

The Question of Piracy

Law Professor Dannenmaier discusses challenges of addressing piracy

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Transcript

[E. Dannenmaier] There's been a lot of talk lately about piracy, especially after the capture of the captain of the US freighter off the coast of Somalia and about the question, "What do we do about that? What does the United States do about that?"

Piracy is inevitable. It's grown in recent years, and what kind of response can we mount? Legally, the response is easy. Once pirates have been interdicted, once they've been caught, there are lots of options for trying those pirates in a coastal state, in a flag state, even in the United States. The question, really, isn't really the lack of legal capacity to go after pirates once caught.

Obviously, catching them is difficult. We have a Navy that's capable of doing that. It would require vast resources to do so off the coast of Somalia. Our Navy can do it if we can simply get cooperation from other countries to do so. The legal question really isn't a question of what we'd do to prosecute after we've caught a pirate.

The question is what we do to minimize the growth in piracy off the coast of Africa, off Somalia in particular. It seems to me the best response to that is to give up the policies of bellicose neglect that we've seen in recent years and focus much, much more attention on US support for the rule of law and for sustainable development in countries like Somalia.

The challenge in Africa, the challenge in a lot of countries around the world is a challenge of poverty. It's a challenge of failed states or partially failed states. The United States can step in a lot earlier and a lot more cheaply by simply providing some stronger foreign assistance and stronger support for rule of law and for sustainable development in these countries.