Maritime Studies (2025) 24:34
https://doi.org/10.1007/s40152-025-00425-0

RESEARCH

Environment, resources and fishers in and out of the South China Sea: understanding the illegal Vietnamese harvest of marine goods in Northern and Northeastern Australia

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Received: 10 September 2024 / Accepted: 8 April 2025
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Abstract
This article explores Vietnamese fishing activities in and out of the South China Sea. It considers the historical and economic trajectories of fishing communities in the region and the role of Vietnam's subsidies and engagement as a maritime militia in drawing detrimental harvesting practices and transgressing into other countries' Exclusive Economic Zones (EEZs). Zooming in on northern and northeastern Australia, I apply the concept of 'occupational slippage' to explain a large influx of Vietnamese fishing fleets harvesting giant clams and other marine goods in its EEZ. Firstly, I show that while maritime militia status carries benefits, it requires fishers to fish offshore, thereby serving Vietnam's goal of bolstering its territorial claims in the South China Sea and incentivizing fishers to apply for state subsidies that enable rendering their boats seaworthy for these more dangerous operations. Secondly, I argue that sensitivity to past dynamics and inter-ethnic networks sheds light on how territorial disputes and securitization of maritime borders intensify long-established patterns of maritime livelihoods, extending now to other seas and oceans. By tracing historical legacies through the lens of occupational slippage, I offer a nuanced understanding of Vietnamese fishers' expansions and their shifts between 'legal', 'illegal' and 'licit' activities, beyond the conceptualization of the sea as a zone of conflicts and securitization.

Keywords Territorial dispute · Vietnamese fisheries · Illegal fishing · Environmental crime · South China Sea · Australia

Introduction: Illegal, unreported and unregulated fishing out of the South China Sea

Between 2012 and 2017, Australia and other Pacific nations witnessed a significant rise in the presence of Vietnamese fishing fleets within their Exclusive Economic Zones (EEZs), harvesting sea cucumbers, giant clams, and other marine resources.[1] This unprecedented surge prompted the Pacific Islands Fisheries Forum Agency (FFA) to officially classify Vietnamese fishing fleets as a burgeoning threat to its member states' food security, economy, and reef biodiversity in May 2017.[2] Also, in northern parts of Australia's EEZ, between 2013 and 2017, twenty Vietnamese fishing boats and dozens of boats from other countries were apprehended and their crews convicted for poaching, illegal fishing and environmental offences (see Stacey 2007; Song et al. 2019).[3] In response to escalating concerns over the expansion of Vietnamese fishers and their detrimental impacts on the livelihoods of coastal populations and fragile ecosystems and resources, the Australian government forged a Memorandum of Understanding (MOU) with

[1] "The Blue threat: Vietnamese Poachers are Rocking the Boat in the Pacific". Available at: http://www.pacificislandtimes.com/single-post/2017/01/06/The-blue-threat-Vietnamese-poachers-are-rocking-the-boat-in-the-Pacific. Accessed on 4 August 2024.

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[2] See "Pacific Countries Workshop Focus on Illegal Vietnamese Blue Boat Threat". Available at: http://www.tunapacific.org/2017/05/04/escalate-pacific-countries-special-meeting-focus-on-illegal-vietnamese-blue-boat-threat/. Accessed on 4 August 2024.

[3] For Indonesian fishers see Stacey 2007.

Published online: 12 May 2025

Vietnam on Combating Illegal, Unreported, and Unregulated (IUU) Fishing, signed on 24 August 2017.[4] Under MOU auspices, an educational campaign was conducted to raise awareness among Vietnamese fishing communities in Quảng Ngãi Province (central Vietnam), the origin of many fishing vessels caught in Australian waters, regarding maritime boundaries and the risks and consequences of engaging in illegal fishing activities. After 2017, the Australian authorities did not record any attempts by Vietnamese fishers to encroach into the Australian EEZ. While Australian experts and authorities associate[5] these collaborative efforts with the recorded decline of unauthorized Vietnamese boats in their waters, reports emerging from the Asia–Pacific region indicate that Vietnamese fishing vessels have shifted their operations to the EEZs of other Southeast Asian countries, including Thailand, Malaysia, Indonesia and the Philippines (Global Fishing Watch 2020; Kadfak et al. 2025: 16–17). The apparent Australian success was undermined by the fact that, until recently, small Vietnamese vessels were not legally obliged to carry satellite-based mobile tracking devices onboard and, therefore, their continued operations near Australia went undetected (Poling 2019; Environmental Justice Foundation 2019). Vietnam's Fisheries Law 2017, which took effect on 1 January 2019, requires all fishing vessels that measure 15 m or longer to be equipped with satellite positioning equipment[6]. However, there is growing evidence that Vietnamese fishers switch off the positioning system and continue to intrude into the seas of, at least, their Southeast Asian neighbors.[7] This trend casts doubt on both the local and global effectiveness of Australia's policy response, including its cooperation with Vietnam.

I contend that one primary factor responsible for Vietnamese detrimental harvesting practices and transgressions into other countries' EEZs is state subsidies for offshore fishing operations that serve Vietnam's goal of bolstering its territorial claims in the South China Sea. Government subsidies inadvertently enhance the capacity of fishers to sail far beyond Vietnam's EEZ, where they apply destructive harvesting techniques and amplify the demand for high-value marine products that have long connected Vietnamese fishers to Chinese markets. However, the subsidy factor cannot be separated from the historical and economic trajectories of the Vietnamese fishing communities from which nearly all fishers apprehended in Australia originated. Those fishers came from the small islands off the coast of Vietnam, which the Vietnamese state considers stepping stones to the contested Paracel and Spratly archipelagos. Because of the geopolitically strategic location of these fishing communities and their historical customary activities (e.g., collecting sea cucumbers, turtles, mother-of-pearl, or precious goods from wrecked ships) in the waters that are now contested, the state has developed cooperative relationships with these fishers, recruiting them into a maritime militia and controlling and appropriating their superior navigational knowledge and skills to its own ends. Vietnam's maritime militia is comprised of civilian fishers trained and militarized to help the state stake and defend its territorial claims within the South China Sea. While shoring up Vietnam's sovereignty, these fishing communities continue to operate in their historical fishing grounds, including those beyond Vietnam's EEZ, to profit from expanding Sino-Vietnamese market demand for marine products that are highly valued for their reputed effects as medicines or aphrodisiacs.

Generally, state strategies to use historical fishing grounds and historical fishing rights to claim parts of the seas have been considered in terms of boundary delimitation, political developments and economic security (Hill et al. 1991; Nguyen-Dang 2012; Dupont and Baker 2014; Song 2015). More reflexive approaches to maritime boundaries have acknowledged maritime borders as recent social constructs that invite resistance from fishers (Song et al. 2017); that seas and fisheries are now subjected to the modern state's territoriality defined by cartography (Roszko 2015, 2017); and that terrestrial planning models have been imposed on the marine environment (Siriwardane-de Zoysa and Hornidge 2016). Notwithstanding regulations, coast guards and modern navigation, many fishers continue their sea operations in marine social spaces that span maritime borders (Stacey 2007; Kadfak et al. 2025). Non-compliance with international norms, corruption, structural poverty, lack of employment, marginality, overcapacity of fisheries and lack of effective policy enforcement are the most frequently cited reasons for fishers engaging in illegal activities (Hallaire 2015, 2017; Missbach 2016, 2024; Seto et al. 2017). In other words, illegal fishing is often framed as an existential response and coping strategy of fishers to the pressures of powerful external social forces (see Biggs 2017; Bueger

[4] AFMA. 2017. Australia and Vietnam Working Together to Combat Illegal Fishing. Media release from the Assistant Minister for Agriculture and Water Resources, Anne Ruston. *7* December. Available at: https://www.afma.gov.au/fisheries-management/international-fisheries-management/capability-and-supplementation Accessed on 8 August 2024.

Australia has also agreements with other countries to combat illegal fishing. International Fisheries management. Available at: https://www.afma.gov.au/fisheries-management/international-fisheries-management/international-engagement. Accessed on 3 September 2024.

[5] See Australia shares experience in IUU fishing combat with Vietnam'. *Vietnam Plus*, July 3, 2024. Available at: https://en.vietnamplus.vn/australia-shares-experience-in-iuu-fishing-combat-with-vietnam-post289578.vnp. Accessed on February 26, 2025.

[6] See Vietnam's Fisheries Law 2017. https://seafood.vasep.com.vn/combat-iuu-fishing/vietnam-legal-documents/law-no-18-2017-qh14-law-on-fisheries-15941.html. Accessed on April 4 2025.

[7] In 2020 alone, 141 Vietnamese fishers were detained for trespassing in the EEZ of Malaysia. See Malaysia Seeks Deal with Vietnam over Sea Intrusion https://www.straitstimes.com/asia/se-asia/malaysia-seeks-deal-with-vietnam-over-sea-intrusions. Access on 31 December 2024.

et al. 2011; Sylwester 2014; Merschke and Vandergeest 2016).

Specifically, referring to Vietnam and the issues surrounding fishers' illegal activities and maritime security, another strand of research focuses on how these are implicated in the co-production of borders (Song 2015, 2021). For example, political scientist Andrew Song (2015) states that fishing practices can drive conflict at sea as they shape border security trajectories. In this article, I argue that – with an anthropological lens – the focus is not on the sea as an arena of conflict and territorial fishing (Hellmann and Herborth 2008; Jóhannesson 2007) but on the sea as a zone of connections and flows (Braudel 1972; Lombard 2007) to explain the expansion of Vietnamese fishing fleets into foreign seas. Most standard social science approaches define and limit fisheries and fishers within certain well-defined territories (Bueger and Edmund 2016; Wilcox and Bergseth 2021); they neglect the entanglement of vernacular perspectives of space (grounded in memory, experience, and networks based on kin and inter-ethnic seafaring and trading) with modern high-tech capabilities and state jurisdictions (Chou 2006, Fox 2021; Mondragón 2008; Stacey 2007). The legal EEZ regime is a relatively recent introduction representing the largest enclosure in history, nationalizing oceans and their resources, and inscribing fishers into static nation-state sovereignty (Roszko 2015; cf. Winichakul 1994; Elden 2013). However, in the context of the highly fluid, processual and temporal materiality of the sea – i.e. migratory fish or submarine features – maritime territory is not a clearly demarcated physical space (Roszko 2017: 21; Steinberg 2013; Steinberg and Peters 2015). Pleading for deeper explorations of historical legacies and locations, I contend that sensitivities to the past could provide more knowledge on how territorial disputes and the securitization of maritime borders intensify the patterns of mobilities dating back to at least the eighteenth century. By adding a historical dimension, this article offers an understanding of the transoceanic expansions of fishers beyond securitization and territorially bounded fisheries. Specifically, it provides insights into the harvest of giant clams and other marine goods in Australia's Exclusive Economic Zone by fleets of Vietnamese fishers.

I begin my article by introducing the concept of Roszko (2021b) to explain how Vietnamese fishers' move in and out of legal and illegal or licit and illicit activities at sea, shifting between such state identities as 'maritime militia' and 'fisher' and non-state identities like 'poacher' or 'trader'. I argue that 'occupational slippage' is not just socially and politically positioned in praxis, but also *historically* situated, an empirical reality that helps to explain Vietnamese harvesting of giant clams in the Australian Fisheries Zone. The next section outlines methods of ethnographic fieldwork and documentary research that, together, reveal the connections and networks facilitating Vietnamese IUU fishing in the Pacific and the Australian Timor and Coral Seas. The third part of the article elaborates on the historical and geopolitical trajectories of the island fishing communities from which apprehended Vietnamese fishers in Australia came. I suggest that the centuries-old Chinese demand for high-value exotic marine goods connected different ethnic groups of seafarers and traders in Southeast Asia and beyond, and continues to motivate occupational slippage and connect diverse geographical regions well into the twenty-first century. I also contend that the extraction of fossilized giant clams from the South China Sea and living giant clams from Australian seas display the same occupational slippage by Vietnamese fishers who, in both contexts, capitalize on their navigational skills and seafaring knowledge to meet the Chinese demand for luxury marine products. In the next section, I discuss the prosecution of Vietnamese fishers and show that the line between 'subsistence' and 'commerce' hardly exists in their fishing context. The subsequent section nuances these findings by arguing that two conditions facilitate and encourage Vietnamese fishers to take their harmful fishing practices to other oceans: maritime militia status and state subsidies for fuel and to sustain operations on open seas as a means of furthering Vietnam's territorial claims in the South China Sea. In conclusion, I challenge the 'opportunistic' image of Vietnamese fishers apprehended in Australia by arguing that historical trajectories and the lived experiences of fishers are key drivers of Vietnamese illegal fishing in Australian waters, along with the provision of state subsidies and maritime militia status.

Occupational slippage *in* and *out* of the South China Sea

In the last fifteen years, the South China Sea has come under the spotlight of the international media as a global geopolitical flashpoint with the potential for armed conflict regarding disputed sovereignty over natural resources in the Paracels and Spratlys.[8] Both Vietnam and China claim the entire Paracels and Spratley archipelagos, and the Philippines, Malaysia, Brunei and Taiwan have declared sovereignty over specific islands. All claim an interest in supporting the islands' populations, but they also seek to control the valuable adjacent ocean resources. The increasing imbalance between supply and demand for resources in the South China

[8] See Sanjuán Aberasuri, Alba. The South China Sea or the future of global geopolitics?
Opinion Paper IEEE 14/2025. Available at: https://www.defensa.gob.es/documents/2073105/2320887/el_mar_del_sur_de_china_o_el_futuro_de_la_geopolitica_global_2025_dieeeo14_eng.pdf/d55801c1-fe4a-c031-439f-f4cbe5dba636?t=1740479587204. Accessed on 27 February 2025.

Sea – oil and gas but, above all, for marine resources – is well known (Do Thanh Hai 2017; Zhang and Bateman 2017; Roszko 2015, 2016, 2023; Buszynski and Roberts 2015). However, the knock-on effects of this territorial dispute on distant oceanic territories remain less understood, particularly the broadening horizon of Vietnamese fishing operations. When Australian Fisheries Management Authority (AFMA) officers discovered Vietnamese boats carrying sea cucumbers harvested from the Great Barrier Reef Marine Park lying east of the mainland coast of Queensland, they were baffled as to how the Vietnamese fishers 'got this far'.[9]

In their attempts to understand the deleterious effects of the incursion of Vietnamese fishers into Australia, several studies have examined maritime security in the Pacific Island region (Song et al. 2019), including statistical analysis of Vietnamese fishers' opportunistic behavioral patterns (Wilcox and Bergseth 2021). Referring to illegal fishing, Wilcox and Bergseth (2021) employ pejorative language – such as 'roving banditry' or 'bandits' – to describe Vietnamese fishers trespassing in Australian waters. Providing a more careful evaluation of Vietnamese fishers as 'opportunists', Song et al. (2019) show how pejorative categories like 'reef robbers' or 'blue boats' are constructed to indicate security threats to maritime resources and Indigenous populations. Specifically referring to so-called 'blue boats' – an allusion to the painted blue hulls of Vietnamese fishers' boats that cruise beyond Vietnam's territorial waters (see Fig. 2), Alonso and Marschke (2023) point out the hardening of maritime borders within and beyond the Southeast Asia region and consider its impact on the working conditions of Vietnamese fishers and the spike in illegal activities that result from it. However, the increasing number of incidents in the last fifteen years that have involved Vietnamese fishers suggests that the line between what state law describes as 'criminal' or 'legal' and what people involved in those transoceanic expansions consider legitimate or 'licit' is never fixed (Abraham and Schendel 2005: 4). Anthropologists and historians show that people sometimes engage in criminal activities that are culturally accepted but legally prohibited (Missbach 2016, 2024; Snelders 2021). In this article, I take this point further to explain the rationale behind the Vietnamese fishers' engagement in criminal – but licit from their point of view – activities in the Australian EEZ.

To do so, I apply the concept of 'occupational slippage', which allows for a more nuanced understanding of Vietnamese fishers' shifts between various state (e.g. maritime militia) and non-state (e.g. poacher) identities and licit, 'less-than-licit', and illicit modalities of their work (Roszko 2021b). In a nutshell, 'occupational slippage' denotes how maritime and marine occupational practices – such as fishing, poaching, smuggling or trading – overlay each other in temporally consecutive or sometimes simultaneous enactments. However, my conception of occupational slippage differs from conceptual approaches to fisheries that emphasize multiple income-generating activities or multiple identities, as features of fishing livelihoods or responses to contemporary external pressures. 'Occupational slippage' is not just socially (and hence politically) situated in praxis, but also *historically* situated' (Roszko 2021b:649, emphasis in original). To put it differently, maritime and marine knowledge and skills accumulated by Vietnamese fishers during previous ventures were not forgotten but passed down, modified, and applied to new ventures. Those maritime and marine occupational strategies might disappear at one time only to emerge in another form at another time and place, by a new generation of fishers (Roszko 2021b:649). For instance, the grandfathers of my informants went on shark fin expeditions to Thailand in the 1970 s and they smuggled fellow villagers to Malaysia and the Philippines in the late 1970 s and 1980 s; two decades later, in the 1990 s and 2000 s, their sons and grandsons started going to the Paracels and Spratlys for fish, seagrass, sea cucumber and giant clams. Ventures to the Paracels and Spratlys were not new to these younger generations of fishers, even though they had been separated from their grandparents' ventures by more than a half-century. The villagers share a collective memory of their ancestors' ventures to those treacherous waters in the eighteenth, nineteenth, and early twentieth centuries to hunt for tortoise shells and giant clams, and to recover cargo from wrecked ships. Nowadays, intergenerational navigational knowledge, skills and experience have been adapted to new political realities and extended to distant oceans. Giant clam extraction from the Australian seas by Vietnamese fishers is a case in point, and I will elaborate on it later.

I already pointed out that the maritime and marine aspects of these livelihoods may be simultaneous or discontinuous but temporally interlinked. For example, Vietnamese fishers are connected with artisanal, wood-based shipbuilding within their country, which in turn is related to illegal logging in Cambodia, Laos and Indonesia; with Chinese-owned seafood companies that are buying up illegally harvested sea products; and with pirate gangs and coast guards they pay up-front as they trespass into foreign territorial waters.[10] In the last ten years, thousands of fishers from Vietnam began to rebuild their wooden boats to accommodate large freezers, allowing them to store tons of freshly caught seafood, thereby extending the period they can fish productively in distant waters (Roszko 2021b). This is important because it shows that 'the fishers' older patterns of mobility and knowledge accumulated through generations are interconnected with modern,

[9] See https://www.theguardian.com/environment/2016/mar/30/vietnamese-fishing-boats-caught-with-sea-cucumbers-in-great-barrier-reef. Accessed on 5 May 2017.

[10] Personal communications at artisanal shipbuilding yards in Bei Hai (China), May 2015, and Phan Thiet (Vietnam), December 2016.

state-supported, and technology-driven fisheries, producing new forms of versatility that operate under the states' radars' (Roszko 2021b:640). Elsewhere, I explained:

> (…) occupational slippage is neither accidental happenstance nor the 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 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 understanding of fisheries as mono-occupational rather than as a maritime livelihood repertoire. (Roszko 2021b: 647)

As sea cucumber and other marine resources in the disputed waters of the South China Sea have been depleted, the presence of Vietnamese fishers would be unprofitable without subsidies. Still, Vietnamese fishers must spend substantial amounts of their own money on fuel and provisions for these authorized and subsidized sea operations. To make these trips viable, they travel further in anticipation of better harvests and, thus, a better income. In other words, Vietnamese fishers navigate not just seas and territorial sovereignties, but also market demands. In that sense, 'occupational slippage is both 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' (Roszko 2021b: 647) to maintain fishing operations in depleted but territorially important waters and, at the same time, to make their 'fishing' more profitable. From this perspective, the harvest of giant clams and sea cucumbers in northern and northeast Australian waters is not an opportunistic pursuit, but part of a maritime livelihood repertoire that draws on generational experience, ever-changing environments and political context.

Methods

My analysis of Vietnamese IUU fishing in Australia is based on insights and research data generated through ethnographic fieldwork in Vietnam and China, documentary research in Australia, and desk-based review. Ethnographic fieldwork in Vietnam involved twenty-four months in total spread over the years 2006, 2011, 2014, 2016, and 2018, and I spent five months in China: four in 2015 and one in 2019. While in Vietnam and China, semi-structured interviews and informal conversations with fishers and local authorities – frequently combined with participant observation – provided me with first-hand insights into the political and economic developments on the ground and the connected Sino-Vietnamese trading networks. While following fishers on the high seas proved to be impossible, an ethnographic approach that grasps practices and encounters at the edges of water bodies and specific onshore nodal points – through prolonged research stays in fishing communities – proved to be tremendously valuable. Moving back and forth between several islands and fishing communities on Vietnam's (Lý Sơn and Phú Quý islands) and China's sides (Tanmen and Sanya fishing communities on Hainan Island) of the maritime border revealed trading connections and transoceanic mobilities not just between Lý Sơn and Phú Quý within Vietnam, but also with Hainan Island in China (see Fig. 1).

In addition, five months of research in Darwin, Australia, between 2020 and 2024 provided new insights into the outward Vietnamese fishing operations. The archival phase of this research was complemented with formal and semi-formal interviews with prosecutors and criminal lawyers involved in the trials of detained Vietnamese fishers. In Darwin, I reviewed documents and media reports from AFMA that helped me identify interceptions of Vietnamese fishers suspected to have committed environmental crimes inside Australia's EEZ between 2014 and 2017. Following this, I retrieved from Darwin Local Court – under the Australia Freedom of Information Act 1982 – ten court transcripts of criminal proceedings against one hundred and forty-five Vietnamese fishers. The court proceedings confirmed my ethnographic findings that Vietnamese fishers came from Lý Sơn Island, an atoll with a population of 20,000 lying about 16 nautical miles (ca. 30 km) off the shore of Sa Kỳ port in Quảng Ngãi province in Vietnam, and 123 nautical miles (ca. 228 km) off the disputed Paracel archipelago. As I mentioned above, I carried out ethnographic fieldwork there between 2006 and 2014. In 2016 and 2018, I extended my fieldwork to Phú Quý Island, which lies 56 nautical miles (103 km) east of Phan Thiết city in central Vietnam and 335 nautical miles (540 km) west of the Spratly Archipelago. Historically, Lý Sơn and Phú Quý have been economically connected through inter-migration as well as participation in eighteenth- and nineteenth-century royal 'companies' authorized to collect luxury marine goods and recover arms, silver and other valuable objects from sunken ships.[11]

[11] Personal communication during ethnographic fieldwork on Phú Quý Island in 2016. For more information see Roszko 2021b and Lê Quý. Đôn (1776) 2006.

Fig. 1 Map of the South China Sea: Lý Sơn Island and Phú Qúy Island in Vietnam and Hainan Island with Tanmen and Sanya in China. *Source*: Base map available at http://www.lib.utexas.edu/maps/middle_east_and_asia/schina_sea_88.jpg; modified by Jutta Turner

I did not ask Lý Sơn fishers specifically about their trespassing into Australia, but ethnographic fieldwork in this community made me aware of these expeditions. During my field research on Phú Quý, I was told by its inhabitants that Lý Sơn fishers were generally more keen than Phú Quý fishers to take risks and cross the Paracels and Spratlys to try their luck in the Pacific Ocean and the Australian portion of the Timor Sea and the Coral Sea. I was also told that some Phú Quý fishers were recruited by Lý Sơn people on ventures as far as New Caledonia and, on one occasion in 2016, I witnessed a fishing vessel returning to Phú Quý with dozens of barrels of cured sea cucumber collected from those waters. While the court proceedings did not reveal any evidence of Phú Quý islanders trespassing in the waters off north or northeast Australia, the trial records clearly show that the prosecuted fishers came from Lý Sơn Island. The transcripts provide unique insights into the scale and character of the Vietnamese fishing operations in the Australian EEZ, and triangulation with ethnography, participant observation, and interviews yielded a nuanced understanding of the content and patterns of Vietnamese fishers' connections, relations and networks that facilitated their expeditions between 2013 and 2017 into 'no-take areas' within Australia's EEZ – areas not just environmentally but also politically sensitive due to long-term historical fears around sovereignty and border control.

Historical and geopolitical pathways to contemporary giant clam harvests in Australia

Tridacna gigas is at the heart of the South China Sea territorial dispute. These endangered giant clams, the largest living bivalve mollusks, have been harvested in Southeast Asia for centuries, mainly for their flesh, which some believe to have aphrodisiacal properties (Gannon et al. 2017). For centuries, Chinese people have bought a diverse array of marine goods: sea cucumber, giant clams, mother-of-pearl, shark fins, turtles, and tortoise shells. Also, for centuries, seafarers have taken to the seas to satisfy this Chinese demand. Even the British East India Company sought to capture some of the trade in exotic and luxury marine products, investing in and seizing vessels and regulating maritime commerce in Southeast Asia. While it is relatively difficult to estimate the exact scale of this trade, which seemed marginal and odd in the eyes of Europeans, one of its impacts was to link diverse, competing actors and interests in East and Southeast Asia and beyond.

In his recent book, *In Asian Waters: Oceanic Worlds from Yemen to Yokohama*, Eric Tagliacozzo (2022) shows that the British and other Europeans never successfully tapped into this expanding market. They never mastered an intimate cultural knowledge of local gastronomic and medical preferences, or of the inter-ethnic seafaring and trading networks that produced, sustained and extended this seaborne trade. Ultimately, they could not compete with these networks, which involved ethnically diverse harvesters of marine goods. These harvesters were pushed out of depleted local waters into the Celebes Sea and Sulu Sea and the coasts of Sulawesi and Borneo, and on towards the coasts of Papua New Guinea and Australia, interacting with local coastal populations through harvest and trade (Warren 2008, 2011; Tagliacozzo 2011, 2022; Sutherland 2000, 2011; Reid 1983; Sutherland 2021). For example, from at least 1700, Macassar people from Sulawesi in Indonesia established long-term trade contact with Indigenous Australians, from whom they bought sea cucumber to meet the Chinese demand (Urwin et al. 2023). Tagliacozzo (2005) points out that the practice of trading far from the eyes of the state has a long tradition, and, since at least the nineteenth century, fishers have figured prominently in the circulation of illicit goods, including guns, tin, opium, throughout East and Southeast Asia. Desire in China for marine products quietly persists, stimulated by long-standing cultural preferences, economic incentives, and connected diasporas. The recent harvest of endangered live giant clams in Australia and fossilized giant clam shells in the South China Sea, both of which caused extensive scarring of coral reefs, are contemporary examples of China-focused trade that motivates occupational slippage connecting diverse fishing communities and geographies.

Let me start with fossilized giant clam extraction in the South China Sea, which helps to situate the harvest of living giant clams off the northwest and northeast Australian coast in a wider economic and political context. Fishers from Hainan, China, extracted fossilized giant clam shells – whose age ranged from 1000 to 10,000 years – from disputed territories within the Paracels and Spratlys in the South China Sea (Roszko 2023). With the recent ban on the ivory trade in China, fossilized giant clam shells with tick-like markings were found to be a good substitute. Beautifully polished and crafted pieces were sold to domestic and international buyers for hundreds or thousands of dollars. When Hainanese fishers exhausted the shells on reefs controlled by China, they used their networks to identify Vietnamese and Filipino counterparts whom they could pay to extract fossilized giant clam shells from Vietnamese and Malaysian reefs on their sides of the maritime borders (Roszko 2021b). Then, Lý Sơn fishers used the skills developed in the past to extract living giant clams from Australian marine parks.

In 2016, the United Nations Tribunal for the Law of the Sea in the Hague found that, although the coral reef and giant clams 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 aware and tolerant of Hainanese fishers who tore giant clam shells from the coral reefs.[12] While a fossilized giant clam shell is not a living organism, it supports the underwater ecosystem by providing a supportive environment for reef growth. Consequently, the fishers' harmful practices, further aggravated by China's construction of artificial islands, led to permanent destruction. A year after evidence to the Tribunal revealed the massive destruction of coral reefs in the Paracels, the Spratlys and the Scarborough Shoal, the Chinese state introduced a full ban on the sale, purchase, and use of giant clamshells (Roszko 2023).[13] While celebrated in national media as demonstrating China's commitment to protecting natural resources, the ban had a performative rather than environmental effect. It neither helped to save the already destroyed coral nor raised the fishers' environmental awareness or sense of responsibility; from their perspective, the ban stripped them of a substantial

[12] See 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, 12 July 2016. Available at: https://pca-cpa.org/en/cases/7/. Accessed on 5 August 2024.

[13] The South China Sea Arbitration (The Republic of Philippines v. The People's Republic of China), PCA Case No. 2013_19, Award of 12 July 2016. Available at: https://www.pcacases.com/web/view/7. Accessed 18 March 2024.

Fig. 2 Giant clams sized from Vietnamese fishers by *AFMA, 2014. Source:* https://www.abc.net.au/news/rural/2014-04-04/giant-clams/5368276?future=true&pfmredir=sm

source of income. Unable to replace it with more traditional fishing practices, the whole trade of giant clam shell artwork moved underground, where it became even harder to regulate and control. On the Vietnamese side of the maritime border, confronted with the depleted marine resources, Lý Sơn fishers responded with another iteration of occupational slippage, seeking their fortune in Australian waters, where they extracted highly valued living giant clams – which had already disappeared from the South China Sea.

Between 2013 and 2014, working closely with the Border Protection Command and the Royal Australian Navy, the AFMA apprehended six Vietnamese fishing boats, 180 nautical miles northwest of Darwin.[14] When AFMA officers boarded these vessels, they found over two hundred giant clams and dozens of barrels of sea cucumber (see Fig. 2). This was the first in a series of arrests over the next four years. Between 2015 and 2017, another fourteen boats were seized in the Coral Sea Islands Territory, northeast of Queensland and in the Coral Sea off the northeast coast of Australian EEZ, yielding a total of twenty Vietnamese vessels and approximately one hundred and forty-five Vietnamese fishers apprehended and charged with illegal fishing for giant clams in Australian waters (see Fig. 3). As indicated earlier, nearly all Vietnamese fishers detained in Australia between 2013 and 2017 came from a small island off central Vietnam known as Lý Sơn.

To understand these fishers' motivation for travelling all the way to Australia, we need to add historical depth to their practices predating the Việt empire and Chinese networks. Lý Sơn and Phú Quý Islands were part of the Champa seafaring empire that established its rule over mountains, coastal plains, and islands in what is now south-central Vietnam as early as the second century of the Common Era. From the fifteenth century onwards, Champa was invaded repeatedly by the Việt polity, which gradually took control of the entire Cham territory. The Cham were known as superior navigators and Cham islands played an important role as transshipment points for passing traders and seafarers. The Cham seafaring legacy is important because the culture did not disappear on Lý Sơn or Phú Quý Islands; it was absorbed by the Vietnamese newcomers throughout the eighteenth and nineteenth centuries (see e.g. Nguyễn Đình Đầu 1996). Historian of Southeast Asia Li Tana (2024: 229) noted that the ethnic boundaries between the Cham and Việt were not clear-cut, as the Cham assimilated over time through intermarriage, enslavement, conversion, or coercion, resulting in a kind of hybrid Việt-Cham society.

Throughout the eighteenth and nineteenth centuries, Lý Sơn and Phú Quý were stepping-stones to the Paracels and Spratlys, which sustained mobility and trade in the South China Sea (Roszko 2021a). Historically, the Paracels and Spratlys were fishing grounds of Lý Sơn and Phú Quý seafarers composed of Cham, Việt and Chinese (Lê Quý Đôn 1972 [1776]: 203, 210; Bộ Ngoại Giao 2013) Because of their intimate knowledge of the sea and navigation of the treacherous waters around the Paracel and Spratly archipelagoes, the Vietnamese royal court granted them the right to collect edible sea-swallow nests and to recover cargo from wrecked ships, in return for delivering an annual tribute to the royal court and patrolling the

[14] See 'Vietnamese illegal fishing boat destroyed after seizure off Top End coast'. ABC NEWS on 4 April, 2014. Available at: https://www.abc.net.au/news/2014-04-04/illegal-vietnamese-fishing-boats-destroyed-in-darwin-giant-clams/5367304. Accessed on 6 March, 2025; *AFMA List of Apprehension of Illegal Vietnamese Fishermen 1 January 2014–2 March 2020*. Accessed 18 March 2020, Under the Freedom of Information 1982.

Fig. 3 Interdiction of a Vietnamese vessel, with its characteristic blue hull, suspected of illegal fishing in the Coral Sea. *Source*: https://www.sbs.com.au/language/vietnamese/en/article/vietnamese-illegal-fishing-vessel-apprehended-in-the-coral-sea/i0a69ym7n

coast and strategic maritime routes (Roszko 2021a, b). There is a continuity between imperial and modern states: both controlled and appropriated fishers' superior navigational skills and knowledge as they pursued their own political agendas. Over time, landless fishers and seafarers were sedentarized, new identities were acquired, and land was obtained following naval service to the court. In the twenty-first century, Lý Sơn fishers receive government subsidies for fuel and 'fishing' trips to the disputed areas. The Vietnamese state used subsidies to alleviate the pressure from coastal fisheries, encouraging fishers to shift from inshore to offshore fishing. Subsidized offshore operations have become particularly important for potential future negotiations of the EEZs with neighboring countries, because they establish the presence of Vietnamese fishers in disputed waters and reinforce Vietnam's claims to sovereignty over those waters (see Pham et al. 2021; Roszko 2023).

Many Lý Sơn fishers have been recruited to be part of a Vietnamese maritime militia and subsidized to maintain their presence in the contested waters, thereby continuing the historical trend of the state exploiting the navigational knowledge and skills of fishing communities to serve state priorities. During my fieldwork in central Vietnam, I was told that Vietnamese fishers were paid subsidies for fuel to make four trips a year to designated fishing grounds, all of which are at least 150 nautical miles from the fishers' home port. Fishers complained that the fuel subsidies were insufficient to cover the entire cost of the 'fishing' trip (including provisions), and they could even lose the payment if they returned earlier (due to sickness or bad weather, for example) than the required minimum fifteen days at sea. Some areas designated by the state were known not to contain fish, but Vietnam believed that the presence of its fishers reinforced the government's claims to those waters as part of its EEZ. While subsidy recipients were not allowed to trespass into other countries' EEZs, the maritime militia status and the obligation to operate in the disputed areas nevertheless enable Lý Sơn fishers to extend further their sea ventures, sometimes all the way to Australia. Vietnamese fishers sourced enough water, food, and fuel to embark on month-long trips, trespassing into foreign EEZs and harvesting valuable marine resources. Evidence shows that the wooden Vietnamese fishing vessels that encroached into the Australian EEZ had been supported by state subsidies for fuel and to maintain their presence in the disputed waters (USAID Virtual Round Table 2020). In this way, the service to the state induced occupational slippage, which problematizes the fixity of fishing as a stable and unitary performance.

Some of the subsidized fishers sailed as far as northeast Australia before they were intercepted beyond the Great Barrier Reef, fishing near Dianne Bank, Moore Reefs, and the Willis Islets in the Coral Sea off Australia's northeast coast. Those caught in the Coral Sea Commonwealth Marine Reserve, including Lihou Reef National Nature Reserve, were charged not only with violating foreign maritime borders and using a foreign boat to fish in Australian waters (under the Fisheries Management Act (1999)) but also with violating the Environment Protection and Biodiversity Conservation Act (1999), the centerpiece of Commonwealth environmental legistation. Many of the fishers charged under either of the Acts were imprisoned and prosecuted in Darwin, where judges ordered their boats to be destroyed with dire financial consequences for the captain and crew.

The prosecution of Vietnamese fishers in Darwin

The court proceeding to which I gained access tells the story of four Vietnamese fishing boats and fifty-eight Vietnamese men from Lý Sơn that were detained in March 2014 near Evans Shoal, northwest of Darwin, and brought before the Darwin Local Court. The fishers were charged with 'intentionally using a foreign boat for commercial fishing in the territorial seas of Australia' and for breaching the Environmental Action and Biodiversity Act 1999.[15] In his sentencing remarks, the judge said:

> These are extremely serious offenses against the Australian Fisheries and we've all heard, not just the value of these things, but the rarity of at least the giant clams, and you can see from the size of it that they are extremely slow-growing. That one there apparently is over 100 years old. The Australian Fishery has rules in place to prevent the exploitation of these things for very good reason, and it's reprehensible conduct for anyone including international fishermen to come and take them without permission.
>
> As far as I'm concerned, a message needs to be sent that this is not to be done, and if you gentlemen come back, you will spend a long time in prison over here in Australia. In each case, for each of you, on count one, that's using a foreign boat for commercial fishing, you are convicted and fined 10,000 (AUD). I am going to order default imprisonment of 3 months if it is not paid within 28 days. In practical terms, they'll send you home and it means that if you come back and that fine is not paid, you will do 3 months in gaol here. I order you be released forthwith, upon giving security in the sum of 5000, on your own recognizance to be of good behaviour for a period of three years. Do not come back and fish in Australian waters again.[16]

Under the law governing criminal cases involving foreign fishers, which included commonwealth legislation governing fishers' activity and the legislation governing criminal process, the Australian court was authorized to impose heavy fines on Vietnamese fishers. In the event, except for the captains, the crews were sent back home on the condition that, if they were caught again, they would have to serve prison time for the unpaid fine and face a new trial.[17] At the time of these arrests and trials, the Australian authorities, the public, and even the judges barely understood the impact of the illegal harvest on the environment. They appeared to have little knowledge of the trade in endangered giant clams in Southeast Asia. A marine biologist from the Northern Territory Fisheries Department rolled a harvested giant clam shell into the courtroom on a trolley, enabling the judge and prosecutor to comprehend that these species were awe-inspiring and at least one hundred years old, thereby emphasizing that their harvest was not trivial.[18] To raise public awareness of the need to protect the nearly extinct species, a 'grave' devoted to giant clams was installed in the Territory Wildlife Park, memorializing their 'birth' in 1914 and the tragic 'death' in 2014 at the hands of Vietnamese fishers encroaching into Australian waters (see Fig. 4). Next to the grave, a sign accuses the Vietnamese fishers who were apprehended in waters adjacent to the Northern Territory of 'pushing the giant clam population to the brink of extinction' (see Fig. 5).

During their trial in Darwin Local Court in 2014, several Vietnamese fishers explained that they were simply 'following the fish' (*theo cá*). Interestingly, during my ethnographic fieldwork on Lý Sơn and Phú Quý Island in 2014, 2016 and 2018, fishers used the general terms 'sea work' (*làm biển*) or 'work at seas' (*làm ăn*), which denote both legal and illicit activities, including fishing, poaching or smuggling. However, when the fishers were arrested for trespassing in foreign waters, they were precise in explaining themselves to the authorities that they 'had been fishing' (*đi câu cá*) or 'following the fish'.[19] In the court, they also testified that their fishing was to defend Vietnam's sovereignty and they became innocent victims of China enforcing their claims in the disputed Paracels and Spratlys. All held the Chinese Coastguard responsible in one way or another, sometimes melting the ice in their holds so they could not store freshly caught fish, or chasing them away, or even sinking their boats. Some talked about beatings and other ill-treatment by Chinese militia-fishers. Once displaced from the South China Sea, the traumatized fishers had no idea where they were, due to faulty or absent GPS technology. In response, an AFMA officer suggested that the defendants had planned for everything except getting caught. He testified that they had provisioned enough water, food, and fuel to sustain them for months at sea, and transoceanic networks with communities in Indonesia and Timor enabled provisioning for even longer voyages. They knew very well when they crossed

[15] 'Illegal Foreign Fishing Vessels Intercepted'. *Media Release* on 14 March 2014. The Australian Fisheries Management Authority (AFMA). Available at: https://www.afma.gov.au/. Accessed on 2 December 2019.

[16] Transcript of proceedings at Local Court in Darwin on 3 April 2014, Northern Territory; files 21415630; 21415861; 21415861; 21415869.

[17] Transcript of proceedings at Local Court in Darwin on 3 April 2014, Northern Territory; files 21415630; 21415861; 21415869. Personal conversation with barrister Lyma Nguyen, May 15, 2024.

[18] Personal communication, Darwin, 20 March 2024.

[19] Personal communication with barrister Lyma Nguyen, March 19, 2024.

Fig. 4 Grave of Giant Clams harvested by Vietnamese fishers in Territory Wildlife Park, Australia. Source: Edyta Roszko

maritime borders: in one case, AFMA officers who boarded Vietnamese vessels found navigational tools, including a GPS, a compass, a high-frequency radio, and a Haiyang HGP 600 chart plotter. In another, they recovered the captain's notebook containing handwritten GPS coordinates for locations in both Vietnamese and Australian water.[20]

The court proceedings from Darwin Local Court suggest that most of the time, the judges were empathetic towards fishers' plight. For example, during the above-mentioned court hearing in 2014, the judge sympathized with fishers but did not accept their claim of a logical, direct linkage between incidents in the South China Sea and the fishers' presence in Australian waters, given the distance between Vietnam and Australia. In his sentencing remarks, the judge reasoned that the Vietnamese fishers were 'commercial' and not 'subsistence fishers'; that they consciously took a risk, travelling thousands of nautical miles from Vietnam to harvest endangered marine species; that they were 'reckless' about the likelihood of being arrested; and that they accepted this risk.[21] While the judge's point about the conscious and calculated risk taken by Vietnamese fishers is valid, the line between 'subsistence' and 'commerce' barely exists in the Lý Sơn fishing context. Boat captains and their crew were not wealthy men and profits were not shared with corporate shareholders. While it is tempting to imagine expeditions to far-flung waters as both 'modern' and 'beyond subsistence', we have seen that it, in our context, it is neither. Responding to the domestic and global demand for sea products, contemporary fishing communities in Southeast Asia – including Vietnam – depend on fish for both food and income (Stacey 2007).

State subsidies and maritime militia facilitating giant clam fishing in Australia

In order to understand further what drives the IUU fishing for giant clams and sea cucumbers by Vietnamese fishers in Australia, I will now turn to Vietnam's subsidies and their wider effects on distant oceans and seas. As indicated, state subsidies from Vietnam sustain fishing operations in the South China Sea and shore up the state's territorial claims in disputed territories, indirectly encouraging fishers to take their environmentally harmful fishing practices to the Pacific and Australian Timor and Coral Seas. They are characterized by the lack of transparency and accountability around regularizing vessel standards and government expenditures in the fisheries sector. They also sustain the operations of massive and unproductive fishing fleets in the disputed waters in the South China Sea, regardless of whether resources are

[20] Transcript of proceedings at Local Court in Darwin on 19 April 2016, Northern Territory; files no. 21619013.

[21] Transcript of proceedings at Local Court in Darwin on 10 May 2016, Northern Territory; files no. 21721863.

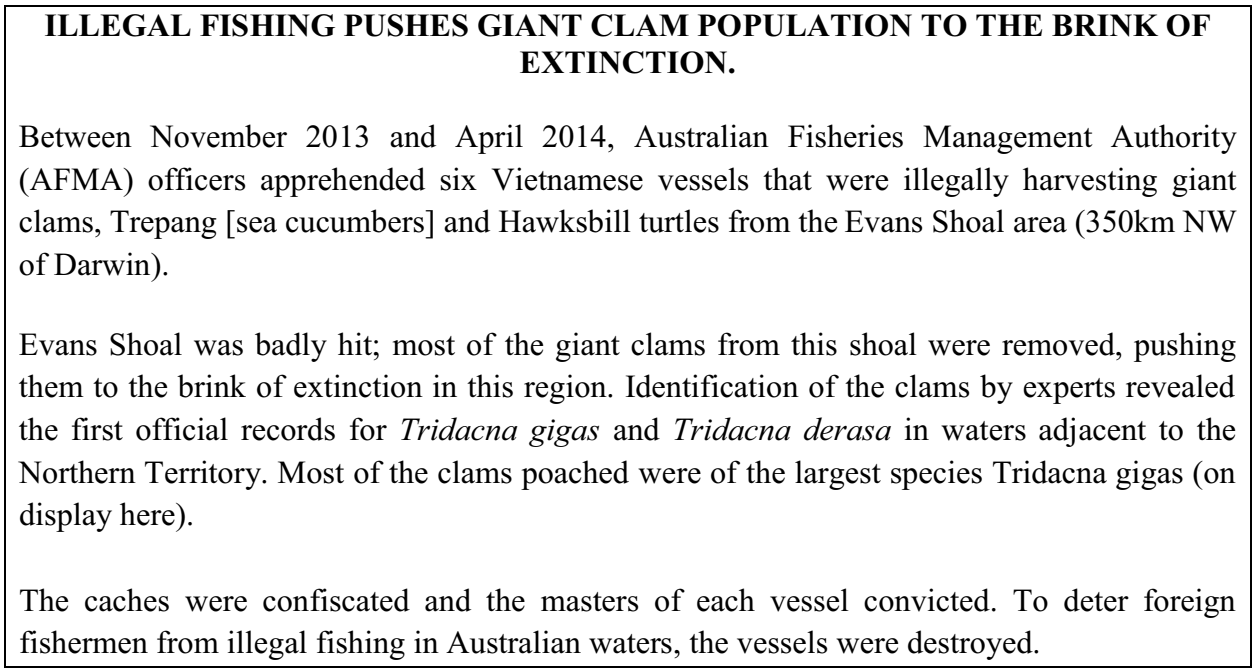

Fig. 5 The information table in Territory Wildlife Park, Australia. Source: Edyta Roszko

already depleted.[22] State subsidies are rarely, if ever, coordinated with other natural resource management policies. The subsidies might increase short-term income and profit for fishers, processors, retailers, and seafood companies while depleting resources in the long term, thereby reducing future catch opportunities, income and profit (Pham et al. 2021). Finally, the case of Vietnamese fishing for endangered giant clams in Australia demonstrates that the state subsidies elicit harmful behavior in a situation of conflicting and overlapping legal regimes and jurisdictions – such as those in the South China Sea (see Poling 2019) – and, consequently, incentivise fishers to trespass into other countries' EEZs.

Another important factor is that the same state subsidies that effectively sustain the massive overcapacity of Vietnam's fishing fleet are coupled with the provision of maritime militia status. Vietnam's amended 2019 Law on Militia and Self-Defense Forces provides the legal foundation for establishing its maritime militia, stating that 'coastal or insular communes can organize squads or platoons of militia' (Cui and Shi 2022:155). Vietnam's legislation follows China's model for the organization of a permanent militia and self-defense force: both countries define maritime militia as 'mass armed forces that are integrated into economic production and operate in the sea and islands', indicating that maritime militia are composed of fishers engaged in fishing operations (Cui and Shi 2022: 158). However, there are important differences between China's and Vietnam's maritime militias. Unlike China, Vietnam directly empowers its maritime militia to enforce national maritime laws through its Law on National Defence and Law on the Vietnamese Sea. Also, it regards its maritime militia as active servicemen, giving them a higher political status than those in Vietnam's land-based militia (Cui and Shi 2022: 161). Finally, by performing specific tasks given by the state, the Vietnamese maritime militia represents the state in the South China Sea. The execution of those tasks exposes fishers to certain risks, like boat collisions or illegal seizure by foreign governments (Cui and Shi 2022:162), but also provides them with the greater autonomy to extend their operations beyond the South China Sea, as the case of the Vietnamese IUU in northern and northeast Australia demonstrates.

A maritime militia is especially important for Vietnam, whose navy cannot match China's naval presence and power in the South China Sea. Because of the considerable power asymmetry between China and Vietnam, the latter puts more emphasis on a rich array of self-defense practices. When competing militias contest one another at sea, the Vietnamese state treats 'fishers' bodies and their economic practices as extensions of the national 'geo-body', to use Thongchai Winichakul's (1994) concept, which denotes the outline of a nation's territory through maps and images that are

[22] Generally, subsidies are defined as government investments in the development of fisheries that include funds for boat construction and modernization and fuel. They spur overcapacity, creating a situation where overfishing, rule-breaking, law transgression, and unfettered harvesting of endangered marine species are practically inevitable (WWF Briefing 2011).

recognizable to that nation's citizens. This was exactly the experience and line of defence of the Vietnamese fishers in the 2014 trial in Darwin Local Court. The fishers explained that their task was to defend the sovereignty of Vietnam and sustain confrontations with Chinese fishers or coast-guards, even after they turned violent. Eventually, the fishers claimed the task of 'protecting the sea' pulled them out into Australian waters – an argument the judge dismissed, as we learned. Nevertheless, the Vietnamese fishers' attempt to justify their IUU fishing in Australia during the court trial points out that 'the human bodies of fishers and the geo-body of the nation projected onto the sea' were brought out in economically void fishing practices, the first task of which was to 'represent sovereignty by embodying presence at sea' (Roszko 2023: 176). Such presence in disputed waters becomes most spectacular when fishers' action is divorced from resource-based activities and focused on defending the sovereignty of the contested waters. However, this article shows that the nationally important but economically empty spectacle of fishing could not be contained within the South China Sea's limits and incentivized Vietnamese fishers to extend their transboundary fishing down to the northern and northeast coasts of Australia in search for high-value marine goods.

Conclusion: occupational slippage as historical and contemporary praxis in Australian EEZ.

This article aimed to enrich our understanding of Vietnamese fishers encroaching into the Australian Fishing Zone, often homogenized as 'blue boats' and labeled as 'opportunists', 'roving banditry', 'bandits', or 'reef robbers' in media and even some scholarly works. Taking an anthropological approach, I traced the origin of Vietnamese fishers apprehended in Australia for the harvest of endangered giant clams, zooming in on historical legacies and contemporary socio-political developments in their communities. By doing so, I sought to provide a more nuanced representation of the fishers' logic behind the harmful and unsustainable marine practices that wrecked Australian waters between 2013 and 2017.

Specifically, I have shown how key drivers of Vietnamese illegal fishing in Australian waters include not only the provision of state subsidies for fuel and fishing operations, but also historical trajectories and experiences of fishers closely associated with moving in and out of occupational identities like 'fisher', 'maritime militia', 'poacher' or 'trader'. I indicated that these occupational identities are not exclusive but can exist in simultaneous or consecutive enactments. To explain the shifts between fishing in the South China Sea and harvesting endangered giant clams in the Australian territorial waters, I proposed the concept of occupational slippage (Roszko 2021b) to indicate that, what is considered 'illicit' from a statutory legal perspective by the state might, nonetheless, be culturally acceptable and thus 'licit' to the Vietnamese fishers. I stressed that occupational slippage is both socially and historically situated praxis, and the continuing accumulation of generational experience and knowledge informs contemporary praxis in modern fisheries.

To make this argument, I pointed out that the intercepted Vietnamese fishers in Australia came from the small island of Lý Sơn, which has a long seafaring tradition: its inhabitants had been engaged in harvesting luxury marine goods to meet Chinese demand since the eighteenth century, when Lý Sơn seafarers had been conscripted by their kings to patrol the coast and strategic maritime routes and extract cargo from the wrecked ships in the Paracels and Spratlys. Thus, I argued, there is a continuity between imperial and modern Vietnamese states in the way they harness fishers' navigational skills and knowledge to the pursuit of their national political agendas. Turning to the present, I emphasized that, while Vietnam's subsidies and the provision of maritime militia status effectively kept national fishing fleets in the Paracels and Spratlys to 'defend sovereignty', they also had a knock-on effect on the Australian EEZ. While sustaining fishing operations is a means of furthering states' territorial claims in disputed territories, the greater autonomy given by subsidies and maritime militia status also enabled fishers, drawing on old patterns of maritime livelihoods, to take their environmentally harmful fishing practices to other seas and oceans, including the Pacific Ocean and the Australian portion of the Timor Sea and the Coral Sea. Paradoxically, these historical legacies and maritime modes of livelihood came to the fore when Vietnamese fishers were tasked by their state to maintain their 'spectacular' presence at sea to 'defend Vietnamese sovereignty' over the disputed Paracels and Spratlys. These economically empty activities at sea intensified occupational slippage by making longer fishing trips viable. That is, fishers deployed resources provided to serve state interests to their own interest in making a good profit by expanding to Australia and harvesting endangered giant clam shells and other products. Thus, I demonstrated that economically unproductive fishing performance could not be contained in the South China Sea and inevitably drew fishers to the EEZs of other countries, such as Australia. In that sense, Vietnam's priority, to claim the sovereignty over the Paracels and the Spratlys through fishers' presence in the disputed water *vis-à-vis* fishers' immediate need to sustain their livelihoods, spurred occupational slippage between 'performing' fishing (where no fish were present) and harvesting of high-value giant clams, which states had made illegal but fishers considered licit.

The occupational slippage documented here demonstrates the validity of the Vietnamese fishers' statement in the Local Darwin Court – despite its dismissal by one of the judges – about protecting sovereignty in the South China Sea and about being confronted by China's fisher-militia and its coastguard. It demonstrates that geopolitical developments in one region are significant to other regions, yet alone do not provide a complete explanation for Vietnamese fishers' transoceanic expansions. Fishers from the islands discussed here have sought their fortune in far-flung oceans. The praxis predates current political disputes with China and opportunities in Australia's EEZ by nearly two millennia, lasting until the Champa seafaring empire began to be absorbed into the Việt realm. Vietnamese fishers operate not only in the disputed and territorialized seas, but also in seas that historically and geographically were zones of connections and exchanges through trade. When asked by anthropologist and journalist Ian Urbina (2019: 408) about fishing without legal permission in other countries' waters, Vietnamese fishers answered, 'There aren't many oceans; there's just one'. The historical and economic oceanic connectivity demonstrates an important point: while Vietnam sought to valorize fishers' skills and knowledge to its own end, those with seafaring legacies continued their occupational shifts predicated on their fraught and ambiguous link to the state, to the extent that they exercised their 'right' to harvest and trade as far as physically possible on the world's one connected ocean, as the Australian case powerfully shows.

Acknowledgements In researching and writing this article, I received funding from the European Research Council (ERC) under the European Union's Horizon 2020 research and innovation programme (Grant agreement No. 802223). The author wants to thank the Research Institute for the Environment and Livelihoods of Charles Darwin University for hosting her in 2024 and providing a stimulating environment to work on this article. Special thanks go to the guest editor Natasha Stacey for the invitation to contribute my research to this Edited Theme and for her editorial guidance. The author also wishes to thank Kylie McKenna and two anonymous reviewers for their helpful comments and suggestions.

Funding The author declares no financial interests related to the material in this manuscript.

I confirm that no financial interests related to the material in this manuscript. The source of funding for the work described in this publication is acknowledged below:

This research was funded by the European Research Council (ERC) under the European Union's Horizon 2020 research and innovation programme (Grant agreement No. 802223).

Data availability Not applicable.

Declarations

Ethics approval The ethics commission of the Chr. Michelsen Institute and the European Research Council (Proposal 802223) provided approval for the conduct of the study.

Informed consent The research Ethics Commission of Chr. Michelsen Institute and the European Research Council (Proposal 802223) reviewed and provided approval for the data collection instruments used in the study.

Competing interest The author declares no competing of interest.

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