

The Research Network for the Study of Chinese Communities in the Netherlands

The Research Network for the Study of Chinese Communities in the Netherlands (RSCCN) was established in 2001 as a joint initiative of the IAS, and Asian Studies in Amsterdam (ASIA), at the University of Amsterdam. This informal research network aims to bring researchers together, facilitating their cooperation. The field of study covers any aspect of social life among the Chinese communities in the Netherlands, as well as the study of Dutch-speaking Chinese in countries such as Belgium, Suriname, Indonesia, and South Africa.

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During the RSCCN's third annual meeting there were lectures on human trafficking by Melvin Soudijn, and by Judith Suurmond on the connection between participation in Chinese voluntary associations in the Netherlands and the formation of a civic community and socio-political integration of Chinese descendants. Peter Post screened amateur films from the 1930s produced by members of *peranakan*, elite Chinese families in the Dutch East-Indies, thereby putting forward a fascinating new way of looking at the position of Chinese descendants in a Dutch colonial setting. < **Dr Leo Douw**, ldouw@fmg.uva.nl

Human Cargo

Report >
China

Human smuggling organizations are currently held responsible for the transport of refugees, bounty hunters, and other migrants to the West. The Dutch Public Prosecutor's Office works on the assumption that the movement of asylum seekers to the Netherlands is to a large extent 'regulated' by the activities of human smugglers. Although the nationalities of both the smugglers and the people transported vary greatly, as do the methods used, it is generally assumed by both the public and criminologists that the pursuit of profit is an important, and probably the most important, motive for human smuggling organizations. A turnover of billions of euros worldwide is attributed to these organizations.

By Melvin Soudijn

Within the spectrum of human smuggling, the smuggling of Chinese nationals provokes a lot of interest, not only among the media, but also in the world of international investigation. There are various possible reasons for this. In the first place, a series of well-publicized incidents have caused the commotion. There is virtually no study, investigation or publication concerning human smuggling from China which does not refer to the Golden Venture incident of 1993 and/or the Dover tragedy of 2000, two extremely dramatic events involving Chinese victims. Furthermore, human smuggling from China, whether rightly or wrongly, is generally believed to present several unique characteristics. The sums of money involved are higher than those paid by any other nationality, abuses, such as slavery, exploitation, and prostitution is rife, the level of organization is extremely high and there (presumably) is associated crime involved (directed by Triads). Finally, in the West there seems to be a fascination for, and simultaneously a fear of, the exotic. To this one could add the enormity of China's population, presenting a huge potential market for smuggling, and the many references in publications on Chinese communities to a 'culture of secrecy'. All this leads to the impression that the authorities cannot seem to get a grip on the community.

Human smuggling from China is

not a recent phenomenon. In his study *Chineesche immigranten in Nederland* (Chinese Immigrants in the Netherlands), published in 1936, F. van Heek notes that various countries have drawn up immigration laws to halt Chinese migration. As a result, attempts were made (and this is still the case today) to circumvent these immigration laws, and human smuggling thrived. Van Heek would not state exactly how many people came into the Netherlands as stowaways, but he suspected that the numbers were very large. Rotterdam, 'as an important shipping centre [...], and with its hundreds of Chinese inhabitants [would constitute] an ideal temporary refuge from which the Chinese emigrant could try to reach the place where he now wishes to live' (p. 82) (translation: MS).

Van Heek also discusses the ways in which these people enter the Netherlands. They may enter with a valid passport, by ship's discharge, as a stowaway, as a deserter from a ship, or clandestinely over a land border. The method of stowing away was not, however, wholly without its dangers. For example, people hid in empty water-tanks or boilers, where the temperature could soar if the ship was sailing in the tropics. This sometimes led to fatalities (p. 82).

Furthermore, Van Heek notes that in the past, staff from the Dutch consulates sometimes issued visas too easily, without ascertaining whether the traveller had sufficient means of sup-

port. Several pedlars from Zhejiang, for instance, had indeed entered the Netherlands with valid passports, but ones to which they were not actually entitled. 'In Europe, too, the Chinese happily make use of such consular benevolence. They let one another know where an "easy" consul is stationed, and send their friends who live in the country in question to the consulate to apply for a visa. The consulate sometimes neglects carefully comparing the passport-photo with the applicant's face, and the visa is issued. The applicant sends it back to his friend who wishes to travel to the Netherlands, and soon afterwards our yellow brother enters our country in a completely legal way' (p. 90) (translation: MS).

In their research report *Chinese ouderen in Amsterdam: verslag van een onderzoek naar de leefsituatie van Chinese ouderen in Amsterdam* (Elderly Chinese people in Amsterdam: research report on the living conditions of elderly Chinese people in Amsterdam), Sciortino et al. discuss the case of a Chinese man, 83 years old in 1993, who recalls how he was persuaded by a former neighbour to come to Europe in 1936 (p. 12). He had to pay what was then the enormous sum of 300 Chinese guilders for the journey. He eventually set out with four others from his village. His wife and young son remained behind. He travelled to Marseilles on a German cargo ship and secretly went ashore. From there he travelled overland to Germany and then to the Netherlands.

Today, would we view the above cases as the result of criminal human smuggling organizations? The answer is probably 'yes'. My doctoral research aims to clarify the structures underlying human smuggling. When should one view 'a little bit of help from your friends' as smuggling? That leads me to the question of what 'smuggling' or 'illegal migration' really is, and whether everything is as closely organized as is generally supposed. The inclusion of a historical perspective might provide us with a better understanding. <

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Malay Contacts with Sri Lanka

Research >
South Asia

The Malays have always been intrepid sailors, travelling westwards as far as Madagascar. Sailing westward from a port in the Malay Peninsula or from Western Sumatra, one was likely to disembark on the eastern and southern coasts of Sri Lanka (Paranavitana, 1959): it is therefore not surprising that the Malays made contact with Sri Lankans. Evidence of early contact between Sri Lankans and Malays lies in Sinhala literary works from the Polonnaruwa Period (1098-1234) and the Dambadeniya Period (1220-1293).

By Shihan de Silva Jayasuriya

Historical evidence also confirms that there was a Malay presence in Sri Lanka in the thirteenth century. In 1247, Chandrabhanu, the Buddhist Malay King in the Malay Peninsula, attempted to invade Sri Lanka. Sinhala literary works record that Chandrabhanu's mission was supported by Malay (*Javaka* or *Malala*) soldiers. He was determined to possess the Buddha's tooth relics, which were sacrosanct to the Sinhalese, and which were in the possession of the Sinhalese monarch.

In contemporary Sri Lanka, there are about 46,000 Sri Lankan Malays. They form 0.31 per cent of the population. Their ancestry can be traced back to the Dutch Era (1656-1796) and the British Era (1796-1948). The Dutch referred to the Sri Lankan Malays as 'Javanese' because they were recruited in Batavia (the Dutch appellation for Jakarta). The

British referred to the Sri Lankan Malays as 'Malays' as they spoke Batavian Malay, known today as Betawi or Jakarta Malay. The British also transported Indonesians from the Malay Peninsula (Penang, Malacca, Singapore, Pahang, Trengganu, Kelantan), Java, Madura, and North Borneo to Sri Lanka. The Indonesian soldiers in Sri Lanka were recruited from Jakarta in Java and therefore had a common 'geographical identity'. Though ethnic groups from various parts of the Indonesian Archipelago lived in distinct parts of Jakarta, they spoke a common *lingua franca*, either Batavian Malay (Omong Jakarta, a creole) or Low Malay/Trade Malay/Bazaar Malay (a pidgin). The Sinhalese have given the appellation *Jaminissu* (people from Java) to all Sri Lankan Malays, regardless of whether they are from Indonesian or Malay descent.

Some of the earliest Malay political exiles came to Sri Lanka from the


Moluccas and the Lesser Sunda Islands. From 1708 onwards, Javanese princes were exiled to Sri Lanka. According to Dutch documents, these Indonesian aristocrats were mainly from Java, but others came from Bacan, Sumatra, Macassar, Tidore, and Timor. The Dutch also exiled the King of Java, Susana Mangkurat Mas, to Sri Lanka, together with his retinue: in 1723, he was followed by 44 Javanese princes and noblemen who had surrendered at the battle of Batavia. At the other end of the social spectrum, there was a steady influx of Indonesian convicts, who came from all walks of life. However, no specific information is known about their ethnic background. The Dutch also brought Javanese men to be employed in several capacities in Sri Lanka, but the largest group of Indonesians were the soldiers who served in the Dutch garrison in Sri Lanka. They came from the Ambon, Banda, Bali,

Java, Madura, Buginese, and Malay areas. Most Malay slaves sent to Sri Lanka originated from the Moluccas and the Lesser Sunda Islands.

During the Dutch period and in the early British period, the Malays formed most of the Sri Lankan army, enlisted in the Ceylon Rifle regiments. The last regiment was disbanded in 1873 and the Malay soldiers joined the Police force. Malays were, thereafter, employed in the Sri Lankan military, police, fire brigade, prisons, plantation sector, and in salterns. Sri Lankan Malays have blended into multi-ethnic Sri Lanka but have retained their 'Malay' ethnic consciousness, their mother tongue, Sri Lankan Malay Creole, uniting, binding, and defining them. Sri Lankan Malay Creole is a contact language. When people who do not speak a common language come into prolonged contact with one another, a verbal means of communication becomes necessary, and contact lan-

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The Illicit Trade in Chinese Antiquities

Judging by reports in the Chinese media and by remarks in general studies on the illicit antiquities trade, there is large-scale looting of and trafficking in antiquities taking place in China. According to He Shuzhong, the director of Cultural Heritage Watch (CHW), a non-governmental Chinese organization for the protection of cultural heritage, the problems of illicit excavation and trade have reached dramatic proportions. Government sources suggest that, in the past, the bulk of illicit antiquities resurfaced in foreign museums, while these days much of it ends up in foreign markets. According to Chinese experts, there are at least one million items of Chinese art that should be returned from 200 foreign museums spanning 47 countries. Yet, most Western museums are unwilling to return their collections. A major reason being the idea that most acquisitions were legal at the time they were made, for example under colonial rule. Nonetheless, China has experienced some success in reclaiming stolen artefacts.

Research >
China

By Melvin Soudijn & Edgar Tjihuis

In March 2000, CHW raised the issue of a stolen statue of a Bodhisattva in the collection of the Miho Museum in Japan. The statue was stolen from a museum in Boxing county, Shandong Province, in July 1994. In 1996, the Miho Museum bought the statue from a London dealer, who claimed to have bought the item from another dealer in good faith. After more than a year, an agreement on the return of the statue was signed between the Chinese National Administration on Cultural Heritage and the Miho Museum. In 2001 the National Gallery of Canada voluntarily returned to China a stolen 1,300 year old Buddhist limestone carving, which had been surreptitiously chiselled from the wall of a temple cave some time during the last century. The object was only known in China from a picture of the temple taken at the beginning of the twentieth century.

As well as foreign museums, the international arts market is also implicated. Apparently, there is a large market for Chinese antiquities, the most notable in Hong Kong, London, and New York. Some antiquities dealers purport to handle only 'old' items, that is, items that come from existing collections and are supposed to have been outside China since pre-1970. However, these assertions seem to be at odds with the continuous appearance of dubious items on the art market. In addition, there are plenty of smaller markets in numerous countries, Asian and Western. Nowadays, illicit excavations meet most of this large-scale demand, resulting in the irreversible destruction of valuable archaeological information and pointless damage to sites.

Although the Chinese government formally takes a serious stance on combating illegal excavation and export of Chinese antiquities, many questions can be asked about the sincerity and efficiency of their policies. Since 1978 numerous legislative measures have been taken to tackle the problem. The Law on the Protection of Cultural Heritage was adopted in 1982 and twice amended in 1988 and 1991. Nowadays,

looting and smuggling of antiquities is categorized as organized crime and cross-border crime in the Chinese Penal Code. Furthermore, specific articles were drafted to cover the destruction of antiquities and the theft of precious cultural relics. Severe sentences can be given to those committing such crimes: reports of local excavators receiving the death penalty can be found in the media. National legislation aside, China is a signatory to several international treaties on the protection of cultural heritage.* However, both national laws and treaties are ineffective if they are not adequately enforced.

China does not seem to act against the liberal regulations governing the Hong Kong art trade. Hong Kong plays a pivotal role: almost all antiquities pass through the Hong Kong market and once antiquities reach Hong Kong, they can be freely exported (as long as they are not stolen).

Over and above Hong Kong's highly significant role in the licit and illicit trade in Chinese antiquities, auctioning within China must also be considered. During the 1990s more than 150 auction houses were established in China. Although turnover is still modest compared to Hong Kong, this is likely to change in the future. The two largest auction houses are China Guardian and Beijing Hanhai. China Guardian was set up as a joint venture between the Ministry of Internal Trade and the Bureau of Cultural Relics, Beijing Hanhai is owned by the city's municipal government. A wide range of items is sold at these and other auctions, including items more than 200 years old, which may not, officially, be exported. Thus, according to this rule foreigners are not allowed to buy older items, but it can hardly be expected that this alone will be a serious barrier to their export.

There is also the problem of corruption. Though corruption is a universal phenomenon, its sheer scale and pervasiveness in China is a matter of concern. Large-scale campaigns against corruption may have been initiated, yet it would be rather optimistic to expect these to solve the problem shortly. Furthermore, central government directives have to be carried out by the provincial, down to the local governments, thus easily leading to further corruption. At the local level, administrators often turn a blind eye if money can be made through selling cultural objects. On the other hand, simple neglect of ancient sites and the destruction of sites due to large real estate projects, agricultural development, and infrastructure projects pose a threat. The Three Gorges Dam project, for example, is likely to inundate a large number of antiquities. Brave attempts to save material from individual sites concern only a small part of the total area. Meanwhile smugglers have found it easy to negotiate with local officials, and large amounts of material from the upper Yangtze have found their way overseas.

Furthermore, the policies of the Chinese government are weakened by the ineffective registration of cultural heritage. The fact that the government lacks a database on stolen art and antiquities inhibits an effective policy against illicit trade and can lead to awkward situations. In the Miho Case, Cultural Heritage Watch and the Chinese authorities argued that the Miho should return the statue and should have been informed of it being stolen because it belonged to a Chinese museum and was published as such. However, the fact that the theft was not properly registered seemed to escape both their attention. The lack of effective registration also hinders all fruitful cooperation with international agencies like Interpol and the International Council of Museums (ICOM), rendering the aforementioned treaties inapplicable (see note).

With ineffective registration, the real scale of the problem can hardly be reliably represented by statistics on the number of items intercepted by Chinese customs officials. Any attempt to quantify the problem of illicit excavations and trade by looking up statistics and figures from a number of different sources only reveals how incomplete they are: records only exist for 1986, 1991–1995, 1997, the first five months of 1998, and the period from 1999 to September 2001. Additionally, the numbers cannot be compared because they measure different things and usually only refer to tourists. For example, according to figures from Chinese customs, 110,000 items were seized, from tourists, between 1991 and 1995 alone.

Although much can be said about China's shortcomings with regard to its anti-trafficking of antiquities policy, there are other factors to consider. Wherever people are prepared to sell (even if this means the Chinese government itself), there are those prepared to buy. Many independent buyers are individual travellers interested in Asia and the like, in contrast to large retailers or auction houses, most likely to purchase small items. Of course, one also needs to consider the quality of the items they acquire. All the experts we spoke to highlighted the fact that most material coming from China seems to be of sub-masterpiece quality, apart from a huge number of fakes. Nevertheless, many among the *IIAS Newsletter* readers will have some sort of Chinese artefact at home. Call it an argument from a Chinese perspective. It does not make it any less valid. ◀

For more information, also see:

www.culturalheritagewatch.org/indexenglish.html

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Note >

* China is a party to the 'Convention concerning the Protection of the World Cultural and Natural Heritage', the 'Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property', 'UNIDROIT Convention on Stolen or Illegally Exported Cultural Objects', and 'Convention for the Protection of Cultural Property in the Event of Armed Conflict'. In addition, a total of 1,480 museums have been established at national and provincial level. Furthermore, China is working on a bilateral anti-smuggling agreement with the US, to halt the flow of antiquities to the US.

guages (pidgins and creoles) evolve to fill this need. A creole, unlike a pidgin, is the mother tongue of a speech community. Most of the vocabulary of Sri Lankan Malay Creole originates in the base language, Malay, as is typical of contact languages.

Many linguistic constructions (see examples in the sidebar) illustrate Sinhala influence on Sri Lankan Malay Creole. With Sinhala as the language for inter-ethnic communication in multi-ethnic Sri Lanka, bilingualism among the Sri Lankan Malays must have introduced Sinhala grammatical features into Sri Lankan Malay Creole. Sri Lanka Portuguese Creole, the Portuguese-based contact language, has also been influenced by Sinhala (De Silva Jayasuriya, 1999). Malay, in all its diverse forms, is the most important native language of Southeast Asia. Malay in Sri Lanka is distinct from all the other Malay languages. The part

played by Sinhala (the language of 74 per cent of Sri Lankans today) in influencing Sri Lankan Malay Creole is a fruitful avenue for further research. ◀

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Sri Lankan Malay Creole Constructions

Saldin (1996) states that some SLMC constructions are amusing to Indonesians and Malaysians. I have added in the Sinhala (SIN) equivalents of these sentences:

SLMC	Se	buk	baca	baca	kapan	duduk	seppe	temanya	datang
SIN	Mama	pothak	bala	bala	inna-kote	mage	yahaluva	av-	a
	I	book	read	read	when	sit	when	my	friend
Literally:	While I was reading the book and sitting my friend came!								
Meaning:	While I was reading the book my friend came								

In Standard Malay it would be:

Kawan	saya	datang	se masa	saya	membaca	buku
Friend	I	come	while	I	read	book

SLMC	Se	lari	lari	kapan	duduk	ujang	su	datang
SIN	Mama	duwa	duwa	inna-kote	vessa	av-	a	
	I	run	run	when	sit	when	TNS	
Literally:	While I was running and sitting the rain came down!							
Meaning:	While I was running it rained.							

In Standard Malay it would be:

Se masa	saya	berlari	kujau	turun
While	I	run	rain	come down