Job Security and Professional Reputation

Shipping has witnessed the gradual erosion of seafarers' professional autonomy and increased susceptibility to commercial pressure from the shore side. As Sampson (2013, p. 89) notes, the growth of ship management companies and manning agencies has weakened the link between owners and ship captains, thereby, leaving the captains much more vulnerable to commercial pressures. Thus, seafarers' behaviours on board are increasingly influenced by their anticipation of responses from the shore side, i.e. shipping companies as well as crewing agencies. The emergence of new seafarer labour markets and the pervasiveness of contractual employment have also placed seafarers in a vulnerable position where anxieties over job security and professional reputation are pronounced. Hence, there is a particular desire among seafarers to maintain a clean record during their employment contracts. As I pointed out in the previous subsection, this would entail limiting incidents that are reported to the shipping companies.

Bhattacharya (2011, 2012), in his case studies into shipping companies engaged in the oil tanker trade, observed how fear of blame and potential implications for one's professional reputation within companies led seafarers to be selective about the types of near-miss occurrences and incidents they reported to their companies. Furthermore, he identified

concerns about job security as one of the main reasons for this. Anxieties over job security and the feeling of being easily dispensable for minor issues vis-à-vis competition for jobs from other cheaper seafarers have also been observed in the study of seafarers in the car carrier trade by Kahveci and Nichols (2006). The findings of these studies are significant considering they looked at shipping companies operating at the very 'high end' of the standards spectrum. This makes one wonder how this sense of dispensability will be exacerbated at the other end of the scale. Xue et al. (2016) also makes similar observations in the case studies of two Chinese shipping companies engaged in chemical shipping trade and operating at high international standards. The authors note that despite a portion of the seafarers being hired on long-term contracts in both companies, seafarers still tended to be anxious and were careful 'to avoid offending managers, since the managers played a decisive role in their performance appraisal', and doing so can entail deduction of income, slow promotion as well as threatening future employment (Xue et al. 2016, p. 76). Hence, 'in order to ensure that their income was not deducted, many crew would rather leave some safety-related problems unreported, particularly those likely to be deemed by shore management as human errors (crews' mistakes or faults)' (Xue et al. 2016, p. 76). These findings are even more significant when we consider the demand for Chinese seafarers in such specialist trade, such as chemical tankers, is in fact very high in the Chinese seafarers' labour market (Zhang 2016, p. 101)

The aforementioned studies highlight the propensity among seafarers to not report safety incidents out of fear of being blamed for them. They also indicate a tendency to acquiesce to commercial pressures even when the seafarers believed the particular actions demanded could compromise their own safety. When we consider the fact that this takes place in a setting where legal frameworks, such as the ISM Code (IMO 2014a), have been put in place to promote a no-blame culture and ensure the professional autonomy of seafarers in matters of safety, it raises important questions as to what seafarers might feel towards stowaway incidents which are costly and which can easily be regarded as a failure on seafarers' part to maintain proper security watches and conduct thorough stowaway searches.

The sole company representative interviewed for this research pointed out that there was no blaming of seafarers when stowaways were found on-board the company's ships. The respondent also pointed out that during her experience in other companies, she did not witness any punitive actions taken against seafarers due to stowaways. However, the determining factor in relation to seafarers' responses to stowaways is not whether a blame culture and punitive practices actually exist within the specific companies (although my data suggests it does in

some instances). Rather, what matters most is seafarers' perceptions of the existence of such culture and practices. Naturally, history of punitive measures experienced or witnessed in the past will influence seafarers' perceptions of the potential ramifications of finding a stowaway on board. Nevertheless, even when there are no previous punitive measures experienced by seafarers, they can still feel worried about their jobs and career prospects. Such perceptions could simply be based on what the seafarers might have heard from other seafarers over the course of their careers. For instance, a seafarer who was lucky enough to have the stowaways discovered and taken off the ship before the ship left port explained what would have been the possible outcome had the ship sailed with the stowaways to a different country .

> *[…] if they take those people to other country, repatriation would be on the ship owners obviously. So that the ship owner would be very unhappy and would blame the seafarers for this. […] So probably they would blame seafarers particularly those senior officers like captain, chief officer. Maybe they would sack the captain or chief officer. […] he heard that, in another case that the ship owners had to pay to repatriate the stowaways. […] They were not very happy about that. [...] So they sacked the captain but the chief officer stayed on the ship, only the captain was sacked.* (Second officer Tsung, interpreted by Lijun)

Such fear of potential repercussions to one's career leaves seafarers very anxious when they discover stowaways on board. One of seafarers I interviewed detailed the anxieties felt by the seafarers on his ship even though they were employed by one of the biggest shipping companies in the world.

> *Everybody was afraid, 'what will happen?' 'What will be the reaction of the owners?' Everybody was worried about their jobs, job security. […] It's not one individual, everybody was worried. Even from the cook, even if he is never involved in cargo, he's also worried, you know. Because it might happen. They will say, 'nobody is good at their work. Okay, get rid of the full crew. Put a new crew for a new employment.'* (Chief officer Rohit, Indian)

Such anxieties over the prospect of losing jobs as a result of stowaways are not unfounded. There are accounts in which stowaway incidents led to ramifications to seafarers' career prospects including termination.

> *[…] the company was unhappy that I hadn't conducted a good stowaway search, so that didn't help my chances of promotion and in fact the captain, it was one of those early trips as a captain, they kind of made him go back as chief mate. There was some amount of punishment involved there. […] He got demoted.* (Captain Joseph, American)

> *And the same thing every port, delays, quarantine, checklists, same stupid questions. Nobody is taking them until the Captain was sacked from the company because of that at a later stage as we know. […]. The captain continued till the end of his tour of duty, but he never came back to the company. They just, let's say didn't employ him again. So all…what we heard is they sacked him. Yeah, he was there for I think ten, eleven years before that.* (Captain Karim, Egyptian)

These kinds of responses by shipping companies or even crewing agencies reinforce seafarers' pre-existing concerns about jobs and professional reputations in the context of the globalisation of shipping and the emergence of new labour markets where temporary employment for seafarers has become the norm. There is evidence in my data that indicates such concerns played a central role in seafarers' decisions to dump stowaways at sea. In an incident involving MV Well Pescadores, the statements given to the police by the seafarers indicate that concerns about professional reputations played a central role in their decision to 'get rid' of the stowaways.

> *Statements to the police highlight how the decision was taken as a result of their fears that the discovery of the illegal immigrants in the US would result in a black mark that would jeopardise the officers' careers. […]While the fear of being sacked and left stranded without a ticket home to China was the driving factor of the crew to follow the orders of their officers. The crew said they were told that they would be forced to "pay" if the stowaways were discovered in the US.* (Nelson 2004a)

My findings strongly indicate the issue of professional reputation is the main driving factor behind incidents that involved the dumping of stowaways at sea. During the vignette interviews with seafarers, anxieties towards professional reputation emerged as the most salient cause in relation to such actions.

> *Their prestige, their job, their ego, maybe. They don't want to inform their office saying that, 'I have a stowaway on my ship.' It's an embarrassing thing. Nobody wants a stowaway on board. Or they might have not taken proper thorough checking or something. They might not have done proper checking. So, they don't want to reveal that to their company. So, that is why they wanted to get rid of this stowaway.* (Chief officer Rohit, Indian)

Furthermore, professional reputation was also raised as an issue that is always at the back of the seafarers' minds when they were giving accounts of their own experiences with stowaways. It is important to point out here that this was also the case for seafarers who did not anticipate any possible repercussions as a result of finding a stowaway on board. For instance, the following was the account of a captain who encountered stowaways on his ship while working for one of the reputable companies in the world.

> *I'm not aware of any repercussions other than probably embarrassment. Well, embarrassed, you know; if you found out that you got ten stowaways on board, you're embarrassed to think that you never checked it so well. Perhaps you need to re-evaluate your procedures or the way you're conducting your stowaway searches and that probably potentially be quite embarrassing.* (Captain Bill, British)

Such concerns about professional reputation also force some seafarers to avoid informing their companies that stowaways are found on board. As I pointed out earlier by drawing from other studies into incident reporting in shipping, there is a tendency amongst seafarers to avoid informing companies about some incidents taking place on the ship. Obviously, not informing companies about the presence of stowaways on board forms part of this trend. As I will discuss in Chapter Eight when I explore the disembarkation-repatriation of stowaways, there is ample evidence in my data that highlights instances where seafarers did not inform any party about the stowaways that were on board. One seafarer provided an account of his own experience during the vignette interview where the captain decided to disembark the stowaways at the next port of call without informing any parties. My respondent related his captain's actions at the time to his desire to maintain a clean record with the ship's owners.

> *It doesn't add to a captain's chip on the shoulder. It doesn't. Nobody believes that calling up the company with a trouble, with a news that is such as this or 'I had an accident' or 'I had an engine failure' or 'I had any form*

of trouble to the company,' is never considered as something that would earn him brownie points or good points. So all the filtered information always. […] Reputation is extremely subjective. So I think this [case in the vignette] is reputation based. But also reputation is not entirely subjective having said that. Because I can recall that this guy [the captain during his experience] used to get a huge amount of bonus from the owners, not the managers. Not through the managers, but the owners. Therefore, he wouldn't let go of those opportunities. He used to get and we all knew that. Because he used to do all sorts of funny things also. So it's very context-based, the reaction and the reason why you do such things. It's also personality-based, and in part or in a major part, the company correspondence and trust between the two ends. (Captain Rajav, Indian)

As the captain quoted above explained eloquently, such outcomes emerge out of a combination of factors such as concerns about professional reputation and job security which could be subjectively constructed, as well as precedent practices within the companies and in shipping in general that revolve around issues of trust between the two ends, prior history of rewards, reprimands and blame experienced by the seafarers themselves or imparted to them by other seafarers. Seafarers will draw parallels between the 'blame culture' they experience in other operational domains in their relationships with shipping companies and crewing agencies when anticipating the ramifications of a stowaway incident.

I think that with some companies, the blame game. […] I'm not very sure why. But I'm just assuming that most captains, yeah most captains feel that it's a failure on their part if stowaways are found on board. So, just to eliminate that issue they tried to just throw them so that no questions will be asked. […] It is always said that 'we are not trying to blame you.' But you know, when I was at sea it was more of a contract job, and then people start trying to secure their jobs. They would do anything to keep a clean sheet. Or a job where promotion is based on your records not just the number of years you have served and all that. […] So people would do anything to keep a clean sheet. (Chief engineer Lamptey, Ghanian)

Such concerns and anxieties are more pronounced for certain groups of seafarers than others. As one captain who had years of experience in incident investigations ashore

highlighted, certain nationalities feel more vulnerable, more expendable and, subsequently, are more liable to pressures (both real and perceived) coming from shipping companies and crewing agencies.

> *As far as company retribution, I can see the point of that one. Yeah, I can see the point. You get stowaways, you get fired. No jobs. Blacklisted for two years or something. […] some nationalities I've spoken to, junior officers, chief mate, second mate, third mate, engineers, they've definitely been threatened. They know of masters who have been threatened. Either you sail the ship here or we'll find somebody else who will. This is quite prevalent, quite prevalent. I've come across it a lot, and I've come across it in some of my investigations. […] This shocking case, that's... that's very typical even now. 'Oh Captain you had three stowaways. That's the second time you've had stowaways. Bye, bye. No more contract.' Filipinos the same. They get blacklisted in Philippines and never get a job again. […]. And I believe that's very very relevant right now, Eastern Europeans and Filipinos. Very susceptible to commercial oppression from the owners because stowaways are a huge inconvenience.* (Captain Smith, British)

So far, I have elaborated on causes for stowaways being dumped at sea that are largely situated within the shipping industry. Nonetheless, most of the aforementioned causes gain their potency from the policies and practices of states where disembarking stowaways is a huge challenge. As I will explain further in the next chapter, states are increasingly uncooperative in allowing the disembarkation of stowaways. This introduces uncertainties to routine shipping operations, causes delays and, subsequently, exacerbate the economic costs of stowaways. In the following two subsections, my discussion will revolve around causal factors that are situated at states' level.

7.2.2.6 Maltreatment in Response to Disembarkation Refusals

It is generally assumed that the cost of delays, route diversions, and disembarkation-repatriation is the main reason for the dumping of stowaways at sea. Related to this are the limited disembarkation-repatriation 'corridors' (Gordon and Kantilal 2005) that are available for ship owners and their P & I insurers. Although the role of disembarkation refusals in the maltreatment of stowaways is acknowledged, there is not much empirical evidence to strengthen this assumption. In this subsection, I have provided the evidence that demonstrate

a direct link between states' refusal to allow the disembarkation of stowaways and their subsequent maltreatment by seafarers. By using examples of incidents that involved a sudden deterioration in the treatment of stowaways on board following disembarkation refusals, a clear case is made here on how port state policies and responses become major contributing factors to seafarers' maltreatment of stowaways.

The case of MV Hyundai Treasure is one example in this regard. The captain had initially reported the stowaways to the Moroccan authorities and had attempted to disembark the stowaways in Casablanca. But after 'negotiations' reportedly failed concerning the cost of repatriation, the ship was forced to proceed to sea with the stowaways still on board. The stowaways were subsequently cast off on makeshift rafts made from oil drums that were available on board (Houaoura 2012). A stowaway I interviewed also provided an account that highlights how the seafarers' treatment of him and his friends dramatically deteriorated after what appears to be disembarkation refusal by immigration authorities. What is revealing about this incident is the fact that the initial treatment on the ship was in accordance with the standard practices outlined by the IMO and P & I Clubs. The stowaways were provided with regular meals and were also allowed to exercise. However, after the ship anchored off Indonesia and the stowaways were visited by immigration officials, the ship proceeded on its journey with the stowaways still on board. Subsequently, things started to deteriorate dramatically for the stowaways.

> *You know when they caught them, the ship is going to Singapore area. […] So, that time they used to be good with them. […] They used to close on them. But sometime they call them to exercise. […] From [Indonesia] after immigration came off, the ship leaving. So, they go to Vietnam. […] He say from where they stowaway [Durban] until they get to [Indonesia], they used to get food. But soon they pass that traffic marine, everything start to change. So those two days from Indonesia until Vietnam, they didn't get food. […] When they go Vietnam, the ship was discharging the cargo. So, they stay about one week in Vietnam. […] He say when they was in Vietnam, they were closed in the room. They been in Vietnam for one week, you know. So, from that one week nobody give them food, only water for 5 days the ship was in Vietnam.* (Solo, Tanzanian stowaway, interpreted by Mohab)

The story takes an even more ghastly twist in which the stowaways were severely starved, beaten and abused until the ship came to Cape Town on the return voyage where they were finally disembarked. Although Solo was not privy to what was discussed between the immigration officials and the ship's officers in Indonesia, the drastic turn of events that followed suggest a link between the seafarers inability to disembark the stowaways and their subsequent maltreatment. The fact that the stowaways were severely starved, provided with only water and, intermittently, with bread, also links to the issue of insufficient provisions on board identified earlier, as feeding six extra mouths (the total number of stowaways in this case) for extended period might have been problematic particularly if the ship was not adequately stocked. In such instances, the presence of stowaways could have aggravated the anger and frustration of seafarers which seemed to have manifested in the physical violence the stowaways were subjected to.

States' role in the maltreatment of stowaways, however, are not limited to disembarkation refusals. All the aforementioned causes identified in this chapter, perhaps with the exception of those that stem from stowaways' threatening presence on board, relate in some way to the long standing arrangement where ship owners have been rendered responsible for the financial and operational management of stowaways.

7.2.2.7 'Externalisation' of Responsibilities

The responsibility of preventing as well as handling stowaways has always been delegated to the shipping industry. While this will be further elaborated in the next chapter, it is important to point out here that this arrangement underpins all the causal mechanisms that lead to tragic incidents documented in this thesis. Although various IMO outputs often emphasise that there should be a shared responsibility in preventing stowaways, and while arguably the incidence of frequent stowaway embarkations would impinge on the attractiveness of a port, it is the ship owners, seafarers, P & I Clubs and their correspondents that shoulder the burden of dealing with stowaways once they are on board.

Furthermore, as will be discussed in Chapter Eight, states practices of 'externalising' immigration control functions through carrier sanctions exacerbate the financial cost of handling stowaways as well as create a general atmosphere where stowaways are often construed through their 'undesirability' in the eyes of states. In addition, some countries also require a 'guarantee fund' to be deposited in those instances where stowaways request asylum for the purpose of processing repatriation if the application is rejected. Some local authorities

in some countries also reportedly raise the cost of disembarkation exponentially as a way of making profit even when repatriation is permissible. While these issues will be discussed in detail in the next chapter, it is important to point out here that most of the causal mechanisms discussed so far stem largely from this arrangement.

7.2.2.8 Personal, Racial, Cultural

Another causal mechanism which could possibly be at play but, nonetheless, is difficult to explore pertains to seafarers' biases against stowaways stemming from individual personality, cultural issues or racism. Most of the incidents in the reports and, for the obvious selection bias in my sample of stowaways, all of the incidents accounted during the interviews involved black Africans (see Appendix 4 for reported incidents). This is consistent with the data available that shows the top embarkation ports and the overwhelming majority of stowaways are situated in Africa (IGP&I 2010, 2013). Few seafarers and P & I representatives have speculated that racism and cultural issues are likely at play in incidents where stowaways are thrown overboard. Stowaways talked about racism and prejudice on board on limited occasions, but they rarely linked this to their maltreatment on board. Racism was mentioned in relation to minor issues such as separate cutleries or, in one instance, the stowaway being made to take a bath on deck. Only on two occasions did stowaways explicitly linked being disembarked on makeshift rafts to racist attitudes.

> *The captain he was Indian. But when he was somewhere in the sea, he came out himself and he went to the captain. But he say captain he wasn't good for him. He is thinking the captain don't like black people. So he say soon he come out, captain he didn't talk to him much; only tell him he gonna put him in the sea. So what he did straight he put him in the sea.* (David, Tanzanian stowaway, interpreted by Mohab)

> *Around septemeber 2010 I boarded a Turkish ship. After it went out to the sea, it stopped and they did not want to assist me in any way. So, it came a little closer to shore and dumped me into the sea off the coast of Eritrea while telling me it was off Sudan. They put me on a drum around 03:00. […]They were all Turksih. […] [The captain] did not even have a Turkish complexion. He had a darker complexion and he was very racist. When he said, 'you are a black man, I cannot take you to Europe', I figured he was a racist.* (Eyoel, Ethiopian stowaway, author's translation)

As these quotes suggest, while racism might certainly be at play in some incidents, neither my data nor the methodological approach used in this research lend themselves to evaluating these opinions. To conclude, in most cases where stowaways are dumped at sea, there are a combination of causal mechanisms that lead to these outcomes. All the possible causal mechanisms may not have been identified here, and it is likely that there will be others that are not identified in this analysis. As Sayer (2012, p. 182) points out, 'while we often talk of finding 'the cause' of something there are always at least two objects, and usually more, implicated in any causal process.' Hence, an attempt has been made in this chapter to identify such causes from the empirical material collected as part of this research which in their 'web of complexity' result in stowaways being dumped at sea. In the proceeding subsection, I will pivot my focus to the topic of 'good treatment'. I will demonstrate what counts as 'good treatment' from the perspectives of the shipping industry as well as the stowaways and highlight the fault lines that lie between the two.

7.3 'Good treatment'

The heading is kept in inverted commas to highlight the fact that there is both agreement and disparity on what counts as good treatment from the perspectives of the shipping industry and that of the stowaways. From the views of those in the industry, what counts as good treatment is pretty much standard. Looking at one of the P & I Clubs' guidelines or the detailed handbook on how to deal with stowaways by Jones (2014) will demonstrate what is expected of seafarers in their treatment of stowaways. These include: providing suitable accommodation and sanitary facilities; adequate food; periodic supervised exercises; looking after their mental and physical state, etc. Stowaways also regard these as examples of a good treatment on board.

However, two issues seem to stand out as differences between what is conceived as good treatment by the two parties: working on board and befriending/interacting with the seafarers. The industry guidelines strongly caution against allowing these two and for good reasons. Stowaways are not made to work, apart from looking after their accommodations, for two main reasons. One is personal safety concerns as shipboard work is full of risks of injuries. Stowaways, lacking the training and knowhow, can injure themselves if engaged in working on board. Secondly, they can easily raise claims at a later stage either due to compensation or injury which will have serious consequences for the ships' crews and owners. The request for compensation for work done on board is very likely as stowaways seek to make financial gains from the whole enterprise as discussed in Chapter Four and Eight in this thesis.

While the stowaways certainly do not like to be overworked, there are accounts in which they indicated they would have preferred to work, especially those few that are fascinated by ships and aspire to become seafarers (see stowaways' self-representations in Chapter Four). Some like Abdallah even volunteer to work at times as being confined to a cabin for the most part can be frustrating. There is also the added incentive of making some money.

> *If the ship is in the sea, I was doing small work, helping sometime. Because all the time I stay like this [sitting doing nothing] and the captain ask me, 'how do you feel, do you feel to work or do you feel to stay?' I say I feel to work. Because sometime I exercise, but I stay all the time. […] They give me something, money from Captain, after leaving the ship he give me money.* (Abdallah, Tanzanian stowaway)

One of the Ethiopian stowaways also mentioned how he didn't like being locked inside the cabin in ports but was happy to be free and assist the seafarers with work at sea.

> *So anyways they were really taking care of the two us during that time. It was only in port that there was a problem as we were locked in. Whereas at sea, we were free. We were playing table tennis, we were welding, we were assisting the cooks and so on.* (Moses, Ethiopian stowaway, authors translation)

Those who are fascinated by seafaring are even keener to work on board, although certainly not for free.

> *The ship is big. If I got seaman book and passport and I show it to the captain, and if captain says 'yeah you can work', then …. But because I got fokol [fokol is an Afrikaans slang rendering of fuck all which Mohab used to mean 'nothing'], he call me a stowaway. But me I am a seaman same like you. You know, if the ship sinks and you have to open a life boat, me I can help open lifeboat. Because I did exercise. The ship I went to Europe with first, I was working. The captain gave me thinner and said, 'I want all this to be clean' and we did it properly.* (Mohab, Tanzanian stowaway).

While there are serious risks in putting stowaways to work as the guidelines emphasise, some stowaways prefer to engage in some work and are even more enthusiastic if there is the prospect of getting paid. Most indeed find being locked inside a room for long periods quite frustrating.

The second important issue P & I guidelines stress is avoiding befriending/interaction between seafarers and stowaways. The primary concern here is preventing a growing bond and a sympathetic relationship from developing as this is feared to lead to unauthorised assistance to stowaways such as illegal disembarkations.

> *One of the things that we strongly recommend for various reasons is that stowaways are not put to work on board and the reasons are several. One is [working on board] is a potentially dangerous and skilled job which a stowaway doesn't necessarily have the ability to do [...]. But another problem is that if the stowaway was to work alongside the crew for a period of time and eat with them, it's far more likely that there will be the ability to tell the stories and to build a friendship. Then individual crew members may feel that they should assist. I think any individual stowaway if you heard the story, we would sympathise with.* (Sarah, deputy claims director, P & I Club A)

> *Because again, one of the downsides is that it might be deliberate by the stowaways to build up a bond with a member of crew or several of the crew with the aim that they are given more and more free time outside of a locked cabin. And it may be just to give them more chance to escape to serve their own needs. So again, that is part of the initial advice that we give to the ship when notified that there is a stowaway on board, 'do what you need, be humane but don't put them to work. Don't let the crew build up a friendship with the stowaway.'* (Ellis, senior claims executive, P & I Club A)

Hence, befriending/ interaction between the two sides is regarded as a risk, not only by insurers but also by some of the captains I interviewed. This is consistent with the point made in Chapter Four where stowaways are portrayed as deceptive and manipulative individuals who will attempt to gain the sympathies of the seafarers on board. For the stowaways, however, interacting with the seafarers is something they regard as a good treatment.

> *He say on that ship, the seafarers they are like 50/50, you know. Because they won't speak with nobody; nobody come speak with them. All the time sit there. They found them, they put them in the room. So, nobody come check them. They lock them. But they used to give them food. And in the end they start walking around.* (David, Tanzanian stowaway, interpreted by Mohab)

> *It was good guys. They come and give me cigarette. Other people they look after other things, shoes, t-shirt what what, they come to give me. I talk nice with them. They were nice to me. They didn't do wrong for me, even one day. Because they speak to me. Every day they bring one packet of cigarette for me. They told me, 'if you finish cigarette, told us and I give you another cigarette. If you feel hungry tell us.'* (Abdallah, Tanzanian stowaway)

Nonetheless, there were a number of accounts in which seafarers were inclined to help the stowaways, including unauthorised disembarkation, validating the concerns of P & I Clubs as legitimate. This issue of unauthorised disembarkations will be discussed in the next chapter. Unsurprisingly, unauthorised disembarkations also qualify as examples of very good treatment for the stowaways particularly when the prospect of disembarking in a preferable destination is concerned.

7.4 Conclusion

In this chapter, I have explored the patterns and extent of incidents in which stowaways are forced to disembark onto makeshift rafts at sea or simply thrown overboard by drawing from two datasets compiled from documentary sources and interview data. A number of causal explanations have also been developed based on the findings from this research that are largely situated in specific contexts on board, wider employment practices in the shipping industry as well as state practices and policies. For certain nationalities of seafarers, some of these causal mechanisms gain pronounced salience as the discussion demonstrated clearly. More than one mechanism is often at play when these incidents occur at sea. Furthermore, it has also been pointed out that there are few differences in opinion on what constitutes a 'good treatment' between stowaways and actors in the shipping industry. The next chapter will build on the issues highlighted here and situate them in the wider context of the process of disembarkation-repatriation and the various actors involved, pointing out the facilitative and disruptive roles of the range of actors involved in disembarking and repatriating stowaways.

Chapter Eight

Disembarkation-Repatriation Processes and Actors

8.1 Introduction

The on-board dynamics discussed in the previous two chapters cannot be understood in isolation from the wider context of the process of disembarkation-repatriation and the various actors involved. The frustration of seafarers as well as the maltreatment of stowaways emerge from the intractability of the disembarkation-repatriation of stowaways. I will commence the discussion here by building on what was briefly mentioned in the previous chapter, namely the anxiety of P & I Clubs about the possibility of seafarers befriending stowaways and, subsequently, lending unauthorised assistance to them. Illegal assistance here refers to the practice of allowing or helping stowaways to enter states' territories discreetly without notifying the appropriate authorities. The discussion will then proceed to look at the processes that take place when disembarkation-repatriation unfolds through the usual channels and the roles of the actors involved. Throughout the discussion, I will highlight the facilitative and disruptive practices of various actors, as well as potential conflicts of interests. I will then present the stowaways' accounts of the treatment they had received during disembarkation-repatriation, the resistance they put up and how that impinged upon the ship. As permission to disembark a stowaway is often difficult to obtain from authorities, the issue of disembarkation refusals will be highlighted by linking the discussion to the wider context of the 'externalisation' of migration control to private actors where the issue of carrier sanctions is the central focus.

8.2 Unauthorised Disembarkation of Stowaways

The FAL Convention (IMO 2011a), as well as IMO's Revised Guidelines on the Prevention of Access by Stowaways and the Allocation of Responsibilities (IMO 2011b), are explicit on the need for shipmasters to report the presence of stowaways to the appropriate public authorities at their ports of call. However, there are some reports of stowaways being allowed to enter states' territories without the relevant authorities being notified. As pointed out in Chapter Six, the South African immigration directive states that 'stowaways are being allowed entry into the Republic unlawfully' (RSA 2012). The definition of a 'stowaway' in the directive

remains problematic nonetheless. Authorities in other countries have also raised similar concerns in the past. For instance, a UK P & I Club Loss Prevention Bulletin, dated 10th July 2009, highlighted the concern coming from Cameroonian authorities.

> *Douala's Harbour Master in charge of maritime immigration has just informed the Club's correspondent in Douala that in an ever-increasing number of cases, ship's agents are taking it upon themselves to organise the disembarkation at sea of Cameroonian stowaways (or stowaways who embarked in the Cameroon) without following the official procedures. They either fail to inform the appropriate authorities or persuade police officers who are not from the immigration department to assist them.* (UKP&I 2009)

On some occasions, shipmasters in collaboration with the ships' agents were tempted to bribe local authorities to disembark stowaways unlawfully. One captain talked about how he had been a chief officer on one vessel where they initially had planned to do this.

> *[The stowaways] wrote down their names and they had a few documents with them. Most stowaways do seem to carry some kind of ID. We thought, well, it's not too bad. We'll sail north through the Suez Canal and we had an agent there […], we figured if we give him few pieces of Marlboro cigarettes – Marlboro is the only one they want there – we could leave them with the Egyptians and they'd be their problem. Well, when we got down to the canal, President Sadat of Egypt had just been shot during our sea passage, and so, that was no longer an option.* (Capt. Joseph, American)

Although it didn't quite work out as planned in the above instance, there were a number of accounts from both stowaways and seafarers in which unauthorised disembarkations were 'successfully' carried out.

> *[…] I was straightaway told not to, I remember the conversation, no documenting anything. So, it was off the record. Absolutely off the record that they were on board. Because what the captain was planning was to get to Dar es Salaam without making it official. So, we didn't put anything on the log book or anywhere or informing anybody at all. […] Nobody knew about it. The pilot didn't know about it, right through to the official agent, they didn't know. They were given two boiler suits each, one boiler suit each.*

Then they were escorted and the chief mate was given the task to go out with them out of the dock. They went out 11:00 or 11:30 at night. The chief mate came back on his own. (Capt. Rajav, Indian)

[…] The chief officer told me, 'I am going to Durban, let me get you off there.' I said ok. We reached there on the thirteenth day. […] It was while we were in Mozambique that the chief officer informed me about this plan. I wasn't even aware they were going to Durban. So, I agreed. I was happy because it was South Africa. They were also happy when I agreed and they let me go in peace without no one knowing. (Eyoel, Ethiopian Stowaway, author's translation)

I have one friend who made it to Greece. He stowed away on a Russian ship and hid for seven days until they arrived in Greece. The ship was entering Greece on the eighth day as he told me. On the seventh day, he came out, and they let him shower and gave him clothes. Then, without letting the authorities know they took him to a restaurant in Town and left him there. (Yonathan, Ethiopian Stowaway, author's translation)

It is evident from these quotes that stowaways tend to cooperate with seafarers in unauthorised disembarkations provided that the destination is preferable and they are also given some pocket money which will be discussed later on in the chapter. However, both P & I Clubs and their correspondents strongly caution against such practices as the ramifications are severe if seafarers are caught. Countries not only impose financial penalties but can also prosecute seafarers in such instances. Hence, P & I Clubs have detailed guidelines, which are based on various IMO instruments as well as their expertise, to assist seafarers to prepare the necessary documentation in advance for authorised disembarkation.

8.3 Evidence Collection and Documentation On Board

The process of disembarkation-repatriation kicks in the moment stowaways are found on board. The master's role in collecting evidence and documentation is crucial to this process. P & I Clubs often point out that as much information as possible should be solicited from the stowaways and passed on to relevant actors, such as the local P & I correspondent, at the earliest opportunity. This is to allow the correspondents get the disembarkation-repatriation process in train before the ship's arrival in port.

Section 4.6.1 of the FAL Convention states that shipmasters shall be required 'to make every effort to establish the identity, including nationality/citizenship of the stowaway and the port of embarkation of the stowaway', and pass the information to next ports of call, the ship owner, the port of embarkation as well as the flag state (IMO 2011a, p. 40). Appendix 3 of the convention also provides a 'stowaway form' for the purpose of soliciting the necessary information including where the stowaway boarded with date and time, name, gender, date of birth, claimed nationality, if there are any identification documents, 'general physical description of the stowaway', languages spoken and written by the stowaway and so on. (IMO 2011a, pp. 67-68)

P & I Clubs and their correspondents, on the other hand, provide detailed guidelines on how to collect evidence on board. Before interrogating the stowaways, seafarers are advised to collect any physical evidence from the area where the stowaways have been hiding, including any identification documents, tools, drugs as well as items, such as food left overs and packaging, which may provide some clue about where the stowaways boarded. Mobile phones carried by the stowaways are also important sources of information as ports of embarkation as well as the nationalities of the stowaways can be known based on the country codes in the contacts list, call logs as well as from any pictures on the phone. One seafarer, for instance, pointed out how they were able to identify where the stowaways boarded and their nationalities from photos stored on the phones possessed by the stowaways.

One form used by a P & I correspondent, and obtained by the author, goes into much detail about information shipmasters should collect for the purpose of identifying the nationalities of stowaways. These include marital status, spouse's name, parent's names, permanent home address, occupation, last school attended, name of headmaster, 'name of capital of your country', 'name of president of your country', 'name of currency used in your country', 'the colours of your flag', height, hair colour, eye colour, any tattoos, scars, vaccination scars, etc. (P & I correspondent's stowaway questionnaire, author's source). While such details were initially included in the 1997 IMO Guidelines on the Allocation of Responsibilities to Seek the Successful Resolution of Stowaway Cases, they were not included when the FAL Convention was amended to include a section on stowaways nor when the guidelines were revised in 2011 (see IMO 1997, pp. 8-9; 2011a, pp. 67-68; 2011b, pp. 13-14). GARD P & I Club's guidance on stowaways also includes in its 'Stowaway Questionnaire for On board Interrogation Purposes' such details as religion, tribe, chief and sub-chief (GARD No Year). These questionnaires are provided in a number of languages that are commonly known to be spoken

by stowaways. They include Swahili and other African languages, English, French, Arabic, Spanish, etc. depending on the area of trade. However, questionnaires in any language can be obtained by the network of local correspondents P & I Clubs have at their disposal across the globe.

The reason these questionnaires are so specific and detailed is because P & I correspondents need to ascertain the nationalities of the stowaways before they approach the appropriate embassies/consulates for travel documents. Furthermore, as all clubs and their correspondents emphasise, ascertaining the nationalities of stowaways can prove to be a daunting task. This is due to the reluctance of stowaways to provide the correct information regarding their places of origin. The clubs and their correspondents take it for granted that stowaways will provide the wrong information about their nationalities. Stowaways also admitted resorting to lying about their nationalities if they thought it would increase their chances of success or wanted to drag the process out for the purpose of extorting 'pocket money'.

> *It's very much detective work because they can tell you anything. I mean that's why with the questionnaires we have a lot of questions: what colour is your flag? What is your language? On the African ones, it could be... one of the questions is what tribe do you belong to? Who's your president? As I say then, we can pass those questionnaires to the correspondent in Tanzania and then they can look at the answers and say, 'actually, I think he's from Kenya. The fact that he said whatever he said. That's a tribe based in Kenya, not in Tanzania,' for example. So, those ways of trying to capture what they say if it's true or not. […] We ask for things like father's name, mother's name. Because of course there are some, again African names that are made of the father's name, their Christian name, and things like that. What work did your father do? They say, 'well my father is a coal miner' or something like that. So, they actually can't be from such and such country because there's no coal mining, you know. So, tricky things like that. […] Unless you are fortunate enough to come across a piece of paper that you might find or a mobile phone or something like that, near enough all of them, all of them lie.* (Nick, senior claims executive, P & I Club B)

> *In December, I took a ship. [He take ship in December. He been with the ship for three months. But he told the Captain he is from Liberia. So, the ship*

company decided to take him to Liberia]. I told them I am from Liberia first because maybe they gonna release me, because by that time Liberia got war. (Mbongo Mzulu, Tanzanian stowaway, interpreted by Mohab)

Seafarers are certainly not equipped to identify the nationalities of stowaways in every case. Nonetheless, they remain important actors during the onboard interrogation and documentation phase. Their reports and collation of evidence assist P & I correspondents in determining where stowaways are from. Hence, the seafarers' interrogatory and investigative roles are critical phases in getting stowaways off the ship. Based on cues, such as the ports the ships visited, the common nationalities of stowaways in those parts of the world, physical features such as facial scars and vaccination marks and so on, the correspondents are much more adept at identifying where the stowaways are from. It takes lots of effort, experience and local knowledge to work out the nationalities of the stowaways. It is, inter alia, precisely for this reason that the local P & I correspondent is an indispensable actor in the disembarkation-repatriation process. P & I Clubs and some captains have strongly emphasised the crucial role played by the local P & I correspondent during the interviews.

8.4 P & I Correspondents

P & I correspondents are perhaps the most important actors when it comes to the handling of stowaways. P & I Clubs have local correspondents in different parts of the world who act on their behalf in relation to a number of operational liability issues of which stowaways are only one. Nonetheless, the correspondents possess unparalleled expertise, local knowledge and the necessary connections to facilitate the disembarkation-repatriation of stowaways. They carry the burden of the work once notified by the clubs, from working out the nationality of the stowaways, liaising with local immigration authorities, contacting and working with embassies and consulates to confirm the nationalities of stowaways and obtain travel documents, arranging flights and escorts, as well as 'negotiating' with stowaways to secure their cooperation. A P & I Club representative captured the essence of the process and the working relationship between the clubs and local correspondents using the analogy of orchestrating.

When we're notified of a stowaway, our job really is to coordinate all of the various different people who are involved. It's often been said that you can look at dealing with stowaway cases a bit like conducting an orchestra. […] One of the first things we would do is, we would appoint a local

correspondent. So, if the ship's still in port and a stowaway has been found, then we would contact the local correspondent and we would ask them to liaise both with local authorities, the master, and the members [ship owners], the ship owner's local agent. Together, they will then try and arrange for the stowaway to be taken off. […] The difficulty comes obviously when the ship departs. That is probably one of our other biggest challenges. If a ship's coming in to port and she's going to be there for a day, it could be that what we then have to do is do as much as we can. If the ship's then going from Germany to Belgium, we need to kind of piece it all together and this is again where I come into conducting the orchestra. So, I'm making sure the people in Germany are doing what I want them to do. I got the people in Belgium on standby. I've got my guys in Tanzania on standby and I'm pulling them all together and making sure that the right information is being passed on to the relevant parties. (Nick, senior claims executive, P & I Club B)

P & I Clubs have local correspondents in different parts of the globe. Thus, while a stowaway might be discovered at sea heading to Asia, the clubs can 'activate' their correspondents in Africa to assist with verifying the nationalities of stowaways based on their local expertise. When the ship subsequently calls at a port in Asia, the correspondents there can obtain travel documents, liaise with local immigration authorities, arrange escorts and air travel, solicit the cooperation of stowaways often by negotiating an amount for 'pocket money' and so on. Hence, the role of P & I correspondents includes liaising with immigration authorities, arranging security escorts, liaising with embassy/consulate officials, arranging medical treatment and suitable clothing for travel for the stowaways as well as organising a cost-effective method of repatriation (StandardP&I 2009, p. 5; GARD No Year, pp. 13-14). Two P & I Club representatives articulated this networked operation and the role of the correspondents as follows:

They are our eyes and ears and we rely an awful lot on correspondents to assist, to give us the right advice, to mitigate costs, keep costs to an absolute minimum. Our role in dealing with stowaway claims is more to oversee and make sure that the people that need to do something, do it and they do it in the right time scale and whatever. […] So, there'll be at least two sets of correspondents most likely involved. We would have the correspondents in the country where we were hoping to disembark them. So that could be

anywhere in the world, who need to know the local law and attitude of the immigration. You could have Ghent and Antwerp but complete different attitude of the local officer. So, who would know how they are going to be, who would have an idea of the level of fines we might face, the level of difficulty in finding guards to repatriate them. So, those correspondents. And then we have those correspondents who may be involved at the [final] disembarkation ports because we might ask for their assistance in trying to help them confirm identity of stowaways and to talk about any problems at that end and give us some intel what's going to happen locally. We have correspondents in all the major ports in the world. […] A couple of them, correspondents in South Africa, I think also other ones in Belgium, are actually quite experienced experts on stowaways. And so, there's one company for example who is quite expensive to deal with. But if we have trouble with some of our stowaways, even if their port, their country isn't involved, we may get them involved. Because they're actually very good at chasing up documents and trying to get laissez faire travel papers ready for us. So you do get some who are actually kind of specialised in handling stowaways. (Sarah, deputy claims director, and Ellis, senior claims executive, P & I Club A)

Those correspondents in African countries, such as South Africa, are contacted often by the clubs when African stowaways are involved. These correspondents bring their local knowledge and expertise in identifying the nationality of stowaways from a number of cues obtained from the interrogation on board or even by another correspondent in a different port. Furthermore, there is a kind of 'relay run' operation that is coordinated among the correspondents in various regions of the globe. The increasingly limited number of countries that are prepared to allow disembarkation as well as the connected flights during repatriation necessitate such transnational coordination of activities as elaborated below.

Well, what happens is there are other parties or correspondents that are around the world that will deal with stowaways. But the problem is, you're probably aware of this, not all countries will allow stowaways to be disembarked. So, we've probably got the monopoly of stowaway disembarkation. […] They do take stowaways off from Brazil and Argentina. And like I said, our counterparts, they deal with it. And what happens is,

normally, the stowaways will go from Brazil or Argentina to Johannesburg, being the hub for East and West Africa. Johannesburg is your focal point. So, they'll come from Brazil and Argentina, we'll take over from Johannesburg, and then, take them on to Cameroon or whatever the place is; Ghana, anywhere. So, Johannesburg is your hub if you want to call it that. (Zack, P & I correspondent, SA)

The working relationships of the local correspondents with local immigration authorities are of great benefit in disembarking stowaways. They can often facilitate disembarkation, effect policy changes when rules become too restrictive or provide some flexibility. For instance, a notice by SKULD P &I Club to ship owners, concerning a change in policy at the Senegalese port of Dakar where stowaways coming from abroad were no longer allowed to disembark, pointed out that the local P & I correspondent was discussing this change with the local authorities 'to seek a new solution', hinting at the possibility of effecting some changes (SKULD 2014). This was even more apparent from interviews where at different ports within the same countries, there were variations in the enforcement of the legislative preconditions for disembarking stowaways.

The most difficult part is to persuade the local authority to accept the repatriation. In most countries, the authorities do not allow it. In Southern China, most of the authorities are reluctant to accept any repatriations. Like in Guangzhou, Xiamen and some of these ports. But in North China, like Lianyungang and Tianjin, maybe the attitude is soft and the authorities may allow it. But it needs the work of the local correspondent and ship agent. Sometimes with great effort, the local authority will agree to repatriate the stowaways. […] If the vessel decides to disembark the stowaway and the authority has accepted, in principle, before the vessel leave China the stowaway should be repatriated from China. They should be cleared out in the same time. But sometimes, with the work of local correspondent and ship agent, the authority will allow the vessel to go sail firstly and then they repatriate the stowaway when a convenient flight, convenient arrangements. (Chen, P & I correspondent, China)

I just have a very good relationship with our local immigration. And if I can guarantee them that we will get a stowaway off the vessel, travel document,

et cetera, out of country in 24 hours, then they have no problem with me.
(Robert, P & I correspondent, SA)

Despite a level of influence local correspondents may have vis-à-vis local authorities, disembarkation-repatriation cannot be carried out without obtaining travel documents. Entry into and out of states would not be possible without travel documents, unless of course the authorities are willing to investigate claims of asylum. This is what Torpey (1998, 2000) calls the 'state monopolization of the legitimate means of movement'. In a sense, until stowaways produce or obtain travel documents, they are effectively stateless individuals.

Thus, correspondents have no other option but to do everything possible to figure out the nationalities of stowaways. In order to do that, they draw on from what I have termed 'governmental knowledge', which is an ensemble of accumulated, shared and constantly updated body of knowledge, that positions itself in opposition to the stowaways' counter-apodemics, and is drawn on with the aim of governing and controlling the movements and behaviours of stowaways.

8.5 Governmental Knowledge

Governmental knowledge is the counterpart of stowaway counter-apodemics. While counter-apodemics is utilised to mitigate the challenges throughout the stowing away process and to circumvent controlling and governing practices, governmental knowledge seeks to reinforce obstacles to the stowaways, control their movement and minimise their disruptive effect on maritime commerce. Knowledge and problem governance are mutually constitutive. For instance, Lippert (1999, p. 314) notes in what he calls 'the international refugee regime', 'governing refugees led to knowledge of refugees, while knowledge of refugees allowed for their governance.'

It should be noted that governmental knowledge and counter-apodemics feed into each other. As stowaways continuously learn and update their body of knowledge in response to new control and governing practices, so do the various actors in the industry who seek to prevent and control the movement of stowaways. One stowaway captured this cat and mouse game succinctly below. However, it is worth noting that these mutually constitutive learning practices are not limited to overcoming security measures. They apply to the entire journey from embarkation to disembarkation with both sides trying to 'outknow', 'outlearn' and outplay the other.

> *We also adapt to the changing situation. […] So when they come up with a new security measure, we would also try to come up with ways of overcoming that.* (Moses, Ethiopian stowaway, author's translation)

Governmental knowledge is gathered and stored by various actors at different locales, and like stowaway counter-apodemics, it is subsequently shared. The ship is the first site of collection where seafarers take an active part in collecting evidence on how stowaways boarded the ship, where they hid, how they failed to be detected and any other information that comes out of the on board interrogation. A brief scrutiny of some of the Loss Prevention Bulletins circulated by P & I Clubs online highlights how the latest practices and behaviours of stowaways are documented and subsequently distributed to alert other ship owners and interested parties. For instance, a Loss Prevention News circulated by UK P & I Club in 2004 stated:

> *The Club has been made aware of several cases concerning stowaways hiding in ship's rudder housings, specifically with ships coming from African ports in ballast to load sugar in Brazil. Stowaways have apparently discovered that the void space around the rudder stock is the best place to hide from the local stowaway search, since this place is not easily accessible from inside the ship. Crews should be instructed on this new stowaway strategy, intensifying the stowaway search to include the rudder housing.* (UkP&I 2004, p. 5)

This was superseded later on by another bulletin when the measure put in place in response on one ship, in the form of welding metal bars around the aforementioned area, failed when stowaways cut through the bars and managed to hide (UKP&I 2010). Another good example of the interplay between counter-apodemics and governmental knowledge is the practice of hiding inside the ships INMARSAT satellite antenna. Moses and Eyoel talked about how they resorted to hiding inside that small space as a way of avoiding detection during stowaway searches.

> *On the Monkey Island, there is this part called JRC [INMARSAT antenna], white round shaped. There is an opening under it. So, we opened that and sat inside there without causing any short circuit in the electrical wires. When they searched the ship, no one would expect someone to hide in there. Hence, I was hiding there. It will not give you any comfort, but in order not*

to be caught you have to enter inside it. (Eyoel, Ethiopian stowaway, author's translation)

So now most of the hiding places on board are known. You would think that the place where you can have many hiding places is the engine room. But even in there if they searched really well, they will find you. So, we started using another method. You have seen the GPS [INMARSAT antenna] right? On top of the ship? We screwed open that and hid inside. When you keep attempting to stowaway and you start getting to know about ships more and more, then you will find unexpected hiding places. There was this one ship I got on, and they couldn't believe it. We were hiding in the GPS [INMARSAT] antenna. (Moses, Ethiopian stowaway, author's translation).

Nonetheless, as the stowaways found new hiding places, so did the clubs circulate bulletins about such practices. For instance, in the same year when Eyoel hid inside the antenna, the UK P & I Club circulated a bulletin stating the following:

The Association would like to bring to light a recent case of stowaways' boarding at Richards Bay, South Africa to the attention of Members. This case highlights the extreme risks stowaways are prepared to take in their means of boarding while attempting to remain undetected. […]Five days after sailing from Richards Bay two stowaways were discovered next to the JRC Satellite Antenna on the monkey island above the Bridge deck. […]The antenna housing above the monkey island was not part of the stowaway search due to its small size and high voltage danger. Similar to using the ship's rudder trunk area as a hiding place, this latest example demonstrates the risks stowaways are prepared to take in an attempt to board ships. We would recommend to all Members to review their search areas and procedures and to "think like a stowaway" when designating search areas and assigning search parties.(UkP&I 2011)

While these quotes and excerpts demonstrate the continuous exchange between governmental knowledge and counter-apodemics, they also highlight how the ship is simultaneously a site of observation and information gathering for both bodies of knowledge. This continuous interplay between the two opposing bodies of knowledge reinforces the observation made elsewhere in migration governance where the entire migration process,

including routes and vehicles, is understood to be fraught with contestation and resistance (Martin 2012; Andersson 2014; Walters 2015a, b). The continually updated and circulated P& I Clubs' data on stowaways, the guidelines and procedures produced by the clubs, security consultants or institutions such as the Nautical Institute and IMO, all contribute to the body of knowledge that is accumulated for the purpose of controlling and governing stowaways. As soon as new hiding places, embarkation techniques, behaviour patterns, etc. are observed and reported, they feature in the latest bulletins and circulars. This accumulation and dissemination of data on stowaways mirrors that adopted by security professionals responsible for border control who also engage in collation of data on travel trends, specific frequented departure flights and routes, and the subsequent sharing of information with a network of national and international agencies and actors (van Munster 2005, pp. 12-14; Andersson 2014). van Munster (2005, 2009) notes that this marks a trend towards what he calls 'knowledge-based border management'.

Under the rubric of this governmental knowledge, particular incidents are continuously collected and reproduced in the form of meta-analysis stating macro-trends such as top stowaway embarkation ports, top countries of stowaways by origin, ship types frequented by stowaways, prevalent boarding techniques and hiding places, how to deal with stowaways on board as well as ashore etc. This data provides the basis for guidelines on preventative measures such as security watch and stowaway search. Statistical data is also compiled occasionally by P & I Clubs and annually by the IMO since 1998 (IMO 1998). However, the publication of the annual statistics on stowaway incidents by the IMO has been suspended following the introduction of internet-based Facilitation database (FALD) as part of the Global Integrated Shipping Information System (GISIS). The aim of the database is to facilitate reporting and global access to information on stowaways and illegal migrants rescued at sea, as well as to promote the exchange of data. Hence, the stowaway module on the GISIS database is a valuable, albeit inaccurate, repository of statistical data on stowaways (see IMO 2016, p. 19; 2017, pp. 19-20). Other industry publications such as guidelines, reports from various forums on stowaways, the knowledge and expertise amassed by individual P & I Clubs and correspondents also constitute part of this ensemble of governmental knowledge.

Governmental knowledge also extends to the practicalities of disembarkation-repatriation. A good example of this is a publication produced by a network of P & I correspondents in Asia coming together under the aegis of SEASIA, which described the nature of cooperation to be expected from various countries in Asia in allowing the disembarkation of stowaways (Gordon

and Kantilal 2005). Stowaway counter-apodemics is not impervious to 'infiltration' by governmental knowledge when it comes to the tricks employed by stowaways to prolong or avoid disembarkation-repatriation. Consider the following excerpt from *Signals,* a loss prevention newsletter published and circulated by the North of England P & I Club. It breaks down the practices of stowaways by their nationalities.

> *Tanzania, whose stowaways are undoubtedly the most well travelled and experienced in East Africa, and possibly the whole of Africa, has recently taken strong measures to attempt to discourage this illegal immigration method by fining all offenders a minimum of US $150, or the equivalent time served in jail. The natural reaction from Tanzanian stowaways to this is to simply refuse to admit their Tanzanian nationality, and try to pass as nationals from other countries, such as the Democratic Republic of Congo, Rwanda, Burundi, Kenya, or even Mozambique. In the case of Rwanda, Burundi and the Democratic Republic of Congo, the idea is to attempt to derail the repatriation process by possibly applying for refugee / political asylum status in countries abroad. Stowaways will choose countries such as Mozambique and Kenya for their proximity to Tanzania. In this way, they will be able to sneak home quickly and affordably, without too much fuss or restrictions. Nigerians and Ghanaians top the stowaways' ranks in West Africa, whilst Sierra Leonean is their preferred nationality of choice. Fortunately though, the immigration authorities in those two countries do not impose any form of punishment or judgement to return stowaways, making their repatriation more manageable.* (NEPIA 2001, p. 4)

In addition to publicly available documents, unpublished knowledge shared and utilised by actors, such as stowaway search companies on how to detect stowaways or P & I correspondents on how to extract information from them and solicit their cooperation in the disembarkation process, are all important aspects of this practical knowledge. Hence, correspondents draw on this diverse body of knowledge to effect the disembarkation-repatriation of stowaways. However, in this interesting cat and mouse play, stowaways also enact their counter-apodemics at critical locations, such as airports, complicating the process of repatriation.

8.6 Air Travel and Escorts

Stowaways strategise their behaviours at different points and sites in order to achieve their goals. However, their goals can shift from reaching a desirable destination to making money out of the disembarkation-repatriation process if they are being returned to their home countries. While industry actors often make a clear distinction between the two categories of 'genuine stowaways' and 'career/professional stowaways', my interviews with stowaways tell a more complicated story. Even the most determined stowaways who are committed to migrate to a desirable country will demand cash if it is evident to them that their repatriation is inevitable (see Chapter Four for a detailed discussion on the representations of stowaways and the nuances of the above distinctions). Upon discovery, most, if not all, stowaways will demand 'pocket money' in exchange for co-operation. As the next subsection will highlight, this can be fraught with tension and may lead to conflicts between stowaways and P & I correspondents or security escorts.

Once travel documents have been obtained and flights for repatriation have been booked, the stowaways are accompanied by security escorts who will monitor them all the way to their home countries. Stowaways have identified airports and air travel in general to constitute the 'Achilles heel' of the disembarkation-repatriation process, giving them some leverage in extracting the greatest financial concession they can. This leverage the stowaways possess is because, as Walters (2015b, p. 105) points out, the commercial flight, including the airport, 'is a highly disciplined milieu' with extreme sensitivity to even the slightest possibility of disruption. It is this characteristic of air travel that renders it susceptible to exploitation by the stowaways where they deploy 'weapons of the weak' to use Scott's parlance (Scott 1985, cited in Walters (2008a, p. 16)). Here again, the interesting interplay between counter-apodemics and governmental knowledge is apparent.

> *Stowaways have begun demanding 'pocket money' to peacefully board the flight home. These demands typically arise during the most delicate moments of the stowaway's repatriation (i.e. either upon arriving to the airport, or just before boarding the plane). Stowaways have learned well that they possess a certain amount of leverage and they are not afraid to use it.* (Miller 2009, pp. 6-7)

This is indeed an accurate summary of the accounts of the stowaways interviewed. Some of them elucidated with graphic details the lengths they are prepared to go in order to squeeze an

amount that is acceptable to them out of their escorts and/or P & I correspondents. These practices, understandably, reinforce their representation by industry actors as opportunistic career/professional stowaways. For instance, Barrack and Sadik provided the following account of their experiences at the airport.

> *[When they arrive to airport now, waiting to fly, there is a couch you know, big couch they put and he was sitting there. When he sit there waiting to fly, he ask again, 'is there any money for me?' They tell him, 'that 1000 Rand we gave you is enough.' So what he did, he take off the shoes, take off the cloth. And everybody start watching him in the airport, he is naked you know. Balls hanging around like Elephant. The agent tell him, 'put on your cloth, we are gonna give you more money.' They gave him again 1500 Rand, so now he's got 2500.] 2500, after that I still start complaining again. After that, they give me more 200 dollar. [Then he decided he can fly cause he's got a little bit of money now.]* (Barrack, Tanzanian Stowaway, interpreted by Mohab)

> *So the people come take him straight to Jo'Berg from the anchorage, fly him to Jo'Berg. When he get to Jo'Berg, they give him 4500 Rand. 2008 they start paying like that. But him he say, 'this money is too small.' So those guys they put him in handcuff. But when he get to airport now to take the plane, him he take the t-shirt off first. He say, 'ah me I don't want to take, I'm not gonna take this money.' And that guy was like pushing and pulling him you know. This guy now he say, 'you know what I'm gonna do here, I'm gonna take shit, I'm gonna put on myself.' So, he did take shit and cream himself and he cream to him as well. It's like he touch him, but in the end he got shit on him. That guy he didn't want that to happen. And people, there was there too much in the airport, and they want to know what is going on there.* (Sadik, Tanzanian stowaway, interpreted by Mohab)

While these two examples seem extreme, they are not uncommon. These examples illustrate how the air travel link of the disembarkation-repatriation chain is the weakest. Hence, it is not surprising that airliners at times refuse to allow stowaways to board. This may, in turn, affect the ship as some jurisdictions do not allow the ship to depart unless the stowaway has left (and in some cases unless he has arrived at the destination). However, even when the ship

is permitted to depart, missing the flight will entail more cost as new flights need to be arranged for both the stowaways and the escorts. P & I representatives talked about this predicament in much detail.

> *But what then can happen is, the authorities even though [the stowaways] have an emergency travel document, they may not automatically allow the stowaway to be taken off. Because in some countries, what they say is, 'okay, you can take the stowaway off, but we want an indication that once they board that plane and they've arrived back in Dar es Salaam, we will then let the ship leave.' Because there can be situations whereby they take them off, wait at the airport, the ship leaves, the man jumps up and down and starts causing problems, and they're stuck with him. There's only few.... I can't name one at the top of my head, but that has happened to us before. But majority of the time, they will let the ship leave without the stowaway on. […] we had ten people, and the airline said we are not taking ten. So, I had to do this ten times. So, I had to fly people from South Africa over, collect one, take him back. Once he got back to Johannesburg, we then had to have another security company appointed then to take these guys, they were from Nigeria, to escort the stowaways from Johannesburg to Lagos and then come back, and we had to do that ten times.* (Nick, senior claims executive, P & I Club B)

> *And the problem that we potentially face, the guards [escorts] face in every circumstance, is they take the stowaway, who may be behaving perfectly well, to the airport […] and that's most likely when the stowaway's going to cause a problem. If they cause a problem, the airline's going to say, 'okay, we're not taking you, at least not today. Maybe not at all,' which means we then got to take them back, find some accommodation for them. If there is a requirement the vessel is in port for as long as a stowaway…until the stowaway's repatriated, then it may be that he's even got to get back on the ship, go to the next port. But if not, travel the next day or travel with another airline. So, that can be complicated. So for us, if they don't make that plane journey, that is a big problem.* (Sarah, deputy claims director, P & I Club A)

> *But that leads onto…another problem that can be faced is that there are only a limited number of airlines that are prepared to carry stowaways. So again, we have to rely on the correspondent's local knowledge as to which airlines will actually allow stowaways and escorts on board.* (Ellis, senior claims executive, P & I Club A)

Such problems can be exacerbated when the flights are not direct which is often the case. On such occasions, the authorities through whose jurisdictions the stowaways are due to pass may refuse permission further complicating an already delicate affair.

> *An airline might allow, but depending where you're going to, obviously there often might not be a direct flight. So then, you have the issue that if there's only a stay over of a couple of hours, that might be okay. But if a stopover means overnight and perhaps hotel or accommodation or something more complicated, that can be a problem. So, the airline might be happy to do A to B and B to C, but isn't happy for them to be wandering around the airport for, say, full 24 hours in between times. And because of that, we can't arrange it. Or the receiving airport simply won't allow them. The airline might know, making examples up, that they can go via Heathrow but they couldn't possibly go via Newark.* (Sarah, deputy claims director, P & I Club A)

This was exactly the situation Captain Smith found himself in, leading to the stowaways being returned on board and subsequently turning violent. Although his experience is an extreme example in which stowaways took the ship hostage, it highlights the quandary that arises when repatriating stowaways by air travel.

> *Flight's arranged. You'll go one by one, two security guards. Madrid, Heathrow, Nigeria, all arranged for the next day. […]The first one goes down the gangway with two security guards. […]Sitting down for lunch mobile phone goes. 'Oh, this is Jose [P & I correspondent]. Oh, sorry, captain. Madrid and Heathrow airport refuse to take them through their airport.' I said, 'but they've got two security guards.' But of course, they're not allowed to hand cuff them or restrain them in the airport or on the plane. […]So, he comes back on board, all five are still on board. […]So, we*

reached an impasse. We had to take them back to Nigeria. (Captain Smith, British)

In light of these difficulties, there are occasions when things between the stowaways and those responsible for their disembarkation-repatriation, namely correspondents and escorts, get fraught with tension and conflict. However, conflicts of interests pertain not only to these actors but also to airlines, local authorities, seafarers and P & I Clubs.

8.7 Conflicts and Allegations of Profiteering

From my initial interviews with two former Ethiopian stowaways, it was apparent that they harboured a sense of resentment for what they saw as people profiteering from their troubles. Therefore, I was not surprised when this was the first issue raised by the very first Tanzanian stowaways I met in South Africa. However, what struck me subsequently was the intensity of the resentment they had towards what they called 'the agents', a term for both P & I correspondents and security escorts that accompanied them during their repatriation. What was even more telling was the level of anger that prevailed during the interviews whenever they discussed the correspondents and escorts. Interestingly, as with their accounts of seafarers whom they grouped based on their perceived treatment of stowaways, they also categorised these actors regionally in terms of their perceived treatment of stowaways.

The issue of the amount of 'pocket money' is at the heart of the tension between stowaways and correspondents as well as escorts. Here again, their counter-apodemics is important in terms of accounts of amounts of 'pocket money' allegedly given to their compatriots as well as tricks deployed to extort and negotiate higher sums. The sense of entitlement and resentment expressed by the Tanzanians was especially strong as they were still active stowaways as opposed to the Ethiopians who had all 'retired' at the time of the interviews. The following extended quote during an interview with Barrack captures the essence of this sense of entitlement and the distinctions made between correspondents and escorts in different parts of the world.

> *None of the agent, you know, give him maybe 5000 dollar. None of them. Maybe one agent give him 5000, maybe he could go to school, you know, and get seaman book* (Barrack, interpreted by Mohab)
>
> Interviewer: *They don't usually give that, do they? I think usually they give maximum 500 dollars.*

Mohab: *But why? Listen, I want to tell you something. But why in Singapore and other country, what is it called* [Barrack interjected *'Indonesia'*] *Indonesia, they give you 3000 USA dollar straight, stowaway.*

Interviewer: *How did you know that?*

Mohab: *People been there. Everybody. You know, I was going to ask you but every day I forget. You know, when you talk about the agents for this side [Africa], but I was going to ask you. Today I remember […]. Why Amaha, in Indonesia they give you 3000 dollar, 4000 dollar? You know the guy I said his friend […], him he been to Indonesia. So, they give him more than 3000 dollar. He building a house in Tanzania, just because of going to Indonesia, you see. And even my partner, the one who went together to Brazil last year, he been to Indonesia. He get 3000 USA dollar. […] Everybody knows Indonesia you get nice money. So, I was going to ask you why Indonesia you get nice money but other side you don't get more than 500. […]In Korea, somebody get 5000 USA dollar. My friend he is here, he get 5000 dollar and it is not like he lie. He came with it man, here in Cape Town and he count it in front of everybody. He say this is the money I get Korea, 5000 dollar.*

In Indonesia when they take you from the ship straight they put you in a hotel. They no put in prison. It's all in Africa man. […]Say like Korea. I think it is the Asia side man. No China. China they give you 500 dollar, sometime they give you nothing. But Indonesia, Singapore, you know if you go to those places, you can get a little bit of money. But here Africa, no man, even they take ***your*** *money. […]But you know the money is there, through stowaway the company give the money away. For stowaway, for everything, shopping everything.* ***But they try to budget, you know, so that he can have more than you get. But the money came out because of you, you know****.* ***They should make you happy, they should treat you good.*** *[…]* ***The p and I, we make them rich man, they become rich because of stowaways. They take too much our sweat. You know, we do the job.*** *All this stuff now we are talking, but you end up, you know, you have to go home, come off the ship.*

The veracity of these claims is not that relevant here. What is important rather is the fact that these accounts are shared particularly among the Tanzanian stowaways in South Africa

resulting in inflated expectations which will naturally impinge upon their interaction with the correspondents and escorts. The sense of entitlement and the allegations of someone else profiting from their troubles are shared across the stowaways interviewed to varying degrees. Those like Mohab and Barrack have quite high expectations often leading to more conflict than is the case with those willing to settle for a smaller amount. This sense of entitlement is, apparently, perplexing for the industry actors and is equally resented.

> *Well, basically, they do get violent. They demand. […] We don't want to. Why should we pay the guy to go home? But if he puts a gun to your head and, if you don't, he's not going to go. […]They definitely think they deserve some form of monetary compensation. Where they get that from, I don't know. How it started out, I don't know. It's unbelievable. Like I said to you earlier, if I'm a successful businessman, I'm earning a lot of money and you're not, and you decide, you'll put a gun to my head and demand money from me because you feel you deserve it. But you're not going to work for it, you just want to be given it. It's wrong, isn't it? I don't know how people think that, you know. Put yourself in the shoes. Imagine if somebody comes to us, 'I like your car because you've got a nice car. So, I deserve it. So, I'll take it from you.' It's nonsense. And it's the same thing. Because they've stowed away on the ship, now they're going home and they demand money to go peacefully. What nonsense is that? […] What gives them the right? It makes me angry and it makes the ship owners angry, and the insurance clubs, of course.* (Zack, P & I correspondent, SA)

> *That [pocket money] would be with the correspondent but possibly, I've heard back from the guards or the correspondents directly. Now, if they're going to negotiate an amount, and that's going to be paid for by the ship owner or by the club, then we're going to have a say into whether that's reasonable or not. From our perspective, why should we pay them anything?* (Sarah, deputy claims director, P & I Club A)

It is easy to imagine how security escorts might feel the need to use force to subdue recalcitrant stowaways at the airport. Fekete (2011) highlights that violence is often associated with deportations and discusses the specific techniques of physical suppression applied. This is not uncommon in stowaway removals. There were a number of allegations made by the

stowaways in which escorts used physical force. The Tanzanian stowaways interviewed were explicitly willing to endure beatings in order to receive a desired amount of money. While the correspondents outsource escorting to companies which specialise not only in escorting stowaways but also other undocumented migrants, they, nonetheless, have admitted that there is a possibility of the escorts applying physical force to subdue the stowaways. The following account suffices to capture the tension that arises in some cases.

> *[He say until he get 2000 [USD], 2500 maybe, he been fight already you know. They may beat you. But in the end they give that money, 1000. You have to get hurt before you get the money. He say they put him in handcuff and beat him.] Yeah, they beat me. They put that, the chain. [They did beat him. He got scar. You know the shoes, they beat him. The agents.] Because they say me I want too much money, you see. Other people when they go there they get only 500. Me I want 3000, you see. So, they won't give me that 3000.* (Charlie, Tanzanian stowaway, interpreted by Mohab)

These conflicts of interest, and allegations and counter-allegations of profiteering are not limited to the dynamic between stowaways, P & I correspondents, and escorts. They also apply to P & I Club representatives and authorities. While correspondents appeared to be careful when discussing authorities as the efficacy of their operations relies on understanding, and good working and personal relationships with the authorities, P & I Clubs representatives were less restrained in their allegations against local authorities. For instance, two P & I representatives shared their opinions that local authorities in some countries seek to profit from the disembarkation-repatriation process.

> *I think it's fair to say that there are certain countries and certain individuals who see this as a way of making money, the authorities, yeah. And it's quite often we have situations whereby they would say, 'yeah, okay. We'll do that but I want whatever.' [...] A lot of the problems with South America is that people have recognised that they could make money out of it. So things like, they will insist that only their police guards can escort the stowaways back and they set the tariffs and everything else. And then they've realised that they can make a lot of money because there's a lot of ships that are trading down to that part of the world.* (Nick, senior claims executive, P & I Club B)

Ellis: *We get situations where certain jurisdictions just will not entertain stowaways being disembarked for repatriation, but they will still levy a fine against the vessel just because a stowaway's been brought into their territorial waters.*

Sarah: *That's quite common.*

Ellis: *Argentina is a case in point. They're very reluctant to repatriate stowaways, but they'll raise a fine against the vessel.*

Sarah: *A lot of jurisdictions will see it as a means to make an easy fine against the ship. Ellis mentions Argentina. In Brazil, we often can repatriate stowaways from Brazil. So they don't...*

Ellis: *They will insist, even if we don't want, to take them off into Brazil or something.*

Sarah: *I know a while ago, when this was all kind of building up in Brazil, specifically having a case where we had asked about disembarking them before repatriation. And the authorities said to us, 'well okay yes, we will allow you to disembark them if you wish but it is going to cost….' I can't remember the money but let's say $30,000 per stowaway for us to do that. So, we went back and we advised the member. And the member said, 'oh well, actually, the next port outside of Brazil, we're going to…another of our line of vessels is coming in. So we can transfer the stowaway over and then that vessel is going back to original port. So we'll do that.' So, we went to the Brazilian authorities and said, 'thank you very much for your cooperation. But actually, as it happens, we don't have to disembark the stowaways. We're going to keep them on board.' 'Ah, well, if you want to keep them on board, I'm not sure about that. But it'll cost $30,000 per stowaway.' And then it built up from there where they routinely would charge us, whatever we want to do, whether you want to disembark, repatriate, keep them on the ship.* (Sarah, deputy claims director & Ellis, senior claims executive, P & I Club A)

What this subsection foregrounds, other than the conflicts of interest, is that the stowaway problem, like any governmental problem, becomes a fertile ground for profiteering

and profit making. Stowaway search companies, P & I correspondents, escorts, local authorities, security consultants, security product suppliers, to a marginal extent airliners and even the stowaways themselves make profit from the problematisation of stowaways while at the same time contributing to the way stowaways are constructed (Leander 2005a, b; van Munster 2005, pp. 18-19; 2009, pp. 118-121). van Munster (2005, 2009) conflates P & I Clubs with the aforementioned actors suggesting that they also profit from the management of stowaways. However, they in fact stand to lose rather than make profit as they, along with the ship owners, finance the disembarkation-repatriation operation. This highlights the convergence and divergence of interests that exist between the various actors. However, the points raised thus far in this chapter, as well as the previous two chapters, emerge from the fact that private actors assume the operational and financial responsibilities of dealing with stowaways.

8.8 'Externalisation' of Migration Control

van Munster (2009, pp. 118-119) highlights the relocation of migration control expertise to private actors. P & I Clubs along with their correspondents in various parts of the globe have been 'a leading source of expertise, data, and authority in the prevention, handling and governance of stowaways' (Walters 2008a, p. 6). These actors, along with shipping companies, P & I correspondents, stowaway search companies, security companies and seafarers, constitute the 'decentred governance of stowaways' (Walters 2008a, p. 6). This is regarded as part of the wider trend of the privatisation of immigration control or the 'externalisation' of immigration control (Lahav 1998; van Munster 2005; van Munster and Sterkx 2006; Scholten 2015), where immigration control functions are delegated to private actors. It is often noted that one of the prominent techniques of this delegation is through carrier sanctions where fines are used as a tool to 'responsibilise' transport companies in ensuring that they do not bring undocumented migrants into states (van Munster 2005; Guiraudon 2006; van Munster and Sterkx 2006; Scholten 2015).

Carrier sanctions have a long history in shipping. The earliest use of carrier sanctions was identified in the Netherlands when the city government of Medemblik made an attempt to prevent the arrival of Danish and Norwegian 'vagabonds' in 1634. This was done by imposing fines on the captain of a ship as well as making the master liable for the cost of stay until the person was taken back (Scholten 2015, pp. 3-4). Gammeltoft-Hansen (2016, p. 208, citing Lausten 2012) also notes that 'as early as 1751 Denmark levied fines from shipmasters bringing

in Jewish passengers.' In the case of the UK, Stevens (2004, p. 19) points out that the UK Alien's Act of 1793 had provision, which was a precursor to today's carriers' liability legislations, in which ships would incur a penalty of £10 per person, raised to £20 in 1836 (Menz 2011, p. 121), for failing to ensure their passengers were in possession of valid documents, or failing to declare the details of foreigners on their ships. When we come to the US, shipping companies were obliged to ensure that they were not bringing 'undesirables' to the country for reasons of health, morality, criminal history, etc. and to undertake immigration controls prior to embarkation as early as the 19th century (Scholten 2015, p. 3). A number of individual states within the US also 'imposed requirements that shipmasters and ship owners post bonds against the possibility that their passengers would fall on the public purse after their arrival' (Torpey 2000, pp. 94-95; Zolberg 2003).

These historical practices have a striking similarity to modern ones where ship owners may incur fines, assume responsibility for returning stowaways, shoulder the cost of maintenance of the stowaways or even make guarantor deposits. Accordingly, it is not surprising that stowaway search, which remains an important part of stowaway prevention, also had similar importance in the past. For instance, the *Illustrated London News* provided the following detailed guide on conducting stowaway search in 1850:

> *When the ship is fairly out, the search for stowaways is ordered. All the passengers are summoned upon the Quarter-Deck, and there detained until the search has been completed in every part of the ship. The Captain, Mate, or other Officer, attended by the clerk of the passenger broker, and as many of the crew as may be necessary for the purpose, then proceed below, bearing masked lanterns or candles, and armed with long poles, hammers, chisels, etc, that they may break open suspicious looking chests and barrels. Occasionally, the pole is said to be tipped with a sharp nail, to aid the process of discovery in dark nooks; and sometimes the man armed with the hammer hammers the bed-clothes, in order that if there be a concealed head underneath, the owner may make the fact known, and thus avoid a repetition of the blows. If a stowaway be concealed in a barrel, it is to be presumed that he has been placed with his head uppermost, and the searchers, upon this hint, whenever they have a suspicion, deliberately proceed to turn the barrel bottom upwards,- a process which never fails, after a short time, if the*

suspicion be well founded, to elicit an unmistakable cry for release. (NoAuthor 1850)

Contemporary carrier sanction legislation has been in place since the 1950's in the US and Australia (Feller 1989; Gammeltoft-Hansen 2016), the 1970's in Canada (Feller 1989) and elsewhere in Europe and Brazil since the 1980's (Feller 1989; Cruz 1995; Nicholson 1997; Guiraudon 2006; Scholten 2015). Cruz (1995, p. 7) also identifies Argentina, Bolivia, Thailand, Uruguay and Venezuela as among the countries that impose fines for inadmissible passengers although his discussion is limited to airliners. Guiraudon (2006, p. 82) notes that enlisting the involvement of shipping companies in immigration control is not new and states, 'what is novel is that these old instruments are now deployed to circumvent legal constraints absent in the early twentieth century' that now exist at the national level such as legislative provisions for the rights of migrants, asylum seekers and refugees. She argues this circumvention is effected by what she refers to as 'venue shopping' (Guiraudon 2000, p. 251) in which migration policy in Europe is 'elaborated in supranational forums and implemented by transnational actors' who are law and order professionals (ministries of justice and interior). This is undertaken as a way of circumventing national venues that are less amenable to restrictive immigration policies such as national high-courts, parliaments, ministries (Finance, labour and foreign affairs) and migrant-aid organisations (also see Feller 1989, pp. 52-53; Stevens 2004, pp. 93-94; Bigo and Guild 2005a, p. 237; Scholten and Minderhoud 2008, pp. 127-128).

In addition to this 'shifting up', there is also delegation of responsibilities 'outward' to private actors (in which the core actors tend to be carriers, but also include employers, house renters, sponsors, universities, hotels, etc.) and third countries to prevent migrants remotely before they can claim national judicial protection (Lahav 1998; Guiraudon and Lahav 2000; Lahav 2003). In a sense, carrier sanctions, which are not new, gained renewed importance in the face of increased asylum claims, the introduction of visas in Europe for nationals from certain countries in the 1980's, as well as a way of circumventing constraints to increased immigration control in liberal democratic countries (Cruz 1995; Guiraudon and Lahav 2000; Scholten 2015).

It is also argued that in the face of the dominance of neo-liberal thinking and the increasing involvement of private actors in traditionally public roles, carrier sanctions have (re)gained prominence as a cost-effective tool of migration governance that extend governmental geographic reach in periods when migration is a salient issue at the political and

societal levels (Scholten and Minderhoud 2008; Menz 2011; Scholten 2015). This extension of geographical reach is what Bigo and Guild (2005a, p. 234) refer to as 'policing at a distance' which is 'the control by specific procedures and technologies of the movement of people before the individuals enter a given territory.' However, van Munster (2005, pp. 17-18) argues that carrier sanctions are not just about policy effectiveness but are underpinned by an 'advanced-liberal' governmentality of 'governing without governing', i.e. encouraging private carriers to take up migration control objectives via problematising undocumented migration as an economic risk, and hence, steering them towards taking self-regulatory actions that align with migration control objectives. Hence, according to him, insurance in the form of P & I Clubs is rendered into 'a form of security governance beyond the state.'

The literature on carrier sanctions places much emphasis on fines for each inadmissible person brought to a country. This inherently renders the discussion more relevant to transport companies such as airliners, road transport and ferries that transport people where fines are a central component of carrier sanctions (see Nicholson 1997, p. 594; Stevens 2004, p. 224; Scholten and Minderhoud 2008, p. 141 for figures that demonstrate how fines are central to carriers engaged in transporting people).

This focus on fines obscures the issue for stowaways in which fines may not always be implemented for the type of trade considered in this research, namely ocean-going cargo transport. As Scholten (2015) also notes, fines to ocean-going cargo ships are often not applied (for a discussion of how ferries that are engaged in transporting people are affected by carrier sanctions see Scholten (2015, pp. 214-222), which is beyond the scope of this study). Whereas fines are a central componenet of carrier sanctions for airlines, road transport companies and ferries, for ocean-going cargo ships the central costs are those of detention and repatriation as fines can often be waived provided that the ship implemented security measures and conducted stowaway searches, the proof of which comes from the log book entries (Nicholson 1997). Hence, it is useful to construe carrier sanctions more broadly as being comprised of three categories: duty to remove, the obligation to pay for detention and maintenance, and fines (Feller 1989). What is enforced without exception for the type of shipping trade considered here is the duty to remove and obligation to pay detention, maintenance and administrative costs (Feller 1989).

Carrier sanctions for the shipping Industry understood in the above broad terms are certainly practices with a long history as the preceding discussion has shown. Furthermore, it

can be argued that they are globally enforced as the responsibility for stowaways has always resided with ship owners who are inherently international. What is perhaps pertinent to contemporary ship owners, in conjunction with developments of restrictive immigration rules, is the increased difficulty in disembarking stowaways in which ever more restrictive policies seem to be duplicated across countries. As the interviews with P & I Clubs and correspondents pointed out, only a few jurisdictions allow the disembarkation-repatriation of stowaways.

> *Well, it was easier [in the past] in the sense that there were more states willing to disembark stowaways for repatriation. I mentioned earlier that they're becoming fewer and fewer where you can actually…unless the stowaway's ill or is a minor, there's just generally a carte blanche refusal to… even though that the states are given a guarantee that they will be identified and repatriated at the ship owner's expense. They seem to be so worried that they will then claim refugee or asylum status that they just refuse, to even let them off the ship.* (Ellis, senior claims executive, P & I Club A)

> *Yeah. It's becoming more and more difficult to find a port or a jurisdiction that will allow stowaways off to be disembarked. Most European ports will not. Asian ports will not. And the UAE, in general, will not. And even some of the African ports, it does vary from week to week. They just change attitudes like that.* (Sarah, deputy claims director, P & I Club A)

This inconsistency alluded in the above quote was also described by a P & I representative based in China.

> *When asked which countries are easier to disembark and which countries are difficult, he mentioned that countries in Africa and Latin America can be complicated due to lack of clarity and consistency in the application of the rules. He said that they can be unpredictable at times, while the developed countries seem to have a clear and consistent application of the rules.* (Chenzen, claims department, P & I Club C, author's notes)

The above discussion foregrounds the argument that when it comes to the issue of stowaways, their governance and control have always been 'externalised' to the shipping industry. What is becoming increasingly difficult is the limited available channels of

disembarkation-repatriation. Although fines may not be applied as they are in other transport industries, the huge cost of maintenance and repatriation has always been, and still is, shouldered by ship owners and their P & I Clubs which further explains a number of issues discussed in all the data chapters thus far (for instance, why seafarers may be afraid to admit to having stowaways on board).

8.9 Conclusion

This chapter has considered the disembarkation-repatriation of stowaways and has attempted to highlight how this impinges on the ship. Instances where seafarers provided unauthorised assistance to stowaways were pointed out. The chapter has also looked at the various actors involved in disembarkation-repatriation and the overall governance of stowaways. These actors which include, *inter alia*, P & I Clubs, their local correspondents as well as security professionals, draw on what is called here 'governmental knowledge' in their efforts to control and govern the movement of stowaways. The chapter has described a constant interplay between governmental knowledge and stowaway counter-apodemics throughout the stowaway journey, from pre-embarkation to repatriation. The disembarkation-repatriation process is also fraught with tension, conflicts of interest as well as allegations and counter-allegations of profiteering. Nonetheless, all the issues discussed in this chapter as well as the previous ones emerge due to the longstanding arrangement whereby ship owners and their P & I Clubs are responsible for the financial and operational management of stowaways. This is often referred in the literature as the 'externalisation' or 'privatisation' of immigration control. The next chapter, will consider how this 'externalisation' is framed under the aegis of the securitisation of migration. However, it will argue, that while the securitisation of migration is important for the discussion, it offers only a truncated framing of the global governance of stowaways which involves a number of actors. Thus, in the next chapter, the notion of a 'global assemblage of stowaway governance' is advanced which offers a broad framework for the conceptualisation of the governance of stowaways and some of the implications of this such as their maltreatment.

Chapter Nine

The Global Assemblage of Multi-Centred Stowaway Governance

9.1 Introduction

I started out this research with the aim of understanding why stowaways are thrown overboard or cast off on makeshift rafts at sea. As Chapter Three discussed in detail, an adaptive approach to data collection and analysis was adopted (Layder 1998). This entailed an iterative process of theoretical adaptation and empirical observation to inform an understanding of why some seafarers maltreat stowaways. A number of concepts, theories and analytical approaches were picked up along the way, including crime displacement/deflection, 'Bourdieusian' practice theory, governmentality, securitisation of migration, commodification of migration, and concepts developed in studies of migration governance, notably 'counter-apodemics'. Some were jettisoned along the way for the limited analytical utility they offered in the context of this research while others were retained.

Furthermore, as the research progressed, it became clear that an increasing number of actors, which were initially unanticipated, such as crewing agencies, security escorts, airliners and P & I correspondents, are relevant to the development of an understanding of the issue of stowaways in order to situate their treatment in the wider context of their governance. However, that also meant the range of analytical frameworks and concepts considered in the course of the empirical research now appear limited in their ability to capture the complexity of the problem, the richness of the data ultimately collected and the range of actors discussed in the thesis. The concept of assemblage is helpful in understanding the overall governance of stowaways as it provides a broad framework for capturing the range of issues covered in the thesis, namely stowaway representations (Chapter Four), stowaway counter-apodemics (Chapter Five), security roles of seafarers vis-à-vis stowaways (Chapter Six), treatment of stowaways on board (Chapter Seven), the range of actors involved in disembarkation-repatriation and the governmental knowledge they constitute (Chapter Eight), while at the same time being versatile enough to be utilised in conjunction with other concepts, theories and analytical approaches.

The use of assemblage in this thesis highlights how a range of actors with various objectives, practices and knowledges come together leading to the emergence of the global governance of stowaways. These actors include states (flag states, ports of embarkation and disembarkation), embassies/consulates, airliners, stowaway search companies, security professionals, P & I Clubs and their networks of local correspondents, shipping companies, crewing agencies, seafarers as well as the communities of stowaways themselves. The thesis itself can also be considered as an assemblage of methods, data sources, theories and concepts, employed in a very eclectic manner to conduct micro and macro-analysis in an attempt to make sense of the global governance of stowaways. As will be elaborated in the following section, although my use of assemblage is not entirely consistent with Deleuze and Guattari's (1987) usage of the term, such an eclectic analytical approach pays homage to the spirit of their diverse, experimental thinking and writing style (Patton 1994).

In the following sections, I will embark on two main tasks. In the first couple of sections, I will lay the theoretical groundwork that will subsequently be used to make sense of my findings on the governance of stowaways and the implications this has for the on-board dynamics between seafarers and stowaways including treatment. I will first start by elaborating on the use of the term 'assemblage' in this thesis by drawing from scholars that have used the concept in their empirical studies. As I have drawn from a range of concepts, theories, analytical approaches and literature in making sense of my data and findings, there is some theoretical labour required here to synthesise these concepts, theories and approaches as they have different intellectual pedigrees that do not readily appear compatible. Hence, a case will be made for the analytical eclecticism undertaken here by demonstrating how these seemingly incompatible analytical tools can be reconciled and fruitfully utilised within a critical realist (CR) ontological and epistemological framework.

Once, the theoretical groundwork has been laid, I will put that to use to make sense of the findings laid out in the last five chapters. In doing so, I will advance the notion of 'global assemblage of multi-centred stowaway governance' where the various actors and locales involved in the governance of stowaways are construed as 'centres of governance' in their own right. Edwards' (2016) notion of 'multi-centred governance' will be central here in forwarding the argument that the causes for the dumping of stowaways at sea identified in Chapter Seven emerge out of the complex web of practices and asymmetric relationships between these centres. By 'centres of governance', I am referring to those groups (stowaway communities organised through their counter-apodemics), locales (ships and their crews), institutions (the

IMO and P & I Clubs), various economic actors (shipping companies, crewing agencies, P & I correspondents, etc.) and states which have stakes in the practice of stowing away and, hence, consequently constitute themselves (directly or indirectly) as competing and complimentary governing regimes around the problem with specific rationalities, problematisations, knowledge, techniques and practices. These centres are in asymmetric relationships with each other where certain centres, such as states, possess more power to influence others. Hence, the notion of assemblage is used to capture the entire emergent condition of governing stowaways globally involving multiple actors that are engaged in cooperative as well as conflicting relationships with each other (see Chapter Eight), and that seek to govern stowaways drawing from the (rival) bodies of knowledge they collectively constitute (see Chapter Four and Chapter Eight) as well as using techniques underpinned by various rationalities. By rationality, I am referring to 'the ways of thinking and styles of reasoning that are embodied in a particular set of practices […], that organise these practices, and supply them with their objectives and knowledge and forms of reflexivity [that tend] to bear the hallmarks of the institutional settings out of which they emerged' (Garland 1997, p. 184). These centres, and their asymmetric relationships, create the environment for the emergence of the various causal mechanisms identified in Chapter Seven that lead to the maltreatment of stowaways at sea.

9.2 Assemblage as an Overarching Organising Concept

The concept of assemblage is traced back to the seminal work by Deleuze and Guattari (1987), *A Thousand Plateaus.* While not specifically developing a coherent 'theory of assemblage', their use of the concept is theoretically sophisticated. However, in most of the empirical works the concept is used 'to emphasise emergence, multiplicity and indeterminacy, and connects to a wider redefinition of the socio-spatial in terms of the composition of diverse elements into some form of provisional socio-spatial formation' (Anderson and McFarlane 2011, p. 124). Assemblage is understood as an emergent 'product of multiple determinations that are not reducible to a single logic', 'historically contingent' (Acuto and Curtis 2014), unstable and changing, as well as fraught with conflicts and contestations (Collier and Ong 2005, p. 12). Assemblage, as an emergent phenomenon, is not 'an eternal essence or a program given in advance' (Nail 2017, p. 26); and hence, as its constituting heterogeneous elements change or transform so does the assemblage. However, as Nail (2017, pp. 24-26) points out, an assemblage 'does not simply entail heterogeneous composition, but entails a constructive process that lays out a specific kind of arrangement', i.e. 'a network of specific external

relations that holds the elements together […] elements that are concrete [and] are the existing embodiment of the assemblage'.

Anderson and McFarlane (2011) trace the concept to two origins, Deleuze and Guattari (1987) and Latour (2005). Based on these two distinct origins, Phillips (2006) cautions about the distinction between assemblage used in the Deleuzian theoretically sophisticated sense and the Latourian more descriptive use. Although my use of the concept here has more affinity with the latter as it attempts to emulate how it has been used as a descriptive-analytical concept in empirical research, I make no claim to subscribing to Actor-Network-Theory. As Latour (2005, p. 6) himself points out, any analysis that does not grant strong roles to non-humans as actors should not lay claim to A-N-T. Although a frequent mention of non-human 'actants', such as Loss Prevention Bulletins, stowaway search checklist, or even stowaway search dogs, is made in this thesis, I have not gone down the path of analysing their agency which would be pedantic and superfluous for my purposes.

However, Bueger (2014) notes using assemblage in this descriptive-analytical sense deprives it of theoretical meaning and calls for more in-depth engagement with Deleuzian thinking about assemblages. No doubt, Deleuze and Guattari (1987) provide a plethora of concepts in their volume which if used here might inspire new 'lines of [analytical] flight', to use their terminology. Nonetheless, aside from the onerous task of operationalising their concepts in this analysis, I am also not convinced the tools in their work result in a clearer understanding of the issue of stowaways and would unduly obfuscate it. While keeping with the spirit of their experimentalism, that manifests in the analytical eclecticism taken up here, my use of assemblage as an overarching organising concept of stowaway governance is inspired by the works of others, who used the concept in their empirical research (For a more abstract engagement with the concepts and typologies of Deleuzian assemblage see Phillips 2006; Anderson and McFarlane 2011; Dewsbury 2011; Legg 2011; Nail 2017).

Assemblage as a descriptive-analytical concept has been fruitfully utilised in combination with other conceptual tools by Sassen (2006) in re-thinking globalisation as a simultaneous partial disassembly at the level of states and reassembly at the global scale, which in turn creates new forms of power at the subnational level for 'global cities', such as London, New York and Tokyo (Sassen 2001), where 'multiple globalization processes assume concrete, localized forms' (Sassen 2006, pp. 314-315) granting these locales key roles in the processes of globalisation. Her work is a good testament to the protean nature of the concept of

assemblage that renders it amenable to be combined with other concepts. Other substantive areas in which assemblage has been utilised include international interventions (Doucet 2016), circulation management in the aviation sector (Salter 2013), while surveillance has been explored more in line with some of the concepts developed by Deleuze and Guattari (Haggerty and Ericson 2000). Lippert and O'Connor (2003) have also used the concept of assemblage to analyse the changes that were taking place in Canadian airport security in combination with other conceptual tools such as flexibilisation of work and governmentality. Li (2007) has utilised what she referred to as 'an analytic of assemblage' to examine how community forest management is assembled and sustained for over three decades by a set of six practices that she argues are 'generic to any assemblage'. More recently, Bueger (2017) has sought to draw out core elements of 'an assemblage theory of global governance' along a Deleuzian line of thinking by using international counter-piracy measures of the coast of Somalia as a showcase.

As the focuses of the studies cited above demonstrate, assemblages are 'often highly specialized formations centred in particular utilities and purposes'(Sassen 2008, p. 62). Therefore, we talk about 'the surveillant assemblage', 'Canadian airport security assemblage', or the assemblage of stowaway governance. The works of Doucet (2016) on international interventions and Abrahamsen and Williams (2009) on private security demonstrate how the concept can be utilised in exploring specific international and global issues. Abrahamsen and Williams (2009, p. 3) have developed the notion *global security assemblages* to denote 'settings where a range of different global and local, public and private security agents and normativities interact, cooperate and compete to produce new institutions, practices, and forms of security governance.' I have found it fruitful to replicate the way assemblage is used in the work of Abrahamsen and Williams (2009) as a descriptive-analytical metaphor to emphasise emergence, heterogeneity, change, conflict, etc., and combine it with governmentality-inspired analysis. My use of assemblage in the descriptive-analytical sense captures the range of actors (P & I correspondents, shipping companies, seafarers, crewing agencies, security experts, etc.), stowaway communities, institutions such as the IMO and P & I Clubs, and the associated practices, objectives, representations, knowledges and counter-knowledges that come together, resulting in 'co-functioning of heterogeneous parts' (Acuto and Curtis 2014, p. 3) leading to the emergence and subsequent transformations of a global assemblage of stowaway governance. To borrow from Salter (2013, p. 13), the stowaway assemblage is 'defined by its function', that is to say, the governance of stowaways in general. However, this governance involves multiple actors with varying rationalities, practices and techniques. As such, it is not

a smooth functioning machine we are referring to here, but a range of competing and conflicting governmentalities, both official and unofficial, which come together as a result of their shared stake in the practice of stowing away.

The notion of stowaway assemblage offers a schema to make sense of the heterogeneous actors and practices that are involved in some capacity in the governance of stowaways or have some roles in outcomes even when they are not directly interested in stowaways, such as airlines and crewing agencies. The purpose is to map out the assemblage of what will be called 'centres of governance' and how the practices stemming from these centres impinge upon seafarers' interactions with stowaways and their treatment. As the dynamic between seafarers and stowaways takes place in the wider context of this assemblage and is affected by it, it is imperative that the assemblage and its constituting elements are probed as carried out throughout this thesis. The shifting relations and emergent conditions of this spatially distributed assemblage (Marcus and Saka 2006, p. 106) will also be elaborated as this provides valuable insights into how transformations that include new regulations coming out of the IMO, wider transformations in the shipping industry such as the emergence of new seafarer labour markets and the proliferation of crewing agencies, changes in the practices of stowaways, etc. have transformed the dynamic between seafarers and stowaways on board.

Finally, as alluded to earlier, assemblage also denotes the analytic eclecticism adopted here which in and of itself is a productive, conscious assembling of different concepts, theories and analytical approaches in an attempt to make sense of the issue of stowaways. However, such eclecticism calls for some theoretical labour in order to productively use seemingly incompatible intellectual trajectories, all of which are of value in making sense of the range of issues discussed in the preceding chapters.

9.3 Analytic Eclecticism: Securitisation, Governmentality, Counter-apodemics and Critical Realism

The thesis involved both micro and macro-level data analysis drawing from interviews with multiple groups of participants, stowaway incident reports, conventions, legal documents, guidelines, instructive manuals, etc. To make sense of this diverse data, actors, practices and events taking place at local, international and global levels, I have deemed it necessary to resort to 'analytic eclecticism' (Sil and Katzenstein 2010; Bueger and Stockbruegger 2013) drawing on a range of concepts and analytical approaches namely, securitisation, governmentality, counter-apodemics, and the notion of multi-centred governance with critical realist

underpinnings. Literature from various studies into the shipping industry has also been drawn on in this thesis to contextualise the range of issues highlighted throughout. This was a conscious decision to avoid a truncated analysis of the rich data collected on a research problem with a long pedigree, traversing the local and the global, and involving a multiplicity of players.

As Sil and Katzenstein (2010, p. 2) point out, 'analytic eclecticism is about making intellectually and practically useful connections among clusters of analyses that are substantively related but normally formulated in separate paradigms.' It allows us to transcend dogmatic epistemic commitments and abstains from the procrustean thinking that arises out of rendering a social phenomenon amenable to a single form of analysis. It, therefore, offers richer explanations while grounded in both empirical and theoretical work. In the context of this research, a good example of analytic eclecticism is the attempt made to utilise the analytic benefits brought forth by 'governmentality', which some argue is agnostic about ontological questions, with critical realism that makes strong ontological assertions.

In accordance with the tenets of adaptive theory, there was a constant iterative engagement of incoming data with theoretical concepts. It became obvious to me early on in the research that there was a need to draw from a range of concepts, theories and analytic approaches to fully understand the governance of stowaways. My thinking was inspired by the multi-theoretical analysis adopted by Sil and Katzenstein (2010), as well as Jackson and Mazzei (2012), so as to avoid the 'artificial segmentation' (Sil and Katzenstein 2010, p. 9) of the discussion of stowaways. However, against Sil and Katzenstein, the eclecticism here is not that of 'paradigms' or 'traditions', such as realism, constructivism and liberalism in International Relations, but of concepts (counter-apodemics), theories (securitisation of migration), analytic approaches (governmentality, multi-centred governance) as well as social science philosophies (critical realism). Furthermore, against Jackson and Mazzei, it is also not subjecting the same data to separate analysis using multiple theories and fleshing out new insights. In fact, most of the 'tools' I used to understand the governance of stowaways here have a level of affinity with each other, as in securitisation of migration and governmentality. Alternatively, there are explicit efforts by some of the authors I draw on here, such as Edwards (2016), to reconcile certain ontological positions with distinct approaches, as will be shown. In the subsequent subsections, I will discuss what these concepts, theories and analytical approaches bring forth and lack (hence, the need for eclecticism) in understanding the governance and treatment of stowaways before tying them together under the discussion of 'the global assemblage of multi-centred stowaway governance'.

9.3.1 Securitisation of Migration and Stowaways

As discussed in Chapter Two, securitisation of migration refers to the process in which migration comes to be treated as a security issue. While originally based on the concept of securitisation developed by Buzan et al. (1998), which refers to the discursive processes through which issues are raised to the level of being exceptional threats and, hence, requiring exceptional measures, such a discursive approach to understanding the securitisation of migration has been noted for its limitations. While discursive approaches have been useful to investigate political and media discourses on migration, framing migrants as threats (Huysmans 2000; Pugh 2004; Tsoukala 2005; Charteris-Black 2006; Fox et al. 2012), they only tell part of the story. Jef Huysmans, for instance, unpacks how migration has been securitised through practices at the European technocratic-bureaucratic level in the European integration process. He is interested in political, practical and institutional conditions that made the securitisation of migration in Europe possible frustrating rival discourses such as human rights to freely move across borders. He considers how migration is securitised at both the national and European levels through political discourse in relation to internal security, cultural identity and welfare (Huysmans 2000, 2006). However, he expands such discursive analysis to exploring how these political speech acts (Buzan et al. 1998) are embedded in technologies of government in the Foucauldian sense, i.e. material and immaterial artefacts (visa, passports, work permits, fingerprints, electronic and physical fences, patrol boats, etc.), knowledge production, calculations, databases (Schengen Information System and EURODAC), etc. (Huysmans 2006, pp. 97-98). These technologies, techniques and practices are understood to have their own modulating effects on how migration is securitised. Others have analysed the European bureaucratic field in which security professionals operate, to explain how these actors managed to securitise migration (Guiraudon 2000; Bigo 2002; Guiraudon 2003; van Munster 2009). Foucauldian analysis of the securitisation of migration has also been fruitful, focussing on the mundane routines, techniques and technologies through which migrants are constituted as a risk and governed through technologies and techniques of risk governance (Aradau 2004; van Munster 2005; Aradau and van Munster 2007; Aradau 2008; van Munster 2009). What these 'post-discursive' approaches to the securitisation of migration have in common is their emphasis on the specific practices, technologies and techniques through which migration is securitised in practice as opposed to solely focussing on the discursive construction of migrants. As Walters (2008a, p. 11) points out, for security to become actual, it must first become banal, i.e. 'must be translated, among other things, into readily communicable,

enumerated, repeatable actions.' 'Translation' entails political competition with advocates of rival accounts of migration as has been well documented for the case of the EU (Guiraudon 2000; Bigo 2002; Guiraudon 2003; van Munster 2009) (also see Chapter Two for a discussion on the securitisation of migration).

Both discursive and practice-oriented approaches to understanding the securitisation of migration are relevant to the issue of stowaways. The discursive securitisation of stowaways is best construed as 'micro-securitisation', as stowaways do not often gain as much coverage in macro-level political and media discourse, arguably stemming from the 'invisibility' of shipping itself, but also their limited numbers and their own invisibility even within the societies in which they form communities, as in the case of the Tanzanian stowaways in South Africa (Christie 2016). However, as the findings in Chapter Four discussed, they are 'micro-securitised' within the shipping industry. I have pointed out in the chapter that there are four aspects in the framing of stowaways as a problem of security within shipping: their perception as a threatening presence on board, the stowaway-piracy nexus, the stowaway-terrorism nexus, as well as the notion of 'the criminal stowaway' that implicates stowaways in criminal activities such as the drug business. Such framings are important for understanding certain aspects of the dynamics between seafarers and stowaways. As Chapter Six highlighted, framings such as 'the threatening stowaway' or 'the stowaway-piracy nexus' are also taken up by seafarers. The initial encounter between seafarers and stowaways is often fraught with fear on both sides. Some seafarers, for instance, have pointed out that they took 'protective tools' with them as they were concerned that the stowaways could have been pirates or criminals. This was salient for those sailing in piracy prone areas such as West Africa.

Interestingly, however, the security framing *par excellence* stems from the ISPS code which ironically explicitly mentions stowaways only twice as indicated in Chapter Four. However, the exceptional context in which the ISPS code emerged as the maritime response to the 9-11 attacks, as well as the lens through which any unauthorised presence on board is seen as a security threat, effectively securitised the issue of stowaways. However, as I explained in Chapter Six, in relation to the practices aimed at preventing and controlling stowaways, ISPS served more as a formalisation of existing recommended practices that predate the code itself, albeit introducing additional measures and salience to the issue. Nonetheless, the securitisation of stowaways in the discursive sense remains a 'micro-securitisation' confined to the shipping industry and not articulated at the national or supra-national levels.

It is rather in the practice-oriented approaches to securitisation of migration that the issue of stowaways gains some prominence at the level of states. Undoubtedly, disembarkation refusals or the imposition of fines relate to the wider context in which migration in general is securitised through political and media discourses that frame migrants as threats or risks. Immigration regulations and policies that emanate from the wider political and media discourses on migration do indeed play out in ports where disembarking migrants is increasingly difficult as my respondents from P & I Clubs pointed out in Chapter Eight. However, as Huysmans (2006, p. 5) notes, even the post- 9/11 measures and emergency legislation that were articulated using the language of existential threat were still embedded in 'long-term institutional and political histories' that were enacted in everyday practices, routines and technologies as well as ongoing competition between different agencies which played a role in shaping the post-9/11 'domains of insecurity'.

Rather than the discursive approaches, it is in the mundane securitisation of migration through 'every day' practices, routines, rationalities, techniques and technologies, including technologies of risk, that securitisation at the level of states becomes more important to the analysis of the governance of stowaways. Carrier sanctions, not limited to fines but construed broadly as discussed in Chapter Eight, and P & I insurance are often understood as the ways in which the everyday securitisation of migration and by extension stowaways is enacted (Guiraudon 2000; Guiraudon and Lahav 2000; van Munster 2005; Walters 2008a). Here, the prevention, management and responsibility of stowaways is delegated to actors in the shipping industry such as ship owners, P & I Clubs and their correspondents, as well as seafarers. Subsequently, the language of risk is prominent in the governance of stowaways by these actors, so are technologies of risk, including P & I insurance, Loss Prevention Bulletins and stowaway checklists, since stowaways primarily constitute an economic risk for these actors (see Chapter Two on the interchangeable use of 'risk' and 'threat' in migration studies and Chapter Four on the framing of stowaways as an economic risk). I have discussed thus far the discursive 'micro-securitisation' of stowaways within shipping itself and the consequential securitisation of stowaways at the level of nation states following from the wider securitisation of migration through routines, practices, techniques and technologies, of which carrier sanctions are one. As discussed in detail in Chapter Eight, carrier sanctions are often understood as one technique through which nation states seek to extend the reach of their controls on migration.

Although securitisation of migration provides valuable insights in understanding the governance of stowaways, there are critical limitations that need to be considered in relation to the issue of stowaways. One limitation pertains to the origin and conceptualisation of 'securitisation' itself which is a western or Eurocentric one developed in the post-cold war era (Bilgin 2010, 2011; Greenwood and Wæver 2013), as well as being inherently state-centric (Wilkinson 2007). Both cannot be overlooked when discussing the issue of stowaways. Its state-centricity ignores relevant actors, such as crewing agencies, to whom responsibilities in managing stowaways are not 'externalised' and yet are still relevant actors that need to be accounted for in understanding the global governance of stowaways and its implications for seafarers and stowaways. Furthermore, analyses of the securitisation of migration that focus on the bureaucratic field (Guiraudon 2000; Bigo 2002; Guiraudon 2003; van Munster 2009) or those that are informed by governmentality (Huysmans 2006) are inherently Euro-centric. Their empirical focus is Europe, and 'western' countries such as the US and Australia. Even if one concedes that migration is securitised in other non-western countries, such as Singapore and Japan, it still cannot account for the many countries in which stowaways arrive, and yet be refused disembarkation with the overall responsibility residing with the ship owners and their insurers. So, when Kenyan or Argentinian or Chinese authorities refuse to disembark stowaways can we say those policies are underpinned by securitisation? This can only be known through empirical investigation and should not be assumed in advance. In short, the various analyses of the securitisation of migration are context-specific and may not be applicable to all countries, whereas the governance of stowaways implicates numerous countries, including their countries of origins, most of which are neither Western nor 'advanced'.

Carrier sanctions which can also be regarded as techniques of government are also context-based in their articulation and their rationalities. For instance, while European countries may rationalise carrier sanctions as a technique of 'externalisation' of migration governance *underpinned by the securitisation of migration*, other countries may simply 'externalise' responsibility to the ship owners because that has always been the standard practice as Chapter Eight highlighted, or simply because states have always sought to control borders and discourage undocumented entry which does not necessarily imply the securitisation of migration. In other words, in the case of the governance of stowaways, 'externalisation' of responsibilities to private actors should not be assumed to always stem from the securitisation of migration. It has also been noted that there are authorities that reportedly

render the disembarkation-repatriation process into a money-making exercise (see Chapter Eight).

The more recent notion of 'macrosecuritisation' (Buzan and Waever 2009) can be used to frame how stowaways are dealt with globally. For instance, it can be argued that institutions, such as the IMO or P & I Clubs, serve as platforms on which the macrosecuritisation of stowaways takes place. As Abrahamsen and Williams (2007) contend, the discourses and practices that underpin security governance in the North, underpinned by neo-liberal rationality, have significant reach and influence across the globe. In a related article, they point out that although the privatisation of security emerged as part of domestic transformations that took place in advanced-liberal societies, 'the capacity to cast security as a politically neutral service—a commodity—provided by the private sector allows global private security firms to draw upon logics of free trade to facilitate its entry into new markets, even where these are resisted by the host state' (Abrahamsen and Williams 2009, p. 5). The role of the World Trade Organization in creating the environment for states to allow competition and 'free-trade' in security services is salient here. Though their discussion pertains to private security companies, it is worth considering whether 'securitised' national stowaway policies are 'exported' to international fora, such as the IMO, and/or replicated by other countries who are 'influenced by normative orders beyond the nation-state' (Abrahamsen and Williams 2009, p. 6).

There are still two problems with this hypothesis. The first is an empirical one. Macrosecuritisation also retains the original tenets of the conceptualisation of securitisation by the Copenhagen school. 'Threat', 'referent object', 'high politics' are still relevant, only now they are articulated at a higher order (Buzan and Waever 2009, p. 257). Although macrosecuritisation has been explored in relation to another maritime issue, namely piracy (Bueger and Stockbruegger 2013), the 'high politics' associated with piracy is not present in the case of stowaways.

While securitisation allows me to capture the 'micro-securitisation' of stowaways in shipping as well as provide the context in which carrier sanctions are presently utilised as tools for migration control by *certain* countries, there is a tendency in studies of securitisation to focus on the articulations and practices of the powerful (Hansen ; McDonald 2008, p. 574). This is particularly visible in the literature where the focus has been on politicians, the media, bureaucrats, and private actors who are in a relatively powerful position vis-à-vis the migrants. The less powerful and vulnerable tend to be silenced (Hansen 2000). While it may be argued

that the framework in all its variations does not set out to capture those voices, and hence, an unfair criticism that misses the Schmittan statist assumptions underpinning it (Williams 2003), it highlights an important component that it fails to capture in this research, that is to say the practices of the stowaways and their shared body of knowledge which provide indispensable insights into, and are constituting components of, the governance of stowaways, and which are captured in this thesis through the notion of 'stowaway counter-apodemics' (see Chapter Five). It is also worth noting that the studies of securitisation, in their state-centred preoccupation with governing rationalities, practices, technologies, etc., exaggerate state powers and ignore resistance which is an important aspect of the governance of stowaways.

A third important limitation in the context of this research is the 'presentism' that characterises the discussion on the securitisation of migration (Walters 2011, p. 142). Walters (2008b) discusses this 'presentism' and uses the case of Mexican undocumented migrants in the US in the 1950s to argue that undocumented migration and security were connected then in which the issue of the migrants was perceived as one of 'high politics' as well as social security. Hence, he calls for genealogical sensitivity towards how the migration-security complex could have been underpinned by changing and coterminous rationalities over time forcing us to reconsider problematisations of migration as a recent problem of security.

The issue of stowaways is certainly not amenable to such 'presentism'. As Chapter Eight pointed out, the responsibility for dealing with stowaways has always been externalised, which is the condition for the emergence of the assemblage discussed here. What can be regarded as mundane routines and techniques of securitisation, such as carrier sanctions and instruction manuals on stowaway searches, have a long history. Nonetheless, setting aside these limitations, securitisation remains relevant to enriching our understanding of the governance of stowaways in the present. For instance, the discussions of carrier sanctions indeed point to the long history of their use. However, it is argued that they have been retooled to advance immigration control objectives by certain states (Guiraudon 2006; Scholten 2015). Furthermore, even though ship owners have always assumed responsibility for stowaways, the increased difficulty in disembarking stowaways pointed out by my participants in Chapter Eight, particularly in those countries where migration has been securitised, takes place in a climate where migration is at the top of the security agenda. The continuation of the arrangement where ship owners and P & I insurance assume the responsibility for stowaways is now rearticulated in the wider context of reconstituting private actors in migration governance in these countries (van Munster 2005). Hence, securitisation in Europe, for

instance, is part of the story in the global governance of stowaways. The criticism of presentism will not be an issue if the securitisation of migration is taken to be *a part* of the story and not *the* story.

The notion of assemblage retains the insights into the governance of stowaways that can be gleaned from studies into the securitisation of migration while also transcending their limitations. States are major players in the assemblage of stowaway governance with asymmetric powers, given their rules, practices and attitudes towards migration. However, they are not the only central focus of analysis in the assemblage. Furthermore, while some states' policies towards stowaways may be shaped by the securitisation of migration, such as EU states, there are also other rationalities which the notion of assemblage is able to capture such as money-making in some countries as some P & I representatives pointed out in Chapter Eight. As assemblage, and by extension the assemblage of stowaway governance, is understood as emergent and changing, the presentism in the discussion of securitisation alluded to earlier is also transcended. Hence, the securitisation of migration can be understood as yet another addition to the emergent, evolving, assemblage of stowaway governace as I will discuss later on in the chapter. The practices of stowaways and their counter-apodemics are also accounted for by acknowledging them as important players in the assemblage. It can be noted from the discussion thus far that the securitisation of migration has a close affinity with governmentality analysis, particularly in those accounts that use Foucauldian analysis. Although not explicitly pointed out in the preceding chapters, my thinking and analysis of data is also very much informed by governmentality. In this chapter, governmentality is crucial in conceptualising the governance of stowaways as an assemblage of multiple centres of governance in whose interrelationships the causal mechanisms for the dumping of stowaways at sea identified in Chapter Seven emerge. However, there is some theoretical labour that needs to be undertaken in reconciling the analytic tools offered by governmentality and the wider ontological assumptions that have underpinned this thesis.

9.3.2 Governmentality

Foucault uses governmentality in three ways (Walters 2012, pp. 11-12) including the more general sense as the 'conduct of conduct' (Foucault 2008, p. 186) and 'the right disposition of things' (Foucault 1991a, p. 93). This is governmentality construed in its broadest sense and not narrowly defined as 'liberal governmentality' which is only one type of governmentality (Walters 2012, p. 30). It is in this broadest sense that it is used here with an emphasis on rationalities, representations, knowledges, expertise, practices, techniques and

technologies that are employed to shape one's own conduct and the conduct of others by states, institutions, groups and individuals (Lemke 2001, p. 191; Larner and Walters 2004a, p. 496; Walters 2012, p. 11). It is also used to imply the analytical approach to understanding 'governmentality' broadly construed as the conduct of conduct (O'Malley 2008).

Governmentality is an indispensable analytical tool for understanding the manner in which stowaways are dealt with and handled. For instance, as the discussion on securitisation of migration here and the related section on the 'Externalisation of Migration Control' in Chapter Eight described, certain states attempt to influence the practices of ship owners, seafarers, as well as P & I Clubs through legislation to align their immigration control objectives with the commercial activities of the industry. The South African immigration directive No. 9 of 2012, highlighted in Chapters Four and Six, is a good example of this where ship owners and P & I Clubs are effectively rendered responsible even for stowaways who board the ships in South African ports. P & I Clubs are also involved in the governmentality of stowaways. As detailed in previous chapters, they produce a plethora of guidelines and instruction manuals that aim to shape the conduct of seafarers vis-à-vis stowaways on issues ranging from prevention, treatment as well as the disembarkation-repatriation of stowaways. The same guidelines also reconstitute seafarers as principal actors in the collection of data on stowaways that, subsequently, expands the governmental knowledge that is drawn up on by various actors in the governance of stowaways (see Chapter Eight). Their role in 'conducting conduct' also extends beyond seafarers to P & I correspondents and security escorts participating in the disembarkation-repatriation of stowaways. For instance, constrained by legislation such as the UK Bribery Act, P & I Clubs cannot condone the giving out of 'pocket money' to stowaways which is near impossible for P & I correspondents and security escorts to follow as Chapter Eight has shown. Furthermore, shipping companies basing their rationale on economic calculations also influence the behaviours of seafarers directly through their respective company policies that set out the measures seafarers need to take in preventing stowaways and managing their presence on board. As Chapter Seven discussed, some shipping companies also take disciplinary actions against seafarers due to stowaways being discovered on board. This reinforces the concerns of seafarers over their career prospects and professional reputations which were identified among the causes for the dumping of stowaways at sea. The same goes for crewing agencies which influence seafarers' conduct directly through disciplinary measures, such as salary deductions and terminations of future employment opportunities, or indirectly through the associated 'culture of fear' such practices cultivate. This

is more pronounced for certain nationalities of seafarers such as the Chinese (see Chapter Seven) which partly explains why Chinese seafarers feature prominently in the stowaway counter-apodemics (see Chapter Five).

On the micro-level, there is also governmentality of stowaways manifesting at the scale of the ship. A captain of a ship and senior officers on board set the scene for how stowaways are dealt with and treated on board. They determine if stowaways should be locked inside a cabin for most of the time or be allowed to mingle with seafarers on board. Much of what plays out on board is influenced by factors that extend beyond the ship. Although seafarers rationales are influenced by these extra factors, including the wider representations of stowaways in the industry such as their framings as threats and/or economic risk as well as IMO legislations and various guidelines, seafarers also respond to the various contexts on board. For instance, as noted in Chapter Seven, some captains alleged that the reason for getting rid of the stowaways at sea was due to concerns for the security of their crew, particularly in those instances where the numbers of stowaways involved were large. Stowaways' accounts of 'full ngome' ships being risky allude to the specific on-board context that impacts on the treatment of stowaways where senior officers have much more ability to garner consensus and influence the crew. This is not to deny that the national composition of seafarers on board emerges as an important factor in the treatment of stowaways largely from practices that are situated beyond the ship such as punitive practices by crewing agencies. In the context where all the seafarers on board will be directly affected by financial deductions due to stowaways, for instance, or believe to be affected, 'full ngome' creates the conditions in which seafarers acquiesce to cast the stowaways off on makeshift rafts. Furthermore, as is the case among Chinese seafarers, the control the seafarers have over their victualling budget puts stowaways in an awkward position where they pose simultaneous risks to seafarers' subsistence and to financial gains from limited spending on provisions (see Chapter Seven).

Nonetheless, even such a micro setting as the ship is fraught with resistance, as when stowaways put up resistance to seafarers on board or when crew members oppose the decision of their colleagues and report maltreatment of stowaways to authorities (see Appendix 4). Furthermore, as in any case of governing efforts where outcomes may differ from objectives or are resisted by those at whom they are directed, the instances of illegal assistance to stowaways by seafarers highlighted in Chapter Eight in contravention of the recommended practices and legislation can be construed as instances of resistance to governmental efforts.

The analytic tools offered by governmentality are indispensable in making sense of the handling of stowaways in shipping. Nevertheless, as the governance of stowaways takes place at the global scale, there is a need to account for some of the arguments forwarded against uncritically applying governmentality inspired analysis to problems beyond the nation-state. One of the major questions raised about the governmentality approach is its (in)applicability to problems that transcend the nation-state, which was the locale Foucault focussed his analysis of government on, and which are global or international in scope (Selby 2007; Joseph 2010). Related arguments also emphasise that governmentality is an ethnocentric concept, developed in and for western 'advanced liberal' societies, and consequently not transferable to other societies (Joseph 2010; Shani 2010).

Nonetheless, governmentality has been used to analyse the space above the nation-state. For instance, the notion of 'global governmentality' has been coined to problematise 'the constitution, and governance of spaces above, beyond, between and across states' (Larner and Walters 2004b, p. 2). As Larner and Walters (2004b) point out, while most of the analytic focus of governmentality-inspired research confines itself within the nation-state, their volume sets out to extend the analytic tools offered by governmentality to the international and global scene. Gordon (1991, p. 4) suggests that Foucault did not see any discontinuity in moving his methodological and analytical toolkits from the analysis of the micro to the macrophysics of power. While drawing on this same 'analytical toolbox' (Rose et al. 2006, p. 100) to understand the global or the international is not inconsistent with Foucault's call for a creative use or even modification of his approach (Foucault 1991c, pp. 73-74; Walters 2012, pp. 102-103), the criticisms levelled at such analytical moves are worth considering.

Joseph (2009) contends that since not all societies can be described as 'advanced liberal', the lack of the necessary social conditions make it difficult to apply governmentality analysis to various parts of the world. Selby (2007, pp. 332-333) also calls for caution based on his contention that aspects of the international order remain unchanged and is still dominated by inter-state rivalry, diplomacy, concentration of power around states and international institutions, the salience of discourses such as 'nation-state', and the accumulation of capital and power by large corporations. However, Selby (2007, p. 333) also sees fertile ground for utilising Foucauldian analyses of 'those forms of knowledge, practice, institution and subject that are the corollaries of modern liberal social orders' in the international scene. Joseph (2010, p. 224) shares this position and argues that, 'because the international domain is highly uneven, contemporary forms of governmentality can only usefully be applied to those areas that might

be characterised as having an advanced form of liberalism.' Although their criticisms mainly stem from limiting governmentality to advanced liberal modes of governance as opposed to a more general understanding of how actors attempt to influence their own conduct and that of others (Walters 2012), the global shipping industry does indeed appear to qualify for governmentality analysis even if one confines the boundaries of 'global governmentality' to the limits set by Selby and Joseph above. This is because advanced liberal modes of governance are quite prevalent in shipping (Bennett 2000a; Sampson and Bloor 2007; Walters 2008a, pp. 8-12; Sampson et al. 2014). Yet, the question still remains if this is the case for all the actors in the stowaway assemblage. For instance, can governmentality analysis be useful for understanding stowaway communities and their practices? This takes us to the second limitation of governmentality that needs to be taken into account in making sense of the global governance of stowaways.

Governmentality analyses have been criticised for making governance appear coherent, with not enough attention paid to issues of resistance (Walters 2012, pp. 74-75). The emphasis on programmes, rationalities, technologies and techniques analysed through textual sources sets constraints on the ability to acknowledge and explain contests and resistance (O'Malley et al. 1997) that permeate throughout the stowaways' journeys. It is for this reason some have called for governmentality 'from below' (Stenson 2005), paying attention to both the 'creative agencies of governance' of groups and populations to whom official governmentality is directed to (Stenson 1998, p. 349), as well as empirical explorations of governing practices to bring forth the successes, failures as well as resistances to those practices (Stenson 1998, 2005; McKee 2009). However, this will require developing new concepts capable of capturing practices and knowledges from 'below'. For instance, while stowaway communities and their practices, knowledges and micro-politics can be explored empirically, the standard terminologies associated with official governance such as programmes, rationalities, technologies, techniques, etc., may not always be suitable. Hence, creative use of concepts such as counter-apodemics is essential (see Chapters Four and Five).

While the aforementioned criticisms of the governmentality approach can be addressed within the approach itself, assemblage enables a transcendence of these criticisms all together. As it signifies emergent, heterogeneous, changing and contested relations, the concept of assemblage transcends the over-homogenised imagery found in many studies of governmentality. This concept can also incorporate the insights of governmentality studies whilst avoiding the criticism that they are limited in their capacity to account for global or

transnational problems. For instance, the concept of assemblage can accommodate the governance associated with P & I Clubs alongside stowaway practices without necessarily framing the discussion of the latter as an extension of the discussion of the former. It allows us to consider stowaway practices in their own right as well as their interaction with the practices of other players in the assemblage. Hence, the concept of assemblage enables thinking about the articulations and practices of all the heterogeneous actors involved in the governance of stowaways and facilitates the use of other analytical concepts, such as governmentality, without over-extending such concepts to actors and practices for which they are ill-suited as would be the case in using concepts of governmentality to explain the maltreatment of stowaways, which is one of the central aims of the research for this thesis.

9.3.3 Critical Realism and Multi-Centred Governance

As part of understanding the governance of stowaways, this research sought to explain why stowaways are thrown overboard or cast-off on makeshift rafts at sea. However, any attempt at arriving at causal explanations requires explicit reflection on ontological and epistemological assumptions. It is stated that governmentality approaches are agnostic about ontological questions (O'Malley 2001; Walters 2012). For instance, Walters (2012, p. 57) suggests, 'ontology is not a theoretical foundation for research so much as something that one uncovers through patient, empirical inquiry.' However, as Sayer (2012) rightly points out, there is an unavoidable implicit realist assumption in governmentality studies as they present their arguments and findings as 'this is the case', otherwise, Sayer muses why we would even bother with their findings. This calls for confronting ontological and epistemological issues head on rather than leaving them unarticulated.

As Chapter Three highlighted, my research is underpinned by a critical realist (CR) philosophy of social science. Although this is not a dogmatic commitment, I remain convinced by its ontological and epistemological assumptions. Ontologically, I share the critical realist understanding of social reality (understood to include materiality, discourse, ideas and social relations) as existing independently of our thoughts. I also subscribe to its epistemological position that our knowledge of this reality is mediated by our concepts and theories; our knowledge of reality can, consequently, only ever be an approximation of that reality and not exhaustive. Hence, the research findings are an incomplete and fallible representation of that reality and not *the* reality. However, the traction of CR for me is also practical in the context of this research; specifically, its explicit commitment to attempting to explain social phenomena without bestowing the status of absolute truth on the explanations developed. In

other words, when confronted with reports and accounts of stowaways being thrown overboard, one would reasonably seek to know why these incidents take place; hence, explanation.

It could be noted from the previous chapters that the analysis of governmentality runs through the engagement with the data, although this is rendered explicit only in this chapter. It is, therefore, important to reflect here on the compatibility or otherwise of my ontological and epistemological assumptions with the type of analysis largely drawn on in my discussions. There is a very interesting philosophical engagement with Foucauldian approaches by some critical realists. Rigakos and Frauley (2011) point out that some of the prominent interlocutors of Foucauldian governmentality have tendencies to draw boundaries on the assumptions of governmentality research, specifically, an eschewal of the identification of causal mechanisms and an emphasis on what is dubbed an 'empiricism of the surface' (Rose 1999). Frauley (2007a) goes as far as calling for 'an archaeological-realist retrieval' of Foucault, which he laments has been expelled from governmentality studies. He calls for a return to his earlier archaeological methodology which he argues is compatible with CR philosophy (see Foucault 1991b; Foucault 2002 for his articulation of the 'extra-discursive' which is of central interest to CR thinkers like Frauley). While Frauley (2007a, b), Dupont and Pearce (2001), and Pearce and Woodiwiss (2001) articulate a different reading of Foucault that is amenable to CR, an insistence on any side of the debate on what governmentality approaches should and should not be betrays the spirit of Foucault. As Walters (2012, p. 8) emphasises, Foucault was a very experimental thinker, or to use Jessop's (2007, p. 34) characterisation a 'restless intellectual', who advocated for his analytical tools to be utilised in creative ways. In that spirit, I embrace Garland's (1997) and Rigakos's (2001) position that governmentality-inspired analysis should not necessarily entail eschewal of sociological and philosophical preoccupations with aetiology.

While the CR literature that accuses governmentality studies of empiricism calls for an adoption of a depth ontology that goes beyond the description of techniques of governance and searches for deeper causal mechanisms, the interlocutors of this position seem to rely more on Foucault's archaeological works for methodological inspiration (Dupont and Pearce 2001; Pearce and Woodiwiss 2001; Joseph 2004; Frauley 2007a, b; Rigakos and Frauley 2011). Nonetheless, it is still not clear from these accounts how governmentality-inspired analysis that is largely exploring present governmental projects can be operationalised in actual empirical research without necessarily adopting archaeological or even genealogical approaches. In other words, these debates have little to offer in the way of demonstrating how causal explanations

can be developed for outcomes of contemporary governmental programmes and practices under the auspices CR philosophy.

Adam Edwards recent work seeks to reconcile studies of governmentality with the philosophical assumptions of CR by advancing the novel concept of 'multi-centred governance' (Edwards 2016). His notion of multi-centred governance is distinct 'in terms of its commitment to a realist aetiology of political power beyond the state' (Edwards 2016, p. 241) in the sense that the objective of explaining the causes, reproduction and failure of governing arrangements is central. Various centres of governance that coalesce around a problem are understood to be in asymmetric relationships with each other, with analytical priority accorded to those relationships and resistance. Centres possess 'standing' or necessary conditions which privilege them vis-à-vis others and have 'technologies of production and discipline' at their disposal that can affect the governing arrangement or 'destabilise the other centres' (Edwards 2016, p. 246).

Although his approach distinguishes 'necessary conditions' from 'contingent' ones along the lines of CR articulations of causality (Sayer 2010) and introduces other conceptual tools, my approach here draws on his assertion that causes emerge from the relationships between these multiple centres (Edwards 2016, pp. 249-250), and proceeds more along the lines of Foucault's understanding of causality. Walters (2012, p. 18) points out that Foucault talked about causes at the level of events, such as the birth of the welfare state, and approached the emergence and transformation of such events to explore the multiplicity of causes that led to the emergence of such events. As Walters (2012, p. 18) emphasises, it is at the level of events that we can talk about causes, 'always in ways that stress multiplicity and contingency'. Foucault (1991c, p. 76) talked about causes by using the expression 'causal multiplication', that is, 'analysing an event according to the multiple processes which constitute it'. The identification and theorising of causes for the maltreatment of stowaways is approached in a similar manner here.

Hence, to identify the multiplicity of causes for the maltreatment of stowaways on board, it is first important to probe the various actors in the assemblage (which, henceforth, will be referred to as centres of governance) and identify the practices they engage in, the bodies of knowledge they produce, the technologies they employ and the rationalities behind their actions and practices. This has been undertaken in the preceding five chapters including the identification of the causes that emerge from the various centres and their interrelationships.

However, it was only possible to identify a finite set of possible causes or causal processes, to be precise, out of perhaps a larger set of causes that contributed to the emergence of the event (Foucault 1991c), which in this case are incidents in which stowaways were maltreated and/or dumped at sea.

Although the interest in explanation in this research is limited to the on-board maltreatment of stowaways and not explaining the conditions of possibility for the emergence of the assemblage as a whole, even such a micro-level explanation cannot be undertaken without some level of exploration of the various 'circuits of power and centres of governance' (Edwards 2016) in the assemblage. This would indeed improve the explanatory powers of any causes identified for the maltreatment of stowaways by seafarers. Hence what is undertaken here is first an 'empirical mapping' (Rose et al. 2006, p. 99) of the various centres in the global stowaway assemblage and probing these centres for their rationalities, practices, techniques and technologies as well as their representations [of stowaways] to gain an understanding of the 'workings' of assemblage in order to identify some of the salient mechanisms that ultimately play out on board and influence the dynamic between stowaways and seafarers.

As opposed to identifying the conditions of possibility of the assemblage, which would be a typical line of inquiry for a CR research, my interest in causality here is in the implications of the assemblage for the treatment of stowaways. This does not mean I have entirely neglected its emergence. In fact, its emergence and transformation over time are drawn upon to identify specific changes that will inform the explanations. For instance, the inclusion of crewing agencies is a later development in the emergence of the assemblage. However, their appearance on the scene and the subsequent practices they brought with them have definitely altered the dynamic between certain groups of seafarers and stowaways as discussed in Chapter Seven. Thus, whereas we could explain away the treatment of stowaways during the days of sail and steamship with individual attributes, victualing, etc., now we have the practices of crewing agencies vis-à-vis seafarers introducing a new dimension. It is to the conceptualisation of the assemblage, its emergence and implications that I will now turn.

9.4 The Global Assemblage of Multi-Centred Stowaway Governance

So far, the discussion has elaborated the conceptual tools used to analyse the governance of stowaways and laid the theoretical groundwork for conceptualising their governance as an assemblage of multiple actors and their interrelationships. This section will

engage substantively with the global assemblage of stowaway governance by utilising the concepts and analytical approaches already covered. However, there is a need to clarify how the governance of stowaways qualifies as a 'global' problem that is 'multi-centred'. Bigo and Guild (2005b, p. 5) caution against some 'globalist explanations that exaggerate the strength and the size of the global by confusing it with transnational and cross-border activities.' Larner and Walters (2004b, p. 2) also emphasise space signifiers like 'global' should not be assumed in advance and that it is 'the task of empirical inquiry in any given case to determine whether the space in question is governed as 'international', 'global', or as something else.' The space signifiers 'international', 'transnational' and 'global' are understood here, albeit simplistically, as referring to 'between nations', 'across nations and national borders', and 'applying to the whole world' respectively.

Abrahamsen and Williams (2009) use the expression 'global security assemblages' while looking at the case of diamond mining by Koidu Holdings in Sierra Leone or Group4Securicor's (one of the major private security companies operating globally) contract with Chevron Nigeria Ltd in Nigeria. Their use of 'global' might appear a misnomer at first glance considering their substantive discussion revolves around single locales. However, both cases draw a range of public and private, local and global security actors, and their examination of these particular cases could not be envisaged without accounting for the range of local and global actors that impinge on these locales. What they basically undertook was probing the global security assemblages by using a single locale as a 'node' of entry.

The case for referring to the stowaway assemblage as global has an even stronger merit. The governance of stowaways is truly global in the sense that we have numerous ports of embarkation, diverse nationalities of stowaways, P & I Clubs who manage stowaways globally through their network of correspondents, seafarers coming from a number of countries, shipping companies based in different parts of the world and more importantly operating globally. Furthermore, stowaways can travel with a ship to any part of the world, potentially drawing in any coastal state that caters for global shipping. As stowaways often stow away from a neighbouring country, even landlocked countries are drawn into the assemblage as they will have to confirm the nationalities of the stowaways and provide temporary travel documents during disembarkation-repatriation. The case of the Ethiopian stowaways attempting to stow away from Djibouti is a good example in this case. Although Ethiopia is a landlocked nation, its consulates and embassies in ports of disembarkation are involved in the verification of their nationals and in providing travel documents. The fact that stowaway governance involves the

IMO, which currently has the membership of 172 states, and the International Group of P & I Clubs that account for 90% of world shipping, provides strong grounds for treating the governance of stowaways as a truly global issue.

This assemblage draws in a range of important actors, conceptualised here as 'centres', which include stowaways, the ships with the seafarers, shipping companies, P & I Clubs, crewing agencies, P & I correspondents, security escorts, stowaway search companies, airlines, embarkation ports, disembarkation ports, flag states, transit states during disembarkation, institutions such as the IMO, IGP&I and the Nautical Institute, as well as consulates/embassies. Most centres are analytical abstractions rather than concrete realities. For instance, in this research two stowaway communities have been identified. No doubt there will be other stowaway communities in other parts of the world. Yet, due to their shared identity qua stowaways vis-à-vis other actors, and their counter-apodemics that showed substantial overlap both in content and constitution (see Chapter Five), stowaways are abstracted and reduced to a single centre here for the purpose of analysis. Similarly, we have numerous shipping companies in the world, as is the case with P & I correspondents, P & I Clubs, airlines, etc. Nonetheless, for analytical expedience, these are conceptualised as single centres respectively in the assemblage. This is not to deny in reality each centre, say shipping companies, are actually innumerable centres on their own. As Haggerty and Ericson (2000, p. 608) point out, 'any particular assemblage is itself composed of different discrete assemblages which are themselves multiple'. DeLanda (2006, p. 253) takes this further and suggests that even individual subjectivities can be conceived as an assemblage of 'sub-personal components'. Hence, in any discussion of an assemblage, one can endlessly reduce each component in an assemblage to other assemblages. The question is then that of the scale at which one should abstract to conduct analysis while avoiding endless pedantic reduction or the unwarranted lumping together of the elements of an assemblage. The scale of abstraction suggested above is appropriate as it groups together those sharing the same functions as individual centres for the purpose of understanding the governance of stowaways in the assemblage and explaining how the causes for the maltreatment of stowaways emerge from their interrelationships. However, as it is evident from the previous five data chapters, particular attention has been paid to differences between the two groups of stowaways explored in this study, the nationalities of seafarers, etc.

More importantly, the definition of what constitutes a centre of governance is based on a consideration of which groups and organisational actors constitute a centre of power in their

capacity to conduct the conduct of others. Edwards (2016) draws from Michel Callon's (1986) concept of 'obligatory passage points' in a complex circuitry of relations of power and resistance to conceptualise those actors which other actors have to pass through in order to accomplish their interests as centres of governance. For instance, states are important centres of governance in the assemblage as other actors including P & I Clubs, shipping companies, seafarers, etc. are obliged to adhere to the conditions placed on them by states regarding stowaway prevention, management, disembarkation and repatriation. P & I Clubs in return conduct the conducts of shipping companies and seafarers through the conditions they place on these actors vis-à-vis stowaways as a prerequisite for accessing P & I insurance cover. P & I Clubs, through their correspondents or directly through the workshops they organise for state authorities in relation to stowaways, can also influence the responses and policies of some states, albeit, in a very asymmetrical manner. Stowaway communities are also influenced by the other actors in the assemblage. However, they also influence the conducts of these same actors in return through their practices and counter-apodemics. The key analytical point in the multi-centred governance thesis is the emphasis on the asymmetry in power relations between the various centres. Those with the greatest resources and leverage, such as states, possess a disproportionate capacity to influence the conducts of other centres in the assemblage which, consequently, the other centres have to navigate.

These centres of governance in the stowaway assemblage were explored through a combination of documentary analysis and interviews as detailed in Chapter Three. Others such as airlines, consulates/embassies, crewing agencies, security companies, embarkation and disembarkation ports were probed through documents, academic literature as well as through the interview accounts of others. P & I Clubs and their correspondents, stowaway search companies, port security officials, shipping companies, stowaways and seafarers were explored directly using interviews, to varying degrees, depending on the level of access obtained. Through a combination of these methods, the centres were explored, the assemblage mapped out and the causes for the maltreatment of stowaways identified. In the following subsections, I will address the emergence and transformation of the assemblage; the rationalities, practices, knowledges and technologies of some of the more prominent centres of governance; and discuss the causes for the dumping of stowaways at sea.

9.4.1 Emergence & Transformation of the Stowaway Assemblage

The necessary condition for the emergence and continuity of the stowaway assemblage is, arguably, the 'externalisation' of responsibilities to shipping companies and P & I Clubs

which, subsequently, leads to the proliferation of other actors in the governing assemblage. The emergence and transformation of the global assemblage of stowaway governance highlights how the appearance of new actors and events on the scene alter the dynamics between seafarers and stowaways. As discussed in the preceding chapter, ship owners have always been responsible for the maintenance and repatriation of stowaways. Hence, it is simplistic to relegate the maltreatment of stowaways to this arrangement as is mostly done in the literature. Reviewing some historical stowaway incidents from newspaper archives indicates the treatment of stowaways in the days of sail was much more shaped by the impulse to capitalise on free labour where stowaways were made to work. However, victualling on board in terms of available food was also a central issue (These are still issues, albeit, others such as issues of job security and professional reputation gain more salience contemporarily, see Chapter Seven).

It is not clear if one can speak of the governance of stowaways at this early stage, still less an assemblage. But we can presume an assemblage of governance in formation. The emergence of the IMO in 1948 is certainly a significant addition to the gradual formation of this assemblage. Not long after its establishment, the IMO introduced the International Convention relating to Stowaways in 1957 which aimed to establish a formal framework for dealing with an issue arguably as old as shipping itself (IMO 1957). Subsequent legal instruments introduced by the organisation have undoubtedly transformed the dynamic between seafarers and stowaways. For example, the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW 1978) that sets qualification standards for masters, officers and watchkeeping personnel on seagoing merchant ships has prevented the practice where stowaways sometimes used to become part of the crew and work on board. However, as Chapter Four described, some of the stowaways I interviewed, nevertheless, continue to aspire to become seafarers and some of them carry a seaman's discharge book and/or obtain some basic mandatory certificates such as firefighting. The International Safety Management code (ISM 1993) with its emphasis on documentation, checklists, etc. also introduced an increased role for the master in the collection of evidence and documentation, which places the master at the centre of the constitution of the governmental knowledge alluded to in Chapter Eight (Anderson 2006; IMO 2014a). The role of the ISPS code in transforming the security roles of seafarers as well as the framing of stowaways has also been discussed throughout this thesis (IMO 2003). The FAL convention and the Guidelines on the Prevention of Access by Stowaways and the Allocation of

Responsibilities are also instrumental in transforming the governance as well as the representations of stowaways (IMO 2011b, a) (see Chapter Four).

P & I Clubs have been in existence since the early 18th century (Bennett 2000b, p. 153) although I was not able to establish exactly when they started providing liability cover for stowaway cases. An early study of the history and development of P & I insurance by Reynardson (1969, pp. 470-472) does not mention stowaways in the list of liabilities he identified although he mentions fines for offences such as 'contravention of customs and immigration regulations'. This is in contrast to contemporary P & I 'Rules & Bye-Laws' that explicitly include stowaways as part of their cover. However, the 'Rules' of the North of England Protecting and Indemnity Association published in 1924 indicate, based on the association's discretion, any expenditure to the member in relation to stowaways will be covered provided that the ship has taken proper precautions against stowaways (NEPIA 1924, p. 55). Hence, as early as the 1920s, P & I Clubs have assumed governing functions in relation to stowaways. Irrespective of the exact timeline, it is certain that P & I Clubs have transformed the governance of stowaways positioning them as important centres of governance and repositories of governmental knowledge in the assemblage.

With the globalisation of shipping since the 1970s and the emergence of ship management companies, crewing agencies and the emergence of new seafarer labour markets (Lane 2002; Sampson 2013; Walters and Bailey 2013), the assemblage is further transformed which is reflected in this thesis by the contribution of crewing agencies to the maltreatment of stowaways as well as stowaways' practices of distinguishing between nationalities of seafarers in relation to their perceived treatment. We should also not forget the expansion and transformation of maritime trade in general as well as the emergence of air travel as the primary mode of transport introducing new practices such as repatriation of stowaways via air travel. Furthermore, we have increasingly restrictive immigration policies and the associated securitisation of migration since the 1980's in certain countries, which stimulated another transformation of the emergent assemblage. Last but not least, the emergence of stowaway communities in locations such as West Africa in the 1940's (Banton 1953, 1955), post-apartheid South Africa (Christie 2016), Djibouti, etc. replacing traditional origins of stowaways such as the UK (Donald 1928) constitutes another aspect of the transformation of the assemblage. Furthermore, the stowaways' continuous adaptations to prevention and control measures through their stowaway counter-apodemics also entails constant changes in practices within the assemblage.

Therefore, what we have is the emergence and continuous transformation of a global assemblage of multi-centred stowaway governance, with the addition of new centres, the transformation of practices and roles, and changing configurations that attest to the emergent and fluid nature of the assemblage. It is an assemblage in constant flux as the centres change their practices, whether that is stowaways changing their behaviours, new security measures being introduced, immigration policy changes in different parts of the world, or changes in maritime trade routes or legislation in the industry. In the subsequent subsections, I will revisit the roles and practices of some of the prominent centres of stowaway governance in the assemblage.

9.4.2 Centre of Stowaway Governance: States

Different centres of governance in the stowaway assemblage have different tools at their disposal that give them relative strength vis-à-vis others. As Edwards (2016, p. 241) notes, multiple centres of governance are constituted through a 'complex circuitry of relations of power and resistance, […] with relations [that] are characterised by asymmetries'. Different centres have different capabilities to send reverberations over the assemblage. In this regard, the effects of both embarkation and disembarkation countries are significant relative to the other centres in the assemblage. As the discussion in Chapter Six pointed out, there are a number of ports where stowaways frequently board despite the implementation of the ISPS code. Limited in their abilities to prevent stowaways from accessing their ports due to geographical constraints, capacity issues as well as compromise in their security arrangements, the bulk of responsibility in preventing stowaways has shifted to the *ship/port interface* (see Chapter Six). This puts undue pressure on seafarers who need to juggle between their commercial duties and security roles. Hence, as discussed in Chapter Six, stowaways are at times received with anger and violence when they are detected by seafarers on board.

Disembarkation refusals and the 'externalisation' of responsibilities to ship owners and their P & I insurance, as well as exorbitant fees demanded during disembarkation in some countries render stowaways a grave nuisance to the smooth operation of ships. As discussed in Chapters Seven and Eight, this situation where ship owners are pressed from both sides, i.e. lack of security at embarkation ports and difficulty in disembarking stowaways which for some countries is underpinned by the securitisation of migration, fosters the conditions where the causes for the maltreatment of stowaways emerge. Hence, states assume an asymmetric power to affect the assemblage in relation to all the other centres. Furthermore, they are also positioned well within the IMO to determine regulations that will have strong reverberations

within the assemblage. The failure of the 1957 Brussels convention (see Chapter Four), which put various obligations on states including allowing the disembarkation of stowaways, is a good example of how states assume stronger positions within the assemblage.

It is quite difficult to make analyses of every state's policies in relation to stowaways. Hence, while not bogging ourselves down in exploring how every country influences the on-board dynamic between stowaways and seafarers, the concept of assemblage allows us to bracket off individual state policies and focus on some prominent motifs that are shared across different states that affect the governance of stowaways. It is here where securitisation of migration becomes a useful analytical tool. The apparent rationality here is the need to exercise control over who comes into the states. As Chapter Two and the current chapter pointed out, there are variations in the conceptualisation of securitisation of migration. However, those approaches that emphasise the importance of practices and techniques of governance are relevant here as they illuminate how carrier sanctions are used to 'externalise' the regulation and control of stowaways to actors in the shipping industry. As discussed in Chapter Four and Six, the IMO also offers states the forum where they control the nature of legislations coming out of the IMO. In this regard, what all the IMO legislations and guidelines vis-à-vis stowaways have in common is their tendency to penalise ship owners, P & I Clubs and seafarers by maintaining the arrangement where these actors are ultimately responsible for stowaways. In contrast, there is no cost to the various ports where stowaways embark except for perhaps losing their market attractiveness.

9.4.3 Centre of Stowaway Governance: P & I Clubs

As a result of the aforementioned long-standing arrangement, P & I Clubs, along with ship owners, finance the handling, management and governance of stowaways, and hence, are invested in ensuring stowaways do not board. As non-profit mutual insurers, their activities are primarily underpinned by the rationality of risk management and insurance (Ewald 1991; Bennett 2000a, b; van Munster 2005; Walters 2008a). However, when it comes to stowaways, in addition to this prime rationality of risk management, there is also a humanitarian logic (Walters 2011) at play as they are not only concerned with the prevention of stowaways but also their humane treatment on board which is highlighted by the plethora of guidelines that instruct seafarers to treat stowaways humanely (see Chapter six and Chapter Seven). However, as I emphasised in Chapter Seven, what these actors regard as humane, and hence, 'good treatment' diverges with the stowaways' conceptions in relation to working on board and being able to befriend with seafarers. Nonetheless, their discouragement of befriending between

seafarers and stowaways is in fact underpinned by their logic of risk management where such development on board is suspected of giving rise to unauthorised assistance such as illegal disembarkations (see Chapter Eight). This overlapping of two rationalities is not surprising, however, as any governmental project can be underpinned by a number of rationalities. For instance, Greenhalgh (2005) demonstrates how Chinese population governance was simultaneously underpinned by the three logics of Western scientism, state planning and party mobilisation.

Through a number of technologies, P & I Clubs influence the behaviours of seafarers on board in preventing stowaways from boarding as well as in their interactions with stowaways on board. The loss prevention bulletins and the stowaway checklists are the prime technologies used in influencing the behaviours of seafarers (Bennett 2000b, pp. 159-160; Walters 2008a, pp. 10-11). However, the P & I governance of stowaways and the technologies they use do not stand separated from the wider assemblage. They are based on what was called 'governmental knowledge' in Chapter Eight, from which they simultaneously draw on as well as contribute to. Their practices and technologies are also continuously modified based on changes that take place in other centres in the assemblage, such as new regulations and guidelines coming out of the IMO, changes in immigration rules and disembarkation policies of states, or even changes in the behaviours and practices of stowaways.

P & I Clubs are instrumental in shaping the behaviours of seafarers, for instance effectively assigning security roles and also humanitarian ones (see Chapter Six and Chapter Seven), as well as determining the interactions between seafarers and stowaways to the extent seafarers follow their guidelines. There isn't, however, evidence in the data about their contribution to the maltreatment of stowaways on board. Although, as Chapter Seven pointed out, there are certain disparities between them and the stowaways in terms of what counts as 'good treatment', their overall role in the treatment of stowaways is actually ensuring the stowaways are treated well. As P & I representatives pointed out, deviations from the practices they recommend, particularly ones of a criminal nature, entail a violation of club rules and, hence, result in annulment of insurance cover. Furthermore, although stowaway incidents are not considered in isolation during premium rating of members at the end of a 'policy year' but are rather added up to other liability costs incurred, stowaway incidents that are very costly (sometimes ranging in the hundreds of thousands of USD in certain incidents) inevitably have significant impact on the premium rating of ship owners. This issue was highlighted during an interview with the only shipping company representative who participated in this research. In

addition, seafarers are also cognizant of the sensitivity of ship owners to costs incurred even when these are covered by insurance covers. Hence, P & I Clubs have a modulating effect on both shipping companies and seafarers through their technology of insurance.

9.4.4 Centre of Stowaway Governance: P & I Correspondents

P & I correspondents, as pointed out in Chapter Eight, are an important centre in the stowaway assemblage. They not only carry out the ground work in the disembarkation and repatriation of stowaways, but they are also sources of valuable data and expertise on stowaways, rendering them crucial to the constitution and updating of the relevant governmental knowledge. Their rationalities can be located somewhere between risk management and profit-making. As they are 'the eyes and ears' of P & I Clubs as one P & I representative put it, they have significant roles in seeking the most expedient and cost effective methods of disembarkation-repatriation. Subsequently, they also contribute to the minimisation of costs to ship owners by seeking a speedy resolution of stowaway cases. Furthermore, they are also important sources of data on the current behaviours of stowaways, trends in embarkation methods, hiding places on board, etc., and thus can make a significant contribution to the prevention and control of stowaways.

Nonetheless, they are also economic actors in the sense that they are paid for their services, often by the hour. Although their activities contribute to minimising the financial cost of stowaways to ship owners and their P & I Clubs, the presence of stowaways on board is also a source of income particularly for those who have garnered a reputation for their expertise on stowaways. However, it is important to note, as the correspondents also pointed out, resolving stowaway cases is only one part of their activities. Nevertheless, those correspondents particularly based in countries where disembarkation is allowed, such as South Africa and Brazil, or have built a reputation for expertise on stowaways, will stand to profit more than others who occasionally deal with stowaways. However, against van Munster (2005, 2009), I have not come across evidence that suggests that their business model in any way seeks to perpetuate the stowaway problem. In fact, even those that operate in jurisdictions where disembarkations are allowed, are of crucial importance as they provide disembarkation outlets in an environment where it is increasingly difficult to obtain the consent of authorities to disembark stowaways (see Chapter Eight). Their ability to influence the responses and policies of authorities are also important in facilitating the disembarkation of stowaways. Nonetheless, their interest in maintaining the cost of disembarkation-repatriation to a minimum as well as expediting the process situates them in a difficult position vis-à-vis stowaways where conflict

over ‘pocket money’ is central (see Chapter Eight). In those instances where the stowaways demand exorbitant amounts or are recalcitrant, they will undoubtedly influence the treatment of stowaways ashore even if that might simply be turning a blind eye to the use of force by security escorts during repatriation, for which there are plenty of allegations coming from the stowaways. However, the practices of both P & I correspondents and clubs are largely influenced by states’ practices and regulations.

9.4.5 Centres of Stowaway Governance: Stowaway Communities and the Ship

It was noted earlier that stowaway communities can be regarded as centres of ‘indigenous governance’ (O'Malley 1996) in their own right, with their own accumulated body of knowledge (Chapter Five), self-representations (Chapter Four), micro-politics and rationalities that include the desire to migrate, profit from the disembarkation-repatriation process and in some cases become seafarers (Chapters Four and Eight). Nonetheless, as already noted, their governmentality cannot be analysed with the usual concepts. Hence, Walters (2015a, b) concept of counter-apodemics is used in this thesis to make sense of the shared body of knowledge they utilise on their journeys. The focus in this thesis has been on their representations including their own (Chapter Four), counter-apodemics (Chapter Five) and experiences including how they were treated (Chapter Six, Seven and Eight). A complete study of their ‘indigenous governance’ would require an extended ethnographic immersion which is not carried out in this research. Furthermore, I have limited my discussion of their counter-apodemics to those components that illuminate their treatment and/or are widely known by industry actors. As Chapter Five discussed in detail, there is a significant overlap between the stowaway counter-apodemics of the two stowaway communities explored in this research. Their categorisation of different nationalities of seafarers is significant here where there are striking consistencies in which the Chinese particularly stand out for their reputations in dumping stowaways at sea. The insights from the stowaway counter-apodemics have been quite useful in directing subsequent lines of inquiry including the development of explanations as to why Chinese seafarers are implicated in dumping stowaways at sea (see Chapter Seven), particularly in the light of their prominence in the incidents that were revealed during the interviews (see Appendix 5).

The ship is also a mobile centre of governance and contestation in its own right (Walters 2006, 2015a, b, 2016), which is affected by practices and developments in the other centres of

governance including stowaway communities. Thus, the ship is not only a centre of governance but also an object of governance for other actors in the assemblage such as states, P & I Clubs and the IMO. The ship is the ultimate site where all the various objectives stemming from the other centres of governance intersect. Hence, the rationalities on board include risk management, economic calculations, migration control, etc. However, there is one rationality that is peculiar to the ship. 'Non-instrumental rationalities' (Garland 1997, pp. 202-204), or what Valverde (2014, p. 384) calls 'affective dimensions of governance' are relevant for the dynamic on board. We have seen in Chapter Six how the interaction between seafarers and stowaways can be pervaded with fear and anxiety as well as anger during the initial encounters between seafarers and stowaways. As Chapter Seven also highlighted, some seafarers attributed their maltreatment of stowaways to fear of the stowaways. Furthermore, emotional attachments, befriending as well as sympathising with stowaways are instances of 'affective dimensions' that can influence outcomes such as illegal assistance to stowaways. Hence, as noted earlier, P & I Clubs are keen to stipulate procedures aimed at preventing the development of such relationships between seafarers and stowaways.

As the ship is the locus of governmental interventions by most of the centres in the assemblage and is affected by them, including the practices of airliners and what happens in airports (see Chapter Eight), it was deemed necessary to explore and understand the assemblage and all its constituent elements including how transformations in the wider assemblage alter the dynamics between seafarers and stowaways as discussed in subsection 9.4.1 above. However, governmental interventions do not always play out as intended. For instance, although P & I Clubs emphasise the humane treatment of stowaways, it has been demonstrated in Chapter Seven that there are other factors that stem from other centres in the assemblage, such as the practices of shipping companies and crewing agencies, which rather contribute to the dumping of stowaways at sea. Furthermore, although P & I Clubs provide clear guidelines to seafarers, this does not necessarily entail their implementation as planned. The issue of the segregated detention of stowaways on board is one prime example discussed in Chapter Six, where some seafarers found themselves unable to do that either for lack of accommodation spaces or training. In some cases this resulted in fights among the stowaways, or with stowaways overwhelming the seafarers. This exacerbates the sentiments many of my participants (seafarers) voiced in which they stressed that they are not trained to 'detain stowaways on board' (see Chapter Six). In addition, as pointed out in Chapters Seven and Eight, some seafarers also choose not to follow the guidelines and regulations that dictate

seafarers report the presence of stowaways to authorities at the next port of call. Rather, influenced by factors such as repercussions to their career prospects vis-à-vis shipping companies and/or crewing agencies, they resort to disembarking stowaways without informing the authorities (see Chapter Eight)

9.4.6 Centre of Stowaway Governance: IMO

The International Maritime Organization is a specialised agency of the United Nations which currently has 172 Member States and three Associate Members. Decisions at the IMO are based on consensus among the member states. This is because 'it is important that measures adopted by the Organization, which can have a major impact on shipping, achieve as much support as possible' (http://www.imo.org/en/About/Pages/FAQs.aspx). IMO's main purpose is to adopt international treaties which require minimum ratification for adoption and subsequent ratification by states for widespread implementation. This process naturally gives states significant roles in the adoption of international maritime conventions. As pointed out earlier, this is most notable in the case of the International Convention relating to Stowaways of 1957 which remains on the shelf as it failed to acquire the minimum ratifications by 10 states to come into force (IMO 1957). This was undoubtedly due to the provisions it included that required the first port of call on the ship's voyage plan to disembark the stowaway.

Nonetheless, IMO has a range of legislative tools that have been widely accepted, such as the FAL convention (IMO 2011a), and guidelines, such as the 2011 guidelines on stowaways (IMO 2011b), which have had a strong impact on the governance of stowaways, albeit, stopping short of requiring states to allow disembarkation, and yet, clearly stipulating the financial burdens should be borne by ship owners. The ISPS code discussed in Chapters Four and Six is also an important piece of legislation that has had a significant impact on the stowaway assemblage, not the least in the 'micro-securitisation' of stowaways addressed earlier in this chapter. Additionally, the IMO is an important source of metadata on stowaways contributing to the relevant governmental knowledge (see Chapter eight). The influence of IMO outputs in the governance of stowaways is no less evident from the various guidelines produced by P & I Clubs which bear all the hallmarks of the IMO instruments. Similar to P & I guidelines, the IMO bestows both security roles and humanitarian ones on seafarers in their interaction with stowaways. As we have noted in Chapter Six, some of these security roles can be challenging to balance with commercial activities for seafarers, leading to frustration that in turn can influence their interaction with stowaways. IMO also seems to reinforce the asymmetric strength of states in relation to seafarers, ship owners as well as P & I Clubs. While

the latter actors are bound to abide by IMO provisions, ironically enforced by individual states, states seem to pay a much lesser price as is the case with embarkation ports (see Chapter Six).

9.4.7 Centres of Stowaway Governance: Shipping Companies & Crewing Agencies

Shipping companies and crewing agencies are economic actors, and hence, their rationalities towards the governance of stowaways is undoubtedly economic. For shipping companies, stowaways entail financial costs and operational hurdles. Hence, they would want their seafarers to take all the precautions to prevent stowaways and subsequently influence the behaviours of seafarers directly. Shipping companies have disciplinary tools at their disposal to directly influence how seafarers deal with stowaways. This influence could be a positive one by stipulating how their seafarers should deal with stowaways in accordance with IMO and P & I guidelines. They can also encourage seafarers by assuring them of a blame-free culture in their companies. Nonetheless, as Chapter Seven discussed, in an era of precarious employment, seafarers have well-founded fears about their professional reputations and career prospects. Hence, such fears serve as an indirect disciplining tool for shipping companies, intended or otherwise. In some instances, the disciplinary measures can result in either loss of income or jobs for the seafarers. All these were pointed out in Chapter Seven as among the causes for stowaways being cast off on makeshift rafts. However, it is also important to note that shipping companies do not stand isolated in the assemblage. They themselves are often influenced in an asymmetrical manner in their relationship with states. P & I Clubs also have a significant role in influencing the conduct of the companies in relation to stowaways as highlighted earlier. For instance, the Loss Prevention Bulletins are often addressed to 'members' who are shipping companies. Their 'Rules and Bye-Laws' also require ships to put in place stowaway prevention measures such as adequate security watches and stowaway searches as a precondition for insurance cover, whilst also placing a responsibility on shipping companies to ensure their seafarers implement these procedures.

Similarly, crewing agencies also have a direct or indirect disciplinary effect on seafarers even if they do not have a direct governing role vis-à-vis stowaways. As Chapter Seven pointed out, their influence are more pronounced for Chinese seafarers as a result of their general practice where these agencies are the seafarers' employers. Performance-based salaries, where deductions are common for operational errors that result in costs to the ship owners, directly draw crewing agencies into the assemblage where they play a direct contributing role in the

maltreatment of stowaways. Furthermore, some crewing agencies also charge seafarers huge fees for their services prior to employment which is the case for seafarers from Eastern Europe. When the subsequent on board employment turns out to be on substandard ships owned by unscrupulous owners, crewing agencies become directly implicated in the maltreatment of stowaways that may arise out of this context (see Chapter Seven). In other words, finding themselves trapped between crewing agencies to whom they owe money (and who can subsequently retaliate with violence to the seafarers' families) and unscrupulous owners who provide insufficient provisions, are hyper-sensitive to costs and very likely punitive, seafarers can easily resort to dumping the stowaways they encounter. Hence, crewing agencies have an important role to play in the assemblage, particularly for certain nationalities of seafarers. As economic actors, their rationality is an economic one influenced by their relationship with the shipping companies. Hence, either to maximise their profits or to guard their reputation vis-à-vis shipping companies regarding the pool of seafarers they supply, they can have a direct impact on seafarers' behaviour on board including the treatment of stowaways.

9.5 The Stowaway Assemblage and the Treatment of Stowaways

One of the central preoccupations of this research has been to understand how seafarers treat stowaways and develop explanations about why some seafarers get rid of stowaways at sea. In order to do that, it was essential to map out the assemblage of stowaway governance and probe the important centres of governance. It was possible to establish some of the causes for the maltreatment of stowaways at sea that emerge from the interrelationships between the various centres in the assemblage. However, it was not the aim of the research to establish direct lines of causality between specific mechanisms and specific incidents. Instead, in line with Foucault's thinking about causation, the attempt was to identify multiplicities of causes that emerge from the relationships between these multiple centres (Foucault 1991c, p. 77; Edwards 2016, pp. 249-250). Here causation is understood to stem from the 'emergent property' (Elder-Vass 2005) of the assemblage, that is to say, an outcome of the interaction of multiple mechanisms emanating from different centres. Elder-Vass (2005, p. 317) defines an emergent property as 'one that is not possessed by any of the parts of the entity individually' but results from the combined effect of the relationship between the parts.

Chapter Seven provided a detailed account of the causes identified for the dumping of stowaways at sea which include: seafarers feeling threatened due to the presence of stowaways; insufficient provisions or victualling on board; crew composition as in 'full ngome'; the

contributing roles of crewing agencies; seafarers' anxieties about their job security and professional reputation; subsequent maltreatment in response to disembarkation refusals by states; as well as the wider context of 'externalisation' of responsibilities from which most of the above causal mechanisms gain their efficacy and which is also the necessary condition for the emergence of the assemblage as a whole. Although personal, cultural and racial issues are also acknowledged to potentially contribute to the dumping of stowaways at sea, the methodology adopted in this research did not lend itself to substantiate this proposition.

Although each of the above causes *prima facie* appear to be confined to specific settings, that is, the first three to the confines of the ship, the next two to shipping companies and crewing agencies, and the last two to the purviews of states, it is rather in the interrelationship of the various centres that they emerge. For instance, when seafarers are threatened by the stowaways, they are not only interacting with the few stowaways on board but also with the stowaway counter-apodemics that emerge from the community-like existence of the stowaways. As I have highlighted on many occasions throughout this thesis, stowaways draw on their shared body of knowledge to strategise during the entire stowing away process. Furthermore, it is also important to bear in mind that seafarers' perceptions of stowaways are also influenced by the various security framings discussed in Chapter Four. Hence, when the stowaways are in large numbers, the slightest provocation can exacerbate seafarers' fears and result in dumping of stowaways at sea.

Nonetheless, it is rather by looking at the other causes that the emergence of the causes from the interrelationship between the centres becomes more apparent. Insufficient provisions on board cannot be discussed in isolation from ship owners operating substandard ships, or in the case of the Chinese seafarers, who have control over how they spend the 'provision wages' (Zhang 2016, p. 133), from their relationship with crewing agencies and/or shipping companies that implement such an arrangement. Similarly, the issue of 'full ngome' crew, although it creates the environment for seafarers to stand in 'solidarity' against all the vulnerabilities stowaways entail for them, these vulnerabilities are situated in the seafarers' relationships with other centres such as shipping companies and crewing agencies. As Chapter Seven pointed out, the fact that Chinese seafarers often constitute singe nationality crews on board, render all the other causal mechanisms gain pronounced salience.

The role of crewing agencies is also embedded in their relationships with both seafarers and the shipping companies. For instance, in the case of Chinese seafarers, although they are

effectively the seafarers' employers, they are also suppliers of seafarers' labour to shipping companies. As Chapter Seven pointed out, the evaluation criteria they employ to determine the 'performance pay' revolves around seafarers' effectiveness in their duties to the ship owners and minimising costs incurred by the ship owners. However, there is also a direct relationship between the crewing agencies and the seafarers that does not implicate the ship owners. As discussed in Chapter Seven, some crewing agencies use every excuse to deduct seafarers' salaries in order to increase their income. Hence, what we observe here is both a two-way and three-way relationship that gives potency to the role of crewing agencies in the maltreatment of stowaways. In a similar manner, issues of job security and professional reputation that emerge in seafarers' relationships with shipping companies or crewing agencies are embedded in state policies that entail refusals in disembarking stowaways and the overarching 'externalisation' of responsibilities that characterises the stowaway assemblage.

To conclude, this thesis has adopted an analytic eclecticism to understand the governance of stowaways that implicates a range of players. The concept of assemblage has proved useful to frame the discussion and conceptualise the principal actors involved as centres of governance. Furthermore, it has also enabled me to draw a range of analytical tools including counter-apodemics, securitisation of migration, governmentality as well as literature from employment relations in the shipping industry to make sense of the practices of the various centres and to develop causal explanations for the maltreatment of stowaways on board that emerge from the interrelationship between these centres of governance. In the final concluding chapter, I will draw out the empirical, methodological and theoretical contributions of this study and highlight future areas of research that will further our understanding of the problem of stowaways.

Chapter Ten

Conclusion

10.1 Introduction

This chapter brings to a close the culmination, in the form of this thesis, of my trajectories as a former seafarer and an aspiring political sociologist by drawing out my contribution to knowledge. The thesis makes empirical, theoretical and methodological contributions to knowledge. I will highlight these contributions in this chapter along with the limitations of the study and areas for further research.

10.2 Empirical Contributions

The research embarked on a topic little explored and in the process makes a number of empirical contributions to our understanding of the problem of stowaways and their global governance. By foregrounding representations of a problem as crucial in understanding how it is governed, the study makes a unique empirical contribution by highlighting how being a 'stowaway' is conceived differently by the stowaways themselves as contrasted with how the problem is understood by the various actors that seek to govern them. While official, industry and 'everyday' representations of stowaways confine 'stowaway' to specific moments of contact, capture, temporality and behaviours, for the stowaways themselves, the word denotes an identity and a way of life that is embraced beyond the perimeter of the port or the hull of a ship or the deportation flight. It has an extended temporality that often spans many years between the period of joining a stowaway community and exiting from it, at which point one becomes a former stowaway.

Although problematisations and representations are given due attention in studies in governmentality, the focus is confined to official representations which are understood to have implications for how an issue is governed. However, the interplay between stowaways' self-representations as 'part of the maritime community' and their subsequent sense of entitlement on the one hand, and the 'everyday' representations of stowaways as 'deceitful, opportunistic profiteers' by P & I correspondents and security professionals, on the other, translates into a conflict that is most clearly expressed during the disembarkation-repatriation process. This calls for attention to be given to the 'everyday' representations of a problem by actors at the

end of the governing chain and their practical implications on the ground in studies in governmentality.

The study also makes an empirical contribution to enriching and operationalising a relatively recently developed concept, counter-apodemics, and demonstrates how it serves as a useful tool in gaining insights into the governance of a problem and its implications. For instance, in the context of this research, the stowaway counter-apodemics on nationalities of seafarers provided valuable insights on practices that were, subsequently, followed up ultimately proving useful in developing explanations for the dumping of stowaways at sea. Probing the stowaway counter-apodemics has also been instrumental in making one of the important empirical contributions of the study on the issue of dumping stowaways at sea. In addition, the interesting interplay between the two opposing bodies of knowledge, counter-apodemics and governmental knowledge, is also among the empirical contributions this study makes.

From the shared body of knowledge and experiences in the stowaway counter-apodemics a number of incidents where stowaways were thrown overboard or cast off on makeshift rafts were compiled. This was contrasted with all the reported incidents collated in the course of the study providing a window on the extent of such incidents and making a 'comparative estimate' of the problem that is notoriously invisible. Although a conclusive estimation could not be made, comparing the number of incidents that were revealed through interviewing a very limited number of stowaways and all the reported incidents compiled confirmed empirically the suspicious of many that stowaways get to be dumped at sea relatively more frequently than we have come to know through official records.

Furthermore, the study also makes a crucial empirical contribution by incorporating the accounts of the seafarers and stowaways at whom governmental strategies are aimed. However, the most important empirical contribution of this study is in making an extensive investigation into the dumping of stowaways at sea and coming up with causal explanations for these outcomes. In addition, the study also makes a number of theoretical contributions to knowledge.

10.3 Theoretical Contributions

The study into the governance of stowaways has simultaneously enriched and exposed some of the shortcomings in the theory of securitisation of migration construed in both the discursive and material-semiotic or 'post-discursive' approaches. The absence of the discursive

securitisation of stowaways at the political and media levels and their simultaneous discursive securitisation among players in the shipping industry has highlighted the need for paying attention to what was labelled in this thesis as 'micro-securitisation'. Combined with the point made earlier about representations and problematisations by actors at the ground level, this calls for the incorporation of 'micro-securitisation' in the analysis of the discursive securitisation of issues including migration which can have more practical implications than those that manifest at the political and news media levels.

The research has also led credence to the criticism of 'presentism' embedded in the conceptualisation of securitisation in all its forms that render the theory to sit uneasily with issues with a long history such as that of stowaways. As I will point out shortly, another theoretical contribution of this study is how this limitation, along with its other limitations that were highlighted in the last chapter, can be transcended by adopting 'assemblage thinking' while retaining the valuable analytical tools the framework offers.

The other important theoretical contribution of this study is in reconciling governmentality analysis with critical realist aetiology. One of my major frustrations in this research has been how to employ governmentality analysis in research underpinned by a critical realist philosophy of social science. In this regard, the recently developed notion of 'multi-centred governance' has been central. By drawing from the concept of assemblage and multi-centred governance, this thesis has demonstrated how governmentality analysis can be utilised in a research committed to the identification of causal mechanisms. While Edwards (2016) has developed a rigorous framework that sought to incorporate governmentality analysis in critical realist aetiology that is more in line with the tenets of the philosophy, I have opted to retain his understanding of causality as emerging from the asymmetric interrelationships of the various centres whilst using Foucault's (1991c) understanding of causality in terms of multiplicity and indeterminism.

Finally, although I have not come up with a novel contribution to 'assemblage thinking' in this research, nonetheless, the protean nature of the concept to be used in conjunction with other concepts and approaches, while at the same time transcending their limitations, is demonstrated clearly in this thesis. However, my significant contribution to 'assemblage thinking' is methodological as opposed to a conceptual one.

10.4 Methodological Contribution

A number of approaches have been proposed to studying issues that are global and transnational in nature. As Chapter Three pointed out, multi-sited ethnography and the 'extended field site' are some of the approaches suggested in grappling with research problems that transcend the confines of the nation state. In further enriching the methodological approaches that endeavour to tailor themselves to issues that are global in scale, I propose 'assemblage thinking' as one option. In researching problems that are global, 'assemblage thinking' sensitises us to the various locales or 'centres' that are key to understanding the research problem. Provided that these locales or 'centres' are in interrelationships with each other that fit the notions of emergence, multiplicity, indeterminacy and heterogeneity embedded in the understanding of assemblage, certain 'centres' can be selected for intensive probing with the aim of mapping out and understanding the whole assemblage. Nonetheless, there are still going to be limitations as one research project cannot feasibly explore all the constituent elements in the assemblage. This, however, is also the strength of 'assemblage thinking' as more 'centres' can be scrutinised in further research, thereby, enriching our knowledge of any particular assemblage.

10.5 Limitations of the Study and Areas for Further Research

Although this research has adopted the notion of assemblage to frame the various actors implicated in the governance of stowaways, the research is inevitably limited in its scope due to resource, time and access constraints, and the assemblage of stowaway governance will benefit from further research. For instance, I examined this assemblage of governance, *inter alia,* by looking at two groups of stowaway communities boarding ships in Djibouti and South African ports. Nonetheless, there are indications of other communities of stowaways existing in other parts of the world, such as West Africa and Central America. Hence, our understanding of the global assemblage of stowaway governance will be further enriched by expanding the empirical focus to other actors and locales that were not exhaustively explored in this research. As a single piece of research cannot feasibly undertake an all-encompassing exploration, a number of separate research projects solely focusing on certain stowaway communities or nationalities of seafarers, etc. need to be picked up for future research to further our knowledge of the assemblage and corroborate or further adapt the causal explanations for the maltreatment of stowaways advanced in this thesis. A focussed ethnographic exploration of stowaway communities, their subcultures and inner workings also needs to be undertaken to inform our

understanding of the 'indigenous governance' through which stowaway communities are motivated and reproduced.

I was also unable to gain access to seafarers who were actually involved in incidents in which stowaways were thrown overboard or cast off on makeshift rafts. However, this limitation was addressed, in part, by using vignettes that detailed such incidents in interviews with seafarers who had experiences of encountering stowaways on their ships. The rationale behind the vignettes was these participants, on account of inhabiting the same 'structured space' as the seafarers who dumped stowaways at sea as well as having encountered stowaways themselves, had the distinct 'proximity' to the context the perpetrators of such incidents were embedded in. Hence, the seafarers in my study were regarded as key informants who could provide important insights into the maltreatment of stowaways. Nonetheless, accessing seafarers who dumped stowaways at sea and collecting their accounts will certainly enrich our understanding of why these incidents occur and also identify causal mechanisms that were not identified in this research.

Furthermore, the perspectives of shipping companies were significantly limited in this study due to difficulties in gaining access. However, in the context of this research and particularly in relation to the causes identified for the maltreatment of stowaways, such as seafarers' concerns over career prospects and professional reputations, what is significant is the fact that such concerns and perceptions are held by the seafarers, founded or otherwise. Nonetheless, gaining empirical insights into the perspectives and practices of shipping companies, as well as manning agencies, is very important to corroborate and further adapt the causal mechanisms identified in this research that largely stem from the practices of these actors.

I have also not looked at stowaways in certain segments of the shipping industry such as cruise liners and coastal ferries that transport persons. Hence, this also needs to be picked up and explored as does the impact of criminal activities associated with stowaways and shipping, such as the drug trade, organised trafficking and smuggling of persons via ships. Even so, a key contribution of this thesis is to establish the empirical, conceptual and methodological foundations for this research agenda on a subject which has become increasingly salient in the study of security and international relations.

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Appendices

Appendix 1: IMO Annual Statistics on Stowaways[7]

Year (1st Jan – 31st Dec)	Number of Reported Cases	Number of Stowaways
2000	385	1259
2001	254	583
2002	265	574
2003	183	476
2004	98	210
2005	96	209
2006	244	657
2007	252	889
2008	494	2052
2009	314	1070
2010	253	721
2011	73	193
2012	90	166
2013	70	203
2014	61	120
2015	31	87
2016	58	166

[7] The figures for the years 2000-2014 are obtained from the annual reports on stowaway incidents published by the IMO. Those for 2015 and 2016 are calculated from the GISIS database.

Appendix 2: Summary of Stowaways and their Experiences

Stowaways	Nationality	Duration	No. of Successful Attempts	Maximum Duration Kept On Board	Treatment On Board
Abdallah	Tanzanian	1993-	6	Few weeks of voyage	Well treated
Barrack	Tanzanian	2002-	8	Return trip	Threatened with throwing and beaten
Charlie	Tanzanian	2009-	4	Return trip	Starved
David	Tanzanian	1999-2013	11	Three months	Thrown overboard (Twice)
Eyoel	Ethiopian	2002-2003; 2008-2011	Numerous	Three months	Thrown overboard and beaten
Issa	Tanzanian	2002-	4	Few days of voyage	Threatened with throwing
Isaac	Ethiopian	2002-2005	1	Few days of voyage	Pushed into the sea at anchorage
Kerry	Tanzanian	2005-	3	Unknown	Thrown overboard
Mbongo Mzulu	Tanzanian	1997-	Unknown	Three months	Thrown overboard
Mohab	Tanzanian	1999; 2011-	6 or 7	Six weeks	Never had a bad experience
Mosses	Ethiopian	2002-2007	6	Eight months	Beaten
Sadik Yaya	Tanzanian	2003-	Unknown	Unknown	Unknown
Solo	Tanzanian	2000-	8	About a month and half	Beaten and starved
Vancouver	Tanzanian	2003-	1	Unknown	Unknown
Yonathan	Ethiopian	2001-2008	6	Unknown	Threatened (Twice)

Appendix 3: Summary of Seafarers and their Experiences

Seafarers	Nationality	Department	Rank During Incident	Number of Incidents	Time of Incident	Nationality of Stowaways	No. of Stowaways
2nd Mate Chen	Chinese	Deck	2nd Mate	1	2013	Guineans	2
2nd Mate Tsung	Chinese	Deck	2nd Mate	2 in a span of 2 days, same group	2014	Probably Sierra Leoneans	5
Capt. Kofi	Ghanian	Deck	Cadet	1	1999-2000	Ethiopians	3
Capt. Bill	British	Deck	Chief Mate	2	2003-2004 (2nd same year, same ship)	Nigerians	4, 1
Capt. Joseph	American	Deck	Chief Mate	3	1981; Unknown; 2015	Ethiopians; Colombians; Tanzanians	2; 8; 2
Capt. Karim	Egyptian	Deck	2nd Mate	1	1994-95	Vietnamese	4
Capt. Rajav	Indian	Deck	3rd Mate	1	1992	Kenyans	2
Capt. Sean	British	Deck	Chief Mate	1	2013	Ghanians & 1 Nigerian	11
Capt. Smith	British	Deck	Captain	1	2008	4 Nigerians & 1 Liberian	5
Capt. Yang	Chinese	Deck	Chief Mate	3 in port, 1 at sea	2006	Moroccoans	2
Chief Engineer Lamptey	Ghanian	Engine	4th Engineer	1	2003-2004	Nigerian	1
Chief Engineer Pradeep	Indian	Engine	Unknown	4	1981; 1995; 1997; 1999	Unknown	1; 1; 1; 2
Chief Mate Rohit	Indian	Deck	3rd Mate	2	2006 (2nd same ship)	Algerians	2; 11
Deck Officer William	Ghanian	Deck	Cadet	1	2012	Cameroonian	1
Fitter Nelson	Filipino	Engine	Engine Fitter	1	2002	Europeans	4
Ordinary Seaman Jet Li	Chinese	Deck	Ordinary Seaman	1	1997	Cameroonians	3
Radio Officer Stuart	British	Deck	Radio Officer	1	1989	American	1

Appendix 4: Reported Incidents

Reported Incidents	Time of Incident	Nationality of Seafarers	No. & Nationality of Stowaways	Floating Aid	Proximity to Shore	Physical Violence	No. of Dead or Drowned	Mode of Survival	Mode of Revelation	Detention of Seafarers	Flag	Country of Economic Benefit	Embarkation Port	Next Port of Call
Sailing ship Arran	May 1868	British (Full ngome)	7 Scottish (6 left on ice)	Left on frozen sea	About 12 hours by walk	There was	2	Rescued by Fishermen	(Letter by seafarer)	Sentenced (Britain) Capt. 18 months and Ch. Off. 4 months	Likely British	British	Greenock, Scotland	Quebec, Canada
Steamship John St Martin	15 Sept. 1922	German Captain	12 Portuguese	Unknown	Unknown	Unknown	1	Rescued	After Survival	Unknown	Unknown	Unknown	Unknown	Unknown
MV Emmely	Oct. 1979	Dutch captain	1 Ghanian	Not provided	Closer to shore (inside a river)	Unknown	1	Didn't Survive	Crew Members	Sentenced (Dutch) (Capt 2 yrs, Ch. Off. & 2 Crew 1 yr)	Dutch	Unknown	Unknown	Unknown
MV Dilatic	early 1980's	Greeks (Uknown if Full Ngome)	2 Tanzanians	Unknown	Unknown	Unknown	0	Rescued by Seafarers or Fishermen	After Survival	Unknown	Greek	Greek	Mozambique	Unknown
MV Garifalia	17 Mar. 1984	Greeks (Uknown if Full Ngome but likely)	11 kenyans or 7 Tanzanians & 4 Kenyans	Provided (life jackets, wooden boards and an oil drum were also tossed into the	Closer to shore (about 8-9 miles)	There was	7	Rescued by Seafarers or Fishermen	Crew Members	Sentenced (Greece) Capt. 10 yrs, later reduced to fines; 9 crew members 14-44 months, later reduced for 5 crew members & 4 acquitted	Greek	Unknown	Mombassa, Kenya	Karachi, Pakistan
MV Unidentified Ship 4	Sept. 1987	Unknown	3 Tanzanians	Unknown	Unknown	Unknown	0	Rescued	After Survival	Unknown	Unknown	Unknown	Dar es Salaam	Unknown
MV Unidentified Ship 1	14 Oct. 1989	Unknown	3 Tanzanians	Provided	Unknown	Unknown	1	Rescued by Authorities	After Survival	Not caught	Unknown	Unknown	Mozambique	Unknown
MV MC Ruby	Nov 1992	23 Ukrainians (Unknown if Full Ngome but likely)	8 Ghanians and 1 Cameroonian	Not provided	Deep Sea, off Portugal	There was	8	The sole survivor escaped and hid on board till the vessel reached port	After Survival	Sentenced (France) Capt. & Ch. Off. Life sentences; 3 crew members 20 yrs; 1 acquitted	Bahamas	Black Sea Company,Ukraine OR owned by MC Shipping of New York managed by V-Ships of Monaco	Takoradi, Ghana	Le Havre, France
MV Eesmond	Aug. 1994	Mixed (Dutch Capt, Russian Ch. Eng., Filipinos)	2 Rwandans	Provided	Closer to Shore	Unknown	0	Rescued by Fishermen	After Survival	Sentenced (Greece) Capt. 3 yrs; Ch. Eng. 7 months & 2 Filipinos 18 months (converted to fines)	St. Vincent	Unknown	Istanbul, Turkey	Unknown
MV Athol	Jan. 1996	Unknown	2 Rwandans	Provided	Unknown	There wasn't	0	Rescued by Fishermen	After Survival	Not caught (the Japanese coast guard radioed the ship's captain, who denied any connection and failed to answer further radio calls)	Singapore	Unknown	South Africa	Unknown
MV Maersk Dubai	Mar & May 1996	Taiwanese & Filipinos (the Filipinos reported on the Taiwanese)	2 + 2 Romanians	Provided & Not Provided	Deep Sea (54 Miles and 300 Miles)	There was	3	The sole survivor was hidden on board by sympathetic Filipino crew	Crew Members	6 Taiwanese found guilty but not convicted due to jurisdiction (Canada), Released shortly in Taiwan	Taiwanese	Taiwanese	Algeciras, Spain	Halifax, Canada
MV TCK Sunanta	1997	Unknown	12 (Ghanians and Nigerians)	Provided	Unknown	Unknown	1	Swimming	After Survival	Not caught	Thailand	Unknown	Abidjan, Cote D'Ivoire	Durban
MV Unidentified Ship 3	18 May 2002	Romanians (Unknown if Full Ngome)	1 Tanzanian	Provided (Tied to a board)	Deep sea (13 miles)	There was	0	Rescued by Fishermen	After Survival	Not caught	Romania	Unknown	Doula, Cameroon	Italy
MV Pinar Kaptanoglu	31 Jul. 2002	Unknown	5 Tanzanians	Provided	Closer to Shore	There wasn't	1	Rescued by Fishermen	After Survival	Unknown	Turkish	Turkish	Cape Town, South Africa	Spain maybe
MV Sea Lantern	31 Oct. 2003	Chinese (Unknown if Full Ngome)	13 Nigerians, Cameroonians & Gabonese	Provided	Unknown	Unknown	4	Rescued by Fishermen	After Survival	Unknown	Gabone or Liberia	Unknown	Libreville, Gabon	Unknown
MV Tu King	Nov. 2003	Unknown	8 Africans	Unknown	About 4 miles	There was	0	Rescued by Fishermen	After Survival	Likely Questioned (Brazil)	Hong Kong	Unknown	Guinea	Recife, Brazil
MV Well Pescadores	28 Mar. 2003	Taiwanese & Chinese (Full Ngome)	5 Dominicians	Provided	Deep Sea	Unknown	2	Rescued by Seafarers	After Survival	Sentenced (Panama) Capt. 19.5 yrs , Released on bail in Taiwan	Panama	Taiwanese	Haina, Dominican Republic	Houston, Texas
MV Atlantic Mercado	Jul. 2003	12 Ukranians (Unknown if full ngome)	2 Algerians	Not provided	Unknown	Unknown	1	Swiming	After Survival	Not caught, trial in abstentia	Unknown	Owned in Cyprus, managed in Germany	Arzew, Algeria	Unknown
MV Wisteria	May 2004	Full ngome South Koreans OR South Koreans & Chinese	4 Senegalese	Provided	Unknown	Unknown	Unknown	Unknown if survived	Crew Members	Acquitted (Spain)	Panama	Japanese	Dakar, Senegal	Vilagarcia, Spain
MV Unidentified Ship 2	Jul. 2005	Unknown	3 Ivorians	Unknown	Unknown	There was	2	Rescued by Seafarers (Yacht crew)	After Survival	Not caught	Unknown	Unknown	Abidjan, Cote D'Ivoire	Turkey, Syria, Ukraine
MV African Kalahari	Jan. 2006	Mixed (Polish Captain & Ukrainians)	4 Tanzanians & 3 Kenyans	Not provided	Inside the Port	There was (Disputed by seafarers)	2	Swimming	After Survival	Suspended Sentence and fines (SA) Capt., Ch. Off. & 1 crew member	Bahamas	Unknown	Mombassa, Kenya	Durban
MV Island of Luck (Disputed case)	19 Oct. 2009	Mixed (15 Ukrainians, 4 Russians, 2 Burmese, 1 Indian & 1 Ghanian) OR Ukrainians & Filipinos	4 Congolese	Provided	Closer to Shore (1.5 miles anchored off port)	There was	1	Rescued by Navy or Coastguard	After Survival	Acquitted (Congo)	Panama	Greek	Matadi, Congo	Unknown
MV Rui Ning 3	12 Jun. 2010	Chinese (Unknown if Full Ngome but likely)	3 Ivorians	Not provided	Closer to Shore	Unknown	1	Rescued by Navy or Coastguard	After Survival	Charged (Ghana)	Chinese	Unknown	Abidjan, Cote D'Ivoire	China
MV Dona Liberta	May 2011	Mixed (Italian Captain and Mostly Filipino Crew)	2 Tanzanians	Provided	Closer to Shore	There wasn't (But knife threat)	1 died after rescued	Rescued by Fishermen	After Survival	Not caught	Bahamas	Greek	Cape Town, South Africa	England
MV Hyundai Treasure	15 Oct. 2012	Unknown	2 Guineans, 1 Nigerian & 1 Sierra Leonean	Provided	Deep Sea (16 Nautical Miles when rescued)	Unknown	0	Rescued by Navy or Coastguard	After Survival	Not caught	South Korean	Unknown	Lome, Togo	Europe
MV RM Power ship	July/Aug. 2013	Filipinos & Romanians	4 Congolese	Not provided	Unknown	There was (bound and thrown)	Unknown	Unknown if survived	Crew Members	Acquitted (Argentina)-Lack of evidence and Jurisdiction	Marshal Islands	Greek	Congo	Rosario, Argentina

Appendix 5: Incidents Revealed by Interviewees

Narrated Incidents	Est. time of Incident	Nationality of Seafarers	No. & Nationality of Stowaways	Floating Aid	Days Afloat or Distance	Physical Violence	No. of Dead/ Drowned	Mode of Survival	Flag	Embarkation Port
Ship 1 Moses & Isaac	Unknown	Syrians (Unknown if Full Ngome)	1 Ethiopian	Not Provided	2 Days	There was	0	Rescued by Fishermen	Unknown	Djibouti
Ship 2 Moses & Isaac	Unknown	Chinese (Unknown if Full Ngome)	3 Ethiopians	Provided	12 hours of swimming	Unknown	0	1 Swam to Shore and brought Fishermen	Unknown	Djibouti
Ship 3 Moses	Unknown	Unknown	unknown no. Ethiopian	Unknown	Closer to Tanzania Harbour	Unknown	0	Rescued by Fishermen	Unknown	Djibouti
Ship 4 Moses & Isaac	2006	Belgian Captain	5 or 4 Ethiopians	Unknown	Unknown	Unknown	All	Thought to have died	European	Djibouti
Ship 5 Moses	2005	Full Ngome Chinese	1 Ethiopian	Unknown	Deep Sea	Unknown	0	Rescued by Yacht	Unknown	Unknown
Ship 6 Issac (own experience)	Unknown	Full Ngome Russians	2 Ethiopians	Not Provided	At Anchor	There was	0	Swimming	Unknown	Djibouti Anchorage
Ship 7 Mohab (Mbongo Mzulu own experience)	1999	Full Ngome Chinese	5 Tanzanians	Provided	10 days	There was	0	Rescued by Fishermen	Singapore	Durban
Ship 8 Mohab & Vancouver (MV Dona Liberta)	2011	Unknown	2 Tanzanians	Unknown	Unknown	Unknown	1	Unknown	Unknown	Cape Town
Ship 9 Mohab	Unknown	Mohab thinks Full Ngome Filipino but uncertain	1 Sudanese	Not Provided	Unknown	There was (metal tied to his feet)	1	Dead	Unknown	Unknown
Ship 10 Mohab	1996-1997	Greeks (Unknown if Full Ngome)	4 Tanzanians	Provided	Unknown	Unknown	3 eaten by shark	Rescued by seafarers	Unknown	Mombassa
Ship 11 Mohab (David own experience)	2002	White officers and Filipino ratings	4 Tanzanians	Provided	2 Days	There wasn't	0	Rescued by Fishermen	Unknown	Cape Town
Ship 12 Mbongo Mzulu	2010	Koreans Or Chinese (Unknown if Full Ngome)	3 Tanzanians	Provided	21 Days	Unknown	2	Unknown	South Korea	Richard's Bay
Ship 13 Kerry (own experience)	2006	Mixed, Greek captain, Russians, Ukrainians	4 Tanzanians	Provided	3-6 Hours	There wasn't	0	Rescued by Fishermen	Unknown	Durban
Ship 14 David (own experience)	2007	Full Ngome Indians	1 Tanzanian	Provided	Close to Maputo Harbour	There wasn't	0	Rescued by Fishermen	Unknown	Durban
Ship 15 Abdallah	1999-2000	Unknown	2 Tanzanians	Provided	3 Days	There wasn't	1	Rescued by Fishermen	Unknown	Durban
Ship 16 Solo	Unknown	Indian or Pakistaini or Bangladeshi (Unknown if Full Ngome)	1 Tanzanian	Provided	Unknown	Unknown	0	Unknown	Unknown	Mombassa
Ship 17 Sadik	1999	Full Ngome Russians	Tanzanians	Provided	10 hours	Unknown	0	Drifted to Shore	Unknown	Unknown
Ship 18 Eyoel (own experience)	Sept 2010	Full Ngome Turkish	1 Ethiopian	Provided	11 Hours	There wasn't	0	Paddled to Shore with Spade	Turkish	Djibouti
Ship 19 Capt. Rajav	Unknown	Unknown	West Africans	Not Provided	Unknown	There wasn't	Unknown	Unknown	Unknown	Nigeria
Ship 20 2nd mate Chen	2000	Chinese (Unknown if Full Ngome)	2 Unknown nationality	Provided	Closer to Shore	Unknown	Unknown	Rescued by another ship	Unknown	Unknown
Ship 21 Capt Yang	2004-2005	Full Ngome Chinese	5 or 6 Africans	Not Provided	Unknown	There was	All	Dead	Unknown	Africa
Ship 22 Philip	Unknown	Greek Captain	1 Unknown nationality	Provided	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown
Ship 23 Barrack (MV African Kalahari)	2006	Unknown	3 Kenyans & 2 Tanzanians	Provided	Near Durban port	Unknown	2	Unknown	Unknown	Mombassa

Appendix 6: Vignette MV Maersk Dubai

Sources: Court Hearing

The New Yorker- January 20, 1997

Two Incidents on MV Maersk Dubai (March 1996 & May 1996)

This case involves allegations of murder on the high seas. Six Taiwanese seafarers of the Taiwanese registered container vessel Maersk Dubai were accused of throwing three Romanian stowaways overboard in two separate incidents, during two separate voyages from Spain to Halifax. The accused were the captain, the chief engineer, the chief officer, the second officer, the radio officer and the chief cook. Four Filipino seafarers, namely, the Bosun, the third engineer, an able seaman and an oiler testified against the Taiwanese seafarers. The ship belonged to Taiwan's Yang Ming Marine Transport Corporation, the 15th largest freight company then, according to the New Yorker's report on the incident.

The first incident is said to have occurred on the 12th day of March, 1996 when two victims were allegedly discharged from the vessel onto a makeshift raft, approximately thirty miles from land. The second incident is said to have occurred on the 18th day of May, 1996 when the third victim was allegedly assaulted and thrown overboard without any protection and many miles from land.

The vessel arrived at the Port of Halifax on the 24th day of May, 1996. After receiving reports of the events from Filipino crew members, Canadian authorities arrested the seven officers on May 29th, 1996 while the ship was still anchored in Halifax Harbour.

March, 1996 Incident

At approximately 19:30 hours on March 10, 1996, two Romanian stowaways boarded the container ship in Algeciras, Spain destined for Canada. At approximately 09:00 hours on March 11th, while the Maersk Dubai was at sea, the Bosun, Rodolfo Miguel, was conducting his rounds. He heard unusual noises coming from a compartment below the Number 1 Catwalk. The Bosun approached the area and discovered two stowaways. They spoke in broken Spanish. One stowaway appeared to be about 30 years old and the other about 20 years old. The Bosun escorted the two men to the crews' mess where they were given some coffee and bread. The Bosun then notified the duty officer, namely, Third Officer, Emmanuel Pena. The Third Officer ordered that the two stowaways be taken to the bridge.

When the Bosun and stowaways arrived on the bridge, the Chief Officer, Second Officer, Third Officer, and Radio Operator were already present. The Captain arrived shortly afterwards. The Captain was only 34, the youngest captain in the company. At 16 he began his maritime training in Taipei and Yang Ming helped fund the last three years of his school in exchange for a three-year working commitment. He spent his entire career with the company. When he took over the Maersk Dubai in January 1996, he had only four months of experience as a captain.

The bosun later on told The New Yorker reporter, 'the captain's face was just like a boy, but when they noticed there were strangers on the ship, you would never see that baby face the same way again. Even the chief officer- oh, my God, it is not normal'. The Chief Officer began to ask questions of the stowaways. However, the Chief Officer and the stowaways could not understand each other. Able Seaman Angel Allado was summoned to the bridge to serve as an interpreter. The stowaways presented their Romanian passports, family photos, and Algeciras Port Authority documents. They explained that they knew the Dubai was plying the route between Europe and North America. This statement seemed to upset the captain greatly. 'Bring them down' he ordered and decided to put the stowaways off the ship.

The Chief Officer took control of the wheel and maneuvered the vessel, turning to the right. The stowaways were escorted from the bridge. Approximately twenty minutes later, the Second Officer cut the orange covers (bearing the ship's name) off the life jackets, and removed the white foam found underneath. When asked by the Bosun what the foam was for, the officer simply replied, 'Stowaways'. Meanwhile, the Chief Officer had brought the two stowaways into a vacant cabin on the third bridge deck. The Bosun was summoned to the cabin by the Chief Officer in order to placate the stowaways. The Bosun told the Chief Officer that the stowaways were hungry. The stowaways were then brought down to the main deck on the port side of the ship. With the stowaways were the Chief Officer, Second Officer and the Radio Operator. As the two stowaways were moved from the accommodation area to the area of the port side pilot's ladder, they resisted and were, at different intervals, pushed, shoved and kicked by these officers.

Once near the port side pilot's ladder the stowaways sat and kneeled on the deck as they were surrounded by the ship's officers and crew. Present at the time were most of the Filipino crew and all of the ship's officers with the exception of Third Officer Pena who was on duty on the bridge. The Bosun approached the Captain and requested that a raft be provided for the stowaways. This request was ignored. The Bosun in any event ordered his able seamen to

construct an improvised raft. A raft was constructed with two oil drums, lashed together with some rope. At the time the sea state was rough, the line broke, and this raft was lost.

A second raft was constructed. Similarly, it was constructed from two oil drums and wood that was secured with rope. This raft was lowered into the sea, and secured to the ship by a line. The pilot ladder and pilot gangway had previously been lowered. The Captain then ordered the stowaways to be removed from the ship. The Captain, Chief Officer, Second Officer and Radio Officer at different intervals pushed and/or threatened the stowaways to descend the pilot's ladder to the raft. The younger stowaway went down the ladder into the sea. He attempted to get up on the raft, but the raft flipped over. He then clung to the side of the raft. The older stowaway remained on the deck near the port side pilot's ladder. He was kneeling on the deck crying and begging. He kneeled at the Captain's feet. The Captain pushed and kicked the older stowaway. According to one witness the captain had shouted at the begging stowaway, 'You don't know the problem! I have a baby, I have a family!'

This stowaway was forced down the pilot's ladder and jumped into the sea just before the Captain cut the messenger line of the pilot's ladder. The Captain ordered the release of the line securing the raft to the ship. At this time the ship is moving at 'dead slow' or 'slow', and there appears to have been land in sight. This nearest land was estimated as being approximately twenty to thirty miles from the ship. The Stowaways were last observed clinging to the sides of the raft in the ship's wake. The ship continued its voyage to Halifax. After several stops on the Eastern Seaboard, the Dubai docked in Houston where the Filipino seafarers met a priest, who was also from Philippines, in the Seafarer's Centre. According to The New Yorker the Filipino seafarers wrote a letter to him about what took place on the ship which he faxed to an affiliated Seafarer's Centre in Halifax.

The May, 1996 Incident

On May 17, 1996, at approximately 02:30 hours, the vessel departed the Port of Algeciras. On May 18, 1996, while the ship was at sea, at approximately 11:55 hours, the Taiwanese carpenter spotted a stowaway. He informed the Bosun. The Bosun along with three other Filipino crewmen told the Carpenter that they wanted nothing to do with the stowaway (in light of what had happened to the two stowaways in the March incident).

A short while later, the Bosun went to the port side exit door of the boat deck. He heard unusual noises. He looked out the door and saw a young, male stowaway. The Chief Officer was holding the right leg of this stowaway. The Chief Cook was holding a knife, and trying to throw the stowaway overboard. The Captain, Chief Engineer and Second Officer were struggling with the stowaway. The stowaway was holding onto the ship's rail and was trying to defend himself.

At approximately 13:00 hours, Able Seaman Esmeraldo Esteban saw the Captain and the Chief Engineer on the port side deck. The area was unusually wet. The Captain gave Esteban a fire hose nozzle (that was apparently broken) and ordered Esteban to have it repaired.

Meanwhile, a second stowaway remained in his hiding aboard the Maersk Dubai until the morning of May 18, 1996, when he decided to surrender himself. He was first discovered by the Bosun. The Bosun instructed the stowaway to return to his hiding place where he stayed for another day. The bosun reportedly told the stowaway, 'Filipino, no problema,' then made sideways 'V' with his fingers, put them over his eyes, and said, 'Chinese', then he made the universal sign of throat-slitting. The next morning, the Bosun took him to an area below the deck where he stayed until the ship arrived in Halifax. Several Filipino crew members were then informed about the 'second' stowaway and agreed to protect him. In order to ensure complete secrecy, the stowaway was referred to as the 'bird'. Throughout the rest of the voyage the Bosun and another crew member would provide food to the surviving stowaway

Upon arrival of the Maersk Dubai in Halifax on May 24, 1996, the stowaway was escorted off the ship and taken to the police and immigration officials. During the court hearing in Nova Scotia court in Canada, the seven Taiwanese had the full support of their employer. The Yang Ming Corporation hired the best lawyers, one for each of the accused. In late June, the officers who were then on bail (10,000 Canadian Dollars apiece), moved into a pleasant block suites in downtown Halifax. The company agreed to pay all their expenses, in addition to their full salaries, and to fly their wives over.

Most of the Filipinos took their back pay and transportation money from the company and left. The four Filipinos decided to stay in Canada to testify against the Taiwanese sailors. They had no income and had to apply for refugee status in order to get money to sustain themselves until they testify. The four Filipinos told The New Yorker that their wives have been getting anonymous threats insisting that their husbands should not testify.

Appendix 7: Vignette MV Garifalia

Sources: SunSentinel- September 7, 1985|

Ottawa Citizen – May 17, 1984

The AfroAmerican - June 2, 1984

Incident on MV Garifalia (March 1984)

NAIROBI, Kenya (UPI) – Four of 11 stowaways dumped overboard by a shotgun-toting Greek ship captain survived two days in the Indian Ocean before reaching the coast of Somalia, officials said Friday. Seven of their fellow stowaways were not so lucky, officials concluded. The area is notorious for its shark infested waters.

Three crew members reported the stowaway incident to police after the Greek-flag ship docked in Piraeus last Friday.

They claimed that on March 17, a day after the ship had left Mombasa, Kenya, the stowaways were forced at gunpoint to jump overboard into shark-infested waters off the Somali coast.

The crew said the ship was eight nautical miles from shore. The captain contended it was 1 ½ nautical miles away, the prosecutor said.

The transcripts of Tuesday's testimony said the Chief Engineer Georgotsidopoulos admitted holding a rifle on the stowaways because 'I was ordered to do so by the Captain. The captain was in an insane state of mind. If I had disobeyed, he would have killed me'.

Prosecutor Antonis Roussos, who released transcripts of the testimony, has charged the chief engineer, the captain and 10 other seamen from the cargo ship Garifalia with endangering lives, grievous bodily harm and use of weapons.

Antoni Plintzanopoulos, the 43 year-old captain of the Garifalia, also was accused of spraying the stowaways with rat poison when they refused to leave a ship's storeroom, in which they were briefly imprisoned.

The captain claimed the men were a danger to his crew. He has not denied throwing them overboard. The captain, recounting 'the fatal voyage that destroyed my life, my family and my

career', said he had intended to set the African stowaways adrift in a small boat near the Somali coast after they were discovered on March 16, 1984.

But after they threatened the crew the next day, he told the court, the stowaways were given lifejackets and cast overboard. The crew threw them wooden boards and, in one case, an empty barrel, to help them keep afloat.

His duty, he said, was to 'defend the safety of the crew and its cargo, and maintain order.'

Capt. Plytzanopoulos said he discovered the first stowaway on March 16, just after leaving the Kenyan port of Mombasa bound for Karachi.

The stowaway was shut up in a small storeroom where the carpenter kept his tools. Subsequently, another group of four stowaways, then another of six were found and shut up with the first.

The captain said he agreed with his second officer that the Africans should be set ashore in a small boat if conditions permitted.

The next day, the captain said, he was woken by his second and told the stowaways had revolted and escaped from the storeroom.

The crew managed to lock them up again, but warned him the stowaways were dangerous.

Then the stowaways, emerging from the storeroom and armed with the carpenter`s tools, hurled themselves at the crew. That was when the captain decided to throw them overboard.

A deckhand identified in the transcript only as P. Kakonas said chief mate Nikos Chronopoulos ordered him to erase all traces of the ship's name off the life jackets' used by the Kenyans. Chronopoulos denied the deckhand's charge.

Kakonas said one of the first men to go overboard 'never rose to the surface. I didn't see the others (come to the surface) because the ship never reduce its speed'.

Witnesses testified that the ship was moving at about 14 knots when the men jumped.

The incident was not mentioned in the ship's log and was never reported by the captain to the Greek Merchant Marine Ministry or to the owners of the vessel, said the transcripts.

The incident is at least the fourth in the past three years in which Greek captains have ordered African stowaways tossed overboard on the high seas, according to Kenyan officials. At least 13 people have been killed in previous incidents.

One of the survivors, Mohamed Salim, 23, said he hid on the ship for two days after it sailed from Mombasa March 15.

He said all 11 stowaways were rounded up and taken to the captain who ordered them dumped over the side, two by two, every 15 minutes. The ship was 5 miles off the coast of Somalia at the time. He said the captain carried a shotgun while supervising the exercise, and other members of the crew brandished iron bars and pieces of wood. ‘When my turn came I begged for mercy but no one listened,’ he said. He was given a life jacket with the ship’s name blacked out and dumped overboard into a rough sea.

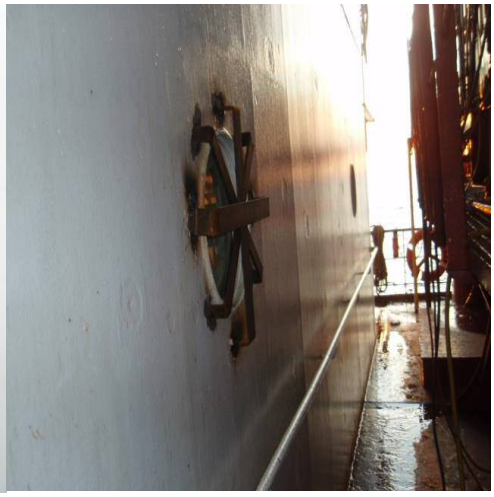
Two days later, he said, fishermen off the coast of Somalia picked him up. ‘I feared the sharks all the time,’ Salim said.

Appendix 8: Vignette MV Sea Surfer

Hypothetical Incident Constructed from Various Actual Incidents and Accounts

A Bahamas flagged bulk carrier belonging to a company based in Greece was alleged to have been involved in setting adrift two African stowaways at sea. The crew were composed entirely of Ukrainian seafarers. They picked two Rwandan stowaways from Durban, South Africa and the ship was heading to China (MV MacRuby 1992; MV Athol 1996; MV Dona Liberta 2011). The only testament to the ship security measures deployed in Durban was the entry in the log book that indicated security watch was posted and stowaway search was conducted. The stowaways were careful to hide themselves for the next four days, making sure they wiped their footprints with a piece of cloth from the deck when they went to the galley to steal food during the night. They have heard accounts of being caught due to the footprints they leave on deck or oily surfaces by other stowaways. However on the fourth day the stowaways decided to give themselves up. They came out of their hiding intending to head straight to the bridge and avoid other crew members as they have heard stories of ratings taking actions without informing the ships' senior officers. However, they were spotted by a deck crew member who run away quickly and returned with other crew members carrying sticks and metal rods. The stowaways were beaten and then taken to the bridge wings. The captain was informed and called to the bridge. He was furious when he came to the bridge. He shouted at the stowaways asking them how many they were and if there was anyone else still hiding before threatening them saying 'why did you come on my ship? I will santa maria you, I will throw you into the sea'. But he calmed down and asked them some questions trying to find out how they boarded the ship, what time they boarded and so on. The stowaways were careful in their answers not to implicate anyone by lying they boarded the vessel via the forward breast rope, while in fact they boarded the ship via the gangway (compiled from various stowaway accounts).

The stowaways were made to shower while the chief officer supervised the work being done in modifying the cabin that was to be their cell. Metal grills were welded to the port holes as well as the door as the following images show (Capt. Smith 2008).



The stowaways were confined to the cabin as the ship made calls to various ports. They occasionally worked on the ship and were turned over twice to immigration officials- in Mauritius and Singapore. But they were refused disembarkation and sent back to the ship. Few days after departing from Singapore the stowaways were set adrift on a raft made of logs and six empty oil drums with ten litres of water on orders of the captain. (MV Athol 1996). The stowaways were subsequently rescued by Taiwanese fishermen after floating on the sea for ten hours (MV Pinar Kaptanoglu 2002).

Appendix 9: Participant Information Sheet

RESEARCH TITLE:

THE INTENDED AND UNINTENDED CONSEQUENCES OF STATE BORDER REGULATION, POLICING AND POLICIES ON UNDOCUMENTED MIGRATION: THE CASE OF SEAFARERS AND MARITIME STOWAWAYS

NAME OF RESEARCHER: AMAHA SENU, Ph.D. STUDENT AT THE SCHOOL OF SOCIAL SCIENCES, CARDIFF UIVERSITY, UK

You are invited to take part in this research which forms part of my Ph.D. in Social Sciences at Cardiff University. The research focuses on the important issue of maritime stowaways and the implications of current state policies and regulations for all relevant parties (seafarers, stowaways, shipping companies and P & I clubs). Thus, you are kindly invited to contribute towards this endeavour by taking part in the study. Please take time to read the following and feel free to ask for any clarifications.

WHAT IS INVOLVED?

Up on your consent, I am hoping that you will take part in interviews which will be conducted face-to-face in a safe location that also allows for privacy, via phone or via skype as appropriate. Interviews will on average take about an hour. With your permission, I will record the interview which will later be transcribed into text. The transcripts will be anonymised and it will not be possible to identify you in any of the reports of my research or subsequent publications. If you request it I will be happy to provide you with a copy of the transcript of the interview so that you can correct any misunderstandings.

CONFIDENTIALITY AND ANONIMITY

Any information given will only be available to me and my supervisors, and will never be passed on to any other party. Such information will be anonymised and pseudonyms (fake names) will be used to protect the identity of participants. Other information that may result in identifying participants, such as ship names and company names, will also be changed. Any

information given will be STRICTLY CONFIDENTIAL. Any sensitive information provided that may incriminate participants will never be disclosed to any authorities as long as it happened in the past. But any plan or intent to engage in future criminal act or any on-going criminal act will be passed on to the relevant authorities. Hence, please do not disclose any on-going incriminating act or intent to engage in such an act in the future.

DATA PROTECTION AND HANDLING

Any data obtained will only be accessible to me and my supervisors. Every effort will be made to ensure data security. Data will be kept securely in locked cabinets in my office and password protected computers.

ETHICAL APPROVAL

This research has received an ethical approval from the Social Research Ethics Committee of the School of Social Sciences, Cardiff University.

WHAT BENEFITS DOES IT HAVE FOR PARTICIPANTS

The research provides opportunities to participants to voice their opinions and experiences about the issue of stowaways in a strictly confidential forum. It also offers participants to contribute to future efforts which I hope will assist in developing better approaches to dealing with maritime stowaways.

WITHDRAWAL FROM PARTICIPATING

Participants, if they wish, can withdraw from participating in the research at any given time and can also request for the exclusion of any of their account in the final research report.

FUNDING

The research is funded by the SIRC-Nippon Foundation Fellowship programme.

CONTACT DETAILS

Please feel free to contact me for any inquiries or clarification through the following address:

Amaha Senu

Seafarers International Research Centre

52 Park Place

Cardiff University

CF10 3AT

Cardiff, UK

Tel: +44(0)29 2087 4000 Ext 77518

Mobile: + 44(0)79 8388 5325

Email address: SenuAF@cardiff.ac.uk

Appendix 10: Consent Forms for Interviews

Research into the consequences of state border regulation, policing and policies on undocumented migration: the case of seafarers and maritime stowaways

I am willing to take part in interview for this research and for the interview to be recorded.

I understand that no one will have access to the recording beyond the researcher and his two supervisors.

I understand that any personal statements made in the interview will be confidential.

I understand that comments will be anonymised in any reports or papers that are produced as a result of the research. People's names, company names, ship names or any information that will make identification easier will be altered in the reports.

I understand that taking part in the research is voluntary and that I may withdraw at any time.

I understand that I will be offered a copy of my interview transcript and provided with the opportunity to take out or amend any part of it that I do not wish to be reported in the findings.

I understand that the data from this research will be used for the following:

1. PhD thesis

2. Articles in academic journals, conference papers and presentations

3. A summary of findings to be circulated to interested participants or other interested parties.

Name of Respondent:……

Signature of Respondent: …….

Date: …….

Name of Researcher: Amaha Senu.

Signature of Researcher: ……..

Address slip – to receive a copy of the summary of research findings

The researcher will provide a summary of the findings from this study. If you would like to receive a summary, please make sure you include your contact details below.

Name……

Contact address: ……...

……..

……..

…….....

……..

Appendix 11: Consent Forms for Documents

Research into the consequences of state border regulation, policing and policies on undocumented migration: the case of seafarers and maritime stowaways

Please tick the statement which applies:

I am willing for a copy of the following document(s) …… …… (enclosed) to:

be used for this research project (no restrictions)

be used for this research project subject to the following restrictions (please also indicate on the document(s));

……..

……..

……..

…….....

I understand that no one will have access to the document beyond the researcher and his two supervisors.

I understand that any personal statements made in the document will be confidential.

I understand that comments will be anonymised in any reports or papers that are produced as a result of the research. People's names, company names, ship names or any information that will make identification easier will be altered in the reports.

I understand that taking part in the research is voluntary and that I may withdraw my consent for the document(s) to be used at any time.

I understand that the data from this research will be used for the following:

1. PhD thesis

2. Articles in academic journals, conference papers and presentations

3. A summary of findings to be circulated to interested participants or other interested parties.

Name of Respondent:……

Signature of Respondent: ……

Date: ……

Name of Researcher: Amaha Senu .

Signature of Researcher: ……..

Address slip – to receive a copy of the summary of research findings

The researcher will provide a summary of the findings from this study. If you would like to receive a summary, please make sure you include your contact details below.

Name……

Contact address: ……...

……..

……..

…….....

……

Appendix 12: Ethical Approval from Research Ethics Committee

Cardiff School of Social Sciences
Director Professor Malcolm Williams
Ysgol Gwyddorau Cymdeithasol Caerdydd
Cyfarwyddwr Yr Athro Malcolm Williams

CARDIFF UNIVERSITY
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Prifysgol Caerdydd
Adeilad Morgannwg
Rhodfa Brenin Edward VII
Caerdydd CF10 3WT
Cymru Y Deyrnas Gyfunol

1st August 2014

Our ref: SREC/1282

Amaha Senu
PhD Programme
SOCSI (SIRC)

Dear Amaha

Your project entitled "*The intended and unintended consequences of state border regulation, policing and policies of undocumented migration: The case of seafarers and maritime stowaways*" has been approved by the School of Social Sciences Research Ethics Committee of Cardiff University, subject to the following:

- You will need to make a clear statement in your information to participants confirming that interviews will be conducted in safe places. (These will not necessarily be public, given the nature of the interviews, but you should choose a location over which you have some control.)

If you need clarification concerning this, please contact me.

Please note that since your project involves data collection abroad, you may need approval from a competent body in the relevant jurisdiction.

If you make any substantial changes with ethical implications to the project as it progresses you need to inform the SREC about the nature of these changes. Such changes could be: 1) changes in the type of participants recruited (e.g. inclusion of a group of potentially vulnerable participants), 2) changes to questionnaires, interview guides etc. (e.g. including new questions on sensitive issues), 3) changes to the way data are handled (e.g. sharing of non-anonymised data with other researchers).

In addition, if anything occurs in your project from which you think the SREC might usefully learn, then please do share this information with us.

All ongoing projects will be monitored every 12 months and it is a condition of continued approval that you complete the monitoring form.

Please inform the SREC when the project has ended.

Please use the SREC's project reference number above in any future correspondence.

Yours sincerely

Professor Adam Hedgecoe
Chair of School of Social Sciences Research Ethics Committee

cc: E Renton
Supervisors: H Sampson
A Edwards

Appendix 13: Sample Access Letter for P & I Clubs

Seafarers International Research Centre
School of Social Sciences
Cardiff University
52 Park Place
CF 10 3AT
Cardiff, UK

20th November 2014

Mr /Mrs / Miss

Dear Mr /Mrs / Miss

I am writing to you to request your help with my Ph.D. thesis I am undertaking at the Seafarers International Research Centre, Cardiff University, U.K. My research focusses on the serious issue of maritime stowaways. In the course of the research, I plan to interview members of P & I Clubs, shipping companies, seafarers and stowaways to gather their perspectives on the issue. However, it is absolutely imperative that I understand how the issue is dealt with and understood by P & I Clubs as they play a major role in the resolution of stowaway cases. Therefore I am seeking a number of officials from P & I Clubs who are in a position to provide deeper insight on the issue.

To this end, I would be really grateful if you would be willing to give up about an hour of your time to have an interview with me. I am happy to travel up to see you and meet up any time that suits you. Ideally, I will tape record the interview, but it will be entirely confidential and neither your name nor the name of your institution will be used in my research report or subsequent publications.

I have attached an information sheet to this letter that will further explain about my research. I am more than happy to answer any questions you might have about my research and I have included my contact details below.

Yours sincerely,

Signed

Amaha Senu
Ph.D. SIRC-Nippon Foundation Fellow
Seafarers International Research Centre
52 Park Place
Cardiff University
Cardiff, UK

Email: SenuAF@cardiff.ac.uk
Mobile No: +44(0)79 8388 5325

Appendix 14: Sample Access Letter for Shipping Companies

Seafarers International Research Centre
School of Social Sciences
Cardiff University
52 Park Place
CF 10 3AT
Cardiff
10th September 2014

Mr / Mrs / Miss

Dear Mr / Mrs / Miss

My name is Amaha Senu and I am a Ph.D. candidate based at the Seafarers International Research Centre, Cardiff University, U.K. My research focusses on the consequences of state border regulation, policing and policies on the shipping industry by looking at the problem of maritime stowaways. The aim of the research is to explore the implications of delegating the responsibility of managing the issue of maritime stowaways to the shipping industry and understand what this implies to seafarers.

I am writing to you at the suggestion of …..[if applicable]. As part of the data collection, I would like to look at some relevant documents from shipping companies who have strong presence in Africa since African ports are identified as major embarkation points for stowaways. As you are aware [name of company] has a strong presence in the continent. I would also like to hold interviews with key informants from your company whose job responsibilities have relevance to the issue of stowaways.

My research is funded by the SIRC-Nippon Foundation Fellowship programme and has been approved by the Social Research Ethics Committee of the School of Social Sciences at Cardiff University. Hence, my research abides by ethical principles of social research and all informants will be made anonymous and any information provided will be treated in confidence. Furthermore, no document will be passed on to another party and you will have a chance to review any information obtained from your archives before it is included in my final thesis. I would greatly appreciate the opportunity to discuss with you about the research for

about thirty minutes or so. I will call your office in the next few days to arrange for a conversation at a time that will be convenient to you. I hope to be granted access to your archives and look forward to interview some of your staff. I am very happy to answer any questions and have written down my contact details below.

Yours sincerely,

Signed

Amaha Senu
Ph.D. SIRC-Nippon Foundation Fellow
Seafarers International Research Centre
52 Park Place
Cardiff University
Cardiff, UK

Email: SenuAF@cardiff.ac.uk
Mobile No: +44(0)79 8388 5325

Appendix 15: Interview Guides

P & I Club Officials

- ***Responsibility & Burden sharing***

  What specific roles do P and I Clubs play in dealing with and resolving the issue of stowaways?

  What exactly is involved when the club is notified that there is a stowaway on one of its member's ship, what actual processes and practices follow?

  In relation to the total cost incurred by the club, what proportion of that is attributed to stowaway cases?

  In specific stowaway cases, what proportion of the cost is covered by the club and what proportion is covered by shipping companies?

- ***Relationships***

  What different types of agreements/ contracts do you have with your member companies in relation to stowaways?

  How does the presence of stowaways impact/ alter the nature of contracts between the club and companies on whose ships stowaways boarded, e.g. premiums going up

  Can you talk about the club's relation with P and I correspondents across the globe with respect to the issue of stowaways, what roles do they play and what responsibilities do they assume?

  What specific costs related to disembarkation and repatriation of stowaways do P and I correspondents state to have incurred to the club or shipping companies? (Breakdown)

  Stowaways complained to me about what they call the agents such as physical abuse, broken promises (pocket money, hotel etc), corruption and collusion between what the

stowaways called agents and authorities. Are you aware of these and are there any measures put in place to monitor P and I correspondents especially in Africa?

- ***Actual cases and Practices***

Where there instances in which seafarers or shipping companies failed to notify the club about the presence of stowaways and if so why?

Are you aware of instances in which seafarers or shipping companies attempted to resolve stowaway cases without notifying the club? If so, in what ways did they try to resolve the issue?
Follow up- Why do you think they chose to resolve the issue on their own?

Can you talk about some of the actions shipping companies take after the presence of stowaways?

- ***Seafarers***

In your opinion, how does the financial cost of stowaways affect seafarers?

Are you aware of any instances in which seafarers jobs or careers were jeopardized due to the presence of stowaways?

Can you talk about specific cases in which stowaways were made to disembark on to makeshift boats or thrown into the sea?

Why do you think seafarers resort to such measures?

I have made the observation that usually seafarers put the stowaways in makeshift boats, provide them with food and life jackets and disembark them closer to shore. It seems to me that the motive here is a quick and easy way out of the problem rather than an intention to cause harm. What does this tell you as to why seafarers engage in such practices rather than the procedure that is recommended in dealing with the issue of stowaways?

In my interviews with stowaways, most of them pointed out that they were scared of boarding ships crewed by seafarers from China and some other shipping companies. In fact, they told me that the security watch and stowaway searches are even a bit lax on ships crewed by Chinese seafarers. Have you observed a similar pattern in which Chinese seafarers were more often implicated in throwing stowaways into the sea?

In my interview with stowaways, they regarded the opportunity to chat with stowaways and be allowed to move out from their cabins as a good treatment. But your guidelines discourage such practices. Can you talk about how the guidelines you provide seafarers impact how they interact with stowaways, the effect they might have on the those seafarers who would want to sympathize with the stowaways, have a chat with them and so on.

In what ways do guidelines from your club and shipping companies introduce new roles and responsibilities to seafarers in addition to their core profession?

- ***State Policies and Practices***

  Which countries do you regard as relatively difficult places to disembark stowaways and which are easier in comparison?

  What specific rules and practices about those countries make disembarkation difficult?

  Can you talk about any specific cases where it was very difficult to disembark the stowaways?

  In what ways do different state polices affect how you deal with different stowaway cases?

  What measures does the club advise companies to resort to when disembarkation is difficult?

  As you know, stowaways seem to usually board ships in specific ports. What does the club do to address this and do you engage with authorities from these ports that are hotspots to alleviate the problem?

Shipping Companies

- ***Responsibility & Burden Sharing***

As a company, do you feel you are forced to assume greater responsibility in dealing with stowaways than you should be required? Can you elaborate on that?

Despite ISPS, some ports are noted for being stowaway hotspots and considering a ship is at the mercy of not only its own security measures but also that of the port it is calling at, in what ways do you think some of the responsibility can be removed from shipping companies?

What are some of the challenges the company faced in relation to stowaways?

Can you talk about some of the difficult cases that the company experienced in terms of disembarking stowaways?

How significant was the financial loss caused by stowaways to your company and how much of that was covered by the P and I Clubs? Can you mention some specific financial costs?

What are the major costs that a shipping company incurs due to the presence of stowaways on its ships?

- ***Relationships***

What is the nature of your contract with P and I clubs with regard to the issue of stowaways?

How has the presence of stowaways on your ships affected your contract with the clubs?

Can you talk about you collaborate with P & I correspondents in resolving stowaway cases, what are some of the things involved and issues in these relationships?

- ***Actual Cases & Practices***

Have you had stowaway incidents on your ships, if so can you quote the number of incidents?

If you hadn't had any incidents, what peculiar measures and practices in your company have contributed to that?

Can you talk about the processes involved when you are notified of the presence of stowaways on one of your ships?

How has the boarding of stowaways in your ships affected or changed the practices and measures you put in place to deter stowaways?

Are you aware of cases in which shipping companies place designated containers on board ships to serve as temporary detention cells? What other unique practices implemented by shipping companies are you aware of?

Have you had to pay for private companies to provide security for your ships at berth and/or stowaway searches? How do you feel about the fact that you have to pay for private companies for such services and the failure of port state to guarantee security for your ships?

Can you recall any strange or out of the ordinary stowaway cases that might have occurred in the company?

- ***Seafarers***

What actions do you tell your seafarers to take when they discover stowaways?

What guidelines and preventive measures do you instruct your seafarers to implement to prevent the boarding of stowaways? Is there any training for that? Have you received any feedbacks from seafarers regarding those measures?

Have you received any complaints from seafarers regarding such roles and activities? Were they discontented or did they feel that they were undertaking duties that they are not supposed to do?

Do you recall any cases in which seafarers' safety were in danger due to the presence of stowaways, or stowaways getting violent on board? What other risks have stowaways posed to your seafarers?

In which aspects do you held your seafarers accountable for the presence of stowaways on your ships?

How does the presence of stowaways affect the reputation or careers of seafarers in your company?

How does the financial cost incurred by the company due to stowaways boarding your ships affect seafarers?

Are you aware of cases that maltreatment of stowaways took place on your ships and if it didn't happen in your company what factors do you think have contributed to that?

What are some of the more brutal measures seafarers resort to in relation to stowaways and can you think of any reason as to why seafarers resort to such measures?

- ***State Policies & Responses***

In what ways are your policies and practices in response to stowaway situations shaped and influenced by state policies and can you give specific examples in which specific state policies influenced your policies?

Have you had incidents where it was difficult to disembark stowaways in ports? How did that affect the company?

What were some of the consequences of the lack of cooperation from port states to disembark stowaways?

Can you please elaborate on what you regard as an optimum responsibility sharing and state of affairs when it comes to the issue of stowaways and how the problem can be alleviated?

Seafarers

- ***Encountering Stowaways on board***

Can you talk about your experience with stowaways?

What was the general atmosphere from the discovery of the stowaways on board to the point the stowaways were taken of the ship?

What are some of the measures that you witnessed on ships that are used to detect stowaways (such as putting oil or water on deck, keeping tally of food in the galley)?

Can you elaborate on the steps the ship crew undertook after discovering the stowaways?

Were the seafarers prepared in terms of being aware of how to respond to the stowaway situation?

Did you or any of the seafarers felt the stowaways posed a risk to the ship and the crew, and if so what type of risk were they perceived to pose?

Did you ever feel afraid or threatened by the presence of stowaways on your ship?

How did you feel about the presence of stowaways on your ship considering the adage 'the ship is your home?', did you feel they were invading you private space?

How were the attitudes of other seafarers towards the stowaways?

Did you notice any difference in the behaviours or reactions of the seafarers towards the stowaways based on rank, or officer-rating divide or departmental differentiation?

How was the responsible seafarer for the presence of stowaways identified and what measures were taken to that effect (eg. Assigning the responsible seafarer to watch and take care of stowaways)?

Did you observe any grudges towards the stowaways by those who were deemed responsible for their presence?

Can you recall any metaphors or euphemism seafarers used in reference to stowaways?

Have you ever witnessed any racially motivated remarks or reactions towards stowaways by seafarers?

In your experience how do you characterize the way stowaways were treated on board? Can you think of any ways in which the treatment could have been made better?

In what ways did the level of un/cooperation you and your colleagues on board expected from the next ports of call influenced the manner in which you dealt with the stowaways?

Can you talk a little bit about the process of interviewing stowaways? Have you witnessed or are you aware of instances in which seafarers tried to use force in getting that information out of stowaways?

Are you aware of instances in which stowaways were maltreated on board, thrown overboard, disembarked on drums etc?

- ***Guidelines, Training, Security Role***

How did you feel about coping with the stowaways on board while at sea? Were you provided any training and do you think such trainings are needed?

Were there clear guidelines from the shipping company or P & I clubs provided on how to deal with stowaways?

What do you think of those guidelines and directives as well as other documents such as the ISPS code, for instance, do you feel they pose more workload or responsibility on seafarers?

Did some of the duties assigned to you by company procedures, checklists or P & I guidelines made you feel as if you were undertaking policing duties? Please elaborate more on that.

Are there any duties that you would think should never be assigned/delegated to seafarers in relation to stowaways?

Did you or any of the crew members on the ship felt they were carrying out duties that they were not supposed to do while dealing with the stowaways on board? Can you mention some of those?

How did you and other seafarers on board felt when you had to isolate the stowaways or lock them in cabins?

P and I guidelines are quite keen on emphasising on avoiding unnecessary contacts or developing friendly relationship with the stowaways. Did you observe that when dealing with the stowaways? How did that make you feel?

In your experience, did the ships have container detention cells, battens or even handcuffs as well as designated (pre-prepared stowaway rooms)? Are you aware of such practices and what do you think are some of the implications of such practices to seafarers?

- ***Company Responses***

What was the company's response like to the presence of stowaways?

Did you expect any reprisals from the company and if so how much did that influence the way you dealt with stowaways? Did you or any of the seafarers felt stowaways posed a threat to their jobs and were seafarers concerned about possible reprisals from the shipping company?

How did the cost incurred by the company associated with stowaways affected you or your colleagues personally?

- ***Disembarkation***

Can you talk in as much detail as you remember about what was involved in the disembarkation of stowaways?

Can you talk a little bit about the disembarkation process in terms of the cooperation provided or difficulty posed by port states during disembarkation?

Some stowaways told me that they sometimes leave some evidence such as peanuts, or writing in papers, in order to prove that they were on the ship in case things go in ways they didn't anticipate. Have you ever heard of such practices from other seafarers or observed that yourself in your experience?

Stowaways also almost unanimously mention that when they are taken of the ship, the captain's usually tell them that they will be kept in a hotel, give pocket money, and be flown home. However, they also point out that that hardly materializes when they deal with the agents, that they are usually kept in prison till they are repatriated and have to fight for the pocket money. Why do seafarers give them this impression?

What is your opinion about states that do not allow the disembarkation of stowaways and yet are very keen on checking how stowaways are treated on the ship?

Are you aware of instances in which seafarers attempted to illegally assist or disembark stowaways?

Stowaways-Unstructured Interview

- Discuss stowing away experience
- Which group of seafarers encountered, crew composition, segregated crew, ratings vs officers
- The various types of treatment
- Particular ships they target and avoid and reasons (including seafarers nationality)
- The disembarkation process
- Talk a little bit about the time on board
- Any insults, denigrating language that might be used by seafarers
- If and how some seafarers justified their actions to stowaways
- Maltreatment/throwing overboard
- Leaving traces of evidence
- Biocontrol
- Evasive answers during interviews – some increase the number of stowaways, some claim to be alone, some disguise how they boarded the ship
- Resistance on board vs ashore

P & I Correspondents

Can you tell me about the company and its specific role in relation to stowaway?

Can you talk about the relationship between your company and the P and I Clubs?

When it comes to stowaways, how do you deal with the shipping companies and what is involved?

What is involved when a stowaway is found on board a vessel? (This could be one a ship brought to port and in the case of South Africa, it could be one who was found on the ship while the vessel was in port and was not 'proved' to be a trespasser- post 2012). What and who is involved in the disembarkation of stowaways?

What costs are involved and how and by whom are the costs covered?

How easy or difficult is it to disembark stowaways in South Africa and which countries are you aware of that are difficult or easy to disembark stowaways?

In your experience, have you ever noticed seafarers voicing concerns about their jobs, careers, salaries or possible reprisals from shipping companies due to stowaways?

What tasks do you require to be carried out by seafarers in relation to disembarkation and repatriation of stowaways?

Are you aware of or have seafarers talked to you about instances in which stowaways were thrown into the sea? How often do you hear such things?

How is the ship's agent involved when it comes to stowaway cases?

Can you talk about who and what is involved in escorting stowaways?

Stowaways mention about broken promises (such as hotel, pocket money) as well as beatings when being disembarked and repatriated. How often do you hear such things happening? Why do you think such tense situations arise?

Stowaways complain about being taken to detention till repatriation. But now I have been told you are required to fly them out of the country within 2 days or so. When was this change introduced? Were stowaways detained in the past? And why do seafarers tell them that they are taken to a hotel?

Can you talk about any distinctions you might have observed among stowaways such as ‘career stowaways’ and ‘stowaways with goals’?

Since 2012, a new regulation has been introduced that no longer regards stowaways caught embarking in South African ports as trespassers unless the ship can prove that they boarded the ship in South African ports. How often are you able to prove that they are trespassers? Why are not ships able to prove that? If not able to prove does that mean the ship owners bear the cost of stowaways that were initially residing in SA? Are these stowaways given pocket money and if so doesn’t this incentivise them to be caught in SA ports?

Then what is the incentive for ship owners and seafarers to detect stowaways in SA ports if they are going to bear the cost all the same?

How much do you think this will incentivise seafarers not to carry out searches in ports and if they find one at sea then they can just put them into the sea?

Why did the immigration authorities feel the need to introduce these rules while being aware that there are large number of Tanzanian stowaways in SA? Have there been instances where ships illegally brought and disembarked stowaways, how often?

How is the state of port security in deterring stowaways from getting closer to ships? Any prone berths and if so what is it about those berths that make them prone? Are you aware of any steps taken by port authorities to rectify that?

How has the new rule positively or negatively impacted P and I correspondents role in SA?

Can you talk about how you liaison and cooperate with other correspondents across the world?

Stowaway Detection Companies

Can you tell me a little bit about the company and the services you provide?

Have you observed any pattern as to the characteristics of the companies that solicit your service, such as the flags they fly, crew composition, size of company, number of ships calling at SA ports owned by the companies etc?

Have you observed anything special about Chinese ships, such as likelihood of not soliciting your service? Similarly anything you might have observed by ships crewed by Hindus and Muslim seafarers

What else have you also noticed about ships crewed by Chinese seafarers in relation to the issue of stowaways in general as well as stowaway search in particular?

Have you also observed any patterns in ship security in relation to stowaways? Stowaways told me that the Chinese are quite lax when it comes to stowaway prevention and search, have you also noticed that? And why do you think that is the case?

Is there any propensity of stowaways being found on ships that did not solicit your service after they leave port?

Do you have any statistics of the number of stowaways you caught as well as any trends?

What is the reaction of companies like to the fact that they have to pay for a security service and that is not guaranteed by the port security itself?

What happens when you do a stowaway search and discover a stowaway on board?

Can you talk about instances where you did the search and stowaways were later on found on ships, if there are any?

Can you talk about the distinction between trespassers and stowaways? Why was the rule introduced? In what ways has it affected your business? Do you recall any cases where ships brought stowaways from other countries and sneaked them into SA? How often does that happen? Have you ever been able to prove that the stowaways detected during your search were trespassers? How often does that happen?

How can ships prove that is the case?

If ships are still going to be responsible for the stowaways detected in SA ports (if that is mostly the case), then what is the incentive for the ships to try to detect them or even pay for your service?

After the new rule, have you observed companies being reluctant to pay for your service?

Have you also noticed if they have become reluctant to do proper searches in SA ports?

Why do you think is the implication of this rule in terms of the treatment of stowaways? Are you aware of any incidents to that effect?

The fact that the port cannot provide that service or guarantee the security of its port creates a business opportunity for you. On the other hand, the immigration rules may disincentivise potential customers as well as, I have been told, creates tension with your customers. What is your remark on that?

Can you talk a bit about berths susceptible to stowaways and why they are?

Have you observed any significant differences among different stowaways?

Have you ever heard of stowaway 'boot camps', so to speak, in Durban where they train each other on how to stowaway, climb mooring ropes etc?

Can you talk a bit about 'Scrap currency' used by stowaways?

Port Security Officials

Can you tell me what happens when a stowaway is found on board 1. When a ship brought a stowaway from other ports, 2. When a stowaway is said to have boarded in South African port?

Can you talk about what exactly the distinction is between trespasser and Stowaway and when was it introduced and when was it enforced?

Why was this distinction introduced? And what potential roles does it play in shifting the responsibility to ship owners 1. In terms of ensuring security, and 2. In terms of disembarkation and repatriation?

Can you talk about some of the remarks I heard about this distinction relieving South African authorities from responsibility especially considering the large number of 'stowaway communities' around Durban and Cape Town, seeking to board ships in these ports?

How often are ships able to prove that the person in question is a trespasser and not a stowaway? What is regarded as a conclusive evidence to that effect?

Have you observed any inclinations by seafarers not to do thorough stowaway searches since, from what I was told, once a stowaway is on board it is difficult to prove that he is a trespasser?

What do you think is the role this rule might play in rendering seafarers to take matters into their own hands, such as simply not doing stowaway searches in ports and getting rid of the stowaways at sea?

What happens when it is proven that the person in question is a trespasser and how often are ships able to prove that?

Were there instances where ships attempted to sneak in stowaways they brought from other places in to SA territory? And if so can you talk about some of them?

What are some of the security measures put in place to deter stowaways from reaching ships?

What are some of the ways stowaways get inside the port? Weak links in the security measures? What is done to rectify those limitations?

In my other interviews it was mentioned that certain berths are frequented by stowaways (Maydon Wharf in Durban and one in Cape Town). What is it about those berths that make them susceptible to stowaways? What is being done to address that?

Are there instances in which stowaways disguise themselves among stevedores and manage to board ships?

I think it is fair to say that ships are also at the mercy of port security. So considering three of South African ports making it to the top ten stowaway embarkation ports in the world (according to P & I Clubs) as well as the presence of large number of Tanzanian stowaways in South Africa seeking to stowaway on ships, in what ways does port security take some of the blame as well as the burden of dealing with them?

Again considering the fact that the port can't ensure total security to ships against stowaways and that some ships resort to paying for the service to private companies, then how does that render port security to be a function of ability to buy in relation to stowaways?