

11 “Pirates of the Sea and the Land”

Concurrent Vietnamese and French Concepts of Piracy during the Second Half of the Nineteenth Century¹

Stefan Eklöf Amirell

Abstract

This chapter turns to the prominent role of “piracy” in French colonial expansion in Vietnam in the late nineteenth and early twentieth century. The author demonstrates how the long-standing European fascination with pirates in popular culture made it expedient for French colonial officials to label anyone who resisted French colonial expansion in Vietnam as pirates, even if this meant that the concept was stretched to its limit and applied to bandits as well as Vietnamese court officials who had never set foot on a sea-going vessel. Amirell also juxtaposes the French and Vietnamese concepts associated with piracy, banditry, and subversion and shows how the Vietnamese king Tu Duc, not unreasonably, accused the French navy of piracy.

Keywords: France, Vietnam, colonial expansion, Tu Duc, concepts of piracy

For at least three hundred years, since the heyday of Atlantic piracy in the early eighteenth century, pirates have been the object of a particular fascination for Europeans. As a result of this long cultural historical development, today, the word “pirate” conjures up a vast array of associations that are partly based on historical events and personalities and partly based on imagination, such as fictive accounts, songs, poems, paintings, films, and games. On the

¹ This chapter is an outcome of the research project Sovereignty and the Suppression of Piracy, financed by Riksbankens Jubileumsfond (2013–2017). For a more extensive study of the role of piracy in the context of the French colonization of Indochina, see Stefan Eklöf Amirell, *Pirates of Empire: Colonisation and Maritime Violence in Southeast Asia* (Cambridge: Cambridge University Press 2019), ch. 4.

one hand, throughout European history, pirates have been associated with defiance, subversion, and rebellion, and have often been seen as constituting existential threats to society, peace and order, international trade, and the security of seafarers and coastal communities around the world. On the other hand, pirates, both historical and fictional, have also been seen as romantic heroes and non-conforming revolutionaries or champions of the common people. The word pirate, in the modern European understanding of the word, thus has a wide range of social, cultural, and political connotations that by far transcend its generic meaning of a robber or bandit operating at sea.²

Against this background, the concept of piracy has been used for centuries in numerous contexts, often far removed from the original meaning of the word. This chapter explores one such case, in which the concept of piracy was stretched to its limits, namely, when the French invaded and subsequently colonized Vietnam in the second half of the nineteenth century. In Vietnam, the French or European concept of piracy took on a special significance, and was used extensively to denote not just pirates at sea, but also bandits on land and all members of the Vietnamese anti-colonial resistance movement. This development was not just the result of a discourse or political developments in France. It was at least as much the result of a meeting, or perhaps entanglement, between two concurrent concepts related to subversion and brigandage: *pirate* in French and *giặc* in Vietnamese.

Classical and European Concepts of Piracy

Etymologically, the word pirate can be traced to Marcus Tullius Cicero's writings in the first century BCE. Unlike earlier Greek words usually translated as piracy or pirates, such as *lēistēs* (ληστής), the Latin word *pirata* only ever referred to maritime marauders and not to robbers or brigands on land.³ Pirates, according to Cicero, were not subject to the Roman law of nations (*jus gentium*), according to which an oath sworn to a legal enemy must be kept: "[A] pirate is not included in the number of lawful enemies, but is the

2 E.g. Marcus Rediker, *Villains of All Nations: Atlantic Pirates in the Golden Age* (London: Verso; 2004); Peter Earle, *The Pirate Wars* (London: Methuen 2003); Daniel Heller-Roazen, *The Enemy of All: Piracy and the Law of Nations* (New York: Zone Books, 2009).

3 Philip De Souza, "Piracy in Classical Antiquity: The Origins and Evolution of the Concept," in Stefan Eklöf Amirell and Leos Müller (eds.), *Persistent Piracy: Maritime Violence and State-Formation in Global Historical Perspective* (Basingstoke: Palgrave Macmillan, 2014), 49 n. 67; see further Paul McKechnie, *Outsiders in the Greek Cities in the Fourth Century BC* (London: Routledge, 1989), 101–141.

common foe of all the world [*communis hostis omnium*]; and with him there ought not to be any pledged word or any oath mutually binding."⁴

In several of his texts and speeches, Cicero described pirates as a pervasive evil. For example, in his spirited defence of the Roman General and Statesman Gnaeus Pompeius Magnus, who supposedly cleared the Mediterranean of Cilician pirates in just three months in 67 BCE, Cicero presented the situation as one of unprecedented crisis, which could only be solved by immediate and decisive military action.⁵ The tendency to securitize piracy – that is, rhetorically presenting it as a grave security threat requiring extraordinary measures⁶ – thus accompanied the concept of piracy from the time it was first used in the last century BCE.

Already during the following century, however, pirates, in the Roman imagination, became charged with additional connotations that foreshadowed the later, modern European understanding of piracy. The Cilicians – who were regarded by the Romans as the Mediterranean pirates par excellence – were described as exotic outlaws with a weakness for drinking and ostentatious displays of wealth – an image not unlike our understanding of the classic Atlantic pirates of the seventeenth and early eighteenth centuries.⁷ The concept of piracy thus has a long history of a double and partly contradictory association, both with loathsome and subversive criminals and with colourful and exotic libertarians.

Cicero's famous description of pirates as the enemy of all (*communis hostis omnium*) became the starting point of the international legal discourse on piracy that developed in Europe during the Renaissance, when Cicero's writings on piracy (among other things) were rediscovered. In particular, the concept of piracy developed as a legal concept during the Early Modern era, as recounted by Michael Kempe in this volume. In addition, there was a concurrent development by which popular cultural understandings of piracy emerged, particularly in England from Elizabethan times, and subsequently throughout Europe. This development occurred simultaneously and in conjunction with the growth of the international legal discourse about piracy, but in some respects it also stood in opposition to the hegemonic

4 Cicero, *De officiis* III, xxix; English translation by Walter Miller (London and New York: G. P. Putnam's Sons 1928), 385–387.

5 De Souza, "Piracy in Classical Antiquity," 39–40.

6 Securitization is used here in the sense of Barry Buzan, Ole Wæver, and Jaap de Wilde, *Security: A New Framework for Analysis* (Boulder, CO: Lynne Rienner, 1998).

7 De Souza, "Piracy in Classical Antiquity," 43.

discourse, according to which pirates were described as the enemies of mankind (*hostis humani generis*, a paraphrase of Cicero's formulation).⁸

Challenging official claims that pirates, by definition, were the enemies of mankind, popular notions of piracy instead suggested that they were bold and daring heroes. Such is the impression that emerges from Douglas Burgess's study of the popular reception of the pamphlets summarizing the proceedings of the trial against the pirate John Avery (aka Henry Every) and his crew in London in the late seventeenth century. Contrary to the intention of the authorities and the directors of the East India Company, the pamphlets were read by many people in England and the colonies as heroic adventure stories. Avery's aura was enhanced by his escape from justice in 1696 and the mystery of his subsequent whereabouts. Popular poems and songs were composed in his honour, and in 1712, a theatre play called *The Successful Pyrate*, written by Charles Johnson, a British playwright, opened in London, loosely based on Avery's adventures. Although Johnson was chastised by critics for glamourizing Avery and his piratical exploits, the play was a great popular success.⁹

The eighteenth century saw the establishment across Europe of this image of pirates as both subversive criminals prone to excessive violence and debauchery and as romantic heroes and freedom fighters. At times, they could even be associated with social banditry in the sense of Eric Hobsbawm.¹⁰ Such images were largely based on two purportedly true accounts of the lives and deeds of actual pirates, mainly in the Caribbean, during the second half of the seventeenth and the beginning of the eighteenth century: Alexander O. Exquemelin's *De Americaensche zee-rovers* (The Buccaneers of America, 1678) and Charles Johnson's *General History of the Pyrates* (1724). Both of these books became very popular and were widely translated and disseminated in several editions across Europe shortly after their publication. The latter book in particular continued to command great popularity throughout the eighteenth and nineteenth centuries (and beyond). In addition, several popular adventure novels featuring pirates were published during the eighteenth and nineteenth centuries, such as

8 For the theoretical framework of Concurrences, see further Diana Brydon, Peter Forsgren and Gunlög Fur (eds.), *Concurrent Imaginaries, Postcolonial Worlds: Toward Revised Histories* (Leiden: Brill, 2017).

9 Douglas R. Burgess, "Piracy in the Public Sphere: The Henry Every Trials and the Battle for Meaning in Seventeenth-Century Print Culture," *Journal of British Studies* 48 (2009), 887–913.

10 Hobsbawm, *Bandits* (New York: Delacorte Press, 1969); see further Rediker, *Villains of All Nations*; Christopher Hill, "Radical Pirates?," in Margaret C. Jacob and James R. Jacob (eds.), *The Origins of Anglo-American Radicalism* (London: Allen and Unwin 1984), 17–32.

Daniel Defoe's *Captain Singleton* (1720), Walter Scott's *The Pirate* (1822), James Fenimore Cooper's *The Red Rover* (1827) and Robert Louis Stevenson's *Treasure Island* (1883), further adding to the popularity and aura of the pirate in European culture.

During the nineteenth century, many of the popular English pirate novels were translated into French, such as *The Pirate* (1822), *The Red Rover* (1827), and *Treasure Island* (1885). In addition, several successful French authors and playwrights, such as Gustave Aimard and, above all, Édouard Corbière, contributed to popularizing the image of the adventurous and a bohemian pirate in France around the mid-nineteenth century.¹¹ In this cultural context, the word pirate came to be used occasionally to describe not only bandits at sea, but also to refer to bandits on land, such as in Aimard's novel *Les pirates des prairies* (1858) and in the theatre play *Les pirates de la savane*, which opened in Paris in 1859.

However, despite these attempts to extend the piracy label to land-based marauders, the French word *pirate* – like its equivalent in English and other European languages – was used in principle to denote illicit maritime raiding and violence.¹² This would change with the French invasion of Vietnam in the 1880s, in part for domestic French political, rhetorical, and cultural reasons, but also as a result of the encounter between the French understanding of piracy and the Vietnamese concept of *giặc*.

***Giặc* and the French in Vietnam**

French interests in Vietnam dated back to the seventeenth century, when French Jesuits and missionaries established themselves in the country. It was only towards the end of the eighteenth century, however, that the French were able to gain more influence in the country by helping Nguyen Phuc Anh (who later became the Gia Long King) in defeating the Tay Son Rebellion. His ascension to the throne in 1802 marked the beginning of the Nguyen Dynasty in Vietnam. As ruler, however, he distanced himself from his former French allies and sought instead to diminish the European influence in the country, particularly that of the Christian missionaries.

11 Cf. Sylvie Requemora-Gros, "Généalogie de la figure littéraire du pirate du XVIIe au XIXe siècle," in Michèle Battesti (ed.), *La piraterie au fil de l'histoire. Un défi pour l'État* (Paris: PUBS 2014), 450.

12 E.g. M. Pierre Larousse (ed.), *Grand dictionnaire universel du XIXe siècle*, T. 12 (Paris 1874), s.v. "pirate."

His successor, Minh Mang (1820–1841), was even more strongly anti-Western and anti-Christian. He dismissed all French advisers to the court and had a number of French missionaries and Vietnamese converts to Christianity executed.¹³

The persecution of Catholic missionaries and Christians triggered calls in France for military intervention in Vietnam, and from the 1840s French commercial interests in East Asia increased as China was forced to open up to foreign trade. The French began to make more frequent naval visits to Vietnam and to pressure the Nguyen Dynasty to establish diplomatic and commercial relations.

In 1856, a French embassy to the court was turned away under humiliating forms on the orders of King Tu Duc (r. 1847–1883). Ahead of the embassy, he ordered all senior officials to deny the French any official honours.¹⁴ In a circular to his officials Tu Duc expressed his contempt for the French:

In effect, these barbarians are very ignorant and very corrupt; they do not worship their ancestors; with regard to religion, they resemble dogs; with regard to courage, they are goats. They roam the seas like pirates, establishing their lair on deserted islands, or hide in ambush on the coasts, in the depth of valleys, and from there foment troubles and revolutions in the neighbouring countries.¹⁵

The French responded to the insult by attacking and seizing the fort at Tourane (Da Nang), but were forced to withdraw after a month without having secured any concessions from the Vietnamese. As they withdrew, Vietnamese officials displayed large signs saying: “The French bark like dogs and flee like goats.”¹⁶

The following year, the French Emperor Napoleon III decided to despatch a naval expedition to Vietnam in order to force the country to open up to trade and diplomatic relations. The plan was to conquer a token territory, including Tourane, and to force the king to sign either a protectorate treaty

13 John F. Cady, *Roots of French Imperialism in Eastern Asia* (Ithaca, NY: Cornell University Press, 1967), 9–15.

14 Pierre Brocheux and Daniel Hémery, *Indochina: An Ambiguous Colonization, 1858–1954* (Berkeley, CA: University of California Press, 2009), 17–24.

15 “Lettre de Mgr Retord,” *Annales de la propagation de la foi*, 30 (1858), 226. This and all other translations from French are by the author, unless otherwise state.

16 *Ibid.*

or an unequal treaty similar to the ones that had been imposed on China by Great Britain, France, and other countries after the Opium War.¹⁷

The expedition, which consisted of fourteen vessels and 2,500 men under the command of Admiral Charles Rigault de Genouilly, reached Tourane in August 1858. The French quickly seized the town, but the Nguyen Dynasty still refused to sign a treaty with France. Rigault de Genouilly tried to add pressure on the Vietnamese by attacking Saigon, but in March 1860 the operation was cancelled due to the renewed hostilities in China during the Arrow War (1856–1860). The Vietnamese, however, interpreted the French departure as another victory. In a decree Tu Duc announced:

So, now they have departed, these barbarians, these depraved and greedy creatures, who do not have any other inspiration than evil, no other goal than profit; these monsters who nourish themselves by human flesh, and who make their clothes from the skin of those whom they have devoured! Pirates, equally foolish and cowards, they have been defeated by our valiant soldiers, and have saved themselves like dogs with their tail between their legs.¹⁸

This quote from the decree was translated by a French missionary, and it is not clear which word in the original corresponded to the French *pirates*. There were terms in both Mandarin and Vietnamese, however, which carried several of the connotations associated with the European understanding of the word. In Mandarin, the word *hǎifēi* (海匪) – literally sea bandit or sea traitor – for example, was highly securitizing and condescending, implying that such individuals had placed themselves outside the borders of humanity and deserved to be put to death.¹⁹ Similarly, the Vietnamese word *giặc* – meaning war, enemies, taking up arms, pillaging with direct

17 Brocheux and Hémery, *Indochina*, 24–25.

18 "Cochinchine," *Annales de la propagation de la foi*, 33 (1860), 71. The quote here is based on the French translation of the decree.

19 Robert J. Antony, "Introduction: The Shadowy World of the Greater China Seas," in R. J. Antony (ed.), *Elusive Pirates, Pervasive Smugglers: Violence and Clandestine Trade in the Greater China Seas* (Hong Kong University Press 2010), 7–8; cf. also the contribution by Antony in this volume; Patricia Risso, "Cross-Cultural Perceptions of Piracy: Maritime Violence in the Western Indian Ocean and Persian Gulf Region during a Long Eighteenth Century," *Journal of World History* 12:2 (2001), 293–319; Stefan Eklöf Amirell, *Pirates of Empire: Colonisation and Maritime Violence in Southeast Asia* (Cambridge: Cambridge University Press 2019), 34–40, on different concepts and understandings of piracy in some major Asian languages.

force, rising up against the established authority²⁰ – also implied a person who was beyond the borders of law and civilization. The term, however, did not necessarily imply an activity at sea or close to the sea, and, as with the word *hải* [sea] in Mandarin, it was added as an affix to *giặc* in order to mark that such a person or activities occurred at sea. According to a late nineteenth-century Annamite–French dictionary, the term *hải giặc* was thus translated to French as “maritime war, pirates, corsairs.”²¹

From the Vietnamese point of view, the French interventions and aggression from the mid-nineteenth century onwards obviously merited the use of the term *giặc*.²² Interestingly, the French and the Vietnamese connotations associated with *pirates* and [*hải*] *giặc*, respectively, had several points of commonality, particularly the implication of subversion, treason, war, and rebellion, in addition to simple theft and banditry. The main difference between the French colonizers and the Nguyen Dynasty with regard to the label *pirate* or *giặc* seems above all to have concerned the question of to whom it was best applied, rather than the relevance of the terms as such.

Piracy and Banditry

For the Nguyen Dynasty, the problem (or rather problems) of *giặc* was serious and existential. Several outbreaks of piracy, banditry, and rebellion in different parts of the country greatly weakened the Dynasty from the mid-nineteenth century. In the long run, the French incursions would prove to be the most serious threat to the regime, eventually leading to its downfall and the colonization of Vietnam in the 1880s. Nevertheless, there were several other groups of pirates, bandits, rebels, and invaders that caused serious trouble for the regime in different parts of Vietnam from the 1850s to the 1880s.

One of the main threats was from sea piracy and coastal raiding, both of which the Vietnamese authorities became increasingly unable to control as the nineteenth century proceeded. In the first decades of the nineteenth century, in the aftermath of their victory over the Tay Son, the Nguyen

20 This translation is based on an Annamite–French dictionary, which translates *giặc* as “La guerre, les ennemis; prendre de haute lutte, piller à force ouverte; se soulever contre l'autorité établie”; Jean Bonet, *Dictionnaire annamite-français. Langue officielle et langue vulgaire* 1 (Paris: Ernest Leroux 1899), 212. The word *giặc* is of Sino-Vietnamese origin, derived from 賊 (*zéi* in Mandarin), meaning thief, bandit, or robber.

21 “guerre maritime; pirates, corsaires,” in *ibid.*, 213.

22 Brocheux and Hémery, *Indochina*, 51, 57.

Dynasty presided over a formidable navy, which it used to suppress the Chinese pirates who had allied with the Tay Son rebels during the upheaval of the previous decades.²³ In the 1820s, the Vietnamese navy reportedly consisted of around 200 large boats armed with between 16 and 22 cannons each, in addition to 100 large and 500 small galleys armed with cannons and catapults. By the 1850s, however, the maritime forces had deteriorated to the point that they were unable to fend off the depredations of Chinese and Vietnamese pirates.²⁴

The surge in Chinese piracy in Vietnamese waters and in the South China Sea and parts of Southeast Asia from the 1840s onwards was linked to the weakening of the Qing Dynasty in the wake of the Opium War and the subsequent civil unrest in China, particularly the Taiping Rebellion (1850–1864). During the first years of British rule in Hong Kong in the 1840s, moreover, the British government and the Royal Navy largely ignored the problem of piracy, and corrupt officials and merchants in the colony even colluded with the pirates.²⁵ From the middle of the century, however, the Royal Navy began to take more oppressive measures against the pirates in the vicinity of Hong Kong. From the 1860s, the Qing authorities regained control over southern China and its coasts, and collaboration between the British and Chinese to suppress piracy in and around China improved after the end of the Arrow War. Around the same time, the British and Dutch increased their efforts to stamp out piracy in and around the Strait of Malacca. Thus, pressured from both sides, many of the remaining pirates seem to have taken refuge in Vietnamese waters, where they met with little resistance from the authorities. Chinese and Vietnamese pirates thus congregated in large numbers off the north Vietnamese coast, and many of them established permanent bases in the archipelago close to the Red River delta.²⁶

From their bases, the pirates attacked junks carrying cargo between Southeast Asia, Indochina, and China, but their most lucrative activity was

23 See Robert J. Antony, *Like Froth Floating on the Sea: The World of Pirates and Seafarers in Late Imperial South China* (Berkeley, CA: University of California, 2003), 40–43.

24 A. Girard, *Étude sur la Tourane et la Cochinchine* (Paris: Corréard 1859), 34.

25 A. D. Blue, "Piracy on the China Coast," *Journal of the Hong Kong Branch of the Royal Asiatic Society*, no. 5 (1965), 72–73; Grace E. Fox, *British Admirals and Chinese Pirates* (London: K. Paul, Trench, Trubner 1940), 86–87; see also Bruce Elleman, "The Taiping Rebellion, Piracy, and the Arrow War," in B. A. Elleman, A. Forbes and D. Rosenberg (eds.), *Piracy and Maritime Crime: Historical and Modern Case Studies* (Newport, RI: Naval War College Press 2010), 51–78.

26 Amirell, *Pirates of Empire*, 120; cf. Nicholas Tarling, *Piracy and Politics in the Malay World* (Nendeln: Kraus Reprint 1978 [1963]), 206–231.

the abduction and trafficking of people. Thousands of Vietnamese men, women, and children were seized or tricked into captivity and trafficked to China or colonial ports, particularly Hong Kong and Macau, where they were sold off as coolie labourers, domestic servants, concubines, or prostitutes.²⁷

Catholic missionaries drew the attention of the French public to the problem, and French naval vessels occasionally undertook anti-piracy cruises off the Vietnamese coast. Compared with the other major colonial powers in Southeast Asia at the time – Great Britain, the Netherlands, and Spain – however, the French did relatively little to suppress piracy at sea before the 1870s. In the 1860s, the main priority of the French navy was instead to establish order and control over French Cochinchina (southern Vietnam), which the French had seized from the Nguyen Dynasty in 1858.²⁸ Security conditions were anything but good in Cochinchina during the first years of French rule, when river piracy and brigandage were rife.

From the early 1870s, the French began to take more control over the colony and leading colonial officials started to advocate further intervention in the region and the annexation of the rest of Vietnam. The prevalence of piracy in Vietnamese waters seemed to provide a legitimate reason for such intervention. On two occasions in 1872 the dispatch boat *Bourayne* was sent to northern Vietnam, officially for the purpose of collecting geographical and political information, but covertly in order to prepare for a possible French military attack. On her second expedition, the *Bourayne* had several encounters with pirates based off the north Vietnamese coast, resulting in the sinking or burning of altogether seven pirate junks crewed by 700–800 men, more than 500 of whom were killed. The exploits of the *Bourayne* gained much attention in France and were celebrated as glorious victories, much in contrast to the country's embarrassing loss in the war against Prussia the previous year. An outcome of the publicity given to the *Bourayne* expeditions, moreover, was to establish an image in the mind of the French public of the otherwise largely unknown Vietnam as a lawless and pirate-infested country.²⁹

Although piracy in the Gulf of Tonkin was a nuisance to the Nguyen Dynasty, it was generally of less concern than banditry and disorder on land.

27 See Micheline Lessard, *Human Trafficking in Colonial Vietnam* (London: Routledge 2015).

28 See Milton Osborne, *The French Presence in Cochinchina and Cambodia* (Ithaca, NY: Cornell University Press, 1969).

29 E.g. Senez, "Rapport nautique sur l'exploration des côtes de Cochinchine et du golfe du Tonquin (octobre et novembre 1872)," *Revue maritime et coloniale* 37 (1873), 5–32; "Le 'Bourayne' et les pirates chinois," *L'Illustration: Journal universel*, no. 61 (1873); "L'avis Le Bourayne et son commandant," *Le Voleur* (28 March 1873).

Large parts of northern Vietnam were outside of the direct control of Huế and the regime instead relied on a group of mainly Chinese brigands, the Black Flags, in order to uphold a measure of order and influence in the region. The Black Flags had emerged in the aftermath of the Taiping Rebellion, and they took refuge to Vietnam in 1865 as the Qing forces regained control of southern China. The Black Flags allied themselves with the Nguyen Dynasty and helped the Vietnamese government to maintain control over the mountainous region in the north. In exchange, they were given a safe haven in northern Vietnam and the right to collect tolls on the Red River.³⁰

The French, meanwhile, hoped that the Red River would provide a trade route to China's interior Yunnan province and, in that context, the Black Flags stood in the way. A French businessman, Jean Dupuis, managed to secure the support of the French colonial government and decided to force open up the Red River to commerce. He bought two gunboats, a steamship, and a junk and assembled a small private army of 130 men to take a shipment of arms to Yunnan. Without bothering to seek permission from the Vietnamese authorities, Dupuis proceeded with his expedition up the Red River. He managed to reach Yunnan and sell his cargo, but on the way back he was harassed by the Black Flags, whom, according to Dupuis were, for most part, "pirates or bandits, who spread their terror among the wild tribes."³¹

Upon his return to Hanoi, Dupuis was promptly arrested, his ships were seized, and the Vietnamese government asked France for help to expel him.³² The Governor of French Cochinchina, Marie Jules Dupré, sent a small and ill-equipped force under the command of Lieutenant Francis Garnier, one of the most vigorous public proponents of further French colonization in the region. Officially, the purpose of the intervention was to assist the Vietnamese authorities in dealing with Dupuis, but covertly the objective was to pressure the Nguyen Dynasty to agree to a settlement of an unresolved territorial border in the wake of the French annexation of Cochinchina in 1858. Garnier was also instructed to suppress piracy, but only as a secondary task, to be carried out if the opportunity arose.³³

Garnier reached Hanoi and managed to occupy the citadel, but the expedition ended in disaster for the French as Garnier, along with three French soldiers, was killed in a skirmish with the Black Flags at the end

30 Bradley Camp Davis, *Imperial Bandits: Outlaws and Rebels in the China-Vietnam Borderlands* (Seattle, WA: University of Washington Press, 2017).

31 Jean Dupuis, *L'Ouverture du fleuve rouge au commerce* (Paris: Challamel aîné 1879), 41.

32 Amirell, *Pirates of Empire*, 178, Davis, *Imperial Bandits*, 55–61.

33 Dupré to Garnier, 10 October 1873, in Dutreb, *L'Amiral Dupré et la conquête du Tonkin* (Paris: Au siège de la Société, 1924), 48.

of the year. The defeat triggered the withdrawal of the French forces. The Black Flags were widely reported in the colonial and metropolitan press as being Chinese pirates.³⁴

Combined with the well-published anti-piracy operations of the *Bourayne* the year before, the failed intervention contributed to strengthen the image in France of Vietnam as a country teeming with pirates. The image drew on a discourse that linked piracy both to the unrest in China in the wake of the Opium War and to the notion that an inclination to piracy was a hallmark of certain, allegedly less civilized, "races." Such views were widespread among the British, for example with regard to the Malays and other ethnic groups in the Malay Archipelago, as evidenced by the writings of self-proclaimed authorities on the subject such as John Crawford and James Brooke.³⁵

A similar view of piracy as linked to race developed among the French with regard to the Vietnamese during the second half of the nineteenth century. For example, according to Henry Frey, a colonel in the Marine Infantry, who served for several years in Vietnam: "The number of Vietnamese and Chinese who engage in piracy in Tonkin [northern Vietnam] is considerable. Above all, the taste for plunder and pillage [...] assumes this particular character that makes it part of their behaviour and as if in the blood of the race."³⁶

French Colonization and the Suppression of Piracy

For the advocates in France of further colonial intervention piracy became increasingly important in the wake of Garnier's death. In 1874, the French government sought to convince a reluctant Parliament to ratify a treaty between France and Vietnam, and the treaty was, among other things, presented as essential in order to suppress piracy in the Gulf of Tonkin. The government argued that the pirates formed veritable naval squadrons and obstructed commerce on the Vietnamese coast, a circumstance that on several occasions had forced the French to undertake costly and bloody expeditions. The government further argued that the suppression of piracy was part of the work of civilization and that the French navy would swiftly be able to eliminate the pirates, who, since time immemorial, had carried

34 E.g. *Courrier de Saigon* (5 January 1874); *Journal officiel de la République française* (27 February 1874).

35 Amirell, "Civilizing Pirates."

36 Henri Frey, *La Piraterie au Tonkin* (Paris: CreateSpace 2018 [1891]), 7.

out their ravages on the Vietnamese coast and prevented both merchants and fishermen from travelling at sea.³⁷

The rhetoric contributed to the government's success in getting Parliament to ratify the treaty, and the year after it was followed by a commercial treaty in which the need to suppress piracy was further emphasized. The commercial treaty extended the French obligation to suppress piracy to comprise pirates on land, in addition to those at sea, stating that France was obliged to "make all efforts to destroy the pirates of the land and the sea, particularly in the vicinity of the towns and ports open to European commerce."³⁸ Neither treaty mentioned the word "protectorate," but for practical purposes the treaties seemed to establish such a relation between the two countries.

In accordance with the treaties, French naval vessels undertook several anti-piracy operations in Vietnamese waters in the second half of the 1870s and the beginning of the 1880s. The result was that some of the piratical depredations were contained, but the French navy's capacity to suppress piracy in the region was insufficient and the abductions and trafficking of Vietnamese to China, Hong Kong, and Macau continued. For those who favoured a more aggressive colonial policy in Indochina, the need to suppress piracy and trafficking provided a strong argument for intervention. Paul Deschanel, an influential French Republican Party politician and author, for example, argued that it was a matter of dignity for France to uphold maritime security in Vietnamese waters. He also worried that the prevalence of piracy might induce another foreign power, in the first place Great Britain or Germany, to intervene and thus threaten French interests in Indochina.³⁹

Indochina occupied a central role in the great debates in France about colonial expansion in the 1870s. Despite strong resistance from some politicians, particularly on the left, the momentum gradually shifted in favour of a more interventionist policy during the 1870s. In 1881, the more assertive French policy in the region manifested itself in the approval by Parliament for an increase in the funds for the navy's operations in Indochina. The funding allowed for a substantial increase in the number of vessels available for anti-piracy operations, signalling that the country would take a more proactive role in upholding law and order at sea and on the rivers, particularly

37 *Journal officiel de la République française* (4 August 1874).

38 Article 28, Treaty of 31 August 1874, in Ministère des affaires étrangères, *Affaires du Tonkin*, 1 (Paris: Impr. nationale 1883), 23.

39 Paul Deschanel, *Question du Tonkin* (Paris: Berger-Levrault 1883), 66–67.

the Red River, which still, by the early 1880s, was under the control of the Black Flags.⁴⁰

In French Cochinchina, pro-interventionist sentiments were even stronger than in France. In 1882, the Governor of French Cochinchina, Charles Le Myre de Vilers, largely on his own accord, but believing that his actions were in accordance with those of the metropolitan government, dispatched a military expedition to Vietnam. Officially, the purpose was to protect the life and property of French citizens in the country, but covertly the intention was to take control over the Red River delta in order to formalize and strengthen the implicit French protectorate over Vietnam.⁴¹ Like ten years earlier, piracy once again figured in the Governor's instructions to the commander of the expedition, Captain Henri Rivière: "You must not have any relations, direct or indirect, with the Black Flags. To us, they are pirates, and you shall treat them as such [...]."⁴²

The French troops – who were more numerous and better equipped than Garnier's force ten years earlier – quickly seized the citadel at Hanoi but were again unable to move against the Black Flags. Rivière was also unable to undertake an intended survey of the Red River because the water was too low for the French gunboats. Forced to wait for the rain season the French troops were thus confined to the citadel, where they were besieged by the Black Flags. An obviously despondent Rivière wrote in a letter to one of his sub commanders that the country seemed to be teeming with pirates and that more or less everybody was a pirate.⁴³

In May 1883, Rivière met a similar fate as Garnier at the hands of the Black Flags. In contrast to what happened after Garnier was killed ten years earlier, however, Rivière's death did not trigger a withdrawal of the French troops. Instead, there was a massive outpouring of support in France for a military intervention in Vietnam, in part because Rivière was not only a soldier, but also a well-known author and journalist. Consequently, in Parliament all but a few Socialists and Radicals came to strongly support the plans for further colonial expansion in Vietnam. The need to suppress piracy – particularly with reference to the Black Flags – was invoked as a major reason for the intervention, but more fundamentally, the calls for

40 *Journal officiel de la République française* (13 May 1880).

41 Brocheaux and Hémery, *Indochina*, 42.

42 Governor of Cochinchina to M. Rivière, 17 January 1882, in Georges Taboulet, *La Geste française en Indochine*, 2 (Paris: Librairie d'Amérique et d'Orient, 1955–1956), 767.

43 Lettre particulière du Commandant Rivière, 4 June 1882, in Taboulet, *Geste française*, 781; Rivière to the Commander-in-charge of Nam-Dinh, 18 May 1883, in Henri Rivière, *Correspondance politique du commandant Rivière au Tonkin (avril 1882–mai 1883)* (Hanoi: Le-Van-Tan, 1933), 252.

intervention were aimed at restoring the hurt national pride of France and avenging the killing of Rivière.⁴⁴

Pirates, Bandits and National Resistance

In August 1883, a French contingent of around 4 000 men was dispatched from Cochinchina to northern Vietnam with instructions to occupy Hanoi and the Red River delta and to set up a French protectorate in the region. In response, China – which since ancient times regarded Vietnam as a tributary state – sent regular troops to reinforce the Black Flags, which led to the Sino–French War of 1883–1885. Despite some victories on the ground, the Chinese troops proved inferior to the French. The outcome of the war was that the Qing Dynasty was forced to give up its claim to sovereignty over Vietnam and acknowledge the French protectorate, which had been formally established in a treaty signed by the Vietnamese court in June 1884.⁴⁵

The French victory over the Nguyen Dynasty, China, and the Black Flags did not mean that the new colonial masters controlled the country. The French had little influence outside the principal towns and ports of northern Vietnam and the Black Flags and other bandit groups still controlled most of the countryside. In addition, the French invasion triggered the rise of an armed anti-colonial resistance movement Can Vương ("Help the King"), which constituted a veritable national insurrection against the new foreign regime.⁴⁶

Moreover, the withdrawal of the Black Flags from Vietnam had been implied but not explicitly regulated in the peace treaty between China and France. Many of them thus remained in northern Vietnam, where they continued to control large parts of the country and to levy toll on the rivers. There are even indications that the French invasion aggravated the security situation. For example, in June 1885, shortly after the end of the Sino–French war, an official report on the "Piracy Situation" (*Situation de la Piraterie*) described those part of the country that were beyond the French lines as given to anarchy after the evacuation of the Chinese troops, with numerous bands of pillagers committing frequent depredations.⁴⁷ The "piracy situation"

44 Amirell, *Pirates of Empire*, 191–192; Brocheux and Hémery, *Indochina*, 47.

45 See Michel Bodin *Les Français au Tonkin, 1870–1902. Une conquête difficile* (Saint-Cloud: Éd. Soteca 2012).

46 *Ibid.*, Brocheux and Hémery, *Indochina*, 51; see further Charles C. Fourniau, *Vietnam. Domination coloniale et résistance nationale (1858–1914)* (Paris: Les Indes savantes 2002).

47 Situation de la Piraterie, 9 June 1885, GR 15 H 93, Service historique des troupes de la Marine, Service historique de la Défense, Vincennes.

continued to be problematic on land for another ten years, although the sea pirates in the Gulf of Tonkin – who, a couple of decades earlier, had flourished on the trafficking of Vietnamese to China and European ports in East Asia – by the early 1890s were described as consisting of very small and poor groups and lacking in maritime capacity.⁴⁸

The Vietnamese word that most closely resembled the French *pirate* was, as discussed above, *giặc*, and by associating all those who resisted French colonisation – including both the Black Flags and other bandits and the Can Vuong movement – the French could tap into a long-standing tradition among Vietnamese mandarins of defaming any rebellion or challenge to the established order and authority. By framing the military operations against all who resisted French colonisation as anti-piracy or anti-*giặc* operations, the French thus aimed to legitimise their repression in Vietnam with reference to the Confucian order.⁴⁹

In France, meanwhile, labelling the Black Flags pirates was a rhetorical device that served to drum up support for the military intervention and conquest of Vietnam, particularly in the wake of the death of Rivière. The association between the Black Flags and piracy was facilitated by the fact that their very name – *Pavillons noirs* in French – readily evoked visual and symbolic associations to the Jolly Roger, the well-known pirate flag of the eighteenth-century Atlantic. Moreover, by describing Vietnam as a pirate-infested country and by shouldering the responsibility for suppressing the supposedly ancient scourge in the region, the proponents of colonisation could tie the colonial venture to a progressive vision of peace and progress – that is, the French *mission civilisatrice*.⁵⁰

The rhetoric, however, was not accepted uncritically by all in France. Some people who had some knowledge of the situation in Vietnam questioned the use of the label piracy to describe the Black Flags. Shortly after the death of Commander Rivière, the Chinese Ambassador to France, Zeng Jize (Marquis de Tseng or Tseng Chi-tse), said in an interview in *Le Figaro*:

The Black Flags [...] are what is left of the Taiping rebels. They are in the service of Annam [Vietnam]. In France, they are turned into a bogeyman and the Black Flags are used to fool the French people. In Paris, they are

48 H. Charles-Lavauzelle (ed.), *La Piraterie au Tonkin* (Paris and Limoges: H. Charles-Lavauzelle, 1891), 44–45.

49 Brocheux and Hémery, *Indochina*, 51; cf. Davis, *Imperial Bandits*, 20, about the concept *giặc* in the context of the French repression against the Black Flags.

50 Amirell, *Pirates of Empire*, 192.

called pirates. Well, they are neither pirates nor bandits outside the law. They are regular soldiers in the service of King Tu Duc [...].⁵¹

Colonel Henry Frey also questioned the use of the label piracy to designate the Black Flags and virtually anyone who defied the authority of the French in Vietnam:

[I]n Indochina, Europeans indiscriminately mix up under the label "pirate" not only marauders, highway robbers and smugglers, but also adventurers of all sorts who, yielding to the lure of a roaming life and defying the impotence of the laws, carry out their depredations, in armed bands, on land, on the coast or on the rivers of Tonkin; but also the natives who, rising up against the French domination, fight to regain national independence.⁵²

On a somewhat different note – and without explicitly referring to the Black Flags – a former governor general of French Indochina, Ernest Constans, said in the Chamber of Deputies that the label pirate often was used in a somewhat "pompous" way in Indochina to describe what often was nothing but instances of petty theft, similar to what happened regularly in the *faubourgs* of Paris. Such rhetoric, he said, was reminiscent of the language of comic opera.⁵³

Constans's reference to comic opera pointed to a further dimension of the discourse of piracy in the context of French colonisation in Indochina, namely, the role that pirates played in popular culture in France. The last decade of the nineteenth century and the first decade of the twentieth century saw an unprecedented output in France of novels and short stories about piracy set in Indochina, in addition to numerous purportedly true accounts by French *colons*, soldiers, and travellers of their encounters with pirates in the region. The subject offered a fruitful terrain for the authors of the genre to explore, and the books and stories were often successful in terms of sales and public appreciation. The scene was an exotic and ominous country, far from France both culturally and geographically. There was a wealth of dramatic effects that could be exploited and associated with

51 "Une entrevue avec le marquis de Tseng," *Le Figaro* (16 June 1883); translated to French and reprinted from the *New York Herald*.

52 Henri Frey, *Pirates et rebelles au Tonkin* (Paris: Hachette 1892), 39–40; cf. *idem*, *Piraterie au Tonkin*, 7.

53 Cited in Jules Ferry, *Le Tonkin et la mère-patrie* (Paris: V. Havard 1890), 269–270.

the allegedly primitive nature of the Asian soul, such as cunning, deceit, vengeance, hate, dissimulation, and cruelty.⁵⁴ *La grande piraterie* thus established itself as a popular genre of French fiction and became part of the horror literature (or Gothic fiction) that was widely popular in Europe during the nineteenth and early twentieth centuries. In this and many other senses, Vietnam took on the quality of a “dreamed elsewhere” (*ailleurs rêvé*) in the French imagination, as Historian Nicola Cooper suggests.⁵⁵

Concluding Remarks

The suppression of piracy was a major aspect of the process of colonization in Southeast Asia during the nineteenth century, not only for France, but also for other colonial powers in the region such as Great Britain, the Netherlands, Spain, and the United States.⁵⁶ However, only in the context of the French colonization of Indochina did the label piracy take on such a broad significance as to include virtually any act or person that resisted French colonization, regardless of the motivation, location, or modus operandi. By contrast, in other parts of Southeast Asia, and indeed in other parts of the world, the term piracy continued, for the most part, to be reserved for raiders or rebels that used some form of maritime transportation.

Lumping together pirates at sea, bandits on land, petty thieves, and national resistance fighters and calling all of them pirates obviously served rhetorical purposes in France, particularly in the context of the campaign to drum up support for the annexation of Vietnam after Henri Rivière was killed by the Black Flags in 1883. As the discourse took hold and seemed to have the desired effect on public opinion, it continued to be used long after most anti-colonial resistance, as well as banditry and piracy at sea, had been suppressed or defeated by the mid-1890s.

The discourse on piracy was not only a French colonial or metropolitan phenomenon, however. In Vietnam, the term *giặc* had similarities with the French and European concept of piracy. Just as a *pirate* was seen in Europe as an enemy of society and mankind as a whole, a *giặc* in Vietnam was a person who engaged in subversive and illegitimate hostilities. As such, the concepts may

54 Louis Malleret, *L'Exotisme indochinois dans la littérature française depuis 1860* (Paris: L'Harmattan, 2014 [1934]), 88.

55 Nicola J. Cooper, *France in Indochina: Colonial Encounters* (Oxford: Berg, 2001), 2.

56 Stefan Eklöf Amirell, “Pirates and Pearls: Jikiri and the Challenge to Maritime Security and American Sovereignty in the Sulu Archipelago, 1907–1909,” *International Journal of Maritime History* 29, no. 1 (2017), 1–24; *idem*, “Civilizing Pirates”; *idem*, *Pirates of Empire*.

have had similarities, but there were great differences in the understanding of who deserved to be labelled a *pirate* or *giặc*. Whereas the Nguyen Dynasty regarded the French encroachments and aggression as such subversion, the French were convinced that the Black Flags were the main pirates or *giặc*, and later this scope of the term was expanded further to include anyone who resisted French colonization of Vietnam, regardless of their motives. In several respects, the use of the terms *pirate* and *giặc* in Vietnam during the second half of the nineteenth century demonstrates the concurrent nature of the concepts, including simultaneity, contradiction and entanglement.

There was also a degree of common ground between the Vietnamese and French in the decade before the French conquest of Vietnam with regard to the need to suppress *pirates* or *giặc*. In the 1870s and early 1880s, the French and Vietnamese made some efforts to collaborate in the suppression of piracy in Vietnamese waters, mainly with regard to the Chinese pirates who plagued the islands and coasts of the country and abducted thousands of Vietnamese who were trafficked to China or colonial outposts.

These efforts, however, were soon overshadowed by the French discourse on piracy, which was mobilized to drum up support for the colonization of Vietnam. In the French metropolitan context, the discourse of piracy thus took on a different guise, serving, above all, to link the French colonial project in Indochina to a vision of peace and prosperity and to the French *mission civilisatrice*. Finally, the image of Vietnam as country teeming with vicious and racially inferior "pirates" also served to fulfil the cultural appetite among the French public for stories of adventure, the horrific and the exotic. In doing so, *la grande piraterie* both satisfied the desire among the French for entertainment and contributed to sustain the image of the pirate as a racialized other.

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About the Author

Stefan Eklöf Amirell is a Professor of Global History at Linnaeus University, Sweden, and the Director of the Linnaeus University Centre for Concurrences in Colonial and Postcolonial Studies. His publications include *Pirates in Paradise: A Modern History of Southeast Asia's Maritime Marauders* (2006) and *Pirates of Empire: Colonisation and Maritime Violence in Southeast Asia* (2019).