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Anthropological Quarterly, Volume 94, Number 4, Fall 2021, pp. 639-668  
(Article)

Published by George Washington University Institute for Ethnographic Research



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# Navigating Seas, Markets, and Sovereignties: Fishers and Occupational Slippage in the South China Sea

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## ABSTRACT

*Oceans have always been arenas of crime, drugs and human trafficking, and poaching. When such violations occur on fishing boats, they fall under the rubric of “fisheries crime.” Political scientists and economists have tended to assume that these criminal fishers simply abandon their legal occupation and take up illegal practices, labelled “transnational organized fisheries crime” by the United Nations. On the other hand, some scholars have also argued that subsidized and militarized fishers in the South China Sea are simply acting as instruments of their states’ geopolitical agendas, responding to regulations, non-enforcement of regulations, and incentives. Such present-centric approaches both obscure the modalities of fishers’ embodied skills and knowledge and their motivations, and downplay the inter-ethnic networks that connected different fishers beyond state territories and localized fishing grounds in past and present. Charting the spike in maritime trespass in (and out of) the South China Sea, this article combines ethnography and historiography to show how fishers move in and out of legal and illegal, state and non-state categories of fisher, poacher, trader, smuggler, and militia. I propose the concept of occupational slippage as a way of going beyond the fiction of fishing as mono-occupational and theorizing the realities of fishers as mobile maritime actors who enact and*

*conceal multiple—simultaneous and consecutive—livelihood strategies while navigating not just seas, but also markets and territorial sovereignties. Thus, I argue that the fishers’ practices reflect wider interconnections between modern, state-supported, and technology-driven fisheries with older pre-nation-state patterns of mobility and knowledge accumulated through generations, producing new forms of versatility that operate under the states’ radars.* [Keywords: Fishers, occupational slippage, tidalectic, market, sovereignties, maritime militia, South China Sea]

## **Introduction: From Fishing to Mining Fossilized Giant Clamshells**

Phú Quý is a Vietnamese island in the South China Sea, located 56 nautical miles (about 103 km) from Phan Thiết, a city in central Vietnam and 335 nautical miles (540 km) west of the Spratly archipelago. During my field research there in 2018, I developed an early morning routine of having coffee in various cafés in the island’s three villages—Ngũ Phụng, Tam Thanh, and Long Hải—mixing with rotating shifts of local fishers who would sit in the cafés and discuss their business. The daily meetings helped me widen my informant networks, and the gossip kept me abreast of all fishery-related events on the island. One day in June 2018, I joined a group of young fishermen in Milano—one of the local cafés that was particularly popular with fishermen from Ngũ Phụng, the village where I stayed during my fieldwork. I sat on a wooden bench next to Hải, a 25-year-old fisherman who had just returned from the Spratlys and was scrolling through photos of beautiful works of art carved out of fossilized giant clamshells. The perfectly polished handicrafts included Chinese symbols for prosperity, luck, and longevity, with such motifs as leaping fish, birds, lucky cabbage, and dragons. The price of the hand-crafted shells ranged from hundreds to thousands of US dollars, depending on the quality and source location.

I immediately recognized the style of these shells. I had seen thousands of them—both in their natural state and processed—in the local port and shops in Tanmen, a prosperous fishing town located on the east coast of China’s Hainan Island, where I had conducted four months of ethnographic field research three years earlier (and again in 2019). The shops selling giant clamshell artwork belonged to local fishers who had

become China's best-known maritime militia, involved in the construction of artificial islands in the South China Sea (SCS) and (literally) shoring up China's maritime sovereignty. These fishers extracted centuries-old fossilized shells on a massive scale, exploiting the coral reefs in the Spratly and Paracel archipelagos and the Scarborough shoal—the Paracels and Spratlys being the object of conflicting territorial claims between China, Vietnam, and the Philippines, and the Scarborough shoal an object of contention between China and the Philippines. But how did Hải, a Vietnamese fisher, know about giant clamshell artwork, and why would he be interested in it in the first place?

From Hải, I learned that since 2016, Hainanese fishers could not find shells anymore—neither in the shallow waters of the Paracels and Spratlys nor of the Scarborough shoal off the Philippine coast. In the same year, Chinese fishers from Tanmen had begun hiring Vietnamese fishers to extract giant clamshells from deeper waters on Vietnam's side of the Spratly archipelago. Hải was one of the fishers recruited for this work, diving to depths of six meters or more to retrieve the fossilized shells that lie buried under sand and sediment. To do so, Hải and his fellows used a hazardous diving technique that relies on breathing through a thin plastic tube connected to an air compressor on the boat above them.

Before switching to the excavation of giant clams, Hải was regularly sneaking into Malaysia's Exclusive Economic Zone (EEZ) to buy freshly caught seafood from Malaysian fishers via other Vietnamese fishers who act as brokers. From Hải, I had already learned that his village's fisheries were connected with Chinese-owned seafood companies that were buying up illegally harvested sea products, and sometimes engaged with pirate gangs and even national coastguards, to whom they had to make up-front payments as they trespassed into foreign territorial waters. Hải told me that on one occasion when he entered Malaysian waters at an agreed place and time, a speedboat with five masked and armed men seized his boat and quickly forced the fishers to their knees at the bow of the boat. Not allowed to look at their attackers, they were stripped of their mobile phones and any other valuables that they had with them. Beaten with guns and bamboo sticks, Hải and his crew were threatened and intimidated and then forced below deck, where they had to wait until the boat with the attackers sailed away. Hải could not tell who the attackers were, although he suspected the Malaysian coastguard, whose offshore EEZ stations were located on nearby islands and atolls. According to Hải,

the Malaysian coastguard responsible for policing Malaysia's maritime borders knew where Vietnamese fishers illegally entered their territorial waters, but instead of arresting them preferred to supplement their income by taking the fishers' possessions. The experience with the Malaysian coastguard left Hải so traumatized that he asked a colleague from a neighboring village to teach him compressor diving and help him get a place on his giant clamshell crew. This hazardous method, used mostly to collect sea cucumbers in deeper waters, has been regularly used by fishermen from only one village on the island, which specialized in this delicacy, considered an aphrodisiac in China.

After we finished our coffee, Hải took me to the neighboring village to meet his colleague Diệp, who explained that while the villagers had some tradition of harvesting live giant clams to sell to China, only recently did they start to engage in the extraction of fossilized clams and their sale directly at sea. Although giant clamshell extraction did not require Hải and Diệp to dive as deep as for sea cucumbers, the main challenge was to excavate the seabed to uncover and extract the heavy shells. Then they used ropes to hoist the shells onto a vessel belonging to a Vietnamese broker (*người môi*), who would take the cargo to the transshipment point on the maritime "border" demarcating the Vietnamese and Chinese "sides" of the Spratlys. There, a Chinese broker's vessel waited, ready to receive the shells. According to Hải and Diệp, there would always be at least one broker involved in the transshipment with a Sino-Vietnamese background and fluent in both Vietnamese and Chinese, who could facilitate communication between the two sides. In order to ensure a smooth handover, the Vietnamese and Chinese coastguards were paid to turn a blind eye to the ongoing transfer between the vessels. Hải stated that sea cucumbers and fish had almost disappeared from the Spratlys, something that was echoed to me by Hainanese fishers in 2015. Pushed by scarcity to abandon sea cucumber collection in the SCS area, Vietnamese fishers from some small islands gained international fame for venturing far into the Pacific Ocean on their small wooden boats, often diving down more than 50 meters to find the precious aphrodisiac. Those who did not want to risk arrest for trespassing into foreign waters quickly seized on the new opportunity presented by the lucrative trade in giant clamshells in the Spratlys. Hải explained that he could earn more than US \$600 in two weeks, and even twice that amount if his crew were lucky enough to discover a good spot with many shells.

The extraction of fossilized giant clamshells described in this brief vignette shows that fishers do not always focus on fishing per se, but often act—sometimes simultaneously—as poachers, traders, smugglers, or sometimes as maritime militia at the service of the state. These other livelihood strategies are often thought of as exclusive occupations and hence as “identities” separate from fishing, a view that ignores the possibility that fishers do not always fish. However, it is not only fishing that requires the basic skills of seafaring and navigation; without these skills, fishers in the past would not have been able to diversify their livelihood strategies by engaging in other activities such as transporting and trading. When fishers’ occupational strategies are reduced to fishing—in other words, when fishing becomes the only source of licit income—other maritime livelihood modalities slip into “illegality.” This presumed mono-occupation, thus, implies a legal right to fish using certain techniques in the specified waters and areas.

In order to analytically unpack the process of how actors move in and out of the boundaries of their licit occupational purview, in the first section I develop the concept of *occupational slippage*, which I define as frequent, patterned shifts between various *maritime* and *marine* dimensions of fishers’ activities. By maritime, I mean sea-borne activities and practices on the surface of the seas, including connections with the land (e.g., navigation or sea transport of people and goods); while marine refers to what lies under the surface of the water and the process of resource exploration and extraction *in* and *from* the sea (Roszko 2021:298; see also Helmreich 2009, Steinberg 2009). I understand the particular kind of occupational slippage observed among Vietnamese fishers as geographically specific and temporally limited practices that problematize the assumed fixity of occupational, ethnic, state-affiliated, and non-state identities in contemporary scholarship about illegal, unreported, and unregulated (IUU) fisheries-related crime (Chapson and Hamilton 2019, Sylwester 2014, Zhang and Bateman 2017). I show that the knowledge and skills accumulated over generations and the ethnic fluidity of fishers enhances and complements their spatial mobility. The pattern of frequent shifts between licit and illicit activities are best understood in terms of occupational slippage.

In the next section, I take my analysis into the past by focusing on how fishers-cum-seafarers became part of precolonial maritime militias, and how their service to the Việt court was predicated on seafaring skills, commercial and political connections, and ethnic fluidity. In the third section,

I return to the present and to my ethnographic material on the large-scale illicit extraction of fossilized clamshells by Phú Quý and Hainanese fishers, who collaborate commercially in spite of the territorial dispute between their respective states. While nowadays naval patrols, military infrastructure, and maritime militias seek to uphold maritime borders in the SCS against the backdrop of conflicting territorial claims, fishers' violations of these border regimes build on old trading patterns and pre-existing ethnic networks, even as they exploit state subsidies and resources. As fishers are mobile (albeit not migratory), in the conclusion, I highlight the importance of historical reflexivity and the need to refine our concepts of illegal fishing to better understand the recent spike in crimes at sea. I examine the phenomena that are being represented by scholars and policy makers under the new "fisheries crime" rubric, which—in line with a view of modern fishing industries as necessarily mono-occupational—views all kinds of "illegal" fishing operations and related activities as part of transnational organized criminal networks. Such criminalization cannot be separated from state border regimes that generate fishers' everyday "illegality" (van Schendel and Abraham 2005, De Genova 2013, Hoàng Cẩm 2011) against the backdrop of "maritime territorialization" (Roszko 2015, MacLean 2016). Connecting history and ethnography in his historical analysis of the China-Vietnam borderland, Bradley Davis (2017) shows that the border plays a central role in producing "illegal" trade and networks that do not fade over time, but reinvent themselves along with changing borderland regimes (see also van Schendel and Abraham 2005). We should therefore investigate fishers and their activities in terms of *longue durée* patterns of mobility and fluid livelihood tactics that have only recently been subsumed under the rubric of "fisheries crime." By uncovering these patterns of fluid livelihoods, we can see that ethnic categories are often deeply enmeshed with occupational identities. Following pre-nation-state patterns, the very same people could be at once engaged in different sea-borne livelihoods and assume new ethnic identities and occupations involving land reclamation, commerce, ship building, and military service. Fishers thus emerge as mobile maritime and, at times, political actors who fan out across the globe, pursuing and enacting fluid occupational strategies as they navigate seas, markets, and sovereignties, much as they did in the past.

While my ethnography focuses on Phú Quý Island, my analysis is also informed by intermittent fieldwork (totaling 28 months between 2006 and 2020) in Hainan (China) and in a number of Vietnamese islands and coastal

areas (e.g., Lý Sơn Island), conducted in Mandarin and Vietnamese, respectively. My field research was mostly onshore. Even those fishermen who genuinely took me under their wing faced serious obstacles when it came to taking me along with them on their fishing trips. Among fishermen, a number of taboos revolved around the presence of a woman onboard, including the belief that it would bring a bad catch or other bad luck. Moreover, the presence of a foreigner onboard, whether male or female, required special approval from the authorities, without which it would be considered a breach of national security. Although my long-standing networks in Vietnam and China enabled me to obtain research access to restrictive and politically sensitive maritime zones in the SCS, Chinese and Vietnamese authorities considered their coastlines a border zone and specified that I was only allowed to take part in fishing expeditions arranged and supervised by the local coastguard. Additionally, I base my analysis on extensive documentary and archival sources; in particular, on historical documents of fishers' exchanges with the state that I was allowed to access during my research in the SCS region between 2006 and 2020. Taking the case of Vietnam's Phú Quý Island, located between China and Malaysia, I propose a *longue durée* analysis of fishers who shift between multiple occupations while simultaneously navigating seas, territorial sovereignties, and market demands. The island's vernacular history and geography narrate a more complex story of a mobile and multi-ethnic community of fishers-cum-seafarers formed through economic exchanges and service to the state as maritime militia, as I describe in the next sections.

### **Beyond Fishing as Mono-occupation**

Early anthropological works mainly described fishers in terms of subsistence (Firth 1946) or inshore and offshore fishing (Barth 1966, Acheson 1981). Fishing was intimately tied to issues of collective property rights and resource management (e.g., Bavinck 2011). Recently, anthropologists have redefined their focus by analyzing how fishers position themselves within advanced capitalism to navigate volatile markets (e.g., McCormack 2020). For the SCS, political scientists and international relations scholars have largely assumed that fishers act as instruments of their states' geopolitical agendas, responding to regulations and incentives (Song 2015, Zhang and Bateman 2017). We also read about fishers turned

pirates (Somalia and Nigeria; see Dua 2013), human traffickers on the Mediterranean (Ghana; see Lucht 2012), slavers (Thailand and Ireland; see Vandergeest 2019), and drug traffickers (Holland; see Boffey 2017)—thus giving the impression that many fishers (or at least some “bad apples”) have abandoned their licit occupation for illegal practices that the United Nations (UN) now calls “transnational organized fisheries crime” (Chapson and Hamilton 2018).

Much contemporary scholarship about IUU fisheries adopts a present-centric approach to explain shifts from legal to illegal activities. Factors such as structural poverty, lack of employment, peripheral location, and overexploitation of fisheries are invoked to explain the “poor” fishing communities’ descent into criminal activity (Chapson and Hamilton 2019, Sylwester 2014). There is a tendency in the scholarship on IUU to readily accept the “notion of the autonomous individual” (Pálsson 2016:116) embarking on the path of illegal activities, thereby downplaying the role of intergenerationally transferred skills, networks, and circulations that have long been part of maritime livelihoods that always encompassed much more than mere fishing (Spyer 2000; Stacey 2007; Gaynor 2010, 2016). This tendency towards “malpractice” is already implied in some negative connotations of the word “fishing,” which beyond the “art or practice of trying to catch fish” may also mean “asking blindly questions in hopes that an answer will provide information that one wants” or “the attempt to fraudulently acquire sensitive information, such as passwords and credit card details, by pretending to represent a familiar (financial) institution” (this latter connotation often spelled *phishing*).<sup>1</sup> When viewed through this prism, the term *fishing* lends itself well to the kind of “semantic slippage” (Herzfeld 1983) denoting the process of giving something a “legal” appearance in order to conceal “illegality.” When viewed through the prism of IUU practice, however, *fishing* is a kind of stable and unitary performance that is conducive to semantic slippage, allowing fishing to be conflated with other occupational strategies through occupational slippage.

When referring to legal and illicit practices at sea—whether fishing, poaching, purchasing of illegal seafood, or smuggling—fishers like Hải or Diệp did not, of course, use the term occupational slippage. Rather, they often referred to those activities as *làm biển*, which can be translated as “sea work” or “work at seas,” or *làm ăn*, which is a more generic expression meaning “earning an income.” However, when they were caught in “crime” at sea or arrested for trespassing in foreign waters,

they would explain to the authorities that they “had been fishing” (*đi câu cá*) and were “following the fish” (*theo cá*). But occupational slippage is neither accidental happenstance nor opportunistic pursuit of specific possibilities, even though that might be what fishers and state authorities claim in their encounters. Rather, occupational slippage denotes strategic livelihood moves in a regulated and monitored geographical space by people who seek to stay attuned to their skills-cum-knowledge under the guise of what is officially allowed and considered to be a legitimate occupational activity. Occupational slippage is thus a tactical subversion or inversion of licit forms of their occupations, in line with the practical constraints and opportunities afforded by their environment. I choose to call this occupational slippage because it allows me to map fishers’ agency, masquerading as accidentality, and thereby to unpack present-centric understandings of fisheries as mono-occupational rather than as a maritime livelihood repertoire.

Vietnamese fishers apprehended in Australian waters between 2012 and 2017 for the illegal harvesting of sea cucumbers or live giant clams offer a case in point. During court hearings they often stressed the accidental character of their activities, the hardship of their fishing profession, the bullying by China, or their difficult financial situation—conforming to the tropes in which fishers are portrayed in the media. While the Australian judges sympathized with Vietnamese fishers’ difficult situation back home, they were not convinced by claims that they were subsistence fishermen or did not know that they were in Australian waters.<sup>2</sup> Fishers did not try to deny their misconduct; rather, they emphasized their lack of knowledge, their poor education or even illiteracy, and the accidental nature of their actions. They strategically represented their slippage as “naivety” that led them unwittingly to drift away from their main, “licit” occupational activity. As fishers navigate not just seas but also market demands and territorial sovereignties, occupational slippage thus is a knowledge-based, strategic praxis and an art of concealing real motivations and skills in order to appear to conform to current social realities and demands of the state (Certeau 1984:xv).

The concept of occupational slippage goes beyond historically “shallow temporalities” of the modern world (Hann 2017:227); it opens up space to engage with deep historical roots and fluid genealogies. As such, it highlights the translocal and transregional networks that connect different fisheries beyond state territories with localized fishing grounds in past and

present. Understood broadly in this way, occupational slippage requires that fishers exploit their (ethnic) networks, material resources, and trade skills, all of which are part of fishers' "situated learning" in the sense used by Lave and Wenger (1991). It is a sort of "enskilment at sea" (Pálsson 2016), "skilled visions [that] are embedded in multi-sensory practices" (Grasseni 2007:4). Such skilled visions are transferred intergenerationally and enacted in temporally and spatially specific social and physical contexts; they comprise abilities and knowledge that can be applied in a variety of maritime livelihood strategies through occupational slippage, as the example below shows.

During my field research on Phú Quý, I became particularly close to Thảng, a fisherman in his early 20s, and his family. Thảng's two brothers, father, and grandfather had been working on the sea their entire lives, while his mother and sister worked in a local seafood company. Thảng regularly accompanied his father on fishing-cum-trade trips close to the border with Malaysia to buy fresh seafood, which would then be brought on board, frozen lightly, and packed for sale on the mainland. Thảng's grandfather (b. 1936), a retired fisherman, articulated the embodied, relational, and interactive character of occupational slippage in an interview in 2018:

There was no one to teach us navigation or how to find fish (*tâm ngư*). What one learned passes to the other, just like that...Only like that can you use it. Today, the state says there must be a skipper, fisherman, and maritime mechanic [on board]. On the island, there was no one to teach us mechanics or fishing. You want to win, you learn in this way, you start like that. No one teaches us; we do it ourselves. After going out into the sea, you learned by yourself.

Thảng's grandfather made clear to me that the types of harvested goods and routes expanded and changed over time, but the deeper structures underlying "sea work" and fishers' shifts between occupational strategies remain stubbornly consistent through generations. The maritime and marine knowledge and skills accumulated by fishers in the course of their past ventures were passed down through generations and then applied to new ventures: hunting for tortoiseshells, shark fin expeditions in the 1970s, smuggling of fellow islanders to Malaysia and the Philippines in the late 1970s and 1980s, or the current extraction of giant clamshells from the Spratlys. Fishers act as entrepreneurs, using their seafaring and trading

skills to take advantage of the new opportunities that emerge, some afforded by states (militia, monopoly fishing), others afforded by their ethnic networks to circumvent state control through smuggling or transshipment.

In that sense, we will get only half the story if we look at fishers' occupational activities merely as a reaction to their current conditions: unpredictability of income, structural poverty, market forces, or the multiple, at times competing, legal regimes (e.g., international and national law and customary rights) that apply to their fishing grounds and practices in the increasingly militarized SCS. Seen in their historical context, fishers' occupational strategies may be temporally discontinuous, but are not disparate practices—they might disappear at one time, only to re-emerge in another form at another time and place, perhaps with a different generation (Ho 2006). As navigators, fishers recreate centuries-long patterns of mobility and interconnection that often ignore or evade today's political borders. Beyond the merely technical definition of safe and efficient conduct at sea, "navigation" might also denote a social process of being in control in condition of constrictions and confinements, or changes and possibilities (Vigh 2010). By paying attention to deeper historical connections between different modes of livelihood, maritime trade circulations, and sovereignties, I extend Henrik Vigh's (2010) metaphorical concept of navigation to demonstrate that people's navigational mobility—and thus occupational slippage—is not just socially (and hence politically) situated in praxis, but also *historically* situated.

My conceptualization of occupational slippage is also quite different from Jatin Dua's (2013), who notes the "slippage" between different sea-based livelihoods in the past in the Gulf of Aden and the Western Indian Ocean, but nevertheless argues for the analytical separation of commerce and fishing as two distinct processes and practices of people's engagement with the sea. In contrast, I see occupational slippage as enacting shifting forms of mobility—spatial, temporal, and occupational—that might be simultaneous (*synchronic*) or temporally consecutive (*diachronic*). The harvest of exotic marine goods in the SCS always involved trade, interethnic networks, and political connections. Such shifting between fishing and commerce is predicated on the seafaring skills of fishers, but in this article I show that such shifts are not unidirectional; they are, rather, multidirectional livelihood tactics.

While predicated on past "skilled visions," present-day occupational strategies require fishers to adapt to and re-skill for present conditions. As

in the past, fishers move in and out of such relational categories as poacher, trader, smuggler, and militia, navigating between legal and illegal activities, between state, non-state, and anti-state practices (Konstantinov, Kressel, and Thuen 1998; Tagliacozzo 2005). The present-day fishing industry, in Vietnam and elsewhere, is grounded in fixed distinctions between modern versus traditional (read: “backward”) fisheries, as well as the assumption that these binaries produce an occupational asymmetry between industrial long-distance fleets and small-scale fisheries, such that the latter, due to their precarity, are pushed into criminal enterprises (see Lucht 2012). As a consequence, fishers’ practices that do not focus on fishing per se are regarded as outside the present-day legitimate fishing industry and, hence, as illegal.

### **Maritime Militia**

When I was on Phú Quý Island in 2016, I was able to gain access to two sets of unpublished temple documents that are kept by village elders. One of these sets, which fishers referred to as the “Quý Thạnh Genealogy,” covers the late 18th, 19th, and early 20th centuries; the other set of documents, known as “Official Dispatch of the Nguyễn Dynasty,” covers the entire 19th and early 20th centuries.<sup>3</sup> In fact, the first set of documents is not a genealogy in the strict sense, but a collection of petitions to the provincial authorities written by settlers and their descendants on Phú Quý. In the islanders’ interpretation, the collection narrates the story of the 50 people who arrived in boats in the mid-18th century to settle on Phú Quý and, for that reason, is often referred as a “genealogy” (*gia phả*). I first heard about this historical event during the anniversary celebration held in honor of the Whale God in one of the local temples on the island. Seated on a bamboo mat and sipping green tea, I listened to the (male) elders’ recollections about how they had to hide the document during the time of collectivization (1975–1986). At that time, temples, village festivals, and even the old documents written in Sino-Vietnamese were thought to represent feudal authority and became targets of the state’s anti-superstition campaign (Roszko 2020). While many documents on Phú Quý Island were destroyed, the elders were proud that they had managed to save the “genealogy” from the zealous policemen from the mainland, who tried to remove from the village any traces of the old hierarchy, which was epitomized by temples and “old relicts.” Today, the elders keep the old set of

documents in one of the main temples on Phú Quý, and my access to it required their permission and a special ritual to the Whale God.

In contrast to mainlanders, who could trace their genealogies back several generations, Phú Quý islanders do not have a clear memory of where their ancestors came from. When I asked them about their genealogy, they would point to Lý Sơn Island as their origin; alternatively, they cite ancestral roots in China or in Champa (a series of loosely connected Austronesian-language principalities that existed between the 7th and 19th centuries in the coastal plains of what is now south-central Vietnam). For islanders, these manuscripts thus legitimize their presence on the island, documenting that they entered Việt society and became an integral part of it, regardless of where they came from. By depicting fishers as those who depend on the sea not only through fishing but through other practices—trade, transportation, poaching, smuggling, and state service as part of a coastguard—these unpublished sources offer a glimpse of the interactions between ethnically diverse groups of fishers with their various ways of life.

Located at the commercial crossroads between China and the Malay world, Phú Quý Island was part of Panduranga (present-day Bình Thuận Province)—the last Cham principality that was annexed and absorbed by Vietnam in 1832 (Po Dharma 1987, Weber 2008). As in other parts of Vietnam, the prevailing narrative on Phú Quý is that the Việt established themselves on empty land abandoned by Cham. Today, the entire population of Phú Quý is registered under the unitary ethnic label Kinh (ethnic Việt), but as my ethnographic fieldwork and local archives point out, its population has never been homogeneous. Through the centuries, the island witnessed the continuous arrival of different groups of seafarers, including Cham, Việt, and Chinese (Minh Hương, who were Ming supporters fleeing the new Qing dynasty in China; see Wheeler 2015).

The modern Việt history of Phú Quý Island narrated in the “Quý Thạnh Genealogy” begins with an 18th century militarized fishing settlement—a kind of erstwhile “maritime militia” (*thủy đội*)—that gradually evolved into a civilian hamlet. The settlement was established on the island by the Nguyễn lords (1558–1778) and—after an interruption by the Tây Sơn rebellion (1778–1802)—reintegrated by the emperors Gia Long (1802–1820) and Minh Mạng (1820–1839). Known also as Phú Quý’s “special task unit” (*đội biệt*), the settlement was responsible for the exploitation of marine products, the topographic measurement of reefs and islets in the area,

and the delivery of annual tribute—paid in white cotton scarfs (*nạp bạch bố*)—to the royal court in Huế. Besides white cotton, other items such as tortoiseshells and fish sauce were also used to pay the annual tribute that was usually imposed on Cham populations by the imperial court (Weber 2008).<sup>4</sup>

The “Quý Thạnh Genealogy” covers 172 years, from 1766 to 1938. The text starts with the story of 50 households on Phú Quý receiving an official order to build a separate hamlet to establish a navy unit responsible for securing the coast. On October 7, 1766, a number of villagers submitted a request to Bình Thuận prefecture to be allowed to split off from the established military hamlet and to pay their taxes separately. The reason for this request was an enduring internal conflict between the different peoples who had been brought together in the settlement. The exact cause of the conflict is not known, but reference to linguistic and customary differences in the petition suggests that it took place between non-Việt and Việt groups. Moreover, careful examination of the petition reveals unusual Việt surnames, occasionally accompanied by Cham, Việt, or Sino-Vietnamese given names. This offers clues not only to the ethnicity of these people but, more importantly, the actions through which they pursued, enacted, and exploited ethnic and occupational categories. A brief discussion of these surnames is necessary to understand how Hải’s clamshell-mining operations in the Spratlys build on long-term seafaring and trading capabilities, political connections, and ethnic fluidity. In this way, I demonstrate how occupational slippage is a socially as well as historically situated praxis.

The 1766 petition is signed by ten people with the surname Cha, three each with the surnames Đồ and Trùm, two with the surname Thượng, and persons named Trưởng, Bếp, Thợ, and Khách. If we now read these surnames as *words* loaded with meaning, we discover that *trùm* means “chief,” *thợ* means “craftsman,” *trưởng* means “head,” *bếp* denotes “cook,” *thượng* means “superior,” and *khách* stands for “guest.” These descriptive surnames are particularly interesting because they are not common Vietnamese names, as most Vietnamese families do not have such functional names.<sup>5</sup> Describing occupations or positions, these surnames might even be related to the military experience of those who held them. Moreover, these surnames imply a certain level of hierarchy or rank. Trùm, for instance, denotes administrative and management responsibilities, while would suggest a connection with managerial duties within the Mandarin bureaucratic system. The reference of the surname Thượng

(“superior”)—for two people named Y and Chấp—is unclear, but we can hypothesize that it referred to someone who had attained some level of education. The two surnames Thợ and Bếp hint at a lower rank, denoting common workers in a naval unit. In the petition, however, there are still people listed with the last names Đồ and Cha, which are neither Việt nor occupational, but rather “Vietized” Cham surnames.<sup>6</sup>

The surname Khách points us in a different direction. Meaning “guest,” *khách* connotes a recent in-migrant or sojourner, and it was a term commonly used to denote Chinese traders, specifically Minh Hương. By giving the name Khách to Chinese people, Việt administrators made clear their position as outsiders vis-à-vis longstanding or autochthonous inhabitants. In the petition, the surname Khách stood together with the common Việt personal name Dũng (“courage”), suggesting that some of the newcomers on the island would have been ethnic Chinese who opted to become Việt subjects. According to Hardy (2019), many non-Việt people—from both lowlands and highlands—did not have surnames until they encountered the Việt, who gave them all the functional surname of Đình, meaning “registered village male.” In this sense, the surnames Trùm, Thợ, Trưởng, Bếp, and Thượng indicate that non-Việt civilians were assigned names on the basis of functional or occupational categories when they were drafted into the army. Thus, the institution of maritime militia that was established on the island derived from people who came from diverse ethnic backgrounds. As they became subjects of the Nguyễn lords, their occupational identities overrode their ethnic affinities. At the same time, these occupational identities became ethnicized, as they were predicated on knowledge and skills specific to their ethnic group.

In the case of 17th century Indonesia, Gaynor (2016:1) has shown how the knowledge, skills, and networks of maritime peoples often benefited their allies and “crossed both water and ethnicity” through “webs of kinship and shared interests.” In Phú Quý, fishers of different ethnic affiliations actively participated in trade and military missions, and they often formed kinship ties with each other through intermarriage. Expanding their territory southwards, the Nguyễn lords (1558–1777) and the later Nguyễn dynasty (1802–1945) sought to take full advantage of these sea-borne and sea-oriented Việt-Cham-Chinese networks by establishing partnerships with groups of fishers such as those on Phú Quý. The Nguyễn rulers granted those fishers the rights to form semi-official “brigades” or “companies” (*đội*) responsible for collecting edible sea-swallow nests and tortoiseshells

and recovering cargo from wrecked ships, in return for delivering annual tribute to the royal court and carrying out surveillance of the coast and of strategic maritime routes. One of the best-known examples of such partnerships with fishers-cum-seafarers is the Hoàng Sa (Paracels) flotilla, operating both in the Paracels and Spratlys, for which the labor was recruited from inhabitants of Lý Sơn Island (Lê Quý Đôn 2006 [1776]:155). In addition, the Nguyễn lords established two other specialized brigades: the Thanh Châu brigade, which specialized in gathering swallow nests on the islands in the Quy Nhơn Prefecture, and the Hải Môn brigade, specializing in harvesting sea products and in collecting goods from vessels that had crashed on the rocky islets beyond Phú Quý (Lê Quý Đôn 2006 [1776]:150–151).

According to a document written in the Cham script and displayed at the state-sponsored exhibition *The Paracels and Spratlys belong to Vietnam: Some Historical and Legal Evidence*, curated by the local Culture House on Phú Quý, three vessels with Cham fishers were launched to the Paracels and Spratlys on the orders of King Minh Mạng. Their mission was to mark sea routes. The local fishers from Phú Quý Island—also known under the Khmer (and hence Austroasiatic) name *Koh Rong* (in Vietnamese, *Cô Long*)—were allegedly recruited to carry out the royal order (see Bộ Ngoại Giao 2013:10–13). While I was not able to verify the authenticity of this particular document, another set of documents—the “Official Dispatch of the Nguyễn Dynasty”—reveals that the island’s population was indeed involved in such maritime activities, including coastal protection and mapping the sea features for the royal court. As stated in one of the reports in the collection, on July 1, 1832, the local fishers-cum-seafarers from Phú Quý received a royal order to carry out mapping (*vẽ thành bản đồ*) of maritime routes, bays, and reefs around the island for the navy (*thủy quân*).<sup>7</sup>

According to Nicolas Weber (2016:184–185), the annexation of Panduranga in 1832 and the removal of Cham villages from the coast resulted in the loss of their maritime and sailing traditions. The dominant narrative is that the Cham, gradually cut off from the sea and from seafaring by their new Việt overlords during Vietnam’s southward expansion, became an immobile society, oppressed and dispossessed by the Việt.<sup>8</sup> The Việt ritually inscribed themselves into the new territory by adopting Cham spirits and deities that are to this day worshiped in many temples along the central and southern coast. However, Cham intermingled with Việt and

even slowly assimilated in small-scale, insular environments, with Cham sharing their seafaring technologies and expertise with their Việt “neighbors” or themselves gradually “becoming” Việt. They did so as mobile maritime actors who chose to become Việt subjects at the service of the Nguyễn lords or kings. Their navigation of the dramatically changing political seascape relied on strategic shifting of occupational tactics and expertise based on changeable ethnic affiliations. Cham seafarers adapted to a new Việt political order that altered what it meant to be “Vietnamese” (Wheeler 2015:163). “Being Việt” and, over time, “Vietnamese” was now a strategic option that generated material benefits and security.

To support Wheeler’s argument, let me return to my earlier discussion about the functional names in the Quý Thạnh document, which captures the kind of local negotiations that took place in the interplay of *doing* and *being* Vietnamese. These non-Việt surnames do not offer us linear genealogies that can be traced to particular ancestors. This raises the question of the kind of connections, disconnections, and separations the non-Việt groups enacted when given these Việt names. Reading the list of surnames of the people who claimed to be descendants of the settlers, one notes that the functional and occupational names listed in the earlier petitions gradually disappeared from the later documents in the Quý Thạnh genealogy, and were replaced by common Việt surnames. When we think of names as words that carry meaning, they are not neutral. They carry cultural value in cross-border exchanges between people (Ho 2002:217). When ethnic categories are strategically foregrounded or backgrounded (Eriksen 2002), names are not just a matter of origin; they create alliances and coalitions, sometimes lead to betrayal, appropriation, or usurpation of genealogies and identities, and sometimes require gift-giving and assistance (Ho 2002:217). With names, new connections are established, and with connections, new kinds of circulations are initiated. Names can generate trade or demands for cooperation. Occasionally, in the process, new identifications override old ones, which can be or *must* be forgotten (see Abel, Tyson, and Pálsson 2019).

Naming is thus a political act that simultaneously creates and conceals genealogies, connections, and hierarchies between different groups that are seen now as homogeneous. The Cham became Việt, but Việt did not remain the same in the process. For example, the present-day Vietnamese population on Phú Quý Island is relatively free of the neo-Confucian restrictions connected with the patrilineal kinship ideology,

which is dominant among Vietnamese on the mainland. Lacking family annals or lineage houses, the islanders lean more towards Buddhism than ancestor worship, having Buddhist altars instead of ancestor altars in their homes. In this sense, the local archives and the naming practices index ethnic fluidity, multiple occupational skills, and strategic cosmopolitanism (Ho 2006). These are negotiated and enacted locally through sea-borne and sea-oriented networks of Phú Quý Island that were established on Cham *seafaring skills*, through Minh Hương (Chinese) *trading capabilities*, and through Việt *political connections* and *sovereign claims*. These three capabilities, which constituted the island's economic basis, were relational; moreover, these "ethnic" capabilities were claimed and appropriated according to the needs of the groups involved. This is in line with Edmund Leach's (1970) analysis of the transient and unstable character of ethnic identities in highland Burma. Whatever momentary patterns an anthropologist might discern, ethnicity and occupation are not in a fixed configuration but involve ongoing, changing, and changeable relations (Leach 1970:61). The story of the 50 households that received an official order to establish a maritime militia responsible for the delivery of annual tribute is thus the story of dispersed networks and circulations taking place across the sea, but geographically, politically, and economically condensed into the nodal point of Phú Quý Island throughout the 18th and 19th centuries. In the 21st century, these networks and circulations come to the fore in new configurations, as I will illustrate in the case of Hải's connection with Chinese fishers.

### **Occupational Slippage in the Present**

In this section I show how, in the vastly different historical circumstances of the present, seafaring skills, trading capabilities, territorial claims, and ethnic networks are still at the heart of fishers' occupational slippage. Tanmen fishers recall that in 2013, Chinese president Xi Jinping visited the town and personally encouraged fishers to renounce their use of traditional wooden boats and extend their fishing operations into the SCS. Backed by subsidies from the central government, the new policy favored steel-hulled fishing trawlers that could travel further away from the coast and remain longer at sea. Although President Xi did not refer directly to giant clamshells, in the eyes of Tanmen fishers the high-profile visit added legitimacy to their clamshell mining operations on internationally disputed

reefs. For these fishers, the very act of extracting shells constituted proof of China's sovereign claim over the entire sea and whatever lay beneath. Soon after Xi's visit, the price for giant clamshell artwork doubled, prompting local fishers to hire thousands of trained carvers from southern China to work in their handicraft workshops. The carvers' task was to turn the rough organic material of fossilized clamshells into elegant and attractively polished artwork and jewelry. At the time of my fieldwork in 2015, the shell mining activities were in full swing, but there were also early signs of decline. Fishers had to spend ever more time and effort to fill their vessels' holds with the fossilized shells.

A year later, the UN Tribunal for the Law of the Sea in The Hague found that "Chinese fishing vessels have been engaged in widespread harvesting of giant clamshells through the use of boat propellers to break through the coral substrate in search of buried clam shells."<sup>9</sup> The UN Tribunal also found that although the coral reef and giant clamshells are protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and by Chinese domestic law, Chinese authorities were "fully aware of the practice and [have] actively tolerated it as a means to exploit the living resources of the reefs in the months prior to those reefs succumbing to the near permanent destruction brought about by the island-building activities."<sup>10</sup> Aware of the environmental impact of unsustainable fishing in the SCS, provincial officials in Hainan told me that the government had set a limit on how many giant clamshells an individual trawler was allowed to harvest, but they were unwilling to explain how the overall quota system was enforced.

When I visited Tanmen again in 2019, I learned from fishermen and their wives that on January 1, 2017, the Chinese government had imposed a total ban on the sale, purchase, and use of giant clamshells for the making of handicrafts—a move that caused significant financial and emotional distress in the fishing town. While celebrated in the national media as China's commitment to natural resource protection, the ban came at a time when China had nearly completed the conversion of reefs into artificial islands. Tanmen fishers were forced to remove clamshell artwork from their shops and take their trade underground. As we learned from the opening vignette, fishers from Tanmen cooperate with those Vietnamese fishers who usually operate in the Paracels and Spratlys for their supply of giant clamshells. Hãi was one of them. Such trading deals between Vietnamese and Chinese fishers were not incidental, reflecting a historical

pattern of Sino-Vietnamese network cooperation that has demonstrated the capacity to sustain itself, despite border conflicts between the two states.

In order to unpack these historical patterns and contemporary motivations behind fishers' mining operations at sea, we first need to take a closer look at the relationship that fishers have with their fishing grounds. Labeling fishers' activities at sea "flexible fishing," Jennifer Gaynor (2010) called our attention to changing patterns of labor in fishing communities in eastern Indonesia caused by the marginalization of small-scale fisheries and the expansion of commercial fisheries. However, we also need to pay attention to the issue of how the present "maritime territorialization" (Roszko 2015, MacLean 2016), as embodied in its most globalized form in the EEZ regime, interacts with pre-nation-state patterns of mobility to produce new opportunities, new constraints, and configurations of navigational mobility among fishers who may also operate under the radar of sovereign state control. The 1982 UN Convention on the Law of the Sea (UNCLOS) established a legal regime whereby a coastal nation has full authority over its "territorial waters," which extend 12 nautical miles out from the coast. That same nation, however, enjoys exclusive sovereign rights over exploring, exploiting, and conserving all natural resources within its EEZ (Churchill and Lowe 1983), which extends 200 nautical miles out to sea. With the rapid and widespread acceptance of this new regime, many countries in East and Southeast Asia enclosed and nationalized their ocean spaces and fisheries within the extended maritime EEZ borders (Butcher and Elson 2017). Enabled by navigation technologies, naval patrols, military infrastructure, and maritime militias, these countries, including China and Vietnam, are now seeking to firm up their maritime borders and claims to fishing grounds in the SCS (MacLean 2016), which until the late twentieth century was a zone of connection and a resource commons (Roszko 2015).

In recent decades, the SCS has gained international attention as a global geopolitical flashpoint with the potential for armed conflict regarding disputed sovereignty over natural (e.g., oil and gas) and marine resources in the Paracels and Spratlys, claimed in whole by China and Vietnam and in part by a number of other countries that are members of the Association of Southeast Asian Nations (ASEAN). China's territorial claim to most of the SCS overlaps with the 200-nautical-mile EEZs of several other countries, resulting in a situation where marine resources function as a sort of

“rival goods,” particularly between Vietnamese and Chinese fishermen. Competing for fishing grounds and marine resources, Chinese fishers occasionally get into violent clashes with Vietnamese fishing crews, while on other occasions they choose to make profitable trading deals with them while still at sea, as Hải’s story illustrates. The mining and trade of giant clamshells—which connect Chinese and Vietnamese fishers—show that the line between what states consider to be “legal” and what people involved in fishing operations consider legitimate or “licit” is never fixed (van Schendel and Abraham 2005, Hoàng Cầm 2011). By licensing fishing vessels, demanding GPS monitoring, and designating permitted fishing grounds, Vietnam and China endeavor to maintain boundaries between what these states consider legitimate and illegitimate *spatial* mobility within the waters they claim. At the same time, these states subsidize and militarize fisheries, stimulating fishers to turn massive exploitation of marine resources into de facto territorial claims, preventing other users from accessing them, and leading to documented marine degradation.

One of the crucial questions addressed in the definitive ruling by the UN Tribunal for the Law of the Sea, issued on June 12, 2016, was the Philippines’ allegations concerning China’s violations of UNCLOS’s environmental protection regulations in the disputed waters. The marine ecologists who provided their expertise to the UN Tribunal warned that China’s construction activities, along with the poaching of giant clamshells and corals, might lead to the collapse of fisheries, which would be a disaster for China as well as for other coastal nations around the SCS. Tellingly, many Tanmen and Phú Quý fishers seem to be aware of the problem: as one Chinese fisherman put it, “If the small fish don’t have proper conditions to grow, there will be no big fish.” Some admitted that without state subsidies, they would not bother to go out to sea, as there are almost no fish left. However, Tanmen fishers also confessed that although the carving methods that can turn a raw fossilized shell into artwork have been known to them for a long time, it was China’s transformation of Paracel and Spratly reefs into artificial islands that allowed them to justify extracting shells from the coral, which in any case was destined to be buried under sand and concrete. Maritime territorialization thus transferred ownership of the fishing grounds from fishers to the state. This seismic shift created entirely new conditions by which fishers could exploit marine resources from the Paracels and Spratlys, on a scale not seen before.

Historically, the Paracels and Spratlys sustained mobility and cultural and economic circulation and exchange among various groups of fishers and seafarers. Fish, sea cucumbers, tortoiseshells, shark fins, giant clamshells, sea snails, and mother-of-pearl harvested in the coral reefs of the Paracels and Spratlys linked together various small island communities in the SCS (Lê Quý Đôn 2006 [1776]:155). These communities harvested marine resources without laying claim to exclusive sovereign rights. The maritime features were accessible only to those Chinese and Vietnamese fishermen who understood the local geography and possessed exceptional navigation skills. Hainanese fishers undertook regular voyages to the Paracels which could last up to two months as they waited for the collected sea cucumbers, tortoiseshells, sea snails, and giant clam flesh to dry in the sun. They also regularly visited Phú Quý in search of marine commodities. Tâm, a septuagenarian fisherman (b. 1942) from Phú Quý, still remembers Hainanese traders who came to Phú Quý to buy snails and hire fishers to collect sea cucumbers. Tâm recollects that he and other kids liked to play inside the boats of those Hainanese traders. At the time, when fishing boats still relied on wind, Phú Quý islanders sailed as far as Cambodia to exchange sea cucumbers with ethnic Chinese traders for rice. In the early 20th century, every village on the island had at least 10 sailboats, but many villagers were still more accustomed to going out to sea in simple bamboo rafts. Thắng's grandfather described these ventures in the following words:

People had to go to the Spratlys and Paracels because turtles went there to breed. With the southern monsoon you go, with the northern monsoon you return. You sail to the Spratlys and Paracels to get the tortoiseshells to pay tax on behalf of the village to the king. In one year, you go just one time, when the wet monsoon season starts... When your time comes you do not have a junk at all—you use a bamboo raft... You form a raft and then you keep rowing so that the rough water does not get inside.

My interviews with Thắng's grandfather and other Phú Quý inhabitants reveal a longstanding practice of harvesting rare and valuable marine products in the Paracels and Spratlys, a lucrative trade overseen by the Nguyễn court in the 18th and 19th centuries. According to Phú Quý informants, the Nguyễn court in Huế demanded that part of the annual tribute

be paid in tortoiseshells. When the wet southern monsoon season arrived, Phú Quý fishers would sail up to the Spratly and Paracel islets to harvest the turtles. Beyond the skills, techniques, and experience needed to catch the turtles, simply locating them requires a profound understanding of sea topography, climate, weather, and the turtles' habits. Fishers had to spend up to three months moving among the reefs and keeping track of the marks left by the turtles. If they were successful in harvesting the turtles, they would sail directly to Huế with their catch in order to pay the annual tax to the court. Only with the arrival of the northern monsoon were they able to make the trip back home. The maritime and marine knowledge of Hainanese and Phú Quý fishers was restricted; it was kept within families and kin networks and often passed from father to son and from mother to daughter. The dangerous maritime topography of the Paracels and Spratlys held others at bay, ensuring that only these fisher groups could harvest the marine resources. These fishing grounds were neither historical commons based on community-defined resources and rules governing their management (Boomgaard, Henley, and Osseweijer 2005), nor were they open-access resources whose use was entirely unregulated (see Hardin 1968); they were, rather, knowledge-cum-skills-based commons. The ways fishers exploit them have changed now that states employ modern technologies to control the reefs.

Historian Valeska Huber (2013) used the notion of “channelling mobilities” to describe how the late British Empire regulated and bureaucratized movements across the Suez Canal region. In particular, she describes how workers, caravans, slaves, *dhow* skippers, and other actors undermined British imperial control measures. While Huber used the “channelling mobilities” concept with reference to migration and globalization at the turn of the 20th century, in my analysis the historically recent legal regime of the EEZ allows states to channel movement and mobilities in sea spaces. In this sense, China's and Vietnam's subsidies are the very product of the territorialization of coastal seas through the EEZ regime, insofar as they effectively sustain unproductive fishing fleets with a massive overcapacity by incentivizing fishers to extract resources that are illegal under international agreements—and undermine any possibility of sustainable fishing or harvesting. State subsidies are the very product of this rush to territorialize, effectively turning commons into state territories, and forcing fishers to develop new strategies to gain access to resources formerly accessible through their embodied skills. In order to be eligible for state financial

support, Hải and other Vietnamese fishers from those island communities that are the stepping-stones to the Paracels and Spratlys have to make four fishing trips a year, each lasting 15 days and going out at least 150 nautical miles into the SCS. The state designation of fishing grounds—and thus the “performance” of maritime sovereignty (Roszko 2015) in the disputed territories—puts fishers like Hải in a situation where they have to operate in areas where there are no fish. In this situation, Hải and his fellow fishers often have to combine various activities within their occupational purview, exercising Vietnam’s sovereignty as maritime militia in the areas designated by the state (such as the disputed archipelagos) and augmenting their income as “poachers” in their dealings with Chinese fishers.

The state subsidies are not only a means of buttressing territorial claims by both China and Vietnam in the SCS; they also extend fishers’ skills and sea ventures while furthering market demand for certain high-valued, usually endangered marine species. Whereas the harvesting of giant clamshells or trespassing into other countries’ territorial waters are now considered illegal, these practices are merely the continuation of a long-standing pattern of maritime livelihoods that must be understood in their historical context. The present-day enactment of occupational slippage is precisely predicated on knowledge and skills that have been accumulated over centuries and passed down through the generations within kin and ethnic networks. Political and cultural configurations such as national borders and the historically more recent EEZs are taken by law enforcement agencies and social scientists alike as points of departure for understanding maritime trespass, even though these modern state configurations and border regimes are often outcomes of contingent historical processes (van Schendel and Abraham 2005, Subramanian 2009). Given this present-centric approach, it should come as no surprise that Chinese and Vietnamese fishers’ massive harvesting of marine resources and encroachment into other countries’ EEZs are understood as a simple breach of international law by “organized fisheries crime” rather than as a continuation of older historical patterns. Knowledge of these historical patterns would enable a more nuanced, complete, and empathetic understanding of fishers’ engagement with so-called “environmental crime” that is on the rise in and outside of the SCS.

Hải’s story provides a compelling example of the interconnections, re-purposing, and slippages between modern, state-supported, state-regulated, and technology-driven fisheries, older, pre-nation-state patterns of

seafaring, and what are essentially emergent, diverse forms of versatility under the radar of states. While in the past, landless fishers in China and Vietnam, excluded from the agrarian village (Roszko 2020), were ship-builders, seafarers, traders, and pirates more or less simultaneously, there is an assumption these days that groups of fishers engaging in other livelihood strategies somehow made a permanent and ontological move: fishers irrevocably *become* poachers, smugglers, pirates, or traffickers. This unidirectional view of fishers' trajectories obscures the subtler shifts between different legal and illegal occupational temporalities predicated on their longstanding navigational and commercial skills and on their fraught and ambiguous connections to the state.

### **Conclusion: The Past in the Present**

The continuity between imperial and modern states' attempts to valorize fishers' skills and knowledge in pursuit of their larger geopolitical and economic agendas dovetails with fishers' own abilities to exploit new conditions through occupational slippage. Rather than accepting simplistic images of fishers as "opportunistic pillagers of the oceans" or as passive instruments wielded by the state in the name of national sovereignty and maritime security, we should view fishers as mobile maritime actors who capitalize on historical patterns of interconnected marine and maritime mobilities in pursuit of livelihoods.

In the case of Phú Quý, fishers find themselves situated between mainland and insular Southeast Asia, straddling borders, regions, histories, and sovereignties. By charting the movements of fishers in the common space of the SCS rather than along state borders, I challenge the myth of the islands' remoteness and isolation. I see them, rather, as exhibiting a centrality that is generated by "all-round 'connectivity'" and accessibility (Pearson 2006:358) which allow for more fluid and multiethnic relationships than those associated with the bounded space of the nation-state (DeLoughrey 2007, Ho 2006, Harms 2011, Harms et al. 2014). Calling such an approach "tidalectic"—by way of analogy to the tidal rise and fall of the ocean surface—DeLoughrey (2007:2) has brought our attention to subaltern historiographies and vernacular geographies in contrast to the linear perspective of chronological history and rigid claims of bounded territory, ethnicity, or nationality. This tidalectic—narrated in local archives and by islanders themselves—is captured both as occupational slippage that has

always been seen as a threat to the stability that the state seeks to impose and control, and as maritime knowledge and skills that the state might want to harness for its own purposes. Referring to bandits in the Sino-Vietnamese borderland, Davis wrote that “the very extension of imperial sovereignty depended not only on exclusion, but the often reluctant employment of the excluded in defense of empire” (2017:11). Scott (2009:328) suggested that the sea could be the last refuge of “non-governance.” In that vein, the fishers’ subaltern voices—narrated in the interconnected ethnography and historiography described here—demonstrate the islanders’ capacity to capitalize on the island’s marginal position for their own ends. The implication is that what was in the past considered as licit maritime livelihoods could today only exist as an “accidental” occupational slippage in the art of concealing real motivations and skills.

By expanding their occupational and ethnic repertoire, Phú Quý fishers strategically navigated within and beyond the accepted political and legal frames of the Nguyễn states and the present-day Communist regime. If in the past maritime militias produced inclusion of ethnically diverse people, the contemporary conflicts over maritime borders continue to valorize fishers’ service as performers of sovereignty. Such valorization translates into subsidies, access to electricity and refrigeration, and expansion of fishers’ markets in the most literal sense. As fishers regularly encroach into other countries’ relatively recently demarcated EEZs and sell illegally caught marine produce while still at sea, they embed themselves into wider translocal networks that provide them with possibilities for trade, smuggling, poaching, and provisioning. In the last three years, for instance, the younger generation of Phú Quý fishers have begun to retrofit their wooden boats to accommodate large freezers, allowing them to store tons of freshly caught seafood, thereby extending the period of their fishing operations in distant waters. Thus, denoting situated and embodied knowledge rather than a mechanistic internalization of skills, the fishers’ occupational slippage is a “necessarily collective enterprise” attained and reproduced by engaging with both the social and natural environments (Pálsson 2016:116) and utilizing past enskilments. In combination with the conceptualization of fishers as mobile maritime actors, the concept allows us to understand the recent spike in “fisheries crime” around the world in ways that go beyond simplistic notions of “bad apples” and lax regulation (Sausdal and Vigh 2019).

After all, around the world fishers operate as mobile maritime actors who navigate not only the seas, but also economic opportunities and constraints afforded by changing technologies and geopolitical configurations. Fishers are not simply victims of larger “social forces” that turn them into poachers or smugglers, slaves or slavers. They are actors who actively create and sustain cosmopolitan economic networks and who may also be drivers of territorial enclosure—to the extent that their occupational enactments become an asset that they are willing to use on behalf of, or in contravention to, the state. ■

#### Acknowledgments:

In researching and writing this article, I have received funding from the European Research Council (ERC) under the European Union’s Horizon 2020 Research and Innovation Programme (Grant agreement No. 802223). The article draws in part on fieldwork funded by the Economic and Social Research Council (Forced Displacement Call/grant agreement no. ES/P004644/1). I am deeply grateful to *Anthropological Quarterly’s* Editor Roy Richard Grinker and anonymous reviewers for their supportive and insightful comments. I am also indebted to Brian Donahoe, Michele Ford, Michael Herzfeld, Oscar Salemink, Atrayee Sen, Eric Tagliacozzo, and Kari Telle for their generous comments on previous versions of this article.

#### Endnotes:

<sup>1</sup>See <https://www.alphadictionary.com/goodword/word/fish>. Accessed on November 11, 2020.

<sup>2</sup>I am grateful to barrister Lyma Nguyen for this information. Darwin, March 5, 2020.

<sup>3</sup>*Công văn hành chính triều Nguyễn thôn Thới An* [“Official Dispatch of the Nguyễn Dynasty in Thới An village”] (hereafter *CVHCTN*) and *Quý Thanh Gia phả 1766-1938* [hereafter *QTG 1766-1938*]. Unpublished Han-Nôm-language manuscripts, photocopied with Phú Quý elders’ permission, photocopy in possession of the author. I am in the process of analyzing the manuscripts in preparation for a book publication.

<sup>4</sup>The Bình Thuận land register (*địa bạ*) administered by the Nguyễn dynasty between 1805 and 1836 mentions Cham hamlets in reference to different kinds of landed property on Phú Quý, although it does not specify which of the 21 villages included the Cham hamlets (Nguyễn Đình Đầu 1996:335).

<sup>5</sup>I am grateful to Andrew Hardy for bringing my attention to the meaning of these names. Email correspondence, March 27, 2019.

<sup>6</sup>I choose to use the term “Vietized” rather than “Vietnamized” to describe the process of integration of non-Việt names into the Việt naming system. This process took place during the assimilation of Cham groups and territories during the (multi-ethnic) Đại Việt polity that was in power at the time this document was written (1766). By using “Vietized” to describe this process of cultural assimilation, I avoid anachronistically projecting modern ethno-national categories into the past.

<sup>7</sup>*Báo cáo về đường biển, vị trí các vịnh, khu vực đá ngầm quanh đảo* [“Report on the Sea-routes, Location of Bays, and Reef Areas around the Island”], July 1, 1832. In *CVHCTN*.

<sup>8</sup>The thesis on the immobility of contemporary Cham has been challenged by Philip Taylor (2007), who argues that Cham became mobile in a different way. Rather than displaying seafaring mobility, Cham are enmeshed in translocal trading and migration networks spanning Cambodia and Malaysia. They also display mobility through their Islamic connections and by undertaking the *Haji* (Taylor 2007).

<sup>9</sup>See para. 953 in *Award* under Annex VII to the UNCLOS in the Matter of the South China Sea arbitration between the Republic of the Philippines and the People’s Republic of China, July 12, 2016. Accessed from <https://www.pcacases.com/web/view/7> accessed on June 17, 2020.

<sup>10</sup>See *Award*, para. 965. Accessed from <https://www.pcacases.com/web/view/7> accessed on March 20, 2021.

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#### Foreign Language Translations:

Navigating Seas, Markets, and Sovereignties: Fishers and Occupational Slippage in the South China Sea  
[**Keywords:** Fishers, occupational slippage, tidalectic, market, sovereignties, maritime militia, South China Sea]

Xử lý biển, thị trường và chủ quyền: Ngư dân và sự dịch chuyển nghề ở Biển Đông  
[**Từ khóa:** ngư dân, dịch chuyển nghề (liên tiếp), biện chứng thủy triều, chủ quyền, dân quân biển, Biển Đông]

引航于大海，市场与国家主权体：南中国海渔船与军事占领的滑移  
[**关键词：**渔船，军事占领滑移，潮汐辩证，市场，国家主权体，海洋民兵，南中国海]

Navegando Mares, Mercados e Soberanias: Pescadores e Derrapagem Ocupacional no Mar do Sul da China  
[**Palavras-chave:** Pescadores, derrapagem ocupacional, ontologia oceânica, mercado, soberanias, milícia marítima, Mar do Sul da China]

Навигация по морям, рынкам и суверенитетам — рыбаки и профессиональное отставание в Южно-Китайском море.

[**Ключевые слова:** рыбаки, профессиональное отставание, приливно-отливной, рынок, суверенитеты, морская милиция, Южно-Китайское море]

الإبحار في البحار والأسواق والسيادة: الصيادون والانزلاق المهني في بحر الصين الجنوبي  
الصيادون، الانزلاق المهني، المد والجزر، السوق، السيادة، الميليشيات البحرية، بحر جنوب الصين